

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, MEMPHIS (44-1987)

FROM : SAC *[initials]* LITTLE ROCK (157-1215) (P)

SUBJECT: MURKIN
CR

DATE: 1/7/69

Re Little Rock airtel to Memphis, 8/9/68, by which was included for Memphis one photograph of HUBERT E. WAGES and another individual.

Mr. JOHN O. MOSLEY, contributor of photograph, has advised that he now wants photograph returned.

LEAD

MEMPHIS DIVISION

AT MEMPHIS, TENNESSEE

Will return to Little Rock photograph of WAGES and other individuals.

2 - Memphis
2 - Little Rock
CMM/val
(4)

B-1352-A
Ap2

44-1987-Sub-P-1625
us
us

Hester *[initials]*
(handle)
Done *[initials]*



5010-108-01

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

SAC, LITTLE ROCK (157-1215)

1/15/69

SAC, MEMPHIS (44-1987) (P)

MURKIN

Re your letter, 1/7/69.

Enclosed is the photo of HUBERT E. WAGES
previously furnished by your office. ✓

RL

2 - Little Rock (Enc. 1)
① - Memphis

JCH:jap
(3)

jap

44-1987-Sub-B-1626

SEARCHED _____
SERIALIZED *llh*
INDEXED *llh*
FILED *llh*

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, MEMPHIS (44-1987)

DATE: 1/13/69

FROM : SAC, ANCHORAGE (157-37) (C)

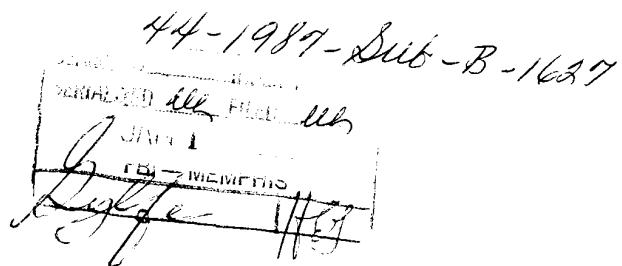
SUBJECT: MURKIN - COST DATA

Re Anchorage letter to Memphis 11/6/68.

The Anchorage Division has incurred no cost regarding this matter during the month of December, 1968.

*all offices have
been advised of this
information & cost data
R/S sent 1-16-69.*

2 - Memphis
1 - Anchorage
RWH/vlw
(3)



UNITED STATES GOVERNMENT

Memorandum

TO : SAC, MEMPHIS (44-1987)

DATE: 1/17/69

FROM : SAC, HOUSTON (44-1509) (RUC)

SUBJECT: MURKIN
CR

ReMEairtel, 12/24/68.

Inasmuch as all leads in this division have been covered and since the Bureau has directed that the monthly cost data stats be discontinued, this case is being RUC'd.

2 - Memphis
1 - Houston
JSW/sjm
(3)

44-1987-Sub-B-1628

SEARCHED	INDEXED
SERIALIZED <i>ll</i>	FILED <i>ll</i>
JAN 20 1969	
FBI — MEMPHIS	

gk

1/22/69

AIRTEL

AM

TO: DIRECTOR, FBI (44-38861)

FROM: SAC, MEMPHIS (44-1987) P

MURKIN

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

SEARCHED

SERIALIZED

3 BUREAU (Enc. 14) (AM)

1 MEMPHIS

RGJ:BN

(4)

enc. serials

Sub-C

291
-292
-293
-294
-295
-295
-296

44-1987-Sub-B-1629

SAC (157-1215) (P)

1/7/69

SA CHESTER M. MC MILLAN

MURKIN
CR

By letter dated 12/20/68 JIMMY D. JOYCE, Attorney, 707 Walnut Street, Pine Bluff, Ark., advised that his client, Mr. JOHN Q. MOSLEY, had new evidence regarding Dr. MARTIN LUTHER KING. The evidence consists of six sworn statements of people who have heard threats made against KING's life.

Mr. JOYCE advised by this letter that MOSLEY is willing to cooperate with the FBI but "he feels that if he cannot get any results from the FBI, that he can from other areas". JOYCE stated that if no action can be taken by the FBI, that a photograph and a bible furnished by MOSLEY to the FBI be returned to JOYCE's office.

On 1/6/69, Mr. JOYCE was contacted and it was explained to him that the information furnished by Mr. MOSLEY on 8/8/68 was forwarded to the Memphis Office along with the photograph furnished by MOSLEY. He was advised that MOSLEY stated that he did not want the photograph returned. JOYCE was also advised that MOSLEY was informed that the FBI had no need whatsoever for the bible in MOSLEY's possession at the time as it had no significance in the investigation. He was advised that MOSLEY stated that he did not want the bible, therefore he was advised that the bible was destroyed and is not available to be returned.

JOYCE was advised that the individuals in the photograph were not identical with the subject RAY and that Memphis had advised Little Rock to conduct no further investigation regarding this photograph.

JOYCE advised that MOSLEY had paid him to represent him, MOSLEY, and that he and MOSLEY had agreed to share any reward money obtained as a result of information furnished by MOSLEY. JOYCE requested that the photograph be returned to his office.

cmn CMM/val
(2) val

44-1987-Sub-B-1650

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 10 1969	
FBI - MEMPHIS	

Hester

Agent covering lead at Maynard, Ark. should be furnished copies of Serials 491, 493, and letter from JOYCE dated 12/20/68.

LR 157-1215

JOYCE advised that he had not seen the six sworn statements mentioned in his letter and had no knowledge of their contents. He advised that he did not know why MOSLEY wanted the photograph returned or what he planned to do with the photograph and sworn statements. He stated MOSLEY possibly believes that he can sell the information to the news media.

LEAD

LITTLE ROCK DIVISION

AT MAYNARD, ARKANSAS

Interview JOHN Q. MOSLEY concerning contents of sworn statements and determine why he wants to have photograph returned. If MOSLEY demands photograph returned, advise SA MC MILLAN as a letter is being submitted to the Memphis Office requesting return of photograph. Advise Mr. MOSLEY that the photograph will be mailed to him at Maynard, Ark.

F B I

Date: 1/28/69

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

TO: SAC, Memphis (44-1987)
 FROM: SAC, Little Rock (157-1215) (P)
 SUBJECT: MURKIN
 CR

Re Little Rock letter to Memphis, 1/7/69.

Enclosed are two xerox copies of a memo from
 SA CHESTER M. MC MILLAN to SAC, Little Rock, 1/7/69, which
 is self-explanatory.

On 1/17/69, Mr. JOHN QUINTON MOSLEY of Route 2,
 Box 4, Maynard, Arkansas, who has telephone number 891-2294,
 advised SA MILFORD C. RUNNELS that he was in the Arkansas
 State Prison at Gould, Arkansas, from 4/18/67 until 12/4/68,
 and he had ASPEN #58592. He stated he was serving time
 for a charge of obtaining money under false pretenses.

He stated that while he was in prison he heard
 HUBERT WAGES, an inmate at the prison, who allegedly did live
 at 819 Shelby, Memphis, Tennessee, state he knew JAMES EARL
 RAY and his brother, JERRY RAY, in 1958. WAGES stated he
 did not associate with the RAY boys but knew them and that
 WAGES is a thief and was in the State Penitentiary on a burglary
 charge.

WAGES reportedly made the remark while in prison
 in Arkansas that he was going to kill MARTIN LUTHER KING when
 he got out of prison. JOHN QUINTON MOSLEY has in his possession
 three documents prepared on letterhead stationery of the State

2 - Memphis (Enc. 2) *lee*
 2 - Little Rock
 MCR/jhb
 (4)

44-1987-Sub-B-1631

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
JAN 30 1969	
FBI - MEMPHIS	

Hester
(work -)

Approved: _____
 Special Agent in Charge

Sent _____
 M Per _____

LR 157-1215

Penitentiary. One of these documents is signed "HOWARD WARRINGTON, Arkansas State Penitentiary #54493." Another document has "D. O. VINES, Arkansas Penitentiary #51212," and the other, "ROBERT EDMONDSON, Arkansas State Penitentiary #54787." Each of these documents reads as follows:

"To Whom It May Concern:

"I heard Hubert Wages say he would kill Martin Luther King when he got out of this place, will swear to the above statement in any court and will also, submit to a lie detector test, to substantiate this fact."

The above document was signed by HOWARD WARRINGTON. The same type was prepared and signed by VINES, and another document of the same type was prepared and signed by EDMONDSON. At the bottom of this form was the following:

"My Commission Expires _____."

MOSLEY stated these forms were prepared or typed about November of 1968 by LOVIE VOLTZ, an inmate at the Arkansas State Penitentiary who worked in the office, and that the letterhead stationery of the Penitentiary was obtained by VOLTZ.

MOSLEY stated that he has heard WAGES state he would kill KING when he got out of the Arkansas State Penitentiary and would also testify to it in court.

It is to be noted that MOSLEY admitted that he is definitely trying to furnish information in order to collect the reward in connection with this matter. No further investigation is being conducted by Little Rock, UAC.

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, MEMPHIS (44-1987)

DATE: 1/30/69

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

SUBJECT: MURKIN

On Monday, 1/20/69, Mr. DON WOODS, Aeromarine Supply Company, Birmingham, Ala., was contacted by SA NEIL P. SHANAHAN in connection with another matter. During this contact, WOODS advised that on the Saturday before Christmas, 12/21/68, at about 5:30 p.m., WILLIAM BRADFORD HUIE entered Aeromarine and asked to speak with him concerning information relative to JAMES EARL RAY. WOODS stated that he told HUIE he did not care to discuss anything concerning this case with him, as he intended to testify as a witness in the trial of JAMES EARL RAY. HUIE then stated that he wished to purchase a Model 760 Remington, Caliber 30.06 Rifle, identical to the one allegedly purchased by RAY. He requested that the same type scope be mounted on this rifle as was mounted on the rifle previously purchased by RAY. WOODS sold HUIE this gun and scope; and while mounting the scope, he was further questioned by HUIE concerning the method of mounting and bore sighting this scope. WOODS advised that he answered HUIE's questions to a degree but did not reveal any information concerning his previous transactions with JAMES EARL RAY. HUIE also requested WOODS to furnish him with a Browning rifle box similar to the one carried by RAY, but WOODS did not furnish him one. HUIE offered to buy such a box, and WOODS stated he would have sold it to him if he had one but did not have one of that type. He did furnish HUIE with a Browning box designed for a Browning shotgun but much shorter in length than a Browning rifle box.

During this conversation, HUIE advised WOODS that his purpose was to take this rifle with scope attached and box to Memphis, Tenn., where he could re-enact the shooting of MARTIN LUTHER KING, JR.

The above is submitted to Memphis for whatever action deemed appropriate.

2 - Memphis
2 - Birmingham
NPS:mas
(4)



5010-108

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

44-1987-Sub-B-1631A

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
JAN 31 1969	
FBI - MEMPHIS	

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, MEMPHIS (44-1987)

FROM : SAC, CHICAGO (44-1114) (RUC)

SUBJECT: MURKIN

DATE: 1/31/69

Review of captioned file does not reveal
any outstanding investigation for the Chicago Division,
accordingly this matter is being placed in an RUC status

2 - Memphis
1 - Chicago

RJD:bab
(3)

B

44-1987-Sub-B-1632

SEARCHED.....	INDEXED.....
SERIALIZED <i>llh</i>	FILED <i>llh</i>
FEB 5 1969	
FBI - MEMPHIS	

IN



5010-108-02

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

glt

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, MEMPHIS (44-1897)

FROM : *JEL* SAC, PHILADELPHIA (44-1368)

SUBJECT: MURKIN - COST DATA

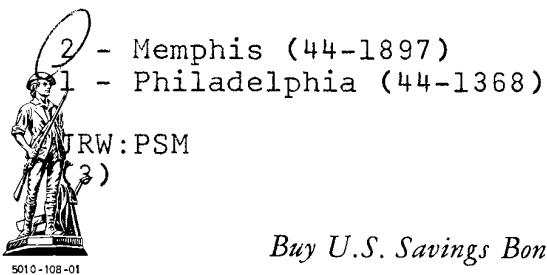
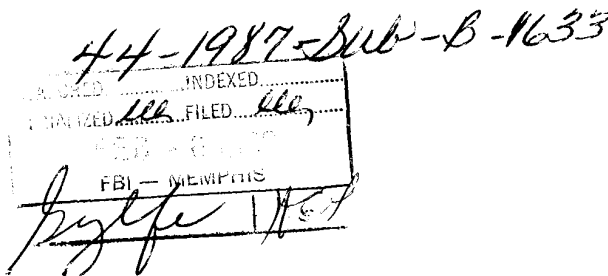
DATE: 2/5/69

Re Memphis airtel 4/19/68.

Man Hours, Mileage, & Miscellaneous Expenses
January 1969 - Philadelphia Division.

1.	<u>Regular Hours</u>	<u>VOT</u>	<u>Total</u>
SAs	25	15	40
Clerical	5	0	5
2.	Mileage - 25		
3.	Unusual Expense - None		
4.	Two agents at peak.		

*Plata advised
By A/S on 2-19-69
to determine
the cost data info.
JEL*



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

3-12-69

AIRTEL

AM

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

There are enclosed original and one of
newspaper clippings in captioned matter.

3 BUREAU (Encls.)
1 MEMPHIS
RGJ:BN
(4)

encs in Sub-C
Serials - Sub-C
-329
-330
-331
-332
-333
-334
-335
-336
-337

B

B11

44-1987-Sub-B-1634

3/18/69

AIRTEL

AM

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. 3)
1 MEMPHIS

RGJ:BN
(4)

L

R

44-1987-Sub-B-1636

B

llb

llb

3-12-69

AIRTEL

AM

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

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

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

*enc. 2 in Sub-C
Serials - Sub-C - 338
- 339
- 340*

B

[Handwritten signature]

llh

llh

44-1987-Sub-B-1635

JAMES H. LESAR
ATTORNEY AT LAW
1231 FOURTH STREET, S. W.
WASHINGTON, D. C. 20024
TELEPHONE (202) 484-6023

February 23, 1976

Mr. Thomas Wiseman
Information and Privacy Unit
Federal Bureau of Investigation
Washington, D. C. 20537

Dear Mr. Wiseman:

On December 22, 1975, I phoned to ask if you could arrange for Mr. Harold Weisberg to view the photographs of the scene of Dr. King's murder and the ballistics materials he had requested the following afternoon, December 23rd, when he was coming to D.C. for a medical appointment. You told me that the FBI agent responsible for assembling the King assassination documents said that it would not be possible to reassemble them in time for Mr. Weisberg to see them on December 23rd. This was the only reason given for his not being able to inspect these records on that date.

Subsequently, on December 29, 1975, I wrote Deputy Attorney General Harold Tyler a letter in which I expressed the hope that Mr. Weisberg's examination of the requested materials could be arranged to coincide with his next trip to D.C., because he suffers from a serious case of phlebitis which makes it inadvisable for him to travel frequently. Copies of this letter were sent to you and FBI Director Clarence Kelley. I received no response.

After the calendar call on February 5, 1976, Mr. Weisberg and I met briefly with Assistant United States Attorney John Dugan and sought to enlist his good offices in arranging for Mr. Weisberg's inspection of your records to coincide with his next trip to D.C.

Today I called to ask that you arrange for Mr. Weisberg to examine these materials when he comes to Washington this Thursday, February 26th. However, you called to my attention a statement in Mr. Tyler's December 1, 1975, letter to me which required that Mr. Weisberg agree to pay the "reproduction and special search costs" if he wanted the photographs which he had in fact requested. You said, correctly, that Mr. Weisberg had not written you agreeing to pay these costs.

Shortly afterwards, Mr. Dugan called. He told me that you would not institute the "search" for these photographs until you received Mr. Weisberg's written agreement to pay the search costs.. He also informed me that you could not have the requested materials ready by this Thursday.

APR 2 1976
Lester
44-1987 SUB 6-1637

I write, first, to assure you that Mr. Weisberg will pay the necessar search and reproduction costs but he does not waive his right to recover them.

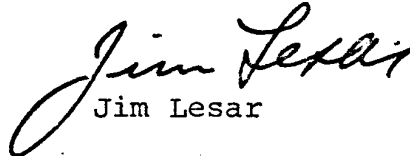
I note, however, that when CBS News requested some of the same records sought by Mr. Weisberg, the search fees were waived.

I also advise you that I know of two Freedom of Information lawsuits where well-known millionaires have not been charged a cent by the Department of Justice for searching for the records requested by them. This contrasts glaringly with the treatment accorded my client, who can ill afford such fees, and is an affront to the spirit and meaning of the Freedom of Information Act.

Secondly, I ask you to state your agreement with the assurance Mr. Volney Brown gave me last summer that Mr. Weisberg will be allowed to examine and selected those documents and photographs he wants copied, rather than your foisting upon him, sight unseen, whatever you may determine to be within the purview of his request.

Thirdly, I ask that you select a date on which Mr. Weisberg will be allowed to examine the photographs and records which he has requested. I believe Mr. Weisberg will be able examine these records on any day between March 1 and March 6, or on March 15. I would appreciate it very much if you could advise me at the earliest possible time which date you prefer..

Sincerely yours,


Jim Lesar

JAMES H. LESAR
ATTORNEY AT LAW
1231 FOURTH STREET, S. W.
WASHINGTON, D. C. 20024
TELEPHONE (202) 484-6023

December 29, 1975

Mr. Harold Tyler, Jr.
Deputy Attorney General
U. S. Department of Justice
Washington, D. C. 20530

Dear Mr. Tyler:

Your letter of December 1, 1975, is apparently intended to give the appearance of good faith compliance with Mr. Harold Weisberg's April 15, 1975, request for the disclosure of certain records pertaining to the assassination of Dr. Martin Luther King, Jr. Unfortunately, this is achieved by rephrasing Mr. Weisberg's request so as to exclude most of the records sought.

For example, Mr. Weisberg's April 15 request specified that he wants the results of any ballistics tests performed in connection with the investigation into Dr. King's assassination. Yet you restated his request in a manner which excludes all ballistics tests except those performed on the bullet removed from Dr. King and the rifle placed at the scene of the crime. However, as his request clearly states, Mr. Weisberg wants all ballistics tests and reports, not just those performed on the murder bullet and the rifle placed at the scene.

In response to Mr. Weisberg's request for the ballistics evidence, you provided him with three distorted color photographs of the bullet removed from Dr. King. Mr. Weisberg wants all photographs taken for ballistics purposes, including all photographs taken with the aid of a comparison microscope and all blowups of any photograph.

With respect to Mr. Weisberg's request for all photographs taken at the scene of the crime, Mr. Weisberg defines this term broadly to include all of the buildings and areas in the immediate vicinity of the crime site. It would include, for example, photographs taken of or at the Lorraine Motel, Canipe's Amusement Center, the parking lot, the fire station, the rooming house at 418 1/2 to 422 1/2 S. Main Street, and any areas in between or adjacent thereto. It also includes photographs of the interior of any of these buildings and of any objects found in them.

When I spoke with Mr. Volney Brown two or three months ago, he said that the Department would have no objection to a procedure which would allow Mr. Weisberg to examine these photographs first, then

INDEXED
APR 2 1976
44-19875088-1638
44-19875088-1638

select which ones, if any, he wishes to have copied for him. This, of course, will save everybody time and money.

I would appreciate it if this examination of the King assassination materials could be arranged for the earliest possible mutually convenient date. Mr. Weisberg is suffering from a serious case of phlebitis and no longer travels to Washington as frequently as he did in the past. This is why I phoned Mr. Wiseman on December 22nd to ask if he could arrange for Mr. Weisberg to view the photographs of the scene of the crime and the excluded ballistics materials on the afternoon of December 23rd when Mr. Weisberg was coming to D.C. for a medical appointment. Mr. Wiseman informed me, however, that the FBI agent responsible for assembling the King assassination documents had told him that it would not be possible to reassemble them in time for Mr. Weisberg's visit the following afternoon. Hopefully, Mr. Weisberg's examination of these materials can be arranged to coincide with his next trip to D.C.

With respect to the ballistics materials sought by Mr. Weisberg, he has asked me to inform you that as of this date he has still not received the results of the ballistics comparisons which the FBI did perform. He further states that, notwithstanding Mr. Shea's letter of December 23, 1975, what has been provided him of the spectrographic and neutron activation analyses is incomplete and does not meet the normal standards for such tests.

You state that the photographs and sketches of suspects in the assassination of Dr. King portray only James Earl Ray "as there never were any other suspects in the case." If you are not already aware of it, I think you should be informed that on April 17, 1968, FBI Special Agent Joseph H. Gamble filed a conspiracy complaint with the U.S. Commissioner in Birmingham, Alabama. If, as you say, there never were any other suspects in the case, doesn't this constitute abuse of process?

I should also inform you that Mr. Weisberg and I have seen a sketch of at least one other suspect in the murder of Dr. King. In view of this, I suggest that you have the FBI make a further check of its files to see if it cannot find additional photographs and sketches of suspects in the assassination of Dr. King.

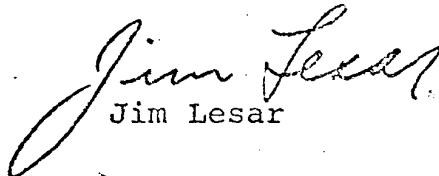
In reply to Mr. Weisberg's request for "all information, documents, or reports made available to any author or writer," you state that no information, documents, or reports made available to any author or writer "can be identified as such in our records." Assuming this to be true, it still dodges the issue by the use of semantics. As I indicated to Mr. Volney Brown when we spoke about this a couple of months ago, I think it is relatively simple for you

to ascertain what materials are included within this request if you will just make a few inquiries of the appropriate authors, writers, and FBI officials.

The alternative, of course, is to proceed to take depositions and testimony from these officials and writers and let the district court determine the matter. I think this is unnecessary, since the fact that FBI materials were made available to writers and authors is incontestible. I note, for example, that in his book The Strange Case of James Earl Ray, Clay Blair, Jr. thanks the FBI for its assistance. In addition, Mr. Weisberg informs me that some of the writers listed in his information request have copies of such evidence as the autopsy photographs which have been denied James Earl Ray's defense and that they have flashed FBI reports on the King assassination in order to impress people. Moreover, one of the writers mentioned in Mr. Weisberg's request has obtained copies of the bank records of Ray's sister, Carol Pepper.

In closing, let me apologize for the delay in responding to your letter. I work entirely alone. I have no secretary or law clerk to assist me and must of necessity do my own typing and filing. Recently I have been very pressed for time and this accounts for the delay. However, Mr. Weisberg did write both you and Attorney General Levi about these and other matters soon after he received a copy of your letter and I trust you paid him close attention.

Sincerely yours,


Jim Lesar

cc: Attorney General Edward H. Levi
FBI Director Clarence Kelley
FBI Special Agent Thomas Wiseman

DEC 1 1975

Mr. James H. Lesar, Esquire
1231 Fourth Street, S.W.
Washington, D.C. 20024

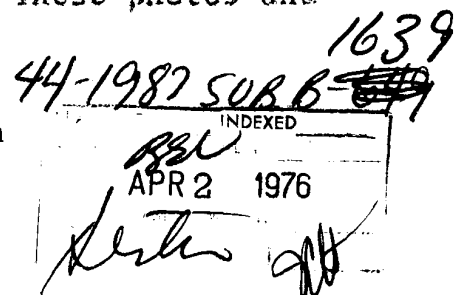
Dear Mr. Lesar:

This is in further response to the pending administrative appeal under the Freedom of Information Act filed by you on behalf of your client, Mr. Harold Weisberg, from the denial by Director Clarence M. Kelley of the Federal Bureau of Investigation of Mr. Weisberg's request for specific records and photographs relating to the assassination of Dr. Martin Luther King, Jr.

After careful consideration of this appeal, I have decided to modify Director Kelley's action in this case and to grant access to every existing written document, photograph and sketch which I consider to be within the scope of Mr. Weisberg's request. Minor excisions have been made from the documents to delete purely internal agency markings and distribution notations, as well as the names of Bureau personnel. In my opinion, the matter so excised is not appropriate for discretionary release.

The results of all "ballistics tests" [item number 1 of Mr. Weisberg's request], as performed on either the death bullet or Mr. Ray's rifle, are included with the materials to be released. "Spectrographic or neutron activation analyses" [item number 2 of the request] were made only on the clothing worn by Dr. King at the time of his death. All eight pages pertaining to such tests will be released. The results of all "scientific tests made on the dent in the windowsill (sic)" [item number 3 of the request] are available for release to your client, including both written reports and photographs of the window sill and rifle barrel. All "photographs or sketches of any suspects in the assassination" [item number 5 of the request] are to be released. These photos and

cc: Federal Bureau of Investigation



sketches portray only Mr. Ray, as there never were any other suspects in the case. It may be that the Department has no photographs "taken at the scene of the crime" [item number 6 of the request], in the sense your client uses the phrase. To the limited extent that we have photographic and other materials that depict physical conditions or events, they will be released to Mr. Weisberg. In the event that the non-photographic materials are of no interest to him, they may be returned.

The Department of Justice never received any "butts, ashes or other cigarette remains" from the "white Mustang abandoned in Atlanta," and for that reason did not perform any scientific tests thereon [item number 2 of Mr. Weisberg's request]. A two page schedule of all evidence acquired from the Mustang is included, without charge, in the package to be released. Similarly, as to item number 7 of the request, no "information, documents, or reports made available to any author or writer" can be identified as such in our records. To avoid any misunderstanding, I wish to advise you that no release of any materials relating to the death of Dr. King has been made to any person other than law enforcement or prosecutive authorities, except for the so-called "extradition papers" which were shown in 1970 to Bernard Fensterwald, Jr., Esquire, then the attorney for your client Mr. Weisberg, and which are in the public domain. In 1971 these same papers were made available to another person not named in item number 7, who may or may not be a writer. In any event, if Mr. Weisberg wishes access to the extradition papers, his written request in that respect should be addressed to the attention of the Freedom of Information and Privacy Unit in my Office. Based on the foregoing facts, I have concluded that there are no records within the scope of either item number 4 or item number 7 of Mr. Weisberg's request. There can, of course, be no denial of access where there is no record; there can be no appeal where there has been no denial of access.

In adjudicating this appeal as to item number 1 of Mr. Weisberg's request for "results of any ballistics tests," I have not included as matters for consideration the results of a great number of ballistics tests performed on rifles other than the one owned by Mr. Ray. If Mr. Weisberg wishes access to them, he should make a specific written request to Director Kelley, attention Special Agent Thomas Wiseman, agreeing to pay both the costs of reproduction and the special search fees which

will be necessary to locate and identify the same, as provided by 28 C.F.R. 16.9(b)(6). In addition, in an effort to save your client considerable expense, I have construed item number 6 so as not to encompass the several hundred photographs in Bureau files of Dr. King's clothes, the inside of the room rented by Mr. Ray, or various items of furniture and personal property. If Mr. Weisberg does, in fact, wish copies of these photographs, he should make a further request for them and agree to pay the reproduction and special search costs which will be involved.

Your client will now be furnished seventy-one pages of material for which the charge is ten cents per page, the two-page schedule of evidence at no charge, fifteen black and white photographs at their reproduction cost of forty cents each and three color photographs at their reproduction cost of three dollars each. Please remit \$22.10 to the F.B.I. headquarters office, Washington, D. C. 20537, attention Special Agent Wiseman, specifying whether you wish the materials mailed or held for you to pick up. As a matter of my discretion, I am waiving \$80.00 in special search fees which could be charged for non-clerical work in connection with this request and another one for many of the same materials.

Because of the nominal excisions of agency markings and the names of agents, I am required to advise you that if Mr. Weisberg is dissatisfied with my action on this appeal, judicial review thereof is available to him in the United States District Court for the judicial district in which he resides, or in which he has his principal place of business, or in the District of Columbia, which is also where the records he seeks are located.

Very truly yours,

Harold R. Tyler, Jr.
Deputy Attorney General

JAMES H. LESAR
ATTORNEY AT LAW
1231 FOURTH STREET, S. W.
WASHINGTON, D. C. 20024
TELEPHONE (202) 484-6023

APR 13 10 04 75
DEPUTY
April 15, 1975 GENERAL

FREEDOM OF INFORMATION REQUEST

The Deputy Attorney General
U. S. Department of Justice
Washington, D. C. 20531

Dear Sir:

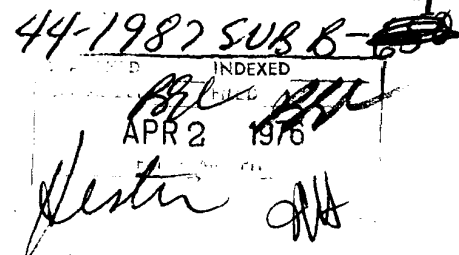
On behalf of Mr. Harold Weisberg I am requesting disclosure of the following information on the assassination of Dr. Martin Luther King, Jr.:

1. The results of any ballistics tests.
2. The results of any spectrographic or neutron activation analyses.
3. The results of any scientific tests made on the dent in the windowsill of the bathroom window from which Dr. King was allegedly shot.
4. The results of any scientific tests performed on the butts, ashes or other cigarette remains found in the white Mustang abandoned in Atlanta after Dr. King's assassination and all reports made in regard to said cigarette remains.
5. All photographs or sketches of any suspects in the assassination of Dr. King.
6. All photographs from whatever source taken at the scene of the crime on April 4th or April 5th, 1968.
7. All information, documents, or reports made available to any author or writer, including but not limited to Clay Blair, Jeremiah O'Leary, George McMillan, Gerold Frank, and William Bradford Huie.

This request for disclosure is made under the Freedom of Information Act, 5 U.S.C. §552, as amended by Public Law 93-502, 88 Stat. 1561.

Sincerely yours,

Jim Lesar



FBI

Transmit in _____
(Type in plaintext or code)Via AIRTEL

(Precedence)

3/31/76
(Date)

To: SAC, Memphis
From: Director, FBI (44-38861)
Subject: MURKIN

HAROLD WEISBERG V.
U. S. DEPARTMENT OF JUSTICE
USDC, D. C.
CIVIL ACTION NO. 75-1996

(This line for LEFT MARGIN.)

Re telephone conversation from SA Parle Thomas Blake of Legal Counsel to SA Joseph Hester of Memphis Field Office 3/26/76.

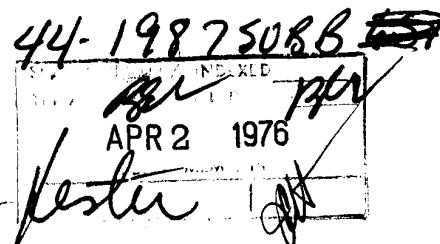
Enclosed for Memphis is a copy of plaintiff's original request dated 4/15/75, copy of letter dated 12/1/75 to plaintiff's attorney from the Deputy Attorney General, copy of letter dated 12/29/75 to the Deputy Attorney General from plaintiff's attorney, and copy of letter dated 2/23/76 to SA Thomas L. Wiseman of FOIPA Section, Division 4, from plaintiff's attorney.

On 3/23/76 plaintiff and his attorney reviewed at FBIHQ material located through a search of Bufiles deemed pertinent to plaintiff's request. During the course of reviewing this material, plaintiff strongly indicated his belief that he had not been shown all material in possession of the FBI falling within the scope of his request. Plaintiff was advised that FBIHQ files were searched and that pertinent information concerning an investigation is channeled to FBIHQ. Plaintiff stated that he had "knowledge" of

Enclosures (4) *fn*

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Airtel to Memphis
Re: Murkin
Harold Weisberg v.
U. S. Department of Justice
USDC, D. C.
Civil Action No. 75-1996

additional photographs, etc., that must be in the Field Office files if they are not contained in FBIHQ files.

The referenced telephone call to Memphis indicated the possibility that Memphis files may contain some photographs, etc., which were not forwarded to FBIHQ.

In order to insure that we have completely complied with plaintiff's request, Memphis is requested to locate any material in its possession not previously furnished to FBIHQ which might be within the scope of plaintiff's request. The results of this review must be furnished to FOIPA Section, Records Management Division, by April 12, 1976. Any questions concerning this review may be resolved by contacting SA Thomas L. Wiseman, FOIPA Section.

4/9/76

AIRTEL

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

HAROLD WEISBERG v.
U. S. DEPARTMENT OF JUSTICE
USDC, D. C.
CIVIL ACTION NO. 75-1996

Re Bureau airtel to Memphis, 3/31/76.

Enclosed for the Bureau under separate cover are the following:

Item #1: 47 crime scene photographs taken by the Memphis Police Department, 4/5/68, at and in the vicinity of the Lorraine Motel, Memphis, Tennessee. (MEfile 44-1987-1A-26).

Item #2: 3 photographs (2 color and 1 black and white) of ERIC S. GALT, furnished to the Memphis Office by the Los Angeles Office, 4/16/68. (MEfile 44-1987-1A-87).

Item #3: 1 photograph of JAMES EARL RAY, taken in 1966, furnished to the Memphis Office by the Kansas City Office, 4/26/68. (MEfile 44-1987-1A-124).

3-Bureau (1-package)(Encs. 168)
1-Memphis
BFJ:mab
(4) *mab*

*Fwd to Bureau
4-9-76 #71395
G.N.C.*

SEARCHED _____
SERIALIZED *mp*
INDEXED _____
FILED *mp*

44-1987 Sub B 1642

ME 44-1987 Sub B

Item #4: 1 photograph of ERIC STARVO GALT, obtained by the Memphis Office 4/18/68. (MEfile 44-1987-1A-127).

Item #5: 1 photograph of individual purported to be JAMES EARL RAY, taken in November, 1967, furnished to the Memphis Office by the Bureau in April, 1968. (MEfile 44-1987-1A-140).

Item #6: 1 photograph of JAMES EARL RAY, taken in the fall of 1967, furnished to the Memphis Office by the Bureau, 5/3/68. (MEfile 44-1987-1A-147).

Item #7: 1 photograph of JAMES EARL RAY and WALTER T. RIFE, dated 3/28/55, furnished to the Memphis Office by the Kansas City Office, 4/20/68. (MEfile 44-1987-1A-148).

Item #8: 1 photograph of JAMES EARL RAY, furnished to the Memphis Office by the Bureau, 4/30/68. (MEfile 44-1987-1A-149).

Item #9: 2 copies of artists' conception of UNSUB, furnished the Memphis Office by the Bureau, 4/13/68. (MEfile 44-1987-1A-150).

Item #10: 1 photographic print containing three photographs of JAMES EARL RAY, taken in 1960 and 1968, furnished to the Memphis Office by the Bureau on 5/8/68. (MEfile 44-1987-1A-161).

Item #11: 1 copy of photograph of JAMES EARL RAY, dated 9/8/66, furnished to the Memphis Office by the Kansas City Office on 4/20/68. (MEfile 44-1987-1A-188).

Item #12: 1 copy of artist's conception of UNSUB, furnished to the Memphis Office by the Bureau, date not listed. (MEfile 44-1987-1A-189).

Item #13: 1 composite of UNSUB, aka ERIC STARVO GALT, furnished to the Memphis Office by the Bureau, dated not listed. (MEfile 44-1987-1A-192).

ME 44-1987 Sub B

Item #14: 105 photographs of crime scene taken at and in the vicinity of the Lorraine Motel by Life Magazine photographer JOSEPH LOUW, furnished to the Memphis Office by the Bureau on 4/24/68. (MEfile 44-1987-1B-6).

Item #15: 1 canister containing photographic negatives of aerial view of Lorraine Motel and vicinity, taken in April, 1968, by personnel of the U. S. Corps of Engineers.

For the information of the Bureau, Memphis file contains black and white photographs of MARTIN LUTHER KING, JR.'s body, taken on 4/4/68, at the St. Joseph Hospital and color photographs of KING's body taken at the Office of the State of Tennessee Medical Examiner's, date not indicated on photographs. It appears that the photographs taken at the Medical Examiner's Office were taken on 4/5/68 or immediately thereafter.

The photographs taken by JOSEPH LOUW of Life Magazine were furnished to SA VINCENT P. DOHERTY on 4/18/68. These were transported to the Bureau and the Bureau subsequently furnished them to the Memphis Office, none of which were retained at the Bureau. Memphis file indicates that some of these photographs appeared in the 4/12/68 issue of Life Magazine. The Memphis Office suggests that the Bureau, without clearance of the photographer or the firm, may not desire to furnish copies of these photographs as requested to WEISBERG, since they were taken by a commercial photographer and furnished to the Bureau by either the photographer or his firm.

In addition, the Memphis file contains a nude photograph of JAMES EARL RAY, which the Memphis Office is not enclosing with this communication. This photograph was taken aboard the aircraft on which he was transported from London to Millington, Tennessee, just prior to the time he left the aircraft to be transported to the Shelby County Jail, Memphis, Tennessee.

4/20/76

AIRTEL

AIR MAIL

TO: DIRECTOR, FBI (44-38861)
FROM: SAC, MEMPHIS (44-1987-SUB B) (C)
SUBJECT: HAROLD WEISBERG v.
U. S. Department of Justice,
USDC, D.C.
CIVIL ACTION NO. 75-1996

MURKIN

Re Memphis airtel to Bureau dated 4/9/76, and telephone conversation from SA THOMAS L. WISEMAN of FOIPA Section to SA BURL F. JOHNSON of Memphis Field Office 4/20/76.

On 4/20/76, Chief of Police W. O. CRUMBY, Memphis Police Department (MPD), Memphis, Tenn., furnished the following information:

JAMES EARL RAY currently has an appeal before the U. S. Sixth Circuit Court of Appeals, Cincinnati, Ohio, seeking a new trial. Chief CRUMBY feels that should a new trial be granted to RAY some, possibly all, of the photographs taken by personnel of the MPD on 4/5/68 at the scene of MARTIN LUTHER KING's death and other pertinent locations would be utilized in the trial. He believes that making these photographs available for public publication at this time would prejudice any new trial granted JAMES EARL RAY. He is of the opinion these photographs should be maintained in a confidential status. Chief CRUMBY pointed out that all photographs and negatives relating to this case which came into possession of the MPD were taken from the general files of the MPD and placed in a secure vault in order to prevent the disclosure or display of them to unauthorized persons or organizations. Negatives of the 47 photographs are maintained by the MPD and prints of the photographs have been furnished to the State Attorney General's Office, Memphis.

2 - Bureau
① - Memphis
BFJ:cjs
(3)

SEARCHED _____

SERIALIZED _____

INDEXED _____

FILED _____

44-1987-SUB B B1643

ME 44-1987-SUB B

The following is a survey of time utilized by personnel of the Memphis Office in reviewing files and preparing photographs submitted to Bureau as enclosures to referenced airtel:

1 Special Agent (Grade 13)	-	6 hours
1 Clerk-Stenographer (Grade 5)	-	4 hours
1 - Clerk (Grade 5)	-	1 hour

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 10/26/93

TO : SAC, MEMPHIS

FROM : SAC, LITTLE ROCK (80-611)

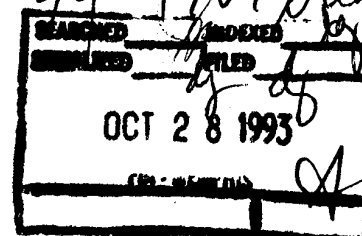
SUBJECT : MURKIN
OO: MEMPHIS

For information of Memphis, on 10/25/93, LEON SPEARS, 609 Lynnwood, Jacksonville, Arkansas, telephone number 834-4499, telephonically provided the following information:

SPEARS advised that seven or eight weeks ago he viewed a TV program concerning captioned matter. SPEARS stated that an artist sketch of an individual named LARUE was shown on the program. SPEARS advised that in 1956 or 1958 he was introduced to an individual with the last name of LARUE who looks identical to the artist sketch that was shown on the TV program. SPEARS advised that he was introduced to LARUE by RAY A. VANKOEKEL. LARUE and VANKOEKEL were employed by Inland Steel, East Chicago, Indiana, at the time of the introduction.

Above set forth for information and/or whatever action deemed appropriate.

2 - Memphis
 1 - Little Rock
 DBW/le
 (3)



1*

Approved: _____ Transmitted _____ Per _____
 (Number) (Time)