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It has been my experience that every member of the committee and the staff has gone about their assignments with but one goal in mind, and that is to learn the truth. This is not to say that the committee has not, at times, been involved in controversy, as anyone with a memory that goes back some 17 months would recall. For over 1 year now, the committee has been quietly and professionally doing its job, notwithstanding that from the outside there have been some that would be opportunists and others that would perhaps exploit not only the assassination situation, but also, the work of this committee.

Though we have not been without our critics, I think in the end, once the American people have had the opportunity to review the evidence we will present, they will be convinced that this committee performed a credible and professional job on behalf of all Americans and in total response to the mandate given to us by the Congress.

Thank you, Mr. Chairman.

Chairman STOKES. Thank you, Mr. Devine.

At this time, in order to effectuate the presentation of the evidence to this committee, I want to recognize, for purposes of presentation, the general counsel of this committee and staff director, Prof. G. Robert Blakey. Mr. Blakey.

Mr. BLAKEY. Thank you, Mr. Chairman.

As the committee begins its public hearings, it seems appropriate to reflect for a moment on the meaning of the life, and the death, of Dr. Martin Luther King, Jr., for the ultimate issue this committee must face is were they, his life and his death, isolated one from another.

The bullet that smashed into Dr. King on April 4, 1968, opened a wound in our society that will never heal completely. His death foreshadowed the seeming end of a period of civil rights progress that Dr. King had led and for which his life had become a symbol.

Dr. King's legacy has been profound change in our social fabric—the to the advantage of Blacks, as well as all Americans.

But after his death, as a Washington Post writer put it, “\* \* \* his army of conscience disbanded, the banners fell, the movement unraveled \* \* \*”

Dr. King's life, too, must be placed in a wider context. It would be a mistake, unfortunately, to regard the tragic event in Memphis in 1968 as an aberration. Civil rights violence in this country dates back at least to the 18th century, when bands of runaway slaves began mounting attacks on plantations, igniting fears by the 1790's of a general slave uprising.

This violence did not end with America's first struggle for freedom in the Revolution of 1776. By the 1850's, feeling once again was running high over the issue that was soon to tear the Union itself asunder. The pillaging and burning of Lawrence, Kans., by proslavers

in 1856, led abolitionist John Brown to launch a bloody retaliatory raid on Pottawatomie, Kans.

It was after the end of the Civil War and emancipation, however, that the most brutal assaults occurred, as a wave of murders swept the South. In the postwar decade, some 3,500 civil rights advocates were slain, 1,884 of them in 1868 alone. Indeed, violent outbreaks were commonplace.

When Blacks appealed for their right in Memphis in 1866, 47 of them were massacred by rioting white terrorists.

Whites in New Orleans attacked the Louisiana State Convention of 1866, killing 27 Black delegates.

Of 16 Blacks elected as delegates to the Mississippi Constitutional Convention in 1868, two were assassinated by whites.

In the Alabama campaign of 1870, four Black civil rights leaders were murdered when they attended a Republican rally.

In the Mississippi campaign of 1874, several Black leaders in Vicksburg were attacked and murdered by the Ku Klux Klan.

In Louisiana, in the election of 1878, Klan gunmen fired on Blacks standing at the polls in Caddo Parish, killing 40, by one account, 75 according to another.

Systematic violence, designed to cow Blacks asserting their right to vote, led Attorney General Alphonso Taft to declare in 1876: "It is the fixed and desperate purpose of the Democratic Party in the South that the Negroes shall not vote and murder is a common means of intimidation to prevent them."

In the 1890's the legislatures of all Southern States disfranchised Black citizens. The then Supreme Court not only failed to intervene, but in the case of *Giles v. Harris* in 1903, it officially sanctioned the practice. As the Black vote disappeared in the South, it is understandable that the murder of civil rights leaders decreased dramatically, only to be replaced by two other forms of white terrorism: riots and lynchings.

The National Association for the Advancement of Colored People was founded in 1909 to deal with them—at the expense of further assertion of Black political power.

The NAACP remained the leading civil rights organization for the first half of the 20th century. Its primary role was to offer legal counsel to Blacks whose rights had been denied. In 1942, the Congress of Racial Equality was founded. For the most part, it sponsored sit-ins of segregated facilities.

Nevertheless, there were signs of progress in the 1940's. A resurgent civil rights movement was beginning to develop. The Supreme Court, a new Supreme Court, prohibited all-white primary elections, declared unconstitutional restrictive real estate covenants, and ordered an end to segregation of interstate passengers.

In 1947, President Truman's Committee on Civil Rights recommended the enactment of fair employment legislation. In 1948, President Truman abolished segregation in the Armed Forces and in Government agencies.

The civil rights movement of our time set its roots, its deep roots, in the field of education, with a hefty assist from a monumental Supreme Court decision. On May 17, 1954, after a long struggle through the courts by Blacks, in *Brown v. Board of Education*, the Court an-

nounced its ruling that segregation in public schools was unconstitutional. But the decision was only the beginning of a long struggle, for it was not easily accepted in the South.

Indeed, many historians believe the real beginning of the new Black revolt against inequality was marked in Montgomery, Ala., on December 1, 1955. When four Black passengers were asked by the driver of a downtown bus to give up their seats, Mrs. Rosa Parks refused and was arrested. In protest, Black leaders organized a boycott that lasted for 382 days. It ended when the courts ordered buses integrated.

The bus boycott was guided by the words of a 27-year-old Black Baptist minister, who emerged from it as a fresh and dynamic force among American Blacks. Preaching "the Christian doctrine of love and operating through the Ghandian method of nonviolence", Dr. Martin Luther King, Jr., represented a new leadership. And he had shown in Montgomery that he knew how to use direct action to achieve justice.

The Southern Christian Leadership Conference was formed in early 1957 with Dr. King as its president. Adopting a nonviolent approach, SCLC was dedicated to the integration of Black Americans in all aspects of American life.

In May 1957, addressing the first major Black demonstration in Washington since World War II, Dr. King returned to a theme that had lain dormant for 60 years, the right to vote. "Give us the ballot," he pleaded, "and we will no longer have to worry the Federal Government about our basic rights."

He was on his way to becoming one of the most influential Black leaders of his time, a symbol of the hope for equality for all Americans.

It was a time of fast-moving events, actions, and counteractions in a continuing conflict.

On September 9, President Eisenhower signed the Civil Rights Act of 1957, a law that markedly enlarged the Federal role in race relations. It established a Civil Rights Commission and a Civil Rights Division in the Justice Department. Most important, it gave the Attorney General authority to seek injunctions against obstruction of voting rights. That same month, in Little Rock, Ark., violent rioting erupted over the integration of Central High. Nine Black students were successfully enrolled, but not before 1,000 paratroopers and 10,000 National Guardsmen were sent in. The price of progress was a polarization of southern attitudes and those elsewhere.

The year of 1960 was a year of sit-ins. They began February 1 in Greensboro, N.C., spreading rapidly to cities in Virginia, Maryland, South Carolina, Tennessee, Alabama, Kentucky, and Florida. By the end of the year, Blacks were being served at lunch counters in hundreds of southern stores. Again, there was white resistance. As the sit-ins set the pace of a campaign to open up public facilities of all sorts, there were thousands of arrests and occasional outbreaks of violence.

Violence was more than occasional in 1961, the year of the freedom rides. They began in May when members of CORE boarded two buses in Washington and set out for New Orleans, intending to test segregation laws on the buses as well as in the terminals en route. Trouble broke out in Alabama. The demonstrators were attacked and beaten in Anniston and Birmingham. One bus was stoned and burned.

When another group of students left Atlanta to ride to Montgomery the following week, Attorney General Kennedy sent 500 Federal marshals to protect them. The students, unfortunately, arrived before the marshals, however, and they were severely beaten.

The next evening, an angry mob surrounded a church where Dr. King was to speak. The marshals and federalized National Guardsmen had to escort the congregation home. The freedom riders met with little violence in Mississippi, though they had to reckon with a legal system that gave them little leeway. Over 300 demonstrators were arrested for breach of the peace and for disobeying police orders to disperse in segregated terminals.

Reaction in Washington to the attacks on the freedom riders was swift. Attorney General Kennedy petitioned the Interstate Commerce Commission which on September 22 adopted rules banning segregation on interstate buses and in terminals.

Across-the-board desegregation of Albany, Ga., was the focus of civil rights efforts led by Dr. King in the summer of 1962. The city reacted by arresting 1,100 demonstrators, including Dr. King and his colleague, the Reverend Ralph Abernathy. The Albany campaign received national attention, but it failed to crack southern resistance symbolized by the city.

This was not the case in the fall of 1962 in Oxford, Miss., site of the all-white University of Mississippi. James Meredith, an Air Force veteran, had been enrolled at Jackson State College when he decided to seek a transfer to Ole Miss. When he was rejected, Meredith filed suit. After 16 months of litigation, the Federal Circuit Court of Appeals ruled that he had been turned down solely because of his race and ordered that he be accepted.

Outright obstruction by State officials led the court to order that the Governor and Lieutenant Governor pay daily fines unless they stopped interfering with its ruling.

On October 1, 320 Federal marshals arrived at Oxford to escort Meredith to his dormitory, setting off a riot in which 2 persons were killed, 375 injured, before it was quelled by the presence of Federal troops. When the tear gas had cleared, Meredith was the first Black student to enter Ole Miss.

An all-out attack was launched in the spring of 1963 on segregation in Birmingham, Ala., called by Dr. King "the most segregated city in the United States." Civil rights activities sought removal of racial restrictions in downtown snack bars, restrooms, and stores, as well as nonracial hiring practices and the formation of a biracial committee to negotiate further integration. Sit-ins, picket lines, and parades were met with hundreds of arrests on charges of demonstrating without a permit, loitering, and trespassing. But as each effort was blocked, a larger one loomed in its place.

On Good Friday, Dr. King, along with Ralph Abernathy and Fred Shuttlesworth, was arrested, but the demonstrations continued. On May 2, 2,500 Blacks, most of them high school students, were arrested. On May 3, one group of demonstrators was bombarded by bottles, while another was met by Police Commissioner Bull Conner with his dogs and fire hoses.

Publication of pictures of police tactics in Birmingham led to a worldwide outcry and negotiations with the city followed in which Dr.

King agreed to suspend the campaign on May 8. But two dynamite blasts 3 days later sent thousands of Blacks back to the streets. When calm was restored, Dr. King was viewed as having triumphed due to the vast media attention he had attracted.

One by one, lunchcounters and other public facilities were open to Blacks.

Birmingham became a rallying cry for antisegregation activities in hundreds of cities in the summer of 1963. Marches were held in Selma, Ala.; Albany, Ga.; Cambridge, Md.; Raleigh and Greensboro, N.C.; Nashville and Clinton, Tenn.; Shreveport, La.; Jackson and Philadelphia, Miss., as well as in New York and Chicago. It was also a period of tragedy. In June, Medgar Evers, NAACP field secretary in Mississippi, was murdered, and in September the Sixteenth Street Baptist Church in Birmingham was bombed, killing four young Black girls attending Sunday school.

A climatic point in the campaign for Black equality came on August 28, 1963, when over 200,000 demonstrators assembled in Washington for a march from the Washington Monument to the Lincoln Memorial. Dr. King's address was acclaimed as the most memorable moment of the day. He said:

I have a dream that one day this Nation will rise up, live out the true meaning of its creed: "We hold these truths to be self-evident that all men are created equal."

The civil rights movement of this century has passed through three phases, each distinct in character, though they have overlapped in time. The first, desegregation, was an effort to break down the barriers of an old and corrupt social order. The second, integration, was concentrated on the opening up of opportunities—as in the case of the provisions of the Civil Rights Act of 1964 which guaranteed Blacks the right to vote, guaranteed access to public accommodations, authorized the Federal Government to sue to desegregate public facilities and schools, mandated nondiscrimination in Federal programs and required equal employment opportunity. The third, a quest for world peace and an end to economic injustice, not only for Blacks, but for all the Nation's poor, was uppermost in Dr. King's mind in 1968 at the time of his death. It was exhibited by his staunch opposition to the war in Vietnam and by his preoccupation with the poor people's march to Washington.

In this last quest, Dr. King seemingly was questioning the social order of the country. For this, perhaps, he made more enemies than for his activism in the cause of civil rights. His life and its steady movement toward freedom, justice, equality and peace pose difficult, terribly difficult questions, going to the reasons for his death. These causes and others were interred, for many, with his body at the memorial gravesight in Atlanta. Was his death then unrelated to his life, a senseless act, or did it, like his life, have meaning? It is to this question that this committee, the House, and the American public must now turn in these hearings.

Mr. Chairman, the witness we are now about to call, with your permission, is Dr. Ralph Abernathy. Dr. Abernathy was a close associate and personal friend of Dr. King. He is presently pastor of the West Hunter Street Baptist Church in Atlanta. He was formerly financial secretary-treasurer of the Southern Christian Leadership Conference

and later elected vice president at large of SCLC and the designated successor of Dr. King. When Dr. King was assassinated, Dr. Abernathy became president of SCLC.

Mr. Chairman, it would be appropriate to call Dr. Abernathy.

Chairman STOKES. Thank you. The committee now calls Dr. Abernathy.

Would the witness please stand and be sworn?

Dr. Abernathy, do you solemnly swear that the testimony you will give before this committee is the truth, the whole truth and nothing but the truth, so help you God?

Dr. ABERNATHY. I do.

Chairman STOKES. Thank you. You may be seated. And on behalf of the committee, Dr. Abernathy, it is indeed a pleasure and an honor to welcome you here this morning and to receive your testimony. For purposes of that testimony, the committee now recognizes Mr. Charles Mathews, special counsel to the committee.

Mr. MATHEWS. Good morning, Dr. Abernathy, welcome.

#### TESTIMONY OF DR. RALPH ABERNATHY

Dr. ABERNATHY. Good morning, Mr. Mathews, and members of the committee, Mr. Chairman.

Mr. MATHEWS. Dr. Abernathy, how long have you been associated with SCLC?

Dr. ABERNATHY. I have been associated with the Southern Christian Leadership Conference since its inception, and that was in January 1957.

Mr. MATHEWS. Previous to that, were you also associated with the Montgomery Improvement Association?

Dr. ABERNATHY. Yes; I organized the Montgomery Improvement Association on December 2, 1955.

Mr. MATHEWS. What was the purpose of both those organizations, that is, the Montgomery Improvement Association, and SCLC, which followed?

Dr. ABERNATHY. The purpose of the Montgomery Improvement Association was to integrate the buses in the city of Montgomery, the capital of the great State of Alabama. As you know, in 1955 and prior thereto, the city buses in Alabama and across the Deep South were segregated. And in Montgomery, we had a system where the first 10 seats on every bus were reserved for white passengers and Black persons could not even occupy these seats on a temporary basis. Several Black women had been arrested and brutalized and mistreated on the buses and finally, on December 1, 1955, Mrs. Parks, Rosa Parks, was arrested; and the next morning, on the second, Mr. E. D. Nixon informed me of this arrest and asked me if I would not do something about the situation, and I called together the Black pastors and leaders of the city of Montgomery in order that we might organize a bus boycott, that is, to refuse to ride the buses for a 2- or 3-day period, in order that we might gain three things: No. 1, more courtesy on the part of the bus drivers; No. 2, a change in the seating policy, for Blacks beginning in the rear and whites beginning in the front, and wherever the two groups met, of course, this would be the dividing line. And second—or third—the employment of Black drivers on predominantly

Black bus routes. However, none of these were granted, and our bus boycott stretched over a period of 381 days in an attempt really to integrate the city buses.

However, let me add that in the beginning we were merely seeking an improved form of segregation; that is, if you can have any such things as an improved form of segregation, on the buses.

Mr. MATHEWS. Did there come a time, however, Dr. Abernathy, when that particular stage was completed and you then formed the Southern Christian Leadership Conference; is that not correct?

Dr. ABERNATHY. That is correct. Our movement spread to other cities, like Tallahassee, Fla.; Birmingham, Ala.; and all across the South, because we were using a new technique, one that had never been tested in America before, and that was nonviolent direct action; and this had been so very, very effective until other communities had adopted it, and we were being called, Dr. King and myself, to come to these various cities, so we decided we would organize the Southern Christian Leadership Conference.

Mr. MATHEWS. For what purpose?

Dr. ABERNATHY. For the purpose of redeeming the soul of America through nonviolent means. We gathered in Atlanta, Ga., and, of course, had a preliminary session, and, of course, during that very night my home was bombed and the church that I pastored was dynamited, and this interrupted the proceedings, and I had to return to Montgomery with Dr. King; and we did not complete the organizational process until a month later, which was really in the spring of 1957, in New Orleans, La., for the purpose of redeeming the soul of America, and this encompassed not just the integrating of the buses but dealing with many other problems.

Mr. MATHEWS. You mentioned you and Dr. King. That leads me to another line of questioning. When did you first meet Dr. King?

Dr. ABERNATHY. I met Dr. King first in 1951. I was a student at the university studying for a master's degree in sociology, and I heard of this very young, able, gifted, articulate preacher of the gospel, following the style of Apostle Paul, and I went over one Sunday to hear him preach in the Ebenezer Baptist Church, and I was greatly impressed with him. I met him at the close of the worship service and we exchanged briefly some chat and conversation and, of course, over the summer we had a very brief acquaintance. However, he soon returned to Crozer Theological Seminary, and I completed my work and returned to my alma mater, Alabama State University, where I accepted a teaching position. We did not meet again until the spring of 1955 when Dr. King came to Montgomery to try out, or to preach, an initial sermon at the Dexter Avenue Baptist Church, a daughter church of the First Baptist Church, which I was pastoring, and, of course, he had the responsibility of bringing along my guest, Dr. Vernon Johns, who was his predecessor, who had formerly pastored the Dexter Avenue Baptist Church. He had to bring him to my home because Dr. Johns had hitchhiked a ride to Montgomery with Dr. King and, of course, Dr. King accepted my wife's invitation to have dinner with us, and this was the beginning of a friendship, a very close association, that ended only on April 4, 1968, when he died in my arms in the St. Joseph Hospital in Memphis, Tenn.

Mr. MATHEWS. Dr. Abernathy, your testimony is that you first met Dr. King in 1951. How would you describe your relationship with Dr. King from 1951 through the date of the assassination?

Dr. ABERNATHY. Well, I would describe it as having been one of the closest relationships that has ever existed between two individuals. I think I would have to say that I know of one other friendship, as I study history, that was likened unto ours, and that was the friendship of Jonathan and David. We were the dearest of friends. He said this many times from platforms. In the last speech that he made, he made it very clear by saying that I want the Nation and the world to know that the dearest and closest friend I have in the world is Ralph David Abernathy. I felt that very same way about him. The last meal that he ate in the world, we ate it from the very same platter together. We always shared the room whenever we traveled. We were just inseparable. We were the dearest of friends.

Mr. MATHEWS. Going back again, Dr. Abernathy, from 1955 through 1968, could you describe Dr. King's role in the various stages of the civil rights movement in that period?

Dr. ABERNATHY. Well, I would say that the first stage was a stage in which we sought to do away with the whole evil of an unjust system of segregation in this country, whereby Blacks were denied their constitutional and God-given rights; where they had to ride in the back of the bus; they had to sit in the balcony of the theater; they had to ride up in the front of the train. This contradictory, unjust system, this evil system of segregation manifested itself first in our attempts to destroy it through the Montgomery bus boycott and through the struggle in Birmingham, Ala., which took place in 1963. Once we had solved the question of segregation and we had won the right to ride anywhere we chose to on the buses, to live in hotels and motels of this country, we then moved to another level, and that is to exercise our most basic and democratic right as American citizens: the right to vote; and this was manifested and seen very clearly in the Selma demonstration which culminated in the march from Selma to Montgomery, a 50-mile journey, where several individuals lost their lives, like Mrs. Viola Liuzzo, and Rev. James Reeb and Jimmy Lee Jackson. This would have been, in my estimation, the second stage of the King era, the King campaign. And then I would say that the third era of the King campaign had to do with the whole question of international problems or the peace movement. This is when he exercised a great deal of courage and came out against the ungodly senseless war in Vietnam and made very clear the fact that nations must not lift up sword against nation, the philosophy of an eye for an eye and a tooth for a tooth, that followed to its ultimate conclusion, would end up with a blind society and a toothless generation. This, of course, caused a great deal of concern, interest, and made for him a great deal of enemies, for there were those who believed that it was all right for Dr. King to lead a nonviolent protest, to integrate the lunch counters, but they did not believe that he should have a voice in foreign policy and in foreign affairs.

The fourth and final stage, Mr. Counselor, in my estimation, as I look back at his life and as I will describe it more clearly in my book in the very near future, has to do with Dr. King's crusade for economic security on the part of Blacks and whites, and is seen very



clearly in his organizing for the poor people's campaign, and in the midst of that organizational process the striking sanitation workers in Memphis, Tenn., sent out the Macedonian call for Dr. King to come and give aid and assistance and help in that struggle.

Dr. King realized that it was not enough to eat at lunchcounters, to live in hotels and motels, and yet at the very same time, once you checked in without difficulties, you suffered great difficulties checking out, because you don't have a job, you do not have the income that is necessary, you realize that it was not enough to have the right to vote. to be able to once again send Black men and women to the Congress of the United States, unless that was buttressed by economic power. He realized that it was not enough for men of various nations of the world to coexist and to cease fighting and killing one another, but he felt that the most basic need for Blacks and poor whites in this country was to enjoy the blessings of this land—and I call it economic security, jobs and income—because he realized that everybody would not be able to work but that it is the responsibility of the Government to provide adequate income for those who are too old to work, for those who are unable to work, and for those individuals who are too young to work, and for those individuals whom the country, the Nation, does not train or prepare for work. So, I call it jobs and income.

A guaranteed annual income is what I called for before a congressional committee last Wednesday when I was here in Washington.

Mr. MATHEWS. It is fair to say that, when the Memphis sanitation workers' strike started, which occurred in February of 1968, SCLC, Dr. King, and yourself, had already begun to focus on the economic issues of the day; is that correct?

Dr. ABERNATHY. Well, that is correct. We were organizing the poor people's campaign and we really had to interrupt our organizational process.

Mr. MATHEWS. Did Dr. King see the Memphis sanitation workers' strike as an opportunity to put that new stage into effect?

Dr. ABERNATHY. Well, I think that Dr. King's main concern was really at that point to help the poor, because this massive poor people's campaign where we were going to bring the poor, and eventually I did bring the poor, from all across the Nation. Black and white, brown, red, and yellow, to Washington, would dramatize the whole situation and we would expose poverty. The man was such a great man, he was such a good man, he was such a sensitive man. When he heard the cries of striking sanitation workers, garbage workers, who could not get a decent wage in Memphis, Tenn., he altered his plans, and finally, we, as a staff in SCLC, decided that we were coming to Washington with a poor people's campaign but we were coming by the way of Memphis, Tenn.; that is, we were going to straighten out Memphis before we dealt with the Nation.

Mr. MATHEWS. Do you recall who invited Dr. King to Memphis the first time, on March 18, 1968, when he gave his speech at the Mason Temple?

Chairman STOKES. Would counsel suspend for a moment?

I am requesting that the photographers who are seated in front of the witness table and who are continuing to take photographs of Dr. Abernathy, to remove themselves from that area. If there are any

further photographs you want of the witness, you have 15 seconds to take them, and then remove yourselves.

The Chair has no objection to your remaining in the room, but we think this testimony is extremely important to this committee and I am sure this is distracting to the witness.

Thank you. You may resume, counsel.

Mr. MATHEWS. Thank you, Mr. Chairman.

Let me repeat my question, Dr. Abernathy.

Do you recall who invited Dr. King to speak in Memphis on March 18, 1968?

Dr. ABERNATHY. Yes; I recall very well. It was Rev. James Lawson, who was then the pastor of the Centenary United Methodist Church and the Rev. Ralph Jackson, the director of the minimum salary department of the African Methodist Episcopal Church. These two ministers along with Rev. Billy Klyes had organized a citizens group to support the striking sanitation workers, and they had brought in several national speakers of prominence, like Mr. Roy Wilkins, Mr. Bayard Rustin, and some others, and finally, they came to that period and moment when they really wanted to bring in the best that we had, one that would really pack and fill the Mason Temple Church of God and Christ building that would seat some 12,000 or 13,000 persons, and, of course, they invited Dr. Martin Luther King, Jr., to come in. As I have already stated, we were in the process of organizing for the poor people's campaign, and, of course, Dr. King went at a great sacrifice to our cause. Realizing that our cause was merely a cause for the betterment of mankind, he decided that he was going to go to Memphis.

Mr. MATHEWS. So his purpose in going on March 18, 1968, was mainly for the purpose of giving a speech in support of the strike; is that correct?

Dr. ABERNATHY. That is correct.

Mr. MATHEWS. Do you recall where Dr. King stayed on his first visit on that date?

Dr. ABERNATHY. I believe it was the Lorraine Motel. We made all of our visits, through Memphis and into Memphis, and all of our stops were at the Lorraine Motel.

Mr. MATHEWS. I am sorry, go ahead.

Dr. ABERNATHY. Yes; because the days of segregation had just come to a close and still you encountered some difficulties in registering at some of the motels and hotels and we felt very much at home at the Lorraine Motel. Much of our work of organizing for the poor people's campaign, counselor, had taken place in the State of Mississippi. The whole idea had been conceived in Mississippi. And the way we were going to Mississippi was to fly into Memphis and then, of course, we would be met and be driven down to Marks, Miss. This was a much more direct route than flying into Jackson. As you know, there were very few airports large enough at that time to accommodate the large jets out of Atlanta.

Mr. MATHEWS. Just on the Lorraine Motel point, then it was not unusual for Dr. King or members of SCLC to stay at the Lorraine when they had business in Memphis; is that correct?

Dr. ABERNATHY. That is correct.

Mr. MATHEWS. You had stayed there in the past; is that correct?

Dr. ABERNATHY. Yes; we had a standard room there.

Mr. MATHEWS. Let me see if I can summarize your testimony briefly, Dr. Abernathy. Dr. King was invited to Memphis on March 18, 1968, by Reverend Lawson and other members of the Memphis community group.

He gave a speech that night at the Mason Temple; is that correct?

Dr. ABERNATHY. That's correct.

Mr. MATHEWS. There came a time when he decided to return to Memphis again, not just to give a speech, but to lead a march; is that correct?

Dr. ABERNATHY. Well, it was really to give a speech and to lead a march.

Mr. MATHEWS. Will you describe briefly how that event occurred; that is, the decision to return to Memphis and lead a march on March 22, 1968?

Dr. ABERNATHY. We had really made no definite commitment to Memphis, Tenn.'s striking sanitation workers. Dr. King had been invited merely to speak and, of course, upon the second invitation, we had gotten up as far as New York and New Jersey in organizing for the poor people's campaign and after having had a very, very successful date on that Wednesday, Dr. King did not want to leave New Jersey because he wanted very much to go to Paterson, so he asked that I would go and make the speech on that Wednesday evening at Mason Temple Church. And, of course, he would join me the next morning. He would take a flight out of New York early the next morning and come to Memphis where we would lead the march.

But he would not be present at the rally. So, after some persuasion, I decided that I would go to Memphis and deliver the speech, which I did. There were some 10,000 or 12,000 persons there throughout.

Now, on that evening, I was the guest of the Municipal, County, and State Employees Union, headed by Mr. Jerry Wurf, and they had a room for all of their guests in the Peabody Hotel; this is the old, downtown established hotel in Memphis.

Mr. MATHEWS. So, you stayed in the Peabody?

Dr. ABERNATHY. Yes; because it is unionized. This was the argument that they gave.

Mr. MATHEWS. That morning, did you travel to the airport and pick up Dr. King?

Dr. ABERNATHY. Yes; the next morning, of course, as usual, through the courtesy of a funeral home in Memphis and Rev. Solomon Jones, the driver, I was picked up and taken to the airport to meet Dr. King, and from there, we went to the Clayborn Temple A.M.E. Church and the Minimum Salary Building of the A.M.E. Church, and we could not follow our usual custom of going in the church workshoping the marchers on our nonviolent technique and gathering from them their knives, whatever they had, which would keep them from becoming violent in case they might be attacked, because there were so many people outside and there was a restlessness within the crowd.

There were large numbers of young people who appeared to be very, very cooperative, yet, they were restless and anxious to actually move and to get going with that march.

Mr. MATHEWS. So, was the decision made by yourself and Dr. King to proceed with the march on the 28th of March?

Dr. ABERNATHY. Yes; and in consultation with local leaders we decided the best thing to do was to really get the march started so that we would not face what we had faced here in Washington where the people were here, the leaders were supposed to be out front, and the people were ready to march.

So we thought it would be best to really get the march started, and we moved down Beale Street, a very famous street in Memphis, and turned into Main Street. It was then that these young men, there were some Black men in the march who began to pat us on the back and congratulate us and tell us how great we were and how blessed they were to have us in Memphis, and then we would hear smashing seemingly of windows and then it became very clear to us that windows were being broken and that violence had broken out on this march and Dr. King signaled Rev. James Lawson to come to him with his bullhorn and he said violence has broken out on this march: I will never lead a violent march, so, please, call it off. And Reverend Lawson called the march off.

At that very moment, the Memphis Police and State troopers appeared with their tear gas and began to fix their helmets, and, of course, at that point, someone stopped the last car that they permitted to cross Main Street and asked that we might use the car to take Dr. King out of the crowd.

Of course, Rev. Bernard Lee, myself and Dr. King were put in this car. Reverend Jones drove the car down to the Riverside Drive with the aid of two motorcycle cops. And once we were there, they wanted to know what hotel we wanted to go to, and, of course, I suggested the Peabody because that's where I had spent the night before. They said they could not get to the Peabody because violence had broken out, the city had been tear gassed and it was impossible to cross Main Street.

Then, Dr. King said, "Well, to the Lorraine Motel," and they said, "Well, that's even worse. We cannot get to the Lorraine Motel, but we will take you to a hotel," and they took us to the Riverdale.

Mr. MATHEWS. Was that the Rivermont?

Dr. ABERNATHY. The Rivermont, maybe that's it; the Rivermont Holiday Inn. We had never been there before, but I guess they had radioed ahead because they were expecting us. They had a suite ready. We were taken directly to the suite with two bedrooms and a living area, and it was there that we heard over the news that a curfew had been called for by the mayor of the city.

No one was permitted on the streets. A young Black man had been killed and Dr. King was greatly, greatly disturbed. It was the most restless night. It was a terrible and a horrible experience for him. I had never seen him in all my life so upset and so troubled by the fact that violence had broken out on his march.

This was the first time that we had ever experienced any violence from our ranks. Certainly, violence had been inflicted upon our demonstrators, but never before had any of our demonstrators perpetrated any violence, defensive or aggressive, upon anyone and naturally, he was concerned about his image across the country and they were giving him a tough time about Vietnam, at that time, of course, the press was very, very familiar with him.

No longer was he a novelty and they were writing editorials that were not too complimentary and, of course, Dr. King was greatly disturbed by all of this, and this was a horrible evening.

Mr. MATHEWS. Did he make the decision at that time to return to Memphis to lead a nonviolent march or was that decision made later?

Dr. ABERNATHY. No; that decision was made later.

Mr. MATHEWS. When?

Dr. ABERNATHY. That decision was not made until Saturday. The march had taken place on Thursday. The night of which I speak of that was such a painful night was a Thursday night.

Mr. MATHEWS. That was March 28, 1968.

Dr. ABERNATHY. That is correct.

Mr. MATHEWS. Did the decision you speak of occur on March 30, 1968, which was a Saturday?

Dr. ABERNATHY. Yes; that is correct. That decision was made by the executive staff of the conference.

Mr. MATHEWS. What was that decision?

Dr. ABERNATHY. If I may just back up a little, just let me say that on Friday morning, Dr. King had called for a press conference and, of course, I guess he fell asleep around 5 or 6 o'clock. I permitted him to sleep once he had finally gone to sleep, and a group of young men came to the hotel—

Mr. MATHEWS. This is at the Rivermont on Friday the 29th of March?

Dr. ABERNATHY. Yes; they came and asked if they could see Dr. King. Of course, I told them that he was resting and he needed to rest. Then they identified themselves as members of the Invaders and said they were the people responsible for the violence, that they had dropped out of the ranks of the march and broken windows and then taken refuge back in the march.

I readily recognized many of them because these were the young men who were patting us on the back; they were young Black men saying how wonderful it was that we had come to Memphis to help them and they said that they were very, very disturbed because the young man who had been killed in the violence was a member of their group, and they wanted to make that confession to Dr. King, and it was at that point that I went in and told him what they wanted to do, and he said, "Well, they will just have to make it to you, which will be all right." He said, "Well, you can take the confession. I am going to get up now and get ready for the press conference."

And, of course, they did make that confession, and we talked about, it, and en route to the press conference, he stopped briefly and heard what they had to say.

Of course, we went on to the press conference and, strangely enough, the lion, as I like to call it, in Dr. King came out in his press conference. He was a very courageous man, yet, he was a very meek and humble man, but he would always rise to any occasion, and it was at this point that he really mastered that press conference, as we walked in and said this would not be just an ordinary briefing, but it can be a press conference, it may be on the record or off the record, ask whatever questions you want to ask. He did not use his aide, Reverend Lee, to begin the conference.

He did it all himself. It made me so very proud of him. Once we were back in the room, I just had to express the joy after such a painful night, and he said, "Well, David, what I want you to do now is get me out of Memphis; get me to Atlanta." And, of course, we took the first flight available to Atlanta. He wanted me to go with him to the

health club at the YMCA. I thought it was more important that I go show myself to my wife and let her know that I was still alive and unharmed in spite of what the press may have said. I wanted her to see with her own eyes. So I went home and it was from the health club that he called me.

Mr. MATHEWS. Dr. Abernathy, let me stop you briefly here. Can you relate to us briefly what occurred at the meeting on March 30? Was some decision made at that point in time to return to Memphis by SCLC staff and Dr. King?

Dr. ABERNATHY. OK, you want me to skip the other?

Mr. MATHEWS. Yes; I do.

Dr. ABERNATHY. Thank you. We decided eventually that we were going to Washington with the poor people's campaign; we were going by the way of Memphis, Tenn. Dr. King was not present at the time that the decision was made. The executive staff, Rev. Hosea Williams, Rev. Jesse Jackson, now Ambassador Andrew Young, myself and Rev. Bernard Lee and just the full executive staff, was present when the decision was made.

Since I was the vice president of the organization, they asked me if I would please contact the president—I knew where he was—and inform him that they wanted to see him; they wanted to convey to him themselves their feelings.

Of course, I contacted him and finally, he came after about 2 hours. I wanted to tell you how depressed he was. I thought it was important you know that. But I guess you have that entered in the record some place.

Mr. MATHEWS. Yes, sir.

Dr. ABERNATHY. He was very, terribly depressed; a depression that I had never experienced before and had never seen. He was back in this shell. And, of course, he finally came after about 2 hours, and the staff informed him of their decision to go to Memphis. They gave the outline that he was to preach the next Sunday morning at the Washington Cathedral here and certain staff persons would go to Memphis and begin workshoping the people on Sunday, and others would go in on Monday and Dr. King and myself were to come in on Tuesday.

Mr. MATHEWS. So, there came a time, then, on April 3, 1968, when you and Dr. King arrived in Memphis, is that correct?

Dr. ABERNATHY. We didn't go into Memphis until on Wednesday.

Mr. MATHEWS. That was April 3, 1968, Wednesday?

Dr. ABERNATHY. Wednesday, that's right.

Mr. MATHEWS. Did you stay at the Lorraine Motel that day?

Dr. ABERNATHY. Yes; we did.

Mr. MATHEWS. That night, did Dr. King give a speech that has now become known as the "mountaintop speech" at the Mason Temple?

Dr. ABERNATHY. Surely, he gave it. As you know, there were tornado warnings in Memphis and a great deal of rain. He had asked me to give the speech that night, but once I got there, I discovered there was a large press and all the television cameras. I knew they wanted to hear what the most peaceful warrior of the 20th century had to say. So, I called him and asked him if he would please come and he assured me he would come and make the speech that evening and, of course, I introduced him and then he made the famous speech, that longevity certainly has its virtues, that every man would like to live a long life,

but so far as he was concerned, it didn't matter any more. All he wanted to do was to do the will of God because he had been to the mountaintop and he had viewed the promised land from afar and that he might not get there with the people, but eventually one day, his people would get to the promised land and, of course, he closed with, "Mine eyes have seen the glory of the coming of the Lord."

It was a marvelous speech. It was a moving speech. Many people thought that he had a premonition or maybe some knowledge which he had received through letter or telephone that something was going to happen.

Mr. MATHEWS. You say many people. You were his closest friend. What do you think?

Dr. ABERNATHY. Well, I think he had received some word.

Mr. MATHEWS. A premonition?

Dr. ABERNATHY. No; I just think he had received some word from some source that he was going to be assassinated.

Mr. MATHEWS. But you have no knowledge?

Dr. ABERNATHY. No; I have no knowledge.

Mr. MATHEWS. Dr. Abernathy, let me take you directly now to April 4, 1968, the day of the assassination, and the most important aspect of your testimony here today.

Could you describe from approximately 4 o'clock onward the sequence of events that occurred on that day?

Dr. ABERNATHY. Well, about 4 o'clock, thereabouts, the telephone rang in the room, and I answered the phone and it was Dr. King saying to me:

David, I want you to come down to the room, come down to my brother's room, A. D.'s room. I would like for you to come down and be with us.

And, of course, I went down and he told me about the lengthy conversation which they had held with his mother over the telephone and how pleased she was that A. D. was there with him.

Of course, we had this dinner engagement at the home of Rev. and Mrs. Billy Kyles. And, of course, he wanted to know the menu so he asked me if I would call and find out since Dr. King is not a man for eating a lot of broccoli and asparagus and cauliflower.

He liked good food. You know, soul food. And so I did call Mrs. Kyles and talked with her about her menu and repeated it so he knew exactly what was being served.

And finally, she got around to the good soul food she was going to have also. He was very pleased to know that, and then we went back to the room, to our room where he shaved and we talked about some things.

I revealed to him the fact that I would not utter it in the meeting, but I could not come to Washington for the poor people's campaign preparatory committee 100, on the date which we had agreed in the meeting. I would not say that in the meeting because I didn't want to make any lengthy discussions or anything of that nature, but I had a revival service in my church and it was totally impossible for me. He said, "Well, David"—I always called him Michael, by his real name, and he always called me David, by my real name. He said:

David, I wouldn't think of going to Washington without you. We have got to get that revival rescheduled and we must find a preacher.

Of course, we attempted to call the preacher in New Orleans who could have done the job to my satisfaction, because I didn't have time to promote it. And, of course, the pastor was away with his bishop out in the rural and there was no telephone. Of course, we never did get through on that one.

So then, he turned to me and he said :

Well, if I know that you are the pastor of the greatest church in America, had not you accepted that church, I was going to leave my father and go and pastor to the West Hunter Street Baptist Church.

He said :

Those people will do anything you tell them. And I want you to go to the West Hunter Church and tell them that you have a greater revival, you have a revival where you are going to revive the soul of this Nation, where you are going to cause America to feed the hungry, to have concern for those who are down-trodden and disinherited; you have a revival where you are going to cause America to stop denying necessities to the masses only to give luxuries to the classes.

He said, "If you will do that, I'm sure that West Hunter Street Church will understand and we can go ahead with this campaign."

He said, "Give me your promise and give me your word that you will not let me down."

I said, "Well, I will do it. We have been together so far, and there is no need for us to separate now."

And, he said, "Are you ready?" And I said, "Yes," and we put our coats on and we started out of the motel room. Just as we got in the door, I said, "Wait just a moment, let me put on some aftershave lotion," and, of course, he said, "OK, I'll stand right here on the balcony." And, of course, before I could get the lotion up on my face, I heard what sounded like a firecracker.

Naturally, I jumped and, of course, I then looked and I could see only his feet. Had he fallen directly back, he would have fallen right in the room, right in the door, but the bullet was so powerful, it twisted his body and he had fallen in a kind of kitty-cornered fashion and, of course, I rushed out immediately.

I heard the groans of the people in the courtyard who had hit the ground and, of course, I stepped across him because the bullet had entered his right cheek and I patted his left cheek, consoled him and got his attention saying, "This is Ralph, this is Ralph, don't be afraid."

Someone from the Community Relations Service came crawling bringing me a pillow and a blanket. I put it under his head and covered him with it. I stayed with him in the ambulance. I helped put him in the ambulance. I stayed with him in the operating room. I helped to give him the oxygen with the attendant on duty en route to the hospital.

It was there when the physician said to me that it would be a blessing, it would be an act of mercy, if he did pass because the bullet had really entered the cheek and then it had moved and severed his spine and then it had come down in the chest. This is where once they cut the clothing off, there was a hole big enough in his body for me to put both my fists, which I had not seen before until they cut off his clothing, and so forth.

And he said he would be a vegetable had he lived the rest of his life; he would be paralyzed from his neck down. And finally, he came



over to me and said again that the person who just left was the neurosurgeon.

Of course, he had shaken his head as he walked out. He said, "I doubt that anything will be done." Of course, I went over; I said, if I might go over. He said I could. I went over and that was the end.

It happened 1 hour from the time that he was shot.

Mr. MATHEWS. Mr. Chairman?

Chairman STOKES. Yes.

Mr. MATHEWS. I have no further questions of the witness.

Chairman STOKES. Dr. Abernathy, let me express our appreciation for the testimony you have just given us.

I guess, in a very sobering way, you have helped all of us once again realize the meaning of the life of Dr. King and the civil rights movement in this Nation of which you are one of the great leaders, also.

The committee will now operate under the 5-minute rule and with unanimous consent the Chair would like to out of order recognize the distinguished gentleman from Tennessee, who represents the district in which Dr. King was assassinated, as the first member to question the witness.

The Chair recognizes the gentleman from Tennessee, Mr. Ford.

Mr. FORD. Thank you very much. Mr. Chairman, Dr. Abernathy, at the outset may I extend my personal welcome to you and express my appreciation for your appearance here today. Unfortunately, Dr. Martin Luther King, Jr., was assassinated in the city where I was born and raised. The people of the city of Memphis were as much a victim of this shocking American tragedy as was Dr. Martin Luther King, Jr., and with your permission, may I ask a few questions?

Dr. ABERNATHY. Yes, sir, I will be delighted to answer. May I ask does it mean that you and I have only 5 minutes now?

Mr. FORD. I don't think so.

Chairman STOKES. It means this, Dr. Abernathy: Under the 5-minute rule each member of the committee will have 5 minutes in which to question you, and I have to recognize the next member, and, of course, the committee can at its discretion continue under the 5-minute rule as they so desire, so the member can always come back to you again.

Dr. ABERNATHY. I see.

Mr. FORD. Dr. Abernathy, what was Dr. King's attitude toward security and police protection?

Dr. ABERNATHY. Dr. King felt very strongly that there was a higher power of security and a greater police power. He really did not rely nor did he trust the police power in this country. He knew that in the Deep South that the sheriffs, who were all white, and the police chiefs, who were all white, and the various majority of the police, who were all white, were against him. He knew that the FBI was against him and could not be trusted. He knew that the CIA was against him and could not be trusted. That is, hotel rooms had been bugged and that he had been under surveillance by the police. So the police and security was looked upon really as an enemy rather than a force of good, and he refused to own a gun or to permit anyone on his staff to carry any guns for his own protection. He felt that the most powerful force in this country, and in the world, is nonviolence and that one could protect himself with nonviolence more effectively than he could with weapons.

Mr. FORD. Dr. Abernathy, during the period of late 1967 and until his untimely death in 1968, was the life of Dr. Martin Luther King threatened?

Dr. ABERNATHY. Oh, yes; he was constantly threatened. He suffered many, many, many threats; many, many threats in Montgomery, Ala., threats in Atlanta, Ga., and all across the country where he lead movements and where he went to speak. Of course, there were threats. And even on the day, which would have been April 3, we took a plane out of Atlanta, Ga. We sat on this airplane for 1 hour with no explanation from the captain or the pilot or any of the officers or the stewardesses, and finally the pilot said, after an hour:

Ladies and gentlemen, I want to apologize for the delay but today we have a distinguished person on this plane: Dr. Martin Luther King, Jr. We wanted to be very, very careful so we had the plane guarded all night last night and then we checked every piece of luggage in order that we might not have any bombs exploding, because if Dr. King is to be killed, we don't want to be killed also.

or some words to that effect.

So he was constantly getting threats, many of them through the mail, over the telephone, some of it was in person, as in Selma, Ala., a man came up and struck him as he attempted to register at a downtown hotel where no Blacks had ever lived before.

Mr. FORD. To your knowledge, was the Federal Bureau of Investigation aware of these threats?

Dr. ABERNATHY. Oh, yes; they were aware of them. We would report some of them. We did not report all of them because it became very apparent to us that the FBI had no intention of doing anything about them. You see, so many members of the FBI were southerners, racist southerners, white southerners, and because you take a racist white man and put an FBI badge on him, that does not change their thinking in their heart one bit; it just makes them Federal personnel.

Also we knew Mr. Hoover's attitude, who was then the head of the FBI Department. He had called Dr. King the most notorious liar in the country, and I visited Mr. Hoover and I knew his attitude toward Dr. King, and we would report for the record many of these threats and nothing was done about it. We didn't see any investigations taking place, nonetheless, for the sake of the record we would report some of them.

Chairman STOKES. Time of the gentleman has expired.

Mr. FORD. Mr. Chairman, I would ask unanimous consent to proceed for an additional 10 minutes.

Chairman STOKES. Without objection, the gentleman is recognized.

Mr. FORD. Dr. Abernathy, did Dr. King ever allow his own personal safety to interfere with his divine mission to provide equal rights for all people?

Dr. ABERNATHY. No; he certainly did not. He was always concerned about equal rights for all people, and his personal safety became secondary. This is not to suggest at all that he wanted to become a martyr. He loved life and he wanted to live but his commitment to the cause of Christ—this is what I call it, you may call it something else—his commitment to the American dream, was much more powerful and much more forceful than his own personal safety.

Mr. FORD. What was his position regarding his own personal safety?

Dr. ABERNATHY. Oh, yes; they were aware of them. We would report my battles; that truth crushed to the earth will rise again, and that if

a man has not discovered something that he is willing to die for, then that man is not fit to live. He also felt that freedom is costly and that there would be no freedom unless there is suffering and sacrifice, but he believed at the very same time that there was power in redemptive suffering.

Mr. FORD. Dr. Abernathy, to your knowledge, did the Memphis Police Department and the Memphis Office of the FBI have any information regarding the many threats made upon the life of Dr. King? The Memphis Office of the FBI and the Memphis Police Department?

Dr. ABERNATHY. Oh, yes; the Memphis Office of the FBI had some knowledge of some of the threats because some threats had been made in Memphis, Tenn., and the police department in Memphis. This is seen very clearly by the fact that each time that we went into Memphis there were two Black detectives who were assigned to us while in the city of Memphis.

Mr. FORD. In view of the plane being searched in Atlanta and the many possible implications arising therefrom, and in view of the Memphis Police Department and the Memphis Office of the FBI being not only aware of the threats on Dr. King's life but also that he was en route to Memphis, what police protection outside of these two police officers was given Dr. King when he arrived in Memphis on April 3, 1968?

Dr. ABERNATHY. None.

Mr. FORD. Having made reference to the FBI, to your knowledge, was Dr. King acquainted with its then Director, J. Edgar Hoover? You made statements Mr. Hoover made in regards to Dr. King. Was Dr. King acquainted with him? Had he ever met with him or talked with him or spoken with him about the threats personally?

Dr. ABERNATHY. Oh, yes; he had met Mr. Hoover and he had talked with Mr. Hoover.

Mr. FORD. Do you have any opinion as to whether or not the FBI through its Director, Mr. Hoover, harassed and thereby attempted to impede the objectives of Dr. King? If so, explain.

Dr. ABERNATHY. Well, impede in the sense of seeking to destroy one's morale or esprit de corps or kill one's spirit. I don't know of them seeking to block any march or any demonstration but to impede by bugging your hotel room and sending your wife a tape, which are supposed to have been some activities that may have taken place in your hotel room; to know that you are under surveillance; that there is somebody on every plane that you traveled there with you, naturally this would impede in some way, but I don't know of Mr. Hoover or the FBI standing in our way anywhere where a march was concerned or preventing us from going to jail if we sought to violate a law that we considered to be an unjust law.

Mr. FORD. Did you or your staff have any information which might lead you to believe that the Director, Mr. Hoover, was communicating orders pertaining to Dr. King directly, verbally, and unofficially into the Memphis area prior to the April 4 assassination?

Dr. ABERNATHY. No; I do not have any information on that.

Mr. FORD. Dr. Abernathy—

Chairman STOKES. Time of the gentleman has expired.

Mr. FORD. One last final question, Mr. Chairman.

Dr. Abernathy, prior to Dr. King's coming to Memphis and indeed at any time before his assassination, did you, or to your knowledge,

Dr. King, or anyone on his staff, know that the official in charge of the Memphis Police Department was a former FBI agent who served 8 of his 25 years with the Bureau as inspector in charge of the personal office—and I repeat, sir—in the personal office of Mr. Hoover, the Director of the FBI?

Dr. ABERNATHY. No; we did not know that.

Chairman STOKES. Time of the gentleman has expired. The gentleman from Ohio, Mr. Devine.

Mr. DEVINE. Thank you very much, Mr. Chairman.

I hope from the questioning thus far that this doesn't turn into a trial of the FBI rather than trying to fulfill the mandate of the Congress to determine whether or not Mr. Ray was alone, or whether as the person charged with having committed this offense, was involved in a conspiracy. That is the objective.

Dr. Abernathy, we appreciate your being here this morning, and in connection with your earlier testimony about being in the room that you apparently shared with Dr. King and putting the face lotion on as he went onto the balcony, you heard what you thought was a firecracker.

Dr. ABERNATHY. Yes.

Mr. DEVINE. Do you know who was on the balcony with him at that time?

Dr. ABERNATHY. There was nobody on the balcony with him.

Mr. DEVINE. Was he alone and in front of the door of the room that you were occupying?

Dr. ABERNATHY. Yes; he was alone.

Mr. DEVINE. And you emerged when you heard the noise and Dr. King had fallen? I believe you said his body twisted slightly around the corner of the room there in the area way?

Do you know who was immediately below in the parking lot looking up toward where Dr. King was?

Dr. ABERNATHY. Yes; there were several persons, many persons in the courtyard just below.

Mr. DEVINE. Any specifically that you can identify?

Dr. ABERNATHY. Rev. Solomon Jones, the driver, Rev. Jesse Jackson, Mr. Ben Branch, Ambassador Andrew Young, Rev. Bernard Scott Lee. These were all staff members of SCLC. Representative Hosea Williams, State representative.

Mr. DEVINE. I know that vast confusion occurred immediately following this tragic event. Do you recall any of the persons down there pointing in any direction saying "The shot came from here," or anything like that?

Dr. ABERNATHY. No; the first thing that happened, once I heard the sound of what I thought was something like a firecracker. I looked and saw only his feet, and I rushed out. Everybody hit the ground, Mr. Congressman, taking refuge, because they thought the place was being shot up, somebody was shooting into the crowd, but this was immaterial to me, and I was concerned about my friend, my buddy, so while they were on the ground they stayed there until, you know, considerable time and, of course, the first person to get up to where we were was the Rev. Billy Kyles, to whose home we were going for dinner. He had come to be with us, to go with us.

Mr. DEVINE. But you heard no more than one shot or one firecracker sound?

Dr. ABERNATHY. That is right, only one. And then Rev. Andrew Young was the second person who came up. Rev. Bernard Lee was the next person, and then Rev. Jesse Jackson and Rev. Hosea Williams, and they began to pick out where they thought the shot came from, and this is where the pointing—you may have seen a picture where they are standing pointing and I am down on the floor with Dr. King.

Mr. DEVINE. Do you recall in which direction they were pointing?

Dr. ABERNATHY. Well, I can't get the geography of Memphis. They were pointing away from the motel across the street.

Mr. DEVINE. Directly away from the balcony on which Dr. King had been standing?

Dr. ABERNATHY. Yes.

Mr. DEVINE. And do you know whether that direction happens to be the roominghouse that has since been publicized about this incident?

Dr. ABERNATHY. Yes; that was the roominghouse.

Mr. DEVINE. Are you acquainted with the crime scene map that rests over here to your left against the wall? Can you identify any portion thereof?<sup>1</sup>

Dr. ABERNATHY. No.

Mr. DEVINE. The blue in the middle being the swimming pool that your balcony overlooked.

Dr. ABERNATHY. This is the first time I have seen that map.

Mr. DEVINE. Perhaps later we can identify it in more detail.

You said following Dr. King's speech, which was outstanding, about looking over the mountain and so forth, that he came back and he said to the effect "Now get me out of Memphis." Where were you going?

Dr. ABERNATHY. To Atlanta.

Mr. DEVINE. To Atlanta?

Dr. ABERNATHY. To our homes.

Mr. DEVINE. And you also said this: "I think he had received some word from sources that he would be assassinated."

Now, on what do you base that thought, that assumption. You said, "I think he had received some word from sources that he would be assassinated." That is what you said directly in response to Mr. Mathew's questioning.

Dr. ABERNATHY. Yes; I base it, Congressman, on his attitude. I had just returned from a trip around the world and Dr. King became—he was altogether a different individual; he was troubled; he was worried; he was nervous and very, very jittery. We went on a vacation down in Acapulco, Mexico, to get some rest before we started the organizing of the poor people's campaign. He began to do what he had never did, and that was to pass on to me certain information that he wanted me to have. He repreached the sermon that he preached in his own church, "A Drum Major for Justice," where he really talks about his death, his funeral, and said if anybody is around, I don't want a long funeral, don't mention the fact that I hold a Ph. D. degree, and some 18 or 20 other doctorate degrees, don't mention the fact that I hold a Nobel Peace Prize, just say that I tried to help somebody, I wanted to be a drum major for justice and equality. He

<sup>1</sup> See *infra* p. 77.

preached that sermon to me. We were in Acapulco for rest and relaxation and there was no rest or relaxation. He was troubled and worried. And at that point I would say he was frightened, and it is on this basis—

Mr. DEVINE. You came to this conclusion on the basis of Dr. King's attitude and conduct rather than anything that he said to you about any specific source threatening to assassinate him; is that correct?

Dr. ABERNATHY. That is correct, he didn't say anything.

Chairman STOKES. The time of the gentleman has expired.

The gentleman from North Carolina, Mr. Preyer.

Mr. PREYER. Thank you, Mr. Chairman.

Dr. Abernathy, your testimony and Mr. Blakey's review of the civil rights history, I think, has given very dramatic evidence of the accomplishments of Dr. King and his close associates like yourself. Also I think it gives some meaning to the plaque that is on the Lorraine Motel now. The members of the committee went down to view room 306 at the Lorraine Motel, in which you and Dr. King were staying. As you know, now it is a memorial. Incidentally, it was news to me that it is also a memorial to the widow of the owner of the Lorraine Motel, whose first name was Lorraine, and who died that night of a cerebral hemorrhage, apparently because of great concern over this. That plaque that is now outside the room is from the Book of Genesis, and I will probably quote it wrong, but you or Reverend Fauntroy can correct me. But it, of course, deals with Joseph being sold into Egypt by his brothers, and it says "Behold, the dreamer cometh. Let us kill the dreamer and we shall see what happens to his dreams."

Do you feel the assassination of Dr. King was an effort to kill the dream, that is, was it a political assassination to kill him for his ideas, or do you feel it was the act of an unbalanced individual who was seeking to assert his own self-importance by killing an important man?

Dr. ABERNATHY. Mr. Congressman, I am very happy to answer that question because, first, I chose the scripture and I placed the plaque there, "Behold, here cometh the dreamer, come now, let us slay him and we shall cast him into a pit and we shall say that some wild beast has devoured him, and then we shall see what will become of his dreams."

I believe very firmly that the assassination of Dr. Martin Luther King, Jr., was a political assassination. I believe that it was a conspiracy. I believe that he was assassinated in an attempt to kill the dream, the American dream, the fulfilling of that dream, for all peoples, Black and white, young and old, rich and poor, brown, yellow, and red.

Mr. PREYER. That is one of the missions of this committee, to attempt to answer that question and get to the bottom of that. I believe you have already outlined the reasons why you feel that way with Mr. Devine, the troubled attitude of Dr. King, the surrounding circumstances, but that so far you do not have other direct evidence tending to show that.

Dr. ABERNATHY. That is correct, I do not have any direct evidence that anyone spoke with him or said that he was going to be assassinated. All I know is that when I returned in January of 1968 from a peace mission around the world, that Dr. King was a completely different individual, he was a troubled man, and I believe that somebody had conveyed certain information to him. He already had written

into the SCLC constitution that I would succeed him, but then he began to share certain things with me. For instance, in his last executive staff meeting when Representative Hosea Williams, now Representative Hosea Williams, wanted to employ three or four of the Invaders on our staff, he turned to me and said, "Ralph, under no circumstances and at no time in the history of this SCLC must there be anyone who will use violence as a technique, as a strategy, or even as a tactic, to gain any rights for Black or for poor American people." He said, "I am charging you and holding you responsible."

I thought then that he was saying it because I was treasurer of the organization as well as the vice president and signed the checks. I didn't know he was saying it because very soon I would be the president of the organization and I would be in charge of hiring everyone.

Chairman STOKES. The time of the gentleman has expired.

The Chair recognizes the distinguished chairman of the King Subcommittee, the gentleman from the District of Columbia, Mr. Fauntroy.

Mr. FAUNTROY. Thank you, Mr. Chairman.

I would like Dr. Abernathy, to express my appreciation of the committee and the American people for your very moving testimony before us today.

Dr. Abernathy, you have indicated that while you, too, noted Dr. King was a very troubled man toward the end of his life, and while you have given us a number of indications that he had a premonition about his own death, you have candidly reported that you do not know of any specific threat that he received or that he mentioned to you.

You have speculated that the bit of depression or the depression that he was in was perhaps due, among other things, to the harassment of which he was almost daily aware from the FBI.

I wonder if you would care to comment to the committee on why you think the FBI harassed Dr. King in ways that you knew then and ways that we have all come to know far better since.

Dr. ABERNATHY. Thank you very kindly, Mr. Fauntroy. The harassment of Dr. King from the FBI, not only Dr. King, but so many of us associated with him, began even as early as Montgomery, Ala., back in 1955 when our telephones were tapped and we knew they were tapped and our homes were bugged and we knew that our homes were bugged because we would hear strange noises and sounds and information was getting out and we learned to live with it because anything we wanted to say, we always spoke in codes or we would go use a pay telephone and would never use the same pay phone.

I can only attribute it to the fact that the Kerner Commission revealed and it was imminent that we just live in a racist country and there are people in this country who do not want Blacks and browns and yellows, and other minorities, especially the poor, to enjoy the blessings of this land and, unfortunately, an agency of our Federal Government that we always looked to as our friends was certainly, in my estimation and my belief, an enemy because we were seeking to bring about change, and change is very difficult for many people. And, of course, Black people were tired and I never before in the history of this country has there been one national voice that was respected by the vast majority of the masses of the people and the masses of the people were moving and following the leadership of Dr. King.

I think there were those, including the FBI, who felt that they ought to discredit and to render ineffective Martin Luther King, Jr.

Mr. FAUNTROY. You mentioned also in connection with the march that several of the young men who were responsible for the violence would come in and out of the crowd and pat you on the back and congratulate you for having come, and then go and commit acts of violence; is that true?

Dr. ABERNATHY. That's correct.

Mr. FAUNTROY. What reason did you think motivated them to do that? You reflected upon this obviously afterwards. Why did you think that they would deliberately deceive you about their support of nonviolence and of Dr. King while, at the same time, turning around and doing what they knew would be destructive of his purposes?

Dr. ABERNATHY. Well, later, we discovered that some of these young men were being paid by the FBI as informers and to bring about violence which would discredit SCLC and its leadership and Dr. King.

We also discovered from the young men, themselves, demands of SCLC. They wanted gifts in terms of money, they wanted cars, they had their own cause that they wanted to promote, calls of racism, separatism and, of course, SCLC has been as much against Black separatism as we are against white separatism.

We want the beloved community, the integrated society.

Mr. FAUNTROY. Mr. Chairman, I would like unanimous consent for 2 additional minutes.

Chairman STOKES. Without objection.

Mr. FAUNTROY. Dr. Abernathy, is it your testimony that before Dr. King died, he was aware that members of the Invaders were, in fact, FBI informants?

Dr. ABERNATHY. Oh, yes; he was aware of that. As I stated, they came the next morning in the cloak of righteousness to confess their sins, but later, they came to make demands. Of course, he did receive the knowledge that they were FBI informants.

Mr. FAUNTROY. Do you recall any specific—strike that.

Thank you, Mr. Chairman. I think that is all the questions I have at this time.

Chairman STOKES. In recognizing the next member, I would like the record to reflect the Chair's recognition and commendation of this gentleman for what the Chair knows to have been an enormously dedicated member of the King subcommittee, one who has expended many, many hours of hard, dedicated work on behalf of that subcommittee; the gentleman from Connecticut, Mr. McKinney.

Mr. MCKINNEY. Thank you, Mr. Chairman. It is an honor to welcome you here, Dr. Abernathy.

Dr. ABERNATHY. Thank you, Mr. McKinney.

Mr. MCKINNEY. How concerned were you and Dr. King about the Invaders and the possibility of their destroying your reputation for nonviolence?

Dr. ABERNATHY. We were greatly concerned about it, greatly concerned, because never before had we confronted a group that were paid informers for the FBI that we were knowledgeable of and a group that made such heavy demands of SCLC.

We did not have money to even finance our own campaign, and we were getting ready to launch the largest campaign that ever had taken



place within this country, the poor people's campaign and we just didn't have the money, and we were concerned, greatly concerned about our image as a nonviolent organization.

Mr. MCKINNEY. Did you, at any time, or Dr. King at any time, discuss the fact that the Invaders might pose a potential threat to Dr. King's own safety?

Dr. ABERNATHY. Oh, yes; we were aware of that and we discussed it, and this is why we insisted that Dr. King not see them any more, but that Hosea Williams and Andrew Young and Jim Bevel, and some other persons from our staff would have dealings with them, but they became violent with Ambassador Young.

They—I don't guess I should say ambassador, he wasn't ambassador then—but they became violent with him and he had to be rescued as they were seeking to get money from us.

And we had never encountered a group like this group before. May I hasten to add that they were young men, they were intelligent looking men, they were clean-cut men, they were not a lot of bearded men, anything of that nature, but they were very impressive young men, and we had great hopes for them and for all the youth of America.

And yet, it was just disturbing, once we knew that they were trying to destroy the image of Dr. King, that they were playing right into the hands of the enemy.

Mr. MCKINNEY. Were you aware on the night you checked into the Lorraine that the Invaders had a room in the Lorraine that evening, too?

Dr. ABERNATHY. No; we were not.

Mr. MCKINNEY. Would that have concerned you?

Dr. ABERNATHY. It certainly would have.

Mr. MCKINNEY. When and how, did you find out that the Invaders were receiving help from outside sources?

Dr. ABERNATHY. Well, I met the Invaders first on the morning after the march where the violence took place, and when we first found out that they were receiving aid and assistance from the FBI, that came later the following week when we returned to Memphis. We returned to Memphis on the third, and this is what, when we got there, we were told by our intelligence department, by our staff.

Mr. MCKINNEY. Did you feel at any time that perhaps the Southern Christian Leadership Conference might have been infiltrated by any Government agency or by any other group such as the Invaders?

Dr. ABERNATHY. No; I never did, Congressman. I find it difficult to believe now. Naturally, I know poor people, well, people period. The first law of nature is human survival. I know people have to survive one way or the other and poor people who are hungry might receive some money. If someone pressed \$500 in your hand, I guess, who would want to know where Reverend Abernathy is today, in Atlanta, a poor person whose house note is due and car note is due, he might just tell them he is testifying before the House Select Committee on Assassinations in Washington and move on, something like that.

To say that someone was actually cooperating, that they had infiltrated the ranks of SCLC, I did not believe that and find it very, very difficult today. I would like to know just for my own knowledge, because I was always referred to as the pastor of that staff, and I love

each one of them even today wherever they are, and I would just like to know, but I can't get this committee to tell me anything.

Mr. MCKINNEY. Mr. Chairman, I ask unanimous consent I have 2 additional minutes.

Chairman STOKES. Without objection, the gentleman is recognized.

Mr. MCKINNEY. Moving on from the Invaders, you state that you were well aware of the fact that Dr. King's phone messages and home were bugged and you were also well aware of the fact, that people would follow you on airplanes, so on and so forth.

Do you think your rooms at the Lorraine were bugged?

Dr. ABERNATHY. Well, at that time, we did not think that. We thought we were safe and secure at the Lorraine.

Mr. MCKINNEY. I have a problem in that we have become aware, as you were aware, of the tremendous amount of surveillance that Dr. King was under almost constantly. Yet, do you have any recollection or knowledge of when the FBI first got to the Lorraine Motel after his death?

Dr. ABERNATHY. Well, it was within minutes, within minutes.

Mr. MCKINNEY. Do you find it a little difficult to reconcile this tremendous surveillance effort with the fact there were seemingly no FBI personnel in the Lorraine or in the immediate vicinity?

Dr. ABERNATHY. I find it difficult because, No. 1, Reverend Kyles, upon my request, could not get an ambulance. An ambulance was never called by our staff and yet, within a 5-minute period, less than 5 minutes, an ambulance was there and the place was just cluttered with police.

I don't know why this committee has not investigated that airplane in Atlanta. I want to know more about that, but maybe they have, I don't know. They don't tell you but so much.

Mr. MCKINNEY. We are headed there, Doctor, rest assured.

I want to thank you for your answers.

Chairman STOKES. The Chair is pleased, now, to recognize the distinguished member of the Kennedy subcommittee, another dedicated member of this committee, the distinguished gentlewoman from California, Mrs. Burke.

Mrs. BURKE. Thank you very much, Mr. Chairman, and I join my colleagues in welcoming Dr. Abernathy.

Your statement certainly has been very moving. I notice that you refer to the period of about 4 o'clock when Dr. King called you and asked you to come to his brother's room. His brother was there. Now, some 2 hours elapsed during that time, and could you tell us if there were other people who came and who left, and were there other phone calls that were received during that period of time?

Dr. ABERNATHY. If I may, Mr. Chairman, tell you how delighted I am to answer the questions of this minority personnel on this committee. I am glad at least one woman is on this panel today because I fight for the rights of the women as well as all minorities.

Chairman STOKES. I am glad to have her on here, too, Dr. Abernathy.

Dr. ABERNATHY. Thank you. Now what happened was, I went down to his room and we had a long chat with A.D., and some other persons, and then he knew he had to shave and, of course, shaving was a real problem, you know, for Dr. King. He used this powder that put off a terrible odor and finally, I guess, after having stayed down there about

an hour, then we went back to the room to get dressed and to go to his shaving ceremonies and the time—then I revealed to him, as I already testified, that I couldn't go to Washington on those dates.

I didn't want to say it in front of the whole staff because I didn't want to disrupt the program in any way, but I wanted him to know, and then he had to convince me that I should go. We talked about several preachers who could do the revival, including Reverend Fauntroy, and finally we called Rev. Nutrell Long in New Orleans and now he is dead.

We couldn't get him on the telephone. Finally, he turned to me and lectured me about what I should do about the West Hunter Street Church and what I should tell the West Hunter Street Baptist Church, and with the dressing and the shaving and the talking on the telephone, there were no other telephone calls that were made other than down in the room I called Mrs. Kyles to find out what kind of menu we had for dinner.

Mrs. BURKE. When you arrived, though, at his brother's room, you said there were some other people there. Who was there? Was the staff there at that point?

Dr. ABERNATHY. There were some friends. I don't believe that they were staff persons. They were friends who had come along with Rev. King, A. D. King.

Mrs. BURKE. Were they staying at the Lorraine Motel?

Dr. ABERNATHY. Yes.

Mrs. BURKE. How many friends were there?

Dr. ABERNATHY. Two.

Mrs. BURKE. Let me just pursue one other question.

You indicated when asked that you were surprised that there had ever been infiltrating through the ranks of the Invaders. At any time, did you discuss with Dr. King whether or not there might be actual infiltrating of the staff or of SCLC?

Dr. ABERNATHY. Yes. We discussed that. You know, once we would have a movement, sometimes our staff would go as high as 300 persons and especially during our voter registration crusade, our program known as SCOPE, we had a lot of white students who come from the North and we could not know them all on a personal basis.

We may have had as many as 500 persons and there was some concern as to whether some of these people might be FBI informers or, nonetheless, what we were doing we thought, but we knew it was right and eventually that staff would dwindle and we would get down to the normal 45 or 50 persons that we knew on a personal basis, and we had no questions about Rev. James Orange and a Mr. Lester Hankerson, Mrs. Dorothy Cotton, and persons of that stature.

We just didn't feel that they were cooperating with the FBI at all. But I will admit that sometimes strange faces coming from Wisconsin, and various other places, saying we want to join your voter registration drive and we will work for nothing, just let us register voters for you, there were some questions in our minds as to whether they could be trusted all the way.

Chairman STOKES. The time of the gentlewoman has expired. The Chair now recognizes another member of the Kennedy subcommittee, the distinguished gentleman from Connecticut, Mr. Dodd.

Mr. DODD. Thank you, Mr. Chairman.

Dr. Abernathy, I join, certainly, with my colleagues today in welcoming you to the committee. We appreciate your testimony.

I have really just two questions I would like to ask you, if I could. The first has to do with the fact that, according to your statement and testimony, you went back into the room at the time Dr. King was standing on the balcony when you heard what sounded like a firecracker. You then returned to the porch and from that moment on, you were with him until the pronouncement of his death; is that correct?

Dr. ABERNATHY. That's correct.

Mr. DODD. At any time at all, during the time that you were with him from the moments or seconds after impact, until the pronouncement of his death, did Dr. King say anything whatsoever?

Dr. ABERNATHY. No; he did not utter any words at all. He attempted, his mouth quivered only once, but he did look me dead in the eyes and I got a message from his eyes, but there were no words uttered at all.

Mr. DODD. I wonder if you might go back and explain how it was on the second occasions that you decided to stay at the Lorraine Motel? If I understood your testimony correctly, the week before, you had decided to stay at the Holiday Inn because of the difficulty in getting to the Peabody Hotel and the Lorraine Motel.

When you came back to Memphis again, whose decision was it to go to the Lorraine Hotel?

Dr. ABERNATHY. It was a unanimous decision led by Dr. King. We would always stay where we felt welcome, and we didn't feel welcome at the Peabody or at the Riverdale.

Mr. MATHEWS. Rivermont.

Dr. ABERNATHY. We just felt a part of the Lorraine. It is a Black motel and, of course, they had a lot of catfish there, and Dr. King and I loved catfish and they were not strict so far as room service is concerned. When you get to the big institutionalized hotels and they say they close at 9 o'clock, that's 9 o'clock. So, we arrived at 11 o'clock; Mr. Bailey, the owner of the Lorraine Motel, would prepare us some catfish and we enjoyed that, and we always stayed there, and we always stayed in that room 306. This was the King-Abernathy suite.

Mr. DODD. Was that a well-known fact?

Dr. ABERNATHY. Oh, yes; Mr. Bailey knew not to put anybody else there. If he knew we were coming in, he moved them, and he put them up there only if they were full.

Mr. DODD. You anticipated my third and final question to you. That is, with regard to the rooms, themselves, there has been some speculation or an allegation that because of a confusion there you were not staying in that room the night before but someone else had been staying in there.

Was there any confusion as to who was staying in what room, whether in 306 or the adjoining room immediately next to that particular room? Was there any confusion over who was staying in what room?

Dr. ABERNATHY. Yes; there was. Upon our arrival, if my memory serves me correctly, someone else was in the room and, of course, we stayed in an adjoining room and, of course, the next day they were moved out and we were put in our usual room.

Mr. DODD. Was it somebody that you knew, was it a member of the staff?

Dr. ABERNATHY. No, no; it wasn't anyone from the staff.

Mr. DODD. And you don't know to this day who those people were that were staying in that room the night before?

Dr. ABERNATHY. I don't recall.

Mr. DODD. Thank you.

Thank you, Mr. Chairman.

Chairman STOKES. Time of the gentleman has expired. The Chair recognizes another member of the Kennedy subcommittee, the distinguished gentleman from Michigan, Mr. Sawyer.

Mr. SAWYER. Thank you, Mr. Chairman, and I, too, join in welcoming you here today, Dr. Abernathy.

Dr. ABERNATHY. Thank you.

Mr. SAWYER. I certainly am sympathetic with all your problems on behalf of minorities since I have come down here as a Republican. You notice they even had me segregated here on the dais.

I am interested in your comment as to the behavior of Dr. King and some of his conversations with you that led you to believe that or form an opinion that he may have been advised of a specific threat. Had he ever told you of other specific threats before?

Dr. ABERNATHY. Oh, yes; he told me of some, and especially the airplane flight, once the pilot announced why we had waited so long in Atlanta. He turned to me, you know, with a laugh, and said, "Oh, Ralph, isn't this ridiculous. If they are going to kill me, why would he say it like that?" And we had a big laugh about it, and he had talked about some other threats, certainly.

Mr. SAWYER. What I am getting at, isn't it perhaps possible or an equally plausible explanation for his kind of behavior, and perhaps somewhat of a mild preoccupation with what may be impending disaster, that he was leading what amounted to a revolutionary movement, albeit a peaceful revolutionary movement; he was getting a higher and higher profile nationally, and his movement was gaining more and more success, and that recognizing those factors he may have become more conscious of the fact that he was becoming more and more of a target of whatever kind of people do this kind of thing as opposed to it being a specific threat?

Dr. ABERNATHY. Well, that is a possibility but I can't see how over a month's period all of this restlessness comes about.

For instance, in Acapulco, where we went for a rest. I awakened one night, about 3 o'clock in the morning, and, of course, I discovered that there was no Dr. King in the room and I was terribly frightened and I went out in the living area looking for him, and there was no Dr. King, and I didn't know what to do or where to turn, whether to call for hotel security, and finally it came to me to look out on the balcony protruding in the Pacific Ocean, and there stood Dr. King gazing into the Pacific Ocean, and I said, "Martin, tell me what are you doing out here this time of night and what is it that is troubling you, what is bothering you?" And he said, "You see that rock out there." and I said, "Oh, sure, I see it." and he said, "How long do you think it's been there?" And I said, "I don't know, I guess centuries and centuries. I guess God put it there." And he said, "Well, what am I thinking

about," and I said, "I really don't know, tell me, because I want to know why would you leave this room without telling me," and he said, "Well, you can't tell me what I am thinking about looking at that rock," and I said, "No," and he started singing, "Rock of Ages, cleft for me; let me hide myself in thee," and just the repeated sermons and statements and preparing me to know all about SCLC and the things he wanted me to do, whereas you know prior to that, in December of 1967, he wasn't talking like that. We were going to Washington. We were going to Washington for broke to conduct the poor people's campaign but now there is a kind of a, well, he is a different person and he is greatly troubled, and I just from my own conclusion, as I look back in retrospect, and in fact Ambassador Young, this was the first thing he asked me: He said, "Dr. Abernathy, I know that Dr. King would tell you anything." He said once we got back to the room, from the mall, he said, "I want to know, tell me, was FBI bothering him; had they called him and told him anything?" And I had to answer, of course, "No." But this is just my belief. I cannot support it other than express my belief.

Mr. SAWYER. Thank you.

Chairman STOKES. Time of the gentleman has expired. The Chair would like the record to reflect the fact that the next two members of this full committee to be called upon have expended an enormous amount of time in terms of the King subcommittee, and the Chair is grateful to you for that amount of time, and I know the subcommittee chairman, Mr. Fauntroy, is, because we are both aware of the number of hours that you have expended in terms of the work product now coming forth from this full committee, and the Chair is pleased at this time to recognize the first of those two gentlemen, Mr. Fithian, the gentleman from Indiana.

Mr. FITHIAN. Thank you, Mr. Chairman.

I join my colleagues, Dr. Abernathy, in welcoming you here and thank you personally for your cooperation with this committee in our long session before and throughout the committee's investigation.

If I interpret your testimony correctly, you said that you think the assassination and killing of Dr. Martin Luther King was a political killing, as a result of a conspiracy, in the attempt to kill a man's dream, and by killing that dream, to kill the dream and the hopes of those who were disenfranchised, or poor or Black, those who could secure neither civil nor political rights, nor economic opportunity.

I want to ask you, Dr. Abernathy, if the killing is the work of a racist, would that fulfill your definition of a political killing, a conspiracy to kill a man's dream?

Dr. ABERNATHY. Well, it would really depend upon whether the racist was paid and the circumstances surrounding it.

I had a letter about 2 weeks ago, less than that, from James Earl Ray, in which he assured me that he did not kill Dr. King and had asked my help in trying to get a new trial for him. I have written to him and informed him that I certainly think that he should have a new trial pending the outcome of this hearing, but I don't think that anything ought to happen until this hearing is finished, because I don't know what might come out of the hearing. But I feel that it was totally impossible for James Earl Ray or for any person who may have pulled the trigger, to have gotten out of Memphis and a false alarm

goes out where the police are concerned, to get to Birmingham and park a car or pick up a car and then get to Canada and then go across the Atlantic and then sustain himself for a period of time without any help or assistance from somewhere.

Mr. FITHIAN. I understand that. I just wanted to get you to comment specifically as to whether or not, setting all personalities aside, a racist killing, that is a killing that was racially motivated, would qualify for your definition or your belief that this was a political assassination?

Dr. ABERNATHY. No, no; not a racist killing by itself.

Mr. FITHIAN. Just a racist killing would not be a political killing by your definition?

Dr. ABERNATHY. No; not by my definition.

Mr. FITHIAN. The second question I wanted to raise has to do with what many people, writers, historians, and others deal with in studying and analyzing the movement itself. Many believe that toward the end of Dr. Martin Luther King's life that the real leadership thrust of the Black rights movements was beginning to slip away to others, to those who could not subscribe to nonviolence, to those who believed that nonviolence had run its course and not, at least not completely succeeded. I am wondering if you would care to speculate as to whether or not the awareness of that on the part of Dr. King, down toward the end of his life, the awareness that others would no longer subscribe to nonviolence, were beginning to grasp part of the action, might have caused the disturbed and restless outlook of Dr. King?

Dr. ABERNATHY. Well, certainly Dr. King realized this and expressed it to me in Memphis on the day that the violence broke out. That night he said:

Ralph, it may be that those of us who adhere to nonviolence should just step aside and let the violent forces run their course, which will be very temporary and would be very brief, because you can't conduct a violent campaign in this country.

I guess, Congressman, you have never been maced or tear gassed, but there isn't anything violent that you can do in this country that will last any more than 3 or 4 days if they want to get you.

Mr. FITHIAN. Was this the first time that Dr. King had ever indicated that he personally would tolerate violence, but that he might sort of yield up to a temporary interruption of the nonviolent thrust of the movement?

Dr. ABERNATHY. It was the first and only time that he expressed it to me, not that he would give up, but that we would just step aside and let the violent forces run their brief course.

Mr. FITHIAN. I have some other very specific questions about the scene right after the shot.

Chairman STOKES. The gentleman's time has expired. Is the gentleman seeking additional time?

Mr. FITHIAN. May I have 2 additional minutes?

Chairman STOKES. Without objection, the gentleman is recognized 2 additional minutes.

Mr. FITHIAN. When you came out of the room, did you see police in the courtyard at that time?

Dr. ABERNATHY. No; I did not, because everybody was down on the ground when I came in.

MR. FITHIAN. In any of the adjacent areas, did you see any evidence of police, squad cars, or any evidence that the police were on the scene?

DR. ABERNATHY. Not at that time. My major concern was Martin Luther King who lay on the balcony. This was my concern, and the other people were down on the ground—

MR. FITHIAN. I understand.

DR. ABERNATHY [continuing]. In the courtyard.

MR. FITHIAN. To back up just a bit, when you arrived at the airport, on that last trip to Memphis, were there Memphis PD members on hand at the airport?

DR. ABERNATHY. Yes; if I recall correctly, the same two Black policemen, Black detectives, met us.

MR. FITHIAN. And were there any FBI agents on hand that you recognized?

DR. ABERNATHY. Not to my knowledge, I never, I didn't know of any.

MR. FITHIAN. Thank you, Mr. Chairman.

CHAIRMAN STOKES. The gentleman from Pennsylvania, Mr. Edgar.

MR. EDGAR. Thank you, Mr. Chairman.

DR. ABERNATHY, it is a pleasure to have you before our committee today, even under a difficult circumstance of recollecting what took place those very few moments after you heard the firecracker on the balcony.

Before I begin my questioning, I would like to congratulate you for your response to James Earl Ray's letter. It seems to me that that showed some judgment on your part to suggest that this committee in its work over the last 18 months should be at least looked at prior to the decision being made as to whether James Earl Ray receives a trial.

DR. ABERNATHY, I would like to pick up on the questioning that Mr. Fithian was dealing with. You described for us very carefully what you did after you heard the firecracker sound and saw Dr. King's feet and went out onto the balcony. I wonder if you could describe for us the first time that you recognized that a police officer was in the vicinity of the assassination.

DR. ABERNATHY. Well, the first time that I actually recognized, and I would not be the best judge of it because we have to understand when your dearest friend and closest associate is laying on the balcony, unable to speak, and your next best friend, Ambassador Young, has come up and said, "Oh, God, Ralph, it is over," you know, I am not looking for police, I am trying to give aid and comfort and trying to save his life. So first I attempted to get an ambulance and then the first time I saw police, that is, if you don't call the people from the community relations service police, was when the ambulance came, which was about 5 minutes, and we began to put him on the stretcher; and, of course, the police were there at that point and they were directing and serving as a motorcade, not a motorcade, but motorcycle cop preceded the ambulance to the St. Joseph Hospital.

MR. EDGAR. Dr. Abernathy, after you were certain that Dr. King was dead, and that there was nothing further that you could do either at the hospital or at the morgue, did the police begin a period of questioning of you about the circumstances surrounding the assassination?

DR. ABERNATHY. No; I have never been questioned by the police. The doctor in charge, once he had taken his last breath and he had



examined him and he told me that it was all over, he said he would only make one statement, and that was the hour of his passing, and he would leave all of the other statements to me. But as I went out I found out what time Mrs. King was due to arrive, and I immediately had my car to take me to the airport, only I was being paged upon arrival stating that Mrs. King would not arrive because the news had arrived in Atlanta he had passed and she would not be coming. Then I asked the driver to take me to the morgue. And when I arrived at the morgue, I guess there were policemen there. They asked me to identify the body, and then they asked me to sign an order that they might perform an autopsy and, of course, then my assignment was picking a burial suit and a casket, things of that nature, because I knew the whole Nation and the press would be there the next morning, and I went about those chores, but I don't think I have ever been questioned by the police.

Mr. EDGAR. So it is your testimony that you have never been questioned about the circumstances by the Memphis Police Department.

When did the FBI question you about the circumstances surrounding the death?

Dr. ABERNATHY. Well, if my memory serves me correctly, unless it can be refreshed, the FBI has never questioned me.

Mr. EDGAR. Thank you. Just one further question.

Chairman STOKES. The gentleman is recognized.

Mr. EDGAR. Dr. Abernathy, you described the depression of Dr. King shortly after the violence that took place on March 28. You also described the fact that the staff met to determine whether or not you should return to Memphis, and in the succeeding days the decision was made to return to Memphis and Dr. King came back.

Was there ever any event or action that took place between March 29, and the return to Memphis that snapped Dr. King out of his depression?

Dr. ABERNATHY. Well, I think on that visit, something did happen. I don't know exactly what it was. Saturday was a horrible day for him, but the visit to Washington, where he preached at the Washington Cathedral—he was very much inspired by that visit, because the cathedral was packed, I understand, and he was very pleased with his contribution; and when he returned to Atlanta, he called me late in the afternoon on Tuesday and said, suggested that we not go to Memphis until the following day. So I don't know exactly what happened, but when we went back to Memphis he was in good spirits.

Mr. EDGAR. Thank you. I yield back my time.

Chairman STOKES. The time of the gentleman has expired. Are there other members of the committee who seek additional recognition?

Dr. Abernathy, under the rules of this committee any witness appearing before the committee has 5 minutes at the conclusion of his testimony to expand or amplify in any way he so desires on testimony he has given before the committee, and you may avail yourself of that 5 minutes to express yourself in any connection which you so desire. The Chair recognizes you.

Dr. ABERNATHY. Thank you very kindly, Mr. Chairman.

As a Baptist preacher, can I with unanimous consent get an extension? [Laughter.]

Chairman STOKES. Under the rules, we will expand the rules to grant you an extension, if you so desire.

Dr. ABERNATHY. Thank you very kindly, Mr. Chairman Stokes. I have had the pleasure of knowing you across the years, and I think that you have represented not only the State of Ohio and the district within that great State but our whole Nation with great distinction and with honor, and to all of the members of this committee and to my dear friend and colleague, Rev. Del. Walter Fauntroy, who heads up the subcommittee, I want you to know that I am more than delighted to have the privilege and the opportunity to testify before this committee. The special counsel, Mr. Charles Mathews, and members of this investigative team, have been working with me now over a period of some 15 or 18 months, and believe me when I say that it is kind of difficult working with this committee. They don't ever have any money. I have to pay all the bills. I have to take them to dinner. But I would do it because I feel that the truth should be known concerning the tragic death and assassination of Martin Luther King, Jr.

Each of you have made in your own way a marvelous and outstanding contribution. I listened with great care as you, Mr. Chairman, talked about the long hours put in by certain members of this committee, and I want to thank you for it. I want to thank not you, Mr. Chairman, but them for their hours.

I happen to know that Congressman Ford from Memphis, Tenn., a great friend of mine, has spent long hours, maybe even unaware by the members of this committee, seeking to get to the real root and basis of the assassination of Martin Luther King, Jr. I think that we owe to the American public, we owe it to our Nation, because Martin Luther King, Jr., was the most peaceful warrior of the 20th century. He had a heart of love. He was a drum major for justice and equality, and whomsoever slay the dreamer and sought to destroy his dreams should be known to the American people. And I know that your hours will be long and your task will be great, but I feel so very much that you are equal to the task with a learned member of the grand old Republican Party, along with the Democrats on this panel. I feel that you will get to the truth of this. Unborn generations await your decisions. The youth of America wants to know. You are our representatives. We pay you a fairly decent salary in order that you may represent us and go the places that we cannot go, and find out the questions, and raise the questions, and find out the answers that we cannot ask; and I just want to lay on your mind and on your heart the fact that the challenge and the responsibility is yours; and if ever in any little way that I can be of any service to you, Mr. Chairman, Mr. Subcommittee Chairman, and to any members of this committee, in sharing information, or aid you in any way, please feel free to call upon me, because I want to make my contribution.

This was my dearest friend and nights have been long since he went away, and I know that Rock of Ages that he spoke about can be cleft for all of us, but I know we live in a great country, the greatest country on the face of the earth, the most powerful Nation, and we must not permit people to be cut down, whether by racists or because of a political act, simply because they espouse a philosophy or an idea that we do not agree with. America is beautiful because we are a country made up of so many different colors. I need not remind you all that

the Nation is eagerly looking this week to hear what you have to say. They want to know. They want answers. They are depending upon you, and may God bless you in your undertakings, and may God bless you in your pursuits, and may His peace forever rest upon you and may you be supplied with the wisdom and the courage to find nothing but the truth, the whole truth, so help you God. I give to each of you my richest benediction, in the name of the Father, of the Son, and the Holy Ghost. Amen.

Chairman STOKES. Thank you very much, Dr. Abernathy.

Does the subcommittee chairman, Mr. Fauntroy, have any response for the benefit of the members? The second bells have just rung.

Mr. FAUNTROY. Thank you, Mr. Chairman. I think it would be anti-climatic to say anything at this point, and I would move that we adjourn this session and reconvene at 9 a.m. tomorrow morning to continue the public hearings.

Chairman STOKES. Dr. Abernathy, on behalf of the committee, let us once again thank you for the service you have here rendered today, not only to this committee but the U.S. Congress and to this Nation. It is a redeeming feeling to know that you carry on the dream of your great friend and our great leader, Dr. Martin Luther King. We thank you again for coming, and this meeting is now adjourned until 9 a.m. tomorrow morning.

[Whereupon, at 12:08 p.m., the committee was recessed until Tuesday, August 15, 1978, at 9 a.m.]



# INVESTIGATION OF THE ASSASSINATION OF MARTIN LUTHER KING, JR.

TUESDAY, AUGUST 15, 1978

HOUSE OF REPRESENTATIVES,  
SELECT COMMITTEE ON ASSASSINATIONS,  
*Washington, D.C.*

The committee met at 9 a.m., pursuant to notice, in room 2172, Rayburn House Office Building, Hon. Louis Stokes (chairman of the committee) presiding.

Present: Representatives Stokes, Preyer, Fauntroy, Burke, Dodd, Ford, Fithian, Edgar, Devine, McKinney, Thone, and Sawyer.

Also present: Mr. Robert Blakey, chief counsel and staff director; Edward Evans, chief investigator; Michael C. Eberhardt, assistant deputy chief counsel; Gene R. Johnson, deputy chief counsel; William Webb, staff counsel; and Kenneth McHargh, staff counsel.

Chairman STOKES. A quorum being present, the committee will come to order. As the first order of business the Chair recognizes Professor Blakey.

MR. BLAKEY. Mr. Chairman, the subject matter of this morning's hearing is the results of the autopsy panel.

Shortly after Dr. King was pronounced dead on the evening of April 4, 1968, his body was taken from St. Joseph's Hospital to John Gaston Hospital, where an autopsy was performed by Dr. Jerry T. Francisco, the medical examiner of Shelby County, Tenn.

A medical-legal autopsy is a procedure designed to identify the body, determine the cause and manner of death, identify any object that might have been the cause of death, and provide scientific information that may be of use in subsequent legal proceedings.

Following the submission of Dr. Francisco's report, a public document under Tennessee law, several issues were raised by the report itself and other sources concerning Dr. King's death. From eyewitness accounts, there was disagreement over the point of origin of the fatal shot, and an analysis of Dr. Francisco's report seemed to confirm the ambiguities. The angle of trajectory and bullet tract through the body, for example, were not clearly delineated. Questions arose also over the pathological findings.

The committee has sought to resolve the autopsy issues by assembling a panel of medical experts to review the procedure Dr. Francisco employed and the conclusions he reached, as well as medical treatment given Dr. King. Four main questions were posed to the panel:

One. What medical treatment was administered to Dr. King by the ambulance crew and hospital staff? Was it responsible and complete? Were reports of medical treatment and accompanying exhibits accurate and complete?

Two. What autopsy procedures were applied? Was the autopsy conducted responsibly and in accordance with prescribed practices of forensic pathology? Were autopsy reports and exhibits accurate and complete?

Three. Does the trajectory of the bullet as it can be determined from the wound itself indicate the point of origin of the shot? Does the path of the bullet through the body indicate the point of origin? What can be said, if anything, about the possibility that the origin was a second floor bathroom window in the roominghouse to the west-northwest of where Dr. King was standing? Or can it be said to have come from somewhere else?

Four. Is the damage to Dr. King's body and clothing consistent with that which would normally be expected from a projectile of the type recovered from the body?

The panel was advised, of course, that it was at liberty to seek answers to additional questions that it might pose for itself if it so desired.

Major professional organizations in the field of pathology were solicited for recommendations as to how the panel should function and who should be on it. The committee chose three panel members from the candidates whose names were submitted. They are Dr. Michael Baden, chief medical examiner of New York City; Dr. John I. Coe, chief medical examiner of Hennepin County, Minn.; and Dr. Joseph H. Davis, chief medical examiner of Dade County, Fla.

Each, of course, is an expert in forensic pathology, and each, by virtue of education and experience, is highly qualified to conduct a medical-legal investigation to determine cause of death in cases of violent, suspicious, unexplained, unexpected, or medically unattended deaths. Each is also trained to account for attendant aspects of death which might have medical-legal significance.

Dr. Baden received an M.D. degree from the New York University School of Medicine in 1959 and completed his residency in pathology at Bellevue Hospital in 1964. He has been a visiting professor of pathology, Albert Einstein School of Medicine, adjunct professor of law, New York Law School, and lecturer in pathology at the College of Physicians and Surgeons, Columbia University. A lecturer at various law and medical schools on legal medicine, he is presently an associate professor of forensic medicine at the NYU School of Medicine.

Dr. Baden has received certifications in anatomic pathology, clinical pathology, and forensic pathology from the American Board of Pathology. He is a fellow of the American Academy of Forensic Sciences, the College of American Pathologists, and the American Society of Clinical Pathologists.

Dr. Baden was a special forensic pathology consultant to the New York State organized crime task force that investigated the violence and deaths at Attica Prison, and he is a member of New York State commissions investigating deaths in prisons and mental hygiene hospitals. He is the author of numerous professional articles and books.

Dr. Coe received his M.D. degree from the University of Miami in 1945 and completed his residency in pathology in 1950.

Dr. Davis received his M.D. degree from Long Island College of Medicine in 1949 and completed his residency in pathology at the U.S. Public Health Service Hospital in New Orleans.

Assisting the panel as a medical illustrator was Ida Dox of Georgetown University.

The panel has examined all relevant evidence, including clothing worn by Dr. King at the time of his death; the 30.06 rifle and bullet fragments recovered from his body; color and black and white photographs and 35 millimeter slides taken during the course of the autopsy; microscopic slides and tissue blocks from the autopsy and neuropathology study; the report of a committee panel on firearms evidence; medical reports, notes, and documents submitted by physicians who treated Dr. King and the autopsy surgeon; and the head and chest X-rays.

The panel, along with members of the committee staff, traveled to Memphis to view the crime scene. Joining the panel in Memphis were Herbert Koogle and Joseph Stewart of Koogle & Pouls Engineering, Inc., of Albuquerque, N. Mex., the committee's engineering consultants.

The panel also met with Dr. Francisco and Drs. Rufus Brown and Ted Galyon, physicians who treated Dr. King at St. Joseph's Hospital.

The panel consulted with numerous other specialists in the course of its work.

Dr. Baden has been chosen by the panel to present its findings.

Mr. Chairman, it would be appropriate at this point to call Dr. Baden.

Chairman STOKES. At this time the committee calls Dr. Baden.

Would you stand, please, and be sworn?

You solemnly swear the testimony you will give before this committee is the truth, the whole truth and nothing but the truth, so help you God?

Dr. BADEN. I do.

Chairman STOKES. You may be seated.

Counsel, Mr. Webb, will proceed.

Mr. WEBB. Thank you, Mr. Chairman.

Will you state your name, please?

#### **TESTIMONY OF MICHAEL BADEN, M.D., CHIEF MEDICAL EXAMINER OF NEW YORK CITY**

Dr. BADEN. Michael Baden.

Mr. WEBB. Mr. Baden, what is your profession?

Dr. BADEN. I am a physician and I specialize in forensic pathology.

Mr. WEBB. And what is your current position?

Dr. BADEN. I am presently chief medical examiner of the city of New York.

Mr. WEBB. Dr. Baden, you are here today acting as the spokesman for the committee's medical panel?

Dr. BADEN. Yes, sir, I am.

Mr. WEBB. Will you identify the other members of the panel, please?

Dr. BADEN. The other members of the panel were Dr. Joseph Davis, chief medical examiner, Miami, Fla.; and Dr. John Coe, chief medical examiner, Minneapolis, Minn.

Mr. WEBB. During the course of its work did the panel have occasion to travel to Memphis, Tenn.?

Dr. BADEN. Yes.

Mr. WEBB. And what was the purpose of that trip?

Dr. BADEN. The purpose of the visit to Memphis, Tenn., was to view the scene of the homicide, interview various medical personnel who saw Dr. King after death and who participated in the autopsy and to correlate the findings that we had been able to make from the autopsy report, the medical reports that we had previously reviewed with the personnel present in Memphis who had treated Dr. King and to correlate the physical evidence with the crime scene.

Mr. WEBB. Dr. Baden, will you describe for the committee what occurred in Memphis?

Dr. BADEN. Present in Memphis with the three members of the medical panel were members of the committee staff and two engineers, Mr. Koogle and Mr. Stewart, who evaluated the distance from the Lorraine Motel to various sites at 418 Main Street area.

Mr. WEBB. In addition, did Mr. Koogle and Mr. Stewart conduct further tests to determine the angle of trajectory and also the distance to the bushy area in the rear of 418 to 424 South Main Street?

Dr. BADEN. Yes, sir, in the course of our visit to Memphis, we did examine the buildings at 418 Main Street, the backyard area at 418, 424 Main Street, and together with the engineers observed and assisted in the development of trajectory patterns to the outside of room 306 at the Lorraine Motel.

Mr. WEBB. Did you have an opportunity to inspect and examine the area on the second floor balcony immediately outside of room 306 at the Lorraine Motel?

Dr. BADEN. Yes; we did.

Mr. WEBB. Dr. Baden, are you familiar with the results obtained by the engineering consultants?

Dr. BADEN. Yes.

Mr. WEBB. And would you briefly state for the committee what they were able to determine with respect to trajectory?

Dr. BADEN. At the time we were in Memphis together, the two engineers advised us after taking their measurements that trajectory patterns from the second floor bathroom window, which was one possible shooting site, and from a bushy area in the backyard, was perhaps  $2^{\circ}$  to  $5^{\circ}$  in difference in a trajectory path to the second floor of the balcony. We, the medical panel, discussed this matter and discussed this with the engineers and advised them and advised the staff that the autopsy procedure itself is not sufficiently accurate to distinguish that small a difference in degree deviation.

Mr. WEBB. So if I understand you, Dr. Baden, based on the input of the engineers and finally your analysis of the autopsy material, a pathologist would be unable to determine a difference of  $2\frac{1}{2}^{\circ}$  to  $5^{\circ}$  in a wound trajectory?

Dr. BADEN. That is correct, Mr. Webb. An autopsy can reveal many scientific materials but it is also limited and there are things that an autopsy cannot discover and an autopsy cannot distinguish between a trajectory flight of  $2^{\circ}$  to  $5^{\circ}$  in this situation.

Mr. WEBB. Mr. Chairman, in order to facilitate Dr. Baden's discussion of Dr. King's injuries, the committee has employed the services of Ms. Ida Dox, a medical illustrator, to prepare a number of drawings which will be used as exhibits. Dr. Baden, will you describe Ms. Dox's training and the manner in which she worked with the panel?



Dr. BADEN. Ms. Ida Dox is a medical illustrator from Georgetown University School of Medicine and Dentistry who has had a very strong training and background in anatomy, including cadaver dissection and worked very closely with the three members of the medical panel in drawing the medical findings, autopsy findings, from our medical knowledge and from the various black and white and color photographs that had been taken of Dr. King prior to autopsy.

Mr. WEBB. So it is fair to say, that from a medical standpoint, these photographs represent an accurate representation of Dr. King's injuries?

Dr. BADEN. Yes, the photographs are true and accurate representations of the injuries seen at the time of examinations by physicians of Dr. King in 1968.

Mr. WEBB. And have you had a chance to discuss the drawings and photographs with the various personnel who treated Dr. King both at St. Joseph's Hospital in Memphis and with Dr. Francisco, the autopsy pathologist?

Dr. BADEN. Yes, sir, we have. And the medical panel is satisfied fully that the drawings are accurate representations of the injuries suffered by Dr. King.

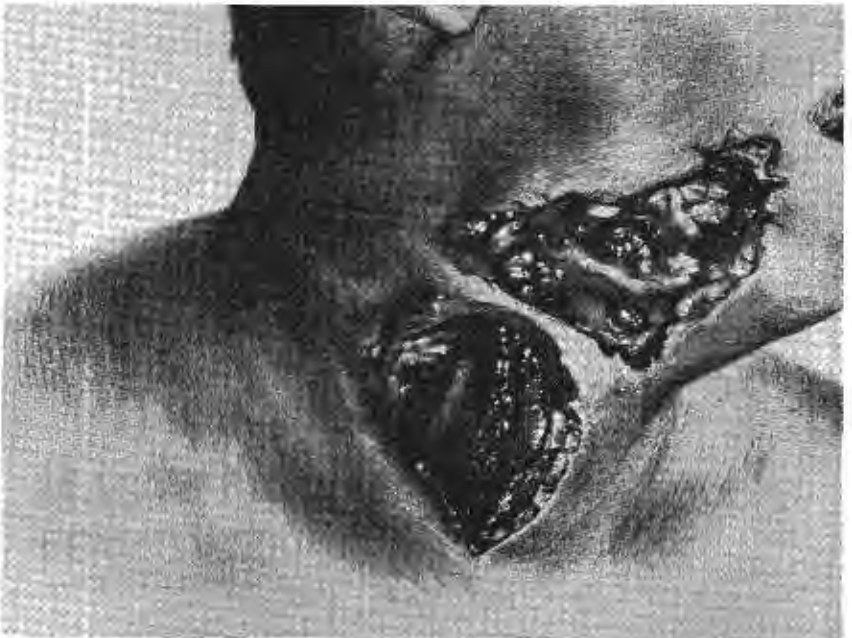
Mr. WEBB. Dr. Baden, will you step to the easel. Using the various drawings to illustrate your testimony I would like to proceed to describe Dr. King's injuries.

Mr. Chairman, at this time I would like to have the first drawing entered into the record as Martin Luther King exhibit No. F-1.

Chairman STOKES. Without objection, it will be entered for the record at this point.

[Whereupon, Martin Luther King exhibit No. F-1 was marked for identification and entered into the record, and follows:]

MLK EXHIBIT F-1



Mr. WEBB. Dr. Baden, will you describe for the committee what is depicted in this exhibit?

Dr. BADEN. The first exhibit is a drawing from various photographs taken of the wound and injury pattern of Dr. King just prior to autopsy but after medical attention had been given to Dr. King in the emergency room at St. Joseph's Hospital and illustrates the initial gunshot wound of entrance, which is up near 2 o'clock from your prospective, approximately 1 inch to the right of the angle of the mouth and  $\frac{1}{2}$ -inch below the angle of the mouth where the bullet, a high-velocity rifle bullet, struck the cheek causing an entrance perforation, with the superior part still intact, a typical entrance abrasion collar and causing bursting lacerations of the inferior aspect of the cheek and chin, in part caused by the high velocity of the missile and in part caused by the fracture effects when the bullet struck the jawbone or mandible in this area.

There are many fragments of bone present. The doctors describe this perforation of the cheek as entering into the mouth proper, and the bullet then exited the bottom portion of the right side of the chin and reentered in the root or base of the neck, above the collar bone, and continued from right to left, from front to back, and in a downward direction in the body proper.

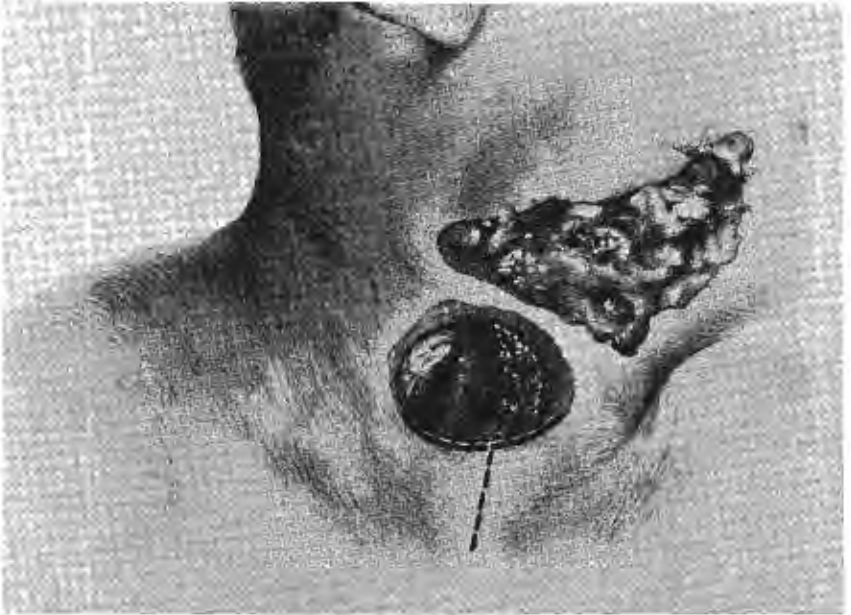
The injury caused by the missile, the rifle bullet, has been distorted somewhat by the resuscitation attempts performed at the hospital emergency room. Specifically, there has been elongation made of the lower border of the reentrance wound in an attempt at surgical intervention to stop the bleeding that was present.

In the next exhibit, Mr. Webb, if I may—

Mr. WEBB. Mr. Chairman, at this time I would like the next drawing entered into the record as Martin Luther King exhibit No. F-2.

Chairman STOKES. Without objection, it may be entered into the record at this point.

[Whereupon, a drawing marked Martin Luther King exhibit No. F-2 for identification was entered into the record, and follows:]



MLK EXHIBIT F-2

Dr. BADEN. The next exhibit was an attempt at reconstruction by the medical panel, together with Ms. Dox and the treating physicians at St. Joseph's Hospital, who went over this material with us to reapproximate what the injury was prior to the surgical intervention.

The top portion is the same. The entrance perforation and bursting explosive-like injury caused on impact, as well as the reentrance wound reapproximated. The dotted line extending downward toward 6 o'clock is the reconstructed surgical incision made by the physicians in the emergency room to better stop the bleeding and this caused the appearance which was seen in the previous drawing with enlargement of the lower border of the entrance of perforation. Not shown on the diagram is a tracheotomy, an incision that was made on an emergency basis to assist Dr. King in breathing when he came to the emergency room.

If you will note, there is a bridge of skin still intact in the neck which represents the inner crease of the neck, which was not torn completely through when the missile entered, exited and re-entered, and assisted Dr. Francisco, the chief medical examiner in Tennessee, who did the autopsy, in determining that Dr. King's position of the head had to be downward and slightly to the right at the time of the impact so that the trajectory, the track through the body, spared the inner crease in the neck when held in that position.

Mr. WEBB. Dr. Baden, Dr. Francisco in his autopsy report identified a blackened debris present in the skin which he described as having an unidentifiable form. Did the panel consider the section of skin that Dr. Francisco referred to?

Dr. BADEN. Yes, Mr. Webb. In evaluating and preparing the diagrams and drawings, the panel did have the benefit of the autopsy report, medical reports, all the microscopic sections and slides that had been made, the parafin blocks that are normally made in preparing microscopic slides, the X-rays, and interviews with the doctors involved. We did identify two slides of skin microscopic sections normally taken at autopsy examinations, with Dr. Francisco as being taken from this area of entrance and within those fragments of skin were some black debris which is not uncommon to see in gunshot wounds of entrance. The panel was entirely satisfied that the black debris in no way represented powder, which would indicate closeness of the gunshot wound but did indicate debris that can be seen in distant gunshot wounds.

We did, with the assistance of the committee, speak with a company in Chicago that is an expert in trace evidence, McCrone Associates, and they were able to remove by micromethods a portion of this black debris and were able by various tests to identify the black debris as lead which is what we would expect to derive from the soft nose of the bullet in question which is composed of lead, and the panel is entirely satisfied that the black debris seen in the skin derives from the nose of the bullet.

Mr. WEBB. Dr. Baden, will the complete report of McCrone Associates, as well as the other materials you have referred to, be appended to the panel's final report?

Dr. BADEN. Yes.

Mr. WEBB. Would you continue to describe the nature of the injuries depicted in MLK exhibit No. F-2?

Dr. BADEN. Yes; the drawings do identify clearly the site of entrance of the gunshot wound. The next drawing will identify where the bullet lodged and terminated.

Mr. WEBB. Mr. Chairman, at this time I would like the next drawing entered into the record as Martin Luther King exhibit No. F-3.

Chairman STOKES. Without objection, it will be entered into the record at this point.

[Whereupon, a drawing marked Martin Luther King exhibit No. F-3 for identification was entered into the record, and follows:]



MLK EXHIBIT F-3

Dr. BADEN. The next exhibit is a drawing and tracing, as the other two were, of Dr. King as seen in one of the black and white photographs taken after death and prior to autopsy with Dr. King lying on his right side on a stretcher. So the right shoulder is against the stretcher, and the left shoulder is up, and in the left upper back, three inches to the left of the midline of the body—the midline being where the spine is present—is a protuberance of the skin showing where the bullet lodged or the remnant of the bullet lodged at the termination of the track in the body. The bullet entered in the right chin and neck area, went through, of course, through the body and terminated just beneath the skin on the left upper back, and it is not uncommon for bullets to so lodge beneath the skin because of the various properties of the skin that inhibit bullets from passing through it.

Mr. WEBB. Dr. Baden, did the panel have occasion to examine the clothing worn by Dr. King at the time of his death?

Dr. BADEN. Yes; the clothing worn by Dr. King had been preserved and was made available for inspection by the medical panel.

Mr. WEBB. Mr. Chairman, the next series of exhibits are photographic enlargements of Dr. King's clothing. At this time, I would like to have the first such exhibit entered into the record as Martin Luther King exhibit No. F-4.

Chairman STOKES. Without objection it will be entered into the record at this point.

[Whereupon, the above-mentioned photograph marked MLK exhibit No. F-4 for identification was entered into the record, and follows:]



MLK EXHIBIT F-4

Mr. WEBB. Dr. Baden, will you describe for the committee what can be seen in this exhibit?

Dr. BADEN. The next exhibit shows the suit jacket that Dr. King was wearing at the time the gunshot wound was inflicted and shows tearing of the inner portion of the lapel of the jacket where the bullet track passed from beneath the skin on the right side into the neck region. The lapel of the jacket was not completely torn through. Only the outer lining of the suit material is torn, which is entirely consistent with our judgment that the jacket was at the border of the entrance perforation.

Mr. WEBB. Mr. Chairman, at this time I would like to have the next photograph entered into the record as Martin Luther King exhibit No. F-5.

Chairman STOKES. Without objection, it will be entered into the record at this point.

[Whereupon, the above-mentioned photograph marked MLK exhibit No. F-5 for identification was entered into the record, and follows:]



MLK EXHIBIT F-5

Mr. WEBB. Dr. Baden, will you describe this exhibit for the committee, please?

Dr. BADEN. Yes; the bullet missile after leaving the chin continued through the clothing in the area of the upper neck region and tangentially struck the outer jacket but did perforate through the collar as depicted in the photograph on this exhibit, and this collar is torn through and can better be seen on the next photograph when the collar is stretched out in the course of the track of the missile.

Mr. WEBB. Mr. Chairman, at this time I would like to have the next exhibit, the photograph of Dr. King's shirt, entered into the record as Martin Luther King exhibit No. F-6.

Chairman STOKES. Without objection, it will be entered into the record at this point.

Mr. WEBB. Thank you.

[Whereupon, a photograph marked Martin Luther King exhibit No. F-6 for identification was entered into the record, and follows:]



MLK EXHIBIT F-6

Dr. BADEN. This exhibit shows the laceration, the tearing of the fabric of the shirt which was interposed in the course of the bullet track, and this did permit chemical tests on the shirt and on the jacket in 1968, and again recently by the expert consultants for the committee which demonstrated in 1968 and again now that there was no powder residue on the clothing as there was none on the skin and which indicates that the gunshot firing was not close or not content.

Mr. WEBB. Dr. Baden, the recent testing you refer to is the testing done by the firearm panel hired by the committee.

Dr. BADEN. Yes, sir.

Mr. WEBB. Would you identify the name of the test they employed, please?

Dr. BADEN. There were a number of tests done. The clothing was looked at with a naked eye. It was looked at with a microscopic lens and there was no powder residue apparent. A chemical test for nitrites, the Griess test, was performed, which would identify nitrites which is a product of gunpowder residue produced as a bullet is fired from the barrel of a gun. This was not present but a sodium rhodizonate test for lead particles was present, was positive, and did indicate as was present in the skin, particles of lead entirely consistent with deriving from the nose of the bullet that did lodge in the fabric around the tears of the jacket and the shirt.

Mr. WEBB. Dr. Baden, so that I understand you correctly, the difference between MLK exhibit No. F-6, and the previous exhibit is that in MLK exhibit No. F-5 the shirt was in the wearing position where as in this exhibit the shirt is stretched out to illustrate the wound.



Dr. BADEN. Yes, sir, I think this shows the tear of the fabric more clearly than the previous one, but the prior exhibit showed the shirt as it would have been worn.

Mr. WEBB. Mr. Chairman, at this time I would like to have entered into the record the final photograph exhibit of clothing as Martin Luther King exhibit No. F-7.

Chairman STOKES. Without objection, it will be entered into the record at this point.

[Whereupon, a photograph marked Martin Luther King exhibit No. F-7, for identification, was entered into the record, and follows:]



MLK EXHIBIT F-7

Mr. WEBB. Thank you. Dr. Baden, will you describe what is depicted in this photograph, please?

Dr. BADEN. Yes, Mr. Webb. This photograph shows the tie worn by Dr. King and the tearing on the right lower border where the missile went through the clothing of Dr. King and does indicate approximately where the reentrance perforation was on the body of Dr. King having gone through the area of the shirt and tie and jacket.

Mr. WEBB. Dr. Baden, can you state whether or not the severed area of the tie was subjected to the sodium rhodizonate testing?

Dr. BADEN. I believe that the tie was also so tested and also had some lead particulate matter.

Mr. WEBB. Dr. Baden, was the panel able to reconstruct the wound track through the body?

Dr. BADEN. Yes; the panel was, did do such a reconstruction.

Mr. WEBB. And can you tell us what was the primary basis or the primary material you used to accomplish that?

**Dr. BADEN.** In addition to the autopsy report, the medical reports, the clothing, the photographs, of great value to the medical panel, in reconstructing the track in the body were X-rays taken after death and prior to autopsy at St. Joseph Hospital and made available to the committee.

**Mr. WEBB.** Mr. Chairman, at this time I would like to have two X-rays of Dr. King entered into the record as Martin Luther King's exhibits F-8 and F-9.

**Chairman STOKES.** Without objection, they will be entered into the record at this point.

[Whereupon, the several X-rays of Dr. King, marked respectively MLK exhibit Nos. F-8 and F-9 for identification were entered into the record, and follow:]



MLK EXHIBIT F-8



MLK Exhibit F-9

Mr. WEBB. Dr. Baden, using these exhibits would you describe the track of the wound through the body?

Dr. BADEN. Yes, sir. Mr. Webb.

The X-ray seen here shows the fractures of the right jawbone, the right mandible, with little white flecks of metal indicating fragments of the bullet that remained in the mandible after impact. This does show Dr. King in the anatomic position: when X-rays are taken of this nature and when autopsies are performed all measurements are made as if the decedent were laying flat on the back with the head and body straight, the arms at the side, palms frontward position and this is referred to as the anatomic position.

And in this manner, the face is pointing forward, the fractures of the mandible and metal fragments are seen at the side of the jaw, there are a few fragments present in the skin at the base of the neck and

about 8:30 almost 9 o'clock on the diagram are multiple fragments where the missile reentered just above the collar bone or clavicle which was intact. The track is provided by X-ray. And as we had full cooperation from Dr. Francisco and his staff in reconstructing what happened, we also had full cooperation from various radiologists, X-ray experts, in consulting what is on these films. The track proceeds from right to left, spraying fragments of metal in the course, because of the impact with bone, the mandibular bone and various ribs that were fractured, and part of the spine that was fractured. At each impact more metal fragmented.

The track proceeds to the left and on the leftmost portion of the X-ray is the main missile fragment, which weighed about 65 grains when recovered, which is a little less than half of its original size which would have been 150 grains. Now, all this white material is metal bullet fragments. On the X-ray, on my far left, one can see more clearly the fractures of the ribs, the first rib and the second rib, in the back, which have been fractured in the course of the missile track.

There are fractures along the spine, about the lowermost cervical vertebra and the uppermost thoracic vertebra. There is spin injury that is very severe, and the missile track continues into the left upper back region. The X-ray also shows how the fragment is movable depending on position of the body. Whereas the fragment here is within the shadow of the clavicle or collarbone, in this X-ray, the bullet is above it because of slight movement of the body. This has pertinence in determining the bullet track through the body. Whereas on this X-ray the bullet track almost appears horizontal in this other X-ray it is downward, perhaps a 30° angle; the track in the body varies greatly on position of the body at autopsy.

Mr. WEBB. Dr. Baden, you have identified a number of bony structures fractured by the bullet in its course through the body, would this have had a relationship to the direction the bullet took through the body?

Dr. BADEN. Yes; although bullets essentially travel in a straight line, even after striking areas of the body, the boney structures in this particular instance, the jawbone, the back of the ribs, spine, are of substantial nature, and could cause deflection from a straight line of some or many degrees.

Mr. WEBB. Mr. Chairman, at this time I would like Ms. Dox's final drawing entered into the record as Martin Luther King exhibit No. F-10.

Chairman STOKES. Without objection, it will be entered into the record at this point.

[Whereupon, Martin Luther King exhibit No. F-10 was marked for identification and entered into the record, and follows:]



MLK EXHIBIT F-10

MR. WEBB. Dr. Baden, will you use this drawing to summarize the findings of the panel with respect to the wound track and the nature of Dr. King's injuries?

DR. BADEN. Yes, sir.

This is a reconstruction done by Ms. Dox in close consultation with the medical panel, it is not a tracing of prior graphs. It does illustrate the path of the bullet in the body, beginning 1 inch to the right, and a half inch below the angle of the mouth, causing extensive fractures of the mandible of the jawbone, continuing downward injuring many vital structures at the base of the neck.

This area of injury is identified by a shaded line because we, the panel, felt that we could not be precise in identifying all of the structures injured. There are major blood vessels, major nerves present in

this area, the spinal column is present, and, what is drawn are areas that we felt are specifically injured, the internal jugular vein which is the main blood vessel bringing blood from the brain to the heart, the common carotid artery, behind it, which is the main blood vessel bringing blood to the brain, the subclavian artery branch, which brings blood to the right arm, the vertebral artery which brings blood to the back of the brain itself, were all in the opinion of the medical panel injured by this high velocity missile wound. The various black areas show many, but not all, of the bullet fragments that are deposited in the course of the gunshot track and which are evident on the X-rays.

And on the back is the major fragment that was removed and subjected to various ballistics tests, and this black area would represent the recovered major bullet fragment as we had seen protruding in the left upper back region on a previous exhibit.

Mr. WEBB. Will you describe the nature of the injuries with respect to the ribs?

Dr. BADEN. The first two ribs are illustrated in the drawing diagram here and the back portion where the rib meets the spine are clearly fractured and have been displaced on the X-rays.

This is illustrated in the diagram and at this point where the rib joins the spine there is extensive injury to the spinal column, the bony structure, within which the spinal cord resides, and this was extensive, the bones were extensively damaged.

Mr. WEBB. Mr. Chairman, at this time, counsel would have no further questions of the witness.

Chairman STOKES. Thank you, counsel. Dr. Baden, you may return to the witness table.

At this time the Chair recognizes the gentleman from Connecticut, Mr. McKinney, for such questioning in such time as he may consume after which the other members will examine the witness under the 5-minute rule.

Mr. MCKINNEY. Dr. Baden, good to see you again. Thank you for your help. Did the panel review the medical treatment that was given Dr. King right after his being shot?

Dr. BADEN. Yes, sir, we reviewed the medical records kept at St. Joseph Hospital and we did speak at some length with two of the treating doctors, Dr. Galyon and Dr. Rufus Brown, in Memphis who were very cooperative.

Mr. MCKINNEY. So, in other words, you reviewed the records and talked to the attending physicians?

Dr. BADEN. Yes, sir.

Mr. MCKINNEY. Can you describe for the committee what sort of treatment Dr. King received?

Dr. BADEN. Yes, sir, in critical review the committee was entirely impressed with the vigorous medical attention Dr. King did receive when he arrived at 6:15 at the hospital emergency room and that Dr. King did indeed have a pulse, the heart was still beating, when he arrived, but that in fact the brain was irreparably damaged from lack of oxygen from the point of admission to the hospital, that the doctors did vigorously attempt to apply appropriate resuscitation measures, including surgical procedures, and that after almost an hour, 50 minutes of this intensive medical treatment, did determine that Dr. King's life was irretrievable.

Mr. MCKINNEY. Did the panel come to any specific conclusions with respect to the actual cause of Dr. King's death?

Dr. BADEN. Yes; the panel felt that the cause of death was a combination of extensive hemorrhage and blood vessel injuries as well as damage to the nerves and spine, spinal cord of Dr. King. Now in part that was arrived at because of the findings of doctors in the emergency room and their written material at the time.

Mr. MCKINNEY. Were the panel's conclusions consistent with the findings of Dr. Francisco and his autopsy?

Dr. BADEN. In general terms yes, but with some slight distinction. Dr. Francisco classified the cause of death as severance of the spinal cord, which is the main pathway for all impulses from the brain to the rest of the body. This was concluded from the autopsy proper and subsequently from discussions with the various doctors involved, but the track itself was not dissected because Dr. Francisco felt it was unnecessary and an unnecessary mutilation of the body at that time.

So the medical pathology panel in reviewing the findings was not able, was not able to be specific as to whether the cord was actually cut and transected completely but we were satisfied that the closeness of the missile track through this area of the body would have caused significant damage to the cord, to the spinal cord, even if it was not mechanically cut in half because of the lines of force emanating from the bullet as it struck the spine bones proper.

Mr. MCKINNEY. Was the panel able to determine in any way the origin of the fatal shot?

Dr. BADEN. In a general term, that the reconstruction of the injury, seen at the autopsy and photographs, indicate that Dr. King had to have been in a position with his face downward and to the right and that the missile would have had to come from an area to his right. We could not distinguish between the second floor of the bathroom at 418 South Main Street and the bushy area in the yard behind it; that we could not distinguish.

Mr. MCKINNEY. In other words, we have no direct knowledge of what Dr. King's position really was when he was standing on the balcony?

Dr. BADEN. We don't have it specifically but we have an approximation from witnesses and even if we, if there were a photograph of Dr. King standing in a precise position at the time of impact of the missile, the autopsy itself cannot distinguish between the 2 to 5 degree difference between the bathroom window and the grassy knoll.

Mr. MCKINNEY. But there is nothing inconsistent, according to your findings between the second floor of Bessie Brewers or the ground level behind the roominghouse?

Dr. BADEN. That is correct. This is entirely consistent with either of those positions and which position it was would have to be concluded by other types of investigations beyond the autopsy.

Mr. MCKINNEY. Did the panel review the autopsy procedures used on Dr. King by Dr. Francisco?

Dr. BADEN. Yes; Mr. McKinney.

Mr. MCKINNEY. Do you think that the autopsy was sufficient and do you essentially agree with it?

Dr. BADEN. The medical panel agrees with the conclusions that Dr. King died as a result of a single high-velocity rifle injury through the

face and body as described. And we agree that the findings of Dr. Francisco, the autopsy of Dr. Francisco, who is a fine forensic pathologist, did establish a valid and satisfactory cause of death. However, if one looks to an autopsy to answer questions other than cause of death, then the tracing of the bullet track proper at the time of autopsy would have given additional information for questions that might arise later. And in this regard, I would say parenthetically, that unfortunately in these United States there is no standard as to how to do an autopsy examination of a person who dies as a result of homicide and one of the charges given to us by Professor Blakey has been to evaluate the area of homicide autopsy investigation as presently exists.

Mr. McKINNEY. Well, based upon your rather long experience in this business, is the wound that occurred consistent with the type of gun that is alleged to have done the shooting, and from that distance?

Dr. BADEN. Yes, sir, Mr. McKinney, the injuries seen on Dr. King with the bursting explosive-like injury to the face and the trajectory and pathway through the body and the injuries incurred, are entirely consistent with a 30.06 rifle as was used in this instance.

Mr. McKINNEY. So that we can rule out as a conclusion, he might have been shot from close up?

Dr. BADEN. We can say that beyond reasonable medical and scientific certainty that the muzzle of the rifle was not close up to the body. It had to be a rifle because it is a 30.06 bullet that was recovered and that we evaluated and looked at; in fact, Mr. McKinney, may I just show another exhibit?

Mr. McKINNEY. Certainly.

Dr. BADEN. In fact, this is a photograph taken by Dr. Francisco of the bullet that he removed from Dr. King at the time of autopsy and which he labeled with the number 252, and he identified with this photograph in a smaller version to the medical panel as the same missile he retrieved in 1968. This shows the copper jacketing, this is a 30.06 bullet that was removed and there have been—

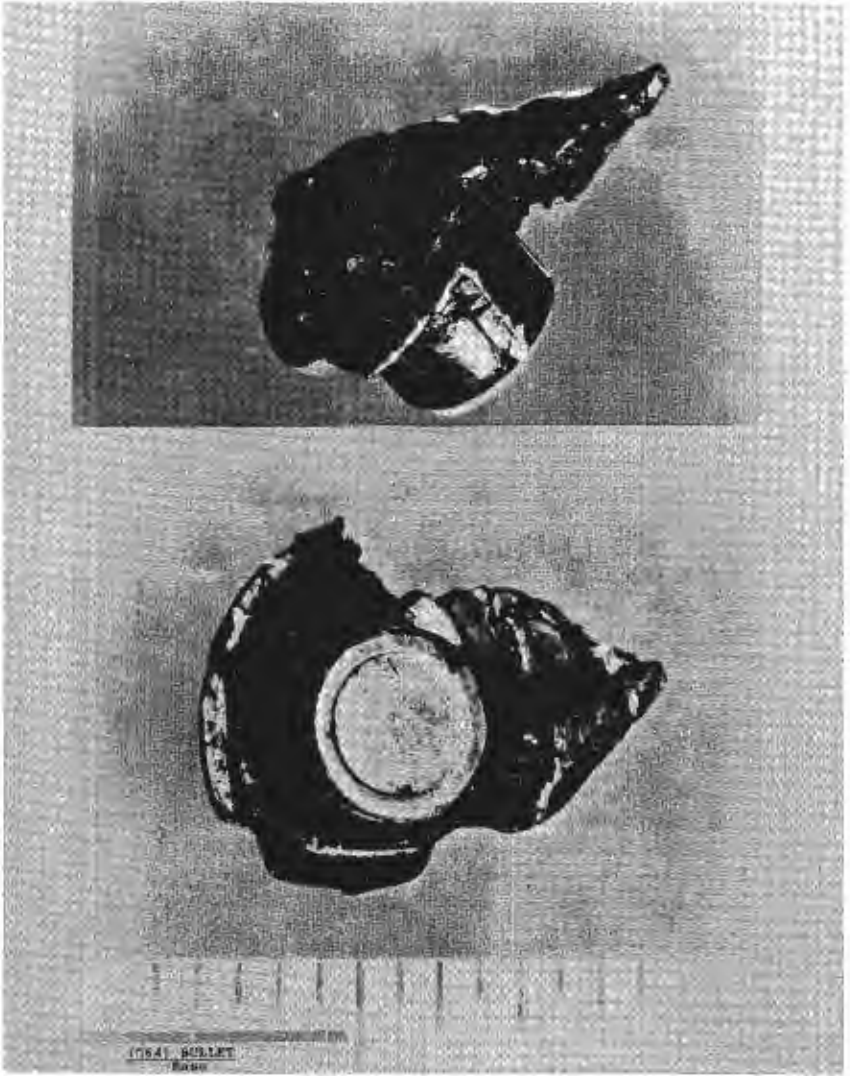
Chairman STOKES. May we have that particular exhibit identified, Mr. Webb, will you identify it for us?

Mr. WEBB. Yes, Mr. Chairman, this exhibit is composed of two photographs of the same bullet fragment and we would ask it be entered into the record as Martin Luther King exhibit No. F-12.

Chairman STOKES. Without objection, it may be introduced.

[Whereupon, Martin Luther King exhibit No. F-12 was marked for identification for the record, and follows:]





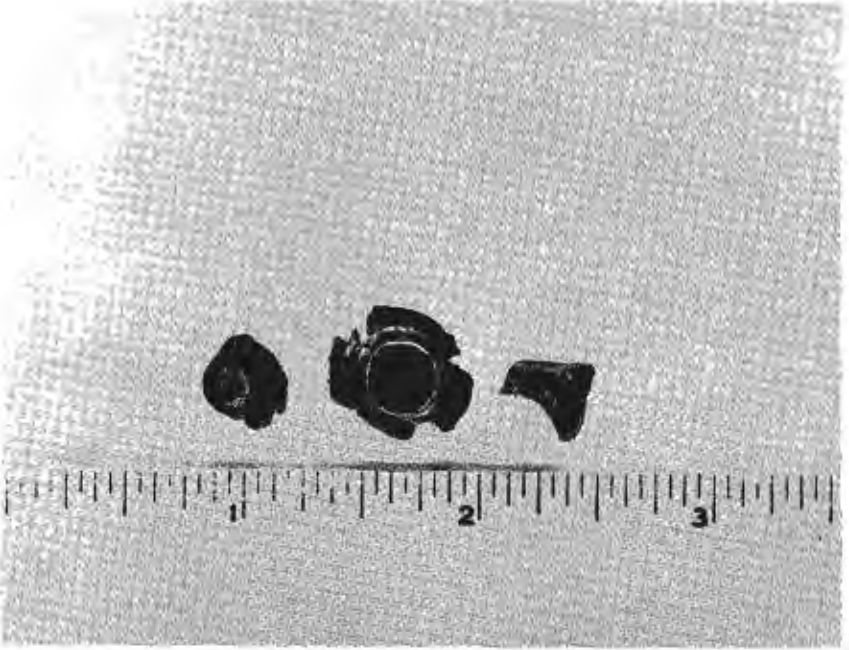
MLK EXHIBIT F-12

Dr. BADEN. The low portion is the base with the Dr. Francisco marking on it and the upper photograph shows the side with lands and grooves and the deformity of the front of the bullet which was soft-nosed lead, not covered with a jacket, that was deformed on impact with the very strong mandible and very strong spine bones.

Mr. WEBB. Since Dr. Baden plans to use the next photograph as an exhibit, we would ask that it be entered into the record as Martin Luther King exhibit No. F-13. For the record, it is a photograph of the same bullet which appears in MLK exhibit No. F-12 except that in this exhibit the bullet is in three fragments.

Chairman STOKES. Without objection, it may be entered into the record at this point.

[Whereupon, the above-mentioned photograph marked Martin Luther King exhibit No. F-13 for identification was entered into the record, and follows:]



MLK EXHIBIT F-13

Dr. BADEN. Mr. McKinney, this is an answer to the question about the bullet itself which we can identify without question as being the one that caused the injuries because of prior identification by Dr. Francisco; he removed it and saw it on X-ray. When we looked at the bullet, when the medical panel looked at the bullet piece presently in the possession of the committee it was in three pieces because the lead core had loosened over the years and in fact was in three portions when Dr. Francisco testified in the trial in Memphis in 1969. But, it is the same bullet with the lead core out, the metal jacket with the number at the base and another portion of the metal jacket and we know that this bullet was retrieved from Dr. King; and we do know from the lack of any gun powder residues on the face or clothing, as seen in photographs, pictures, and the microscopic slides of the skin, and on tests of the clothing, that this could not have been a contact or a near discharge of the weapon. It had to be from a distance at least beyond 3 or 4 feet, which is the limit of sensitivity of these tests.

Entirely consistent with being at the Main Street suggested area of shooting.

Mr. MCKINNEY. Thank you very much, Mr. Chairman, I have no further questions.

Chairman STOKES. OK, thank you Mr. McKinney, Dr. Baden, at one point there when Mr. McKinney was questioning you you inad-

vertently used the term grassy knoll, you had reference to the bushy area.

Dr. BADEN. Grassy bush, yes, Mr. Chairman.

Chairman STOKES. The Chair recognizes the gentleman from North Carolina, Judge Preyer.

Mr. PREYER. Thank you, Dr. Baden, we appreciate your thoroughness. I think it may have some more important long-range effects than might appear immediately, and it may sometimes appear as if we are belaboring the obvious here, but, one thing which needs to be determined is the trajectory pattern. You have indicated that an autopsy cannot distinguish the small difference between a trajectory from the bushes and from the bathroom window?

Dr. BADEN. Yes, sir.

Mr. PREYER. So that in the future, I don't think the idea that perhaps if a proper autopsy or scientific investigation had been done we would know exactly from whence it came, that is a question that should occur here.

Dr. BADEN. That is correct.

Mr. PREYER. Also on the powder debris, you have worked with, as I understand it, a series of chemical tests, on the tie, on the shirt material, and from the skin of the wound itself, and have indicated that that powder could only be from the lead tip of the bullet. Is that correct; it could not be fired from close in?

Dr. BADEN. That is correct, it is actually lead from bullet material rather than powder from the close discharge of a bullet. Yes, sir.

Mr. PREYER. And that it of course had to be a rifle and not a pistol?

Dr. BADEN. That is correct, and that is determined by finding the bullet and also by the nature of the wound itself which is of a high velocity type as opposed to a pistol which is low velocity generally.

Mr. PREYER. Thank you, Dr. Baden. We appreciate your testimony.

Dr. BADEN. Thank you.

Chairman STOKES. The Chair recognizes the gentleman from Ohio, Mr. Devine.

Mr. DEVINE. Thank you, Mr. Chairman. Dr. Baden, do both Dr. Coe and Dr. Davis agree with the findings that you have related to this panel here this morning?

Dr. BADEN. Yes, sir.

Mr. DEVINE. Any area of dissent among the three of you?

Dr. BADEN. The only area of difference would not be any of the findings that I have related but as to the concept of how extensive an autopsy should be done in a homicidal situation and particularly relative to the question Mr. McKinney asked whether the bullet track should have been dissected. That is a subjective decision that a forensic pathologist has to make based on family wishes, police wishes, as well in anticipation of further medical or legal questions that might arise, and whereas one forensic pathologist might feel that the track should be extensively dissected, another might feel that what was done answered the questions and dissection was not necessary. That is an area I think where each of us would have a slight difference of opinion.

Mr. DEVINE. Otherwise you are testifying to what either of the other two gentlemen would have testified had they appeared here this morning?

Dr. BADEN. Yes, sir.

Mr. DEVINE. Did the three of you visit the bathroom and the roominghouse that was adjacent to the Lorraine Motel?

Dr. BADEN. Yes, sir.

Mr. DEVINE. You viewed from that window the balcony upon which Dr. King was standing?

Dr. BADEN. Yes, sir, we stood in the bathroom at the main street, South Main Street 418 and viewed the balcony and then went to the balcony and viewed the bathroom and the yard area, visited the yard area.

Mr. DEVINE. And was your conclusion, as a forensic pathologist, that the bullet that entered Dr. King may have been fired from that area or that vicinity?

Dr. BADEN. Our conclusions were that it was entirely consistent with the bullet having been fired from the bathroom area, yes.

Mr. DEVINE. Doctor, as a former prosecuting attorney and having examined a number of pathologists, as well as witnessing a number of autopsies, I want to thank you for your objectivity, your professional approach, and lack of equivocation. Your testimony is quite helpful to the panel.

Dr. BADEN. Thank you, sir.

Chairman STOKES. The House is in session and the second bells have rung, the committee will take a 10-minute recess at this time.

[A brief recess was taken.]

Chairman STOKES. The committee will come back to order.

The Chair recognizes the gentleman from Connecticut, Mr. Dodd.

Mr. DODD. Thank you, Mr. Chairman. I would like to thank the witness for his testimony. I just have one or two questions. I think it is one. I would like to summarize if I could with you, Doctor, your testimony. Is it your conclusion or conclusions of the panel that in fact, that both wounds, the jaw wound and the neck wound were caused by the same projectile?

Dr. BADEN. Yes, sir, without question, that is the conclusion of the panel.

Mr. DODD. And is there any doubt in your own mind that the projectile recovered from Dr. King's body was in fact the cause of his death?

Dr. BADEN. No doubt at all, Mr. Dodd.

Mr. DODD. And was it furthermore your testimony that the position of the projectile and the best evidence you have on the position of Dr. King at the time of impact would lead you to believe that a shot fired from either that wooded area or in that vertical line somewhere was consistent with the wounds that were caused by that projectile?

Dr. BADEN. Yes, sir, that there is no question in that area is consistent from whence the shot came.

Mr. DODD. Thank you. I have no further questions.

Chairman STOKES. The Chair recognizes the gentleman from the District of Columbia, Mr. Fauntroy.

Mr. FAUNTROY. Thank you, Mr. Chairman. And I apologize to the committee for having had to be in attendance at a District Committee meeting dealing with the commuter tax, and I want to thank the panel, Dr. Baden, for their testimony here today.

My son has had an opportunity to bring me up to date on your presentations to the committee, and I just want to be sure of a couple of

things. The first, Dr. Baden, is that it is clear that the bullet which struck Dr. King came from the right. Is it safe to say that it came from above?

Dr. BADEN. Yes, sir.

Mr. FAUNTROY. Is it safe to say that it could not have come, say, from the ground?

Dr. BADEN. On the basis of the autopsy alone, we cannot be certain as to which direction the bullet came from except up or down, except if we incorporate other information as to Dr. King's approximate position that we feel is reliable, that he was standing on the balcony and not lying down, for example, at the time of firing. The committee concluded utilizing other nonautopsy material and information that the missile would have come from slightly above or perhaps horizontal.

Mr. FAUNTROY. But certainly not from below.

Dr. BADEN. Not from below the balcony.

Mr. FAUNTROY. Is it clear also that only one shot was fired?

Dr. BADEN. It is clear from the autopsy that one and only one shot struck Dr. King. We could not, for example, relate to misses, a shot that missed, but one and only one shot high-velocity rifle bullet struck Dr. King.

Mr. FAUNTROY. Now, was the amount of lead present in the body consistent with what would have remained from a 150-grain bullet after the 64-grain fragment had been removed?

Dr. BADEN. Our basis for reaching a judgment to that question, sir, specifically, includes the X-rays available to the panel, of which there were approximately seven, some original and some not original, and that these X-rays together with the autopsy findings clearly indicate that the amount of bullet fragments in the body are entirely consistent with deriving from the single bullet of which 64 to 65 grains were recovered. The remainder is consistent with what is missing from the bullet.

Mr. FAUNTROY. Thank you, Dr. Baden. Thank you, Mr. Chairman.

Chairman STOKES. Gentleman from Michigan, Mr. Sawyer.

Mr. SAWYER. Thank you, Mr. Chairman. Just one question, Doctor. It is true, is it not, when a high-velocity missile or bullet strikes a body that it causes extensive damage and severe damage to tissue out beyond its track because of the lines of force it creates within the body, isn't that true?

Dr. BADEN. Yes, sir, that is very much true, and that is pertinent in part to the injuries to Dr. King because we do know, for example, that the spine, the spinebones, lower neck, and upper chest spinebones were impacted by the bullet. If the bullet continued through the spinal canal, it would have severed the spinal cord. If it didn't continue through the spinal canal and severed the spinal cord, the lines of force from the impact would have severely damaged the spinal cord without even touching it; and much of the extensive hemorrhaging and destruction of the tissues in the face and neck area of Dr. King were due to the lines of force that you allude to, sir.

Mr. SAWYER. Thank you. That is all I have.

Chairman STOKES. The gentlewoman from California, Mrs. Burke.

Mrs. BURKE. Thank you very much, Dr. Baden. I have a couple of questions. You indicate that based upon the lack of powder burns that the projectile could not have been fired from less than 2 feet. Is there

a maximum in footage from which it could have been fired to produce the wound and the other damage?

Dr. BADEN. Yes; and your question goes beyond the expertise of this medical panel and into the expertise of the firearms panel, which has information specifically to the point you are raising; but a rifle of this type could inflict this type of damage beyond 100 yards, for example, and maybe well beyond that, which information will be available to the committee when the firearms panel testifies.

Mrs. BURKE. You indicated there was other information that you used in order to determine the direction of the trajectory. You say, for instance, he had to be standing, not lying down. Could you give us the information or collateral information you based your findings on?

Dr. BADEN. The point I tried to make was that at autopsy we inspect a track or determine a track and the relative relationship between a gun or rifle and the track at the moment of firing. At the moment of firing of this weapon, the barrel of the gun had to be somewhat in a slightly downward from the horizontal position in relationship to striking the chin and the body. Now, that is what we can tell at autopsy. Whether Dr. King was laying on his back or frontward or on the side or on the opposite side, this same trajectory could be maintained as long as the relationship between the firearm and the body is kept intact; so one could have a similar track if he were standing on his head, for example, if the person firing were in the appropriate position. The additional information that the committee utilized in determining consistency to the bathroom window, for example, was that he had been seen to be standing upright and had been against the railing that was on the balcony and he was talking to somebody who was below; although we established that he was upright, we cannot know how much he hunched forward or backward, but that immediately limits the possibilities and makes the trajectory as coming from the direction of 418 South Main Street, reasonable.

Mrs. BURKE. Well, what I am trying to get at is whether you assume that he was in a certain position or place on the balcony? Did you assume—I am trying to determine all of the assumptions that you made in order to arrive at that conclusion. Did you determine he was against the rail?

Dr. BADEN. We had information that appeared reasonable to us that he was touching the railing, standing up outside of the room in front of which he died. We cannot establish for purposes specifically of the engineers how high his cheek was, the point of entry, from the ground. In the autopsy protocol, the entrance in the cheek is, I believe, 59 inches above the right heel, which is a true type of measurement taken at autopsy. If he were standing bolt upright in the anatomical position looking straight ahead, this point of impact would have been 59 inches above the ground. If he were bent forward as in normal posture, this point could have been as low as 54 inches off the ground. We felt that a reasonable and accurate determination was approximately 56 inches off the ground at the point of impact and gave this information to the engineering members to utilize as their point of reference above the ground of the balcony. However, in consultation with the engineers who were there, it became readily apparent that the difference in the trajectory from the backyard or the bathroom window between 59 inches and 54 inches, the outermost limits that we felt were reason-

able, was less than  $1^\circ$  in the flight pattern. Each inch reflects about  $1\frac{1}{2}$  minutes of trajectory, so that the sensitivity of the engineers in developing their track was much greater than the autopsy findings, which cannot distinguish  $5^\circ$  or  $10^\circ$  in this kind of a situation. But that is part of the information we used in arriving at what we thought was a reasonable position for Dr. King. We did look at photographs of Dr. King as he lay on the balcony. We did have information as to persons who were present. We felt it was a reasonable—

Chairman STOKES. Time of the gentlewoman has expired.

Mrs. BURKE. Just a very short question.

Chairman STOKES. You are recognized.

Mrs. BURKE. You mentioned that there was a difference between your findings and the autopsy as to whether or not the spinal column was severed, whether or not it was damaged. Were there any other areas in which you found a difference in your findings and the findings of the autopsy?

Dr. BADEN. Another area of concern was in specific localization of which blood vessels in the neck were torn; the shaded area in the drawing indicates the area that we feel with medical certainty was damaged. Whether or not the common carotid artery, for example, was severed is not fully clear from all the evidence that we have, but the evidence does indicate that the subclavian artery was severed, and from the point of view of medical treatment, from the point of view of survivability of Dr. King, there is no importance to this distinction. However, from the point of view of the medical panel in reviewing the autopsy medical evidence at hand, we wanted to be as accurate as possible, and where we could be certain, to be certain; when we can't be certain, as in the areas that have just arisen, we described what we think probably happened. There probably was damage to the common carotid area, but we can't be certain about it.

Chairman STOKES. Time has expired. Mr. Ford, the gentleman from Tennessee.

Mr. FORD. Thank you, Mr. Chairman.

Doctor, the name of a Dr. Sprunt appears on the autopsy report along with Dr. Francisco as the pathologist. Were you able to determine what role he played in the autopsy findings?

Dr. BADEN. Yes, sir, on our visit to Memphis and in our interviews with Dr. Francisco, we specifically asked him about Dr. Sprunt's contribution to the autopsy and were definitely advised that Dr. Sprunt's name was placed on the autopsy protocol, as was customary at that time, because he was chairman of the department of pathology and had certain legal responsibilities deriving therefrom, but that Dr. Sprunt was not present at the time of autopsy and did not contribute to the autopsy. It was a policy of adding his name to the protocol because he was chairman of the department and did not necessarily mean that he participated in the autopsy.

Mr. FORD. Will you describe any constraints Dr. Francisco may have operated under in performing the autopsy on Dr. King?

Dr. BADEN. The medical panel in interviews with Dr. Francisco were satisfied that Dr. Francisco did not feel any constraints. He expressed to us, very strongly, that he did what he thought was necessary without any constraints from any parties. One of the areas that the medical panel questioned, and will be present in the final report of the

medical panel, has to do with an attitude of who has responsibility in performing of autopsies in homicidal deaths? Does the next of kin, for example? Should the next of kin have a voice in homicidal deaths as to whether or not an autopsy should be done, or as to how it should be done? It is felt by some of us in forensic pathology that the societal interest in the dead body overrides family interests; in Tennessee, at the time, there was a policy in all homicidal deaths of obtaining permission of the next of kin prior to autopsy.

It is difficult for members of the panel to evaluate creation of an attitude of possible constraint, especially those as myself who come from other jurisdictions where no such next of kin requirement is necessary. We do what we think is appropriate, and we can be called to task for it if we exceed our authority. So that specifically, in answer to your question, there was the necessity to obtain next of kin, if not by law, by custom; that is, the district attorney orders the autopsy in Tennessee at the time and by custom did obtain permission from the widow of the decedent. Dr. Francisco felt that this in no way caused any constraints on him and that his concerns about not causing any unnecessary deformity to the body by dissecting the back and the track arose entirely from his sensitivity to the treatment of the dead body and not from any outside party.

**MR. FORD.** Doctor, you mentioned a policy. Does Tennessee law have any provisions which may have affected the autopsy, that you know of?

**DR. BADEN.** I am aware of certain legal requirements in Tennessee law but I would not wish to trust to memory and I would defer to Mr. Webb perhaps who is more aware of the legal requirements in Tennessee as existed at that time.

**CHAIRMAN STOKES.** The Chair recognizes counsel for the committee, Mr. Webb.

**MR. WEBB.** Mr. Ford, in answer to your question, in Tennessee at the time there was a requirement that the district attorney general order all autopsies as opposed to the medical examiner, as is the custom in many States. This means that Dr. Francisco first had to turn to Mr. Canale for permission to perform an autopsy. At that point the custom of seeking the approval of the next of kin came into play. Mr. Canale required that next of kin be sent a notification of the intent to perform an autopsy. Mr. Canale further required that next of kin's permission be sought and, whenever available, obtained prior to the autopsy being commenced.

That would have been the difference in Tennessee law at the time as opposed to some other jurisdictions.

**MR. FORD.** Thank you. I have no further questions, Mr. Chairman.

**CHAIRMAN STOKES.** The time of the gentleman has expired, the gentleman from Indiana, Mr. Fithian.

**MR. FITHIAN.** Thank you, Mr. Chairman. Dr. Baden, I appreciate your testimony. And I want to review specifically with you, you did say that the bullet could not have been fired from say the courtyard below?

**DR. BADEN.** It could not have been fired from the courtyard below, assuming as we have that Dr. King was in a standing position at the time of the injury.



Mr. FITHIAN. And it could not have been fired from say the firehouse across the street, and far to the left, is that your testimony?

Dr. BADEN. It could not have been fired from that area if we assume as we have some evidence for, that Dr. King was standing upright facing the courtyard and slightly turned to the right—the head slightly turned to the right.

Mr. FITHIAN. So assuming Dr. King was not facing into the motel room, and was facing out and speaking down to someone in the courtyard, from that position then you narrow the scope of the degrees from which the bullet had to come?

Dr. BADEN. That is right.

Mr. FITHIAN. But the engineering combined with your pathology cannot determine or distinguish the azimuth as to whether it came from the second story window or from the ground in the yard below the window, is that correct?

Dr. BADEN. That is correct, sir.

Mr. FITHIAN. Would you now and this is my final question, Mr. Chairman, would you now using a chair there as the railing, assume for me as nearly as you can, what you think Dr. King's position would have had to have been in order for the bullet to have made the bullet track it did, assuming that it came from either the second story window or from the bushy area.

Dr. BADEN. Attempting to respond to that question, sir, if I assumed that the railing is this chair, and I am looking straight out into the courtyard area below, the relative position of the body to the missile would have had to have been head downward from the nature of the entrance wound, exit, and reentrance into the body; head downward, slightly to the right, and the missile coming in somewhat in this direction [indicating]. I wouldn't want to be specific without measuring out all the parameters, but, in this direction.

Now, relative to your question, if I am standing, Dr. King is standing facing the railing, it would have been entirely consistent with this kind of track front the right front. Now, if the firehouse is to my left, for example, it is possible to station Dr. King in a position to receive this same kind of trajectory if he were somewhat like that [indicating by making left turn].

That is all I can measure in the body; what happened once the missile hits the mandible and below, but it does fix certain parameters that have to be adhered to for such a track to come in, there are many ways it could come but there are many others it couldn't have come.

Mr. FITHIAN. Thank you, thank you, Mr. Chairman.

Chairman STOKES. The time of the gentleman has expired, the gentleman from Pennsylvania, Mr. Edgar.

Mr. EDGAR. Thank you, Mr. Chairman.

I have listened very carefully to your testimony and I wonder if we could back up just a moment and look at the two exhibits which deal with the bullet fragments, the one that is right below and the additional one here.

Dr. BADEN. Yes, sir.

Mr. EDGAR. Doctor, could you describe what that bullet would look like in its pristine form and shape, and indicate what would be the makeup of the bullet, both soft and hard?

Dr. BADEN. I can give a rough answer to reasonable scientific certainty but the firearms panel which has done extensive evaluations can give and will give to you, I am sure, a much more detailed answer. Suffice it, with that caveat, this is the base of the bullet and this, again, was a photograph taken by Dr. Francisco and identified to us when we showed it to him, as the bullet that he removed from beneath the skin; this is the base and this is essentially copper jacketing.

This photograph is from below, a picture from the back side with the copper flared out. The inside of this bullet, the core of the bullet, which has become dislodged—this is the core, the back of the core and is essentially lead, 99 percent or more lead. The bullet would have had a much longer and thinner profile and structure in the unfired state.

Now, this type of elongated, long bullet which would measure 0.30 inch in diameter at the base, would have had a copper jacketing most of the way along the side and base. The front portion of it was unclad, there was no copper around it, and had exposed lead, which is one way in which rifle bullets are made, for various purposes.

What we have here is less than half of the bullet, a little less than half of the bullet but it was the largest intact fragment and only fragment that would have been of value for ballistic tests which were subsequently done and which will be reported to you at a later time.

Mr. EDGAR. You had testified earlier that given the X-rays and the other evidence that you have of the fragments of lead throughout the body that this bullet is consistent with and pieces that we have are consistent with a one bullet, whole bullet concept.

Dr. BADEN. Yes, sir.

Mr. EDGAR. In your experience at looking at bodies that have been struck by bullets of this nature, is it normal for the bullet to be deformed and mutilated in this fashion?

Dr. BADEN. That is entirely dependent on what is struck by the bullet. If this bullet had not struck the mandible, the jawbone which even from Biblical times was known to be very firm and hard, certainly this much deformity would not have occurred. The ribs that were struck are thinner bones and cause less damage to the missile. The spine is very hard and also causes extensive damage. So that this type of deformity for a bullet going through the spine bones and the jawbone is entirely consistent with that kind of impact given the fact that this is a soft-nosed bullet. It is not copper-jacketed in front, and the impacting surface is soft lead as opposed to a copper jacket which is much harder.

If this bullet had struck soft tissue, had gone through the lungs, for example, without striking the mandible or the spine it might have deformed very little.

Mr. EDGAR. Thank you, I have one final question, and I am going to need the three exhibits of the jacket, the shirt and the tie.

Doctor, as you see the extensive damage to the tie and the shirt, and from the angle that it has been described it entered the cheek and then entered the lower part of the body, can you indicate how the jacket would have been in such a position to be struck?

Dr. BADEN. Yes; in appreciating the injuries to the clothing, one has to remember how we wear jackets. The jacket lapel margin is really largely below the collarbone and we can feel on ourselves the collarbone. The entrance in the skin is above the collarbone and would

be approximately where I am pointing with my finger, assuming reasonable wearing of—the usual wearing of a tie and shirt and jacket.

This was further evidence to the panel, the nature of this irregular tear, as to the direction that the missile had to have gone through the face and jaw, exited and reentered right at the point of my finger, approximately. Now this reentry wound is larger than the bullet which had been flattened somewhat and there may have been multiple fragments coming through, and this caused the irregular tearing of the shirt, the severing of the tie beneath it but only brushed by the lapel of the jacket which is not in the path of the track, and which lapel extends to the side and below the collarbone; the collarbone as I said is intact and was not fractured.

Mr. EDGAR. Thank you, I have no further questions.

Chairman STOKES. The time of the gentleman has expired.

The gentleman from Connecticut, Mr. Dodd.

Mr. DODD. Doctor, I wonder if you might tell us whether or not you had an opportunity to speak with the attending physician at the time, that Dr. King was pronounced dead?

Dr. BADEN. Yes, sir, we did speak in Memphis with Dr. Ted Galyon who was the attending physician who happened to be in the emergency room when Dr. King was brought in, and with Dr. Rufus Brown, who at the time was chief surgical resident at St. Joseph's Hospital and who were present and participated in all of the medical and surgical procedures done to Dr. King, in resuscitative attempts.

Mr. DODD. I realize this is a little bit afield from your expertise but I would like to ask you anyway, did you ask the attending physicians who were present and participated in all of the medical and surgical procedures in the emergency room whether or not he said anything at all during that period?

Dr. BADEN. Yes, sir, we pathologists are also doctors and we did discuss exactly all the medical aspects of Dr. King's condition when he came in and they both assured us that although they could feel a faint pulse, and they could get a very weak electrocardiogram of the heart beating, that he was totally unmoving—one way of describing it would be paralyzed—that he did not talk at all, did not say anything certainly from 6:15 on, but that he was unconscious and that they felt that he was irretrievably injured and virtually dead even though his heart was still beating and although they vigorously attempted to perform the appropriate resuscitation measures.

Mr. DODD. At the time he arrived?

Dr. BADEN. He did not talk, did not say anything but had a faint heartbeat which prompted them to do extensive resuscitation.

Mr. DODD. He was dead at the time or irretrievable at the time he arrived in the emergency room?

Dr. BADEN. Yes, sir, that was their very clear and explicit statements to us and also written in the notes at the time. But we did question them, Mr. Dodd, specifically as to the point that you raised.

Mr. DODD. Thank you, Mr. Chairman.

Chairman STOKES. Dr. Baden, what was the official time of death as pronounced?

Dr. BADEN. Death was pronounced at, I believe 7:05 or 7:04 in the hospital records but that is a technical determination, as to cause of death. In this country, death occurs when somebody pronounces some-

body dead and although he arrived at 6:15, and he did have a pulse, so he was not totally without any vital signs, in the course of their resuscitating him the pulse was lost rapidly; they kept applying resuscitation, and they finally determined at 7:04 or 7:05 that there was no use in continuing so they pronounced death at that time.

He could have been pronounced dead at 6:18 or 6:20, if they had so wished but it is clearly the judgment of our panel from what the doctors told us, from the autopsy report and from other independent evidence that the nature and extent of the injuries to Dr. King were such that in no way, shape, or form could he have at that time or could he presently, with all additional medical knowledge that we have, could he have been saved from dying.

Chairman STOKES. Thank you. Are there additional members of the committee who have questions?

Dr. BADEN, under the rules of the committee, any witness appearing before the committee, at the close of his testimony and close of questioning has 5 minutes in which to either explain or expand upon or any way amplify his testimony before this committee. The Chair wishes to extend to you at this time 5 minutes in which you may do precisely that if you so desire.

Dr. BADEN. Thank you, Mr. Chairman. I have no specific statement to make except perhaps that I and the medical panel have been extremely impressed with the cooperation of the various doctors and the various counsel people from the committee whom we have consulted with in obtaining whatever information and whatever materials that are available and in attempting to arrive at our medical conclusions as impartially and as independently as possible. I wish to thank on behalf of the other members of the panel, Mr. Webb and others who have worked very hard with us and especially Ms. Ida Dox who is in the audience and who worked very hard making sure that what was placed on these drawings were absolutely valid, supportable and in every minute detail expressed what was seen on the photographs and what injuries were present.

The only other thought perhaps is to refer to a charge that Mr. Blakey had given the panel a while back, that although there is great concern by the committee as to the nature of the homicide investigation into the death of Dr. King, that in fact in the United States there can be and must be improvement in all homicide investigations from the scientific and medical pathology point of view. It is unfortunate that in this country so little attention has been given to the contribution of the autopsy in homicide investigation. I think the members of the committee who have been prosecutors, and I think the judge, appreciates how important it is in the courtroom to identify the injuries to a decedent. I think sometimes this is lost track of in the great deficits of police and judiciary and lawyers in this country that in the homicide situation which has caused such great concern around the country that the initial identification that a homicide that occurred, the documentation of the findings occurred, and proper evaluation is important to the whole criminal justice system, and that indeed, Dr. Francisco, even though we may have some minor discrepancies as to concept of the autopsy, did document the findings, through photographs, did dictation, committed to writing his findings, that does permit other medical examiners to make an independent judgment as to

the findings and we are pleased that we have been able to reach firm conclusions on the basis of work done 10 years ago.

Chairman STOKES. Thank you, Dr. Baden. Any members of the committee have anything further of the witnesses? Does counsel, Mr. Webb, have anything further of Dr. Baden?

Mr. WEBB. No, sir, I do not.

Chairman STOKES. Dr. Baden, on behalf of the committee I wish to express to you and to the panel the appreciation of this committee for the outstanding work that you have done, and especially for the presentation that you have made here this morning, you have been of great assistance to this committee in its works and we are indeed thankful to you for your cooperation in that respect.

Dr. BADEN. Thank you, Mr. Chairman.

Chairman STOKES. If there is nothing further to come before the committee at this time, the Chair will recess the committee until 9 a.m. tomorrow morning.

[Whereupon, at 11:10 a.m. the committee adjourned, to reconvene at 9 a.m., Wednesday, August 16, 1978.]



# INVESTIGATION OF THE ASSASSINATION OF MARTIN LUTHER KING, JR.

WEDNESDAY, AUGUST 16, 1978

HOUSE OF REPRESENTATIVES,  
SELECT COMMITTEE ON ASSASSINATIONS,  
*Washington, D.C.*

The committee met at 9:05 a.m., pursuant to notice in room 2172, the Rayburn House Office Building, Hon. Richardson Preyer presiding.

Present: Representatives Preyer (presiding), Stokes, Fauntroy, Burke, Dodd, Ford, Fithian, Edgar, Devine, McKinney, Thone, and Sawyer.

Also present: G. Robert Blakey, chief counsel and staff director; Edward Evans, chief investigator; Michael C. Eberhardt, assistant deputy chief counsel; Gene R. Johnson, deputy chief counsel; Peter G. Beeson, staff counsel; Alan B. Hausman, staff counsel; William Webb, staff counsel; and Kenneth McHargh, staff counsel; Elizabeth L. Berning, chief clerk.

Mr. PREYER. A quorum being present, the Chair will recognize Mr. Gene Johnson, a member of the committee staff, for a narration describing the crime scene. Mr. Johnson.

Mr. JOHNSON. Thank you, Mr. Chairman, members of the committee.

Mr. Chairman, members of the committee, the first exhibit this morning is MLK exhibit No. F-16. We would like to have it marked, Mr. Chairman, and entered into the record.

Mr. PREYER. Without objection, so ordered.

[Whereupon, Martin Luther King exhibit No. F-16 was marked for identification for the record, and follows:]



MLK EXHIBIT F-16

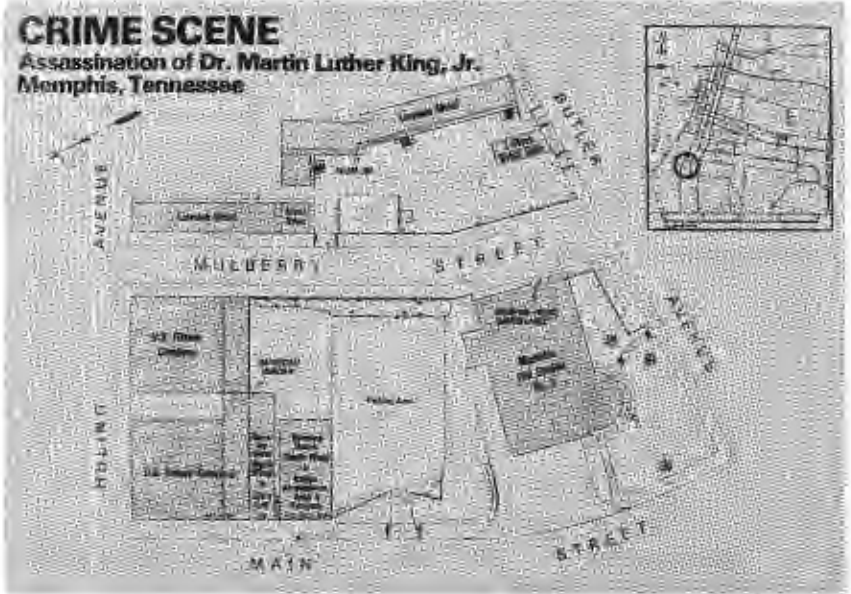
Mr. JOHNSON. This is an aerial photographic view of the crime scene and its surrounding areas. I am pointing now to South Main Street, which runs north and south. This is the roominghouse, the north and south wing, which is 422½ South Main, 418½ South Main. The corner here is Canipes Amusement Co., which is 424 South Main, and the parking lot in between Canipes and firestation No. 2, which is located at the end of the block, of South Main, and Butler Avenue. This is the entrance to firehouse No. 2. Proceeding south and then east is Butler Avenue. Here is Mulberry Street, which runs north to south. This is the new annex of the Lorraine Motel. This is the old section of the building. Proceeding north you enter the corner of Huling Avenue and Mulberry Street. Then turning west again you are then brought back to Huling and South Main.

Mr. Chairman, members of the committee, this is MLK exhibit No. F-19. I would like to have it marked and entered into the record.

Mr. PREYER. Without objection, so ordered.

[Whereupon, Martin Luther King exhibit No. F-19 was marked for identification for the record, and follows:]





**MLK EXHIBIT F-19**

Mr. JOHNSON. This is a diagram of the crime scene showing again, as I have previously indicated, South Main Street, Canipes Amusement Co., Jim's Grill, which is located north of the roominghouse, the north and south wings of the roominghouse, the parking area, between Canipes and fire station No. 2, the driveway coming over to Butler Avenue, which is east and west. Then proceeding north again on Mulberry Street you will see the layout of the Lorraine Motel, the older section of the building, the newer section of the building, the parking area, and room 306.

Again, proceeding north to Huling and Mulberry and then again proceeding west to Huling and South Main.

Mr. Chairman, the next exhibit is MLK F-15A. I would like to have it marked and entered into the record.

Mr. PREYER. Without objection, so ordered.

[Whereupon, Martin Luther King exhibit No. F-15A was marked for identification for the record, and follows:]



MLK EXHIBIT F-15A

Mr. JOHNSON. This is a photographic view of the roominghouse and the surrounding buildings. This is a west to east view. As you can see, in the far right corner is Canipes, which is 424 South Main. This is the entrance to the office section of the roominghouse, which is 422½ South Main. This is the entrance to the north building, the north section of the building at South Main. This is 418½ and this is Jim's Grill.

Mr. PREYER. Mr. JOHNSON, would you be able to hold up that photograph? I don't believe the committee and members of the audience can see it.

Mr. JOHNSON. Should I go over it again, Mr. Chairman?

Mr. PREYER. If you would, please.

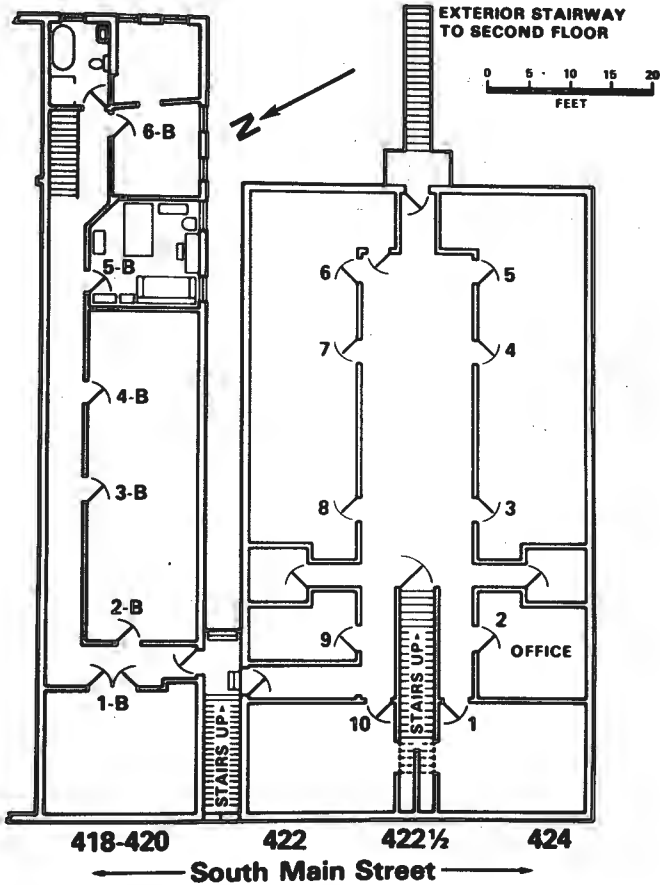
Mr. JOHNSON. This is a west to east view of the roominghouse and the surrounding areas. As you can see in the far right corner of the photograph, it is Canipes Amusement Co. This is the entrance, which is 422½, to the south wing of the roominghouse. This where the canopy here is, 418½, the entrance to the north wing of the roominghouse and where the canopy is, is Jim's Grill.

Mr. Chairman, this is MLK exhibit No. F-20. I would like to have it marked and entered into the record.

Mr. PREYER. Without objection, so ordered.

[Whereupon, Martin Luther King exhibit No. F-20 was marked for identification for the record, and follows:]

**SECOND FLOOR PLAN of  
BESSIE BREWER'S ROOMINGHOUSE  
Memphis, Tennessee**



MLK EXHIBIT F-20

Mr. JOHNSON. This is a diagram of the upper two floors of the north and south wings of 422½ South Main and 418½. As you can see, you enter at 422½, proceed up the steps, going east, the offices to the immediate right, and room 8-A is to the immediate left of the stairs. This is the south wing of the roominghouse. Proceeding west again, and then going north, there is an entrance and an alleyway between the north and south wings of the building. Once one crosses this alleyway, he is then into the north wing of 418½ proceeding north and then proceeding east, again which would then take you to room 5-B, which is located in the upper left of this diagram.

Mr. Chairman, this is MLK exhibit—

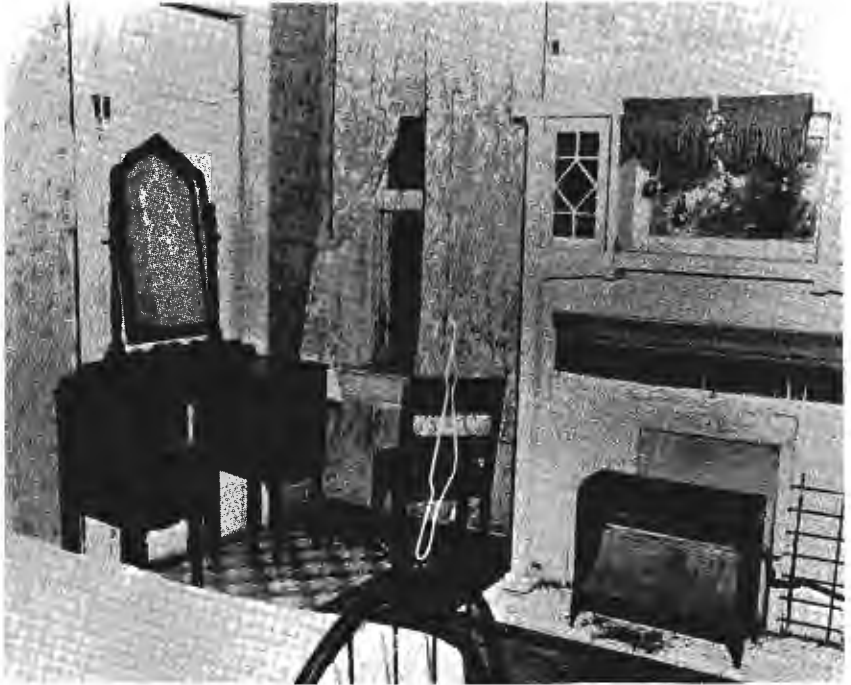
Mr. PREYER. Would you lift this up also, Mr. Johnson?

Mr. JOHNSON. Yes, sir.

This is MLK exhibit No. F-15B. I would like to have it marked, Mr. Chairman, and entered into the record.

Mr. PREYER. Without objection, so ordered.

[Whereupon, Martin Luther King exhibit No. F-15B was marked for identification for the record, and follows:]



MLK EXHIBIT F-15B

Mr. JOHNSON. As has been previously shown from the diagram, in the left corner of this diagram is room 5-B, and this is a photograph of room 5-B.

Proceeding east, from room 5-B, approximately 20 to 25 feet, from room 5-B, is the bathroom.

Mr. Chairman, I would like to have this marked as MLK exhibit F-15C and entered into the record.

Mr. PREYER. Without objection, so ordered.

[Whereupon, Martin Luther King exhibit No. F-15C was marked for identification for the record, and follows:]



MLK EXHIBIT F-15C

Mr. JOHNSON. This, as I have previously stated, is the bathroom. This is room 5-B.

This is a view from the window of the bathroom in 4181½, which is the north wing of the building at South Main, and the view is directly to the Lorraine Motel and surrounding buildings.

That, ladies and gentlemen, is room 306 and, as you can see from this photograph, the view from the bathroom and the rooming house to the balcony of room 306 is unobstructed.

Mr. Chairman, I would like to have this exhibit marked as MLK exhibit No. F-15D. I would like to have it marked and entered into the record.

Mr. PREYER. Without objection, so ordered.

[Whereupon, Martin Luther King exhibit No. F-15D was marked for identification for the record, and follows:]



MLK EXHIBIT F-15D

Mr. JOHNSON. This is a photograph from the balcony of the Lorraine Motel, directly in front of room 306. As you can see from this photograph, the view of the buildings on South Main are clear. In this photograph where the pointer is, is the bathroom, which is directly east of the hall from room 5-B.

Mr. Chairman, I would like to have this exhibit marked as MLK exhibit No. F-15E, and I would like to have it entered into the record.

Mr. PREYER. Without objection, so ordered.

[Whereupon, Martin Luther King exhibit No. F-15E was marked for identification for the record, and follows:]



MLK EXHIBIT F-15E

Mr. JOHNSON. This photograph depicts a north to south view on South Main Street. As you can see only the number is partially visible. This is Canipes, which is at 424. As you can see, this is 422½. This is the south entrance to the south section of the roominghouse. The view of this street, as you can see, is unobstructed but there is a fire department vehicle here, and on the afternoon of April 4, 1968, there were police cars parked all along this area, the last one extending all the way to the edge of the sidewalk.

Mr. Chairman, I would like to have this marked as MLK exhibit No. F-15F. I would like to have it entered into the record.

Mr. PREYER. Without objection, so ordered.

[Whereupon, Martin Luther King exhibit No. F-15F was marked for identification for the record, and follows:]



MLK EXHIBIT F-15F

Mr. JOHNSON. This photo shows a north to south view of Canipes, which you can see in the upper-right-hand corner, 424. This is the bundle that was dropped in Canipes' doorway on the afternoon or early evening hours of April 4, 1968. The picture shows an enclave in there that the view is not visible. You would have to step out at least two steps from where the bundle is located to get a clear view of North and South Main Street.

That is all I have as to exhibits, Mr. Chairman.

Mr. Chairman, members of the committee, the first witness to be called and sworn this morning is Mr. James Earl Ray. I would like to give you a brief profile of him.

Mr. Ray was born March 10, 1928, in Alton, Ill. He is 50 years old.

After serving approximately 8 years of a 20-year sentence, Mr. Ray escaped from Missouri State Penitentiary on April 23, 1967. He then traveled to numerous cities in the United States, Canada, and Mexico.

On April 17, 1968, a Federal warrant was issued in Birmingham, Ala., for Eric Starvo Galt. Galt was one of the aliases used by James Earl Ray. Three weeks later, on May 7, 1968, the Shelby County grand jury indicted Mr. Ray for the murder of the Reverend Dr. Martin Luther King, Jr.

At approximately 11:15 on the morning of June 8, 1968, Mr. Ray was preparing to board British European Airlines flight No. 466 from London to Brussels. When he produced a passport at Heathrow Airport in London, he was arrested. On June 27, after Mr. Ray had been incarcerated for 19 days, extradition proceedings commenced. At the conclusion of the hearing on July 2, over Mr. Ray's objection, the



court ordered that he be extradited. At 3:48 a.m. on July 19, 1968, Mr. Ray arrived in Memphis, Tenn., where he was detained in the Shelby County jail.

Following his arrest in London, Mr. Ray retained Mr. Arthur Hanes, Sr., of Birmingham, Ala., as his lawyer, but before his scheduled trial date he dismissed Mr. Hanes and retained Mr. Percy Foreman of Houston, Tex.

On March 10, 1969, Mr. Ray's 41st birthday, he pled guilty to the murder of Dr. King, and he was sentenced by Judge W. Preston Battle to 99 years in the Tennessee State Penitentiary in Nashville. He served there from March 11, 1969 to March 11, 1970, when he was transferred to Brushy Mountain State Penitentiary in Petros, Tenn. On July 22, 1972, he was returned to Tennessee State, and on August 15, 1976, he went back to Brushy Mountain where he is presently incarcerated.

After the 94th Congress passed legislation creating the select committee, members of the committee staff made contact with Mr. Ray. This was on March 22, 1977, at Brushy Mountain. The staff then made eight subsequent trips to the prison where it spent over 40 hours interviewing Mr. Ray.

Pursuant to the direction of the committee, the full text of these interviews will be included in an appendix of the final report.

It is appropriate at this time, Mr. Chairman, that we call our next witness, Mr. James Earl Ray.

Mr. PREYER. Thank you, Mr. Johnson. Before calling the next witness, the Chair wishes to make a statement about security precautions to be observed with this witness. I want the record and the people in attendance here to be very clear on this point. One of the primary concerns of this committee has been the security of Mr. Ray, and we have put as one of our most important considerations his safety, in insuring that no harm comes to him.

U.S. Marshals have asked the committee to emphasize the following rules and the Chair states they will be strictly observed. This rule will be applicable to all people in attendance at this hearing. That includes representatives of the media. Anytime that Mr. Ray is standing or otherwise being escorted to or from the witness table, absolutely no one in the room is to stand. Let me emphasize that again. Anytime Mr. Ray is standing or is being escorted to or from the room, no one in the room is to stand. All people, reporters and photographers included, are to remain seated and stationary. No one is to move until the Chair gives permission for people to leave their positions. Any person violating this rule will be summarily removed from the room by the marshals and barred from attendance at all future hearings of this committee. The Chair will ask everyone to be seated at this time. Photographers will be allowed to photograph Mr. Ray's entrance into the room and photograph the taking of the oath, but you will remain seated during this photography, and you will then clear the area in front of the witness stand when the oath has been taken.

The Chair calls Mr. James Earl Ray.

Mr. PREYER. Mr. Ray, will you stand and be sworn?

Do you solemnly swear the testimony you will give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. RAY. Yes, sir.

Mr. PREYER. Thank you.

The Chair will ask the photographers to please clear the space in front of the witness table.

The subject of the hearing today is to conduct a full, complete, and indepth investigation of the assassination of Dr. Martin Luther King, and the investigatory jurisdiction and capabilities of agencies and departments of the U.S. Government.

Mr. Ray is represented by counsel of record, Mr. Mark Lane.

Mr. Ray, I understand you have a statement which you are prepared to read to the committee.

Mr. LANE. Before Mr. Ray begins, Mr. Preyer, the defense team, which has been working together, includes Rev. James Lawson, and Donald Fried, our investigator. We request permission for them to be with us at the counsel table, the witness table. Mr. Fried has brought with him all the transcripts of Mr. Ray's testimony before this committee. It is required by us if references are to be made to that transcript.

Mr. PREYER. Mr. Lane, those members of your team are in the audience, and I don't think there will be any difficulty in your having reference to them. For security reasons and consistent with the practice of this committee with all other witnesses, the witness is entitled to the assistance of counsel in advising him of his constitutional rights, and the committee has consistently interpreted that as meaning one attorney in addition to the security precautions. So the Chair must decline your request.

Mr. LANE. Yes, Mr. Preyer. I would like to—on the question of security I would like to call to the attention of this committee that Mr. Ray was beaten by Federal prison officials—

Mr. PREYER. Mr. Lane—

Mr. LANE. And has been held in solitary confinement with the lights on him 24 hours a day.

Mr. PREYER [continuing]. The question of security of Mr. Ray is one for the U.S. Marshal Service. The question of the treatment of Mr. Lane by them is a collateral matter which is not before this committee today—

Mr. LANE. Mr. Ray.

Mr. PREYER [continuing]. And we will not hear argument on that score. We are here for one purpose, one special purpose, and that is to hear the testimony of Mr. Ray. We are offering him that opportunity, and you as counsel are here to advise him as to his constitutional rights.

All right, if Mr. Ray is ready to proceed at this time we are ready to receive his statement.

Mr. LANE. Mr. Preyer, I believe that his treatment is a problem in terms of his ability to testify. We would ask just that this committee look into the question of his confinement. That is all we ask.

Mr. PREYER. The matter will be looked into, but it is not a matter for discussion at this time. It is collateral at this hearing.

Mr. LANE. Mr. Preyer, under rule 3(5) I wish to make an objection—rule 3(5) of your rules. I wish to make an objection to the presentation of the facts by Mr. Johnson regarding the circumstances in this case. While he did present—

Mr. PREYER. Mr. Lane—

Mr. LANE. I will be very brief, Mr. Preyer. While he did present the fact that Mr. Ray pleaded guilty, in presenting the judicial history, he left out the fact that Mr. Ray almost immediately said he was not guilty, and there were a whole series of appeals—

Mr. PREYER. Mr. Lane—

Mr. LANE [continuing]. And that evidence has not been presented to this committee.

Mr. PREYER. We are here, again, to hear the testimony of a witness. Perhaps we should get clear at the outset the ground rules so that we understand each other. This is not a forum to raise collateral issues of that sort. We are here for one purpose only, and that is to hear Mr. Ray. This is not a trial. There are no prosecutors; there are no defendants. Mr. Ray is simply a witness before a legislative factfinding hearing, and the role of counsel in these hearings is not that of the role of counsel in criminal trials. It is to advise him as to his constitutional rights. You may raise those questions as to his constitutional rights in the course of his statement or as he is asked questions, but it is not a forum for making motions or arguing the case. The role of counsel is to advise Mr. Ray as to his constitutional rights.

Mr. Ray, are you prepared to read your statement at this time?

Mr. LANE. May I just say that rule 3(5) says that the attorney may make objections, not just advise the client of his rights, and I have made an objection to an unfair presentation. But I have your ruling on that.

I wonder if one last request—

Mr. PREYER. The Chair will overrule the objection.

Mr. LANE. I have that ruling. I wonder if as a last request we might each be given a small cup so that we could have a drink of water on occasion.

Mr. PREYER. The Chair will ask the committee staff to make cups available to Mr. Lane and Mr. Ray.

Mr. LANE. Thank you very much, Mr. Preyer. Thank you.

Mr. PREYER. Mr. Ray, are you prepared to read your statement at this time?

#### **TESTIMONY OF JAMES EARL RAY, ACCOMPANIED BY MARK LANE, COUNSEL OF RECORD**

Mr. RAY. Mr. Chairman—

Mr. PREYER. If so, you will be recognized for 1 hour.

Mr. RAY. Subsequent to making the original statement, there has been two, three other things brought to my attention. I don't think it would take any more than 3 or 4 minutes to go over them, and I believe you could subtract that 3 or 4 minutes from the hour, if that would be all right. That would be OK with the Chair?

Mr. PREYER. Mr. Ray is recognized.

Mr. RAY. The first matter is the statement by James E. Ray dated August 16, 1978. I wish to make a very brief opening statement which I will read before getting to the written statement which you have. It deals with the information of the greatest importance, and information which we just received yesterday.

My lawyer, Mark Lane, has just examined three FBI documents which provide further evidence of possible FBI and Memphis Police complicity in the conspiracy to murder Dr. King.

An FBI document dated April 13, 1968 to J. Edgar Hoover, then the director of the FBI from the Memphis special agent in charge of the FBI numbered 44-38861 and marked urgent, was titled: "Murkin, Civil Rights, 00: Memphis," and began, "The following is a summary of investigation conducted in the Memphis Division, April 12. Instant, Lorraine Motel."

Page 4 of the document reads as follows: "Interview of Marrell McCollough, male negro resident—several words removed—employed as warehouseman and who had been doing volunteer work with the SCLC and related sanitation strike support groups in Memphis advised and interviewed night of April 11 last that he was standing in parking lot of Lorraine Motel on the evening of April 14 last. He saw Dr. Martin Luther King standing on balcony of the second floor of motel looking in a westerly direction. McCollough heard an explosive sound or gunshot and saw King falling backward. Immediately McCollough looked westward toward the building in the 1400 block West Main. Saw no one with a gun in any of the buildings. Saw no one on the street or ground area near motel with a gun and saw no one running from the area.

"McCollough ran up steps to balcony and was first to reach King. King was flat on his back, with head pointed in a southeasterly direction, and feet pointed in a northeasterly direction. He was obviously dead. McCollough applied pressure to the right cheek."

Page 5 continues, "bone and neck area of King. He was later relieved in this effort by Rev. Ralph Abernathy. Based on position of body directions of wound, McCollough feels that the shot that hit King had to come from northwesterly elevated direction from vicinity of rear or at near 422½ South Main, and not from the ground floor. McCollough has military police experience, manner and appearance excellent. Credibility as witness should be basically sound as to fixing direction of gun."

McCollough insisted that the shot came from the bathroom window of the roominghouse. While your expert witness, Dr. Baden, testified yesterday that all the available evidence could not fix the origin of the shot, the FBI more than 10 years ago established McCollough as an expert who could.

According to an FBI document sent to Hoover by SAC in Memphis, 157-8460, 157-1067, P, on August 26, 1969, regarding the Bureau's Airtel of August 20, 1969, page 3, McCollough was an "Invaders Board of Directors member." That memo then states that McCollough "was actually a patrolman with the Memphis Police Department working undercover from February 1968 until March 31, 1969. He is now assigned to the intelligence unit of the Memphis Police Department."

Page 3. Therefore, FBI documents prove that the first person to reach Dr. King after he was shot, the person to establish the point of origin of the shot and the most militant of the Invaders was a Memphis undercover police officer. McCollough's picture appeared in newspapers and magazines throughout the world in that famous picture which shows Ambassador Young, Reverend Jackson and others standing on the balcony with McCollough over the fallen body of Dr. King. It is a most symbolic picture.<sup>1</sup>

<sup>1</sup> Photograph referred to above may be found in hearing of Nov. 20, 1978.

Still another FBI document to Hoover from the Memphis SAC number 157-109, P, dated April 10, 1968, states that McCollough, spelled in this document "Merril McCloughan," was in fact a "special agent" of the FBI, and a man who, as a special agent, participated in the March 28, 1968 march led by Dr. King and Reverend Lawson. McCollough was one of the Invaders who, as Reverend Abernathy testified on Monday, turned the nonviolent march into a riot. Dr. Abernathy was correct in stating that they were posing as Invaders, but even he did not know that the most active of the right-wing radical activists, the man who reached Dr. King before he did, was a police spy.<sup>1</sup>

On this other matter, there is an article in the Washington Post dated August 10, 1978, saying a certain member—well, the article quotes a Congressman, Mendel Davis, saying a certain member of the committee is intending to nail me to the cross.

What I am concerned about this, in one aspect of it, is I anticipate there will be many FBI informers up here testifying. Most of them are paid informers. And some of them even have, you might say, a license to kill. I am referring to Raymond Curtis and Gary Thomas Rowe. So if it is possible that at some time in the future if there are numerous people who testify against me that are ex-convict informers, or some other type of similar type, I would like to make some type of a sworn affidavit denying the accusations.

Mr. PREYER. Mr. Ray, after you make your statement, under the House rules you will be permitted to make a further statement at which time you may bring out any such collateral matters or offer any sworn documents.

Mr. RAY. All right, thank you.

I believe the committee has a copy of this statement. I have made no changes in the statement, although I did type it fairly fast and it was necessary for me to add some punctuation marks. And in addition I think there will be two or three instances where I will have to—it would be necessary for me to digress to explain a point.

Mr. PREYER. That will be perfectly acceptable.

Mr. RAY. Thank you.

The statement I am about to give to this committee is essentially the same testimony I would have given the trial court in Memphis, Tenn. in 1969 if that court would have had the fortitude to have ordered a public trial into the murder of Dr. Martin Luther King, rather than making an in-chambers deal with the attorney who was allegedly representing me, Percy Foreman, and capitulating to the wishes of the dominant commercial publishing companies and the companies special relationships with the intelligence communities.

In essence, I would have told the trial court and jury that I did not shoot Martin Luther King, Jr., just as I am now telling this committee. And if I would have had a lawyer to represent me I could have offered conclusive proof in support of this denial.

I know several large publishing houses working with the FBI have offered up varied motivational allegations which are referred to below in support of the Government case against me. But it was not I who posted Martin Luther King notes suggesting he kill himself. Rather,

<sup>1</sup> Mr. Ray is apparently referring to Mr. Merrill McCollough, an undercover officer with the Memphis Police Department. Mr. McCollough testified before the committee on Nov. 20, 1978.

it was the FBI. Nor was it the witness who celebrated upon hearing of his death. That too was the FBI. And it was also not I who in the 1930's infected Blacks with syphilis germs for experimental purposes, then declined to treat them. That was the actions of a governmental body with the acquiescence of the dominant press.

In respect to the guilty plea I made in the King case, it is not a difficult matter for an attorney to maneuver his client into a guilty plea to a criminal indictment, especially when the attorney has the active cooperation of the judge and prosecutor. And I am sure every member of this committee with legal experience knows this.

If I could digress just a minute here, Mr. Chairman. For references on this last statement I would suggest "The Crime and Legal Process" by William J. Shamus, copyright 1969 by McGraw Hill, Inc. See part two, section 12, Donald J. Newman, "Pleading Guilty for Consideration in the Study of Bargain-basement Justice." Section 13, Abraham S. Bloomberg, The Practice of Law as a Confidence Game, Organizational Cooperation of the Profession. Section 14, David Sudlow, Normal Crimes, Sociological Features of the Penal Code and the Public Defender's Office. I think this, along with Justice Berger's statement that 30 percent of the attorneys are incompetent might suggest that all guilty pleas are not made in heaven.

Continuing with the statement: But the public doesn't. They think of guilty pleas as they used to think of the FBI, that the pleas are made in heaven. Further, every judge who has laid hands on this case knows that the plea was procured by fraud, and therefore knew a trial should have been ordered. But the courts have been more influenced by, say, editorials embedded in Time Magazine articles about the case than they have in the law books.

But maybe I should be in jail, although not for shooting anyone. Rather, for being foolish enough to return to a legal snake-pit, even if the offer was Fort Knox and Charlies' Angels to spend it on once I had reached Canada in 1967.

I believe whatever this committee's ultimate findings are in this matter, it will have performed a valuable service, if unintentionally in unmasking the U.S. judicial system's operations, in league with the dominant publishing companies, and railroading innocent defendants in controversial criminal cases into prison and contributing to the savaging of the defendants through solitary confinement, et cetera, after the defendants are imprisoned. All of this merely because the defendants insisted on the provisions guaranteed to them under the Federal Constitution and lacked the political influence to claim it. That is, for class or other reasons, they were out of favor with the dominant press. In this respect, the syndicated columnist Carl Rowen has written, in effect, that "If any group in the United States does not have influence with the dominant press they can expect to be ground under."

Finally, it would appear that the final act performed by the intelligence agencies/publishing empires when a public figure is murdered and the alleged murderer is decided upon, is for the construction of a psychological profile for the edification of the judiciary. In the instant case the psychological profile as promoted by the FBI, Time Magazine, Time's legman, George McMillan, and United Press International, characterizes the witness as thus:

One, a narcotic addict, Time Magazine, January 26, 1976 issue. A narcotic peddler, Time Magazine, January 26, 1976 issue. A sex devi-

ate, type unexplained, Time Magazine, January 26, 1976 issue. Main-lined drugs, FBI, United Press International Wireservice release, January 25, 1978. Went insane, 1963-64 period, FBI, United Press International Wireservice release, January 25, 1978. Constantly read girlie magazines, FBI, United Press International Wireservice release, January 25, 1978. Sent obscene letters to post office, 1967-68 period, FBI, United Press International Wireservice release, January 25, 1978. Plagued two women with late-night telephone calls, 1967-68 period, FBI, United Press International Wireservice release, January 25, 1978. Involved in drug traffic, FBI, United Press International Wireservice release, January 25, 1978. And lastly, cheated fellow prisoners in crooked card games.

In regard to the above-mentioned psychological profile I will accept the profile as the type of person who would shoot Martin Luther King, Jr. Further, as I did in a letter to Attorney General Griffin Bell, exhibit B, if any one of the aforementioned accusations can be substantiated by the record, prison records, military records, employment records, or any responsible official conversant with said records, then I will appear before this committee and take full responsibility for the King murder. When I refer to records that does not include FBI-purchased information from their informers.

While the Government and Government press was erecting and disseminating the aforementioned psychological profile, the FBI was also harassing various members of my family in order to maneuver them into a position whereby they would have to perjure themselves against me in some manner related to the King case in order to escape imprisonment themselves. For instance, the FBI evidently burglarized my sister Carol Pepper's home in 1968 looking for incriminating evidence. See Jack Anderson column, November 8, 1977.

Two. The FBI had my brother, John L. Ray, prosecuted and convicted for aiding and abetting a bank robbery, and the trial judge, now FBI Director, William H. Webster, sentenced him to 18 years, while the actual robber later had his charge transferred to the eastern district of California, where Federal Judge M. D. Crocker sentenced the robber to 18 months.

Three. And the wireservices reported on August 8, 1978 that the FBI had paid an informer, Oliver Patterson, to steal letters, wiretap conversations, et cetera, from another brother, Jerry W. Ray.

If I can digress just here a second, I think, sir, the FBI—I believe that was this committee—yes, continuing the statement—

On April 23, 1967, I escaped from the Missouri State Penitentiary in a bread box in the manner as follows: Several days prior to the escape I fashioned a board approximately 3 by 4 feet, which would fit inside a box used to transport bread outside the prison. In addition, I made several holes in the lower sides of the box with a hammer—airholes. Thereafter, on April 23, 1967, I entered the prison kitchen early—I worked afternoons—at approximately 8 a.m. Later I entered the bread box where bread from the bakery is loaded into the box to be trucked to a prison farm. Some time after entering the bread box I got into the bread box and covered myself with a 3- by 4-foot board. Thereafter, a prisoner filled the box with bread, and then transferred the box downstairs by elevator onto a platform used to load trucks transporting items outside the prison compound.

Shortly thereafter, the box, with me enclosed, was placed on a waiting truck. The truck then proceeded through a prison security gate, where a guard searched the box by raising the lid and viewing inside. After passing through the prison gate, I got out of the box. After the truck crossed the Missouri River Bridge, nearby the prison farm, it stopped before turning into the road leading to the farm. When the truck stopped, I disembarked.

I then crossed the highway, turned right, and followed the dirt road until I came upon several junked automobiles. I stayed in one of the vehicles up until dark, then left the vehicle, crossed under the bridge that I had previously crossed in the bread truck. I then made my way to a nearby railroad track.

I had departed the prison with several candy bars, and in addition had taken some bread from the bread truck. I also had taken from the prison, on my person, approximately \$250, and a radio, along with a social security card number under the name of John L. Rayns, and two phone numbers.

After a period of walking the railroad tracks, I crossed via a switch onto another set of tracks. After walking two or three nights on the tracks, and sleeping days, and having run out of food, I came upon a trailer. Apparently the trailer was intended as a fishing cabin, as I believe it was located near a river. I entered the trailer and found a bottle containing wine, and several items of food.

Upon leaving the trailer, I had the wine and food with me. It is my recollection that during this approximate period I again crossed a switch onto another track. However, during all the walking I was moving in the general direction of Kansas City, Mo.

On the 4th or 5th day out I was also traveling by day. On one of these days it commenced raining, and I moved underneath a trestle and started a fire. Shortly thereafter a handcar stopped over the trestle. The two operators of the car disembarked and inquired of me about the smoke. I explained that I had been caught in the rain and had started the fire to dry out. They said all right, and left.

During this period my shoes had fell off, and consequently I had to make a forcible entry into a store to obtain another pair.

On the 6th day I observed a small town. That evening I entered the town, purchased food and drink, and then returned to the railroad tracks. Later that evening I caught a freight train traveling in the direction of St. Louis, Mo.

I arrived in St. Louis while it was still dark. After a period of waiting in the railroad yards, and when it commenced to lighten, I made my way to South St. Louis to the residence of an individual who called himself the "Catman." His apparent given name was Jack Gawron. I intended for Mr. Gawron to arrange for my transportation to Edwardsville, Ill., however, Gawron was not home. Therefore, I caught a taxi to East St. Louis.

Thereafter, I caught another taxi to Edwardsville, Ill., then to the bus station, wherein I boarded the bus bound for Chicago, Ill. Although I am not certain, I believe I paid the bus driver the fare rather than purchasing the ticket in the station.

Upon arriving in Chicago, on April 30, 1967, I made my way to 2731 North Sheffield and rented a room. On May 3, 1967 I applied for a job as a dishwasher at the Indian Trail Restaurant in Winnetka,



Ill., a Chicago suburb. I learned of the job from an advertisement in the Chicago Tribune newspaper.

I received the job, and shortly thereafter I purchased a 1960 Chrysler for \$100. I purchased the Chrysler in order to accumulate identification and commute to and from work. I also took a drivers test and passed. However, although I received a temporary driving permit, I never received the permanent license. I used the name John L. Rayns during this period.

While I was employed by the aforementioned restaurant, I wrote the Canadian consul in Chicago inquiring about Canadian immigration procedures. In reply the consul mailed me several brochures.

On or about June 27, 1967, I terminated employment at the Indian Trail Restaurant. Thereafter I drove to Quincy, Ill., to wait for the last check to clear from said restaurant employment. It was also my intention to visit while in Quincy an aunt, Mrs. Frank Fuller, and to see one or two acquaintances.

I stayed in Quincy approximately 12 days, although I did not see my aunt.

During the period in Quincy I stayed alternatively in two hotels, one being located on the corner of Second and Oak Streets, and the other on the corner of Third and Oak Streets. The only individual that I saw and was familiar with in Quincy was Ted Crowley, a proprietor of a local club. I may have told Mr. Crowley something to the effect that I had recently been released on parole from prison.

After staying in Quincy, Ill., for the above-mentioned period, I returned to Winnetka, Ill., to pick up the check I had coming from the Indian Trail Restaurant. It is also my recollection that I checked into a hotel located at 1648 West Lunt Street for a couple of days.

If I may digress just a minute here, Mr. Chairman, I think I also stayed at this Lunt Street—in fact, I know I did, while I was working at the restaurant, because it was 4 or 5 miles closer to employment.

Continuing with the statement: After picking up the check, I decided to drive to East St. Louis, Ill., and possibly see family members before moving to Canada. On the road to East St. Louis I developed car trouble. I recall sleeping in the Chrysler one night, and a highway patrolman waking me and asking me if I had any problems.

In East St. Louis I stayed one night in a rundown hotel near downtown. The next day I sold the Chrysler to a service station operator for approximately \$50. I then purchased in East St. Louis on July 15, 1967, a red Plymouth for \$200. I had a problem making the purchase, although I don't recall what the problem was.

I phoned Jack "The Catman" Gawron during this period, met him in East St. Louis, and had him purchase me a pistol from a fence he knew, and that he could pay for pension day. I told Gawron to tell my family members that I was leaving the country and would try to contact them later, and for him not to mention to the police that he had seen me, unless he wanted to go to jail.

Later that day I drove to Indianapolis, Ind., staying in a hotel that night. The next day I crossed into Canada via the Windsor Tunnel in Detroit, Mich. I slept along the road the night of July 16, 1967, and the next day I entered the environs of Montreal, Canada, staying in a motel part of the day.

The next day I entered Montreal proper and one of the first things I did was inquire of a travel agency via telephone, the procedure for a Canadian to acquire a Canadian passport. I was informed that I must have a guarantor who would testify that he/she had known me for 2 years. That evening in Montreal, on St. Catherine Street East, in a nightclub, I was accosted by a prostitute. Subsequently I agreed to go to her place via taxicab.

After we got located in her apartment I gave her the requested \$25 fee, and she carried the money to an office. When I left I wrote down the address of the building. The next day I rented an apartment in the Har-K Apartments, located at 2589 Notre Dame East. Then later, I parked my automobile close to the building where I had the night before been with the prostitute. That evening I returned to the aforementioned nightclub and, meeting the same girl, again accompanied her via taxi to her apartment. Inside her apartment I gave her another \$25, but this time showed her the pistol Mr. Gawron had purchased for me, and told her I would go with her to wherever she was taking the money. When she aroused the manager into opening the office I put the pistol on him. We moved back into the office wherein I asked him for the money. Taking out his wallet, he offered me the small amount in it, approximately \$5 or \$10. When I told him I wanted the rest of the money he spoke about a cabinet nearby, and motioned to a container. Before leaving the office I had the manager lie on a bed and the girl remove her stockings and tie his hands and legs. I then had her get under the bed before departing. Later I found that I had taken approximately \$1,700 in mixed currency from the manager's office.

During the next few days I purchased clothing and decided that the only way I could come by travel documents in order to travel to—leave Canada, would be to either persuade someone to act as my guarantor, or perhaps roll a drunken seaman for his seaman's papers.

During the next couple of weeks I did spend considerable time near the Montreal dock area frequenting bars. I was never able to come by merchant seaman's papers, although I did contact an individual who introduced himself as Roul.<sup>1</sup> I first met him at the Neptune Tavern, 121 West Commissioner Street. He was approximately 35 to 40 years old, 5 feet, 9 inches tall, with dark hair and a red tint in it. He spoke with a slight Spanish accent.

I assumed from his demeanor and conversation that our interests could be compatible, and after a couple of meetings it was established that I was interested in some type travel documents, while his interest was in locating someone who would, for a price, help him move some type contraband through U.S. Customs at the Canadian border. During the initial meeting with Roul, perhaps three or four times, nothing was decided definitely mainly because I had decided to take a vacation in a Laurentian Mountain resort and while there enlist the assistance of someone, preferably female, in procuring a Canadian passport, that is, attempting to find someone who would act as my guarantor in making application for a passport.

Subsequently I did drive to the Gray Rocks Inn in the Laurentian Mountains and met a woman, and later I saw her again in the Ca-

<sup>1</sup>The name "Roul" as spelled by Mr. James Earl Ray, as compared to the generally acceptable way of spelling that the committee uses "Raoul."

nadian capital of Ottawa. However, I learned she was employed by the Canadian Government and thus considered it ill-advised to discuss the guarantor question with her.

Therefore, in returning to Montreal from the Laurentian Mountains, I decided to accept any reasonable proposition Roual might offer in return for travel documents. After I returned to Montreal I did meet with Roual several more times. His proposals and my acceptance were in essence that I would meet him in Windsor, Canada at approximately 3:30 p.m., August 21, 1967, near the railroad station in my automobile; that he would then provide me certain packages to transport across the border into the United States; for that I would, for transporting the packages into the United States, be provided with travel documents and an unspecified amount of money.

That thereafter I would sell the Plymouth automobile and travel to Birmingham, Ala., wherein I would again meet Roual for some similar type smuggling operations, apparently in Mexico. Roual had initially suggested that I go to Mobile, Ala.

I accepted the above-mentioned proposals, although it was my intention that once I laid hands on the travel documents to return to Canada. On August 21, 1967, at approximately 3 p.m., I was parked near the Windsor, Canada railroad station, and after waiting a half-hour or less, Roual came to the Plymouth with an attaché case, entered the automobile, and said, "Let's go."

Starting the automobile, he directed me toward a side street wherein he moved into the back seat after stopping and placed three packages under the backrest. Then returning to the front seat, he directed me toward the tunnel that connected Windsor with Detroit, Mich.

Before we arrived at the tunnel entrance, he asked me to let him out, saying that he would cross separately, and for me to pick him up on the U.S. side. He said he would cross in a cab and to give him a few minutes before I crossed.

I cleared the customs with no difficulty and picked up Roual on the U.S. side of the tunnel. He then directed me to another side street where he removed the packages. I then drove him to the Detroit bus station. Letting him out, he told me to return to Windsor and wait at the same place as before.

I then returned to the Windsor railroad station, and after about 10 or 15 minutes Roual appeared again and we repeated the procedure, except that this time we traveled over the bridge connecting the two countries. However, when waiting in line to cross the bridge, I noticed customs officers were searching several of the automobiles ahead of me.

Recalling I had a television set in the Plymouth, which I was required to declare at customs, and wishing to avoid a search of the Plymouth, I declared the television set. The customs officer then directed me to a special lane and was in the process of searching the Plymouth when another customs officer appeared and, apparently ordering the first customs officer to other duties, told me to pay the television tax in the customs office and leave.

When I later met Roual on the U.S. side of the bridge, he appeared somewhat nervous and I informed him that I had been held up in customs and showed him the television tax receipt provided by customs.

Now, if I can digress here 1 minute, please, I was back using at that time the Rayns name again, and the receipt customs gave me was made

out to John L. Rayns, and after I got across the bridge I was using the Galt name again.

Anyway, to continue with the statement, we then drove to a side street in Detroit, and moving to the back of the Plymouth, he removed the three packages from behind the back seat backrest. Moving into the front seat of the Plymouth, Roual gave me approximately \$1,500 in mixed currency; however, offering some excuse, he said he was unable to obtain the travel documents, although he did assure me he would be able to come by the papers at a later date. He also suggested I dispose of the old Plymouth and then we could purchase a later model automobile when we met in Birmingham, Ala.

He told me he would write me in care of general delivery, Birmingham, Ala., under the Galt name. Also, he gave me a New Orleans, La., telephone number if I needed to contact him.

Thereafter I left him at the bus station and drove to Chicago, Ill., wherein I gave my brother, Jerry W. Ray, the Plymouth and caught a train to Birmingham, Ala. I arrived in Birmingham, August 25, 1967. The next day I rented a room at 2608 Highland Avenue under the name of Eric S. Galt.

The following Monday, August 28, 1967, I checked at the general delivery window in the main post office inquiring about mail addressed to Eric Galt. The postal clerk asked me for my middle initial, and when I supplied the letter "S," he gave me a letter from Roual.

In the letter, Roual asked me to meet him at the Starlite Cafe located directly across the street from the post office that evening. Later I met him in the Starlite and he asked me to try to locate for sale a late model automobile. The next day I found through a newspaper ad a 1966 Mustang. That evening I again met Roual in the Starlite and described the Mustang to him. He said it sounded all right and the next morning he gave me \$2,000 with instructions to buy the Mustang.

Later in the morning I took a taxi to 701 South 48th Street and purchased the Mustang from its owner, Mr. William D. Paisley. After purchasing the automobile, I drove to the Starlite Cafe, picked up Roual, and from the Starlite on to the residence that I was staying at on Highland Avenue, parking on a mall in front of the residence.

Before departing, Roual asked me and I gave him a set of keys to the Mustang. He also wrote down my address and phone number. He then gave me \$500 for living expenses and another \$500 for a list of camera equipment. Last, he gave me another telephone number in Baton Rouge, La., as a backup number and suggested I lay low for a month or so and he would contact me about the business at hand and the matter of travel documents for me.

During my stay in Birmingham, Ala., I rented a bank vault, accumulated identification under the Galt name, and made the camera purchase as Roual requested. I also contracted a lingering virus, apparently in Canada, and was treated for the ailment by a Dr. Schwartz in Birmingham.

Subsequently I was contacted by Roual's apparent representative asking me to meet Roual in New Orleans, La., in April 1968 [sic]. If I may digress here, it is possible I contacted him rather than he contacted me, because I was having trouble purchasing the camera equipment.

On or about October 6, 1967, I departed Birmingham, Ala. en route to New Orleans, La., intending to meet Roual in New Orleans. The next day or day after, upon arriving in Baton Rouge, La., I phoned the Baton Rouge number Roual had given me. Unable to reach the party, I then phoned the New Orleans number and did reach this party.

I was told to proceed on to Nuevo Laredo, Mexico, and was given the name and address of a motel to check into after arriving in Nuevo Laredo. Before leaving Baton Rouge, I mailed back to the Birmingham bank the safety deposit vault key, assuming I would not be returning to Birmingham, Ala.

Upon leaving Baton Rouge for Mexico, I briefly traveled in the direction of Dallas, Tex., intending to see an individual who was conversant with underworld activities along the border separating the United States from Mexico. However, I subsequently decided against the Dallas trip and therefore turned toward south Texas and Mexico.

I arrived in Nuevo Laredo, Mexico, on or about October 7, 1967 in the evening. Upon inquiry from a policeman or a cab driver, I located the motel I was earlier instructed to check into. After I had signed into the motel and waited a couple of hours, Roual appeared and asked me how I was getting along and if I was ready for business.

He asked me if I had a visa and I replied no. He then said we would cross the border into the United States and transport in the Mustang certain items into Mexico. Leaving the motel we drove down to a local square where I let him out. He said to give him a few minutes to catch a taxi and then to meet him on the other side of the border.

Picking him up on the other side, he directed me north for maybe seven or eight blocks, and then westward a couple of miles, ending on the side street behind another automobile and beside a frame house. He then removed a tire from the other automobile, placed it in the trunk of our Mustang, and directed me back toward Mexico.

On the way to the Mexican customs, he told me to apply for a visa, and when customs officials commenced searching the Mustang, give them each a dollar and they would only make a perfunctory search. When we neared the Mexican customhouse, Roual got out of the Mustang saying to pick him up either beside or in front of the customhouse after I had got the visa.

I then applied for the visa. The person who issued the visa asked for a voter registration slip for identification but accepted a driver's license and pink slip title in lieu. When the customs officers commenced searching the Mustang and placing a customs mark on the enclosed items. I gave them each a dollar and they waved me through.

After leaving the customs, I picked up Roual beside the building and we returned to the motel by a circuitous route. I pulled into the motel driveway and the tire was removed and placed in the automobile it was originally removed from earlier on. Roual told me he would see me again in the morning, and as I backed out of the driveway I briefly saw the profile of the person driving the other automobile.

The next morning Roual showed up and asked me if I were ready, and upon an affirmative reply, I checked out of the motel. Upon leaving, he rode with me for about six blocks and then he got into another automobile after telling me to follow the other car.

Once outside the city, we stopped again and the tire was placed in my automobile, with Roual telling me to follow him until we had cleared the interior customs house. About 50 kilometers further on, we entered the customs check. Roual's car was held up. However, after checking my bag tag, I was waved on through by the inspector.

Later a couple of kilometers down the road, Roual passed me and stopped in front of me, in front of the Mustang. Roual got into the Mustang and offered some type of apology about still not being able to come by travel documents for me. However, he gave me \$2,000. He then asked me if and where he could meet me in the future.

I told him I most likely would travel to Los Angeles, Calif. He said then he would contact me there through post by general delivery. He also gave me another New Orleans, La., telephone number and asked if I had the old telephone number. I think I gave him the old telephone number.

Traveling through Mexico, I ultimately ended up in Puerto Vallarta. During my stay in Puerto Vallarta, I attempted to trade the Mustang for a piece of real estate and thus stay in Mexico. I also saw an advertisement in the U.S. News & World Report magazine asking for persons interested to make application for immigration to Rhodesia.

I wrote to the address listed for information about the matter but never received a reply while in Mexico. I departed Puerto Vallarta, Mexico, on or about November 15, 1967, traveling north toward the United States. On the way I gave a hitchhiker a ride to the border.

After arriving near the border separating Mexico from the United States, I stayed overnight in a motel at Tijuana. The next day in preparing to leave the motel for the United States, as was my practice I searched the Mustang. Down between the front seat and the gear box I found a cigarette case with a pack of cigarettes in the case. Inside, between the case and the pack, was a business card. The name and most of the accompanying information had been inked out. What I could see that was still partly visible was the name "New Orleans" and the letters "LEAA."

On the back side of the card was the handwritten name of Randolph Erwin Rosen. Retaining the card, I crossed the border into the United States.

If I can digress here just a second, in the September 1977—I am still on the statement—in the September 1977 issue of Playboy magazine, Playboy reported that in 1967, LEAA was not in existence. However, upon inquiry by a party representing me, LEAA offices in Washington, D.C., stated that prior to 1968, a forerunner to LEAA, which I believe was OEAA, was in existence and operated in New Orleans.

Further, upon request, the late Mr. Clyde Watts, an attorney with offices in Oklahoma City, Okla., investigated in 1964 [sic] and reported thereafter that Randolph Erwin Rosen was in fact Randolph Erwin Rosenson.

On November 19, 1967, I arrived in Los Angeles, Calif. and rented an apartment located at 1535 North Serrano Avenue. Then later on January 19, 1968, I moved to 5533 Hollywood Boulevard, residing there until March 17, 1968.

During my stay in Los Angeles, Calif., I made the following attempts to find employment. I placed an ad in the "Help Wanted" sec-

tion of the Los Angeles Times newspaper, contacted the Big Bear Resort in the interior of California, took a bartending course, applied at two hotels for employment, filled out an application for employment with the Internal Revenue Service.

I made the following inquiries and acts in an attempt to leave the United States. After reading in the local newspaper that U.S. citizens could travel to Colombia, South America, without a passport, I checked into this matter. I contacted several organizations about information pertaining to Rhodesian immigration.

I phoned the U.S. Coast Guard several times about the procedure to follow in order to gain merchant seaman's papers. In this respect, I had minor plastic surgery on my nose in March 1968 by Dr. Russell Hadley in order that I might change my appearance enough to avoid identification if I needed a picture for the merchant seaman's papers.

In early December 1967, I checked at the general delivery section, main post office, to see if Roual had posted any messages. Finding that he had not sent a communication, I phoned New Orleans under the number he had given me in Mexico.

The person that answered inquired if I could travel to New Orleans in late December. I replied in the positive and thereafter made arrangements with a Charley Stein, whom I had met in a local bar, to help with the driving to New Orleans. When Mr. Stein, who was habitually short of money, and I were ready to leave for New Orleans, about December 5, 1967 [sic], he asked to use my telephone in order to notify his family in New Orleans of his pending visit.

During the trip I phoned my brother Jerry Ray one time. Other than Mr. Stein's busying himself looking for flying saucers, nothing else of interest had transpired on the trip until we reached New Orleans.

Upon reaching the city I dialed the phone number Roual had provided me with in Mexico. I arranged a meeting with him in the Le Bunny Lounge on Canal Street, and during the subsequent meeting in the lounge, Roual told me that in early May he wanted to transport some rifles into Mexico and for me to help him.

He said that there would be about \$12,000 in it for me in addition to the usual promise of travel documents. I agreed to his proposition but told him I was low on funds. Subsequently he gave me \$500 in \$20 notes.

Returning to New Orleans, I moved to the aforementioned Hollywood Boulevard address, residing there when in February 1967 (sic) I received a written communication from Roual asking me to meet him in New Orleans, La., on a certain day in March for a trip to Atlanta, Ga., and to acknowledge the communication. I acknowledged by the telephone that I would be in New Orleans on that date.

If I may digress just here, Mr. Chairman, I am not certain this Georgia address is mentioned in this letter. I was taking a locksmith course at this time by correspondence course and I was interested in completing the course. I didn't make out any change of address cards so I am not really positive about this, but I am inclined to think that I probably mentioned this on the telephone and they might have told me we would be briefly in Georgia, or not briefly, but just in Georgia.

Returning to the statement. Of other possible interest to the committee, during my stay in the Los Angeles area I was robbed of a watch

and the keys to the Mustang outside of a bar on Hollywood Boulevard. Consequently, I had to hire a locksmith to make me another set of keys. I did come by some addresses, although through underground publications advertising unattached females. Later I did use one of these addresses. See below.

I never attempted to contact any of the persons listed under the advertisements, except one who listed herself as a nympho-something. Of course, I had been in jail for about 6 years.

On or about March 17, 1968, I departed Los Angeles for New Orleans, La. Apparently I was late in arriving in New Orleans. In calling the party under the aforementioned number, I was told to drive to Birmingham, Ala., and meet Roulal in the Starlite Cafe. Arriving in Birmingham and entering the Starlite, again somewhat late, I met Roulal and we proceeded to Atlanta, Ga.

Arriving in Atlanta, we commenced searching for an apartment, finally locating a room for rent at 113—14th Street Northeast. However, because of the intoxicated condition of the proprietor, I had a problem renting a room. Because of the delay, Roulal briefly entered the office. After the rental, we went to a restaurant on Peachtree Street for a meal, and while in the restaurant made several arrangements for Roulal to meet me at the recently rented room the next day.

The next day, Roulal came to the room I had rented next door to the proprietor's office, and the conversation was a rerun of the previous evening's conversation in the Peachtree Street restaurant. In essence, I was to purchase rifles in Atlanta to be later shown to prospective buyers, but because of an identification problem, all of my identification was listed under the State of Alabama, I suggested we purchase rifles in Alabama, which Roulal agreed to do.

Upon leaving, Roulal suggested I stay close to the room since he would return in a couple days, and then wanted me to drive him to Miami, Fla. However, he never did appear for the Miami trip.

If I may digress here for just a second, Mr. Chairman, in respect to Miami, Fla., I discussed this matter with Arthur Hanes, the first attorney who represented me in Memphis, but I don't know just how much I talked to him about it. I was giving information to my attorney at that time, Mr. Hanes, and he was giving it to William Bradford Huie, the Alabama novelist, and Mr. Huie was giving it to the FBI, so I was kind of hesitant on giving certain information to the attorney.

However, I did write to Mr. Hanes one time, if my recollection is correct, and told him not to discuss this Miami business with Mr. Huie. I assume Mr. Hanes still has the letters on this and I believe I have given this committee a waiver on Mr. Hanes.

Returning to the statement. After about a week, Roulal did appear and we drove to Birmingham, Ala., to implement what we had previously agreed to do. I checked into the Travellodge in Birmingham. We then checked through the yellow pages of the phone book, and perhaps newspapers, for an establishment that sold rifles, deciding on the Aeromarine Supply Co.

Subsequently, I did purchase a rifle with military specifications at Aeromarine. After the purchase Roulal gave me the name of a motel, New Rebel, in Memphis, Tenn., telling me to transport the rifle to the motel and meet him there at a certain date, April 3, 1968, and time,



saying he in the interval had to make a business trip to New Orleans, La.

Thereafter, commencing on March 29, 1968, the day I picked up the rifle, I traveled in the direction of Memphis, Tenn. Subsequently, I rented a room in Florence, Ala.; Corinth, Miss.; De Soto, Miss., and other motel addresses that I cannot recall, although I assume the F.B.I. has the addresses.

I did not at any time deviate from the aforementioned route, and specifically I did not return to Atlanta, Ga., after departing Birmingham, Ala., on March 29, 1968, until April 5, 1968. I arrived in the suburbs of Memphis, Tenn. on April 2, 1968, and checked into the New Rebel Motel in Memphis proper on April 3, 1968. It commenced raining that evening, and at approximately 9 p.m. Roual appeared at the room I was occupying.

Roual told me that it would be necessary to take a room for a few days in Memphis. He also informed me he had a place located near the waterfront and that he or I or both would rent a room at the location in my name. I told Roual that I did not care to have my name used if there were going to be any guns in the place or if we were involved in something we could possibly get arrested for.

I then suggested the name John Willard, that I had used indirectly once before, thus a name I could easily remember that we could use to let a room under. Roual agreed to use the Willard name. He then commented that if everything progressed all right, that he and I would return to Birmingham, Ala., and purchase 10 or more of the scope rifles in addition to a large supply of the foreign brand rifles that I had looked over in the gun store in Birmingham.

He implied that after we had purchased the firearms they would be shipped to New Orleans, La., by boat. Before departing, Roual told me to meet him at the 422½ South Main Street address at 3 or 4 p.m. the next day. He then wrote down the address on a slip of paper and I wrote down for him the Willard name to use if he should rent a room for me or himself.

He mentioned that if he were not in a room at the South Main Street address when I arrived, he would be in a bar and grill located on the ground floor of the building. He then took the rifle and departed, and that was the last I saw of the weapon.

The next day I did not check out of the motel until late morning. After having breakfast at a nearby restaurant, I drove to the south part of Mississippi or the south part of Tennessee—I may have been in Mississippi—and waited a period of time in the beer house and generally stalled around for the rendezvous with Roual at 422 South Main Street. Now if I may digress here, while I was traveling around during this period, I had a flat tire. It wasn't completely flat, but a slow leak. I did change tires.

Finally I drove to a commercial parking lot. After checking the Mustang into the lot and receiving directions from the parking lot attendant to the location of Main Street, I commenced walking in a general direction toward what appeared to be the main section of Memphis. Further on with the assistance of a policeman, I located Main Street, and traveling south on Main I made at least one inquiry in bars concerning the 422½ South Main Street address.

One of the places of inquiry may have been a Jim's bar. After I had located that apparent address of the South Main Street building I had been searching for, and which had a Jim's grill on the ground floor, I entered the bar and grill looking for Roual. He was not in the establishment. However, I did notice two white males that I had previously seen in one of the bars I had just recently been in making inquiries concerning the address I was searching for.

One of the two individuals appeared to be noticing me more than was necessary. I am certain that I did not meet Roual in Jim's grill the first time I entered the establishment because of the crowded conditions, unlike the second, and the two individuals in the bar who were not present when I did meet Roual.

I ordered a beer and shortly thereafter departed the tavern, going upstairs to inquire about renting a room. Upon inquiry, the proprietress informed me she had two rooms to let and showed me both of them. Since the second was only a sleeping room, I rented it, paying with a \$20 bill. After signing the registry under the name of John Willard, the only other person I saw or ever saw except Roual in the establishment was an elderly white male who was in the proprietress' office when I first inquired about the room.

Immediately upon retaining a room, I left the building to return to the parking lot to pick up the Mustang. It was now approximately 4 p.m. because of my delay in locating the South Main Street address. Returning to the parking lot, which I estimate was 1 mile from the 422½ South Main Street address, I picked up the Mustang and subsequently parked the automobile almost directly in line with the front of Jim's grill and immediately behind another automobile.

Now, if I may digress here just a second, Mr. Chairman, since I made this statement I found an FBI document, and this might clear up where I was parked at or where I wasn't. This document is from the Federal Bureau of Investigation Offices, dated April 7, 1968, and I will read it.

"Lloyd Jowers, owner of Jim's Grill"—this is where I was parked at—"418 South Main Street, advised that at approximately 3:55 p.m. on April 4, 1968, he arrived at the grill and parked directly in back of a white Mustang that was parked in the street directly in front of his grill. He stated that he believed that the car had Mississippi license plates on it because they were an orangish-yellow color. He stated that upon parking the car, he went into the grill, where he saw a stranger sitting at the bar having a meal. He stated that it was unusual to get any strange customers in the grill since most of the customers were local people of a steady nature.

"Mr. Jowers described the stranger as follows: Race, white; sex, male; height, 5 feet 8 to 5 feet 9; weight, 160 pounds; build, heavy; age, 27 to 30; hair, sandy; complexion, ruddy; dress, wearing a dark suit. He stated the man finished his meal and left the grill, not noticing in which direction he walked, but he did not get into the white Mustang which was parked in front of the grill.

"Mr. Jowers stated that this same individual returned to the grill at approximately 8 p.m. on April 5, 1968, and ordered breakfast. Mr. Jowers stated in his estimation this individual acted strangely because he seemed very calm when everyone else in the grill in the area was excited over the shooting.

"In view of the fact that he felt the individual was acting strange and also because he was a stranger in the area, Mr. Jowers called the police and was told that he had a man of suspicious nature in the grill. He said that when the stranger finished his breakfast he left the grill and was arrested on the sidewalk in front of the grill by the Memphis Police Department."

Then there are several words blanked out.

"The Homicide Bureau of the Memphis Police Department later identified this arrested individual as Gene Pearson Crawford," and there are several more words blocked out, "Jackson, Tennessee, who was determined to have no part in the murder of Dr. Martin Luther King."

The only reason I mentioned this document was that I am certain that I parked in this area where this car was, and if it could be established when the car was moved, it may be established where I was parked.

Mr. PREYER. Mr. Ray, if you wish to make that document a part of the record at this point, if there is no objection the Chair will make it a part of the record.

Mr. RAY. I have several other documents that I will get—

Mr. PREYER. We will also arrange to get one without the deletions.

Mr. RAY. Well, I just got this, and I didn't have time to Xerox it, but I will give the committee a copy of everything I have.

Mr. PREYER. Without objection, it will be admitted into the record at this point.

[The FBI document dated April 7, 1968, was admitted into the record and is also part of MLK exhibit No. F-14.]

MLK EXHIBIT F-14 (ATTACHMENT)

## FEDERAL BUREAU OF INVESTIGATION

Date 4/7/68

LOYD JOWERS, owner, Jim's Grill, 418 South Main Street, advised that at approximately 3:55 p.m. on April 4, 1968, he arrived at the Grill, and parked directly in back of a white Mustang that was parked on the street directly in front of his Grill. He stated that he believed that the car had Mississippi license plates on it because they were of an orange or orangish-yellow color. He stated that upon parking the car he went into the Grill where he saw a stranger sitting at the bar having a meal. He stated that it was unusual for him to get any strange customers in the Grill since most of his customers were local people of a steady nature. Mr. JOWERS described the stranger as follows:

Race:	White
Sex:	Male
Height:	5'8" to 5'9"
Weight:	160 pounds
Build:	Heavy
Age:	27 to 30
Hair:	Sandy
Complexion:	Ruddy
Dress:	Wearing a dark suit.

He stated that the man finished his meal and left the Grill, and he could not notice in which direction he walked, but he did not get into the white Mustang, which was parked in front of the Grill.

Mr. JOWERS stated that this same individual returned to the Grill at about 8:00 p.m. on April 5, 1968, and ordered breakfast. Mr. JOWERS stated that in his estimation, this individual acted strangely because he seemed very calm when everyone else at the Grill and in the area was excited over the shooting. In view of the fact that he felt the individual was acting strange and also because he was a stranger in the area, Mr. JOWERS called the Police, and told them that he had a man of a suspicious nature at the Grill. He said that when the stranger finished his breakfast, he left the Grill and was arrested on the sidewalk in front of the Grill by the Memphis Police Department.

[REDACTED] Homicide Bureau, Memphis Police Department, later identified this arrested individual as GENE PEARSON CRAWFORD, [REDACTED] Jackson, Tennessee, who was determined to have had no part in the murder of Dr. MARTIN LUTHER KING, JR.

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On 4/5/68 at Memphis, Tennessee File # 44-1987  
 by SAs [REDACTED] Date dictated 4/5/68

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

Mr. LANE. Is there an exhibit number for this document, Mr. Chairman?

Mr. PREYER. I think if you want to put your own—do you have an exhibit number at this stage?

The exhibit number would be MLK F-14.

Mr. RAY. I believe I left off at the bottom of page 23, second line.

I did not move the Mustang again until approximately 5:40 p.m. the same day. I later noticed upon leaving the roominghouse on one of several occasions that there were several other automobiles parked nearby the same color as the Mustang; a whitish color.

Upon entering Jim's Grill for the second time, I found the individual calling himself Roual was present. This time the bar was not so crowded and Roual was sitting in the lunch-counter section drinking coffee. After the amenities I told him I had some difficulty locating the roominghouse upstairs. We departed almost immediately when he suggested we go upstairs to the room I had rented. On the way out of the grill, he asked me if I had the Mustang with me. I pointed to it, saying, "There it is." Once upstairs in the room I had rented, Roual suggested I put whatever items I have in the Mustang up to the room saying we may have to stay here 3 or 4 days. He also asked me to purchase a pair of binoculars with infrared attachments saying the "people" also wanted to examine some glasses. Roual gave me directions to a nearby sporting goods store wherein I could purchase the glasses.

Leaving the roominghouse, I was unable to locate the sporting goods store the first trip. Returning to Roual again, he explained to me the location of the sporting goods store. Upon returning to the room after the first trip looking for the sporting goods store, I removed a small traveling case from the Mustang containing personal items and deposited the case in the room. However, because I was somewhat conversant with the type of establishment I was in, what with no locks on the doors or even door knobs, just a strap to pull the door to, and the place an apparent habitat for winos where anyone could enter anyone else's rental at will, I did not carry any of the personal items into the room other than the aforementioned case and its contents except a cover which I used to cover the covering already on the bed. I placed the case under the bed.

On the second trip, seeking the sporting goods store, I located it. Upon inquiring, the salesman informed me the store did not carry infrared attachments for binoculars. I would have to purchase them in an army surplus store. However, the salesman did sell me the binoculars. On the way back to the roominghouse, I stopped at a drug store on the ground floor of the Chisca Hotel and ordered ice cream. While waiting on the order I sat, as customary, directly across from the cash register and distinctly recall the apparent manager, who was a white male, instructing a young black woman on the intricacies of using a cash register; thus, I assumed she had just started working in the store that day.

The attorneys representing me in the King case in 1968-69 were unable to locate the drug store in question. However, in February 1969, I described to a policeman who was guarding me in the Memphis jail the approximate location of the store and he informed me the name of the store.

MR. PREYER. Mr. Ray, excuse me. Your hour is up, but without objection, you will be permitted to finish your statement.

MR. RAY. All right, sir.

MR. PREYER. You may proceed.

MR. RAY. Thank you.

After returning to the Main Street roominghouse, I told Roual we would have to purchase the infrared attachments at an army surplus store. I also informed him I had not eaten since breakfast. He said to go out and have a meal and take in a movie since he wanted to see some people in private that evening, but to leave the Mustang out in the front, as he would most likely need that that evening or night.

I then went downstairs into Jim's Grill and ordered a beer, although I did not drink it. I say this because I recall seeing a white waitress on one occasion while I was in the establishment and on a next occasion there was a black waitress on duty.

If I can digress here. The point I am trying to make here, I was in the grill on two different occasions at least. On leaving the grill, I sat in the Mustang 10 or 15 minutes before traveling north on Main Street and entering a bar and restaurant located on the left-hand side of the street and fairly near a movie house across the street. I ordered a sandwich and while sitting there, I recalled I had changed the back rear tire on the right side, one facing the front of the Mustang, the day before after the tire developed a slow leak. Thinking the damaged tire could be fixed, if the Mustang should be used at night, I returned to the Mustang and drove it north on Main Street for maybe three or four blocks before turning right and traveling four or five more blocks to a service station. There were two or three service stations at the intersection.

I inquired of one if they could fix the spare tire while I waited, and I was informed I would have to wait awhile because of the business volume. Moving to the other station, I do not recall asking for the tire to be repaired, although I did have the Mustang serviced.

Upon leaving the station I circled around in a manner that would return me to the original parking space in front of Jim's Grill. However, when driving on through Main Street, I saw a police car parked blocking off the street that I would have had to drive through in order to return to my original parking space.

In addition, I saw what appeared to be two or three people walking rather fast opposite the police car. I then veered off to the left toward South Memphis, traveling through what appeared to be a predominantly black community. I eventually ended up in Mississippi, traveling toward New Orleans, La. It was my intention to phone a New Orleans where—it was my intention to phone a New Orleans number in my possession and have the party on the other end attempt to find out what, if anything, had happened in the area of the aforementioned South Main Street roominghouse; however, shortly after entering the State of Mississippi, I heard over the car radio that Dr. Martin Luther King, Jr., had been shot in Memphis.

A short while later, approximately 15 minutes, another news bulletin on the radio stated police authorities were looking for a white Mustang and a white male subject as suspect in the shooting of Dr. King.

Consequently, the first intersection I came to, I turned east, traveling toward Atlanta, Ga.

If I may digress for just a second. With respect to this tire I mentioned, 3 or 4 years ago, my brother was talking about my private property in Memphis and he said, as soon as I pled guilty, the attorney general's office called him to the office and gave him this tire plus the floor boards out of the Mustang—floor mats out of the Mustang.

But I imagine the Memphis prosecutor's office will substantiate that or disprove it.

Continuing with the statement, by way of Birmingham, Ala., shortly after turning east, I stopped the Mustang and threw various items out of the trunk, including all the camera equipment that Roual had me purchase for him. The equipment was still in the original wrapping cases when I discarded it. It was raining slightly at the time and I took a cloth and attempted to wipe off any fingerprints I may have left on the outside of the Mustang. Several years later, my brother, Jerry W. Ray told me—I went through this. I will read it again, anyway. Several years later, my brother, Jerry Ray, told me immediately after the guilty plea, the Memphis attorney general's office give him the damaged tire and the floor mats from the Mustang. Thereafter, I drove through Birmingham, Ala., and later into the State of Georgia. Approximately 30 miles from Atlanta, Ga., I ran a little low on fuel and stopped at a service station for gasoline. I arrived in Atlanta approximately 7:30 a.m. I abandoned the Mustang in a private parking lot near Capitol Homes. I then returned to the room I previously rented, located at 113 14th Street, Northeast. I placed everything in a case that it would hold and discarded the remaining items left in the room. I then walked to the Piedmont Laundry, wherein I had left several items of clothing to be cleaned in late March of 1968. I then phoned a bus station for a reservation to Detroit, Mich. Being informed that a bus was leaving Atlanta for Detroit, Mich., that afternoon, I returned to the roominghouse for the case. I then departed the building and called a taxi cab to the bus station wherein I purchased a ticket to Detroit, Mich. The bus was not due to leave Atlanta for several hours, so I checked in the case and traveled several blocks from the bus station and waited in a bar until departure time for the bus.

However, upon returning to the bus station, I learned that the bus would be late in its departure schedule. After the bus did depart from Atlanta, it proceeded on to Cincinnati, Ohio, with a layover in that city of approximately 2 hours. During the layover, I waited in a nearby bar until it closed at 2:30 a.m. Then I waited in the bus terminal another 20 or 30 minutes before the bus departed for Detroit, Mich.

Arriving in Detroit at approximately 7:30 a.m., I then made reservations for a train bound for Toronto, Canada. Before leaving the Canadian side of the border, I took a taxicab to a train station approximately 2 miles from downtown Detroit. Adjacent to the train station was an open square block, park, directly across diagonally from the train station, and across the open lot was a barbershop wherein I had a shave and haircut.

I arrived in Toronto, Canada, at approximately 6:30 p.m., April 6, 1968. After checking my case into a luggage department, I made my way west on foot. After walking approximately 2 miles and making inquiries along the way for rental quarters, I eventually found a room for rent at 102 Ossington Avenue. The proprietress' name was Mrs. Adam Szpakowski. I paid Mrs. Szpakowski \$10 for 1 week's rent. Mrs.

Szpakowski, who spoke with a heavy accent, did not ask my name, nor did I volunteer the information.

Thereafter, on the following Monday, April 8, 1968, I made my way to the offices of the Toronto Evening Telegram and ask to see back issues of the paper for the year 1932. A librarian gave me the requested issues of microfilm and assisted me with the projector. After a time, I choosed several names from the films. Two of the names were Ramon George Sneyd and Paul E. Bridgman. My purpose in obtaining these names was to apply for a passport under one of the names if conditions were favorable.

Leaving the newspaper's offices, I made my way back to the room on Ossington Avenue. However, before I got to Ossington, I was stopped and ticketed by a policeman for jaywalking. I had remembered a women's address in Toronto, Canada, 6 Condor Street, from some addresses I had gotten out of an underground publication apparently specializing in "bringing people together." I gave the policeman the Condor Street address as my own. I am fairly certain I also gave my name as Eric Galt to the policeman.

The next day I phoned the local police station inquiring about the ticket. However, the station did not have the ticket on file. After I arrived back to the Ossington Avenue address, I wrote the name Paul Bridgman on a slip of paper and gave it to Mrs. Szpakowski informing her this was my name. The next day I proceeded to contact by telephone several of the names I had gotten from the Toronto Evening Star, telling them I was their registrar general's office investigating a passport matter, inquiring of them if they had ever been issued a Canadian passport.

Eventually I contacted Mr. Ramon George Sneyd, a Toronto policeman, and upon inquiry, Mr. Sneyd informed me that he had never applied for a Canadian passport. Therefore, shortly thereafter, I made my way to the Arcade Photo Studios and had several passport photos taken. I used the Paul Bridgman name in applying for the passport photos.

During this period I had rented another room located at 962 Dundas Street West from a Mrs. Sun Loo. I registered under the name of Ramon George Sneyd and told Mrs. Loo I worked nights, thus, I would be in days—I spent the nights at the Ossington Avenue address.

Then I visited the Kennedy Travel Agency in Toronto, inquiring about the procedure for obtaining a Canadian passport.

If I may digress here just 1 minute. I think, I am almost positive, I visited either this agency or another agency and found out I wouldn't need a guarantor; that I could make some type of sworn affidavit and bypass the guarantor.

Continuing with the statement, I told the office manager, Mrs. Lillian Spencer, that I did not have a guarantor passport, having just returned to Toronto. Mrs. Spencer informed me that it was not necessary to have a guarantor; rather, I could make a sworn statement that I was a citizen of Canada, have the statement notarized; then her office would apply for the passport.

I did apply for a passport through Mrs. Spencer's office under the name of Ramon George Sneyd and, using the Dundas Street West address. If I had been thorough enough to gain the information during my first trip to Canada in 1969, I am sure I would not be testifying before this committee today.



During this period I also made a brief trip to Montreal, Canada, to inquire about reservations to Europe; ship reservations.

In early May of 1968, my passport in the name of Ramon George Sneyd was presented to me by the Kennedy Travel Agency on March 6, 1968 [sic]. I departed Canada bound for London, England, and arrived in London on March 7, 1968 [sic]. Immediately thereafter, I boarded a plane for Lisbon, Portugal. While in Lisbon, and because my finances were such that I could not afford fare to a more distant country, say Australia, I made several efforts to gain transportation to Africa. During one period, in a meeting with a Black and a white male, I attempted to join a military unit in Biafra, but was unsuccessful. Finally I did find a ship with available berth bound for Angola. However, a visa was required to enter Angola and since the ship was leaving for Angola in 3 days and it required 7 days for a visa to be processed, I missed the opportunity.

Returning to London, England, after approximately 10 days in Portugal, I attempted on June 8, 1968, to leave London by airplane destined for Brussels, Belgium. However, I was detained at London's Heathrow Airport by the police and subsequently arrested by English authorities and held for extradition to the United States.

Thereafter, I wrote Messrs F. Lee Bailey and Arthur J. Hanes, Sr., of the Massachusetts and Alabama Bar, respectively, about representation in the matter I was being detained under; namely, the Dr. Martin Luther King, Jr., homicide. Mr. Bailey informed me indirectly there would be a conflict of interest involved if he should take the case, thus declining. Mr. Hanes accepted the case, apparently after contacting the Alabama novelist, William Bradford Huie and presenting me with a literary contract to sign. Thereafter, I was subsequently ordered by an English court to be extradited to the United States and, in fact, was extradited and lodged in the Memphis, Tenn., jail on July 19, 1968.

After I was lodged in the Memphis jail, the aforementioned attorney, Mr. Arthur J. Hanes, Sr., had me enter into a series of literary contracts with him and Mr. William Bradford Huie, the Alabama novelist, in order, Mr. Hanes said, to finance a jury trial in the King case.

Subsequently, in November 1968, my brother, Jerry W. Ray, visited me in said jail and said he had recently visited William Bradford Huie and Huie had offered me indirectly through Jerry \$12,000 if I would not take the witness stand in the King case saying: "My testimony from the witness stand would destroy the literary value of the book he (Huie) was writing about the case."

Consequently, when Percy Foreman, a member of the Texas bar, appeared, unsolicited, at the Memphis jail a few days later and visited me, I agreed with Mr. Foreman's suggestion that I fire Mr. Hanes and hire Foreman. Percy Foreman had the above-mentioned contracts in hand and said the only thing he was interested in was the money being provided him by Bradford Huie and then promised me, and later the trial judge, that if I retained him in the case he would not become involved with William Bradford Huie in commercial publishing ventures.

Thereafter, this "promise" of Percy Foreman's was of a short duration in that within a few days of becoming counsel of record in the case he made arrangements with William Bradford Huie to have

Arthur J. Hanes' interest in said contracts transferred to himself. Then later in January 1969, Mr. Foreman presented me with a check from Mr. Huie for \$5,000 for my endorsement, saying he "needed the \$5,000 to retain co-counsel." However, in December 1968, Attorney Foreman had persuaded the trial judge, W. Preston Battle, that no funds were forthcoming from Bradford Huie or elsewhere and thus had the judge appoint the public defender, Hugh Stanton, Sr., as co-counsel. Mr. Stanton had previously represented the state's chief witness, Charley Stephens, in the case; the same Charley Stephens who, for a promise of \$10,000 from the U.S. Government, had committed perjury through a sworn affidavit by falsely identifying me through a picture in order for the Government to have me extradited from London, England.

Then in February 1969, Percy Foreman received another \$5,000 check from William Bradford Huie. This time he did not bother to have me endorse it. Rather, he just forged my name to it and cashed it in complicity with Planters Bank of Memphis.

After collecting all the money that was available from William Bradford Huie, Attorney Foreman then commenced, on February 13, 1969, maneuvering me into a guilty plea. Foreman's arguments for the plea were, in essence :

1. That the press had already convicted me by inflaming the minds of potential jurors.
2. That the Government had bribed an alleged witness, Charles Stephens, into perjuring himself against me by offering Stephens a \$100,000 reward to say he had seen someone favoring me leaving the roominghouse where Dr. King was allegedly shot from immediately after the shot was fired.
3. That it would, in some manner, be in my financial interest to plead guilty as charged.
4. That the trial judge wanted a guilty plea because he was concerned the blacks might burn down the town in respect to Percy Foreman's and the judge's ex parte meetings arranging the plea. Apparently the two had eight meetings.

Then later in March of 1969, Foreman said that if the case was not settled through a guilty plea, the Government would most likely arrest my brother, Jerry W. Ray, under some type of conspiracy charge in the Dr. Martin Luther King, Jr., homicide. He also said the FBI would most likely arrest my father, George Ray, who was then near 70 years old, and have him returned to the Iowa State Prison, wherein he had escaped in the 1930's.

If I may digress here just a second, Mr. Chairman. My brother, John Ray, also mentioned this fact to me around March 7 or 8 of 1969. I think Mr. Foreman, he made oblique reference to this thing; he didn't come out and say it directly, but he made kind of a slanting reference to it. Returning to the statement.

In conjunction with the aforementioned threats and promises, Percy Foreman convinced me he would "throw" the case if I managed to force him to trial. In fact, in an article published in Look magazine in May of 1961, [sic] sold to the publication by Percy Foreman for \$1,000, he, in effect, admitted he would have "thrown" the case if I would have forced him to trial. Consequently, through written contracts, I agreed on March 9, 1969, to enter the guilty plea. My contractual agreements with Percy Foreman in respect to the terms of the guilty plea are as follows :

The first contract—these are excerpts from the contract.

The first contract: "If the plea is entered and the sentence accepted and no embarrassing circumstances take place in the courtroom, I am willing to assign to any bank . . . all of my receipts under the above assignment in excess of \$165,000."

Second contract: "I am willing to advance Jerry [Ray] \$500 and add it to the \$165,000 mentioned in my other letter to you today. In other words, I would receive the first \$165,000, but I would not make any other advances; just this \$500. And this advance also is contingent upon the plea of guilty and sentence going through on March 10, 1968, without any unseemly conduct on your part in court."

During the period of my confinement in the Memphis jail, which totaled approximately 8 months, the conditions were as follows:

The State of Tennessee retained, or was ordered to retain, two Federal prison officials who, in a first order of business, ordered sheets of metal be placed over all of the windows, thus shutting out fresh air and light. The Federals then had a blower installed for oxygen, which resulted in my having frequent nosebleeds. The blower could only be operated outside the cell block. Because of the lack of natural light, the Federals had lights rigged in the cell block, including the cell I was confined in, which were kept on 24 hours a day. Complaining to the trial court about being unable to sleep under these conditions, the court said, "Sleep in a mask."

During this confinement period I broke out in a rash. Thinking maybe I had been poisoned, I asked the doctor, who was related to the prosecutor, for a blood test. It required 2 or 3 days to have the test. After the blood sample was finally taken I was never told the test findings. However, in a 1974 habeas corpus hearing, the doctor testified the Memphis sheriff, William Morris, had ordered him to destroy all of the medical records.

If I may digress here, Mr. Chairman. Well, I will wait and get this at the end of the statement. As you said, I can make a statement after I read this.

Of the other possible interest to this committee, while Percy Foreman was representing me, I once provided Percy Foreman with a phone number, possibly connected to the King homicide, to investigate. However, Foreman commented later that if there were to be any phone numbers introduced into the King case "he" would produce them through his interstate gambling connections via a Meyer Lansky.

The day after the guilty plea I was transferred to the State prison in Nashville, Tenn. Upon arrival all of my personal property, including the aforementioned phone number I had written down backward on the sheet of paper was confiscated by the Corrections Commissioner, Mr. Harry Avery—2 or 3 days later, said property was returned to me, excepting various items of personal and legal mail that had been posted to me in care of the Nashville prison.

The first day in the prison I was confined forthwith in solitary confinement and was, on that same day, informed by Corrections Commissioner Harry Avery that I would never be released from solitary confinement unless I ceased efforts to gain a public trial in the King case. He said he was speaking for the highest authority. I had filed a motion for a new trial the day after I entered the prison and so informed Mr. Avery of my intent in this matter.

Thereafter, I was confined for 13 months in solitary confinement and during the initial period of this confinement I had to be treated by a doctor several times for nasal membrane hemorrhaging. This ailment, damaged membrane, was due to confinement conditions in the Memphis jail, that is, lack of ventilation. In addition, during this period I was also treated for esophagus spasms, also related to the Memphis jail confinement conditions.

After 13 months of this type of confinement, I understand the late William E. Miller, recently a judge of the United States Sixth Circuit Court of Appeals, interceded with prison authorities and had them transfer me to the State prison at Petros, Tenn. If I had not been transferred, I doubt if I would have been here today.

In late July of 1963, the Petros prison was closed and I was transferred back to the Nashville prison. After being in the general prison population for approximately 4 days, I was summoned to the main prison office and informed I would be returned to solitary confinement. Requesting to see the warden, James Rose, I was informed by Mr. Rose that "people out in town" wanted me placed in solitary confinement but that if I quit litigating the case, he was sure I would be released from solitary confinement. Thereafter, I stayed in solitary confinement for 3 years.

The first 18 months I was permitted out of the cell, which was approximately 6 by 9, 12 feet, for only 4 minutes per day. That was to take a shower. The cell block was infested with insects and rodents. During the 3 years I was in the building, four prisoners committed suicide; two by hanging and two by setting themselves on fire.

Naturally, the dominant press in the United States said nothing about these suicides, although if they had happened in a foreign country, the same press would have been in a self-righteous rage or pretended rage. During this period, specifically in December of 1963, Tennes—yes, December of 1973—Tennessee correction officials, acting in collusion with the U.S. Department of Justice, attempted to illegally transfer me to the Federal mental institution in Springfield, Mo. This attempted transfer was after the aforementioned officials learned of a suit that was to be filed in my behalf in Federal court referring to those who may have been responsible for the shooting of Dr. Martin Luther King.

Of other possible interest to this committee during this period: Just recently the aforementioned Corrections Commissioner Harry Avery has stated he gave all the papers, et cetera, he retained of mine and those connected with the King case to Attorney Thomas Wardlow Steele, of the Tennessee, Nashville, bar, and that the papers subsequently disappeared from Mr. Steele's office.

In addition, Attorney Percy Foreman has testified that he, too, gave his complete file in the King case, including all the information I had given Mr. Foreman, to another Nashville attorney, the late John J. Hooker, Sr., and that Mr. Hooker "lost" them.

Sincerely, James Ray.

I have three or four other pages.

Mr. PREYER. The Chair will admit, without objection, your original statement into the record, along with the additions that are attached to it and the insertions which you have added to your testimony will be made a part of the record.

[The statement and attachments, to be supplied, follow:]

## MLK Exhibit F-14

SELECT COMMITTEE ON ASSASSINATIONS  
 U.S. HOUSE OF REPRESENTATIVES  
 WASHINGTON, D.C. 20515.

IN RE: RAY V. TENNESSEE, CR. INDICTMENT  
 NUMBER 16645, SHELBY COUNTY, TN.

STATEMENT OF, JAMES E. RAY.

THE STATEMENT I AM ABOUT TO GIVE THIS COMMITTEE IS ESSENTIALLY THE SAME TESTIMONY I WOULD HAVE GIVEN THE TRIAL COURT IN MEMPHIS, TENNESSEE, IN 1969 IF THAT COURT WOULD HAVE HAD THE FORTITUDE TO HAVE ORDERED A PUBLIC TRIAL INTO THE MURDER OF DR. MARTIN LUTHER KING JR., RATHER THAN MAKING AN IN-CHAMBERS "DEAL" WITH THE ATTORNEY WHO WAS ALLEGEDLY REPRESENTING ME, PERCY FOREMAN, AND CAPITULATING TO THE WISHES OF THE DOMINANT COMMERCIAL PUBLISHING COMPANIES & THE COMPANIES SPECIAL RELATIONSHIPS WITH THE INTELLIGENCE COMMUNITIES.

IN ESSENCE I WOULD HAVE TOLD THE TRIAL COURT & JURY THAT I DID NOT SHOOT MARTIN LUTHER KING JR. JUST AS I AM NOW TELLING THIS COMMITTEE, AND IF I WOULD HAVE HAD A LAWYER TO REPRESENT ME, I COULD HAVE OFFERED CONCLUSIVE PROOF IN SUPPORT OF THE DENIAL.

I KNOW SEVERAL LARGE PUBLISHING HOUSES WORKING WITH THE F.B.I. HAVE OFFERED UP VARIED MOTIVATIONAL ALLEGATIONS--WHICH ARE REFERED TO BELOW-- TO SUPPORT THE GOVERNMENT'S CASE AGAINST ME, BUT IT WAS NOT I WHO POSTED MARTIN LUTHER KING NOTES SUGGESTING HE KILL HIMSELF, RATHER IT WAS THE F.B.I.; NOR WAS IT THE WITNESS WHO CELEBRATED UPON HEARING OF HIS MURDER, THAT TO WAS THE F.B.I -- AND IT WAS ALSO NOT I WHO IN THE 1930'S INFECTED BLACKS WITH SYPHILIS GERMS FOR EXPERIMENTAL PURPOSES THEN DECLINED TO TREAT THEM, THAT WAS THE ACTION OF A GOVERNMENT BODY WITH THE ACQUIESCENCE OF THE DOMINANT PRESS.

IN RESPECT'S TO THE GUILTY PLEA I MADE IN THE KING CASE, IT IS NOT A DIFFICULT MATTER FOR AN ATTORNEY TO MANEUVER HIS CLIENT INTO A GUILTY PLEA TO A CRIMINAL INDICTMENT, ESPECIALLY WHEN THE ATTORNEY HAS THE ACTIVE COOPERATION OF THE JUDGE & PROSECUTOR, AND I AM SURE

EVERY MEMBER OF THIS COMMITTEE WITH LEGAL TRAINING KNOWS THIS, BUT THE PUBLIC DOESN'T, THEY THINK OF GUILTY PLEAS AS THEY USED TO THINK OF THE F.B.I., THAT THE PLEAS ARE MADE IN HEAVEN. FURTHER, EVERY JUDGE WHO HAS LAYED HANDS ON THIS CASE KNOWS THE PLEA WAS PROCURED BY FRAUD, AND THEREFORE KNEW A TRIAL SHOULD HAVE BEEN ORDERED. BUT THE COURTS HAVE BEEN MORE INFLUENCED BY SAY EDITORIALS IMBEDDED IN "TIME" MAGAZINE ARTICLES ABOUT THE CASE THAN THEY HAVE IN THE LAW BOOKS.

BUT MAYBE I SHOULD BE IN JAIL, ALTHOUGH NOT FOR SHOOTING ANYONE RATHER BEING FOOLISH ENOUGH TO RETURN TO A LEGAL SHAKE PIT, EVEN IF THE OFFER WAS FORT-KNOX & CHARLIE'S ANGELS TO SPEND IT ON, ONCE I HAD REACHED CANADA IN 1967.

I BELIEVE WHAT EVER THIS COMMITTEE'S ULTIMATE FINDINGS ARE IN THIS MATTER IT WILL HAVE PERFORMED A VALUABLE SERVICE, IF UNINTENTIONAL, IN UNMASKING THE UNITED STATES JUDICIAL SYSTEM'S OPERATION, IN LEAGUE WITH DOMINANT PUBLISHING COMPANIES, IN RAILROADING INNOCENT DEFENDANTS IN CONTROVERSIAL CRIMINAL CASES INTO PRISON, THEN CONTRIBUTING TO THE SAVAGING OF THE DEFENDANTS THRU SOLITARY CONFINEMENT, ECT., AFTER THE DEFENDANTS ARE IMPRISONED. ALL OF THIS MERELY BECAUSE THE DEFENDANTS INSISTED ON PROVISIONS GUARANTEED THEM UNDER THE FEDERAL CONSTITUTION AND LACKED THE POLITICAL INFLUENCE TO CLAIM IT. THAT IS, FOR CLASS OR OTHER REASONS THEY WERE OUT OF FAVOR WITH THE DOMINANT PRESS. IN THIS RESPECT, THE SYNDICATED COLUMNIST, CARL ROWEN, HAS WRITTEN TO THE EFFECT THAT "IF ANY GROUP IN THE UNITED STATES DOES NOT HAVE INFLUENCE WITH THE DOMINANT PRESS THEY CAN EXPECT TO BE GROUND UNDER.

FINALLY, IT WOULD APPEAR THAT THE LAST ACT PERFORMED BY THE INTELLIGENCE AGENCIES/PUBLISHING EMPIRES WHEN A PUBLIC FIGURE IS MURDERED, AND THE ALLEGED MURDERER IS DECIDED UPON, IS FOR THE CONSTRUCTION OF A "PSYCHOLOGICAL PROFILE" FOR THE EDIFICATION OF THE JUDICIARY. (WITNESS "PROFILE ATTACHED AS, EXH. A & A-1-

IN THE INSTANT CASE THE "PSYCHOLOGICAL PROFILE" AS PROMOTED BY THE F.B.I.; "TIME" MAGAZINE; "TIME'S" LECHMAN, GEORGE MCILLIAN, AND UNITED PRESS INTERNATIONAL CHARACTERIZES THE WITNESS AS THUS:

- 1. A NARCOTIC ADDICT....."TIME" MAG. JAN. 26, 1976 ISSUE.
- 2. A NARCOTIC PEDDLER..... " " " " " "
- 3. A SEX DEVIATE, TYPE UNEXPLAINED..... " " " " " "
- 4. MAINLINED DRUGS..... F.B.I./U.P.I. WIRESERVICE  
RELEASE, JANUARY 25, 1978.
- 5. WENT INSANE, 1963-64 period..... " " " " " "
- 6. CONSTANTLY READ GIRLIE MAGAZINES..... " " " " " "
- 7. SENT OBSCENE LETTER TO POST OFFICE,  
1967-68 Period..... " " " " " "
- 8. PLAGUED TWO WOMEN WITH LATE NIGHT  
TELEPHONE CALLS, 1967-68 period..... " " " " " "
- 9. INVOLVED IN DRUG TRAFFIC..... " " " " " "
- LASTLY, CHEATED FELLOW PRISONERS IN  
CROOKED CARD GAMES..... " " " " " "

IN REGARD TO THE ABOVE MENTIONED "PSYCHOLOGICAL PROFILE", I WILL ACCEPT THE "PROFILE" AS THE TYPE PERSON WHO WOULD SHOOT MARTIN LUTHER KING jr., FURTHER, AS I DID IN A LETTER TO ATTORNEY GENERAL, GRIFFIN BELL (EXH. B), IF ANY ONE OF THE AFOREMENTIONED ACCUSATIONS CAN BE SUBSTANTIATED BY THE RECORD: PRISON RECORDS; MILITARY RECORDS;

EMPLOYMENT RECORDS, OR ANY RESPONSIBLE OFFICIAL CONVERSANT WITH SAID RECORDS, THEN I WILL APPEAR BEFORE THIS COMMITTEE AND TAKE FULL RESPONSIBILITY FOR THE KING MURDER--WHEN I REFERS TO "RECORDS", THAT DOES NOT INCLUDE F.B.I. PURCHASED INFORMATION FROM THEIR INFORMERS.

WHILE THE GOVERNMENT/GOVERNMENT PRESS WAS ERRECTING & DISSEMINATING THE AFOREMENTIONED "PROFILE" CHARACTERIZATION, THE F.B.I. WAS ALSO HARASSING VARIOUS MEMBERS OF MY FAMILY IN ORDER TO HAGUEVER THEM INTO A POSITION WHEREBY THEY WOULD HAVE TO PERJURE THEMSELVES AGAINST ME IN SOME MANNER RELATED TO THE KING CASE IN ORDER TO ESCAPE PRISON THEMSELVES, FOR INSTANCE:

1. THE F.B.I. EVIDENTLY BURGLARIZED MY SISTER, CAROL PEPPER'S HOME IN 1968 LOOKING FOR INCRIMINATING EVIDENCE. (JACK ANDERSON, SYNDICATED COLUMN, NOVEMBER 8, 1977.)
2. THE F.B.I. HAD MY BROTHER, JOHN L. RAY, PROSECUTED & CONVICTED FOR AIDING & ABETTING A BANK ROBBERY, AND THE TRIAL JUDGE, NOW F.B.I. DIRECTOR, WILLIAM H. WEBSTER, SENTENCE HIM TO EIGHTEEN YEARS; WHILE THE ACTUAL ROBBER LATER HAD HIS CHARGE TRANSFERED TO THE E.D. OF CALIFORNIA WHERE FEDERAL JUDGE M.D. CROCKER SENTENCED THE ROBBER TO EIGHTEEN MONTHS.
3. AND THE WIRESERVICES REPORTED ON AUGUST 8, 1978, THAT THE F.B.I. HAD PAYED AN INFORMER, OLIVER PATTERSON, TO: STEAL LETTERS; WIRETAP CONVERSATIONS, ect., FROM ANOTHER BROTHER, JERRY W. RAY.



ON APRIL 23, 1967, I ESCAPED FROM THE MISSOURI STATE PRISON IN A BREAD BOX IN THE MANNER AS FOLLOWS:

SEVERAL DAYS PRIOR TO THE ESCAPE I FASHIONED A BOARD APPROXIMATELY 3x4 FEET WHICH WOULD FIT INSIDE A BOX USED TO TRANSPORT BREAD OUTSIDE THE PRISON. IN ADDITION, I MADE SEVERAL HOLES IN THE LOWERS SIDES OF THE BOX WITH A HAMMER & NAIL. THEREAFTER ON APRIL 23, 1967, I ENTERED THE PRISON KITICHEN EARLY(I WORKED AFTERNOONS ), AT APPROXIMATELY 8:00AM. LATER I ENTERED THE BREAD ROOM WHERE BREAD FROM THE BAKERY WAS LOADED INTO THE BOX TO BE TRUCKED TO A PRISON FARM. SOMETIME AFTER ENTERING THE BREAD ROOM I GOT INTO THE BREAD BOX AND COVERED MYSELF WITH THE 3x4 FOOT BOARD. THEREAFTER A PRISONER FILLED THE BOX WITH BREAD AND THEN TRANSFERED THE BOX DOWNSTAIRS VIA ELEVATOR ONTO A PLATFORM USED TO LOAD TRUCKS TRANSPORTING ITEMS OUTSIDE THE PRISON COMPOUND. SHORTLY THEREAFTER THE BOX, WITH ME ENCLOSED, WAS PLACED ON A WAITING TRUCK. THE TRUCK THEN PROCEEDED THROUGH A PRISON SECURITY GATE WHERE A GUARD SEARCHED THE BOX BY RAISING THE LID AND VIEWING INSIDE. AFTER PASSING THROUGH THE PRISON GATE I GOT OUT OF THE BOX. AFTER THE TRUCK CROSSED THE MISSOURI RIVER BRIDGE, NEARBY THE PRISON FARM, IT STOPPED BEFORE TURNING INTO THE ROAD LEADING TO THE FARM; WHEN THE TRUCK STOPPED I DISEMBARKED. I THEN CROSSED THE HIGHWAY, TURNED RIGHT, AND FOLLOWED A DIRT ROAD UNTIL I CAME UPON SEVERAL JUNKED AUTOMOBILS. I STAYED IN ONE OF THE VECHICLES UNTIL DARK, THEN LEFT THE VECHICLE, CROSSED UNDER THE BRIDGE THAT I HAD PREVIOUSLY CROSSED IN THE BREAD TRUCK. I THEN MADE MY WAY TO A NEARBY RAILROAD TRACK.( I HAD DEPARTED THE PRISON WITH SEVERAL CANDY BARS AND IN ADDITION HAD TAKEN SOME BREAD FROM THE BREAD TRUCK; I HAD ALSO TAKEN FROM THE PRISON ON MY PERSON APPROXIMATELY \$250.00 AND A RADIO ALONG WITH A SOCIAL SECURITY CARD NUMBER REGISTERED UNDER THE

NAME OF, JOHN L. RAYNS & TWO PHONE NUMBERS.)

AFTER A PERIOD OF WALKING THE RAILROAD TRACKS I CROSSED VIA A SWITCH ONTO ANOTHER SET OF TRACKS. AFTER WALKING TWO OR THREE NIGHTS ON THE TRACKS, AND SLEEPING DAYS, AND HAVING RAN OUT OF FOOD, I CAME UPON A TRAILER. APPARENTLY THE TRAILER WAS INTENDED AS A FISHING CABIN AS I BELIEVE IT WAS LOCATED NEAR A RIVER. I ENTERED THE TRAILER AND FOUND A BOTTLE CONTAINING WINE AND SEVERAL ITEMS OF FOOD. UPON LEAVING THE TRAILER I HAD THE WINE & FOOD WITH ME. IT IS MY RECOLLECTION THAT DURING THIS APPROXIMATE PERIOD I AGAIN CROSSED A SWITCH ONTO ANOTHER TRACK; HOWEVER, DURING ALL OF THE WALKING I WAS MOVING IN THE GENERAL DIRECTION OF KANSAS CITY, MISSOURI. ON THE 4th OR 5th DAY OUT I WAS ALSO TRAVELING BY DAY. ON ONE OF THESE DAYS IT COMMENCED RAINING AND I MOVED UNDERNEATH A TRUSSEL AND STARTED A FIRE. SHORTLY THEREAFTER A HANDCAR STOPPED OVER THE TRUSSEL. THE TWO OPERATORS OF THE CAR DISEMBARKED AND ENQUIRED OF ME ABOUT THE SMOKE. I EXPLAINED I HAD BEEN CAUGHT IN THE RAIN AND HAD STARTED THE FIRE TO DRY OUT. THEY SAID ALRIGHT AND LEFT. ( DURING THIS PERIOD MY SHOES HAD FELL OFF CONSEQUENTLY I HAD TO MAKE A FORCIBLE ENTRY INTO A STORE TO OBTAIN ANOTHER PAIR).

ON THE 6TH DAY I OBSERVED A SMALL TOWN. THAT EVENING I ENTERED THE TOWN, PURCHASED FOOD & DRINK, THEN RETURNED TO THE RAILROAD YARDS. LATER THAT EVENING I CAUGHT A FRIEGHT TRAIN TRAVELING IN THE DIRECTION OF ST. LOUIS, MISSOURI. I ARRIVED IN ST. LOUIS WHILE IT WAS STILL DARK. AFTER A PERIOD OF WAITING IN THE RAILROAD YARDS, AND WHEN IT COMMENCED TO LIGHTEN, I MADE MY WAY TO SOUTH ST. LOUIS TO THE RESIDENCE OF AN INDIVIDUAL WHO CALLED HIMSELF THE " CATMAN", HIS APPARENT GIVEN NAME BEING, JACK GORWIN. I INTENDED FOR MR. GORWIN TO ARRANGE FOR MY TRANSPORTATION TO EDWARDSVILLE, ILLINOIS; HOWEVER, GORWIN WAS NOT HOME THEREFORE I CAUGHT A TAXI TO, EAST ST. LOUIS.

THEREAFTER I CAUGHT ANOTHER TAXI TO EDWARDSVILLE, ILLINOIS, THEN THE BUS STATION WHEREIN I BOARDED A BUS BOUND FOR CHICAGO, ILLINOIS. ALTHOUGH I AM NOT CERTAIN I BELIEVE I PAYED THE BUS DRIVER THE FARE RATHER THAN PURCHASING A TICKET IN THE STATION. UPON ARRIVING IN CHICAGO ON APRIL 30, 1967, I MADE MY WAY TO 2731 NORTH SHEFFIELD AND RENTED A ROOM. ON MAY 3, 1967, I APPLIED FOR A JOB AS DISHWASHER AT THE INDIAN TRAIL RESTAURANT IN WINNETKA, ILLINOIS, A CHICAGO SUBURB—I LEARNED OF THE JOB FROM AN ADVERTISEMENT IN THE CHICAGO TRIBUNE NEWSPAPER. I RECEIVED THE JOB AND SHORTLY THEREAFTER I PURCHASED A 1960 CHRYSLER FOR \$100.00. I PURCHASED THE CHRYSLER IN ORDER TO ACCUMULATE IDENTIFICATION & COMMUTE TO & FROM WORK. I ALSO TOOK A DRIVER'S TEST AND PASSED; HOWEVER, ALTHOUGH I RECEIVED A TEMPORARY DRIVING PERMIT—I NEVER RECEIVED THE PERMANENT LICENSE. I USED THE NAME, JOHN L. RAYNS, DURING THIS PERIOD. WHILE I WAS EMPLOYED BY THE AFOREMENTIONED RESTAURANT I WROTE THE CANADIAN COUNSEL IN CHICAGO ENQUIRING ABOUT CANADIAN IMMIGRATION PROCEDURE; IN REPLY THE COUNSEL MAILED ME SEVERAL BROCHURES. ON OR ABOUT JUNE 27, 1967, I TERMINATED EMPLOYMENT AT THE INDIAN TRAIL RESTAURANT. THEREAFTER I DROVE TO QUINCY, ILLINOIS, TO WAIT FOR THE LAST CHECK TO CLEAR FROM SAID RESTAURANT EMPLOYMENT. IT WAS ALSO MY INTENTION TO VISIT WHILE IN QUINCY AN AUNT, MRS. FRANK FULLER, AND SEE ONE OR TWO ACQUAINTANCES. I STAYED IN QUINCY APPROXIMATELY 12 DAYS, ALTHOUGH I DID NOT SEE MY AUNT. DURING THE PERIOD IN QUINCY I STAYED ALTERNATIVELY IN TWO HOTELS; ONE BEING LOCATED ON THE CORNER OF 2ND AND OAK STREET, THE OTHER ON THE CORNER OF 3RD AND OAK STREET. THE ONLY INDIVIDUAL THAT I SAW AND WAS FAMILIAR WITH IN QUINCY WAS, TED CROWLEY, A PROPRIETOR OF A LOCAL CLUB. I MAY HAVE TOLD MR. CROWLEY SOMETHING TO THE EFFECT THAT I HAD RECENTLY BEEN RELEASED ON PAROLE FROM PRISON. AFTER STAYING IN QUINCY, ILLINOIS, FOR

THE ABOVE MENTIONED PERIOD, I RETURNED TO WINNETKA, ILLINOIS, TO PICK-UP THE CHECK I HAD COMING FROM THE INDIAN TRAIL RESTAURANT; IT IS ALSO MY RECOLLECTION THAT I CHECKED INTO A HOTEL LOCATED AT 1648 WEST LUNT STREET FOR A COUPLE DAYS. AFTER PICKING UP THE CHECK I DECIDED TO DRIVE TO EAST ST. LOISE, ILLINOIS, AND POSSIBLY SEE FAMILY MEMBERS BEFORE MOVING TO, CANADA. ON THE WAY TO EAST ST. LOUIS I DEVELOPED CAR TROUBLE. I RECALL SLEEPING IN THE CHRYSLER ONE NIGHT & A HIGHWAY PATROLMAN WAKING & ASKING ME IF I HAD ANY PROBLEMS. IN EAST ST. LOUIS I STAYED ONE NIGHT IN A RUN-DOWN HOTEL NEAR DOWNTOWN. THE NEXT DAY I SOLD THE CHRYSLER TO A SERVICE STATION OPERATOR FOR APPROXIMATELY \$50.00; I THEN PURCHASED IN EAST ST. LOUIS ON JULY 15, 1967, A RED PLYMOUTH FOR \$200.00—, I HAD A PROBLEM MAKING THE PURCHASE ALTHOUGH I DON'T RECALL WHAT THE PROBLEM WAS. I PHONED JACK " THE CATMAN" GOWRIN DURING THE DAY; MET HIM IN EAST ST. LOUIS, AND HAD HIM PURCHASE ME A PISTOL FROM A FENCE HE KNEW AND THAT HE COULD PAY FOR PENNION DAY; I TOLD GOWRIN TO TELL MY FAMILY MEMBERS THAT I WAS LEAVING THE COUNTRY AND WOULD TRY TO CONTACT THEM LATER; AND FOR HIM NOT TO MENTION TO THE POLICE THAT HE HAD SAW ME UNLESS HE WANTED TO GO TO JAIL. LATER THAT DAY I DROVE TO INDIANAPOLIS, INDIANA, STAYING IN A HOTEL THAT NIGHT. THE NEXT DAY I CROSSED INTO CANADA VIA THE WINDSOR TUNNEL IN DETROIT, MICHIGAN. I SLEPT ALONG THE ROAD THE NIGHT OF JULY 16, 1967, AND THE NEXT DAY I ENTERED THE ENVIRONS OF MONTREAL, CANADA, STAYING IN A MOTEL PART OF THE DAY.

THE DAY I ENTERED MONTREAL PROPER ONE OF THE FIRST THINGS I DID WAS ENQUIRE OF A TRAVEL AGENCY, VIA TELEPHONE, THE PROCEDURE FOR A CANADIAN TO ACQUIRE A CANADIAN PASSPORT. I WAS INFORMED THAT I MUST HAVE A GUARANTOR WHO WOULD TESTIFY THAT HE/SHE HAD KNOWN ME FOR TWO YEARS.) THAT EVENING IN MONTREAL ON ST. CATHERINE EAST, IN A NIGHT CLUB, I WAS ACCOSTED BY A PROSTITUTE, SUBSEQUENTLY I AGREED TO GO TO HER PLACE VIA TAXICAB. AFTER WE GOT LOCATED IN HER APARTMENT I GAVE HER THE REQUESTED \$25.00 FEE AND SHE CARRIED THE MONEY TO AN "OFFICE". WHEN I LEFT I WROTE DOWN THE ADDRESS OF THE BUILDING. THE NEXT DAY I RENTED AN APARTMENT IN THE, HAR-K-APARTMENTS, LOCATED AT, 2589 NOTRE DAME EAST; THEN LATER, I PARKED MY AUTOMOBILE CLOSED TO THE BUILDING WHERE I HAD THE NIGHT BEFORE BEEN WITH THE PROSTITUTE. THAT EVENING I RETURNED TO THE AFOREMENTIONED NIGHT CLUB AND, MEETING THE SAME GIRL, AGAIN ACCOMPANIED HER VIA TAXI TO HER APARTMENT. INSIDE HER APARTMENT I GAVE HER ANOTHER \$25.00 BUT THIS TIME I SHOWED HER THE PISTOL MR. GORWIN HAD PURCHASED FOR ME AND TOLD HER I WOULD GO WITH HER TO WHERE EVER SHE WAS TAKING THE MONEY. WHEN SHE AROUSED THE MANAGER INTO OPENING THE "OFFICE" DOOR I PUT THE PISTOL ON HIM. WE MOVED BACK INTO THE OFFICE WHEREIN I ASKED HIM FOR THE MONEY. TAKING OUT HIS WALLET HE OFFERED ME THE SMALL AMOUNT IN IT, ABOUT 5 OR 10 DOLLARS. WHEN I TOLD HIM I WANTED THE "REST OF THE MONEY, HE SPOKE ABOUT A CABINET NEARBY AND MOTIONED TO A CONTAINER. BEFORE LEAVING THE "OFFICE", I HAD THE MANAGER LIE ON A BED AND THE GIRL REMOVE HER STOCKING AND TIE HIS HANDS & LEGS. I THEN HAD HER GET UNDER THE BED BEFORE DEPARTING. LATER I FOUND I HAD TAKEN APPROXIMATELY \$1,700.00 IN MIXED CURRENCY FROM THE MANAGER'S OFFICE.

DURING THE NEXT FEW DAYS I PURCHASED CLOTHING AND DECIDED THE ONLY WAY

I COULD COME BY TRAVEL DOCUMENTS IN ORDER TO LEAVE CANADA WOULD BE TO EITHER PERSUADE SOMEONE TO ACT AS MY GUARANTOR OR, PERHAPS ROLL A DRUNKING SEAMAN FOR HIS SEAMAN'S PAPERS. DURING THE NEXT COUPLE OF WEEKS I DID SPEND CONSIDERABLE TIME NEAR THE MONTREAL DOCK AREA FREQUENTING BARS. I WAS NEVER ABLE TO COME BY MERCHANT SEAMAN PAPERS ALTHOUGH I DID CONTACT AN INDIVIDUAL WHO INTRODUCED HIMSELF AS ROUAL. I FIRST MET HIM IN THE NEPTUNE TAVERN, 121 WEST COMMISSIONERS STREET. HE WAS APPROXIMATELY 35 TO 40 YEARS OLD, 5'9 INCHES TALL, WITH DARK HAIR AND A RED TINT IN IT; HE SPOKE WITH A SLIGHT SPANISH ACCENT. I ASSUMED FROM HIS DEMEANOR & CONVERSATION THAT OUR INTEREST COULD BE COMPATIBLE, AND AFTER A COUPLE MEETING IT WAS ESTABLISHED THAT I WAS INTERESTED IN SOME TYPE TRAVEL DOCUMENTS, WHILE HIS INTEREST WAS IN LOCATING SOMEONE WHO WOULD, FOR A PRICE, HELP HIM MOVE SOME TYPE CONTRABAND THROUGH UNITED STATES CUSTOMS AT THE CANADIAN BORDER. DURING THE INITIAL MEETING WITH ROUAL, PERHAPS 3 OR 4, NOTHING WAS DECIDED DEFINITELY MAINLY BECAUSE I HAD DECIDED TO TAKE A VACATION IN A LAURENTIAN MOUNTAIN RESORT AND WHILE THERE ENLIST THE ASSISTANCE OF SOMEONE, PREFERABLE FEMALE, IN PROCURING A CANADIAN PASSPORT, i.e., ATTEMPTING TO FIND SOMEONE WHO WOULD ACT AS MY GUARANTOR IN MAKING APPLICATION FOR A PASSPORT. SUBSEQUENTLY I DID DRIVE TO THE GRAY ROCKS INN, IN THE LAURENTIAN MOUNTAINS, AND MET A WOMAN—AND LATER SAW HER AGAIN IN THE CANADIAN CAPITOL OF OTTAWA. HOWEVER, I LEARNED SHE WAS EMPLOYED BY THE CANADIAN GOVERNMENT AND THUS CONSIDERED IT ILL ADVISED TO DISCUSS THE GUARANTOR QUESTION WITH HER. THEREFORE IN RETURNING TO MONTREAL FROM THE LAURENTIANS MOUNTAINS I HAD DECIDED TO ACCEPT ANY REASONABLE PROPOSITION ROUAL MIGHT OFFER IN RETURN FOR TRAVEL DOCUMENTS.

AFTER I RETURNED TO MONTREAL I DID MEET WITH ROUAL SEVERAL MORE TIMES. HIS PROPOSALS, AND MY ACCEPTANCE, WERE IN ESSENCE:

- 1) THAT I WOULD MEET HIM IN WINDSOR, CANADA, AT APPROXIMATELY 3:00PM AUGUST 21, 1967, NEAR THE RAILROAD STATION IN MY AUTOMOBILE.
- 2) THAT HE WOULD THEN PROVIDE ME WITH CERTAIN PACKAGES TO TRANSPORT ACROSS THE BORDER INTO THE UNITED STATES.
- 3) THAT I WOULD FOR TRANSPORTING THE PACKAGES INTO THE UNITED STATES BE PROVIDED WITH TRAVEL DOCUMENTS AND AN UNSPECIFIED AMOUNT OF MONEY.
- 4) THAT THEREAFTER I WOULD SELL THE PLYMOUTH AUTOMOBILE AND TRAVEL TO BIRMINGHAM, ALABAMA, WHEREIN I WOULD AGAIN MEET ROUAL FOR SOME SIMILAR TYPE SMUGGLING OPERATION APPARENTLY IN MEXICO— ROUAL HAD INITIALLY SUGGESTED THAT I GO TO MOBILE, ALABAMA.

I ACCEPTED THE ABOVE MENTIONED PROPOSALS, ALTHOUGH IT WAS MY INTENTION ONCE I LAYED HANDS ON THE TRAVEL DOCUMENTS TO RETURN TO CANADA.

ON AUGUST 21, 1967, AT APPROXIMATELY 3:00PM I WAS PARKED NEAR THE WINDSOR, CANADA, RAILROAD STATION AND AFTER WAITING A HALF HOUR OR LESS ROUAL CAME TO THE PLYMOUTH WITH AN ATTACHE CASE, ENTERED THE AUTOMOBILE, AND SAID "LET'S GO". STARTING THE AUTOMOBILE HE DIRECTED ME TOWARD A SIDE STREET WHEREIN HE MOVED INTO THE BACK SEAT AFTER STOPPING AND PLACED THREE PACKAGES UNDER THE BACK REST, THEN RETURNING TO THE FRONT SEAT HE DIRECTED ME TOWARD THE TUNNEL THAT CONNECTS WINDSOR WITH DETROIT, MICHIGAN. BEFORE WE ARRIVED AT THE TUNNEL ENTRANCE HE ASK ME TO LET HIM OUT SAYING HE WOULD CROSS SEPERATELY

AND FOR ME TO PICK HIM UP ON THE UNITED STATES SIDE. HE SAID HE WOULD CROSS IN A CAB AND TO GIVE HIM A FEW MINUTES BEFORE I CROSSED. I CLEARED THE CUSTOMS WITH NO DIFFICULTY AND PICKED UP ROUAL ON THE UNITED STATES SIDE OF THE TUNNEL. HE THEN DIRECTED ME TO ANOTHER SIDE STREET WHERE HE REMOVED THE PACKAGES. I THEN DROVE HIM TO THE DETROIT BUS STATION. LETTING HIM OUT HE TOLD ME TO RETURN TO WINDSOR AND WAIT AT THE SAME PLACE AS BEFORE. I THEN RETURNED TO THE WINDSOR RAILROAD STATION AND AFTER 10 OR 15 MINUTES ROUAL APPEARED AGAIN AND WE REPEATED THE PROCEDURE EXCEPT THIS TIME WE TRAVELED OVER THE BRIDGE CONNECTING THE TWO COUNTRIES. HOWEVER, WHILE WAITING IN LINE TO CROSS THE BRIDGE I NOTICED CUSTOM'S OFFICERS WERE SEARCHING SEVERAL OF THE AUTOMOBILES AHEAD OF ME. RECALLING I HAD A TELEVISION SET IN THE PLYMOUTH, WHICH I WAS REQUIRED TO DECLARE AT CUSTOMS, AND WISHING TO AVOID A SEARCH OF THE PLYMOUTH, I DECLARED THE TELEVISION SET. THE CUSTOM'S OFFICER THEN DIRECTED ME INTO A SPECIAL LANE AND WAS IN THE PROCESS OF SEARCHING THE PLYMOUTH WHEN ANOTHER CUSTOM'S OFFICER APPEARED AND, APPARENTLY ORDERING THE FIRST CUSTOM'S OFFICER TO OTHER DUTIES, TOLD ME TO PAY A TELEVISION TAX IN CUSTOM'S OFFICE AND LEAVE. WHEN I LATER MET ROUAL ON THE UNITED STATES SIDE OF THE BRIDGE HE APPEARED SOMEWHAT NERVOUS, AND I INFORMED HIM I HAD BEEN HELD UP BY CUSTOMS AND SHOWED HIM THE TELEVISION TAX RECEIPT PROVIDED BY CUSTOMS. WE THEN DROVE TO A SIDE STREET IN DETROIT AND MOVING INTO THE BACK OF THE PLYMOUTH HE REMOVED THE THREE PACKAGES FROM BEHIND THE BACK SEAT BACK REST. MOVING BACK INTO THE FRONT SEAT OF THE PLYMOUTH ROUAL GAVE ME APPROXIMATELY \$1,500.00 IN MIXED CURRENCY HOWEVER, OFFERING SOME EXCUSE, HE SAID HE WAS UNABLE TO OBTAIN THE TRAVEL DOCUMENTS ALTHOUGH HE DID ASURE ME HE WOULD BE ABLE TO COME BY THE PAPERS AT A LATER DATE. HE ALSO SUGGESTED I DISPOSE OF THE OLD PLYMOUTH THEN WE WOULD PURCHASE A LATER



MODEL AUTOMOBILE WHEN WE MET IN BIRMINGHAM, ALABAMA. HE THEN TOLD ME HE WOULD WRITE ME IN C/O GENERAL DELIVERY BIRMINGHAM, ALABAMA, UNDER THE GALT NAME; ALSO, HE GAVE ME A NEW ORLEANS, LOUISIANA, TELEPHONE NUMBER IF I NEEDED TO CONTACT HIM. THEREAFTER I LEFT HIM AT THE BUS STATION AND DROVE TO CHICAGO, ILLINOIS, WHEREIN A GAVE MY BROTHER, JERRY W. RAY, THE PLYMOUTH AND CAUGHT A TRAIN TO BIRMINGHAM, ALABAMA. I ARRIVED IN BIRMINGHAM ON AUGUST 25, 1967. THE NEXT DAY I RENTED A ROOM AT 2608 HIGHLAND AVENUE UNDER THE NAME OF, ERIC S. GALT. THE FOLLOWING MONDAY AUGUST 28, 1967, I CHECKED AT THE GENERAL DELIVERY WINDOW IN THE MAIN POST OFFICE ENQUIRING ABOUT MAIL ADDRESSED TO ERIC GALT; THE POSTAL CLERK ASK ME FOR MY MIDDLE INITIAL AND WHEN I SUPPLIED THE LETTER S HE GAVE ME A LETTER FROM ROUAL. IN THE LETTER ROUAL ASK ME TO MEET HIM AT THE STARLITE CAFE, LOCATED DIRECTLY ACROSS THE STREET FROM THE POST OFFICE, THAT EVENING. LATER I MET HIM IN THE STARLITE AND HE ASK ME TO TRY TO LOCATED FOR SALE A LATS MODEL AUTOMOBILE. THE NEXT DAY I FOUND THROUGH A NEWSPAPER ADD A 1966 MUSTANG. THAT EVENING I AGAIN MET ROUAL IN THE STARLITE AND DESCRIBED THE MUSTANG TO HIM. HE SAID IT SOUNDED ALRIGHT AND THE NEXT MORNING HE GAVE ME \$2,000.00 WITH INSTRUCTIONS TO BUY THE MUSTANG. LATER IN THE MORNING I TOOK A TAXI TO 701 SOUTH 48th STREET AND PURCHASED THE MUSTANG FROM IT'S OWNER, MR. WILLIAM D. PAISLEY. AFTER PURCHASING THE AUTOMOBILE I DROVE TO THE STARLITE CAFE, PICKED UP ROUAL, AND FROM THE STARLITE ON TO THE RESIDENCE I WAS STAYING AT ON HIGHLAND AVENUE, PARKING ON A MALL IN FRONT OF THE RESIDENCE. BEFORE DEPARTING ROUAL ASK FOR, AND I GAVE HIM, A SET OF KEYS TO THE MUSTANG; HE ALSO WROTE DOWN MY ADDRESS & PHONE NUMBER; HE THEN GAVE ME \$500.00 FOR LIVING EXPENSES, AND ANOTHER \$500.00 FOR A LIST OF CAMERA EQUIPMENT. LASTLY, HE GAVE ME ANOTHER TELEPHONE NUMBER LISTED IN BATON ROUGE, LOUISIANA, AS A "BACK UP" NUMBER, AND SUGGESTED I LAY LOW FOR A MONTH OR SO THEN HE WOULD CONTACT ME ABOUT THE BUSINESS AT HAND

AND THE MATTER OF TRAVEL DOCUMENTS FOR ME.

DURING MY STAY IN BIRMINGHAM, ALABAMA, I RENTED A BANK VAULT; ACCUMULATED IDENTIFICATION UNDER THE GALT NAME, AND MADE THE CAMERA PURCHASES ROUAL REQUESTED. I HAD ALSO CONTACTED A LINGERING VIRUS, APPARENTLY IN CANADA, AND WAS TREATED FOR THE AILMENT BY A DR. SCHWARTZ IN, BIRMINGHAM. SUBSEQUENTLY I WAS CONTACTED BY ROUAL'S APPARENT REPRESENTATIVE ASKING ME TO MEET ROUAL IN NEW ORLEANS, LOUISIANA, IN EARLY OCTOBER, 1967. ON OR ABOUT OCTOBER 6, 1967, I DEPARTED BIRMINGHAM, ALABAMA, IN ROUTE TO NEW ORLEANS, LOUISIANA, INTENDING TO MEET ROUAL IN, NEW ORLEANS. THE NEXT DAY, OR THE DAY AFTER, UPON ARRIVING IN BATON ROUGE, LOUISIANA, I PHONED THE BATON ROUGE NUMBER ROUAL HAD GIVEN ME; UNABLE TO REACH THE PARTY I THEN PHONED THE NEW ORLEANS NUMBER AND DID REACH THIS PARTY. I WAS TOLD TO PROCEED ON TO NUEVO LAREDO, MEXICO, AND WAS GIVEN THE NAME & ADDRESS OF A MOTEL TO CHECK INTO AFTER ARRIVING IN NUEVO LAREDO. BEFORE LEAVING BATON ROUGE I MAILED BACK TO THE BIRMINGHAM BANK THE SAFETY DEPOSIT VAULT KEY ASSUMING I WOULD NOT BE RETURNING TO BIRMINGHAM, ALABAMA. UPON LEAVING BATON ROUGE FOR MEXICO I BRIEFLY TRAVELED IN THE DIRECTION OF DALLAS, TEXAS, INTENDING TO SEE AN INDIVIDUAL WHO WAS CONVERSANT WITH UNDERWORLD ACTIVITIES ALONG THE BORDER SEPERATING THE UNITED STATES FROM MEXICO, HOWEVER, I SUBSEQUENTLY DECIDED AGAINST THE DALLAS TRIP AND THEREFORE TURNED TOWARD SOUTH TEXAS & MEXICO. I ARRIVED IN NUEVO LAREDO, MEXICO, ON OR ABOUT OCTOBER 7, 1967, IN THE EVENING. UPON ENQUIRY FROM A POLICSMAN OR CAB DRIVER I LOCATED THE MOTEL I WAS EARLIER INSTRUCTED TO CHECK INTO. AFTER I HAD SIGNED INTO THE MOTEL AND WAITED A COUPLE HOURS ROUAL APPEARED ASKING HOW I WAS GETTING ALONG AND IF READY FOR BUSINESS. HE ASK IF I HAD A VISA AND I REPLIED 'NO. HE THEN SAID WE WOULD CROSS THE BORDER INTO THE UNITED

STATES AND TRANSPORT IN THE MUSTANG CERTAIN ITEMS INTO MEXICO. LEAVING THE MOTEL WE DROVE DOWN TO THE LOCAL SQUARE WHERE I LET HIM OUT. HE SAID TO GIVE HIM A FEW MINUTES TO CATCH A TAXI THEN TO MEET HIM ON THE OTHER-SIDE OF THE BORDER. PICKING HIM UP ON THE OTHER SIDE HE DIRECTED ME NORTH FOR MAYBE 7 OR 8 BLOCKS, THEN WEST FOR A COUPLE MILES ENDING UP ON A SIDE STREET BEHIND ANOTHER AUTOMOBILE AND BESIDE A FRAME HOUSE. HE THEN REMOVED A TIRE FROM THE OTHER AUTOMOBILE, PLACED IT IN THE TRUNK OF OUR MUSTANG, AND DIRECTED ME BACK TOWARD MEXICO. ON THE WAY TO THE MEXICAN CUSTOMS HE TOLD ME TO APPLY FOR A VISA AND WHEN CUSTOMS OFFICIALS COMMENCED SEARCHING THE MUSTANG GIVE THEM EACH A DOLLAR AND THEY WOULD THEN ONLY MAKE A PERFUNCTORY SEARCH. WHEN WE NEARED THE MEXICAN CUSTOM'S HOUSE ROUAL GOT OUT OF THE MUSTANG SAYING TO PICK HIM UP EITHER BESIDE OR IN FRONT OF THE CUSTOM 'S HOUSE AFTER I GOT THE VISA. I THEN APPLIED FOR THE VISA. THE PERSON WHO ISSUED THE VISA ASK FOR A VOTER REGISTRATION SLIP FOR IDENTIFICATION, BUT ACCEPTED A DRIVERS LICENSE & PINK SLIP (TITLE) IN LIEU. WHEN THE CUSTOMS OFFICER COMMENCED SEARCHING THE MUSTANG & PLACING A CUSTOMS MARK ON THE ITEMS ENCLOSED I GAVE THEM EACH A DOLLAR AND THEY WAIVED ME THROUGH. AFTER LEAVING CUSTOM'S I PICKED UP ROUAL BESIDE THE BUILDING AND WE RETURNED TO THE MOTEL BY A CIRCUITOUS ROUTE. I PULLED INTO THE MOTEL DRIVEWAY AND THE TIRE WAS REMOVED AND PLACED IN THE AUTOMOBILE IT WAS ORIGINALLY REMOVED FROM EARLIER ON. ROUAL TOLD ME HE WOULD SEE ME AGAIN IN THE MORNING, AND AS I BACKED OUT OF THE DRIVEWAY I BRIEFLY SAW THE PROFILE OF THE PERSON DRIVING THE OTHER AUTOMOBILE. THE NEXT MORNING ROUAL SHOWED UP, ASK IF I WERE READY, AND UPON AN AFFIRMATIVE REPLY, I CHECKED OUT OF THE MOTEL. UPON LEAVING HE RODE WITH ME FOR ABOUT 6 BLOCKS, THEN HE GOT INTO ANOTHER AUTOMOBILE AFTER TELLING ME TO FOLLOW THE OTHER CAR. ONCED

OUTSIDE THE CITY WE STOPPED AND AGAIN THE TIRE WAS PLACED IN MY AUTOMOBILE WITH ROUAL TELLING ME TO FOLLOW HIM UNTIL WE HAD CLEARED THE INTERIOR CUSTON'S HOUSE. ABOUT FIFTY KILOMETERS FURTHER ON WE ENTERED THE CUSTON'S CHECK. ROUAL'S CAR WAS HELD UP; HOWEVER, AFTER CHEACKING MY BACK TAG I WAS WAIVED ON THROUGH BY THE INSPECTOR. LATER A COUPLE KILOMETERS DOWN THE ROAD ROUAL PASSED ME AND STOPPED IN FRONT OF THE MUSTANG. ROUAL GOT INTO THE MUSTANG AND OFFERED SOME TYPE OF APOLOGY ABOUT STILL NOT BEING ABLE TO COME BY TRAVEL DOCUMENTS FOR ME; HOWEVER, HE GAVE ME \$2,000.00. HE THEN ASK ME IF AND WHERE HE COULD MEET ME IN THE FUTURE. I TOLD HIM I MOST LIKELY WOULD TRAVEL TO LOS ANGELES, CALIFORNIA; HE SAID THEN HE WOULD CONTACT ME THERE THROUGH POST BY GENERAL DELIVERY. HE ALSO GAVE ME ANOTHER NEW ORLEANS, LOUISIANA, TELEPHONE NUMBER AND ASK IF I HAD THE OLD NEW ORLEANS NUMBER— I THINK I GAVE THE OLD NUMBER TO HIM.

TRAVILING THROUGH MEXICO I ULTIMATELY ENDED UP IN PUERTO VALLERTA. DURING MY STAY IN PUERTO VALLERTA I ATTEPMTED TO TRADE THE MUSTANG FOR A PIECE OF REAL ESTATE PROPERTY, THUS STAY IN MEXICO; I ALSO SAW AN ADVERTISEMENT IN THE U.S. NEWS AND WORLD REPORT NEWS MAGAZINE ASKING FOR PERSONS INTERESTED TO MAKE APPLICATION FOR IMMIGRATION TO RHODESIA— I WROTE TO THE ADDRESS LIST FOR INFORMATION ABOUT THE MATTER BUT NEVER RECEIVED A REPLY WHILE IN MEXICO.

I DEPARTED PUERTO VALLERTA, MEXICO, ON OR ABOUT NOVEMBER 15, 1967, TRAVELING NORTH TOWARD THE UNITED STATES. ON THE WAY I GAVE A HITCH HIKER A RIDE TO THE BORDER. AFTER ARRIVING NEAR THE BORDER SEPERATING MEXICO FROM THE UNITED STATES I STAYED OVER NIGHT IN A MOTEL AT TIJUANA. THE NEXT DAY IN PREPARING TO LEAVE THE MOTEL FOR THE UNITED STATES, AS WAS MY PRACTICE, I SEARCHED THE MUSTANG. DOWN

BETWEEN THE FRONT SEAT & THE GEAR BOX I FOUND A CIGARETTE CASE WITH A PACK OF CIGARETTES IN THE CASE. INSIDE BETWEEN THE CASE & THE PACK WAS A BUSINESS CARD. THE NAME AND MOST OF THE ACCOMPANYING INFORMATION HAD BEEN INKED OUT. WHAT I COULD SEE THAT WAS STILL PARTLY VISIBLE WAS THE NAME "NEW ORLEANS" & THE LETTERS "LEAA". ON THE BACK SIDE OF THE CARD WAS THE HAND-WRITTEN NAME OF, RANDOLPH ERWIN ROSEN. RETAINING THE CARD I CROSSED THE BORDER INTO THE UNITED STATES. ( IN THE SEPTEMBER 1977 ISSUE OF PLAYBOY MAGAZINE, PLAYBOY REPORTED THAT IN 1967 LEAA WAS NOT IN EXISTENCE; HOWEVER, UPON ENQUIRY BY A PARTY REPRESENTING ME, LEAA OFFICES IN WASHINGTON D.C. STATED THAT PRIOR TO 1968 A FORE-RUNNER TO LEAA TITLED, ? , WAS IN EXISTENCE AND OPERATED IN, NEW ORLEANS. FURTHER, UPON REQUEST THE LATE MR. CLYDE WATTS, AN ATTORNEY WITH OFFICES IN OKLAHOMA CITY, OKLAHOMA, INVESTIGATED, IN 1974, AND REPORTED THEREAFTER, THAT RANDOLPH ERWIN ROSEN, WAS IN FACT, RANDOLPH ERWIN ROSENSON).

ON NOVEMBER 19, 1967, I ARRIVED IN LOS ANGELES, CALIFORNIA, AND RENTED AN APARTMENT LOCATED AT 1535 NORTH SERRANO AVENUE. THEN LATER, ON JANUARY 19, 1967, I MOVED TO 5533 HOLLYWOOD BOULEVARD RESIDING THERE UNTIL ABOUT MARCH 17, 1968.

DURING MY STAY IN LOS ANGELES, CALIFORNIA, I MADE THE FOLLOWING ATTEMPTS TO FIND EMPLOYMENT:

- 1) PLACED AN ADD IN THE "HELP WANTED" SECTION OF THE LOS ANGELES TIMES NEWSPAPER.
- 2) CONTACTED THE "BIG BEAR" RESORT IN THE INTERIOR OF CALIFORNIA.
- 3) TOOK A BAR TENDERING COURSE.

- 4) APPLIED AT TWO HOTEL FOR EMPLOYMENT.
- 5) FILLED OUT AN APPLICATION FOR EMPLOYMENT WITH THE INTERNAL REVENUE SERVICE.

I MADE THE FOLLOWING ENQUIRES & ACTS IN AN ATTEMPT TO LEAVE THE UNITED STATES:

- 1) AFTER READING IN THE LOCAL NEWSPAPER THAT UNITED STATES CITIZENS COULD TRAVEL TO COLUMBIA, SOUTH AMERICA, WITHOUT A PASSPORT, I CHECKED INTO THIS MATTER.
- 2) CONTACTED SEVERAL ORGANIZATIONS ABOUT INFORMATION PERTAINING TO RHODESIAN IMMIGRATION.
- 3) PHONED THE UNITED STATES COAST GUARD SEVERAL TIMES ENQUIRING ABOUT THE PROCEDURE TO FOLLOW IN ORDER TO GAIN MERCHANT SEAMAN'S PAPERS— IN THIS RESPECT, I HAD MINOR PLASTIC SURGERY ON MY NOSE IN MARCH 1968 PERFORMED BY , DR. RUSSELL HADLEY, IN ORDER THAT I MIGHT CHANGE MY APPEARANCE ENOUGH TO AVOID IDENTIFICATION IF I NEEDED A PICTURE FOR THE MERCHANT SEAMAN PAPERS. )

IN EARLY DECEMBER 1967 I CHECKED AT THE GENERAL DELIVERY SECTION, MAIN POST OFFICE, TO SEE IF ROUAL HAD POSTED ANY MESSAGES; FINDING THAT HE HAD NOT SENT A COMMUNICATION I PHONED NEW ORLEANS UNDER THE NUMBER HE HAD GIVEN ME IN MEXICO. THE PERSON THAT ANSWERED ENQUIRED IF I COULD TRAVEL TO NEW ORLEANS IN LATE DECEMBER. I REPLIED IN THE POSITIVE AND THEREAFTER MADE ARRANGMENTS WITH A, CHARLEY STEIN, WHOM I HAD MET IN A LOCAL BAR, TO HELP WITH THE DRIVING TO NEW ORLEANS. WHEN MR. STEIN—WHO WAS HABITUALLY SHORT OF MONEY—AND I WERE READY TO LEAVE FOR NEW ORLEANS, ABOUT DECEMBER 15, 1967, HE ASK TO USE MY TELEPHONE IN ORDER TO NOTIFY

HIS FAMILY IN NEW ORLEANS OF HIS PENDING VISIT. DURING THE TRIP I PHONED MY BROTHER, JERRY W. RAY, ONE TIME. OTHER THAN MR. STAIN BUSYING HIMSELF LOOKING FOR FLYING SAUCERS, NOTHING ELSE OF INTEREST TRANSPIRED ON THE TRIP UNTIL WE REACHED NEW ORLEANS. UPON REACHING THE CITY I DIALED THE PHONE NUMBER ROUAL HAD PROVIDED ME WITH IN MEXICO; ARRANGED A MEETING WITH HIM IN THE LE BUNNY LOUNGE ON CANAL STREET, AND DURING THE SUBSEQUENT MEETING IN THE LOUNGE ROUAL TOLD ME THAT IN EARLY MAY HE WANTED TO TRANSPORT SOME RIFLES INTO MEXICO AND FOR ME TO HELP HIM. HE SAID THERE WOULD BE ABOUT \$12,000 IN IT FOR ME IN ADDITION TO THE USUAL PROMISE OF TRAVEL DOCUMENTS. I AGREED TO HIS PROPOSITION BUT TOLD HIM I WAS LOW ON FUNDS, SUBSEQUENTLY HE GAVE ME \$500.00 IN TWENTY DOLLAR NOTES.

RETURNING TO LOS ANGELES I MOVED TO THE AFOREMENTIONED HOLLYWOOD BOULEVARD ADDRESS, RESIDING THERE WHEN IN FEBRUARY 1968 I RECEIVED A WRITTEN COMMUNICATION FROM ROUAL ASKING ME TO MEET HIM IN NEW ORLEANS, LOUISIANA, ON A CERTAIN DAY IN MARCH, FOR A TRIP TO ATLANTA, GEORGIA, AND TO ACKNOWLEDGE THE COMMUNICATION. I ACKNOWLEDGED BY TELEPHONE THAT I WOULD BE IN NEW ORLEANS ON THE DATE REQUESTED.

OF OTHER POSSIBLE INTEREST TO THE COMMITTEE, DURING MY STAY IN THE LOS ANGELES AREA, I WAS ROBBED OF A WATCH & THE KEYS TO THE MUSTANG OUTSIDE OF A BAR ON HOLLYWOOD BOULEVARD, CONSEQUENTLY I HAD TO HIRE A LOCKSMITH TO MAKE ME ANOTHER SET OF KEYS. I DID COPE BY SOME ADDRESSES THROUGH UNDERGROUND PUBLICATIONS ADVERTISING UNATTACHED FEMALES; LATER I DID USE ONE OF THESE ADDRESSES (SEE BELOW). I NEVER ATTEMPTED TO CONTACT ANY OF THE PERSONS LISTED UNDER THE ADVERTISEMENTS EXCEPT ONE, WHO LISTED HERSELF AS A "NYMPHO SOMETHING"—OF COURSE I HAD BEEN IN JAIL SIX YEARS.

ON OR ABOUT MARCH 17, 1968, I DEPARTED LOS ANGELES FOR NEW ORLEANS, LOUISIANA. APPARENTLY I WAS LATE. IN ARRIVING IN NEW ORLEANS: IN CALLING THE PARTY UNDER THE AFOREMENTIONED NUMBER I WAS TOLD TO DRIVE ON TO BIRMINGHAM, ALABAMA, AND MEET ROUAL IN THE STARLITE CAFE. ARRIVING IN BIRMINGHAM AND ENTERING THE STARLITE, AGAIN SOMEWHAT LATE, I MET ROUAL AND WE PROCEEDED ON TO ATLANTA, GEORGIA. ARRIVING IN ATLANTA WE COMMENCED SEARCHING FOR AN APARTMENT FINALLY LOCATING A ROOM FOR RENT AT 113 14th STREET, NORTHEAST; HOWEVER, BECAUSE OF THE INTOXICATED CONDITION OF THE PROPRIETOR I HAD A PROBLEM RENTING THE ROOM AND, BECAUSE OF THE DELAY, ROUAL BRIEFLY ENTERED THE "OFFICE". AFTER THE RENTAL WE WENT TO A RESTAURANT ON PEACHTREE STREET FOR A MEAL, AND WHILE IN THE RESTAURANT MADE ARRANGMENTS FOR ROUAL TO MEET ME AT THE RECENTLY RENTED ROOM THE NEXT DAY. THE NEXT DAY, ROUAL CAME TO THE ROOM I HAD RENTED (NEXT DOOR TO THE PROPRIETOR'S OFFICE), AND THE CONVERSATION WAS A RERUN OF THE PREVIOUS EVENING'S CONVERSATION IN THE PEACHTREE STREET RESTAURANT. IN ESSENCE, I WAS TO PURCHASE RIFLES IN ATLANTA TO BE LATER SHOWN TO PROSPECTIVE BUYERS. BUT BECAUSE OF AN IDENTIFICATION PROBLEM, ALL OF MY IDENTIFICATION WAS LISTED UNDER THE STATE OF ALABAMA; I SUGGESTED WE PURCHASE THE RIFLES IN ALABAMA, WHICH ROUAL AGREED TO DO. UPON LEAVING ROUAL SUGGESTED I STAY CLOSE TO THE ROOM SINCE HE WOULD RETURN IN A COUPLE DAYS AND THEN WANTED ME TO DRIVE HIM TO MIAMI, FLORIDA—HOWEVER HE NEVER DID APPEAR FOR THE MIAMI TRIP.

AFTER ABOUT A WEEK ROUAL DID APPEAR AND WE DROVE TO BIRMINGHAM, ALABAMA, TO IMPLEMENT WHAT WE HAD PREVIOUSLY AGREED TO. I CHECKED INTO THE TRAVEL-LODGE IN BIRMINGHAM; WE THEN CHECKED THROUGH THE YELLOW PAGES OF THE PHONE BOOK, AND PERHAPS NEWSPAPERS, FOR AN ESTABLISHMENT THAT SOLD RIFLES,



DECIDING ON THE AEROMARINE SUPPLY COMPANY. SUBSEQUENTLY I DID PURCHASE A RIFLE WITH MILITARY SPECIFICATIONS AT AEROMARINE. AFTER THE PURCHASE ROUAL GAVE ME THE NAME OF A MOTEL ( NEW REBEL ), IN MEMPHIS, TENNESSEE, TELLING ME TO TRANSPORT THE RIFLE TO THE MOTEL AND MEET HIM THERE AT A CERTAIN DATE ( APRIL 3, 1968 ), AND TIME, SAYING HE, IN THE INTERVAL, HAD TO MAKE A BUSINESS TRIP TO NEW ORLEANS, LOUISIANA.

THEREAFTER, COMMENCING ON MARCH 29, 1968, THE DAY I PICKED UP THE RIFLE, I TRAVELED IN THE DIRECTION OF MEMPHIS, TENNESSEE. SUBSEQUENTLY I RENTED ROOMS IN: FLORENCE, ALABAMA; CORINTH, MISSISSIPPI; DESOTO, MISSISSIPPI, AND OTHER MOTEL ADDRESSES THAT I CANNOT RECALL ALTHOUGH I ASUM THE F.B.I. HAS THE ADDRESSES. I DID NOT AT ANY TIME DEVIATE FROM THE AFOREMENTIONED ROUTE AND SPECIFICALLY, I DID NOT RETURN TO ATLANTA, GEORGIA, AFTER DEPARTING BIRMINGHAM, ALABAMA, ON MARCH 29, 1968, UNTIL APRIL 5, 1968.

I ARRIVED IN THE SUBURBS OF MEMPHIS, TENNESSEE, ON APRIL 2, 1968, AND CHECKED INTO THE NEW REBEL MOTEL IN MEMPHIS PROPER ON APRIL 3, 1968. IT COMMENCED RAINING THAT EVENING AND AT APPROXIMATELY 9:00PM ROUAL APPEARED AT THE ROOM I WAS OCCUPYING.

ROUAL TOLD ME IT WOULD BE NECESSARY TO TAKE A ROOM FOR A FEW DAYS IN MEMPHIS. HE ALSO INFORMED ME HE HAD A PLACE LOCATED NEAR THE WATERFRONT AND THAT HE OR I, OR BOTH, WOULD RENT A ROOM AT THE LOCATION IN MY NAME. I TOLD ROUAL THAT I DID NOT CARE TO HAVE MY NAME USED IF THERE WERE GOING TO BE ANY GUNS IN THE PLACE, OR IF WE WERE INVOLVED IN SOMETHING WE COULD POSSIBLY BE ARRESTED FOR. I THEN SUGGESTED A NAME, JOHN WILLARD, THAT I HAD USED INDIRECTLY ONCE BEFORE, THUS A NAME I COULD EASILY REMEMBER, THAT WE COULD USE TO LET A ROOM UNDER. ROUAL AGREED TO USE THE WILLARD NAME. HE THEN COMMENTED THAT IF EVERYTHING PROGRESSED ALRIGHT THEN HE & I WOULD RETURN TO BIRMINGHAM, ALABAMA, AND PURCHASE 10 OR MORE OF THE SCOPED RIFLES, IN ADDITION TO A LARGE SUPPLY OF THE FOREIGN BRAND RIFLES THAT I HAD LOOKED OVER IN THE GUN STORE IN BIRMINGHAM. HE IMPLIED THAT AFTER WE HAD PURCHASED THE FIREARMS THEY WOULD BE SHIPPED TO NEW ORLEANS, LOUISIANA, BY BOAT. BEFORE DEPARTING ROUAL TOLD ME TO MEET HIM AT THE 422½ SOUTH MAIN STREET ADDRESS AT 3 or 4 PM THE NEXT DAY. HE WROTE DOWN THE ADDRESS ON A SLIP OF PAPER AND I WROTE DOWN FOR HIM THE WILLARD NAME TO USE IF HE SHOULD RENT A ROOM FOR ME OR HIMSELF. HE MENTIONED THAT IF HE WERE NOT IN A ROOM AT THE SOUTH MAIN STREET ADDRESS WHEN I ARRIVED HE WOULD BE IN A BAR & GRILL LOCATED ON THE GROUND FLOOR OF THE BUILDING. HE THEN TOOK THE RIFLE AND DEPARTED AND THAT WAS THE LAST TIME I SAW THE WEAPON. THE NEXT DAY I DID NOT CHECK OUT OF THE MOTEL UNTIL LATE MORNING. AFTER HAVING BREAKFAST AT A NEARBY RESTAURANT I DROVE TO THE SOUTH PART OF MEMPHIS ( I MAY HAVE BEEN IN MISSISSIPPI ) AND WAITED A PERIOD OF TIME IN A BEER HOUSE AND GENERALLY JUST STALLED UNTIL TIME FOR THE RENDEZVOUS WITH ROUAL AT 422½ SOUTH MAIN STREET. FINALLY I DROVE TO A COMMERCIAL PARKING LOT; AFTER CHECKING THE MUSTANG INTO THE LOT, AND RECEIVING DIRECTIONS FROM THE PARKING LOT ATTENDANT TO THE LOCATION OF MAIN STREET, I THEN COMMENCED WALKING IN

A GENERAL DIRECTION TOWARD WHAT APPEARED TO BE THE MAIN SECTION OF MEMPHIS. FURTHER ON, WITH THE ASSISTANCE OF A POLICEMAN, I LOCATED MAIN STREET AND TRAVELING SOUTH ON MAIN I MADE AT LEAST ONE INQUIRY IN BARS CONCERNING THE 422½ SOUTH MAIN STREET ADDRESS; ONE OF THE PLACES OF INQUIRY MAY HAVE BEEN A "JIM'S BAR". AFTER I HAD LOCATED THE APPARENT ADDRESS OF THE SOUTH MAIN STREET BUILDING I HAD BEEN SEARCHING FOR, AND WHICH HAD A "JIM'S GRILL" ON THE GROUND FLOOR; I ENTERED THE BAR/GRILL LOOKING FOR ROUAL, HE WAS NOT IN THE ESTABLISHMENT; HOWEVER, I DID NOTICE TWO WHITE MALES THAT I HAD PREVIOUSLY SEEN IN ONE OF THE BARS I HAD JUST RECENTLY BEEN IN MAKING INQUIRIES CONCERNING THE ADDRESS I WAS SEARCHING FOR. ONE OF THE TWO INDIVIDUALS APPEARED TO BE NOTICING ME MORE THAN WAS NECESSARY. ( I AM CERTAIN THAT I DID NOT MEET ROUAL IN JIM'S GRILL THE FIRST TIME I ENTERED THE ESTABLISHMENT BECAUSE OF THE CROWDED CONDITIONS, UNLIKE THE SECOND, AND THE TWO INDIVIDUALS IN THE BAR WHO WERE NOT PRESENT WHEN I DID MEET ROUAL). I ORDERED A BEER AND SHORTLY THEREAFTER DEPARTED THE TAVERN GOING UPSTAIRS TO INQUIRE ABOUT RENTING A ROOM. UPON INQUIRY THE PROPRIETRESS INFORMED ME SHE HAD TWO ROOMS TO LET AND SHOWED ME BOTH OF THEM. SINCE THE SECOND WAS ONLY A SLEEPING ROOM I RENTED IT PAYING WITH A \$20.00 BILL, AFTER SIGNING THE REGISTRY UNDER THE NAME OF JOHN WILLARD. THE ONLY OTHER PERSON I SAW, OR EVER SAW EXCEPT ROUAL, IN THE ESTABLISHMENT, WAS AN ELDERLY WHITE MALE WHO WAS IN THE PROPRIETRESS "OFFICE" WHEN I FIRST INQUIRED ABOUT THE ROOM. IMMEDIATELY UPON RETAINING THE ROOM I LEFT THE BUILDING TO RETURN TO THE PARKING LOT TO PICK UP THE MUSTANG; IT WAS NOW APPROXIMATELY 4:00PM BECAUSE OF MY DELAY IN LOCATING THE SOUTH MAIN STREET ADDRESS. RETURNING TO THE PARKING LOT, WHICH I ESTIMATE WAS ONE MILE FROM THE 422½ SOUTH MAIN STREET ADDRESS, I PICKED UP THE MUSTANG AND SUBSEQUENTLY PARKED THE AUTOMOBILE ALMOST DIRECTLY IN LINE WITH THE FRONT ENTRANCE OF JIM'S GRILL, AND IMMEDIATELY BEHIND ANOTHER AUTOMOBILE. I DID NOT MOVE THE MUSTANG AGAIN UNTIL APPROXIMATELY 5:40PM THE SAME DAY. ( I LATER NOTICED UPON

LEAVING THE ROOMING HOUSE ON ONE OF SEVERAL OCCASIONS THAT THERE WERE SEVERAL OTHER AUTOMOBILES PARKED NEARBY THE SAME COLOR AS THE MUSTANG, A WHITISH COLOR).

UPON ENTERING JIM'S GRILL FOR THE SECOND TIME, I FOUND THAT THE INDIVIDUAL CALLING HIMSELF ROUAL WAS PRESENT. THIS TIME THE BAR WAS NOT SO CROWDED AND ROUAL WAS SITTING IN THE LUNCH-COUNTER SECTION DRINKING COFFEE. AFTER THE AMENITIES I TOLD HIM I HAD SOME DIFFICULTY LOCATING THE ROOMING HOUSE UPSTAIRS. WE DEPARTED ALMOST IMMEDIATELY WHEN HE SUGGESTED WE GO UPSTAIRS TO THE ROOM I HAD RENTED. ON THE WAY OUT OF THE GRILL HE ASK ME IF I HAD THE MUSTANG WITH ME; I POINTED TO IT SAYING "THERE IT IS". ONCE UPSTAIRS IN THE ROOM I HAD RENTED ROUAL SUGGESTED I BRING WHAT PERSONAL ITEMS I HAD IN THE MUSTANG UP TO THE ROOM SAYING "WE MAY HAVE TO STAY HERE 3 or 4 DAYS". HE ALSO ASKED ME TO PURCHASE A PAIR OF BINOCULARS WITH INFRA-RED ATTACHMENTS SAYING THE "PEOPLE" ALSO WANTED TO EXAMINE SOME GLASSES. ROUAL GAVE ME DIRECTIONS TO A NEARBY SPORTING GOODS STORE WHEREIN I COULD PURCHASE THE GLASSES. LEAVING THE ROOMING HOUSE I WAS UNABLE TO LOCATE THE SPORTING GOODS STORE THE FIRST TRIP. RETURNING ROUAL AGAIN EXPLAINED TO ME THE LOCATION OF THE SPORTING GOODS STORE. (UPON RETURNING TO THE ROOM AFTER THE FIRST TRIP LOOKING FOR THE SPORTING GOOD STORE, I REMOVED A SMALL TRAVELING CASE FROM THE MUSTANG CONTAINING PERSONAL ITEMS AND DEPOSITED THE CASE IN THE ROOM ; HOWEVER, BECAUSE I WAS SOMEWHAT CONVERSANT WITH THE TYPE ESTABLISHMENT I WAS IN, WHAT WITH NO LOCKS ON THE DOORS, OR EVEN DOOR NOBS, JUST A STRAP TO PULL THE DOOR TO, AND THE PLACE AN APPARENT HABITAT FOR WINO'S WHEREIN ANYONE COULD ENTER ANYONE ELSE'S RENTAL AT WILL, I DID NOT CARRY ANY OTHER PERSONAL ITEMS TO THE ROOM OTHER THAN THE AFOREMENTIONED CASE & IT'S CONTENTS EXCEPT A COVER WHICH I USED TO COVER THE COVERING ALREADY ON THE BED. I PLACED THE CASE UNDER THE BED).

ON THE SECOND TRIP SEEKING THE SPORTINGS GOODS STORE I LOCATED IT. UPON INQUIRY THE SALESMAN INFORMED ME THAT THE STORE DID NOT CARRY INFRA-RED ATTACHMENTS FOR BINOCULARS AND THAT I WOULD HAVE TO PURCHASE THEM AT AN ARMY SURPLUS STORE; HOWEVER THE SALESMAN DID SELL ME BINOCULARS. ON THE WAY BACK TO THE ROOMING HOUSE I STOPPED AT A DRUGSTORE ON THE GROUND FLOOR OF THE CHISCA HOTEL AND ORDERED ICE CREAM. WHILE WAITING ON THE ORDER I SAT, AS CUSTOMARY, DIRECTLY ACROSS FROM THE CASH REGISTER AND DISTINCTLY RECALL THE APPARENT MANAGER, WHO WAS A WHITE MALE, INSTRUCTING A YOUNG BLACK WOMAN ON THE INTRICACIES OF USING A CASH REGISTER, THUS I ASSUM SHE HAD JUST STARTED WORKING IN THE STORE THAT DAY. ( THE ATTORNEYS REPRESENTING ME IN THE KING CASE IN 1968-69 WERE UNABLE TO LOCATE THE DRUGSTORE IN QUESTION; HOWEVER, IN FEBRUARY 1969 I DESCRIBED TO A POLICEMAN WHO WAS GUARDING ME IN THE MEMPHIS JAIL CELL, THE APPROXIMATE LOCATION OF THE STORE AND HE INFORMED ME THE NAME OF THE STORE).

AFTER RETURNING TO THE MAIN STREET ROOMING HOUSE I TOLD ROUAL WE WOULD HAVE TO PURCHASE THE INFRA-RED ATTACHMENTS AT AN ARMY SURPLUS STORE; I ALSO INFORMED HIM THAT I HAD NOT EATEN SINCE BREAKFAST. HE SAID TO GO OUT AND HAVE A MEAL & TAKE IN A MOVIE SINCE HE WANTED TO SEE SOME PEOPLE IN PRIVATE THAT EVENING BUT, TO LEAVE THE MUSTANG OUT IN FRONT AS HE WOULD MOST LIKELY NEED IT THAT EVENING OR NIGHT. I THEN WENT DOWN STAIRS INTO JIM'S GRILL AND ORDERED A BEER ALTHOUGH I DID NOT DRINK IT...I SAY THIS BECAUSE I RECALL SEEING A WHITE WAITRESS ON ONE OCASSION WHILE I WAS IN THE ESTABLISHMENT, AND ON THE NEXT OCASSION THERE WAS A BLACK WAITRESS ON DUTY. LEAVING THE GRILL I SAT IN THE MUSTANG 10 or 15 MINUTES BEFORE TRAVELING NORTH ON MAIN STREET AND ENTERING A BAR & RESTAURANT LOCATED ON THE LEFT HAND SIDE OF THE STREET AND FAIRLY NEAR TO A MOVIE HOUSE ACROSS THE STREET. I ORDERED A

SANDWICH AND WHILE SITTING THERE RECALLED THAT I HAD CHANGED THE BACK REAR TIRE ON THE RIGHT SIDE, WHEN FACING THE FRONT OF THE MUSTANG, THE DAY BEFORE, AFTER THE TIRE HAD DEVELOPED A SLOW LEAK. THINKING THE DAMAGED TIRE SHOULD BE FIXED, ESPECIALLY IF THE MUSTANG SHOULD BE USED THAT NIGHT, I RETURNED TO THE MUSTANG AND DROVE IT NORTH ON MAIN STREET FOR MAYBE 3 or 4 BLOCKS BEFORE TURNING RIGHT AND TRAVELING 4 OR 5 MORE BLOCKS TO A SERVICE STATION. THERE WERE 2 OR 3 SERVICE STATIONS AT THE INTERSECTION; I ENQUIRED OF ONE IF THEY COULD FIX A SPARE TIRE WHILE I WAITED AND WAS INFORMED THAT I WOULD HAVE TO WAIT AWHILE BECAUSE OF THE BUSINESS VOLUME. MOVING TO THE OTHER STATION I DO NOT RECALL ASKING FOR THE TIRE TO BE REPAIRED ALTHOUGH I DID HAVE THE MUSTANG SERVICED. UPON LEAVING THE SERVICE STATION I CIRCLED AROUND IN A MANNER THAT WOULD RETURN ME TO THE ORIGINAL PARKING SPACE IN FRONT OF JIM'S GRILL; HOWEVER, WHEN DRIVING ONTO MAIN STREET I SAW A POLICE CAR PARKED BLOCKING OFF THE STREET THAT I WOULD HAVE TO DRIVE THROUGH IN ORDER TO RETURN TO MY ORIGINAL PARKING SPACE. IN ADDITION I SAW WHAT APPEARED TO BE 2 OR 3 PEOPLE RUNNING OR WALKING RATHER FAST OPPOSITE THE POLICE CAR. I THEN VEERED OFF TO THE LEFT TOWARD SOUTH MEMPHIS TRAVELING THROUGH WHAT APPEARED TO BE A PREDOMINANTLY BLACK COMMUNITY. I EVENTUALLY ENDED UP IN MISSISSIPPI TRAVELING TOWARD NEW ORLEANS, LOUISIANA. IT WAS MY INTENTION TO PHONE A NEW ORLEANS NUMBER IN MY POSSESSION AND HAVE THE PARTY ON THE OTHER END ATTEMPT TO FIND OUT WHAT IF ANYTHING HAD HAPPENED IN THE AREA OF THE AFOREMENTIONED SOUTH MAIN STREET ROOMING HOUSE; HOWEVER, SHORTLY AFTER ENTERING THE STATE OF MISSISSIPPI I HEARD OVER THE CAR RADIO THAT DR. MARTIN LUTHER KING, JR. HAD BEEN SHOT IN MEMPHIS. A SHORT WHILE LATER ( APPROXIMATELY 15 MINUTES ), ANOTHER NEWS BULLETIN ON THE RADIO STATED POLICE AUTHORITIES WERE LOOKING FOR A WHITE MUSTANG & A WHITE MALE SUBJECT AS A SUSPECT IN THE SHOOTING OF DR. KING; CONSEQUENTLY THE FIRST INTERSECTION I CAME TO I TURNED EAST TRAVELING TOWARD ATLANTA, GEORGIA,

VIA WAY OF BIRMINGHAM, ALABAMA. SHORTLY AFTER TURNING EAST I STOPPED THE MUSTANG AND THREW VARIOUS ITEMS OF OF THE TRUNK INCLUDING ALL OF THE CAMERA EQUIPMENT THAT ROUAL HAD HAD ME TO PURCHASE FOR HIM--THE EQUIPMENT WAS STILL IN THE ORIGINAL WRAPPING CASES WHEN I DISCARDED IT. IT WAS RAINING SLIGHTLY AT THE TIME AND I TOOK A CLOTH AND ATTEMPTED TO WIPE OFF ANY FINGERPRINTS I MAY HAVE LEFT ON THE OUTSIDE OF THE MUSTANG. ( SEVERAL YEARS LATER MY BROTHER, JERRY W. RAY, TOLD ME THAT IMMEDIATELY AFTER THE GUILTY PLEA THE MEMPHIS ATTORNEY GENERAL GAVE HIM THE DAMAGED TIRE & THE FLOOR MATS FROM THE MUSTANG).

THEREAFTER I DROVE THROUGH BIRMINGHAM, ALABAMA, AND LATER INTO THE STATE OF GEORGIA. APPROXIMATELY THIRTY (30) MILES FROM ATLANTA, GEORGIA, I RAN LOW ON FUEL AND STOPPED AT A SERVICE STATION FOR GASOLINE. I ARRIVED IN ATLANTA AT APPROXIMATELY 7:30AM. I ABANDONED THE MUSTANG IN A PRIVATE PARKING LOT NEAR CAPITOL HOMES. I THEN RETURNED TO THE ROOM I HAD PREVIOUSLY RENTED LOCATED AT 113 14th STREET, NORTHEAST. I PLACED EVERYTHING IN A CASE THAT IT WOULD HOLD AND DISCARDED THE REMAINING ITEMS LEFT IN THE ROOM. I THEN WALKED TO THE PIEDMONT LAUNDRY WHEREIN I HAD LEFT SEVERAL ITEMS OF CLOTHING TO BE CLEANED IN LATE MARCH OF 1968. I THEN PHONED A BUS STATION FOR RESERVATIONS TO DETROIT, MICHIGAN. BEING INFORMED THAT A BUS WAS LEAVING ATLANTA FOR DETROIT, MICHIGAN, THAT AFTERNOON I RETURNED TO THE ROOMING HOUSE FOR THE CASE. I THEN DEPARTED THE BUILDING AND CAUGHT A TAXI CAB TO THE BUS STATION WHEREIN I PURCHASED A TICKET TO DETROIT, MICHIGAN. THE BUS WAS NOT DUE TO LEAVE ATLANTA FOR SEVERAL HOURS SO I CHECKED-IN THE CASE AND TRAVELED SEVERAL BLOCKS FROM THE BUS STATION AND WAITED IN A BAR UNTIL UNTIL DEPARTURE TIME FOR THE BUS; HOWEVER, UPON RETURNING TO THE BUS STATION I LEARNED THE BUS WOULD BE LATE IN IT'S DEPARTURE SCHEDULE. AFTER THE BUS

DID DEPART FROM ATLANTA IT PROCEEDED ON TO CINCINNATI, OHIO, WITH A LAYOVER IN THAT CITY FOR APPROXIMATELY TWO HOURS. DURING THE LAYOVER I WAITED IN A NEARBY BAR UNTIL IT CLOSED AT 2:30AM, THEN I WAITED IN THE BUS TERMINAL ANOTHER 20 OR 30 MINUTES BEFORE THE BUS DEPARTED FOR DETROIT, MICHIGAN. ARRIVING IN DETROIT AT APPROXIMATELY 7:30AM. I THEN MADE RESERVATIONS FOR A TRAIN BOUND FOR TORONTO, CANADA. BEFORE LEAVING FOR THE CANADIAN SIDE OF THE BORDER I TOOK A TAXI CAB TO A TRAIN STATION APPROXIMATELY TWO MILES FROM DOWNTOWN DETROIT. ADJACENT TO THE TRAIN STATION WAS AN OPEN SQUARE BLOCK (PARK). DIRECTLY ACROSS, DIAGONALLY, FROM THE TRAIN STATION, AND ACROSS THE OPEN LOT, WAS A BARBER SHOP WHEREIN I HAD A SHAVE & HAIRCUT.



I ARRIVED IN TORONTO, CANADA, AT APPROXIMATELY 6:30 PM APRIL 6, 1968. AFTER CHECKING MY CASE INTO THE LUGGAGE DEPARTMENT I MADE MY WAY WEST ON FOOT. AFTER WALKING APPROXIMATELY TWO MILES, AND MAKING ENQUIRES ALONG THE WAY FOR RENTAL QUARTERS, I EVENTUALLY FOUND A ROOM FOR RENT AT 102 OSSINGTON AVENUE. THE PROPRIETRESS'S NAME WAS, MRS. ADAM SZPAKOWSKI; I PAYED MRS. SZPAKOWSKI \$10.00 FOR ONE WEEK'S RENT. MRS. SZPAKOWSKI, WHO SPOKE WITH A HEAVY ACCENT, DID NOT ASK ME MY NAME NOR DID I VOLUNTEER THE INFORMATION. THEREAFTER ON THE FOLLOWING MONDAY APRIL 8, 1968, I MADE MY WAY TO THE OFFICES OF THE TORONTO EVENING TELEGRAM AND ASK TO SEE BACK ISSUES OF THE PAPER FOR THE YEAR 1932. THE LIBRARIAN GAVE ME THE REQUESTED ISSUES ON MICROFILM AND ASSISTED ME WITH THE PROJECTOR. AFTER A TIME I CHOOSED SEVERAE NAMES FROM THE FILMS; TWO OF THE NAMES WERE, RAMON GEORGE SNEYD & PAUL E. BRIDGMAN. MY PURPOSE IN OBTAINING THESE NAMES WAS TO APPLY FOR A PASSPORT UNDER ONE OF THE NAMES IF CONDITIONS WERE FAVORABLE. LEAVING THE NEWSPAPER OFFICE I MADE MY WAY BACK TO THE ROOM ON OSSINGTON AVENUE; HOWEVER, BEFORE I GOT TO OSSINGTON I WAS STOPPED AND TICKETED BY A PLOICEMAN FOR JAY-WALKING. I HAD REMEMBERED A WOMAN'S ADDRESS IN TORONTO, 6 CONDOR STREET, FROM SOME ADDRESSES I HAD GOTTEN OUT OF AN UNDERGROUND PUBLICATION APPARENTLY SPECIALIZING IN "BRINGING PEOPLE TOGETHER"; I GAVE THE POLICEMAN THE CONDOR STREET ADDRESS AS MY OWN. I AM FAIRLY CERTAIN I ALSO GAVE MY NAME AS, ERIC GALT, TO THE POLICEMAN. THE NEXT DAY I PHONED THE LOCAL POLICE STATION ENQUIRING ABOUT THE TICKET, HOWEVER, THE STATION DID NOT HAVE THE TICKET ON FILE. AFTER I ARRIVED BACK AT THE OSSINGTON AVENUE ADDRESS I WROTE THE NAME OF PAUL BRIDGMAN ON A SLIP OF PAPER AND GAVE IT TO MRS. SZPAKOWSKI INFORMING HER "THIS IS MY NAME". THE NEXT DAY I PROCEEDED TO CONTACT BY TELEPHONE SEVERAL OF THE NAMES I HAD GOTTEN FROM THE TORONTO EVENING TELEGRAM.

TELLING THEM I WAS WITH THE REGISTRA GENERAL'S OFFICE INVESTIGATING A PASSPORT MATTER; ENQUIRING OF THEM IF THEY HAD EVER BEEN ISSUED A CANADIAN PASSPORT. EVENTUALLY I CONTACTED, MR. RAMON GEORGE SNEYD, A TORONTO POLICEMAN, AND UPON ENQUIRY MR. SNEYD INFORMED ME THAT HE HAD NEVER APPLIED FOR A CANADIAN PASSPORT. THEREFORE SHORTLY THEREAFTER I MADE MY WAY TO THE ARCADE PHOTO STUDIO AND HAD SEVERAL PASSPORT PHOTOS TAKEN; I USED THE PAUL BRIDGMAN NAME IN APPLYING FOR THE PASSPORT PHOTOS. DURING THIS PERIOD I HAD RENTED ANOTHER ROOM LOCATED AT 962 DUNDAS STREET WEST FROM A, MRS. SUN LOO; I REGISTERED UNDER THE NAME OF, RAMON GEORGE SNEYD, AND TOLD MRS. LOO I WORKED NIGHT THUS WOULD BE IN DAYS—I SPENT THE NIGHTS AT THE OSSINGTON AVENUE ADDRESS.

I THEN VISITED THE KENNEDY TRAVEL AGENCY IN TORONTO ENQUIRING ABOUT THE PROCEDURE FOR OBTAINING A CANADIAN PASSPORT. I TOLD THE OFFICE MANAGER, MRS. LILLIAN SPENCER, THAT I DID NOT HAVE A GUARANTOR HAVING JUST RETURNED TO TORONTO. MRS. SPENCER INFORMED ME THAT IT WAS NOT NECESSARY TO HAVE A GUARANTOR, RATHER I COULD MAKE A SWORN STATEMENT THAT I WAS A CITIZEN OF CANADA; HAVE THE STATEMENT NOTORIZED; THEN HER OFFICE WOULD APPLY FOR THE PASSPORT. I DID APPLY FOR A PASSPORT THROUGH MRS. SPENCER'S OFFICE UNDER THE NAME OF, RAMON GEORGE SNEYD, AND USING THE DUNDAS STREET WEST ADDRESS.

( IF I HAD BEEN THROUGH ENOUGH TO GAIN THE AFOREMENTIONED INFORMATION DURING MY FIRST TRIP TO CANADA IN JULY 1967 I AM SURE I WOULD NOT BE TESTIFYING BEFORE THIS COMMITTEE TODAY).

DURING THIS PERIOD I ALSO MADE A BRIEF TRIP TO MONTREAL, CANADA, TO ENQUIRE ABOUT SHIP RESERVATIONS TO EUROPE.

IN EARLY MAY, 1968, MY PASSPORT IN THE NAME OF, RAMON GEORGE SNEYD, WAS PRESENTED TO ME BY THE KENNEDY TRAVEL AGENCY. ON MAY 6, 1968, I DEPARTED CANADA BOUND FOR LONDON, ENGLAND, AND ARRIVED IN LONDON ON MAY 7, 1968. IMMEDIATELY THEREAFTER I BOARDED A PLANE FOR LISBON, PORTUGAL. WHILE IN LISBON, AND BECAUSE MY FINANCES WERE SUCH THAT I COULD NOT AFFORD FARE TO A MORE DISTANT COUNTRY, SAY AUSTRALIA, I MADE SEVERAL EFFORTS TO GAIN TRANSPORTATION TO AFRICA. DURING ONE PERIOD IN A MEETING WITH A BLACK & WHITE MALE I ATTEMPTED TO JOIN A MILITARY UNIT IN BIAFRA BUT WAS UNSUCCESSFUL. FINALLY I DID FIND A SHIP WITH AN AVAILABLE BERTH BOUND FOR ANGOLA; HOWEVER, A VISA WAS REQUIRED TO ENTER ANGOLA AND SINCE THE SHIP WAS LEAVING FOR ANGOLA IN THREE DAYS, AND IT REQUIRED SEVEN DAYS FOR A VISA TO BE PROCESSED, I MISSED THE OPPORTUNITY.

RETURNING TO LONDON, ENGLAND, AFTER APPROXIMATELY TEN DAYS IN PORTUGAL, I ATTEMPTED ON JUNE 8, 1968, TO LEAVE ENGLAND VIA AIRPLANE DESTINED FOR BRUSSELS, BELGIUM; HOWEVER, I WAS DETAINED AT LONDON'S HEATHROW AIRPORT BY THE POLICE AND SUBSEQUENTLY ARRESTED BY ENGLISH AUTHORITIES AND HELD FOR EXTRADITION TO THE UNITED STATES.

THEREAFTER I WROTE MESSRS, F. LEE BAILEY & ARTHUR J. HANES SR., OF THE MASSACHUSETTS & ALABAMA BAR RESPECTFULLY ABOUT REPRESENTATION IN THE MATTER I WAS BEING DETAINED UNDER, NAMELY THE DR. MARTIN LUTHER KING JR. HOMICIDE. MR. BAILEY INFORMED ME INDIRECTLY THAT THERE WOULD BE A CONFLICT-OF-INTEREST INVOLVED IF HE SHOULD TAKE THE CASE, THUS DECLINED; MR. HANES ACCEPTED THE CASE, APPARENTLY AFTER CONTACTING THE ALABAMA NOVELIST, WILLIAM BRATFORD HUIE AND, PRESENTING ME WITH A LITERARY CONTRACT TO SIGN. THEREAFTER I WAS SUBSEQUENTLY ORDERED BY AN ENGLISH COURT TO BE

EXTRADITED TO THE UNITED STATES AND IN FACT WAS EXTRADITED AND LODGED IN THE MEMPHIS, TENNESSEE, JAIL ON JULY 19, 1968.

AFTER I WAS LODGED IN THE MEMPHIS JAIL THE AFOREMENTIONED ATTORNEY, MR. ARTHUR J. HANES, sr., HAD ME ENTER INTO A SERIES OF LITERARY CONTRACTS WITH HIM AND, WILLIAM BRATFORD HUIE, THE ALABAMA NOVELIST, IN ORDER, MR. HANES SAID, TO FINANCE A JURY TRIAL IN THE KING CASE. SUBSEQUENTLY, IN NOVEMBER, 1968, MY BROTHER, JERRY W. RAY, VISITED ME IN SAID JAIL AND SAID THAT HE HAD RECENTLY VISITED, WILLIAM BRATFORD HUIE, AND THAT MR. HUIE HAD OFFERED ME, INDIRECTLY, THROUGH JERRY, \$12,000, IF I WOULD NOT TAKE THE WITNESS STAND IN THE KING CASE SAYING " MY TESTIMONY FROM THE WITNESS STAND WOULD DESTROY THE LITERARY VALUE OF THE BOOK HE (HUIE), WAS WRITING ABOUT THE CASE". CONSEQUENTLY WHEN PERCY FOREMAN, A MEMBER OF THE TEXAS BAR, APPEARED UNSOLICITED AT THE MEMPHIS JAIL A FEW DAYS LATER AND VISITED ME, I AGREED WITH MR. FOREMAN'S SUGGESTION THAT I FIRE MR. HANES AND HIRE, FOREMAN. PERCY FOREMAN HAD THE ABOVE MENTIONED CONTRACTS IN HAND AND SAID THE ONLY THING ARTHUR HANES WAS INTERESTED IN WAS THE MONEY BEING PROVIDED HIM BY BRATFORD HUIE, AND THEN PROMISED ME, AND LATER THE TRIAL JUDGE, THAT IF I RETAINED HIM IN THE CASE HE WOULD NOT BECOME INVOLVED WITH WILLIAM BRATFORD HUIE IN COMMERCIAL PUBLISHING VENTURES. THEREAFTER THIS "PROMISE" OF PERCY FOREMAN'S WAS OF A SHORT DURATION IN THAT WITHIN A FEW DAYS OF BECOMING COUNSEL-OF-RECORD IN THE CASE HE MADE ARRANGMENTS WITH BRATFORD HUIE TO HAVE, ARTHUR HANES sr., INTEREST IN SAID CONTRACTS TRANSFERED TO HIMSELF. THEN LATER, IN JANUARY 1969, MR. FOREMAN PRESENTED ME WITH A CHECK FROM, WILLIAM BRATFORD HUIE, FOR \$5,000 FOR MY ENDORSEMENT SAYING HE "NEEDED THE FIVE THOUSAND TO RETAIN CO/COUNSEL". HOWEVER, IN DECEMBER 1968 ATTORNEY FOREMAN HAD PERSUADED

THE TRIAL JUDGE, W. PRESTON BATTLE, THAT NO FUNDS WERE FORTH-  
 COMING FROM, BRATFORD HUIE, OR ELSE WHERE, AND THUS HAD THE JUDGE  
 APPOINT THE PUBLIC DEFENDER, HUGH STANTON sr., AS CO/COUNSEL--MR.  
 STANTON HAD PREVIOUSLY REPRESENTED THE STATE'S CHIEF WITNESS, CHARLEY  
 STEPHENS, IN THE CASE. THE SAME CHARLEY STEPHENS WHO, FOR A PROMISE  
 OF \$100.000 FROM THE UNITED STATES GOVERNMENT, HAD COMMITTED PERJURY<sup>2</sup>  
 THROUGH A SWORN AFFIDAVIT BY FALSELY IDENTIFYING ME THROUGH A PICTURE  
 IN ORDER FOR THE GOVERNMENT TO HAVE ME EXTRADITED FROM LONDON, ENGLAND.

THEN IN FEBRUARY, 1969, PERCY FOREMAN RECEIVED ANOTHER \$5.000 CHECK  
 FROM WILLIAM BRATFORD HUIE. THIS TIME HE DID NOT BOTHER TO HAVE ME  
 ENDORSE IT, RATHER HE JUST FORGED MY NAME TO IT AND CASHED IT IN  
 COMPLICITY WITH, PLANTERS BANK OF MEMPHIS.

AFTER COLLECTING ALL THE MONEY THAT WAS AVAILABLE FROM, WILLIAM BRATFORD  
 HUIE, ATTORNEY FOREMAN THEN COMMENCED, ON FEBRUARY 13, 1969, MANEUVERING  
 ME INTO A GUILTY PLEA. FOREMAN'S ARGUMENTS FOR THE PLEA WERE IN  
 ESSENCE: . . .

- 1) THAT THE PRESS HAD ALREADY CONVICTED ME BY INFLAMING  
 THE MINDS OF POTENTIAL JURORS.
- 2) THAT THE GOVERNMENT HAD BRIBED AN ALLEGED WITNESS,  
 CHARLEY STEPHENS, INTO PERJURING HIMSELF AGAINST ME  
 BY OFFERING STEPHENS A \$100.000 REWARD TO SAY HE  
 SAW SOMEONE FAVORING ME LEAVING THE ROOMING HOUSE,  
 WHERE DR. KING WAS ALLEGEDLY SHOT FROM, IMMEDIATELY  
 AFTER THE SHOT WAS FIRED. ( WIFE COMMITTED--EXH--C).
- 3) THAT IT WOULD IN SOME MANNER BE IN MY FINANCIAL  
 INTEREST TO PLEAD GUILTY AS CHARGED.

- 4) THAT THE TRIAL JUDGE WANTED A GUILTY PLEA BECAUSE HE WAS CONCERNED THE BLACKS MIGHT BURN THE TOWN DOWN IN RESPECT'S TO PERCY FOREMAN & THE JUDGE'S EX-PARTS MEETING ARRANGING THE PLEA, APPARENTLY THE TWO HAD BIGHT MEETING.

THEN LATER, IN MARCH 1969, FOREMAN SAID THAT IF THE CASE WAS NOT SETTLED THROUGH A GUILTY PLEA THE GOVERNMENT WOULD PROBABLY ARREST MY BROTHER, JERRY W. RAY, UNDER SOME TYPE CONSPIRACY CHARGE IN THE DR. MARTIN LUTHER KING jr., HOMICIDE. HE ALSO SAID THAT THE F.B.I. WOULD MOST LIKELY ARREST MY FATHER, GEORGE RAY, WHO WAS THEN NEAR SEVENTY YEARS OF AGE, AND HAVE HIM RETURNED TO THE IOWA STATE PRISON WHEREIN HE HAD ESCAPED IN THE 1920's.

IN CONJUNCTION WITH THE AFOR-MENTIONED THREATS & PROMISES, PERCY FOREMAN CONVINCED ME HE WOULD "THROW" THE CASE IF I MANAGED TO FORCE HIM TO TRIAL ( IN FACT IN AN ARTICLE PUBLISHED IN LOCK MAGAZINE IN MAY 1969, SOLD TO THE PUBLICATION BY PERCY FOREMAN FOR \$1,000, HE IN EFFECT ADMITTED HE WOULD HAVE "THROWEN"THE CASE IF I WOULD HAVE FORCED HIM TO TRIAL. CONSEQUENTLY, THROUGH WRITTEN CONTRACTS, I AGREED ON MARCH 9, 1969, TO ENTER THE GUILTY PLEA. MY CONTRACTUAL AGRE-MENTS WITH PERCY FOREMAN IN RESPECT'S TO THE TERMS OF THE GUILTY PLEA ARE AS FOLLOWS:

1st. CONTRACT,

" IF THE PLEA IS ENTERED AND THE SENTENCE ACCEPTED AND NO EMBARRASSING CIRCUMSTANCES TAKE PLACE IN THE COURTROOM, I AM WILLING TO ASSIGN TO ANY BANK...ALL OF MY RECEIPTS UNDER THE ABOVE ASSIGNMENT IN EXCESS OF \$165,000".

## 2nd. CONTRACT,

"...I AM WILLING TO ADVANCE JERRY ( RAY ) \$500 AND ADD IT TO THE \$165,000 MENTIONED IN MY OTHER LETTER TO YOU TODAY. IN OTHER WORDS, I WOULD RECEIVE THE FIRST \$165,000. BUT I WOULD NOT MAKE ANY OTHER ADVANCES—JUST THIS \$500. AND THIS ADVANCE ALSO IS CONTINGENT UPON THE PLEA OF GUILTY AND SENTENCE GOING THROUGH ON MARCH 10, 1969, WITHOUT ANY UNSEEMLY CONDUCT ON YOUR PART IN COURT". ( EXH--D ).

DURING THE PERIOD OF MY CONFINEMENT IN THE MEMPHIS JAIL, WHICH TOTALED APPROXIMATELY EIGHT ( 8 ) MONTHS, THE CONDITIONS WERE AS FOLLOWS:

THE STATE OF TENNESSEE RETAINED, OR WAS ORDERED TO RETAIN, TWO FEDERAL PRISON OFFICIALS WHO IN A FIRST ORDER OF BUSINESS ORDERED SHEETS OF MEDAL BE PLACED OVER ALL OF THE WINDOWS THUS SHUTTING OUT FRESH AIR AND LIGHT. THE FEDERALS THEN HAD A BLOWER INSTALLED FOR OXYGEN, WHICH RESULTED IN MY HAVING FREQUENT NOSE BLEEDS. THE BLOWER COULD ONLY BE OPERATED OUTSIDE THE CELL-BLOCK. BECAUSE OF THE LACK OF NATURAL LIGHT THE FEDERALS HAD LIGHTS RIGGED IN THE CELL-BLOCK, INCLUDING THE CELL I WAS CONFINED IN, WHICH WERE KEPT ON TWENTY-FOUR (24) HOURS A DAY. COMPLAINING TO THE TRIAL COURT ABOUT BEING UNABLE TO SLEEP UNDER THESE CONDITIONS THE COURT SAID " SLEEP IN A MASK".

DURING THIS CONFINEMENT PERIOD I BROKE OUT IN A RASH. THINKING MAYBE I HAD BEEN POISONED I ASKED THE DOCTOR, WHO WAS RELATED TO THE PROSECUTOR, FOR A BLOOD TEST. IT REQUIRED 2 OR 3 DAYS TO HAVE THE TEST. AFTER THE BLOOD SAMPLE FINALLY WAS TAKEN I WAS NEVER TOLD THE TEST FINDINGS; HOWEVER, IN A 1974 HABEAS CORPUS HEARING THE DOCTOR TESTIFIED THE MEMPHIS SHERIFF, WILLIAM MORRIS, HAD ORDERED HIM TO DESTROY ALL OF MY MEDICAL RECORDS.

OF OTHER POSSIBLE INTEREST TO THIS COMMITTEE WHILE PERCY FOREMAN REPRESENTED ME: I ONCE PROVIDED ATTORNEY FOREMAN WITH A PHONE NUMBER, POSSIBLY CONNECTED TO THE KING HOMICIDE, TO INVESTIGATE, HOWEVER, FOREMAN

COMMENTED LATER THAT IF THERE WERE TO BE ANY PHONE NUMBERS INTRODUCED INTO THE CASE "HE" WOULD PRODUCE THEM THROUGH HIS INTERSTATE GAMBLING CONNECTIONS VIA A, MEYER LANSKY.

THE DAY AFTER THE GUILTY PLEA I WAS TRANSFERRED TO THE STATE PRISON IN NASHVILLE, TENNESSEE. UPON ARRIVAL ALL OF MY PERSONAL PROPERTY, INCLUDING THE AFOREMENTIONED PHONE NUMBER I HAD WRITTEN DOWN BACKWARDS ON A SHEET OF PAPER, WAS CONFISCATED BY THE CORRECTIONS COMMISSIONER, MR. HARRY AVERY. TWO OR THREE DAYS LATER SAID PROPERTY WAS RETURNED TO ME EXCEPTING VARIOUS ITEMS OF PERSONAL & LEGAL MAIL THAT HAD BEEN POSTED TO ME IN C/O THE NASHVILLE PRISON. ( PHONE NO. -EXH--C).

THE FIRST DAY IN THE PRISON I WAS CONFINED FORTHWITH IN SOLITARY CONFINEMENT AND WAS ON, THAT SAME DAY, INFORMED BY CORRECTIONS COMMISSIONER, HARRY AVERY, THAT I WOULD NEVER BE RELEASED FROM SOLITARY CONFINEMENT UNLESS I CEASED EFFORTS TO GAIN A PUBLIC TRIAL IN THE KING CASE: HE SAID HE WAS SPEAKING FOR THE "HIGHEST AUTHORITY" I HAD FILED A MOTION FOR A NEW TRIAL THE DAY AFTER I ENTERED THE PRISON, AND SO INFORMED MR. AVERY OF MY INTENT IN THIS MATTER.

THEREAFTER I WAS CONFINED FOR THIRTEEN ( 13 ) MONTHS IN SOLITARY CONFINEMENT AND DURING THE INITIAL PERIOD OF THIS CONFINEMENT HAD TO BE TREATED BY A DOCTOR SEVERAL TIMES FOR NASAL MEMBRANE HEMORRHAGING. THIS ILLNESS ( DAMAGED MEMBRANE ) WAS DUE TO CONFINEMENT CONDITION IN THE MEMPHIS JAIL, I.E., LACK OF VENTILATION. IN ADDITION, DURING THIS PERIOD I WAS ALSO TREATED FOR ESOPHAGUS SPASMS, ALSO RELATED TO THE MEMPHIS JAIL CONFINEMENT CONDITIONS.

AFTER THIRTEEN ( 13 ) MONTHS OF THIS TYPE CONFINEMENT I UNDERSTAND THE



LATE WILLIAM E. MILLER, RECENTLY A JUDGE ON THE UNITED STATES SIXTH CIRCUIT COURT OF APPEALS, INTERCEDED WITH PRISON AUTHORITIES AND HAD THEM TRANSFER ME TO THE STATE PRISON AT PETROS, TENNESSEE -- IF I HAD NOT BEEN TRANSFERRED I DOUBT IF I WOULD HAVE BEEN HERE TODAY.

IN LATE JULY OF 1972 THE PETROS PRISON WAS CLOSED AND I WAS TRANSFERRED BACK TO THE NASHVILLE PRISON. AFTER BEING IN THE GENERAL PRISON POPULATION FOR FOUR (4) DAYS I WAS SUMMONED TO THE MAIN PRISON OFFICE AND INFORMED I WOULD BE RETURNED TO SOLITARY CONFINEMENT. REQUESTING TO SEE THE WARDEN, JAMES ROSE, I WAS INFORMED BY MR. ROSE THAT "PEOPLE OUT IN TOWN" WANTED ME PLACED IN SOLITARY BUT THAT IF I QUITE LITIGATING THE CASE HE WAS SURE I WOULD BE RELEASED FROM SOLITARY CONFINEMENT. THEREAFTER I STAYED IN SOLITARY CONFINEMENT FOR THREE (3) YEARS, THE FIRST EIGHTEEN MONTHS I WAS PERMITTED OUT OF THE CELL, WHICH WAS APPROXIMATELY 6 x 12 FEET, FOR ONLY FOUR MINUTES PER DAY--THAT WAS TO TAKE A SHOWER. THE CELL BLOCK WAS INFESTED WITH INSECTS & RODENTS. DURING THE THREE (3) YEARS I WAS IN THE BUILDING FOUR PRISONERS ( EXH\*F) COMMITTED SUICIDE, TWO BY HANGING & TWO BY SETTING THEMSELVES ON FIRE... NATURALLY THE DOMINANT PRESS IN THE UNITED STATES SAID NOTHING ABOUT THESE SUICIDES, ALTHOUGH IF THEY HAD HAPPENED IN A FOREIGN COUNTRY THE SAME PRESS WOULD HAVE BEEN IN A SELF-RIGHTEOUS RAGE, OR PRETENDED RAGE. DURING THIS PERIOD, SPECIFICALLY IN DECEMBER, 1973, TENNESSEE CORRECTIONS OFFICIALS ACTING IN COLLUSION WITH THE UNITED STATES DEPARTMENT OF JUSTICE, ATTEMPTED TO ILLEGALLY REANSFER ME TO THE FEDERAL MENTAL INSTITUTION IN SPRINGFIELD, MISSOURI...THIS ATTEMPTED TRANSFER WAS AFTER THE AFOREMENTIONED OFFICIALS LEARNED OF A SUIT THAT WAS TO BE FILED IN MY BEHALF IN FEDERAL COURT REFERRING TO THOSE WHO MAY HAVE BEEN

RESPONSIBLE FOR THE SHOOTING OF, DR. MARTIN LUTHER KING, Jr.

OF OTHER POSSIBLE INTEREST TO THIS COMMITTEE DURING THIS PERIOD:

JUST RECENTLY THE AFOREMENTIONED CORRECTIONS COMMISSIONER, HARRY AVERY, HAS STATED HE GAVE ALL OF THE PAPERS, ECT., HE RETAINED OF MINE & THOSE CONNECTED WITH THE KING CASE TO ATTORNEY, THOMAS WARDLOW STEELE, OF THE TENNESSEE ( NASHVILLE ) BAR, AND THAT THE PAPERS SUNSEQUENTLY <sup>4</sup> DISAPPEARED FROM MR. STEELE'S OFFICE.

IN ADDITION, ATTORNEY PERCY FOREMAN HAS TESTIFIED THAT HE TOO GAVE HIS COMPLETE FILE IN THE KING CASE, INCLUDING ALL INFORMATION I HAD GIVEN MR. FOREMAN, TO ANOTHER NASHVILLE ATTORNEY, THE LATER JOHN J. HOOKER, sr., AND THAT MR. HOOKER "LOST" THEM.

Respectfully: James E. Ray

REFERENCES

1. Percy Foreman testified he met with trial Judge, W. Preston Battle 6 or 8 times arranging the guilty plea. See Foreman deposition, Ray v. Foreman, et al, Civil No. 60199, W.D. Tenn.
2. See, CBS-TV tape I supplied this committee wherein Charley Stephens, shortly after the shooting of Dr. Martin Luther King jr., and after viewing by picture, told CBS that I was not the person he seen leaving the 422½ south main street address.
3. prison records, Nashville.
4. I have a copy of the tape wherein Harry Avery made said statements.

**Starts on Page One**

We know of his life in the past, before and after the murder would lead to that he lived on a very limited income of money.

We do not know the source of the small amount of money he possessed, but we know him to have resided in England after being in that country. It is a reasonable presumption that Ray committed this crime in the United States during the time he was in England, as he reports carried other hints of where Ray obtained money to pay \$1095 for a while Masque to escape from Memphis; \$13.35 for the 3000 Remington pump rifle and \$71.00 for Redfield scope telescope sight he used to kill King; Ray for his young trip plane ticket to London.

**THERE WERE** indications Ray was heavily involved in drug traffic in prison for four years prior to the slaying.

**Rhodessa**, a report said.

The documents also showed the FBI scummed for two months explored the theory Ray might have been killed after the assassination. Agents had lab tests conducted wherever unidentified bodies were found any place in the country.

So desperate was the FBI for leads that interested agents secretly paid out thousands of dollars available in reward money.

The discovery of a pair of pliers, a shirt and a pair of colored under shorts near the boarding house where the bullet was fired put authorities on Ray's trail almost instantly. The pliers were identified two days after the shooting as having been sold by the Memphis Hardware Co. on Hollywood.

Ray's name was traced to "Eric Galt," through laundry tags from a dry cleaner establishment three blocks from the hardware store.

The headless in the rooming house

one - one prisoner said he "made" amphitruony and bathhouse; Ray there was testimony from another convict who said Ray "worked" for prisoners in crooked poker games.

Another inmate said Ray had "know" another source of income - the sport of horse racing. He was one of the "horses" in the race.

After he escaped he spent three months in the United States during which he was reconstructed by a plastic surgeon in hypnosis, and had the tip of his nose replaced.

Two months before the assassination Ray, says, met Ernie Starvo, a convict who was in the same prison as Ray. Information about the "big money" Ray was making in prison was given to Starvo by Ray.

At the time of his arrest, Ray was in Portugal - Ray, now traveling under the name of South African Airways, which he had checked off Salisbury.

In Memphis told police he'd "remember" the slaying "silly smile" - a remark which produced several tips from people who knew men with "silly" smiles.

Ray was shy around women. He answered advertisements in a number of girls' magazines. One woman friend said his shyness was so pronounced he could not look her in the eye when they spoke.

Ruler. His "silly" smile would also roll drinks to obtain money and would obtain money any way they could.

thief could obtain money. He characterized him as a "roomer" and a "shorts" near the boarding house where the bullet was fired put authorities on Ray's trail almost instantly. The pliers were identified two days after the shooting as having been sold by the Memphis Hardware Co. on Hollywood.

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The headless in the rooming house

**Ray's Flight, FBI Says**

Ray first pleaded innocent, but stated the court when his case came to trial that March 10, 1959, by changing his plea to guilty. He was sentenced to 99 years.

He since has made numerous appeals, and last fall was granted a short time hitch.

W. Preston Battle, Jr. said, "I don't accept his guilty plea. Ray told Judge and his attorney that he had been innocent without any help from his co-conspirator."

**EVER SINCE** there has been speculation that Ray, a defier who had spent most his life in jail, had been bankrolled by forces eager to silence King's Nobel Peace Prize winner.

As recently as June 27, 1974, however, the FBI files showed, the bureau concluded it could find "nothing to indicate that Ray ever received any large amount of money from anyone, and that there was no one who would be so foolish as to bankroll Ray."

See RAY'S, Page A-1

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2A Kingsport Times / Wednesday, January 25, 1978

## James Earl Ray

FBI agents found Ray to be a 'lonely guy' who answered the ads in girlie magazines.

WASHINGTON (UPI) — James Earl Ray, the convicted assassin of Martin Luther King, is portrayed in FBI files as a painfully shy man who sought women's company through ballroom dance classes, phone calls and sex-oriented classified ads in the back pages of magazines.

Ray was described throughout the FBI probe as the classic example of a "lonely guy" — too shy to look a woman in the eye, yet able to proclaim a preference for oral sex in a letter to a woman he had never met.

FBI files also suggest that Ray sometimes sought out prostitutes. A woman he dated in Puerto Vallarta, Mexico, said Ray advised her of his strict daily budget — \$3 for women and \$8 for drinks.

Prison inmates who served time with Ray in the early 1950s reported he constantly read "girlie magazines," and the FBI files indicate he often replied to the classified ads.

Ray himself placed a classified ad in the Los Angeles Free Press saying: "Wanted: discreet meeting with passionate married female." He left a box number and hired a mail forwarding service when he left the area.

Writing under his alias of Eric

Starvo Galt on Feb. 12, 1968 — less than two months before the King assassination — Ray answered a similar ad. He wrote:

"I am answering your listing in the Local Swinger since I think I share most of your interest, with emphasis on French culture (oral sex) and swing sessions.

"I have just returned from Mexico after five years and the few families I have met don't go for the swing parties and it takes two to swing. The same routine gets boring, don't you think?"

On another occasion he ordered several books from an ad, including one entitled "Unusual Female Sex Practices."

The FBI files contain reports the Post Office Department received obscene letters from Galt, along with pictures of Ray. At least two women complained that he plagued them with late night telephone calls.

Ray also sought to be with women at dance classes. He took classes in New Orleans, Birmingham, Ala., and Los Angeles, and once paid \$499 for 50 one-hour classes — \$150 down and \$30 a week.

But when he met women face-to-face in these classes, he froze. One instructor recalled he "stayed himself."

# King Assassination Witness Grace Walden Freed!

by Greg Roberts

Grace Walden Stephens, a witness who saw the slayer of civil rights leader Dr. Martin Luther King Jr. flee from the Memphis rooming house from where he fired at King, has been freed from the various Memphis and Tennessee state mental wards where she has been confined without due process for nearly 10 years.

Mark Lane, the veteran JFK and King assassination truth digger and current lawyer for James Earl Ray and Grace Walden, freed Ms. Walden at her urging from a Memphis "boarding house" on Thursday, May 4, and subsequently flew Ms. Walden to Los Angeles, where she is presently staying.

Previously, Ms. Walden, a diabetic, had been kept at the State Hospital for so-called psychiatric patients in Bolivar, Tenn., for the balance of the past 10 years.

Dr. King was assassinated as he stood on the balcony of the Lorraine Motel in Memphis on April 4, 1968.

Ms. Walden, then married to Charles Stephens, had been living at the nearby boarding house from where the shot was fired and observed a man fleeing the bathroom, which had been locked for hours, immediately after she heard a rifle shot.

After the assassination, Ms. Walden provided Memphis police and FBI agents with the details of a sketch of the man, which the FBI subsequently released and identified as Eric Starvo Galt, who did not look anything like accused King assassin James Earl Ray.

Interestingly, the man whom Grace Walden saw fleeing the locked bathroom does resemble one of the male "ramps" whom Dallas police had arrested in Dealey Plaza shortly after the JFK assassination there on November 22, 1963, and whom neither the Dallas police nor the FBI have ever identified.

As for Grace Walden, she began to run into problems with the Memphis police and the FBI between May and July, 1968, when she refused to identify James Earl Ray as the man whom she saw fleeing the rooming house bathroom.

After the Robert Kennedy assassination in Los Angeles on June 5, 1968, public opinion forced U. S. intelligence to come up with Dr. King's killers, so the FBI and CIA reluctantly produced James Earl Ray, the King death patsy, in London on June 8, 1968.

However, when British authorities demanded evidence from the FBI that Ray had really murdered King, the FBI office in Memphis tried to convince Ms. Walden and her husband to assert that it was Ray whom she had seen.

"They told me that I would get the

NAACP's \$100,000 reward if I would say it was Ray, but I couldn't accept their money because I didn't see Ray," Ms. Walden has said many times.

According to Lane, what then transpired was the FBI's convincing of Charlie Stephens, a reputed Memphis alcoholic with a long police record, to state that he had also seen the man and that the killer was Ray.

Subsequently, Mr. Stephens applied for the NAACP reward.

However, as for Ms. Walden, on July 31, 1968, two Memphis detectives from the homicide squad came out to the boarding house and picked her up.

From Memphis police headquarters, where Ms. Walden once again refused to say it was Ray, she was handcuffed and taken to the mental ward of the John Gastin City Hospital, where she was swiftly declared "insane."

After spending the night at the hospital, Ms. Walden was then chained with the other psychiatric patients and carted off to the State Hospital in Bolivar.

In recent years, as Mark Lane began concentrating on the King murder — co-authoring a book on the subject with activist-comedian Dick Gregory, *Code Name Zorro* — he and Memphis private detective Renfro Hayes traced Ms. Walden to the Bolivar snakepit.

Needless to say, Lane subsequently launched an international campaign to free Grace Walden, where a great deal of pressure was brought to bear on the Tennessee establishment and on Bolivar chief Dr. Morris Cohen, who reportedly fed Ms. Walden frequent doses of potent drugs such as the dreaded prolixin, a severe tranquilizer.

Recently, Lane's "Free Grace Walden" campaign came to a climax when, on April 20, he and researcher April Ferguson dropped by the Russian Embassy in Paris, France.

With every major intelligence agency

in the world watching and listening, Lane reports that he "visited the Soviet Embassy there, and requested that Russian psychiatrists be assigned to examine Grace Walden in Tennessee.

"Since Dr. Cohen had refused to permit any psychiatrists, including Dr. Benjamin Burstein, the vice-chairman of the Psychiatry Department at the University of Tennessee, to examine Ms. Walden, I also called upon psychiatrists from various other nations to form an international brigade to come to Bolivar and examine her," Lane says.

Meanwhile, in Washington D.C., Associate FBI Director James Adams subsequently acknowledged to newly-appointed FBI Director William Webster, Attorney General Grifflin Bell and CIA Director Stansfield Turner that Ms. Walden was really not insane, and Director Webster, through Adams, told the Memphis FBI office to pull strings to have Ms. Walden released.

Consequently, Tennessee authorities agreed to have Ms. Walden transferred to a boarding house in Memphis, where it was then only a matter of time before Lane was able to contact her.

Once contact was made and Ms. Walden explained to Mark Lane that she would like to take a trip to Los Angeles, they caught the next flight to L.A. from Memphis without further interference from the Memphis police or the FBI.

Subsequently, certain authorities in Tennessee are today heckling Mark Lane and threatening him with contempt, largely as a ploy for them to cover their tracks if and when the Justice Department gets around to prosecuting them.

Mark Lane, incidentally, replied to the Tennessee authorities that he will gladly meet them in court or anyplace else whenever they call.

And we all moved a day closer to a time when James Earl Ray receives a fair trial.

*Security Paper* DATE: Dec 23 1968  
200 MADISON AVE. MEMPHIS  
TENNESSEE

Received of Sheriff William N. Morris, Jr. the  
sum of \$10.<sup>00</sup>. Said monies being sent  
by mail to James Earl Ray, with aliases, from CAROL PERPPE  
who resides at 1035 BELLEVUE MAPLEWOOD, MO. 63143

SISTER The above sum was received in the form of  
No. 7573-4834429

cash,  money order.  
(circle appropriate)

VERA C. STAPLES  
2011 N.W. 45th DR.  
MIAMI, FL.

ROSEN LEE  
Notary Public

BY: [Signature]

James Earl Ray, County Jail

ERRY RAY - 710 ANN AVE,  
LOUIS, MISSOURI. 63104

JAMES EARL RAY 1982

Dear James Earl:

You have heretofore assigned to me all of your royalties from magazine articles, book, motion picture, or other revenues to be derived from the writings of William Bradford Huie. These are my own property unconditionally.

However, you have heretofore authorized and requested me to negotiate a plea of guilty if the State of Tennessee through its District Attorney General and with the approval of the trial judge would waive the death penalty. You agreed to accept a sentence of 99 years.

It is contemplated that your case will be disposed of tomorrow, March 10, by the above plea and sentence. This will shorten the trial considerably. In consideration of the time it will save me, I am willing to make the following adjustment of my fee arrangement with you:

If the plea is entered and the sentence accepted and no embarrassing circumstances take place in the courtroom, I am willing to assign to any bank, trust company or individual selected by you all my receipts under the above assignment in excess of \$165,000. These funds over and above the first \$165,000 will be held by such bank, trust company or individual subject to your order.

I have either spent or obligated myself to spend in excess of \$14,000, and I think these expenses should be paid in addition to

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HE SLEW THE DREAMER

a \$150,000 fee. I am sure the expenses will exceed the \$15,000, but I am willing to rest of that figure.

Yours truly,  
PERCY FOREMAN

Dear James Earl:

You have asked that I advance to Jerry Ray \$500 of the "\$5,000", referring to the first \$5,000 paid by William Bradford Huie. At that time I had spent in excess of \$9,500 on your case. Since then I have spent in excess of \$4,000 additional.

But I am willing to advance Jerry \$500 and add it to the \$165,000 mentioned in my other letter to you today. In other words, I would receive the first \$165,500. But I would not make any other advances—just this one \$500. And this advance also is contingent upon the plea of guilty and sentence going through on March 10, 1969, without any unseemly conduct on your part in court.

P. S. The rifle and the white Mustang are tied up in the suit filed by Renfro Hayes (the private detective who worked for Mr. Hanes). Court costs and attorneys fees will be necessary, perhaps, to get them released. I will credit the \$165,500 with whatever they cost of obtaining them, if any.

HE SLEW THE DREAMER

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In December Mr. Foreman had pneumonia and lost a month's work. But on Friday, January 24, 1969, he flew into Huntsville airport, where I met him and we talked for another four hours between planes. The result was that on January 29, 1969, we signed a four-way memorandum agreement under which Mr. Hanes "got out" by transferring all his rights to Ray, and Ray reaffirmed all his grants to me, with all actions being approved by Mr. Foreman. Then on February 3, 1969, Mr. Foreman phoned Ray clean by having him sign a notarized two-way agreement which reads in part:

KNOW ALL MEN BY THESE PRESENTS: That I, James Earl Ray, presently in Memphis, Shelby County, Tennessee, for and in consideration of his agreement to represent me at the trial or trials of any cases presently pending against me in Shelby County, Tennessee, have signed over, given, conveyed and transferred, and do by this instrument here now give, assign, set over and transfer to Percy Foreman, of Houston, Harris County, Texas, all of my aforesaid right, title and interest in and to the proceeds that would otherwise have accrued to me pursuant to said Basic Agreement and to said Amendment Agreement, and to all of my rights thereunder as well as to any other right or rights that might be or have been mine because of the writing and subsequent publication of such writing by said Author William Bradford Huie, whether included in said assignment by the said Hanes to me under the Amendment Agreement of January 29, 1969, or otherwise, said assignment and transfer herein to the said Percy Foreman being absolute and irrevocable, and I here now authorize and direct any person, firm or corporation having funds due and owing me by virtue of said Basic Agreement, or otherwise owing to me because of the writings of said Author, to pay the same to the said Percy Foreman, at his office in Houston, Harris County, Texas, in his own name and as his own property. I read that agreement with dismay because with it went my last hope of ever being able to exert financial leverage on Ray. It's hard



8-26-75

# Ray Gets More Prison Freedom

By Associated Press  
James Earl Ray, the convicted assassin of Dr. Martin Luther King Jr., is now allowed to mingle with other prisoners at the Tennessee State Penitentiary after years in maximum security.

Acting Warden Robert Morford said the case of every maximum security inmate is studied at regular intervals by the prison's board of review, "and the board recommended that Ray be released into the general prison population."

"I approved it today," Morford said Friday. Ray, 46, has been in virtual isolation ever since his arrest in London for the April 4, 1968, slaying of King at Memphis.

Returned to the U.S. by special plane and kept in a television monitored cell at the Shelby County Jail, Ray pleaded guilty in March, 1969, to murdering King and was sentenced to 99 years.

Morford said there are no

fears that Ray's safety would be endangered by his new freedom.

Ray's new environment will be a state prison built in 1965 to house 1,800 prisoners. Now woefully overcrowded, the facility has a population of about 2,100 inmates.

Morford said it will be next week before it is known what type of work Ray will perform. At the old state maximum security prison, Brushy Mountain, Ray worked for a short time in the laundry.

Since pleading guilty to murdering the civil rights leader, Ray has been trying to get a new trial, but his claim that he was coerced by defense lawyers, including Percy Foreman, Houston, Tex., was rejected late last year after a U.S. Supreme Court-ordered evidentiary hearing.

**A. Arrested**

## Prisoner Found Hung With Cord

The body of a Tennessee State Prison inmate was found hanging by a light cord Friday night by a prison guard, police said today.

Detective Donzateigh Heard identified the inmate as Alex Baxter Jr.

"He left a note, which was so poorly written that investigators have been unable to make any sense from it," the detective said.

Baxter's body was found by prison guard Terry Gwatney as he was making his rounds through the cell block, authorities said.

Prison officials said Baxter, whose last home of record was Nashville, was serving a life sentence with no chance for parole on a 1968 County murder con-

EXAMPIE

SOLITARY CONFINA →

occupied the hotel's three-story building for the day.

woman push two children from the bed, copy and then jump herself.

caution to bequests, whose two of them died.

of the business were not available. "I just couldn't believe it," said Felix

# Byers Knew Of Ray Payoff, Informant Told FBI In 1973

WASHINGTON — The Federal Bureau of Investigation has learned that a St. Louis informant told the FBI in 1973 that Russell G. Byers, a former auto parts dealer and police character from St. Louis, had been paid \$25,000 by James Earl Ray after the assassination of the Rev. Dr. Martin Luther King Jr.

mentally. "He was a completely different man after that." In fact, when Kaufman was arrested in 1967 for selling the car to Ray, he was told by the FBI agent he asked his attorney if he could plead innocent by reason of insanity. The attorney refused, and Kaufman was convicted, however, and Kaufman was convicted.

A Byers in St. Louis County, now deceased, an FBI informant, who had offered to give him a contract to kill James Earl Ray, a St. Louis stock man, who was a "stubby" man, who walked with a limp.

The memorandum then continues with the name of the informant, who is identified as "Laker," with regard to the latter individual, Byers commented that this was not actually the individual who made the offer of \$25,000. Earl Ray later was convicted of the killing.

Several sources have told the Post-Dispatch that Byers was a "stubby" man, who walked with a limp, and was married to a woman who was a "stubby" man, who walked with a limp. One source said that accident also seemed to have impaired Kaufman's

latter, with regard to the latter individual, Byers commented that this was not actually the individual who made the offer of \$25,000. Earl Ray later was convicted of the killing.

The committee did not ask her about the Byers informant, but she said that she had seen a man who walked with a limp, but she did not know his name. Mrs. Kaufman related to discuss the

See BYERS, Page 8

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Information for this story was provided by Paul Wagnon, Robert F. Byers, Jr., and J. Paul Miller, all of the Post-Dispatch staff.

James, also from Imperial, asked him to arrange King's murder.

The memorandum, dated March 19, 1974, was written by a St. Louis agent of the FBI, who is identified as "Laker," with regard to the latter individual, Byers commented that this was not actually the individual who made the offer of \$25,000. Earl Ray later was convicted of the killing.

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Byers was keenly interested, however, in the case of the informant, who had released the contents of the FBI memorandum to the public. And, while turning a limp, he read through a New York Times article on the subject.

Byers' allegations are currently under scrutiny by the House Committee on Assassinations. A committee source told the Post-Dispatch that the committee was still trying to assess the significance of Byers' story.

All names but that of Byers were deleted from the FBI memorandum by the FBI. The names of the informant, Acis Branch, and the memorandum discussed a meeting among Byers and James Earl Ray, who was paid \$25,000 to be killed either \$10,000 or \$20,000 to kill King.

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# Byers

## ■ FROM PAGE ONE

matter, hanging up on a reporter Wednesday night.

The memorandum largely jibes with an account Byers gave about the same time to a reputable St. Louisian.

In about 1974, the St. Louisian told the Post-Dispatch, Byers told him that a stockbroker who had lost his license was involved in offering Byers \$50,000 for King's murder. The stockbroker apparently was Kauffmann.

The \$50,000 figure differs from the \$10,000 to \$20,000 figure cited in the FI memo. Byers said he never intended to go through with the plot, but followed along for awhile out of curiosity.

Byers' allegations have led investigators to speculate that his brother-in-law, John Paul Spica, might have conveyed word of the bounty to Ray at the Missouri Penitentiary, where both were serving sentences at the time of the alleged offer in late 1966 or early 1967.

Spica, who now runs a fruit stand in St. Louis, has denied having any dealings with Ray.

Members of the House committee have refused to say how seriously they are

taking Byers' story. One committee source told the Post-Dispatch that the panel is undecided.

"We're just working on it," the source said. "We haven't come to any conclusions as to how seriously to take it."

The source noted, however, that the intensity of the committee's efforts shows that the panel considers the story well worth investigation.

"Certain things appear to corroborate the story," the source said, without elaborating. "But at this point, we're just following up all angles . . . Basically, we take anything like this seriously until we prove otherwise."

Byers' allegations have focused attention on Kauffmann and Sutherland, whose names had not been mentioned publicly in connection with the King case until last week.

The FBI memorandum went unnoticed by investigators looking into King's assassination for four years because it was filed under Byers' name and not cross-referenced. It was uncovered in March when investigators were reviewing Byers' file in connection with the

theft of statues from the St. Louis Art Museum earlier this year.

Byers is described in the memorandum as a "very treacherous guy." The description apparently came from an associate of the FBI informant, who cautioned the informant "to stay from him if he wanted to stay out of trouble."

One of the investigators on the staff of the House committee was the federal drug agent who 11 years ago led the investigation into Kauffmann's illegal sale of amphetamines. Kauffmann was convicted in 1967.

The investigator Harold D. Leap, has been on the committee staff since last year. That indicates that he was not just hired to follow up on the Kauffmann angle, which was disclosed to the committee in March.

While heading the successful effort to prosecute Kauffmann and seven co-defendants, Leap was wounded in a shooting on a country road in St. Louis County.

No arrests were ever made in the shooting.

A well-placed source said drug agents suspected one of Kauffmann's co-defendants, but no evidence was developed linking any co-defendant to the shooting.

In addition two St. Louis County policemen who investigated said they and federal drug agents had questioned the authenticity of Leap's story.

Leap told county police that a car blocked his path on Sulphur Springs Road on his way back home after a late night meeting Sept. 22, 1967, with the informant, who had helped make the case against Kauffmann. The informant, Dallas Barr, had taken active part in Kauffmann's illegal amphetamine operation.

Leap said he struggled outside his car with two men from the other car before being shot in the head by his own pistol. The wound was superficial and he soon regained consciousness.

Leap refused to comment on his work with the assassinations committee or the shooting.

## FEDERAL BUREAU OF INVESTIGATION

Date 4/7/68

LOYD JOWERS, owner, Jim's Grill, 418 South Main Street, advised that at approximately 3:55 p.m. on April 4, 1968, he arrived at the Grill, and parked directly in back of a white Mustang that was parked on the street directly in front of his Grill. He stated that he believed that the car had Mississippi license plates on it because they were of an orange or orangish-yellow color. He stated that upon parking the car he went into the Grill where he saw a stranger sitting at the bar having a meal. He stated that it was unusual for him to get any strange customers in the Grill since most of his customers were local people of a steady nature. Mr. JOWERS described the stranger as follows:

Race:	White
Sex:	Male
Height:	5'8" to 5'9"
Weight:	160 pounds
Build:	Heavy
Age:	27 to 30
Hair:	Sandy
Complexion:	Ruddy
Dress:	Wearing a dark suit.

He stated that the man finished his meal and left the Grill, and he could not notice in which direction he walked, but he did not get into the white Mustang, which was parked in front of the Grill.

Mr. JOWERS stated that this same individual returned to the Grill at about 8:00 p.m. on April 5, 1968, and ordered breakfast. Mr. JOWERS stated that in his estimation, this individual acted strangely because he seemed very calm when everyone else at the Grill and in the area was excited over the shooting. In view of the fact that he felt the individual was acting strange and also because he was a stranger in the area, Mr. JOWERS called the Police, and told them that he had a man of a suspicious nature at the Grill. He said that when the stranger

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On 4/5/68 at Memphis, Tennessee File # 44-1987  
 by SAs [REDACTED] Date dictated 4/5/68

ME 44-1987

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finished his breakfast, he left the Grill and was arrested on the sidewalk in front of the Grill by the Memphis Police Department.

[REDACTED] Homicide Bureau, Memphis Police Department, later identified this arrested individual as GENE PEARSON CRAWFORD, [REDACTED] Jackson, Tennessee, who was determined to have had no part in the murder of Dr. MARTIN LUTHER KING, JR.

Mr. PREYER. At this time, Mr. Ray, the Chair will shortly declare a 5-minute recess.

I might outline the schedule for the hearings. We anticipate breaking for lunch at 12 o'clock today and we will resume again at 2 o'clock and we will run to 5 o'clock in the afternoon.

Let me caution again everyone in the audience to please remain seated and stationary while Mr. Ray is escorted from the room.

At this time the marshals are asked to escort Mr. Ray from the room. We will resume in 5 minutes.

Let me say to the other members of the audience, because of security precautions it is difficult to move all of you in and out of the room. The Chair will request that all of you who wish to remain in the hearing until 12 o'clock today to please remain seated in the audience. If you wish to be excused for some compelling reason, if you will hold up your hand and let the marshal recognize you, or if you intend to leave permanently, we will excuse you at this time.

The Chair will take a 5-minute recess.

[Whereupon, a 5-minute recess was taken.]

Mr. PREYER. The committee will resume its sitting. The Chair will ask all members in the audience to please be seated.

The Chair will again remind all persons in attendance that they will remain seated and stationary when Mr. Ray is escorted into the room.

The marshals are directed to close the doors and to keep them closed.

The marshals are directed to bring Mr. Ray into the committee room.

The Chair recognizes Chairman Stokes for such time as he may require.

Chairman STOKES. Thank you, Mr. Chairman.

Mr. Ray, you have now been incarcerated for some 10 years for the assassination of Dr. Martin Luther King. During this period of time you have continued to profess the fact that you are innocent of the crime. You are now serving the balance of a 99-year sentence for that crime. This is the first occasion you have had to tell the American people your side of the story and what really did in fact happen. Obviously, then, on this occasion it behooves you to tell the American people the entire truth; doesn't it?

Mr. RAY. Yes; that is correct.

Chairman STOKES. Now, your appearance here today is pursuant to a subpoena issued by this committee that is based upon the request you made over 1 year ago to be able to tell this committee the truth about the matter for which you are incarcerated; is that true?

Mr. RAY. That is correct.

Chairman STOKES. Now, over the 10-year period, you have, of course, told your story to various people, to journalists, to lawyers and other persons; have you not?

Mr. RAY. I don't believe journalists. I didn't have—I had very little contact with journalists until 1974 or 1975. It was mostly just attorneys.

Chairman STOKES. How about Mr. Huie?

Mr. RAY. That was a financial arrangement between Mr. Huie and the lawyers. I had a lot of trouble with Mr. Huie. I found out he was in effect working for the FBI and I had to give him false information

and he was issuing threats to me and that type of thing. So that was a very poor relationship.

Chairman STOKES. Well, but you told your story to Mr. Huie, didn't you, in what is known as the 20,000 words?

Mr. RAY. No; I don't believe it was 20,000 words. I believe that is his characterization. I wrote out various things and gave them to the attorneys and the attorneys gave them to Mr. Huie but there were considerable papers. I haven't seen those papers since 1972, but I understand the committee has them.

Chairman STOKES. Well, the story told to Huie, and as reported by Huie; is it basically true?

Mr. RAY. When I first started to giving the information to Mr. Huie, I was in the Memphis jail. He was under a deadline. He wanted the information fast. Consequently, I made some mistakes about dates and things of that nature and several times I would correct it. I would—on recollection I would find out I gave him some false information, unintentionally, and then later on when it was evident he was giving information from me to the FBI, I started giving him deliberately false information. One example was how I escaped from the Missouri prison. Another example would be one time I told him the truth about robbing this house of prostitution in Montreal, and so at that time I was beginning to suspect that he was giving the information to the FBI, so I told the attorney representing me, Arthur Hanes, Sr., I really didn't hold up a house of prostitution, I held up a supermarket. The next day Arthur Hanes, Jr., who was helping senior, came back and told me he, Mr. Huie, didn't want to hear any more of my fabrication, things of that nature.

Chairman STOKES. So that the record is straight, so that the American people know when you were telling the truth and when you were not telling the truth, what you told Huie about your escape from the Missouri prison is not true; is it?

Mr. RAY. No; I think I was required to protect the people that helped me escape at that time.

Chairman STOKES. I understand. What you told Mr. Huie about robbing the brothel was not true?

Mr. RAY. That was true.

Chairman STOKES. That was true?

Mr. RAY. The supermarket was not true.

Chairman STOKES. I see.

Didn't you also tell him something that became known as the white sheet story?

Mr. RAY. Yes, sir.

Chairman STOKES. What was the white sheet story?

Mr. LANE. Excuse me. If you are going to question Mr. Ray from documents which he has not seen for many, many years, it would seem only fair, in the interest of fairness, that you should give him a copy of those so he can look at those and then have his recollection refreshed, as would be done in any court.

Chairman STOKES. Mr. Chairman, I don't recall that the witness has stated that he needs his recollection refreshed. It would seem that the witness ought to be permitted to answer.

Mr. PREYER. The Chair will direct the witness to answer the question.

Mr. RAY. In respect to these documents, I have told the committee that it wasn't necessary for me to see them.

Jack Kershaw, an attorney representing me, got the documents. He was supposed to give me a copy of them, but he didn't want to pay for the Xerox. And he gave them to the committee and the committee was supposed to give me a copy, and I told the committee I wouldn't need them. But to answer Mr. Stokes' question—would you repeat that? I have a short memory.

Chairman STOKES. Sure. The question was: What was the white sheet story, Mr. Ray?

Mr. RAY. Well, me and Arthur Hanes, Sr., had an agreement we wouldn't tell Mr. Huie certain transactions that happened on April 4, because we thought that would be giving the prosecution an unfair advantage. In other words, we were telling him everything indirectly and they weren't telling us anything. Consequently, when Mr. Hanes came up one time, he said Huie wanted an explanation of what I was doing at 5:30 or 6 o'clock, when I knew Mr. Huie was having some type of proceedings against the Klu Klux Klan. Tell him I was sitting in the car and someone ran out of the house with a white sheet over their head and jumped in the car and we took off. And later on, in 1974, I think Mr. Hanes testified to that effect in a habeas corpus hearing in Memphis.

Chairman STOKES. So that the record is clear, what you said in that story was that you were seated in the white Mustang and Raoul came out of the roominghouse, jumped into a Mustang with you, threw a white sheet over his head, directed you to drive down the street, which you immediately did; wasn't that the story?

Mr. RAY. No; I never did. Everything I told Mr. Huie I wrote down on paper. What you are quoting there is a verbal conversation between Mr. Hanes and I. It's been changed over the years several times. You are not reading that from a document are you?

Chairman STOKES. No; I am not reading from a document. I am trying to find out from you when you told the truth and when you did not tell the truth, and I am trying to find out whether the white sheet story is the truth or not.

Mr. RAY. The white sheet story was a joke.

Chairman STOKES. Now, the basic story that you told Percy Foreman; is that true?

Mr. RAY. The story that I told Percy Foreman? No; I never did tell him anything. He never even asked me if I was guilty of the crime.

Chairman STOKES. I see.

Mr. RAY. He assumed I was.

Chairman STOKES. On October 29 and October 30, 1974, you testified under oath, in your own behalf, in a habeas corpus petition brought in the U.S. District Court for the Western District of Tennessee. Do you recall that?

Mr. RAY. Yes.

Chairman STOKES. And was the substance of your testimony on that occasion truthful?

Mr. RAY. Yes; that is correct.

Chairman STOKES. Now, on March 9, 1977, you granted an interview to Dan Rather of CBS News. Was the substance of the statement that you gave to Dan Rather truthful?



Mr. RAY. Well, it could be. I don't know every punctuation and every word in there was true. It was a long transcript. I never did read the transcript, but it was—I think it was essentially true.

Chairman STOKES. The clerk will show Mr. Ray exhibit F-25, please. Will the Chair at this time accept MLK F-25 and order that it be made a part of the record?

Mr. PREYER. Without objection, be it so ordered.

[The document was handed to the witness by the clerk.]

MLK EXHIBIT F-25

# CBS NEWS

070077

A Division of CBS Inc.  
524 West 57 Street  
New York, New York 10019  
(212) 975-2787

Robert Chandler, Vice President, Administration  
and Assistant to the President

Dear Mr. Ray:

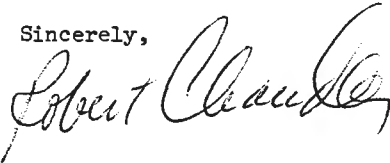
March 25, 1977

Thank you for your letter requesting the unedited transcript of your interview with Dan Rather. I enclose a copy; I am unable to provide you with two copies, but you are free to duplicate it.

Under our policy, we furnish unedited transcripts only to the subject of the interview, and I am therefore unable to comply with your request to furnish a copy to Mr. Lehner.

We appreciate your having done the interview.

Sincerely,



Mr. James Earl Ray  
Brushy Mountain State Penitentiary  
Petros, Tennessee 37845

MLK EXHIBIT F-25

**SENSITIVE**

**RESEARCH UNIT-MLK  
CONTROL COPY**

MARCH 9, 1977

CBS \_ SPECIAL REPORTS -

INTERVIEW JAMES EARL RAY - DAN RATHER

SOUND ROLL 1

TAKE 1

DAN RATHER:

Mr. Ray, first in brief, if you would tell me a bit about your family. Where you grew up, how you grew up and how you first got in trouble with the law.

JAMES EARL RAY:

Uh..Well I grew up most in Illinois. That was where I was born the State of Illinois. And, I think my first trouble with the law was in 1952, serious trouble.

Q:

How did you get into that trouble?

JAMES EARL RAY:

That was, I believe it was a robbery charge or something.

Q:

What I was looking for was some of the tone and texture of how you grew up as a boy. Now

SOUND ROLL 1

TAKE 1

Q CONTINUED:

and how you think you first got into trouble. I mean, was it a case of coming from a family at the low end of the economic scale? Or you ran with companions who got in trouble? Or how did that go?

JAMES EARL RAY:

Well, I don't know. That is difficult to explain. I couldn't really...I'm not sure the economic scale has much to do with it because if it did you probably would have...fifteen ~~or twenty~~ twenty million penitentiary cell mates. I just couldn't answer that question.

Q:

And, you went to school for how long?

JAMES EARL RAY:

Possibly eight or nine years.

Q:

And then, you've been in prison how many times?

\* \* \* \*

SOUND ROLL 1

TAKE 1

JAMES EARL RAY:

I believe about three or four times now.

Q:

That includes this present time?

JAMES EARL RAY:

That includes this time, yes.

Q:

Were the previous times all or nearly all on robbery charges?

JAMES EARL RAY:

Well, it was monetary gain but it wasn't much. There was no other ...you are contrasting that to moral offenses something like that. It was all robbery charges, yes.

Q:

I see. What I would like to get you to do since I have never really heard your side of the story, is insofar as you can, take me from April, 1967 when you escaped from the Missouri State Penitentiary in Jefferson City, until the

SOUND ROLL 1

TAKE 1

Q CONTINUED:

time you were arrested in London after the shooting of Martin Luther King. I would like for you to tell me your side of that story all the way through.

JAMES EARL RAY:

Well there are so many details. That would be hard. I could hit the highlights maybe and you could ask me certain specifics.

Q:

Fine.

JAMES EARL RAY:

Well, I escaped in April 1967. And then I went to Chicago. I stayed there I believe it was two months and after I stayed there two months, established an identification and things like that. Residence ..I went to Canada. And I think I was up there about approximately ... five or six weeks.

Then I returned to the United States. And...

SOUND ROLL 1

TAKE L

JAMES EARL RAY:

of course, I was in Mexico and then in California five or six months. And, later I got arrested in England for these charges. Shooting Dr. King.

But, I am sure that is not what you want. You want some more specifics.

Q:

Well, we can talk about specifics but I just want to get a rough outline so when we ask specifics.

JAMES EARL RAY:

Yes.

Q:

People are watching maybe will be able to follow us. So, you escaped from the Jefferson City Missouri State Penitentiary April, 1967.

JAMES EARL RAY:

April, 1967.

Q:

Then you went to Chicago?

SOUND ROLL 1

TAKE L

JAMES EARL RAY:

Chicago, yes.

Q:

Then into Canada.

JAMES EARL RAY:

Into Canada.

Q:

Then came to the United States, Southern part  
of the United States?

JAMES EARL RAY:

Yes.

Q:

Then went to Mexico?

JAMES EARL RAY:

Mexico, yes.

Q:

Came back to California.

JAMES EARL RAY:

California.

\* \* \* \* \*



SOUND ROLL 1

TAKE 1

Q:

Made a trip or two to the South.

JAMES EARL RAY:

New Orleans, yes.

Q:

And then in April of 1968, about a year later, went back to Canada and from Canada on to England and on to Portugal?

JAMES EARL RAY:

That is correct. And then back to England.

Q:

Well, I am interested in as much detail as you can give me. Let's start with your first... when you escaped from the Missouri State Penitentiary and went to Chicago. What did you do in Chicago?

JAMES EARL RAY:

I worked in a restaurant there approximately two months, in Wineka, Illinois. And, it was my intention when I left the restaurant job.

SOUND ROLL 1

TAKE 1

JAMES EARL RAY CONTINUED:

to go to Canada and stay there. And then I got ...leading the cradle around. I guess it is the same story as usual. And I did return to the United States and from then on you more or less know what happened then.

Q:

Well, tell me about that. You went to Chicago and established your identification?

JAMES EARL RAY:

Yes.

Q:

A new identification. Under what name was that in Chicago?

JAMES EARL RAY:

That was in the name of John Ryans.

Q:

Then you went into Canada so your intention was to really stay in Canada and go on from there?

\* \* \* \* \*

SOUND ROLL 1

TAKE L

JAMES EARL RAY:

Yes.

Q:

Well, tell me what happened in Canada? That first time?

JAMES EARL RAY:

Well, when I first went there it was my intention to try to get a passport in some manner to get to Australia or to England or some English speaking country. But, that never did work out. They had some legality whereby you had to live there two years to establish a domicile. Then later on I met up with some people, I thought were possibly narcotic smugglers. I made a trip back into the United States. I made two trips back in the United States.

And then, one thing led to another and consequently I got this charge against me which I'm incarcerated on now.

SOUND ROLL 1

TAKE 1

Q:

Let's go back to that time in Canada. This would have been in what month of 1967?

JAMES EARL RAY:

I don't have all the exact dates. I have all in a safe deposit box. I could confirm them in court. But, I think it was approximately August or September, 1967.

Q:

All right. You are in Canada and your intention is to go from Canada to some place else in the world but, that doesn't quite work out.

JAMES EARL RAY:

Yes, I checked through the travel agencies and things like that. But, instead of going there personally I checked by phone and I got ...I got the correct information but I didn't get in depth. I found out later when I went there a second time that you could ...you didn't have to have a two year domicile, you could have

SOUND ROLL 1

TAKE L

JAMES EARL RAY CONTINUED:

someone do..or you could make a sworn statement  
about passports that way.

Q:

But, you didn't know that at that time?

JAMES EARL RAY:

I didn't know at that time.

Q:

That first time? Now, you said that you then  
made contact. This was in the summer.

JAMES EARL RAY:

Yes.

Q:

And early fall of 1967.

JAMES EARL RAY:

Yes, yes.

Q:

That you made contact with a criminal element  
there. Can you tell me about that?

\* \* \* \*

SOUND ROLL 1

TAKE 1

JAMES EARL RAY:

Well, there is not too much to tell. I just.. it was just what I considered some type of a smuggling operation or narcotics. I'm sure.. the Attorney General referred to it in 1974 in the Memphis papers corpus. So, possibly the Justice Department would know more about it than I do. Especially you know, in depth. I just knew alias' and things like that. And of course, I was using alias' myself.

Q:

You made a couple of trips across the border, the United States border from Canada?

JAMES EARL RAY:

Windsor, Canada, yes sir.

Q:

Were those smuggling trips? Mr. Ray?

JAMES EARL RAY:

Well, I assume they was. Since I was paid for them I couldn't...they couldn't have been anything else, actually.

t

SOUND ROLL 1

TAKE 1

Q:

If I assume that those were dope smuggling trips would you argue with that?

JAMES EARL RAY:

No, I wouldn't argue with it, no sir.

Q:

Then you left Canada and went to the Southern part of the United States approximately when?

JAMES EARL RAY:

Uh..I would say that would be in probably October of 1967, or September.

Q:

Late fall or early winter of 1967?

JAMES EARL RAY:

Yes.

Q:

And, how and why did you go to..was it to Atlanta or Birmingham at that time?

JAMES EARL RAY:

It was Birmingham, yes.

SOUND ROLL 1

TAKE 1

Q:

How and why did you go to Birmingham? From Canada that first trip?

JAMES EARL RAY:

Uh...well, to begin with, returning from Windsor, it was my impression whatever kind of situation I was involved in would be ...that money wasn't primarily the problem. It was passport traveling. And I was under the impression that after these two or three border crossings, transactions, that I would get a certain amount of money. Not too much money but a passport. A forged passport. And that never did come about.

Then later on I was told that maybe if we would go to try something else maybe Mexico or something, that then they could get the passport then. And, I was given a certain amount of money. I think, it wasn't a large amount. It was seventeen or eighteen hundred dollars. And then



SOUND ROLL 1

TAKE 1

JAMES EARL RAY CONTINUED:

I went to ...the original agreement was to go to Mobile but I didn't want to go there. That was too small a town and besides that it's .. I had some type of an allergy and I didn't want to go there. I had lived on the Gulf Coast before one time. So, I just suggested Birmingham and that was agreed on, I would go to Birmingham.

Q:

Being a more inland city and larger.

JAMES EARL RAY:

It was larger and you could get lost quite a bit easier.

Q:

Did the people you were working with at that time, the contacts you had made in Canada, indicate why they wanted you to go to Birmingham?

JAMES EARL RAY:

I assumed it was some type of ...similar to Canada, smuggling operation. I didn't know.

SOUND ROLL 1

TAKE 1

JAMES EARL RAY CONTINUED:

Actually when you are dealing with people outside the law you don't, you know, interrogate them too much, especially if they are furnishing the money. Why you pass interrogation up.

Q:

So, when you got to Birmingham what happened?

JAMES EARL RAY:

Well, at the time I got to Birmingham, I didn't meet an individual there. Later on the same one as in Canada and we purchased a car and it was not too much happened there. It was more or less just a ...waiting game I guess you would call it. But, later on I ...we made arrangements to go to ...I was supposed to go to New Orleans and pick up an individual but, when I got to... I think I got to Baton Rouge, Louisiana and I called a number and I was...it was ..the meeting place had been changed to Mexico. So, I went to Mexico, bypassed New Orleans.

SOUND ROLL 1

TAKE 1

JAMES EARL RAY CONTINUED:

After we got to Mexico, then we...it was more or less the something as happened in Canada. The same thing all over again except that I think we took some stuff across you know, in a tire. Something like that.

Q:

Smuggled something from the United States into Mexico?

JAMES EARL RAY:

Uh, yes that is correct.

CUT

ROLL 2

SOUND 2

Q:

I want to pick up the story in ...we are now in late 1967.

JAMES EARL RAY:

Yes, that's correct.

Q:

And you drove from Birmingham to Baton Rouge, on into Mexico.

JAMES EARL RAY:

I'm not really positive about Baton Rouge but I think it was there. The reason I remember it somewhat at all I believe it is the State capitol. I have some recollection of seeing that.

Q:

But, you were smuggling something from the United States into Mexico?

JAMES EARL RAY:

I assume I was, yes. I don't have no proof but I assume one gives you something, money it is for some type of ....

ROLL 2

SOUND 2

Q:

Again, if I were to assume that was narcotics of some kind, would you argue with me?

JAMES EARL RAY:

Yes. I don't believe you would smuggle narcotics into Mexico it probably would be something manufactured. Manufacturing products have a high resale value. I know if you buy a car in Mexico, I think it costs ten thousand dollars where up here it would cost three thousand five hundred.

Q:

I'm groping here but could it have been jewelry?

JAMES EARL RAY:

I always did assume that. But the investigator in the case he seen it was counterfeit money.

So, take ~~my~~ your choice I suppose.

Q:

Jewelry, or counterfeit money or perhaps both.

JAMES EARL RAY:

Well, I don't know. Possible.

ROLL 2

SOUND 2

Q:

Did you carry anything back by way of smuggling anything in on the trip?

JAMES EARL RAY:

No, I was alone that time. I didn't smuggle anything at that time.

Q:

So, you're in Los Angeles. This is very late 1967.

JAMES EARL RAY:

I think I arrived there in November of 1967.

Q:

And, what happened in Los Angeles?

JAMES EARL RAY:

There was not too much happened there. I made several attempts to get various identification to get out of the United States though. I contacted the Coast Guard/trying to get merchant seaman papers. I think the Justice Department knows this because they have my phone records and

SOUND 2

ROLL 2

Q:

So, you are in Mexico and then what happened?

JAMES EARL RAY:

Uh..well, I stayed there about six weeks I guess. Altogether but I never received any travel documents or anything. I was given some money and given an address to contact a party in case I wanted to. But, at that time, I never..I didn't intend to get involved in any more of that unless it was ~~xxxxx~~ absolutely you know, ~~xxx~~ there was no other way to get the documents. So, I stayed there about six weeks and I made uh. .two or three efforts to go from Mexico to a foreign country. And, none of those turned out. So, then I returned to Los Angeles. And....

Q:

You drove to Los Angeles?

JAMES EARL RAY:

Yes, from Mexico. From Mexico, yes.

ROLL 2

SOUND 2

JAMES EARL RAY CONTINUED:

then I think by and by I did contact this party in New Orleans and I made a trip there in December of 1967. And...I got the impression that there was prospects in it for something else. But, of course, this passport problem was getting kind of old but, at that time it was getting so it was money and passport again. I never had too much money at one time. I think two or three thousand dollars, plus the car. And, of course, I had made several attempts at Los Angeles to find employment but, at that time, I didn't have any social security card.

I didn't want to use this other one I had done used because I believe the government checks on ~~you~~ those cards every so often. So, uh...we finally did make some kind of arrangement down in New Orleans and ...which was later on led me to go to Atlanta.



ROLL 2

SOUND 2

Q:

So you spent this time in Los Angeles.

JAMES EARL RAY\_

I was there about five months, yes sir.

Q:

But, then re-established your contact in New Orleans, in the New Orleans area?

JAMES EARL RAY:

If my recollection is correct, they established contact with me through the general delivery in the post office, in Los Angeles because I remember I went down there once and ...it has been quite awhile ago but I remember, I went down. They sent me downstairs for something, for a general delivery contact or something.

Q:

Uh huh.

JAMES EARL RAY:

But I don't...

Q:

These were the same people that you had met on your original trip to Canada when you fled from

ROLL 2

SOUND 2

Q CONTINUED:

Chicago to Canada.

JAMES EARL RAY:

Yes, I never met with one individual except the once and that was in Mexico and he was driving the car. So, I don't know...he appeared to be a Latin type person. So, I don't know.

Q:

I obviously would like to talk about him but I would like to carry forward with the chronological order.

JAMES EARL RAY:

Yes.

Q:

So, after California then..you then went to Atlanta? This would have been in early 1968?

JAMES EARL RAY:

I believe that would have been about March of 1968 when I arrived there, yes.

\* \* \* \*

ROLL 2

SOUND 2

Q:

And then what happened? You are now in Atlanta, March, 1968.

JAMES EARL RAY:

Well, I think we can back up a bit. I originally went to ...I was supposed to meet an individual in New Orleans. Well, he wasn't there and he was supposed to be and he had moved onto Birmingham. And, I was supposed to meet him in a restaurant, in a bar I had frequented before. And, I think when I got there he was going to Atlanta or somewhere. Let's see.. No, it originally was New Orleans when I was supposed to meet. He went to Birmingham.

I met the individual in Birmingham. And I was late getting there or something. And then, we went from there to Atlanta and we rented a room in a kind of rundown neighborhood.. there. And, I was there...I believe I stayed there about

ROLL 2

SOUND 2

JAMES EARL RAY CONTINUED:

five days.

Q:

All right. And, after that what happened?

JAMES EARL RAY:

Well, after that I think he returned this individual. He was using a Latin name Raoul or something. I don't know his last name. Of course, I was using the ...I have used so many I forgot which one I was using at the time. I think it was Gault, I believe.

Q:

Still Eric S. Gault wasn't it?

JAMES EARL RAY:

Yes, I believe that is the one I was using at that time. And that is one he knew me under. And, then ..the story then, it wasn't too heavy a story but it was heavy enough for me, that we was going to get some weapons or something and take them into Mexico, somewheres and he wanted

ROLL 2

SOUND 2

JAMES EARL RAY CONTINUED:

me to check them out, in Atlanta.

But, all my identification at that time was in Alabama so, uh...I never had purchased any weapons in sporting goods stores or anything. Mostly professional criminals they buy weapons off a fence. They never buy them from ...legally you know.

So, I suggested that maybe we ought to go to Birmingham because I thought if they asked for identification out of State they would wonder how come I wasn't buying weapons in you know, Birmingham.

Q:

And, you had an Alabama driver's license at that time?

JAMES EARL RAY:

Well, at that time yes. So then we went onto

ROLL 2

SOUND 2

JAMES EARL RAY CONTINUED:

Birmingham and to check on these various weapons. Rifle, and that is where the rifle come in at. And, the individual asked me not only to check on the rifle but various army surplus rifles.

Q:

This is this man you knew as Raoul?

JAMES EARL RAY:

Yes. And I did check on the various surplus rifles. I think I handled a bunch of them and I suppose the FBI has my prints off those rifles. And so, I purchased one of these rifles. I think it was some kind of a military rifle. But it was the wrong type because it was suggested that I ~~sk~~ take it back. So, I took it back the next day and got the right kind, specified type. I think he wrote it down on a paper and I give it to the salesman. And, the exchange was made and that was about ...end of the deal. I left Alabama shortly after that. That was in March

ROLL 2  
SOUND 2

JAMES EARL RAY CONTINUED:

of...late March, 1968.

Q:

Now, at ~~ixx~~ this time, the man Raoul was saying to you that he was trying to setup some sort of gun running operation from the United States to Mexico?

JAMES EARL RAY:

That was my impression. Yes, he talked that.

Q:

Did he mention any ultimate destination for the weapons? Cuba, Central America, Canada?

JAMES EARL RAY:

No, there was never ..there was never any mention of a foreign country except Mexico. The only... I think theonly time a foreign country was ever mentioned was I know in 19...in November of 1967 I made a trip there to meet him in New Orleans And he said something about we would take these guns and all this stuff and make this deal that

ROLL 2

SOUND 2

JAMES EARL RAY CONTINUED:

were needed. I would get a certain amount of money, ten or fifteen thousand dollars plus travel documents. He said something...he mentioned Cuba but I wasn't under the impression whether he was going to fight his way in or go in there voluntarily. So, I don't know...I didn't want to get involved in that type of thing anyway. I wanted to get out in the country where they wouldn't be too, you know, there wouldn't be too many problems there.

Q:

Again, I want to come back to this later because this could be very important. But I would like to again pick up the chronological story. So, you made the purchase of this ~~rif~~ rifle in Birmingham?

JAMES EARL RAY:

Yes.

\* \* \* \* \*



ROLL 2

SOUND 2

Q:

This is the second time you had one and took it back and got the other in Birmingham. And then you left Birmingham in late March, 1968, right at the end of the month?

JAMES EARL RAY:

I would say March 27th or 28th, yes.

Q:

And then what happened?

JAMES EARL RAY:

Well, after I delivered the rifles, the last one I purchased, I was suggested, told to go to Memphis at the time. This is March the 27th and 28th. ~~And~~ And the thing that really stuck i n my mind on this was, I don't think that Dr. King had made a determination to return to Memphis until ..I think he made it public about April 1st.

Q:

He did make it public April 1, 1968.

ROLL 2

SOUND 2

JAMES EARL RAY:

Well, in..it was suggested that I go there around March ~~25th~~ 27th or 28th, the sameday I purchased the rifle. And I did go to ...I was supposed to be there ~~x~~ in two or three days. I forget just the exact amount of ah days. But I did go in... not a direct line, but towards Memphis. And I stayed at several motels between Memphis and Birmingham.

Of course, I have never been able to find the hotels. I'm sure the Justice Department have the hotels because I used the Gault name.

CUT

END OF ROLL 2

ROLL 3

SOUND 3

Q:

All right. It is at the very end of March, last two or three days of March, 1968. And you are driving from Birmingham toward Memphis.

JAMES EARL RAY:

That's correct.

Q:

And, pick up the story there for me if you will.

JAMES EARL RAY:

Well, like as I believe I mentioned, I stayed in three or four motels there. And, I was supposed to meet this individual in a motel. I believe it was in Memphis.

Q:

This again by the individual you mean the man you knew as Raoul?

JAMES EARL RAY:

Yes. But in my ...presiding list of attorneys I didn't make a mistake on the motels. I had one motel in Mississippi mixed up in Memphis or

ROLL 3  
SOUND 3

JAMES EARL RAY CONTINUED:

something. The one was in Mississippi and I stayed in March 2nd. Of course, the Justice Department they claim I was in Atlanta March 2nd.

Q:

Excuse me I believe you mean April 2nd.

JAMES EARL RAY:

April 2nd, yes. That's right. The one I stayed in April 2nd was the Desoto Motel in Mississippi. Right across the county line from Memphis. The state line.

Q:

That was two days before the shooting of Dr. King.

JAMES EARL RAY:

That would have been April 2nd, yes. And ...

Q:

So, that was the Desoto Motel?

JAMES EARL RAY:

I never did find out the name of that motel until

ROLL 3

SOUND 3

JAMES EARL RAY CONTINUED:

I asked the policeman who was guarding the cell and he ...I explained the location and everything. And he said, yes, that's the Desoto Motel. The police had had a lot of calls there before, so... there was no question about that.

Q:

So, on April 2nd you were at the Desoto Motel in Mississippi? And, did you see Raoul at that time?

JAMES EARL RAY:

No, that's where I...I had some conflict with attorneys because I gave them ..the hotel where I actually named was a rebel motel. The new rebel motel in Memphis. But I got the motels confused, especially when...the attorney then that was representing was named Arthur Haines. And, he made a fairly good investigation but he was unable to find this one motel. And I think that is how we got confused on these various

ROLL 3

SOUND 3

JAMES EARL RAY CONTINUED:

names of the motels. But, I think the Justice Department has a record of them.

But anyway I think it was on April 3rd that we had the meeting in this hotel in Memphis.

Q:

Sorry to interrupt but I want to make sure that I understand this. On April 2nd you were at the Desoto Motel in Mississippi. On April 3rd you moved to the new rebel motel in Memphis.

JAMES EARL RAY:

Yes.

Q:

All right. It is the night of April ~~2nd~~ 3rd at the new rebel motel in Memphis. And what happened there?

JAMES EARL RAY:

Well, this is when I got rid of the rifle. I give this to the other party at that...the ~~my~~ new

ROLL 3

SOUND 3

JAMES EARL RAY CONTINUED:

rebel motel that night. And, I was given some other address in Memphis to meet him sometime the next day. And, subsequently I did but I had never been in Memphis before and I got ... lost more or less. But, I finally did find the address. I went to two, three different bars on ~~Max~~ Main Street and found the correct address. And, that brings up April 4th I think.

Q:

All right. Tell me as much as you can about what you did on April 4th, 1968.

JAMES EARL RAY:

That would be difficult to do. I did so much within a..within I would say a two hour period. Of course, the Justice Department they never had any evidence that I was in this area at all. But, in the motel or anything, in the rooming house or anything like that. But, I think that was the original intent of the lawyers just to

ROLL 3

SOUND 3

JAMES EARL RAY CONTINUED:

let the State present their case and they couldn't prove I was there, doing anything. And that would be...it was.

But actually for a fact, on April 4th uh... I was..I did rent a room there but under the instructions of someone else. I was just ... this was ~~h~~ about four o'clock. I couldn't be certain. It maybe a little later than that.

Well, during this time I believe the State's witness, Charles Stevens or something like that, he testified that some individual locked himself in the bathroom two or three hours. Two hours.

But, during this period I was ...I had went to a tavern once and then another time I went to a sporting goods store to pick up some ~~ix~~ type of a binoculars you can see in the dark with and



ROLL 3

SOUND 3

## JAMES EARL RAY CONTINUED:

all that. I went to another restaurant called the Checkersaw Restaurant. I had mail there. This is all between four and six now. And, I think ...I may have x went to one or two other places. I don't know how...I don't know all these addresses. I went to between this time. I know the Checkersaw Restaurant, the sporting goods store and the tavern and that is what we can prove. And I am certain the Justice Department can.

And, I think the shooting took place about six o'clock?

Q:

That's right. The shooting of Dr. King took place at six P.M. April 4th, 1968. Now, during that day, if I may. I'm having some difficulty following this myself, the night before, this was April 3rd.

ROLL 3

SOUND 3

JAMES EARL RAY:

Yes.

Q:

At the new rebel motel in Memphis, you moved up there from the Desoto Motel in Mississippi. That's where you saw the man you call this other individual.

JAMES EARL RAY:

Yes.

Q:

Raoul, at the new rebel motel.

JAMES EARL RAY:

Yes, that's correct.

Q:

And, there you gave him the rifle you had purchased in Birmingham?

JAMES EARL RAY:

Yes.

Q:

Then he asked you to meet him the next day at a

ROLL 3

SOUND 3

Q CONTINUED:

certain address in Memphis.

JAMES EARL RAY:

Yeah, ] it was written down on paper and I think I wrote something down for him. I was going to use another alias. I think it was some...there was some discussion of what name I was to use. I didn't want to use my own name. I think he just ~~said~~ said, check in the room or something. And I don't like to. Well, if you check in a motel you use your own name because you got your license plates. But I don't like to use my own name in a motel because you neve-r know what's going to follow you from it soon.

I think that is when we decided I would use the Willard name or something.

Q:

But, ( the address turned out to be the now infamous rooming house from where Dr. King

ROLL 3

SOUND 3

Q CONTINUED:

allegedly was shot.

JAMES EARL RAY:

I'm certain that was the address, yes.

Q:

So you went into Memphis the day of April 4th ,  
you had some difficulty finding the address.  
But, you eventually did find it?

JAMES EARL RAY:

Yes.

Q:

And then did you go in and rent a room in that  
rooming house?

JAMES EARL RAY:

Yes, the individual I met was in the tavern  
underneath. The fact is, I was in there two  
or three times. I'm certain.

Q:

This was Raoul?

JAMES EARL RAY:

Yes. And it was...yes, we would stay there for

ROLL 3  
SOUND 3

JAMES EARL RAY CONTINUED:

three or four days. That was the impression I got. I did rent a room. I rented it, a sleeping room I think it was. But, uh...I'm somewhat converse in that sort of establishment, run down place. And, I suppose I know..I was under the impression we was going to stay there three or four days. And I would have brought all my ...everything I had up there, clothing and everything, becaUse just the type of establishment ...I mean, no door ~~knob~~ knob and they had a strap on the door and everything like that. Really what it was, was a wino place. And these type stumble in the room and turn stuff out so...I never ... I never really checked into it so....just the bare necessities you might say.

Q:

And between about four o'clock in the afternoon and six o'clock in the afternoon when Dr. King

ROLL 3

SOUND 3

Q CONTINUED:

was shot, you say you went to several other places.  
Went to eat at the Chicksaw Restaurant?

JAMES EARL RAY:

Chickersaw. Yes, I think ...I remember what  
it was ice cream, I think it was. They said  
it was...I remember some conversation there the  
waitress had. She...but I can't recall just...  
I have it written down ~~xxxx~~ somewhere but I can't  
recall the details.

Q:

And, you bought a pair of binoculars?

JAMES EARL RAY:

That was in the sporting goods store, yes.

Q:

At about what time did you get back to the rooming  
house, do you remember?

JAMES EARL RAY:

I really couldn't tell. I think I made about  
six trips out. The last time I was there I

ROLL 3

SOUND 3

JAMES EARL RAY CONTINUED:

believe it was about five o'clock. And, the individual wanted to use my car he said.

Well, the night before that I had some kind of..it wasn't late but the tire went flat and so I took it off and threw it in the trunk of the car. So, I would ah say it was about ~~xx~~ quarter after five and he suggested that he was going to meet a party oh up there or something. I could go to a movie or something. He wanted to ~~xx~~ use the car. There were two set of car keys. He had one and I think I had one. I don't know where his was at.

And I seen this about five thirty. I think I sat in the car about ten minutes. I think some people seen me sitting there,<sup>worked</sup>/right across the street. And then I think I went to another bar then. I don't recall it. It was across

ROLL 3

SOUND 3

JAMES EARL RAY CONTINUED:

the street down a couple of blocks. I think it was Jim's bar or something ...the names were so similar. I think one is Jim's Grill and

Q:

That is just below the rooming house.

JAMES EARL RAY:

That's right underneath it. But there is a grill named Jim's too I believe but it is across the street, down farther. And that was my problem the first time. I got in the wrong Jim's I think.

So, then I think this was about five thirty in the car. I'm just speculating on this. And then I did decide to go to a movie when I went to Jim's bar. And then I decided he was going to use the car I better fix the flat tire where it was. I didn't know what he was going to do with it.



ROLL 3

SOUND 3

JAMES EARL RAY CONTINUED:

So I did move the car. I think I ..determined now it must have been about quarter, ten to six. And, I went to I think a service station down about ..I would say it was about five blocks from Main Street and in the service stations....

The investigators investigating me says he got statements. Now I don't know if he has or not, because when anyone investigates a case for me, I just tell him what I know of it and tell him not to tell me what they found out because there has been charges I have been using a..the attorneys more or less a feedback operation. So, I just ...I think the investigator, Harold Weisberg investigated this. And I told him, you investigate this ..substantiate it. I don't want to know all the details you just tell me.

END OF ROLL 3

ROLL 4

SOUND 4

Q:

All right. So, you believe that it can perhaps can be established that you took the white Mustang to a service station within four, five or six blocks of the rooming house.

JAMES EARL RAY:

I believe the lady worked across the street could establish that I was in there around five thirty. Now, the investigators ~~talk~~ tell me they can establish that I was around the service station. And, another lawyer intimated. Now, he didn't tell me exactly that the ...place was cordoned off immediately after the shooting and he tells me that there is a police officer down there. I don't want to mention the name. I don't want to mention now that he ..almost highballed me out of the area and told me to get out of there. Get the hell out of there or something. And...but, like I said, this has never been substantiated because it has never

ROLL 4

SOUND 4

JAMES EARL RAY CONTINUED:

been tested in any type of judicial proceedings.  
But, I suppose if you know, the occasion arose  
why it would be.

Q:

Now, this of course, is critical.

JAMES EARL RAY:

Yes.

Q:

As your recollection as to where you were be-  
tween let's say five fifty P.M. and just after  
six o'clock, April 4, 1968, you can remember  
me going to the service station?

JAMES EARL RAY:

Yes.

Q:

Having the tire fixed.

JANE S EARL RAY:

I didn't have it fixed. They said it was busy,  
the busy hour or something ..and they didn't

ROLL 4

SOUND 4

James Earl Ray continued; . . .  
have time for it. And I never did get the tire fixed. The fact is, it was in the car when I left it. Probably the unusual thing about this was when I finally got arrested for the charge and was returned to Memphis, they finally got . . . they took the tire out of the car and gave it to my brother Jerry. And they took the seat covers out of the car and all that stuff. They didn't get in the whole car, they just took certain items out of the car.

So, I can't . . . so like I say, it is sort of unusual they would take potential evidence out and give it to an individual.

Q:

But again, back to the time. Your recollection of what happened when the service station told you they couldn't fix the tire?

ROLL 4

SOUND 4

james earl ray:

Yes. My recollection from that time?

Q:

Uh huh.

JAMES EARL RAY:

Well, my recollection ...I don't know how long that took. I believe I was in..I might have been in one or two of them. I know I was in one of them. But from that time I just have to reconstruct it. Guess what time it was.

I assume it would be about five minutes of six. But now if the place were...I don't know how long it took them to block off the area. I don't know if they blocked off but at least I seen the squad car ...looked like it was parked in the middle of the street. So, I went in the other direction. And so, I would just guess that would be about five after six. I don't know from seeing the program even once

ROLL 4

SOUND 4

JAMES EARL RAY CONTINUED:

before, it took about three or four minutes for them to block the street off.

Q:

My point is that you were not in the rooming house? Or were you between let's say after five thirty P.M.

JAMES EARL RAY:

No, I'm positive I wasn't in there after five thirty.

Q:

Not in the rooming house again at all after the latest five thirty P.M. April 4, 1968?

JAMES EARL RAY:

Well, it could have been five forty or something. But I would guess it would be five thirty. It took me that long to go from the tavern or the restaurant and come back and pick up the car. And, go..drove around the circle here.

\* \* \* \*

ROLL 4

SOUND 4

Q:

So, when you came back to the rooming house area and you saw police cars you decided to use your phrase, high tail it out of there.

JAMES EARL RAY:

Yeah. I'm not certain this was the place I was. It was either a block down or right the block I turn into. But, of course, if I see a police car naturally it is instinct to get out of there, regardless of what they are doing there.

Q:

And then what did you do?

JAMES EARL RAY:

Well, at that time, I was ..went towards New Orleans. It was my intentin to go to New Orleans. I think it was h about six thirty. I heard a report on the radio that ..of the shooting. And I was still going towards New Orleans. Then I heard they was looking for a

Or

ROLL 4

SOUND 4

JAMES EARL RAY CONTINUED:

white Mustang or two white Mustangs or something. So I decided not to go to New Orleans. And I went to ..through Birmingham, Atlanta and left the car somewhere in Atlanta. And I took a bus back to Canada.

Q:

All right. So you drove from Memphis ..started out to New Orleans and decided you better go to Atlanta. You wound up driving from Memphis to Birmingham to Atlanta. You got to Atlanta the day after the King shooting. That would have been April 5, 1968.

JAMES EARL RAY:

Yes, that's correct.

Q:

And then you caught a bus to ..heading North.

JAMES EARL RAY:

At two thirty that morning, yes sir.

\* \* \* \*



ROLL 4  
SUMMER 2

... Cincinnati ...

JAMES EARL RAY

Cincinnati

... back into Canada

JAMES EARL RAY

Yeah, Cincinnati and I went to Detroit and  
from Detroit we back into Canada, that's right

... what happened when you got into Canada

JAMES EARL RAY

Well, I was last hesitant about checking  
in, but we did. I checked into a  
... The fact is, I checked into the  
room, I was sitting on the floor and I think  
... that I was sitting  
... and I started making  
... the situation.

ROLL 4

SOUND 4

## JAMES EARL RAY CONTINUED:

I checked the graveyards first, and I thought that wasn't too good an idea. So then I went directly to the Travel Agency. I ~~did~~ didn't call them, I went directly and I explained my situation but ..that I was working somewhere in Canada and I wanted to get a passport to go to England.

So, I believe these Travel Agencies they can get some type of permission so she explained the whole operation to me. And then I got the passport. But before that, I had to make ...I had to ...I had to find someone's passport where I could use his name. In Canada it is different than in the United States. They don't use fingerprints they just use pictures.

But, I assumed at the time, if you applied for someone's passport and you had your picture on

ROLL 4

SOUND 4

JAMES EARL RAY CONTINUED:

it and you sent your picture up there, ~~know~~ there might be some conflict there. So, I got several peoples names, three or four. And I called them up. And I told them I was a representative of the ...I didn't have too good an English accent. I told them I was a representative of the Registrar's General office I believe. And I wanted to know if they ever had a passport or some type of mix up.

So, when I found one that didn't have the passport, then I applied for the passport in his name. He happened to be a policeman. So, when I applied for the passport about three weeks later, it came. It came and they had made some type of typographical error on the passport.

Q:

It was under the name of Snead?

\* \* \* \*

ROLL 4

SOUND 4

JAMES EARL RAY:

That was Snead. Raymond George Snead was it.

Q:

So, you wound up getting the passport and then you left Canada for ...

JAMES EARL RAY:

England. I had a round trip ticket.

Q:

Where had you intended to go?

JAMES EARL RAY:

Well, my problem there was the finances. I think I had at that time, left in a sort of serious situation financially speaking. I think I had about twelve hundred dollars at the time. I wanted to go as far away as possible. Australia preferably. And, but...when I got there I cashed the round trip ticket in and went to Portugal. And my intentions over there was try to catch a ship to some other country. Some other English speaking country.

ROLL 4  
SOUND 4

JAMES EARL RAY CONTINUED:

South Africa or Australia or ..or where there is not too many English people. New Zealand or something like that. But, that never did work out.

When I got to Portugal uh..I did find a ship that was going to some country I can't recall the name now. B F or somewhere. But, Portugal has some kind of a rule where you had to wait a week for a visa. And the ship was leaving within three days I think it was. So, consequently I couldn't make the ship and I couldn't find another one out. So the result was that I returned to England.

Q:

And, that's where you were captured?

JAMES EARL RAY:

I was captured about three weeks after I returned there, yes.

ROLL 4

SOUND 4

Q:

Well, I appreciate your taking me through that because I have never heard you go through that whole sequence of things. Let me loop back and ask some questions on the basis of what you told me, to increase our understanding.

Let us go back in time to 1967 after you have escaped from the Missouri Prison, worked in Chicago for awhile but have gone to Canada for the first time.

JAMES EARL RAY:

Yes.

Q:

Now, that was where you met Raoul?

JAMES EARL RAY:

That's correct.

Q:

Was that the first time you had met him or heard of him?

ROLL 4

SOUND 4

JAMES EARL RAY:

That's the first time I ever met him. It was in the I don't know if you would say the criminal area, but it was in the water front and there is a lot of ..in that area. I gave some investigators the name and the place that I met him. They checked it out but...of course, they know the place and of course, they didn't find the individual.

Q:

And how did you happen to make contact with him? Or he with you?

JAMES EARL RAY:

I originally went down there to attempt to buy or possibly roll a drunk for his ...merchant seaman papers where I could use them to leave Canada. But, it is difficult me explaining how oh you make contact with somebody outside the law. It is just ...comes natural more or less. It's a...you learn after a certain length of

ROLL 4

SOUND 4

JAMES EARL RAY CONTINUED:

time. But that is where I made contact originally, in the waterfront area of Montreal.

Q:

This was in the early summer of 1967?

JAMES EARL RAY:

would  
Well, I ~~xxxxx~~ guess it would be about...yes, August, 1967.

Q:

You made contact with Raoul. Did you ever know any other name?

JAMES EARL RAY:

No, I never did ..there was never a ...he never gave me a name. And of course, I gave him a name. I think I was ~~xx~~ using an alias at that time too.

Q:

Did he set up you up for a couple of smuggling runs into the United States?



ROLL 4

SOUND 4

JAMES EARL RAY:

Yes, that's correct.

Q:

From Canada?

JAMES EARL RAY:

Yes.

Q:

To where? To the Detroit area?

JAMES EARL RAY:

Detroit, yes.

Q:

And then uh it was Raoul was it, or wasn't it,  
that ~~xxxx~~ suggested that you go to Birmingham?

JAMES EARL RAY:

Yes, he is the only individual I ever had any  
contact with.

END OF ROLL 4

END OF TAPE

ROLL 5

SOUND 5

VOICE:

Used to watch TV in Missouri and raise hell when King came on the cable. We never had TV.

Q:

I wanted to ask you about that. We checked on that. As a matter of fact, the warden said you didn't have television.

JAMES EARL RAY:

No, we wasn't even allowed a radio.

SOUND ROLL 2

CAMERA ROLL 5 TAKE 5

Q:

Was it this same Raoul or was it who suggested that you go from Canada to Birmingham?

JAMES EARL RAY:

Yes, that was the same man, individual. In fact, that was the only individual that I ever had any direct contact with.

SOUND ROLL 2

CAMERA ROLL 5 TAKE 5

Q:

Did he go with you from Canada to Birmingham?  
Or was it a case of his meeting you in Birmingham  
after you got there?

JAMES EARL RAY:

No, I left him in Detroit and I went on to  
Birmingham by Chicago.

Q:

And then, this was the same person when ..one  
you call Raoul, who got you to go from Alabama  
through Louisiana into Mexico?

JAMES EARL RAY:

That's correct, yes.

Q:

And then after you went from Mexico to Los  
Angeles, he recontacted you in Los Angeles?

JAMES EARL RAY:

Uh.. . there was some contact there. As I  
mentioned, I went to the general delivery office..  
post office one time but I'm not certain whether

SOUND ROLL 2

CAMERA ROLL 5 TAKE 5

JAMES EARL RAY CONTINUED:

he contacted me through the post office. Maybe I contacted him. But I did write it all down. I got it in a vault but it is difficult to recall all these contacts.

Q:

I understand.

JAMES EARL RAY:

A lot of times you contact someone, you are supposed to and he is not there and you might get in your head you know, that you actually contacted him. But, I'm trying to think ..I might have contacted him first in Los Angeles because I know I went to the post office. There was nothing there. So I think. .I believe there was another instance, later on that he did contact me, through the mail. But I don't believe it was the post office. I think it was the...where I was <sup>living</sup> ~~think~~ at at the time. But I'm not certain of that now.

SOUND ROLL 2

CAMERA ROLL 5 TAKE 5

Q:

But at any rate in late 1967, fall, early winter contact with Raoul was reestablished.

JAMES EARL RAY:

Yes, that's right.

Q:

And, that's when you went back to Atlanta?

JAMES EARL RAY:

Well, the contact was reestablished in December, 1967 and I made it. I made a trip to New Orleans to see him at that time. And he told me if I was still around there might be something going on later on. And, that was about four months before I left there.

O f course, in the meantime I didn't ...I did make various attempts to get this travel document in another manner. In other ways but I never did come to anything.

\* \* \* \*

SOUND ROLL 2

CAMERA ROLL 5 TAKE 5

Q:

But, eventually you did go back to Atlanta to sort of establish headquarters there with Raoul?

JAMES EARL RAY:

That's correct.

Q:

And that is when the sequence of events began with his going with oh you to Birmingham to buy the weapon?

JAMES EARL RAY:

That's correct.

Q:

And, you wound up seeing him for the last time you say, at the ..in the area of the rooming house on Main Street?

JAMES EARL RAY:

Yes. That's good enough. Yes.

Q:

Could you describe Raoul for me?

\* \* \* \*

SOUND ROLL 2

CAMERA ROLL 5 TAKE 5

JAMES EARL RAY:

Well, I couldn't describe him for you except to say he is a ..he appeared to be a Latin Spanish ...I have associated with Spanish people ... Spanish speaking people quite a bit and I'm x certain he was of Spanish origin. I don't know what country but it was Spanish.

I've been shown various pictures of individuals. And some of them are similar to him but a lot of people are not photogenic. You can't identify someone out of a picture. I know when the police was looking for me I was never identified from a picture.

For two months except...of course, people I worked with couldn't identify the picture. So I'm not too ...I can't say I ever identified anyone from a picture. And really I'm not interested in you know, identifying anyone from

SOUND ROLL 2

CAMERA ROLL 5 TAKE 5

JAMES EARL RAY CONTINUED:

you know, for some type of state witness. I want to be more or less a witness for myself, and let the prosecution present their witnesses. But, of course, with an attorney that would be a different story. He would have to know what the case was all about.

Q:

What I was looking for was a rough description of Raoul. A short man, tall man, medium height, heavy man, light man.

JAMES EARL RAY:

I would say he was about average height, five feet a hundred fifty pounds. (NOISE).... The hair was only thing...that stands out. Most of the Latins are dark haired. Had a kind of auburn ...dark auburn. That is the only thing that really distinguished him from anyone else. Of course, I suppose you could dye your hair or something, if you want to.



SOUND ROLL 2

CAMERA ROLL 5 TAKE 5

JAMES EARL RAY:

I've ...older than mine sometimes.

Q:

Do you know what kind of passport he carried?

JAMES EARL RAY:

I never did ask him on that. I assumed he had one. I never did cross any border with him personally. He usually went across in a separate conveyance. And I went ...I ~~XXXXX~~ <sup>assume</sup> he went across in a taxi cab. I usually drove across in the car.

Q:

Have you had any contact with him of any kind anything you would even ~~xx~~ suspect as a contact, since the day that Martin Luther King was shot?

JAMES EARL RAY:

No, I've never had any contacts for a long time, here, for a couple of years I used to have... I used to...I didn't receive any mail. I had it all forwarded. So, I don't know what contacts

SOUND ROLL 2

CAMERA ROLL 5 TAKE 5

JAMES EARL RAY CONTINUED:

the lawyers have had. But, personally I've never had any contact with anyone. And I don't really want ..not ~~x~~ interested in having any contact with anyone that I might have been involved with on the street.

Q:

Did he at any time give you any indication of his being in contact with or belonging to any group?

JAMES EARL RAY:

No, I...my impression was more or less of a... some type of things for monetary gain. There was no messing in politics or anything like that. There was messing going to Cuba once but that could have been either way see. I don't know if...there has been a lot of talk about anti-Communist and pro-Communist Cubans in the case. In fact, I think the attorney that defended me that time, uh... one of his stipulations was

SOUND ROLL 2

CAMERA ROLL 5 TAKE 5

JAMES EARL RAY CONTINUED:

that if he did go to trial that the FBI was supposed to arrest some individual he was ... a Cuban background. I'm not certain, I thought he was anti-Communist. It may have been the other way around. But, I didn't want to get involved in that type of ...

Q:

That was what attorney? Which attorney?

JAMES EARL RAY:

Percy Forman.

Q:

He talked to you about the possibility of the fbi arresting someone with a Cuban background in the case?

JAMES EARL RAY:

Yes. In early February, 1969, that was when I still thought we was going to trial, he brought a bunch of pictures to jail one time. I assume ~~him~~ there was about ten or fifteen and he

SOUND ROLL 2

CAMERA ROLL 5 TAKE 5

JAMES EARL RAY CONTINUED:

had me go through them as alleged people that the FBI wanted to get out of circulation. I think. ..I believe most of them were Latin type. I think there was one black and a few whites. And, he did mention this one individual. I don't remember...I don't recall the <sup>picture</sup> ~~picture~~ plainly but I think the pictures later were presented to the Tennessee Grand Jury by William Radford Hughie. I read the Grand Jury testimony.

But anyway, I think his story was that the FBI was going to arrest this individual and I would make some type of an identification and I guess that would be ~~axix~~ basis in some manner for defense in the case.

Q:

But, that never happened?

\* \* \* \*

SOUND ROLL 2

CAMERA ROLL 5 TAKE 5

JAMES EARL RAY:

No, that never did come about.

Q:

Did you ever hear any more about it at all?

JAMES EARL RAY:

About those pictures? And things like that? I've seen various pictures off and on. There has been ~~XXXXX~~ names mentioned but it might be libelous for me to mention the names. But, I'm not...I just don't know nothing about the pictures. I mean the FBI knows about them. William Bradford Hughie, Percy Foreman. But, the only thing I know is what they ..what has been related to me. And I think the Attorney General in Memphis knows about it because I think he subpoenaed the pictures from William Bradford Hughie.

Q:

Which could be very important Mr. Ray, in let me say if there is a libel problem, the libel

SOUND ROLL 2

CAMERA ROLL 5 TAKE 5

Q CONTINUED:

problem of course, will be ours. And I am most interested in hearing any name that you have heard mentioned in this connection, you know, so we could check it or look into it?

JAMES EARL RAY:

Well, they took pictures ...you mean the pictures the FBI wanted to get out of circulation?

Q:

Right.

JAMES EARL RAY:

Well, I think one of them was ..one picture was taken in Dallas or something, in 1963. There was no names given. And one picture was an individual named Jack Youngblood. I think another picture was ...he was a...Youngblood was a..... he was white and I think there is another individual uh...I'm not certain there is but I think he was waiting trial in Memphis on a bank robbery charge. He was some Ku Klux Klan

SOUND ROLL 2

CAMERA ROLL 5 TAKE 5

JAMES EARL RAY CONTINUED:

picture or something...in the Klan.

But, it was my impression he is waiting on trial because I saw his picture in the paper. But it was my impression none of these individuals had done anything. It was just the FBI was and the Justice Department were down on them for one reason or the other.

Q:

You mentioned a picture in Dallas, 1963. This was a picture at about the time of the John Kennedy Assassination?

JAMES EARL RAY:

I think there ~~xx~~ is some ~~pxx~~ people interested or arrested in that area immediately after the shooting.

Q:

And, a picture was shown oh to you to see if you could identify somebody in

SOUND ROLL 2

CAMERA ROLL 5 TAKE 5

Q CONTINUED:

the area.

JAMES EARL RAY:

Yes.

Q:

Did you identify anybody in the picture?

JAMES EARL RAY:

No, I identified him as looking similar. But a lot of people look similar but I never identified anybody that I knew personally.

Q:

And these were photographs shown to you by your attorney at that time? Percy Foreman?

JAMES EARL RAY:

That's correct.

Q:

He said these were people that the FBI had in some way were interested in getting out of circulation or wanted to know more about?



SOUND ROLL 2

CAMERA ROLL 5 TAKE 5

Q:

Let me pick up on another page and I do appreciate your taking me all the way ~~xxxx~~ through that.

Q:

Did you fire the shot that killed Dr. Martin Luther King?

JAMES EARL RAY:

No, and I think now based on investigations of ~~g~~ those who have represented me, on the face.... I've had a lot of representation, unofficially that we could prove it through some type of judicial proceedings. But I can't see ...I can't see any opportunity proving through any other medium.

Q:

I want to ask you again. This is a man to man head, to head, eye to eye question. Did you fire the shot that killed Dr. King?

\* \* \* \*

SOUND ROLL 2

CAMERA ROLL 5 TAKE 5

JAMES EARL RAY:

No I didn't and like I say, I think now that  
in this particular point in time, that we can  
prove that I didn't.

END OF CAMERA ROLL 5

SOUND ROLL 2

CAMERA ROLL 6 TAKE 6

Q:

Want to pick it up there? If I may. Did you knowingly have anything to do with the shooting of Dr. King?

JAMES EARL RAY:

No I didn't but I really don't think that's ...I think that is a new question because when I was extradited from England uh..the think the treaty law specifies don't it, the thing they could try me on would be doing the actual shooting. Aiding and abetting and ...conspiracy or that stuff would ...they wouldn't be able....charges againstthat under the treaty terms.

Q:

True.

JAMES EARL RAY:

But, if you ...

Q:

But, if you didn't fire the shot that killed

SOUND ROLL 2

CAMERA ROLL 6, TAKE 6

Q CONTINUED:

Dr. King and you say flatly, definitely that you did not, right? Why then did you plead guilty?

JAMES EARL RAY:

Well, actually that is a two fold...There is two fold answers to that. Uh...actually there was never any suggestion of a guilty plea until early February. I would say sometime after the pictures. You know, the pictures I just got through mentioning.

Q:

See, would this be in February of 1969?

JAMES EARL RAY:

I would say about February, 1967. of course, I refused to identify the pictures. Not so much identify them but the process they wanted to go through, you know, want me to identify them. Of course, that could have come back on me. But, anyway the way they actually got the plea

I

SOUND ROLL 2

CAMERA ROLL 6 TAKE 6

JAMES EARL RAY CONTINUED:

is twofold.

First, Foreman at that time was defending me.

He said they had one witness who was..the government had already bribed or something.

I believe that was Charles Stevenson. I think promised they had ~~promised~~ him a hundred thousand dollar reward or something to testify against me.

Q:

This was the man in the rooming house?

JAMES EARL RAY:

Yes.

Q:

Who, at one time allegedly said that he had seen you in the rooming house.

JAMES EARL RAY:

Well, he made an identification. He based his identification on my profile. He said the individual he seen running from the rooming

SOUND ROLL 2

CAMERA ROLL 6 TAKE 6

JAMES EARL RAY CONTINUED:

house had a short pointed nose. And of course, I have.. the FBI told him and I suppose the Justice Department just so happened I had plastic surgery and my nose is flat more or less. So, his identification was ...actually his identification was refuted by his wife's.

Q:

But at that time, in February, 1969 when you were about to go to trial you didn't know that.

JAMES EARL RAY:

No, I didn't know anything at that time.

Q:

So, that was one of the factors in your deciding to plead guilty?

JAMES EARL RAY:

No, that was. ...he brought that up. That was one of his arguments that the State was prepared to bribe a witness. Well, I didn't think too much of the witness because I had been arguing

SOUND ROLL 2

CAMERA ROLL 6 TAKE 6

JAMES EARL RAY CONTINUED:

an article in the paper about he was I think they said he was addicted to fermented grapes or something.

And the other argument was that the lady done convict the man. Of course, now that was the only valid argument. That was how it was because there had to have been substantial reporting of my past criminal record. And I assume the jury might not ...individual had been incarcerated several times for crimes, he would be ...that would be the type of individual that would go for some type of operation that we were talking about.

And, but ...then there was another suggestion that it might be to my financial gain if I would enter a guilty plea and I think you saw the contracts. The various contracts.

SOUND ROLL 2

CAMERA ROLL 6 TAKE 6

Q:

Excuse me. This was contract with the Arthur William Bradford Hughie.

JAMES EARL RAY:

And Percy Foreman.

Q:

And Percy Foreman. So that was another agrument used for you to plead guilty.

JAMES EARL RAY:

Yes. See, I signed all this money from William Bradford Hughie over to Percy Foreman on February 3, 1969, under the stipulation that he would take me to trial. Of course, after he got the contract, then he didn't want to go to trial. So, then on the day of the guilty plea, the day before the guilty plea he ordered contracts stipulating that he would just get a hundred sixty five thousand dollars from William Bradford Hughie, and I would get the rest.

\* \* \*



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JAMES EARL RAY CONTINUED:

Well, of course, you know, there is no arrest there and I am not interested in going to the penitentiary.

But I think we can get back to the reason.

Q:

Right.

JAMES EARL RAY:

On the plea. I think of course the State's argument and then the money and then the ... other reason I mentioned. But, uh..I think in this area, the one thing that convinced me that it would be in my interest to enter a plea, was that I thought they was going to throw the case more or less, Percy Foreman was, because he gave me every impression that ..they use that psychology on you. It is not really... it is not heavy psychology but they use it ... they want you to know what their intentions are.

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JAMES EARL RAY CONTINUED:

And I thought if I ..should have forced him to go to trial he may have went down there and not really put up the best efforts. And, of course, no one could have picked...you can't ... a layman can't pick up what a lawyer is doing. I say for a grand he might take it up or something like that.

But, that was one of the two fold reasons I have given you. The other was threats against family members. Percy Foreman he delivered a couple of threats against the family members. He mentioned that they might arrest my ~~mother~~ brothers, Jerry and John, and bring them down there.

But, that did the...that influenced me somewhat but at the time, I was so naive. After all my experience with the legal system they ~~xxxxix~~

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JAMES EARL RAY CONTINUED:

probably would resort to something like that. But ..subsequently, one of my brothers, John Ray, he was shortly after I was arrested, he was ...after I was convicted, he was arrested in St. Louis, Missouri. Charges of aiding and abetting a bank robbery. And the circumstances was, he was driving down the street and they arrested him and said he had aided someone robbing a bank.

Well the ~~pi~~ police, the local police shook down his car and they didn't find anything. But later, the FBI they found this ~~perverbal~~ perverbal evidence they always find. They found a glove or something at the robbery.

But anyway they tried him with another individual for robbing the bank and they gave him eighteen years. The jury convicted him. The other

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JAMES EARL RAY CONTINUED:

individual twelve years . Well, the other individual was reversed on appeal. He said that the money was taken from him by illegal search and seizure. They ruled the money was taken from my brother..they could use it against him. So, he is ~~gm~~ doing eighteen years now in Marion.

But later on, they arrested another individual who allegedly robbed the bank and I believe they gave him three years. And apparently the Justice Department and the ...had some Federal judge reduce his eighteen years.

Q:

Which left your brother serving the most time. And you think this is an example of a kind of harassment that your family has been subjected to?

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JAMES EARL RAY:

Yeah, my brother now...he did six years in a maximum security joint in Maxm Marion and then he went for parole and they said he had the wrong attitude or something. But, there is one other particular part where I can say the most vicious threats but I can't go into them now, but I think possibly if there is some type of process by some investigating committee or some judicial or congress and I might be able to go into that later on.

Q:

Well, let me stop for a moment and ask you. Are you willing to testify for the House Committee setup to look into the death of Dr. King as well as the John Kennedy assassination?

JAMES EARL RAY:

I think it would all depend ...I think if they are going on the premise that I'm guilty of everything the Justice Department and the f various

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JAMES EARL RAY CONTINUED:

uh...books that the Justice Department has collaborated in like the McMillian and the Frank Books, and they are just..the only thing they are interested in is finding out the... maybe who else is involved. I don't see much point in me testifying then.

However, if ...if I ..a Federal judge in Washington put various evidence under seal for fifty years, I think they go into that and ...go into all the evidence, well it might be difficult for me to refuse to testify. I would have to ...discuss this with a lawyer and everything and ...but I think I just have to...see, they recently wanted to investigate ...take a statement from Percy Foreman.

I read some allegation of the chief counsel, that Mrs.....if they could question Foreman

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JAMES EARL RAY CONTINUED:

and I would waive my privilege communication rule, well they think they can break the case.

As I said, Mrs. Spragg is a .... in line with this a couple of days ago I sent a waiver and so I waived any right I might have under the attorney-client privilege. So they can go down and question him whenever they want to.

And he has mentioned various phone numbers and individuals but he has never gave me the names. and He has just referred to them ~~and~~ I think I sent I sent Mr. ...card again. I may have sent some information.

Q:

Let me picture, understand this. That under the law no one can question your defense attorney at the time, Perry Foreman of Houston.

JAMES EARL RAY:

Yeah.

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Q CONTINUED:

Unless you grant a waiver.

JAMES EARL RAY:

Yes.

Q:

And, you have given such a waiver to the House Investigating Committee?

JAMES EARL RAY:

I sent Mrs. Spragg a waiver about two days ago.

Q:

Which, is it your hope that will allow them to question Mr. Foreman in detail?

JAMES EARL RAY:

Yes, in detail. I mean, I'm not ...if they want to go into all of it. He's gave a deposition, he's referred to various individuals and organizations. Of course, I mean they are all top investigators, Mr. Spragg and them, and the committee members. It is not necessary for me



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JAMES EARL RAY CONTINUED:

to instruct them how to carry on an investigation. But I think if there is evidence that they want to go into everything, well then, that might ~~affix~~ influence those representing me in what we should do.

Q:

Let me see if I understand this. You are eager that the House Committee investigate and question Mr. Percy Foreman in detail.

JAMES EARL RAY:

I'm not really eager. But I recognize that there are various things that a Congressional subpoena can get that I can never get. Now, for instance, when I had the habeas corpus hearing in 1974 in Memphis, one of the first ruling the judges got down was that we couldn't subpoena anyone over one hundred miles from Memphis.

Consequently, we couldn't subpoena any justice

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JAMES EARL RAY CONTINUED:

department files or anything. And naturally, they were as quiet as a perverbal church mouse at that time. None of them could ~~xxxx~~ testify at the hearing.

Well, I think the Congressional Hearing if they really want to go into depth could spend these various files I mentioned.

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Q:

Would it be accurate to say Mr. Ray, that if the committee subpoena's Percy Foreman and questions him in detail, that would be persuasive with you to testify also?

JAMES EARL RAY:

No I don't believe...I believe Percy Foreman will be their witness. But the reason I gave him the waiver, he is been the State's most vocal advocate of the State's case. He's been on talk shows and everything. So, he has made various statements that I wrote so, I thought maybe I would show good faith effort and they could take it up from there.

What I'm really concerned about is there has been reports the FBI has thirteen volumes ... no, thirteen crates and ninety some volumes of investigative material plus some judge in

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JAMES EARL RAY CONTINUED:

Washington has various of them under seal.

I'm concerned about that type of thing. That they go into that.

But, I'm not interested in any <sup>personal</sup> ~~public~~ life or anything regardless of who it is. But, if there is some ~~ix~~ type of threats or something like that, when that would be irrelevant to the case. But the, ... I don't know, I don't know a thing. If they will have time to ... I think the mandate runs out March 31st. Whether they will all make any effort in that direction or not.

Q:

Personal opinion. Would you like to see the House Committee financed well enough to carry it's work forward or do you think they have done about all they can realistically be expected to do?

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JAMES EARL RAY:

Well, I don't think they have done much of anything maybe debating between one another. It really doesn't make too much difference to me except as I mentioned, they can find out evidence that I will never be able to find out through the course because they ...I think Congress has a subpoena. I can get a subpoena too but ...unlike the Watergate case, the Federal judge in this case they are not interested in really ...uh...you know, going all out with a subpoena. They seem to try to ...live with the subpoena then expand it.

Q:

I do want to come back to the question of whether you are willing under any circumstances, to testify before the House Committee. Do I judge your answer to be perhaps?

JAMES EARL RAY:

Yes. I believe what my answer would be. I will

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JAMES EARL RAY CONTINUED:

discuss with an attorney. He has indicated that he is not one way or the other against it. And after we...but I don't want ...if I do testify I don't ah want...I wouldn't want to testify on any type of executive session. And the various members leak various ...well not members of the Congress but members of the staff leak information out like they ..the Church Committee. Ray said this and Ray said that. I would rather testify in public not necessarily on TV or anything, but have a public record where it would be available to anyone, who was interested in it.

Q:

Would you be willing to talk here at the prison with the Attorney General?

JAMES EARL RAY:

No, I can't see ...I can't see any advantage of having an experte meeting with the Attorney

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JAMES EARL RAY CONTINUED:

General. I have no advantage...I have no objection if he wants to question me on a witness stand. I believe the attorney in Nashville, Jack Kirshfel, he said he w could question me at length. And I think there maybe a ...an opportunity of that showing because there is a couple of law suits involve...my brother is involved in one of them and I know I'm involved in another one. So, there is never ...there won't be no hesitation of testifying under oath on the witness stand. The...under the Congressional...the drawback in the Congressional that ...you don't have the opportunity to cross examine.

I think the problem would be here that they might call up eight or ten convicts and of course, you can get these a dime a dozen from other prisons. From Missouri and things like that and they can come up with some yarn. There

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JAMES EARL RAY CONTINUED:

wouldn't be no oppoutunity to examine them personally.

Q:

The Attorney General if I k read his language correctly, and perhaps I don't, at least in a between the lines fashion, has held out the following prospect. That if you would reveal to him information that you never reveeled before, help solve the "conspiracy aspects." of the case, that perhaps some arrangement can be worked out for a reduction in your sentence. Now, what do you think about that?

JAMES EARL RAY:

Well, I don't think much of anything about that. This thing of being a state witness or even being perceived to be a state witness is a...there is a lot of pitfalls there. I mean, you can let these people like V~~o~~...winds up in solitary confinement. If I testify for anyone



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JAMES EARL RAY CONTINUED:

it will be for myself. I am not concerned with the State's case. That's their problem.

Uh. I don't...you mentioned Mr. Bell.

Q:

Well, I was simply asking you whether you would be agreeable to that kind of arrangement. And I gather you definitely are not?

JAMES EARL RAY:

No, I don't ...I can't see why that would be an advantage. Actually I was offered a similar situation in 1968. I believe when Arthur Haines was still defending me.

Q:

That was your first defense attorney?

JAMES EARL RAY:

Yes. I think it was some type of reduced sentence. But ...this type of thing here. There is too many pitfalls. I don't want to get

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JAMES EARL RAY CONTINUED:

involved in that type of thing. Any type of situation whereby I would have to rely on the Justice Department because they have ...I think they have a sort of an in here hostility with my background anyway. So, I'm rather keep them at arms length.

Q:

Mr. Ray, do you think there was a conspiracy to kill Martin Luther King?

JAMES EARL RAY:

Well, I couldn't say ...after I returned to ...and after I arrived at the prison back in 1969, I had various individuals, not necessarily lawyers, investigate information that I had. I didn't have you know, a great deal of information but I had it investigated. And over six or seven year period...over a six or seven year period they did look into various aspects of it.

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JAMES EARL RAY CONTINUED:

And it has never been...went in depth but what information we have given ...we have arrived at by indicating some element of the Teamster's Union and there was some report ~~th~~ that Dr. King may have been ...intended.. like in Vietnam to support the ...get involved in the Arab conflict.

Then there was another...some other information about the AELLA, some type of law enforcement association in New Orleans you know, in 1967 or something.

But I don't know...like I say these have never been gone into in depth and it could be a disservice for someone to make these allegations and later on find out that they were ...some of the evidence was .....

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Q:

I have never even heard an allegation on the speculative plain made about the Teamsters Union. Now, what have you heard in that regard?

JAMES EARL RAY:

Well, in the ...sometime around February of 1969, uh..first you have to understand Percy Foreman his methods of conducting a trial. He never asks anything until he says he is investigating the State's case.

Well, sometime in ...sometime in late I would say about February 17th or 18th, he asked me to explain the case to him. Well, I explained it to him. He started writing down and kept getting a cramp in his hand and he asked me to finish up. So, I wrote everything down in long hand from the time I escaped from the penitentiary until I think I arrived in Canada the second time. That was after the shooting of

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JAMES EARL RAY CONTINUED:

Dr. King.

And now, if we can take that from there and go on around till it's about February of 14th or 15th, uh...when Arthur Haines was defending me, I was somewhat hesitant to give him information because he was giving it to William Bradford Huie and he was investigating it and the FBI was coming by it.

And, consequently everytime Hines come up here he would have a new bunch of witnesses against me. So I was testifying against myself. But anyway, in February of 14th or 15th, I did give Percy Foreman one of these phone numbers to investigate.

Q:

A phone number in New Orleans?

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JAMES EARL RAY:

No, it was in Baton Rouge.

Q:

Baton Rouge.

JAMES EARL RAY:

And, he came down a few days and sais something about uh..if there is any phone numbers to be presented he would present them and he had some type of a contact interstate gambling. He mentioned someone named <sup>Mason</sup> ~~Myron~~ Lansky. But, he didn't say he was going to get him <sup>off Lansky</sup> ~~off xaxxkx~~ he just said that he knew someone that knew this party and they would furnish the phone number for me if I ever stood trial.

So, I didn't make too much sense. It might have made sense to him. It was never explained to me just what manner the numbers had been used. I was supposed to use them from the witness stand or what. But....

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Q:

How does that fit in with the Teamster's Union? Was some of those numbers suggested to you as Teamster numbers?

JAMES EARL RAY:

Well, later on I had someone investigate the case. And in 1969 after I come to prison, I had an individual in St. Louis that I used to know in prison. He was a labor leader and he had someone in Nashville investigate it. And they said the number was involved in some distant factor of the Teamsters. And they also investigated these other aspects of it.

Q:

This of course, ~~gum~~ gets very complicated. I want to make sure I understand what you are suggesting as a possible lead. That's the area in which we are talking now. That~~xxx~~ the man you knew as Raoul sometimes would call numbers in Louisiana, you on occasion called

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Q CONTINUED:

numbers in Louisiana. And, it was suggested to you somewhere along the line, that some of those numbers maybe ...may have had something to do with a dissident group of the Teamster's Union in Louisiana.

JAMES EARL RAY:

This was in Baton Rouge. But the thing is, I never made any contact with the Baton Rouge number. So, I thought maybe it might have been planted and later on, after a couple two or three years of investigation, I became certain it was.

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Q:

I just want to look back at one thing. When you mentioned the name Lansky as having been mentioned to you, in some contacts by your defense attorney, Percy Foreman, you were talking about the Meyer Lansky whose name has been connected with stories about the underworld.

JAMES EARL RAY:

Yeah, that's right.

Q:

But, you were saying that you never made contact with any number in Baton Rouge.

JAMES EARL RAY:

No.

Q:

You did make contact with a number in New Orleans?

JAMES EARL RAY:

That's correct.

Q:

Did you contact Raoul through that telephone?

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JAMES EARL RAY:

Yes I made I would say two or three contacts with Raoul.

Q:

So this lead about the possible involvement of a dissident faction of the Teamster's Union was lead you would like to see pursued?

JAMES EARL RAY:

No, not particularly because I think now it may have been planted because I never did call it. But, I think possibly, Percy Foreman he may have discussed it ...he was associated here with lawyers in Tennessee. He may have discussed it with them. They might I think now for political reasons or something, decided not to bring it in. I don't know if that was ...if that is a valid reason for not bringing the name in or not. But I think that was the reason.

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Q:

Personal opinion. If the House Committee were to get Percy Foreman to testify in detail, under oath, do you think it would crack the case from your standpoint?

JAMES EARL RAY:

There has been reports in the paper that as I mentioned, the other people ...no, I don't think it would. I think we had ...he's got phone numbers. I think he is trying to put the heat on someone that is really not involved in it., because that has always been my impression.

And...I've never got the impression from anyone that they was really interested in resolving the case. For instance, when I first come to prison, in 1969, the correction commission then was named Harry Avery. And his ...his story always was to me. Was not to cooperate, but just forget the whole thing and do the time.

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JAMES EARL RAY CONTINUED:

And later on you know, it is possible to ....  
or something and that is one of the things  
that threw me off because I know prosecutors  
always want you to cooperate with them.

But now, Avery he was telling me just forget  
it. And of course, he said he was speaking for  
the highest authority. So, I assume he was  
talking about the Governor of Tennessee,  
Buford Duncan and the Justice Department.

Q:

You've been quoted as saying, in the past and  
I want to ask you directly whether you said this.  
That you thought you were "Railroaded in some  
kind of deal between Percy Foreman and his  
friend, Ramsey Clark, who was then the Attorney  
General."

JAMES EARL RAY:

Well, that is difficult to determine. Uh..he

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JAMES EARL RAY CONTINUED:

testified in a deposition that he went to school with Ramsey Clark's father and he is a friend of Ramsey Clark and he had made several calls to him before the trial. And, he also said he was a friend of John J. Hooker Senior for twenty five years.

Q:

Well, the defense attorney.

JAMES EARL RAY:

Well, all these people are very competent attorneys but they are all more or less on a friendly basis. And they might have determined this for social reason just to get me to the penitentiary wouldn't be a big loss because I would probably be in the penitentiary for one reason or the other, anyway. Just let things slide up because I was kept in solitary confinement for five years. And that was...I

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JAMES EARL RAY CONTINUED:

usually get ...give an official and unofficial reasons. They tell the public that I maybe .. I might escape, I might get in some type of conflict with another ~~me~~ convict. But the story was always to me, that if you will drop this litigation we might consider letting you out. I never did drop it and I never did get out until 1975.

Q:

You say it might have been a case of for political and social reasons they wanted to make it a case of you being a lone assassin and get the case out of the way. Do you believe in fact that was what it was?

JAMES EARL RAY:

Uh...well, I think you mean the reason the .. play was done and everything like that. I think it is really basically it is the prevailing ethics in the United Saates. Some people des-

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JAMES EARL RAY CONTINUED:

cribe it as of a middle class housewife not necessarily women but the self-righteous pretentious. I think that's ...I think that type of thing <sup>permeates</sup> ~~permeates~~ the judiciary and everything.

And of course, in this bar in...these various motor national companies, they want to present a good picture, you know, of the various overseas operations and all that stuff. So, I think that's ...I don't think there is no real just a simple answer to it. It's a combination of things I believe.

Q:

Let me take you back to that day in the court room when you had your day in court. Short day it was. The judge asked you whether you were doing it voluntarily, the guilty plea, and you said, yes sir. And the judge asked you "are you

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Q CONTINUED:

pleading guilty of murder." in the first degree, in the case because you killed Dr. Martin Luther King." Under such circumstances, that it would make you legally guilty of murder in the first degree under the laws ~~expati~~ explained to you by your lawyers. And to that from the judge you answered, yes, legally uh huh.

And then when x he said areyou doing it voluntarily you said, yes sir. I can't understand if you knew that you didn't pull the trigger on the gun that killed Dr. King, why you would go that far and say those things?

JAMES EARL RAY:

Well, this was all decided on March 9th, the day before the play was there. At that time I had determined that there was no way that I could force Percy Foreman to go to trial where.. with any prospects of success. I did assume



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JAMES EARL RAY CONTINUED:

that I could have made the  
..defended myself. That would have been  
ridiculous, end up with fifty, sixty years.  
And, once you get a jury trial, they usually  
chose the media ...the segment of the media that  
supports the government. They usually ~~xxx~~ <sup>say</sup> that's  
the...that's it, you know, you've had your day  
in court. But I still...I did enter a plea  
of guilty and I could have had an investigation  
after the plea, with newly discovered evidence.  
The possibility that the case could have been  
reversed and won the trial.

But, however, that was my original intention....  
of trying to find new discovered evidence.  
But shortly after the plea, I think it was maybe  
the next day, uh of course, Percy Foreman and  
the judge and the prosecutor they were starting  
to campaign that I was guilty and that

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JAMES EARL RAY CONTINUED:

I thought then that if I had waited around a year or something to investigate this case, that they would have convinced ...they had oh got public opinion and everything convinced that I was guilty of everything charged. ]

So, consequently, we decided or I decided to try to open the case on fraud. But I ..at that time, I didn't know the extent of the fraud that was involved. I knew the contracts, yes.

Q:

The contracts between Percy Foreman and the author, William Bradford Hughie.

JAMES EARL RAY:

Yes. As we went along we seen how it was concealed contracts and everything else ..contracts said if I didn't plead guilty why so and so wouldn't get money and all that stuff.

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Q:

Well, that sameday when you entered your guilty plea, there was a whole series of questions involving the voluntary nature of your plea. That you knew what you were doing, you weren't being forced, that you knew you were giving up your right to appeal, all of those things were laid out to you. And you answered to all of those, yes you knew what you were doing.

JAMES EARL RAY:

If I had it all to do over again, I really don't see how I could have done anything different. As I say, on March 9th ...on March 9th is when we...that was the day before the plea, that is when the ...everything was arranged. I signed contracts giving him a hundred sixty five thousand. He made certain things and all these things written out. Even to what I was ...I was supposed to read over his shoulder what the answers to the judge. And, it was his,

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JAMES EARL RAY CONTINUED:

Percy Foreman's what he represented to me was that after the plea, he would go his way and I would go mine. Until I got the case reversed and he wouldn't say anything.

Q:

A hundred sixty five thousand was book money that you promised him.

JAMES EARL RAY:

He was supposed to get that from a movie. I've never been told how much he did get but I don't believe he received quite that much.

Q:

Percy Foreman has said to me when I raised some of these questions with him personally, that you were guilty, absolutely guilty, that his own investigation showed that. That he in fact, did you a great favor by saving your life. And that you plead guilty because it was the only plea where you had a chance of saving your

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Q CONTINUED:

life.

JAMES EARL RAY:

Well, first, after the plea the judge and the prosecutor had a news conference. The judge said he wanted the guilty plea because he was afraid he would get a hung jury, and I would get acquitted.

I really ...I haven't seen anybody that has testified that they thought that I had to plead to escape the death penalty. I think the only ones that ...has testified to that is Percy Foreman because he has got contracts with me for books and he would be..he couldn't ~~int~~ testify any other way. In other words, he couldn't say he testified that I entered a guilty plea for ninety nine years in order to keep from getting two hundred because ninety nine is the maximum. But...uh...I just never heard of anybody.

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JAMES EARL RAY CONTINUED:

I think the sixth circuit just recently they ruled that I entered the plea because uh..

I thought later I could get a smart lawyer to get the case reversed. I don't make too much... it makes a lot of sense to them but it doesn't to me. So...

Q:

That sameday in court there was a moment in your guilty plea hearing when the prosecutor Philip Canalley, said we have no proof other than that Dr. King was killed by James Earl Ray and James Earl Ray alone. Not in concert with anyone else. And there was byplay of statements between Mr. Canalley the prosecutor, and the defense attorney, Mr. Foreman.

That said we were out of film.

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WHO'S WEO

"JAMES EARL RAY"

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RATHER:

There was a time in your guilty plea <sup>hearing</sup> ~~when the~~ prosecutor said we have no proof other than Dr. King was killed by James Earl Ray and James Earl Ray alone and not in concert with anyone else. And there was apparently some byplay between your defense attorney, Mr. Foreman, and the prosecutor Mr. Canalli, and you got up at a ~~the~~ point where it was said in the courtroom there was no proof of your being a dupe or a fall guy or a member of any conspiracy. And after that you interrupted and said that you took exception to the statement that there was no conspiracy. You said you didn't, quote, exactly accept the theories that there was no conspiracy. The theories of then U.S. Attorney General Ramsey Clark and then FBI Director J. Edgar Hoover, as you put it. Now what did you mean by that when you got up in the courtroom and said you didn't exactly accept those theories.

RAY:

Well, first I wasn't objecting to anything the prosecutor said, Mr. Canelli, -- naturally I -- it's expected he was going to make a stronger case ~~statement~~ as he can for his particular case. What I did object to is when Percy Forman, in effect, became a spokesman for the Justice Department.

RATHER:

Saying that there was no conspiracy.

XXXXX MAN:

Yes. It was our agreement the day before that that he was -- that the only thing I -- the only thing he would be down there for is just to have the script when I entered the plea. Of course it took me by surprise when he -- when he did -- when he finally did went into --

RATHER:

And that 's the reason you got up and said you didn't exactly accept that.

RAY:

Well, before -- I'm not -- I think what you're getting at -- I don't want to anticipate you -- I think what you're getting at -- what would I have said if the judge maybe would have questioned me about -- I'm -- I'm not certain ~~what~~ what I did -- would have -- would have said. When Percy Foreman first come in the case, he promised the judge and the newspapers and the whole -- whole works, that there wouldn't be no contracts involved. Well, he hadn't been in the case two, three days and he was more deeply involved in the contracts than the previous attorney, Arthur Haynes.

RATHER:

These are the book contracts.

RAY:

Yeah, the book contracts, yes. So consequently, what -- when he didn't make the statement, I think the judge would have asked me about the -- what did I mean -- I think I would have went into contracts and -- I don't know if I would have went into all the other details heretofore



RAY: (CONT)

run down with you because there's a -- ther's a disadvantage in an adversary system telling the other side everything you know. And of course the judge ~~mentioned that~~ mentioned that -- the judge mentioned that himself once. He said he -- when he was a prosecur he always played everything close to this. Well as a prosecutor he can play it close to the vest, well I suppose it's all right if the defense plays theirs close to the vest. But I think that's -- I don't -- of course it's a hypothetical question. I don't know what the judge would have went into if -- if he would have put me on the ~~stand~~ stand, but --

RATHER:

My point is at that particualr juncture, when you said you didn't exactly accept the theory of the then U.S. Attorney General Ramsey Clark and FBI Director J. Edgar Hoover, I'm wondering what theories did you have in mind that Hoover wasn't putting forward. For example.

RAY:

That may ahve been a poor choace of words. I should have siad pronouncements that they were putting out. I didn't -- well I -- I disagreed with -- in other words I didn't want to go beyond anything that I had agreed to before. I thought I went the bare manimum or maximum, w hichever you want to call it, the night before. All these agreements were predicated upon money from Percy Foreman's view and from my view , it was predicated upon -- my legal position. So --

RATHER:

RATHER:

But you wouldn't have been necessarily willing that day incourt ~~xxx~~ to talk indetail about the story about Raoul and ~~xxx~~ your various travels as you have here today.

RAY:

Well it would depend on the judge, what he would have asked me . I know I would have went into contract. I would have probably told him that if he ahd gotten me on the stand and I'd have probably ~~actually~~ denied actually shooting Dr. King and I don't -- I don't think the judge wanted -- he had everything all wrapped up andhe -- he didn't ~~xx~~ want to get into it. I think the record indicates that the judge had no -- had no-- inclination to get into it. But I -- I should say infairness to the judge that the judge didnt know about all these contracts.

RATHER:

The book contracts.

RAY:

Yes, and ~~wham~~ later when I got to prison, I wrote him about 'em and filed a motion for a new trial, it was my understanding that he was going to reverse it. Because he'd been kept in the dark about these contracts. And because of this I further understand from several sources that hhe Governor of Tenessee then sent the state highway police to see Governor Bell and offer him the next Appeals Court Judgeship. But he turned it down.

RATHER:

So he wouldn't pursue your case.

RAY:

Yes. Where he -- where he wouldn't reverse it. But I think the ~~judge~~ judge turned it down. I think his -- I think his family would confirm that, because I understand they're -- they think the establishment has hounded him into ~~be~~ premature death.

RATHER:

Let me again turn the page and go back to a subject we discussed before, but I would like to discuss with you in some detail. Blunty put, it's this, where did you get the money?

RAY:

Well, I suppose I got ~~axxxxx~~ certain amount -- I didn't -- I never got a large sum of money at one time. I think two thousand dollars is the ~~xx~~ most that ever came across at one time. And I got this off the individual -- this Raoul, alias whatever you ~~xxx~~ want to call him, but I've accounted for most of it. Well it's almost impossible to account for money you said somebody give it to you. But I've accounted for it -- my expenditures, expenditures (?) on the various -- buying things and living.

RATHER:

But from Raoul, from the time you met him in Canada -- your first trip to Canada -- before the King killing, until after your arrest in London, how much money would you say in round figures did you get from Raoul?

RAY:

I -- I figured up how much I spent between -- when  
x

RAY: (CONT)

I left Missouri prison I had about two hundred fifty dollars. I was employed in this reaturant in Winetka Illinois and I -- I think I -- wages there were about a thousand dollars. All together I spent I think it was between nine hundred -- nine thousand five hundred and ten thousand dollars.  
so --

RATHER:

This is from the time you escaped from the Missouri prison in April of 1967 to the time of your arrest in London after the King killing in 1968, you estimate you spent between ninety five hundred and ten thousand dollars.

RAY:

It has to be somewhere in between there. Yes.

RATHER:

Again the question, where did you get that kind of money?

RAY:

Well, as I metioned I got -- the first time I get seventeen hundred dollars I believe for a crossing the border in Detroit.

RATHER:

This is what Raoul gave you for that smu@gling job.

RAY:

In Mexico in one -- ine incidence I got two thousand and New Orleans one time I got five hundred and I -- I did commit one robbery in canada. That was a house of ill fame, I guess  
---

RAY: (CONT)

you call it, a gambling house, and I think I got sixteen or seventeen hundred dollars there and -- but I don't think there'd be any problem in accounting for the ~~xxx~~ money. The Justice Department I think has come up with fifteen thousand. I think some book writers come up with seven, but I can almost document every nickel I spent.

RATHER:

So it's your contention to answer the question, where did you get the money is that you got a large share of it from Raoul for various smuggling jobs in Canada to the United States, United States to Mexico and then once a payment in New Orleans the rest you got mostly from a hold up and various odd jobs.

RAY:

Yes, well, I think where the Justice Department originally made the mistake -- they assumed as soon as I got out of prison -- that I'd started committing crimes. And actually I went to work. The only way the Justice Department ever found out that I was working is that I told Bradford -- William Bradford Healey and he told the FBI. But I think after they found out that I was working then they scaled down or scaled up the amount of money I spent.

FOUND TAKE 10

RATHER:

On the subject on money, Mr. Ray, when you were in California, this was roughly around November of 1967, after you'd come from Mexico back into California.

RAY:

Right.

RATHER:

You had no surgery, went to bartending school, had dancing lessons, how did you finance all of that

RAY:

Well that was money I had when I come out of Mexico. I got two thousand when I came out. And I went to New Orleans once and got five hundred. The plastic surgery -- at that time I was -- I was working on some type of project to get (indistinct) seamless paper and there's certain thing that shows up in the picture that doesn't show up when your speaking to someone face to face. I think it's your nose and your ears. And I was -- I was -- my original intent when I got out there was try to get some merchant seamens papers by going -- going to the Coast Gaurd and suing an assumed name. And that's how come -- but that really didn't cost too much money.

RATHER:

Now in December 1967, you went from California to New Orleans. You later went back to California, but in December 1967 you went from California to New Orleans. You made a telephone call in New Orleans that as far as I know you've never been willing to talk about. To whom was that call made/

RAY:

We it - - itw as supposed to be the individual. I called him from New Orleans to ~~xx~~ have a meeting in a tavern.

RATHER:

Racon?

RAY:

Yes. And -- but -- now on this protecting the telephone number, I think -- we haven't investigated but I couldn't remember it all. I remember dialing the last four numbers then we checked through all the first three and -- but ~~xxxxxxxxxxxx~~ -- I'm skeptical -- I don't want to get in this libel area again and say something that may be embarrassing to -- disservice some group or organizations. That was the big -- the number about the -- the King association with the -- Arab and things like that. Now I don't know if -- I think Andy Young or someone would be better prepared to answer this questions like that.

RATHER:

Excuse me, the telephone number --

CAMERA ROLL 10

SOUND TAKE 11

RATHER:

I want to pick up ther and again, I -- I'm not eager to get into a libel suit either, but the responsibility --

RAY:

No, I mean libel someone else.

RATHER:

But you had some reason to believe that that telephone number or a telephone number that you used for a contact in the New Orleans area might have been -- what?

RAY:

Well now the -- the poeple investigated for me, they mentioned the fact that the individual might

RAY: (CONT)

have been involved in some type of -- this Arab-Palestine conflict.

RATHER:

Trying to make a connection between the Pasestin#an and Martin Luther KINGS organization.

RAY:

Well, he -- he -- I think that the representation he was -- he intended like Vietnam to support the Arab cause. But aht's -- that has never been gone into in any depth. It might be misleading or it might not, but == but that's one of hte problems with -- within the case. You -- you can't really investigage anything you did if you can't get the subpeona to find out just what -- you know, find out just what's what or who's who or --

RATHER:

Again, is tat one of the leads you would like to be pursued, the possibility that Martin Luther King's organization -- someone in his organization making contact with the Palestinian s for an alliance?

RAY: +

I -- I -- I -- that was the impression that I got from the party that delivered me the information. After I delivered him the -- the information. But like I say, I'm not the best -- I'm just telling you what I know. I'm not the best judge of that. I'm sure that some of -- UN Ambassador Andrew Young or someone like that would know something like that more than me, could, you squash it one way or the other.



RATHER:

Did you ever have any indication that Raoul or anyone connected with him was connected with any such movement as that?

RAY:

No, there was never any political -- of course anyone would'd discuss politics -- politics and criminal operations anyway, but I've never -- there was never any political -- anything to be connected with political. It was always money and things like that -- forged passports and the same thing that I'd always been involved in, except on a more sophisticated scale.

RATHER:

Let me carry on through with a couple of things from your odyssey that I want to try to clean up. Now after going from California to New Orleans in December of 1967, then still in December of 1967 you returned to California from New Orleans.

RAY:

Yes.

RATHER:

And you stayed in California until March of 1968. Question -- during this time were you as anti-conspiratorialist maintain, just hanging around, just wandering, or were you, as conspiracy believers think, being guided around, told where to go during this period?

RAY:

I don't think either one. I did go to New Orleans by request. Nobody ever ordered me to do anything. It was always request with the promise of hooked on the end of it. But in -- there was a definite

RAY: (CONT)

purpose in California, because it was on the coast, and I was trying to make some arrangements for Merchant Marines, some type of papers to get out of there. And of course I was going to San Francisco, to make some type of arrangements to get Coast Guard papers or whatever it is you use to --

RATHER:

When you left California in March of 1968, to go back through Louisiana and eventually wind up in Atlanta, did you not leave a forwarding address in Atlanta at that time?

RAY:

When I --

RATHER:

When you left California,

RAY:

Run that by me again, when I

RATHER:

This -- we're now in March 1968 --

RAY:

Yes.

RATHER:

Roughly a month before the Martin Luther King killing. You left California and were coming back to the deep south. The question is whether you left a forwarding address in California for Atlanta.

RAY:

RAY:

I think -- let's see -- when I left -- no, I --  
I -- I can say with almost certainty under oath  
that I didn't leave no forwarding address.

RATHER:

You were coming back to the deep south -- why?

RAY:

Well, that was unrequest. The New Orleans, but  
there was never -- in fact I never -- I never  
knew I was going to Atlanta until I arrived in  
Birmingham and ~~it~~ there was no forwarding address  
and of course -- that would be very damaging  
against me, but I'm -- I'm just a hundred --  
ninety ninepercent positive there ~~is~~ was no  
-- no forwarding address. If I would have left  
it anywhere, it would have been Birmingham, 'cause  
that's where I had my identification.

RATHER:

This is the reason I ask because -- I do want to get  
this part of the story as straight as I can. I  
realize you're operating on your own memory and  
recollection.

RAY:

I'm-- I'm -- I'm certain that.

RATHER:

You were asked by Raoul to come back to New  
Orleans from California.

RAY:

Yes.

RATHER:

RATHER:

In March of sixty eight. did he say why?

RAY:

Well I assumed it was the same reason that -- that he mentioned to me in December. It was some type of gun operation in Mexico. But there was never any specifics on the telephone or -- or on -- in writing. In fact there was never ~~any~~ very much of anything in writing.

RATHER:

Did he ever mention to you the possibility of assassination or hit man operation?

RAY:

No, I don't -- that would have been -- that would have been kind of out of my league. I -- I don't -- I don't really think I have the constitution for all that type of stuff. I don't say that as a virtue, actually it's -- might be a handicap in this type of society. But I don't --

RATHER:

On the way back to Alabama and Atlanta from California, this was in March of 1968, you stopped in New Orleans --

RAY:

In -- Yes, I went -- I went -- I took some -- I think I took some -- now ~~was~~ that's in March, right/

RATHER:

March of sixty eight.

RAY:

Yes, I took some clothing downthere. To a lady.

RAY: (CONT)

But I was supposed to meet the other party.

RATHER:

You were supposed to meet Raoul.

RAY:

Yes, but -- I also told this -- some -- oh, -- barmaid in a tavern there that I'd stopped by there and delivered some stuff for her. Because I was going through there and I sub -- subsequently delivered the material and that was it.

RATHER:

My question is did you actually meet Raoul in New Orleans.

RAY:

No, there was no meeting there. I -- there was a telephone call, but it was ~~not~~ transferred to Birmingham.

RATHER:

He was in Birmingham at that time.

RAY:

He was on the way there somewhere.

RATHER:

Did you go from New Orleans to Birmingham by way of Selma?

RAY:

Ah, -- yes, I went through Selma. I found out later from William Bradford Healey that I was there and I discussed with Arthur Haynes and -- I went through ~~the way through~~ through Selma.

RATHER:

The reason I'm asking this and I'm sure you must be aware of this, is that there is a school of thought that you decided in Los Angeles that you ~~was~~ were going to kill Martin Luther King, that he had been out there and that you'd gotten angry at seeing him on the television and made up your mind you were going to go to the deep south and stalk him and did in fact stalk him in Selma and finally caught up with him in Memphis and killed him. You ~~was~~ know that theory.

RAY:

Yes, I -- I -- I ~~was~~ read it, yes. William Bradford Hewitt. et cetera.

RATHER:

Is that true?

RAY:

No, that's not true. Selma -- I got there, I ~~was~~ think -- I --- I know now I was there 'cause I've checked it out, but I got there about dark and I checked in the motel and stayed there one night and left. Actually the reason I even come through that particular town was that -- when I left New Orleans, I think I got on the wrong road. IN Alabama, the roads down there are -- there are not too many superhighways. and -- and I got off on the -- I believe a secondary road and -- I got in Selma about seven or eight o'clock, I think. checked in there and left the next morning. And went on into Birmingham.

RATHER:

So you were not stalking Dr. Martin Luther King at that time?

RAY:

I never stalked -- no, that's ridiculous, they -- they have that in California and everything. Of course I lived there -- I stayed there five months end of course just because an individual happens to come in town doesn't mean that -- another individual stalking him, because I was there before he was. That could be like saying he was stalking me or something.

RATHER:

You say you arrived in Atlanta by way of New Orleans and Selma from California, March twenty fourth, 1968.

RAY:

I'm not -- I think it's about that -- I think that's about the correct date.

RATHER:

You were in Atlanta four days?

RAY:

No, I think I was there about -- approximately seven because I paid -- I paid the rent twice. (overtalk) I thought I was going to be there for longer and I paid in advance.

RATHER:

ALL RIGHT, BUT YOU WERE GUIDED -- given instructions during that time -- during the time that you were in Atlanta, four days to a week.

RAY:

Yes, I was told once when we went there, we rented this room, me and this individual called Raouls, we both rented it but the -- the landlord was -- passed out, had been drinking, so we said a few words to him and I told him I -- He told me -- he

RAY: (CONT)

-- he promised me a room so I told Raoul that I'd go ahead and get a room and if I didn't want -- stay in here with the landlord or something. We subsequently he -- he finally got sobered up and he sent me right next door. He -- he owned that place, and I stayed there. I think I stayed there seven days. I could be wrong but I think --

RATHER:

Well, my point, during that period though, you were in contact with Raoul and he was more or less guiding your movements.

RAY:

No. We -- we -- I -- I never seen him but once that time and it was the next day and made some kind of arrangement where he could get in the door, the place I was staying in, there wasn't -- Is seen them get in these places all the time, there wasn't no -- you couldn't get the -- you couldn't get in the -- front door or something. Because I was in the back, so I made arrangements to leave the back door open and so if I ever got a visitor they could just come in and see me.

RATHER:

You said that you did see Raoul during that period though, and he discussed gun running with you during that period.

RAY:

Yeah, I was -- I was almost ~~sure~~ certain at that time when I made Birmingham that -- that -- that -- that would be what it was.



RATHER:

Did he mention Cuba during that period?

RAY:

No -- the only mention of Cuba was in the -- was in New Orleans in nineteen -- 1967.

RATHER:

Right. Is there any cooperation that you can think of -- any possible proof, any evidence that we don't know of, that you actually associated with this man Raoul?

RAY:

No, except what I told attorneys--

CAMERA ROLL 11

SOUND 12

RATHER:

Is there any cooperation anywhere, any proof, any possible evidence, particularly that hasn't been known before that might conceivably ~~xxxx~~ support this story of Raoul?

RAY:

Well other than my testimony, I believe there was only two pieces of evidence that I can think of. And that's Percy Foreman deposition ~~xxx~~ testimony in the 1974 Habeas Corpus hearing in Memphis. Now he refers to phone numbers, disconnected phones, tabs, and all that. And he implies that he got them all somewhere else, but I -- I confirmed them. The only other evidence that -- I made some notes while I was in jail so I could remember what -- what -- what I had remembered. and I 'd written them all down on the -- on a money slip, a ~~xxxx~~ jail you know, they send you a money slip, you get money and they give you a slip, you sign for it. So I

RAY: (CONT)

kept -- tried to keep these phone numbers , I'd write them down backwards on the thing -- and address and things and I kept that. Well I still got that. I don't have -- don't think I have the original copy but I get a xerox of it and I think Jerry has the original copy. He said somebody knocked him in the head in St. Louis ~~xxx~~ in 1971 and he lost the original. But anyway, I --

RATHER:

That's your brother Jerry.

RAY:

Yes. But I did keep a xerox of it, and I think it's file in some court now, but it's wrote down in code more or less, so it's be difficult for anyone to interpret it except me.

RATHER:

This is what I have to ask you and want to ask you. Again head to head and eye to eye, man to man, are you absolutely certain Raoul existed? There was such a person.

RAY:

I'm -- I'm absolutely exist -- I'm certain he existed person, but I'm not certain about the name or anything like that. But there's no question that -- in my mind at least that he did exist and -- I think if -- if we could ever get all the information from the Justice Department and things like that, out on the table -- I'm not talking about publicizing and embarrassing anyone. I think if my attorney or someone could go over ~~thxxxx~~ them with it, well they could see more or less see -- they could make all the connections.

RAY: (CONT)

But I don't -- I don't see how you could ever establish anything if they keep -- you know -- locking up evidence and voiding subpoenas and things like that.

RATHER:

You have to know. How many people who hear you tell this story will say to themselves, that is a cock and bull story if ever I heard one.

RAY:

yeah, yeah.

XXXXX RATHER:

That James EARL Ray is gottenhimself in a world of trouble, he's trying to concoct some story that will help him out of it, and this Raouls never existed and that things fantasy from beginning to end.

RAY:

I think so. I think -- I have -- I have -- based on my background, the -- you know, in jails and out, I think people'd be skeptical of anything I testified to, to the media. But I think equally, people are skeptical of the printed -- printed press communication industry, especially these large Eastern publishing ~~xxx~~ companies. And they -- they haven't seen to give them any more credence than they give me. I think the only -- only way to resolve this is maybe not even a criminal trial for me, maybe a civil trial, where the subpoena is, you know, nationwide, it's not some judge, ~~xx~~ arbitrarily decides that the fifty mile limit (?) and I think -- I believe -- I think any criminal defendant -- if he's involved in

RAY:(CONT

something, the crime is sort of complicated and things like that. I don't think you can take a witness stand and make up a whole story, because someday or another, hey shoot you down and you know, ruin your credibility. But I think -- as lawyers who have contacted Griffin Bell, if he wants to examine the case, some type of judicial proceedings, either a civil case, I don't want to commit the lawyer now, because he might decide something else. He -- to a civil proceedings or a criminal proceedings. But --

RATHER:

You'd be willing to go through that?

RAY:

I've ~~any~~ always been willing. I -- I think we filed six or eight civil cases, but they're dismissed before you can get the subpoena. They --

RATHER:

Let me see if I understand you here. That you're saying, all right, you understand the people are skeptical, perhaps even cynical about your story about Raoul and --

RAY:

Yes.

RATHER:

-- ALL OF THIS. But that you're convinced that if you could put yourself under oath, and put other people under oath, with wide ranging subpoena powers, that it would be proven that Raoul did exist?

RAY:

AH -- I don't know -- this certain individual -- I think -- I think it'd be proven that someone did exist- whether it's that particular name or not. I think I could have my previous testimony corroborated. But --

RATHER:

That someone did exist and that he did -- finance your smuggling.

RAY:

Oh, I ~~think~~ think it's definite. The prosecution -- they -- they confirmed these subpoenas, but they do it in sort of -- offhanded manner, you know, they -- they make some type of remark -- here I know in Memphis in 1974, and -- but they'll never -- they'll never pursue the matter.

RATHER:

You think a civil court trial would probably ~~be~~ be the best form as far as your concerned to get to the bottom of this.

RAY:

Well -- the -- the disadvantage of a civil court trial would be that I couldn't get no -- relief unless it generates some kind of -- publicity. And the point is that -- there's certain people don't have too much -- they don't have no influence with -- with the -- particularly the printed press, publishing companies. I'm -- especially working class whites and Black Muslims and anti-communist and pro-communist Cubans. I ~~am~~ know -- I know that from my personal experience. And by who they wanted to put the ~~heat~~ heat on when I was in ~~Memphis~~ Memphis. So I think -- if --if we did have

RAY:(CNT)

a civil trial, I don't ~~know~~ know -- I think you could get -- like I say, I think you could get all the facts out, but I don't think it -- I don't -- I can't see how it would benefit me any.

RATHER:

Perhaps in the long run if all the facts came out.

RAY:

Well, there's a possibility. Well I think that may be one -- one reason why the civil suits are always dismissed. Because -- I don't know how much you know about law, but whenever you file a civil suit against anyone, he -- he automatically has a right to impose and take sworn statements from you. If you refuse, well then you can be held in contempt or -- your credibility is gone. In all the suits that we filed, -- and I guess there's six or seven -- plus I've been sued two or three times, no one has ever took my deposition or interrogatories. And it seems like always so -called really intelligent lawyers, which they ~~are~~ are, and they ~~would~~ would -- you know -- go into all these things. But they won't

RATHER:

That strikes you as strange that that hasn't happened.

RAY:

It does. I've never been to -- John J. Jooker, he asked me a few questions, I should take back what I said a while ago, but he never -- they were -- they were strictly limited to defending Percy Foreman in a lawsuit.

RATHER:

I understand. After the King shooting, you drove the white Mustang to Atlanta, then the next day you took the bus ~~RAM~~ and eventually ~~xxxxxx~~ one train I think and would up in Toronto.

RAY:

Yes. Correct.

RATHER:

Now in Toronto within only two days, you had two aliases. Raymond Snead and Paul Bridgman. How did you get those aliases?

RAY:

I got those aliases from the newspaper office, from the films.

RATHER:

Did you go into the newspaper office or to the library?

RAY:

I guess it was the library. They put films in the machine and you check'em out.

RATHER:

Here's the problem that many people I've talked to have with that. First of all they say that you've told conflicting stories about how you got those names. Have you in fact told conflicting stories about those --

RAY:

No. I've written -- everything I've -- all my testimony, including that first one, I've always written down on paper. And of course now Foreman,

RAY: (CONT)

he's -- he claims HE LOST what I wrote down. But all the succeeding attorneys, I've always written down everything on paper. And -- what is the other story that I was suppose to -- or do you recall.

RATHER:

Well, among other things it was -- one time you told the story that you went to the newspaper office , the next time you told the story that you went to a library in Toronto to get these names. That was one conflict.

RAY:

No, it was definately a newspaper, because they put these -- they put these films -- tjere are films or something -- I guess you'd know more about it than I would.

RATHER:

Microfilms.

RAY:

Yes. And ~~ky~~ they -- you -- you -- you -- the secretary putsthem on this thing and you -- you can run through the whole newspapers.

RATHER:

Let me tell you what I'm getting at here and let me talk about ~~nw~~ my own skepticism. I'd like tothink I'm not cynical, but as a professional I am skeptical.

RAY:

yes.



RATHER:

That the names Galt, Williard, these were earlier aliases of yours, that you got in Canada on the first trip, Snead and Bridgeman, are all four relatively similarly looking white males, they all lived in the same suburb of Toronto, in the Scarboro suburb. Now it strikes me that the probability of finding aliases that good, that fitting and all from the same neighborhood on such short notice, is so small to be the point of impossibility, and it seems to me, an outsider, that perhaps you were in contact with an alias ring someone who supplied just the right aliases for just the right people.

RAY:

No, no that's not correct. I mean it --it might be to my advantage if I came up with some -- some story about involving some type of counterfeiting ring, but that -- that really wasn't -- that really wasn't what it was. I think -- I think that was a coincidence. I did look for people that were near my age in the -- of course the information on the newspapers, it gives you - it gives the wife -- I think the mother's name, or nee, whatever nee means, but it doesn't give nationality or race or anything like that. But in Canada you make certain assumptions because the people born there thirty or years --

RATHER:

But the point is that you did it the way you claim to have done it.

RAY:

That's exactly the way I did it and -- see -- I think there's a tendency to make systemies out of things like this and of course it is skeptical

because the people did favor me, but I think -- I think in this case the things that the -- that are more unexplainable is for instance, Memphis, when -- shortly after Dr. King was shot someone went on -- someone went on the citizens band radio and misled the police -- had them go in another area, I think another example is --

CAMERA ROLL 12

SOUND TAKE 13

RATHER:

You were saying another example of what you thought was a more important question.

RAY:

Well I think another example was that there's been reports now -- I'm pretty sure they've been cooperated, somebody got a drivers license ~~up~~ under my name in Birmingham on a certain date when I was living in California. It would have been impossible for me to do it. I think --

RATHER:

Would you say that that was Raouls who did that/

RAY:

Raoul didn't have no idea who it was, but I think -- someone called ~~me~~ the captain of the state police up in Alabama and requested a drivers license and he gave it to him.

RATHER:

You managed to get two birth certificates within two days in Toronto. To back up those aliases. Then within two weeks you got a passport under the ~~name~~ name of Sneed. It simply doesn't stand to reason to me that you could have done all that

RATHER: (CONT)

by yourself.

RAY:

Well yes, I did -- I did that -- that part there was -- I'll have to take full blame for it. Because -- there's not too much trouble getting a passport in Canada. Contrary to published reports, I didn't ~~know~~ learn this in penitentiary, I just picked it up in Danada by making inquiries and things, but I think -- the passport, I think it cost -- not the passport, but the girth certificate, cost two dollars, just a small thing.

RATHER:

It was easy to get.

RAY:

It's not too much -- if you got the correct information and you can send two dollars into the registrar generals office and you -- you say you want it --

RATHER:

In some -- an awful lot of people, including myself, find ~~it~~ themselves thinking, ~~it~~ over and over again, no one man who had by his own acknowledgement never been to Memphis before, could have under the circumstances immediately following Dr. Martin Luther~~s~~ King's killing, no one man could have gotten out of Memp~~h~~is, gotten back to Atlanta and made his way all the way to Canada, gotten down to Engalnd, down to Portugal, and back to London on his ~~own~~ own.

RAY:

Well, I don't know -- what' -- what's the specific -- is there any specific --

RATHER:

Well, it's a long way to run under very tough circumstances, world wide alert out, for a killer. How could you do it?

RAY:

Well I think -- I think that -- the first parts easy to explain, and I think the -- the all points bulletin was in Tennessee. They -- they didn't put an all points bulletin out in all -- in other states, -- actually -- actually the -- the actions in Memphis -- the commissioner, he's a former FBI man, Mr. Hollerman, I believe his name is, he's -- he's a very -- well, ~~xxx~~ (indistinct) for a lack of a better word, but there was never no all points bulletin put out except in -- in -- in Tennessee.

RATHER:

The FBI didn't put out a nationwide bulletin immediately?

RAY:

No, I heard Memphis did, Memphis -- because you can't compartmentalize these things. I think Mr. Holerman, he's twenty five years in the FBI, so I imagine he works very close with them.

RATHER:

Let me ask you about the FBI. Have you ~~mmxxx~~ ever at any time under any circumstances, been an informer for the FBI.

RAY:

No, I've never been an informer for not only the FBI, ~~xxx~~ for anyone else. And if I ever go in front of any committee or anything, ~~p~~ of course it's been -- that's been -- there's not been -- there's never been alledged, ~~xxx~~ but it's been alledged I cooperated somewhere, but if I ever go up in front of a committee or get under oath again, I want to get in this in some ~~xxxx~~ detail, because -- that's about the worse thing you can -- you know, alledge against someone. From -- from my standpoint.

RATHER:

But you never had anything to do with them other than they cahsed you or gathered evidence against~~xxx~~ you.

RAY:

I never even talked to an FBI agent. Except one time and that was in -- years ago in Hanibal, and he called me in the room and I didn't have no federal charges on me, ~~xx~~ and he asked me for -- he asked everybody, in case if I ever got out, would I consider helping him some way. And I told him I wasn't interested in it. But actually, as far as the FBI concern on this case, I -- think they're ~~xxxx~~ more or less the spear carriers. ~~xx~~ I think it's -- I don't think they do too much of anything without the -- the acquiescence or the approval of the Justice Department. Because I ~~xxxxxxxxxxxxxxxxxxxx~~ remember -- I remember seeing -- I think some reels on CBS about a year ago, ~~w~~ e see you see these various Attorney Generals, Ramsey Clark and Mr. Nicholas Kasenbach there, don't recognize their own initials for wire taps and all that, so --of course they're ~~xxxx~~ lawyers

RAY: (CONT)

and they're more smooth in these operations I think than the FBI are -- is.

RATHER:

Let me tase you what I'm driving at when I ~~ask~~ ask you whether you'd ever had any involvement with the FBI.

RAY:

Yes

RATHER:

I know from your brother Jerry, how strongly you feel about that. Of denying that. But Andrew Young, now the UN Ambassador who was of course as close as anyone to Dr. Martin Luther King, has said , and I quote, I'm not saying that Dr. King's assassination was a contract job, I'm saying that there was a climate created , an atmosphere created that gave the impression that Martin Luther King was a danger to Democracy and to America and that somebody might be doing the director , meaning the FBI director, a great favor or be doing the nation a great favor, by getting rid of him. Meaning Dr. King.

RAY:

Well, first I ~~not~~ don't think -- I don't -- I doubt very much -- first I'm certain the FBI would't ever kill him themselves. You know, the agents. That would be a -- they just don't do things like that -- intelligencw agents don't. I think you read the -- what little bit I follow the news in the paper, like the CIA, that's just an expanded FBI, they usuallypay the local -- the ~~local~~ local population. I think there's a

RAY: (CONT)

story just recently, they paid King -- some -- King Hussain I believe it was, of Jordan, a million dollars a year. Well ~~xxxxxx~~ I assume they don't pay anyone a million dollars a year just to have parties on that much, cause you couldn't spend that much, so I assume it's -- they use that money to get rid of people that disagrees with United States policy. So I think that applies the same way to the FBI. I ~~xxxx~~ doubt very much if they would ever -- sell anyone outside the law, but I think they might -- they have -- they have enormous informer network, I suppose. From wht I read, and they might let someone do that but -- you know, lighten up on security or something.

RATHER:

Personal opinion. Could Raoul have been an FBI informer or CIA contact of some kind?

RAY:

I -- no, I -- I -- I'm more inclined to think if -- if the FBI or the Justice Department, someone like that, had anything involved, they would -- it's been charged by Mark Lane (?) what -- wheat he calls security stripping, and I think -- I think this happened on the day Dr. King was shot, I understand that two -- some black policemen was guardingham and someone sent -- who's the people that guards the Presidnet --

RATHER:

Secret service?

RAY:

Secrey service down there and they told him that

RAY: (CONT)

someone was going to murder the policeman. That don't make much sense. So they took the police manoff to question him for three days and during this time the killing took place and his name was Redman, I think. I read -- I read several articles about it. But I don't think they do anything so crude as -- unless it was just a (indistinct) case.

1

RATHER:

I want to get back to the money for a minute if I may. You know the theory which is -- true it may not be, widely believed it is, that you dealt in all kinds of businesses when you were in prison in Missouri. And managed to get out a good deal of money. Can we talk about that for a while. First of ~~you~~ all, did you use drugs when you were in prison in Missouri?

RAY:

I've never used any kind of -- what you call hard narcotics. That's cocaine, herion. Of course everybody in the pententary at one time another takes tranquillizers, something of that nature. But I've never dealt in any drugs, I've never taken any, 'cause I've seen what it does to ~~my~~ your health, you got to be --

RATHER:

What about emphatamines.

RAY:

No, they shd something called -- someting similar to that, they get prescriptions,

RATHER:

Well we want to --



RAY:

(overtalk) while you're on the subject, there was considerable amphetamines in the -- in the prison. ~~ixx~~ I wouldn't say considerable, but they was in ~~ses~~ there and I don't want to get -- I dn't want to discuss prison -- prison and all that, and -- but -- there are certain things goes on in prison that goes on on the outside, it's only natural. But there's no -- things dn't get out of hand, -- I thinkyou're referring -- ~~ixxxxx~~ the McMillian book, that's nonsense there. There was nothing like that.

RATHER:

That's exactly waht I wasreferring to, that George McMillian in his new book of his, just lays out a whole --

RAY:

Yeah.

RATHER:

He says its more than a theory. He thinks it's documented evidence thatyo u dealt not only in -- in drugs in the Missouri state prison, but in other things, and managed to build up onthe outside a rather large amount of cash which allowed you to runwhen you had to.

RAY:

See, you have to understand Missouri prison when I was there -- you made a dollar and a half a month for -- for work. AND of course in prison there -- there is a certain amount of -- you have -- there's a certain amount of overhead. You know ~~xxxxxxx~~ -- you ~~ix~~ yave to buy ~~x~~ ~~xxxx~~ soap, stamps, things like that. They don't give -- they don't give that

RAY: (CONT)

away and you have to make money on the outside to support those things. But you don't make no thousand dollars amonth or anything like that, 'cause that -- that just don't happen. You might make fifteen or twenty dollars a month, but you can't send that out. You -- you have to leave that inside.

RATHER:

It's my understanding his theory is that you spent between eight and ten thousand dollars running, and it would have been very easy for you to make a thousand dollars a year in jail, and you were in jail, in prison, betwen seven and eight years.

RAY:

I think that would be impossible. They have -- they have ~~xxxxxxx~~ the entire list of ~~my~~ money I sent out. The most money I ever sent out was fifty dollars, I think to my brother one time and that was kind of indirectly, I sent a lawyer a hundred dollars and told him to give my brother fifty, something. But it's a very small amount of money and -- he says that I was dealing with guards. Well that's nonsense. I never had any dealings with the guards. But on the other -- the more specifically, I think -- ON the -- on ~~the~~ the money ~~xxxxxx~~ part, I just don't -- I don't see how you could -- accumulate that much money.

RATHER:

It jsut isn't true.

RAY:

Well, not it's -- there's no -- there's no -- it's

RAY: (CONT)

just totally false. And I think the commissioner of Missouri -- I think his name is Camp, and he said it's totally false and it's --

RATHER:

What about the charge that you're a racist. Always have been.

RAY:

No, I -- I think -- well ~~xxxx~~ I ~~xxxx~~ think that's Time -- that accusation 's been in Time -- Time Magazine, not -- not -- under their definition, of racist, I -- I most likely am. Most likely am. But -- that's -- I think their ~~xxxx~~ term --

SOUND ROLL 4  
CAMERA ROLL 13  
SOUND TAKE 14

RATHER:

I want to ask that question again if I may. Are you a racist?

RAY:

Well, as I mentioned, I think I would beunder the definition that Time Magazine and (indistinct) gives, beacuse I think they're the one -- they're the one-- person made the accusation. But -- but I think that's mostly pretense. What they're -- they more or less-- that's economic ~~xxxxxx~~ reasons -- as far as my personal -- feelings about it, these various other ethnic groups and things, they're jsut here and I'm here. I think it'd be -- I don't think I could ever pretend to -- have the same -- take the same poistion that say, Time Magazine or -- or say, George McMillian, because --

RAY: (CONT)

what I'm concerned about is explaining something to the jury. If I went before a jury and -- and you know, tried to pretend that I spent a life time as a humanitarian ministering to the poor and all that stuff, they'd know I was either crazy or lying, so -- I think as far as the -- I don't know what they're specifically thinking about, some type of segregation or anything. There's a lot -- a lot of self segregation in the United States. I think -- I think a good example is probably in the federal prisons. I think if you go in there you'll see -- Mexican Americans associating together, blacks and -- and the whites and even people from Texas, and I don't say that with --

RATHER:

No, but what we're driving at is (overtalk) deeper than that.

RAY:

You're talking about --

RATHER:

You hated black people, always hated black people, that's --

RAY:

Well I think that's nonsense. I think -- I usually -- judge someone-- on the -- you know, the individual person. But -- but I think there is an instinctive tendency to ~~associate~~ associate with people you have something in common with, background and things like that. I don't -- I don't think that's -- means you're plotting to kill the other person or anything like that, but it's just -- it's an inconsequential thing. When

RAY:(CONT

I --

RATHER:

By your own definition, are you a racist?

RAY:

No -- not == not in my own definition. But I don't like to get these words-- if I ever go to trial or something like that, I don't want to get -- I don't want to get definitions mixed up and with slogans and things like that. I don't want to be -- specific, just what they -- you now, just what they were talking about and in their definition of those things.

RATHER:

For example, George MacMillan the author, alleges that you said and scribbled Martin Luther Coon, quote, unquote,

RAY:

Well see, that's ignorant. I wouldn't refer to one ~~like that~~ -- to anyone like that even if I was opposed to them. But the -- the == the point is I think George McMillan, he's -- he's made a statement that I used to make all these comments while watching TV in the prisons. But -- in Missouri prison, but the fact is there was no TV's in there while I was in ~~the~~ there, so that 's just -- just a story that ~~he's~~ he's made up to sell a book, I suppose. Make a point for the Justice Department.

RATHER:

Would it be too strong to classify that as a lie?

RAY:

RAY:

Well I consider it a hundred percent lie, 'cause -- there's just no -- no basis for fact in it. I think it'd be substantiated by any one who -- who wanted to check it with the prison officials.

RATHER:

I'm going to throw several questions that might seem unrelated to you, just by way of cleaning up a few things. If there was a conspiracy to kill Martin Luther King, if somebody else did it, why sit here silent? Why not tell everything you know and do everything you can to find the other people.

RAY:

Well, I don't -- I think a lot of people have a sort of a Pollyanne view of the legal system. All you got to do is go to the prosecutor and say ~~me~~ oh, here -- here's what it is, turn me loose and that's it. That's not the way it is. If -- if you -- if you testify to the prosecutor he'll just use what you tell him to weave it in his ~~me~~ story. It doesn't necessarily mean he's going to turn you out or anything like that. As far as me testifying, there's been opportunities ever since ~~me~~ the plea, the second day after the plea, I think the second day after the plea is when I wrote judge Bell and asked for a new trial. There's always been opportunities for the state to -- to depose me or ask me any questions they want to. But it has to be in judicial proceedings and -- and I don't intend to -- have some type of ex parte meeting with the prosecuting attorney or anyone else.

RATHER:

You want to do it in court under oath.

RAY:

That would be the only place, yes.

RATHER:

And with others in court under oath.

RAY:

Yes, with the -- with the -- right to cross examine.

RATHER:

It's been alledged that you were a great fan and follower of Mr. Stoner, a well known segregationist in the South, and read his newspaper The Thunderbolt now is that true or not?

RAY:

I never read -- I never read his newspaper Thunderbolt. The first time I ever heard of Mr. Stoner was in the London England jail. That was the first time I ever heard of him or his organization. And some committee called the Patriotic Fund wrote me a letter and said they would defend me for -- I think it was nothing. And ~~in~~ at that time I then contacted Haynes but I never seen the letter personally. I read the letter offer this English barristers shoulder, and I just told him that -- that I didn't know Mr. Stoner, never heard of him and I'd go ahead and stay with Haynes. But --

RATHER:

Did you or your brother Jerry make contact with a Kent Courtney, who operates what is described as an extreme ~~right~~ right wing newspaper out of New Orleans and Baton Rouge.

RAY:

Yes, we did. After -- after -- after the guilty  
 ples -- Hanyes -- Haynes -- Arthur Haynes, the  
 first attorney that defended me, it's his theory  
 and he -- he made -- he had contacts in the FBI  
 and everything, that the Communist had involved --  
 were responsible for the crime because they wanted  
 to -- well in ohter words they couldn't use Dr.  
 King any more or -- they wanted to create trouble  
 in the United States. NOW Haynes had a lot of names  
 and everything like that and I ca't remember all  
 he discssed -- He had me about convinced that they  
 was . So consequently while I wasin jail, I come  
 across something somewhere where this Kent Courtney  
 was from New Orlenas and he -- he was specializin  
 in communism. so when -- when he -- when I went do  
 to -- to the prison, I asked Jerry to go down and  
 see him --

RATHER:

YOur brother.

RAY:

Yes, plus, he was supposed to check on some other  
 stuff down -- some phone numbers or something --  
 I asked him to see this Kent Courtney.  
 But that's --

RATHER:

So, it was in that context that he say him.

RAY:

That was the context , yes.

RATHE:

Mr. Ray, what do you think more than any other  
 thing shaped your ~~life~~ life?



RAY:

I don't -- I jsut can't -- I can't answer -- it's difficult to answer -- those types of questions. I suppose it's heredity and -- and environment and chance in a certain sense. I think chance plays quite a bit of -- quite a bit in it, but I wouldn't say it's --

RATHER:

Would you consider your life a failure?

RAY:

Well I wouldn't if I -- If I -- if I would have stayed in Canada the first time and perhaps went to Australia, I wouldn't -- I wouldn't exactly have considered it a failure, but -- I don't consider it one way or the other, just --I'm just here and that's it, more or less.

RATHER:

How about influential people in your life? Who would you say is -- was the most influential person in your life?

~~XXXXXXXX~~ RAY:

That's very difficult, say who -- you mean a family ~~member~~ member or --

RATHER:

I was thinking perhaps of Uncle Earl or ~~my~~ your Aunt Mabel Fuller, or perhaps Mom Mayer.

RAY:

Well I've always been pretty close to all the family members, so I can't -- pick out one and say I was more influenced by them than the other ones.

RATHER:

I want to ask you about Mom Mayer. Did she sign an affidavit in Alton Illinois saying that you carried a picture of Adolph Hitler in the 1940's?

RAY:

No, I don't think she ever said that. I --

RATHER:

Did you ever carry such a picture?

RAY:

No, that's nonsense. I think what she did, I got in jail there one time, and I think she -- she was very prejudice against Germans, and the place I worked I think about seventy percent of them were Germans. And she -- I think -- I got a burglary charge and I think she went down here and told them -- these people ~~were~~ were responsible for me being in jail. Or something.

RATHER:

YOU know one reason I ask you this is the -- again the author George McMillian lays out a whole scenario in which you went around giving the Heil Hitler salute, carrying a picture of Adolf Hitler. Is there any -- of that true.

RAY:

No, that's -- that's just -- well that's just nonsense. I mean -- that's the same with the remark he made about Martin Luther King, coon, you know, even if you do think along those lines, you wouldn't be expressing yourself like that, 'cause -- it'd be kind of ridiculous, someone would have to be a clown.

RATHER:

What about the theory that you were indeed heavily into amphetamines and that you were high on amphetamines the day Martin Luther King was killed.

RAY:

Well, I don't know. I was -- I was on ~~the street~~ <sup>the street</sup> ~~xxxxxx~~ ~~xxxxxx~~ fourteen months during escape time. And I never -- I've never taken -- I don't think I ever took a pill -- I had pneumonia once or something, something like that, that's the only time, -- that was in Birmingham in nineteen. I believe that ~~xxx~~ was September, but there was never any drugs. I never took any amphetamines on the street. One time period. AS I can remember (?) recall.

RATHER:

SO ~~ITX~~ sibly isn't true.

RAY:

That's just totally -- well I don't McMillian has even alledge that. But that's totally false.

RATHER:

You didn't mainline amphetamines. However that's done.

RAY:

No, you -- you can test on anybody and see if they did that, because usually you're veins dry up and it leaves marks on-- and I've been thoroughly examined and all that stuff. Factis, right after I was arrested in England they -- they run various tests on me and see if I'd ~~taken~~ any ~~tests~~



RAY: (CONT)

think there was never a problem in that area.

RATHER:

Let me read to you just very quickly, and have you respond briefly if you will, your own opinion, these are various theories that have been put forward to me on the assassination case over the years. As to why it was done. One, un-named money interests.

CAMERA ROLL 14

SOUND TAKE 15

RATHER:

I want to run past you various theories that have been put to me as a reporter working on this assassination case for a good many years. And get your reactions to them, as theories. First, un-named money interests, were somehow responsible for Dr. King's death. They wanted to prevent Dr. King from leading his people's march on Washington for one thing.

RAY:

That -- that's the theory I've heard most and the attorneys have discussed most. They say he was -- got beyond integration stage and was interested in economics. Consequently, a lot of business interest I guess -- I'm talking about large business interest, because -- consider this some type of a threat to their economic --

RATHER:

You believe that?

RAY:

I don't -- I don't know whether it's true or not.

RATHER:

Anyone ever discuss that with you before the killing?

RAY:

No, I never -- you talking about lawyers now or somebody --

RATHER:

No, I'm talking about someone on the outside.

RAY:

Actually I never -- I never discussed Martin Luther King with anyone. I don't think I've ever mentioned his name until I got that ~~sex~~ charge against me.

RATHER:

Well another of the theories is that white racists were responsible for this. Their motive for wanting to get rid of Dr. King was obvious.

RAY:

No I think that would be totally false, because -- you mentioned J.B. Stoner a while ago. I saw him once in Memphis jail up there and he -- he told me that -- he said whenever a ~~sex~~ race crime -- about race was committed, they always came to him or his organization, but he said -- the FBI never came close to him during that time. And I think it was their theory that -- that Dr. King's activities was actually helping them.

RATHER:

Three, the theory involving black militants being responsible, that Dr. King has become too non-violent for their plans and they wanted to take away leadership for their black movement.

RAY:

No, that's one of the two theories that I think the attorneys representing me wanted to put forward. It was either anti-communist or pro communist. Cuba. I'm not certain which -- or black militants. But -- I just -- I can't -- subscribe to that -- the type of a theory.

RATHER:

How about the communists. Who, so the theory goes, wanted to stir up black hatred and ferment rebellion. Fidel Castro, for example, is claimed had a special interest in this.

RAY:

No, I -- I doubt -- I doubt it very much. I think Arthur -- the first -- the first attorney to defend me, Arthur Haynes, had -- he got from the FBI or the Justice Department, he had various material on this. I think the only way to determine that would be to subpoena the files from the Justice Department. And those various tapes and things like that. I've seen the -- the syndicated columnist, Carl Rowan, and he's -- he said the FBI tried to mislead him in this area. That the Communist and black militant thing, so, -- I don't know -- if they tried to mislead him, I assume he's being truthful and --

RATHER:

The other theory that's so popular is that the

RATHER: (CONT)

CIA was somehow responsible, that it had become quote, reason of state, to silent Dr. King because of his growing opposition to the Vietnam war.

RAY:

As I mentioned before, I don't think the CIA silenced anyone. They probably pay someone else to do it. They ahven't -- if the newspapers are telling the truth, they have these various people on their payrolls, to do things like that.

RATHER:

Have you ever thought about a possible connection between the Dr. King death, your situation, and the assassination of President Kennedy?

RAY:

Well the lawyers ~~xx~~ have discussed it, but I don't think that's valid theory at all. Because --

RATHER:

You don't

RAY:

I don't think you can string a bunch of homicides ~~xxxx~~ together, because there's different motives and different interests. Of course I'm not -- I-- I'm not privvy to all these records and I'm not sophisticated to understand the -- why people does certgan things. I assume whenever -- wehn anyone does anything, it's for economic reasons. And I --

RATHER:

Do you think Dr. King was killed for economic reasons yourself?



RAY:

WELL, maybe a com -- sometimes I guess it's a combination of things, and they all converge into one.

RATHER:

You know the name Fliff Andrews?

RAY:

Yes.

RATHER:

You know him?

RAY:

I never heard of him til I got down here.

RATHER:

I met Mr. Cliff Andrews. He said that he knew that the man you call Raoul did indeed exist, infact ~~thats~~ at one time he indicated to me that the, Mr. Andrews, might -- just might be Raoul himself. Now this Mr. Andrews in this cloak and dagger meeting I had with him, laid out the following line of thought. He said that Quebec Liberation party members, those who want to separate Quebec from the rest of Canada, had an offer from ~~th~~ some white business men in the south, for big money to get King killed. And that Raoul was the point man, so to speak for that and he enlisted your aid and that that's what happened. NOW I'm asking you, do you have any reason to believe that that's srotly true.

RAY:

I don't have any reason it at all is ture.. The fact is, I'm -- I'm pretty sure it's false.

RATHER:

When I asked one of your former attorneys what your basic story was, this is what he said to me. And I quote directly. James Earl Ray would like to have credit for killing Dr. Martin Luther King, but does not want to have to pay the price.

RAY:

Well that sounds like Percy Foreman. Really that -- that type of conservation there is -- that's more suitable for something to entertain -- talk shows or something like that. But there's no -- that's -- someone would have to be insane to, you know, get involved -- wanting publicity and killing somebody -- wanted the publicity because -- to me it is. I -- I can't conceive of anyone -- there is people like that. But I can't conceive of anyone wanting that type of publicity.

RATHER:

And you didn't do it?

RAY:

No, I didn't do it.

RATHER:

When I asked Mr. Percy Foreman what he thought the motive for the killing was, and as you know he thinks you did the killing, he said and I quote, self aggrandisement, self-realization. The second most fundamental instinct in human nature. Second only to self-preservation. to be a big shot. He thought he would be the biggest man in America. end of quotation.

RAY:

Yeah, we'll that's a -- I think first -- Percy Foreman, he also testified under oath that he never did ask me if I committed the crime. That's been documented. The other things that he's mentioned, they're more or less -- well sensational in nature. I think -- that type of thing looks good in print and I guess the Justice Department thinks it looks good, but -- it's just alien to my thinking. I can't conceive of -- me doing something and -- under those terms you -- you're thinking about. I -- I could -- might do something similar to that under self-defense, but I couldn't -- under what you just -- read off there, about --

RATHER:

Then you didn't do it.

RAY:

No, that's right.

RATHER:

Mr. Ray, for the average person, watching and listening to this in his living room, and trying to make some sense out of all the cataclysmic events we've been through, and your situation, who says to himself, you know, I -- sort of believe there was conspiracy -- somebody else had to be involved on the other hand, the evidence against James Earl Ray is rather strong. A lot of ~~people~~ people think this way. What's the most important thing that needs to be said to that person. From your standpoint.

RAY:

RAY:

Well I don't know, it's difficult to answer. It's difficult to say anything to that type person. The problem we have -- the problem we have here-- I think is -- is there's -- you never can get a -- a full airing it in a court somewhere, where -- where it should be aired. It's not -- it's not -- it's not to my advantage to stay in solitary confinement in jail and just let things drag out. I -- I was prepared years ago to try to get everything resolved out in the open in a courtroom or maybe if necessary even a congressional hearing. But -- then forget about it. I don't see any point in just keep writing books and talking about it and -- nothing is ever resolved.

RATHER:

And you're willing to do that now?

RAY:

I've always been willing to testify under appropriate conditions, in court or -- who knows, maybe even in a congressional committee, if -- on advise of lawyers and they make certain -- fair showings, we can get together on it.

RATHER:

And you're willing now?

RAY:

I'm perfectly willing right now, yes.

RATHER:

Thank you, Mr. RAY.

RAY:

RAY:

Thank you.

RATHER:

You've been very patient with us and I appreciate that.

(wild track)

SOUND TAKE 16

RATHER:

Mr. Ray this is for the record. I want to ask you now, for the record, have you asked for or received any ~~payment~~ payment for this interview whatsoever?

RAY:

No, I've never asked -- I've never received money from any source for any interview. Since I've been in prison on this charge.

RATHER:

But I'm ~~ask~~ asking you specifically about this one for the record.

RAY:

No, I think I ~~wrote~~ wrote and told you that I -- didn't want any -- I wasn't interested in any type of fee for it.

RATHER:

ALL RIGHT, THANK YOU.

CAMERA ROLLS 15 W and

14 C

SOUND 16

RATHER:

Mr. RAY, I think you will acknowledge that -- will you acknowledge that you have on several important points over the ~~xxx~~ years told or been quoted as telling two or differnt stories

RAY:

I may have been quoted as telling, but I never -- actually everything I've ever told the lawyers or anything has been written down on paper. So --

RATHER:

What we're talking about is the credibility problem of -- of many people who would read on one ~~me~~ occasion that, for example, that you said you'd given the rifle to Raoul at the New REbel Motel, and they read that you said you'd given the rifel to Raoul at the DeSoto, ~~in~~ mississippi motel. Then they read that no, you didn't meet Raoul ~~at~~ again until the day of the shooting and -- at the rooming house and the gun was in the trunk at that time. They read all of these conflicting stories and say, James Earl Ray has a terriffic problem.

RAY:

Well actually, there's no - - that's mostly what some -- Percy Formean or some book wirtter said. Actually what -- everyting from Percy Foreman til now that I've told attorneys, I've writ -- I've written down in long hand, so -- now the only now the -- I mentioned ~~xxxxx~~ motel. I did get that mixed up and actually it was -- wasn't until I came to prison -- until the -- until anyone

RAY: (CONT)

went down and investigated this motel -- this --

RATHER:

But your argument is that was an honest mistake on your part.

RAY:

That's an honest mistake, yes. That's one of the few mistakes I think I've made in -- in what I've written to them.

RATHER:

Is your contention your basic story the one you wrote down for your attorneys has never changed from the first day you wrote it.

RAY:

Well, it's -- no, it's never changed. Well now, like I think I mentioned before. Percy Foreman said -- he's lost what I wrote down for him. The only -- now the previous attorney before that was Arthur Haynes and the way we were working that, I would write down for him, not only him, but William Bradford Hewitt was using it to publish a ~~sex~~ story, plus get a defense together. AND we never did get through all the installments on that. Haynes was dismissed before the -- before the installments run out.

RATHER:

But your basic contention is you don't have a credibility problem.

RAY:

Well, it's never been challenged in court and of course, I know there's no credibility problem.

RATHER:

Have you told a different story as to where you were at the actual time of the shooting?

RAY:

no, that.

RATHER:

Conflicting stories on that?

RAY:

No, the only one discrepancy there is that when I was furnishing these installments for William Bradford Hewitt to write the articles, plus ~~and~~ Arthur Haynes was using them for -- to prepare the case, I'd write down maybe three, ~~two~~ two or three monthstime and he'd investigate it and he would write about it and publish it in Look Magazine. Now Haynes was dismissed before the last couple of installments came out and then consequently Percy Foreman had to get in. (?) But anyway, on what I told Haynes, one time we had some conflict there -- one time he was telling Hewey -- Hewey wanted to know this and that. And it was my -- I thought I had a tacit agreement with Haynes that he wouldn't give Hewey all the details of the day of the offense, because if he did, it'd you know, compromise us with the prosecution. So he come up here one day, and they asked me about -- what you going to tell Hewey about the crime. So I knew Hewey -- He's hooked up on this Klux Klan thing. I said well just tell him that -- I was setting in the car, guy ran up and threw a sheet over his head, that was it.



RATHER:

You told a deliberate ~~fact~~ falsehood on that.

RAY:

Yeah, well -- in the -- it was more or less a joke. And then ~~xxxxxx~~ later on in 1974 in the evidentiary hearing, Arthur Haynes testified that I in fact did kind of jokingly tell him to tell Hewey one time that -- this story. But later on I wrote all this -- the same thing down for Foreman, legitimate testimony and I think he -- he presented it to Hewey and I believe Hewey has it now.

RATHER:

Why was Jimmy Hoffa so interested in reading about your case?

RAY:

I really can't tell. I really don't know. Inmate in here several years ago, told me, was in \_\_\_\_\_ with Jimmy Hoffa. He told me he was very interested in the case. Of course I knew something about the teamsters connected with the case, possibly connected -- so I -- I didn't want to contact Hoffa at the time because he might damage the parole. I did contact his son. I had another party contact his son. Then later on, I think Bernard Fernstabal, (?) he contacted his -- Mr. Hoffa's attorney, Ed -- Edward Bennett Williams I believe it is. But -- but I don't know what came out of it. It was -- it was just something used in the prosecution. I mean defense. It wasn't -- in other words, I wasn't trying to look -- looking into this information to use in -- some state supported project.

(wild track)

Mr. LANE. May I inquire whether this is an edited transcript or is this the original transcript?

Chairman STOKES. I just wanted to pose a question to your client.

Mr. LANE. Yes. You have given him a document to see. We are asking if this is an edited transcript or the original full transcript? The witness should be told that when he is given a document.

Chairman STOKES. The question to Mr. Ray would be this:

Mr. Ray, didn't Dan Rather furnish you with a copy of the transcript of your statements to him?

Mr. RAY. No; I think this committee wanted a copy of it. I signed a waiver and I think the committee got a copy of it.

Chairman STOKES. Well, as you best recall your testimony to Dan Rather, was it truthful?

Mr. RAY. I don't recall. I wasn't under oath.

Chairman STOKES. You gave an interview to Playboy magazine, Mr. Ray?

Mr. RAY. Yes.

Chairman STOKES. And it appeared in the September 1977 issue of their magazine.

Mr. RAY. That is correct.

Chairman STOKES. Was the substance of the answers you gave there to their interviewers the truth?

Mr. RAY. Well, it was intended to be the truth. Of course I can always make errors in recollection. The truth is the statement I just read. I don't know about these past statements. There can be certain inadvertent errors in them. Generally, it is my intention, except for William Bradford Huie, it was my intention to tell whoever interviewed me the truth.

Chairman STOKES. Now, on eight different occasions our staff people visited Brushy Mountain Penitentiary and expended somewhere in excess of 40 hours taking testimony from you, and that has now been translated into somewhere in the neighborhood of 1,700 pages of written testimony, and would you say to us that that testimony is truthful and it corresponds with that which you have given today?

Mr. RAY. Well, when the committee's counsel, Mr. Robert Lehner, started interrogating me, he made a point that nothing I said would be under oath and a lot of it would be just for recollection, sake of recollection, and he also noted on the record I had no notes whatever with me when I made those statements. And in this respect, my being interrogated by the committee at Brushy Mountain, I wrote a letter to Mr. Jack Kershaw about this matter. If it is all right, I will put this in as an exhibit. But I know I made several errors in testifying before that—I gave you a copy—I know I made several inadvertent errors in testifying before that, during those hearings.

Chairman STOKES. At any rate, we can conclude in terms of inconsistencies and prior inconsistent statements that that testimony which you have given today in your statement is the truth?

Mr. RAY. Here?

Chairman STOKES. Yes, sir.

Mr. RAY. Yes, sir.

Chairman STOKES. Now, at the beginning of that statement you say this, and I quote from your statement: "The statement I am about to give this committee is essentially the same testimony I would

have given the trial court in Memphis, Tenn., in 1969, if that court would have had the fortitude to have ordered a public trial into the murder of Dr. Martin Luther King, Jr., rather than making an in chambers deal with the attorney who was allegedly representing me, Percy Foreman, and capitulating to the wishes of the dominant commercial publishing companies and the companies' special relationships with the intelligence communities. In essence, I would have told the trial court and jury that I did not shoot Martin Luther King, Jr., just as I am now telling this committee. If I would have had a lawyer to represent me, I could have offered conclusive proof in support of the denial."

My question to you is: What is the conclusive proof in support of the denial?

Mr. RAY. Well, first, under the terms that I was extradited from England, the only thing the United States could try with me was actually the shooting of Dr. Martin Luther King. They couldn't try me for conspiracy or aiding or abetting or something like that. What my intentions to prove that I wasn't guilty was the State's chief witness, I believe his name is Charles Stephens, testified I was locked in the bathroom I believe for an hour or hour and a-half prior to the shooting. I thought I could establish that between this hour or hour and a-half I was supposed to be in the bathroom I was in fact in various establishments in the immediate area: the drug store, the taverns and getting the binoculars and things of that nature. I also thought I could establish that I was at a service station during the time that Martin Luther King was shot. The way the attorneys explained it to me, the first attorney, Arthur Hanes, Sr., was that the only thing I had to prove was that I couldn't have been in the building at this particular time.

Chairman STOKES. Who was the first attorney to whom you told the gas station story?

Mr. RAY. I didn't tell Percy Foreman anything. I told him—let me explain how I told him and how the case was.

Percy Foreman came to me about February 4 or 5 and he said he was already to go to trial and wanted me to dictate to him everything that I knew about the case. So he started writing about—and I was dictating. He wrote about a fifth of what transpired between the time I escaped and the time the police started looking for me in the King case. He got a cramp in his hand a fifth of the way through and asked me to write the rest of the details out, and I wrote the rest of the details out, including the service station incident and everything.

Chairman STOKES. That was the first time you had told—

Mr. RAY. That was the first time.

Chairman STOKES. Now, you tell us that you purchased the 1966 white Mustang from Mr. William Paisley in Birmingham, Ala., and you paid \$1,995 for it; is that correct?

Mr. RAY. That is correct.

Chairman STOKES. That was money given to you by Raoul?

Mr. RAY. That is correct.

Chairman STOKES. And then you acquired an official Alabama automobile registration and a driver's license in the name of Eric Starvo Gault; is that correct?

Mr. RAY. That is correct.

Chairman STOKES. Did you continue to use and own this automobile from that time until after you had abandoned the automobile in Atlanta on the 5th of April?

Mr. RAY. Yes; that is correct.

Chairman STOKES. And at no time did anyone else use that automobile?

Mr. RAY. Well, this fellow that called himself "Roaul," he had the keys to it. I think he possibly could have used it one time. I don't know. I am not certain. To my knowledge, no one used the automobile except me.

Chairman STOKES. Did you ever see Raoul drive any kind of a car?

Mr. RAY. No.

Chairman STOKES. Now, you parked this automobile on April 4 on South Main Street in the vicinity of the roominghouse which you had rented at 422½ Main Street; is that correct?

Mr. RAY. That is correct.

Chairman STOKES. Shortly after 6 p.m., on the same date, did you leave Memphis in that white Mustang and drive the entire night some 11 hours, some 350 miles, to Atlanta, Ga., where you then abandoned the car?

Mr. RAY. Well, I didn't leave the roominghouse at 6 o'clock but I did drive to Atlanta, Ga., and I entered Atlanta about daylight; that is correct.

Chairman STOKES. Now, our investigation reveals that on March 29, 1968, you purchased a .243 Remington rifle and ammunition from the Aeromarine Supply Co. in Birmingham, Ala., using the name "Harvey Lohmeyer;" then on the following day, you exchanged the rifle for a more powerful 30.06 rifle and .30 caliber ammunition at the same store; is that true?

Mr. RAY. Yes; I thought I changed it. I made the exchange the same day I purchased, but I found out the last 2 or 3 weeks by reading documents that what you say is correct, I did make these changes the next day.

Chairman STOKES. You were in possession of that 30.06 rifle from the time you left the Aeromarine Supply Co. on March 30 until you arrived in Memphis on April 3, weren't you?

Mr. RAY. Yes; that is correct.

Chairman STOKES. Now, when you bought the rifle, did you handle it physically?

Mr. RAY. Yes.

Chairman STOKES. Can you tell us how you handled it, what you did with it?

Mr. RAY. Well, I really didn't know too much about the rifle, but I wanted to give the salesman the impression I knew something about it. I handled it fairly extensively when he was letting me look at it.

Chairman STOKES. Did this include placing your hands on the scope along with the rifle itself?

Mr. RAY. Yes, sir.

Chairman STOKES. Now, after you left the Aeromarine Supply store, with the rifle, did anyone else ever handle the rifle?

Mr. RAY. The second rifle?

Chairman STOKES. Well we are talking about the second rifle, the one you took with you to Atlanta.

Mr. RAY. I didn't see anyone handle it. I assume they did later on.  
Chairman STOKES. Then you handled it?

Mr. RAY. Yes.

Chairman STOKES. Did Raoul ever handle it?

Mr. RAY. No; he handled the first rifle, I think. In fact, I am positive he handled the first rifle, but he didn't handle the second one.

Chairman STOKES. You returned the first rifle to the store, didn't you?

Mr. RAY. Yes, sir.

Chairman STOKES. So that we understand and the record is clear, the second rifle which you purchased, which you handled, you never saw Raoul handle?

Mr. RAY. No; except on April 3.

Chairman STOKES. Did you have that rifle in your automobile with you at all times after purchasing it in Birmingham until you arrived in Memphis on April 3?

Mr. RAY. I had it, yes, sir, at all times.

Chairman STOKES. Where was it?

Mr. RAY. In the trunk of the car.

Chairman STOKES. Now, you told us in your testimony this morning that on April 4 you were using the name "John Willard," that you rented room 5-B at the rear of Bessie Brewer's roominghouse at 4221½ South Main Street; is that correct?

Mr. RAY. That is correct.

Chairman STOKES. Mr. Ray, I direct your attention to Martin Luther King exhibit No. F-15A and ask you to take a look at it.

Does this photograph accurately reflect the place where you rented room 5-B?

Mr. RAY. I don't know, but I have seen pictures and I think that it is, yes.

Chairman STOKES. And what you actually have to do there is to enter the 4221½ section but then go over to the other building to room 5-B, which is located to the left of the original building; is that correct?

Mr. RAY. I guess so.

Chairman STOKES. I direct your attention to Martin Luther King exhibit No. F-15C. Mr. Ray, does this photograph accurately reflect the room that you rented, which was known as 5-B?

Mr. RAY. I really couldn't tell. I assume that is it, but I couldn't tell.

Chairman STOKES. Do you recall that the room which you rented had a window in it?

Mr. RAY. No. Yes, I think it did. It had a bed in it; I remember that.

Chairman STOKES. How many beds were in the room?

Mr. RAY. One bed.

Chairman STOKES. And prior to taking this particular room, had you rejected another room?

Mr. LANE. Excuse me. I object to the question because it presumes an answer which is not in the record. He said he cannot be sure that he rented that room and then you began with the presumption that he said that he had rented that room.

Chairman STOKES. I will rephrase the question——

Mr. LANE. Thank you.

Chairman STOKES [continuing]. Mr. Chairman.

You do recall that you took a room known as 5-B; that you do recall?

Mr. RAY. Yes, sir.

Chairman STOKES. It was in Bessie Brewer's roominghouse, wasn't it?

Mr. RAY. Yes, sir.

Chairman STOKES. And the roominghouse was located at 4221½ South Main Street, Memphis, Tenn., was it not?

Mr. RAY. Yes, sir.

Chairman STOKES. And prior to taking room 5-B, had you looked at another room in the same roominghouse?

Mr. RAY. Yes, sir, she showed me two rooms.

Chairman STOKES. And when she showed you the first room, did you turn that room down?

Mr. RAY. No; I think I asked to see the second room. The first room was what you call a light housekeeping room; it has where you can cook and things like that, where you can live in it. The second room was a sleeping room, which is what I wanted, and I took the sleeping room.

Chairman STOKES. Did you notice that the first room, which you turned down, did not have windows?

Mr. RAY. No; I don't recall anything about it. Only thing about—I recall about the first thing room is she mentioned you could cook in there. I didn't want to do any cooking, so I turned it down.

Chairman STOKES. Room 5-B, was a bathroom located near that room?

Mr. RAY. I have no recollection of being in the bathroom, although I could have been in there.

Chairman STOKES. And your best recollection is that you could have been in there?

Mr. RAY. Well, a possibility because I had been in two or three taverns in that area, but I don't have no recollection of being in there. I just say—that is something like tying your shoes. You don't remember all those insignificant things. I could have been in there, but I don't have any clear recollection of being in there.

Chairman STOKES. When you said "I have been in two or three taverns," you mean you had been drinking in two or three taverns?

Mr. RAY. I don't drink beer. Usually when I go into a tavern you have to buy something. They don't want you to hang around without spending any money. So consequently during that day I had bought three or four beers. Probably of the three or four I didn't drink one complete. In other words, the four didn't aggregate into one bottle.

Chairman STOKES. So then your best recollection is with reference to the bathroom that you could have been in it; is that correct?

Mr. RAY. I could have, yes.

Chairman STOKES. Now, on April 4, you also purchased a pair of binoculars, didn't you?

Mr. RAY. That is correct.

Chairman STOKES. And you paid approximately \$40 for those binoculars.

Mr. RAY. I think so, yes.

Chairman STOKES. And do you recall the name of the place where you purchased the binoculars?

Mr. RAY. No, I don't. It was—

Chairman STOKES. Would the name York Arms Co. help refresh your recollection?

Mr. RAY. Yes, that is it.

Chairman STOKES. And I believe you said you did that because Raoul told you to do it?

Mr. RAY. He suggested that I get a pair of infrared binoculars, which I assume you can see in the nighttime.

Chairman STOKES. Did he tell you why he wanted infrared?

Mr. RAY. Well, he said his people wanted to look at something, so I didn't inquire about it. So I assumed they would be for sale.

Chairman STOKES. When you purchased the binoculars, did you physically handle them?

Mr. RAY. I think the salesman handed them to me and I handed them back to him and said they were OK. I didn't examine them or anything of that nature. If I touched them it was very briefly.

Chairman STOKES. What did you do with the binoculars after you purchased them?

Mr. RAY. I took them to the roominghouse. First this Raoul is an alias, that is obvious, no person I showed them to him and told him I couldn't get the infrared attachments. He said that is all right. I think I laid them on the bed or somewhere in the room.

Chairman STOKES. Is that the last time you saw them?

Mr. RAY. That's the last time I saw them.

Chairman STOKES. Mr. Ray, our investigation has determined shortly after 6 p.m. on April 4 the Memphis police found a bundle in front of Canipes Amusement Company on South Main Street, the address of which is 424, that bundle contained the 30.06 rifle that you purchased at the Aeromarine Supply Co., several rounds of .30 caliber ammunition, a pair of binoculars that you purchased on the afternoon of April 4 from York Arms Store in Memphis, an overnight bag containing a copy of the April 4, 1968, issue of the Memphis Commercial Appeal newspaper, your radio from Missouri State Prison, much of your toiletries and personal items.

Now, isn't it true that the items found in that bundle belong to you?

Mr. RAY. I think all the items except three or four articles belonged to me, yes.

Chairman STOKES. Do you want to tell us what the 3 or 4 were that did not belong to you?

Mr. RAY. Well, I think there were 3 cans of beer in there. I believe my fingerprints were found on one. I don't use beer and I never recall buying any of it. I am kind of mystified how my prints got on it. I believe there were a pair of underwear in there that weren't mine. I think there were some female garb in there—hairpins and things of that nature that weren't mine. But everything except that was mine.

Chairman STOKES. It was shortly after 6 p.m. when you drove out of Memphis, Tenn.; you drove 350 miles in 11 hours, nonstop, arrived at Atlanta, Ga., and there you abandoned the car?

Mr. RAY. That's correct.

Chairman STOKES. Then you left Atlanta and you headed for Canada, is that right?

Mr. RAY. That's correct.

Chairman STOKES. Then while in Canada, you successfully obtained a false passport as quickly as possible and then you flew Canada to Great Britain; correct?

Mr. RAY. Yes.

Chairman STOKES. Let us talk about Raoul a little bit. You first met him at the Neptune Tavern in Montreal, is that correct?

Mr. RAY. That's correct.

Chairman STOKES. From that point forward, you spent a great deal of time with him, didn't you?

Mr. RAY. No; not too much.

Chairman STOKES. Well, let us just take your testimony given here this morning.

Mr. RAY. I think you have to separate the time, sir, into two different categories. One time was with him I was in the car with him and one time while we were making some type of preparations to commence some illegal act.

Chairman STOKES. Let me make reference to your testimony this morning. Page 10, you begin by telling us, "we had perhaps three or four meetings."

Mr. RAY. Yes.

Chairman STOKES. On page 11, you say you returned to Montreal, you met with Raoul several more times.

Mr. RAY. Yes.

Chairman STOKES. Page 11, you tell us about the Windsor to Detroit trip. Page 13, you tell us that the two of you meet at the Starlite. Page 13, you talk about the next evening when you meet again. Page 13, you talk about the next morning, "he gave me \$2,000."

Page 13, you say, "later in the morning, I bought the car, returned and I picked up Raoul. At the Starlite, we went to my residence. Raoul then gave me \$500 for living expenses, \$500 to purchase camera equipment." Go to page 14, and you then are going into Mexico around the 6th of October. Page 15, you tell us you left the motel, you left him out at the square, you then tell us about the Custom's incident. You then say, "Raoul showed up again the next morning. Raoul got out of the car after about six blocks."

This goes on and on and on.

So my question to you is, you and Raoul spent a great deal of time together, didn't you?

Mr. RAY. No; I don't think so. Usually when—whenever I—well, not only Raoul, but any other persons I am engaged with in some type of criminal activity, as soon as whatever we are going to do is done, I try to get away from them. These meetings never did last too long; maybe 1 hour at the most. I was in the car with him approximately 5 or 6 hours driving between Birmingham and Atlanta.

On the actual conversation, I don't think I was with him over 6 or 7 hours in actual conversation. In other words, I didn't hang around any bars or anything of that nature with him or anyone else.

Chairman STOKES. What was Raoul's full name?

Mr. RAY. I don't know.

Chairman STOKES. Did you ever ask him?



Mr. RAY. No; I never did ask him.

Chairman STOKES. Did you ask him if his name was really Raoul?

Mr. RAY. I asked him something about—I was interested in the Spanish language—and I asked him something about the Spanish language at one time and he was noncommittal. That is one of two things I can recall asking him.

Chairman STOKES. He knew your name, didn't he?

Mr. RAY. No; he didn't know my name.

Chairman STOKES. What did he know you as?

Mr. RAY. He knew me as Eric Galt.

Chairman STOKES. As what, I am sorry?

Mr. RAY. He knew me as Eric Galt.

Chairman STOKES. Eric Galt?

Mr. RAY. Yes; he possibly knew me as John Rayns—but neither of those names was mine.

Chairman STOKES. Didn't Raoul write you letters?

Mr. RAY. Yes.

Chairman STOKES. He signed his name to the letters?

Mr. RAY. Yes; he signed it Raoul, typewritten letters.

Chairman STOKES. Did you ever wonder why he wouldn't give you his full name?

Mr. RAY. Well, I knew he was a crook.

Chairman STOKES. Beg your pardon?

Mr. RAY. I assumed he was a crook.

Chairman STOKES. Well, during the period of 9 months, you and Raoul were together in three different countries, 10 different cities, twice in Birmingham, twice in Atlanta, so you knew this man pretty well, didn't you?

Mr. RAY. I never made no effort to know him too well. I usually don't like to know too much information of someone else's business. That is an easy way to get killed.

Chairman STOKES. This is a man whom you were in business with, weren't you?

Mr. RAY. Yes, but it was not a legitimate business.

Chairman STOKES. But it was business?

Mr. RAY. It was business, yes.

Chairman STOKES. In fact, wouldn't you describe yourself and Raoul as being friends?

Mr. RAY. No.

Chairman STOKES. Would you describe yourself as being accomplices?

Mr. RAY. Yes.

Chairman STOKES. Would you describe yourself as being coconspirators?

Mr. RAY. Legally speaking I think so, yes.

Mr. LANE. I wonder if the record should reveal, since this is a very important question, it should not be left hanging there, if Mr. Ray would be asked to ask what he was a coconspirator in. You are investigating one crime, but he has testified about a series of other crimes he has committed. I think the record should not be left hanging with a loose end of that kind.

Chairman STOKES. It would not be my desire to have the record in any way hanging. The witness has testified that they were coconspirators. Can you tell us, sir, what were you coconspirators in?

Mr. RAY. Well, I assume, taking contraband across borders, purchasing of firearms because I believe it was illegal at that time for a convict, exconvict to purchase firearms. I assume, if I would have got arrested in the United States, I would have about 20 different charges on me.

Chairman STOKES. But you had about 20 different charges on you?

Mr. RAY. Well, maybe 30 or 40 with all the conspiracy laws we have.

Chairman STOKES. Growing out of the illegal conduct in which you and Raoul were engaged, is that correct?

Mr. RAY. Yes; that's correct.

Chairman STOKES. Mr. Ray, since you saw so much of Raoul, why did you have so much difficulty describing him to people?

Mr. RAY. I didn't have no difficulties describing him.

Chairman STOKES. Well, did you describe him to Huie?

Mr. RAY. Huie.

Chairman STOKES. Yes.

Mr. RAY. Yes; that's correct.

Chairman STOKES. Didn't Huie write Look magazine, an article published November 12, 1968, that you described him as follows: "A man whom Ray calls Raoul and describes to me as being a blond Latin about 35 whom Ray took to be a seaman showed interest in him."

Is that the description you gave Huie?

Mr. RAY. No, sir.

Mr. LANE. Might I suggest, Mr. Stokes, that a better way to determine what he told Mr. Huie is to read the notes that he gave Mr. Huie rather than what Mr. Huie printed in a magazine, the kind of statement which would not be admissible in any court anywhere in America.

Mr. RAY. Mr. Huie subsequently retracted that statement in his book.

Chairman STOKES. You are talking about the book on "He Slew the Dreamer"?

Mr. RAY. Yes.

Chairman STOKES. In there, doesn't he provide a different description which he alleges you gave him, that of Raoul being a reddish haired French Canadian?

Mr. RAY. Yes; I gave him the description, he had a red tint in his hair, something of that nature, 5 feet 8 or 9, and weighs about 140 pounds. Mr. Huie wrote in the Look article, I believe, that I said he was blond haired. Consequently, I wrote a letter, Mr. Huie a note saying that I didn't mention blond hair. Subsequently, Mr. Huie retracted and said in effect he misread my previous description.

Chairman STOKES. Well, when you gave the Playboy interview we talked about a little while ago, was this question asked of you and was this your answer?

PLAYBOY. What did Raoul look like?

RAY. Average height, looked like a Latin, sandy colored hair.

PLAYBOY. Latins don't generally have light hair, do they?

RAY. He could have dyed it.

Was that the question and your answer?

Mr. RAY. No; I have been trying to get these transcripts from Playboy for about 1 year now. I told Playboy that he had dark hair, 5 feet 8 or 9, fits the description I just described to you. I did mention the reddish tint in his hair. Some people dye their hair if they have black

hair and want light, real dark haired persons would have a reddish tint in it.

Chairman STOKES. Have you also at some time or other described Raoul as having a complexion lighter than my own?

Mr. RAY. No, I never mentioned you.

Chairman STOKES. You have never given that answer?

Mr. RAY. No, sir.

Mr. LANE. There may be a question, Mr. Stokes, lighter than your own or his own? He undertook it to be your own. That was his answer.

Mr. RAY. Yes, I was thinking about you.

Chairman STOKES. You are confused by it, you say?

Mr. LANE. He said he never mentioned you, was his answer. Therefore, it seems to me he was answering lighter than your own. Is that not what you meant, I think you should clarify?

Mr. RAY. No, I never gave that description. Sometimes on these interviews, after 4 or 5 hours, I have trouble concentrating. I have been in solitary confinement so long. Once in a while I will use the wrong word but I usually correct it later on if I inadvertently say something of that nature. In fact, I know I never said he was lighter than me.

Chairman STOKES. Mr. Ray, let me refer you and counsel to MLK exhibit No. F-23, which is at the trial table with you.

Mr. LANE. F-23?

## MLK EXHIBIT F-23

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE

## WESTERN DIVISION

IN THE MATTER OF:

JAMES EARL RAY,	)	
Petitioner,	)	
vs	)	No. 60-199-Civil
PERCY FOREMAN, WILLIAM BRADFORD HUIE,	)	
and ARTHUR J. HANES,	)	
Defendants.	)	

A P P E A R A N C E S:

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P R E S E N T:

Percy Foreman, Esquire  
Defendant  
804 South Coast Building  
Houston, Texas

William Bradford Huie,  
Defendant  
Hartselle, Alabama

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MR. STONER: This will be supplemental to Mr. Ray's Deposition taken before and it is to fill in some missing parts to the other Deposition.

MR. HOOKER: But you want to do this under the same caption we had before --

MR. STONER: We don't waive anything.

MR. HOOKER: What we had before, all exceptions were reserved except the form of the question?

MR. STONER: Not this time. We want the right of all parties to make objections to be noted here.

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The Supplemental Deposition of MR. JAMES EARL RAY, taken at the Maximum Security Section, State Penitentiary, Nashville, Tennessee, beginning at 11:06 o'clock A.M., November 22, 1969, before Barbara Thomas, Notary Public and Court Reporter, pursuant to the Federal Rules of Civil Procedure.

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THE REPORTER: Would you raise your right hand --

MR. STONER: First, before you do that, if it

mixed up. In other words, no information would be furnished to Mr. Huie about what happened on the day of the crime.

THE WITNESS: Everything else. ✓

MR. HOOKER: Everything else but that.

Right, I just didn't understand.

Q. Have you read the article in Look Magazine that Mr. Huie wrote?

A. Yes, sir, some guards brought those magazines in jail and I read through them.

Q. Did you ever discuss them with Mr. Hanes, Sr. or Mr. Hanes, Jr.?

A. I told Mr. Hanes, Sr. that I had read them. We discussed them lightly.

Q. Did you tell Mr. Hanes -- did you express any opinion to Mr. Hanes as to whether you did or did not like the articles Mr. Huie wrote in Look Magazine?

A. I had some complaints about the articles. The main thing, Mr. Huie, either by accident or design, he had some information I gave him and was in error, which it could -- it hurt in several ways. For one, he made several mistakes on my financial transactions while I was a fugitive, maybe he had where I would get more money in one place and less in another. I mentioned this to Mr. Hanes several times.

Also I was associated with a man named Raul

what his description was, 5' 10", a little bit lighter than me, and dark haired man. Of course, Mr. Huie described this man as blond headed, Latin speaking. This thing, if anybody had ever seen me with him it would kind of discourage potential witnesses. It seemed like there was an error there.

Q. Did you, at any time, ever tell Mr. Hanes, Sr. or Mr. Hanes, Jr. that you were happy about the Huie article in Look Magazine or that you liked these articles?

A. No, I never made this statement about being happy about the article. I wrote the article to raise money for defense. That's the only reason.

Q. And who advised you to give Mr. Huie information that you gave him to raise money for defense?

A. Well, like I testified before, Mr. Hanes suggested I sign the contracts.

Q. In addition to the signed agreements between you and Mr. Hanes, were there any oral agreements?

A. Yeah, I just mentioned those, I think.

Q. Any you haven't mentioned? Do you think of any you haven't mentioned and what they were?

A. Involving Mr. Hanes and Mr. Huie and me?

Q. Yes, sir.

A. Not off-hand.

Q. Did Mr. Hanes, at any time, ever tell you

Q. Did he tell you something about his whiplash neck injury?

A. No. What Mr. Foreman told me, he came to the jail there. He had a briefcase and he had a bunch of pictures. He told me that he had got these pictures for me from Mr. Huie and Mr. Huie got them from the F.B.I. or Mr. Foreman, Percy Foreman, got them from the F.B.I..

Now, these pictures, about 10 X 12 inches long, he described them to me as being taken in Dallas in 1963. He said they were either anti-communist Cubans or connected with anti-communist Cubans some way. Mr. Foreman asked me if the F.B.I. would arrest these people, one of these persons and bring them to the Shelby County Jail, if I would identify him as being Raul, this man I was associated with.

Me and Mr. Foreman discussed this about an hour and I told him, no, I was opposed to that. So, when Mr. Foreman got ready to leave he asked me if that was my last word on it and I said, yes. Actually, my reason for denying -- not going along with this is, I know authorities usually like to, especially on perjury, you usually end up in the garbage can where you belong.

Q. The person he asked you to identify in the picture, had you ever seen that person before?

A. None of them was similar; looked something like the person I was associated with.



Chairman STOKES. Yes; do you recognize that document, Mr. Ray?

Mr. RAY. Yes.

Chairman STOKES. What is it?

Mr. RAY. Well, it's a lawsuit entitled *Ray v. Percy Foreman* L Civil No. 60199.

Chairman STOKES. And let me refer you to the bottom of page 13 and the top of page 14. Would you read what appears there, last line on page 13 and on the top of page 14. Read it out loud.

Mr. RAY. Yes, I will read it out loud.

Do you want to to start with the question? Well, I will start with the question on page 13.

Did you tell Mr. Hanes, did you express any opinions to Mr. Hanes as to whether you did or did not like the articles Mr. Huie wrote in Look magazine?

Answer: I had some complaints about the article.

The main thing Mr. Huie either by accident or design, he had some information I gave him and was in error, which it could. It hurt in several ways. For one, he made several mistakes on my financial transactions while I was a fugitive. Maybe he had where I got more money in one place and less in another. I mentioned this to Mr. Hanes several times.

Also I was associated with a man named Raoul out there several times and I wanted to detail in the writing what his description was, 5 foot 10, a little bit lighter than me and dark haired. Of course, Mr. Huie described this man as a blond-headed Latin-speaking. This thing if anybody had ever seen me with him would have discouraged potential witnesses.

He seemed like—

as you can see, I am in kind of a bad mental condition.

He seemed like there was an error there.

Chairman STOKES. So then that was your statement in that deposition, was it not?

Mr. RAY. That is an inadvertent error. If I made that statement—I've never seen, I've never heard the tape recording of it—I gave this testimony on tape recording. But if I did say that, it was inadvertent. But I did mention the blond headed part.

Chairman STOKES. Mr. Chairman, this might be a good time for us to break.

Mr. PREYER. Very well. The Chair once again reminds everyone to remain seated and stationary while the marshals escort Mr. Ray from the room. The marshals are asked to take Mr. Ray from the room at this time.

The committee stands recessed until 2 o'clock this afternoon.

[Whereupon, at 12:03 p.m., the committee recessed, to reconvene at 2 p.m. the same day.]

#### AFTERNOON SESSION

Mr. PREYER. A quorum being present, the meeting is called to order. I will ask everyone to be seated, and the marshals to close the doors. Since there may be people in the audience this afternoon who were not here this morning, I want to repeat the security precautions which are being taken in this matter.

The rules which the Marshal's Service have asked us to observe apply to everyone, including the representatives of the media. Any time that Mr. Ray is standing or otherwise being escorted to or from the witness table, absolutely no one in the room is to stand. All people, reporters, and photographers included, are to remain seated and stationary. No

one is to move until the Chair gives permission for people to leave their position. Any person violating this rule will be summarily removed from the room by the marshals, and barred from attendance at all future hearings of this committee.

The Chair at this time asks the marshals to escort Mr. Ray into the hearing room.

The committee is ready to resume the questioning of Mr. Ray by Mr. Stokes. I will mention to you the TV cameras have requested that Mr. Ray and Mr. Lane exchange seats. It is of no particular concern to the committee who sits where, but I pass that suggestion on to you.

Mr. LANE. Thank you, Mr. Preyer.

Mr. PREYER. The idea is so that Mr. Ray may be more clearly seen.

Mr. LANE. Thank you very much.

I wonder if at this time we might take a look at the exhibit which was here before the recess, which contained Mr. Ray's testimony. He and I both believe that perhaps inadvertently—probably inadvertently—he was tricked or misled by the questions asked by Congressman Stokes about that. So I wonder if we might see that document again.

Mr. PREYER. At this time the Chair will recognize Mr. Stokes for any comments he may care to make on that, and any further questions.

Mr. LANE. Well, Mr. Stokes, I request that we be given an opportunity to look at that document one more time for just a moment.

Mr. STOKES. Does counsel have reference to the deposition?

Mr. LANE. Yes, that is correct, Mr. Stokes.

Mr. STOKES. Sure. That is exhibit F-23, MLK.

Mr. RAY. Thank you.

Mr. LANE. Mr. Stokes, I think that you have offered the top of page 14 of exhibit F-23—Mr. Stokes, I was—is this the appropriate time to proceed?

Mr. STOKES. Yes; I am listening to you.

Mr. LANE. Thank you.

I think that you offered the top of page 14 of MLK exhibit F-23 as what you say was an apparent contradiction because it followed the statement of complexion, yet I note that there is no reference whatever to complexion on page 14. It seems quite likely that in this deposition Mr. Ray was describing the height and then the weight of a person saying—"his description was 5 feet, 10 inches and a little bit lighter than me." and you turned that into a complexion question. I think that that tended to mislead Mr. Ray. I am sure it was an inadvertent effort on your part.

Mr. STOKES. If counsel desires to have that interpretation of the witness' answer, then that is perfectly agreeable to me.

Mr. LANE. Perhaps we could ask Mr. Ray what his interpretation is.

Mr. STOKES. I will. Mr. Ray, would you care to clarify that?

Mr. RAY. Well, since it has 5 feet, 10 inches to begin with, and then it says "lighter," I assume that it would be lighter in weight. I am just basing that on the fact that—let me read it again. Also I was associated with a man named Roual, out there several times, and I wanted to detail in the writing what his description was, 5 feet, 10 inches and a little bit lighter than me, and a dark-haired man.

Mr. STOKES. And is it that you would have us understand that when you made that reference, "a little bit lighter than me," that you were talking about weight rather than complexion?

Mr. RAY. Oh, yes. I am almost positive, because the individual did weigh about 140 or 145 pounds, and I assumed that was lighter.

Mr. STOKES. Then, counsel, we accept the witness' clarification on that point.

Mr. LANE. Thank you, Mr. Stokes.

Mr. RAY. Could I say just one other thing?

Mr. STOKES. Sure.

Mr. RAY. When I first come down in the Federal prison, I had some type of altercation, and subsequently they wanted pictures of me down here. Subsequently I have had my first full meal today, and I haven't slept too much. So I want to stay up here until the committee gets all the questions they want of me, but I don't want to stay up here today, if it is possible, until I am exhausted. I think after today I think I will be all right.

Mr. LANE. This is a matter, which you may know, which is pending before Federal district court, and Judge Bryant is waiting for Mr. Blakey and myself on the question of his confinement and the mistreatment of Mr. Ray. There is no question but that the lights were on in his cell all night long last night.

Mr. PREYER. Would it be agreeable to continue until 4 o'clock this afternoon rather than 5 o'clock?

Mr. LANE. Well, I know Mr. Ray a little bit, and I saw his hands begin to shake, and that is very unusual for him. I have never seen that response, and that happened toward the end of the testimony. If we could adjourn now and let us take care of this matter, because the matter will be—the same problem will come up tomorrow if he is forced to go into solitary confinement with lights on him all night long. We will have the same problem tomorrow.

Mr. PREYER. Well, let me ask Mr. Ray, do you feel that you could continue until say, 3:30 or 4 today?

Mr. RAY. Well, I could go ahead, I guess, until 3 o'clock. The only thing is that I am kind of sleepy and tired, but I will—but I think I could—

Mr. PREYER. Well, the Chair suggests that we proceed to, say, 3 o'clock, and we will see what condition you are in and how you are feeling at that time.

Mr. LANE. Mr. Preyer, I am going to ask again that we adjourn at this time. My client says he is tired, and sleepy.

Mr. STOKES. Mr. Chairman, may I—

Mr. LANE. I know he has not slept in 48 hours, and I don't think it is fair—

Mr. STOKES. Mr. Chairman—

Mr. LANE. If I may just—

Mr. PREYER. Recognize Mr. Stokes.

Mr. LANE. I wonder if I could finish the sentence, Mr. Preyer. Would that be appropriate?

Mr. STOKES. Mr. Chairman, I wonder if the committee might consult with the Chair at this point.

**Mr. PREYER.** Sure.

[An off-the-record discussion was held.]

**Mr. PREYER.** The committee wants to be fair to Mr. Ray in this matter, and at this time the committee will adjourn until 9 o'clock tomorrow morning. Let me again caution everyone in the audience to please remain seated and stationary when Mr. Ray is escorted from the hearing room.

The marshals may escort Mr. Ray out at this time.

**Mr. LANE.** Thank you for your kindness, Mr. Preyer.

[Whereupon, at 2:17 p.m., the committee adjourned, to reconvene at 9 a.m., Thursday, August 17, 1978.]