

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE

STATE OF TENNESSEE

VS

No. 16645
(Murder)

JAMES EARL RAY, Alias

M O T I O N

FILED 9/18/68
J. A. BLACKWELL, CLERK
BY EE Koster D. C.

Comes the Defendant in the above captioned cause, by and through his Attorney of Record, and respectfully shows unto this Honorable Court as follows:

1. Defendant has been incarcerated in the Shelby County, Tennessee jail awaiting trial in the above captioned cause since July 19, 1968 to and through the present.

2. From the time of his incarceration, to and through the present, Defendant has been constantly and continuously illuminated by high powered lights and has been continuously surveilled by television cameras and microphones which are received in the office of the Sheriff of Shelby County, Tennessee.

3. No other prisoner in Shelby County or throughout the free world is so illuminated and surveilled.

4. The presence of said illumination and surveillance has deprived Defendant of the opportunity to rest or sleep and has a tendency to cause Defendant to be nervous and disturbed and constitutes an electronic form of cruel and unusual punishment.

5. The presence of such illumination and surveillance further provides an unwarranted and undetectable opportunity for illegal identification and/or lineup of Defendant for the purpose of refreshing or suggesting recollection of Defendant to potential material witnesses in this cause.

- 2 -

WHEREFORE, PREMISES CONSIDERED, the Defendant respectfully prays this Honorable Court to issue an order directing the Sheriff of Shelby County, Tennessee to cease and desist from the use of television lights, cameras and microphones, to constantly surveille Defendant, and if Defendant be mistaken in this prayer, he respectfully moves this Honorable Court to issue such further and different order as it may deem meet and proper to remedy the ill herein alleged.

Respectfully submitted

By Anthony J. Hanes
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that I have this 18th day of September, 1968, served a copy of the foregoing Motion, by hand, upon the Attorney for the State of Tennessee in this case.

By Anthony J. Hanes
Attorney for Defendant

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE

STATE OF TENNESSEE

VS

No. 16645
(Murder)

JAMES EARL RAY, Alias

M O T I O N

FILED 9/18/68
J. A. BLACKWELL, CLERK
BY E. E. Kester D. C.

Comes the Defendant in the above captioned cause, by and through his Attorney of Record, and respectfully shows unto this Honorable Court the following:

1. Defendant is incarcerated in the Shelby County, Tennessee, jail awaiting trial in the above captioned cause.
2. Defendant has retained Arthur J. Hanes and Arthur J. Hanes, Jr. as counsel to represent him in this cause.
3. In order that Defendant may be fully represented before and during trial, it is necessary that he have the opportunity to confer in private consultation with his attorneys prior to trial.
4. Defendant has not been afforded the opportunity to confer in private with his counsel in the following: At all times when Defendant has been in consultation with counsel at least two law enforcement officers of Shelby County, Tennessee or the city of Memphis, Tennessee have remained present and within the hearing of Defendant and counsel; Television cameras and microphones have been focused on Defendant and counsel, the same with viewing screens and amplifiers in the office of the Sheriff of Shelby County, Tennessee; After each consultation, notes written by Defendant to counsel are inspected by law enforcement officers before counsel is allowed to leave Defendant; Defendant's mail to counsel is censored and read by the Sheriff of

Shelby County or his agents.

WHEREFORE, PREMISES CONSIDERED, the Defendant prays this Honorable Court will issue an order directing the Sheriff of Shelby County, Tennessee to permit Defendant and his counsel to confer in private, absent the presence of law enforcement officers and television and microphone reproduction, and to permit Defendant and counsel to exchange notes and correspond without censorship by agents of the Sheriff of Shelby County, Tennessee.

Respectfully submitted,

By Arthur J. Hanes
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that I have this 18th day of September, 1968, served a copy of the foregoing Motion, by hand, upon the Attorney for the State of Tennessee in this case.

By Arthur J. Hanes
Attorney for Defendant

Ray Security Called Danger To His 'Sanity'

By CHARLES EDMUNDSON

The health of James Earl Ray, charged with slaying Dr. Martin Luther King Jr., is so threatened by security measures in force at the Shelby County Jail that he may not be able to stand trial as scheduled Nov. 12, a private detective employed by Ray's attorney said last night.

Renfro T. Hays, 40-year-old investigator with offices in the Commerce Title Building, compared some of the conditions in Ray's cell with "devices used by Communist police agents to destroy the health and balance of their victims."

Hays spoke of bright lights kept shining night and day, of television cameras constantly monitoring the prisoner and of an uninterrupted lack of privacy.

Arthur Hanes, Ray's attorney, complained of the same items to Criminal Court Judge W. Preston Battle in a preliminary hearing Friday. Mr. Hanes was instructed to put his complaint in writing. The written complaint is expected to be argued at another hearing Wednesday.

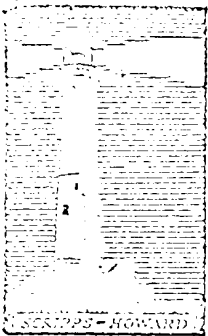
Mr. Hays said, his work in interviewing prospective witnesses has been easier since Judge Battle Friday repeated his caution that a court order restricting publicity is not to interfere with the right of witnesses to talk to attorneys for the prosecution or the defense.

Interviewed by telephone in Birmingham, Mr. Hanes said only he will have his motion asking security changes ready Wednesday. In court Friday Mr. Hanes charged the conditions "constitute cruel and unusual punishment."

Mr. Hays said he does not think the conditions criticized in Ray's cell result from intentional persecution.

"I don't for a moment think Sheriff Bill Morris is trying to drive this guy out of his mind. But it's the effect of this type of surveillance that counts."

EXHIBIT A



Memphis Press

WEATHER FORECAST: High today 82. Low tonight 58. Fair through Friday.

88TH YEAR—NO. 270

MEMPHIS, TENN., THURSDAY, SEPTEMBER 12, 1968

Hanes Has 'No Plans' For Delay

Ray's Attorneys
Still Planning
Trial Nov. 12

By ROY HAMILTON
Press-Scimitar Staff Writer

The defense for James Earl Ray, accused killer of Dr. Martin Luther King, has "no plans" to seek a postponement of his trial scheduled Nov. 12 in Memphis, Arthur J. Hanes Jr. said today.

"So far as I know we will be ready to go on the 12th," said Hanes, who is assisting his father, Arthur J. Hanes, in Ray's defense.

REPORT

It had been earlier reported that the senior Hanes had "intimated" in a Birmingham interview that Ray might not be able to stand trial in November because his health was being jeopardized by intensive security measures in his Shelby County jail cell.

Hanes Sr. was in court on another matter but his son, when asked about the report, said, "Some things are read into statements that are quite often only in the eyes of the beholder. I know of no plans to ask for a continuance."

COMPLAINT

The younger Hanes did confirm that Ray had complained about conditions in his cell and he said it was possible that a written motion may be filed next week asking for relief.

The defense lawyers are due back in Memphis Wednesday to inspect items of physical evidence accumulated by the state for use in the prosecution. The defense won access to the state's evidence in a hearing last week in Judge W. Preston Battle's court.

QUOTED

In the earlier report, Hanes Sr. was quoted as saying that Ray has undergone "enough to bug anybody" during his confinement. He said Ray has had two guards "breathing down his neck 24 hours a day" and sometimes has to cover his eyes against the bright lights "shining on him night and day" in order to sleep.

Hanes charged that the security setup surrounding Ray amounts to "harassment and

Scimitar

(Details on Page 2.)

TELEPHONES: NEWS AND GENERAL 524-2141
WANT ADS 529-5192
CIRCULATION 525-7601

EXHIBIT B

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE

STATE OF TENNESSEE

V.

NO. 16645 MURDER FIRST DEGREE

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

NO. 16819 CARRYING DANGEROUS WEAPON

SCIRE FACIAS

THE STATE OF TENNESSEE

TO THE SHERIFF OF SHELBY COUNTY;

WHEREAS, in certain causes pending in the Criminal Court of Shelby County, Division III, wherein James Earl Ray, with aliases, is charged with Murder in the First Degree and Carrying a Dangerous Weapon, and whereas on the 18th day of July, 1968 an order was entered, amended on the 23rd of July, 1968, and supplemented on the 30th of July, 1968, prohibiting certain specific acts and further enjoining certain parties from making any and all statements which may be prejudicial to a fair trial by an impartial jury.

THESE ARE, THEREFORE, to command you to summon Charles Edmundson, Renfro Hays, Roy Hamilton and Arthur B. Hanes, Sr. if to be found in your County to appear before the Criminal Court of Shelby County, Division III, at the Criminal Court of Shelby County, in Memphis, Tennessee on the 27th day of September, 1968 at 9³⁰ A.m. then and there to show cause, if any they have, why they should not be adjudged in contempt of this Court in failing to comply with the orders of this Court.

Herein fail not, and have you then and there this writ.

WITNESS, James A. Blackwell, Clerk of the Criminal Court of Shelby County, Tennessee at Memphis, Tennessee, this the 17th day of September, 1968.

A TRUE COPY. ATTEST
DATE: 9-17-68
NAME: J. A. Blackwell
CRIMINAL COURT CLERK

James A. Blackwell
JAMES A. BLACKWELL, CLERK

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE

STATE OF TENNESSEE

V.

NO. 16645 MURDER FIRST DEGREE

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

NO. 16819 CARRYING DANGEROUS
WEAPON

Filed - Sept. 17, 1968
J. B. Hanes
Criminal Court Clerk

PETITION FOR CONTEMPT

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

Your petitioners, amici curiae show to the Court as follows:

That petitioners are the duly appointed and acting amici curiae
having been so appointed by this Court by order of July 29, 1968.

That heretofore, the Court on July 18, 1968 entered an order
on Courthouse and Courtroom procedures and publicity and on July 23,
1968, entered an amendment to said order. Further, under date of July
30, 1968 supplemented said orders prohibiting and enjoining the perpe-
tration of certain specific acts in connection with publication given
instant case including, but not limited to, making extra judicial
statements about this case which involve (5) "--- or the treatment, acts
and attitude of the defendant---" and all other statements which may be
prejudicial to a fair trial by an impartial jury in this case, whether
specified herein or not.

That there appeared in the Commercial Appeal, a newspaper of
Memphis, Shelby County, Tennessee under date of Thursday morning,
September 12, 1968 an article headed "Ray security called danger to his
'sanity'" under the byline of Charles Edmundson in which Renfro T. Hays,
an investigator, and Arthur B. Hanes, Esq., the attorney for the
defendant, are quoted, a copy of said item is attached hereto and made
Exhibit A to this petition.

Under date of Thursday, September 12, 1968 there appeared in the
Memphis Press Scimitar an item headed "Hanes has 'no plans' for delay" under
the byline of Roy Hamilton in which Arthur B. Hanes, Sr., attorney.

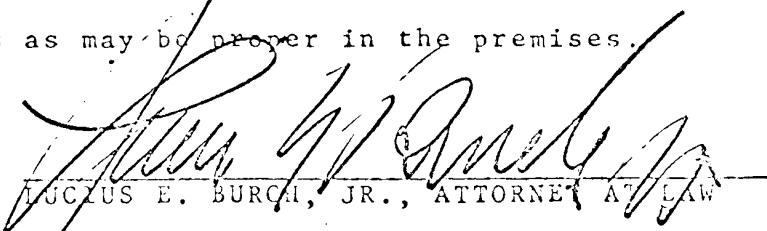
record for the defendant is quoted, a copy of said newspaper item is attached hereto as Exhibit B.

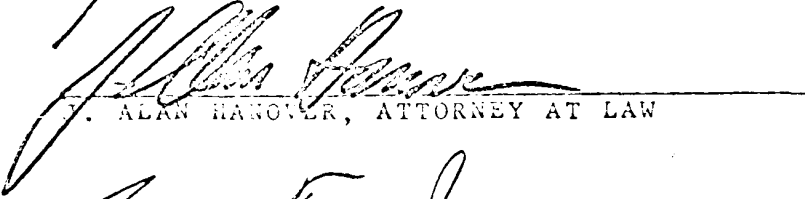
The respondents, Charles Edmundson, Roy Hamilton, Renfro T. Hays and Arthur B. Hanes, Sr., had actual knowledge of the aforesaid orders and injunctions issued by the Court.

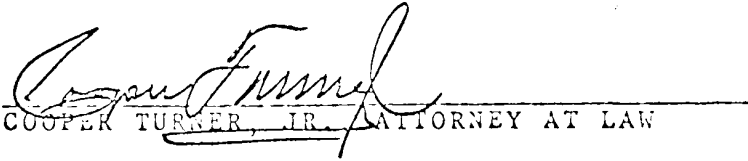
Petitioners believe and, therefore, aver that respondents are in contempt of the orders and injunction of this Court and that they should be cited in contempt thereof or be required to show cause why they should not be held in contempt of this Court.

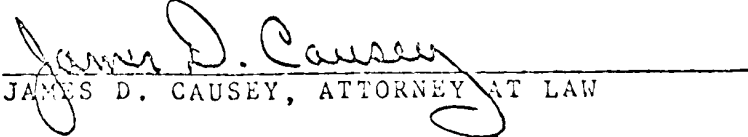
WHEREFORE, PREMISES CONSIDERED, PETITIONERS PRAY:

1. That proper process issue demanding Charles Edmundson, Roy Hamilton, Renfro T. Hays and Arthur B. Hanes, Sr., to appear before this Court and show cause, if any they have, why they should not be adjudged in contempt of this Court and its orders and upon hearing of said cause that the Court enter such other orders as may be proper in the premises.


LUCIUS E. BURCH, JR., ATTORNEY AT LAW


J. ALAN HANOVER, ATTORNEY AT LAW


COOPER TURNER, JR., ATTORNEY AT LAW


JAMES D. CAUSEY, ATTORNEY AT LAW


LEO BEARMAN, JR., ATTORNEY AT LAW


LEE A. HARDISON, ATTORNEY AT LAW


DON OWENS, ATTORNEY AT LAW

A TRUE COPY ATTEST

DATE: 9/17/68

NAME: E. Kosta

CRIMINAL COURT CLERK

STATE OF TENNESSEE

COUNTY OF SHELBY

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

M. K. Marchildon
NOTARY PUBLIC

MY COMMISSION EXPIRES:

May 15-1972

F I A T .

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

File this petition and issue scire facias upon the petition ordering the respondents, Charles Edmundson, Roy Hamilton, Renfro T. Hays and Arthur B. Hanes, Sr., to appear before this Court on the 27th day of September, 1968 at 9³⁰ AM o'clock to show cause why they should not be adjudged in contempt of this Court for violation and disobedience of the Court's orders.

W. Preston Baute
JUDGE

A TRUE COPY ATTEST
DATE: 9/17/68
NAME: EE Kestn
CRIMINAL COURT CLERK

BH 44-1740

Enc. to Bureau:

BH airtels to Bureau dated 9/3 and 9/5/68.

137

44-1740-5193
ENCLOSURE

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (44-38861)

DATE: 9/24/68

FROM : SAC, BIRMINGHAM (44-1740) (P)

SUBJECT: MURKIN
OO:ME

ReMoairtel to Memphis, 9/4/68, regarding information furnished by one JIM LOCKHART concerning ROBERT PRATT, Birmingham attorney, who was reported in 1963 to have agreed to represent anyone who might be apprehended in executing a "contract" to assassinate Dr. MARTIN LUTHER KING.

Birmingham file styled "ROBERT N. PRATT; ET AL; INFORMATION CONCERNING", Bufile 66-6353, BH file 92-272, contains considerable derogatory information concerning the character of PRATT, a disbarred attorney of Birmingham. Two copies each of BH airtels to the Bureau dated 9/3 and 9/5/68 containing background information on PRATT are being furnished the Memphis office, and for ready reference of the Bureau, one copy of each airtel is attached. Mobile is also being furnished one copy each.

Contact with warden's office, Jefferson County Jail, Birmingham, revealed it would be practically impossible to determine the identity of an inmate by nickname only during the year 1963 since there are confined daily an average of 250 inmates.

UACB, Birmingham considers that any contact with PRATT would be inadvisable at this time and no action regarding him will be taken.

REC 36

2 - Bureau (Enc. 2)
2 - Memphis (Enc. 4)
1 - Mobile (Info) (Enc. 2) (157-2627)
2 - Birmingham
HAS:scb
(7)



5010-108

71 000 468
Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

RECEIVED
FEDERAL BUREAU OF INVESTIGATION

OCT 3 11 14 AM 1968

RECEIVED

FBI

F. B. I.

U. S. DEPT. OF JUSTICE

OCT 3 11 47 AM 1968

Director, FBI (66-6353)

September 3, 1968

SAC, Birmingham (92-272) (P)

ROBERT N. PRATT;
JOHN PEMBERTON;
ALABAMA BOARD OF PARDONS
AND PAROLES;
INFORMATION CONCERNING

On August 29, 1968, Mrs. LYNN PHARO, also known as Carolyn Pete, 1710-B Woodcrest Road, Skyline Apartments, Birmingham, Alabama, Telephone Number 251-1330, was contacted concerning her son, LAUREY NATHAN PHARO, an escaped Federal prisoner, who escaped from Kilby Prison, Montgomery, Alabama, on August 3, 1968. (Mobile file 76-1330 - Birmingham file 76-2441).

PHARO stated that ROBERT N. PRATT, a disbarred Birmingham attorney, had been taking payoffs for several years for the Parole Board. She stated that PRATT had told her on several occasions that he could get her son out of prison. On June 11, 1968, PRATT again asked her and she agreed to pay him \$300.00 and GAIL FRANKLIN, LAUREY's girl friend, agreed to pay PRATT \$200.00. Since PHARO has arthritis in her hand, she permitted PRATT to fill out one of her checks on the Exchange Security Bank, Birmingham, in the amount of \$300.00, payable to R. N. PRATT. She then signed the check, and FRANKLIN gave PRATT a check for \$200.00.

Subsequently, PRATT informed her that he had been unable to get her son out of Kilby for \$500.00 and said it would take \$2,800.00. She and her husband, GRADY PHARO, told PRATT that they did not have that much money and after some arguing, PRATT returned the money to PHARO and FRANKLIN. Mrs. PHARO stated that she has the canceled check in her possession and it was endorsed "R. N. PRATT, ROBERT PRATT."

PHARO stated that she and her husband appeared before the Parole Board in Montgomery, Alabama, on August 3, 1968, and that she handed the three-man board a long envelope

3-Bureau (AM)
3-Mobile (AM)
2-Birmingham
CDB:rtc
(7) *kle*

92-272-18
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Serialized _____
Indexed _____
Filed _____

BH 92-272

which contained a letter from the Local Bricklayers Union, which was directed to the board and said they would give LAUREY PHARO a job if he was paroled. When she handed the envelope to the board, she merely said "This is for you," at which point the members of the board looked at each other and all appeared reluctant to open the envelope. She was of the opinion that the board thought the envelope contained money rather than papers concerning possible employment for her son.

When she handed the envelope to the board, a man in the middle, who was short and stocky, asked her if she knew JOHN FENBERTON and she replied that she did not and asked who he was. The man told her that it did not matter and they would talk with her later.

PHARO stated that on a previous occasion she observed JEANETTE KILPATRICK, wife of HAROLD DOUGLAS MAYBERRY, pay PRATT \$500.00 at the home of THELMA WARD, well known Birmingham madam, so that she, KILPATRICK, could remain out on parole. KILPATRICK was afraid that she would have to return to prison since she had been arrested while on parole. PHARO stated that she had learned from THELMA WARD that there is apparently another middle man besides FENBERTON in Montgomery but she does not know his name.

PHARO stated that she has told her Birmingham attorney, CHARLES TARTER about paying PRATT in an effort to get her son out of prison.

It is noted Birmingham indices are negative on JOHN FENBERTON; however, FENBERTON is Clerk of the Alabama House of Representatives and a strong supporter of former Governor GEORGE WALLACE. Birmingham file 94-103 entitled "Crime Survey, Birmingham Division (Bureau see Birmingham letter to Bureau dated January 13, 1951) reflects that in 1951, EUGENE "BULL" CONNOR, former Birmingham Police Commissioner, advocated a change with the Pardon and Parole Board set up

BH 92-272

to avoid further wholesale release of dangerous convicts. The file reflects that the "Birmingham Post Herald" carried an article revealing that the board had released over 1300 convicts in the past fifteen months.

Birmingham indices contain numerous references to ROBERT N. PRATT. PRATT was the subject of four (4) cases in 1965 (Bureau file numbers 29-36136, 29-36137, and 29-36138). In these cases, PRATT was acting as agent for four Federal credit unions; however, the United States Attorney declined prosecution regarding possible embezzlement and misapplication of funds in these cases as three indictments against PRATT were nolle prossed and the fourth resulted in a not guilty verdict.

Birmingham files reflect an article in the "Birmingham News," dated June 24, 1964, which reflected that Birmingham lawyer, ROBERT N. PRATT, who has been under fire in the courts, is surrendering his license today to the Alabama Bar Association.

"Birmingham News" article dated January 10, 1964, reflects that PRATT surrendered to police after he had been notified that \$15,000 in stolen furs were recovered at one of his residences. Also arrested was ELMERT WADE, a convicted burglar and one of PRATT's clients at the time. PRATT was a part-time City Judge.

PRATT was also mentioned in December of 1963, in Birmingham file captioned "MORTIMER JACKSON CALDWELL, aka., ET AL.; ITSP," BH file 87-6116, Bureau file 87-86046, in which information was received that PRATT had received the loot taken in the \$10,000 burglary of the Alabama Auction Room, Birmingham.

UACB, it is suggested that the Mobile Office discreetly disseminate the above information to Mr. FLOYD MANN (NA) Director of Public Safety, Montgomery, Alabama, for information purposes and for whatever investigative action he might deem appropriate.

9/5/68

AIRTEL

AIRMAIL

TO: DIRECTOR, FBI (66-6353)
FROM: SAC, BIRMINGHAM (92-272) (P)

CHANGED
ROBERT N. PRATT;
JOHN PEMBERTON;
DONALD G. WILSON, aka
Don Wilson;
ALABAMA BOARD OF PARDONS
AND PAROLES;
INFORMATION CONCERNING

Title marked "Changed" to add name of DONALD G. WILSON, aka Don Wilson, as third subject.

Re Birmingham letter to Bureau, dated 9/3/68.

On 9/4/68, Mrs. LYNN PHARO, 1710-B Woodcrest Road, Skyline Apartments, Birmingham, Alabama, stated that on 9/3/68, she was in the home of THELMA WARD, well-known Birmingham madam, at which time JEANETTE KILPATRICK, mentioned in referenced letter, came to WARD's house with her father-in-law, HUGH KILPATRICK, from Cullman, Alabama. HUGH KILPATRICK had a pistol with him and stated he was going to kill ROBERT PRATT if PRATT did not return the \$500.00 he had given PRATT to have his son, KENNETH KILPATRICK, who is now in Kilby Prison, paroled. JEANETTE KILPATRICK told THELMA WARD that she had called DON WILSON on the State Probation and Parole Board in Birmingham and stated that WILSON is the man PRATT contacted in Birmingham concerning getting KENNETH KILPATRICK paroled.

3 - Bureau
2 - Mobile
2 - Birmingham
CDB:bab
(7) *limb*

92-272-19
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BH 92-272

THELMA WARD then told PHARO that WILSON received \$200.00 and PRATT kept \$200.00 of the money KILPATRICK had paid; and when PHARO commented that this left only \$100.00 for the board members in Montgomery, WARD replied that this is why more money was needed.

PHARO stated that HUGH KILPATRICK and JEANETTE KILPATRICK met with ROBERT PRATT in the lobby of the Redmont Hotel in Birmingham on 9/3/68, but she did not know the outcome of the meeting.

DONALD G. WILSON is the State Probation and Parole Supervisor in Birmingham.

UACB, it is suggested that the Mobile Office disseminate this information to Mr. FLOYD HANN (MA), Director of Public Safety, Montgomery, Alabama, in connection with the previous information furnished in referenced letter.

44-38861-5795

44-38861-5196

ENCLOSURE

F B I

Date: 9-24-68

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

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

Submitted herewith for the information and assistance of the Bureau are two copies of a letter prepared by J. B. STONER, Attorney-at-Law, addressed to JAMES EARL RAY. It is to be noted contents of letter suggest very strongly that J. B. STONER will arrive in Memphis and will make efforts to talk to subject RAY.

There are also enclosed two copies of letter which appears to have been prepared by JERRY RAY to his brother JAMES EARL RAY. In this letter, JERRY indicates he has spoken with J. B. STONER and that STONER has indicated he didn't want a penny for helping JAMES EARL RAY. Of particular significance is the implied criticism of WILLIAM BRADFORD HUIE because of his stand on race relations. HUIE, as the Bureau knows, considers himself a liberal on race relations in Alabama. Apparently JERRY's discussions with J. B. STONER disclose that J. B. STONER felt it would be a good idea for JAMES EARL RAY to take the stand.

The Bureau will be kept advised of other developments.

3 BUREAU (Enc. 4) (AM)
1 MEMPHIS

RGJ:BN
(4)

G. C. Bishop

EX-102

REC-15

5126

1 SEP 26 1968

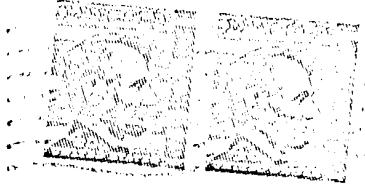
Approved: RG Jensen Sent _____ M Per _____
Special Agent in Charge

100-447711-100
JAN 21 1968
FBI
RECEIVED

AFTER 5 DAYS RETURN TO

Jimmy Ray
1962 Cherokee
St. Louis, Mo

ZIP CODE 63118



... VIA AIR MAIL

Mr James E. Ray
Shelby County Jail
Memphis, Tenn

Sept 21, 68.

Dear Jimmy:

I received your letter yesterday morning
and talked to Stoner over the phone a
few hours after receiving your letter.

I can't tell you every word he told me
as unlike any other conversation this one
was long, he talked for at least fifteen
minutes.

He's very much interested in your welfare
and he said everything he does for you will
be for nothing as he doesn't want a cent.
I am not going to say very much concerning
our conversation as he said that he had
just sent a letter to you asking you to
ask the judge for permission to visit you.
so you will probably get that letter before
this one. He did seem kind of unhappy about
his writing that book on account of his
poor books and his stand on Race Relations.
He also thought it would be a good idea
just

2

if you took the stand. He figures on visiting you sept 27. He also said it was against the law for him to advise you on legal matters being you have a lawyer.

The Reason he didnt write to you sooner was because he was in Kentucky.

I'll call Foreman up Monday and if I get hold of him then I'll write you the same day, if not I'll keep calling and will let you know as soon as I talk to him personally. I hope Foreman agrees to see you and his advice would mean a lot.

Like I said in my last letter if anything comes up where you want to see Jacob or I about anything just let us know, also if you want us to see Hones, Huey or Stoner and they cant make it up here then we could meet them in Memphis. I'll close for now, we'll write again just as soon as I talk to Foreman. Love to Jacob and aboy.
as ever Brother Jerry Ray.

P. O. BOX 6263
SAVANNAH, GEORGIA 31405



Mr. James Earl Ray
Shelby County Jail
Memphis, Tennessee

Special Delivery

J. B. STONER
ATTORNEY AT LAW
P. O. Box 6263
SAVANNAH, GEORGIA 31405
PHONE 355-4271 AREA CODE 912

September 20, 1968

Mr. James Earl Ray
Shelby County Jail
Memphis, Tennessee

Dear Mr. Ray:

I have just received your letter of September 18 requesting that I visit you in Memphis. Please excuse me for failing to answer your earlier letter, but I was in Kentucky where I am now representing eight innocent men who are falsely charged with murder.

I will leave Savannah next Wednesday and will head straight to Memphis to see you as soon as I stop off in Atlanta for one day. I will be at the jail to see you either next Friday or Saturday. Of course, if it is absolutely necessary for me to see you sooner, please advise and I will fly out to see you.

It is nice of you to offer to pay me, but that will not be necessary. I am willing to render any legal services that you request, free of charge.

As soon as you receive this letter, please write a letter to Judge Battle and ask him to please tell the officials at the jail to allow me to visit you when I arrive at the jail. Also, please send a letter to the Sheriff, or whoever is in charge of your jail and notify them that you wish for me to visit you on legal business. If they will let you use the phone, please call me.

With best wishes, I remain

Sincerely yours,


J. B. Stoner

JBS/ja

September 26, 1968

AIRTEL

1 - Mr. Long

TO: SACs, Memphis (Enclosures 2)
Jackson (Enclosures 2)

FROM: Director, FBI (44-38861) — 5177

MURKIN

ST-116

Enclosed are two copies of a memorandum received from the Department relative to the assassination of Martin Luther King, Jr. The attached sets forth interview of Mr. Bill Sartor by Department attorney on June 12, 1968, and August 22, 1968, however, the memorandum was not furnished to us until September 23, 1968.

Memphis should completely evaluate the contents of the Departmental memorandum and submit comments and recommendations to the Bureau including what investigative aspects of the Departmental memorandum completed and indices check of Sartor. This should be handled immediately.

Jackson should immediately furnish Bureau and Memphis results of indices check concerning Sartor. Two copies of the Departmental memorandum furnished to Jackson in the event it becomes necessary for investigation to be conducted in the future.

Based upon available data, no information recorded in Bureau files concerning Bill Sartor. No interview of Sartor should be conducted until Bureau advises.

REL:bcp
(6)

5-19-78
MURKIN

5-16-78

JPW
fmm

SEE NOTE - PAGE TWO

Tolson ☒
DeLoach ☒
Mohr ☐
Bishop ☐
Casper ☐
Callahan ☐
Conrad ☐
Felt ☐
Gale ☒
Rosen ☐
Sullivan ☐
Tavel ☐
Trotter ☐
Tele. Room ☐
Holmes ☐
Gandy ☐

51 OCT-9 1968

MAIL ROOM ☐ TELETYPE UNIT ☐

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King

CR
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King

NOTE:

Department, in a memorandum furnished us the results of an interview by them with one Bill Sartor who is allegedly a contract writer for Time, Inc., and who resides in Greenville, Mississippi. The interviews took place on June 12, 1968, and August 22, 1968, in which Sartor claims a conspiracy exists in the assassination of King and he gives names and locations including what appears to be Cosa Nosta figures, racketeers, and Memphis Police officers. Sartor does not furnish the Department complete details and he has not fully investigated this matter due to finances.

The Department has not furnished us with this information before, although we have been in receipt of some of the information contained herein which we ran out with negative findings as to a conspiracy involvement. The Department is requesting that we follow out all leads.

Sartor, in his interview with the Department expected or hoped that they would feed investigative results back to him, and if this is not possible he wanted to be given the story first or no later than anyone else. No indication in the Department memo of any commitments other than the person conducting the interview advised he would report this information to his superiors.

It is possible that Memphis has run out some of the items in the Department memo, which resulted in negative findings and the Bureau would not be aware of such. Negative findings are not necessarily reported to the Bureau, therefore, Memphis should make an evaluation and submit their recommendations.

Jackson is being instructed to furnish Bureau and Memphis the results of indices check concerning Sartor. Jackson is also being furnished two copies of the Departmental memo in the event it becomes necessary to conduct investigation there at a future date.

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : The Director
Federal Bureau of Investigation

DATE: SEP 22 1968

FROM : *SJP* Stephen J. Pollak
Assistant Attorney General
Civil Rights Division

SJP:eb
D.J. 144-72-662

SUBJECT: James Earl Ray, Subject;
Martin Luther King, Jr., Victim;
Conspiracy Against Rights
CIVIL RIGHTS

James Earl Ray
Attached is a copy of a memorandum of an interview which J. Harold Flannery, Deputy Section Chief of this Division's Central Section, had with William Sartor of Greenville, Mississippi. Mr. Sartor was identified to Mr. Flannery as a reporter who had been inquiring into the possible existence of a conspiracy to assassinate Dr. Martin Luther King., Jr. Mr. Sartor described himself to Mr. Flannery as a contract writer for Time, Inc., who has covered racial matters in Memphis, Tennessee.

As part of the full investigation of this matter requested by the Attorney General and confirmed in my memorandum of April 4, 1968, Please follow out all leads indicated in the attached memorandum if you have not already done so.

Attachment

21
ST-116

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U.S. DEPT. OF JUSTICE
FBI

JAN 21 1968

for no apparent reason, by a man named Povers from New Orleans. Sartor had nothing further on this in August.

5. An unidentified Negro policeman was moved from his assignment at the Fire Station (and Police Tactical Unit Station) at about 5:00 p.m. on the day of the assassination. According to Sartor, the Dispatcher told the policeman to move two or three times during the afternoon, but he did not do so until explicitly advised to that effect by a superior. In August, Sartor identified the policeman as E. E. Redditt and said that Redditt had broken off an interview with Sartor after starting to discuss his move from the station.

6. Two Negro firemen were moved from the station a day or two before the shooting. One of them has reportedly told friends that, two or three days before Dr. King was shot, a telescope or binoculars were set up on a tripod in the fire station and focused on the Lorraine Motel balcony. In August, Sartor said that one fireman left the Department or was suspended shortly after the shooting, and that he has been unable to locate either of them. He did not have their names.

7. ^{Tenn.} ~~Memphis~~ Chief of Detectives, W. P. Houston, called the Lorraine Motel in the early afternoon of April 4 and spoke to a maid named Delores (LNU). He inquired about stationing detectives there, and the maid said that the manager would call back. He did not; nor did Houston. Sartor says that former Mayor Ingram provided this information.

Sartor was unable during either interview to relate the foregoing allegations to his conspiracy theory, but he says that some of it, and other information possessed by former Mayor Ingram concerning corruption in the Police Department, suggest that a number of officers may have known of or participated in the conspiracy--because they were bribed or feared exposure.

I told Sartor that I would report his information to my superiors.

boy allegedly heard a shot and saw a man jump up from the bushes behind the rooming house (below the window area from which the shot is thought to have been fired) and run off. According to Sartor, the little boy has been identified and interviewed by Bureau agents and the Memphis Police Department.

II

During our first conversation, on June 12, 1968, Sartor gave me the following fragments of allegations and information:

1. Shortly after the killing, a bartender overheard some Memphis policemen say that there had been a "slip-up," and that the assassination was originally scheduled to take place after the march for which Dr. King had returned to Memphis. When I asked Sartor about this in August, he said that one of his New Orleans informants had also referred to a similar change in plans.

2. A minister, identified by Sartor in August as Rev. Carl ~~Basinger~~ ^{Tenn}, 1617 E. Moreland, Memphis, was advised by a ranking officer in the Memphis Police Department (captain or above) not to go near Dr. King because something was going to happen to him.

3. According to former Mayor Ingram (although my notes are not clear as to whether Sartor got this directly from him), a civilian was seen lying in the back of a police car immediately after the shooting, and near Mulberry or Huling he got out of the police car, into another car, and was driven away. Sartor had nothing further on this in August.

4. John McFerren, the Negro civil rights activist from Somerville, Tennessee, overheard part of a telephone conversation at the Scott Street Produce Market in which the speaker allegedly made the comments noted above. Shortly thereafter, McFerren was visited,

Memphis (Leberto and others) had not been paid, and it was they who wanted Ray at large as a lever on higher-ups in the rackets.

In any event, Sartor's informants claim that Ray's escape from Memphis was engineered with the connivance of several Memphis police officers who knew of the plot. After the money problem was resolved, Ray deliberately permitted himself to be arrested in London with the understanding that he will be acquitted in Memphis. However, another story has it that he will be killed in a holocaust which will endanger a large number of lives.

Two aspects of the foregoing information persuade Sartor of its accuracy. First, he has received identical fragments of information independently from different sources. Secondly, several of his sources in Memphis and New Orleans have told him that agents of Bureau and non-Bureau Justice Department representatives, including a man named (FNU) Voight, have interviewed them about the assassination.

Sartor took me to meet Pat Lyons who, according to Sartor, is a petty gambler with sources of information close to Frank Leberto. In my presence, Lyons repeated to Sartor that, according to "Ernie" (Lyons did not give a last name), Ray met Joe Cacameci at a Lion Service Station on the night before or the day of the shooting. Lyons expressed concern for the safety of his wife and children; I did not comment or ask him any questions. He also said that the "talk" was that Ray would be acquitted. Tenn

Sartor says that his informants will probably be willing to talk to us, but that they will ask for money, immunity, or protection or all three. Because Sartor wants us to contact his principal informants through him, he declined to identify any contacts except Lyons, Rev. Carl Basinger and Memphis policeman E. E. Redditt, below. Tenn

An additional, apparently unrelated, piece of information furnished by Sartor was that a little Negro

Mr. Pollak

September 17, 1968
JHP:swh

J. Harold Flannery

James Earl Ray, Subject;
Martin Luther King, Jr., Victim.
Conspiracy Against Rights
CIVIL RIGHTS

I

I interviewed Bill Sartor in connection with the captioned matter for about four hours on August 22, 1968. He had been identified to me in June by Jesse Epps as a reporter who had been inquiring into the possible existence of a conspiracy to assassinate Dr. King. At Mr. Epps' request I met Sartor then briefly, and he gave me bits and pieces of information and rumors about the killing that he had accumulated to that point. His interest had been aroused, he said, by the firm conviction among many Negroes in Memphis that there was a conspiracy possibly involving some members of the Memphis Police Department. My conversation with him in June is set out in part II, below.

Sartor lives at 1242 Kirk Circle in Greenville, Mississippi (phone 335-3272), with his wife and one or two children. He is a contract writer for Time, Inc., and he has covered Memphis, particularly racial matters, since before the Sanitation Workers strike. He appears to be known and trusted by those Negro leaders in Memphis with whom I have talked (Epps, Trotter, Rev. Jackson, Rev. Bell, etc.), and he says that he is close to the (former) Mayor Ingram faction of the white community. I attach a copy of his latest piece on Memphis which appeared in the August 16, 1968, issue of Time.

I can not evaluate Sartor's reliability or that of his sources, but he is a "low key" fellow who is not apparently irrational or fanciful. He says he

44-38861- 5197

ENCLOSURE

approached the allegations of a conspiracy with skepticism (which I doubt), but that he is now largely persuaded there was one. He declines (for the moment) to identify his sources, with three unimportant exceptions, beyond saying that they include four or five petty racketeers in Memphis, New Orleans, and elsewhere and one well placed protege of Carlos Marcellos in New Orleans.

He comes to us, he says, primarily to assist in ascertaining the truth, but also with the expectation or hope that we will feed investigative results back to him. If that is not possible, he would like to be given the story first or, failing that, no later than anyone else. He has been spending most of his time on this since the assassination, but can not go much farther because some of his sources have begun to ask for the kind of money or protection that he is unable to provide.

Calif. Charlie Stein, a petty racketeer connected with organized crime, contacted James Earl Ray in Los Angeles and told him that there were people in New Orleans whom he ought to talk to. Whether Stein happened upon Ray or sought him out knowing that he needed money and was an escaped prisoner is not known, but Ray was told that the people he ought to talk to would help him with money and his fugitive status.

Tenn. Ray's contacts in New Orleans were with Mafia-Cosa Nostra representatives who referred him to Frank Leberto (or Liberto), a Memphis racketeer and lieutenant of Carlos Marcellos, the Southern Mafia chieftan in New Orleans. Leberto owns or works at the Scott Street Produce Market where John McFerron of Somerville allegedly overheard a man speaking on the telephone say, on or about the day of the assassination: "Shoot him on the balcony, shoot him anywhere; and go to New Orleans for your money, don't come back here."

According to Sartor's informants, the Cosa Nostra agreed to "broker" or to arrange the assassination, for an amount somewhat in excess of three hundred thousand dollars (\$300,000), after they were contacted in the Northeast (New Jersey or Pennsylvania), by representatives of "Forever White", an elite organization of wealthy

segregationists with officers or subgroups in seven Southern states. The Mafia's (which Sartor used interchangeably with Cosa Nostra throughout the interview) interest was less the money than the investment-type opportunity presented, i.e., to get in a position to extract (or extort) governmental or other favors from some well placed Southern white persons, including the KKK and White Citizens Councils. Quitman, Mississippi, was said by Sartor to be a possible base of "Forever White's" operations.

Claude Cockrell, allegedly a Memphis segregationist, extortionist, narcotics pusher, and petty racketeer, may have been a contact between the Mafia and "Forever White." In any event, he is thought to have gone to Miami, Florida, between April 14 and 24, 1968, where he may have picked up money to be delivered to Philadelphia or New Jersey. Cockrell also may have been instrumental in getting Ray out of Memphis after the assassination either by truck (according to Sartor's New Orleans informants) or in Cockrell's private plane, which is said to use a private landing strip at Millington and which is piloted by one Joe Shafer. Tenn

24 According to Sartor, Joe Cacameci (ph.) and Larry Mann (aka. Larry Manning and Larry Max), two professional killers, are also involved. Joe Cacameci allegedly met James Earl Ray at a Lion Service Station in Memphis the day of or the night before the shooting. Larry Mann has been saying that he works for Frank Lebarto and is responsible for "getting" James Earl Ray. According to one of Sartor's New Orleans informants, James Earl Ray was seen at, or stayed at, the Pontotoc Hotel in Memphis approximately three days before the shooting. Tenn

The original plan was that Ray would be arrested immediately after the shooting, tried, and acquitted. There was a change, however, perhaps as late as an hour before the shooting, due to a mix-up involving the money. Either the Mafia wanted him at large until the balance of the price was paid or, more likely, says Sartor, the money was still in the North and the shares of those in

F B I

Date: 9-25-68

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

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Mr. Holmes	
Miss Gandy	

TO: DIRECTOR, FBI (44-38861)

FROM: SAC, MEMPHIS (44-1987) P

MURKIN.

Enclosed for information of the Bureau is copy
of letter dated 9-24-68 from JAMES EARL RAY to his brother JERRY.

ENCLOSURE

3 BUREAU (Enc. 1)
1 MEMPHIS

RGJ:BN
(4)

C. C. Bishop

REC-30

15 SEP 27 1968

Approved: R. G. Jensen
Special Agent in Charge

Sent _____ M Per _____

56 OCT 7 1968

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FBI

SEP 27 11 31 AM '68

SEP 26 11 05 PM '68
U.S. DEPT. OF JUSTICE

U.S. POSTAGE
6c



To, Jerry Ray

1902 Cherokee

St. Louis, Missouri

63118

9-24-68

Dear Jerry;

I rec'd your letter Monday & glad to hear everything is alright. I also heard from S. B. Stoner he said he would be up Saturday. I told you in the last letter that you didn't have to talk to Foreman yet but I guess it wouldn't hurt anything what I was gone to do was wait until I found out when Stoner would be here but now I no, I guess you know this case is getting kind of complicated plus they have the trial date set for Nov. 12 and I don't think Honer can do everything that has to be done. What I would like for you to do is besides

11/1/68
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Talking to Foreman is to send me
his phone no. & address as I
can write to him & explain the
circumstances of the case to him.
Take it easy.

King

F B I

Date: 9/26/68

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

TO : DIRECTOR, FBI (44-38861)
FROM : SAC, CHICAGO (44-1114)
SUBJECT: MURKIN

Re Bureau airtel dated 9/19/68.

HARVEY A. and CLARA S. KLINGEMAN of the Indian Trail Restaurant, Winnetka, Illinois, remain in contact with the Chicago Division, last on 9/25/68, and have had no further contact by WILLIAM BRADFORD HUIE.

Bureau will be kept advised.

3 - Bureau
1 - Memphis (44-1987)
1 - Chicago

RWS:sp
(5)

REC-28

44-38861-5177

10 SEP 27 1968

Approved: 61 OCT 7 1968

Special Agent in Charge

Sent _____ M Per _____

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U.S. DEPT. OF JUSTICE

10-27-63

F B I

Date: 9/24/68

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

TO: DIRECTOR, FBI

FROM: SAC, SACRAMENTO (100-427) (P)

SUBJECT: MURKIN
CR
OO: Memphis

Re Memphis airtel to Bureau, 9/9/68, Bureau teletype to Los Angeles and Sacramento, 9/12/68 and Bureau letter to Los Angeles, Sacramento, and Memphis, 9/12/68.

AT STOCKTON, CALIFORNIA

Mrs. MARIE BUBB, Stockton Credit Bureau, 322 East Weber Avenue, advised on 9/18/68, that she could locate no record for LEON WILLIAM SHORT.

Lt. WILLIAM KATES (MA), San Joaquin County Sheriff's Office, Identification Bureau, advised on 9/18/68 that he could locate no record for LEON WILLIAM SHORT.

It is noted that Clements, California is a very small farm community near Stockton and that there are many itinerant fruit pickers in that area at the present time.

The Sacramento indices contain no record for LEON WILLIAM SHORT.

3 - Bureau
2 - Memphis (44-1937)
1 - Sacramento
RFS:cfp
(6)

144-38861-5200

5 OCT 4 1968

Special Agent in Charge

Approved: _____ Sent _____ M Per _____

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U.S. DEPT. OF JUSTICE

DEC 21 12 03 PM '69

[Faint, mostly illegible text body consisting of several paragraphs]

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (44-38861)

FROM : LEGAT, MANILA (44-2) (RUC)

SUBJECT: MURKIN
COST DATA

DATE: 9/27/68

Sept 28 1968

ReBucab, 7/2/68; Manila letter, 7/26/68.

Since the submission of reMANlet, no additional time was expended or expenses incurred in connection with this matter.

3-Bureau
(1-Liaison Section)
1-Manila

JSL:hke
(4)

OCT 9 1968

56 OCT 14 1968
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F.B.I.
U.S. DEPT. OF JUSTICE

OCT 11 11 11 AM '68

F B I

Date: 9/25/68

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

TO: DIRECTOR, FBI (44-38861)
FROM: SAC, ATLANTA (44-2386) (P)
MURKIN

On 9/24/68, subject's car, a 1966 white, two-door Ford Mustang, Serial Number 6T07C190647, was turned over to Captain ROBERT A. COCHRAN and Lt. GEORGE S. WILLIS. They drove the automobile from Atlanta en route to Memphis, Tenn., the same date.

3-Bureau
2-Memphis (44-1987)
2-Atlanta
ORH:bjc
(7)

C. C. - 10/1/68

REC- 50

6 SEP 28 1968

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