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Attorneys say that ordinarily she is bright, articulate and reads a great deal and that she completed three years of college.

The attorneys hope to remove her from the hospital and preserve her testimony, either in live form or by deposition, for Ray's future defense.

Ray pleaded guilty to first-degree murder in March 1969 and was sentenced to 99 years in prison. At the brief courtroom proceeding in Memphis, there was little testimony—just a series of stipulations in which state prosecutors structured a case depicting Ray as the lone killer.

Criminal attorney Percy Foreman represented Ray at the time. Ray subsequently acquired new attorneys who now contend Foreman coerced Ray by "fraud" and "bribery" into pleading guilty.

In their formal bid for post-conviction relief, they say Foreman, after making a series of contracts with author William Bradford Huie, arranged to avoid a full trial because the trial would have

revealed fuller details of the case and denied Huie exclusive access to the Ray story. A court ruling on Ray's motion for a full trial will probably come this autumn.

The new attorneys and investigators now concentrating on Grace Stephens are a varied group: Representing Mrs. Stephens is C. M. (Pat) Murphy of Memphis, a soft-spoken silver haired man; for Ray there are flint-eyed Ku Klux Klan counselor J. B. Stoner of Savannah, Ga.; veteran Memphis criminal lawyer Richard J. Ryan, and Washington attorney Bernard Fensterwald, assassination specialist, political liberal and former counsel for a Senate judiciary subcommittee. They say they are working without fee.

Tenn.
Working with them is Memphis private detective Renfro T. Hays, a large, affable, drawling man. He claims to have found Grace Stephens at the mental hospital here in this country town of 4,000, 70 miles east of Memphis, where state officials had "salted her away" under the surname Walden, a name she had acquired many years ago by a previous marriage.

Seeking her release last week, lawyer Murphy argued in court papers that officials ignored several legal requirements in committing Mrs. Stephens:

- The commitment proceeding was initiated by an unauthorized person—John A. Henderson, then an assistant administrator at Gaston Hospital in Memphis. Tennessee law empowers only a relative, guardian, licensed physician, head of an institution, or health, welfare, or law enforcement officer to take such action.

- Officials failed to notify Mrs. Stephens by mail of her scheduled commitment hearing.

- No notice was given to any relatives.

- Memphis prosecutors removed her medical records from Gaston Hospital where she had been held three weeks before being transferred to Bolivar.

Papers filed by the Tennessee attorney general's office deny officials acted illegally, but they give no supporting arguments.

John Carlisle, an assistant prosecutor in the Ray case, said his office was "definitely not" behind the commitment action. He said he does not know who initiated it. Another source close to the prosecution who asked not to be named said the action was probably taken routinely by hospital or jail authorities because of Mrs. Stephens' alcoholic condition.

But Mrs. Stephens' lawyer, Murphy, asserts, "The reason she was placed in the psychiatric hospital was because her testimony would have been unfavorable to the position taken by the Shelby County attorney general (Memphis prosecutor) and his staff."

"She alleges that she was not mentally ill at that time and has at no time since been mentally ill. She charges further that although she was a material witness and that she informed the Memphis police . . . as to the details of her knowledge, such information was deliberately concealed . . . and she . . . was unlawfully shuttled off to the psychiatric department of the city of Memphis hospitals."

At the time of Mr. King's shooting, Grace Stephens lived in a cheap rooming house adjacent to the Lorraine Motel with her common law husband, Charles Q. Stephens. Both were

Tenn.
known to be heavy drinkers. Both claim seeing a man leaving the bathroom from which the fatal shot was fired. Charles Stephens said in an affidavit ultimately used in support of Ray's guilty plea proceeding that the man he saw looked "very much like" an FBI flier of Ray.

Grace Stephens claims she also gave police a description of the man, but defense attorneys say that if police have it, they will not turn it over to them now.

A source close to the prosecution said the police did attempt to take her statement on the night of April 4, 1968, "but couldn't make any sense out of her."

After her commitment to the Bolivar Hospital, Mrs. Stephens gave a written and signed description of the man to investigator Renfro Hays. The description does not match Ray's.

In dispute is whether Charles or Grace, or both, were drunk at the time of the shooting.

Defense attorneys concede Grace Stephens' drinking history but note that her husband—whose statement prosecutors chose to use—cannot claim any greater reliability.

The attorneys also note that Grace Stephens was committed on July 31, 1968, less than two months after Ray's arrest in London, Eng-

land, while her husband continued to be held by police in Memphis as a material witness. He still lives in the Memphis area today, the lawyers say.

In the commitment papers, Memphis psychiatrist Sidney D. Vick describes Mrs. Stephens as suffering a "chronic brain syndrome—hallucinatory—see husband on ceiling—thought he was to shoot her."

Attorneys contend this may have been so because she was drunk at the time Vick examined her. By contrast, she was sober on the day of Dr. King's shooting, they insist.

Dr. Antonio Rubio, clinical director at the Bolivar

Hospital, said that Mrs. Stephens' condition, "when he examined her on several occasions in 1968 and 1969, was "very close" to a sickness called Korsakoff's Disease, caused by heavy drinking.

One of the symptoms, he said is "confabulation," a tendency to invent stories to fill memory gaps. Rubio said he could not determine in any concrete way if that particular symptom was manifested in Mrs. Stephens but said there was a possibility.

At a court hearing in Bolivar, attorney Murphy abandoned his strategy to win Mrs. Stephens' release on a writ of habeas corpus after he said he discovered

through medical records that her condition was now too "regressed" to permit her to be on her own.

Attempts to place her with relatives have failed, he said. Records indicate that she has aged at an accelerated rate in the last two years. She is given 150 milligrams daily of Mellaril, a tranquilizer, and 75 milligrams of Tofranil, an anti-depressant, records show.

A court source said that, in lieu of the habeas corpus action, hospital officials agreed informally to cooperate with attorneys in placing Mrs. Stephens in a general hospital when bed space can be found.



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RO'S

from New York City. The organization said the move was in retaliation for Lindsay's remarks on draft resisters.

- Farm union leader Cesar Chavez, ignoring doctors warnings of "irreparable damage," continued his fast into a fifth day. The fast was begun to protest a restraining order issued in a jurisdictional struggle — since settled — with the Teamsters.

- The award-winning Wisconsin publication The Paper ended its three-year life as a daily because of financial problems. The Oshkosh paper will begin publishing twice a week.





Associated Pre.

Grace Elizabeth Stephens, 54, who testified that the sniper who fatally shot the Rev. Dr. Martin Luther King was not James Earl Ray, as

officially proclaimed, has been in an insane asylum in Bolivar, Tenn., for more than 2 years. Dr. King was slain as he stood in front of his

room in this Memphis hotel-motel (circle). The woman's lawyers say she was railroaded to the asylum to discredit her testimony.

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e killed by police gun-

Williams accused the nine member group, headed by former Gov. William C. Scriffrin of Pennsylvania, a deliberate attempt "to incite racial strife, animosity and to encourage violence among our people."

Optional Celibacy

HOUSTON, Tex. — The Diocese of Houston-Houston diocese priests' senate has voted unanimously "that Roman Catholic priests should be allowed to marry and still be active in ministry."

The senate is made up of priests elected by their fellow churchmen in the 16-county diocese.

The group was emphatic in stating that their support of optional celibacy did not

"necessarily reflect the view of their constituency."

Ft. Bragg Slaying

FT. BRAGG, N.C. — The defense closed its case after Capt. Jeffrey R. MacDonald completed his third day of testimony, during which he again tearfully denied killing his pregnant wife and two children.

A week-long recess was called to allow the prosecution to prepare rebuttal evidence before the closed Army hearing is completed. It began six weeks ago and has had one two-week recess.

Bernard Segal, one of MacDonald's two civilian attorneys, said the 27-year-old Green Beret physician from Patchogue, N.Y., underwent about four hours of cross-examination by the prosecution before the unusual session ended. MacDonald testified the killings were the work of intruders.

Addenda

• And at Ft. Bragg, N.C.

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Ray Case Papers Released to Press

By Paul Valentine
Washington Post Staff Writer

The Justice Department, prodded by writer and researcher Harold Weisberg, has reversed its position and agreed to make available the record of James Earl Ray's 1968 extradition proceeding from England in the murder of the Rev. Dr. Martin Luther King Jr.

Justice officials released the 195-page packet of affidavits, photographs and various government documents to reporters yesterday.

Weisberg filed a civil suit under the Freedom of Information Act last March 11, asking for a court order compelling the Justice Department to give him access to the records.

Up to that time, Justice had contended the records, as "investigative files," were exempt from the information act and could be withheld at the Department's discretion.

However, on May 6, while Weisberg's court action was still pending, Attorney General John N. Mitchell agreed to grant access.

Weisberg and his attorney, Bernard Fensterwald (who is also Ray's most recently acquired lawyer) examined the voluminous records at the Justice Department last month. Justice officials subsequently prepared additional copies for inquiring reporters and made them available yesterday.

Ray, 42, a convicted holdup man and prison escapee, was arrested in London, England, on June 8, 1968, after a two-month international search. King, the civil rights leader,

was felled by a single bullet in Memphis, Tenn., on April 4, 1968. His murder triggered riots in more than 100 American cities.

After an elaborate extradition hearing, Ray was returned to Memphis, and on March 10, 1969, he pleaded guilty to murder and was sentenced to 99 years in prison. He is now seeking a re-opening of the case and a full trial, claiming his previous attorney, Percy Foreman, coerced him into pleading guilty. A hearing is expected this summer.

The extradition record made available yesterday contains numerous FBI affidavits claiming to link Ray to the King murder through fingerprint, handwriting, ballistic and other evidence.

Weisberg, who wrote "Whitewash," a book challenging the lone-assassin conclusion of the Warren Commission in the 1963 murder of President John F. Kennedy, has also questioned official findings in the King case.

Tolson ✓
DeLoach ✓
Mohr ✓
Bishop ✓
Casper ✓
Callahan ✓
Conrad ✓
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MURKIN

SCOTT

G. J.

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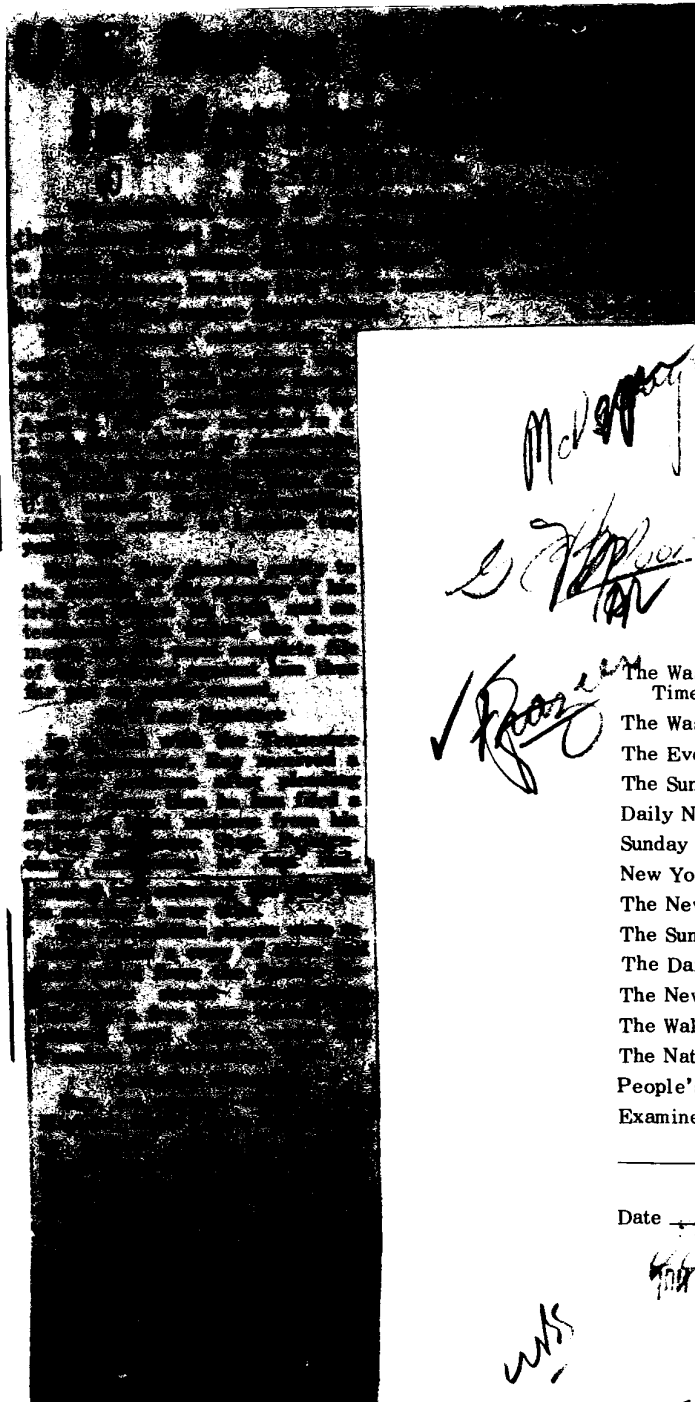
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James Earl Ray: the assassin as status-seeker

Edwin M. Yoder Jr. is an editor of the Greensboro
 Daily News of Greensboro, North Carolina.

HE SLEW THE DREAMER. By William Bradford Huie.
 Delacorte. 212 pp. \$5.95.

By Edwin M. Yoder Jr.

Just as we had reluctantly accepted the dull probability that President Kennedy died at the hand of a single, self-prompting loner, Dr. Martin Luther King Jr. fell in a setting that renewed the thirst for conspiracy — the feeling that so awful and ramifying a crime must spring from a demonic genius to match it. Yet our thirst went unslaked at Memphis when James Earl Ray pleaded guilty to the murder. Even *The New York Times* denounced the aborted trial as "a shocking breach of faith with the American people" — a moment of disclosure treated as "a routine murder case."

Surely the *Times* stood on shaky legal ground there, but the anguish was widely shared. Could it be imagined, let alone set down for all time in the history books, that Dr. King had been slain by an obscure ex-convict — a man who'd spent some thirteen of his thirty-nine years in prison — acting without pay or prompting?

The Ray case may yet develop its Mark Lanes, its "grassy knoll" theories, and its intricate scholasticism of conspiracy. But it must do so without the help of William Bradford Huie, who argues here that Ray did indeed alone murder Dr. King: not for pay, and not especially out of seething hate but to establish himself on the list of the FBI's Ten Most Wanted Criminals. "Ray," writes Huie, "regards the Top Ten the way people in show business regard Academy Award winners or . . . fashionable women regard the annual list of Ten Best-Dressed Women. Criminals too want status — as criminals."

Ray's hunger for identity — to be somebody in the squalid pecking order of criminality — was ultimately his motive, argues Huie, for the crime. It would transform him from plain James Earl Ray — unwanted child, failed military policeman, inept petty criminal — to the hero of guardhouse gossips. For on the ladder of criminal status-seeking Ray didn't count; during the year that elapsed between his escape in a bread box from Missouri State Penitentiary in April, 1967, and his arrest in London fourteen months later, Ray could not watch his favorite television program *The FBI* of a Sunday evening without wondering why he failed to make the Top Ten. After the murder he enjoyed his triumph. In a dingy Toronto tavern on the evening of

Book World

MURKIN

DeLoach

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DeLoach

(Illegible)

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April 21, 1968, "James Earl Ray, the man nobody ever notices, drank vodka and orange juice and watched himself elevated by the FBI to the Top Ten. He did even better . . . A special international category was created for him."

Whether the public will accept Huie's assiduously constructed account of Ray, the assassin as status-seeker, I do not know. We all learned with deep suspicion of his strange peregrinations north and south, east and west. Where, we wondered, did he get the money, the assistance, the cars? Those who persist in asking these questions will want to inspect Huie's reconstruction for themselves. It is too intricate to duplicate here. I found it entirely persuasive.

According to Huie, Ray was far from flush with funds, although he had presumably profited from both robbery and drug-running, as well as brief employment as a dishwasher. Had he had a bit more and kept his nerve during the last stage of flight in London, he might have made good an intended escape to Portuguese West Africa, beyond the reach of extradition.

As for the fancy that Ray was the hired gunman of the Klan, or the Cubans, or the Mafia, Huie disposes of it authoritatively — one might say cocksurely — on grounds that Ray's criminal career had been "characterized by ineptitude, often ludicrous ineptitude," making him a poor risk. We have here, then, not a hired assassin but an insecure, narcissistic little man who struck his kindly employers in Chicago as "such a nice man" and the proprietor of a ballroom dancing school in Los Angeles as "a Southern gentleman"!

How long Ray might have plotted the killing, how deep the germ of it lay, Huie leaves unsettled. When Ray went to Canada in the summer of 1967, he evidently meant to skip the continent for good. That he failed to get a passport and came back, by then involved in drug-smuggling, was the fateful turn of events. And according to Huie, Ray's visit to Alabama on the eve of the fretful 1968 election "certainly did nothing to slow the growth of an idea that may have been in his mind since 1964." (In California, he had recruited signers for the petition to get George Wallace on the ballot.) It is almost certain that by mid- or late March of 1968 Ray had begun to "stalk" Dr. King: in Atlanta, in Selma, finally in Memphis.

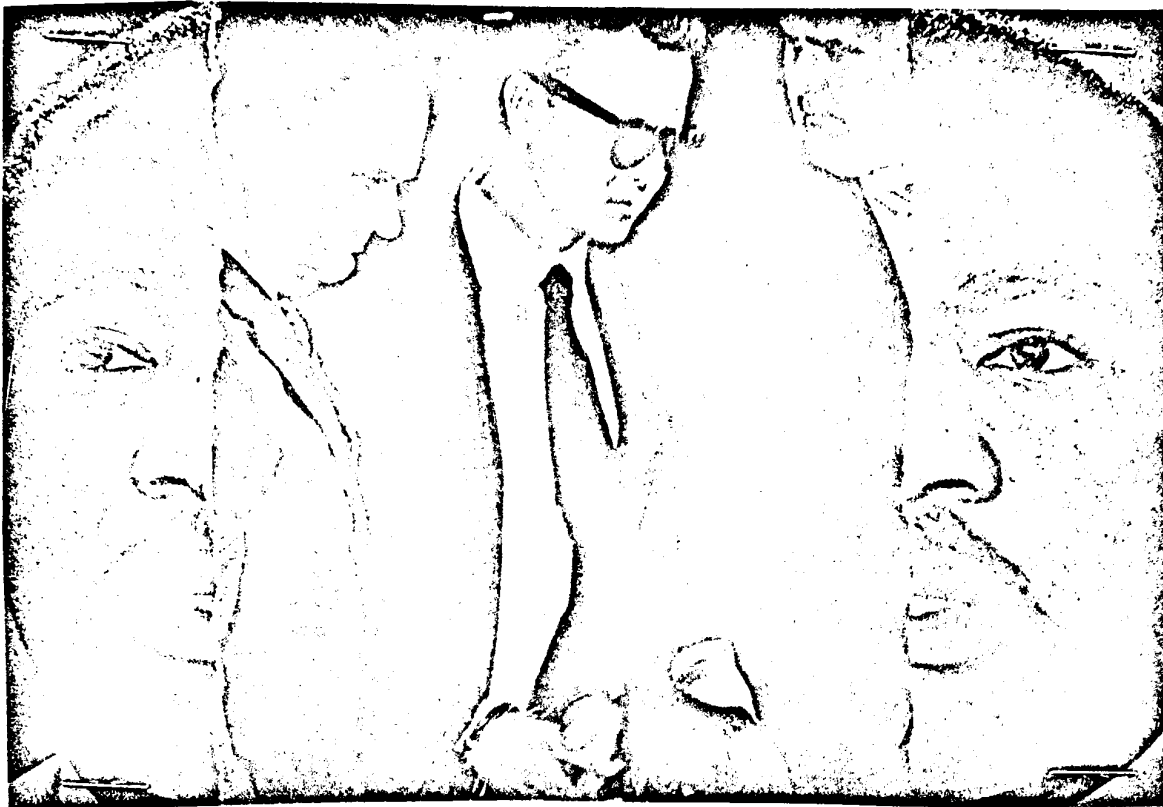
William Bradford Huie, a veteran of such searches through the seamy world of racial violence, has done an admirable detective job — with Ray's purchased collaboration. Detailed as it is, however, the book is finally just another banal chronicle of Hannah Arendt's "banality of evil"; one's final reaction is disgust, not pity or terror.

Huie, moreover, constantly intrudes on the narrative to boast of his deductive powers or to deprecate (usually after the fact) his invasion of

the privacy of those who ~~haplessly~~ crossed Ray's path. It was, we are to gather, a cagey, tough, and cynical deal Huie struck with the assassin, having paid him \$30,000 for exclusive rights. So far did Huie carry his end of the bargain that he twice retailed Ray's doctored accounts (of his prison break, and of the Montreal grocery store robbery) to *Look* magazine readers, sensing that they were false but wanting to reassure Ray that he would cover him in petty lies if they could get at the big truth about the murder — a truth which Ray strenuously denies.

Huie's journalistic enterprise is admirable, but I admit that it makes me uncomfortable to find that a man accused of heinous crime must sell his story to pay his lawyers. (Not that Ray objected. Arthur Hanes, his first lawyer, found Ray more interested in libel suits than in preparing a defense to the charge of murder. To the last, Ray worried in the modern way about his "image.")

At all events the book itself, no less than the case, leaves us with questions. Huie tells us how he threatened Ray with the publication of a damaging speculation in *Look*, before the trial, if Ray didn't tell him the truth. Ray asked for it no doubt. But when contract is pressed to the point of collision with the process of trial by jury, I wonder that reputable lawyers would be parties to it. Indeed, this curious entanglement of journalism, legal fees, and justice needs clarifying — possibly more so than the conspiracy theories which, to my satisfaction, Huie has well exploded.



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MURKIN

Ray, Alleged Lawyer of President

most recent report from
 Washington, D.C., is a
 counsel for a House subcommittee
 on crime, which is
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 other covert activity.

Fensterwald, is also executive director of the
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Ray claimed to have
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James Earl Ray;
Martin Luther King Jr. - victim
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MEMPHIS, TENN. (UPI)--A PRIVATE INVESTIGATOR MONDAY WAS AWARDED DAMAGES OF \$6,625.34--INCLUDING POSSIBLE RIGHTS TO THE GUN THAT KILLED DR. MARTIN LUTHER KING JR.--TO PAY FOR THE MORE THAN 1,000 HOURS HE CLAIMED HE WORKED IN DEFENSE OF JAMES EARL RAY.

CHANCELLOR CHARLES NEARN SAID RENFRO T. HAYS SHOULD BE PAID A FEE OF \$4,850 AND EXPENSES OF \$1,775.34 FOR THE WORK HE PERFORMED FOR ATTORNEY ARTHUR J. HANES SR., BIRMINGHAM, ALA., WHO REPRESENTED RAY IN 1968. HAYS HAD ASKED DAMAGES OF \$11,046.84.

HANES WAS DISMISSED FROM THE CASE IN NOVEMBER, 1968 AND ATTORNEY PERCY FOREMAN RETAINED BY RAY BEFORE HE ULTIMATELY PLEADED GUILTY MARCH 10, 1969 TO THE SLAYING OF DR. MARTIN LUTHER KING JR. IN EXCHANGE FOR A 99-YEAR PRISON TERM.

HOWEVER, THE SUIT NAMED ONLY RAY. THE AWARD WOULD GIVE HAYS THE RIGHT--SHOULD THE STATE EVER RELEASE THEM--TO ATTACH A 1966 WHITE MUSTANG AUTOMOBILE AND A 30.06 REMINGTON RIFLE THE POLICE SAID RAY USED IN THE KING SLAYING HERE ON APRIL 4, 1968.

THE CAR AND THE RIFLE REMAIN IN THE CUSTODY OF THE SHELBY COUNTY DISTRICT ATTORNEY GENERAL'S OFFICE, TO BE USED AS EVIDENCE SHOULD RAY BE SUCCESSFUL IN WINNING A NEW TRIAL.

C. M. MURPHY, HAYS' ATTORNEY, INTRODUCED AS EVIDENCE A LETTER, DATED MARCH 27, 1969, WRITTEN TO HAYS BY RAY IN WHICH RAY CONCEDED THAT THE INVESTIGATOR "SHOULD BE PAID FOR WHATEVER WORK YOU PERFORMED."

"I'M NOT FAMILIAR WITH THE WORK YOU HAVE DONE," RAY WROTE, "BUT I BELIEVE IF IT WAS PERFORMED YOU SHOULD BE PAID."

HAYS, ESTIMATING THAT HIS TIME WAS WORTH \$6 AN HOUR, SAID HE SPENT 1,139 HOURS IN COMPILING EVIDENCE IN THE RAY CASE.

ATTORNEY RICHARD J. RYAN, REPRESENTING RAY, SAID THERE WAS NO EVIDENCE BEFORE THE COURT TO SHOW THAT HAYS HAD PERFORMED THE WORK HE CLAIMED.

RYAN FURTHER ARGUED THAT HAYS WAS PAID FOR A MAGAZINE ARTICLE WHICH WAS PUBLISHED AFTER RAY PLEADED GUILTY.

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191 JAN 29 1970

WASHINGTON CAPITAL NEWS SERVICE

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 WILLIAM E. RONE JR.,
 Editorial Page Editor
 CHARLES H. WICKENBERG JR.,
 Executive News Editor

WILLIAM F. CHANDLER,
 Associate Editor
 ROBERT A. PIERCE,
 Managing Editor

10-A

Columbia, South Carolina, Monday, January 5, 1970

No Ray Of Sunlight

ALTHOUGH Tennessee has bottled up James Earl Ray, rumors of a conspiracy are not so easily confined. With Ray's appeal for release from solitary confinement, the whispering has begun again.

Why was Martin Luther King's admitted killer sealed off from the other inmates to begin with? Solitary, after all, is another degree of punishment over and above simple confinement behind bars, and Ray was not a disciplinary problem.

Prison officials were hard put to explain the precaution in the absence of a conspiracy theory, as were the state attorneys who appeared to argue against Ray's release into the general prison population. In the end, the attorneys surrendered to the inevitable.

"If there were conspirators on the outside," counsel for the state finally asked the commissioner of prisons, "wouldn't you have to protect him from the conspirators?" The commissioner agreed that he would, and Ray's petition was refused.

It makes for a nice movie in the public mind. There is no conspiracy, and the defendant is innocent.

Ray, of course, has persisted in saying he did not act alone. He said so at his sentencing, though the court declined to press him for an explanation. He said so again in petitioning a different court for release from solitary.

No one listens, and it is certainly arguable that Ray had confederates. He may be seeking nothing more than additional exposure to the limelight, a postponement of the ineluctable boredom that awaits him in a lifetime behind the walls. He may hope that endless litigation will open up some chink in the law through which convicted murderer can escape. Perhaps he thinks belief in a conspiracy would diminish his own guilt. Perhaps his thoughts are beyond rational analysis.

None of this explains the state's behavior, however. If Ray is in solitary confinement, there must be a reason. Would his presence pose a hazard from which the state could not protect him? Or is the reasonable presumption that he is guilty, the presumption that he is a danger to himself and others, the presumption that he is a danger to the state?

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

10 A *Murder*

The State

Columbia, S. C.

Date: 1/5/70

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Editor: J. D. Workman Jr

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Submitting Office: Columbia

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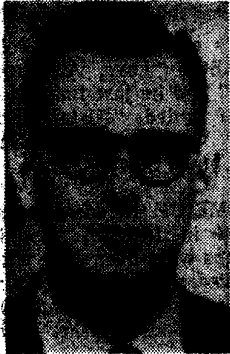
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James Earl Ray
... 'Nazi practices'

'Cruelty' To Ray Protested

NASHVILLE, Tenn. — (UPI) — An attorney for James Earl Ray compared his imprisonment to "Nazi practices" in a brief filed in federal court while seeking Ray's transfer from the maximum security unit at the Tennessee State Prison.

Robert W. Hill Jr. of Chattanooga, one of Ray's three attorneys, signed the supplemental brief which was submitted in connection with a Dec. 29 hearing on the petition.

HILL'S BRIEF, which dealt primarily with the imprisonment of Ray since his arrest in London, concentrated on Ray's stay at the Shelby County Jail at Memphis. Two affidavits signed by Ray last summer were attached to the brief.

It was stated that he was not given a shower for 20 days.

Ray, serving a 99-year sentence for the slaying of Dr. Martin Luther King Jr., has been confined in maximum security since March 11, the day after he pleaded guilty to King's slaying in Memphis.

RAY, WHO claims his civil rights have been violated and his health impaired since he was placed in maximum security, said that his ability to endure solitary confinement was diminishing rapidly.

"The cumulative effect is getting worse and worse, and I find myself less able to stand the emotional hazards of this type of confinement," Ray said.

"I know for a fact that there is work within the prison which might be assigned to me without my having to come into contact with the entire prison population," he added. "The main pressure on me is that I am solitarily confined and am not allowed to do anything or perform any job or be let out into the sunlight."

RAY IS housed on a row of cells in the maximum security building but the cells on either side are kept empty. Prison officials have said that he is allowed an exercise period in a courtyard each day.

Hill charged that the "cruel and unusual punishment" began when Ray was arrested and "held in ball and chain, wrapped in a straitjacket and held incommunicado."

The brief charged that Ray was placed in a small cell in Memphis where he was under constant surveillance by closed circuit television cameras. It also charged that Ray was "tortured" by a "radio" which played continuously.

"To systematically strip away all inner psychological defenses through nine months of constant light, sound and observation is as legally diabolical as many of the Nazi practices which we so often condemn," Hill said.

"Mr. Ray is a quiet man who is used to solitude in a reasonable degree. He is not used to being kept in what amounts to a fishbowl under surveillance night and day of television cameras."

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