

RAY'S LAWYER HINTS IN COURT HE MAY QUIT

Memphis, Sept. 27 (AP)—Arthur J. Hanes said today that he may withdraw as defense attorney for James Earl Ray, the man charged in the slaying of Dr. Martin Luther King Jr.

"Serious difficulties have arisen between me and my client on the best way to handle this defense," Hanes told Shelby county Criminal court. "At some future day I may have to withdraw as counsel for James Earl Ray."

Hanes' surprise statement, which he said was agreed to yesterday, came at the end of a day-long hearing on whether Hanes and three other persons should be held in contempt of court for newspaper articles concerning Ray's treatment in jail.

Hits at Committee

He also lashed out at the committee of attorneys which watches over pre-trial publicity and said he would do his best for his client regardless of any prejudice by the committee. "I think prejudice was shown like grandmother's petticoat under a miniskirt," he said.

The hearing was continued until Monday.

Hanes denied earlier that he had made any statements prejudicial to his client's case in the past and said, "I do not intend to do so in the future."

He is to defend Ray when Ray goes to trial Nov. 12 on charges that he killed King here last April 4.

3 Others Appeal

Hanes, former mayor of Birmingham, appeared in court along with three others to show why they should not be held in contempt allegedly for violating a judge's pre-trial "no comment" ruling.

Hanes, Renfro Hays, a pri-

vate investigator hired by Hanes, and reporters Roy Hamilton of the Memphis Press-Scimitar and Charles Edmundson of the Memphis Commercial Appeal were ordered into court by Judge W. Preston Battle, who will preside over Ray's trial. He issued an order shortly after Ray was jailed here prohibiting any out-of-court publicity that might stand in the way of a fair trial.

The order forbids the prosecution, defense, law officers, witnesses and prospective witnesses, and employees of county buildings from discussing for publication any phases of the investigation into King's slaying and Ray's arrest and confinement.

Hays denied under oath he had made statements attributed to him in the Press-Scimitar. He also denied any comment regarding the rigid security measures used to guard Ray in his Shelby county jail cell.

CHICAGO TRIBUNE

CHICAGO, ILLINOIS

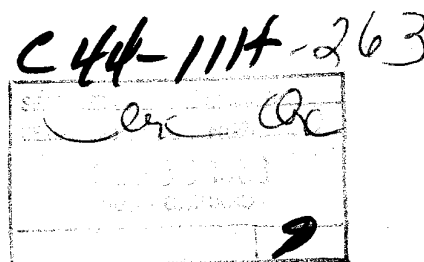
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Hanes May Quit as Ray's Lawyer

BY BILL JOHNSON

MEMPHIS (AP) — Arthur Hanes Sr. says he might have to withdraw as James Earl Ray's lawyer.

"Serious difficulties have arisen between me and my client on the best way to handle this defense," Ray's chief counsel said yesterday.

Hanes, former Birmingham, Ala., mayor, was retained by Ray before Ray was extradited from Britain and held in Memphis in the murder of the Rev. Martin Luther King Jr.

Hearing Is Continued

Hanes was in court yesterday for a hearing in which a committee of lawyers recommended that he and two newsmen and a private detective be held in contempt of court on grounds they violated an order prohibiting prejudicial news

statements in connection with the Ray case.

After the recommendation, Hanes charged that "prejudice is showing like a grandmother's petticoat under a miniskirt."

"I'm going to do everything I can do to defend my client against whatever arises, including committees of lawyers. I do not know what their motives are, altho I have my ideas," he said.

News Coverage Watched

The hearing was continued until Monday.

Ray, charged with the assassination of King in Memphis on April 4, is scheduled to go on trial Nov. 12. He was captured in Britain.

Criminal Court Judge W. Preston Battle appointed the committee of lawyers to watch news coverage of the Ray case.

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Ray's Lawyer Talks Of Quitting The Case

MEMPHIS (UPI) — The attorney for James Earl Ray said Friday that he may withdraw from the case because of "serious differences" between him and his client, who is charged with assassinating Dr. Martin Luther King Jr.

"In recent days serious differences have arisen between me and my client as to the conduct of this trial," said attorney Arthur J. Hanes Sr. of Birmingham, Ala. "At some future time I may withdraw as counsel for James Earl Ray."

Hanes made the surprise statement at the conclusion of a court hearing for four men, including himself, charged with violating strict publicity

rules in the Ray case.

Criminal Court Judge W. Preston Battle, who presided over the hearing, remarked to Hanes that the question of withdrawal was a "serious" one.

Battle continued until Monday the hearing for Hanes, private investigator Renfro Hays and newspaper reporters Roy Hamilton and Charles Edmundson.

Hanes and Hays were charged with making statements in violation of Battle's order. Hamilton, of the Memphis Press-Scimitar, and Edmundson, of the Memphis Commercial-Appeal, were charged with printing the statements.

Newspaper
CHICAGO SUN TIMES

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John Debb

(B)

Ray may appear in court today

MEMPHIS (UPI) Indications were that James Earl Ray would be taken from his closely guarded jail cell Monday to hear motions by his attorney that electronic surveillance of Ray's quarters be ended.

Attorney Arthur J. Hanes Sr., however, first faced a charge of contempt of court for allegedly violating Criminal Court Judge W. Preston Battle's ban on pretrial publicity regarding Ray's case.

Ray is charged with murder in the April 4 slaying of the Rev. Dr. A. Martin Luther King Jr.

BATTLE continued the contempt hearing Friday against Hanes, a private investigator he employed, Renfro T. Hays, and two newspaper reporters, Charles Edmundson and Roy Hamilton.

After an expected ruling from Battle on the contempt charge, Hanes was to present his contention that television cameras, lights and microphones in Ray's cell constitute "an electronic form of cruel and inhuman treatment."

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Ray trial witness comfy, but he wants his freedom

MEMPHIS (AP) — Charles Quigman Stephens has an air-conditioned private room, three meals a day, a television set, a radio, a telephone, plenty of newspapers, books and magazines.

But the 57-year-old World War I veteran is unhappy.

So unhappy, in fact, that he has fired his public defender and hired two private lawyers in an attempt to gain his release from the Shelby County penal farm.

Stephens was not sent to the

penal farm because he committed a crime. He is being held in lieu of \$10,000 bond as a material witness in the slaying of the Rev. Dr. Martin Luther King Jr.

Harvey L. Gibson and Jay Friedman, Stephens' new attorneys, consider themselves bound to silence under a court order issued by Judge Preston Battle, the judge who will preside in the trial of James Earl Ray. Ray is charged with murder in Dr. King's slaying.

BUT A SOURCE close to Stephens said he is determined to get, if not complete freedom, "at least some of the amenities other free American citizens are guaranteed by the Constitution."

The district attorney's office said Stephens was placed in protective custody to ensure his safety and to assure his presence when needed to testify.

Stephens was a resident of the rooming house where police

saw the suspect flee the scene that killed Dr. King. He has told police he was a man fleeing the scene.

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James Earl Ray

National

MEMPHIS — William Bradford Huie, a novelist, said he has paid James Earl Ray, accused killer of Martin Luther King, \$25,000 for the rights to Ray's life story. Huie said Ray has given him 20,000 handwritten words of autobiography while awaiting trial for murder. The money paid by Huie will be used to finance Ray's defense.

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Ray 'upset' by security --attorney

MEMPHIS (AP) — The chief attorney for the man charged with murdering the Rev. Dr. Martin Luther King Jr. says his client may be unable to face a Nov. 12 trial because of mental upset caused by intense security during a prolonged period.

In an interview in Birmingham, Arthur Hanes Sr. said Wednesday that the suspect, James Earl Ray, has undergone "enough to bug anybody" during his confinement in jails in London and Memphis.

"He's in that nice jail in Shelby County and they have bright lights shining on him night and day," Hanes said, "and he's got the TV big brother with its eye on him all the time."

He said the conditions threaten Ray's health, and he is preparing a motion asking that the conditions be changed before the trial.

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Ray may not testify at his trial

MEMPHIS (AP)—James Earl Ray, who is charged with murdering the Rev. Dr. Martin Luther King Jr., may never testify in his own defense.

Arthur Hanes Sr., the Birmingham attorney who is chief defense counsel, said the decision to put Ray on the stand or keep him off may not be made until "the moment the prosecution rests its case and the judge tells me to call my first witness."

"THAT'S WHEN I'll have to decide, because under Tennessee law the defense must call as its first witness the defendant himself," if he is to be called.

If Ray were to testify, the prosecution under cross-examination could bring out his record as a thief and robber and the fact that he is an escaped convict.

Ray is scheduled to go on trial in Shelby County Criminal Court here Nov. 12.

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Ray Might Not Take the Stand

MEMPHIS (P) — James Earl Ray, charged with murdering the Rev. Martin Luther King Jr., may never testify in his own defense.

Arthur Hanes Sr., Birmingham attorney who is chief defense counsel, said yesterday the decision to put Ray on the stand or keep him off may not be made until "the moment the prosecution rests its case and the judge tells me to call my first witness.

"That's when I'll have to decide, because under Tennessee law the defense must call as its first witness the defendant himself," if he is to be called.

If that happens, the prosecution under cross-examination could bring out Ray's hapless record as a thief and robber and the fact that he is an escaped convict.

Ray is scheduled to go on trial in Shelby county Criminal court here Nov. 12. He is charged with first degree murder in the sniper assassination of King, who was slain by a bullet April 4 as he leaned on the balcony railing of a downtown motel.

Reunited
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4 FACE CHARGE OF VIOLATING RAY NEWS BAN

Memphis, Sept. 18 (AP)—Two newspaper men, a lawyer, and a private detective have been ordered to show cause why they should not be held in contempt of court for violating a ban on out-of-courtroom news statements in the case of James Earl Ray.

Judge W. Preston Battle, who is scheduled to hear Ray's trial on charges of killing Dr. Martin Luther King Jr., issued the show-cause orders yesterday.

Battle ordered the four men,

including Ray's chief defense counsel, Arthur J. Hanes Sr. of Birmingham, Ala., to appear before him Sept. 27.

In addition to Hanes, a former Birmingham mayor, those cited were Renfro T. Hays, a private detective working for Hanes, Charles Edmundson of the Memphis Commercial Appeal and Roy Hamilton of the Memphis Press-Scimitar.

Battle took action after receiving a "petition for contempt" by a committee of seven attorneys he named to monitor what is being reported about the Ray case.

Attached to the petition were stories published last week in which the two reporters quoted Hanes and Hays about various aspects of the Ray defense. Ray is scheduled to go on trial Nov. 12.

When Ray was returned to

the United States from England July 19, Battle issued an order banning defense and prosecution attorneys, their agents and employees, all law enforcement officials of Memphis and Shelby county, all potential witnesses, and all employees at the courthouse and county office building from "giving interviews or making extra-judicial statements prejudicial to a fair trial by an impartial jury."

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Judge raps 4 for Ray publicity

MEMPHIS, Tenn. (UPI) — Four persons, including the defense attorney for James Earl Ray, were found in probable contempt of a court order restricting publicity prior to Ray's trial on charges he assassinated the Rev. Dr. Martin Luther King Jr.

Criminal court judge W. Preston Battle ruled that attorney Arthur J. Hanes Sr., investigator Renfro T. Hays and newspapermen Roy Hamilton and Charles Edmundson had failed to show why they should not be held in contempt.

But Battle reserved final judgment in the cases for "a later date." The judge said "future acts and conduct on the part of these men might lead to mitigation or even expurgation."

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Lights in Ray's cell to stay on

MEMPHIS (UPI) — Judge Preston Battle commented Monday that James Earl Ray "is getting more sleep than I am" and dismissed motions to have the lights turned off in the cell of the man accused of slaying the Rev. Dr. Martin Luther King Jr. Ray's attorneys had filed the motions in criminal court, charging that the lights and constant presence of guards made Ray nervous and kept him from sleeping well.

Reunions
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Judge in Ray Case Holds 4 in Contempt

Memphis, Sept. 30 (AP) — The judge who will try James Earl Ray held four persons in contempt today on charges that they violated his guidelines restricting pre-trial publicity in the case.

Arthur J. Hanes, the attorney for the man charged with the assassination slaying of Dr. Martin Luther King-Jr., two Memphis newspaper reporters, and a private investigator hired by Hanes were held in contempt by Criminal Court Judge W. Preston Battle.

Ray Loses Skirmish

Ray appeared in court today and lost a motion to have security in his cell eased. He contended that around the clock lighting and full-time television surveillance constituted cruel and inhuman punishment.

In holding that the security measures were reasonable and necessary, Judge Battle told Ray that if he had trouble sleeping he should "get one of those black masks and put it over his eyes."

Battle ruled that comments by Hanes and the investigator, and carried in stories written by the reporters, were "extremely prejudicial and constitute a clear and present danger" to impaneling an impartial jury to try Ray.

Battle withheld punishment until a later date, indicating future conduct of the four men might possibly mitigate or purge the contempt findings.

After the hearings, court was reconvened and the attorney for the reporters — Ray Hamilton of the Press-Scimitar and Charles Edmundson of the Commercial Appeal — asked the judge either to reconsider his ruling or sentence the newsmen immediately.

Battle denied the motion to reconsider and said he was not ready to impose sentence.

Charge Appeal Is Blocked — The attorney, F. Lee Bryan,

contended that holding sentence in abeyance would prevent the reporters from appealing. This, he said, left the way open for any court to abridge



Judge W. Preston Battle

freedom of speech and the press.

Bryan called Battle's action "censorship at its virulent best" and added: "The reporters and the newspapers are in limbo not under an order of the court but in the threat of punishment by the court."

"Like it or not," Judge Battle said, "it's my duty to follow justice and that's what I've done."

Blames High Court Ruling

Trial courts, the judge said, had not sought the authority to regulate pre-trial publicity but had the burden thrust upon them by the United States Supreme court in its ruling on the Dr. Sam Sheppard case. The high court ruled then, he said, that the Sheppard trial court should have moved to regulate out-of-court news accounts.

Hanes and the investigator, Kentro T. Hays, denied making some statements attributed to them in newspaper stories dealing with conditions in Ray's cell in the county jail. Hanes said that any comments he may have made to newsmen

were points he had already raised in court.

Hays denied making statements attributed to him in a story written by Edmundson on Ray's jail cell. The reporter insisted that the story was true and factual and Judge Battle, noting the conflicting testimony, said the "court believes Mr. Edmundson."

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2 PAPERS VOW TO GO ON WITH NEWS OF RAY

Memphis, Oct. 1 (UPI) — This city's two daily newspapers today said they plan to continue reporting developments in the murder trial of James Earl Ray whether those developments occur in or out of court. The decisions came on the heels of a ruling which found reporters for the Memphis Commercial Appeal and the Press-Scimitar in contempt of court for their coverage of the case.

The Commercial Appeal noted that Judge W. Preston Battle delayed sentencing and suggested that good behavior might reduce any penalty. "Thus," the paper said in an editorial, "the sword of Damocles is hung over our head."

"Such handcuffing of the press and blindfolding the citizens in a free country," it continued, "cannot be accepted by a responsible newspaper which must report all important happenings to the people."

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(Signature)

Ray Hideout in Chicago Is Disclosed

By RONALD KOZIOL and JAMES STRONG

James Earl Ray, the accused slayer of Dr. Martin Luther King Jr., spent nearly two months in a north side basement hideout awaiting a letter from Canada, a TRIBUNE investigation disclosed last night.

Seventeen days after his escape from the Missouri state prison, Ray, using the name of John Larry Rayns, signed a ledger to rent a one-room apartment at 2731 Sheffield av. The date was April 20, 1967.

Called "Lone Wolf"

Edward Donnelly, 43, owner of the building and a former policeman in northern Ireland for five years, described his tenant as a "lone wolf who was quiet and complained of having foot trouble."

Ray used the name of John L. Rayns when he applied for a job as a dishwasher at the Indian Trail restaurant, 507 Chestnut st., Winnetka, on May 3, 1967. He also complained at that time of foot trouble, which authorities believe was incurred as he hitchhiked and walked to Chicago after his escape from prison.

Donnelly's wife, Gloria, recalled that the man who said he was Rayns said he was waiting for a letter from Canada.

"After several weeks, he said he received a letter from Canada and had been transferred out," Mrs. Donnelly said. "He left in the middle of the night."

Seized in London

Ray is believed to have fled to Canada shortly after the murder of the civil rights leader in Memphis last April. He was captured by Canadian authorities in London.

Donnelly said that when Ray was arrested he had in his possession two Canadian passports, one of which was issued in Ottawa.

Donnelly also recalled that his former tenant mentioned Canada.

"He told me he earned a living on the Mississippi, working on the boats as a cook," Donnelly said. "I had very little conversation with him but I remember he mentioned that he wanted to go back to Canada."

Had Private Entrance

The Donnellys said that Ray did his own cooking on a small stove in the large rear apartment. They said he had a private entrance at the rear of the building and they seldom heard him come or go.

Information supplied by Mr. and Mrs. Harvey Klingeman, owners of the Winnetka restaurant, led FBI agents to the north side building during the middle of August. The couple recalled he lived in the area of Sheffield avenue and Diversey parkway.

The Donnellys told the FBI that their tenant received no telephone calls and no visitors and apparently spent a good deal of time reading. Mrs. Donnelly said that she had seen several hard cover books on a shelf in the apartment.

Ledger Is Confiscated

Donnelly and his wife questioned several times by FBI agents, who confiscated a ledger noting the April 20 date and the Rayns signature. In return, the couple received a photo copy of the entry.

Another tenant in the building, Edward Sperling, told The Tribune that he identified an FBI photo of Ray as the man he saw leaving the restaurant several times.

Sperling said that he saw the man drive off in a white car.

Donnelly said that when Ray was arrested he had in his possession two Canadian passports, one of which was issued in Ottawa.

The Donnellys, who were in Ireland with their two children at the time of Ray's capture, expressed surprise when told by reporters that their former tenant was accused of the murder of King.

Supply Missing Link

Information supplied by the Donnellys and the Klingemans provided the FBI with a missing link in Ray's movements since his escape from prison on April 2, 1967 to April 4.

Ray disappeared from his job at the Winnetka restaurant on May 24, 1967. The Klingemans told the FBI that on his last day, he received a telephone call and a visitor at the rear door of the restaurant. The visitor, 55, a fellow worker at the restaurant, recalled that he often gave Ray a lift to a bus stop in Evanston where they completed their work. The visitor said from there Ray would take a bus to Howard street where he would board a CTA elevated train. The apartment at 2731 Sheffield is located a half block from the Diversey elevated station.

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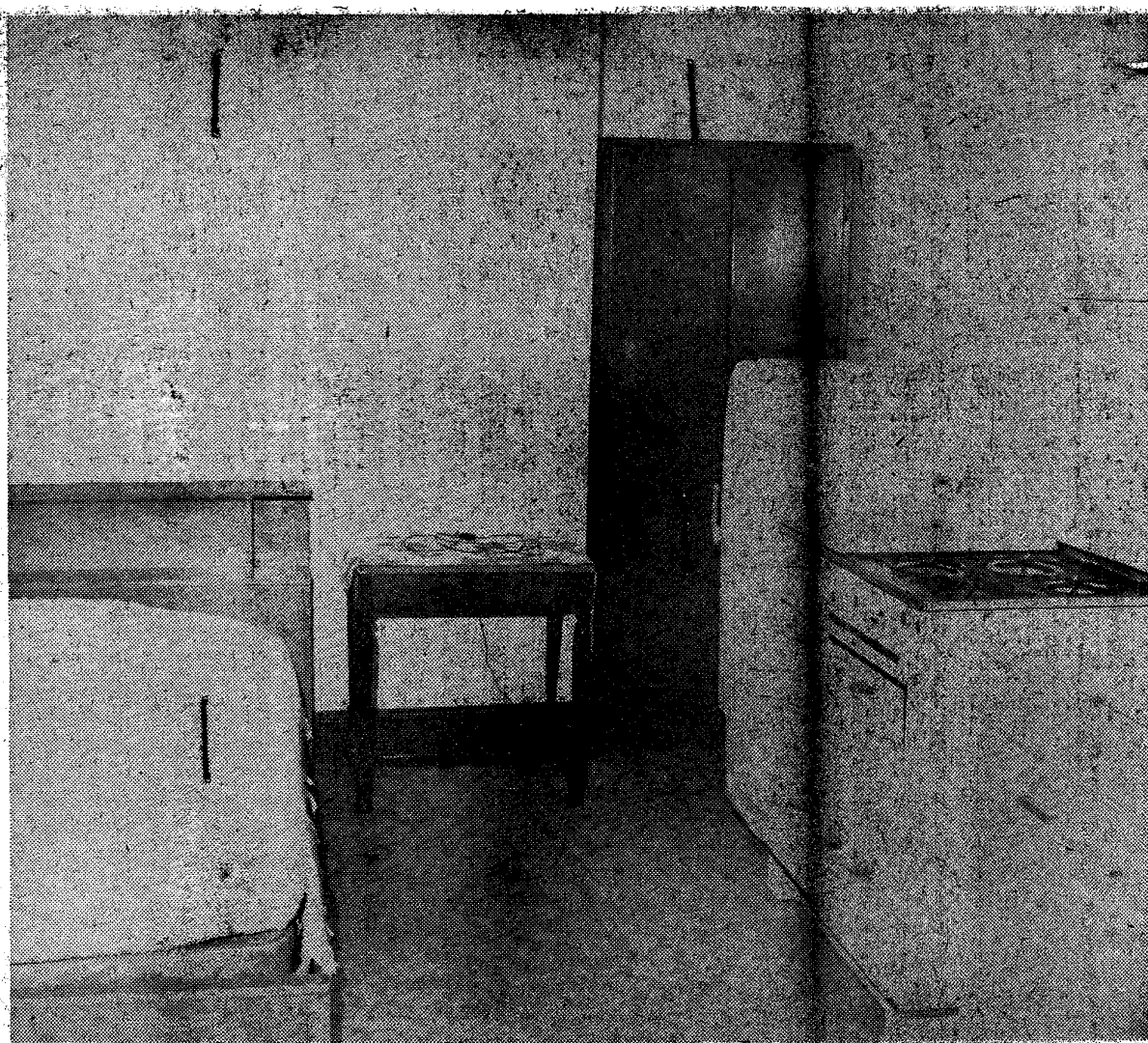
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SPRINGFIELD Staff Photos by William Kelly

Where Ray Lived

Edward Donnelly, owner of building at 2731 Sheffield av., and his wife, Gloria. At right is the one-room apartment which they rented to James Earl Ray, accused killer of Dr. Martin Luther King Jr., under the alias of John Barry Rayns. Ray cooked and lived in room for nearly two months after escape from prison in 1967.

Side hideout

Letter triggered Ray's exit here

By John McHugh

A letter from Canada triggered James Earl Ray's hasty departure in 1967 from his hideout in a North Side basement apartment.

The mysterious letter arrived and, Ray immediately left the one-room apartment at 2731 N. Sheffield, moving out during the night without a word to his landlord.

The accused assassin of the Rev. Dr. Martin Luther King Jr. registered for the room under the name John Larry Raynes on April 20, 1967, only 17 days after his escape from Missouri State Prison.

"HE WAS VERY quiet and kept to himself and paid his \$14 on time every week," said Edward Donnelly, 43, owner of the building.

Donnelly's wife, Gloria, recalled Ray had said he was "waiting for word from Canada."

After eight weeks he received a letter from Canada and disappeared, according to Mrs. Donnelly.

Federal agents believe Ray fled to Canada after the assassination of Dr. King in Memphis on April 4. When he was arrested in London on June 8, Ray had two Canadian passports.

The Donnellys and their two children were on vacation in Ireland when Ray was captured.

Donnelly, a former policeman in Ireland, said that until Thursday he had been unaware

that his former tenant was actually Ray.

Donnelly said he had been questioned by FBI agents in August about Rayn, but they gave no indication of his real identity.

THE AGENTS were led to the apartment by Mr. and Mrs. Harvey Klingeman, owners of the Indian Trail Restaurant, 507 Chestnut St., Winnetka.

During his two-month stay in the Chicago area, Ray worked as a dishwasher in the restaurant.

The Klingeman's told the FBI that on the last day Ray appeared for work he had a telephone call and talked to a visitor in the restaurant.

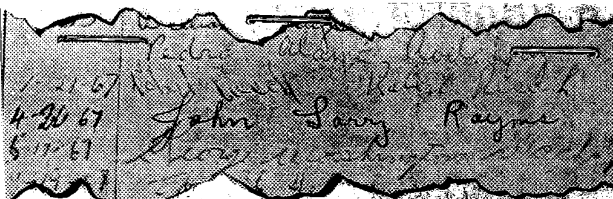
Tenants in the building where Ray lived said they sometimes saw him enter the apartment through its separate back door.

Ray cooked his meals in the room and apparently spent much of the time reading, according to Mrs. Donnelly.

RAY normally took an L train part way to his job. Employees at the restaurant said they often drove Ray from Evanston to Winnetka.

The Klingmans learned that their dishwasher was really Ray when they were questioned in August by author William Bradford Huie.

Huie has been hired by Ray to write his life story. The account will appear in the issue of Look magazine that goes on sale Tuesday.



James Earl Ray registered under the name of John Larry Raynes when he rented a room at 2731 N. Sheffield on April 20, 1967.



Edward Donnelly

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(Mount Clipping in Space Below)

REVEAL RAY'S EFFORT TO FLEE U.S. ON A SHIP

Tried to Get Sea Job Here After Killing

BY RONALD KOZIOL

James Earl Ray, the accused killer of Dr. Martin Luther King Jr., may have returned to Chicago shortly after the assassination to seek a job on a freighter leaving for a foreign country, THE TRIBUNE learned yesterday.

A man fitting the description of Ray applied for a job as a cook on a foreign vessel at a hiring hall in the Lake Calumet region. The incident, authorities said, took place shortly before April 20, the day Ray was identified as wanted in connection with the murder by the Federal Bureau of Investigation.

Identified by Clerk

The resemblance between Ray and the ship's cook was noted by a clerk in the hiring hall after newspapers published Ray's picture. Both Chicago police and the FBI were notified and investigators staked out the hall. The man never returned.

This led to a detailed search of 10 freighters docked in the Calumet harbor and another 14 boats at Navy pier. No sign of the man was seen again in the Chicago area.

Ray is believed to have fled to Canada shortly after the murder of Dr. King on April 4. It was thru the efforts of the Canadian mounted police that Ray was tracked to London and arrested June 8. The FBI has never disclosed the exact route taken by Ray which led him to London.

Hideout Discovered

Three Chicago area residents,

whose information provided the FBI with a missing link in Ray's whereabouts since his escape from the Missouri state prison on April 3, 1967, to the day Dr. King was murdered, have also told of his continuous mentions of serving as a ship's cook.

Edward Donnelly, 42, owner of a building at 2731 Sheffield av., where Ray rented a rear basement room shortly after his escape from prison, recalled:

"He told me he earned his living on the Mississippi. He said he worked on the boats as a cook."

Ray's north side hide-out was discovered by TRIBUNE reporters after a house-to-house search in the area of Sheffield and Diversey parkway.

The Donnellys also disclosed in late editions of yesterday's TRIBUNE that their tenant often mentioned that he was awaiting a letter from Canada.

Mrs. Donnelly said: "After several weeks, he said he received the letter and had been transferred out. He left in the middle of the night."

On May 2, 1967, when Ray applied for a job as a dishwasher at the Indian Trail restaurant, 507 Chestnut st., Winnetka, he told the owners, Mr. and Mrs. Harvey Klingerman, that he "had worked on the boats as a cook."

Left Winnetka Job

Ray disappeared from his job in the Winnetka restaurant on June 24, 1967. The Klingermans told the FBI that on his last day he received a telephone call and a visitor at the kitchen door of the restaurant.

The day Ray left his job coincides with the approximate time he left his apartment on the north side.

A fellow worker of Ray's at the restaurant, Henry Johnson, 58, said that Ray often talked of working as a cook on boats and the many ways and different kinds of fish he served to crew members.

(Indicate page, name of newspaper, city and state.)

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Dumaine
CHICAGO TRIBUNE
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New arrest due soon in King death: author

By Larry Green

A second person may be arrested in the murder of Dr. Martin Luther King during the next two weeks, an author writing an account of "the plot" to kill the civil rights leader said.

William Bradford Huie, who has purchased the rights to accused assassin James Earl Ray's story, made the prediction on a weekend television talk show.

"It wouldn't surprise me if there were another arrest before the trial begins," Huie said on WMAQ TV's Kup's Show.

RAY, AN escaped convict, has been charged with killing King. He is the only person arrested in the killing and is scheduled to stand trial beginning Nov. 12.

Huie broadly hinted that there was a conspiracy behind King's death.

He said that the first of two articles he has written for Look magazine will deal with "the plot to assassinate Martin Luther King."

AUTHOR of "Three Lives for Mississippi" and "The Klansman," Huie says he knows who some of the persons

involved in the alleged plot are but does not name them in the articles because this information will come out during Ray's trial.

Huie evaded a direct answer when the show's moderator, Sun-Times columnist Irv Kupcinet, asked him if he knew the names of others involved.

Huie, for whom Ray has been writing his side of what happened, said he has paid the accused assassin "more than \$30,000" so far.

Further, Huie said, he was co-operating with federal authorities who are investigating the killing last April.

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William Bradford Huie, the author who paid James Earl Ray, alleged assassin of Dr. Martin Luther King Jr., more than \$30,000 for his memoirs, is half-expecting a contempt of court citation for his articles which start running in Look magazine this week. Huie realizes he may have gone beyond the strict limitations established for the press by the Memphis judge who will hear the case next month.

DO NOT DESTROY - FEDERAL INTEREST

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CHICAGO SUN TIMES

CHICAGO, ILLINOIS

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DO NOT DESTROY - PENDING LITIGATION

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Did James Ray Plot King Death by Phone Here?

BY FRANK VON ARX

Was the assassination of the Rev. Martin Luther King Jr. plotted in phone calls to a Winnetka restaurant?

This possibility frightens Mr. and Mrs. Harvey Klingeman, who for 35 years have operated the Indian Trail restaurant, 507 Chestnut st., Winnetka.

Klingeman confirmed that James Earl Ray, accused in the assassination of the Rev. Mr. King, was the "model" employe who once worked in the restaurant under the name of John L. Rayns.

Klingeman said Ray worked in the Indian Trail kitchen for nearly 8 weeks—from May 3 thru June 24, 1967. King was murdered last April 4.

Phone Calls, Visitors

Federal Bureau of Investigation agents who questioned the Klingemans showed particular interest in mysterious phone calls and visitors Ray received while employed at the restaurant.

Unfortunately, Klingeman says, Ray was such a reliable employe that the calls and visitors did not attract suspicion.

"I can't say if they were men or women, black or white," Klingeman said.

Klingeman distinctly recall two occasions when Ray was called in the back door of the kitchen. Once was on a Saturday. After the visits, he seemed preoccupied.

Sends P.O. Box Number

Ray left his son and the son's wife at the Klingemans' restaurant, Klingeman said.

Klingeman has a theory on what happened. "Someone tapped him on the shoulder," he contends.

"Someone knew he had escaped from prison and told him they had a job for him—a job he had to do or they would send him back to prison."

Discovery of Ray's employment supplied a missing link in his activities after his prison escape.

Klingeman said he learned the truth when approached by William Bradford Huie, writer commissioned by Ray to tell "the complete story."

Tells Police Chief

Despite a request that the information be kept from the news media, the Klingemans decided it was their "duty to the community" to tell Don R. Dering, Winnetka police chief. Klingeman said Dering advised them to contact the FBI.

Klingeman said he still finds it difficult to associate the employe he called John Rayns with James Earl Ray.

"Here was a type of fellow who always was prompt in reporting to work, never had any smell of liquor on his breath, took instructions easily, and always was dependable.

"With the pressure and heat of the kitchen, he never exploded, never caused trouble with other employes. He never expressed strong attitudes toward any issue."

Decries "Prostitute" Theory

Klingeman said the restaurant has 18 waitresses, but Ray never had dealings with women, never told a "dirty" story. He said Huie was particularly interested in developing this information because of press reports that Ray dealt with prostitutes.

Ray was hired thru a newspaper ad, Klingeman said. The first 3 days, he complained of swollen feet and was given bandages by Mrs. Gertrude Gauls, a sister of Mrs. Klingeman.

Klingeman said the sore feet appear to confirm reports that

Ray walked to Chicago after his escape from a prison in Jefferson City, Mo.

Sprained His Ankles

Ray explained his swollen feet with a comment that he had been hunting and had sprained his ankles, Klingeman said.

Klingeman said Ray received two raises, from \$103 to \$117.50, while employed at Indian Trail.

"FBI agents told us they had been able to trace Ray's activities for all but a period of 10 weeks after his prison escape. Apparently we have been able to fill in 8 of those weeks," he said.



JAMES EARL RAY
Plotted by phone?

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CHICAGO, ILLINOIS

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Near North Side

Ray hideout here bared

By Lawrence J. Green

For two months after escaping from prison in 1967, James Earl Ray, accused assassin of the Rev. Dr. Martin Luther King Jr., hid in Chicago and worked in Winnetka.

Ray, The Daily News learned, lived on the Near North Side in the Diversey Pkwy.-Sheffield area.

Until recently, his whereabouts during those two months had baffled FBI agents.

Now, it is believed, federal authorities have traced almost every movement Ray made from April 3, 1967 — the day he escaped from the Missouri State Prison — until April 4, when Dr. King was shot while standing on the balcony of a Memphis motel. Ray is in custody in Memphis facing trial Nov. 12.

THE MISSING link was supplied by Mr. and Mrs. Harvey Klingeman, owners of the Indian Trail restaurant, 577 Chestnut St., Winnetka.

Mrs. Klingeman told The Daily News she hired Ray, who used the name John L. Rayns, as a dishwasher on May 4, 1967. He worked at the restaurant until July 25, when he left without giving notice.

During his last week there, she said, he received three telephone calls which "I think were from his brother, but I'm vague about that."

Jerry Ray, 32, the accused assassin's brother, was working at the time at a Northbrook country club near Winnetka. "Once a man came to the back door and asked for him," Mrs. Klingeman said, but added she could not identify the mysterious caller. "Ray was gone the next day."

IT WAS LAST August that Mrs. Klingeman learned that Rayns and Ray were the same person.

William Bradford Huie, an author hired by Ray to write his life story, came to the restaurant Aug. 21, and told the Klingemans that the accused killer had worked there under the assumed name.

Huie's account of Ray's life will be in the Look magazine's issue that goes on sale Tuesday. A spokesman for Look said the articles will deal with "Ray and the conspiracy to kill Dr. Martin Luther King."

The role Chicago played in Ray's life after escaping prison is "a small part" of the article, the spokesman added.

Mrs. Klingeman said she and her husband waited two days after Huie's visit before going to the Winnetka police to tell them Ray had worked there. The police notified the FBI.

"We felt we had to go to the police," Mrs. Klingeman said. "We could not carry this burden without notifying the authorities."

MRS. KLINGEMAN said, it was during her interview with the FBI that she learned the two months she employed Ray were the "missing link" in the escaped convict's life.

She identified Ray and Rayns as being the same man through pictures supplied by the FBI. Ray, she said, also gave his correct Social Security number when he applied for the job.

While working at the restaurant, Ray was promoted twice in eight weeks and given three raises. When he left he was making \$2.10 an hour.

Ray called his employment here "the bright spot in his life" — he earned respect and was well treated," Mrs. Klingeman quoted Huie as saying.

While working as a dishwasher and later as a cook's assistant, Ray occasionally talked about "going back to work on the ships," Mrs. Klingeman recalled.

WHEN HE APPLIED for the job he was very thin, she added.

He said he had trouble with his feet and legs, Mrs. Klingeman said, authorities speculated that he injured his feet while hitchhiking to Chicago from Missouri State Prison in Jefferson City.

"He did not communicate too much," she said, "and he never started a conversation. But he was not dull-minded. When he applied for the job he was well dressed and said he had worked on the ships and

had done some cooking in the Army."

GEORGE ARCE, 61, a cook at the Indian Trail, and the man who worked most closely to Ray, said:

"He was a very good worker. He obeyed everything I told him and was very neat. Our employees all thought well of him," Mrs. Klingeman added.

She said Ray apparently took the train to work. He did not have a car and was living, according to the job application he filled out, on the Near North Side.

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"I can't be certain of the address because the FBI has all our records, but it was in the Diversey Pkwy.-Sheffield area," she said.

"I think when he left he was concerned about being found. It was too good to think he wouldn't be traced through his Social Security number."

AMONG THE items taken from the Klingemans by the FBI were eight cancelled paychecks given to Ray and endorsed by him.

Ray left his job without collecting the eighth check. A few days after leaving, Mrs. Klingeman said she received a letter from him postmarked Quincy, Ill.

It said Ray had been offered a job on a ship and that he planned to take it.

He gave them a post office box number in Winnetka where they could send any money he had coming.

It was in the same post office, across from the restaurant, where Ray's picture was hung 10 months later as law enforcement agencies

throughout the world searched for him.



Mrs. Harvey Klingeman
"Ray was not dull minded"



George Arce
"He was a very good worker"

(Mount Clipping in Space Below)

FIND KING SUSPECT CLEW

DISCOVER RAY HELD A JOB IN WINNETKA

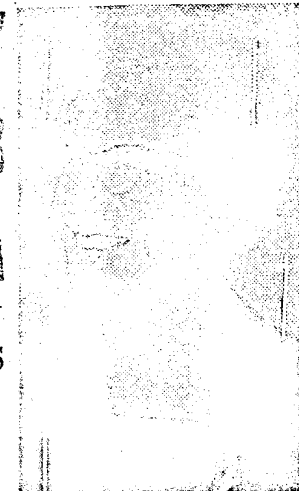
Worked 2 Months in Restaurant

BY RONALD KOZIOL

(Copyright: 1968 by The Chicago Tribune)

James Earl Ray, the accused assassin of Dr. Martin Luther King Jr., spent two months working in a north shore restaurant shortly after his escape from the Missouri state prison, THE TRIBUNE learned yesterday.

The disclosure by the owners of a Winnetka restaurant to Winnetka police supplied Fed-



Mr. Harvey Klingeman

eral Bureau of Investigation agents with the missing link in Ray's whereabouts from the time of his escape from prison on April 3, 1967, to April 4, 1968, when Dr. King was shot on Aug. 24. It was at this time that the agents disclosed that the Klingemans' information "supplied the missing link" to Ray's whereabouts shortly after his prison escape.

Tell of Phone Calls

Mr. and Mrs. Harvey Klingeman, owners of the Indian Trail restaurant at 507 Chestnut st., also told FBI agents that Ray

received "two or three" phone calls at the restaurant during the week before he quit his job as a food server.

In addition, both Mrs. Klingeman and her sister, Elizabeth Struve, reported that on the day he left, an unidentified man appeared at the back door of the restaurant and spoke to Ray for several minutes. Neither of the women could identify the man.

The Klingemans did not learn that their former employe was Ray until mid-August when they were approached by a writer for a national magazine who was commissioned by Ray to write his life story.

Used Another Name

The couple then notified Winnetka police. The police relayed the information to the FBI. Agents interviewed them on April 3, 1967, to April 4, 1968, when Dr. King was shot on Aug. 24. It was at this time that the agents disclosed that the Klingemans' information "supplied the missing link" to Ray's whereabouts shortly after his prison escape.

Eight pay checks given Ray and later indorsed by him while in the Klingemans' employment

(Indicate page, name of newspaper, city and state.)

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and the application he filled out to obtain, the job were turned over to the FBI. Mrs. Klingeman said she later learned that Ray supplied his own social security number, but gave her an alias when he applied for the job of dishwasher.

Given a Better Job

Ray used the name of John L. Rayns when he applied for the job on May 3, 1967. He remained there until June 24, 1967. The Klingemans' were pleased with his work and shifted him to the job of food server where his salary was increased from \$103 to \$117.50 a week.

Mrs. Klingeman, who does the hiring, noted that Ray was clean shaven, neatly dressed, and courteous when he first appeared at the restaurant. He told her he had worked aboard a ship and had kitchen experience in the army in Germany.

Authorities said earlier that Ray had more than \$300 with

Missouri prison. FBI agents also found Ray's brother, Jerry, 32, working as a groundskeeper at a country club 22 miles from the restaurant.

Mrs. Klingeman recalled that Ray was a quiet, uncomplaining man who performed well on a difficult and tedious job.

She also noted that he had trouble with his feet when he applied for the job. According to Mrs. Klingeman, investigators told her that the foot injuries apparently occurred as Ray hitchhiked and walked to Chicago after his escape from the prison in Jefferson City.

Left After Phone Call

Mrs. Klingeman recalled that Ray was called to the phone on June 24 and a short time later

the mysterious man appeared at the kitchen door. That was Ray's last day on the job.

"Altho he was a very quiet man, he seemed preoccupied," Mrs. Klingeman said.

The following day, Ray failed to report for work. A few days later, the Klingemans received a letter from their employee, postmarked Quincy, Ill. It stated:

"I have been offered a job on a ship so will take it. I guess George will be back this week so everything will be alright. If I have any pay coming just send it to the address below and they can send it wherever I am." It was signed John L. Rayns, and included a postoffice box number in Winnetka.

Mailed Check to Him

The next day, Harvey Klingeman mailed a check for \$94.50 to Rayns in care of the postoffice box.

Less than a year later, when the FBI released photos of Ray as a suspect in the King murder, neither the Klingemans nor their 72 employees connected Ray as Rayns. Ray's photo was on display in the village postoffice, just across the street from the restaurant.

The Klingemans both noted that "the description on the photo in the postoffice just didn't fit that of Rayns."

However, the couple were

shown several photos of Ray by the FBI and identified him as the person they knew as Rayns.

Awful Waste of Life

Mrs. Klingeman stated:

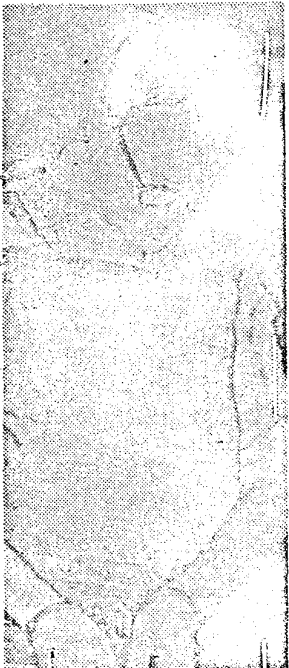
"We feel terrible to have brought a former convict and accused murderer into our restaurant to work side by side with our other valued employees.

I'm even more distressed about the tragic loss of two lives.

"First, the awful waste of Ray's life. I'm sure there is good in him. I've hired at least 1,000 employees over the last 35 years and thought myself a good judge of people.

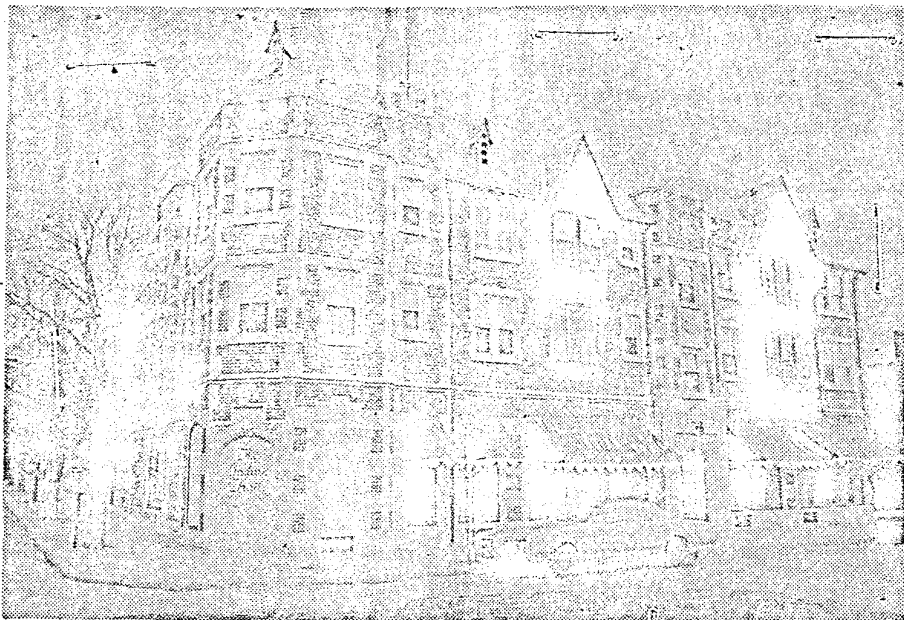
"If this man had been given proper guidance and some kindness and concern, instead of kicks and rebuffs from the time he was a child, who knows? Our country might have been spared the irreparable loss of Dr. King, whom my husband and I so sincerely admired."

Ray knew the Chicago area well. He had worked here for nearly two years, in 1950 and 1951, and was arrested for the armed robbery of a cab driver in 1952.



James Earl Ray in manacles upon return to Tennessee.

him when he escaped from the



[TRIBUNE Staff Photo]

Where Ray Worked

Indian Trail restaurant, 507 Chestnut st., Winnetka, where James Earl Ray worked for two months after his escape from Missouri state prison.

VIOLATION OF GAG RULE IN RAY CASE

Memphis, Oct. 23 (UPI)—Judge W. Preston Battle of Criminal court was told today that a statement attributed to a Federal Bureau of Investigation fingerprint expert in Washington was probably in violation of his order restricting pre-trial publicity in the trial of James Earl Ray, charged with assassinating Dr. Martin Luther King Jr.

The seven-lawyer committee Battle appointed to aid in enforcing the order filed a report stating that George Bonebrake, an FBI agent, was in probable contempt of the order, which prohibits attorneys in the case and their agents from talking about potential evidence.

A copy of the report was forwarded to Atty. Gen. Ramsey Clark in Washington, the committee said.

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Bare King Suspect's N. Shore

Job

James Earl Ray, accused of slaying Dr. Martin Luther King Jr., served food to patrons of a North Shore restaurant for seven weeks in 1967 after escaping from prison, it was disclosed Wednesday.

Ray's job as a waiter at the Indian Trail Restaurant, 507 Chestnut, Winnetka, was re-



JAMES EARL
RAY

vealed in August to reporter William Bradford Huie, who had been invited by Ray to write his life story. It is to appear in Look Magazine.

Information on Ray's employment at the restaurant where many well-to-do persons dine, has been turned over to the Federal Bureau of Investigation by the owners of the place, Mr. and Mrs. Harvey Klingeman.

Importance Noted

The information is not considered crucial in the murder case against Ray. Rather, the data is deemed important by investigators in filling in a

"missing link" in Ray's whereabouts between his escape from Missouri State Prison on April 3, 1967, and the murder of Dr. King in Memphis on April 4, 1968.

Mrs. Klingeman said Ray worked at the restaurant from

May 3 to June 24, 1967, as John Rayns and performed well, first as a dishwasher and then as a food server. Paychecks endorsed by Ray are among the items turned over to the FBI.

Mrs. Klingeman said she and her husband didn't recognize Ray as a former employe even after the FBI first circulated photos of him as the man wanted for the King murder. However, upon being shown additional photos, they recognized him, she said.

Tells Of Phone Calls

Ray, or Rayns, quit without notice, Mrs. Klingeman said. Such abrupt leave-taking is not unusual in the restaurant business, she noted. She also observed that Ray received two or three phone calls at the restaurant the week before he left.

The presence of Ray in the Chicago area came as no surprise to investigators. He knew the area well, having lived here in the early 1950s.

Earlier this summer, the Sun-Times discovered a brother of Ray, Jerry, working as a groundskeeper at Sportsman Country Club near Northbrook, just a few miles from the Winnetka restaurant.

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Implications of King plot

Magazine article reports offer of \$12,000 to Ray

James Earl Ray, accused assassin of Dr. Martin Luther King Jr., was offered \$12,000 last fall to go to Birmingham, Ala., establish an identity and "wait for instructions," a national magazine said Tuesday.

The offer was made by a mysterious man named Raoul, whom Ray met in Montreal after his escape from the Missouri State Penitentiary, the magazine said.

The implications of a plot in the assassination last April are contained in an article written by William Bradford Huie for the current issue of Look magazine.

THE ARTICLE, first in a series, does not say whether Ray accepted the offer made by "Raoul."

Huie said:

- Ray was to make several trips across the U.S.-Canadian border between Detroit and Windsor, Ontario, carrying concealed packages for Raoul.

- Ray would then sell his car and take public transportation to Birmingham, where he would lie low, "accumulate

ID" and await further instructions by general delivery mail.

- Raoul would pay Ray's living expenses and come to Birmingham to buy Ray a "suitable car."

- After what Huie described as "a little joint activity," Raoul would pay Ray \$12,000, give him a passport and help him go "anywhere in the world."

Ray's part of the bargain, Huie said, was that he would ask no questions.

AFTER the King assassination in Memphis, Ray's white automobile was found parked in Birmingham, Ala. It was later learned that Ray had lived in a rooming house in Birmingham and had purchased the car there for cash.

Huie said Ray described Raoul as a blond Latin, about 35, who had spent some time in New Orleans. Raoul gave Ray a New Orleans telephone number, Huie said.

In preparing the article, which was written last month, Huie said he had no personal contact with Ray.

The accused assassin, awaiting trial Nov. 12 in Memphis, answered Huie's questions at first orally through his attorneys and then in writing.

THE ARTICLE covers Ray's movements from his prison escape in April, 1967, to his meeting with Raoul in Montreal in August, 1967.

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Ray Claims He Was Decoy in King Manhunt

[By the Associated Press]

Three Nashville Tennessean says James Earl Ray, accused of the murder of the Rev. Martin Luther King Jr., will claim he was "promised \$12,000 to \$15,000" to lead police away from the real killers and become the lure in the greatest manhunt in history.

Ray's biographer also says Ray was tempted out of a Canadian hideout months before the killing by a \$12,000 offer to make a mystery mission to Birmingham, Ala.

Author William Bradford Huie quoted Ray about the money offer in the first instalment of a series which began yesterday in Look magazine.

The Tennessean, in its Monday editions, said Ray will claim he was only a "decoy."

Trial Nov. 12

Ray, an escapee from the Missouri state prison, is to go on trial in Memphis Nov. 12 on a murder charge.

The Tennessean story, a copyright dispatch by Reporter Jim Squires from Memphis, said numerous sources have indicated "the defense will claim Ray played only a small part in a master plot so complex and far-reaching that even Ray does not know who masterminded it."

Huie said Ray, who has been writing autobiographical notes in his jail cell in Memphis for use by Huie in a book, told him the money offer to leave Canada came from "a man whom Ray calls Raoul" and describes to be as being a blond Latin about 45 and whom Ray took to be an assassin.

He quoted Ray as saying the proposition boiled down to Ray was to meet Raoul in Windsor and make several trips across the border to Detroit, carrying packages with unspecified contents hidden in the car.

Ray would then sell the car and proceed to Birmingham, where he would try to establish a false identity, and await instructions by general delivery mail.

"After a few weeks or months, after a little joint activity, Raoul would pay Ray \$2,000 and give him a passport and 'other identification' and help him to go 'anywhere in the world.'"

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REPORT RAY WILL ADVANCE DECOY CLAIM

Nashville, Oct. 28 (AP) — The Nashville Tennessean said today James Earl Ray will say he was only a "decoy" in a plot to kill Dr. Martin Luther King Jr. in answer to the state's circumstantial case that he was the lone assassin.

In a dispatch written by Jim Squires, reporter, from Memphis, where King was shot to death April 4, the Tennessean said "sources close to the case say that Ray's defense will contend at his trial next month he was promised '\$12,000 to \$15,000' to lead police away from the real killers and become the lure in the greatest manhunt in history."

The prosecution, however will



James Earl Ray

subpena witnesses to support its claim that Ray acted alone in the murder and that there is no evidence to support a conspiracy theory, the newspaper said.

Decline to Comment

The Tennessean said District Atty. Gen. Phil Canale of Memphis and Defense Atty. Arthur Hanes both under a strict court order against public statements, declined to comment about reports concerning their trial strategy.

The Tennessean said the defense will claim Ray intended to play a part in a master plan so complex and far-reaching that even Ray does not know who masterminded it.

The Tennessean story said "The state has a long list of witnesses they want to put on to show Ray didn't associate with any particular groups of men . . . to show it wasn't a conspiracy."

Will Dispute Shot Theory

"The path left by Hanes and his investigators in preparing the defense indicates Ray will concede as true much of what the FBI has disclosed about his movements before and after King was gunned down on the balcony of the Lorraine motel.

"But it will dispute claims the fatal shots were fired by Ray from a second floor bathroom window in a seedy flop house . . . 205 feet away from the motel.

"Instead, the defense will attempt to show that the shots that killed King came from somewhere else, possibly fired by one or more persons from the ground level near the boarding house."

The Tennessean said the defense theory is that all of Ray's movements in Memphis were to set him up as the killer. It said the defense will contend Ray was hired to go to Memphis, leave behind certain evidence, including a rifle, and then, as "the decoy," speed away in a white Mustang which was found in Atlanta.

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Plastic surgery for 'Galt' revealed

HOLLYWOOD, Calif. (AP)—An attorney says a man who gave his name as Eric Galt underwent minor plastic surgery before the assassination last April of the Rev. Dr. Martin Luther King Jr.

The lawyer, Bennet Olan, declined Tuesday to give details of the surgery performed by Dr. Russel C. Hadley except to say it was of the type that would not greatly change appearance.

The Federal Bureau of Investigation has reported that Eric Galt was an alias used by James Earl Ray, now facing trial in Memphis, on a charge of murdering Dr. King.

OLAN said he thought the operation was performed three or four weeks before the assassination on April 4. "It may have been on the 4th or the 11th of March, I forget which" he said.

The surgeon referred all questions to Olan. The lawyer said it's believed Galt sought out Dr. Hadley through the Los Angeles County Medical Assn. At any rate, Olan said, Galt told the doctor the association had recommended him.

Olan said the case didn't stand out in Hadley's mind, but he added: "As soon as we discovered who the patient had been, the case was reported to the FBI."

THE ATTORNEY said that

as far as he knew, Hadley has not been subpoenaed to testify in the Ray trial.

"I don't believe," he said, "that what he did was relative to the case."

He said only one person, author William Bradford Huie, has been authorized to see the records of the treatment, and no one else would be allowed to examine them without authorization. Huie was engaged by Ray to write his story.

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FBI Probes Ray's Winnetka Contacts

By Art Petacque

The U.S. Justice Department is using tape recordings of James Earl Ray's acquaintances to determine whether they contacted him by telephone or other means while he worked at a Winnetka restaurant or elsewhere, The Sun-Times learned Thursday.

The disclosure came from Harvey Klingeman, who for 35 years has operated Indian Trail Restaurant, 507 Chestnut, Winnetka, where the accused assassin of Dr. Martin Luther King Jr. worked in 1967.

Klingeman's wife was queried about phone calls made to the restaurant for Ray during the May 3-June 24, 1967, period when he worked as a dishwasher and kitchen helper in the establishment, Klingeman said.

Mrs. Klingeman also was asked about persons who went to the back door of the restaurant, while Ray was working, and waited to talk to him outside when he was able to get free, the restaurateur told The Sun-Times.

Klingeman said that because of the time that had elapsed, his wife wasn't able to be of much help to the Federal Bureau of Investigation agents who interrogated her.

At the time Ray worked at the restaurant, he was a fugitive from justice because of his escape from the Missouri State Prison. He was living on N. Sheffield and commuting most of the way to Winnetka by the Chicago Transit Authority elevated system, Klingeman said.

Ray was living at 2731 N. Sheffield in a one-room basement apartment, and was using the name John Larry Rayns, said Edward Donnelly, owner of the building. Donnelly said Ray "occasionally talked about going back to Canada," and Donnelly's wife, Gloria, recalled that "Rayns said he was waiting for a letter from Canada."

Ray is believed to have fled to Canada shortly after the assassination. When Ray was arrested in London June 8, he had in his possession two Canadian passports.

Klingeman also told the FBI agents did not disclose the identity of the voices on the tapes. He speculated, however, that they were ~~those~~ of relatives or others who might have been involved with him at some time prior to the April 4 murder of Dr. King in Memphis.

Klingeman said Ray was in-

terrupted at work on at least two occasions that he could recall by visitors who came to see him but had to wait. He did not see the callers, Klingeman reported, adding that none of the current employees did either.

Some of the employees at the restaurant drove Ray to and from his transportation to Chicago's North Side, Klingeman recalled.

The whereabouts of Ray during this time in his life came to light when William Bradford Huie, an author hired by Ray to write his life story, came to the restaurant last August to interrogate the Klingemans about the employee they knew

as John L. Rayns.

After that visit, the Klingemans went to the Winnetka police and told them of the writer's visit.

One of the reasons given by Huie in pursuing the restaurant period in Ray's life was his desire to knock down stories that linked him with prostitutes and cast a bad light on his habits.

Mrs. Klingeman described Ray as a good worker, who was not dull, and who was polite and well-behaved. Also, Huie was able to establish that, while working in a restaurant with 18 waitresses, he never uttered a foul word, nor made advances to the waitresses.

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Ray counsel using Bevel as witness

At least 10 persons, including a Chicago leader of the Southern Christian Leadership Conference, have been called to testify in the trial of James Earl Ray.

Ray is accused of assassinating the Rev. Dr. Martin Luther King Jr., as the civil rights leader stood on the balcony of a Memphis motel last April.

The Rev. James Bevel, an intimate associate of the late Dr. King, is among those subpoenaed to testify for the defense in the trial that begins Nov. 12 in Memphis.

There was no immediate indication why Mr. Bevel would be called to testify in Ray's behalf. The minister could not be reached for comment.

CALLLED TO testify for the prosecution were:

- Bertie L. Reeves, a night clerk at the rooming house across from the motel where police say the fatal shot was fired.

- Lt. R. W. Bradshaw, a Memphis policeman who relayed to headquarters the report of a mysterious citizens-band radio broadcast describing a bogus shooting chase between a white Mustang and a blue Pontiac about an hour after Dr. King was shot.

- William B. King and Charles E. Stone, two Memphis firemen who drove the ambulance that took Dr. King to St. Joseph Hospital where he was pronounced dead.

Canipe Jr., owner of the Canipe Amusement Co., who found a high-powered rifle in the doorway of his store moments after the shooting. The state is expected to contend the rifle is the death weapon.

CALLLED TO testify for the defense, in addition to Mr. Bevel, were:

- James N. McCraw, a cab-driver believed to be one of several customers in a restaurant outside of which a white Mustang, possibly the escape vehicle, was parked.

- Gregory Jaynes, a reporter for the Memphis Commercial Appeal.

Also called were two attorneys who represent Charley Stevens, who was in the rooming house the night of the shooting and who told police he saw the killer in the hallway.

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ISSUE SUBPENA FOR BEVEL AS RAY WITNESS

A subpoena has been issued for the Rev. James Bevel, a former lieutenant of the late Dr. Martin Luther King Jr., to appear as a defense witness in the trial of James Earl Ray, accused assassin of Dr. King.

The Cook county sheriff's office received the subpoena, to be served on the Rev. Mr. Bevel, from the state of Tennessee yesterday. The subpoena orders the Rev. Mr. Bevel to appear in court in Memphis on Nov. 12.

Arthur J. Hanes, Ray's lawyer, refused to comment about the subpoena when reached by telephone in Birmingham, Ala.

Lives in Philadelphia

The subpoena lists the address of the Rev. Mr. Bevel as 8407 Kimbark av., Bernard Carey, a sheriff's deputy, said.

However, a spokesman for the Southern Christian Leadership Conference in Chicago said that the Rev. Mr. Bevel is now living in Philadelphia and has not lived here "for some time."

The Rev. Mr. Bevel emerged as one of Dr. King's top aids during the open housing marches in Chicago in August, 1966.

Was in Memphis

The Rev. Mr. Bevel was in Memphis on April 4 when Dr. King was shot to death on the balcony of a motel.

Dr. King had gone to Memphis to plan demonstrations by striking sanitation workers when he was slain.

Ray was arrested July 8 in London under the name of Sneyd.

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WILL TO TESTIFY AT RAY TRIAL TURNED DOWN

Memphis, Tenn., Nov. 8 (UPI)—Federal prisoner, ruled mentally incompetent but claiming inside information in the assassination of Dr. Martin Luther King Jr., today was turned down in his demand that he be allowed to testify in the trial of James Earl Ray.

The prisoner, Hubert James Putt, was turned down by Criminal Court Judge W. Preston Battle. The unusual motion had been hand-written by Putt on tablet paper from his cell at the Federal Medical center in Springfield, Mo.

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Memphis wants to forget

Ray, plot riddle facing trial

By Robert Gruenberg
Of Our Washington Bureau

MEMPHIS — The eyes of the world shift to this Mississippi River city Tuesday when a 40-year-old robber and neo-fid-well goes on trial, charged with the murder of the Rev. Dr. Martin Luther King Jr.

If the world may be excited about the fate of James Earl Ray — or more importantly, what he may disclose about the slaying of the martyred Negro leader, if anything — that excitement has yet to communicate itself to Memphis.

"It could have happened anywhere," said a market research expert, dismissing talk of the slaying in words having the same strong echo of Dallas.

"I don't think he did it — he might know something about it — but I don't think he did it," said a cab driver, repeating a sentiment heard often among other citizens of this West Tennessee center.

VERY HUMAN desire to rid oneself of guilt — collectively or otherwise — is common, and in Memphis' case, even somewhat understandable.

The people of this storied cotton and shipping center are gentle and friendly. They prided themselves on what they regarded as the best race relations in the South — until the black garbage men's strike early this year and Dr. King's fatal participation in it.

Now the whole ugly, horror-filled episode is to be relived again in a 43-year-old courtroom over which is engraved above the judge's seat almost mockingly, "Right and Responsibility the Basis of Liberty."

It may be, as another Memphian says, that the tension and attention will build up next week, or the one after, when a jury selection is expected to be completed and the intrigue of the trial takes the place of this week's election sloganeering, sound, fury and figures.

FOR THE CENTRAL question of all may not be whether James Earl Ray, a common stickup artist and penny-ante thief with no known ideological convictions, did it by himself.

What is being asked, instead, is whether Ray — an escapee from Missouri State Penitentiary (he hid in a bread truck on April 23, 1967) — who always seemed to have sufficient money on hand, was really the instrument of a carefully planned, well-financed conspiracy to murder the Nobel prize-winning 39-year-old Negro leader who was attempting to rally black consciousness in America.

The prosecution, headed by Shelby County Atty. Gen. Philip M. Canale, a tough-minded prosecutor who reputedly eschews courtroom histrionics, is going along, apparently, with this theory. At least there are no public indications otherwise.

But on the other hand Arthur Hanes Sr., the 50-year-old

sharp-tongued former mayor of Birmingham, Ala., has called Ray "the victim of a Communist plot."

Hanes, by the way, was mayor at the height of the 1963 disorders when Dr. King led his protest marchers against then Police Chief Eugene (Bull) Connor's dogs.

Hanes and his son, Arthur Jr., are defending Ray. The elder Hanes has said nothing more on the topic, seeming to have taken heed from a contempt of court ruling issued against him by the trial judge, W. Preston Battle.

Although he has withheld sentencing, Battle also has held in contempt an investigator for Hanes and two newspaper reporters. In addition, he has ordered an FBI fingerprint authority to show cause on Dec. 6 why he should not be held in contempt for remarks about Ray's fingerprints attributed to him in Wichita, Kan.

ENOUGH HAS been publicly disclosed, however, to point up several discrepancies and unanswered questions that probably will provide opportunities for the defense to exploit.

Dr. King was slain at 6:01 p.m. April 4, 1968, with a 30.06 Remington rifle, with telescopic sights. Presumably it was fired from a cheap rooming house on S. Main St. here, as the Negro leader stood on the balcony of the Lorraine Motel, half a block away, at least in the widely held fact about the murder scene.

But at least one important witness, Dr. King's chauffeur Solomon Jones, reported to have seen a man leap from a rooming house, enter the motel, and run away. He had "something white" in his hand, Jones said. Jones is reported to have told authorities a Negro was Ray, and who was not.

WHO WAS the man and why was he running? Ray escaped from prison in April, 1967. That was the man who was Ray, and who was not.

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description, appeared in Birmingham, where he became known as Eric Starvo Galt. Later in August, a man named Galt paid \$1,995 in cash for a white 1966 Mustang.

It was found seven months after the slaying after the King was shot in the parking lot of an office building project. Witnesses say there were 100 miles on its odometer.

It was during this period that Galt made a number of trips to the Pacific Coast, working in a dancing school in Long Beach, Calif., and a bartending school in Los Angeles.

Thomas Reyes Lau, the bartending school director, has said that Galt had finished the course on March 2, 1968.

But on March 1, 1968, the Alabama Highway Patrol in Montgomery is supposed to have received a telephone call from an Eric S. Galt asking for a duplicate driver's license, and giving a Birmingham address.

Was Galt in California or Birmingham?

ON APRIL 3, 1968, the day before the slaying, an Eric S. Galt checked into the Rebel Motel, in Memphis.

The next day, a man answering the same description and giving the name John Willard, checked into the S. Main St. rooming house from where, police say, the shot was fired.

Question: Was Eric S. Galt of the Rebel Motel the same man as "John Willard" and were both the same person as James Earl Ray?

APPROXIMATELY half an hour after the slaying, a broadcast over the police radio

described a chase in which a blue Pontiac was pursuing a white Mustang on the Austin Peay Highway north of this city.

The broadcast is still shrouded in mystery and has never been fully explained.

WITNESSES HAVE told police that a white Mustang was parked in front of the rooming house on S. Main St. before the slaying and saw it speed away, moments afterward.

Some witnesses have told police it had a citizens band aerial, but, so far as is publicly known, apparently nobody saw the driver get into the car.

Who was the driver?

Police and FBI agents have combed the car with all of the scientific crime detection devices available, including, of course, fingerprint detection.

The FBI agent whom Judge Battle has summoned before him has been quoted as saying that Ray's fingerprints are the same in the Missouri State Prison, in Memphis and in London — Where Ray was arrested on June 9 under the name Raymond George Sneyd.

THE RIFLE that authorities say was used to murder Dr. King was found in the doorway of a pinball and juke box company on S. Main St. next to the rooming house from which the shot was fired.

The theory is that Ray placed the rifle there, along with a small bag and some personal articles of clothing.

THE TRIAL in which these — and other undisclosed — questions will be aired will

take about six weeks. It is expected.

Before it is over, the world will have been told a story of a mysterious fugitive who abandoned a white Mustang in Atlanta, fled to Toronto, Canada, wangled a fake birth certificate in order to get a passport enabling him to go to England, and thence to Portugal, where he hid out in a shabby inn on a back street in Lisbon, and was finally cornered in London after a 10-day stay in Portugal.

Authorities say that he is James Earl Ray, and charge he killed Martin Luther King, Jr., a crime punishable by death in the state of Tennessee. Was it indeed he? And equally important, was he alone in the act?

King slaying suspect goes to trial Tuesday

MEMPHIS, Tenn. (AP)—Captive quarry of one of the nation's greatest manhunts, James Earl Ray is scheduled to go to trial Tuesday in the assassination of the Rev. Martin Luther King Jr.

A jury in Shelby county criminal court eventually will be asked to determine whether the 40-year-old escaped convict fired a single fatal bullet into King's neck. King, the civil rights apostle of nonviolence, was shot to death from about 200 feet as he stood on the balcony of the Lorraine motel in Memphis April 4.

Ray, a quiet, nervous man of many aliases, was captured in London June 8, by Scotland Yard operatives. His seizure climaxed a record 1.5 million dollar FBI manhunt, during which more than 2,000 agents traveled an aggregate 500,000 miles for 2 months along Ray's elusive trail.

The state of Tennessee apparently will have to rely on fitting together all the pieces of circumstantial evidence in its attempt to prove Ray is guilty, unless the jury is to hear eyewitness testimony, not as yet made public.

A skeletal outline of the state's case against Ray was presented at his extradition hearing in London last June, after his capture. Presumably, the prosecution's case was revealed only to an extent deemed necessary at the time.

The hearing produced this broad outline:

On March 29, a man said to be Ray bought a rifle with a telescopic sight at a Birmingham, Ala., shop. The next day he came back to exchange it for a Remington 760 rifle, serial No. 461476, and a telescopic sight, serial A17350.

A RECEPTIONIST in a Memphis hotel said a man she knew as Ray booked

lodging there April 3. On the same day, the prosecution said, a Memphis store sold a pair of binoculars, serial No. DQ408664, with straps, for \$41.05 to a purchaser resembling Ray.

Charles Q. Stephens said in an affidavit that on the day of King's assassination he was living in a Memphis rooming house, from which the FBI claims the fatal shot was fired.

Stephens said he saw the woman manager, Bessie Brewer, talking with an unidentified man outside apartment 5B, down the hall from his own apartment. Three times that afternoon, Stephens recalled, he heard footsteps between apartment 5B and the common bathroom next to his apartment, 6B.

"On the third time," Stephens' affidavit read, "the person stayed there what seemed like a long time toward the end of the afternoon between 5 and 6 p. m. I wanted to use the toilet."

"I WAS IN MY kitchen working on a small radio when I heard a shot," the affidavit continued.

"I went out and saw a man running and carrying a bundle about 3 feet long and 6 or 8 inches thick, wrapped in a newspaper. Altho I didn't get a long look, I think it was the same man I saw earlier with the woman."

King was shot to death at 6:05 p. m. on Thursday, April 4. The owner of a store in

the area said that around 6 p. m. he heard a thud, found a bundle in front of his store and saw a white man walk away and depart in a small white car. A white 1966 Mustang impounded by the FBI in Atlanta a week after the assassination was said to have been Ray's.

POLICE WHO examined the discarded bundle claimed it contained binoculars, a rifle and a telescopic sight — each bearing the serial number previously noted. Inside apartment 5B, they reported finding straps for the binoculars and a sales receipt for \$41.05. Thumb and fingerprints found on the binoculars, rifle and sight were said by the FBI to have matched those of Ray. The bullet that killed King was recovered in an autopsy and was described as a type fired by a Remington 760 rifle.



JAMES EARL RAY
Day in court due

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James Ray Trial Opens Tuesday; Question Of Guilt Overshadowed

MEMPHIS (UPI) — James Earl Ray goes on trial Tuesday for the murder of Dr. Martin Luther King Jr. But the question of whether he did or did not kill the civil rights leader is almost secondary.

The big questions before the world are:

Was the slaying of Dr. King the isolated violent act of one man, as the state charges, or

the murderous fruition of a conspiratorial plot, with Ray set up as a decoy, as the defense contends?

Why would a man like Ray murder such a man as Dr. King?

If there was a conspiracy, who were the conspirators and where are they now?

There is a television camera in the hall outside Courtroom No. 3, where the trial will be held.

Anybody who goes in has to be recorded, picture and voice. Memphis is not taking chances. It is determined that this case will be settled and that everybody involved stays alive until it is.

The jury will settle only whether Ray was the sniper who just before dusk on April 4 put a .30-06 caliber rifle slug through the throat of Dr. King.

Whether the question of conspiracy will be answered may depend on Ray himself, if he takes the stand, if he knows anything and, if he does, whether he will talk.

No Puzzle To Prosecution

The government says there is no puzzle. Atty. Gen. Ramsey Clark assured the world the day after Dr. King was shot that one man, acting

alone, was responsible.

Prosecutor Phil Canale, the Shelby County (Memphis) attorney general who has not argued to a jury in seven years, has had his case drawn for him by the Justice Department and the Federal Bureau of Investigation. That case is this:

Ray, a man with no known history of deep or violent racial prejudice, acting alone for a motive yet unknown, fired a rifle from a flophouse window, killing Dr. King as he stood on the second-floor balcony of the Lorraine Motel in downtown Memphis.

Defense Lawyer Knew King

But another man who will be in the courtroom Tuesday, the chief defense counsel, sees a conspiracy. At 51, Arthur J. Hanes, is a dapper dresser who always looks as though he just stepped out of a steam bath and into a crisply pressed suit. His son, Arthur Jr., 26, will assist him in the defense.

Hanes knew Dr. King. He knew him four years ago when Dr. King led Negro marchers through Birmingham, Ala., while Hanes was mayor.

Tuesday, Hanes will tell the jury he intends to prove a "Communist, left-wing conspiracy" plotted the assassination, using Ray knowingly or unknowingly as a decoy.

Pieces That Don't Fit

The FBI spent \$1,400,000 in a 69-day search that ended with Ray's capture in London June 8.

But for all the time and money, the FBI asserted and not know until Ray began telling his story to author William

Bradford Huie, that Ray had March, 1967, in Birmingham, worked as a \$117-a-week steam and the 25-cent service charge table helper at the Indian Trail was duly mailed back to the Restaurant in Winnetka, Ill., in Alabama Highway Department the first two months after his ment, while all this time Ray was in a bartenders school in Los Angeles. The license could

have been part of the careful attempt to create a phony identity, but who picked up the mail?

A dramatic, but phony, broadcast over the Memphis police radio network minutes after the sniper-slaying told of officers chasing a white Mustang auto, a chase that never happened. It could have been a decoy broadcast to throw police off the track, but who made the broadcast?

A duplicate driver's license was issued and mailed to Eric S. Galt, one of many aliases Ray allegedly used, during

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Hanes said he was, the man who pulled the trigger of another .30-06 Remington rifle.

The Prosecutor's Case

Prosecutor Canale has more than 300 witnesses and perhaps two dozen pieces of physical evidence. But, apparently, he does not have an eyewitness.

Canale has a circumstantial evidence case against Ray. And, he contends, there is a thread of fingerprints that run through the rifle, binoculars abandoned with the rifle next door to the flophouse, the white Mustang found in Atlanta, a glass in an Atlanta hotel room, and maps in an Atlanta rooming house; connecting to James Earl Ray.

To support these bits and pieces, to tie the hard evidence together, the prosecution must rely on testimony from four flophouse residents who are as close as the state can come to eyewitnesses.

A Decoy Left Stranded

The Nashville Tennessean, in a copyrighted article, said Ray's defense will claim he was promised \$12,000 to \$15,000, to act as a decoy, that he did not know who masterminded the plot and that, in the end, Ray never got all his money and was left stranded on his own to escape the manhunt.

Huie, in his copyrighted Look magazine articles, said Ray told him a blond man about 35, who gave only the name Raoul, offered \$12,000 if Ray would take concealed packages across the United States-Canadian border at Detroit, then later make his way to Birmingham, lie low, establish a phony identity on instructions, and then be spirited out of the country.

Six weeks are expected to pass before all the questions, and perhaps some of the answers, go to the jury.



JAMES EARL RAY

PHIL CANALE

ARTHUR J. HANES, JR.

Principals in the Ray trial.

RAY'S TRIAL AT A GLANCE

At-a-glance facts of the trial of James Earl Ray:

THE PLACE—Courtroom No. 3, Criminal Court of Shelby County, a room that seats 48 spectators in the five-story Criminal Courts Building also holding Ray's cell in downtown Memphis.

STARTING TIME—Tuesday morning, Nov. 12.

THE CHARGE—First-degree murder of Dr. Martin Luther King Jr., with a .30-06 caliber rifle, one shot, at 6:01 p.m., April 4, from a flophouse bathroom window as the victim stood 205 feet distant on the second-floor lobby of the Lorraine Motel.

THE PENALTY—Life in prison or death by electrocution, the penalty upon conviction set by the jury. (Note: Tennessee has not held an electrocution since Nov. 7, 1960. Gov. Buford Ellington, whose term expires in 1970, has granted stays of execution while pushing in the state legislature modified repeal of capital punishment.)

THE JUDGE—Walter Preston Battle, 60.

THE PROSECUTOR—Atty. Gen. Phil M. Canale Jr.

THE DEFENSE COUNSEL—Arthur J. Hanes, 51, former mayor of Birmingham, Ala., and his son Arthur Jr., 28, a Princeton University graduate.

KING MURDER TRIAL OPENS ON TUESDAY

Security in Court to Be Strict

(N. Y. Times-Chicago Tribune Service)
Memphis, Nov. 9 — The murder trial of James Earl Ray will begin here Tuesday with perhaps the strictest security measures in American trial history in effect.

Memphis authorities are determined that Ray, who is accused of assassinating the late Dr. Martin Luther King Jr., shall not meet the fate of Lee Harvey Oswald, accused of John F. Kennedy's assassination. Oswald was shot to death in Dallas by Jack Ruby before he could be brought to trial.

Will Search Visitors

More than 100 policemen, including 33 from the Memphis department, and the entire Shelby county sheriff's force, will be involved in guarding Ray. Every person entering the four-story courthouse during the trial will go thru at least two security checks, including being searched, before being admitted to the tiny courtroom where the trial will be held.

Fools of reporters for trial coverage have been fingerprinted and photographed, as have lawyers and court personnel. Before entering the courtroom, all spectators will be searched again and their voices will be recorded and analyzed to prevent an impostor from inadvertently getting near Ray.

On trial judge W. Preston Battle, who with Sheriff Wilbur Morris Jr. ordered the security precautions, will announce security checks.

The trial is expected to last six weeks or more, even tho Battle said he would hold court six days a week.

77 Seats in Courtroom

The courtroom, which measures 56 by 36 feet, will have 77 seats. Wooden pews in the court were replaced by chairs numbered with little red tags. Reporters have been assigned 42 of the seats.

The choosing of a 12-member jury is expected to begin Tuesday. A limited jury venire already has been called, and a larger one is ready if the jury cannot be selected from the smaller.

A list of the witnesses to be called will be made public at noon Tuesday, a court official said. However, Battle said his order still stands that witnesses and others involved in the trial cannot give interviews. The order will remain in effect until a verdict is reached, the judge said.

Arthur J. Hanes, Ray's attorney, two Memphis newspaper reporters, and a private detective already have been found in contempt of court for violating this order. No penalty has yet been set.

Trial Plans Secret

Neither Hanes nor prosecutor P. M. Canale has given a public outline of the courses they intend to follow in the trial.

There have been indications, however, that the state will attempt to prove that Ray, for reasons not known, was acting alone when King was killed by a bullet from a 30-caliber deer rifle in the early evening of last

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New Lawyer For Ray; See Trial Delay

MEMPHIS (AP) — James Earl Ray, charged with the murder of Dr. Martin Luther King Jr., engaged a new lawyer Sunday who said a delay in Ray's trial would be asked.

The sudden shift by Ray to defense lawyer Percy Foreman was announced in a late night press conference by Shelby County Sheriff William N. Morris Jr., virtually on the eve of Ray's scheduled trial.

Ray had been scheduled for trial Tuesday on a first-degree murder charge.

Foreman was expected to request at least a 30-day continuance to familiarize himself with the case, meaning Ray probably will not be tried this year.

Morris said Ray had signed a letter of intent earlier Sunday to hire Foreman to represent him.

"Mr. Foreman has told me that it is his intention to appear before Judge W. Preston Battle Tuesday morning at 9:30 a.m. to request a continuance in the trial of the case pending against James Earl Ray," Morris said.

Foreman will replace Arthur

J. Hanes of Birmingham, Ala., who had represented Ray since shortly after he was apprehended.

Hanes had told the court once earlier that serious difficulties had arisen between him and Ray over the conduct of the trial and that at some later date he might have to withdraw as counsel.

Morris said Foreman, who once represented Jack Ruby and was defense counsel in the murder trial of heiress Candace Mosler, came to the jail Sunday with two of Ray's brothers, John Ray and Jerry Ray.

Ask To See Ray

The sheriff said the three asked to see Ray and during the visit "certain decisions were made and a letter was written," to Hanes.

"This letter was presented to me for reading by Mr. Foreman and it declared an intent by James Earl Ray to dispense with the legal services of Mr. Hanes and his son and of an intention to obtain new counsel and a Tennessee lawyer," Morris said.

There was no immediate indication of who this Tennessee attorney would be.

Won't Object

Hanes told newsmen later he would not object to the motion Tuesday. There was no indication when any new trial date might be.

Dr. King was shot to death here April 4 while in Memphis to support striking city garbage workers. Ray was arrested in London June 8 at the end of an extensive manhunt and returned to Memphis July 19.

Ray has been held in a jail cell since then, under constant surveillance by closed circuit television and two guards. A tight no-publicity order was invoked by Battle, who is to preside at the trial.

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RAY SWITCHES TO A FORMER RUBY LAWYER

Percy Foreman to Ask Delay



Percy Foreman

Memphis, Tenn., Nov. 10 (UPI) — James Earl Ray hired Percy Foreman today to replace Arthur Hanes Sr. as his lawyer only two days before his trial on charges of killing Dr. Martin Luther King Jr.

Foreman, 65, is a noted Texas attorney, who successfully defended Candace [Candy] Mossler against charges of murdering her husband in a sensational Florida case and was one of the defense attorneys for Jack Ruby, who killed Lee Harvey Oswald, slayer of President Kennedy.

He estimates he has had more than 1,000 murder cases and lost only one client to the chair.

Sheriff Announces Switch

The switch was announced tonight by Shelby county Sheriff William N. Morris in the press room of the county courthouse building.

Morris, reading a prepared statement, said that Ray reached his decision after conferring with his 2 brothers, John and Jerry, and Foreman in his cell.

"During the course of this visit certain decisions were made and a letter was written to Mr. Arthur Hanes Sr., attorney, and signed by James Earl Ray," said Morris. Hanes, former mayor of Birmingham, Ala., and his son, Arthur Jr., had acted as Ray's attorneys

since his arrest in London.

"This letter was presented to me for reading by Mr. Foreman, and it declared an intent by James Earl Ray to dispense with the legal services of Hanes and his son and of an intention to obtain new counsel and a Tennessee lawyer." The statement did not say who the Tennessee lawyer might be.

Will Seek Continuance

Morris said Foreman would appear before Judge W. Preston Battle Tuesday morning to request a continuance in the trial so that he can prepare his defense.

There had been reports that Ray was unhappy with Hanes' trial preparations, which began in June, and with a series of articles in Look magazine by William Bradford Huie. Huie, an author, made an arrangement with Hanes and Ray to tell Ray's story, reportedly for \$25,000.

Talked to Another Lawyer

Ray talked with at least one other attorney, J. B. Stoner of Georgia, in September. Hanes said at the time that he would withdraw if Stoner became involved in the case.

The move apparently surprised Hanes, who said, "I was prepared to go to trial Tuesday morning. I did not come to Memphis today just for the ride. I came for a ball game. I was ready to go to trial, but I'm not going to fight this."

Remainder
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(Signature)

For charges he was duped Ray quoted as admitting plot to kill King

NEW YORK (UPI) — James Earl Ray, accused of assassinating Dr. Martin Luther King Jr., has admitted he believes he became "involved in some sort of plot to kill King" as early as eight months prior to the murder, it was reported Monday.

But Ray is quoted in the second of a series of articles in Look magazine as claiming he was duped into the conspiracy and "nobody told me anything about any planned murder of King or anyone else."

The series is by author William Bradford Huie, who corresponded with Ray at the Memphis jail where Ray awaits trial. Huie states he cannot reveal all he has learned until Ray has been tried but he believes Dr. King was the secondary, not the primary, target of the plot.

"The primary target was the United States," Huie wrote.

"Dr. King was to be murdered for effect. His murder was planned, not by impulsive men who hated him personally, though they probably did hate him, but by calculating men who wanted to use his murder to trigger violent conflict between white and Negro citizens."

ACCORDING to information given Huie by Ray, the escaped convict was recruited in Canada by a man identified only as Raoul for some "activity" on Aug. 18, 1966, eight months prior to the April 4, 1968, assassination. His first assignment was to smuggle

From then on, Huie wrote, Ray "moved as directed by the plotters," although he did not know as late as two weeks before King's assassination "that the plot included murder or that it was aimed in any way at Dr. King." One of his assignments was to smuggle a tire — which apparently contained some sort of contraband — across the Texas-Mexican border at Nuevo Laredo.

In payment, Ray received \$200 to buy an old car for the Canada-United States haul, for which he was paid \$750; \$2,000 to buy a 1966 Mustang, which he used for the Mexican smuggling expedition; \$500 for living expenses, \$500 for camera equipment and \$2,000 after returning from Mexico. Ray said Raoul told him he would get him travel papers and \$12,000, "enough for me to go in business in a new country."

RAY SAID that in October, 1967, while waiting for the next assignment from Raoul, expected in two or three months, he visited Puerto Vallarta on Mexico's Pacific Coast and decided it was the "best town in Mexico" and a place he would like to live in eventually. He even considered trading his car for a piece of property there.

"When I get out of jail again, I'm going back there permanently," Huie quoted Ray as writing him.

a hypnosis expert, the Rev. Xavier von Koss, on means of self-improvement through hypnosis and he also had an identifying nasal tip removed from his nose by Dr. Russell C. Hadley, a prominent surgeon.

Dumaine

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Percy Foreman's Court Strategy

Try Somebody but Never the Defense

[A NEW YORK TIMES SPECIAL]

PERCY FOREMAN, counsel for the defense, climbed to his feet with ostentatious effort and moved his 225 pounds encased loosely in an expensive dark suit very slowly to the bench. He stopped at the court recorder's table and filled a paper cup with water. He pushed twin wisps

Man in the News

of iron-gray hair back from his eyes. He coughed, sipped water, flourished a fistful of pencils. Only then did all eyes in the packed Miami courtroom on him—did he address the witness.

The trial was that of Candace Mossler and her nephew, but the scene could have been at any of the more than 1,000 trials in which Foreman has defended persons accused in slayings.

For no matter what the circumstances, Foreman invariably becomes the center of attention. It may be part of his strategy, a strategy on whose success James Earl Ray, accused of murdering the Rev. Martin Luther King Jr. is heavily dependent.

"IN A MURDER case" the flamboyant Texas lawyer and millionaire, has said, "you should never allow the defendant to be tried. Try someone else—the husband, the lover, the police or if the case has social implications, society generally. But never the defendant."

To keep the jury's mind from his defendant, Foreman marshals an oratorical exercise nurtured as a lecturer on the Chautauqua

circuit, where he shared platforms in small towns with cossack dancers and Swiss bellringers.

"If you didn't talk for 2½ hours, people thought they were cheated," he has said.

He often calls on his command of the scriptures, honed by the fact that he is a Baptist deacon. In haranguing juries he is prone to draw on his reading—"anything from the Bible to Playboy," an employee has said.

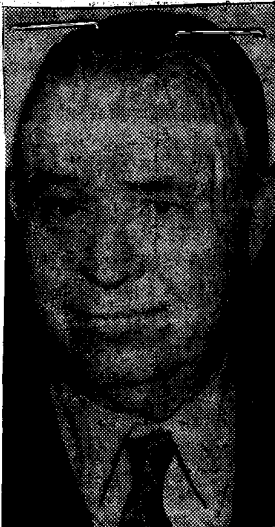
FOREMAN was born in a log cabin in Polk county, Tex., on June 2, 1902. His father, Ransom Parson Foreman, was a sheriff in Livingston, Tex., and the family lived in the jailhouse, where it was young Percy's job to take the prisoners their meals.

Foreman credits his mother, Mrs. William Pinkney Rogers Foreman, with turning him to law.

"Were it not for her," he once said, "I would have become a professional wrestler." a quartet of fierce Rotweillers.

Foreman was a high school dropout who later took correspondence courses and attended a private school for one year to study law at the University of Texas. He was graduated in 1927.

FOREMAN'S road has wound from the log cabin to a sprawling \$75,000 ranch house



PERCY FOREMAN
Dominates a court

whose walks are patroled by a quartet of fierce Rotweillers.

When one of the dogs bit his 10-year-old daughter Marguerite—she bears her mother's name—Foreman,

characteristically, defended the animal.

"You can't blame the dog for doing what he was trained to do—guard, and he was guarding."

He has summed up his philosophy in a denial that justice and the law are synonymous.

"The trial of a criminal case is a tug-of-war between the prosecution and the defense," he said. "It's more like an athletic contest in which each side wants to win instead of trying to achieve the

facts of a case to determine justice under the law based on such facts.

FOREMAN SAYS he is part Scotch-Irish and part Cherokee. His law career in Houston has been long established. The record he has claimed—that only 50 of his murder clients have gone to jail and only one has been executed—is the more remarkable when measured against the fact that in Texas most people appear to believe that "if you hear Percy you're guilty as hell."

Foreman's fees have ranged from \$250,000 to \$1 million. He once accepted four elephants as his

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notion of fee is apparently
tied to his concept ~~of justice~~.
"My fee is their punish-
ment," he has said. "I don't
represent wealthy clients. If
they aren't poor when they
come to me, they are when
they leave."

Ray's Story of King 'Death Plot'

Foreman Asks Delay of Trial

(CHICAGO'S AMERICAN Wire Services)

MEMPHIS—James Earl Ray's new lawyer, towering Texan Percy Foreman, asks postponement today of Ray's trial in the assassination of the Rev. Martin Luther King Jr.

Despite the lateness of Ray's switch of a lawyer, Judge W. Preston Battle is expected to go along with the motion to put the trial off, probably until after the first of the year.

Foreman, loquacious, colorful, 6-foot-4 criminal attorney of international reputation, replaced Arthur Hanes, dapper former mayor of Birmingham, Ala., whom Ray fired abruptly Sunday night.

Ray, 40, was to go on trial today in Shelby county Criminal court on charges that he killed King with a rifle shot last April 4 when King was here to aid the city's striking garbage collectors. Ray was arrested in London on June 8.

Won't Turn Over Files

Judge Battle is expected to grant Ray's request for a continuance because he has refused to turn over his files on the case to Ray or Foreman.

The Birmingham lawyer told

received his complete fee for the trial and that he would keep his file until he was paid.

The drama of Ray's request to switch attorneys at the 11th hour was heightened by a Look magazine article to be published today quoting Ray as having said that "I suppose I became involved in some sort of plot to kill King" in August of 1967. But he indicated that this was unwitting, saying that "nobody told me anything about any plan to murder King or anybody else."

Contract on Rights

The Look article was written by William Bradford Huie, Alabama author, from notes that Ray made in jail in Memphis and sent to Huie thru Hanes. Huie had contracted with Ray to buy the rights to Ray's life story. He has said he paid Ray \$30,000.

In the article, Huie said he had concluded, after having read Ray's notes and after having investigated information Ray gave him, that King's slaying had been ordered by a group of men who wanted to create dissension between whites and Negroes in the United States.

The article hints Ray contended that a blond Cuban

named Raoul had recruited Ray into the plot to kill King after having used Ray on two occasions to smuggle narcotics in Canada and Mexico.

Ray said, according to the article, that after he had smuggled some "small packages" into the United States from Canada, he went to Birmingham in August, 1967, to await further instructions from Raoul and to buy a car.

"I suppose I became involved in some sort of plot to kill King when I first took those packages into the United States from Canada," the Look magazine article quotes Ray as having said.

"I would think it had all been decided before the car was bought in Birmingham, as no one would have given me \$30,000 in Birmingham just to haul narcotics across the border. But nobody told me anything about any plan to murder King or anybody else."

Late in November, 1967, Ray said he was contacted to go on a trip to London.

Raoul was contacted on the trip and was told to go to London and wait for further instructions. Ray said he was in London for about two or three months.

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and he said he'd give me some travel papers and \$2,500 and help me go anywhere in the world I wanted to go. He wanted me to be careful not get in any trouble and he'd keep in touch. When I asked him what the next job was, he said not to worry about it and not to ask questions. Then he gave me another \$2,500, all in \$20 bills.

Hyle said further information that he had gotten from Ray which had a bearing on the assassination could not be revealed until after the trial. But the author said that this concealed information had led him to conclude:

"KING WAS TO be murdered for effect. His murder was planned, not by impulsive men who hated him personally, though they probably did hate him, but by calculating men who wanted to use his murder to trigger violent conflicts between white and Negro citizens.

"HE WAS to be murdered during the election year of 1968.

"SINCE HE was to be murdered for maximum bloody effect, he was to be murdered, not while he was living quietly at his home in Atlanta, but at some dramatic moment, at some dramatic place, where controversy was raging.

By March 15, 1968, the plotters clearly had been aiming at murdering him at some point where he was forming or leading the poor peoples march.

"HE WAS to be murdered by a white man, or white men, who would be described as "southerners" and "racists."

"PREFERABLY, he was to be murdered in Birmingham or Montgomery or Selma, since these cities were milestones in his career as an advocate of racial change.

"There was no necessity, after the murder, for the murderer or murderers to be murdered to prevent a trial or trials—because a trial or trials could yield extra dividends of hatred and violence. Therefore, in this plot, Dr. King was the secondary, not the primary target. The primary target was the United States of America."