

SAC, MEMPHIS (44-1987)

10/30/69

SAC, BIRMINGHAM (44-1740) (P)

MURKIN
OO: ME

Re Birmingham letter, 7/5/69, and
Memphis reply, 7/9/69.

Enclosed are two copies of a letter dated
10/24/69, from Aeromarine, Birmingham, requesting the
return of the invoice previously mentioned.

Please discuss this request with a repre-
sentative of the District Attorney's Office, Memphis,
and if agreeable, have them correspond direct with Mr.
WOOD. Note Aeromarine has a new location for its business.

2 - Memphis (Enc. 2)
② - Birmingham
HAS:cap
(4) *cap*

44-1740-2178

SEARCHED _____ INDEXED _____
SERIALIZED _____ FILED _____

SAC, MEMPHIS (44-1987)

2/5/70

SAC, BIRMINGHAM (44-1740)

MURKIN
(OO: MEMPHIS)

ReBulet 10/10/69.

Please advise results of discussion with local
authorities.

2 - Memphis
① - Birmingham

RJR:mas
(3) *gao*



44-1740-2179

SEARCHED _____ INDEXED _____
SERIALIZED N FILED N

November 7, 1969

Mr. Robert E. Wood ✓
Aeromarine
7605 Eastwood Mall
Birmingham, Alabama 35210

Dear Mr. Wood:

Your letter of October 24, 1969 to the Federal Bureau of Investigation has been referred to this office for answer.

Your Invoice No. 2251A, dated March 29, 1968, was introduced into evidence on a guilty plea of James Earl Ray. As that matter is now on appeal to the Tennessee Supreme Court, the invoice can not be released at this time, and the same must be kept as evidence until the termination of the appeal.

We apologize for this inconvenience, and thank you for your continued cooperation with the Bureau and ourselves in this matter. If you have any further questions, please advise.

Very truly yours,

JESSIE C. MASON
Assistant Attorney General

JCM/bk

cc: Special Agent Joe Hester
Federal Bureau of Investigation

44-17402180

SEARCHED	INDEXED
SERIALIZED	FILED
JAN - 9 1970	
FBI - BIRMINGHAM	

44-1987-Sub-M-6

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 16 1969	
FBI - MEMPHIS	

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, BIRMINGHAM (44-1740)

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

SUBJECT: MURKIN

OO: MEMPHIS

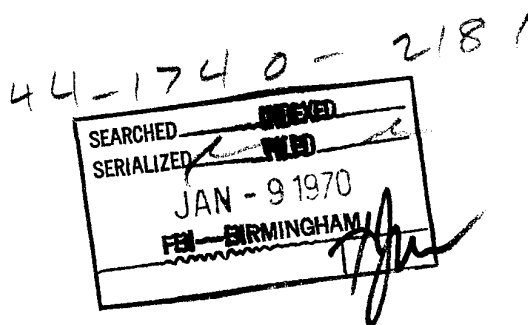
DATE: 1/7/70

Re Birmingham letter to Memphis 1/5/70.

Submitted herewith is a copy of a letter prepared by local authorities in instant matter. It appears that this letter is self explanatory.

② - Birmingham (Enc. 1) *WB*
2 - Memphis

RGJ:tjm
(4)



5010-108-01

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

(Mount Clipping in Space Below)

Ray denied new trial

KNOXVILLE, Tenn.

The Tennessee Supreme Court rejected today an appeal by James Earl Ray for a new trial in the slaying of Dr. Martin Luther King Jr.

In a unanimous opinion, the court said that Ray "willingly, knowing and intelligently and with the advice of competent counsel entered a plea of guilty to murder in the first degree by lying in wait."

Ray pleaded guilty last March 10 to the 1968 slaying of King in Memphis. Criminal Court Judge W. Preston Battle sentenced Ray to 99 years in state prison.

THE HIGH court's opinion, read by Special Judge Erby L. Jenkins, said, "This court cannot sit idly by while deepening disorder, disrespect for the Constitution's authority, and mounting violence and murder stalk the land and let waiting justice sleep."

Battle died 21 days after sentencing Ray and Shelby County officials later found in his court records a letter from Ray, seeking a new trial on grounds he was not adequately represented at his trial.

—Associated Press

BH file only

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

1 THE BIRMINGHAM NEWS
Birmingham, Alabama

Date: 1-8-70
Edition: Metro
Author: AP
Editor: John W. Bloomer
Title: MURKIN

Character:

or

Classification: 44-1740

Submitting Office:

☐ Being Investigated

44-1740-2182

SEARCHED <i>SP</i>	INDEXED <i>SP</i>
SERIALIZED <i>SP</i>	FILED <i>SP</i>
JAN 11 1970	
FBI — BIRMINGHAM	

SAC, BIRMINGHAM (44-1740)

1/7/70

SAC, MEMPHIS (44-1987) (P)

MURKIN

OO: MEMPHIS

Re Birmingham letter to Memphis 1/5/70.

Submitted herewith is a copy of a letter prepared by local authorities in instant matter. It appears that this letter is self explanatory.

② - Birmingham (Enc. 1)
2 - Memphis

RGJ:tjm
(4)

44-1740-2181

SEARCHED	INDEXED
SERIALIZED	FILED
JAN - 9 1970	
FBI - BIRMINGHAM	

6/11/70

AIRTEL

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

Re Birmingham letter to Bureau, 6/3/70.

For the information of Birmingham, the subject has not exhausted all possibilities of appeal from his present sentence. However, if subject's appeals are successful, it will only mean that he will be given an opportunity to stand trial for KING's murder.

Since the subject is receiving free, or presumably free, legal assistance, it is anticipated that these appeals may continue for several years or longer.

Should the Department be agreeable to dismissing the Federal warrant now outstanding at Birmingham, Memphis has no objection as it sees little likelihood of RAY's being acquitted on state charges even if he is ever allowed to stand trial on these charges.

3 - Bureau
② - Birmingham (44-1740)
2 - Memphis
JCH:jap
(6)

44-1740-2184

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 13 1970	
FBI - BIRMINGHAM	

[Handwritten signature]

6/11/70

AIRTEL

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

Re Birmingham letter to Bureau, 6/3/70.

For the information of Birmingham, the subject has not exhausted all possibilities of appeal from his present sentence. However, if subject's appeals are successful, it will only mean that he will be given an opportunity to stand trial for KING's murder.

Since the subject is receiving free, or presumably free, legal assistance, it is anticipated that these appeals may continue for several years or longer.

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2 - Bureau
2 - Birmingham (44-1740)
2 - Memphis
JCH:jap
(6)

44-1740-2184

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 18 1970	
FBI-BIRMINGHAM	

Director, FBI (44-38861)

6/3/70

SAC, Birmingham (44-1740) (P*)

MURKIN
OO: ME

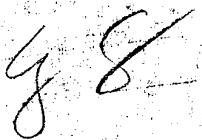
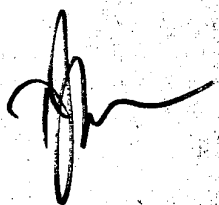
Re: SA HENRY A. SNOW dated 4/17/68 at Birmingham, wherein it is set forth that a complaint was filed against subject under the alias of ERIC STARVO GALT at Birmingham on 4/17/68 charging him with having conspired with an unnamed brother to violate Section 241, Title 18, U. S. Code.

U. S. Marshal, Birmingham, on 5/28/70 advises he still holds above-mentioned warrant.

The existence of this warrant was set forth in a letterhead memorandum from the Birmingham office under date of 6/13/69.

Since news releases available to the Birmingham office indicate that subject RAY has exhausted possibilities of appeal from the sentence he is now serving, the Bureau may desire to contact the Department with the idea of authorizing the dismissal of this warrant.

2 - Bureau
2 - Memphis (44-1987)
2 - Birmingham
HAS:rte
(6)



44-1740-2183

Director, FBI (44-38861)

6/3/70

SAC, Birmingham (44-1740) (P*)

MURKIN
OO: ME

Re: SA HENRY A. SNOW dated 4/17/68 at Birmingham, wherein it is set forth that a complaint was filed against subject under the alias of ERIC STARVO GALT at Birmingham on 4/17/68 charging him with having conspired with an unnamed brother to violate Section 241, Title 18, U. S. Code.

U. S. Marshal, Birmingham, on 5/26/70 advises he still holds above-mentioned warrant.

The existence of this warrant was set forth in a letterhead memorandum from the Birmingham office under date of 6/13/69.

Since news releases available to the Birmingham office indicate that subject RAY has exhausted possibilities of appeal from the sentence he is now serving, the Bureau may desire to contact the Department with the idea of authorizing the dismissal of this warrant.

2 - Bureau
2 - Memphis (44-1987)
2 - Birmingham
NAS:rte
(6) *new*

44-1740-2183

(Mount Clipping in Space Below)

FBI report holds no answers on Ray

WASHINGTON — Evidence used by the government to gain extradition of James Earl Ray was made public Wednesday, but the documents revealed nothing to answer questions that remain two years after Dr. Martin Luther King Jr. was assassinated.

The documents which included statements by FBI fingerprint, ballistics and handwriting experts, autopsy reports and depositions, were submitted by the Justice Department in the extradition proceedings after Ray was arrested in London June 8, 1968 — two months and four days after King was shot to death in Memphis, Tenn.

Unanswered by any of the documents is whether Ray acted alone or with others when he shot the civil rights leader on the balcony of the Lorraine Motel April 4, 1968.

FBI DOCUMENTS attest that Ray's fingerprints were found on the rifle, telescopic sight and binoculars found outside the Memphis rooming house where he had registered under the alias of Eric Starvo Galt.

The FBI firearms expert said a shell casing found in the bathroom of the rooming house had been fired from

Ray's rifle, but was unable to say with certainty whether the bullet which killed King came from the same weapon.

Both FBI reports were cited in accounts of Ray's extradition proceedings in London during the latter part of June, 1968.

Ray was returned to the United States and pleaded guilty to a charge of murder in connection with King's death. He was sentenced to 99 years in prison.

RECENT ATTEMPTS by Ray to win a new trial have been denied by Tennessee courts.

The Justice Department said it was making the documents public at the request of newsmen who had learned a free lance writer who is planning to write a book about the assassination had gained access to them.

The 195-page sheaf of documents does not deal with Ray's own contention, at the time of his brief appearance in a Memphis court to enter his guilty plea, that he had not acted alone in planning and executing the assassination of King.

Ray's attorney, Percy Foreman, said he was satisfied Ray was not part of a conspiracy.

—Associated Press

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

59 THE BIRMINGHAM NEWS

Birmingham, Alabama

Date: 6-25-70
Edition: Metro
Author: AP
Editor: John W. Bloomer
Title: MURKIN

Character:

or

Classification: 44-1740

Submitting Office: BH

☐ Being Investigated

44-1740-2185

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 26 1970	
FBI - BIRMINGHAM	

(Mount Clipping in Space Below)

Victim from Alabama***James Earl Ray's brother
held in shooting of youth***

Jerry Ray, brother of the man imprisoned for the assassination of Dr. Martin Luther King Jr., was in jail in connection with the shooting of a white Athens, Ala., teenager in Savannah, Ga., police said.

Al St. Lawrence, chief of Chatham County detectives, said police were holding the 35-year-old St. Louis man for investigation of an assault charge stemming from the shooting Saturday night outside the headquarters of the white supremacist States Rights party.

Ray's brother, James Earl Ray, pleaded guilty to the April 4, 1968, rifle slaying of King in Memphis, Tenn. He was sentenced to 99 years in prison.

Police withheld the name of the 16-year-old youth shot Saturday night. He was reported in fair condition in Memorial Hospital.

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

BH file only4 THE BIRMINGHAM POST-HERALDBirmingham, Alabama

Date: 7-27-70

Edition: Final

Author:

Editor: Duard Le Grand

Title: MURKIN

Character:

or

Classification: 44-1740

Submitting Office:

☐ Being Investigated

44-1740-2186

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 27 1970	
FBI - BIRMINGHAM	

ms

(Mount Clipping in Space Below)



RAY

Ray brother is charged in shooting

SAVANNAH, Ga.

Jerry Ray, whose brother is imprisoned for the slaying of Dr. Martin Luther King Jr., has been charged with aggravated assault in the shooting of a white teen-ager at the offices of the white supremacist National States Rights party.

Recorder David Elmore set bond at \$5,000, and scheduled a preliminary hearing for Thursday. Ray was returned to his jail cell to await the hearing.

Chatham County police, who arrested Ray, 35, a short time after the 16-year-old youth was shot in the chest Saturday night, said they were holding him while they investigated the shooting.

The teenager, described by police as a member of the party, was reported in critical condition at Memorial Hospital.

"Police" said he apparently was shot with a .38-caliber pistol through a window of the party headquarters after he removed party records and papers. The shot came from inside the building, said police.

Ray, whose brother, James Earl Ray, is serving a 99-year sentence after pleading guilty to the slaying of King, has been working in Georgia as the campaign manager for J.B. Stoner, an avowed segregationist who seeks the Democratic gubernatorial nomination.

Long associated with anti-Negro and anti-Jewish causes, Stoner tried unsuccessfully last year to win a new trial for James Earl Ray. He was retained as Ray's lawyer after Ray said he wanted to change his guilty plea to innocent.

Ray, of St. Louis, Mo., has been working with the National States Rights Party in addition to helping Stoner, who was the party's vice presidential candidate in 1964.

—Associated Press

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

5 THE BIRMINGHAM NEWS

Birmingham, Alabama

Date: 7-27-70
Edition: Metro
Author: ap
Editor: John W. Bloomer
Title:

Character: 4cc 44-1740
or 1cc 105-477

Classification:
Submitting Office:

☐ Being Investigated

44-1740-2187

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 28 1970	
FBI - BIRMINGHAM	

(Mount Clipping in Space Below)

James Earl Ray's brother held

Area boy fights for life

Need e.e. for 105-4774
NISP
K012400

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

State's Rights
Party worker
gunned down

"I don't know much about what happened," Black told the News in nervous tones during a telephone interview. "All I know is that I want my boy to get well."

Black said that his son had been in



Ray

Savannah for about five weeks and that he was working in J. B. Stoner's campaign for governor. Stoner is running as a white supremacist.

By Larry Smith, News staff writer

SAVANNAH, Ga.—A 16-year-old Athens youth working for a white supremacy gubernatorial candidate lay fighting for his life in a hospital bed here early today, victim of a bullet which police believe may have been fired by the brother of the convicted slayer of Dr. Martin Luther King.

Talking with the Huntsville News from a motel room in Savannah, C. R. Black, father of Stephen Black, who was shot in the chest Saturday night just outside white supremacist State's Rights Party headquarters, said:

"Stephen is holding his own. The bullet went in high and came out low. It nicked his liver, lungs, and he has lost a lot of blood. But the doctor says he is a strong boy, and that helps."

JERRY RAY, brother of James Earl Ray, was being held in jail Sunday in connection with the shooting. James Earl Ray is in prison under a 99-year sentence after pleading guilty to the April 4, 1968 slaying of King, in Memphis, Tenn.

1 THE HUNTSVILLE NEWS

HUNTSVILLE, ALABAMA

Date: 7-27-70

Edition:

Author: Larry Smith

Editor: Tom Lankford

Title:

Character:

or

Classification:

Submitting Office:

☐ Being Investigated

44-1740-2188

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 29 1970	
FBI - BIRMINGHAM	

"Stephen told me that he had known Jerry Ray for a little while. He's been conscious most of the time, but he doesn't remember too much about the shooting, and the doctor told me that I shouldn't talk about it with him."

JERRY RAY, campaign manager for Stoner, has been working with the State's Right's Party at Savannah. He is 35 and a resident of St. Louis, Mo.

Stoner, an attorney long associated with anti-Jewish and anti-Black causes, was retained by James Earl Ray last year when he tried to win a new trial in the King slaying.

He was unsuccessful in an effort to help Ray change his plea from guilty to innocent.

Al St. Lawrence, chief of Chatham County detectives, said that "the boy had been around with these people for about three or four weeks. There are several circumstances not quite clear about the shooting."

Police said that Stephen Black was a member of the State's Rights Party.

He was shot in the chest with a .38 calibre pistol which police say was fired through a window from inside party headquarters.

Ray had not been charged as of Sunday night.

(Mount Clipping in Space Below)

Time says Hoover used King wiretaps

NEW YORK

Time magazine says FBI Director J. Edgar Hoover confronted the late Dr. Martin Luther King Jr. in 1964 with some wiretaps revealing King's alleged extramarital activities, and King later toned down his criticism of the FBI.

An issue of the magazine released Sunday gives Time's version of the 1964 Hoover-King meeting in an article discussing a new book about King by novelist John Williams.

In his book, "The King God Didn't Save," Williams says the FBI started tapping King's telephone and bugging his hotel rooms in 1963.

TIME SAYS Williams reports that the surveillance uncovered no subversion but "did turn up an astonishing amount of information about King's extensive and vigorous sexual activities."

Williams quotes one anonymous source as telling him that King used a code. "A very attractive woman was called 'Doctor,'" the informant is quoted as having said. "I forget the other names for women not so attractive."

Time says "most newspapers ignored the rumors and leaks to them of King's extramarital activities, but their existence undermined King's effectiveness just the same."

"The effect," says Williams, was one of slow political assassination: King was spared it only by the bullet of James Earl Ray," Time said.

Ray pleaded guilty to killing King in 1968.

In presenting its version of the Hoover-King meeting, Time said: "Williams has the correct outline of the FBI

tape story. What he does not have is precisely what happened at the celebrated meeting between FBI Director Hoover and King in 1964.

HOOVER, TIME learned, explained to King just what damaging private detail he had on the tapes and lectured him that his morals should be those befitting a Nobel Prize winner. He also suggested that King should tone down his criticism of the FBI. King took the advice. His decline in

black esteem followed, a decline scathingly narrated by Williams."

The magazine says Williams argues in his book that King was the complicitous victim of a "white power" plot to manipulate and ultimately destroy him.

The fact that the FBI had been bugging King was revealed last year by FBI agent Robert Nichols in a courtroom in Houston, Tex., where boxer Cassius Clay was seeking to vacate a sentence for refusal

to be inducted into the Army. One of the monitored conversations was between King and Clay.

—Associated Press

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

18 THE BIRMINGHAM NEWS

Birmingham, Alabama

Date: 8-10-70

Edition: Metro

Author:

Editor: John W. Bloomer

Title: MURKIN

Character:

or

Classification: 44-1740

Submitting Office: BH

☐ Being Investigated

44-1740-2189

SEARCHED <input checked="" type="checkbox"/>	INDEXED <input checked="" type="checkbox"/>
SERIALIZED <input checked="" type="checkbox"/>	FILED <input checked="" type="checkbox"/>
AUG 11 1970	
FBI — BIRMINGHAM	

Pm

(Mount Clipping in Space Below)

No subversion found**Time says King wiretaps revealed extramarital acts**

NEW YORK (AP) — Time magazine says FBI Director J. Edgar Hoover confronted the late Dr. Martin Luther King Jr. in 1964 with some wiretaps revealing King's alleged extramarital activities, and King later toned down his criticism of the FBI.

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"Hoover, Time learned, explained to King just what damaging private detail he had on the tapes and lectured him that his morals should be those befitting a Nobel Prize winner. He also suggested that King should tone down his criticism of the FBI. King took the advice. His decline in black esteem followed, a decline scathingly narrated by Williams."

The magazine says Williams argues in his book that King was the complicitous victim of a "white power" plot to manipulate and ultimately destroy him.

The fact that the FBI had been bugging King was revealed last year by FBI agent Robert Nichols in a courtroom in Houston, Tex., where boxer Cassius Clay was seeking to vacate a sentence for refusal to be inducted into the Army. One of the monitored conversations was between King and Clay.

Nichols testified he had been in charge of the surveillance of King until May, 1965, but that he understood it continued until King's death. Nichols was not allowed by the judge to say why King's phones were tapped, but he said it occurred at a time when King was attacking the

FBI for assigning Southern agents, rather than Northerners, to protecting civil rights workers.

Later, when Carl T. Rowan, a Washington newspaper columnist, said it was Hoover's own idea to tap King's phones, the FBI called such a statement "scurrilous," and said all wiretaps had been approved by the then attorney general, Robert F. Kennedy. President Nixon confirmed that Kennedy had approved the taps, and Hoover was reported as saying the King tap was proposed by Kennedy in 1963.

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

1 THE BIRMINGHAM POST-HERALD

Birmingham, Alabama

Date: 8-10-70

Edition: Final

Author:

Editor: Duard Le Grand

Title: MURKIN

Character:

or

Classification: 44-1740

Submitting Office: BH

☐ Being Investigated

44-1740-2190

SEARCHED	INDEXED
SERIALIZED	FILED
AUG 11 1970	
FBI — BIRMINGHAM	

mg

UNITED STATES GOVERNMENT

Memorandum

TO : File 44-1740

FROM : SAC RALPH J. MILES

SUBJECT: MURKIN

DATE: 12/8/70

On 12/8/70, Birmingham Sheriff A. MELVIN BAILEY advised he had received a call from a CHARLIE HARDENBURG, 1900 Saulter Road, Homewood, Ala., telephone #879-9617. HARDENBURG said that from photos of Dr. GUS PROSCH appearing in the local papers, he is almost positive he saw PROSCH talking with JAMES EARL RAY in Birmingham in 1968.

No action. File.

1 - 44-1740
1 - 52-3788 (Trailer load of Guns, etc.)
1 - 157-4481 (Gus Prosch)
RJM:mfl
(3) *mfl*

44-1740-2191

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 8 1970	
FBI - BIRMINGHAM	

[Signature]



5010-108

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

(Mount Clipping in Space Below)

Ray says he has received 'no royalties'

CINCINNATI

James Earl Ray has asked three federal judges to void his literary contracts with two attorneys and a writer because he has not received "one red dime" from royalties.

Ray, who has pleaded guilty in the assassination of civil rights leader Dr. Martin Luther King Jr., had a petition filed Wednesday with the 6th U. S. Circuit Court of Appeals.

The contracts he signed were with his first attorney, Arthur Hanes; his second counsel, Percy Foreman; and William Huie who wrote a book and magazine articles about him.

RAY, SERVING time in the penitentiary in Nashville, Tenn., said that royalties were to have been used for his defense but he did not receive "one red dime—not one."

Ray said that Foreman charged him \$165,000 to plead him guilty and get him 99 years in prison.

Gareth Aden of Nashville argued that Ray assigned literary rights to Foreman as recompense for saving him from the electric chair.

Judge Wade McCree Jr. of the appellate court asked, "Would it be a fair paraphrase to say that essentially Ray agreed to assign literary rights to Foreman in consideration for Foreman's representing him and saving him from the death penalty? And that Ray thought Foreman was overreaching — that he didn't tell him there had been no electrocutions in Tennessee for the last 10 years?"

ADEN ANSWERED, "I believe the contention is basically that in some way Ray was misled and that caused him to plead guilty against his desire."

The appeal came on a suit dismissed by the U. S. District Court in Memphis, Tenn. The

appeal took the case under advisement.

—Associated Press

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

22 THE BIRMINGHAM NEWS
Birmingham, Ala.

Date: 2-11-71

Edition: Metro

Author:

Editor:

Title:

MURKIN

Character:

or

Classification: 44-1740-2192

Submitting Office: BIRMINGHAM

☐ Being Investigated

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 12 1971	
FBI—BIRMINGHAM	

(Mount Clipping in Space Below)

Ray lawyer seeks new hearing

By Scripps-Howard Newspapers

WASHINGTON — James Earl Ray's lawyer has vowed to seek a new hearing in his conviction for the assassination of Dr. Martin Luther King all the way to the U. S. Supreme Court if necessary.

Bernard Fensterwald Jr., Ray's Washington attorney, said he is now waiting for a written version of a verbal opinion returned in Shelby County (Tenn.) court denying Ray a new hearing before appealing the motion to the Court of Criminal Appeals, Jackson.

"If I don't get relief there, I'll then appeal to the Tennessee Supreme Court . . . If I don't get relief there, I'll then appeal to Federal District Court, Knoxville . . . If there is no relief there, than I'll appeal to the U. S. Court of Appeals, Cincinnati . . . and if there is no relief there, it's back to Washington (Supreme Court)," Fensterwald said.

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

11 THE BIRMINGHAM POST
HERALD

Birmingham, Alabama

Date: 3-31-71

Edition: Final

Author:

Editor: Duard Le Grand

Title: MURKIN

Character:

or

Classification: 44-1740

Submitting Office:

☐ Being Investigated

44-1740-2193

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 3 1971	
FBI — BIRMINGHAM	

(Mount Clipping in Space Below)



AP wirephoto

To appeal

James Earl Ray will appeal his 99-year prison sentence for the murder of Dr. Martin Luther King Jr., in April 1968 according to his lawyers. Ray is an inmate at the state maximum security facility at Brushy Mountain Prison in Petros, Tenn.

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

4 THE BIRMINGHAM NEWS
Birmingham, Alabama

Date: 10-5-71
Edition: Metro
Author:
Editor: John W. Bloomer
Title: JAMES EARL RAY

Character:

or

Classification: 44-1740

Submitting Office:

☐ Being Investigated

44-1740-2194

W/G M/G

SNOW

INFO

AAA

(Mount Clipping in Space Below)

Charged with conspiracy**Old Galt warrant
may be dismissed**

A warrant for the arrest of Eric Starvo Galt (James Earl Ray) issued in Birmingham April 17, 1968, on a conspiracy charge that has been gathering dust in the office of the U. S. marshal here is being considered for dismissal.

A request for dismissal has been received from Bernard Fensterwald Jr., a Washington attorney representing Ray, who is in prison at Brushy Mountain, Tenn., for the fatal shooting of Dr. Martin Luther King Jr.

Monday, U. S. Magistrate R. Macey Taylor notified U. S. Atty. Waymond Sherrer of the request, asking for a response from the Justice

Department in Washington, within 10 days. After 10 days, Taylor could make a recommendation to U. S. District Judge C. W. Allgood to grant the dismissal and quash the warrant or to set a hearing on the charges, brought by the FBI.

The motion asked for dismissal of the conspiracy charge or for a speedy trial.

According to the warrant of April 17, 1968, Galt and another individual he claimed to be his brother entered into a conspiracy on March 29, 1968. The rifle with which King was shot in April in Memphis was bought by Galt, later identified as Ray, in Birmingham March 30, 1968, it was reported.

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

Page 6 The Birmingham
Post Herald

Birmingham, Ala.

Date: 11-23-71

Edition: Final

Author:

Editor: Duard Legrand

Title:

Character:

or

Classification:

Submitting Office: Birmingham

☐ Being Investigated

44-1740-2195

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 23 1971	
FBI — BIRMINGHAM	

Has

Birmingham, Alabama
November 24, 1971

RE: JAMES EARL RAY;
DR. MARTIN LUTHER KING, JR. - VICTIM
CIVIL RIGHTS CONSPIRACY

Included in this memorandum is a recent
news release from a daily Birmingham newspaper.

Snow *has*
ms,

3 - Bureau (44-38861)
1 - Memphis (44-1987)
1 - Birmingham (44-1740) (RUC)
HAS:mfl
(5) *mfl*

44-1740-2196
SEARCHED INDEXED
SERIALIZED FILED
W *W*

(Mount Clipping in Space Below)

Charged with conspiracy**Old Galt warrant
may be dismissed**

A warrant for the arrest of Eric Starvo Galt (James Earl Ray) issued in Birmingham April 17, 1968, on a conspiracy charge that has been gathering dust in the office of the U. S. marshal here is being considered for dismissal.

A request for dismissal has been received from Bernard Fensterwald Jr., a Washington attorney representing Ray, who is in prison at Brushy Mountain, Tenn., for the fatal shooting of Dr. Martin Luther King Jr.

Monday, U. S. Magistrate R. Macey Taylor notified U. S. Atty. Waymond Sherrer of the request, asking for a response from the Justice

Department in Washington, within 10 days. After 10 days, Taylor could make a recommendation to U. S. District Judge C. W. Allgood to grant the dismissal and quash the warrant or to set a hearing on the charges, brought by the FBI.

The motion asked for dismissal of the conspiracy charge or for a speedy trial.

According to the warrant of April 17, 1968, Galt and another individual he claimed to be his brother entered into a conspiracy on March 29, 1968. The rifle with which King was shot in April in Memphis was bought by Galt, later identified as Ray, in Birmingham March 30, 1968, it was reported.

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

Page 6 The Birmingham Post Herald

Birmingham, Ala.

Date: 11-23-71

Edition: Final

Author:

Editor: Duard Legrand

Title:

Character:

or

Classification:

Submitting Office: Birmingham

☐ Being Investigated

F B I

Date:

11/24/71

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

To: Director, FBI (44-38861) ATTENTION:

From: SAC, Birmingham
(44-1740) (RUC)Subject: **MURKIN**
☐ CIVIL RIGHTS SECTION
☒ GENERAL INVEST. DIV.
☐ DOMESTIC INTELLIGENCE DIV.

☒ CR ☐ EL ☐ DIH ☐ CRA-64
☐ PA ☐ PE ☐ PF ☐ E
☐ EID ☐ Bomb Threats ☐ Extremist Matters
☐ White Hate ☐ Black

Summary of Complaint:

Attached are three copies of LHM for the Bureau
and one copy for Memphis.

2 - Bureau (Enc. 3)
 1 - Memphis (44-1987) (Enc. 1)
 1 - Birmingham

HAS:mfl

(4) *mfl*

ACTION: UACB:

- ☐ No further action being taken and
☒ LHM enclosed ☐ Copy furnished to USA
☐ FD-376 (enclosure to LHM)
☐ LHM being submitted
☐ Report being submitted
☐ Preliminary investigation instituted
☐ Limited investigation instituted

44-1740-2197
 SEARCHED INDEXED
 SERIALIZED FILED

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

(Mount Clipping in Space Below)

'Unclarified points' in Ray case cited

BY SCOTT GREENHILL

Esquire Magazine claims to hold the answers to "still unclarified points" in the James Earl Ray case in its issue that hits the streets Tuesday morning.

In Birmingham, Arthtur Hanes, one-time defense lawyer for the admitted assassin of Dr. Martin Luther King, talked about the case and what he feels are its unclarified points.

"There are two things I am convinced of—James Earl Ray did not fire the shot that killed Dr. King and there was a contact, a man who instructed Ray to check into that Memphis roominghouse," Hanes said.

The contact, according to Esquire and Hanes, told Ray to check in the rooming house April 4, 1968, the day King was killed. When Ray received his instructions, the gun he had bought April 2 was taken from him, Hanes said, and

"he did not see it again until it was thrown in the doorway of Canipe's amusement shop," next door to the rooming house.

Unknown man

The rifle, Ray's suitcase and binoculars were tied together and thrown all at once in Canipes' doorway, Hanes said he was told by Canipes, the man who threw the bundle then walked south on Main-st, according to Hanes.

Meanwhile the prosecution maintained that Ray ran out of the rooming house and drove north on Main-st in his white Mustang, Hanes said.

The prosecution's witness was Charles Stevens, Hanes said, who was a "wino." At 5:50 p.m. before King's death at 6:01 p.m., Hanes said, a cab driver came to pick Stevens up, at his own request, at the rooming house.

At that time Stevens was "so drunk the cabbie refused to haul him," Hanes said. Yet

the prosecution was depending on a habitual drunk who said he saw Ray "run out of his bathroom, through his room and down the boarding house steps with something that looked like a stick in his hand," Hanes said.

He did all this as the bundle of luggage was thrown down symultaneously on Canipes' doorstep, Hanes said.

Doesn't add up

"It just doesn't add up," Hanes said. "Here's a man who escaped a year earlier from the Missouri State Penitentiary. He had his tracks covered. The man had no reason, no motive and you've got to have a strong motive."

Ray didn't have the "perseverance" to pull a job off like this one, Hanes said. In fact, Ray didn't have what it took to get away with lesser crimes, he said.

"He muffed everything. He'd attempt hilarious escapades. Once he and a

friend were going to rob a place. They did it, jumped in the getaway car, drove down the street and made a turn. Then Ray fell out the door of the car."

Hanes remembers Ray as "very quiet, very polite, very neat in personal habits, appearance and dress."

"I found him to have a sense of humor and apparently to be a person who served time well in a penitentiary. It didn't seem to bother him too much.

"He had a crafty mind as so many convicted felons do," Hanes said.

Hanes fired

Hanes wanted to try Ray and was "very disappointed" when he couldn't. Hanes was fired by Ray the day before the trial was to begin.

Perry Foreman, who succeeded Hanes, "had been in the cell all that day (Sunday before the Tuesday trial) while I was driving up to Memphis," Hanes said. Under Foreman's advice, Ray changed his plea to guilty from not guilty.

The presiding judge instructed the jury that the plea had been changed and that the defense and prosecution had agreed to a sentence of 99 years. The jury returned a guilty "verdict" and sentence of 99 years without ever leaving the courtroom.

Had Hanes been able to try Ray, the state could not have established his guilt, Hanes

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

4 BIRMINGHAM POST-HERALD
BIRMINGHAM, ALA.

Date: 2-15-72

Edition:

Author: SCOTT GREENHILL

Editor: DUARD LE GRAND

Title: MURKIN

Character:

or

Classification: 44-1740-2198

Submitting Office:

☐ Being Investigated

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 15 1972	
FBI - BIRMINGHAM	

said. "They were ~~going to~~ travel on the theory of possibility," Hanes said. When the ballistics expert testified, "he was going to have to tell me that bullet (taken from King's body) could have come from three million other guns," he said.

The bullet, Hanes said, could have come from Ray's rifle, but there was no evidence that it did.

Soloman Jones, King's chauffeur, said he thought the shots were fired from trees and bushes across the street from the hotel balcony from which King ~~was shot~~.

"You'd better get your top-coat, it'll be pretty cold to night," Jones had called to King as he left the balcony to return to his room. King walked back on the balcony and was shot.

If the shot did come from the trees, then Ray could not have fired it from the bathroom adjoining his room, Hanes said. Firemen and policemen staked out at the fire station diagonally from King's ~~motel also~~ thought the shot came from the trees, he said.

(Mount Clipping in Space Below)

James Ray lawyers seek new trial in King murder

United Press International

NASHVILLE, Tenn. — Attorneys for James Earl Ray filed a petition in federal court Monday seeking to gain Ray a new trial in the murder of civil rights leader Dr. Martin Luther King Jr.

The petition was technically a writ of habeas corpus, but Ray's attorneys said its intent was to gain Ray a new trial.

Ray is presently serving a 99-year sentence after pleading guilty to King's assassination.

Bernard Fensterwald of Washington, D. C., one of three attorneys representing Ray, said that the petition asks a new trial on the merits of the case in federal court at Memphis.

A habeas corpus petition technically seeks to free someone who is incarcerated. If Ray's petition is granted the state would have 60 days to decide whether it wanted to try Ray again for the King assassination.

"If we can get him a trial there is a very good chance of getting him acquitted," Fensterwald said.

The attorney said Ray is presently being kept in solitary confinement at the state prison here.

"He doesn't look anywhere near as well as he did the last time I saw him," Fensterwald said.

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

13 THE BIRMINGHAM POST-HERALD

Birmingham, Alabama

Date: 12-5-72

Edition: Final

Author:

Editor: Duard LeGrand

Title: JAMES EARL RAY

Character:

or

Classification: 44-1740

Submitting Office:

☐ Being Investigated

44-1740-2199

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 10 1972	
FBI - BIRMINGHAM	

ms

(Mount Clipping in Space Below)

Reject Ray plea, U. S. court asked

NASHVILLE, Tenn.

The state of Tennessee has asked federal court to reject James Earl Ray's latest bid for a new trial because he freely and voluntarily pleaded guilty to slaying Dr. Martin Luther King Jr.

The state contended Wednesday that Ray's "freely and intelligently entered guilty plea" in Memphis for the April 1968 slaying of Dr. Martin Luther King Jr. was made to avoid the possibility of a death sentence.

RAY, 44, earlier this month filed a petition in U. S. District Court in Nashville asking that he be released outright from the Tennessee State Prison, where he is serving a 99-year sentence, or be granted a new trial.

Ray contended that his guilty plea in March 1969 was involuntary because of pressure from his attorneys and because of "cruel and unusual punishment" prior to the trial.

Asst. Atty. Gen. W. Henry Haile, in a 19-page brief filed Wednesday in answer to a show cause order, said: "It is clear that Ray was not coerced" into entering his plea.

"Faced with overwhelming evidence of his guilt and with the considered advice of three experienced criminal attorneys—Percy Foreman, Arthur Hanes and Hugh Stanton Sr.—to the effect that the plea of guilty was necessary to save his life, Ray pleaded guilty," Haile said.

HAILE SAID that Ray "was questioned at length about the voluntariness of his plea" in an hour-long hearing before Judge Preston Battle of Shelby County Criminal Court, who has since died.

—Associated Press

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

2 THE BIRMINGHAM NEWS
Birmingham, Alabama

Date: 12-28-72

Edition: Metro

Author:

Editor: John W. Bloomer

Title: JAMES EARL RAY

Character:

or

Classification: 44-1740

Submitting Office:

☐ Being Investigated

44-1740-2200

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 29 1972	
FBI - BIRMINGHAM	

UNITED STATES GOVERNMENT

Memorandum

TO : Desk # 1

DATE: 8-24-73

FROM : ^{reg} Rachel L. Gallavan, Chief Clerk

SUBJECT: MURKIN
CR
BH FILE #44-1740

Captioned matter is in a closed or RUC status and Bulky Exhibit 1B-2 and 1-B-3 is still being retained.

Request appropriate action to dispose of Bulky Exhibit.

(2)
rlg

^{reg}

1B-2 - + 1B-3 examined
10/29/73 - They should be
Retained as evidence until
such time as subject James Earl
Ray & 1 bursts all avenues of appeal.
Ends
Close

10-29

[Handwritten signature/initials]

Gray

00: ME

Recs

1 9/28

[Handwritten signature/initials]

44-1740-2201

SEARCHED	INDEXED
SERIALIZED	FILED
1973	
FBI - BIRMINGHAM	

Gray



5010-108

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

UNITED STATES GOVERNMENT

Memorandum

TO : Desk # 1

DATE: 8-24-73

reg
FROM : Rachel L. Gallavan, Chief Clerk

SUBJECT: MURKIN
CR
BH FILE #44-1740

Captioned matter is in a closed or RUC
status and Bulky Exhibit 1B-2 and 1-B-3
is still being retained.

Request appropriate action to dispose of
Bulky Exhibit.

(2)

rlg
reg



5010-108

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

44-1740-2201

SEARCHED	INDEXED
SERIALIZED	FILED
1973	
FBI—BIRMINGHAM	

[Signature]

(Mount Clipping in Space Below)

King case is closed

MEMPHIS, Tenn.

The slaying of civil rights leader Martin Luther King is a closed case, Dist. Atty. Phil M. Canale says, in response to a new bid by a lawyer seeking a new trial for James Earl Ray, who confessed to killing King.

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

4 THE BIRMINGHAM NEWS
BIRMINGHAM, ALA.

Date: 9-11-73

Edition:

Author:

Editor: JOHN W. BLOOMER

Title:

Character:

or

Classification: 44-1740

Submitting Office:

☐ Being Investigated

SEARCHED <i>WJ</i>	INDEXED <i>WJ</i>
SERIALIZED <i>WJ</i>	FILED <i>WJ</i>
SEP 11 1973	
FBI - BIRMINGHAM	

44-1740-2202

(Mount Clipping in Space Below)

Tribunal grants Ray review of guilty plea

CINCINNATI, Ohio
James Earl Ray, 41, confessed slayer of civil rights leader Dr. Martin Luther King Jr., won a review of his guilty plea from the 6th U. S. Circuit Court of Appeals today.

The appellate court, in a 2-1 decision, remanded Ray's petition for a review to the U. S. District Court in Nashville, Tenn.

The appeals court accepted Ray's contention that he was given improper legal advice in his 1969 guilty plea. It cited two letters written to Ray by Percy Foreman, then his attorney.

THE LETTERS revealed arrangements for Foreman to receive \$165,000 from royalties on publications and movies based on Ray's case. Also, the letters indicated that Ray's share of the money would be delivered only on his plea of guilty with "no embarrassing circumstances to take place in the courtroom."

Ray is serving a 99-year sentence in the Tennessee state penitentiary for the April 4, 1968, slaying of King in Memphis, Tenn.

—Associated Press



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

1 THE BIRMINGHAM NEWS
BIRMINGHAM, ALA.

Date: 1-29-74

Edition:

Author:

Editor: JOHN W. BLOOMER

Title:

Character:

or

Classification: 44-1740*

Submitting Office:

☐ Being Investigated

44-1740-2203

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 30 1974	
FBI-BIRMINGHAM	

(Mount Clipping in Space Below)

Ray wants his former attorney Foreman on stand at new hearing

BY CHRISTOPHER CABOT

NASHVILLE, Tenn.

James Earl Ray, after winning a hearing to reconsider his plea of guilty in the assassination of Dr. Martin Luther King Jr., said he wants his former lawyer to testify.

Ray's petition to withdraw the plea charged that his lawyers forced him to plead guilty and that they were more interested in making money from magazine articles and books than in defending him.

The U. S. Sixth Circuit Court of Appeals in Cincinnati, in a 2-1 decision Tuesday, remanded Ray's petition to withdraw his guilty plea to the U. S. District Court in Nashville.

In so doing the court called for a hearing into Ray's allegations that his attorneys, Percy Foreman of Houston, Tex., and Arthur Hanes Sr. of Birmingham, forced him to plead guilty at his trial in Memphis in March 1969.

RAY, 41, WAS sentenced to 99 years in prison for the death of the civil rights leader.

In a note passed through the bars of his cell at the Tennessee State Prison on Tuesday night, Ray wrote:

"All I wish to do is to get Mr. Foreman on the witness stand, under oath."

In the appeals court's majority decision Tuesday, Judge William E. Miller said: "The entire record reeks with ethical, moral and professional irregularities, demanding a full-scale judicial inquiry."

THE COURT SAID, "Foreman is alleged to have threatened and coerced both Ray and his family into a guilty plea. The reason for the pressure, allegedly, is that the book rights would be of little value were Ray to have been tried and found innocent."

Foreman denied he had compromised Ray's interests when he defended him in 1969.

"I think I saved James Earl Ray's life," Foreman said Tuesday night. I intimidated Ray into pleading guilty. He asked me to negotiate a plea of guilty for him."

Foreman said he received one check for \$9,000 from the publisher of a book about Ray, "but my expenses were two or three times that — I never expected to get anything out of it."

HANES SAID, "Ray should have had a trial all along. I knew there was a conspiracy. This man did not fire the shot and the state could not prove it."

Meanwhile, Robert Livingston of Memphis, one of Ray's current attorneys, said Ray is willing to undergo a lie detector test to show he is not guilty of assassinating King.

King was shot to death April 4, 1968, as he stood on a Memphis motel balcony. He was there to support a strike by garbage collectors who belonged to the Teamsters Union.

—Associated Press

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

38 THE BIRMINGHAM NEWS
BIRMINGHAM, ALA.

Date: 1-30-74

Edition:

Author: CHRISTOPHER CABOT

Editor: JOHN W. BLOOMER

Title:

Character:

or

Classification: 44-1740

Submitting Office:

☐ Being Investigated

44-1740-2204

SEARCHED	INDEXED
SERIALIZED	FILED
FBI—BIRMINGHAM	

(Mount Clipping in Space Below)

Ray coerced into guilty plea? Writer says 'ridiculous'

BY THOMAS F. HILL
News staff writer

HARTSELLE

The idea of having a trial to determine if James Earl Ray was coerced into pleading guilty to the slaying of Dr. Martin Luther King was termed "utterly ridiculous" today by Alabama Author William Bradford Huie.

Huie termed equally ridiculous that a guilty plea by Ray would have enhanced the sale of a book Huie was writing about the Ray case.

Huie's comment came after the 6th U. S. Circuit Court of Appeals had ordered a special hearing which could result in a new trial for Ray, who is serving a 99-year prison sentence for the assassination of the civil rights leader.

Judges Harry Phillips and William Miller, in their written opinion, said that if Ray's allegations that his attorney and Huie had coerced him into pleading guilty to help the sale of the book would support a finding that Ray's attorneys deliberately compromised their client's interests. "Those judges may know all there is about law, but they don't know a damn thing about the publish-

ing business," Huie said in a telephone interview from his Hartselle home.

At the Appeals Court hearing in Cincinnati Tuesday, Ray's current attorney, Bernard Fensterwald, said his client was "browbeaten, badgered and bribed" into pleading guilty by then defense attorney Percy Foreman.

"When Ray pleaded guilty," Huie said. "My book was dead."

If Ray is successful at the hearing, to be held later this year in Nashville, he will have the new trial he has sought for five years.

"No living human could coerce James Earl Ray," Huie said. "And one man, working alone, killed Martin Luther King. And that man was James Earl Ray!"

Huie said the one big word in the publishing business was "conspiracy." The author said that he had determined if Ray alone killed King, the story was not worth a dime.

Huie said he never entered into a deal with Ray and his attorney to make money. He said he was convinced if Ray went on trial, the truth would never come out.

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

BIRMINGHAM NEWS
BIRMINGHAM, ALA

Date: 2-1-74
Edition: METRO
Author:
Editor: JOHN W. BLOOMER
Title:

Character:

or

Classification: 44- 7404

Submitting Office:

☐ Being Investigated

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 11 1974	
FBI - BIRMINGHAM	

44-1740-2205

(Mount Clipping in Space Below)

Tennessee to go to high court on Ray

NASHVILLE, Tenn.

The State of Tennessee will ask the U. S. Supreme Court to reverse an appeals court decision to grant James Earl Ray a review of his guilty plea in the assassination of Dr. Martin Luther King Jr.

"We decided some time ago that we would go ahead and petition for review," said Asst. State Atty. Gen. W. Henry Haile. "We're going to definitely do it within the next 30 days."

The hearing was ordered in January by the U. S. 6th Circuit Court of Appeals in Cincinnati. Ray began efforts to reconsider his guilty plea since shortly after he was sentenced to 99 years in prison in March 1969.

In his petition Ray claimed he had been coerced into pleading guilty by his former lawyer, Percy Foreman of Houston, Tex. Ray said Foreman and another former lawyer, Arthur Hanes Sr. of Birmingham, were more interested in the book and movie rights to his story than in his best interests.

IN ITS JANUARY decision, the Cincinnati court cited two letters from Foreman to Ray. The letters revealed agreements for Foreman to receive \$165,000 from royalties on publications and motion pictures based on Ray's case.

— Associated Press

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

4-
A THE BIRMINGHAM NEWS
Birmingham, Alabama

Date: 3-3-74

Edition: Metro

Author:

Editor:

Title:

MURKIN

Character:

or

Classification:

Submitting Office: BIRMINGHAM

☐ Being Investigated

44-1740-2206

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 8 1974	
FBI-BIRMINGHAM	

(Mount Clipping in Space Below)

Ray can seek to withdraw King slaying guilty plea

By Charlotte Moulton

United Press International

WASHINGTON — James Earl Ray won Supreme Court clearance Monday to seek withdrawal of his guilty plea and a new trial in the 1968 slaying of Martin Luther King Jr. The court held his lawyers may have unduly influenced him because of a book in which they had an interest.

Without comment, the court rejected an appeal by the state of Tennessee of an order from the 6th U. S. Circuit Court of Appeals that a hearing be held to determine whether Ray had been deprived of his constitutional rights to due process and assistance of counsel.

That hearing won can be held, and if the change of plea is accepted Ray would be entitled to a new trial. He pleaded guilty in 1969 to the slaying of the civil rights leader in a Memphis, Tenn., motel, and was sentenced to 99 years in state prison.

The assassination on April 4, 1968, touched off rioting in the nation's capital and other cities.

Shortly after he was sentenced Ray claimed that his counsel, well-known criminal attorney Percy Foreman of Houston, had coerced him into pleading guilty in order to keep facts in the case from coming out in open court.

Ray turned his case over to Foreman after dismissing attorney Arthur Hanes, who had signed a contract with writer William Bradford Huie for a book on the King slaying, with Hanes to get 30 per cent of the royalties. Foreman kept the agreement in effect, but increased his share to 60 per cent.

Ray contended that Foreman advised him to plead guilty so that information on the case could be preserved exclusively for the book.

Judge William E. Miller, writing the appeals court decision that a change-of-plea hearing should be held in U. S. District Court, said:

"The allegations . . . if true, would support a finding that Ray's attorney's deliberately compromised their client's interests in order to further the financial success of Huie's works in which they themselves had a substantial interest.

"Such conduct would constitute an outrageous abrogation of the standards which the legal profession sets for itself and upon which its clients have a right to rely."

"If the allegations are correct," Miller said, Ray's lawyers "not only did not properly advise him but deliberately misled and coerced him. It is inconceivable to us how a plea entered under these circumstances could be either intelligent or voluntary."

Trial Judge W. Preston Battle questioned Ray thoroughly at the outset of the trial and Ray said his plea was knowledgeable and voluntary.

In other actions, the Supreme Court:

—Declined, at least for the time being, to rule on the constitutionality of a Florida law requiring consent of husbands of parents for an abortion. At least 17 other states have similar statutes.

—Agreed to decide whether deadlines for lawsuits charging racial job discrimination should be held up pending consideration of the case by the Equal Employment Opportunity Commission. Oral arguments will be heard next fall in the text case from Memphis.

Agreed to rule whether

high school authorities can ban student newspapers which use vulgar language but do not violate obscenity laws.

—Left standing the drunk driving conviction of a New York man who claimed his rights were violated by a test of his blood for alcohol.

—Narrowed the rights of employees to keep their jobs when the company for which they work is sold.

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

A5 BIRMINGHAM POST-HERALD,
BIRMINGHAM, ALA.

Date: 6- 4-74

Edition:

Author: CHARLES MOULTON

Editor: DUARD LE GRAND

Title:

Character:

or

Classification: 44-1740-2207

Submitting Office:

☐ Being Investigated

(Mount Clipping in Space Below)

Supreme Court ruling may lead to new Ray trial

BY JACK C. LANDAU
News Washington staff

WASHINGTON

The Supreme Court has taken a legal action which could lead to voiding the guilty plea and subsequent 99-year jail sentence of James Earl Ray for the first degree murder of the Rev. Martin Luther King in May, 1968, in Memphis.

In an unsigned order, the Supreme Court let stand a U. S. Court of Appeals opinion ordering a full federal court hearing to Ray on his claims that he was denied "effective legal representation because two of his attorneys had a financial stake in his pleading guilty and not going to trial."

If the federal court hearing upholds Ray's claims, he will be entitled to change his plea to not guilty and have a trial on the murder charge. Ray has said since his guilty plea that he did not participate in the assassination.

Ray's two attorneys were Arthur Hanes of Birmingham, who first represented Ray and then Percy Foreman, a Houston attorney who represented Ray when he pleaded guilty in March, 1969.

Both attorneys, during their periods of representation, had contracts with Ray giving the lawyers royalty percentages of Ray's personal story. Author William Bradford Huie was to write the book.

The Court of Appeals said that the allegations against Hanes and Foreman, if proved to be true at a federal court hearing, would "represent the most egregious kind of conflict of interest" for the two lawyers

RAY, WHO WAS arrested in London in June, 1968, was extradited to Tennessee to stand trial.

Hanes represented Ray at the London hearing and during some of the pre-trial proceedings until November, 1968. Hanes had Ray execute a three-way contract in which Ray assigned to Hanes 40 per cent of all proceedings from the sale of Ray's story with Hanes acting as "exclusive agent and attorney" for Ray. Huie was obliged to pay Hanes and Ray 30 per cent of the proceeds from the sale of the book.

In January, 1969, there was a new contract which assigned to Foreman all of Hanes' rights but increased the share of the proceeds from 40 per cent to 60 per cent.

Ray, in asking for a hearing and a new trial, argued that the financial arrangements between the lawyers and him resulted in "ineffective assistance" of counsel prior to the trial and that he was coerced into pleading guilty and waiving his rights to a trial.

In effect, Ray said that the lawyers had an interest in not having him take the stand and tell his story because that would under-cut the sale of Ray's story to book publishers and other media.

For example, Ray alleged that Hanes refused to hire a professional investigator and insisted on using Huie; that Hanes advised Ray against taking the stand by saying "why give testimony away when we can sell it;" and that Hanes refused to delay the trial because the contract with Huie provided that the trial must take place within a certain number of days.

RAY ALSO ALLEGED that Foreman agreed to pay Ray's brother, Jerry Ray, \$500 if James Earl Ray went through with the guilty plea; that Foreman said it would be in Ray's interest to plead guilty "even if he had not committed the crime" and that Foreman agreed to assign to Ray all royalties over \$165,000 if "the guilty plea is entered and accepted."

The Court of Appeals said that these allegations — if true — plainly "negative any notion or idea that his guilty plea... was made voluntarily and intelligently..."

The State of Tennessee urged the court to review the case. It said that "the record shows conclusively that Ray's plea was intelligently made" and "was voluntary."

"There is no evidence," the state said, "to indicate that the (legal advice) was bad." The two attorneys did not file any papers with the Supreme Court:

In other action, the Supreme Court ruled that employers must

pay the same wages to day-shift workers of both sexes as they pay to night shift workers, most of whom are men.

The ruling, ordering \$600,000 in back pay for women at the Corning Glass Works, said the company violated the Equal Employment Opportunities Act by paying its day shift workers — mostly women —



RAY

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

THE BIRMINGHAM NEWS
BIRMINGHAM, ALA.

Date: 6-4-74

Edition:

Author: JACK C. LANDAU

Editor: JOHN W. BLOOMER

Title:

Character:

or

Classification:

44-1740-2208

Submitting Office:

☐ Being Investigated



HANES



FOREMAN

less than its night shift workers, mostly men.

Ruled that the Civil Rights Act can be applied to prosecute criminally persons accused of conspiring to cast fraudulent votes in a state election if part of the conspiracy — which was not carried out — also was to affect the return in a federal election.

Five West Virginia men had argued that the federal Civil Rights Act could not be used to prosecute fraud in state elections.

Let stand a U. S. District Court decision declaring unconstitutional a Florida law which requires parental or husband approval for an abortion, but refused to issue an injunction against the law until the case is heard by the U. S. Court of Appeals.

Will take the stand, Ray says

NASHVILLE, Tenn.

"I'll do my talking in the courtroom," said James Earl Ray after the U. S. Supreme Court opened the way for a hearing on his petition for a new trial in the slaying of Dr. Martin Luther King Jr.

"I'm going to take the stand," the 41-year-old Ray said Monday from his state prison cell. "I'll probably testify three or four days, but I don't particularly want to."

THE HEARING ON Ray's plea for a new trial will be before Judge Robert M. McRae Jr. of U.S. District Court at Memphis, probably in late summer.

"James Earl Ray will be our chief witness at the hearing," said Ray's Memphis attorney, Robert I. Livingston. "It will be James Earl and Percy Foreman eyeball-to-eyeball unless Foreman chickens out. Then we can let the world see and hear what each of them has to say."

The 6th U. S. Circuit Court of Appeals ruled Jan. 29 that Ray's rights to due process and assistance of counsel were violated when he pleaded guilty to the assassination of the civil rights leader at Memphis in 1969.

Ray, serving a 99-year sentence, subsequently began a legal battle to overturn the court's sentence and asked to withdraw his guilty plea.

Ray contends that Foreman, his attorney at the time of his guilty plea, advised him to plead guilty so information about the case would be preserved for a book about the case.

"If the allegations are correct," the Appeals Court said, Ray's lawyers "not only did not properly advise him but deliberately misled and coerced him."

—Associated Press

(Mount Clipping in Space Below)

New evidence in King slaying may be uncovered at hearing

United Press International

MEMPHIS, Tenn. — Evidence that may have been suppressed before James Earl Ray pleaded guilty to killing Martin Luther King Jr. will be uncovered at an evidentiary hearing, Ray's attorneys said in memorandums filed in federal court Tuesday.

Attorneys Bernard Fensterwald and James Lesar, both of Washington, D. C., and Robert I. Livingston of Memphis, said they intend to reveal whether the prosecution withheld "statements by police officers tending to show that Ray was not at the scene of the crime.

when Dr. King was shot."

The 32 defense questions should unravel, the lawyers said, whether Ray's earlier defense attorneys, Arthur Haynes of Birmingham, Ala., and Percy Foreman of Houston, Tex., let their interests in a book on the assassination interfere with defense counsel.

Ray, who is serving 99 years at the state prison at Nashville after his March 10, 1969, confession to the 1968 murder at a Memphis motel, claims Haynes and Foreman lured him into a guilty plea, promising to ease Ray's financial distress and meanwhile helping Alabama author William Brad-

ford Huie gather information for "He Slew the Dreamer."

"Did Huie offer to pay a bribe if Ray would not take the witness stand?" one defense question asked.

"Did Huie pressure Ray to admit involvement in the assassination of Dr. King (to help book sales)?"

"Did Foreman adequately investigate the case against Ray before deciding to plead Ray guilty?"

The prosecution, however, will aim at showing "the utter absurdity of the conflict of interest claim," the prosecution's memorandums said.

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

A8 BIRMINGHAM POST-HERALD,
BIRMINGHAM, ALA.

Date: 6-19-74

Edition:

Author:

Editor: JOHN W. BLOOMER

Title:

KING SLAYING

Character:

or

Classification: 44-1740-2209

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SEARCHED	INDEXED
SERIALIZED	FILED
JUN 20 1974	
FBI - BIRMINGHAM	

Birmingham, Alabama
August 29, 1950

MEMO SAC

Re: Mrs. VALLULAH HEATON, Informant;
NARCOTICS

On August 18, 1950, Mrs. VALLULAH HEATON, aka Vallulah Littlejohn, the latter being her maiden name by which she goes on occasion now, came to the office to complain regarding a narcotics matter.

She advised that in the town of Clanton, Alabama, many young men and some rather prominent business men were regularly taking dope of one type or another, which they purchase from local sources. She advised that the dope was purchased from the Alred Drug Store at Clanton, where at night users of dope frequently hand around in the back room there with Dr. CHARLES MOORE, Clanton.

Dr. FUNK, she advised, is the pharmacist at Clanton's Drug Store, which is owned by Mr. and Mrs. WRIGHT. She believes FUNK is a user of dope himself, and that Mr. and Mrs. WRIGHT use it on occasion.

She states that among the regular users of dope in town are a painter named EARL MARCUS and LAWRENCE GERALD who is a prominent attorney in Clanton, she states. She further advised that GERALD at one time a few years ago wanted to marry her, but because of his addiction to drugs she refused. Title to LAWRENCE GERALD's home was recently transferred to Dr. MOORE, and Mrs. HEATON believes this had something to do with the narcotics situation in Clanton.

Complainant advised that some men in Thorsby, Alabama and Clanton say she is working for the FBI. She could not furnish any names of these men, and says they are a group who hang around the Alred Drug Store. Complainant was advised by the writer that the FBI frowns upon people passing themselves off as or allowing themselves to be thought of as representatives of the FBI. She advised she was aware of this fact, and had told them on different occasions that she definitely did not work for the FBI. She believes this arose through her having kept company with a man several years ago who the people around Clanton thought was an FBI Agent. This man's name was "HAPPY" CHAPMAN, first name unknown. In

DAK:JE
12-0

44-1740-2210

SEARCHED	INDEXED
SERIALIZED	FILED
AUG 29 1950	
FBI-BIRMINGHAM	

12-0-327

FBI-BIRMINGHAM
AUG 29 1950

first starting to tell of this, she advised that CHAPMAN was not an FBI Agent.

Some time much later in the conversation, complainant stated that about seven years ago, for a period lasting from about fourteen years ago to seven years ago, she went with an FBI Agent who, during the latter stages of their relationship, became addicted to the use of marijuana. When asked who this Agent was, she said "Happy" Chapman. Mrs. HEATON said CHAPMAN was working out of Tampa, Florida; but from answers to questions about CHAPMAN's conduct it appears that CHAPMAN spent most of his time during this period in and around Clanton, and could not very likely have been working out of Tampa for the FBI. She stated that she had never told anyone else that she knew an FBI Agent who was addicted to marijuana. She thinks that CHAPMAN went to Maine about five years ago, and believes he has since died.

Complainant states she is writing a book under the name VALLULAH LITTLEJOHN on things she has seen and places she has been. She advised that the FBI lately interested themselves in some of the things she would like to include in her book. When asked for specific instances of matters in which the FBI interested themselves, she could furnish none. It is her intention to submit her book on its completion to the FBI for their approval and recommendations.

From Mrs. HEATON's inconsistent statements and occasional pointless wanderings in her conversation, it appears to the writer that she is not well balanced mentally.

Mrs. HEATON advised that she would be glad to drop into the office at any time in the future to talk this matter over further. She can be reached by sending mail to her as Mrs. VALLULAH HEATON, Thorsby, Alabama, but states the letter should be sent registered mail because she feels that her mail is being tampered with.

Complainant furnished this information regarding narcotics to Mr. Camp, Narcotics Bureau, Birmingham, about two years ago.

DOUGLAS A. KYDD, JR.,
Special Agent.

UNITED STATES GOVERNMENT

Memorandum

TO : FILE 44-1740

DATE: 6-21-74

FROM : SAC RALPH J. MILES

SUBJECT: MURKIN

On 6-19-74, Jefferson County Sheriff A. MELVIN BAILEY (NA), Birmingham, Alabama, telephoned me to advise that he had been contacted on several occasions by a VALLULAH HEATON of Thorsby, Alabama, desiring an interview with BAILEY on an "urgent matter", but Mrs. HEATON never kept any of the appointments with the Sheriff. On 6-18-74, Sheriff BAILEY did finally make contact with Mrs. HEATON who advised him as follows:

At the time of the KING assassination of KING (4-4-68), she resided near the place where JAMES EARL RAY, aka GALT, resided in Birmingham, but subsequently moved to Thorsby because she was afraid. For some time prior to 4-4-68, when she lived in Birmingham, she took long walks and met JAMES EARL RAY several times, and on several occasions saw him in the company of THOMAS BRADFORD HUIE, the author; Birmingham Attorney ARTHUR HANES; and an unknown seaman. HUIE lived in the same area, as did PERCY FOREMAN. Says RAY would know her if she could be shown to him. This all occurred prior to 4-4-68. Said she felt she could be a witness in the upcoming new hearings for RAY.

Mrs. HEATON told Sheriff BAILEY she resides in Thorsby, Alabama, telephone #646-3977, but was temporarily staying with her daughter at Apartment #209, DeVille Apartments, 26 Rhodes Circle, Birmingham, Ala. telephone #933-8683. She said she would be glad to talk to the FBI.

I reviewed our files on Mrs. VALLULAH HEATON and came up with 2 references. One is 12-0-327 and a copy of a memo dated 8-29-50 by SA DOUGLAS A. KYDD, JR., is attached hereto for ready reference, it being noted that SA KYDD noted Mrs. HEATON did not appear to be well balanced mentally. Other reference is in 62-2271 where, on 2-26-65, Mrs. HEATON called FBI Birmingham to say she was sure she had seen missing Nazi war criminal MARTIN BORMANN (recognized him from picture of BORMANN on TV) at Mrs. Todd's Cafeteria where Mrs. HEATON formerly worked; in the Town House lobby; and around the Birmingham Medical Center. She last saw BORMANN on 1-12-65 while waiting for a bus at 8th Avenue, South and 20th Street, Birmingham. At that time (2-26-65), Mrs. HEATON said she resided at Apt. 510, Highland Towers, NBirmingham.

44-1740-2211

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 21 1974	
FBI - BIRMINGHAM	



5010-110

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

- 2 -

I advised Sheriff BAILEY of these references and he agreed that Mrs. HEATON might be mentally unbalanced. He had, however, promised her she would be interviewed by the FBI. Sheriff BAILEY was asked to tell her she would be interviewed on the morning of 6-20-74. He did.

Mrs. HEATON was contacted at Apartment 209, DeVille Apartments, 26 Rhodes Circle, Birmingham, Ala., on the morning of 6-20-74 by SAs ROBERT M. BARRETT and ROBERT J. YARNALL. Agents identified themselves and were promptly advised by Mrs. HEATON: "I am a nut." She then said she had gone to Sheriff MEL BAILEY with her information because she "had to tell someone." She stated teenagers in Thorsby were "running under" her with their motorcycles as she walked "down the hill" on her sidewalk. She then asked: "Do you think they will kill him up there tomorrow?" She identified "him" as JAMES EARL RAY.

Mrs. HEATON said she lived in the Highland Towers Apartments, 2251 Highland Avenue, South, Birmingham, during the time she had met GALT (RAY) while taking walks in the area, which was prior to KING's killing. She couldn't recall where PERCY FOREMAN had his apartment but it was someplace in the immediate area.

Mrs. HEATON rambled from one subject to another unrelated subject during the interview and gave the impression of a person with some problems.

SA BARRETT checked the 1968 and 1969 Birmingham City Directories but found no listing for Mrs. VALLULAH HEATON, HUIE or FOREMAN. ARTHUR HANES was listed as living in Mountain Brook, Ala.

It does not appear that any credence can be placed in Mrs. HEATON's information.

-2-

(Mount Clipping in Space Below)

Conference today on James Earl Ray case

MEMPHIS — A federal judge today considered the scope of a hearing that could lead to a new trial for James Earl Ray, who was convicted of assassinating Dr. Martin Luther King Jr.

U.S. District Judge Robert M. McRae Jr. is expected to conduct a hearing later this summer on whether Ray is entitled to withdraw his guilty plea and stand trial on the original murder indictment in the 1968 death of the civil rights leader.

Today's session is a pre-hearing conference among McRae, Ray's attorneys and the state prosecutors to consider which issues will be admissible or relevant at the hearing.

Ray's attorneys have argued their client was pressured into the plea. They have sought a broad inquiry into events that led to the confession.

The State of Tennessee asked McRae to limit the hearing primarily to a review of the advice given Ray by his attorney at the time, Percy Fore-

man of Houston, Tex., and of whether the plea was "intelligently and voluntarily given."

Ray, 46, now serving a 99-year prison term, pleaded guilty on March 9, 1969, to shooting King as King stood on the balcony of the Lorraine Motel in Memphis on April 4, 1968.

He recanted the plea soon afterward, claiming that Foreman pressured him to plead guilty in order to enhance sales of a book, "He Slew the Dreamer," by Alabama author William Bradford Huie.

The U.S. 6th Circuit Court of Appeals ruled earlier this year that Ray is entitled to a hearing.

Ray's attorneys claim that Foreman was assigned 60 per cent of the royalties of Huie's book to cover his \$150,000 legal fee after Ray had fired his first attorney, Arthur Hanes of Birmingham, Ala.

They contended McRae should consider all aspects of the royalty agreements, whether they "presumed Ray

guilty," whether Huie offered to pay a bribe if Ray would not take the witness stand and whether a public trial would have destroyed "the economic value of Huie's literary and film rights."

They said other relevant issues include whether Foreman's investigative work was adequate, whether the state suppressed evidence favorable to Ray and whether the defendant's solitary confinement in the Shelby County Jail reduced "his capacity to resist Foreman and Huie's pressures to plead guilty."

The state did not ask to admit any physical evidence, but Ray's attorneys petitioned to introduce numerous exhibits, including desk calendar notes made by the late Criminal Court Judge Preston Battle, who accepted Ray's guilty plea.

—Associated Press

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

21 THE BIRMINGHAM NEWS
BIRMINGHAM, ALA.

Date: 6-21-74
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Editor: JOHN W. BLOOMER
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JUN 27 1974	
FBI - BIRMINGHAM	

UNITED STATES GOVERNMENT

Memorandum

TO : SA COLEMAN D. GEARY, III

DATE: 8-16-74

Ph
FROM : SAC, Birmingham (44-1740)

SUBJECT: MURKIN

Above case closed 10-30-73. Following bulky/bulkies still retained:

1-B-2 *is in*

1-B-3 *return*

See attached Xerox copy for description.

Please advise what disposition should be made of above. EXPEDITE!

RJM:rlg

(2)

1 cc destroyed

reg

*Return as possible evidence
as James Earl Ray still seeking
a new trial.
S. Ray*



5010-110

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

44-1740-2213

SEARCHED	INDEXED
SERIALIZED <i>reg</i>	FILED <i>reg</i>
OCT 26 1974	
FBI-BIRMINGHAM	

[Signature]

Date **4-15-68**

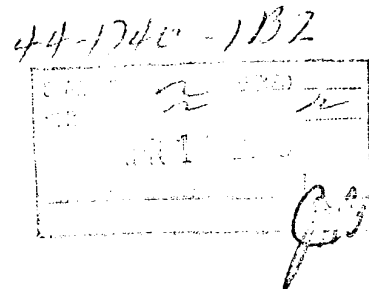
Title and Character of Case

**MURKIN
CR
OO: MEMPHIS**

Date Property Acquired 4-15-68	Source From Which Property Acquired Ruby Goodman, Mayfield Cleaners, 2222 Highland Ave. Birmingham, Ala.
Location of Property or Bulky Exhibit Bulky Exhibit Room	Reason for Retention of Property and Efforts Made to Dispose of Same EVIDENCE
Description of Property or Exhibit and Identity of Agent Submitting Same	

**4 DRY CLEANING RECEIPT BOOKS DATED 9-1-67 TO 9-7-67, 9-11-67
to 9-15-67, 9-15-67 to 9-22-67, and 9-30-67 to 10-5-67.**

SUBMITTED BY SA ~~XXXXX~~ DALY



SEMIANNUAL INVENTORY CERTIFICATION TO JUSTIFY RETENTION OF PROPERTY (Initial and Date)

Field File # **44-1740-1B2**

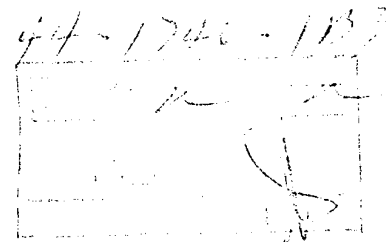
Date 7-13-68

Title and Character of Case

MURKIN

Date Property Acquired (Ser. 2012) 7-13-68	Source From Which Property Acquired FBI Photo Lab.
Location of Property or Bulky Exhibit Bulky Exhibit Room	Reason for Retention of Property and Efforts Made to Dispose of Same Hold for Future Future Reference Until after Subjects trial
Description of Property or Exhibit and Identity of Agent Submitting Same	

One set of 8 X 10 Photo prints of hotel and motel registrations in Birmingham area for night of 3-29-68. These compared with names of guests at Rebel motel, Memphis, on night of 4-3-68 but no implications of names noted. (see ser. 2020)



SUBMITTED BY SA SNOW.

SEMIANNUAL INVENTORY CERTIFICATION TO JUSTIFY RETENTION OF PROPERTY (Initial and Date)

Field File # 44-1740-1B

(Mount Clipping in Space Below)

Ray victim of pressure, lawyers say

United Press International

MEMPHIS, Tenn. — Attorneys for James Earl Ray contended in federal court Tuesday that Ray's previous lawyer, Percy Foreman, told Ray he would "barbecue" in the electric chair unless he pleaded guilty to the slaying of Dr. Martin Luther King Jr.

Ray is trying to win a new trial on the grounds that he was pressured into saying he killed the famed civil rights leader, an act he now denies.

Bernard Fensterwald hit hard at Foreman, the noted Houston, Tex., attorney, in his opening statement, but then moved on to the question of whether the conditions of Ray's confinement in the Shelby County Jail before trial rendered him incapable of making a logical decision.

Ray is asking U. S. District Judge Robert M. McRae Jr. to set aside his guilty plea negotiated by Foreman on March 10, 1969, and order a new trial.

Ray entered the federal courtroom on the 11th floor of the Federal Office Building in downtown Memphis at 9:30 a.m. for the start of the hearing. The 46-year-old prisoner wore an ill-fitting charcoal gray suit and a white shirt buttoned at the neck with no tie.

Once in the hearing room, Ray interlaced his fingers and sat motionless as Fensterwald made his opening statement.

Fensterwald said Ray never intended to plead guilty to the murder of King, winner of the Nobel Peace Prize. He said Ray had every intention of going to trial and asserting his innocence in the April 4, 1968, slaying.

"Attorney Foreman coerced Ray into a guilty plea," Fensterwald said. "Foreman put every pressure on Ray. He said Ray would barbecue (be electrocuted) if he went to trial. He used bribery as well as coercion to see that Ray did not backslide on his agreement to plead guilty."

Fensterwald offered no evidence the first day to back up his charges against Percy. Instead, he moved into the events surrounding Ray's stay in the Shelby County Jail from the time of Ray's arrest in London on June 8, 1968, to his guilty plea nine months later.

Fensterwald said Shelby County officials deprived Ray of many of his rights during the time he was in Cellblock A awaiting trial. The defense lawyer said he was particularly concerned that Ray's mail was copied and sent to prosecutors.

W. Henry Haile, assistant Tennessee attorney general, made a brief opening statement for the state. He said simply that "as far as we are concerned, the things they (the defense) has alleged are not true."

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

A4 BIRMINGHAM POST-
HERALD,
BIRMINGHAM, ALA.

Date: 10-23-74

Edition:

Author:

Editor: DUARD LE GRAND

Title:

Character:

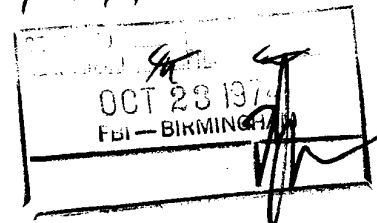
or

Classification: 44-1740-2214

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44-1740-2214



(Mount Clipping in Space Below)

Huie says he tried to prove conspiracy in King murder

United Press International
MEMPHIS, Tenn. — Author William Bradford Huie, in a deposition read Thursday in federal court, said he tried to prove there was a conspiracy to kill Dr. Martin Luther King Jr. but finally concluded James Earl Ray did it alone "to get attention."

"I know and knew after Oct. 15 (1968) nobody else was involved (in the April 4, 1968 murder) except Ray," said the author of the book "He Slew the Dreamer."

Huie's deposition, made Sept. 28, 1974, was read in the second week of a hearing in which Ray, who now insists he did not pull the trigger in the King slaying, is seeking a new trial. Ray contends lawyers Percy Foreman and Arthur Hanes Sr. pressured him to plead guilty to the King murder in order to preserve the value of Huie's book.

If the contention is true, according to Huie's testimony the move was spectacularly unsuccessful. The writer said his royalties for the book through Dec. 31, 1973, totaled only \$4,461.

Huie said he had two reasons for contacting Hanes,

Ray's first lawyer, and suggesting a book on the murder. He said he wanted to find out "what happened in the murder and who was involved" and to help Ray raise money for his defense.

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

A12 BIRMINGHAM POST-HERALD,
BIRMINGHAM, ALA.

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Author:
Editor: DUARD LE GRAND
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FBI - BIRMINGHAM	