

**Complete Transcript of the Martin Luther King, Jr.
Assassination Conspiracy Trial
Volume 12
6 December 1999**

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IN THE CIRCUIT COURT OF SHELBY COUNTY,
TENNESSEE FOR THE THIRTIETH JUDICIAL
DISTRICT AT MEMPHIS

CORETTA SCOTT KING,
MARTIN LUTHER KING, III,
BERNICE KING, DEXTER SCOTT
KING and YOLANDA KING,
Plaintiffs,

Vs. Case No. 97242-4 T.D.

LOYD JOWERS, and OTHER
UNKNOWN CO-CONSPIRATORS,
Defendants.

TRANSCRIPT OF PROCEEDINGS

December 6, 1999

VOLUME XII

BEFORE: HONORABLE JAMES E. SWEARENGEN, Judge

Division 4, Judge presiding.

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PROCEEDINGS

(Jury out.)

THE COURT: Yes, are we ready to proceed?

MR. GARRISON: If I might have just one second. May we approach?

THE COURT: Yes, sir.

(Off-the-record discussion held the bench between Court and counsel.)

THE COURT: Bring the jury out, Mr. James.

(Jury in.)

THE COURT: Good morning, ladies and gentlemen. It's gratifying to see that all of you have survived another weekend. All right. We are going to proceed with the trial. Mr. Garrison, you may continue.

MR. GARRISON: Your Honor, at this time I have a report from the physician on behalf of Mr. Jowers. I would like to have it marked the next exhibit if I may.

(Whereupon, the above-mentioned document was marked as Trial Exhibit 36.)

MR. GARRISON: I would like to call Miss LaVada Addison.

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LaVADA ADDISON

Having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. GARRISON:

Q. Good morning, Miss Addison. Let me ask you please, ma'am, to tell us your full name.

A. LaVada Whitlock Addison.

Q. You live here in Memphis, Miss Addison?

A. Yes, sir.

Q. I have known you many years?

A. Thirty-five or so I guess.

THE COURT: You spell LaVada, L A –

THE WITNESS: L A capital V A D A.

Q. Miss Addison, you're in some type of business presently, aren't you?

A. Yes, sir, I'm self-employed.

Q. What is the name of your business?

A. LaVada's Estate Sales. I sell contents of homes.

Q. Previously you operated a restaurant here in Memphis some years ago, am I correct?

A. That's right.

Q. And where was it located?

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A. At the corner of Macon and National.

Q. All right. Let me ask you this: During – how many years did you operate the restaurant?

A. I opened it in 1976 and sold it in either – latter part of 1981 or the first part of 1982.

Q. All right. Among those customers that came in to see you, would you tell His Honor and ladies and gentlemen of the jury was there a Mr. Frank Liberto?

A. Yes, sir.

Q. Did you get to know Mr. Liberto pretty well?

A. Yes, sir.

Q. Was he in on like a weekly basis? I'm talking about after he started coming in, daily basis, how would you describe it?

A. I would probably see him possibly four or five times per week.

Q. And you and Mr. Liberto had some conversations quite a bit, am I correct?

A. That's right.

Q. And some of these conversations would be of things that happened in the past, am I

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correct?

A. That's right.

Q. Let me ask you this: Will you tell His Honor and ladies and gentlemen of the jury was there a time when there was some discussions – I'm not asking you to tell me what he said right now. But was there a discussion between you and Mr. Liberto about the assassination of Doctor Martin Luther King?

A. Yes.

Q. And was that some time after you got to know Mr. Liberto pretty well?

A. Yes, sir.

Q. You had many conversations with him about various things before then, am I correct?

A. That's right.

Q. Now, let me ask you this: What were the circumstances that brought up the assassination of Doctor King, do you recall?

A. We were sitting at – well, we called it a round table, but it really wasn't a round table. It was just like two tables pushed together and people would just kind of gather around, drink coffee, and so forth. But at that time there were – just Mr.

Liberto and I

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were the only ones sitting there. And the TV was behind me and something came on the TV in regard to Doctor King, and Mr. Liberto leaned over to me and said in a low voice, I had Doctor Martin Luther King killed.

Q. What was your response to that?

A. I said, don't be telling me anything like that. I don't want to hear it, and I don't believe it anyway.

Q. All right. Now, Miss Addison, all the time you knew Mr. Liberto did you ever hear him mention the name of Loyd Jowers to you?

A. No, sir.

Q. In fact, did you ever hear of Mr. Jowers up until the last few months or years?

A. No, sir.

Q. Okay. Did he ever tell you he was ever in Mr. Jowers' restaurant? Did he ever mention that to you, ever been in there?

A. No, sir, he never did.

Q. Is this the only time he had ever mentioned that to you is that one time?

A. Yes, sir.

MR. GARRISON: That's all I have.

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THE COURT: Mr. Pepper.

CROSS-EXAMINATION

BY MR. PEPPER:

Q. Good morning, Miss Addison. Did you in the course of your acquaintanceship with Mr. Liberto, did you come to learn anything about his family?

A. Somewhat.

Q. Did he have any children?

A. He never mentioned children –

Q. He never mentioned –

A. – that I remember, no, sir.

Q. But he was married?

A. Yes, sir.

Q. All right. And so you didn't learn from him or from any other source whether or not there were any children in that family?

A. No, sir.

Q. After he made this statement about arranging to have Martin Luther King killed, did you see him again?

A. Yes, sir.

Q. Many times?

A. Yes, sir.

Q. Do you recall what year that was again?

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A. The only way I can remember when I opened the pizza parlor, I took a little photography course at Memphis State and I had a dark room set up behind in the back of the pizza parlor where I developed pictures. And I started taking pictures of customers, and I started – like the pizza parlor was like north, south, east and west.

And I started on the south end towards the kitchen putting them on the walls, black and whites, and all the way around the walls, and on the west side I would say Mr. Liberto and his wife's picture was there pretty well even with the cash register. And that should – and some of those pictures were dated 1977 and some of them were 1978. And so it had to be during that period of time.

Q. So it was 1977 or 1978 that you had this conversation with him?

A. Yes, sir.

Q. Was the television on in the cafe at the time that you had that conversation?

A. Yes, sir, it was on the top of the jukebox behind me.

Q. And once again what – do you recall what was being shown on the television?

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A. No, sir. I don't recall. But it was something pertaining to Doctor King.

Q. Something pertaining to Doctor King?

A. Yes, sir.

Q. Now, when you saw him again, would it have been over the course of the next year? Did you see him for two years after that, do you recall how long?

A. Probably a year or so. I really don't remember. I would just be guessing. I don't know how long it was.

Q. Right.

A. As you get older, time doesn't mean as much.

Q. Of course. Of course. And did he ever raise this subject again with you?

A. No, sir.

Q. It never came up in conversation –

A. No, sir.

Q. – with you at all. Do you recall when he passed away?

A. I don't know what year it was. I do remember the obituary being in the paper.

Q. Would it have been soon after you perhaps saw him for the last time or do you

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think there was a gap there?

A. I think there was a gap there.

MR. PEPPER: There was somewhat of a gap. Okay. That's all. Thank you very much, Miss Addison.

MR. GARRISON: I have nothing further, Miss Addison.

THE COURT: All right. You may step down, ma'am. You can remain in the courtroom or you are free to leave.

(Witness excused.)

MR. GARRISON: Your Honor, at this time we would like to offer the testimony of Mr. James Earl Ray.

THE COURT: All right.

MR. GARRISON: Mr. Bledsoe will read.

MR. BLEDSOE: This is the deposition of James Earl Ray which was taken March 11 and March 12th of 1995 in the case of *James Earl Ray versus Loyd Jowers*. Appearing for the plaintiff was Doctor Pepper. Representing the defendant was Lewis Garrison. Also present was Loyd Jowers and Jerry Little.

James Earl Ray having been first duly

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sworn was examined and testified as follows and his direct examination questioning by Mr. Garrison.

(The following proceedings were read by Mr. John H. Bledsoe from the deposition of Mr. James Earl Ray.)

DIRECT EXAMINATION

BY MR. GARRISON:

Q. Mr. Ray, I'm Lewis Garrison, an attorney out of Memphis, Tennessee, and I represent Mr. Jowers seated next to me. You filed a lawsuit against him as a defendant.

I'm going to ask you some questions, and I want you to be sure that I – you understand my questions before you answer them. If there is anything I ask you you don't understand, tell me and I will be glad to repeat it or speak louder or say it in a way where you understand it.

A. Okay.

Q. If you will be sure and don't shake your head. She has to write down what you say, and if you will, give a complete answer because she will have to put it on the record what you say as to the court hearing. And if you will

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give a complete answer, it will assist us in knowing what you have testified to here today.

A. All right.

Q. Tell us your full name, sir.

A. James Earl Ray.

Q. Okay. And, Mr. Ray, I believe you were born April 10th, 1928; is that correct, sir?

A. No. Let's see, March 10.

Q. I mean, March 10. I'm sorry, March 10, 1968 – oh, 1928.

A. Yes.

Q. Yesterday was your birthday. Okay. You're presently confined to the Riverview – River Bend –

A. River Bend Maximum Security Institution.

Q. Security institution. All right. How long have you been there at this location?

A. Since March 1991.

Q. Now, Mr. Ray, if I'm not mistaken, I believe you entered a guilty plea on March 10th, 1969, in Memphis, Tennessee; is that correct, sir?

A. That is correct. Yes.

Q. And you have been confined since that

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time?

A. Yes.

Q. Let me ask you some questions, Mr. Ray. You were born in Alton, Illinois; is that correct, sir?

A. Yes.

Q. And you were the oldest of nine children?

A. No, it was seven. A lot of these records I don't know where you get them, but they're not exactly correct.

Q. You're the oldest of seven children?

A. Yes.

Q. And your mother's name?

A. Lucille.

Q. Okay. I believe she died in 1961; is that correct?

A. I believe so, yes.

Q. Did you grow up around Alton?

A. Did I grow up around Alton?

Q. Yes, sir.

A. Yes. But I really don't want to go into too many of these personal questions that doesn't have anything to do with the Martin Luther King case.

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Q. Well, Mr. Ray, according to our rules this is what is called a discovery deposition, and we are permitted to go into pretty much wide latitude, and I'm going to ask you some questions and I would like you to answer them. We'll let the judge decide whether or not they are proper.

A. Yeah. Well, I am not getting into too many personal questions. You can ask them. I don't think I'm required to answer them.

Q. Okay. How far did you go in school?

A. Two years of high school.

Q. And what school did you last attend?

A. Well, I would rather not answer that either.

Q. Okay. Can you tell me the first job that you held?

A. It was at the International Shoe Company, Hartford, Illinois.

Q. How old were you when you had that job?

A. Fifteen, I believe.

Q. Okay. What did you do for them?

A. Well, they just made leather materials. I couldn't go beyond that.

Q. Okay. How long did you work there?

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A. I would say about sixteen or seventeen months.

Q. Okay. And where were you living then when you worked for International?

A. Alton, Illinois.

Q. Before you became 18 years old – 18 years of age, had you been arrested for anything?

A. No.

Q. After the International Shoe Company, then did you enter the military service?

A. Yes.

Q. Okay. What branch were you in?

A. I was in the Army.

Q. Okay. How long did you serve in the Army?

A. Three years.

Q. Were you stationed overseas or were you all in the United States all the time you were serving?

A. Most of the time I was in Europe.

Q. Okay. You were I believe, Mr. Ray, what is called an MP, is that correct, military police?

A. No. I was in four or five different

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organizations. I was in – I started out in the quartermaster for about seven or eight months, and then I was in the military police for eight or nine months. And then I was in the infantry several months and I was discharged. I was in the infantry at the time I was discharged.

Q. How old were you when you were discharged?

A. About 20 years old.

Q. Okay. And where were you discharged from, what location were you discharged from?

A. I believe it was Camp Kilmer, New Jersey.

Q. When you were discharged, where did you go from there?

A. Well, I didn't go any certain place. I know I was in Quincy, Illinois, for a while after I was discharged.

Q. Did you have an employment there?

A. No, not at that time.

Q. Okay. When did you have your next employment after you were discharged from the service?

A. I don't believe I had any employment

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after I was discharged from the service.

Q. You never were employed on any job at all?

A. No. After you got out of the military, they give you so much money every month for a year.

Q. Okay. Did you continue living in Quincy, Illinois, or did you go somewhere else after that?

A. Well, I was in different places. I can't recall them all because it's been a long time. I lived in that general area, Quincy or Alton, Illinois, generally in the St. Louis, Missouri, area.

Q. Tell me the first time that you – that you were arrested and found guilty and served time that you can remember?

A. The first time I think it was in 1949. I would say about October of 1949.

Q. What state was that?

A. California.

Q. Did you have a trial or did you enter a guilty plea?

A. No, I just entered a plea for attempted burglary or – I believe that's the charge.

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I'm not certain of that.

Q. How much time did you serve?

A. I was on probation for two years.

Q. Okay. Where did you serve your time or you said you didn't serve time?

A. No, I was –

Q. All right. I'm sorry. And when you were on probation, Mr. Ray, where were you living?

A. Chicago, Illinois.

Q. Okay. Were you arrested any more after that?

A. Well, I lived in Chicago for, let's see, from 1950, the spring of 1950, until the spring of 1952, and I was arrested for a robbery in 1952. So I would say about May

of 1952.

Q. That was in the state of Illinois?

A. That's correct. Yes.

Q. Okay. And what happened, did you – were you convicted or did you plead guilty to the charge of robbery?

A. Yes, I entered a guilty plea to the robbery charge, yes.

Q. And did you serve time?

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A. Yes.

Q. How much?

A. Two years.

Q. Where did you serve it?

A. Pontiac, Illinois.

Q. Okay. Now, Mr. Ray, you lived in the Chicago area you said from 1950 to 1952 and did you have any type of employment during this period of time?

A. Yes. I worked all the time I was up there.

Q. Where did you work?

A. I can't remember all the places that I worked. I worked about three different places. When I was arrested, I was working in Borg Ericson, E R I C S O N, they made scales.

Q. What is the name of it again?

A. Borg Ericson. B O R G, I believe it was, Ericson and they were –

Q. And they're in Chicago?

A. Yes.

Q. Okay. All right. Now, you had a robbery charge. You entered a guilty plea. You had two years in prison. And when you were released, where did you go from there?

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A. I went to Quincy, Illinois.

Q. Okay. And did you work anywhere there?

A. No.

Q. Were you subsequently arrested any more for anything after that?

A. Yes. I was arrested for burglary in Alton, Illinois, in –

Q. Okay. And what happened to that charge?

A. Well, I got out on bond, and I can't remember the date now. It must have been 1955 I would guess.

Q. Okay. Did you enter a guilty plea or were you tried – have a trial?

A. I never was – that case was I think nolle prossed or whatever you call it.

Q. All right. And then after that what happened to you?

A. I was arrested again. Subsequently I was arrested for I think transporting state – stolen documents across the state line.

Q. Okay. And what state was that in?

A. That was in Missouri. It was a federal charge.

Q. And did you have any trial or enter a

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guilty plea on that?

A. I entered a guilty plea on that and received three years – and –

Q. Where did you serve your time?

A. Forty-five months in Leavenworth, Kansas.

Q. After you were released from there, where did you go next?

A. I was released from there in 1958 I believe it was.

Q. Okay. Where did you move or where did you live then?

A. Oh, I went to Saint – yes, I went to St. Louis, Missouri.

Q. Did you have any employment there?

A. No, I didn't.

Q. Okay. Who did you live with there, Mr. Ray, anyone?

A. Well, I lived with myself mostly.

Q. Okay. Were you arrested any more then?

A. Yes. After about a year and a half there, I was arrested for armed robbery, yes.

Q. Anyone arrested with you?

A. And car theft. Yes, someone, an individual named James Owens.

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Q. Okay. And that was in the St. Louis area?

A. Yes, that was in St. Louis, yes.

Q. All right. And what happened to that charge?

A. Well, I went to trial on that charge, and I received a 20 year sentence.

Q. Okay. Where did you serve your time?

A. At Jefferson City, Missouri. I never did serve the complete sentence. I escaped before time had expired.

Q. Okay. How much time did you serve before you escaped?

A. Well, I guess about six and a half years, something like that.

Q. Was this the – in other words, this is the time you actually escaped and you made – in the bread truck; is that correct?

A. Yes. That's correct.

Q. Now, you had tried to escape or did escape I believe or attempted to before that, am I correct, sir?

A. Yes, twice, yes.

Q. Did you actually get out of the prison compound on the other –

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A. No, I didn't.

Q. When you were in the prison in Jefferson City, Missouri, I believe you worked as a cook or in the bakery.

A. Yes, I had several jobs, but when I escaped, I was working in the – a section of the bakery.

Q. You had had, Mr. Ray, I think some training to mix dyes at some point, am I correct, sir?

A. Well, that's when I was working for the shoe company in 19 – when I was in Hartford, the job I mentioned previously in 1944 I believe it was.

Q. Did you – after you left there, did you ever work anywhere in this type trade where you were mixing dyes and those type things?

A. No, I haven't – no.

Q. Okay. Now, what year did you escape from – the last time, in the bread truck?

A. Well, that would have been in 1967, April.

Q. All right. Now, you – I believe you had left and you eventually made your way to the Chicago area, am I correct?

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A. Yes. That's correct.

Q. How long did you stay there?

A. Well, I think a little over two months I would say. Eight or ten weeks.

Q. When you were there two months, Mr. Ray, did you work any place?

A. Yes, I worked in a restaurant in Winnetka, Illinois, which is a suburb of Chicago.

Q. Okay. And you were there about two months?

A. Yes, approximately, maybe a little bit longer. I'm not certain.

MR. BLEDSOE: And then Mr. Pepper states: Excuse me, Miss Parks, if you have problems with any of the spelling of any of the names, please let us know. Resuming question.

Q. Okay. Mr. Ray, when you left the Chicago area, where did you go then?

A. Well, after I accumulated a certain amount of identification, I was – I was working under a false name of John L. Rayns.

Q. How did you spell that last name?

A. R A Y N S.

Q. Okay. Go ahead.

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A. After I left there, it was my intentions to go to a foreign country. So I had one more check coming so I went to Quincy, Illinois, and I stayed around there eight or ten days, I guess. I'm not certain just how long.

Q. Okay. Mr. Ray, I want to back up a moment here. Back in the time you were serving in the last prison where you escaped from –

A. Yes.

Q. – did you ever serve any time where there was some black prisoners that you were confined with?

A. Well, there's blacks in all prisons, yes.

Q. But my question is, did you serve any time in the area where there were black prisoners?

A. Oh, yes, they're all mixed in.

Q. So your answer is yes, you did serve where there were black prisoners integrated in the area where you were serving – where you were in the cell, in that cell block; is that correct?

A. Well, the cell blocks were segregated

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but, you know, you're on the yard and things of that nature.

Q. Okay. And was there one time when you had a chance to be transferred – I'm sure you have been asked this before – and you turned it down because there were black people in the area where you would be transferred in the cell block area?

A. I was talking – excuse me, are you talking about Jefferson City?

Q. Yes, sir.

A. No, no, I think what you're talking about is the Leavenworth, the Leavenworth prison.

Q. Okay. Did that happen, just what I just –

A. No, not necessarily it happened. At the time I was in Leavenworth, I was due to be discharged in about five or six months. And at the time they offered to send me outside to work in what they call the dormitories.

Q. Now we are talking about Leavenworth, the federal prison.

A. The federal prison. I was inside the walls and they offered – I could go outside

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and work in the dormitories and one of the other prisoners told me that people had been getting drug charges out there. If you get – I think the procedure was if you were arrested, if there was marijuana, I'm talking about marijuana, if you were arrested, you could get two years if you entered a guilty plea. If you went to trial, you got ten years. And their position was that, it seemed to me, the general consensus was most of the blacks smoked marijuana and the whites were drinking alcohol.

So I didn't want to go out there under those conditions where everyone was mixed up in the same dormitory room. So I didn't go out there.

Q. You turned it down?

A. Yes. It had nothing to do with any race issue.

Q. Okay. When you were working in Chicago at the restaurant, were there people of the black race working there with you?

A. In Chicago? Just about all except me and one other individual. I think there was about – there was about seven or eight there in the restaurant and I think it was two whites, me and another guy. And that's not

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counting the waitresses. The waitresses, I don't know about those, they worked out in front.

Q. What was the reason you left that job in Chicago?

A. What was the reason? Well, there was several reasons. I just went to work there to accumulate some money. When I escaped from the Missouri prison, I had \$250. I wanted to accumulate some more money to where I could go to Canada. Also I was concerned about – I was using one of my brother's Social Security numbers and I was concerned that it might get checked and find out that, you know – I mean, it wasn't me. So there really was no point in staying there any longer. I accomplished what I set out to do. I got the identification. I got – I made seven or eight hundred dollars and so I was ready to leave.

Q. All right. What type of identification did you get?

A. Well, when I escaped, I didn't have nothing except the Social Security number.

Q. You had no card?

A. No, I didn't have the card.

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Q. Just a number?

A. Yes.

Q. Okay. Go ahead.

A. While I was up there, I purchased a car and I got it underneath the Ryan name – the Rayns name.

Q. Okay. Was the Social Security card issued to you in that name, is that what you got?

A. The Social Security number?

Q. No. You said you got something. What kind of identification did you get? Was it a Social Security card, driver's license or what?

A. No. Well, when I escaped from prison, the only identification I had was a Social Security number. My brother, he had seven or eight apparently, and he gave me one of them to use.

Q. Okay.

A. So I went to work at the restaurant in Winnetka, Illinois, I gave them my Social Security number and my name as being John L. Rayns. Subsequently about the identification I purchased a car I think for a hundred dollars under the Rayns name and I got a title, which

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is, you know, identification.

Q. Okay.

A. And then I went and took the driver's test and got a driver's license.

Q. That's in the state of Illinois?

A. That's the state of Illinois.

Q. What name did you use?

A. The John L. Rayns name.

Q. Is that the name you were working – using at the restaurant, John L. Rayns?

A. Yes, John L. Rayns, yes.

Q. Okay. Had you ever used that name before this?

A. No. As I mentioned, it wasn't really one of my aliases. I just got that – I borrowed it from my brother.

Q. Okay. Mr. Ray, tell me the first alias you used, if you recall, other than your real name?

A. You mean to begin with all the way back?

Q. Yes, sir.

A. That would be hard to say. I have used quite a few of them.

Q. Well, tell me the first one you

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remember using.

A. Probably the first one I used was in Mexico in 1955 I believe it was. I think I used James, James O'Connor.

Q. James O'Connor?

A. Yes.

Q. Now, let me ask you something about that. Did you have any kind of a Social Security card, driver's license or anything with that name on it ever?

A. No. At that period of time Social Security cards were – they were not good identification. The purpose was not for identification at that time. I know now they are, but they wouldn't accept that type of –

Q. But did you ever have any kind of identification, driver's license, title of any – of an automobile, anything with that name on it?

A. What name is that?

Q. James O'Connor.

A. Apparently I did. I was – if I crossed the border with the car because I know Mexican customs officials check your title and your driver's license.

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Q. And you were in Mexico in 1955; is that correct?

A. Let's see, what year was that? No, that would have been – no, it wasn't 1955. It was 1959. That's when it was.

Q. All right. Did you ever actually know anyone named James O'Connor?

A. I never did know anyone like that. I know when I was arrested the detective's name was that and he got kind of upset about it. But I didn't use – I didn't get it because it was his name. I didn't even know him.

Q. Okay. Tell me the next alias you used that you remember.

A. Well, I can't recall any more now. I might use one in a motel, but I can't recall something I would use over night or something. Probably the only ones that I can recall subsequently was – is the ones I used after I escaped from the Missouri prison.

Q. Well, okay. Let's go back when you were in Los Angeles, what name did you use out there?

A. I think I used my regular name, James Ray.

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Q. When you were going through bartending school, what name did you use?

A. Now you're talking about Los Angeles?

Q. Yes, sir.

A. In 1949 or just this last time?

Q. When you were going through bartending school.

A. Well, I was using the name Eric S. Galt.

Q. And did you have any identification with that on it?

A. Yes, I did.

Q. And what identification did you have, driver's license, Social Security, anything else?

A. Driver's license. And in Alabama they have what you call a bill of sale for an automobile and I had some other cards and things of that nature to supplement the driver's license.

Q. Now, before you use the name of Eric Galt, what other names had you used, aliases, that you remember before that?

A. Well, after I escaped I used the name John L. – John L. Rayns and that's the only

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one I used.

Q. That's the only one you've ever used?

A. Well, that's the only one I used – no, I used some after the Galt name but that –

Q. Okay.

A. The first time was Rayns and then I went from Rayns to Galt.

Q. Okay. All right. Now, we are at the point where you had lived in Chicago and worked at a restaurant under the name of John L. Rayns for two months. Where did you go when you left there?

A. Well, as I mentioned earlier, I went to Chicago. I was working on a check. I had a check due and I stayed around. I left Chicago and went to Quincy, Illinois, for eight or ten days.

Q. All right. And you had a car at that time; is that right?

A. Yes, I had a car.

Q. And you bought the car in the name of John L. Rayns?

A. Yes.

Q. And you lived in Quincy. How long did you live there?

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A. Well, I stayed there eight or ten days.

Q. We are looking at 1967, about that time; is that correct?

A. Yeah. That would be around late June or early July of 1967, yes.

Q. Okay. Mr. Ray, when you – before you escaped, was there times when you and some of the other people that were there with you had a discussion about Doctor Martin Luther King?

A. No, I don't have no recollection.

Q. You never discussed it with anybody? You never even heard his name called all the time you were in prison before you escaped?

A. If I did, I don't have no recollection of it. I mean, there is all sorts of people, you know, their names might come up but you don't have – since you're not interested in them, you wouldn't have no recollection of them. At that time we didn't have no televisions or radios or things of that nature, so...

Q. Are you aware of the fact that – I know you are because you have been at this a long time – that there are prisoners who gave affidavits saying you did talk about Doctor

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Martin Luther King. You are aware of that, aren't you?

A. I have read some of these affidavits and I think there is one person that testified to that. I know he was – I know he was an informant so I assume he just made up the story. But I have read some of the statements. I got the Congressional committee that investigated the Martin Luther King case in 19 – when was it?

MR. BLEDSOE: Doctor Pepper states

19 – 1977, 1978.

A. Yes, 1977, 1978. I got some of those statements and I think it was just one

individual that said that I ever mentioned Martin Luther King.

Q. Was that true?

A. No, he was – like I say, he was an informant, and he wasn't in the Missouri prison anyway. I think he was – yes, he was in the Missouri prison, but I think he checked in what he is called protective custody after he said that.

Q. Let me ask you this: Did you ever discuss the assassination of President Kennedy

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with any of the people while you were in the prison before you escaped?

A. I have no recollection of any convicts ever talking about him. It might have been maybe one or two days or something, but usually if you're in the penitentiary, you have other things that concern you, personal things rather than politicians.

Q. Well, when President Kennedy was assassinated, were you in prison then?

A. Yes, I was in the Missouri prison.

Q. How did you learn about it?

A. I think someone told me or something. Probably come by the cell and told me because as I mentioned we didn't have – we did have ear phones in one station but we didn't have access to too much news.

Q. Okay. Did you ever have any discussion with any of the prisoners or anyone else that if someone assassinated Doctor Martin King, they would make a lot of money?

A. Did I ever have any questions? No, I never have.

Q. You never had any discussions before the assassination of Doctor King with any

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person?

A. No.

Q. Now, you're aware again of the affidavit that's been given stating that you did say that?

A. I haven't seen these, all these affidavits. I have seen one of them – this – an individual who was – gave a story to the Ebony magazine I think. I can't think of his name but I know his – there's 15 or 20 of these affidavits. In all of them one party says one thing and one says another.

MR. BLEDSOE: And Doctor Pepper states: Counsel, you have any particular affidavits you would like Mr. Ray to review? Mr. Garrison: Not at the moment.

A. But –

Q. Go ahead.

A. But most of these are convicts. If I drop dead today, you could probably go out here and get a hundred affidavits saying that I confessed to killing Martin Luther King. So I don't put too much credibility in what informants say.

Q. Okay. The person that you have seen

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the affidavits, was that person that you were in a cell with or close to when you were serving? Do you know the name of the individual?

A. Well, first, I celled alone. I didn't cell with anyone when I was there. I was in a single cell most all the time I was in the Missouri prison. I think maybe three or four months I was in with another individual, but I preferred a cell to myself so I usually celled in a single cell. I can't think of this individual's name. He was in Leavenworth when I came – when I went there, but I think they transferred him to another place because he was informing against these accomplices. That's when I went to Leavenworth in 1955. And I can't think of anyone else that's made these affidavits.

Yes, that's his name, Ray Curtis. I can't think of anyone else that made a hostile affidavit against me except the one James Bradley. He said something about he thought I was dealing in drugs but that doesn't have anything to do with the Martin

Luther King case. But I have never seen any affidavits

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where – saying that I mentioned Martin Luther King.

Q. Tell me, Mr. Ray, when and where you first met a gentleman named Raul?

A. That would have been in Montreal, Canada, in July of 1968.

Q. Okay. Where did you meet him?

A. A place called the Neptune Bar in Montreal, in east Montreal.

Q. Okay. Had you ever been in the Neptune Bar before this day that you met him?

A. I could – before I met him there I possibly could have been there once or something because I was in that general area.

Q. Had you ever been in Montreal before this time?

A. Yes. I had been in Montreal another time, yes.

Q. How long had you been in Montreal?

A. Before that or that or this?

Q. When you met him, how long had you been in Montreal?

A. I really hadn't been there very long. I can't tell you just exactly how many days.

Q. Are we looking at days, weeks, months

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or what?

A. Yes, it would be days. Yes.

Q. You left Chicago and had gone to Quincy, Illinois, and how long did you stay there?

A. Where?

Q. Quincy, Illinois.

A. Probably eight or ten days.

Q. And then where did you go?

A. I went to Montreal from there. I went back to Chicago and got a check and then I went to Montreal.

Q. All right. You drove an automobile to Montreal?

A. Yes.

Q. When you got to Montreal the first time, is this the first time you had been there, ever been to Montreal?

A. No. I had been there before.

Q. When were you there before this?

A. 1959.

Q. And how long did you stay in Montreal in 1959?

A. I stayed – I think I stayed there about three weeks.

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Q. Do you remember where you stayed?

A. I can't remember the place. I know I stayed fairly close to the train station.

Q. Now, between 1959 and this time had you been in Montreal any more?

A. No, that was it.

Q. And what was your purpose in going to Montreal?

A. In 1959?

Q. The last time. This last time you were up there when you – after 1959, the next time you were in Montreal what was your purpose in going there?

A. The last time you're talking about?

Q. Well, you were there in 1959 and you said you were back again. That's where we are right now.

A. In 1959 I was – the police was after me in 1959.

Q. All right.

A. Of course, they was after me again in 1968, too, but it was different circumstances.

Q. But you – from 1959 you had never been back in Montreal until 1968?

A. No, I hadn't.

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Q. In 1968 what did you go to Montreal for?

A. Well, I assumed the FBI or the police were after me at that time in connection with the Martin Luther King, Jr., homicide.

Q. Okay. What made you think that?

A. Well, I would have to go – to explain that I would have to go back to where I was on April 4th, 1968.

Q. Okay. Where were you on April 4th, 1968?

A. I was in Memphis, Tennessee.

Q. And what made you think they were after you?

A. Well, this is sort of a complicated thing. I will start April 3rd – well, anyway in April. I won't go over all the details on April 3rd. Anyway I met this individual named Raul on April 3rd in a motel called The Rebel, the New Rebel motel I think it was. And he asked me to – we had been involved in other things which I won't get into and he asked me to meet him at a place he wrote down on a paper, I think it was Jim's Grill, the next day. He gave me the address, I think it was

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422 and a half Main.

Now, on April – that was on April 3rd. I do recall it was raining that night. Now, on April 4th that time I had a rifle also with me when I was – on April 3rd, and I turned that over to him on April – that night.

Then on April 4th I think I was supposed to meet him there at Jim's Grill probably about 3:30. Now, on April 4th I checked out of the motel, I would just guess about 11 o'clock or whenever they ring you out of them places. And I was – it was too early to go to – you know, to have this meeting set.

So I just more or less stalled around. And I – on the outside of Memphis, the outskirts of Memphis I would say. I had a – I was getting ready to come back and have this meeting and I had a flat tire so I had to fix it.

Q. Where were you when you had the flat tire?

A. It was somewhere south of Memphis. But I'm not certain just where it was at.

Q. Okay.

A. So I changed the tire myself. I know

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it was outside. It was probably in Mississippi is probably where it was at, right outside of Memphis. So anyway I changed the tire and then I went to – drove into Memphis proper. And I would say about ten or twelve blocks from downtown I drove into a parking lot and I was going to leave the car there and find out, you know, this

address. And the parking lot attendant – I asked, I asked him about the address and he said something about it was uptown or I think I – I think what I asked him specifically was where was uptown at. So –

Q. Had you ever been to Memphis before this?

A. No, I never had been there, no. So I did – I walked uptown and went – I could see, you know, the high-rise buildings up there, and I asked a policeman where this address was and I had it wrote down. And he gave me general directions.

Well, I got on South Main Street and I went into a bar on the right side. I think it was – I don't know if I'm – I could be mistaken but I think it was Jim's something. Whether it was or not anyway, I went in there.

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Now this is on the right-hand side of the street going south, and I asked him about this address and he said – it was a woman. She was tending bar and she said that it was down the street on the left a block or so.

And while I was in there, there was two individuals in there. I thought maybe they were what appeared to be watching me. So when I went in the place, I usually buy, you know, something, a sandwich or a bottle beer. But I don't drink beer, but I buy it. You know, you just can't go in there and ask a bunch of questions and sit around.

So when I left there, when I got to Jim's Grill I was supposed to meet Raul in this Jim's Grill, and he wasn't in there. But these two individuals was. And I – you know, I was kind of concerned anyway because we was dealing in rifles and things of that nature.

So anyway Raul wasn't there. So I thought I would go get the car, the Mustang, where I parked it in the parking lot and drive it back up to the – park in that general area of Jim's Grill.

So I went back and got the Mustang and

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parked it, and I don't think I parked right directly in front of Jim's Grill. It's my strong recollection I parked it about ten or fifteen feet south of where you – where the door is. And when I went in this time Raul wasn't – he was in there this time, and we had – we had a brief discussion, and I think he asked me where I was at. He seemed mainly interested in the Mustang.

So when we went out the door, he wanted me to rent a room upstairs he said. So anyway we went out the door. I pointed the Mustang out to him because he was concerned that I had it there. And so I went upstairs and rented a room, and I don't know where he went. He could have went back in Jim's Grill. He could have sat in the Mustang. He had a set of keys to the Mustang.

And after I was up there a short while – well, first I went and seen the individual that rented the rooms. And to the best of my recollection, I walked up and turned right. And I walked down a small foyer I guess it was and I turned – came up the steps and I went through and seen – I went to the office.

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And the lady up there, I subsequently learned her name was Bessie Brewer. I told her I would like to rent a room for a week I think it was, and so she had two rooms.

So she showed me two different rooms. One of them was a sleeping room and one of them was some type of room where you cook in. So I told her I was just interested in a sleeping room. So she rented me the sleeping room.

So after I had been up there, I wasn't up there too long, Raul had come up there and he – we started talking, and he said that we might be around there two or three days, a couple of days, and he said, I should bring in my clothing and everything I had and put it in the room. So – but I didn't do that. I think I mentioned to him or that the – you know, the place was a wino's place because I could tell that. I had been familiar with them type of establishments.

But there was no door handles on the door. They had a strap on them and they had a strap on their door. So – but I did bring an overnight case up there, and I think I brought a – something else up there, something to

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sleep on or something. I think it was a sheet or something.

So after we was up there a few minutes and was talking about just general things, he asked me to go down the street and check on a pair of infrared binoculars. So he told me generally where it was at. It was down the street on the right somewhere. So anyway I started. I looked for it, but I couldn't locate the place. I think – I believe this is about 4:30 probably when I first rented the room, the time I rented the room.

Anyway, I couldn't locate the place so I came back up and asked him more specific directions. So he told me more specific, but I don't think I walked far enough I think is what happened. So I went back and I asked the guy about the infrared binoculars, and he inferred that I would have to get them at the Army surplus. He said he just had binoculars but he said he didn't have any attachments to put on them where you could see at night.

So anyway I just got – I just purchased the binoculars, what he showed me, and I went back to the room and I just more or

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less set them on the bed and told Raul that if he wanted the infrared, he would probably have to get them through the military surplus.

So I hadn't eaten in a while – in quite a while by that time so I – I had missed lunch on account of having a flat tire so I went back down to the – I told him I was going down to eat and I went down to a place called – I subsequently learned – a policeman told me it was the Chickasaw Restaurant. I think he sat on the corner. I believe he said it was underneath a hotel, and I don't know what I ate there, ice cream or something. I know I ate. And I recall – apparently it was the manager. He was instructing the – apparently a new employee, a young black lady, how to operate the cash register.

So anyway when I – I stayed around there a few minutes, I guess five or ten minutes and I was back to the rooming house and I – I possibly – I sat in the car a little while, in the Mustang, before I went back up to the rooming house. I have some recollection of sitting in the Mustang.

So anyway, when I went back up to the

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rooming house, Raul, he was up there and he suggested – you know, he was going to meet with some people later on that evening, and he suggested that I go to a movie or do something and not come back for a while. So I left there and went back downstairs and I crossed the street and went about two blocks up, and I stopped in a restaurant. And I just more or less sitting there, I think I had a beer or something, and I was going to a movie. And then I got to thinking about having a flat tire earlier that day so I thought I would get it fixed.

So I drove back – I walked back down to the rooming house, and got the Mustang and then I pulled out of the – waited in front of the – this Jim's Grill, and I don't know just how far I drove. I may have drove three or four or five or six blocks. But after driving several blocks, I turned right and I think I went either one or two blocks down there and I turned right again. It was my intention to try to get the tire fixed and then go park right where I was.

I stopped at one service station and

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he said something about it was a busy time and where he couldn't do it at that time. He was busy, and I think there was another service station on another corner, I'm not certain if I went over there or not. I possibly could have but I wouldn't testify to it under oath or swear to it.

But anyway I went on back after this, the attendant said couldn't fix it. I went – kept going on south and I turned right and went up to Main Street and I was going to turn right again. Well, when I got to Main Street, I noticed – I looked down Main Street, and it looked like three or four individuals or policemen was running around down there, and I think – and I believe a squad car or a police car was parked in – blocking off the intersection or blocking off the street or something. It looked like he was waving around, waving his hands around and possibly waving people off.

So I just turned left instead of turning right and I entered an area. It appeared to be kind of a rundown area. It was a lot of – I think it was probably what you

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call a black neighborhood. So I drove real slow through the – slow through this neighborhood and finally I come out on Main Street, and it was my intentions to – I had a phone number in New Orleans, it was Raul's number.

It was my intention once I got down there to get on the outside of Memphis, maybe three or four miles and call him up and ask him, you know, if there was anything going on down there because I know there was at least one gun down there. I assumed there was one gun down there and I tried to find out if the police had raided the place.

So I would say about 15 minutes, I'm not positive on this, they said that, there was a bulletin that came over the radio saying that Reverend Martin Luther King had been shot. So I didn't pay too much attention to that. Just I kept on driving, and it wasn't too long after that it said – I guess I was fairly close to the edge of town. It said they were looking for a white man in a white Mustang in connection with the shooting of Reverend King. So I decided then I would, you know,

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get out of Dodge, so to speak. So instead of making any phone calls, I just kept going south into Mississippi. And the first – the first highway I came to and made a left turn, I made a left turn and then went – and then I went on to – I returned – from there I went on into Atlanta and then from Atlanta I went to Detroit and then back to Canada.

Q. Okay. Let me, Mr. Ray, back up now. You had left Quincy, Illinois, to go to Montreal. That was in 1967 I believe you said. How long did you stay up there before you left?

A. How long did I stay in Montreal?

Q. We are talking about 1967, after you had escaped.

A. Yeah. I would say about 30 days. Generally 30.

Q. Is this when you met Raul that first time you were there?

A. Yes, sir, that was in 1967, yes.

Q. Okay. Do you remember where you were living up there in Montreal? Were you living in a motel or a boarding home or how were you living?

A. It was sort of an apartment complex. I

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think it was the – I can't think of the name of it. It was in south Montreal, what they call the French section.

Q. And all the money you had at that time was the money you had been paid at the restaurant; is that correct?

A. No. That isn't correct. I escaped with two hundred fifty dollars and at the restaurant I made seven or eight hundred dollars. Of course I purchased another car. The car I purchased broke down and I had to buy a Plymouth. I think when I got to Montreal, I don't know how much I had, but I didn't have too much.

Q. How much did you pay for the Plymouth?

A. A hundred and ninety-five dollars I believe it was. Now, what I did in Montreal the first day I was there, the fact is I set the thing up before the day I moved into Montreal. I held up – at the time what you call The Expo was there, The International Exposition, and I robbed the brothel and I got about seventeen or eighteen hundred dollars out of it.

Q. Did you have a gun?

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A. Yes, I did.

Q. Where did you get the gun?

A. I had a .38 which I had purchased in Birmingham, Alabama.

Q. Now, you have lost me. I thought you had gone from Quincy, Illinois, to Montreal?

A. I had. But I had purchased the .38 – no, wait a minute. That's – that was another gun I had. The – we get out of sequence and you get things mixed up. When I quit the job in Montreal in –

Q. Chicago?

A. In Winnetka, Illinois, and went to Quincy I went back to Chicago and got my check and then I came to East St. Louis. I was going to see my brother and I was going – before I left the country, I was going to arrange for help and get him help, post office box and things where I could write him.

Q. Which one of your brothers?

A. This was John Ray.

Q. All right.

A. I had another brother in Chicago and his name was Jerry Ray. I used the – most of my contacts were around the St. Louis area.

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Q. How did you get the gun?

A. Well, there was a guy name Jack Gawron, he was the – I didn't know at the time but he was an FBI informant.

Q. And where was he located?

A. Well, he lived in St. Louis. He lived in St. Louis.

Q. All right. And how did you get in touch with him?

A. Well, he didn't have no telephone, but he had a bar where he took – he took the phones. He is in and out of this bar all the time, and I called this bar and I made arrangements for him to come and meet me in East St. Louis, Illinois.

Q. How did you find out you could buy a gun from him?

A. I didn't buy no gun from him. I knew a fence in Madison, Illinois, so...

Q. What was your purpose in meeting Mr. Gawron, Jack Gawron?

A. When did I first meet him?

Q. No, sir. I said what was your purpose in meeting him?

A. Well, I was going to give him a message

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to give to my brother John Ray.

Q. All right.

A. I was going to see John, but I thought maybe the police had him under surveillance, so my brothers knew Gawron for a long time and they trusted him and everything. They were in the penitentiary with him in Illinois in Minard Prison.

So anyway the Gawron, we went to Madison and at that time I didn't have enough money really to buy a gun. So he said he was going to take it care of it and I guess he did and I think he got –

Q. When you went to Madison, did you drive your car or did he ride with you or did you ride with him?

A. No, he couldn't – he didn't have no car.

Q. So he rode with you?

A. Yes, he rode with me.

Q. How far did you go with him? How many miles did you drive?

A. From East St. Louis to Madison it's a short distance. I would say it's about six or seven miles.

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Q. Now, you – who gave you his name? How did you get acquainted with him, Jack Gawron?

A. Well, as I mentioned he knew my brothers and he served time with them in Minard Prison. Well, he got out on parole in 19 – he got out on parole in 19 – I'm trying to think when he got out on parole. When I got out of Leavenworth, he got out of parole after I did.

Q. What was he there for in prison?

A. Apparently murder. He was on a life sentence and he was – he got out on parole and that would have been 1955. At that time I was selling wine. I was what they call bootlegging and I met him – well, my mother she – he came to see her and tell her, you know, about my brothers, how they were getting along, and I met him at her house.

Q. Now, when you were bootlegging, was that before you were arrested to this last sentence or was that before you escaped?

A. No, that was after I got out of Leavenworth.

Q. Okay. That was between then and the time you went back in for your last sentence where you escaped.

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A. Yes.

Q. For robbery.

A. Yes. That would have been 1958, 1959, yes.

Q. Okay. And where were you living when you were bootlegging?

A. At that time I was living right on the edge of more or less a wino neighborhood, but I can't think of the name of the street. I believe it was Lafayette Street.

Q. Was it in Quincy?

A. No, that was in St. Louis.

Q. Okay.

A. Lafayette Street in South St. Louis.

Q. Okay. Well, how did you know where he was located and where to get in touch with him?

A. At that time?

Q. When you went with him to get a gun?

A. Well, as I mentioned, he didn't have no telephone and I knew where he lived. But he took messages at a bar. He was in most of the time and they would give a message to him, and I left a message with him, you know, where to meet me.

Q. And he met you?

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A. Yes, he did.

Q. And he took you somewhere to East St. Louis?

A. No, he – yes, I met him in East St. Louis. I gave him the name of a bar or whatever.

Q. And he told you he would help you get a gun or where to –

A. Well, I knew where to get the gun at. I just took him down there and, you know, to – he was going to pay for it after I left.

Q. Okay. How did you know where to get a gun?

A. Well, I had dealt with this guy several times before in 1954 and 1955.

Q. He was in St. Louis?

A. No, he was in Madison. He was a fence in Madison.

Q. So had you bought guns from him before?

A. Yes, I had bought – yes.

Q. Okay. And this gentleman, Gawron, rode over there with you and you bought a .38?

A. Yes.

Q. From someone there in Madison?

A. Yes.

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Q. Now, where did you go from there?

A. Well, then I went – from there I went to – I think I went to Indianapolis, Indiana.

Q. Okay. What did you go there for?

A. Well, I was on my way to Canada.

Q. When is the first time, Mr. Ray, you were ever in Alabama, what year was it?

A. It would be 1967.

Q. It was after you escaped?

A. Yes. That's after I come back from Canada. It would be August of 1967.

Q. You were in Alabama?

A. Yes.

Q. Okay. And what was – did you spend any time in Alabama in any city the first time you were there?

A. Well, all the time I was there I was in Birmingham. I was just there one time.

Q. Okay. And what did you go to Birmingham for in 1967?

A. Well, when I met Raul in Montreal, he – I'm leaving out some testimony. There

was other things I done. I'm just going to stick with him. I'm not going to go into other things I have done.

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We made an arrangement to – he was going to get me a passport. I was trying to get a passport. He called them traveling documents if I would help him take certain things across the border in my Plymouth I had.

And I agreed to do this and I did take some stuff, some material across the border in the back seat of my car in July of – I guess it would be in August of 1967.

Q. Okay.

A. Well, at that time he claimed he didn't have no passport, but he did give me about sixteen or seventeen hundred dollars. And before that we agreed to go to meet in Birmingham. Initially he wanted us to meet in Mobile. And then I said, you know, I would rather meet in a bigger town. But actually it wasn't my intention at all – once I got the passport and some money, I intended to go back to Canada and leave the country. But I didn't get the passport and I didn't get – but I did get the money and so I did, you know, agree to – I met him there.

Q. And that was the first time to be in Birmingham though? What was – that was your

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first time to ever be in Birmingham?

A. That's correct.

Q. The state of Alabama, period?

A. Yes.

Q. Okay. When was the first time you were ever in Atlanta in the state of Georgia?

A. Well, that's the first time I had ever been there.

Q. On that same time?

A. Well, I was in – I was in Atlanta – no, I was in Atlanta – in 1968 is the only time I have ever been there. Now, one exception is in 1955 I worked briefly for my uncle and I went down there one time. I went down to Florida one time, and he was – he was supposed to get a job down there. And we was just down there three or four days. So I went through the southern states. That's the only time I have ever been through the southern states.

Q. What was your uncle's name?

A. What?

Q. What was your uncle's name?

A. William Maher, M A H E R. We just drove through there. It wasn't no overnight

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stay or nothing. So I am not certain, I could have – in 1955 I could have been through some of those towns but I have no recollection of which town I went through.

Q. All right. Now, you had gotten a .38 in Madison and Mr. John Gawron was with you. Where did you go from there?

A. I went to Indianapolis, Indiana.

Q. How long did you stay there?

A. Just over night.

Q. And then where?

A. I went to Detroit.

Q. And how long did you stay there?

A. I think what happened I was getting kind of short on money. I think I slept in the car one night. And I went to Detroit, and I don't think I stayed there. I think I crossed over and went right straight on into Canada. I can't account for every day. And

somewhere in – somewhere in Canada I think I slept in the car maybe again. And then the first time I rented a motel was in Dorion which is right outside of Montreal. That's D O R I O N, I believe is the way it is spelled. It's about, like I say, three or four miles from Montreal.

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Q. Mr. Ray, after you got the .38 in Madison, did you have any – did you hold up any place or rob anyone or take any money from anyone before you got to Montreal?

A. No, I didn't, no.

Q. All right. Then you – eventually – then you eventually did get to Montreal, right?

A. Yes.

THE COURT: Let's stop here and take a break, please.

(Brief recess.)

(Jury out.)

THE COURT: Bring the jury out, please, sir.

(Jury in.)

THE COURT: Mr. Garrison.

MR. GARRISON: We are going to continue reading Mr. Ray's deposition.

THE COURT: All right.

(Whereupon, the following is the continuation of the reading of the deposition transcript of James Earl Ray.)

MR. BLEDSOE: Resuming the deposition.

Q. Mr. Ray, after you got the .38 in

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Madison, did you have any – did you hold up any place or rob anyone or take any money from anyone before you got to Montreal?

A. No, I didn't. No.

Q. All right. Then you eventually did get to Montreal, right?

A. Yes.

Q. And that was in 1967?

A. Yes.

Q. About what month would that have been?

A. That would be sometime in July. I imagine the latter part of July.

Q. And you had a what model Plymouth?

A. A 1962.

Q. Two door or four door?

A. I don't really – I believe it was two door, yes.

Q. What color was it?

A. I believe it was red.

Q. Did you know anyone in Montreal then?

A. No, I didn't.

Q. And what was your purpose in going to Montreal, what did you intend to do when you got there?

A. I tried to get some travel documents

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and leave the country.

Q. Now, how long had you been there when you met Raul at this Neptune Bar?

A. It was just days after I had been there. It hadn't been over I would say –

Q. A week, less than a week, more than a week?

A. It probably was a week or six to seven days. It wasn't – I wouldn't want to get pinned down on just how many days.

Q. Tell us something about this Neptune Bar. What did it look like? Is it a big open space or was it a very small bar where you go to sit-up at the counter or can you describe it for us.

A. Well, it's got these – it looks like a – something on the windows, I think, where it looks like a ship steering wheel or something. Inside of it has got kind of heavy tables and then there is a bar in there and – I don't know. It's just another bar except it's – it's fixed up like it's a – make a seaman feel comfortable. I think it's pretty close to the waterfront.

Q. Did they serve food?

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A. I don't have no recollection. If they did, I didn't order anything.

Q. Did they have men or women waitresses and waiters or both or do you remember?

A. No, I think they had men. I think the men served, bartenders.

Q. Okay. The first time you were in there, is that something you just ran up on or did you intend to go there when you – in other words, were you intending to stop at this bar or was it just something you saw on the way?

A. Well, some of these bars get – see, my intention was when I went down there I started – when I started frequenting these places, initially I had contacted a travel agency when I first got there, and I asked them how, you know, the procedure was to get a passport and get out of the country.

Q. Do you remember what travel agency that was?

A. No, I just made a telephone call.

Q. You just picked it out of the directory?

A. Yes. And they told me that – I explained – I put down some story about

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identification or something. I was from a different city in Montreal, and they told me that if I didn't have sufficient – something about identification, that I would have to get what you call a guarantor, someone I knew two years, and they would vouch for me and swear that I was who I said I was. So I didn't want to wait around two years.

Q. What ID did you have on you then at that point?

A. In the – well, at that point I had – I had the Rayns. I had rented the room under the Rayns name, the apartment. The only thing I had identification was the Rayns but not – I said I rented a room and now I may have rented a room under the Galt name because I changed sometime. As soon as I got there, I changed from Rayns to Galt, so I'm not one hundred percent certain.

Q. What ID did you have on you, driver's license, Social Security card, anything?

A. I had a driver's license and a title.

Q. Where did you get the driver's license from?

A. I got them – I had got them in

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Chicago, Illinois.

Q. Under the name of Rayns?

A. Rayns, yes.

Q. And you had a title to the car?

A. Yes.

Q. Was that an Illinois title that you had on the car?

A. Yes, East St. Louis, yes.

Q. When you got the driver's license in Illinois, did you not have to show a birth certificate or anything at that time to get the driver's license?

A. No, they didn't ask for anything at that time.

Q. Did you have to take a test to get – some kind of examination to get –

A. Yes. Well, you can get a book and read up on it, and then when you take the test, it makes it a little easier.

Q. I mean, that's what you did?

A. Yes.

Q. Where – and this is in Chicago where you got the license?

A. Yes.

Q. And it was under the name of Raynes,

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R A Y N E S?

A. R A Y N S, yes.

Q. Now, Mr. Ray, you went to the Neptune Bar, and did you meet Raul the first time you were there or was it later that you met him?

A. I don't believe it was the first time I was there. It probably would have been the second time I was there. It could have been the first. But what I was – I was going to these bars and I was making certain inquiries, nothing to get me in jail, but, you

know, I was thinking about the possibility of I could either catch a merchant seaman drunk and, you know, more or less roll him. Or I could – of course, a merchant seaman's papers is traveling just like a passport or I could possibly buy one. So someone possibly could have mentioned my name to him so – but it was earlier there. It could have been the first time or it could have been the second, but it was one – it was one of the first times I went in there.

Q. Okay. Were you at a table or sitting at the counter or on a bar stool?

A. No, I was sitting at a table, yes.

Q. And were you there before he was or was

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he there before you were?

A. No, I was there before he was.

Q. Were you sitting with anyone?

A. No.

Q. And he came in. How long had you been there when he came in?

A. I can't recall. It probably wasn't – it wasn't very long I don't think. Because I never did stay around bars too long.

Q. Okay. Were there many people in the bar at that time?

A. I don't believe there was, no.

Q. And when he came in, what attracted you to him or how did you get the conversation started with him?

A. I didn't start the conversation with him. He sat down and started the conversation with me, and we were just talking about general things and I told him –

Q. Like what general things, the weather?

A. Yes. Where we was from and things of that. Generally what we were doing. I think

he mentioned something about he might have – I can't recall everything he said. He might – I kind of got the impression he was in the

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Merchant Marines, and I told him I was in the United States and I was interested in – I was interested in, you know, being on a ship and things like that.

Q. When you were in this Neptune Bar, did you have the gun with you?

A. No. I never carried the gun with me. I still had the gun, but I wasn't – I didn't carry it around with me.

Q. Okay. Can you tell us this about Raul, about what size person was he, was he five foot ten, five foot eleven, five foot five or was he taller than you or shorter than you?

A. Well, I'm five foot ten. I just assumed he was around five foot eight or nine or maybe a little – somewhere in that general area. It's hard to estimate people's weight, but I didn't think he, you know, weighed a whole lot.

Q. When he came in, what were you drinking?

A. I was probably drinking a beer or something like that.

Q. And when he came in, did he just come straight to your table?

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A. Well, I really didn't know. I know he showed up at the table. I usually don't pay too much attention to people when I got in a bar, and I usually don't stay in there too long. Of course, I don't drink beer. I might sit there, and, of course, as I mentioned earlier, you have to buy something. I was just more or less sitting there resting or thinking what I was going to do next. I assume that is what I was thinking about.

Q. So you were at the table by yourself?

A. Yes.

Q. When he came in, did he get anything to drink, any beer or whiskey or anything that you can recall first?

A. Yes, he probably got a beer. Yes, I'm fairly certain of that because usually that's the general practice.

Q. Okay. What was he dressed in? Was he all dressed up or did he have on anything that you can remember at this moment? Did he have on a coat, shirt, what?

A. He just had a – he just had a suit on and a shirt.

Q. With a tie?

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A. No, he didn't have no tie on.

Q. A dress suit?

A. Yes. It was dark, a dark dress suit.

Q. Did he wear glasses?

A. No, he didn't.

Q. So he came over to your table, and you were there by yourself and did he have something in his hand to drink or did he order something after he sat down there with you?

A. I really don't remember the small details, but I'm certain he had something, ordered something to drink.

Q. And you and this gentleman struck up a conversation, just general things such as the weather or something like that and how long did you sit there with him?

A. Well, I don't know. It wasn't too long. I mean, I have had – I have had hundreds of conversations in bars with people.

That's what usually gets me in the penitentiary, but I was – we didn't sit there too long I don't think. We just started talking and I was showing an interest in, you know,

travel documents or getting in the Merchant Marine or something I think.

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Q. You told him then that you were the first – that you were – the first time that you were interested in some travel documents?

A. No, I don't think I mentioned it that time. No, I just told him – I told him I liked to travel and, you know, Merchant Marine or something like that.

Q. Okay. How long did the two of you talk would you say that first night? I mean, are we talking about a night or in the daytime?

A. No, this was in the daytime.

Q. Okay. Two o'clock in the afternoon, five o'clock, what?

A. It was in the afternoon, but I couldn't give you –

Q. Still daylight?

A. Yes. But it wasn't – I know it wasn't nighttime.

Q. I may have asked you earlier but how long had you been in when he came in, just five minutes, ten minutes, an hour or what?

A. I don't think I had been in there too long because I –

Q. Less than hour?

A. The reason – yes, the reason I say

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that is because I don't stay in them places too long.

Q. Okay. And you and Raul talked 30 minutes, an hour, what?

A. Yes. Maybe 15 or 20 minutes, something, just talking.

Q. Who decided to leave first? Did you say you had to go or he said he had to go or what happened that you broke up?

A. Well, I think either me or him – it was probably him. He probably mentioned he had to go somewhere or something. But we agreed to meet again and just talk about things.

Q. What was the reason you agreed to meet again when you met a man you had never seen for 15 minutes? What was the reason you agreed to meet him again?

A. Well, he seemed – I mean, I got the impression from talking to him – I have talked to these people as I mentioned, you know, several times in bars and things, and I just got the impression from the way he acted and the way he looked and the way he talked that I might be able to make a deal with him. So I didn't have anything else to do so I just –

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Q. Now what led you to that? What did you see about him that led you to that? I mean, did he say something or are you just assuming that from looking at him or what?

A. Well, the way he talked and he seemed like – he seemed to be – he gave me the impression he might help me or something like that.

Q. But what did he say specifically that made you think that?

A. Well, just the way he talked about the – you know, getting in the Navy and things, getting in the Merchant Marines and travel documents and I just – I really didn't have anything to lose so we discussed things, and he said, you know, we will talk about it some – we will talk about it some other time. And it didn't seem unusual to me at all.

Q. Did he tell you he had been in the Merchant Marines?

A. I got the impression. He never did tell me much of anything really, but I got the impression from the conversation.

Q. All right. And you were there with him 15 minutes or so and you were just under the

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impression from the way he talked that he might help you?

A. Yes, from what he said and things of that nature.

Q. Did he ever say I know some way to help you or I can get someone to help you or I can – anything that he could do for you that you remember now?

A. He gave me that impression. I can't remember all the details what he was saying, the vibrations I was getting that he could do it. He might be able to do it, and as I mentioned, I just – as I mentioned, I didn't have anything else to do and I just agreed to –

Q. Did you mention to him then you needed a passport?

A. Not at the first meeting. We got around to that later.

Q. Okay. When did you see him again?

A. Well, I think I seen – I think I seen him another time and –

Q. The next day, next week, next month?

A. Yes. I think it would be probably a couple of days. I don't think it was the next

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day.

Q. Was that an intentional meeting, you intended to meet him or was that just a by-chance meeting again?

A. No, we said we would meet somewhere.

Q. And where did you meet?

A. Well, we met at the same place there.

Q. Okay. Were you there first or was he there first?

A. I was there first.

Q. All right. And when he came in, was he dressed about the same as he was before or was he dressed differently this time?

A. I don't know if he had the same – he was dressed about the same. I don't know if he had the same suit – same color suit on, but he didn't have no tie on and he had his shirt buttoned and collar, but that's the only thing I noticed about him.

Q. Can you tell us something about – what would have been his weight roughly, what would you just guess his weight to be?

A. Well, I thought he weighed about one forty or forty-five pounds, but I just can't be certain on someone's weight like that.

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Q. What color hair did he have?

A. He had a kind of a – it was a dark hair. It's not auburn, but it's real dark with what I would call a slight red tint in it. Some – maybe dyed his hair or something.

Q. Did he have a part in his hair?

A. No. It was just kind of wavy and combed back.

Q. Maybe I asked you earlier, was he wearing glasses?

A. No.

Q. He was not wearing glasses. All right. Anything else you observed about him, Mr. Ray, such as was he right handed or left handed? When he drank, would he use right hand or left hand or did you observe him that closely?

A. No, I didn't observe him that – no.

Q. Did he talk like he had been someone that had been grew up in Canada or in Detroit or someone in Tupelo, Mississippi, or where? What was your impression of him?

A. Well, he had a somewhat Spanish accent and I had had a lot of association with Mexicans. I have been to Mexico before and in Leavenworth I knew a lot of Mexicans. The fact

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is I tried to learn to speak Spanish at one time so I was certain that he was – well, he could have been something other than Spanish. There is other people, you know, that speaks the Latin language besides Spanish. But I just assumed he was – came from a Spanish speaking country.

Q. Did you presume that from the way he looked or the way he talked or both or what?

A. Well, the way he talked and the way he looked, both.

Q. Was he light skinned, dark skinned, medium, what, how would you –

A. No, he was sort of – he was more dark than the average Anglo-Saxon.

Q. The first time that you saw him did he tell you his name?

A. Yes, he said it was just Raul.

Q. Did he pronounce it that way or was it – is that the way he pronounced Raul or was it just Raul or do you believe –

A. I believe he kept pronouncing it Raul. I don't think he – he didn't just say Raul. I think –

Q. What name did you give him as being

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your name?

A. Well, at that time I gave him my name as being Eric Galt.

Q. So that's what he knew you as then?

A. Yes.

Q. All right. Did you tell him your full name or just your first name the first time you saw him?

A. I think I just told him – probably just told him Eric.

Q. Okay. And he told you his name was Raul?

A. Yes.

Q. All right. The next time that you met him you were there first and did he come in and sit down at the table with you, same table or close by the same area that you were?

A. Yes. It was the same general – you're talking about the second meeting?

Q. The second meeting, right.

A. Yes.

Q. All right. And did you begin having a conversation with him then?

A. Yes. He got more deeply in the – you know, the – you know, what we was talking

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about.

Q. Okay. What did you tell him you wanted out of him?

A. Well, I just told him I was interested in, you know, travel documents and things of that nature and –

Q. Okay. When you mentioned travel documents, what do you mean specifically, visa, passport or what, or both?

A. I don't really – travel documents is what – he referred to that name. I subsequently learned travel documents is – what is it? It's a one-way ticket to a

place where there is no return. There is no return. It's just that one way.

Q. Up to that point, Mr. Ray, had you ever had a passport?

A. No, I hadn't.

Q. Ever had a visa or any reason to apply for either one of those?

A. Well, I had one in Mexico, but you get a visa going down there, but other than that I never had one.

Q. You were in Mexico I believe you said in 1959?

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A. Yes.

Q. And when you entered that country, what name were you using?

A. I believe that's when I was using the O'Connor name.

Q. The one you had mentioned earlier?

A. Yes.

Q. All right. How long did you and Raul stay together this time, the second visit, would you say?

A. I would say we stayed together a little longer.

Q. Fifteen minutes, thirty, an hour?

A. Yes. We probably – thirty minutes or so. I don't – I think we had a little conversation after we left there, too.

Q. All right. Who left first, you or this Raul?

A. Yes, I believe at that time we left at the same time. We discussed some things, you know, walking down the street.

Q. Okay. When you were in the Neptune, what did you talk to him about the second

visit specifically?

A. That was about – we got more specific

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and I was talking about, you know, foreign countries, going to foreign countries and things like that. And he indicated he could help me do –

Q. Did he tell you you would have to have some money?

A. That I would have to have some money?

Q. For him to get this – to help you. You said he said he thought he could help. Did he say you could have – did he say you would have to have some money?

A. I can't quite understand. Did he want –

Q. Well, or –

A. Did he want me to pay him?

Q. That's right. Yes.

A. No. There was no – never any question about me giving him money, no. But –

Q. Did you tell him where you wanted to go?

A. No, I didn't tell him where I wanted to go, no.

Q. Okay. Now, you said you left with him and you walked outside. And what did you talk about when you walked outside?

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A. We made – I had mentioned in the – I had mentioned in the bar and I probably mentioned on the outside, too, that well – I wouldn't have mentioned it twice. I probably went over the details when I went outside. At that time I decided to try to possibly get one from someone being my – being a guarantor because I was kind of

concerned about getting involved.

Q. You're talking about someone giving an affidavit saying they knew you and could vouch for you, that you were a citizen of Canada and those type things; is that right?

A. Yes.

Q. All right. How were you going to do that?

A. Well, I was thinking about trying to meet a female and see if she could possibly help me do it. So before – I think before I seen Raul the second time, I went to a travel agency and asked him, you know, if there was any resorts close by that I could go, you know, for six days, six or seven days. And they gave me one called the Gray Rocks and it's right outside of Montreal.

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So anyway I met – when I seen Raul, I didn't tell him I was going to try to meet someone and get me a guarantor. But I told him I would be gone for a week and I had some business to take care of. And he said, okay. And so I did go to Gray Rocks and I did meet a woman after I was up there about five or six – five or six days I guess.

Q. Let me back up, Mr. Ray, a moment.

A. Yeah.

Q. When you went outside and you talked to Raul –

A. Yes.

Q. – how long did you stay out there with him?

A. Oh, we was just walking down the street. It wasn't very long.

Q. And he was driving a car?

A. If he was –

Q. Okay. You don't know how he left the area?

A. No, I have no idea.

Q. And you left in your Plymouth?

A. No, I walked down there.

Q. Well, did you have a room at a hotel or

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a rooming hall or something at that point?

A. Yes. I was living in south Montreal, in the Ajax Apartments. I think it was about 4800 South Notre Dame Street was the name of the street.

Q. Did you – how were you financing this? Where were you getting your money from then?

A. Well, I had two hundred fifty dollars when I escaped from prison. I worked in the restaurant a while and I had held up a brothel for sixteen or seventeen hundred dollars. So I don't know just exactly how much money I had, but I had – I wasn't really uptight for money.

Q. This brothel, was that before you met Raul that you held it up?

A. Yes. That's the – well, I had set it up when I was in Dorion, the day before I went to Montreal. I went up there that night, and I met some woman at a bar and I went home with her and I went to her apartment. And, you know, I found out her address and the next day I met her again.

Q. Okay. And you had gone to some man that was sending business to her or her pimp I guess, is that what he was?

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A. He was in the building, yes.

Q. Okay. And you had robbed him of how much, sixteen or seventeen hundred

dollars?

A. It was mixed bills, sixteen or seventeen hundred dollars in United States and Canadian currency.

Q. That was in Dorion?

A. No, that was in Montreal.

Q. It was in –

A. Dorion. I drove into Dorion and set it up, the robbery, and then the next day I moved into Montreal and rented the apartment. The Harkay I think is the apartment on Notre Dame Street. H A R.

MR. BLEDSOE: And then Mr. Pepper interjects K A Y.

A. K A Y. And then I went ahead and robbed the place.

Q. Well, you didn't know in advance before you had gotten to Montreal whether you just – you were going to do but you didn't know what place or anything, am I correct?

A. Yes. I was fairly certain I was going to do it because I was getting very short on money and usually those places don't – they

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don't call the police on you anyway.

Q. That's what I'm saying. You were going to do it but you didn't know what place then until you got into Montreal?

A. No, I had no idea what place.

Q. Okay. When you had gone to Gray Rocks and what – then you had gone to Gray Rocks and what happened there?

A. Well, as I mentioned, I did meet some – a lady up there after I was up there about five or six days and I – but I didn't think that was, you know – I didn't want to approach her about something that was illegal in just that short of time. You know, I didn't, you know, know her long. So I never did get into it.

Q. Okay. How long did you stay in Gray Rocks?

A. Six or seven days.

Q. Okay. And then you returned to Montreal?

A. Yes.

Q. And had you set up an appointment with Raul at that time to meet him?

A. Yes. I told him I was – you know, I

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would be back there.

Q. Did he give you a – any telephone number to contact him?

A. No. I never had any contact.

Q. How were you going, in other words, were you going to set up a certain date to meet him back at the Neptune; is that correct?

A. Yes. I remember one time we met in the Neptune and then we went on somewhere else. I think we went to a restaurant but it was not –

Q. Okay. Now, when you met Raul the third time, he knew then that you were looking for some – your term travel papers, am I correct, sir?

A. Yes. That's correct.

Q. And he never did tell you you would have to pay him anything to get the travel papers?

A. No. It was kind of quid pro quo. He was going to – sometime during the conversation he was going to furnish me with the – what he called the travel documents and a certain amount of money and he didn't –

Q. What was he going – what was he going to get out of it for doing this?

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A. Well, I was going to take some things across the border for him in the back seat of the Plymouth.

Q. He had already asked you that if you would take – if you would take some things across the border, he would help you get in your term travel papers, right?

A. Yes.

Q. Okay. And you agreed to do that?

A. Yes. I was willing to do it, yes.

Q. When you say across the border, where across the border were you going to take them?

A. Windsor, Canada, that's right across the river from Detroit.

Q. Okay. When you say some things, you're talking about some drugs or guns or what?

A. Well, I assumed it was drugs.

Q. And he didn't tell you specifically what it would be?

A. No, he didn't say.

Q. And you agreed to do that if he would help you get what you called travel papers, right?

A. Yes.

Q. And this was on the third visit with

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him?

A. Well, somewhere along there. I can't remember just what was said on each visit. I would say we had maybe five visits altogether.

Q. Okay. And then you agreed to do this? And let me ask you this: Whatever you were going to take across, did you actually do that?

A. Yes, I did.

Q. Was it something in boxes, bags or what?

A. Plastic bags.

Q. Okay. And could you tell what it was or did you ask what it was or did he tell you what it was?

A. Well, no, he had me meet him in Windsor on a certain day. I think it was a train station – near the train station. And he came up. He showed up in time. I was sitting in the car and he showed up at the meeting and he just got in the car and directed me to a different area of Windsor and then he got in the back of the car.

In the Plymouth you could raise the back seat up, and it would come unhinged. And behind the back seat there was a bunch of

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springs back there, and that's what he did. He apparently was familiar with the inside of it and he put some – I think it was about three packages. I didn't turn around to look at him, but I did notice something out of the back, you know, the rearview mirror.

Q. Okay. Well now, when you met, where were you when he put this in the back of the car?

A. I was sitting in the front seat.

Q. But where were you though? Were you in Montreal or Windsor?

A. We was in Windsor, yes.

Q. All right. And you had had an agreement to meet him at some place there?

A. Yes. Near – I think it was near the train station or bus station. I think it was a train

station.

Q. Okay. And what time of day were you going to meet him there?

A. It was some time in the afternoon, but I don't know just exactly what time.

Q. All you were going to do was just drive it across the border?

A. Yes.

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Q. And into where?

A. Into Detroit.

Q. Okay. And what did you – what did he tell you after you drove it across the border that he would do then?

A. Well, I would take the material across and then once we got across the border, he would give me a passport and some money and he would go his way and I would go my way.

Q. When you met him there, Mr. Ray, was he driving something or was he walking or just standing there, was – what was he in? How did he get there?

A. I was just sitting in the car and he walked up and that was it.

Q. And he had something in his hands, some bags or –

A. He had an attache case, that's all he had that I saw.

Q. And he – did he put the case behind your seat or just open the case up and put something behind the seat, which was it?

A. No, first he directed me to another street where he – and he got in the back of the car and took the stuff out of the attache

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case and got the seat up. I'm not talking about the seat you sit on, I'm talking about the back rest. And he put it in there and then we left.

Q. Okay. Had you ever been to Windsor before?

A. I think I went through there when I went to Montreal earlier in 1960, 1959 or whatever.

Q. And then did he get in the car and you go across the border with him in the car and with the substance in the back?

A. No. He got in the car and he told me to let him off before we got to the – we went through the tunnel. There is two ways you can get from Windsor to Detroit. One is the tunnel and one is the bridge, and he had me let him off. He asked me to meet him on the other side. So I let him off and he said give him a while. I think he got a cab and I assume he got a cab or somebody hauled him across, and then I went through the customs and I picked him up on the other side. And then when I picked him up, he directed me to a place, some side street.

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Q. In Detroit?

A. Yes. And then he – he took this material out of the back seat and he told me to – you know, we was going to do the same thing again.

Q. Did he tell you when?

A. Pardon?

Q. Did he tell you when?

A. Yes, right then.

Q. Oh, okay. The same day?

A. Yes.

Q. Did you do that?

A. Yes, we did.

Q. Okay. Well now, did he go back to the same place where you were originally when he came up with the attache and put it in the car and meet him there again at the same place?

A. Did he go back to the same – you're talking about –

Q. Let me back up. Okay. You drove the car alone across the border from Windsor to Detroit, right?

A. Yes.

Q. And he met you over there?

A. Yes.

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Q. And you said he – and you said he said we are going to do the same thing again.

A. Yes.

Q. And did that mean go back to Windsor and come back across again?

A. Yes.

Q. And my question is, did you go back to Windsor and meet him again at the same place that you had met him earlier?

A. No, I don't think – he would meet me on the – he would get a cab or something and meet me over there.

Q. Well, I'm what saying is, did you go back to the same place to meet him back in Windsor to get another –

A. Yes. We went to the same street.

Q. Where you met him earlier?

A. Yes.

Q. Okay. And then again you went across the border again and the same thing in the same manner that you did earlier, right?

A. Yes, I assume the first time was a dry run so we did the same thing but I – it was other problems on the second trip.

Q. What problems did you have?

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A. Well, on this – on the second time we went across the bridge instead of the tunnel.

Q. Did he go with you this time?

A. No, he didn't go with me.

Q. Still didn't go with you?

A. No. So – well, anyway, when I got to the customs house, I had purchased a TV, a small TV when I was in Montreal to watch. I thought I might be up there for a while. But anyway when I got to the customs house, I started thinking about the TV and I thought I better declare it because it's – I think there's a tax on it and you have to declare everything. I think there is a sign up there that says it.

So anyway I pulled into the customs house and told them I had a television set I had purchased in Montreal. They asked me if I had purchased anything, and so they had me pull over in a – they had a place where you can park there.

Q. Okay. You had Illinois plates on your car?

A. Yes.

Q. And an Illinois driver's license?

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A. Yes.

Q. Go ahead.

A. Well, anyway I parked there and the customs agent he started going through the car and this stuff was in the back, this material was in the back seat as I mentioned, and he started going through everything in detail. He started under the hood and he was all over the car. When he got back to the back, he started searching the back and another customs agent come out and told this first customs agent he said, I will take over and told him to do something else.

So when he took over, he terminated the search and he took me in the office. And I give him a – I think it was three or four dollars as some type of tax for carrying some things across the border, export tax I guess you could call it – I guess you call it. So then after I left there, then I met Raul on the other side.

Q. The same place you did before?

A. No, this was on the bridge. The first time was the tunnel. I met him there and then he seemed kind of concerned and he –

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Q. What made you think that, that he was concerned?

A. Well, I had got held up for a while.

Q. I see. The time element?

A. Yes. So he asked me what the hold up was. I told him I had to pay a tax, and so I gave him the – I showed him the receipt and it was the Rayns name on it. And, of course, I gave him the Galt name when I first met him, but he didn't say anything about it. He didn't seem to – anyway we drove back on into Detroit.

Q. He rode with you?

A. Yes.

Q. Okay. Mr. Ray, at that point had Raul ever given you any information about where he was from or his last name or anything at all about his background?

A. No. He was paying the bills so I never did make any inquiries about, you know, his last name or anything.

Q. Now when you say, "paying the bills," what bills was he paying?

A. Well, he was paying – I was an employee I guess you could call it.

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Q. He had given you some money at that point?

A. Yes.

Q. How much money had he given you?

A. About sixteen or seventeen hundred dollars maybe.

Q. And that was for taking this across the border?

A. Yes.

Q. Is that what it was for?

A. Yes.

Q. Now, was that – had he given you that before you started across the first time or was that after?

A. No, that was the second time. He didn't give me nothing the first time.

Q. Okay. All right. And where did you and Raul go in Detroit? How long did you stay there?

A. We didn't stay there very long at all. He – after he got the material out, he told me – he said had had some problems getting the passport and he said that, you know, he would get them later. So he just asked me to, you know – we – see, there was a lot of deception

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going on here. I didn't intend – if I had got the passport and the money, I didn't intend to go to Birmingham or anywhere else. I intended to go back across, you know, back to Canada. So anyway when he – he said he had some problem getting the passport and he said he would get it the next time. So I went ahead and agreed to go to Birmingham. And he mentioned that I should check – when I got there, check the general delivery at the post office under the name of Eric S. Galt.

Q. Was he going to get you a passport in Canada or an American passport or did he say?

A. He didn't say. The only thing he ever mentioned were travel documents, and I didn't know what they were. As I mentioned, subsequently I learned they were, you know, one-way tickets to somewhere.

Q. Okay. When you and Mr. – when you and Raul got into Detroit, when was the next time you saw him after that?

A. The next time I saw him would have been in Birmingham.

Q. All right. Now at that time, when you were taking these – you made the two trips

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across there, is that when he told you he wanted you go to Birmingham or had he mentioned that to you earlier?

A. No, we went through all that in the –

Q. Montreal?

A. Montreal. Yes.

Q. Okay. And what did he tell you he wanted you to go to Birmingham for?

A. Well, he just said, you know, we can make some more money and I could get another – he promised me for certain I would get a passport if I helped him again, and I don't know what all the details he gave me. He told me some things in Birmingham and some things in Detroit, but I can't differentiate everything he told me. I know it was just – he asked me to come down there and –

Q. He never told you why he wanted you to go to Birmingham?

A. No. I don't believe he mentioned it. I assume he mentioned – I think he mentioned something about Mexico. I'm not one hundred percent certain, but I think he mentioned something about Mexico, and, you know, money, passports, things of that nature.

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Q. All right. Now, after you were in Detroit with him, did you go back to Montreal?

A. Did I? No, I went to – I went to Chicago and then went from there to Birmingham.

Q. Okay.

A. See I went to Chicago. And he mentioned, you know, before we went to Birmingham he was going to get a different car and things of that nature because the car I had was a – it run all right but it was getting kind of old. So I decided to get rid of the Plymouth. I gave it to my brother and then I went on to Birmingham.

Q. Okay. When you were in Gray Rocks, did you drive this Plymouth to Gray Rocks?

A. Yes, I did. I drove it to Gray Rocks.

Q. Did you actually meet some female there?

A. Yes.

Q. And did you spend any time with her?

A. Well, I met her there. It was the last – probably about five days after I was there I guess, I saw her – subsequently I did see her in – she came to Montreal on vacation and I saw her up there sometime in July. Then

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I saw her again before I met Raul. I stopped – I was going to – about the passport, you know, I was thinking – I had mentioned about – I was thinking about asking her

again before I met Raul in Windsor, but she worked for a government agency so I thought I –

Q. In Montreal?

A. Yes, she worked for – no, Ottawa. I met her in Ottawa. She worked for the Canadian government.

Q. You said you saw her in Montreal.

A. Yes, I saw her three times. Once in Gray Rocks and then I gave her my address in Montreal and she just happened to come over there on some type of vacation. She was up for a couple of days and the third time I met her was in Ottawa. Yes, it was either Ottawa or Toronto.

Q. Did you ever –

A. It must have been Ottawa.

Q. Did you ever go to her home at any time?

A. No, I never went to her home. No, I think she was married and divorced and had

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children.

Q. Okay. When Raul wanted you to go to Birmingham, did you tell him that you had never been to Birmingham?

A. When he first approached the subject in Montreal, I knew Birmingham was bigger than Mobile, which he wanted me to go to, but I never did. Did he tell me – did he ask me if I had ever been in Birmingham before?

Q. No, sir. You said he mentioned that he wanted you to go to Birmingham. I am just – was wondering did you tell him that you had never been to Birmingham?

A. I don't believe I told him that, no. It wouldn't have been no reason. I was just going to check the post office.

Q. Okay. He had given you sixteen or seventeen hundred dollars?

A. Yes.

Q. All right. And you had gone to Chicago. How long did you stay in Chicago?

A. Just about one or – well, I stayed – when I left Detroit, I think I stayed in a motel.

Q. Okay.

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A. Right outside there. I think I stayed in one motel for – right outside Alton for a day. And then I saw my brother, and I think I stayed there maybe one or two days. I'm not certain about these things.

Q. Did you drive the Plymouth to Birmingham?

A. No, I gave that to my brother.

Q. Okay. How did you get to Birmingham?

A. I rode a train.

Q. From Chicago?

A. Yes.

Q. Okay. Well, when you left Chicago to go to Birmingham, Mr. Ray, did you have any idea how long you were going to be there in Birmingham?

A. Not – well, not when I went there. No, I didn't have no – I assumed it wouldn't be very long since we was going to make some type of, you know, run somewhere.

Q. Okay. What about – excuse me, okay. About when did you arrive in Birmingham roughly?

A. I arrived there sometime in –

Q. In 1967 or 1968?

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A. Yes, 1967. It must have been late August, the 25th or 23rd or 27th.

Q. Now, let me ask you something. Had Raul given you any telephone number to contact him if you needed to?

A. Yes.

Q. And do you remember what city the telephone number – was it a Chicago number or a Montreal number, what city was –

A. No, it was a New Orleans number, yes.

Q. Had you ever been to New Orleans at that time?

A. Had I ever been to New Orleans?

Q. Right.

A. Yes. I was in – I was in there one time when I went to Mexico earlier in 1959. Had stopped there for one day.

Q. Okay. When you reached Birmingham did you try to call Raul with this telephone number he had given you?

A. No, I –

Q. You did not?

A. No.

Q. Okay. How long were you there before you heard from him?

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A. It was a very short while because I went to the – I don't know just what day it was. I know I went to the post office and it was either a Sunday or a Monday and there was some kind of letter from him. It was – it was addressed to Eric S. Galt, general delivery.

Q. Okay. What did the letter say?

A. Well, it just said meet him at a bar called the – I can't recall the bar right now but it's right across the street from the post office.

Q. Okay. Now, when you went to Birmingham, he didn't tell you why he wanted you to go there at all?

A. Well, it had something to do with illegal activities, yes.

Q. Okay.

A. The bar's name was the Spotlight Bar.

MR. BLEDSOE: At which point Mr. Pepper states Starlight.

A. Starlight Bar, yes.

Q. Okay. You received the letter from him and he told you to meet him. And how long did you meet him after you got the letter, how long was it before you met him?

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A. Well, I'm not certain about that. It was real close there. It might have been – see, that place is closed on Sunday I believe. It was probably a Saturday or a Monday, but it could have been a Saturday but it wasn't too long after I got the communication. It wasn't over a day or two.

THE COURT: Let's stop there. How much more do you have?

MR. BLEDSOE: I'm on page 95. I don't know how long the entire deposition is.

THE COURT: You're going to read the whole thing?

MR. BLEDSOE: I believe so.

MR. GARRISON: Your Honor, it's most of it. It's in sequence so we are going to have to read most of it.

THE COURT: All right. Well, let's – we'll stop and resume at 2:15.

(Lunch recess.)

(Jury out.)

THE COURT: Are we ready to proceed?

MR. GARRISON: Your Honor, before we start I would like to enter a motion on

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behalf of Mr. Jowers and at this time, if Your Honor please, the defendant Mr. Jowers would move for a mistrial on the grounds that he is under the care of a physician and disabled and unable to be here. He's on medication where he's moderately coherent, and he can't be here to defend himself. He can't be here to offer testimony in open court.

He was here the first several days. He became ill during the trial, and on behalf of Mr. Jowers, based on the statement of the physician that's been treating him, ask Your Honor to declare a mistrial.

Your Honor, I might add this is at the request of the defendant and his family and another attorney.

THE COURT: Do you have anything in support of Mr. Jowers' physical condition?

MR. GARRISON: I have the exhibit we presented this morning.

THE COURT: Let me see that again.

MR. GARRISON: In the statement the physician says that he's not able to attend court.

Your Honor, I might add that is the

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second physician that has stated he is unable to attend court. I have the other

report, I don't know if I can find it now, but I have another physician who will also say the same thing that's here in Memphis.

THE COURT: I'm not – let me see, it says: Judge, Circuit Court, Memphis, Tennessee. It's dated December 3rd, 1999. Ross DeBoole, M.D., Reelfoot Medical – Reelfoot Family Medical Center, 229 South Court Street, Tiptonville, Tennessee. "Your Honor, I have examined Mr. Loyd Jowers on December 2nd and 3rd, 1999, and performed laboratory tests through Med Lab. Mr. Jowers suffers from severe cerebral arteriosclerosis, clinically significant malnutrition, ongoing urinary tract infection and headache which are probably of vascular origin for which he is receiving treatment which will on December 9th, 1999. I would appreciate your excusing him from judicial proceedings during this time."

I'm not sure I understand what that means "which will on December 9th." What does that mean, Mr. Garrison?

MR. GARRISON: I think it's

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continued through that date is what I understand.

THE COURT: You mean his treatment? It says: "I would appreciate your excusing him from judicial proceedings during this time." That's not the same thing as saying that he is unable to attend and – I don't know. I have some question in my mind as to whether or not the doctor was aware that he's already involved in judicial proceedings, that is, a trial. And I don't know whether Mr. Jowers' condition is serious enough that it would warrant the interruption of the trial.

He simply says: "I would appreciate your excusing him from judicial proceedings during this time."

MR. GARRISON: Your Honor, would I be able to ask the Court to recess long enough for me to get a little further information from the doctor so we could determine whether or not he thinks he is completely disabled and unable to attend because of the medication he's on he's not fully aware of what is going on?

MR. PEPPER: May I be heard, Your Honor?

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THE COURT: Mr. Pepper, yes.

MR. PEPPER: Your Honor, plaintiffs strongly oppose this motion. Mr. Jowers was in the court early on in these proceedings. Plaintiffs would have called him then, did not do so. We are prepared to call him at a later time when he was unavailable. Plaintiffs were then prepared to travel to Mr. Jowers' home and take his deposition at this earlier time as well long before the 3rd of December when he was examined by the physician.

Plaintiffs received word from counsel, Mr. Jowers, that if we did so, he would only plead the Fifth Amendment to any critical questions that would be asked and that would be the extent of his defense. He would knowingly plead the Fifth Amendment.

Plaintiffs at that time did not wish to waste the Court's time and a day of these proceedings by traveling up there and elected not to go and not to depose Mr. Jowers.

Instead plaintiffs inserted into the record a great deal of relevant information previously given by Mr. Jowers under oath in a deposition

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in a prior case, which although the cause of action was different, dealt nevertheless with the same facts in issue here.

Plaintiff notes also would ask the Court – respectfully ask the Court to consider the fact that after Mr. Jowers absented himself from court, he allowed counsel to continue. And counsel continued with his defense up to and through the point where plaintiffs have closed their case.

Now, all of plaintiffs' submissions – entry of submissions in this action have been put before the Court and the jury and plaintiffs' case has been closed. Counsel for the plaintiffs believes that counsel for the defense has probably been in touch with Mr. Jowers on a regular basis reporting as to what has happened in this courtroom thereby giving him the opportunity to make any comments or provide any instructions which he would – he would want to do even though he has been outside of the court.

For all of that – those reasons, and for the fact that we have come so far in these proceedings and there is so much evidence here,

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Your Honor, we oppose this motion and respectfully request that these proceedings be allowed to carry forward to a conclusion. And if the defendant is unhappy and dissatisfied with the result, he does have the remedy of appeal.

MR. GARRISON: Your Honor, I just say this in response to that. He was seen by a physician here in Memphis about the third or fourth day of the trial, and it appeared at that time, I have a report somewhere, but that he probably would be able to return to court in a day or two. That's the reason it was asked of Your Honor the first day he was absent to tell the jury.

His condition has gone steadily down since then because he had every intention of being here. He was here the first several days. And certainly you don't know whether he takes a pill or what have you, that's his prerogative and his privilege and his right in court. And he does have a right to be here. And he's not here because he's unable to be here, and I can obtain further medical proof regarding that issue if the Court would permit

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me to.

But I think certainly at this point the Court would have to seriously consider the motion because the defendant – because if he hadn't been here at all, it would be a different thing. He was here the first few days, and I think because of his condition that he has – was not here because he can't be here. And I think he has a right to be here to defend himself however he want to defends himself. He doesn't have to take the stand at all if he doesn't want to, but he does have a right to be here and he's not here because it's no fault of his.

I think under the circumstances, Your Honor, the Court should seriously consider declaring a mistrial of the case. If we need to get his – a recess, we can get his deposition and what have you. I don't know how long that will be but whatever it

takes.

MR. PEPPER: Your Honor, if this were a defendant who were legitimately interested in providing evidence under oath to this Court, and as being denied the opportunity to do so because of his condition of his

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health, that would be one thing. But I respectfully suggest to the Court that this defendant if he were to take that stand this afternoon or any other time would in fact invoke the Fifth Amendment and would not otherwise characterize his defense.

MR. GARRISON: Your Honor, if I might just say this: He's been present every time. We spent two days with Mr. Ray taking his deposition, he was present there. He has been present when Doctor Pepper took his deposition. He's been present every proceeding we've had. It's not that he doesn't have an interest in defending himself. He has been present every time. Of course, this is the first time during the trial he has become ill and can't be here. Certainly he had the right to be here, and I – I think under the rules, if Your Honor please, as I understand them if he's unable to be here, the Court would either have to declare a mistrial or recess the Court until we can get better information about it.

THE COURT: This morning before the motion was made, you indicated that the defendant's proof was complete except for the

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reading of Mr. Ray's deposition. Is there any additional proof that you know of that would be presented on behalf of the defendant?

MR. GARRISON: Your Honor, at this moment I have a subpoena out for another witness. Whether or not the process server can get the witness, I'm not sure. If he does, then we would have another one. If not, well, that would be – in fact, Doctor Pepper gave me the address of the witness this morning and we are trying to get served. So far I'm not sure if he's been served.

THE COURT: Well, it was suggested to me that in spite of his condition and even after this exhibit was made in the proof – this exhibit was made a part of the record,

that the defendant was still prosecuting his case and getting out subpoenas.

MR. GARRISON: That was before I received this information from you that we issued the subpoena.

THE COURT: It seems to me that the suggestion of a mistrial comes a little late after the plaintiff has continued in spite of the knowledge that his illness and at the

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request and permission of the defendant the trial has progressed. And at this point there is nothing culpable to be presented by the plaintiff because they have closed their proof, and the onus is now on the defendant to come forward, although he has no burden to begin with. If there is proof to be presented in his behalf, we have reached that point where he should do so.

Now, the defendant has made prior testimony – statements in this case – not in this case but on the issues involved. And at the time that the statements were made, he was under oath and his testimony sworn to. So that if he were to be presented now as a witness, he could only reaffirm the testimony that he has previously given. Or if he contradicted it, it would only nullify his testimony having given diametrically opposed statements would not bolster his position here but would simply nullify all of his testimony. So if there is any proof from which the defendant can benefit, it would not be coming from the defendant himself at this point.

Also the letter that I have here it

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does not unequivocally state that the defendant is unable to attend but simply requests that he be excused. For all of the reasons I have stated, I'm going to deny the motion at this time. We are going to proceed.

MR. PEPPER: All right.

THE COURT: Bring the jury out please, sheriff.

(Jury in.)

THE COURT: All right. Are we ready to proceed?

MR. GARRISON: Yes, sir, we are ready to resume with the reading of the deposition of James Earl Ray.

THE COURT: All right, sir.

(Whereupon, the following is the continuation of the reading of the deposition transcript of James Earl Ray.)

Q. Okay. And when you met him at this Starlight Bar, was he driving anything, was he with anyone else or tell me about it?

A. No. As far as I know, he wasn't driving anything. I just met him at the Starlight and –

Q. Did you get there first or did he get

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there first?

A. I got there first.

Q. All right. Now, when you saw him at the Starlight Bar, what did he tell you then he wanted you to do?

A. Well, he had quite a few things to do. I'm not certain the sequence he wanted to do it. He wanted to purchase a car and he also wanted to buy some sophisticated photographic equipment. And then I don't know just what he – what he – all he went into that day and what he went into the next day. But we just had – he just had – generally that first meeting I think was just to see if I was okay and was ready to do what he wanted to do.

Q. At that point you still didn't know his last name?

A. No, I didn't.

Q. And you didn't know where he was from or anything about his background?

A. I didn't know anything, no.

Q. How long did you stay in the Starlight Bar when you met him there?

A. The first time?

Q. Yes, sir.

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A. It wasn't very –

Q. After you got the letter.

A. Yes. It wasn't very long because he had me – I think it was – I believe it was getting – it was getting along close to evening. It was a little later than we usually met.

Q. Okay. Now he gave you some money then, did he?

A. No, he didn't.

Q. He didn't? Okay. He wanted you to purchase a car?

A. Yes.

Q. And some from photographing equipment?

A. Yes.

Q. And what did he tell you he wanted with the photographing equipment?

A. Well, he didn't tell me. He just told me what he wanted.

Q. What type of photographing equipment did he want?

A. I don't know. It was just wrote down. I didn't – when I – subsequently when I went to buy it, I think I showed the clerk, you know, what I wanted.

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Q. Okay. Did you go straight that day and get it?

A. No, no. I didn't have the money at that time.

Q. How long was it before you purchased the photographic equipment?

A. Well, subsequently we had another meeting and then he started to look for a car. And he had to me look for a car and he stayed around there somewhere. I don't know where he stayed at. But anyway it took me two or three days to locate a car.

Q. Where were you staying?

A. I was staying at 2800 – 20 something Highland Avenue in Birmingham.

Q. Is that a rooming house?

A. Yes.

Q. When did you meet him in Nashville, was that the next day or the next two or three days or –

A. After I got there?

Q. Yes, sir. After you met him the first time at the Starlight.

A. I am not certain it was the next day.

Q. Okay. Did you met him in the Starlight

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the next time again, the same place?

A. Yes.

Q. All right. And again, you don't know how he got there, whether he walked up, drove up or someone brought him to the Starlight?

A. No. I was usually – I know whenever he had a meet – we had a meeting I was

usually always the first one there.

Q. Now he had given you a note to purchase some photographing equipment and then the second time you saw him did he give you some money to purchase it with?

A. Well, I think the first time we purchased the car when I found the Mustang and I don't know if you want to go into all the details how I found it, but anyway I got it. He had agreed to – I told him what kind it was and everything. So he agreed to purchase it and then he gave me the money to purchase it with. And I went down and purchased the car.

And then after I got it, after I got the car, I drove back to the Starlight, picked him up and then we went to Highland Avenue and we parked out there near the rooming house and that's when he went into the photographing equipment

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and what all he wanted me to do.

And I think he – I can't recall just how much money he gave me now to – the Mustang cost about nineteen hundred dollars. He paid for that. Then he gave me some more money, and I have got all this stuff wrote down somewhere. I think it was – I am not certain just how much it was. I think the photographing equipment come to about five hundred dollars but he gave me some extra money anyway.

Q. When he gave you the sixteen or seventeen hundred dollars in Montreal, was that in large bills or small bills or what?

A. It was sort of small bills, twenty dollar bills and it was mixed currency. It was United States and –

Q. Now, Mr. Ray, when he gave you the money to purchase the car and the photographing equipment, was that large bills or small bills or what?

A. I can't – I think – I think the Mustang, I'm not certain. I think it must have been some rather large bills because they would have, you know, been kind of bulky. I can't remember just what all the denominations was.

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Probably the person that I bought it from might remember.

Q. At that point did he tell you what he wanted you to do, why he wanted the photographing equipment or any job he asked you to do or any reason he wanted you to buy a car?

A. Well, yes. He went through that we was going to Mexico and I was going to – we was going to make some type of –

Q. When were you going to Mexico?

A. Well, there was no specific date. It was about – I think it was about 30 days and I think he subsequently – the date was set up, but it was about 30 days. I think it was sometime – I was supposed to meet him sometime in early October and – or let's see, yes, early October and we went to Mexico.

Q. Did you still have your driver's license at that point, the same driver's license?

A. The Rayns?

Q. In Illinois.

A. No. While I was in Birmingham I – the landlord at the apartment I stayed in, a guy named Peter Cherpes, C H E R P E S, he went

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down to the state highway patrol and he drove the car down. So they gave me a driver's test and I got a driver's license.

Q. In Alabama?

A. In the Galt name, yes.

Q. Eric Galt?

A. Yes.

Q. You didn't have the Mustang at that point though, did you, when you got your

driver's license?

A. Yes, I did.

Q. You had already purchased it?

A. Yes.

Q. Okay. You purchased the Mustang through an ad, is that the way you purchased it? How did you find out about it?

A. I believe it was the want ad, yes.

Q. You called some man that had the Mustang for sale and you asked him about it and you went out to see it?

A. Yes. I went – you have less problems, you know, with police and things. Yes, I got – he told me where he was at.

Q. How did you get out to where he was?

A. Well, I probably took a taxi out there.

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Q. Okay. And that was at his home, the person who you purchased the car from's home?

A. Yes.

Q. Okay. Did you – when you arrived at his home, did you drive the car, the Mustang?

A. No, I didn't drive the car. I told him I didn't have no driver's license, and I think his – he drove me around in it and –

Q. What model Mustang was that?

A. I believe it was a 1966 or 1967.

Q. And what color was it?

A. It was sort of a whitish.

Q. Okay. Then did you decide then to buy it?

A. Yes.

Q. Okay. Did he owe any money on the car?

A. No.

Q. And you paid him in cash; is that correct?

A. Yes.

Q. And he gave you a receipt?

A. I believe he – yes, I believe he did. Yes.

Q. And then how did you leave?

A. I drove it.

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Q. Where did you drive it to?

A. Well, I went to – I went to the Starlight to pick up Raul and then from there we went back to the Highland Avenue apartment.

Q. How did you know he was going to be at the Starlight?

A. Well, he gave me the money there and he told me to meet him there after I got the car.

Q. You told him you were going to go look at the car?

A. Yes. I told him I was going to purchase it, yes.

Q. Did you and Raul go for a ride in the car?

A. No. I can't remember all the sequence, how I bought the car, but he didn't go for no ride with me. I think I told him I didn't have a driver's license and I think that concerned him. But we went up there and parked in the – the Highland Avenue and so I think that was the extent of our driving around.

Q. And then you had gotten your driver's license pretty soon after that I gather?

A. Yes.

Q. All right. When did you see Raul

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again after that, after this time where the two of you rode in your car?

A. I saw him at a motel in Nuevo Laredo, Mexico.

Q. Now, I gather you had planned that night or the day you saw him with the Mustang to go, is that correct, you had planned then to go to Mexico?

A. After we purchased the Mustang?

Q. Right.

A. Yes. He explained everything to me after we went back to the Highland Avenue apartment.

Q. What did he explain to you?

A. He told me he wanted the camera equipment. I think he gave me some money there. I guess it was a thousand dollars I would estimate, but I think the camera equipment cost about five hundred dollars or something. He may have given me more, but I just can't recall just exactly.

Q. Where did you purchase the camera equipment?

A. Well, I purchased some of it at the – in downtown Birmingham. I just showed the

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lady, you know, what I wanted. Some of it they didn't have on hand. I guess it was some specialized equipment. They had to order it from Chicago but –

Q. So you had to wait until they ordered it and get another date?

A. Yes. I never did get it. I called up Raul's contact. He had a contact in New Orleans, and I called him up and told him that I was having problems, you know, getting one of the items he wanted. And the contact said, well, just forget it and come down here for a certain – and come down here a certain date, and so I never did get the – I don't believe I ever did get the camera.

Q. Okay. Mr. Ray, did you have more than one number to contact Raul or did he only give you one number to call him in New Orleans?

A. He gave me – let's see, I had two numbers altogether.

Q. All right.

A. In fact, I had three. I had one in Baton Rouge. I got that later, but –

Q. Were these numbers written down on something or did you just memorize them or how

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did you know to call, what numbers? How did you know to call these numbers?

A. I never wrote – I usually write stuff down backwards so if the police stops you or something.

Q. How long did you keep those numbers?

A. Well, the first number he had me throw it away when we was in Mexico. He said he had a new number. That's when I took his – this material across the border in Mexico in October of 1967. And then he gave me a – then I also – yes. And then when we was in Birmingham, I think I was still using the first number, but he also gave me a backup number in Baton Rouge.

Q. How long did you keep those numbers?

A. I don't think I kept them too long. I kept the last one he gave me in Mexico. I think I kept it until sometime in, you know, 1968.

Q. Did you – do you still have the number – the number of when you were arrested in London?

A. Do I still have the telephone numbers?

Q. Uh-huh.

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A. The –

Q. Any of these numbers.

A. Yes. I remember the last four digits of the New Orleans telephone number.

Q. Okay. Did you ever furnish those to any lawyer that represented you?

A. Yes, they're on file in court, yes.

Q. Okay. You met Raul then in Laredo next?

A. Yes.

Q. Okay. And what did you do there?

A. I met him in a motel. I was supposed to be there, and I – I was supposed to meet him at a certain time there in a motel. I can't think of the name of it. It's on a main street. Going into Laredo it's on the left-hand side of the street going south, and the motel when you have to drive up, it's sort of an incline for 40 or 50 feet and then you turn left. And subsequently you can't see any cars or anything from the street. So I rented – I checked in there under the name Eric Galt. And after I was there about, I don't know, thirty minutes or so, then Raul he showed up and –

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Q. He told you where to check in or he knew where you were going to be?

A. Yes.

Q. Okay. And when he came that time, was he riding in something or did someone bring him or how did he get there?

A. Pardon?

Q. Was he riding in something, did someone bring him, how did he get there?

A. He just showed up at the door and that was it. I don't know how he got there. I got the address in New Orleans. See, initially I was supposed to meet him in New Orleans, but when I got there, his contact said he was gone and he gave me a place to meet in Nuevo Laredo. I should have mentioned that earlier but all these details.

But anyway, when he got there in the motel in Nuevo Laredo we just had a sort of brief conversation and he told me that he wanted me to get a visa. See, when you come into Mexico and go in border towns, you don't need no visa. He wanted me to get a visa, and he also wanted me to go across the border and pick up some material.

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Q. And you had an Alabama driver's license at that time?

A. Yes.

Q. Okay. Go ahead.

A. So anyway we left and we crossed then back into Laredo which is right across the bridge, and I think we went about maybe seven or eight blocks north and then we turned right and went west for a couple of miles. This is my estimation, and he parked behind a car and then there was some dude sitting in the car and –

Q. Wait a minute. Now, what was he driving?

A. He wasn't driving anything.

Q. You said he parked behind a car.

A. Well, we parked behind a car. I was driving.

Q. I got you.

A. So he got out of the car and apparently he had – see, I gave him a set of keys to the Mustang. The owner gave me two sets, and I gave him one of them in Birmingham anyway.

Q. This was in Laredo we are talking about?

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A. Yes. We are in Laredo now.

Q. Okay. Let me back up just a minute. You had gone – you had gone from Birmingham to Laredo straight. In other words, you hadn't gone any place, you hadn't veered off any other place?

A. Yes, I veered off in – I stopped – I stopped briefly. I didn't veer off. I stopped briefly in the – somewhere in northern Louisiana I think it was or Mississippi.

Q. Okay.

A. I had purchased a .38 caliber revolver and some shells.

Q. Okay. What had you done with your other .38 caliber?

A. Yes, after I left the – left Montreal or Ottawa I was concerned about maybe, you know, the police arresting with me a .38 and I buried it by – I went down the side street and I buried it under a – I think it was – beside a telephone pole.

Q. In Montreal?

A. No, no, on the highway.

Q. Okay. Somewhere between Montreal and Birmingham?

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A. No, somewhere between Montreal and Windsor, Canada.

Q. Okay.

A. Okay.

Q. Now, when he came to Laredo and met you there, he just wanted to you go somewhere, you didn't know why you were going or where you were going, he just said, let's go somewhere?

A. He told me what we was going to do. We was going to – we was going across the border and then we was going to put some stuff in the tire and then I – we exchanged tires.

Q. You're talking about drugs?

A. I don't know what they was.

Q. He didn't tell you what it was?

A. No. It was just in the tires is all I know.

Q. You mean in the tires on the car or on the spare or what?

A. The spare tire.

Q. And you said he stopped somewhere and you pulled up behind some other people in another car?

A. Yes. There was another car there. Yes.

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Q. Okay. And what happened then?

A. Well, he just got out and took the spare tire out of the car in front of me and then got the spare tire out of the back of my car and we – that was it. He just changed the tires and then we went back across the border.

Q. And where did you go across the border?

A. Well, when we crossed the border and we went to the customs house, he told me he wanted me to get a visa. And he also told me when I checked into the – to get the visa to give each one of the individuals that searched the car a dollar. He said not to give them no more.

So I went into the office and while I was making out forms for the visa, I parked the car in the back and when I came – when I got the visa form filled out, I went in the back and there was three Mexican customs officials in the back and I gave each one of them a dollar and they didn't hardly shake the car down. They took the chalk mark and marked everything with an X and that was it.

Q. Okay. You pulled up behind a car. Did it have some other individuals in it, the car

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you pulled up behind?

A. Yes. It had one in the driver's seat, yes.

Q. Was that a man or a woman?

A. It was a man.

Q. Did it appear to be someone Spanish or could you tell?

A. I just seen the back of them. I just, you know –

Q. What time of day are we looking at?

A. It was after dark.

Q. It was after dark?

A. Evening, yes.

Q. What kind of car did he have?

A. I really don't know. I had been in jail. I didn't know one car from another really.

Q. Mr. Ray, at that point had you ever owned any type of rifle up until this point when you got into Laredo?

A. Did I ever own a rifle?

Q. Right.

A. No. I never – probably when I was ten or twelve years old I used to, you know, hunt with a rifle, a .22 rifle.

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Q. .22 single shot?

A. Yes.

Q. Is that the only rifle you had ever owned?

A. Yes, that wasn't mine. That was my father's.

Q. Okay. You purchased a rifle in Birmingham, did you not?

A. Yes.

Q. And you took it back and exchanged it for another rifle, right?

A. Yes.

Q. And then you left Birmingham heading towards Memphis; is that correct?

A. Yes.

Q. All right. And did you have any ammunition with the rifle?

A. Yes, I purchased some ammunition at the – at the –

Q. Store down in Birmingham?

A. Yes.

Q. Had you ever handled a rifle such as this previously either in the military service or any place? Had you ever had any rifle like this in your hands previously?

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A. When I was in the infantry, you had to qualify with what they call M-1 rifle.

Q. Did they – did you have some training to fire an M-1 rifle in the service?

A. Yes.

Q. All right. On the way from Birmingham to Memphis did you stop and fire that rifle in a rural area?

A. No, I didn't.

Q. You did not?

A. No.

Q. You never told anyone you did that?

A. Did I –

Q. Have you ever told anyone you stopped and fired the rifle on the way from – around Florence, Alabama?

A. No, I never told anyone that.

Q. You have never written anyone and told them that in writing?

A. No.

Q. You're sure now?

A. No, I never did fire it and I have never told anyone that. I think William Bradford Huie, he's a book writer, said I told my lawyer that. He has written an article

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saying that I fired the rifle, but the attorney representing me at that time – see, everything I told Huie I wrote down on paper because I never had no direct meeting

with him. I think he said Arthur Haynes said that I shot the rifle somewhere along the road but Haynes has denied it. So it's –

Q. So you did not fire the rifle?

A. No, I never did fire the rifle.

Q. Okay.

MR. BLEDSOE: And then Mr. Pepper states Huie is H U I E.

Q. Now, we are in Laredo and you go across the border again. Was this something – was this something in an attache case or something like that and you did the same thing as you did up in Windsor?

A. No. There was no attache case involved. It was just the one tire.

Q. The spare?

A. Yes.

Q. Okay. You don't know what it was, of course, he didn't tell you?

A. No.

Q. Okay. You drove across and you stopped

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to get a visa, did you have any problems with that?

A. No. I didn't have no problems with that.

Q. Where did you go in Mexico?

A. After I got the visa?

Q. Yes, sir.

A. Well, me and him went back to the motel and we went kind of a circuitous route. He directed me around, you know, the side streets. We didn't go right straight down

the Main Street where the motel was.

Q. But you had gotten the visa and you didn't go across the border then, you came back to the motel?

A. Yes. I think we had picked up a tire and we went back to the motel that I checked into.

Q. You had gotten the visa and had it with you?

A. Yes.

Q. Okay. You went to the motel and then where did you go from there?

A. Well, when I got to the motel, there was an individual. We parked on the right-hand

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side of the street and there was an individual in the car parked on the other side of the street kind of blocking off the tram way that led up to the motel. And so we had a brief conversation there at the time, me and Raul. And he told me he wanted to – he would be back in the morning and to, you know – he would meet me there in the morning.

And then he got the – he got the tire out of the car and I think apparently put it in the other car, and then I – I left, you know. I wanted to get out of there. I didn't want to – in other words, I wanted to leave. I didn't want to watch them and things of that nature.

Q. When you were in Birmingham the time –

A. Yes.

Q. You stayed, what would you do all day long, how would you spend your time?

A. When I was in Birmingham, I wouldn't do too much of anything. I would, you know, just walk around or something like that or take care of running errands or trying to get photographing equipment, that's about it.

Q. Had you become acquainted with anyone

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there, any females?

A. No. I didn't.

Q. All right. You're in Laredo and you had gone back to the motel and what happened next after that?

A. You're talking about Laredo? Now after I –

Q. You had gone to get a visa and you and Raul went back to the motel and you said you had gone some place and someone exchanged something and what after –

A. Now, after he changed – he got the tire apparently, the tire out of the back of my car, he mentioned he wanted me to meet him there at a certain time in the morning, at eight or nine o'clock, I forgot which time it was. So I drove on off and so I don't know what happened to them. But this other guy was sitting in the driver's seat. I don't know whether he could drive or – I just don't know what happened after that.

Q. Okay. Well, where did you wind up next after that?

A. Well, after – I drove – I guess I drove about a mile and then I come back and

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they were going – and I drove in the motel and I just checked in and went to sleep and got up the next morning and waited for them.

Q. Okay. How long did you stay in Laredo?

A. Well, just that over night there. That was it.

Q. And where did you go – where did you go after that, after you left Laredo?

A. Well, the next morning he showed up and he parked in there, I think he backed in.

Q. He was driving this time, you're talking about Raul?

A. No, he wasn't driving, someone else was driving the car.

Q. He was with somebody else?

A. Yes.

Q. Okay. What kind of car was it, do you have any idea?

A. I don't have no idea. It was a Chevrolet or a dark car.

Q. Was the person with him a man or a woman?

A. A man.

Q. Okay. Was it daylight or dark?

A. It was daylight, yes.

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Q. And this person that was with him, was that someone that appeared to be Spanish, light complected, could you tell anything?

A. He appeared to be Spanish, dark complected. I didn't pay all that much attention to him.

Q. Just the two of them in the car?

A. Yes.

Q. And Raul got out I guess and what happened?

A. Well, he switched the tires back again. He put the one that – that he got in the United States side, he put it back in the car and got another one out and put it in his car.

Q. And then what happened?

A. Pardon?

Q. What happened after that?

A. Well, he just left. He told me that, you know, he was going to – going on the other side of the customs. There was a customs house about 50 kilometers inside of Mexico. And so we just started, you know, driving towards the customs house and –

Q. Did you cross the border?

A. No, we didn't go across the border. We

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was going into the interior of Mexico at that time.

Q. Okay. Well, did you go somewhere else to another hotel or some place to stay a while after you left?

A. No. We went straight – this was about nine o'clock in the evening. We went towards the interior of Mexico.

Q. And did you go some place to Mexico? Where did you stay after you left Laredo?

A. That morning at nine o'clock?

Q. Any time.

A. Well, we didn't stay anywhere. We started driving into the interior of Mexico after about 35 miles, 30 miles, we came to a customs house and I pulled into the customs and the customs officer came out there and he looked at the front of my car and asked me if I was a United States citizen, and I said, yes, and he waved me on through. And while Raul he was – he was on the other side there, apparently he got held up for some reason. I don't know what the reason was and –

Q. He was not with you when you crossed; he was not in your car?

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A. No, he wasn't.

Q. He was in this other person's car?

A. The other person's car.

Q. Okay. Where did you wind up then?

A. Well, anyway after he – after he apparently got held up, I pulled out and drove sort of slow for about four or five miles waiting until he could catch up with me, you know, if he got out of there. So he caught up with me after several miles and pulled over in front of me and we stopped. And he got out of his car and come back and got in my car and we had a conversation.

Q. Okay. Mr. Ray, have you ever given a deposition before this time?

A. About what, other matters?

Q. About any subject matter before?

A. Yeah, I have given depositions in prison cases, and one of the libel depositions. Yes, I have given several depositions, yes.

Q. Have you ever testified in any court about what you're telling me today, the same – essentially the same subject?

A. Yes. I have testified in Congressional hearings and all that, and I don't know if I

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have testified in courts or not, but I have testified under oath in depositions.

Q. Where you gave the same type information you're giving me today, right?

A. Generally. I mean, I can't account for every minute and things of that nature but –

Q. After you crossed the border, did you go back to Laredo then after this time?

A. No. Once we got to – once we crossed the border from Laredo back into the United States with the tire, we picked up – we never did go back to –

Q. Laredo?

A. The United States. No, we went straight into the interior of Mexico.

Q. Okay. Where did you go in Mexico?

A. Well, we went to the customs house as I mentioned, and then after – after he was held up briefly there or maybe a little longer than briefly, after he caught up with me, which was several miles down the road, three or four or five, he pulled over in front of me and he got out and, you know, got in the Mustang. I pulled over to the side of the road.

Q. Okay. Did you go then to some city in

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Mexico where you spent some time?

A. No, I didn't. No. He just told me that he wanted me to – what he wanted me to do and he gave me two thousand dollars and he told me that – he gave me another story about the passport. And at that time I more or less gave up on the passport.

Q. Where did you go then?

A. Well, he just – he took off. I don't know where he went. I went to –

Q. He left with this other – same other person that brought him?

A. Yes. He told me – what he told me, he told me he came – he said he was going to write to the general delivery, and I told him I was going to Los Angeles probably, and he would write me a general delivery in Los Angeles. And then after financial transactions and the photographing equipment, I had it, and he said, just keep it, he didn't want it at that time and after that he left.

Q. Had there been any mention of any guns at that time, to purchase any guns?

A. Not – I don't believe – I don't believe – no. I think that came later on.

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Q. All right. Then did you then go to Los Angeles?

A. I subsequently went to Los Angeles, yes.

Q. And how long did you stay there?

A. I went there in November, I believe, about November. The middle of November of 1967.

Q. 1967?

A. Yes.

Q. Okay. And is this the time when you attended the bartending school?

A. Yes, I did attend the bartending school there.

Q. All right. Mr. Ray, did you become acquainted with some people in Los Angeles that you had never known before while you were out there?

A. Yes. I became acquainted with one individual.

Q. What was that individual's name?

A. Her name was Marie Martin.

Q. M A R T I N?

A. Yes.

Q. And did you then transport some

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individuals to New Orleans while you were in Los Angeles?

A. Yes. I – Raul had contacted me and – initially I wasn't going to get involved with it any more but he wrote me a general delivery at the main post office and he asked me to contact him or something. I called him at New Orleans and he wanted to see me a certain date, an approximate certain date, and I did agree to go to New

Orleans and I went down there with an individual named Charles Stein. He helped me drive down there.

Q. Okay. S T E I N?

A. S T E I N, yes.

Q. And did some other – were there other individuals that accompanied you and Mr. Stein?

A. Not on the way down. On the way back there was two young girls, five or six years old, they came back with us.

Q. Was there some time in Los Angeles that you were out there – let me back up a minute. You were out there you said about October of 1967 or November.

A. November.

Q. 1967. Now, were you ever back in Los

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Angeles after that?

A. After November?

Q. Right.

A. Yes. I stayed there until March, yes.

Q. Okay. So you stayed in Los Angeles from November until March.

A. Yes.

Q. During that time you were there, did you – did you suggest or direct some individuals to go and register to vote and that they would support Governor Wallace for president?

A. No, no, that's not correct. That's sort of a –

Q. That's not true?

A. No. The way that transpired was that Marie Martin's husband was in the – apparently was in San Quentin on a drug charge and she was interested in getting involved in politics and trying to get her, you know, brother out of the penitentiary. So anyway I may have mentioned to her – I had been down there on Lackershime Street in Hollywood. I think it's in North Hollywood, California. Well, it's – it is somewhere down there, I know it's on

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Lackershime Boulevard, and I went down there and purchased a tire for the Mustang and I noticed the registration place. I assumed it was for anyone who wanted to register to vote. So anyway she mentioned this to me, and I told her that, you know, I would take her down there if she wanted to register. So the day that I was going to take her down there, she had two individuals with her named Charles Stein, that's the first time I saw Charles Stein, and she had another young lady with her and I don't know what her name was, but they were related. So I took her out there and she was – apparently she registered for George Wallace.

So subsequently she kept – you know, she brought up the subject several times again, and I told her at that time that the problem – if she was interested in getting in politics, she should have registered with the Republicans because they controlled the state. I think Governor Reagan was governor at that time. So she went and re-registered then for the Republicans and she showed me her registration slip. She was all enthusiastic about this

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idea, but I never was – I never thought much of it. I was just going along with her because, I mean, she couldn't have – she was a barmaid, and I imagine if she raised about five hundred dollars she wasn't seeing the governor with five hundred dollars. She would have probably got, you know, locked up or something like that for some nonsense.

Q. Were you ever in Selma, Alabama, Mr. Ray?

A. I have been through there one time, yes.

Q. All right. Weren't you there at the same time that Doctor King was there, the time you were there, wasn't he there, too?

A. If he was there, I wouldn't have knew about it, but I – subsequently I found out that he wasn't there when I was there.

Q. How did you find out about that?

A. I think William Bradford Huie, the writer we previously mentioned, said I was in Selma when Doctor King was there but later on I find out that wasn't true and I wasn't in there. I just drove through there. I wasn't, you know, a resident there.

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Q. Let me ask you this: Isn't it true that a map was found with your fingerprints on it that had Doctor King's home, his church, his place of meeting, all that was circled, wasn't that all found?

A. No, that's not true. There was a map found in the rooming house that I was in in Atlanta, Georgia. In fact, I had about 20 maps. I had marked some different maps. What I did I marked the street I was living on and the street I came in on and then I marked Peachtree Street which is right off the street I was living on. And of course that was distorted and said that I had Reverend King's house and church and residences and I had all circles around it. Well, we subsequently found out that wasn't true, which I knew it wasn't.

Q. You're saying that's not true. That the map that the FBI had with your fingerprints on it did not have any circles around the exact place where Doctor Martin King's church, his home and his meeting place were, is that what you're saying?

A. Yes. What I did I made three oblong circles on there as I recall. Now –

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Q. Go ahead, I'm sorry.

A. One was first, when I usually go into a large town I usually buy a map to try to get my bearings with me and find out where I'm at and things of that nature. And I put

the street where I thought we had come in on and then I put an oblong circle around Peachtree Street and one around where I was living at.

And I had put an X down at an area which is a restaurant I had went to, and I don't think any – I think maybe one of them had enclosed Reverend King's house or something. But the map, I have seen a copy of the map, and there is no, you know, circles around his house.

Q. Did you know where Doctor King's church was located?

A. I had no idea.

Q. Do you know where his home was located?

A. No.

Q. How long had you had this map?

A. I had purchased it as soon as I had arrived in Atlanta.

Q. Okay. When you were in Los Angeles where were you staying, what motel or hotel

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were you staying in?

A. I was staying in an apartment house on Serrano Boulevard.

Q. Did you leave Los Angeles from November until March to go on a – any other trip except New Orleans while you were out there?

A. Yes. I went to New Orleans in December and then a lot of things happened in February and in March. Initially when we – when I met Raul in December, he said we would take some guns into Mexico in that spring or early – initially the date was set for April. But he set the date up for March and consequently I had to do quite a few changes there before I could –

Q. Where did you go except New Orleans when you left Los Angeles during this time, did you go to any other city?

A. I went to Las Vegas, yes, once and that was it.

Q. Now, you said you met Raul. Was that in Los Angeles or was that in New Orleans? I'm talking about from November until March when you said you were in Los Angeles.

A. Yes, I met him in March, yes.

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Q. You had not seen him in New Orleans when you were there?

A. Yes, I had met him there.

Q. Where did you meet him there?

A. A place called the Le Bunny Lounge on Canal Street.

Q. Did you call him ahead of time? Had you told him you were coming?

A. No, I – when I got to – yes, he knew I was coming because he told me, and I had made some phone call or I wrote him – one time I wrote him a letter and I think he wrote me a letter. But I don't recall details. But I think most of our transactions were made on the phone, and he had me meet him there a certain date in New Orleans in March of 1968.

Q. Okay. When you went with Mr. Stein, what month was that?

A. That would have been in November. That would have been – wait a minute, that would have been December.

Q. December of 1967?

A. 1967, yes.

Q. Did you see Raul then?

A. Yes.

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Q. Okay. Where did you meet him then?

A. Le Bunny Lounge.

Q. Okay. Same place?

A. Yes.

Q. How long did you stay in New Orleans when you were down there?

A. Really not very long. As soon as I seen him, I was ready to leave.

Q. Did you get – did he give you any money?

A. He gave me five hundred dollars, yes.

Q. Did he tell you he had any job he wanted you to do or anything?

A. Yes. He explained in general terms.

Q. What was that?

A. Well, he was going to take some weapons into Mexico.

Q. When did he tell you he wanted you to do that?

A. It was something mentioned, I don't know just what it was about, about we was going to do this in April of 1968 or he might have mentioned it later on the phone, his associate.

Q. When you were in New Orleans in December, are we talking about three or four

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days, a week, two weeks, what?

A. That I was there?

Q. Yes, sir.

A. It couldn't have been more than two or three days because I was ready to leave the next day. Stein wanted to stay a couple of extra days so I think we stayed probably two or three days.

Q. Okay. The next time you saw Raul was in March after that?

A. Yes, March.

Q. Mr. Ray, have you ever heard of an individual named J. C. Hardin?

A. J. C. Hardin?

Q. Yes, sir.

A. I believe I have heard of someone named Hardin, yes.

Q. Where did you hear that?

A. I think someone mentioned it to me named Harold Weisberg.

Q. What did Mr. Weisberg tell you about him?

A. I guess there's so much of this information I can't get it all down. I think Weisberg said that I met him in Los Angeles.

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Q. Did you meet him in Los Angeles?

A. No, I didn't. I don't –

Q. Have you ever met a J. C. Hardin or James Hardin?

A. No.

Q. You have never met him?

A. No. The reason I know that – I didn't meet anyone in New Orleans so – I mean, Los Angeles except the individuals I have done mentioned.

Q. Okay. Okay. You stayed in Los Angeles until March of 1968?

A. Yes.

Q. And where did you meet Raul next after that after seeing him in New Orleans in December, when and where did you meet him next?

A. Well, in one of the phone – well, in one of the phone conversations, I was supposed to meet him in New Orleans on a certain day. When I got there, he wasn't there.

Q. And about when was that? About what month was that we're talking about?

A. Well, this would have been March, sometime in the latter part of March.

Q. And in between December and March, had

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you had any contact with him?

A. Yes, I had contact with him.

Q. By telephone?

A. Yes. And plus in December meeting with him in New Orleans.

Q. Now, in December when you met him in New Orleans, you met him at the Le Bunny Lounge, how long were you with him that time?

A. Not very long, 15 or 20 minutes.

Q. And you didn't see him any more except that one time while you were in New Orleans?

A. Just that one time, yes.

Q. You had talked to him on the telephone sometime after December of 1967?

A. Yes.

Q. All right. And where did he tell you he was going to meet you?

A. I didn't talk to him directly. I talked to the intermediary. I was doing certain things out there in the – I was trying to get a passport, Merchant Seaman's paper and all that stuff. And I can't remember all the sequences what happened on certain days. But anyway the gist of it is that we made – he set the date up where I was supposed to meet him in

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New Orleans. It was sometime in March of 1968 and –

Q. You were in Los Angeles from November until March?

A. Yes.

Q. How were you getting financing?

A. Well, I went down in December, I told him I was getting kind of low on money and he gave me five hundred dollars. Plus I also got – he give me two thousand dollars in Mexico, so I didn't have a whole lot of money but, you know, I wasn't missing any meals or anything like that.

Q. Well, at some point you had some plastic surgery.

A. Yes.

Q. In Los Angeles.

A. Yes.

Q. What month was that?

A. Well, that would have been March or February, probably February.

Q. Of 1968?

A. Yes.

Q. Okay. Now you had twenty-five hundred dollars from November up until February.

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A. Well, I also had some money when I came back from Canada, but I have got this all wrote down on papers and things. But I can't remember, you know, from –

Q. Did you work any job in Los Angeles?

A. No, I never did any – I never did work any.

Q. Did you do any robberies while you were in Los Angeles?

A. No, I didn't.

Q. Now, at that time you – I guess I asked you earlier, you had never been to Memphis, Tennessee, had you, at that point?

A. No.

Q. We are talking about in February 1968.

A. To the best of my recollection, the only thing that – I went south, I went in the south in 1955. I could have come through there but I don't know which town in the south I went through. If I had have been there, I would have just drove through and that would have been it.

Q. Now, you had this surgery in February of 1968 in Los Angeles.

A. Yes.

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Q. Do you remember how much you paid for that?

A. Very little. I think it was \$200 or \$250.

Q. How much did you pay for the bartending course?

A. I don't know how much. That was one hundred – I would say I think it was a hundred and twenty dollars. I don't know what it was.

Q. And you next saw Raul then in March of 1968?

A. Yes.

Q. And where did you see him?

A. The Starlight Club in Birmingham.

Q. Okay. When did you leave Los Angeles to go to Birmingham?

A. Well, sometime in – I'm just guessing, probably the 22nd or 23rd of March, sometime around there. I can't –

Q. Did you veer off and stay in any other city for any length of time between Los Angeles and Birmingham?

A. No, I came –

Q. Straight to Birmingham?

A. Yes.

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Q. And he told you he would meet you there; is that right?

A. Well, I got – I was supposed to meet him in New Orleans, but when I got to New Orleans, I called his number and his intermediary told me to meet him in the Starlight in Birmingham. And he went on ahead, he went on ahead to Alabama.

Q. Okay. Now, is that when you – from New Orleans you had gone then through Selma, Alabama?

A. Yes. When I left New Orleans to go to Birmingham, I think it was two roads that goes to Birmingham, and I got on the secondary road. I think that's when – I went through various small towns.

Q. Okay. Mr. Ray, isn't it true that not only in Selma, but other cities you were there – just happen to be there when Doctor King was there and other cities before that?

A. I don't know what cities that would be. What cities was I –

Q. Wasn't he in Los Angeles while you were out there?

A. I was out there first. I mean, he come

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in to town.

Q. Okay. Of course, you were in Atlanta while he was there, weren't you?

A. Yes, I was in Atlanta, yes.

Q. Okay.

A. I think he was in Chicago when I was there, but I was already there. So I mean, you couldn't say that, you know, he was following me. And I certainly wasn't following him if I was there first.

Q. Have you ever made the admission to any person that you were stalking Doctor King?

A. Did I?

Q. Yes, sir.

A. No. I have never admitted –

Q. You have never admitted to any person?

A. I have been accused of stalking him, but I have never –

Q. Were you ever stalking him?

A. No, I wasn't stalking him.

Q. Have you ever told anyone that you were stalking him?

A. No.

Q. You have never told anyone?

A. No.

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1894

Q. When you were in Jim's Grill, did you see Mr. Jowers there, Mr. Ray?

A. No, I didn't. When I first went in there, there was a – I was in there twice. There's a possibility I was in there a third, but I think I was just in there twice. I thought the first time I was in there there was a young either black or white woman there. And the second time I was in there it was either a black or white. Now I don't remember the sequence. I don't remember if the first time was black and the second time was white or the other way around. But subsequently I was told that there was no white woman in there, so – but I was just in there three or four minutes so I really don't know.

Q. The first time you were in there on April 4th, 1968, what time roughly were you in there?

A. Pardon?

Q. What time roughly were you in there?

A. Well, I must have been – it must have been somewhere around – it was after – it was – I was late getting there. I would say it was after four o'clock.

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1895

Q. Now, Mr. Ray, you had gotten into Selma, Alabama, and gone into – gone on into Atlanta or Birmingham?

A. Birmingham.

Q. Birmingham. All right. And you met Raul there?

A. Yes.

Q. All right. Where did you meet him?

A. The Starlight.

Q. Okay. And what did he tell you then he wanted you to do?

A. Well, he – we was going to Atlanta. He said, you know, we was going to drive to Atlanta.

Q. He was going to ride with you in your Mustang?

A. Yes.

Q. Okay. How long were you in Birmingham before you left to go to Atlanta?

A. Very shortly. Very shortly. I just –

Q. Talking about days, six days, five days, a week, what, before you –

A. Well, when I met him at the Starlight –

Q. Yes, sir.

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1896

A. Before we went to Atlanta, probably about five minutes.

Q. You left that same day?

A. Yes.

Q. To go to Atlanta? Had you been in Atlanta before this?

A. Not unless I went through there in 1955.

Q. When you were talking about earlier?

A. Yes.

Q. You had never been to Atlanta?

A. No.

Q. What did he want to go to Atlanta for?

A. I didn't – I didn't want to go there. He –

Q. I said what did he tell you he wanted you to go to Atlanta for?

A. Well, he didn't tell me at that time.

Q. Did you get – did he give you any money then?

A. No, he didn't.

Q. So you drove on into Atlanta, and where did you stay there?

A. Well, he just directed me around to kind of a rundown neighborhood. Well, it

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really wasn't rundown, but it wasn't a working class neighborhood. We drove around briefly until he seen or I seen a place rooms for rent. So he told me to go in there and try to rent a room in the place.

So I went in there and the landlord, some dude, he was – him and another guy were drinking wine and I was trying to rent a room from them. So I kept trying to, you know, rent the room and I couldn't make much sense out of him. So finally, you know, he was going to rent me a room.

Q. Who was going to rent you a room?

A. The guy. I assume it was the landlord at the time.

Q. Okay. Was Raul with you?

A. Pardon?

Q. Was Raul –

A. He was out in the car.

Q. Did you tell him you wanted a room for two people or for one person?

A. No, just me.

Q. Okay. Where was he going to stay?

A. Well, I don't know where he was going to stay.

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Q. Okay.

A. So he – the guy told me he would rent me a room. So Raul came in about that time and him and this – these other two guys were drinking wine so the guy said that, you know, he would rent me a room and I paid for it. And he – let's see, he put me – he rented me a room there, but I think it was someone else's room or something.

Q. Someone else's room?

A. Yes. I told you he was drunk. So he rented me the room of someone else.

Q. Is this a rooming house you're speaking of?

A. Yes.

Q. Were you upstairs or downstairs where he rented you the room?

A. It was downstairs.

Q. Okay.

A. And –

Q. You don't remember what street it was on?

A. No. It was right off of Peachtree Street. I can't recall. 14th Street or something like that.

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Q. Was it close to the Ebenezer Baptist Church, in that area?

A. No, I don't know whether it was or not. I think – subsequently I think it was about a mile and a half from that, maybe farther than that, three miles.

Q. How long did Raul tell you you were going to be in Atlanta, Mr. Ray?

A. Well, he give me an impression we would be there several days.

Q. And you still didn't know what it was for, what you were going there for?

A. Well, he didn't give me no details then. What he told me then was that he was going to come back, and I might explain something else. See, when he give me the wrong room, when the guy, the landlord sobered up, he put me in, you know, a different room which was right next door. He had two rooming houses, his sister did, and he was just the landlord. So he give me a room right next door. And after I got to the room, me and Raul went around to talk to a restaurant around the corner from Peachtree Street, a diner. And he told me that he would be back in three or four

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days and that he would go to – he wanted to make a trip to Miami. So –

Q. Did he take your car?

A. No. He didn't take the car. No, I kept the Mustang.

Q. You said he was in the Mustang waiting for you, how did he leave after you had checked in the room at the rooming house?

A. Well, he just – when we went out the grill, we had some – we had some lunch. I don't know how, he just walked off. I didn't see him.

Q. What grill was that?

A. Well, you go down to – the street I was on, you walk about a half, three quarters of a block maybe and you get on Peachtree Street and I turned right and we went about a block down and there's a diner that sits there. It's kind of a small place, and I think it was a white villa.

Q. Mr. Ray, now you have known Raul some several months at this point. Did you ever know where he was from at this point? Was he from Mexico, the United States, Canada, where was he from?

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A. I never made no inquiries. I didn't ask him for his address.

Q. You never asked him his last name?

A. No, I didn't.

Q. Well, you had many, many conversations with him and had been with him many, many times at this point.

A. I don't know if I had many. I had brief conversations with him. It was all business, but I never had no occasion to ask him, you know, what his name was and where he was from and things of that nature. It was just a business deal rather. It wasn't no social.

Q. What kind of business deal was it?

A. Well, it was illegal business deals.

Q. I mean, well, other than the fact you had driven a car across the border a couple of times, what other illegal business was it besides those two things?

A. It was nothing. That was it. That was – I thought that was enough.

Q. Okay. You had gone to Atlanta. You went to some place, you don't know where it was, and you had gotten a room and this

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gentleman put you in the wrong room. But at any rate you went back to the car and got with Raul and had gone to a grill. Is that –

A. No, we didn't get in the car. We just walked.

Q. You walked to the grill?

A. Yes.

Q. And how long did you stay there?

A. I would say 15 or 20 minutes.

Q. Did you get anything to eat?

A. Yes.

Q. All right. And you say Raul just vanished into the night somewhere?

A. Yes. After we talked a while he said that – you know, he told me to stay pretty close to the rooming house because he would be back in three or four days. I think it was – and we would take a trip to Miami.

Q. Okay. Well, did you stay three or four days? Did you stay in the rooming house three or four days?

A. There was some mention about it, I don't recall exactly how many days, but anyway he was going to come back and we were going to Miami.

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Q. And did he come back and you go to Miami?

A. No.

Q. When did you return from – when did you hear from him next?

A. Well, he came back and it was six or seven days more than likely.

Q. All right. And you had been there all that time? Had he given you any more money?

A. Not at that time, no.

Q. How much money did you have?

A. At that time?

Q. We are talking about March of 1968.

A. I've got – I have got it wrote down some place. I didn't check it when I came up here because I –

Q. When did you write it down?

A. But I didn't have a whole lot – pardon?

Q. When did you write it down?

A. How much money I had?

Q. Oh, you wrote it down back then, and kept it until now?

A. No, I wrote – when I testify in court or something, I go over it because I can't

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remember it all. I can just remember how much money I got, but I can't remember the specific amount I had. I would say I probably had a thousand dollars. No, I had probably over a thousand dollars at that time.

Q. All right. You saw him some six or seven days later. Did he come by or call you or how did he contact you?

A. No, he came over to the rooming house and he had problems. He had a problem getting in. The – I can't explain exactly how it is, but the rooms set inside the – in other words, you come in the front door. You don't go right in the room. It used to be doctor's offices and you had to pound on the door.

Q. To get in?

A. Yes.

Q. And then when you saw him, what did he want then when he came to the door?

A. When he came back –

Q. I mean, what did he want?

A. When he came back, he mentioned the fact that he was going to take some, you know, weapons into Mexico and he wanted me to purchase a rifle and check up some samples in

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Atlanta, and at this time I told him that I didn't think I should do it in Atlanta because all my identifications were from Alabama. So he agreed to, you know, to do these transactions in Alabama.

Q. Now, he wanted you to purchase a rifle and you said do some samples? What kind of samples, what are you speaking of?

A. Well, he wanted me to look at some foreign rifles and get an estimate on the prices of them.

Q. Okay. Well, now, you hadn't had any experience with rifles. How did you know where to go look for foreign rifles at this point?

A. When we got to Birmingham?

Q. No, sir, you said in Atlanta. He came to the rooming house, had trouble getting in and he got in and told you he wanted you to look for some rifles and some samples were the words you used I believe.

A. Yes.

Q. How did you know where to look for foreign rifles?

A. Well, I didn't know where to look. But when we got to Birmingham, as I mentioned, I

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didn't want to try to – I didn't know what the procedure was for buying rifles. I didn't know what type of identification you had to show or whatever and I didn't know anything about the law.

Q. What type of rifle did he tell you he wanted you to buy?

A. He didn't. He didn't say.

Q. Are you talking about hunting rifles like .22's or a higher caliber than that, what type rifles?

THE COURT: Go ahead.

A. Well, he didn't say – well, he didn't say in Atlanta. He didn't get into details. I just – you know, when we started talking about purchasing weapons in Atlanta, I said – you know, kind of said, hold on a minute. My identification is from Alabama, and I think it probably would be safer if we used – if I went to Alabama.

Q. What kind of rifle did you think he wanted you to buy?

A. Well, he explained that when we got to Birmingham and checked – well, he explained that when we got to Birmingham and checked into

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the motel.

Q. All right. When he came over this day to the rooming house where he had trouble getting in and told you he wanted you to go look about some rifles and so forth, how long did he stay then?

A. He didn't stay very long at all.

Q. Are we talking about fifteen minutes, ten minutes, half a day or what?

A. No, I don't think – I don't think he stayed. After he once got in, I don't think he stayed there over maybe thirty minutes or something.

Q. Did he give you any money?

A. Not at that time, no.

Q. Okay. Mr. Ray, now you're telling us he came in and you said he had trouble getting in and he came in, and the first thing he said was, I want you to go buy some rifles or look about some rifles at the –

A. Yes. We started talking about the gun deals and things like that. I can't quote everything he said, but the main thing he wanted, you know, me to check out some rifles.

Q. Is this the first time he had ever

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mentioned anything about any guns up to this point? You had known him for months.

A. He had said something about it in Mexico, I mean, I think in December of 1968 – December of 1967 when I went to New Orleans about taking something to Mexico. But I think he said something about, you know, guns and he would make quite a bit of money on weapons or something like that.

Q. What did he say specifically?

A. I can't say what he said specifically. I know he just made a general reference to what he wanted to do.

Q. All right. And how long did you – how long was it before you left to go to Birmingham?

A. It wasn't very long. I don't think it was over a half an hour.

Q. So you went the same day?

A. Yes.

Q. Was it day or night when he came over there?

A. It was – it was sometime during the day, but I can't specify just what time during the day it was.

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Q. Okay. And you – he told you he would go with you in the Mustang to Birmingham?

A. Yes.

Q. All right. And you had – what type of identification did you have at that time?

A. Well, I had the Eric S. Galt driver's license in Alabama. I had a bill of sale from Alabama, a certificate of sale or something. Alabama doesn't have a title so –

Q. Okay. When you were in Los Angeles taking the bartender's course, and I may have asked you earlier, what name did you use then?

A. I'm certain I used the Galt name there.

Q. All right. And then when you – when you were in Atlanta and you – did they ask you your name there in Atlanta when you were in the rooming house where the man was drunk, did they ask you your name?

A. I think they gave me a receipt. Yes, I think I used the Galt name there.

Q. All right.

A. I'm fairly certain.

Q. When you left Atlanta to go to Birmingham now, you were driving the Mustang and Raul was with you.

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A. Yes.

Q. Right? Okay. Anyone else come up with you or anyone else appear with you that day that he came up and told you that he wanted to purchase some rifles?

A. No, there wasn't. No.

Q. You don't know how he got there?

A. No.

Q. How he got to the rooming house, you hadn't heard anything from him now for days?

A. Yes, he showed just up, yes.

Q. You don't know where he was staying or living or anything?

A. No, I don't.

Q. Okay. You left Atlanta to go to Birmingham and where were you intending to go in Birmingham?

A. Well, I didn't intend to go anywhere. He was more or less giving directions, but we went on to Birmingham.

Q. But I mean, did he sound like he knew where to go in Birmingham?

A. Yes.

Q. To buy rifles?

A. Yes.

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1911

Q. Did he give you the name of some place?

A. Well, we went to – when we got there, we went to a – I think this was on a Friday. We went to a diner and I think he checked – we checked out the yellow pages. We may have checked out a newspaper, too, but he may have already knew in advance. I'm not going to speculate what he knew. But anyway, he decided on this Arrow Marine Supply, and he give me, you know, general directions. And he told me he wanted to purchase – he told me – he told me he wanted to purchase –

Q. Okay. Well now, did he go with you?

A. No. I recall he went somewhere with me but he – I don't know if he went down there with me or not. We was driving around, but I don't – I don't think he ever went

– he didn't go – I know he didn't go all the way with me to the Arrow Marine Supply where they sold the rifles. He may have took me on the road and showed me where it was at or something of that nature.

Q. You had never been there previously?

A. No, I hadn't.

Q. All right. Did he tell you what type

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of weapon he wanted you to take a look at?

A. No, he didn't specify. If he did, I forgot it. But he was talking about – when I got there, I asked for a deer rifle I think it was.

Q. Why did you ask for that?

A. Well, that's usually I think, you know, rifle. That's the type of rifles he used. But I don't know too much about rifles so I got it all –

Q. But he had not specified what caliber rifle to purchase or what type of anything, any brand or anything; is that correct?

A. Yes. I don't recollect him mentioning any specific item. He said something about a rifle and he asked to check on some foreign rifles. But if he mentioned the type of rifles, a specific thing he wanted, I probably have forgotten about it.

Q. Well, did he want a rifle with a scope on it or without a scope or –

A. Yes.

Q. One that had a lever down under it that you used or what kind of rifle did he tell you to look at?

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A. Well, I don't know. I don't quite understand why he wasn't more specific about it but he didn't – you know, on reflection but he didn't. He probably give me some directions but they wasn't good enough to where I could tell the salesman exactly what I wanted.

Q. Did he write them down?

A. I – did I?

Q. Did he write them down for you?

A. No, he didn't write them down.

Q. And you just presumed that he wanted a rifle with a scope on it like a deer rifle?

A. Yes.

Q. You presume that; is that correct?

A. Yes.

Q. Did he give you any money?

A. Yes. He gave me I think it was about \$750.

Q. Okay. Was that in large bills or small bills?

A. That was in small bills.

Q. All right. And did he tell you to spend \$750 for a rifle?

A. No, he didn't. I think some of it was for expenses.

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Q. Okay. And then you drove over to this Arrow Marine Supply?

A. Yes.

Q. And you had never been there before?

A. Yes.

Q. And was it near the – was it near some water?

A. I didn't see any water around there. That was the first time I had been there. I think there may have been an airport around there somewhere.

Q. And you don't recall if Raul rode over there with you or not to this place?

A. I have some recollection of him being in the car. I think maybe he give me – he took me out there and pointed me off where to go at, but I'm certain he was – he didn't – I know he wasn't with me when I purchased the rifle.

Q. Okay. When you went into the place where to purchase the rifle, Mr. Ray, how many people were in there?

A. It didn't seem to be too many people in there.

Q. You're talking about three or four?

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A. It was a salesman, a couple of salesmen and maybe a couple of other people.

Q. And what did you tell him you wanted?

A. Well, I told him I wanted to – I was meeting with my brother-in-law and my brother was going deer hunting, and I would like to get a deer rifle and also there was a rack of apparently German mulzer rifles over there and I went over there and made some inquiries about them and asked them how much they cost and he kind of acted like he wanted to discourage me from purchasing them so I assumed he wanted me to buy the more expensive rifle.

Q. Did he show you more than one rifle while you were there?

A. No. He showed me – I think it was just one.

Q. Did you tell him what brand you wanted?

A. No. I made it appear like I was buying it for someone else, my brother-in-law or something.

Q. All right. And what name did you give him?

A. I gave him the name Harvey Lowmeier.

Q. Okay. Where did you come up with that?

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A. I think Harley Lowmeier is someone – I think he's some character in jail with my brother one time, and I just used his name.

Q. Okay. Did you test fire the rifle while you were in there?

A. No, I didn't.

Q. Okay. Did you tell him you wanted some ammunition to go with it?

A. Yes.

Q. Okay. What kind of rifle did he sell you?

A. I don't know. He just showed me one and he said this, you know, is a deer rifle and I said, well, okay. Wrap it up and that was it.

Q. Okay. How long were you in there, Mr. Ray, before you purchased the gun?

A. I wasn't in there too long except – I think – I don't know what kind of adjustments he had to make on the rifle or whether he had to put the scope on or what. But however long it took. I didn't hang around there.

Q. Let me ask you something: When he – when he showed you the rifle, you looked at it, didn't you?

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A. Yes.

Q. I mean, you put it in your hands, didn't you?

A. Yes.

Q. All right.

A. I may have put it in my hands. I probably did, yes.

Q. How did – did he show you how to load it?

A. I can't remember all the details. He probably showed me something about it. He probably figured I had sense enough to load the rifle.

Q. Tell us about the rifle, what kind – did it have a lever under it?

A. I don't have no idea what it was. I just – he showed it to me and it looked like a rifle so I said, you know, wrap it up.

Q. When you first saw it, did it have a scope on it?

A. I don't know if it did or not.

Q. You didn't look through the scope to see what kind of sighting or bearing it had?

A. No.

Q. And did the scope have some little

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rubber tips on the ends – on each end to keep from getting scratched up, do you remember that?

A. No, I don't remember any of that.

Q. Was it in a box or did he just have it back behind the counter or was it on the glass counter or where did he have the rifle?

A. I can't recall. He just brought it out and showed me. He said, how is this? And I said, okay, wrap it up.

Q. So you walked in and didn't tell him what kind of rifle you wanted, what brand,

what caliber, what anything, you just said I want a deer rifle?

A. Yes. I told him I was going to hunt deers with my brother-in-law and I would like to look at some rifles, and he said, this is what you want. This is probably the best thing out. He said words to that effect. I said, okay, that's what I want.

Q. And he never showed you how it had to be loaded or what you do to load it or anything?

A. He may have, but I don't recall it if he did.

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Q. Did you specify you wanted one with a scope on it?

A. Yes.

Q. You did?

A. Uh-huh.

Q. All right. And why did you do that? What was the reasons for wanting one with a scope on it?

A. Well, he – Raul had asked me to get one with a scope on it.

Q. He had told you that?

A. Yes.

Q. How many guns did Raul tell you to get?

A. He asked me to get one as a display to some buyers and he asked me to check on the prices and the quantity of some foreign made rifles.

Q. Okay. Well, Mr. Ray, did you ever ask Raul why he wanted you to purchase these in Atlanta or Birmingham, why you didn't purchase them in New Orleans?

A. No, I didn't make no inquiries like that.

Q. You didn't make any inquiries?

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A. No.

Q. Okay. You purchased a rifle and paid him how much?

A. I don't recall that either.

Q. Okay. Did he write you a receipt for it when you purchased it?

A. Yes. He gave me a receipt for it and some ammunition, yes.

Q. Did you give him your name and your address?

A. Yes. But I picked out a phony address.

Q. Where, in Birmingham or Atlanta or where?

A. In Birmingham. Yes.

Q. All right. And you gave him your name?

A. Yes.

Q. Did you have to show him any identification?

A. No, I didn't.

Q. Now, what time of the day are we speaking of here that you went in to purchase the rifle?

A. Well, I don't know. It was sometime probably a little bit after lunchtime or – it wasn't – eleven, twelve, one, somewhere around

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there.

Q. Now, was Raul sitting in the car waiting on you while you were doing this?

A. No, he wasn't.

Q. He was not doing that. Okay. How long were you in the store roughly to purchase the rifle?

A. I really couldn't say. Just long enough for him to get it ready. I don't know if he put the scope on it. I don't know how long it takes to put a scope on. But it wasn't very long.

Q. You paid him in cash, of course?

A. Yes.

Q. All right. And then you took the rifle. When you left out of the store, was it in a box or wrapped up some way?

A. I believe it was in a box, yes.

Q. And it had a scope on it, you knew that?

A. Yes.

Q. Okay. I had – it had some ammunition with it?

A. Yes.

Q. How many bullets did it have, did you

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purchase?

A. I think it was a couple of clips or whatever they come in. And I also purchased some – this foreign – some other type of ammunition, but it's not on the bill of sale. I don't know. They claim that – I don't know what they claim.

Q. What was the reason you purchased the other type of ammunition?

A. Well, he told me to purchase some ammunition so I purchased two different types

so he could take his choice.

Q. Okay. Were they the same caliber?

A. Yes.

Q. Same size?

A. Yes. Same size, yes.

Q. Just a different brand?

A. Yes.

Q. All right. So you had two boxes of ammunition?

A. Yes.

Q. All right. You left out of the store and where did you go then?

A. I went back to the motel, the Five Points Motel that we were staying in.

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Q. Okay. Now, okay. You have lost me now. You had gone from Atlanta to Birmingham. I thought you said you went to some place and looked to see where there was a diner or something and you looked in a telephone directory and went straight then to the gun store?

A. Yes, we did.

Q. Where was the motel?

A. The motel was – it was – it was somewhere on the east side of Atlanta – not Atlanta but Birmingham. It was a large motel. The Five Points they call it.

Q. Okay. You left for the store where you purchased the gun and went back to your car?

A. Yes.

Q. Parked out near I guess in front of the store?

A. Yes.

Q. Where was Raul?

A. He was at the five – he was at the motel.

Q. But now, how did you know where to go to a motel? You hadn't gotten a motel at that point.

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A. Yes, we checked into the motel when we first got there. I forgot to mention that. Before we went to the diner grill, we checked in the Five Points Motel.

Q. Did Raul stay at the motel?

A. Yes, he stayed there, yes.

Q. When did you go to the diner when you looked into the telephone directory to purchase a gun?

A. That happened after I had rented the motel room, yes.

Q. But I thought you said he went with you to the diner?

A. He did.

Q. Okay. But now you're saying he stayed at the motel?

A. Well, he stayed at the motel when I went to purchase the rifle.

Q. Okay. So you went to the diner and then you took him back to the motel?

A. Yes.

Q. All right. You drove from the place where you purchased the gun back straight to the motel.

A. Yes.

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Q. How far was that roughly?

A. It's quite a ways. I don't remember just –

Q. A mile, five miles?

A. I would say it was about two or three miles, yes.

Q. Okay. You got back to the motel, was he waiting for you?

A. Yes.

Q. Anyone with him?

A. No.

Q. Okay. And did you take the gun in?

A. Yes.

Q. What did he say about it?

A. Well, he just said it was – he looked at it briefly and he said it was the wrong kind then.

Q. What did he mean by that?

A. Well, I don't know what he meant. He just said it was the wrong kind of rifle.

Q. The wrong caliber, wrong brand, wrong what?

A. I think he just said it was – just the wrong type.

Q. Okay. That was his words?

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A. Yes.

Q. Okay. Did you ask him what he meant by that or what he really wanted?

A. No, I didn't. I had a brochure, the salesman give me a brochure. So I just handed him the brochure and told him to pick out what he wanted and I would go back and –

Q. You mean a brochure of several rifles?

A. Yes.

Q. Okay. Had you asked him for that?

A. The salesman?

Q. Yes.

A. I think he just give it to me.

Q. Okay. Well, had he given you this brochure before you bought this rifle?

A. No, I think he give it to me after, when I got ready to leave. He probably just handed it to me.

Q. All right. Did – I gather Raul took the gun out of the box when you got back to the motel?

A. Yes.

Q. Did he look down the scope on it?

A. If he did, I didn't notice it. He seemed just to look at it and checked it out

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briefly and said it was the wrong type. I think it was the wrong caliber.

Q. Did he put any guns in the – did he put any guns in the clip to see if they fit?

A. No, he didn't do anything with it, no.

Q. He didn't pull the trigger to see if anything would work on it?

A. No.

Q. He didn't do anything?

A. No.

Q. Okay. What did he want you to do then?

A. Well, he wanted me to exchange it and I told him, you know, to pick out what he wanted. So I – he picked out one and I went down and made a phone call to Arrow Marine and told them that I had purchased the wrong type of rifle and they told me, well, bring it back and they would exchange it. So –

Q. What did you tell them was wrong with it?

A. I don't think I said anything right then. I just told him I think it was the wrong caliber or something.

Q. And they told you to bring it back?

A. Yes.

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Q. And you had this brochure and Raul had picked out another type rifle he wanted you to exchange for it?

A. Yes.

Q. All right. Did he give you any more money?

A. No.

Q. Okay. Did you go on back then to exchange it?

A. Yes.

Q. That same day?

A. I went back to exchange it the same day and the salesman, he may have told me on the phone, he said that he couldn't do it that day but he could get to me – he could fix it – he didn't have time. He could have it ready for me some time the next day, next morning and –

Q. What time of day did you take it back?

A. It must have been getting kind of late because he said he couldn't fix it. He couldn't exchange it that day.

Q. Did Raul ride over there with you when you were going to exchange it?

A. No, he didn't.

Q. He stayed in the motel?

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A. Yes.

Q. Did you have separate rooms or one room at the motel?

A. Well, I rented my own room and he just stayed in there.

Q. In the same room?

A. Yes.

Q. Okay. All right. When you took it on back that day to the store or did you –

A. Yes.

Q. – wait until the next day, same day?

A. I took it back the same day.

Q. Did you leave it?

A. Yes, I left it.

Q. You left it. Okay. And you told him what kind of rifle you wanted?

A. Yes. I just told him that, you know, we was going hunting and I think I mentioned we were going hunting in Wisconsin or somewhere. And he said, well – I know there was some conversation about bigger deer in Wisconsin than there are in Alabama.

Q. Was this the same person that you talked to when you –

A. Yes.

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Q. Is this the same person that you talked to when you purchased the gun?

A. I believe it was. Yes.

Q. And did you specify when you went back what brand or what caliber of gun you wanted?

A. I just showed him the brochure, yes.

Q. And you told him that's what you wanted?

A. Yes.

Q. Was it the same price as the other or more or less?

A. I believe it was more. It's – I'm not certain.

Q. Okay. But – now, at this point Raul had not told you why he wanted a different type of rifle, either brand or caliber or anything. He just said it wasn't the right type?

A. Yes.

Q. That was his words?

A. Yes, that's –

Q. Okay. Did you – well, you had purchased two boxes of ammunition. Did you take those back, too?

A. Yes.

Q. You took those back, too. Did he want

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you to do that, to take the ammunition back or was that your idea?

A. Well, I think – I don't think I – I don't have a recollection of taking the ammunition out of the car. I may have, but naturally you take the ammunition out for a different caliber rifle.

Q. Okay. What caliber rifle was this, the first one that was purchased?

A. I don't know.

Q. What brand was it?

A. I don't know that either.

Q. Okay. All right. When you went back then, you left the rifle and you took the ammunition back and left it, too.

A. Yes.

Q. Is that correct?

A. I left all of it, yes.

Q. And then you went back to the motel?

A. Yes. After – after I made the arrangements, yes.

Q. You went back to the motel. Was Raul there at the motel?

A. Yes, he was there.

Q. Okay. What did you do when you got

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back?

A. Well, I told him that I had made the arrangements to exchange the rifle. I may have told him beforehand based on the telephone call I got, but I know I told him. One time he wanted me to come back when I made the phone call they were going to have the rifle exchanged and then he told me, you know, he said okay. So he gave me an address to meet him in Memphis and he said he was going somewhere else.

MR. BLEDSOE: Okay. At this point Mr. Garrison stated, Doctor Pepper, is this a good place for us to stop? It's almost five. At which point Mr. Pepper said, sure, this is fine.

And that was the end of the first day of the deposition. The end of this volume. And Mr. Garrison has the second volume.

MR. GARRISON: You want to continue?

THE COURT: Another volume?

MR. GARRISON: We are going to read it all.

THE COURT: Well, we had all the

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excitement we can stand today. Ten o'clock,

Sheriff.

(Proceedings adjourned at 4:30 p.m.)

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