

Filed
1/31/69

sk

①

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE
Division III

STATE OF TENNESSEE

VS.

NO. 16645
NO. 16819

JAMES EARL RAY,
Defendant

PETITION TO AUTHORIZE DEFENDANT TO
TAKE DEPOSITIONS OUT OF STATE

TO THE HONORABLE W. PRESTON BATTLE, JUDGE, DIVISION III,
CRIMINAL COURT, SHELBY COUNTY, TENNESSEE:

Comes the defendant, James Earl Ray, and respectfully moves the Court to authorize the taking of depositions out of the State; defendant is advised that there are material witnesses necessary to his defense outside of the State, and owing to a lack of funds to compensate the witnesses coming to and from Memphis, desires to take their depositions at the earliest practical time convenient to the Attorney General and to the arrangements necessary with said witnesses. Therefore, pursuant to T.C.A. 40-2428, defendant respectfully moves the Court to grant leave to take the depositions of the following named witnesses; and direct the Clerk to appoint necessary Commissioners to take said depositions at the time and place to either be agreed upon or fixed by the Court.

Said witnesses are:

Warden Walter Swanson
Department of Corrections
Jefferson City, Missouri

Affidavit

Harry Lauf
c/o Missouri Department of Corrections
Route 5
Jefferson City, Missouri

affi

No

and

U. L. Baker
1408 Clermont Drive
Aero Marine
Birmingham, Alabama

✓

John D. Hanners
c/o Aero Marine
806 Meg Drive
Birmingham, Alabama

Affidavit

Peter Cherpes
2608 Highland
Birmingham, Alabama

✓

C. E. Kirkpatrick
Birmingham Trust National Bank
Birmingham, Alabama

Affidavit

Clyde R. Manasco
Route 9, Box 602
Birmingham, Alabama

✓

and

Frank Hitt
Agent in Charge
Federal Bureau of Investigation
Atlanta, Georgia

*will be here
for motion
& suppress*

Rev. Andrew J. Young
1988 Veltre Circle S.W.
Atlanta, Georgia

*not ✓
will be under
subpoena*

or
c/o Southern Christian Leadership Conference
Atlanta, Georgia

J. D. Garner
107 14th Street N.E.
Atlanta, Georgia

*Will take to here
for suppression
of evidence motion*

Dr. William Rutherford
c/o Southern Christian Leadership Conference
Atlanta, Georgia

affidavit

Rev. Lowery
c/o Southern Christian Leadership Conference
Atlanta, Georgia

ad "

Rev. Martin Luther King, Sr.
c/o Ebenezer Baptist Church
Atlanta, Georgia

ad "

George Bonebreke, Agent
c/o Federal Bureau of Investigation, Washington, D. C. ✓

PREMISES CONSIDERED, PETITIONER PRAYS:

That an order be entered directing the Clerk to appoint necessary Commissioners to take depositions at the time to be specified, with full power to continue the taking of said depositions from time to time until they are completed, and to reset the hearings thereof as is necessary.

For other, further and general relief as seems meet and proper in the premises.

ATTORNEY FOR DEFENDANT

**STATE OF TENNESSEE
COUNTY OF SHELBY**

Sworn to and subscribed before me this _____ day of _____, 1969, at Memphis, Tennessee.

WITNESS my hand and Notarial Seal.

NOTARY PUBLIC

My Commission Expires: