

Investigators, upon conclusion of the interview, were given a tape of the polygrapher's comments regarding the Watson polygraph, as well as a list of those individuals in Memphis, Tennessee, who might aid us in our inquiry. Mr. Fensterwald also gave his permission for us to interview James Earl Ray, although he warned us that Ray probably would not cooperate.

On July 19, 1975, investigators departed from Washington, D. C. en route to the Federal Youth Center in Ashland, Kentucky, where a number of hours were spent in interviewing Robert Byron Watson.

Watson is a twenty-one year old white male, tall and slender, with a somewhat effeminate appearance. The subject was initially nervous, but otherwise friendly and cooperative during the interview.

When questioned specifically regarding the conversation which he allegedly overheard at Magellans, Watson repeated verbatim his written statement. However, he added that besides Adams, Purcell, Meier, and Culley, two other men were present in the room at the time the conspiracy was discussed. These he described as "Gene", a white male, middle-aged, black hair, short and pudgy, from Los Angeles; and "Frank", an elderly white male, grey hair, pockmarked face. Watson classified all members of the group as anti-semitic and racist.

While questioned extensively regarding the conspiracy allegations, Watson could furnish no additional information regarding the conversation or its principals. It was readily evident that he was much more intent upon discussing a large drug-related ring made up of federal agents and Atlanta-based narcotics figures, whom he alleged to have framed him because he wouldn't join the organization. Watson professed total innocence in regards to any type of narcotics activity, although his conversation was laced with references to individuals engaged in the narcotics traffic. The DEA was the primary target for Watson's

accusation about "a government within a government" which engaged in international narcotics smuggling. For example, he informed investigators that he had hidden on the prison grounds a photograph of a DEA agent with an AK-47 weapon. This he refused to produce upon request.

The only reference made to Magellans by Watson during the bulk of his conversation was included in his report of a smuggling ring between the United States and South America, run, he stated, by Mr. Bill Jackson, Mr. Herman Jackson, and Jerry Adams. He stated that the Jacksons were stealing heavy industrial equipment in the United States and smuggling it into South America in return for gold bullion. The gold bullion was then smuggled into the United States through Mobile, Alabama, and distributed through Jerry Adams' Great American Silver Company and also through The Liberty Coin Company run by Hugh Franklin. When pressed for details, investigators were promised copies of some "affidavits and citations," written by Watson and containing this information.

With no prior identification, Watson was shown a photograph of William Arthur Bremer @ Bill Jackson, brother of Arthur Bremer who attempted to assassinate George Wallace in 1972. The purpose for this was to determine whether William Bremer @ Bill Jackson was the same Bill Jackson mentioned frequently by Watson. Watson could not identify the photograph.

Watson also informed us that he was widely versed in psychology and could produce any type of psychological symptoms which he desired when under analysis.

Watson further stated that he was presently represented by Al Horn and Glenn Zell, both of whom, he alleged, had approached his mother about taking his case. Watson was also very cognizant of Horn's involvement with narcotics.

At the conclusion of the interview, Watson insisted upon signing and having

notarized two "sworn statements" which he then gave to us. These statements, and an additional one mailed to the intelligence office subsequent to the interview, appear to be written by Watson to complement his original document and to support his claims that he was framed. The two statements given to investigators personally by Watson deal exclusively with an international smuggling ring for gold bullion and narcotics, in connection with which he names Jerry Adams, Herman Jackson, Bill Jackson, and, as an associate, Congressman Larry McDonald. The third statement, mailed to us by Watson under the title of "Political Prisoner," reports a syndicate-sponsored laboratory for the growth of communicable disease cultures, stolen from the Center For Disease Control in Atlanta. These microorganisms, Watson alleges, provide a syndicate assassination weapon. As previously stated, while Watson's information regarding known narcotics traffickers is reasonably accurate, his allegations concerning gold smuggling and the growth of communicable disease cultures cannot be verified.

After talking with Watson, investigators talked with officials of the Federal Youth Center, including Byron's staff counselor and the staff psychiatrist. While neither of the latter were at liberty to divulge professional opinions, their reactions to our questions tended to substantiate previously reported evaluations of Watson's mental instability. We were told that Watson was to be given a psychiatric examination the following week.

After returning to Atlanta, investigators studied Watson's latest information in detail. Since a significant portion of these statements dealt with Watson's 1974 trip to Chile, investigators, on July 11, 1975, interviewed GI-270, a highly reliable source who it was hoped could clarify Watson's activities in Chile. GI-270 stated that he had initially met Mrs. Watson through a church

social group in 1973 while Byron was still incarcerated in Ashland. After Watson's release from prison, GI-270 became acquainted with him and, when Byron decided to go to Chile, GI-270 made arrangements for Watson to meet Fuhad Habash Ansara, the head of the Palestine Liberation Organization's base in Chile. However, GI-270 advised that Watson was uninterested in political matters, and that Ansara soon grew tired of Watson and his habit of placing long-distance calls at Ansara's expense. However, while GI-270 did substantiate this portion of Watson's statement regarding Chile, he was unfamiliar with Don Carlos Morales and had no information regarding Watson's other activities while in that country.

On July 15, 1975, investigators drove to Memphis, Tennessee, to research the Ray case in general, and to specifically probe any Atlanta-based contacts which Ray might have had. All relevant court records were carefully scrutinized, and a copy of Ray's guilty plea and of the State's case against Ray were obtained and submitted to file. Since these documents are available and self-explanatory, no further elaboration is needed in this summary. However, court records do reflect that the Shelby County District Attorney's Office had investigated the possibility of a conspiracy in the King assassination and that "a conspiracy could in no way be proven." At one point in the proceedings, however, Ray is recorded as stating that Ramsey Clark (then U. S. Attorney General) and J. Edgar Hoover were wrong about a conspiracy not being present.

Information gathered indicates that Ray entered a guilty plea, therefore absolving his rights to trial by jury, at the persuasion of his attorney, Percy Foreman. Foreman, on behalf of Ray, had negotiated a contract with author William Bradford Huie for the exclusive rights to Ray's story. It was subsequently charged by Ray's later attorneys that Foreman, who was to receive a significant portion of the royalties from the book, had conspired with Huie to

convince Ray to plead guilty so that his story would not be released during a trial. Ray himself, who later supported this allegation, did talk extensively to Huie, and, as a result, an article appeared in Look Magazine, November, 1968, detailing Ray's background prior to the assassination.

Based upon his conversations with Ray, Huie states that the assassination plot was probably conceived as early as August of 1967 in Montreal, Canada. Ray had gone to Canada after his escape, On April 23, 1967, from the Federal Penitentiary in Missouri, where he hoped to eventually obtain a passport to South America. While in Montreal, Ray met an individual known only as Raoul who utilized Ray to run drugs between Windsor, Ontario and Detroit. On August 25, 1967, Ray left Canada for Birmingham, Alabama, where he was told by Raoul (according to Huie) to "lie low" and to await orders. Huie reports Ray as stating that Raoul had given him \$500 for living expenses, \$500 to purchase camera equipment and an additional advance to purchase a car - the white Mustang.

In December of 1967, Ray met Raoul in New Orleans where, Huie quotes Ray as stating, Raoul said that he had one more job for him to perform in about three months. On money provided by Raoul, Ray left for Los Angeles where he remained for three months. There he took bartending and dancing lessons, under the alias of Eric Galt. On March 22, 1968, Ray returned to Birmingham and on March 23, left for Atlanta where he remained until the assassination. Huie concluded that, as late as March 23, 1968, Ray did not know what "his final job" would be.

At approximately 2:00 p.m., on July 15, 1975, local Memphis attorney, Mr. Russell X. Thompson was interviewed. Thompson stated that his involvement with the Ray case had been limited, that he had never met Ray personally, and that his only contact had been through Arthur Hanes, Ray's first attorney, who desired local legal assistance in Ray's defense.

Thompson did state that, in July of 1968, he received a call at his home from an individual who identified himself as Tony Benavitas from Chicago. This subject told Thompson that his roommate had killed King. When pressed, Benavitas would give no further details except that he was going to Brownsville, Tennessee, to meet with Doyle Ellington, the Grand Dragon of the K.K.K. Mr. Thompson advised that he had reported the incident to the Memphis Police Department and had judged the subject to be "a nut." He stated that Benavitas contacted him on one other occasion, but that he had placed no credibility in the subject's allegations.

At approximately 3:00 p.m. on July 15, 1975, investigators interviewed Mr. Robert Livingston at his law offices in Memphis. Mr. Livingston, who is currently assisting Mr. Fensterwald in Ray's defense, was extremely cooperative but could furnish no information to substantiate the allegations made in Watson's original document. Mr. Livingston advised us that James Earl Ray will not discuss his knowledge of a conspiracy with his defense lawyers and is now basing his hopes for release, in the event that his appeal for a trial is granted, upon the lack of evidence in the State's case and not upon substantiation of a conspiracy.

Mr. Livingston advised that, to his knowledge, Ray had no contacts in Atlanta, with the possible exception of Edna Mathews. When asked to clarify this statement, he stated that Ray will not admit to knowing Mrs. Mathews, a fact which Mr. Livingston maintains is not significant, since Ray doesn't admit to recognizing anyone. Mrs. Mathews, however, contacts Livingston frequently by phone, and has attended most court proceedings related to Ray. Mr. Livingston further stated that, when in Memphis, Mrs. Mathews always stays at the Tennessee Hotel, and that she takes frequent other trips, particularly to Costa Rica. It is

Mr. Livingston's belief that Mrs. Mathews has some knowledge of the King conspiracy and that she is being sent to Memphis by individuals who desire first-hand knowledge if Ray decides to talk. Mr. Livingston was unfamiliar with all of the principals in Magellans with the exception of Mr. William Arnette whom he said he had learned of through Edna Mathews. According to Livingston, Edna Mathews had once mentioned Arnette's name and had stated his art importing business was a front.

Mr. Livingston stated that he was personally convinced of a conspiracy involved in the assassination of Dr. Martin Luther King, Jr. Mr. Livingston's theory is supported by a subject, C. H. Andrews a.k.a. R. L. Warren, currently serving a sentence for terroristic threats in the Mimico Correctional Institute in Tronto, Canada. Mr. Livingston stated that this subject, who is from Montreal, contacted him several years ago and asked to make a deal. Subject came to Memphis where he met with Livingston and advised that he, Ray, and two other individuals were given a contract on King by four prominent Americans, white and black, which they executed on April 4, 1968, in Memphis, Tennessee. After the assassination and the subsequent arrest of Ray in London, Livingston quotes Andrews as stating that he and his companions were not paid. Andrews, according to Livingston, stated that all three were ready to name the sources of the contract if they themselves were guaranteed immunity from prosecution.

Mr. Livingston stated that both he and Mr. Fensterwald had met with Andrews on several occasions. He alleges that Andrews is a member of the FLQ (French Liberation of Quebec,) a terrorist organization of french separatists who were hired by sources inside the United States to assassinate King. Mr. Livingston stated that he contacted the office of the State Attorney General regarding Andrews' proposal but that that authority was not interested in the matter.

Of equal interest to investigators was Livingston's statement regarding The Rev. Samuel B. Kyles, a local civil rights activist who had been on the balcony with Dr. King when he was killed. Rev. Kyles was the State's principal witness against Ray. According to Mr. Livingston, Andrews described the deal (to kill King) as going down in an area of Memphis which, when retraced, was found to be the area of the Rev. Kyles' church. Detectives subsequently learned from sources, independent of Mr. Livingston, that Rev. Kyles' church is a very poor one, but that, after the assassination, a number of apartment buildings, owned by Mr. Kyles, were constructed in that area. It was also alleged by reliable sources that, on July 16, 1975, the day Memphis newspapers reported our presence in that city, Rev. Kyles left unexpectedly for Chile.

At Mr. Livingston's suggestion, investigators then talked with Mr. Wayne Chastain in Mr. Livingston's presence. Mr. Chastain is currently a Memphis attorney, but in 1968 was the newspaper reporter who covered the King march in Memphis. Mr. Chastain agrees with Mr. Livingston that Ray was not a lone assassin; however, his principal information involves a subject by the name of Walter Alfred Jack Youngblood. According to Chastain, Youngblood, a white male who usually operates out of Miami and Texarkana, has been verified as a gun-runner for Castro and has had a long association with Mitchell Vincent Warbell of Atlanta. Chastain believes Youngblood to also be associated with Robert Vesco in Costa Rica. Youngblood also uses the alias of Jack Armstrong.

Chastain stated that, on April 4, 1968, at approximately 4:30 p.m., a subject, later identified by owner Lloyd Jowles as Jack Youngblood, entered Jim's Cafe and ordered breakfast. Jim's Cafe occupies the lower portion of the building across from the Lorraine Motel from which the shot which killed Dr. King was fired. Besides placing Youngblood on the scene approximately one and one-half hour before the assassination, both Livingston and Chastain stated that

Ray, when shown a photograph of Youngblood, commented, "that looks like the man in the tavern with Raoul;" thus linking Youngblood with the mysterious Raoul, the only contact of which Ray has spoken.

At the conclusion of the lengthy interview just reported, Mr. Livingston again emphasized his belief that a conspiracy was involved in the King assassination. He further stated that the State's case against Ray was weak and that he did not believe that it would stand up in a jury trial. Furthermore, he furnished us with the name of an Arthur Murtagh, a retired FBI agent now an attorney in New York, who was reported to have been employed by the Atlanta office of the Bureau during the period of the King assassination. According to Mr. Livingston, Mr. Murtagh stated that the entire assassination investigation was a cover up and a shame.

On July 16, 1975, investigators traveled to the Tennessee State Penitentiary in Nashville, Tennessee, where we attempted to interview James Earl Ray. Ray refused to see us; however, in talking with the warden of the facility, we were advised that Ray would speak to no one but his attorneys.

On July 17, 1975, an interview was conducted with retired FBI agent Carl Claybourne at his home in Knoxville, Tennessee. Mr. Claybourne, in 1968, was assigned to the Atlanta office of the FBI and handled the Atlanta-based investigations into the King assassination after the white Mustang was discovered in Atlanta's Capitol Homes project.

Mr. Claybourne stated unequivocally that, in his professional judgement, Ray was the lone assassin. He advised that in the aftermath of the murder, the U. S. Department of Justice ordered an investigation into a possible conspiracy and that all of the evidence amassed as a result of that investigation indicated that James Earl Ray had acted alone. Mr. Claybourne stated that background

information gathered reflected Ray to have been a loner and that his only close relationship had been with his brother, Jerry Ray. It was Mr. Claybourne's opinion that Ray, most of whose life was spent in and out of prison, had been out of touch with current events and had concocted the plan to kill Dr. King as a means to make himself a hero to the white race, believing that no white jury would ever convict him. Mr. Claybourne also stated that, while in Atlanta, Ray had contact with no one and spent his time in the 14th Street rooming house where he worked on a locksmith course he was taking by mail. When asked how Ray had obtained the amount of money found on his person when he was apprehended, Mr. Claybourne advised that a bank robbery had been pulled in Illinois, several weeks before the assassination, in which Ray and his brother Jerry have been identified as suspects.

Also, on July 17, 1975, Harold Eugene Purcell was interviewed in Clinton, Tennessee. In order to locate Mr. Purcell, detectives contacted local law enforcement authorities who proved most cooperative. In a general discussion with these sources, we were advised that Mr. Purcell was well liked in Clinton and had never given authorities cause for problems. In reference to the 1956 racial incident in Clinton, local authorities stated that Purcell, a teenager at the time, had been involved, but so had nearly every other white citizen in Clinton, including both sources interviewed. As described to us, the incident, one of the first of its type in the nation, was sparked by President Eisenhower's executive order to integrate the schools. The white citizenry of Clinton, a rural community in the hills of Tennessee, refused to comply and as a result, a black school was dynamited, black cars were overturned and other property damaged before state and federal authorities were called in to restore order. Purcell had apparently been part of a group of teenagers who on at least one occasion

had smashed the windshield of an automobile with a hammer.

Contact was made with Gene Purcell at his place of employment, the Atomic Energy Plant in Oakridge, and he agreed to meet with investigators at a nearby restaurant. Purcell generated a likeable and sincere appearance and seemed most anxious to cooperate. He stated that he had been a diver while in the Navy and that in 1966 had met Adams, Sutherland, and Nelson when the three engaged his services to dive for artifacts on a civil war Blockade Runner sunk off the North Carolina Coast. On this occasion, Purcell stated that he also met Bayne Culley, another civil war buff brought in by Adams for the enterprise on the strength of Culley's recent accomplishment in raising a vessel from the river in Columbus, Georgia.

While the North Carolina excursion was never launched, Purcell said that he was persuaded by Adams to invest his considerable collection of civil war relics in Magellans on the strength that it would be a money-making enterprise. At Magellans, Purcell served as curator of the civil war exhibits until Arnette left in December of 1967, where upon he became general manager of the business. Purcell stated that the business had never been profitable and that he had personally lost most of his civil war memorabilia as a result of his association with the company.

Purcell described his associates in Blockade Runners as "get rich quick dreamers." He referred to Jerry Adams as a con man and stated that he was an avid John Bircher whose political rhetoric the other members ignored. Purcell was particularly bitter towards William Arnette. He stated that Arnette was a shady character who, at one point convinced Lillian Watson, whom he described as a lonely widow twenty years his senior, that Purcell was in love with her to the embarrassment of all concerned. Purcell remembered Robert Byron Watson as a

lonely little boy whom, he stated, he tried to help by providing some male companionship.

When confronted with the conspiracy allegations, Purcell stated that he could not recall a conversation of that type as ever having taken place at Magellans. He also stated that, during the period of Dr. King's assassination, he and Bayne Culley were at the Shiloh Battlefield in Savannah, Tennessee, searching for relics.

At the conclusion of the interview, Purcell agreed to submit to a polygraph examination to substantiate his innocence in the matter. He was then advised that he would be contacted about convenient arrangements for administering the examination.

Purcell could not recall the exact date that Magellans was dissolved; however, he was reasonably certain that by April of 1968 the merchandise had been removed from the 3340 Peachtree Road address and the building leased to Sayre associates. Purcell left Atlanta in July of 1968 and returned to Clinton, Tennessee, where he has resided since that date.

On July 18, 1975, investigators interviewed Mrs. Patsy Purcell, ex-wife of Harold Eugene Purcell, in the Prado Office Park, Roswell Road, Atlanta, Georgia. Although Mrs. Purcell expressed some resentment about her recent divorce, she was generally complimentary regarding her ex-husband and described Purcell as an "honest and gentle person" with no strong prejudices against anyone. Mrs. Purcell stated that she had not been directly involved with Magellans, but, through limited contact with the principals, had distrusted both Adams and Arnette in regards to their business practices. She also stated that, to her knowledge, none of the principals had traveled outside the country during the time frame in question.

On July 21, 1975, Mr. Bayne Culley was interviewed at his home on McJenkins Drive, Atlanta. Mr. Culley, now a race car driver, was also very friendly and cooperative during the interview.

Culley stated that his hobby was collecting civil war relics, a fact borne out by the quantity of these items in his home. He stated that he had been associated with Blockade Runners during the period when Adams, Sutherland, and Nelson were interested in raising civil war ships off Cape Hatteras. Subsequently, after this program failed to materialize, Culley stated that he purchased \$500 worth of stock in Blockade Runners and then worked at Magellans on a part-time basis where he assisted Purcell in managing the civil war and American Indian artifact collection at the gallery.

Culley reinforced Purcell's statement that Magellans had been a con operation, organized by Adams and associates as a means of raising some fast capital. However, Culley blamed Arnette for the major losses which the stockholders, including himself, incurred from the enterprise. He stated that Arnette had been the most active in soliciting for investors, and that the only financial reserves, raised through the collective efforts of the stockholders, which Magellans was ever to amass was squandered by Arnette on a world trip which failed to return to the gallery the quantity of valuable items promised. Culley stated that in his opinion, Arnette was crooked, had made deals with anyone who would finance him, and had defrauded Magellans during his 1967 buying trip. Upon Arnette's return from the trip, Culley stated that he became so incensed by the personal losses which he had sustained, that he threatened Arnette physically. It was shortly after this period that Arnette left Magellans.

Culley stated emphatically that neither he, nor anyone else at Magellans in his hearing, had discussed the murder of Dr. Martin Luther King, Jr. While

he could not recall his exact whereabouts on the day of the murder, he said that he and Gene Purcell often hunted civil war relics together, and that they were quite possibly at Shiloh during that period. Mr. Culley agreed to take a polygraph examination to substantiate his story regarding the King assassination.

Also on July 21, 1975, Mr. Jerry Adams was interviewed at the Great American Silver Company, Stewart Road in Doraville, Georgia.

Mr. Adams, who had previously been interviewed by a reporter from The National Inquirer regarding the Watson allegations, was not surprised to see us and immediately addressed the issue at hand.

Mr. Adams provided a brief background sketch of Magellans which deviated from previous statements only in regards to his own position and the credibility of the business venture. According to Mr. Adams, the company had been a solid one whose financial insolvency was directly attributable to the large percentage of merchandise thefts incurred while the business was in operation. Although Mr. Adams declined to specifically name the source of these thefts, he did allege that "it was an inside job." Mr. Adams further stated that by January of 1968 Blockade Runners members were in the process of dissolving their interests in Magellans, and that he would attempt to produce records reflecting that business operations had been disbanded long before late March of 1968.

Mr. Adams stated that he had never participated in, or been a witness to, a conversation in which threats, overt or implied, were made against Dr. King or any other civil rights leader. He did state that it was possible that "the direction which the civil rights movement was then taking" had been generally discussed, although he could recall no such discussion, but that the allegations

of a conspiracy were totally erroneous. Mr. Adams also agreed to take a polygraph examination to verify this statement.

On July 22, 1975, investigators interviewed Mr. Lawrence Meier regarding his knowledge of Magellans and of an alleged conspiracy. Mr. Meier, now chief archeologist for a five-county area, had resided in the building which housed the gallery during his tenure as a restoration specialist for Magellans.

As is the case with the other principals interviewed, Mr. Meier confirmed that he became associated with Magellans through his interest in archeology and ancient artifacts, and through his desire to utilize this hobby as a money-making proposition. While Mr. Meier conceded that Adams, Sutherland, and Nelson were probably con men who tried to exploit their associates' expertise in this area to make some easy money, he laid the major portion of the responsibility for Magellans failure squarely upon the shoulders of William Arnette. Mr. Meier alleged that Arnette, after draining the Magellan treasury for his world-wide buying trip, returned only the least valuable of the merchandise purchased to Magellans, while the best pieces he had secretly shipped to his warehouse in Columbus, Georgia. This collection, acquired and imported illegally according to Meier, Arnette subsequently donated for exhibition purposes to the Museum in Columbus to avoid inquiries by authorities. Mr. Meier also suggested that Arnette might well have been involved in thefts of valuable art objects which have periodically occurred in Georgia in recent years.

Mr. Meier's memory proved to be the most reliable of all principals interviewed. He confirmed that the process of disbanding the business was begun in January of 1968, but that with the confusion of removing the sizable quantity of merchandise to other storage areas, the principals were conceivably at 3340 Peachtree Road, on a periodic basis, until March or April of 1968. However, Mr. Meier denied that any conversation regarding the assassination of Dr. King

had ever taken place. On the occasion of the interview, Mr. Meier stated that he personally had no objections to taking a polygraph on this or any other information which he had provided regarding Magellans, but that he would prefer to consult his lawyer before making a firm commitment to the polygraph examination.

On Wednesday, July 23, 1975, polygraph examinations were administered to Mr. Bayne Culley, Jr. and Mr. Jerry Adams at the Atlanta Intelligence Office, #2 Northside Drive. The results of both examinations indicated that both gentlemen were truthful in their statements that they had neither participated in, nor been privy to, a conversation in which the assassination of Dr. Martin Luther King, Jr. was discussed. Mr. Larry Meier, on the advice of his lawyer, declined to take a polygraph for reasons which he described as fear of damaging publicity adversely affecting his professional position. Mr. Gene Purcell, also affected by the publicity surrounding the investigation, stated that he would take a polygraph if it were administered in Atlanta with his attorney present. After reviewing all of the investigative data, including the results of the polygraph examinations which had been given, it was decided that Watson's allegations, relevant to a conspiracy, had been discredited through evidence on hand and did not warrant further inquiry. On this basis, the investigation was closed.

GENERAL CONCLUSIONS

The body of investigative data detailed in the proceeding pages of this report, when analyzed as a collective unit, has provided investigators a concrete basis for discrediting the allegations made by Robert Byron Watson, that a specifically designated Atlanta-based conspiracy was operative in the 1968 assassination of Dr. Martin Luther King, Jr. However, this conclusion, based strictly upon a thorough evaluation of all investigative findings, has not been superficially arrived at and is tendered only after an intense inquiry into all aspects of the information furnished by the source. Given the complexity of the investigation, as well as the attending publicity which the case generated, this section is incorporated as a general analysis of the entire effort and the specific evidence obtained to support the above conclusion.

As previously cited, maximum investigative effort has been directed towards evaluating both the source's general credibility and the reliability of the specific allegations detailing an Atlanta-based conspiracy. While, routinely, credibility and reliability are considered as inter-related factors, this particular investigation has been complicated, and therefore extended by the source's erratic credibility pattern. In conducting an objective investigation into all facets of the source's allegations, several factors surfaced which initially tended to reflect positively on the reliability of the entire document.

To reiterate, the credibility of the source's original information, exclusive of the King conspiracy allegations, was verified to a significant degree. Watson's knowledge of narcotics activities has been documented to the satisfaction of investigating personnel, and certain other areas of his state-

ment, his expertise in the field of ancient artifacts, his trips abroad, even a 1972 break-in at his mother's 764 Wildwood Road residence, confirmed through investigative inquiry. By the same token, the business where Watson alleged the conspiracy conversation to have taken place was in existence during the time frame in question, the individuals named by Watson were associated with this enterprise, and Watson's relationship with these subjects was established.

Aside from the above indicators which support Watson's general credibility, several other factors were given consideration as initially lending substance to the specific allegations towards which this inquiry was directed. Firstly, Watson's story, based upon a conversation which he allegedly heard at the age of fourteen, has retained an almost total consistency after having been repeated to numerous individuals over a seven-year period. Secondly, and perhaps most importantly, Watson was given a polygraph examination by a reputable polygrapher which, based upon the testimony of Mr. Fensterwald, substantiated the veracity of his allegations.

Another area which, on first consideration, tended to add credence to Watson's allegations regarding the conspiracy involved the statement of fellow Magellan associate Mr. William S. Arnette. When interviewed on June 24, 1975, Mr. Arnette, while he did make reference to Watson's ability to invent grandiose tales, described the four individuals named by Watson in the conspiracy allegations, as extremely rightist in orientation, charged that two of them (Culley and Purcell) were prone to violence, and intimated that he thought them capable of committing such an act. These comments, coupled with Arnette's description of Purcell's past involvement in racial violence, did create strong implications that the subjects accused by Watson had the mentality and the political motivations necessary to perpetrate such a conspiracy.

However, all of these factors, while initially influential in prolonging the investigation, have been diluted of significance in the wake of further investigative efforts which produced an overwhelming body of evidence to the contrary. In the final analysis, no evidence was gathered to document the source's claims, either that the Magellan principals had been involved in illegal smuggling activities or, more specifically, in a conspiracy to assassinate Dr. King. Based on investigative results, the following components provide a substantive basis for negating the credibility of Watson's allegations.

1. With the exception of his mother, no individual can corroborate that Watson reported the conversation about the King conspiracy before the assassination actually took place. Based upon Mrs. Watson's relationship with her son and an evaluation of her emotional stability as compiled through personal interviews and the opinions of many reliable sources, we feel it fair to state that Mrs. Lillian Watson does not offer reliable corroboration of this point. While she undoubtedly believes her son, Mrs. Watson is so overly protective of Byron's welfare that she does not represent a credible nor objective witness.
2. A key point, emphasized by both Byron and Mrs. Watson, has been that the alleged conspirators left the country immediately after the assassination and did not return until Ray was apprehended in June of 1968. There is no documentation whatsoever to verify this claim, and even those sources provided by the Watsons as knowledgeable on this point do not support this charge. Rather, all evidence gathered indicates that all four subjects were in the Atlanta area, though no longer at Megellans, through July of 1968.
3. Information contributed by Watson subsequent to the submission of his original

statement, alleges that principals of Magellans, specifically Jerry Adams, were involved in a syndicate smuggling ring for narcotics and gold bullion. While Adams' business ethics, particularly as evidenced through his Great American Silver Company, are highly questionable, we have uncovered no evidence that Adams, or any of the other associates of Magellans, are presently or have ever been involved in major criminal operations of this type.

4. Mr. William Arnette's description of his fellow associates is not borne out in the comments of all other sources interviewed. Rather, further investigation established that Arnette left Magellans under a cloud of suspicion and that the mutual hostility between Arnette and his former partners probably contributed greatly to his negative attitude towards them.

5. Watson's emotional instability, as attested to by both professional authorities and by all private sources contacted, with the exception of his mother and grandmother, directly influences an evaluation of his credibility. While this is not to state that informants suffering from mental disorders cannot furnish credible information, the percentage ratio, particularly of an individual with Watson's psychiatric diagnosis of Chronic Schizophrenia with grandiose visions of reality, is considerably reduced. By the same token, Watson's apparent inability to differentiate between what is true and what he must accept as true for self-exoneration (clearly reflected in his narcotics activities) may well account for his ability to maintain a consistent and credible account of his story even while undergoing a polygraph examination.

6. The determination, equally apparent with both Mrs. Watson and Byron, to utilize the King conspiracy allegations as a tool to substantiate Byron's claims that he was victimized by federal authorities weighs negatively upon the source's

motivations. In interviews with both Watsons, as well as the subsequent documents furnished by Byron, it is increasingly obvious that the Watsons do consider the King conspiracy allegations as a minor factor in the overall federal conspiracy which is responsible for Byron's narcotics convictions. All of these facts tend to support the hypothesis that Watson quite possibly concocted the King conspiracy story after the King assassination for whatever his psychological motivations (revenge, self-aggrandizement, or most likely, the possibility of a reward, a primary factor mentioned by both Watsons when the story was first introduced in 1970) and is now attempting to use it as a bargaining factor in securing his release from prison. This particular hypothesis is further supported by evidence that, prior to the Watsons' trip to Washington to release the information, they had just spent the greatest part of their inheritance upon artifacts purchased from Arnette and were desperately trying to retrieve their capital.

7. All of the proceeding factors which contributed to the conclusion that Watson's allegations regarding an Atlanta-based conspiracy to assassinate Dr. King were unfounded are concretely cemented by the results of polygraph examinations which substantiated that two of the individuals, named by Watson as participants in the conspiracy, were truthful in their statements that the alleged conversation never took place.

As regards the general possibility that a conspiracy was involved in the assassination of Dr. Martin Luther King, Jr., the following comments are submitted.

The investigation, ordered by Commissioner A. Reginald Eaves and conducted by investigators of the Atlanta Police Intelligence Section, was specifically

directed towards determining the veracity of the Atlanta-based conspiracy alleged by Watson and was in no way focused upon the broader goal of substantiating whether or not Dr. King's murder resulted from a conspiracy. Therefore, while in the course of our specific investigation we were furnished with information concerning other possible conspiracies, we have no basis for assessing the reliability of these leads, and we are restricted by jurisdictional and manpower considerations from future attempts at doing so. However, even a cursory examination of certain information presented to us elicits some very interesting series of coincidences which would appear to merit investigation by appropriate agencies.

By way of a general comment, and we reiterate that this is by necessity entirely speculative and not based on any investigative efforts, Mr. Livingston's informant from Montreal, Canada, raises some interesting coincidences for further consideration. From all we have been given to understand, James Earl Ray's only admitted contact, during the period of April 23, 1967 to April 4, 1968, was the mysterious Raoul whom he met in Montreal and who, according to Ray as reported to Huie, financed and directed Ray's operations from August of 1967 until April of 1968. If Andrews' background as a member of the terrorist FLQ can be substantiated and if Raoul was also perhaps associated with that organization, it is entirely possible that a new avenue worthy of exploration has been opened in the King assassination case.

Without as much substance in our opinion, but equally interesting, is the observation that Jack Youngblood, an alleged Castro gunrunner, was identified as being in the location of the Lorraine Motel approximately an hour and a half before the assassination. Youngblood's reported association with Mitch Warbell in Atlanta and Robert Vesco of Costa Rica, if established, should provide

another area where future investigation might prove profitable.

Also of interest is the speculation, based on preliminary information, that a possible conspiracy to kill Dr. King was hatched within the folds of the civil rights movement itself. If the reports concerning Rev. Samuel Kyles, one of King's local contacts in Memphis and the State's chief witness against Ray, have any credibility, it would seem that at least a perfunctory investigation into this possibility would be necessitated.

Again, the above referenced individuals and their alleged relationship to the King assassination were not a target of our particular investigation, and we merely report information received by us without any attempts at verification. However, it would seem that all of the above areas need to be fully explored in order to reach a more definitive position on the circumstances surrounding the assassination of Dr. Martin Luther King, Jr.

BY 3 ATLANTANS

Accuser Sued In King Probe

By JIM GRAY

Three Atlanta men accused by a convicted narcotics dealer of complicity in the 1968 slaying of Martin Luther King Jr. and exonerated this summer by Atlanta police have filed a \$3 million libel suit against their accuser and his mother.

Bayne S. Culley, Harold Eugene Purcell and Lawrence W. Meier claim in the Fulton County Superior Court action that 21-year-old Robert Byron Watson and his mother published "false, scandalous, malicious and defamatory" written statements they knew to be false.

Attached to the lawsuit are six pages allegedly written by young Watson. The narrative claims Watson overheard the men plotting the murder a week before it happened.

Watson's charges were turned over this summer to Atlanta Public Safety Commissioner Reginald Eaves by comedian Dick Gregory. Eaves announced "new evidence" and discounted FBI claims that it had already determined the allegations to be unfounded, but he conceded July 30 that Watson's claims "could not be substantiated."

The lawsuit claims Watson and his mother, Mrs. Robert Willard Watson, also falsely accused the three of international drug smuggling and

racketeering.

The plaintiffs' reputations have been irreparably injured, the suit says, and they have been "exposed to public hatred, contempt and ridicule with and amongst their neighbors and other good and worthy citizens."

Each plaintiff demands \$1 million in actual and punitive damages. Their lawyer swears in an affidavit that Watson is imprisoned at a federal prison in Kentucky after conviction for conspiracy to distribute cocaine.

The accusation by Watson claims he overheard the plot at Magellons artifact store in Buckhead. Watson claims he heard one man say he would shoot King in the head "and frame a jailbird just as they had Kennedy."

The Watson statement alleges that "assassins" and "syndicate" figures continually threatened him and his mother while they unsuccessfully tried to convince investigators of the truth of their charges.

"Ever since that time my mother and I have been threatened, victimized, and the objects of numerous dirty tricks by the federal government," the narrative claims.

The Atlanta Journal and Constitution
Page 6-A
September 1, 1975

47

(Mount Clipping in Space Below)

What is FBI hiding?

Atlanta official charges King murder cover-up

By Joel Aber

ATLANTA—New leads point to a conspiracy in the 1968 assassination of civil rights leader Rev. Martin Luther King, Jr., but the FBI and Justice Department have refused to pursue the evidence. So admitted Atlanta's public safety commissioner, Reginald Eaves, at a July 30 news conference.

A twenty-one-year-old Black Atlantan, Robert Watson, says he overheard two white men in Atlanta plotting to murder the civil rights leader one week before his assassination.

In 1971, Watson informed federal authorities of the incident. They failed to do anything.

In 1972, Watson was convicted on a drug charge that he asserts was part of a government frame-up to silence him.

Since that time, James Earl Ray, who originally confessed to being the sole plotter, demanded a new trial based on his contention that he actually acted in conspiracy with white Southerners. He was denied a new trial by a federal judge last February.

Recently, Eaves initiated an investigation into the assassination plot,

after comedian Dick Gregory relayed Watson's story to him.

During the investigation, Eaves issued a statement complaining that the FBI was impeding the investigation. "Our intelligence detectives to date have been denied access to the information the FBI now has in their files," he said. He noted that "local FBI officials here in Atlanta who normally cooperate with us seemed unwilling to share information concerning the case."

Eaves said his detectives had been able to gather information that proved Watson's story "to be about 95 percent accurate."

At the news conference Eaves toned down his criticism of the FBI and said that his investigation had "not substantiated" Watson's contention that the plot was based in Atlanta. But he admitted that Atlanta detectives have turned up unspecified "leads," apparently in Memphis.

Eaves said he would call on the Justice Department, Memphis authorities, and Representative Andrew Young (D-Ga.) to continue the investigation.

"The Militant"
Page 29.
September 5, 1975

Meanwhile the FBI has been forced to admit, for the first time, that it had been told Watson's story in 1971. FBI director Clarence Kelley said the story was groundless, but offered no explanation as to how the agency arrived at that conclusion, or why it then decided to keep its conclusion secret.

Clearly the FBI and other government agencies have a stake in impeding further investigation into King's murder. It might lead to embarrassing questions.

According to information released last March by *New York Times* reporter Nicholas Horrock, King was under continual harassment and surveillance by the FBI until the moment of his death. Horrock quotes one agent as saying the surveillance was so tight that King "couldn't wiggle."

It is now known, through the court-ordered release of secret FBI memos, that the harassment of King was part of the FBI's Cointelpro plot to destroy the Black movement. The questions arise: What is the FBI trying to cover up? Was it behind the plot to kill King?



Eli Finer

FBI says they heard story of plot to murder Martin Luther King, Jr., in 1971 but dismissed it as groundless.

- 49* -

F B I

Date: 9/8/75

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

Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (44-38861)
(ATTN: SUPV. JACK LAWN, ROOM 5078
JEH, AND EXTERNAL AFFAIRS)

FROM: SAC, ATLANTA (44-2386) (C)

MURKIN

Re Bureau airtel to Atlanta, 8/13/75.

Enclosed herewith for the Bureau are the original
and three copies of an LHM, prepared at Atlanta, dated and
captioned as above.

One copy of the above LHM is being furnished to the
Memphis Division for information.

For the information of the Bureau and Memphis, the
conclusion of the Atlanta Police Department Data supplied by
ROBERT BYRON WATSON, based strictly upon evaluation of all
investigative findings is that none of the allegations of
WATSON can be supported and that the Atlanta Police Department
believes that there is no substance to WATSON's allegations.

4-Bureau (Enc. 4)
1-Memphis (44-1987)(Enc. 1) (Info) *njb*
2-Atlanta
TJW:cw
(7)

44-1987 sub m 911
SEARCHED _____ INDEXED _____
SERIALIZED *mp*
SEP 12 1975
FBI - MEMPHIS
[Signature]

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

NR 052 WA PLAIN

3:55 PM IMMEDIATE 9/25/75 KAC

TO MEMPHIS

FROM DIRECTOR

ASSASSINATION OF MARTIN LUTHER KING, JR.

THIS TELETYPE CONFIRMS THE FOLLOWING INFORMATION FURNISHED TO SPECIAL AGENT J. T. DONLAN OF YOUR OFFICE ON SEPTEMBER 24, 1975. ON SEPTEMBER 24, 1975, ASSISTANT ATTORNEY GENERAL JEWETT MILLER, MEMPHIS, TENNESSEE, TELEPHONICALLY ADVISED LABORATORY DIVISION THAT THE COLUMBIA BROADCASTING SYSTEM (CBS) FILED A PETITION SEPTEMBER 19, 1975, IN STATE CRIMINAL COURT REQUESTING THAT THE FIREARMS EVIDENCE IN ABOVE CASE, PREVIOUSLY EXAMINED IN FBI LABORATORY, BE REEXAMINED BY THEIR EXPERT, LOWELL W. BRADFORD, SAN JOSE, CALIFORNIA. THIS PETITION IS TO BE HEARD IN CRIMINAL COURT, MEMPHIS, TENNESSEE, SEPTEMBER 26, 1975. BRADFORD APPARENTLY FILED AFFIDAVIT INDICATING HIS OBSERVATIONS OF A PHOTOGRAPH OF THE BULLET ALLEGEDLY REMOVED FROM KING HAD SUFFICIENT INDIVIDUAL MICROSCOPIC

*2:00 PM
Donlan III
Criminal Court
9/26/75*

44-1987 Sub m 912

SEARCHED	INDEXED
SERIALIZED	FILED
SEP 25 1975	
FBI - MEMPHIS	

B. Johnson

PAGE TWO

MARKS TO ALLOW A DETERMINATION AS TO WHETHER OR NOT
IT HAD BEEN FIRED FROM EVIDENCE WEAPON. BRADFORD
PLACED EIGHTY PERCENT PROBABILITY THAT A POSITIVE
DETERMINATION COULD BE REACHED IF ALLOWED TO REEXAMINE
THE EVIDENCE.

MEMPHIS SHOULD INSURE BUREAU INTEREST IS
PROTECTED AND ADVISE BUREAU OF ANY SIGNIFICANT DETAILS
RESULTING FROM HEARING ON SEPTEMBER 26, 1975.

END

OK FBI ME MJH

F B I

Date: 9/29/75

007

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

Via TELETYPE NITEL
(Priority)

TO DIRECTOR (44-38861)
FROM MEMPHIS (44-1987) (Q)
ATTENTION FIREARMS IDENTIFICATION UNIT
MURKIN

RE BUREAU TELETYPE TO MEMPHIS, SEPT. 25, 1975.

ON SEPT. 26, 1975, A HEARING REGARDING A PETITION FILED BY CBS, INC., REQUESTING ACCESS TO BALLISTICS EVIDENCE USED IN CAPTIONED CASE WAS HEARD BY JUDGE WILLIAM H. WILLIAMS, DIVISION III, SHELBY COUNTY CRIMINAL COURT, MEMPHIS, TENNESSEE.

NEWTON P. ALLEN, ATTORNEY FOR CBS, ADVISED THAT THE EVIDENCE IS BEING SOUGHT IN CONNECTION WITH A DOCUMENTARY ON THE ASSIGNATION OF DR. MARTIN LUTHER KING, TO BE BROADCAST ON NOVEMBER 30, 1975. HE CONTINUED THAT THE FBI REPORT PREPARED

BY MR. FRAYSER WAS INCONCLUSIVE BECAUSE HE REPORTED THAT DUE TO DISTORTIONS ON THE BULLET IT WAS NOT POSSIBLE TO SAY THAT THE BULLET REMOVED FROM DR. KING'S BODY WAS FIRED FROM

THE WEAPON FOUND AT THE SCENE. CBS BELIEVES THAT A FURTHER EXAMINATION BY AN EXPERT CAN THROW FURTHER LIGHT ON THIS

EVIDENCE. HE BASED THE PETITION ON FACT CBS IS CONDUCTING AN INQUIRY INTO FUNCTIONS AND OPERATIONS OF THE GOVERNMENT,

BFJ:sad
(1)

~~SEARCHED~~
~~SERIALIZED~~
~~INDEXED~~
~~U. S. FD~~

44-1987 sub m 913
JST

Approved: [Signature]
Special Agent in Charge

Sent 624/P M Per [Signature]

F B I

Date:

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

PAGE TWO ME 44-1987

INCLUDING THE JUDICIARY AND THAT THE FIRST AMENDMENT PROVIDES CBS AND OTHER NEWS MEDIA THE RIGHT TO INSPECT THIS EVIDENCE.

JEWETT MILLER, ASSISTANT STATE ATTORNEY GENERAL, MEMPHIS, ARGUED THAT EXHIBITS IN THE COURSE OF A TRIAL ARE NOT AND DO NOT BECOME PART OF THE PUBLIC RECORD. HE ALSO ARGUED THAT FURTHER EXAMINATION AND PUBLIC REPORTS ON SUCH EXAMINATION WOULD PREJUDICE ANY NEW TRIAL GRANTED TO JAMES EARL RAY.

JUDGE WILLIAMS DENIED THE PETITION BECAUSE RAY'S APPEAL FOR A NEW TRIAL IS PENDING BEFORE U. S. SIXTH CIRCUIT COURT OF APPEALS IN CINCINNATI, OHIO, AT THE PRESENT TIME. HE COMMENTED THAT THE BALLISTICS EVIDENCE IS NOT A PUBLIC RECORD BUT IT IS PROPERTY SUBJECT TO CONDITIONS AND AT THE PROPER TIME FORENSIC TESTS MAY BE PERFORMED.

JEWETT MILLER ADVISED SA BURL F. JOHNSON THAT HE ANTICIPATES THAT CBS WILL APPEAL JUDGE WILLIAMS' RULING.
END.

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

* U. S. GOVERNMENT PRINTING OFFICE : 1969 O - 346-090 (11)

UNITED STATES GOVERNMENT

Memorandum

TO : SAC (44-1987)

FROM : SA JAMES P. DONLAN

SUBJECT: MURKIN

DATE: 9/24/75

In your absence I spoke with Bureau Supervisor MAURICE STACK, Firearms Identification Unit of the Laboratory, Extension 4416, on 9/24/75.

Mr. STACK stated that Shelby County Assistant Attorney General JEWITT MILES notified the Bureau today that the Columbia Broadcasting System (CBS) had filed a petition in state court today regarding the assassination of Dr. MARTIN LUTHER KING, JR. According to Mr. MILES, the petition requested that the firearms evidence involved in the KING assassination be re-examined by their expert, one LOWELL W. BRADFORD. This petition was to be heard in open court in Memphis on Friday, 9/26/75.

Mr. STACK advised that the examination originally conducted by the Bureau in this case had been handled by former SA BOB FRAZIER who is now retired. He recalled that BRADFORD was formerly employed by a California crime laboratory and had been a recognized firearms expert.

Mr. STACK requested that a Bureau Agent be present during the hearing on the above petition on 9/26/75 to protect the Bureau's interest. At the conclusion of the hearing he requested that Memphis notify him, or in his absence Mr. PAUL STOMBACH, Extension 4420, of the results. Any comments during the hearing that would prove embarrassing to the Bureau or otherwise be of interest should be furnished the Bureau by telephone followed by a teletype.

In conclusion Mr. STACK stated that a detailed teletype would follow regarding his telephone call.

③ - Memphis
(1 - SAC TRIMBACH)
JPD:jap
(3)

jap

44-1987-346 M-
mup mup 914

JPD



5010-108

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

9/30/75

AIRTEL

TO: DIRECTOR, FBI (44-38861)
FROM: SAC, CINCINNATI (157-1893) (P)
SUBJECT: MURKIN

Re CI airtel and LHM to the Bureau, 9/15/75.

Enclosed for the Bureau are six copies of an LHM captioned "JAMES EARL RAY". Enclosed for Memphis are two copies of the same LHM.

Information furnished in enclosed LHM was obtained from records at the U. S. Court of Appeals, Sixth Circuit, Cincinnati, Ohio, by SC DWIGHT H. VOGEL.

Cincinnati will maintain contact with the U. S. Court of Appeals in this matter.

2 - Bureau (Enc. 6)
2 - Memphis (44-1987) (Enc. 2) *JH*
2 - Cincinnati

DHV:skm
(6)

44-1987-2611
915
HESTER *JH*



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Cincinnati, Ohio
September 30, 1975

RE: JAMES EARL RAY

On September 30, 1975, Grace Keller, Chief Deputy Clerk, United States Court of Appeals, Sixth Circuit, Cincinnati, Ohio, advised an employee of the Federal Bureau of Investigation that the following additional entries were recorded in Docket Number 75-1795:

September 18, 1975 Opposition to Appellee's response
September 23, 1975 Motion of Appellant for leave to file brief in excess of seventy typewritten pages
September 23, 1975 Motion: Appellant's brief to October 4, 1975

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.

44-1987-Sub m 916

SEARCHED	INDEXED
SERIALIZED	FILED
OCT 1 1975	
FBI - MEMPHIS	

ABCTBO [Signature]

- 1* -



FBI

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

10/7/75
(Date)

To: SAC, Memphis (44-1987)
From: Director, FBI (44-38861)

MURKIN

ReMEairtel 2/27/75, advising that Federal process was still outstanding in U. S. District Court, Birmingham. The Birmingham Office has advised that the Federal process was dismissed 12/2/71.

The Birmingham Office should submit LHM appropriately showing this dismissal for dissemination to the Civil Rights Division which has already been orally advised. Insure your files show the correct information on this aspect.

- 1 - SAC, Atlanta (INFO)
- 1 - SAC, Birmingham (INFO)

(This line for LEFT MARGIN.)

(Do not type BEYOND THIS MARGIN.)

(Do not type below this line.)

44-1987 Subm 917

SEARCHED	INDEXED
SERIALIZED	FILED
OCT 9 1975	
FBI - MEMPHIS	

HESTER *[Signature]*

United States District Court

APR 17 1 56 PM '68

NORTHERN DISTRICT OF ALABAMA
BIRMINGHAM, ALA.

Marc

Commissioner's Docket No. 3

Case No. 86

UNITED STATES OF AMERICA

v

ERIC STARVO GALT

WARRANT OF ARREST

To ANY UNITED STATES MARSHAL
OR OTHER AUTHORIZED OFFICER 1.

You are hereby commanded to arrest Eric Starvo Galt, and bring him
here insert name of defendant or description
forthwith before the nearest available United States Commissioner to answer to a complaint charging him
with conspiring to injure, oppress, threaten or intimidate Martin Luther King, Jr.,
here describe offense charged in complaint
a citizen of the United States, residing in Atlanta, Ga., in the free exercise and
enjoyment of his rights secured by the Constitution or Laws of the United States,
namely the right to freely travel from State to State.
in violation of U.S.C. Title, 18, Section 241

RETURNED EXECUTED AND FILED
NORTHERN DISTRICT OF ALABAMA

Date April 17, 19 68.

1. Here insert designation of officer to whom warrant is issued.

Mildred F. Sprague
Mildred F. Sprague, United States Commissioner.
WILLIAM E. DAVIS, CLERK
UNITED STATES DISTRICT COURT

RETURN

Received 12-6-71, 19 71 at and executed by arrest of.

RETURNED WARRANT UNEXECUTED PER ORDER DATED 12-3-71

at on , 19 .

Johnny M. Towns, U.S. Marhsla
Name.

Northern District of Alabama
Title.

Date

, 19 By Bobbi Earesmann, Deputy

44-1987 Sub-m 918

SEARCHED INDEXED
SERIALIZED FILED
OCT 14 1975
FBI - MEMPHIS

HESTER *[Signature]*

Investigation.

And the complainant further states that he believes that Joseph H. Gamble, Special Agent in Charge, Federal Bureau of Investigation, Birmingham, Alabama are material witnesses in relation to this charge.

Said sworn complaint is appended as Exhibit 1 to this Motion.

2.) On the same day, April 17, 1968, and pursuant to the charge, a warrant of arrest for Eric Starvo Galt was issued by Mildred E. Sprague, U. S. Commissioner. Said Warrant is appended as Exhibit 2 to this Motion.

3.) On October 15, 1971, upon inquiry, William E. Davis, Clerk of Court, advised by letter that "these charges are still pending." ~~Said letter is appended as Exhibit 3 to this Motion.~~

4.) It is presumed that defendant Eric Starvo Galt is one and the same as James Earl Ray, now incarcerated in the Tennessee State Prison at Brushy Mountain, Tenn.

5.) Defendant denies (a) that he entered into any conspiracy with anyone, on or about March 29, 1968, or at any other time to injure, oppress, threaten or intimidate Martin Luther King, Jr., in the free exercise of any of his rights; (b) that he purchased a gun for that purpose, or (c) that he alone, or in concert with others, threatened to or did injure, oppress, or intimidate said Martin Luther King, Jr., in any regard whatever.

6.) Defendant alleges that plaintiff United States has known his exact whereabouts since June 8, 1968, and knows his exact whereabouts today, yet he has never been arrested or brought to trial.

7.) The Sixth Amendment to the U. S. Constitution provides as follows:

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him, to have compulsory process for obtain-

ing witnesses in his favor, and to have the Assistance of Counsel for his defence.

8.) In the present case, defendant has been provided none of the procedural rights outlined in the above Amendment.

WHEREFORE, said defendant, Eric Starvo Galt, aka James Earl Ray, prays that this honorable court will either order a speedy and fair trial for him in Birmingham, Alabama, forthwith, with all of the attendant protections of the U.S. Constitution; or, alternatively, dismiss summarily the charges pending against him and quash the warrant for his further arrest.

BERNARD FENSTERWALD, JR.
905 16th Street, N.W.
Washington, D. C. 20006
202-347-3919
Attorney for Eric Starvo Galt, aka
James Earl Ray.

CERTIFICATION OF SERVICE

I hereby certify that a copy of this motion was served on the U.S. Attorney in Birmingham, Alabama, by prepaid mail, this _____ day of _____, 19____.

BERNARD FENSTERWALD, JR.

RE: JAMES EARL RAY

On November 22, 1971, R. Macey Taylor, United States Magistrate, Northern District of Alabama (NDA), Birmingham, Alabama, advised the United States Attorney, NDA, Birmingham, that the motion had been filed. Mr. Taylor requested the United States make a written response to the motion within ten days of his letter.

On December 2, 1971, R. Macey Taylor, United States Magistrate, NDA, presented the following Examination, Report and Recommendation to the U. S. District Judge:

047

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

UNITED STATES OF AMERICA

vs

ERIC STARVO GALT

]
]
]
]

Com. Docket #3 Case #86

Com. Proc. #8442

EXAMINATION, REPORT AND RECOMMENDATION TO THE
UNITED STATES DISTRICT JUDGE

This case has been referred to the United States Magistrate for examination, report and recommendation. The following is submitted:

On April 17, 1968, a complaint was filed before the U. S. Commissioner in Birmingham, Alabama by Joseph H. Gamble, Special Agent in charge, FBI, Birmingham, Alabama in which it was alleged that on or about March 29, 1968, Eric Starvo Galt and another entered into a conspiracy to injure or intimidate Martin Luther King, Jr. in the free exercise of his rights under the Constitution of the United States in violation of 18 U.S.C. 241. On April 17, 1968, a warrant was issued by the U. S. Commissioner in Birmingham, Alabama charging Eric Starvo Galt with violating 18 U.S.C. 241. This warrant was never served and is now and has been since it was issued, retained in the files of the U. S. Marshal, Birmingham, Alabama.

On November 19, 1971, Bernard Fensterwald, Jr., Washington, D. C. appeared as attorney for Eric Starvo Galt, also known as James Earl Ray, and filed a motion on behalf of the above named defendant for a dismissal of the complaint above referred to or a speedy trial of the charges contained in the warrant above referred to.

On November 22, 1971, the U. S. Magistrate requested the United States to make any response it chose to make to the motion filed on behalf of the defendant. No suggestion has been filed on behalf of the United States. It is the Magistrate's opinion that under the provisions of Rule 48-b, Federal Rules of Criminal Procedure, that the motion of the defendant is well taken. It is recommended that the defendant's motion be granted and that the complaint above referred to be dismissed.

Dated this 2nd day of December, 1971.

FEDERAL COURTS CENTER
NORTHERN DISTRICT OF ALABAMA

Re. MACEY TAYLOR

DEC 8 1971

UNITED STATES MAGISTRATE

WILLIAM E. DAVIS
CLERK, U. S. DISTRICT COURT

-2-
O R D E R

The Court has examined the motion filed on behalf of the defendant and the Magistrate's report and recommendation. The Magistrate's recommendation is hereby adopted and approved. It is therefore ORDERED that the defendant's motion for dismissal of the complaint be and the same hereby is GRANTED. It is further ORDERED that the complaint issued by U. S. Commissioner, Mildred F. Sprague dated April 17, 1968, docket #3, case #86, be and the same hereby is DISMISSED. It is further ORDERED that the warrant of arrest issued by Commissioner Sprague dated April 17, 1968, Commissioner's docket #3, case #86 be returned unexecuted.

The Clerk is directed to furnish the U. S. Attorney, Birmingham, Alabama and the Honorable Bernard Fensterwald, Jr., 905-16th Street, N. W. Washington, D. C. 20006, with a copy of the Magistrate's report and this Order.

DONE this 2nd day of December, 1971.

UNITED STATES DISTRICT JUDGE

A TRUE COPY
WILLIAM E. DAVIS, CLERK
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA

BY: M. J. Sprague

RE: JAMES EARL RAY

The following unexecuted warrant was returned to the U. S. District Court, NDA, Birmingham, Alabama, on December 6, 1971:

10/10/75

AIRTEL

AIRMAIL - REGISTERED

TO: DIRECTOR, FBI (44-38861)
FROM: SAC, BIRMINGHAM (44-1740)(RUC)
SUBJECT: MURKIN
CR
OO: MEMPHIS

Re Bureau airtel to Memphis, 10/7/75.

Enclosed for the Bureau are three copies of an LHM concerning captioned matter.

One copy of the LHM is enclosed for Memphis.

Information contained in the LHM was obtained by SC CHARLES E. NELSON, JR., on 10/1/75.

2 - Bureau (Encls. 3)
② - Memphis (44-1987)(Enc. 1) *with*
1 - Birmingham
LPB:hss
(5)

44-1987 *Sub m* 919
SEARCHED _____ INDEXED _____
SERIALIZED _____ FILED _____
OCT 14 1975
FBI - MEMPHIS
[Signature]



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Birmingham, Alabama

October 10, 1975

*In Reply, Please Refer to
File No. 44-1740*

RE: JAMES EARL RAY, also known
as Eric Starvo Galt;
DR. MARTIN LUTHER KING, JR. -
VICTIM (Deceased)
CIVIL RIGHTS-CONSPIRACY

On October 1, 1975, Charles E. Brownlee, Deputy Clerk, United States District Court, Northern District of Alabama, Birmingham, Alabama, advised that court records reveal the following:

On November 19, 1971, Bernard Fensterwald, Jr., Washington, D.C., filed the following motion on behalf of James Earl Ray.

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.



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION
Cincinnati, Ohio
October 15, 1975

In Reply, Please Refer to
File No.

RE: JAMES EARL RAY

On October 15, 1975, Grace Keller, Chief Deputy Clerk, United States Court of Appeals, Sixth Circuit, Cincinnati, Ohio, advised an employee of the Federal Bureau of Investigation that the following additional entries were recorded on Docket Number 75-1795:

October 7, 1975	Supplemental Motion: Appellant's brief to October 11, 1975
October 8, 1975	Motion of Appellee to dismiss appeal
October 14, 1975	Order for Appellant's brief granted to October 14, 1975, and denying motion to expedite preparation of the remaining parts of the transcripts

SM

44-1987-920

SEARCHED INDEXED
SERIALIZED FILED
OCT 20 1975
FBI - MEMPHIS

Hester JHK

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.



10/15/75

AIRTEL

TO : DIRECTOR, FBI (44-38861)
FROM : SAC, CINCINNATI (157-1893) (P)
SUBJECT: MURKIN

Re CI airtel and LHM to Bureau 9/30/75.

Enclosed for the Bureau are six copies of an LHM captioned "JAMES EARL RAY". Enclosed for Memphis are two copies of the same LHM.

Information furnished in enclosed LHM was obtained from records at the U. S. Court of Appeals, Sixth Circuit, Cincinnati, Ohio, by SC DWIGHT H. VOGEL.

Cincinnati will maintain contact with the U. S. Court of Appeals in this matter.

2-Bureau (Enc. 6) *W*
2-Memphis (44-1987) (Enc. 2)
2-Cincinnati

DHV:mw
(6)

44-1987-922 ⁵⁻¹¹
INDEXED
FILED
OCT 1975
FBI - MEMPHIS
Hester *GH*



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Cincinnati, Ohio
November 4, 1975

RE: JAMES EARL RAY

On November 3, 1975, Grace Keller, Chief Deputy Clerk, United States Court of Appeals, Sixth Circuit, Cincinnati, Ohio, advised an employee of the Federal Bureau of Investigation that the following additional entries were recorded on Docket Number 75-1795:

October 10, 1975	Answer to motion to dismiss
October 15, 1975	Motion: Appellant's brief to October 14, 1975 (Granted)
October 20, 1975	Seven copies of Brief for Appellant
October 20, 1975	Seven copies of Appellant's Appendix (Vols. I, II, III, IV, V)
October 20, 1975	Proof of service of Appellant's Brief and Appendix
October 23, 1975	Order denying motion to dismiss

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AIRTEL

TO: DIRECTOR, FBI (44-38861)
FROM: SAC, CINCINNATI (157-1893) (P)
SUBJECT: MURKIN

Re CI airtel and LHM to Bureau, 10/15/75.

Enclosed for the Bureau are six copies of an LHM captioned, "JAMES EARL RAY". Enclosed for Memphis are two copies of the same LHM.

Information furnished in the enclosed LHM was obtained from records at the U. S. Court of Appeals, Sixth Circuit, Cincinnati, Ohio, by SC LINDA F. FERGUSON.

Cincinnati will maintain contact with the U. S. Court of Appeals in this matter.

2 - Bureau (Enc. 6)
② - Memphis (44-1987) (Enc. 2) *PH*
2 - Cincinnati

LFF:skm
(6)

44-1987 SUB M 922
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