

Court Rules Ray Is a Pauper; Assigns Public Defender to Help His Lawyer

By MARTIN WALDRON
Special to The New York Times

MEMPHIS, Tenn., Dec. 18. Although he has been paid \$30,000 in the last three months for his life story, James Earl Ray, the accused assassin of the Rev. Dr. Martin Luther King Jr., was adjudged in court today to be a pauper, and the Memphis Public Defender was appointed to help Percy Foreman defend him.

The trial judge, W. Preston Battle, ruled also that Mr. Foreman could use the investigators of the Public Defender's office to complete a new investigation of Dr. King's death.

Mr. Foreman said that it might take months to prepare Ray's defense, which will be aimed at proving that someone else shot the civil rights leader.

Mr. Foreman, a lawyer from Texas, said that he understood that for more than two years before April 4, 1968, the date of Dr. King's slaying, a special squad of the Federal Bureau of Investigation had been assigned to protect Dr. King.

"This dates to a time when this defendant was incarcerated in the Missouri State Penitentiary," Mr. Foreman said. "I am working on the assumption that someone else other than James Earl Ray was concerned with assassinating Martin Luther King."

Further Delay Possible

Even with the Public Defender helping him, "it will be a miracle" if the defense can be ready for trial on March 3, the trial date set last month, Mr. Foreman said.

He said that information that had been turned over to him by Ray's previous attorney, Arthur J. Hanes of Birmingham, was virtually worthless. The case must be completely reinvestigated from start to finish, he said.

Mr. Hanes announced last month that he was prepared to go to trial on Nov. 12, and that he was confident of winning an acquittal.

Ray was given \$30,000 in September and October by William Bradford Huie, the Alabama writer, as part payment for the rights to Ray's life story. Judge Battle said today

that this money had apparently gone to Mr. Hanes as the legal fee.

"And as I understand it, this source of money has now been cut off," the judge said.

Ray, wearing a new dark blue suit and with a fresh haircut, stood stiffly before Judge Battle and acknowledged that this was true. He swore that he had no current resources.

Wants State to Pay

Mr. Foreman said that he had rejected all offers from movies and publications to underwrite the cost of a defense "because I don't believe this man should be tried in the pandering press."

While he will continue to work without a fee or a prom-

ise of one, Mr. Foreman said, he does not feel constrained to pay the cost of putting together Ray's defense. He suggested that the state should pay for this, and said that it could possibly be repaid if one of the new offers from magazines, movies or book publishers for Ray's story was accepted.

Assistant prosecutor R. K. Dwyer objected strenuously to any delay beyond March 3. He said that Mr. Foreman was "stalling justice" and that the court was being "trifled with."

Mr. Dwyer objected so vigorously that at one point Judge Battle ordered him to be quiet and sit down.

During the rest of the minute hearing, Mr. Fore-

pretended that he had difficulty in recasing the assistant prosecutor's name, referring to him as "Mr. uh, Dwyer."

The Memphis Public Defender, Hugh Stanton, said that the resources of his office would be made available immediately to Mr. Foreman.

The Houston attorney said that the state had given him a list of 360 witnesses who might be called at Ray's trial, and that he planned to use senior law students to interview most of them. Investigators from the Public Defender's office will be called upon for other duties.

Judge Battle said that he hoped the trial could still start on March 3. "This is a most unusual case," he said. "It has

been so from the beginning and as it goes on it gets more and more unusual.

Mr. Foreman did not elaborate in the courtroom on his statement that the F.B.I. assigned a special squad for two years to try to prevent the assassination of Dr. King.

Mr. Hanes was not available for comment on the hearing.

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 MEMPHIS, TENN. (UPI)--SPECULATION THAT JAMES EARL RAY, THE MAN ACCUSED OF ASSASSINATING DR. MARTIN LUTHER KING JR., MAY WANT ANOTHER DELAY IN HIS TRIAL SURROUNDED A MEETING TODAY BETWEEN PERCY FOREMAN, RAY'S ATTORNEY, AND TRIAL JUDGE W. PRESTON BATTLE. FOREMAN, THE CELEBRATED TEXAS DEFENSE LAWYER, WAS TO SAY IN A HEARING TODAY WHETHER OR NOT HE WOULD BE READY TO TAKE THE RAY DEFENSE TO TRIAL BY MARCH 3.

RAY OFFICIALLY HIRED THE HOUSTON ATTORNEY NOV. 1, THE DAY HIS TRIAL WAS TO BEGIN.

DROPPING HIS FORMER DEFENSE COUNSEL, EX-BIRMINGHAM, ALA., MAYOR ARTHUR J. HANES SR., GAINED RAY A POSTPONEMENT IN HIS TRIAL ON FIRST DEGREE MURDER CHARGES FROM NOVEMBER TO MARCH.

HANES HAS MAINTAINED SINCE THEN THAT HE SUSPECTED HE WOULD BE READ OUT OF THE TRIAL CAST AS MUCH AS THREE WEEKS BEFORE RAY FIRED HIM. HANES CONTENDS RAY SWITCHED LAWYERS ONLY TO DELAY HIS TRIAL.

TODAY'S HEARING WAS VIEWED EITHER A MERE FORMALITY TO SET THE OFFICIAL TRIAL DATE AT MARCH 3 OR A POINT OF DEPARTURE FOR A VARIETY OF COURSES OPEN TO RAY.

THE POSSIBILITIES INCLUDED:

--A DEAL WITH THE PROSECUTION TO PLEAD GUILTY TO A LESSER CHARGE--CONSPIRACY PERHAPS--IN EXCHANGE FOR INFORMATION ON ANY ALLEGED PLOTTERS IN THE APRIL 4 ASSASSINATION OF THE NEGRO CIVIL RIGHTS LEADER.

--A REQUEST FOR ANOTHER POSTPONEMENT TO ALLOW FOREMAN TIME TO TRY AT LEAST ONE OTHER TEXAS MURDER CASE, A CHARGE OF MURDER FOR HIRE AGAINST CHARLES HARRELSON, ACCUSED OF KILLING TWO TEXAS BUSINESSMEN.

--A CHANGE OF VENUE, MOVING THE RAY TRIAL OUT OF MEMPHIS TO ANOTHER TENNESSEE CITY.

FOREMAN GAVE NO INDICATION OF HIS PLANS FOR THE HEARING WITH BATTLE.

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(RAY)

MEMPHIS, TENN. -- PERCY FOREMAN, MAKING AN UNSUCCESSFUL BID FOR A FURTHER DELAY IN THE TRIAL OF JAMES EARL RAY, SAID TODAY HE UNDERSTOOD A SQUAD OF FBI AGENTS HAD SHADOWED DR. MARTIN LUTHER KING JR. FOR TWO YEARS TRYING TO PREVENT HIS ASSASSINATION.

THAT AND OTHER CLUES, THE CELEBRATED TEXAS LAWYER SAID, MAKE HIM BELIEVE "SOMEONE OTHER THAN JAMES EARL RAY" MURDERED THE CIVIL RIGHTS LEADER LAST APRIL 4.

THE DISCLOSURE CAME DURING A 50-MINUTE HEARING BEFORE JUDGE W. PRESTON BATTLE OF SHELBY COUNTY CRIMINAL COURT. IT WAS CALLED TO SET A FIRM TRIAL DATE FOR RAY.

THE HEARING WAS SPARKED BY ANGRY WORDS BETWEEN FOREMAN AND AN ASSISTANT PROSECUTOR, AND A DENUNCIATION BY FOREMAN OF "PEOPLE WHO BELIEVE THERE ARE UNLIMITED FUNDS, AND THAT THE JAMES EARL RAY CASE IS LIKE KING COTTON TO MEMPHIS INDUSTRY."

NO DEFINITE STARTING DATE FOR RAY'S TRIAL ON CHARGES OF MURDER IN THE SNIPER-SLAYING OF KING WAS SET. FOREMAN WANTED A POSTPONEMENT FROM MARCH 3 AND THE PROSECUTION OBJECTED.

BATTLE KEPT A MARCH 3 DATE AS TENTATIVE. RAY'S TRIAL WAS SCHEDULED TO BEGIN NOV. 1, BUT WAS POSTPONED WHEN THE 40-YEAR-OLD EX-CONVICT FIRED ARTHUR J. HANES, FORMER BIRMINGHAM, ALA., MAYOR, FROM HIS JOB AS DEFENSE COUNSEL.

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Judge Insisting That Trial of Ray Start on Schedule

MEMPHIS, Tenn. (AP) — Judge W. Preston Battle today insisted the trial of James Earl Ray on charges of murder in the death of Dr. Martin Luther King Jr. start on schedule March 3.

But, in an unprecedented action, the Memphis Criminal Court judge ordered the public defender's office to assign as many persons as necessary to work with defense attorney Percy Foreman.

Battle made his ruling after Foreman explained that he "works alone" and it would be impossible to duplicate the \$1.4 million pre-trial investigation which he said was conducted by the FBI and was available to the prosecution.

Ray appeared in court and swore under oath that he has neither "money or property" and therefore falls under the indigent category of Tennessee law, making him eligible for public defender's aid.

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Ontario to Query Travel Agent On How Ray Obtained Passport

By JAY WALZ
Special to The New York Times

OTTAWA, Nov. 17—Henry Moos, the Toronto travel agent who is alleged to have helped James Earl Ray obtain a fraudulent Canadian passport, faces Ontario provincial prosecutors next Friday.

At that time, the public should learn for the first time the official details of how Ray, accused of killing the Rev. Dr. Martin Luther King Jr. last April 4, was issued the travel documents enabling him to flee to Europe and eventually to London, where he was arrested June 8. Ray is in prison in Memphis awaiting trial.

While the Moos case goes ahead under provincial auspices in Toronto, the Federal Government is under attack in the House of Commons for failing to take the lead in bringing charges against Mr. Moos and any others involved in the passport matter. The Department of External Affairs in Ottawa issued the passport to Ray, using the name Ramon George Sneyd, but the Government has rejected efforts to make public the documents on which the case of fraud is based.

Charges Are Challenged

Mr. Moos, manager of the Kennedy Travel Bureau Ltd., in Toronto, has been charged with signing a declaration "without the due administration of the declaration" in a passport application. When he appeared in court last Wednesday, his lawyer, S. N. Goldhar, said he would challenge the validity of the charges. The case was remanded to next Friday.

According to the police, Ray came to Canada four days after the killing of Dr. King in Memphis. Representing himself as Sneyd, Ray appeared on April 16 at the Kennedy Travel Agency, asking for a passport and airplane ticket to London.

A birth certificate from the authorities in Toronto, showing him to be a natural-born Canadian, and a passport application, accompanied by an affidavit signed by a notary, were mailed to Ottawa on April 17. The application was approved and the passport to Sneyd mailed back to the travel agency on April 25.

The police said that on the affidavit, signed by Mr. Moos, Sneyd declared he did not know any Toronto official who could sign his application as a reference. He said that, although a Canadian, he had been in Toronto only three weeks.

Reports Only One Charge

Justice Minister John Turner told the House of Commons that to his knowledge the only Canadian charged in connection with the Ray case was Mr. Moos.

But members of the opposition parties have been pressing Mr. Turner for more information and more names.

Eldon Woolliams, a Conservative from Alberta, contended that Ray reportedly had not one but two Canadian passports when arrested in Britain. Every passport application,

he noted, requires an oath by a guarantor signing a statement that he had known the applicant for at least two years. He asked what Canadian could have said he had known James Earl Ray for two years. During part of that time, Ray was in prison in the United States.

"Some Canadian or Canadians took a solemn declaration" on the passport application and the public has a right to know who it was, said Mr. Woolliams, a lawyer.

Mr. Woolliams and others contend that the Federal Criminal Code had been violated and that Federal charges should be brought and prosecuted. He accused the Government in Ottawa of evading its responsibilities by letting the passport case go before Ontario courts, where, said Mr. Woolliams, "the upshot of the case would probably be a \$25 fine."

In reply, Jean-Charles Gauthier, Mr. Turner's parliamentary secretary, said the papers Mr. Woolliams wanted made public were connected with a matter before the courts and would become public knowledge when the case came up.

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A Chronicle of Ray's Whereabouts, From the Time He Fled Prison Until His Arrest in London June 8

By MARTIN WALDRON
Special to The New York Times

MEMPHIS, Nov. 15 — The day-to-day whereabouts of James Earl Ray from the time he escaped from prison in April, 1967, until he was arrested in London last June 8 after the slaying of the Rev. Dr. Martin Luther King Jr. in Memphis can now be established.

Investigations by correspondents of The New York Times in the United States, Canada and Europe already had pinpointed most of the travels of the man accused of the assassination. And information that Ray supplied from his jail cell in Memphis for a series of articles in Look magazine has filled in the holes.

Until Ray furnished this information to William Bradford Huie, an Alabama author, even the Federal Bureau of Investigation, which had more than 3,000 agents investigating the case, had been unable to put together a complete account of Ray's movements.

In a long handwritten memorandum that he furnished to Mr. Huie through his former attorney, Arthur J. Hanes, Ray said that when he escaped from the Missouri State Penitentiary on April 23, 1967, he began walking toward Kansas City, about 150 miles from the state prison in Jefferson City.

Not for St. Louis

He said that he believed the police would expect him to head for St. Louis, where he had friends and relatives, and that he had gone in the opposite direction for this reason.

For the first five days after he escaped, Ray spent the time walking and hiding. He said he had \$300 that he had accumulated in prison. He did not explain how he had got together the money or why prison guards did not find it in routine prison shakedowns.

On April 28, Ray said he came to a small town in Illinois. There he got a friend to drive him to Edwardsville, Ill., where he caught a bus to Chicago.

He registered at a rooming house at 2731 North Sheffield Street in Chicago on April 30. On May 3, he answered a help-wanted advertisement in the Chicago Tribune and was hired as a dishwasher at the Indian Trail Restaurant in Winnetka, a suburb of Chicago.

He worked at the restaurant until June 25, having been promoted from dishwasher to food server after three or four days.

Bought Chrysler

Ray left Chicago on June 25 in a 1960 Chrysler that he had bought for \$100. He drove to East St. Louis, where he sold the Chrysler for \$50 and bought a 1962 red Plymouth. He said he spent the night with a friend in Edwardsville.

From June 26 until after the July 4 holiday, he stayed with friends in Quincy, Ill. Then he drove to Chicago on July 5 to pick up his last check from the Indian Trail Restaurant before returning to East St. Louis for a week's visit with other friends.

With some vague plan of going to South America, Ray said he set out for Canada to see if he could get false identification.

He spent the night of July 14 in a motel at Indianapolis, he said, and entered Canada at Windsor, Ont., on July 15. The next day he was in Toronto and on July 17 in Dorion, and the next day he arrived in Montreal, where he took a six months' lease on an apartment at 2589 East Notre Dame Street.

Ray said he spent the next 10 days hanging around waterfront bars in Montreal, hoping to arrange false identification and to find a way to get to South America.

Said He Stole \$800

One night, he told Mr. Huie in his memorandum, he realized that he was almost broke and that he robbed a brothel of \$800. He said he had bought himself some new clothes and made a reservation at a summer resort at Lake Quimet, 80 miles up the St. Lawrence River from Montreal.

He stayed at the resort from July 31 until Aug. 7, when he returned to Montreal. While he was at the lake, he said, he struck up a liaison with a woman from Ottawa who was on holiday.

From Aug. 8 through Aug. 18, according to Mr. Huie, Ray stayed in Montreal, discussing his lack of valid identification with a blond Cuban named Raoul, who offered to pay him if he would smuggle some items, presumably narcotics, from Canada into the United States.

On Aug. 19, Ray drove to Ottawa to see the woman he had met at Lake Quimet, but decided not to ask her to help him get a Canadian passport because he found out she worked for the Government and he feared she might turn him in.

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Said He Would Smuggle

On Aug. 20, Ray said, according to Mr. Huie, that he agreed in a meeting with Raoul to smuggle for him, and that on the next day he made two trips across the border at Windsor. He told Mr. Huie that Raoul had given him \$750 and told him to go to Birmingham, Ala., and await orders that would arrive by mail addressed to Eric Starvo Galt at general delivery.

Ray said he spent the night of Aug. 22 in Gary, Ind., and the next few days in Chicago, where he sold the Plymouth.

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and caught a train to Birmingham.

He arrived on Aug. 25 and spent the first night at the Granada Hotel, next to the Birmingham News Building. The next day he checked into the Economy Grill and Rooms, a boarding house on Birmingham's South Side.

Bought a Mustang

Mr. Huie said Ray told him that a letter from Raoul arrived the day after he had checked into the boarding house and that he met Raoul at the Starlite, a restaurant and club, on Aug. 28.

The author reported that Ray said Raoul told him to buy a car, and on Aug. 30, he bought a 1966 white Mustang, paying for it with \$2,000 Raoul had given him.

On Sept. 1 he applied for a driver's license, stating on his application that he had once held a driver's license in Louisiana, a state that did not keep drivers' old license records. On Oct. 5 he received his permanent Alabama driver's license.

He told Mr. Huie that he left Birmingham to go to Nuevo Laredo, Mexico, on the Texas border, where he was to meet Raoul. After smuggling some items into the interior of Mexico

for Raoul, he told the author that he received \$2,000 from Raoul and was told to keep in touch with him through a telephone number in New Orleans.

Ray said he drove to Acapulco, where he stayed for 10 days or two weeks, and then went to nearby Puerto Vallarta, where he stayed for a month. He said that when he got out of prison, he had planned to settle down in Puerto Vallarta.

Drove to Los Angeles

In late November, Ray said he drove to Los Angeles, where he checked into the St. Francis Hotel on Hollywood Boulevard. He spent most of his waking hours for the next two or three weeks at the Rabbit's Foot Club or the Sultan Room, drinking beer or vodka and orange juice.

On Dec. 15, in answer to a summons from Raoul, according to Mr. Huie, he took off in a white Mustang, accompanied by Charles Stein, a bearded poet whose sister Ray had been courting. The two men arrived in New Orleans on Dec. 17. Ray checked into the Provincial Motor Hotel, while Stein stayed with relatives.

Ray told Mr. Huie that he met Raoul at a New Orleans bar and that Raoul gave him

\$2,500 and told him to go back to await further orders.

Ray and Mr. Stein arrived back in Los Angeles on Dec. 19, where Ray signed up for a series of dancing lessons and a course in bartending.

Had Nose Shortened

Early in March, after he had graduated from the bartenders' school, Ray had his nose shortened. The long pointed end of his nose was his most prominent physical feature, and he said in his memorandum to Mr. Huie that he hoped to disguise his looks.

On March 15, Ray said he got a letter from Raoul instructing him to go to Selma and Birmingham, Ala., Mr. Huie reported.

Ray drove across country in the Mustang, arriving on March 22 in Selma, where he checked into the Flamingo Motel. Dr. King had been scheduled to lead a march in Camden, 30 miles away from Selma, the next day in connection with the Poor People's Campaign, but the appearance was canceled and Dr. King returned to his home in Atlanta.

On March 23, Ray drove from Atlanta, where he checked into

a rooming house, paying a week's rent in advance.

At this rooming house, the F.B.I. later found a map with circles drawn around the addresses of Dr. King's home, his church and his office. Following Dr. King's death, the landlord had called the F.B.I. after noticing the resemblance between his missing roomer and Eric Starvo Galt in the Atlanta newspapers. A fingerprint found on a television set in Ray's room led the F.B.I. to conclude that Ray and Galt were the same man.

Behind the Delays in the Ray Trial

MEMPHIS—James Earl Ray was arrested in London last June 8. A lawyer of his own choice began on June 13 to prepare his defense against the charge of killing Dr. Martin Luther King Jr. Since July 21 Ray has been in jail here in Memphis, awaiting a trial that by agreement of his own counsel was to begin Nov. 12.

Last Sunday night, two days before the scheduled trial date, Ray decided to change lawyers. As a result, the court put off the trial until March 3. And even that date is subject to further negotiation with his new lawyer, Percy Foreman of Houston. Thus it could well be a year or longer after his arrest before Ray is actually brought to trial.

The reason for the extreme deliberation of the legal process in the Ray case is not hard to understand. It is a notorious case, a subject of worldwide fascination, and Judge W. Preston Battle of the Shelby County Criminal Court wants to avoid all possible risk that a conviction will be upset on appeal because of unfairness to Ray.

If someone objects that this defendant is being given special treatment, then, the candid answer is that this is necessarily so. The nature of the crime requires it—not only particular care for Ray's legal rights but the extreme courtroom security rules being applied to protect his person.

But the Ray proceeding reflects in extreme form a basic American attitude toward criminal justice: That the system must be padded with devices to protect the accused from official abuse. And the case thus renews the debate about the soundness of that attitude.

Experience is what has produced the trend toward greater rights for the criminal defendant in this country. Critics of the Supreme Court to the contrary, the ideas were not invented by Earl Warren and his colleagues, but developed in many minds as a reaction to ugly facts.

The third degree was not fiction in American history. When the Supreme Court in 1936 for the first time upset a state criminal conviction because of unfair treatment of the defendants, it did so in a brutal third-degree case from Mississippi.

Everyone knows more recent examples of coercive tactics by the police, often showing sophisticated refinements in technology or psychology. It is these practices at which the much-argued contemporary Supreme Court decisions in the confession area are aimed.

Thus in the Miranda decision

of 1966, Chief Justice Warren listed some of the ways modern police forces in the United States may attempt to overbear ignorant or weak suspects. Long questioning, alternation of tough and sympathetic interrogators, promises to help if only the suspect will talk freely, implied threats to his wife and family—all these tactics have come up in Supreme Court cases again and again. And on the mechanical side, there is the growth of wiretapping and eavesdropping devices against which the courts have fought a rearguard action.

Concern for the defendant is heightened in this country because he is so likely to be a black or otherwise disadvantaged person without the experience or education to know his rights. It is not the hardened criminal but the young or ignorant who would most benefit, for example, from the right to counsel before being questioned that the Miranda case sought to insure.

There is, therefore, no better way to improve the system of criminal justice in the United States, many persons argue, than to raise the quality of the police. That is why the President's Riot Commission so strongly recommended higher levels of police pay, leading, hopefully, to better men and more confidence in the police.

Of course it takes a long time to change attitudes. And the emphasis on "law and order" in the election campaign just past indicates that large numbers of the public would prefer some simpler, swifter way out of the crime problem.

It is only fair to these critics

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to note, when comparing the criminal process here and abroad, that the volume of crime is vastly greater here. Murder, assault, robbery — the American figures in any category are appalling.

Reversing recent Supreme Court decisions would not really affect the crime statistics. The problem is infinitely deeper. Yet it is not only illiberal men who may question the complex form our criminal procedure has taken.

Too often in the United States trials become a game, played with an eye on the long and intricate possibilities for appeal. Anyone may fairly question the delays, the upsetting of convictions on narrow grounds of error that could not really have affected a jury.

Americans, from their history, are sensitive to the possibility of miscarriages of justice. But they evidently have begun to feel that the criminal law must take greater account of other social interests.

The Ray case provides a dramatic example of the fact that there is more in the social balance than a defendant's rights.

No one said it in the Memphis courtroom last week, but Negroes and others who revered Dr. King are very much interested in having the facts of his murder disclosed and justice done to the guilty man or men. It is necessary and wise to accord every right to the accused, James Earl Ray; but it is just as important to the country to deal firmly with the evil of assassination.

—ANTHONY LEWIS

Ray Case Is Even More Tangled Since

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THE WASHINGTON POST Sunday, Nov. 17, 1968

Switch in Counsel

Murkin

MURKIN

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The Washington Daily News _____
The Evening Star (Washington) _____
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The New York Times _____
The Sun (Baltimore) _____
The Daily World _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
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By Henry J. Baumgardner

MEMPHIS, Tenn., Nov. 16 (UPI)—The mixed-up case against James Earl Ray in the assassination of the Rev. Dr. Martin Luther King Jr. showed every sign this week of becoming even more tangled before a single word of testimony is ever heard in court.

Since Ray unceremoniously dumped Arthur Hanes as defense attorney and hired Percy Foreman last Tuesday, the case has quickly taken on these elements:

- Would-be eyewitnesses, one an 11-year-old Negro boy, are crawling up to say they saw the assassin.

- Attorney, defendant, defendant's brothers, and authors are squabbling over who should make how much money out of the case.

- Arthur Hanes is negotiating to sell his story of Ray's defense to Life magazine, and refusing to turn over his files, if he has any, to Foreman, who presumably could read them in Life if he wanted to.

- Hanes now claims he may have been hired only as an ingredient to add more racial tension to the April 4 slaying of the Nation's major civil rights figure.

When Ray switched attorneys, Judge W. Preston Battle ordered Hanes to give Foreman all his files and research. Hanes was put under \$1000 bond to execute the judge's order on his research, and also to prevent Hanes from talking about the case.

"I'll let Hanes keep that \$1000," Hanes said. "I keep my files right up here," he added, pointing to his forehead. "I never forget anything; times, names, dates, places, all kinds of things. It's all here."

What Hanes said, and where he keeps it, Life magazine wants to buy it. "They offered me a blank check," Hanes said.

Gerald Morre, Time-Life bureau chief in Chicago, confirmed that negotiations are under way but said "no blank check" was offered, no specific figure mentioned, and no contract yet signed.

Ray's brothers, John and Jerry, also have become aware of the publication possibilities. The result is some pickering over who gets how much from which story in which magazine. The friction is thought to have contributed to Hanes's troubles with Ray's brothers, who felt Hanes should have gotten less and their brother more from Huie's articles.

Foreman, who has a warehouse full of merchandise payments in lieu of cash, has not yet said what his fee is nor how Ray will pay for it.

Finally, there is the fake chase of the white Mustang automobile broadcast on Memphis police radio frequencies F1 and F2 minutes after the assassination. At the time of the assassination it was thought the phony chase was a ploy to lure police into another part of town. But the Memphis Police Department has had several reporters hint that two teenage ham radio operators have confessed they were responsible for the phony broadcast, and that it was a trap.

• A mysterious and phony chase broadcast over police radio and thought to be possible evidence of a conspiracy may have been the irresponsible prank of two teen-aged ham radio operators.

Claimed Bombshell

Ray's trial was postponed until March 3 Tuesday when Foreman, the celebrated Texan who defended heiress Candy Mossler and claims one loss to the electric chair in

1900 murder cases, took over the defense.

Two of the many sides in the case claim at least one eyewitness each. The prosecution claims Charles Q. Stephens, a disabled war veteran who lived in the dollar-a-day flophouse the state said Ray waited in to kill King.

Hanes claims he had an eyewitness, "a bombshell" whom he refused to identify.

And there is the 11-year-old

Negro boy, whom Hanes claimed he never heard of, the prosecution remains silent about and other sources say may have been scared into silence.

The boy supposedly saw a white man with a rifle jump from bushes atop an embankment that faced the Lorraine Motel where King was standing when he was shot. Behind the bushes, in the same trajectory from window to balcony, is the bathroom window the

prosecution said was a bush hideout.

The boy ran to a Memphis fire station 190 yards from the Lorraine, breathlessly told three firemen—one of them a Negro—and then was whisked to police headquarters, according to sources.

Still at Center

Although Hanes was dismissed out of hand by Ray, the attorney remains a cog in the center of the case.

In an interview the former Birmingham Mayor noted another bizarre element.

"It wouldn't surprise me at all," Hanes said when asked if it were likely that he was "set up" by men who plotted King's murder, and in fact was never intended to take the case to trial.

The theory behind this plot within a plot, Hanes noted, could be that his selection—he

was a segregationist Mayor and successfully defended three Ku Klux Klansmen in the highway murder of Viola Liuzzo—would make the murder appear to be the work of white racists.

Author William Bradford Huie, in a copyright series of articles in Look magazine based on information from Ray, contends there was a conspiracy to kill King and its aim was to touch off waves of

racial violence even more severe than that which actually occurred.

Hanes said he and his son, Arthur Jr., 27, also an attorney, had decided that "two groups could have done this: the CIA and black militants financed by Cuba or China." Hanes felt that one clandestine organization with the backing of some government could have arranged the killing.

Shop Talk at Thirty

By Robert U. Brown

Where's the glass booth?

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Forty-two members of the press were admitted to the Memphis courtroom Tuesday for what was to have been the start of trial proceedings against James Earl Ray, accused slayer of Dr. Martin Luther King. That the trial was postponed because of Ray's change of counsel was not surprising.

The shocking thing was that the security precautions surrounding Ray's imprisonment were elaborated to the point that 42 members of the press were searched by two detectives and subjected to an electronic scanner before entering the courtroom. Their shoes were removed and inspected. They were photographed for an identity check.

Presumably this security check would have been repeated every day of the trial had it started this week. Presumably it will be done when and if the trial ever does get started.

It reminded us of our first visit to Israel in the early Summer of 1961 to attend a meeting of the International Press Institute in Tel Aviv.

Adolf Eichmann had been captured in Argentina the year before and was on trial for his life in Jerusalem accused of playing a major role in the killing of millions of Jews in Nazi Germany.

We drove up to Jerusalem to attend the trial. No one gained access to the compound surrounding the court building without going through a security check similar to that now being imposed in Memphis. There were a series of gates through which everyone had to pass individually through an electronic scanner and be checked by a guard. Being introduced under the auspices of the Minister of Information for Israel we avoided the personal search but our wife's handbag was checked. All typewriters and tape records were x-rayed before being allowed in.

(Sounds a little like the Republican and Democratic Conventions this Summer when Secret Service agents checked all packages and cases before being stamped to permit them into the hall.)

And, once inside, there sat Eichmann in his bullet-proof glass enclosure.

The Israelis were determined not to have anything open to

their prisoner. They kept him alive for his hanging a year later.

If the Memphis authorities are so concerned about the safety of their prisoner why don't they go all the way and install him in a bullet-proof glass box like Eichmann's?

Then they could expand on that and put in closed-circuit television so that a larger number of reporters could watch the proceedings from another room or another building and could write or telephone their stories without interrupting the trial.

The Israeli authorities went even further and installed a simultaneous translation system so that the trial could be followed in four languages from almost anywhere in the building.

Certainly, Ray's trial—and his safety—are important. Every trial and every prisoner is just as important.

But if we are going to turn our court houses and court rooms into an armed camp with the degree of security depending upon the so-called importance of the crime and the accused why not go whole hog and let everybody watch from behind the bars and the bullet-proof glass.

Guns, bars and bullet-proof glass—that would make a nice 20th Century symbol for Justice.

G. J. S. R. Long

EDITOR & PUBLISHER

November 16, 1968

Page 112

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Judge Grants Delay in Ray Trial Until March

Change Ordered to Give New Attorney Time to Interview Prospective Witnesses

BY JACK NELSON
 Times Staff Writer

MEMPHIS — Accused assassin James Earl Ray got a new attorney and a 110-day trial delay Tuesday in the Dr. Martin Luther King murder case.

In a crudely-written letter and later in a barely audible voice, the 40-year-old Ray dismissed Arthur Hanes Sr. and his son, Arthur Jr., both of Birmingham, Ala., as his counsels and retained criminal lawyer Percy Foreman of Houston.

That set the stage for Foreman to request the delay, which he did, declaring he intended to try to interview all of the prosecution's 360 "prospective witnesses."

The change in lawyers apparently resulted from disagreements over trial strategy and over financial arrangements in the contract Hanes and William Bradford Huie, an Alabama author, had with Ray for his written account of the case.

From his jail cell, Ray has been peddling a story that the King killing was a conspiracy. So far Look Magazine, under contract with Huie, has run two installments of the Ray account as told to Huie.

Foreman indicated that Ray would not divulge further details until the trial was completed. He angrily refused to say whether he would advise Ray to cancel the contract with Huie or to tell how he would be paid for his legal services in the case.

Huie has never met Ray, but has based his stories on accounts handwritten by Ray and transmitted to him by Hanes. The conspiracy angle propounded by Ray supports the defense Hanes reportedly was preparing in the case — that Ray was an unsuspecting dupe in the assassination, possibly a decoy.

Ray signed a contract with Hanes and Huie, agreeing that his share of the money for his account of the King case would be used to pay Hanes for his legal services. Hanes and Huie, however, denied Tuesday that money had anything to do with the dispute with Ray. He said it was a matter of trial strategy, that "I thought this was the right time to go to trial but Ray didn't. His change of lawyers was a subterfuge in order to get a delay."

Criminal Court Judge W. Preston Battle noted that the motion for delay came as the trial was scheduled to begin Tuesday "at the 11th hour and the 59th minute and 59th second." But he added that the state and federal constitutions guaranteed the defendant the right "to counsel of his choosing."

And under the unique circumstances of the case, Judge Battle said, with so many prosecution witnesses

living throughout the United States, in Mexico, Canada, England and Portugal, defense counsel was entitled to additional time to prepare the case.

Judge Battle, overruling strenuous objections from the prosecution, granted the delay until March 8 and instructed Foreman to report to the court by Dec. 12 on whether his preparations indicated he would be ready for trial by that date.

Ray is accused of killing Dr. King with a rifle shot on April 4 as the civil rights leader stood on a balcony outside his motel room here. He was in Memphis to lead demonstrations by striking sanitation workers.

The defendant, dressed in dark trousers, a dark blue checkered sports coat with light blue shirt and solid dark blue tie, walked into the small courtroom here preceded by Shelby County Sheriff William Morris and followed by a deputy.

Ray, a vacant look in his eyes ("It's always there," says M. D. Eugene, the solicitor from London who represented him in extradition proceedings after his arrest there on June 8), quickly took his seat facing the judge.

"How are you doing?" asked Hanes Sr., who only Sunday night was presented with Ray's letter of dismissal by Sheriff Morris. "I'm fine, everything's all right," Ray murmured and the proceedings began.

Judge Battle had a court aide show Ray a copy of the letter he reported

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

I-4 Los Angeles Times
 — Los Angeles, Calif.

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133 NOV 27 1968

Date: 11/13/68
 Edition: Home
 Author: Jack Nelson
 Editor: Nick B. Williams
 Title: MURKIN

Character:
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 Classification: LA 44-1574
 Submitting Office: Los Angeles
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wrote to Hanes and asked
if he wrote it.

"I did, sir," Ray said.

The letter, handwritten
to "Dear Mr. Hanes," said:
"Due to some disagree-
ments between me and
you in regards to the
handlings of my case I
have decided to engage a
Tennessee attorney and
perhaps someone else.
Therefore I would appre-
ciate it if you would take
no further actions on my
case in Memphis, Tenn.

Also I appreciate what
you have already did for

me. Sincerely, James E.
Ray.

Ray tells of 8-month plot to kill Rev. King

NEW YORK, Nov. 11 (UPI) — James Earl Ray, accused of assassinating Dr. Martin Luther King Jr., has admitted that 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 today.

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, Tenn. jail where Ray awaits trial.

Aim of murder

"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."

Recruited in Canada

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, 1967, eight months prior to the April 4, 1968, assassination. His first assignment was to smuggle three packages by car from Windsor, Ont., to Detroit.

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 any

ed 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-U.S. 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 this country."

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The Sun (Baltimore) _____
The Daily World _____
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People's World _____
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New Ray Attorney Will Request Delay of Trial

Judge Expected to Set January Date for Case Involving Suspect in King Slaying

BY PAUL VALENTINE

Exclusive to The Times from the Washington Post

MEMPHIS—As security-minded officials made last-minute preparations to open the trial today of James Earl Ray in the assassination of Dr. Martin Luther King, new defense attorney Percy Foreman moved to postpone it indefinitely.

The noted Texas criminal lawyer told newsmen he will ask County Judge Walter Preston Battle for a continuance when the trial is scheduled to open at 9:30 a.m. today.

He said he needs time to study and prepare the case after taking it over less than two days ago. Ray's former defense attorney, Alabamian Arthur Hanes Sr., withdrew Sunday after an apparent falling out with Ray.

Foreman's request for a postponement is routine under the circumstances, and Judge Battle is expected to grant it. Continuances are normally made for 30 days.

However, the trial is expected to last four or five weeks beyond that

time, and it is known that Battle does not wish to keep the jury tied up during the Christmas holidays. This means he will

probably continue the trial until sometime in January.

Foreman met with Ray Monday in the prisoner's closely guarded Shelby County jail cell and huddled periodically with state officials. The wealthy attorney, keeping close to his client, is staying in a downtown hotel less than two blocks from the county jail.

Also in Memphis to observe the trial is Michael Eugene, 30, the

an attorney appointed to represent Ray in extradition proceedings when Ray was arrested in London last summer.

The Shelby County courthouse—where Ray is imprisoned one floor above the courtroom in which he will be tried—was sealed off Monday to

all persons except specified state and local officials. City police and county sheriff's deputies maintained an armed guard at key points around the building.



RAY'S NEW ATTORNEY — Percy Foreman in Memphis after taking over the defense of James Earl Ray from attorney Arthur J. Hanes.

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

I-23 Los Angeles Times
 Los Angeles, Calif.

Date: 11/12/68
 Edition: Home
 Author: Paul Valentine
 Editor: Nick B. Williams
 Title: MURKIN

Character:
 or
 Classification: LA 44-1574
 Submitting Office: Los Angeles

☐ Being Investigated

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 170 DEC 6 1968

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Judge Grants Defense Motion, Puts Off Ray Trial to March 3

By MANUEL CHAIT
A Staff Correspondent
of the Post-Dispatch

MEMPHIS, Tenn., Nov. 12 — The murder trial of James Earl Ray, charged with killing the Rev. Dr. Martin Luther King, today was continued to March 3 to permit Percy Foreman, new defense attorney, time to prepare his case.

A new trial date was set by Criminal Court Judge W. Preston Battle over objections by the state. In arguments, frequently laced with sarcasm, between the state and the defense, Robert K. Dwyer, deputy attorney general of Shelby county, insisted the prosecution was ready today, the date for opening of the trial.

Foreman, the Texan who succeeds Arthur J. Hanes Sr., former Birmingham, Ala., Mayor as chief defense counsel, filed a five-page motion for the continuance he sought. The

motion suggested a delay of 90 days, at which time the court would set the trial date.

The court overruled the state's objections to a continuance, fixing the March trial date as a compromise between the parties. Judge Battle censured the last-minute switch in attorneys, noting that, "an immense amount of energy and money has gone into the preparation."

"It is an awful thing to continue the trial, but the defendant has a right to fire his attorney, and that right is guaranteed," Judge Battle declared.

Foreman used a point made by the state that about 360 witnesses would be summoned, 90 of them from Britain, Canada and "other far points" in his argument for continuance.

"It is my practice to interview witnesses in the pretrial investigation and it certainly will

take 90 days for interviews," Foreman told the court. "This request is not made for delay, but that justice may be done."

Ray was arrested in London in July and previously had been in Canada and Portugal. Scotland Yard detectives made the arrest, and presumably will be flown to Memphis to testify.

Trifling with Court

Dwyer, a tough-minded prosecutor, said the defendant's action in changing counsel constituted "trifling with this court."

"The defense is ready for trial today," Dwyer repeated. The prosecutor's attitude was in contrast to that of Foreman, who displayed a wry humor in some of his remarks, and a tendency to banter.

Ray, pale from confinement, strolled into the small courtroom from an interior stairway leading to his suite of cells on the third floor of the criminal courts building. Extreme security has marked his confinement and the handling of the trial.

The dark-haired, neatly dressed defendant sat behind Hanes and the latter's son, Arthur J. Jr. A sheaf of papers protruded from a pocket.

Hanes entered a formal motion to be relieved as defense counsel. The request was granted with the following conditions: That Hanes continue to be bound by the court's ban on pretrial publicity and that he post \$1000 bond to insure his appearance on a possible hearing for contempt of court. Judge Battle specified also that the former defense attorney make his files available to Foreman.

Hanes, who was cited for an alleged violation of the publicity prohibition, told the Post-Dispatch later that, in his opinion, "The climate and time for a trial now are right."

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Date: 11-12-68

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The expected opening of the trial attracted reporters from several European countries, Canada and this nation's large dailies and magazines. Space for 42 members of the press is available in the courtroom. Others must remain in an auxiliary area, and may obtain an account of the proceedings by purchasing copies of the transcript.

Foreman, mindful of Judge Battle's rigid ban on pretrial publicity, has avoided answering most questions concerning the defense strategy he will pursue. He noted that "when you play in the other fellow's ball park, you have to play with his rules."

Similarly, Foreman has refused to discuss the source of funds for his fee, which is expected to be large. However, when asked whether the Ku Klux Klan or any similar group was involved in the financial arrangement, he replied, "Absolutely not, that's one thing I can say."

He said the agreement to take

over Ray's defense was reached with Ray and the defendant's two brothers, John Larry Ray, St. Louis, and Jerry Ray, Ewing, Mo.

Both brothers have expressed dissatisfaction over the financial arrangements contracted between their brother and William Bradford Huie, who is writing Ray's life story under an exclusive contract with the prisoner.

John Ray, who until recently managed a tavern in south St. Louis for a sister, is thought to be the one most responsible for persuading James Ray to drop Hanes in favor of Foreman.

John Ray reportedly wrote to his brother in London suggesting that Foreman be retained.

John and Jerry Ray, who have been in Memphis since their brother was extradited to the United States, have let it be known that they resented what they said was an attempt by Hanes to exploit their brother for publicity purposes and to make money.

Hanes reportedly has received \$30,000 in fees. Huie said he turned over slightly more than that sum to the attorney. The money is in part payment to Ray for the 50,000 words Ray is writing in long-hand from his cell for Huie.

In an article today in Look Magazine, Huie wrote that Ray told him he thought he had unknowingly become involved in

some sort of a plot to kill Dr. King" as early as eight months before the killing. The prisoner claims he was duped and that "nobody told me anything about any planned murder of Dr. King or anyone else."

Huie wrote that he could not disclose all he had learned until after Ray had been tried, but he said he believed the Rev. Dr. King was the secondary, not the primary, target of the plotters.

The Primary Target

"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."

Ray was recruited for "some activity" when he was a fugitive in Canada by a man identified only as Raoul. This was on Aug. 18, 1967, eight months before the Rev. Dr. King's assassination, Huie said.

Ray, a tool of the plotters, did not know as late as two weeks before the killing "that the plot included murder, or that it was aimed at Dr. King," Huie wrote.



Percy Foreman, who today became chief defense attorney for James Earl Ray, talking to the press after the trial was postponed to permit Foreman to prepare a defense. Arthur J. Hanes Sr., Ray's original counsel, was dismissed by the defendant on short notice necessitating the continuance. (AP Wirephoto)

Ray trial seat protests studied

Nobody had "officially" budged this week in the protest over the allotment of only 14 seats to daily newspapers for coverage of the trial of James Earl Ray, scheduled to begin November 12 at Memphis. But a "press coordinator" said the objections were being studied with the hope that "something can be worked out."

Charles F. Holmes, public relations director for Memphis State University and the appointed "press coordinator" for Shelby County Judge W. Preston Battle, before whom Ray will be tried for the murder of Dr. Martin Luther King Jr., acknowledged that "we have received quite a few complaints and are studying them."

The assigned courtroom in the Memphis Criminal Courts Building where Ray is held prisoner will seat only 77 persons. Thirty-eight of the seats have been assigned by name to the press, and four others are unassigned but will be reserved for accredited reporters on a first-come-first serve basis. (E&P, Oct. 19).

Magazine and book publishing firms have received seven seats, foreign newspapers and press services five, radio and television nine, and the Negro press three.

The *Chicago Tribune* and *New York Daily News* have filed protests at being left out.

"A lot of other editors whose papers didn't get seats have made their cases sound good, too," Holmes said. "I don't know what we can do, but we hope to do something."

Twenty newspapers have applied for copies of transcripts of testimony, which the two Memphis papers, the *Commercial Appeal* and the *Press-Scimitar*, have agreed to underwrite. The cost will be \$2,000 a week, but as many papers as desire the service may have it on a prorated cost basis.

Under an agreement, court reporters will supply transcripts every hour or hour-and-a-half during the trial. William Sorrels, metropolitan editor of the *Commercial Appeal*, is in charge of this arrangement, but Holmes said that he himself would be in charge of press room distribution of copies of the transcripts.

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(RAY)

MEMPHIS--A PRESS AIDE FOR THE JAMES EARL RAY TRIAL SAID TODAY NEITHER RAY'S FAMILY NOR THAT OF DR. MARTIN LUTHER KING HAS SHOWN ANY INTEREST IN ATTENDING THE TRIAL SCHEDULED TO OPEN NOV. 12. "WE HAVE RECEIVED NO REQUESTS FROM EITHER THE FAMILY OF THE DEFENDANT OR THE DECEASED FOR SEATS IN THE COURTROOM," CHARLES F. HOLMES SAID.

HOLMES SAID HALF OF THE COURTROOM SEATS WERE SET ASIDE FOR THE PRESS, WITH 38 NEWS AGENCIES HOLDING REGULARLY ASSIGNED SEATS AND FOUR OTHERS ASSIGNED ON A REVOLVING BASIS.

HE SAID THE OTHER HALF WOULD BE OPEN TO THE PUBLIC DURING THE TRIAL AND, WHILE NO SPECIFIC ARRANGEMENTS HAVE BEEN MADE FOR FAMILY MEMBERS, THEY NORMALLY WOULD HAVE PREFERENCE IN THE PUBLIC SECTION.

HOLMES SAID NINE WITNESSES WERE UNDER SUBPOENA BUT COULD NOT SAY WHETHER THEY HAD BEEN DESIGNATED BY THE DEFENSE OR THE PROSECUTION.

HE SAID THOSE WHO HAVE BEEN SERVED WERE BERTIE L. REEVES, NIGHT CLERK AT THE ROOMING HOUSE FROM WHICH POLICE SAY THE FATAL SHOT WAS FIRED; LT. R.W. BRADSHAW, MEMPHIS POLICEMAN; JAMES N. MCCRAW, A TAXI DRIVER; WILLIAM D. KING AND CHARLES E. STONE, MEMPHIS FIREMEN; GUY CANPIE JR., OWNER OF AN AMUSEMENT COMPANY NEAR THE ROOMING HOUSE; GREGORY JAYNES, A REPORTER FOR THE MEMPHIS COMMERCIAL APPEAL, AND HARVEY GIPSON AND WILLIAM E. FRIENDMAN, ATTORNEYS WHO REPRESENT CHARLES Q. STEPHENS, BELIEVED TO BE A KEY WITNESS IN THE CASE.

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Magazine Article Says Ray Told of Being Offered \$12,000 in 1967 to Go to Birmingham

James Earl Ray, accused of the murder of the Rev. Dr. Martin Luther King Jr., is reported to have told an interviewer that he met with a man five times in a Montreal tavern in August, 1967, and the man offered him \$12,000 to go to Birmingham, Ala., for an undisclosed mission.

Ray's reported comments are in an article by William Bradford Huie in the current issue of Look magazine. Mr. Huie says the article is based on written answers to questions he submitted to Ray, who is in a jail in Memphis, where Dr. King was slain last April 4. Ray's trial is to start Nov. 12.

Mr. Huie paid \$25,000 for the interview, which he arranged through Ray's lawyer, Arthur J. Hanes of Birmingham.

The article, which will be continued in the next issue of Look, does not discuss whether Ray said he had accepted the offer but says he reached Birmingham on Aug. 25, 1967. The man in Montreal is identified

by Ray as a man named Raoul. The author says Ray described Raoul as a blond Latin about 35 years old; whom Ray took to be a seaman.

The two men were said to have met from Aug. 8 to 18, 1967, at the Neptune Tavern in Montreal, where Ray had fled after his escape from the Missouri State Penitentiary in April.

According to the article, Raoul made the following propositions to Ray:

¶ That Ray meet Raoul in the railroad station at Windsor, Canada, at 3 P.M. Monday, Aug. 21.

¶ That Ray make several trips across the border to Detroit for Raoul, carrying packages in an old red Plymouth.

¶ That Ray eventually sell the Plymouth and go by train or bus to Birmingham, and there "Ray would lie low, take no risks, pull no holdups, accumulate a little ID [identification] and wait for instructions by general delivery mail.

¶ That Raoul would pay living expenses and also come to Birmingham and buy Ray a suitable car.

¶ That after a few weeks or months, "after a little joint account, Ray would pay \$12,000 and have him a passport and other ID, and help him go anywhere in the world."

The article says Ray was told not to ask any questions, although Raoul is said to have disclosed that he had spent some time in New Orleans and to have given a New Orleans telephone number to Ray.

He Got No Answers

Ray is quoted as having said: "Every time I tried to ask Raoul a question, he told me straight to remember that he wasn't paying me to ask questions."

Although the article is titled "The Story of James Earl Ray and the Plot to Assassinate Martin Luther King," it does not establish any plot to do so. Ray is never quoted as having mentioned Dr. King.

But the article says: "Only by understanding the insecurity of a lone fugitive like Ray in today's complex society can anyone understand his involvement in the plot to murder Dr. King."

The article also gives Ray's account of how he escaped from the Missouri State Penitentiary in Jefferson City. He said he had hidden some clothes in a "bread room" of the kitchen where he worked. He said he watched a guard who was dozing and then ran 75 feet to a wall 23 feet high.

"But there is a truck tunnel through it," he is quoted as having said, "and where the wall meets the tunnel there is a water pipe that runs up about six feet. I got on top of the elbow of this water pipe, and with that hook [a four-foot hook stolen from the kitchen], using some cracks and crevices, I got to the top, then swung down and dropped.

He said he went toward Kansas City, then after five days caught a train for St. Louis. In East St. Louis, he said, a friend told him of Edwardsville, where he caught a bus for Chicago.

The article tells of Ray's having taken a job as a dishwasher in Winnetka, a suburb of Chicago, and having been greatly concerned about money and establishing some kind of identity. He is said to have wanted a Canadian passport because he had read of other fugitives getting a Canadian passport and then fleeing to Brazil.

Ray said he went to Los Angeles and finally arrived in Montreal on July 18, never intending to return to the United States. The author says Ray was hopeful all the time that

he would meet a woman, who would help him get a passport.

Ray was said to have met a woman, a Canadian government employe, at a resort area, the Gray Rocks Inn, on Lake Quimet, near Mt. Tremblant, in the Laurentians. Mr. Huie says he interviewed the woman and she verified their acquaintance.

BRAD HUIE
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 The National Observer _____
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Biographer says Ray lured from Canada before King slaying by \$12,000

NEW YORK — James Earl Ray's biographer said yesterday the accused slayer of Rev. Martin Luther King was tempted out of a Canadian hideout months before the killing by a \$12,000 offer to make a mystery mission to Birmingham, Ala.

At the time, August, 1967, Ray was a fugitive from the

Missouri State Penitentiary, where he had brought off a successful escape the previous April.

The assassination of Dr. King occurred in Memphis on April 4. Ray's trial is scheduled to begin Nov. 12.

In the first installment of a series in Look, author William Bradford Huie said Ray told

him the money offer came in a Montreal waterfront cafe from "a man whom Ray calls Raoul and described to me as being a blond Latin about 35, and whom Ray took to be a seaman."

Mr. Huie said Ray told him of half a dozen meetings with Raoul, during which the proposition boiled down to this:

Ray would meet Raoul in a railway station in Windsor on Aug. 21 and prepare to make several trips across the border from Windsor to Detroit, carrying packages with unspecified contents hidden in a car.

Ray would then sell the car and go by train or bus to Birmingham. There he would lie low, try to establish a false identity and wait for instructions by general delivery mail. Raoul would pay his living expenses and go to Birmingham himself to buy Ray a "suitable car."

Mr. Huie writes:

"After a few weeks or months, after a little joint activity, Raoul would pay Ray \$12,000 and give him a passport and 'other identification' and help him go 'anywhere in the world.'"

Ray, Mr. Huie said, was

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

"The Globe & Mail"
 Toronto, Canada

Date: 10-29-68

Edition:

Author:

Editor:

Title: **MURKIN**

Character:

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Classification:

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Submitting Office: Ottawa

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—CP Wirephoto
James Earl Ray

wary of returning to the United States because he feared he might be caught and sent back to penitentiary.

He had become intimate with a pretty Canadian Government worker in Ottawa and hoped he could persuade her to provide him with an identification to obtain a Canadian passport so that he

could flee to somewhere in Latin America.

Mr. Huie said Ray related that after his talks with Raoul "I didn't know what to do. If I took Raoul's proposition, I had to go back to the States and risk the Missouri pen again. I didn't want to do that. I had sworn I'd never go back.

"But I was running out of capital again, and I didn't want to risk another holdup in Canada (earlier Ray had told Mr. Huie of an \$800 holdup at a house of prostitution in Montreal.

"I couldn't get on a ship. I couldn't get ID (identification). So I told Raoul, okay, I'd meet him in Windsor. But I didn't know then whether I'd meet him or not.

"The woman in Ottawa seemed to like me. She was my last chance. I hadn't had time to talk to her in Montreal about the passport. So now I was going to Ottawa and tell her something about myself, and if she'd help me to get the passport I wasn't going to meet Raoul."

Ray said he met the woman in Ottawa on Aug. 19 but decided that if he told her the truth about himself she would probably turn him over to the

authorities.

Mr. Huie wrote that he had interviewed the Ottawa woman, whose name and address he obtained from Ray, and that she said:

"The saddest part is that if he had told me, I guess I would have turned him down. I don't think I would have delivered him to the Mounties, but I couldn't have sworn a lie and helped him get the passport.

"When he left me, he said he had to meet a man in Windsor. But he insisted he would see me again.

"He wrote me from the States. His last letter came in March of this year. He wanted to know when I was taking my vacation so that he could meet me.

"I kept his letters. But then, of course, when the stories came out, I tore them up, hoping no one would ever find out I had known him."

The first installment of the Huie account ended there.

Ray was arrested in London on June 8, carrying a fraudulent Canadian passport in the name Ramon George Sneyd.

Mr. Sneyd is a Toronto policeman. Investigation showed that Ray also used the aliases

Eric Galt and Paul Bridgman.

Ray's arrest came after the RCMP combed through 200,000 to 250,000 passport applications. Once they discovered that a man passing himself as Sneyd looked like the man wanted in the King assassination, police were able to trace his travels through the airlines and immigration offices.

Police said the three Toronto men whose names Ray used all bear a physical resemblance to him.

He used the name Bridgman when he rented a room in a house at 102 Ossington Avenue, Toronto, on April 18, four days after Dr. King's assassination.

Mr. Huie is the author of 16 books, including *The Execution of Private Slovik*, *The Americanization of Emily* and *The Klansman*.

He disclosed on Sept. 10 that he had bought Ray's life story and had already paid him \$25,000. Mr. Huie said he had not been permitted to visit Ray in the Memphis jail, but had received 20,000 handwritten words from the prisoner, expected a further 30,000 and would polish the manuscript into a biography.

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Hints New Arrest in King Case

By THEO WILSON

Within a few weeks, another arrest may be made in the Dr. Martin Luther King murder case, according to author William Bradford Huie, who has bought rights to the story of James Earl Ray, accused as the assassin.

On a Chicago TV show, Huie said:

"It wouldn't surprise me if there were another arrest before the trial begins."

Ray's trial is scheduled to begin in Memphis, Tenn., on Nov. 12. Huie has not been allowed to interview the defendant, but he has received answers to questions he has sent to Ray, and said that Ray has "told me a great deal."

Hint a Conspiracy

On the TV show, Huie hinted there was a conspiracy behind the King assassination.

He said he has the names of some of those involved in the alleged plot, and that the information will be brought out during Ray's trial.

Huie said he has paid Ray "more than \$30,000" for the story so far.

Tells of \$12,000 Offer

Look magazine has bought two articles on Ray from Huie, entitled "How the Plot Began" and "How It Worked." The first one is in the current issue of the magazine.

In it, Huie wrote that when Ray was in Montreal in 1967, after escaping from Missouri

but he was without funds and could not get on a ship without identifying papers. The article also stated that Ray had gotten some money in a holdup of a Montreal brothel, and did not want to attempt another stick-up.

Woman in the Story

Ray arranged a meeting with an unidentified woman government worker he had romanced at a Canadian resort, the article continued. He hoped she would swear she had known him for two years so he could get a Canadian passport, but he became afraid when she drove him around Montreal and showed him the royal Canadian mounted police headquarters.

When Huie interviewed this woman, he wrote, he told her that Ray feared she would turn him down if he told her the truth.

"And maybe the saddest part is that if he had told me, I would have turned him down," the woman was quoted as replying. "I don't think I would have delivered him to the mounties, but I couldn't have sworn a lie, and helped him get the passport."

Penitent Ray, a man identified only as "Raoul" offered Ray \$12,000 to perform a mission in Birmingham, Ala.

"Raoul," described in the article as a "blond Latin about 35," allegedly told Ray he would join him in Birmingham, buy him a "suitable car," and after "a little joint activity" would pay Ray \$12,000, give him a passport and other identification, and help him go "anywhere in the world."

According to the article, Ray was cautious because he was afraid to return to the U.S. and possible capture as an escapee.



James Ray



William Huie

Ray's questions and answers

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Around the Nation

Court Asked to Lift Sirhan Press Ban

Los Angeles District Attorney Evelle J. Younger asked the U.S. Supreme Court yesterday to lift the ban on publicity in the Sirhan Sirhan murder trial imposed by the City's Superior Court.

In a petition to the high court, Younger said the Superior Court orders issued to insure a fair trial for the accused slayer of Sen. Robert F. Kennedy, gave no weight to the rights of free speech, free press or the public's right to information "about a matter of the most intense public interest."

The order forbids lawyers, police witnesses and court officials from making out-of-court comments about trial evidence, potential testimony or any incriminating statements made by the 24-year-old Jordanian immigrant.

Younger said the Supreme Court should review the order in advance of the Dec. 9 trial. Otherwise the issues might become moot and other courts would be encouraged to issue "as broad a 'gag' order as possible" in major cases.

FBI Violator?

MEMPHIS—George Bonebrake, an FBI fingerprint expert from Washington, has been named as a possible violator of the strict pre-trial publicity order issued in the Martin Luther King murder trial.

A committee of seven lawyers, headed by Criminal Court Judge Preston Battle, said Bonebrake may have violated the order when he told a police seminar in Wichita, Kan., about fingerprints found in the investigation of Dr. King's death. The committee has asked Attorney General Ramsey Clark to permit Bonebrake to appear before hearing in Memphis.

Bishop's Warning

AUGUSTA, Ga.—Bishops of the Episcopal Church unanimously warned that the Nation is being polarized into "extremes of the political spectrum" over the slogan "law and order."

While not mentioning the political campaign, the bishops, in a long stormy session ending a five-day meeting with bishops of the Anglican Church of Canada, declared that the principle is "sacred" that the laws be enforced justly "and with no respect of persons."

But the "law and order" phrase they said is being used as a screen behind which are hiding "repressive forces, desiring to see no change in the Nation's life."

Despondent

KEY WEST, Fla. — Despondent because he could not feed his family, Alben Truitt, grandson of the late Vice President Alben Barkley, has taken an escape route followed by many other troubled men—a hijacked plane into Communist Cuba.

Charles Oliveros, Key West charter pilot who flew Truitt to Havana with an explosive device held at the back of his neck, returned without him yesterday.

"He told me the honeymoon was over and we were going to Cuba," Oliveros said. "He told me that if I did not cooperate, he would not hesitate to kill me."

Behind him in his desperate flight, Truitt left his attractive brunette wife, Allison, and their three children, living in two tents pitched on a campground on the beach of Stock Island.

"He was worried over putting food on the table," said Al Knowles, Key West grocer who Truitt had patronized since the family's arrival two weeks ago on this island at the far tip of the Florida Keys. Police said Truitt had written some bad checks and one merchant had threatened him with jail.



Charles Oliveros, pilot of the small plane hijacked to Havana by Alben Barkley's grandson, returned to Key West yesterday with bottle of Cuban rum, which U.S. Customs confiscated.

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FBI Violator?

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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.

"I distinctly recall two occasions when Ray was called to the back door of the kitchen. Once was on a Saturday. After the visits, he seemed pre-occupied."

Seems to Box Number

Ray left his job after the last

visit. He wrote the Klingemans a letter from Quincy, Ill., in which he gave them a post-office box number in Winnetka so that they could mail his pay.

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, a 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 Dor 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 Paulus, a sister of Mrs. Klinge-

man. 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 says.



JAMES EARL RAY
Plotted by phone?

Mr. Tolson _____
Mr. DeLoach _____
Mr. Mohr _____
Mr. Bishop BR
Mr. Casper _____
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Mr. Conrad _____
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CHICAGO AMERICAN
CHICAGO, ILLINOIS

Date: 10-24-68

Edition: 3 STAR FINAL

Author: FRANK VON ARX

Editor: LOYD WENDT

Title: MURKIN

Character:

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Submitting Office: CHICAGO

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