

Stipulate to Jury for ERB - 2/17/69

In the trial of this cause the State of Tennessee would introduce witnesses who would testify in substance to the following facts and circumstances:

We would show through Mrs. Bessie Brewer, Resident Manager of the rooming house located at 422 1/2 South Main Street, that at between 3:00 and 3:30 p.m., April 4, 1968, she rented Room 5B to the defendant for one week at a rental of \$8.50 under the name John Willard.

That at approximately 4:00 p.m. the defendant purchased a pair of Bushnell binoculars from Mr. Ralph Carpenter at a cost of \$41.55 at the York Arms Company, located at 162 South Main.

That at approximately 4:30 to 4:45 p.m. a small white car was observed by Mrs. Elizabeth Copeland as it parked just south of Canipe's Amusement Company on Main Street. The sole occupant was a white man believed to be Mrs. Peggy Hurley's husband but when Mrs. Hurley looked, she noted the car to be a Mustang rather than the Hurley's Falcon. When Mrs. Copeland left at approximately 5:20 the white Mustang was still parked but no one was occupying^x at that time.

In the meantime back upstairs, Charles Quitman Stephens who occupied the two-room Apartment 6B which adjoins 5B on the one side and the bathroom on another, heard activity in 5B, such as, the moving of furniture and also heard footsteps from 5B to the bathroom.

Willie Anschutz who lived on this floor made several attempts to get in the bathroom and inquired of Stephens as to who was using same.

At approximately 6:00 p.m. Charlie Stephens heard a loud noise from the bathroom, looked out his back window toward the Lorraine Motel, then went to the door and saw the back of a man going west down the hall, turning south, carrying a

wrapped object in his right hand. He would testify this appeared to be the same man he had seen being shown Room 5B earlier by Mrs. Brewer.)

Mr. Guy Warren Canipe, along with two customers, Bernell Finley and Julius Graham, were in Canipe's Amusement Company at 424 South Main when they heard a thud, observed the back of a man leaving the doorway in a southerly direction and moments later saw a white mustang pull from the curb and head north on Main Street.

Upon investigating, these men observed this green spread wrapped around a Browning shotgun box which was partly open, exposing the barrel of what the proof would show to be this 30-06 Remington Game Master Rifle with a Redfield Scope, also this blue zipper carrying case which contained:

- (1) Bushnell Binoculars and case
- (2) Box for same, York Arms sack and cash register receipt.
- (3) April 4, 1968, issue of COMMERCIAL APPEAL which carried story about Dr. King and where he was staying here in Memphis.
- (4) Various toiletry items including this case purchased on April 3 at Rexall Drugs in Whitehaven.
- (5) This transistor radio bearing 0046, the defendant's prison number at Missouri Penitentiary.
- (6) Tools purchased in Los Angeles
- (7) Two cans of Schlitz beer
- (8) A pair of men's shorts and undershirt.
- (9) Hair brush

Various officers from a TAC unit which had stopped at the Butler Street Fire Station for a short rest break converged on the scene.

A guard was placed on the before-mentioned evidence

until it was removed by Inspector N. E. Zachary, delivered to S.A.C. Robert Jensen and FBI Agent Robert Fitzpatrick who later that night boarded a plane for Washington, D. C. and delivered the evidence to the FBI Laboratory.

The proof would show that upon officers entering Room 5B, they observed a window on the south side of the room to be open with the curtain pulled back, the screen off and a straight-backed chair sitting at such an angle that the Lorraine Motel could be observed. Mrs. Brewer would testify a chest had been moved from in front of this window between the time she rented and the time she entered after the shooting.

Two leather or imitation leather straps were found in Room 5B which were found to fit the binoculars and carrying case found in front of Canipe's.

Pillows, coverings, etc., were confiscated as evidence and forwarded to the Laboratory.

The proof would further show that upon Homicide officers checking the bathroom they found marks in the bathtub consistent with shoe marks, the window in line with the Lorraine Motel to be open with the aluminum screen pushed off. Insp. N. E. Zachary observed what appeared to be a fresh indentation on the window ledge; he therefore ordered its removal and subsequent microscopic examination by Robert Frazier in the FBI Lab which revealed this indenture contained markings consistent with machine markings on the barrel of this 30-06 rifle.

In an intensive effort to locate and identify any and all white mustangs in the Memphis area a canvas of motels and hotels revealed a registration card at the Rebel Motel, 3466 Lamar Avenue, signed Eric S. Galt indicated he rented Room 34 at 7:15 p.m., April 3, 1968, left the following morning driving a mustang bearing Alabama License 1-3S993 and showing an address of 2608 Highland Avenue, Birmingham, Alabama.

The proof would further show through Ivan Webb that he observed the car parked in front of Room 34 the night of April 3 and morning of April 4, and it was white in color with Alabama License 1-38993 and had Mexican stickers on the window.

The rifle in the meantime was being traced through the manufacturer and distributor to Aeromarine Supply Company in Birmingham, Alabama.

The State's proof would show that on Friday, March 29, 1968, Mr. U. L. Baker of Aeromarine sold a Remington Caliber 243 Winchester rifle with a Redfield scope to the defendant using the name Harvey Lowmeyer. Capt. John DeShazo of the United States Air Force would be brought from his duty station in Japan to relate his conversation and identification of the defendant.

Donald F. Wood, Manager of Gun Sales, returned from lunch during the sale and later in the afternoon received a phone call from a person identifying himself as Harvey Lowmeyer inquiring about exchanging the 243 for a 30-06. Mr. Wood would testify he agreed to exchange the rifle requesting it be brought in at 9:00 a.m., Saturday. At 9:00 a.m. the defendant appeared with rifle and was told by Mr. Wood that he would mount the scope on the 30-06 and have it ready at 3:00 p.m. Promptly at 3:00 p.m. the rifle was picked up in this box along with a box of Peters shells.

Proof would show through Alabama Registration Records that the white mustang with license No. 1-38993 was formerly owned by William D. Paisley of Birmingham. Mr. Paisley would testify he sold this mustang to Eric S. Galt for \$1,995.00 cash on the morning of August 30, 1967, after having run an ad in the BIRMINGHAM NEWS. He was cautioned by Mr. Paisley about taking a licensed driver along when he applied for Alabama Driver's license and was told by Galt he would take a fellow at the rooming house.

Mr. Peter Cherpes, owner of the rooming house at 2608 South Highland would testify he rented room to Eric Galt on August 26, 1967, for \$22.50 per week including breakfast and supper, with this arrangement continuing through the first week of October when the defendant moved out. Our proof would further show that Mr. Cherpes accompanied Eric S. Galt to take his driving test and this exhibit of the driver's application reflects Mr. Cherpes driver's license number with the applicant's full name shown as Eric Starvo Galt.

The State would further introduce the change of 1967 registration on the mustang from Paisley to Galt and the issuance of 1968 License 1-38993 on October 2, 1967, to Eric S. Galt.

Officers of the Birmingham Trust National Bank would produce records covering a safe deposit box rented by Eric S. Galt on August 28, 1967.

The State's proof would show that from Birmingham the defendant, using the name Eric S. Galt, proceeded to Mexico remaining in that country until the middle of November, 1967, when he left for Los Angeles, California, where he rented Apt. 6 at 1535 North Serrano from Mrs. Margarita Powers.

Marie Martin of Los Angeles, California, would testify that while employed in the bar of the St. Francis Hotel on Hollywood Boulevard, she became acquainted with the defendant as Eric Galt. In mid-December she asked him to take her home which he agreed to do even after learning "home" was in New Orleans. That she subsequently introduced the defendant to her cousin Rita Stein and it was explained that Rita had to pick up her two children in New Orleans and bring them to Los Angeles. That it was eventually agreed for Charles Stein, brother of Rita, to accompany the defendant to New Orleans and return with the children. ~~That this agreement was on the condition that Marie~~

~~Martin, Charles and Rita Stein would register for George Wallace in California. Marie Martin would testify that the following morning the defendant picked the three up in his mustang and drove them to Wallace headquarters where they registered.~~

The State's proof would show through Charles Stein that he and the defendant left Los Angeles in the mustang and drove to New Orleans arriving December 17, 1967.

The State would show through records of the Provincial Hotel, New Orleans, that Eric Galt, 2603 Highland Avenue, Birmingham, Alabama, checked into Room 126 on December 17 and checked out December 19.

The State's proof would further show that the defendant, Charles Stein and Rita's two children proceeded back to Los Angeles.

The State would ^{show} through Mary Lucy Pinela, Manager of Home Service Laundry, 5280 Hollywood Boulevard, that the defendant as Eric Galt was a customer from December, 1967, until March, 1968, and she would identify her laundry mark as being on the shorts and undershirt found in this blue bag dropped in front of Canipe's.

Rodney Arvidson would testify that Eric S. Galt attended his dance studio in Long Beach, California, from December 5, 1967, to February 12, 1968, and did not take further lessons because of a conflict with his classes at bartending school.

Through the testimony of Thomas Reyes Lau, the State would show the defendant, under the name Eric S. Galt, enrolled in the International School of Bartending in Los Angeles, attended from January 19, 1968, until March 2, 1968, when he graduated. This picture shows Mr. Lau and the defendant.

Dr. Russell C. Hadley of Hollywood, California, would testify as to the plastic surgery he performed upon the defendant's nose on March 5, 1968.

That on March 17, 1968, Eric S. Galt executed a postal change of address card from the St. Francis Hotel in Los Angeles to General Delivery, Atlanta, Georgia.

That enroute from Los Angeles to Atlanta, the defendant delivered a box of clothing and books to Marie Martin's daughter in New Orleans.

That he spent the night of March 22, 1968, at the Flamingo Motel in Selma, Alabama.

Mr. Jimmy Garner, operator of a rooming house at 113-14th Street, Atlanta, Georgia, would testify that he rented a room to the defendant under the name Eric S. Galt on March 24, 1968, and that he collected a second week's rent on March 31, 1968, at which time the defendant wrote his name on this envelope. That this was the last time Mr. Garner saw him, but when he entered the room on April 5, 1968, to change linen, he found a note in substance as follows "Got to leave town, had to go to Birmingham, left TV, pick up soon." The rent having been paid up until April 7, that on that date he rented the room to another party and left the TV and various other articles in the adjoining service room. That on April 14, 1968, he gave permission and opened the premises to a search by members of the FBI Atlanta Office.

Mrs. Annie E. Peters who operated the Piedmont Laundry located around the corner from the rooming house would testify that on April 1, 1968, clothing for laundry and cleaning was delivered to her by Eric Galt and subsequently picked up on April 5 around mid-morning. She would produce records and testify as to how she came to notify the authorities.

The State would further show that between 8:00 and 8:30 a.m., April 5, 1968, the white mustang in question was observed by several people including Lucy Cayton pull into the parking area of Capitol Homes in Atlanta, Georgia. A single

white man believed to be the defendant walked from this car and away from the area.

The State would show the mustang remained in this location until some of the residents had a call placed to the Atlanta Police Department.

Detective Roy Lee Davis of the Auto Theft Division was dispatched, arriving at approximately 5:00 p.m. He checked the license number Alabama 1-38993 and identification number and followed the standard procedure to determine if car was stolen. That upon this information being placed on the air and teletype service, it was found this was the car being sought as a result of the Memphis and Birmingham investigation.

The officers of Atlanta Police Department stood by until Special Agents of the FBI arrived and took custody of the car. Items from this car were taken by Agent Alden Miller to the FBI Laboratory in Washington.

- Q95 (1) Dark blue short sleeve shirt
- Q97-Q100 (2) Two sheets
- Q99 (3) Pillow case
- Q103 (4) Rug from trunk
- Q104 (5) Pillow
- Q114-117 (6) Sweepings from floor mats *(Hidden)*
- Q105 (7) Styrofoam case for Polaroid camera
- (8) Book entitled OPPORTUNITIES IN LOCKSMITHING
- (9) 1967 Alabama License 1 A 88354
- 1968 Alabama License 1-38993

Agent John Sullivan would identify several items recovered from the room formerly rented to the defendant by Jimmy Garner on April 15, 1968, with the permission of Jimmy Garner including:

- Q194 (1) Map of Mexico
- (2) Map of Atlanta with several areas marked

(3) Maps of Texas and Oklahoma; Maps of Los Angeles; Map of California; Map of Louisiana; Map of Arizona and New Mexico; Map of Birmingham

That he delivered these items along with this envelope on which the defendant had written the name Eric S. Galt obtained from Jimmy Garner to the FBI Lab in Washington.

The State's proof then shifts to Toronto, Canada, where we would show through Mrs. Adam Szpakowski that on April 8, 1968, the defendant under the name Paul Bridgman rented a room from her at 102 Ossington West in Toronto. That after the defendant moved from her establishment, a letter from the Office of the Register General addressed to Paul Bridgman was received and returned by her.

Mrs. Mabel Agnew of Toronto would testify that on April 11, 1968, she made passport photographs for the defendant under the name Paul Bridgman.

Mrs. Lillian Spencer of the Kennedy Travel Bureau would testify that the defendant under the name Ramon George Sneyd contacted her on April 16, 1968, made application for Canadian Passport and booked air trip to London to leave May 6 and return May 21, 1968, and that the defendant picked up his passport and tickets on May 2, 1968.

Mrs. Sun Fung Loo of 962 Dundas, Toronto, Canada, would testify the defendant rented a room from her on April 19, 1968, under the name of Sneyd.

The Honorable H. F. C. Humphries, Deputy Registrar of the Province of Ontario would testify and produce from official records:

- (1) Letter signed Paul Bridgman dated 4-10-68, requesting copy of birth certificate, said certificate subsequently mailed to 102 Ossington Street and returned not claimed.

(2) Letter signed George Ramon Sneyd, dated 4-16-68 requesting copy of birth certificate be mailed to 962 Dundas.

(3) Identify the birth certificate card recovered from defendant at time of arrest in London.

The State would show the real Eric S. Galt to be a prominent businessman in Toronto; Paul Bridgman to be a consultant with the Toronto Board of Education and Ramon George Sneyd to be a member of the Toronto Police Department; that they are native Canadians, never knew the defendant, and although they lived in close proximity of each other did not know each other until the investigation of this case.

The State's proof would show the defendant flew to London, arriving on May 7, 1968.

Miss Monica Baker of London, ticket receptionist for B.O.A.C. would be brought over to testify that on May 7 she exchanged the return portion of the defendant's ticket for one to Lisbon, Portugal, and gave him a refund of \$14.89.

Inspector Jose Manuel Da Cunha Passo of the Portuguese National Police in Lisbon would testify and introduce official records reflecting the entry into Lisbon, Portugal by the defendant on May 8, 1968, and his exit on May 17, 1968, and further as to his residence in Hotel Portugal during this time.

Mrs. Manuela T. Lopes of the Canadian Embassy in Lisbon would testify about the defendant's application on May 15, 1968, to have the name corrected on his passport from Sneya to Sneyd. That this old passport was canceled and this new one with the spelling corrected was issued on May 16.

Antonio Rocha Fama working Airport Control checked the defendant's canceled and new passports on May 17, 1968, and allowed him to board flight for London.

The State's proof would further show that upon the

defendant's return to London as Ramon George Sneyd he lived at the Heathfield House Hotel May 17 to May 28. At New Earls Court from May 28 to June 5 and at the Pax Hotel from June 5 to June 8.

In the meantime after many hours of extra duty by members of the Royal Canadian Mounted Police, including comparing a picture of James Earl Ray with all passports, it was determined that the picture on the passport of Ramon George Sneyd was identical to James Earl Ray, although in the passport the defendant was wearing glasses.

Through the co-operative efforts in law enforcement; officials of New Scotland Yard and the Portugese International Police came into the search for Ramon George Sneyd.

Upon request for assistance in this case Chief Insp. Ron Burrows of New Scotland Yard set the investigation into action in London. All entry and exit points were notified and a special fugitive team was set up.

That while Det. Chief Insp. Kenneth Thompson and Det. Sgt. Peter Elliott were through extensive investigation learning the things I have heretofore mentioned, the defendant appeared at the Heathrow London Airport and attempted to board a flight to Brussels.

That at approximately 11:30 a.m., June 8, 1968, Det. Sgt. Philip Frederick Birch was seated next to the Immigration Officer checking passports when the defendant presented the two before-mentioned passports and immediately Sgt. Birch recognized the name and asked the defendant to accompany him to the office to check on the passports. That the defendant did so without any objection.

Sgt. Birch would testify he called headquarters and detained the defendant until the arrival of Chief Supt. Thomas Butler. That he searched the defendant and found this .38 caliber

pistol which we would show was purchased from a Walter Leon Spain in Birmingham, Alabama, the first week in October, 1967.

Also taken from the person of defendant:

Tickets BEA London to Brussels

" BOAC London to Toronto

Correspondence - Rifle Silencer Information

Chief Inspector Arthur Brine would be called as a fingerprint expert with over twenty-one years experience and would testify that he accompanied Supt. Butler to the airport, took the fingerprints of this defendant and verified he was one and the same person as wanted by the United States.

Chief Supt. Thomas Butler now retired after some thirty-four years with Scotland Yard would be presented to testify as to his arriving at Heathrow Airport around 1:00 p.m., June 8, 1968, examining two passports in name of Sneya and Sneyd, this pistol, verifying prints of defendant with Inspt. Brine, then confronting the defendant, cautioning him as to his rights and determining he had no certificate for the pistol.

He would testify that after conferring with American authorities, defendant was again advised of rights and acknowledged being James Earl Ray rather than Ramon George Sneyd.

From the luggage of the defendant numerous items would be introduced including:

- (1) Polaroid camera which fits styrofoam box from Mustang found in Atlanta.
- (2) This suit of clothes which Mr. J. B. Cloutier of Tip Top Tailors in Montreal Canada would testify was sold to E. Galt of 2589 Notre Dame St. on July 19, 1967.

(3) This suit of clothes bearing the name Galt in the label which Mr. Edward John Feigan, owner of English and Scotch Woolen Co., Ltd., in Montreal would identify as being same suit made for Eric Galt, being ordered on July 21, 1967, and upon completion shipped on September 9, 1967, to Eric Galt at 2608 South Highland, Birmingham, Alabama.

The State would offer the testimony of Mr. Morris Quintal to identify this lease agreement signed by the defendant as Eric S. Galt and show the defendant did occupy the premises at 2589 Notre Dame East during the period July 18 through August 24, 1967.

Tracing the defendant's activities further would show through Mr. or Mrs. Klingeman their employment of the defendant under the name John L. Rayns from May 3 to June 24, 1967.

Various experts from the FBI Laboratory would be introduced to introduce the key testimony as follows:

George J. Bonebrake who has been working with fingerprints since 1941 would testify that at 5:15 a.m., April 5, 1968, he received these items from Memphis (which other proof has shown were picked up in front of Canipe):

- (1) That he found a print of sufficient clarity on this rifle.
- (2) Another print on this scope.
- (3) Found print on Afta Shave Lotion bottle (part of kit from Rexall.)
- (4) Found print on binoculars
- (5) Found print on Schlitz beer can.
- (6) Found print on front page of MEMPHIS COMMERCIAL APPEAL

Further he would testify that on April 17, 1968, he received this Map of Mexico heretofore described as coming from Garner's Rooming House and upon examination, he found two fingerprints as same.

That he started extensive investigation through the fugitive file consisting of some 53,000 fingerprint cards and on April 19, 1968, he identified all the before-mentioned prints as being identical with the records bearing the name and photographs of James Earl Ray.

That on June 24, 1968, he compared above prints in London, England, with those obtained by Insp. Brine and on July 22, 1968, he also compared prints of James Earl Ray obtained when defendant delivered to Shelby County Jail and would testify that in his opinion all the before-mentioned prints were made by one and the same person to the exclusion of all other persons in the world.

That on May 6, 1968, he examined this Modern Photo Bookstore coupon bearing Eric S. Galt, 2608 Highland, Birmingham, Alabama and found a thumb print identical with the left thumb print of James Earl Ray.

That further on August 27, 1968, he examined several checks from the Indian Trail Restaurant, payable to John L. Rayns, and found a print which he identified as being that of the defendant on one of the checks.

Robert A. Frazier, Chief of Firearms Identification Unit, at the FBI Lab with 27 years experience would testify as to his examination and test firing of this rifle, these cartridges, this hull from the chamber and the slug removed from Dr. King's body by Dr. Francisco and his conclusion in substance is as follows:

- (1) The death slug was identical in all physical characteristics to the 5 loaded 30.06 Springfield Caliber Remington Peters Cartridges found in the bag in front of Canipe's.
- (2) The Cartridge case had in fact been fired in this rifle.

(3) That the death slug contained land and groove impressions and direction of twist consistent with those present in the barrel of this rifle.

***** That he also made microscopic comparisons between the fresh dent in the window sill from the bathroom and concluded it was made by an object with a rounded surface and flat end and contained the same type of microscopic marks as appear on the barrel of subject rifle.

That his examination of the 243 Winchester revealed that this rifle would not chamber and fire due to crusty material on the head or face of the bolt.

Morris S. Clark, expert in hair and fibers examination with the FBI Laboratory would testify as to how he prepared slides of fibers of this green bed spread, ^{which were not the property of rooming house.} and found the same type fibers on the sheets and sofa pillow removed from Room 5B. Q206, 207, and 208.

That he found fibers of the exact same type on the following items recovered from the white mustang in Atlanta.

Q95 Sweat shirt
Q97 & 100 Sheets
Q98 Jacket
Q99 Pillow case
Q102 Walking shorts
Q103 Rug from trunk
Q104 Pillow from *trunk*
Q117 Sweepings from car

That he prepared slides of hair from the hair brush (Q38) found in zipper bag with hairs found on the following items in the Mustang:

Q95	Sweat shirt	Q100	Sheet
Q97	Sheet	Q103	Rug from trunk
Q99	Pillow case	Q114-117	Sweepings from Mustang

and found them to have same characteristics in every respect.

He also compared with hair we would show to have been collected after Ray received a haircut here in jail and he would testify this hair from Ray had all the same characteristics as that from brush in bag left in front of Canipes, items above-mentioned from Room 5B and the items mentioned from the Mustang.

He would further identify this styrofoam container recovered from the mustang in Atlanta as being identical to the type used to package the Polaroid 230 camera (same type found in Ray's possession in London).

The State would also offer the testimony of James H. Mortimer, Examiner of Questioned Documents, commonly referred to as a handwriting expert and would show his examinations and conclusions as follows:

That the same person who prepared and signed the application and note under the signature Eric S. Galt (identified as the defendant in this picture and by Mr. Lau of the International School of Bartending Q261 & 262) also signed the registration card at the Rebel Motel Q86; signed the registration at the Provincial Motel in New Orleans Q141; and signed this motor vehicle transfer from Paisley to Galt and driver's license application in Birmingham under the name Eric Starvo Galt KC4, and to be the same person who signed the safe deposit box records in Birmingham K5 and also to be the same person who prepared this writing on the Modern Book Store coupon found to bear the thumbprint of Ray as heretofore explained and that he also wrote Eric S. Galt on an envelope introduced by Garner from Atlanta Q246. There were many other documents used in tracing and identifying the defendant but I felt the above to be the key ones of interest to you Gentlemen.

3-10-68
Agreed;
Ray Foreman
attest for James
Earl Ray,