2025 RELEASE UNDER E.O. 14176

April 1, 1969

GENERAL INVESTIGATIVE DIVISION

This is the case involving the murder of Martin Luther King, Jr.

The attached advises that Judge W. Preston Battle, Criminal Court, Shelby County, Memphis, Tennessee, was found dead in his office on evening of 3-31-69.

According to the Memphis Police Department, there is no indication of foul play. Indications are that Judge Battle died from natural causes.

Judge Battle presided over court proceedings of James Earl Ray in which Ray received a 99-year sentence on state charge of murder.

REL:erg

2025 RELEASE UNDER E.O. 14176

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
Miss Holmes
Miss Gandy

March 27, 1969

Director J. Edgar Hoover
Federal Bureau of Investigation
Washington, D. C.

Dear Mr. Hoover:

I would like to know just one thing. Since you hated and once publicly insulted Dr. Martin Luther King how can you expect me to believe you when you say there was no conspiracy to kill him?

You announced there was no conspiracy to kill Dr. King only 24 hours after he was shot. I do not think this was ample time to conduct a full investigation. How can we believe you? Why should anyone believe you?

I think you said there was no conspiracy just to calm the American public and that is the reason you are still saying there is no conspiracy. The only trouble is not many people believe you.

How could you make that announcement only 24 hours after Dr. King was shot? I wish you would inform me.

Sincerely yours,

Les Tischauser

Les Tischauser
2309 N. Kedvale
Chicago, Ill. 60639

Ignore.

COPIES MADE, DATE 5/4/78 BY
RCB/SS M.L. King, Jr.
FOR REVIEW AT FILING AND/OR DELIVERY
TO HSCA RE REQUEST DATED 5/3/78
(SEE BUFILE 62-117290)

REC 123 44-38861-5678
12 APR 1 1969

EXP. PROC.
91 APR 1 1969

54 APR 1 4 1969

CORRESPONDENCE UNIT

PERS. REC. UNIT

2025 RELEASE UNDER E.O. 14176

REC'D - CIV RIGHTS
FBI
APR 2 1 16 PM '69

APR 1 6 30 PM '69
U.S. DEPT OF JUSTICE

APR 1 11 09 AM '69
CIVIL RIGHTS SECTION

APR 2 7 59 AM '69
RECEIVED

APR 1 4 46 PM '69
RECEIVED-TOLSON APR 1 5 01 PM '69 APR 1 4 52 PM '69 APR 1 9 55 AM '69
FBI FBI
REC-D BISHOP

APR 10 59 AM '69

DIRECTOR
APR 1969

2025 RELEASE UNDER E.O. 14176

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

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

TO : Mr. DeLoach

DATE: April 3, 1969

FROM : A. Rosen

1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. Malley
1 - Mr. McGowan
1 - Mr. Long
1 - Mr. Bishop

SUBJECT: MURKIN

This is the case involving the murder of Martin Luther King, Jr.

Jack Greenberg, an attorney with the National Association for the Advancement of Colored People (NAACP), contacted our New York Office on March 17, 1969, and requested that an Agent sit in on an interview that Greenberg was going to have with Attorney Russell X. Thompson, an attorney from Memphis, Tennessee. In accordance with the Director's instructions, Greenberg was advised that an Agent would not sit in on the interview and if Thompson or Greenberg had any additional information, they could come to our New York Office and give such information.

It is noted that Mr. Thompson on April 11, 1968, (King assassinated April 4, 1968) appeared at our Memphis Office and advised he had a client, whom he would not disclose under any circumstances, who advised him that the murderer of Martin Luther King, Jr. escaped from the scene using a motorcycle, not a Mustang car. Thompson stated this individual also advised that the weapon used to kill King was a .30 caliber Savage rifle, and the barrel of the rifle had long since been disassembled and melted down. Thompson advised that he was of the opinion that his client was a mental case. Information furnished to us by Thompson was thoroughly checked out and nothing was found to be of significance.

REC-33 44-38861-5679

Thompson contacted our New York Office on March 18, 1969, and advised that he would probably return to Memphis on approximately March 19, 1969, and upon his return, he would contact our Memphis Office to arrange an appropriate time to furnish the information that he possesses, as it would be more practical to furnish the information to the FBI in Memphis since they are more familiar with streets, locations, and other pertinent details. Thompson at this time admitted he had no information that he classifies as great or spectacular such as the news media was attempting to convey. In accordance with the Director's instructions, SAC Jensen of our Memphis Office was instructed to listen to Thompson and absolutely nothing be disclosed to him.

Enclosure

REL:jms

CONTINUED - PAGE TWO

4 APR 4 1969

2025 RELEASE UNDER E.O. 14176

APR 7 10 10 AM '69

REC'D DELOACH
F B I

APR 4 2 PM '69

APR 4 3 25 PM '69

REC'D - CIV RIGHTS
FBI

U.S. DEPT. OF JUSTICE

APR 3 2 31 PM '69

REC'D DELOACH
F B I

APR 3 4 20 PM '69

2025 RELEASE UNDER E.O. 14176

On March 26, 1969, Mr. Thompson contacted our Memphis Office and he apologized for a story which appeared in a Memphis newspaper which quoted him as saying that he turned his entire confidential file on the James Earl Ray case over to the FBI. Mr. Thompson said that he frankly doubted and did not contend that there was any conspiracy in the James Earl Ray case.

Mr. Thompson stated that he had much in the way of material which dealt with various suppositions, theories, and suspicions of his, but he frankly did not have any additional material that could be considered evidentiary in any way whatsoever. He offered to make his voluminous material available, but repeated all of his material was pure speculation. Mr. Thompson was told by our Memphis Office that in the event he received any information which he felt might be evidentiary in nature that our office would be interested in having an opportunity to review this material. Mr. Thompson indicated that should he receive any information of this type he would notify the Memphis Office.

ACTION:

In view of the fact that Mr. Thompson has not been forthright with us and in view of the fact he does not have any information of an evidentiary nature, it is recommended that we have no further contact with Mr. Thompson to solicit his material. We will accept information if he brings such to our attention. Attached for approval is a letter to the Department advising them of the interviews with Thompson.

2025 RELEASE UNDER E.O. 14176

FD-36 (Rev. 5-22-64)

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
Miss Holmes
Miss Gandy

FBI

Date: 4/1/69

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

On 4/1/69, Executive Assistant District Attorney ROBERT K. DWYER, Memphis, Tennessee, advised that the death of Judge W. PRESTON BATTLE may have some influence on RAY's efforts to obtain a new trial. Mr. DWYER explained that RAY has written two letters to Judge BATTLE in which he has indicated that his new attorney is one RICHARD RYAN, a Memphis attorney, and he has requested of Judge BATTLE a "hearing" on his recent sentencing. Mr. DWYER explained that when a Judge dies suddenly all motions then pending before him are granted automatically. He said that RAY's request for a "hearing" may very well be construed as constituting a motion filed by RAY, and in this case RAY will be granted a hearing. Mr. DWYER said it is too early to tell whether this will be considered as a request for a hearing for a new trial, or possibly a habeas corpus hearing. He said he expects that RAY's new attorney will file a motion for a new trial, this being entirely proper under Tennessee law.

Memphis indices contain nothing identifiable with RICHARD RYAN. RYAN is a little known lawyer with no particular reputation as either a criminal or civil lawyer. He is not commonly known as a racist and members of the legal profession are at a loss to explain why RAY has retained him.

The Bureau will be kept advised of any motions filed by RYAN on RAY's behalf.

3 BUREAU (AM)
1 MEMPHIS
RGJ:BN
(4)

REC-64 44-38861-Robert Dwyer

APR 3 1969

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

2025 RELEASE UNDER E.O. 14176

REC'D - CIVIL RIGHTS
FBI
APR 3 11 54 AM '69
APR 3 10 29 AM '69
APR 3 10 42 AM '69
APR 3 3 52 PM '69
APR 3 3 12 PM '69
APR 3 4 41 PM '69
REC'D DeLOACH
FBI
APR 3 4 57 PM '69
APR 3 4 19 PM '69
RECEIVED-TOLSON
FBI
REC'D DeLOACH
FBI
APR 7 1969
REC'D - LOCAL
FBI

2025 RELEASE UNDER E.O. 14176

April 3, 1969

GENERAL INVESTIGATIV. DIVISION

This is the case involving the murder of Martin Luther King, Jr.

The attached related to two letters written by James Earl Ray to Judge W. Preston Battle (died of a heart attack 3-31-69).

Ray's new attorney, Richard Ryan, is not identifiable in the files of the Bureau or Memphis,

You will be kept advised of pertinent developments.

The Department being advised.

REL:jms

2025 RELEASE UNDER E.O. 14176

4/8/69

Airtel

1 - Mr. McGowan
1 - Mr. Long

To: SACs, Birmingham (44-1740)
Jackson (157-9586)
Memphis (44-1987)

From: Director, FBI (44-38861)

MURKIN

William Bradford Huie has written a third article for "Look" magazine. The article appears in the issue dated April 15, 1969, but this issue was circulated on April 1, 1969. A review of the article reveals that James Earl Ray allegedly registered at the Travelodge Motel, Five Points, Birmingham, Alabama, on March 29, 1968; at a motel near Florence, Alabama, on April 1, 1968; and at a motel near Corinth, Mississippi, on April 2, 1968. It is to be noted that Ray, using the name Harvey Lowmyer, negotiated the purchase of a rifle at the Aeromarine Supply Company, Birmingham, Alabama, on March 29 and 30, 1968. On April 3, 1968, he was registered at the Rebel Motel in Memphis, Tennessee.

MAILED 22
APR 7 - 1969
COMM-FBI

In an effort to establish whether or not Ray was in contact with any individuals immediately prior to the assassination, appropriate investigation should be conducted by the Birmingham and Jackson Offices. It should be understood that there is to be no indication made whatsoever that the following investigation has any connection whatsoever with the case involving James Earl Ray.

Birmingham and Jackson Offices should make inquiries of the motels in or near the cities indicated above to determine the identities of individuals registered during the period March 29 to April 3, 1968. Efforts should be made to identify all individuals listed, as well as

Tolson
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Trotter
Tele. Room
Holmes
Gandy

REC-10

CLM:cs (9)

SEE NOTE PAGE TWO...

70 APR 14 1969

MAIL ROOM ✓ TELETYPE UNIT

19 APR 8 1969

2025 RELEASE UNDER E.O. 14176

APR 14 5 51 PM '69
U. S. DEPT. OF JUSTICE

APR 7 3 55 PM '69

APR 7 4 22 PM '69
REC'D-CRIMINAL SEC.
F B I

REC'D DELOACH
F B I

APR 7 9 26 AM '69

APR 15 6 51 AM '69
U.S. DEPT. OF JUSTICE
F. B. I.

APR 5 06 PM '69
APR 11 12 31 PM '69
RECEIVED
FEDERAL INVESTIGATIVE DIVISION

APR 11 12 50 PM '69
REC'D - CIV RIGHTS
FBI

REC'D - CIV RIGHTS
FBI

APR 8 1969

2025 RELEASE UNDER E.O. 14176

obtaining descriptions and registrations for the automobiles of such persons. A review of such records might indicate whether any one individual might have accompanied Ray or been in contact with him during this period. Pertinent or questionable registration records should be obtained if possible for examination by the FBI Laboratory.

Memphis should insure that the Bureau is kept currently advised of pertinent developments in this case, particularly all aspects of court action since the death of Judge Battle on March 31, 1969.

NOTE:

The article in "Look" magazine indicates that Ray allegedly had been registered in the motels indicated in the first paragraph of the airtel. This information was not disclosed in connection with our investigation. Birmingham and Jackson Offices are being instructed to conduct investigation at the motels in question in an effort to (1) fully account for Ray's whereabouts immediately preceding the murder and (2) determine whether or not "Raoul" (previously identified in Huie's articles AS BEING IN contact with Ray in Canada) or anyone else might have been in contact with or accompanying Ray at the time.

2025 RELEASE UNDER E.O. 14176

Mr. Jerris Leonard
Assistant Attorney General

April 4, 1969

Director, FBI

1 - Mr. Long

ASSASSINATION OF
MARTIN LUTHER KING, JR.

As you were previously advised, Jack Greenberg, an attorney with the National Association for the Advancement of Colored People, on March 17, 1969, contacted our New York Office and advised that Russell X. Thompson, a Memphis attorney, would be in Mr. Greenberg's office to furnish additional information regarding the assassination of Martin Luther King, Jr.

On March 18, 1969, Mr. Thompson contacted our New York Office and advised that he would return to Memphis, Tennessee, on or about March 19, 1969, and upon his return, he would contact our Memphis Office to arrange an appropriate time to furnish the information that he possesses, as it would be more practical to furnish the information to the FBI in Memphis since they are more familiar with streets, locations, and other pertinent details.

On March 26, 1969, Mr. Thompson contacted our Memphis Office and he apologized for a story which appeared in a Memphis newspaper which quoted him as saying that he turned his entire confidential file on the James Earl Ray case over to the FBI. Mr. Thompson said that he frankly doubted and did not contend that there was any conspiracy in the James Earl Ray case.

MAILED 10
APR 4 - 1969
COMM-FBI

Mr. Thompson stated that he had much in the way of material which dealt with various suppositions, theories and suspicions of his, but he frankly did not have any additional material that could be considered evidentiary in any way whatsoever.

Mr. Thompson was advised that in the event he received any information which he felt might be evidentiary in nature, we would be interested in having an opportunity to review this material.

REC-33 44-38861-562

The above is for your information.

19 APR 7 1969

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

REL:jms
(4)

NOTE: See Rosen to DeLoach memorandum dated 4-3-69, captioned "Murkin" REL:jms

MAIL ROOM ☐ TELETYPE UNIT ☐

55 APR 14 1969

2025 RELEASE UNDER E.O. 14176

APR 4 11 34 AM '69
REC'D-MOHR
F B I
APR 4 3 53 PM '69
F B I
REC'D BISHOP
APR 11 3 40 PM '69
APR 4 11 46 AM '69
1 COPIES MADE DATE 5/4/78 BY
RCB/SS RE Martin Luther King, Jr.
FOR REVIEW AT FBIHQ AND SUBSEQUENTLY
TO NSCA RE REQUEST DATED 5/3/78
(SEE BUFILE 62-117290)

2025 RELEASE UNDER E.O. 14176

FD-36 (Rev. 5-22-64)

F B I

Date: 4/1/69

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

Mr. DON OWENS, a local attorney who has been acting as an adviser to the late Judge W. PRESTON BATTLE, advised on 4/1/69 that in view of Judge BATTLE's sudden death it is unlikely that Senior Fingerprint Examiner GEORGE BONEBRAKE will be required to appear in court at Memphis on 4/11/69, as previously scheduled. Mr. OWENS stated this is not an official notification, but he feels certain that the matter regarding BONEBRAKE will be considered closed.

1D

3 BUREAU (AM)
1 MEMPHIS

JCH:BN
(4)

REC-79

44-38861-5683

22 APR 3 1969

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

6 0 APR 1 4 1969

2025 RELEASE UNDER E.O. 14176

APR 8 1969

APR 3 12 20 PM '69
REC'D - LFPS
FBI

APR 1 1969

2025 RELEASE UNDER E.O. 14176

FD-36 (Rev. 5-22-64)

F B I

Date: 3-26-69

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 is LHM covering information furnished by RUSSELL X. THOMPSON, local Memphis attorney, concerning material which he has collected in connection with the JAMES EARL RAY case. It is to be noted that the material he presents is pure supposition on his part and he himself has indicated he has no evidence whatsoever. He did offer to make his voluminous files available; however, since he has stated that these files are filled with only suppositions on his part, the Memphis Division recommends that no further contact be had with RUSSELL THOMPSON. He was told that in the event he received any information which he felt might be evidentiary in nature this office would be interested in having an opportunity to review this material. He indicated that should he receive any information of this type he would notify the Memphis Office.

3 BUREAU (Enc. 4)
1 MEMPHIS

RGJ:BN
(4)

44-38861-5684

REC-3

17 APR 8 1969

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

26 APR 14 1969

2025 RELEASE UNDER E.O. 14176

TO: [illegible], SAC (14-2[illegible])

FROM: SAC, MEMPHIS (14-[illegible])

SUBJECT:

Enclosed herewith is FBI coverage information furnished by [illegible] T. [illegible], local Memphis attorney, concerning material which he has collected in connection with the JAMES EARL RAY case. It is to be noted that the attorney, Mr. [illegible] supposition on his part and he himself has indicated he has no evidence whatsoever. He did refer to some his volunteers files available; however, stated he has stated that those files are filled with [illegible] suppositions on his part. The Security Division recommends that no further contact be had with [illegible] THOMPSON. He was told that in the event he received any information which he felt might be evidentiary in nature this office would be interested in having an opportunity to review this material. He indicated that should he receive any information of this type he would notify the Memphis office.

2 - [illegible] (Enc. 4)
1 - Memphis

RCG:[illegible]
(4)

MAR 27 9 38 PM '68
U.S. DEPT. OF JUSTICE
MAR 28 7 02 AM '68
FBI
26 APR 1968

2025 RELEASE UNDER E.O. 14176

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to File No.

Memphis, Tennessee
March 26, 1969

ASSASSINATION OF DR. MARTIN LUTHER KING
APRIL 4, 1968, MEMPHIS, TENNESSEE

At approximately 10:15 a.m., March 26, 1969, RUSSELL X. THOMPSON, an Attorney, Memphis, Tennessee, telephonically contacted the Memphis Office of the FBI. Mr. THOMPSON advised that he had been in New York City, where he presented certain material in his possession to the NAACP Legal Defense. Mr. THOMPSON advised that while in New York City he had made contact with the New York Office of the FBI. He said that after discussing this matter with a representative of the FBI in New York, it was agreed that it would probably be more advantageous for him to discuss his findings in this case with a representative of the Memphis Office of the FBI.

Mr. THOMPSON subsequently apologized for a story which had appeared in a Memphis newspaper, which quoted him as saying that he had turned his entire confidential file on the JAMES EARL RAY case over to the FBI. Mr. THOMPSON said the newspaper reporter had misquoted him and what he had told the newspaper reporter was that he had had earlier contact with the FBI. Mr. THOMPSON's reference to talks with the FBI referred to an interview had with him shortly after the assassination of Dr. MARTIN LUTHER KING in April, 1968. Mr. THOMPSON said that frankly he doubted, and did not contend, there was any conspiracy in the JAMES EARL RAY case. He specifically advised that among the suspicions he had was the person who called on him shortly after the assassination. This was a person whom he gave the name TONY BENEVETTA. Mr. THOMPSON said this was a phonetic spelling and the person whom he interviewed by that name had told him this was an alias and not a true name. BENEVETTA is the person whom THOMPSON said furnished him information to the effect that the person who did assassinate Dr. KING had left the scene of the shooting on a motorcycle and not in a white Mustang.

This same person also told Mr. THOMPSON that the rifle and the package of material which the Memphis Police

ENCLOSURE

2025 RELEASE UNDER E.O. 14176

had recovered at the scene of the crime were not items of interest in the actual assassination but had been used as a decoy. BENEVETTA also told THOMPSON that the rifle which had been used to kill Dr. KING was a Savage rifle and it had already been melted down. THOMPSON described this person, BENEVETTA, as being a blond Latin. THOMPSON stated that at the time he originally discussed this information with BENEVETTA he was of the impression that there might have been some mental instability on the part of BENEVETTA.

THOMPSON also advised that during the initial stages of the JAMES EARL RAY case he did assist Attorney ARTHUR HANES, SR. of Birmingham, Alabama, and he did tell HANES about this blond Latin who had called on him. THOMPSON speculated that HANES had told RAY about this blond Latin and possibly on that basis RAY had come up with the RAOUL character. THOMPSON further said, of course, there was a possibility that HANES himself might have manufactured the character "RAOUL," based on the data he had furnished about a blond Latin.

Mr. THOMPSON said that to this date he has not seen or heard any more information from BENEVETTA. He said his information regarding BENEVETTA had been furnished to Attorney General PHIL CANALE, who in turn told him that the BENEVETTA person probably was identical with a person in town who had called on one or two preachers and had furnished a similar type story. THOMPSON said that Attorney General CANALE informed him that this matter had been definitely checked out and there was no involvement of any kind on the part of BENEVETTA.

THOMPSON also advised that another matter which raised some suspicion in his mind was the fact that in the event the State had put any of its witnesses on the stand there would have been some question as to their creditability. Specifically, he pointed out that it was a well known fact that CHARLES Q. STEPHENS, who would have been a State witness, was known to drink rather heavily. THOMPSON said in view of this he felt that the defense could have attacked the creditability of STEPHENS. He further said the original newspaper stories reporting comments from BESSIE BREWER, the landlady at the rooming house, indicated she could not identify

2025 RELEASE UNDER E.O. 14176

JAMES EARL RAY, and yet the State was going to use her as a witness. He felt that on this basis her creditability could be attacked. He further stated he knew that ARTHUR HANES, while acting as Attorney for JAMES EARL RAY, had hired a local investigator, RENFRO HAYS. HAYS, according to THOMPSON, had located a white male by the name HAROLD CARTER, who claimed to have been sitting on a box at the rear of the rooming house and to have seen someone fire from the wall facing the Lorraine Motel and CARTER reportedly saw this man jump down and run away from the scene. THOMPSON said that he knew that HUGH STANTON, a local attorney from the Public Defender's Office appointed in the JAMES EARL RAY case, had a representative of his office talk to HAROLD CARTER and their conclusion was that HAROLD CARTER was completely unreliable.

THOMPSON also said there was, of course, the possibility that RENFRO HAYS, the investigator for ARTHUR HANES, SR., had HAROLD CARTER tell the story that he did. THOMPSON said he, of course, did not know whether this was so or not, but it was pure conjecture on his part.

In addition, Mr. THOMPSON said another suspicious circumstance as far as he was concerned was that he had learned a man by the name JIM SANDERS was in Jim's Grill (located in area of the rooming house), had ordered sausage and eggs at approximately the time of the shooting of Dr. KING, and it was reported that SANDERS did not leave the counter as so many others in Jim's Grill did, but instead ordered a beer and continued to eat. THOMPSON thought this was most suspicious. SANDERS is, according to THOMPSON, a stranger in Jim's Grill, and he thought it unusual that a stranger would be in the Grill at about the time of the shooting.

THOMPSON also said that another matter that bothered him or made him feel suspicious was the fact that JAMES EARL RAY had registered at the Rebel Motel and left there and then re-registered at the rooming house on the same day, April 4. He said it just did not seem to make sense that a man would leave a motel and come to a rooming house such as that on South Main.

Mr. THOMPSON concluded by stating he had much in the way of material which dealt with various suppositions, theories, and suspicions of his, but he frankly did not have any material that could be considered evidentiary in any way whatever. He offered to make his voluminous material available, but repeated that all his material was nothing but pure speculation.

2025 RELEASE UNDER E.O. 14176

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

2025 RELEASE UNDER E.O. 14176

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to File No.

Memphis, Tennessee
March 26, 1969

ASSASSINATION OF DR. MARTIN LUTHER KING
APRIL 4, 1968, MEMPHIS, TENNESSEE

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Mr. THOMPSON subsequently apologized for a story which had appeared in a Memphis newspaper, which quoted him as saying that he had turned his entire confidential file on the JAMES EARL RAY case over to the FBI. Mr. THOMPSON said the newspaper reporter had misquoted him and what he had told the newspaper reporter was that he had had earlier contact with the FBI. Mr. THOMPSON's reference to talks with the FBI referred to an interview had with him shortly after the assassination of Dr. MARTIN LUTHER KING in April, 1968. Mr. THOMPSON said that frankly he doubted, and did not contend, there was any conspiracy in the JAMES EARL RAY case. He specifically advised that among the suspicions he had was the person who called on him shortly after the assassination. This was a person whom he gave the name TONY BENEVETTA. Mr. THOMPSON said this was a phonetic spelling and the person whom he interviewed by that name had told him this was an alias and not a true name. BENEVETTA is the person whom THOMPSON said furnished him information to the effect that the person who did assassinate Dr. KING had left the scene of the shooting on a motorcycle and not in a white Mustang.

This same person also told Mr. THOMPSON that the rifle and the package of material which the Memphis Police

2025 RELEASE UNDER E.O. 14176

had recovered at the scene of the crime were not items of interest in the actual assassination but had been used as a decoy. BENEVETTA also told THOMPSON that the rifle which had been used to kill Dr. KING was a Savage rifle and it had already been melted down. THOMPSON described this person, BENEVETTA, as being a blond Latin. THOMPSON stated that at the time he originally discussed this information with BENEVETTA he was of the impression that there might have been some mental instability on the part of BENEVETTA.

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Mr. THOMPSON said that to this date he has not seen or heard any more information from BENEVETTA. He said his information regarding BENEVETTA had been furnished to Attorney General PHIL CANALE, who in turn told him that the BENEVETTA person probably was identical with a person in town who had called on one or two preachers and had furnished a similar type story. THOMPSON said that Attorney General CANALE informed him that this matter had been definitely checked out and there was no involvement of any kind on the part of BENEVETTA.

THOMPSON also advised that another matter which raised some suspicion in his mind was the fact that in the event the State had put any of its witnesses on the stand there would have been some question as to their creditability. Specifically, he pointed out that it was a well known fact that CHARLES Q. STEPHENS, who would have been a State witness, was known to drink rather heavily. THOMPSON said in view of this he felt that the defense could have attacked the creditability of STEPHENS. He further said the original newspaper stories reporting comments from BESSIE BREWER, the landlady at the rooming house, indicated she could not identify

2025 RELEASE UNDER E.O. 14176

JAMES EARL RAY, and yet the State was going to use her as a witness. He felt that on this basis her creditability could be attacked. He further stated he knew that ARTHUR HANES, while acting as Attorney for JAMES EARL RAY, had hired a local investigator, RENFRO HAYS. HAYS, according to THOMPSON, had located a white male by the name HAROLD CARTER, who claimed to have been sitting on a box at the rear of the rooming house and to have seen someone fire from the wall facing the Lorraine Motel and CARTER reportedly saw this man jump down and run away from the scene. THOMPSON said that he knew that HUGH STANTON, a local attorney from the Public Defender's Office appointed in the JAMES EARL RAY case, had a representative of his office talk to HAROLD CARTER and their conclusion was that HAROLD CARTER was completely unreliable.

THOMPSON also said there was, of course, the possibility that RENFRO HAYS, the investigator for ARTHUR HANES, SR., had HAROLD CARTER tell the story that he did. THOMPSON said he, of course, did not know whether this was so or not, but it was pure conjecture on his part.

In addition, Mr. THOMPSON said another suspicious circumstance as far as he was concerned was that he had learned a man by the name JIM SANDERS was in Jim's Grill (located in area of the rooming house), had ordered sausage and eggs at approximately the time of the shooting of Dr. KING, and it was reported that SANDERS did not leave the counter as so many others in Jim's Grill did, but instead ordered a beer and continued to eat. THOMPSON thought this was most suspicious. SANDERS is, according to THOMPSON, a stranger in Jim's Grill, and he thought it unusual that a stranger would be in the Grill at about the time of the shooting.

THOMPSON also said that another matter that bothered him or made him feel suspicious was the fact that JAMES EARL RAY had registered at the Rebel Motel and left there and then re-registered at the rooming house on the same day, April 4. He said it just did not seem to make sense that a man would leave a motel and come to a rooming house such as that on South Main.

Mr. THOMPSON concluded by stating he had much in the way of material which dealt with various suppositions, theories, and suspicions of his, but he frankly did not have any material that could be considered evidentiary in any way whatever. He offered to make his voluminous material available, but repeated that all his material was nothing but pure speculation.

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UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to File No.

Memphis, Tennessee
March 26, 1969

ASSASSINATION OF DR. MARTIN LUTHER KING
APRIL 4, 1968, MEMPHIS, TENNESSEE

At approximately 10:15 a.m., March 26, 1969, RUSSELL X. THOMPSON, an Attorney, Memphis, Tennessee, telephonically contacted the Memphis Office of the FBI. Mr. THOMPSON advised that he had been in New York City, where he presented certain material in his possession to the NAACP Legal Defense. Mr. THOMPSON advised that while in New York City he had made contact with the New York Office of the FBI. He said that after discussing this matter with a representative of the FBI in New York, it was agreed that it would probably be more advantageous for him to discuss his findings in this case with a representative of the Memphis Office of the FBI.

Mr. THOMPSON subsequently apologized for a story which had appeared in a Memphis newspaper, which quoted him as saying that he had turned his entire confidential file on the JAMES EARL RAY case over to the FBI. Mr. THOMPSON said the newspaper reporter had misquoted him and what he had told the newspaper reporter was that he had had earlier contact with the FBI. Mr. THOMPSON's reference to talks with the FBI referred to an interview had with him shortly after the assassination of Dr. MARTIN LUTHER KING in April, 1968. Mr. THOMPSON said that frankly he doubted, and did not contend, there was any conspiracy in the JAMES EARL RAY case. He specifically advised that among the suspicions he had was the person who called on him shortly after the assassination. This was a person whom he gave the name TONY BENEVETTA. Mr. THOMPSON said this was a phonetic spelling and the person whom he interviewed by that name had told him this was an alias and not a true name. BENEVETTA is the person whom THOMPSON said furnished him information to the effect that the person who did assassinate Dr. KING had left the scene of the shooting on a motorcycle and not in a white Mustang.

This same person also told Mr. THOMPSON that the rifle and the package of material which the Memphis Police

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had recovered at the scene of the crime were not items of interest in the actual assassination but had been used as a decoy. BENEVETTA also told THOMPSON that the rifle which had been used to kill Dr. KING was a Savage rifle and it had already been melted down. THOMPSON described this person, BENEVETTA, as being a blond Latin. THOMPSON stated that at the time he originally discussed this information with BENEVETTA he was of the impression that there might have been some mental instability on the part of BENEVETTA.

THOMPSON also advised that during the initial stages of the JAMES EARL RAY case he did assist Attorney ARTHUR HANES, SR. of Birmingham, Alabama, and he did tell HANES about this blond Latin who had called on him. THOMPSON speculated that HANES had told RAY about this blond Latin and possibly on that basis RAY had come up with the RAOUL character. THOMPSON further said, of course, there was a possibility that HANES himself might have manufactured the character "RAOUL," based on the data he had furnished about a blond Latin.

Mr. THOMPSON said that to this date he has not seen or heard any more information from BENEVETTA. He said his information regarding BENEVETTA had been furnished to Attorney General PHIL CANALE, who in turn told him that the BENEVETTA person probably was identical with a person in town who had called on one or two preachers and had furnished a similar type story. THOMPSON said that Attorney General CANALE informed him that this matter had been definitely checked out and there was no involvement of any kind on the part of BENEVETTA.

THOMPSON also advised that another matter which raised some suspicion in his mind was the fact that in the event the State had put any of its witnesses on the stand there would have been some question as to their creditability. Specifically, he pointed out that it was a well known fact that CHARLES Q. STEPHENS, who would have been a State witness, was known to drink rather heavily. THOMPSON said in view of this he felt that the defense could have attacked the creditability of STEPHENS. He further said the original newspaper stories reporting comments from BESSIE BREWER, the landlady at the rooming house, indicated she could not identify

2025 RELEASE UNDER E.O. 14176

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FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

APR 4 1969

TELETYPE

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
Miss Holmes
Miss Gandy

FBI WASH DC

FBI CHICAGO

247PM DEFERRED 4-4-69 BCK

TO DIRECTOR, MEMPHIS, MOBILE, PHILADELPHIA,

NEW YORK AND ATLANTA (44-2386)

FROM CHICAGO (44-1114) 1P

MURKIN

RE ATLANTA TEL APRIL THREE LAST.

CONTACT WITH AVAILABLE SOURCES IN CHICAGO AREA FAILED TO REFLECT JAMES BEVEL PRESENTLY IN CHICAGO. INVESTIGATION CONTINUES.

END

ERT

FBI WASH DC

REC-113 44-38861-5685

22 APR 8 1969

66APR 11 1969

2025 RELEASE UNDER E.O. 14176

RECEIVED
TELETYPE UNIT
APR 4 3 49 PM '69

REC'D - ROSEN
FBI
APR 4 4 24 PM '69

REC'D - CIV RIGHTS
FBI
APR 4 5 00 PM '69

2025 RELEASE UNDER E.O. 14176

ENCLOSURE № 71562

TREASURY DEPARTMENT
BUREAU OF CUSTOMS

GPO 16—77345-1

2025 RELEASE UNDER E.O. 14176

TREASURY DEPARTMENT
BUREAU OF CUSTOMS
WASHINGTON

April 1, 1969

REFER TO

INV. 6.010 J

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
Miss Holmes
Miss Gandy

Mr. J. Edgar Hoover
Director, Federal Bureau
of Investigation
Department of Justice
Washington, D. C.

Attention: Mr. Robert H. Haines

Dear Mr. Hoover:

The enclosed report is in response to an informal request from your office by Liaison Officer Robert H. Haines.

Sincerely yours,

Lawrence Fleishman

LAWRENCE FLEISHMAN
Assistant Commissioner

Enclosure 71562

COPIES MADE, DATE 5/4/78 BY
FOR REVIEW AT LEAD AND OR DELIVERY
TO HSCA RE REQUEST DATED
(SEE DOFILE 62-117290)

REC-49 41-38861-

3 APR 8 1969

XP-PROC. 30

APR 8 1969

ENCLOSURE

RCB/SS

DATE 5/4/78
FOR REVIEW AT LEAD AND OR DELIVERY
TO HSCA RE REQUEST DATED 5/3/78
(SEE DOFILE 62-117290)

REPLY TO: COMMISSIONER OF CUSTOMS, WASHINGTON, D.C. 20226

80 APR 5 1969

2025 RELEASE UNDER E.O. 14176

REC'D - CIV RIGHTS
FBI

APR 4 3 37 PM '69

APR 3 10 08 AM '69
REC'D DELOACH
F B I

APR 3 1 17 PM '69

APR 3 11 19 AM '69
F B I
REC-D BISHOP

APR 3 9 45 AM '69
RECEIVED-TOLSON
F B I

APR 2 3 12 PM 1969
RECEIVED-DIRECTOR
F B I

2025 RELEASE UNDER E.O. 14176

TREASURY DEPARTMENT

BUREAU OF CUSTOMS

LOS ANGELES, CALIF.

March 25, 1969

REFER TO

INV. 6.010

The Commissioner of Customs
Office of Investigations
Division of Enforcement
Bureau of Customs
Washington, D. C. 20226

Dear Sir:

Your letter of March 6, 1969, INV. 6.010 BF, concerned an allegation that one "Raoul" was connected with James Earl Ray in the smuggling of narcotics across the Mexican border. All of our border offices have been contacted and furnished with a description of "Raoul" and instructed to ascertain if any information was available that would substantiate the information regarding "Raoul" and/or James Earl Ray. All of our offices have replied that they have no information on any "Raoul" fitting the description furnished by your office.

Sincerely yours,

MELVIN C. JOHNSON
Supervising Customs Agent

ENCLOSURE

REPLY TO: SUPERVISING CUSTOMS AGENT, U.S. CUSTOMHOUSE, 300 SOUTH FERRY STREET, TERMINAL ISLAND, CALIF. 90731

2025 RELEASE UNDER E.O. 14176

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : MR. TROTTER

DATE: 4-7-69

FROM : C. E. Ganley

SUBJECT: MURKIN

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

This is the case involving the murder of Martin Luther King, Jr. A new Memphis Criminal Court Judge, Arthur Faquin, took over the James Earl Ray matter following the sudden death of Judge W. Preston Battle.

We have been following this with Memphis, as you will recall, Latent Fingerprint Examiner George J. Bonebrake is supposed to appear in Criminal Court, Memphis, at possible contempt hearing on 4-11-69. Memphis initially advised 4-1-69 that Mr. Don Owens (a local attorney and advisor to Judge Battle prior to his death) had informed that in view of Judge Battle's death, Bonebrake would not be required to appear on 4-11-69 and while this was not an official notification, he felt certain the Bonebrake matter would be considered closed. By airtel 4-3-69, Memphis advised that some local newspapers there had indicated Judge Faquin would hold hearings on 4-11-69; however, Owens claims the newspapers are in error and that Bonebrake still should not appear on 4-11-69 unless otherwise advised. I have pointed this out to Bonebrake. We will continue to follow with Memphis.

RECOMMENDATION:

For information.

1 - Mr. DeLoach
1 - Mr. Bishop
1 - Mr. Rosen
1 - Mr. Hunzeker, Room 4535 JB

REC- 87 44-38861-

15 APR 10 1969

CEG:emg
(8)

51 APR 15 1969

2025 RELEASE UNDER E.O. 14176

RECEIVED
APR 14 9 26 AM 1969
F.B.I.
U.S. DEPT. OF JUSTICE

APR 14 10 02 AM '69
RECD. SAN HUGHS
FBI

RECD DELOACH
F B I

APR 8 9 39 AM '69
REC-D BISHOP APR 8 8 03 AM '69
F B I

APR 8 10 07 AM '69 F B I
REC-D MOHR

APR 8 10 32 AM '69
RECD-CALLAHAN
F B I

2025 RELEASE UNDER E.O. 14176

FD-36 (Rev. 5-22-64)

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
Miss Holmes
Miss Gandy

FBI

Date: 4/3/69

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

Via AIRTEL AM (Priority)

TO: DIRECTOR, FBI (44-38861)
ATTN: IDENTIFICATION DIVISION

FROM: SAC, MEMPHIS (44-1987) P

MURKIN

On 4/3/69, Mr. DON OWENS, Memphis attorney who has been serving as an adviser to the late Judge W. PRESTON BATTLE, advised SA JOE C. HESTER that local newspapers have indicated that contempt hearings in this case will be held 4-11-69 before Judge ARTHUR FAQUIN, Division II, Criminal Courts.

Mr. OWENS said that Judge FAQUIN will hereafter handle the RAY case, but the newspapers are in error in stating that contempt hearings will be held 4/11/69. He said that Senior Fingerprint Examiner GEORGE BONEBRAKE should not appear at Memphis unless otherwise advised.

For additional information of the Bureau, there is enclosed newspaper clipping reflecting Attorney RICHARD J. RYAN has been retained as counsel by JAMES EARL RAY. Memphis indices disclose no derogatory information re RICHARD JOSEPH RYAN, SR. Memphis files do reflect that on 6-12-68 RICHARD JOSEPH RYAN, SR., Attorney-at-Law, Falls Building, Memphis, requested interview concerning his son RICHARD JOSEPH RYAN, JR. RYAN, SR. at that time advised that he has four children, two daughters and two sons, the oldest of which is RICHARD JOSEPH RYAN, JR. RYAN, JR. had been a parttime student at Memphis State University. RYAN, SR. said that his son did fairly well in colloege but had gone through what he thought was a mental degenerative process in the past year and has virtualy become a hippie and refuses to work. RYAN, JR., according to his father, in April 1968 lived in an apartment which was extremely filthy, having all sorts of wierd literature therein. Mr. RYAN also said that his son had become active in a group which was conceived to help poor Negroes

3 BUREAU (Enc. 2) ENCLOSURE
1 MEMPHIS
JCH/RGJ:BN
(4)

REC 37 44-38861-5688

20 APR 5 1969

Approved: _____ Special Agent in Charge

Sent _____ M Per _____

51 APR 15 1969

2025 RELEASE UNDER E.O. 14176

2025 RELEASE UNDER E.O. 14176

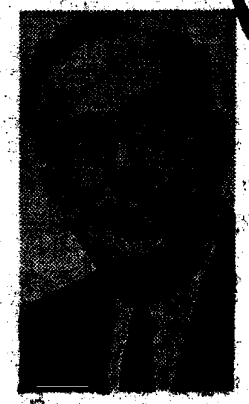
and that his son had associated with another white male and an unknown Negro girl. Mr. RYAN at the time of furnishing this information indicated he was not at all sympathetic to his son's views and was at a loss to understand how his son, who had been reared as a Catholic, would not now go to church.

2025 RELEASE UNDER E.O. 14176

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

Richard J. Ryan Is Third To Try Defense Of Ray



Richard J. Ryan

Cell Visit Due

Confessed Slayer Of King, New Counsel May Meet In Nashville Today

By CHARLES EDMUNDSON

Richard J. Ryan, 35-year-old attorney with offices in the Falls Building, yesterday was accredited as the third successive attorney retained by James Earl Ray, confessed slayer of Dr. Martin Luther King Jr.

Mr. Ryan refused to talk to a reporter but in Nashville Corrections Commissioner Henry Avery said prison authorities have accepted Mr. Ryan's credentials and expect him at any time to arrive for his first conference with his client.

Mr. Ryan had been expected to see Ray yesterday, Commissioner Avery said, but [illegible] the final hour for [illegible] passed without his arrival.

Commissioner Avery said Ray has given a [illegible] [illegible]

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

PAGE 1

COMMERCIAL APPEAL

MEMPHIS, TENN.

Date: 4-3-69

Edition:

Author:

Editor:

Title: GOVERNOR ANNA

Character:

or

Classification:

Submitting Office: MEMPHIS

☐ Being Investigated

ENCLOSURE 44-38861-5[illegible]

2025 RELEASE UNDER E.O. 14176

Ad. Ray's counsel, Mr. Ryan succeeds Arthur Hanes Sr., former Birmingham mayor, whom Ray dismissed without ceremony May 10, and Percy Foreman, of Houston, whom Ray fired March 10, accusing [illegible] of "every [illegible] discussed.

[illegible] Avery said Mr. [illegible] Ryan, [illegible] Memphis, [illegible] to cooperate with other attorneys and asked that they be permitted to see Ray.

"He didn't have proper accreditation at that time," Mr. Avery said. "Neither did we want a lot of lawyers going up there at one time. But Mr. Ryan now has the necessary [illegible] and will be allowed to see Ray in the maximum security ward.

Mr. Ryan also talked to Criminal Court Judge W. Preston Battle Monday a few hours before Judge Battle's death of a heart disorder, it was learned. Mr. Ryan, it is reported, claimed his client should have a new trial because of promises he said were exerted to influence him to plead guilty March [illegible] when he got 99 years in prison.

Mr. Ryan is expected to plead that a letter Judge Battle received from James Earl Ray the day he died constitutes a motion for a new trial. If this motion were granted, the next logical step would be to claim Ray gets a new trial automatically. A Tennessee law says that a new trial motion pending before a judge who dies before ruling on it is granted automatically.

Legal authorities differ on whether this applies to a guilty plea. Chief Justice [illegible] Burnett of the Tennessee Supreme Court said it does not.

[illegible] trial [illegible] Court [illegible] proved for the [illegible] a motion expires. If the [illegible] Criminal Court judge taken over the Ray case from Judge Battle would then set a date for the hearing.

Exec. Asst. Atty. Gen. Robert K. Dwyer said there is no legal presumption that the judge to be appointed by Gov. Buford Ellington to succeed Judge Battle will inherit the Ray case. "The case belongs to the Shelby County Criminal Court and any judge the members (judges) decide on would take the case over, in my opinion."

Meanwhile, Charlie Q. Stephens, 56, regarded as a material witness in the assassination of Dr. King, filed a suit in Chancery Court yesterday seeking to collect the $100,000 reward offered in the case. A $25,000 reward was offered by The Commercial Appeal and another for the same amount by Scripps-Howard Newspapers.

Mr. Stephens was prepared to testify, had there been a formal trial, that he had in his room at [illegible] South Main when the fatal shot was fired and that he saw a man fleeing down the second-floor corridor. The attorney general's office has credited Ray's arrest and conviction principally to fingerprint identification made by the FBI. The FBI does not accept rewards.

2025 RELEASE UNDER E.O. 14176

FD-36 (Rev. 5-22-64)

FBI

Date: 3/18/69

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
Miss Holmes
Miss Gandy

TO: DIRECTOR, FBI (44-38861)

FROM: SAC, MEMPHIS (44-1987)

MURKIN

There are enclosed original and one copy each of newspaper clippings in instant matter.

3 BUREAU (Enc. 8)
1 MEMPHIS

RGJ:BN
(4)

1 copy of Airtel & Encls. Delivered to Recd Room in CR. Room 2260

REC-24 1/11 31061 5689

RECORDED
1 MAR 20 1969

54 APR 14 1969

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

2025 RELEASE UNDER E.O. 14176

2025 RELEASE UNDER E.O. 14176

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

Full Truth In Ray Case Still Mystery To Judge

By BERNARD GAVZER
Associated Press Writer

Judge W. Preston Battle said yesterday that he believes the full truth still is not known about James Earl Ray and the assassination of Dr. Martin Luther King Jr.

The judge, in whose court Ray pleaded guilty to the slaying of King and where the case would have been heard had it gone to trial, said that like many other Americans he remained puzzled about several unanswered questions.

But he said he is convinced that a trial would not have produced the answers.

"Like others, I would truly like to know how Ray actually found the spot from which to fire. How did Ray know where Dr. King would be? How did he determine the type of weapon to be used? What are the details of the actual purchase and selection of the weapon? Was he alone in surveillance of the Lorraine Motel?

"Most puzzling of all, is his escape from Memphis. To me, it seems miraculous that he was able to flee to Atlanta despite the all-points bulletins without his white Mustang being spotted on a highway."

Dr. King was shot to death April 4 as he stood on the balcony of the Lorraine Motel. The killer was reported to have fled in a white Mustang.

The judge said there is much speculation about possible answers, but nothing based on fact and evidence.

"I'd like the full proof," he said. "And as I said on March 10 when the agreement was reached to permit Ray to change his plea to guilty, there is no end to our interest or to the law's responsibility and determination.

"There has been much talk [illegible] in the [illegible] prosecution agreement to allow Ray to change his plea and take a 99-year sentence? Ray could have have been sentenced to death if he had been found guilty.

"I was convinced then and am convinced now that the trial would have muddled our understanding of the substantial evidence which established Ray as the killer," the judge said.

"It is an error to assume that the prosecution would have had a chance to cross-examine Ray about his finances, or how he escaped from the Missouri State Penitentiary, or about persons who gave him any aid before or after the slaying of Dr. King.

"That assumes Ray would have taken the stand. I doubt very seriously that defense counsel would have risked placing Ray in such a position. In fact, as I understand it, this all along has been one of the main problems between Ray and various men who have acted for the defense. They counseled against it and he [illegible] wanting to take the risk.

"[illegible] he [illegible] the [illegible] public [illegible] under[illegible] [illegible] guar[illegible] [illegible] would have [illegible]

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

PAGE 1

COMMERCIAL APPEAL

MEMPHIS, TENN.

Date: 3-17-69
Edition:
Author:
Editor: GORDON HANNA
Title:

Character:
or
Classification: MEMPHIS
Submitting Office:

☐ Being Investigated

44-1561 5689

ENCLOSURE

2025 RELEASE UNDER E.O. 14176

ated, some minimized or obscured.

"Had there been a trial, there could always have been the possibility, in such an emotionally charged case, of a hung jury. Or, though it may appear far fetched now, he could have perhaps been acquitted by a jury."

Battle said he thinks that some of the unanswered questions ultimately will be answered by Ray. He said he thinks that Ray has enjoyed the notoriety and will periodically explain various details of the crime.

The record indicates a rather careful proceeding in which Battle attempted to avoid any happenstance that could be interpreted as judicial error or seized upon as grounds for abrogating the agreement.

He repeatedly examined Ray as to Ray's understanding of the agreement and whether he was doing this of his free choice.

"The law requires only two things in such a proceeding," the judge said. "One is that we present the body of the corpus delicti, and the second is that evidence be presented establishing that the defendant was involved with the crime.

"[illegible] established through the witnesses who appeared, and testified to the last [illegible] statements of Dr. King [illegible] the nature and [illegible] of [illegible]

2025 RELEASE UNDER E.O. 14176

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

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APPEAL

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NA

ENCLOSURE

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