

UNITED STATES GOVERNMENT

# Memorandum

TO : SAC, KNOXVILLE (44-696)

DATE: 6/20/69

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

SUBJECT: MURKIN

Re Knoxville letter to Bureau, 6/10/69.

JERRY RAY has been located and interviewed and has been uncooperative. Knoxville should discontinue efforts to interview JERRY RAY.

2 - Knoxville  
1 - Memphis

JCH:jap  
(3)



5010-108-01

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

44-696-418

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 23 1969	
FBI - KNOXVILLE	

*Thermon*

F B I

Date: 7/15/69

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)Via TELETYPE URGENT  
(Priority)TO DIRECTOR (44-38861)  
MEMPHIS (44-1987)

FROM KNOXVILLE (44-696)

MURKIN.

A PETITION FOR CERTIORARI IN CASE OF STATE OF TENN.  
VS. JAMES EARL RAY FILED IN COURT OF CRIMINAL APPEALS AT  
KNOXVILLE, TENN., JULY NINE LAST. PETITION HEARD BEFORE  
COURT AT KNOXVILLE TODAY AND PETITION FOR CERTIORARI DENIED  
AS NOT WELL TAKEN. ~~P. Petition~~ copies of petitions  
~~END~~ + order being forwarded. P. end —

JDJ/pjw  
(1)Approved: WR

Special Agent in Charge

Sent

dia 4<sup>46</sup>  
RH 4<sup>47</sup>  
P M

Per

44-696-419

DIRECTOR, FBI (44-38861)

7/29/69

SAC, KNOXVILLE (44-696) (P)

MURKIN

Re Knoxville teletype to Bureau, dated 7/15/69.

As set forth in referenced teletype, a Petition for Certiorari in the case of the State of Tennessee versus JAMES EARL RAY was filed in the Court of Criminal Appeals, Knoxville, Tennessee, 7/9/69. This petition was heard before the court at Knoxville, Tennessee, on 7/15/69, and certiorari was denied as not well taken.

There are enclosed herewith for the Bureau and Memphis one copy each of the following petitions and accompanying papers filed in connection with this appeal, to witt:

- (1) Ancillary Petition For Certiorari
- (2) Petition For Writ of Certiorari
- (3) Defendant's Brief
- (4) Reply To Petition For Certiorari
- (5) Order of the Court Denying Certiorari

2 - Bureau (Encls. 5)  
2 - Memphis (Encls. 5)  
2 - Knoxville  
JDJ/tsw  
(6)

9/15 R/S Fleming  
9/23 ~ ~ ~

Fleming

SEARCHED \_\_\_\_\_  
SERIALIZED R  
INDEXED \_\_\_\_\_  
FILED \_\_\_\_\_

44-696-420

DIRECTOR, FBI (44-38861)

9/30/69

SAC, KNOXVILLE (44-696) (RUC)

MURKIN

Re Knoxville letter to Bureau 7/29/69.

A review of the Knoxville file concerning this subject shows that no investigation remains to be done in the Knoxville Division at the present time.

This file is being placed in a closed status at Knoxville.

2 - Bureau  
2 - Memphis (44-1987)  
1 - Knoxville

JLF:lmh  
(5)

Searched \_\_\_\_\_  
Serialized h  
Indexed \_\_\_\_\_  
#Hed h

44-696-421

(Mount Clipping in Space Below)

## Ray Complaint Is Dismissed

NASHVILLE, Jan. 31 (AP)—A Federal judge Friday dismissed James Earl Ray's complaint that his constitutional rights were violated by maximum security confinement in the Tennessee State Prison here.

U.S. Dist. Court Judge William E. Miller, did, however, give formal approval to a "work plan" designed to give Ray, the admitted killer of Dr. Martin Luther King Jr., more exercise and recreation.

Ray, who is serving a 99-year sentence for King's slaying, contended in a Dec. 29 hearing before Miller that his rights were being violated and his health impaired by his solitude and idleness.

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

THE KNOXVILLE  
NEWS-SENTINEL

KNOXVILLE, TENN.

PAGE: 2

Date: 1-31-70  
Edition: HOME  
Author:  
Editor: RALPH L. MILIETT  
Title:

Character:  
or

Classification:  
Submitting Office: KNOXVILLE

☐ Being Investigated

44-696-432

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 2 1970	
FBI - KNOXVILLE	

*[Handwritten signature]*

(Mount Clipping in Space Below)

MEMPHIS PRESS-SCIMITAR  
 MEMPHIS, TENNESSEE  
 3-25-70  
 10:00 AM  
 10:00 AM

PETROS, Tenn.— (UPI) — James Earl Ray, after an embittered year at the state penitentiary at Nashville, moved today to the state's maximum security facility at Brushy Mountain here.

"He arrived by car about 6:30 a.m. (EST)," said Wallace Flood, assistant correction commissioner for adult programs.

"He will be housed in a single cell in one of the old blocs," Flood said. "He will get exactly the same treatment as any other prisoner here. And we plan to work out a work program for him, but we don't know yet just what that will involve."

"Actually, he will be let off here in a few days," Flood said. "He will have more of a say in his recreation and work program than the other prisoners here. It's a big difference between three thousand inmates and 100."

In Memphis, Richard J. Ryan, one of Ray's attorneys, said:

"If it will accord James Earl Ray more freedom of movement within the prison population, my reaction is one of approval. I have already discussed with James Earl Ray the possibility of a transfer to Brushy Mountain and this is his reaction also."

"Certainly at all times James Earl Ray will abide by the prison rules and regulations pertaining to custodial care of the inmates."

Ray is serving 99 years for the slaying of Dr. Martin Luther King Jr., at Memphis, Tennessee.

Earlier, Federal Department of Corrections officials in Nashville said the transfer was made as a department transfer year, and that no unusual security precautions were made.

He was housed in Nashville for about one year, during that time he completed his class continuing education work and worked on projects and programs. He was a member of the prison's law school. He was also a member of the prison's water complained about officials that this was not satisfactory.

Ray was generally kept away from other prisoners at the state penitentiary. Prison officials said that his move was aimed at protecting his own safety and life.

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

Page 37  
 Memphis Press-  
 Scimitar  
 Memphis, Tennessee

Date: 3-25-70  
 Edition: FINAL  
 Author:  
 Editor: CHARLES SCHNEIDER  
 Title: MURKIN

Character:  
 or  
 Classification:  
 Submitting Office:  
☐ Being Investigated

44-696-412

*[Handwritten signature]*

Brushy Mountain State prison became a maximum security unit for the state last September, and Flood says that plans are being formulated to set up some kind of prison industry at the facility.

At present, there is little available for the prisoners except work in the laundry, and work details in the dining room, the prison library, and doing maintenance work around the prison.

Flood said that a shoe manufacturing industry is being considered for the Petros facility.

U.S. District Court Judge William E. Miller ordered the liberalized work program for Ray after the prisoner complained bitterly about his treatment. He said, among other things, that his treatment constituted cruel and inhuman punishment.

Ray quit the program March 4 and sent a series of blistering letters to state officials complaining of harassment.

Among the duties of the prisoner were painting the corridors and helping serve other prisoners food.

Ray complained of constant interruptions during his work. Prison officials said they could understand the complaining but that no other prisoners were allowed to be in the corridor when Ray was there.

Ray was transferred to Nashville from Memphis March 11, one day after he pleaded guilty to the King assassination.

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3-25-70

AIRTEL

AM

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

MURKIN

Enclosed for information of the Bureau is newspaper clipping reflecting transfer of JAMES EARL RAY from Tennessee State Penitentiary to the Brushy Mountain Prison at Petros, Tennessee. Petros, Tennessee, is in the Knoxville Division.

2 BUREAU (Enc. 2)  
1 KNOXVILLE (Enc. 1)(INFO)  
1 MEMPHIS

RGJ:EM  
(4)

44-696-424

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 27 1970	
FBI - MEMPHIS	



(Mount Clipping in Space Below)

## Ray Serving As Janitor At Brushy Mountain

PETROS, Tenn. (AP) — James Earl Ray spent Friday, the eve of the 2nd anniversary of the slaying of Dr. Martin Luther King Jr., working as a janitor in Cellblock C of Brushy Mountain State Prison.

Ray is serving a 99-year sentence in the state's maximum security prison here for the sniper slaying of the civil rights leader in Memphis on April 4 1968.

"He's a caretaker in Cellblock C, which he shares with about 40 other black and white inmates," Warden Lewis Tollett said. "It is janitorial work."

Tollett said Ray, who was brought here March 25 from the main state prison in Nashville, had made a quick adjustment to the routine at Brushy Mountain.

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

The Knoxville  
Journal

Knoxville, Tenn

PAGE 7

Date: 4-4-70  
Edition: CITY  
Author:  
Editor: W. F. CHILDRESS  
Title:

Character:

or

Classification:

Submitting Office:

KNOXVILLE

☐ Being Investigated

44-696-425

SEARCHED	INDEXED
SERIALIZED	FILED
APR 6 1970	
FBI — KNOXVILLE	

(Mount Clipping in Space Below)

### Writ Asks To Free King Case Witness

BOLIVAR, Tenn., July 25 (AP)—A writ of habeas corpus has been filed in Hardeman County Circuit Court, charging that the Shelby County district attorney's office had a witness shuttled off to a mental hospital rather than allow her to testify in the murder of Dr. Martin Luther King Jr.

The writ was filed by Charles M. Murphy Jr., a Memphis lawyer, on behalf of Mrs. Grace E. Waldron, also known as Mrs. Grace E. Stephens.

On the night King was slain in Memphis, Mrs. Waldron was a resident of the rooming house where James Earl Ray allegedly fired the shot.

Murphy claims that immediately after the shooting Mrs. Waldron saw a man leave the bathroom, from where the shot came, who did not fit Ray's description.

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

THE KNOXVILLE  
NEWS-SENTINEL

KNOXVILLE, TENN.

PAGE: 5

Date: 7-25-70  
Edition: HOME  
Author:  
Editor: RALPH L. MILLETT  
Title:

Character:  
or  
Classification:  
Submitting Office: KNOXVILLE  
☐ Being Investigated

44-696-426

SEARCHED INDEXED  
SERIALIZED FILED

JUL 27 1970  
FBI — KNOXVILLE

(Mount Clipping in Space Below)

## Ray Has Right to New Trial, Judge Says

TRAVERSE CITY, Mich., July 25 (UPI)—There are sound legal grounds for granting James Earl Ray a new trial in the murder of Dr. Martin Luther King Jr., a Tennessee criminal appellate judge said Friday.

Judge Charles Gilbreath of Nashville told a conference of appellate judges that he had "carefully studied" Ray's petition and accompanying briefs, although he had not participated in the court decision on the Ray case.

"I would have granted James Earl Ray the new trial he asked; not because I, like millions of others, would welcome a full judicial airing of the tragedy in Memphis, but, I believe, on sound legal ground," he said.

### Denied by High Court

Gilbreath, a candidate for the Tennessee Supreme Court, is a colorful and often controversial figure.

Ray pleaded guilty March 10, 1969, to the King murder in exchange for a 99-year sentence.

In seeking a new trial, Ray maintained he was not adequately represented by attorneys. He said they "coerced" him into pleading guilty.

In a January ruling, the Tennessee Supreme Court denied Ray's request and said he had "made a bargain" and had waived all right of appeal.

### Law Called Clear

Ray's appeal was based in part on a letter he wrote to Criminal Court Judge W. Preston Battle, the presiding judge at Ray's Memphis trial.

In the letter, Ray asked for a new trial, but Battle died before he could act on the request. Ray's attorneys said this would automatically provide grounds for a new trial under Tennessee law.

Gilbreath said Tennessee law is "clear and unequivocal" on the point. He emphasized that he felt Ray was guilty in the case and deserved the punishment he received, but he said legally Ray deserved a new trial.

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

THE KNOXVILLE  
NEWS-SENTINEL

KNOXVILLE, TENN.

PAGE: 5

Date: 7-25-70

Edition: HOME

Author:

Editor: RALPH L. MILLETT

Title:

Character:

or

Classification:

Submitting Office: KNOXVILLE

☐ Being Investigated

SEARCHED INDEXED  
SERIALIZED FILED

JUL 27 1970  
FBI - KNOXVILLE

Knoxville, Tennessee  
December 31, 1970

JAMES EARL RAY, also  
known as;  
DR. MARTIN LUTHER KING, JR. -  
VICTIM  
CIVIL RIGHTS - CONSPIRACY;  
UNLAWFUL FLIGHT TO AVOID  
CONFINEMENT - ROBBERY

On December 31, 1970, Warden Lewis S. Tollett, Brushy Mountain State Prison, Petros, Tennessee, advised James Earl Ray, the convicted killer of the Reverend Martin Luther King, Jr. is incarcerated at Brushy Mountain State Prison. Warden Tollett stated a Christmas greeting had been sent to Ray addressed to "Mr. James Earl Ray, in care of Federal Prison System, Memphis, Tennessee, United States of America."

Tollett advised this piece of mail had been forwarded to his prison and noted the envelope bore what is believed to be a registry number 4808 from Walton-on-Thames, in Great Britain and was sent by airmail.

Warden Tollett stated the back of the envelope contains a return address:

"Mr. William Paton Caan  
ex AF 19873139  
White Willows  
Cricket Way  
Weybridge,  
Surrey, Great Britain

Tollett stated the bottom of the envelope on the reverse side contains a message:

"P.S. Colonel Glen Hempleman  
has said he will vouch for  
my innocence, 437 M.A.W.  
Charleston, South Carolina"

4 - Bureau  
2 - Memphis  
1 - Knoxville  
TVR/kcm  
(7)

*Van Riper*

SEARCHED \_\_\_\_\_  
SERIALIZED C  
INDEXED \_\_\_\_\_  
FILED \_\_\_\_\_

*44-675-400*

JAMES EARL RAY;  
DR. MARTIN LUTHER KING, JR. -  
VICTIM

Warden Tollett advised the Christmas card contains a printed greeting under which was the following:

"Merry Christmas Mr. Ray  
from William Paton Caan  
1/2 of the original "Eric  
Starvo Galt."

The back of the card contains this message:

"Dear Mr. Ray, I do not  
approve of capital punishment.  
I believe that I probably did  
not shoot the Reverend Martin  
Luther King. I would like to  
see you recieve a fair, open,  
honest, merciful trial. I  
believe that my brother Michael  
Nowlin Caan probably did not  
shoot the Reverend King either.  
Yours truly, William Paton Caan."

Warden Tollett stated inside the front cover of the greeting card is the following:

"p.s. I do not like the Klu Klux  
Clan. Please to not publizise  
this Christmas card. It could  
start a race war, then a civil  
war, and then World War three.  
Cool it Man, I have a lot of  
friends. Use your head, turn  
around what's in it. Cool it.

-2\*-

This document contains neither recommendation nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

F B I

Date: 12/31/70

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

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

From: SAC, KNOXVILLE (44-696) ☒ CIVIL RIGHTS SECTION  
GENERAL INVEST. DIV.Subject: JAMES EARL RAY, aka, ☐ DOMESTIC INTELLIGENCE DIV.  
DR. MARTIN LUTHER KING, JR. -  
VICTIM

CR - CONSPIRACY;

UFAC - ROBBERY (OO: MEMPHIS)

☐ CR ☐ EL ☐ DIH ☐ CRA-64☐ PA ☐ PE ☐ PF ☐ E☐ BM ☐ BM-Threats ☐ Racial Matters☐ Klan ☐ Organization

## Summary of Complaint:

On 12/31/70 Warden LEWIS S. TOLLETT, Brushy Mountain State Prison, Petros, Tennessee, advised he had received a Christmas card mailed from Walton-on-Thames, GB. This card was addressed to Mr. JAMES EARL RAY, Federal Prison System, Memphis, Tennessee, and contained a greeting and note from WILLIAM PATON CAAN. The card indicated CAAN was "1/2 of the Original Eric Starvo Galt." CAAN noted neither he nor his brother shot the Reverend KING and advised his brother was MICHAEL NOWLIN CAAN.

Warden TOLLETT stated the envelope contained a message that a Colonel GLEN HEMPLEMAN would vouch for his, CAAN's innocence, and HEMPLEMAN's apparent address is 437 M.A.W. Charleston, South Carolina. CAAN further indicated he had a former service number of AF 19873139.

## ACTION: UACB:

- ☒ No further action being taken and
- 2 - Bureau ☒ LHM enclosed ☐ Copy furnished to USA
- (Enc. 4) ☒ LHM being submitted
- 2 - Memphis (Enc. 2) ☐ Report being submitted
- 1 - Knoxville ☐ Preliminary investigation instituted
- TVR/kcm ☐ Limited investigation instituted
- (5)

Approved: \_\_\_\_\_  
Special Agent in Charge

Sent \_\_\_\_\_ M

Per \_\_\_\_\_