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RE: JAMES EARL RAY

Wharton Criminal Evidence - Vol. 2 - p. 1108 Section 666:

Agent. When the relation of principal and agent in a particular transaction is established, the admissions of the agent may be imputed to the principal, if the admissions are made during the course and scope of the agency. Hence the declarations of a messenger sent to a third party by the prisoner, if made with reference to the object of the mission, are admissible in evidence against him, where the evidence shows they were made by his authority.

Wharton Criminal Evidence - Vol. 2 - p. 1192 Section 704:

Agents and Employees of Coconspirator. There is authority for the proposition that the acts and declarations of the agents or employees of one conspirator, made in furtherance of the conspiracy, are admissible against all co-conspirators. Thus, where evidence tended to show a conspiracy involving a furniture company and its officers and agents to dispose of property by lottery, the representations of the agents and canvassers of the furniture company in furtherance of the conspiracy were admissible against all connected with the conspiracy and common design; and it was immaterial whether or not the statements of the agents were specially authorized by the company, since it was of primary importance that they were in furtherance of the common purpose. Generally co-conspirators are responsible for the acts of a third person performed by their direction, although he may have no knowledge of the existence of the conspiracy.

*What about Incompetency or inadequacy  
of Counsel for defendant.*

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McWhorter v. U.S. 281 F. - 119

7 Tenn. Digest 247, 417 (11)

Statements Uncommunicated to or Unauthorized by Accused.

C.C.A. Tenn. 1922. Acts and statements of a third person, not shown to have been an agent of accused, are inadmissible, even though they do not violate the rule against hearsay, unless they are part of the res gestae of the transaction, or are acts of a conspirator in furtherance of the conspiracy, or come within some similar exception.

7 Tenn. Digest 248, 417 (16)

Letters and other Written Communications.

Tenn. 1883. On trial of an indictment for stealing a horse, it was shown that the defendant, when arrested, had on his person a postal card, addressed to another party, relative to the horse stolen. Held, that such postal card was admissible in evidence, although not shown to be in the defendant's handwriting. - Lovelace v. State, 80 Tenn. 721, 12 Lea 721.

7 Tenn. Digest 47, 417 (16) Letters and other Written Communications.

C.A. Tenn. In prosecution of baking company and others for conspiring to fix the prices of bakery products in violation of Sherman Anti-Trust Act, letters from the company's department managers or route supervisors to company's sales manager and plant manager reporting on activities of competitors and expressions of opinion in regard thereto were properly admitted where such action was specifically authorized by the company and any hearsay aspect was no bar to the admission of the letters. Sherman Anti-Trust Act, Section 1, 15 USCA Section 1 - Continental Baking Co. v. U.S. 281 F. 2d 137

In prosecution of baking company and others for conspiring to fix prices of bakery products in violation of Sherman Anti-Trust Act, letters from company's department managers or route supervisors to company's sales manager and plant manager telling of contracts between depot manager and supervisors with their competitors were admissible if depot managers had implied authority, by reason of the knowledge of and acquiescence in their actions by their superiors, to contact competitors or if the superiors had adopted or ratified such action. Sherman Anti-Trust Act; Section 1 15 U.S. C.A. Section 1 - Id.