

(Mount Clipping in Space Below)

Ray Pleads Guilty, Gets 99 Years in King Death

But Slayer Refuses to Agree That There Was No Conspiracy

BY JACK NELSON and
NICHOLAS C. CHRISS
Times Staff Writers

MEMPHIS — James Earl Ray pleaded guilty Monday to the sniper slaying of Dr. Martin Luther King last April and was sentenced to a 99-year term in prison. The sentencing came on Ray's 41st birthday.

His change of plea from innocent brought an unexpectedly sudden end to the case and saved him from a possible death sentence. His capture and trial followed a massive investigation and manhunt that began on April 4, 1968, when the civil rights leader was fatally shot while standing on the balcony of a motel here.

The entire court proceedings Monday, which included empaneling a jury as a technicality to hear a resume of the state's case, took only two hours and 37 minutes.

The brief trial also touched on a major question in the entire investigation and search for Dr. King's killers—whether it was part of a conspiracy.

"No Evidence of Conspiracy"

The judge and attorneys for both sides emphasized at Monday's proceedings that there was no evidence of a conspiracy in the case, but Ray said he couldn't agree.

Chief prosecutor Phil M. Canale later told newsmen that racial hatred was the motive. He said that Ray, who had escaped from Missouri

State Penitentiary about a year before the assassination, apparently had lived off funds saved while in prison and obtained through robberies and smuggling.

That answered two major questions raised by skeptics of the one-man crime theory. But Ray himself gave skeptics another arguing point by rising during the proceedings to say that he would not agree there was no conspiracy.

Canale said Ray's chief counsel, famed Houston lawyer Percy Foreman, came to him Feb. 21 and said Ray was ready to change his plea from innocent to guilty in exchange for not getting a death sentence.

No Parole for 30 Years

Canale agreed, provided that Ray would receive a 99-year sentence, under which he cannot be considered for parole for 30 years.

In Nashville, prison authorities said Ray would be housed in an isolated cell in the maximum security building.

An all-male jury of 10 whites and 2 Negroes, impaneled only after each juror agreed to abide by the court's decision to accept the plea and 99-year sentence, heard Foreman say that he cross-examined his client for more than 50 hours before agreeing with former U.S. Atty. Gen. Ramsey Clark and FBI director J. Edgar Hoover that no conspiracy was involved.

Earlier, Ray had sat quietly, staring vacantly, agreeing with various stipulations of evidence and with a series of questions from Judge W. Preston Battle about whether he was pleading guilty voluntarily and understood his rights.

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

I-1 Los Angeles Times
Los Angeles, Calif.

Date: 3/11/69
Edition: Home
Author: Jack Nelson and
Nicholas Chriss
Editor: Nick B. Williams
Title: Murkin

Character:

or

Classification: LA 44-1574
Submitting Office: Los Angeles

☐ Being Investigated

44-1574-B-213

SEARCHED	INDEXED
SERIALIZED	FILED
1 MAR 12 1969	
FBI — LOS ANGELES	

But later Ray quickly arose and, in a high pitched, nasal voice, said: "Your Honor, I would like to say something. I don't want to change anything that I have said, but I just want to enter one other thing. The only thing I have to say is that I can't agree with Mr. Clark."

Foreman: "Ramsey Clark."

Judge Battle: "Mr. who?"

Ray: "Mr. J. Edgar Hoover, I agree with all these stipulations, and I'm not trying to change anything."

Judge Battle: "You don't agree with whose theories?"

Ray: "Mr. Canale's, Mr. Clark's and Mr. J. Edgar Hoover's about the conspiracy. I don't want to add something on that I haven't agreed to in the past."

Foreman: "I think, that what he said is that he doesn't agree that Ramsey Clark is right, or that J. Edgar Hoover is right. I didn't argue that as evidence in this case . . . you are not required to agree with it all."

Position Clarified

To clarify Ray's position, Judge Battle reiterated the question, "Are you pleading guilty to murder in the first degree in this case because you killed Dr. Martin Luther King under such circumstances that it would make it legally murder in the first degree under the law as explained to you by your lawyer?"

"Yes, sir," Ray replied.

The prosecution put on several witnesses to establish the killing and link Ray to the crime, then assistant prosecutor James C. Beasley read a lengthy narrative of proof he said the state would have produced had the case gone to trial.

Ray stipulated (agreed to) the proof which, snared him in a strong web of circumstantial evidence, including testimony putting him at the scene of the crime and several fingerprints and other evidence linking him to the scene, the murder weapon and other items of evidence.

Canale, who had planned to ask for the death penalty if the trial had been held, told a reporter he did not see how the state could have fared better than the guilty plea and sentence, noting that Tennessee had not electrocuted anyone since 1960 and no one from Shelby County (Memphis) since 1948.

He said he consulted Negro leaders and representatives of Mrs. Coretta King, widow of the rights leader before agreeing to the guilty plea. They op-

posed the death penalty for Dr. King's killer, he said, but withheld judgment as to whether they believed a conspiracy was involved.

Canale said that while there was no evidence of a conspiracy, if any ever developed the state would vigorously investigate and prosecute if the facts warranted.

Asked at a press conference about Ray's motive, Canale said, "Race had a lot to do with it," but he declined to elaborate.

However, assistant prosecutor Robert Dwyer told a reporter the state had considerable evidence that Ray was a racist. He made his anti-Negro views known in bars in Los Angeles and Canada, Dwyer said, and once was suspected of assaulting a Negro who was dating a white woman in Los Angeles.

He said there was evidence that Ray had persuaded at least two persons in Los Angeles to join George C. Wallace's American Independent Party last year and that while serving a prison term at Leavenworth, Kan., Ray refused to work on a farm because he would have to work with Negro prisoners.

Dwyer said, "Like Sirhan Sirhan and Lee Harvey Oswald, he was psychotic and wanted recognition. He was a loner. We studied his psychiatric reports from prison."

The fiery prosecutor, who led the state's case in several preliminary hearings before Monday, said he thought Ray decided on the plea "because he was afraid he would get the death sentence and be politicked right to the chair."

Dwyer indicated he felt Ray is trying to keep alive the conspiracy theory because it helps him sell his story. And one observer quoted Foreman as saying Ray "doesn't want to kill the golden goose." Ray signed a contract with author William Bradford Huie to write his story.

In concluding the hearing, Judge Battle said that while there was no evidence for conspiracy, "if this defendant was a member of a conspiracy to kill the decedent, no member of such conspiracy can ever live in peace or security or lie down to pleasant dreams, because in this state there is no

statute of limitations in capital cases such as this."

Ray strode into the courtroom at 9:50 a.m., staring straight ahead and gripped on each side by sheriff's deputies. He wore his familiar blue-checked sports coat, white shirt and blue tie.

Eight minutes later he had pleaded guilty, after hesitating only slightly.

The hearing was conducted under strict security precautions. And dozens of deputies roamed the old Criminal Court Building. One street in front of the building was barricaded and newsmen were thoroughly searched before they could enter the courtroom. There were only about 25 spectators in the room.

Ray's Rights Explained

Judge Battle explained to Ray his rights under the law. He read a list of stipulations informing Ray, for example, that in accepting the guilty plea he was waiving most rights to appeal.

"You are pleading guilty because you killed Martin Luther King?" the judge asked a second time.

"Yes, I am pleading guilty," Ray replied.

Within three minutes 12 jurors were seated and had agreed to accept the plea and the sentence.

The state's case was even more complete than many observers had thought. It brought out more clearly than ever before the mass of clues that Ray left behind during an odyssey that took him across the country and into Mexico and Canada after he escaped from the Missouri State Penitentiary in April, 1967.

It showed that Ray left a broad trail around the country despite the use of such aliases as Eric Starvo Galt, John Willard and Harvey Lowmyer. Canale, in a news conference later, quickly punctured two of

the favorite conspiracy theories about the assassination.

For one thing, he said, Ray earned a "substantial amount of money" at the Missouri State Penitentiary which he got out some way. He said he thought Ray also earned money smuggling goods between Canada, the United States and Mexico. Canale said Ray probably committed two or three holdups, not including one in London.

He also had dismissed conspiracy theories about Ray's obtaining a passport in Canada from some mysterious underground source. He said it was common knowledge in a state penitentiary at Missouri that "it was easy to get a passport in Canada."

He also said Ray presumably got two names and addresses for Canadian passports out of old newspapers. Canale told the jurors that his staff had covered 5,000 pages of investigative reports from various police agencies and traveled thousands of miles tracing Ray's whereabouts.

No Looks at Jurors

"I state to you we have no evidence that there was a conspiracy to murder Dr. King, and if there is at any time evidence of this nature involved, I assure you we will take prompt and vigorous action in searching it out and seeking an indictment," he said.

During the proceeding Ray sat right behind Foreman. He avoided looking at the jurors or four of the five witnesses the state put on the stand.

But Ray did notice one witness who stood behind him near a large mockup of the assassination site and described how the civil rights leader was lying in a pool of blood. Ray turned his head back over his shoulder and

frowned at the witness, the Rev. Samuel B. Kyles.

Other witnesses also testified. They were Chauncey Eskridge of Chicago, Dr. King's attorney; Dr. Jerry T. Francisco, county medical examiner; Police Inspector N. E. Zachary and Robert Jensen, FBI agent in charge of the Memphis office.

Foreman then addressed the jurors, pacing back and forth and occasionally brushing back a mop of hair that fell over his face.

To Save His Life

"I've never had any hopes of anything but to save this man's life," he said. "All of you were as well informed as I was about this case when I took it. It took me a month to convince myself what Clark and FBI Director Hoover announced last July: that there was no conspiracy.

"I cross-examined my client for more than 50 hours," Foreman added.

Thirty minutes after the hearing had begun the jury was sworn in. Canale read the indictment. Foreman reaffirmed the plea of guilty. The first witness, Kyles, took the stand.

The state began laying out the details of Dr. King's death and also hearing testimony that no one was seen in the bushes in the area from which the shot had come.

Zachary recited a long list of items police found in the flophouse room Ray had occupied across the street from the Lorraine Motel where Dr. King was staying. He also listed numerous items found on the sidewalk near Ray's parked white Mustang.

These included a blue zipper bag, a rifle, a pair of binoculars, a pair of pliers, a hammer, a paper

bag, a T-shirt, undershorts, a transistor radio, a hair brush, two cans of beer, a bottle of after-shave lotion and an April 4 front page of the morning Commercial Appeal with information on Dr. King's stay in the racially-troubled city.

The items provided dozens of clues. The state spent 56 minutes in an elaborate recital of what witnesses and evidence they would have produced in court if there had been a full scale trial.

For example, the state said the satchel Ray dropped outside the flophouse contained underwear that still carried his Los Angeles laundry marks.

It also revealed just how close Ray must have come to being seen by police when he left the flophouse after shooting Dr. King, walked several feet on the sidewalk, dropped his bag and jumped into his car.

Squad Cars Nearby

Three squad cars were parked only about 50 feet away and police swarmed inside a branch fire station not far from the Lorraine Motel. Officers inside heard a shot and scattered around the area. Ray presumably dropped his satchel when he saw the police, as well as the gun and a pair of binoculars.

The state traced Ray's travels from Memphis to Atlanta that night, and his arrival in a low-income housing settlement early in the morning.

From Atlanta the state followed Ray's course to Canada, then to London, Lisbon and back to London where he was caught on June 8. Ray was on his way to Brussels. Police found a .38 caliber snub-nosed revolver on him.

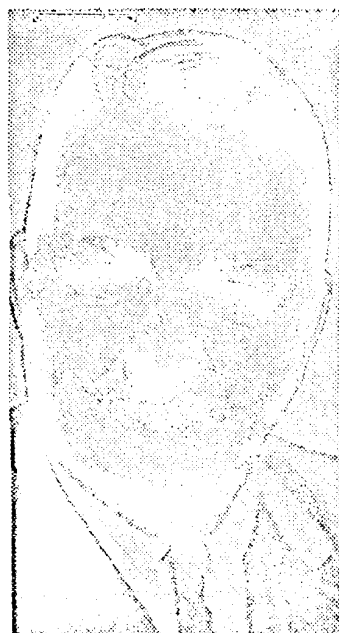
When he was arrested at the airport they also discovered in his luggage a camera that fit the box found in his abandoned car in Atlanta.

The suit of clothes he wore in London had been traced earlier to Canada and police knew Ray had asked the tailor who made it to mail it to him in Birmingham, Ala.

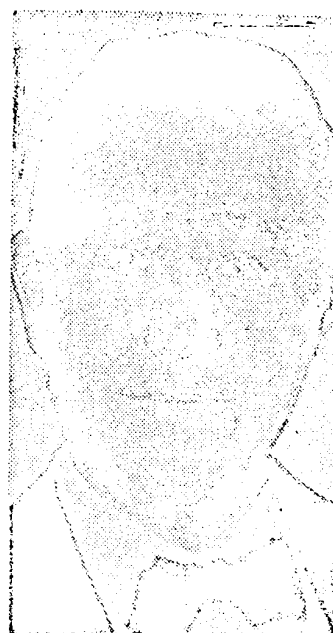
They also traced fibers from the suit as well as numerous other articles discovered at the flophouse to Ray.

They also explained that before the assassination, Ray had lived in Canada, briefly in Mexico and in Los Angeles, where he attended bartender and dancing schools.

Ray's fingerprints were found on the rifle scope, a can of beer, the after-shave lotion bottle and on the newspaper's front page.

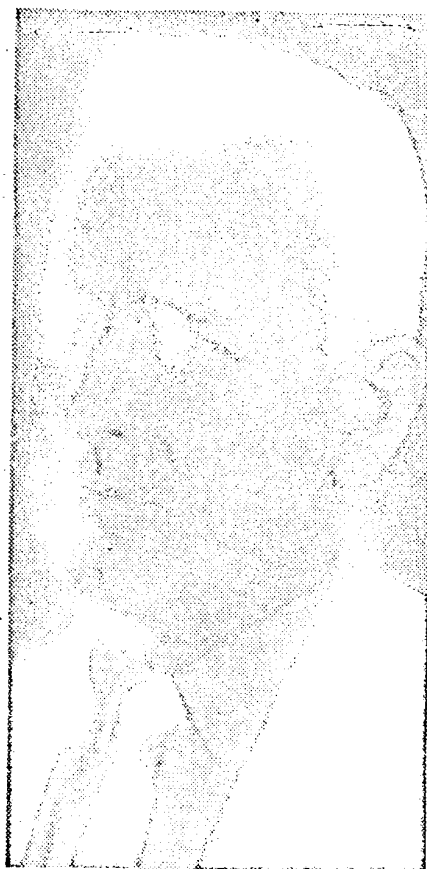


Judge W. Preston Battle



Percy Foreman

UPI Wirephoto



PLEADS GUILTY—James Earl Ray,
sentenced to 99 years in prison.
(AP) photo

(Mount Clipping in Space Below)

Ray Hints Conspiracy In Dr. King's Murder

MEMPHIS, Tenn. (UPI)—James Earl Ray pleaded guilty to the murder of Dr. Martin Luther King Jr. in return for his life Monday, but he hinted he was not alone in the plot to slay the civil rights leader.

After an hour and 55 minutes of token testimony a jury of 12 men, by prearrangement, convicted Ray and sentenced him to 99 years in prison.

But Ray himself announced he disagreed with the theory that there was no conspiracy to kill King. Judge W. Preston Battle warned that any conspirators could never rest easy, and the Justice Department took virtually its first notice of theories that King's assassination last April 4 was a conspiracy.

"The investigation into the original allegations of a conspiracy is still open," said a spokesman in Washington a few hours after Ray was led out of the Memphis courtroom.

Ray changed his plea to guilty in return for the 99-year sentence and went on trial instantly rather than wait until his scheduled April 7 trial. His attorney, famed Texas trial lawyer Percy Foreman, evidently feared Ray might be sentenced to die—even though no one has been executed in Tennessee in seven years—if he maintained his innocence.

Both King's widow and his successor, the Rev. Ralph

Abernathy, insisted others were involved in the murder and demanded that the investigation continue. Negroes throughout the South called the two-hour trial a "cover-up."

Ray stood up in court to say "I can't gree with Mr. Clark." Judge Battle, taken aback, asked "Mr. who?"

"Ramsay Clark," the former attorney general, explained Foreman. Clark had said several times that no one but Ray was involved in King's killing. So, during Monday's proceedings, did Foreman and prosecutor Phil Canale.

"You don't agree with whose theories?" asked Battle.

"Mr. Canale's, Mr. Clark's, and J. Edgar Hoover's theories about the conspiracy," said Ray. He said no more, and was asked no more, about a conspiracy.

Ray celebrated his 41st birthday Monday, and he will be eligible for parole when he is 71. An isolated maximum security cell was ready for him at state prison in Nashville 200 miles away. There were indications he might be sped there late Monday night.

The question of a possible conspiracy virtually overshadowed Ray's conviction.

"It has not been established at this time that there was any conspiracy," said the judge before turning the case over to the jury. "This is not conclusive

Rumors were prevalent all weekend that Ray was going to change his plea to guilty at Monday's swiftly-called hearing.

Ray, wearing the blue checked suit he has worn for practically every appearance since his arrest in London June 8, appeared in the heavily guarded courtroom at 9:45 a.m. CST. Judge Battle came in a minute later.

Foreman announced he was changing the plea to guilty in return for a 99-year sentence.

"Is this what you want to do?" Battle asked Ray.

"Yes, I do," Ray replied.

At 9:50 a jury—which had been hearing cases for two weeks—was brought into the courtroom intact.

At 10:17, after Ray made his remarks about conspiracy theories, the jury was sworn in. It took five witnesses an hour and 55 minutes to establish a case against him.

Much of it was devoted to telling how King died, shot through the neck. He fell dying to the cement second-floor balcony of the Lorraine Motel at dusk on April 4. The state claimed Ray slew him with a single rifle bullet, fired from the bathroom window of a flophouse across Mulberry Street.

The jury convicted Ray by a show of hands in the jury box and passed sentence without ever leaving the courtroom.

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

A-3 Herald-Examiner
Los Angeles, Calif.

Date: 3/11/69
Edition: Night Final
Author:
Editor: Donald Goodenow
Title: Murkin

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

☐ Being Investigated

44-1574-B-214

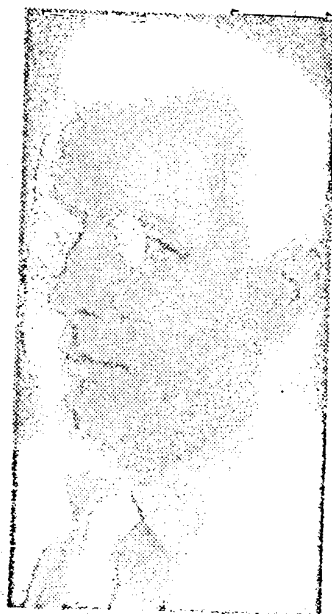
SEARCHED	INDEXED
SERIALIZED	FILED
1 MAR 12 1969	
FBI — LOS ANGELES	

cc to Bureau
3-12-69

evidence that there was no conspiracy.

The Justice Department said it was still working on the original warrant in the case, issued April 17, charging Eric Starvo Galt and a man "whom he alleged to be his brother" conspired to kill King. Galt turned out to be Ray and the "brother" — Ray has two — quickly faded from the investigation.

Since then there has been no official mention of the possibility that more than one man was involved in the slaying.



—Associated Press Wirephoto

JAMES EARL RAY
99 years in prison

(Mount Clipping in Space Below)

Ray's Motives Stir Controversy Which May Never Be Resolved

BY JACK NELSON
Times Staff Writer

MEMPHIS—The motives of the mysterious James Earl Ray — in killing Dr. Martin Luther King and in promoting the theory of a conspiracy—form the crux of a controversy that may never be resolved in the public's mind.

Prosecutors and investigating officers are convinced that Ray killed out of insane racial hatred, that he acted alone, and that he has raised the question of a conspiracy because it has kept attention on him and helped to sell his life story and thereby finance his defense.

Ray was taken in chains to the Tennessee State Prison in Nashville Tuesday to begin serving a 99-year term for the slaying of Dr. King. He changed his plea from innocent to guilty Monday as part of an agreement that saved him from a possible death sentence.

Ray's guilty plea and his provocative comment about a conspiracy raised no new questions about the killing, but gave critics of the one-man crime theory additional ammunition and spurred nationwide editorial comment that a full-scale trial should have been held so more details of the investigation could have been made public.

A terse announcement by the Justice Department that it is still investigating conspiracy allegations also has added to the controversy—despite the fact that its official position has been that there is no evidence that anyone other than Ray was involved. The department, which was consulted by Memphis prosecutors before Ray's guilty plea and apparently made no objection, has refused to elaborate on its announcement.

Whether a trial would have resolved the issue is doubtful. One of the Memphis prosecutors, Robert Dwyer, Tuesday said that a trial, by focusing attention on unanswered questions, might well have heightened the controversy.

Dwyer, other prosecutors and investigators argue that none of the unanswered questions is germane to the question of Ray's guilt and none raises substantial suspicions about a conspiracy.

In essence, these are the questions raised most frequently by critics:

Why would an escaped convict kill Dr. King unless he was hired?

How did Ray manage to escape police for so long after the killing unless he had help?

Where did Ray get the \$15,000 or more he spent during his year as an escapee before the assassination?

A specific motive would be extremely difficult to prove without the cooperation of Ray, but prosecutors have substantial evidence that he was psychotic and a violent racist and they believe that was enough.

Motive Unclear

Memphis Police Inspector N. E. Zachary, who headed the murder investigation until shortly before Ray's arrest in London June 8, 1968, more than two months after the killing, Tuesday told a reporter he thought motive was "the only pertinent question that was not pretty clearly answered" by evidence. And he said he agreed racial hatred "could very well have been the motive."

Zachary and other officials have pointed out that none of the critics has cited any evidence linking another person to the crime, that most of them simply say they "believe" there was a conspiracy. Among the "believers" are Dr. King's widow, Mrs. Coretta King, and his successor as president of the Southern Christian Leadership Conference, the Rev. Ralph David Abernathy.

"People raise questions but have no answers and you can do that with any case," Zachary said. "You can answer their questions with some questions of your own. If someone had wanted to hire this job done, would they have hired me?"

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

I-1 Los Angeles Times
Los Angeles, Calif.

Date: 3/12/69
Edition: Home
Author: Jack Nelson
Editor: Nick B. Williams
Title: Murkin

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

☐ Being Investigated

44-1574-B-215

SEARCHED	INDEXED
SERIALIZED	FILED
1 MAR 12 1969	
FBI - LOS ANGELES	

cc to Bureau 3-12-69

ed a character like Ray who has a reputation as a loser? As an escaped convict, would he have been in the position to reveal enough about himself that someone would know to hire him?"

Memphis prosecutors say there is evidence that Ray, a hardened criminal, got substantial sums of money through robberies and smuggling goods between the United States and Canada and Mexico during his year of freedom. He escaped from the Missouri State Penitentiary in Jefferson City in April, 1967.

The theory of his escape after the killing is that he used knowledge gained as a criminal and as a prisoner at the Missouri prison to help him elude police for more than two months. He secured a passport in Canada by using a pseudonym, strategy well known in the Missouri prison grapevine, according to prosecutors.

Memphis police Chief Henry Lux said that Ray was engaged in "what we call pigeon dropping or conning someone" in supporting the conspiracy theory. "The minute there's no conspiracy, he's out of business," Lux said, "and so is the guy he's selling it to."

Chief's Wife Asks

Chief Lux said there is no way to answer the allegation of unnamed conspiracy, adding, "even my wife says where did he get all that money? Well, I say he was a stickup man and a burglar and there's

no evidence that he had any great amount of money anyway. There's no telling how many jobs he pulled. Still, who can say? We can't look inside him."

Dwyer said he thought evidence produced by the state at Monday's hearing should have answered any substantial questions about a conspiracy.

Several witnesses testified to establish the crime and to link Ray to it. Then a prosecutor read a lengthy narrative outlining Ray's stipulation of proof that the state would have presented had the case gone to trial. It included numerous fingerprints and other evidence connecting Ray to the crime and a witness who would testify that after hearing the firing of the fatal shot, he saw Ray leave the room from which it had been fired.

Percy Foreman of Houston, a noted attorney who takes pride in getting acquittals in well-known cases, found the evidence so strong that he advised Ray to plead guilty to escape the death penalty. Foreman said he was convinced no conspiracy was involved.

The state would not agree to a life sentence in exchange for the guilty plea, but insisted on a 99-year sentence. Under the former, Ray would have been considered for parole in 12½ years, but under the latter he could not be considered for 30 years.

Chief prosecutor Phil M. Canale said that even if Ray had been tried and convicted, chances were strong that he never would have been executed—even if he got a death sentence. No one has been executed in Tennessee since 1960. Canale said he did not see how the state could have fared better in the prosecution.

Ray never has said flatly that a conspiracy existed, nor has he named anyone who might have helped him in any way—in planning the killing or in escaping afterward. What he said Monday was that he could not agree with statements by former U.S. Atty Gen. Ramsey Clark and FBI Director J. Edgar Hoover that there was no evidence for conspiracy.

Ray's comment was enough for the critics, however, and Mr. Abernathy said he was more convinced than ever that a conspiracy existed. In fact, he said he believed there is a nationwide plan "with the purpose to kill off all courageous persons, black and white, who would stand up for justice and equality for black or poor people in this country."

And Mrs. King said Ray's plea should not close the case and end the search "for the many fingers which helped pull the trigger."

The New York Times called the court proceedings here an "aborted trial" and said that it was "a shocking breach of faith

(Mount Clipping in Space Below)

BAD AFTER-TASTE

The Tennessee court "deal" that permitted James Earl Ray to plead guilty to the dastardly assassination of Dr. Martin Luther King for a 99-year prison term seems unsatisfactory to many. It leaves many questions unanswered.

The judge, prosecutor and defense counsel said they were convinced that Ray acted alone. But Ray, in open court, protested this theory, and only the judge's sharp inquiry asking if he wished to change the guilty plea that was his only way to escape execution hushed him up.

Someway, the idea of Ray engineering the solo killing of the Negro leader just doesn't ring true. Ray was a two-bit sneak thief, car thief and hustler throughout his criminal life. He never was a big league gunner. But somewhere, he got ample, even lavish funds. More intelligence than Ray ever had shown before was involved in obtaining his Canadian passport and in planning the cowardly shooting of Dr. King. The whole operation doesn't square with his past record of ineptitude.

Like Dr. King's widow, we feel that the FBI should keep this case open. Too many people seemed too anxious to sweep it under the rug.

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

1
Beverly Hills
COURIER
Beverly Hills, Calif.

Date: 3/14/69
Edition: WEEKLY
Author:
Editor: March Schwartz
Title:

Character:

or

Classification:

Submitting Office: Los Angeles

☐ Being Investigated

44-1574 8-216

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 17 1969	
FBI — LOS ANGELES	

(Mount Clipping in Space Below)

The Ray Case Is Not Yet Over

ISSUE: Isn't further action now called for to help clear the air of doubts in the 1968 assassination of Dr. Martin Luther King Jr.?

Some curiously injudicious statements by a judge who should know better have added fresh fuel to the controversy surrounding the abortive trial of James Earl Ray, the confessed assassin of Dr. Martin Luther King Jr., and given new urgency to the need for a full and early disclosure of all evidence relevant to the case.

Memphis Judge W. Preston Battle, in whose court and with whose concurrence a deal was arranged last week whereby Ray pleaded guilty in exchange for a 99-year prison sentence, says he remains puzzled about a number of links in the presumed chain of evidence connecting Ray to the murder.

This is understandable.

Others are puzzled as well, since failure to permit a normal adversary proceeding to take place meant that evidence and testimony which might well have resolved important questions could not be introduced and made part of the public record. But Judge Battle's concern is a puzzle in itself, in view of the fact that he had the power to reject the prosecution-defense deal and order the trial to proceed.

Battle now says he is convinced that a trial "would have muddled our understanding of the substantial evidence which established Ray as the killer." This is an incredible statement. It presumes that the judge had full knowledge of both prosecution and defense strategy; that he was aware in advance of all evidence that might have been presented; and that he could accurately weigh the importance of all this evidence and its effect on the jury.

Judge Battle's remarks predictably will encourage those who believe that Ray was only one part of a conspiracy to murder Dr. King. His remarks have also casually served to smear the quality of American justice, even among those who reject the conspiracy notion in the Ray case.

The Times urged last week that the evidence against Ray gathered by the prosecution be made public, in the belief that this would answer many questions. Given the great interest in the case and the proliferation of doubts, we now urge a further step.

We believe the President should appoint a commission of distinguished persons, and Congress should give it the same powers of subpoena it gave the Warren Commission, to conduct a full public investigation of the King assassination.

The bungled handling of the judicial part of the case so far cannot be taken as the final word in the matter.

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

II-8 Los Angeles Times
Los Angeles, Calif.

Date: 3/18/69
Edition: Home
Author:
Editor: Nick P. Williams
Title: Murkin

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

☐ Being Investigated

44-1574-217

SEARCHED	INDEXED
SERIALIZED	FILED
/ MAR 18 1969	
FBI — LOS ANGELES	

(Mount Clipping in Space Below)

Probers Claim Plots in Kennedy, King Deaths

Exclusive to The Times from a Staff Writer

WASHINGTON—A new group investigating American political assassinations suggested Monday that conspirators — some of them possibly the same persons—were behind the murders of President John F. Kennedy and Dr. Martin Luther King.

The conspiracy allegations — some new and some old—were made at a press conference by the Committee to Investigate Assassinations.

The committee, declining to reveal the source of its finances, charged that the government was deliberately withholding facts about the assassinations for fear the American public was not prepared to accept them.

Bernard Fensterwald Jr., executive director of the committee, whose directors include New Orleans Dist. Atty. Jim Garrison, said one purpose in holding the press conference was "to get our names before the public" to help raise funds.

Fensterwald, former counsel to the Senate judiciary subcommittee on administrative practices and

procedures, said the new committee has raised "a relatively small sum"—enough to run a two-man office here.

He said the committee "ultimately hopes to force the federal government into the thorough and honest inquiry which it has avoided" since the death of President Kennedy.

Fensterwald stepped down as the senate subcommittee's counsel last

Jan. 1 after the chairman, Sen. Edward V. Long (D-Mo.), lost his bid for reelection.

Other directors are:

Fred Cook, Englewood, N.J., freelance writer and critic of the FBI; John Henry Faulk, Austin, Tex., humorist and writer; Paris Flammonde, New York author of "The Kennedy Conspiracy"; Richard Popkin, philosophy professor at UC-San Diego; Lloyd Tipling, Washington representative for the Sierra Club; Richard Sprague, a self-employed Hartsdale, N.Y., management consultant; and William Turner, former FBI agent and a writer for Ramparts magazine.

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

PART I

PAGE 7

LOS ANGELES

TIMES

Date: 3-18-69
Edition: Home
Author:
Editor:
Title: COMMITTEE to
Investigate
ASSASSINATIONS
Character:
or
Classification:
Submitting Office:

☐ Being Investigated

44-1574-B-218

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 18 1969	
FBI - LOS ANGELES	

*Set Frank Patchett
LADY SUS
Vint Robinson
3/20/69
WRR*

(Mount Clipping in Space Below)

Ray Wants Review of His Guilty Plea

MEMPHIS (AP)—James Earl Ray says he plans to seek a review of his plea of guilty to the slaying of Dr. Martin Luther King, according to the judge who sentenced him to 99 years in prison for the killing.

Judge W. Preston Battle Jr. disclosed Wednesday that Ray had written to him from the Tennessee State Penitentiary. The judge said only that Ray wants a hearing and that he wrote that he has fired his lawyer, Percy Foreman of Houston.

Published reports say that Ray wants to withdraw the guilty plea and stand trial for first-degree murder.

Foreman, in New York City, denied being discharged, saying his connection with the case "ceased at 12:35 p.m. on March 10," when Ray was sentenced following his guilty plea.

Ray had been scheduled to stand trial April 7, but, with a 99-year sentence prearranged by the prosecution and Foreman, he switched his plea and began serving the sentence the following day, March 11.

Before accepting the plea, Battle emphasized that the action would close the door on appeal. Ray assented.

In New York, Foreman said he had expected Ray to try for a reopening of the case, "but in about a year or two."

Saying that he would decline henceforth to comment on the case, Foreman reiterated, "In my view, there was no conspiracy. In my view, James Earl Ray decided, and he alone decided, to kill Martin Luther King so that he could claim the glory . . .

Ray Called Racist

"I think that James Earl Ray was a racist. He thought he would be a hero. He completely misconceived the thinking of the white race," Foreman said.

He said, "I'm very happy to be out of it," and did not know who would now represent Ray.

"I think that James Earl Ray enjoys the spotlight and any way he can keep the center of the stage he will do it," said Foreman. "I wish him well. I don't think it advisable, but that's his responsibility—I've discharged mine."

He added: "He probably believes that if he got a new trial, since he's already saved his life, he has no chance that he will get the death penalty."

To get the case reopened, Ray would have to institute a habeas corpus action in which he would have to show his rights were violated when he entered the guilty plea.

Ray was quoted as telling officers who accompa-

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

I-1 Los Angeles Times
Los Angeles, Calif.

Date: 3/20/69
Edition: Home
Author:
Editor: Nick P. Williams
Title: Murkin

Character:

or

Classification: 44-1574
Submitting Office: Los Angeles

☐ Being Investigated

44-1574-B-219

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 20 1969	
FBI — LOS ANGELES	

cc to Bureau
3-20-69

nied him from the Shelby County Jail here to Nashville that he now had second thoughts, wishing he had gone to trial and taken his chances on getting a life sentence.

Foreman told the court when Ray pleaded guilty he had agreed to the plea "to save this man's life." First-degree murder in Tennessee is punishable by sentences ranging from 20 years to electrocution.

As things now stand, Ray will be eligible to seek parole in 30 years.

However, Tennessee law allows for a 30-day review period during which Judge Battle still has jurisdiction over the case, without any appeal or other sort of review action.

During this time, the judge at his discretion could allow Ray to change his plea from guilty-to-innocent, paving the way for a trial.

After the 30 days, the 99-year sentence and guilty plea become final—and the case then would have to be reopened through habeas corpus petition. Judge Battle has already told Ray that the guilty plea foreclosed appeal.

Postconviction habeas corpus action, to be successful, must show that Ray was pressured into pleading guilty through inadequate counsel or that his constitutional rights otherwise were denied.

One leading legal au-

thority in the state said it would be "extremely difficult" for Ray to show that his counsel — Foreman — was inadequate "because he's one of the best criminal lawyers in the country."

On the other hand, he said, Ray might try to argue that the intense security in the Shelby County Jail, where he had remained alone in a floodlit, specially armored cell since last July, unduly influenced his reasoning.

When Ray pleaded guilty, the judge questioned him at length on whether he realized such a plea precluded any postconviction remedy, including hearings or appeals to higher courts. Ray answered that he did.

Asked if Free Act

Battle also asked Ray at that time: "Is this plea of guilty on your part a free act of your own free will, made with your full knowledge and understanding of its meaning and consequences?"

"Yes, sir," Ray answered.

When he said that, Ray acknowledged in court that he was the man who killed Dr. King with a single rifle bullet last April 4 in Memphis.

At the same time, Ray said he could not agree with the theory—which Foreman said he also held—that he acted alone, without conspirators. Others, including Ray's first lawyer, contended that Ray was part of a conspiracy.

(Mount Clipping in Space Below)

New Ray Lawyer Calls KKK Ties an Asset

**J. B. Stoner Says Martin Luther King Jr.
Was Detested by the People of Memphis**

SAVANNAH, Ga. (AP)—J. B. Stoner, James Earl Ray's new attorney, says his Ku Klux Klan background will be an asset if Ray's case is heard before a jury in Memphis, Tenn., where he says people "detested Martin Luther King." But in Memphis, city officials disputed Stoner's theory.

"My past KKK connections would help the case," Stoner said in an interview Sunday. "They show I'm a loyal white man and the white people of Shelby County (Memphis) are for white supremacy."

Stoner, who had just returned to his Savannah home after a weekend meeting with Ray in Nashville, Tenn., said the white people in Memphis, where King was shot and killed last April 4, "detested Martin Luther King."

"He (King) brought about his own death with his activities across the country," the attorney declared. "He was a troublemaker. He was in Memphis for the avowed purpose of violating a federal court injunction—he was there as a criminal."

Shock Expressed

Memphis city officials expressed shock at Stoner's comments.

"I'll not dignify irresponsible talk of that type," said Shelby County Sheriff William N. Morris Jr. "I especially have nothing to say to any statement J. B. Stoner would make."

There were similar reactions, in some cases more outspoken, from Mayor Henry Loeb, Police and Fire Director Frank Holloman and other Memphis officials.

The city's council chairman, Robert B. James, was irate over Stoner's implications. "He's just making a lot of trouble that we don't need," said James. "He's certainly not welcome around here when he talks like that."

No Help Seen

James said any Ku Klux Klan connections Stoner may have will not be of any help to him in Memphis. "It (the KKK) never was strong here, at least not in the last generation. They've got a record that is horrible—they stand for violence of the worst kind—the worst kind of racial attitudes."

James pointed out that many white residents of Memphis were serving on a bi-racial committee

working on the Memphis memorial to King.

Stoner said he believes Ray is innocent of charges he shot King and said Ray told him over the weekend that he had been "pressured" into entering a plea of guilty to the charges.

Stoner, 44, said he has been hired to represent Ray only in civil action which he said in Nashville would be in the form of libel suits against several national magazines.

Ray's new attorney added Sunday the civil action "likely will include" suits for other than libel but he said he could not elaborate.

He said he could not say who would represent Ray in a criminal action but added "there is a natural overlap between the civil and criminal functions."

Stoner said he is vice chairman of the executive committee of the National States Rights Party.

He described the party Sunday as "larger than any other white segregationist organization in the country" and "more extreme than the Klan" to which Stoner said he previously belonged.

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

**I-12 Los Angeles Times
Los Angeles, Calif.**

Date: 3/24/69
Edition: Home
Author:
Editor: Nick B. Williams
Title: Murkin

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

☐ Being Investigated

44-1574-1000

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 24 1969	
FBI - LOS ANGELES	

(Mount Clipping in Space Below)

Foreman Denies He Pressured Ray Plea

HOUSTON (AP)—Attorney Percy Foreman denied a report Sunday that he used financial pressure to obtain a guilty plea from James Earl Ray in the murder of Dr. Martin Luther King.

The Nashville Tennessean quoted Ray's brother, Jerry Earl in a copyright story: "Foreman said he would take \$150,000 if my brother pleaded guilty, but he wanted everything he would ever earn if he didn't.

"It's all a bunch of bull," Foreman said.

"How is any man doing 99 years in the penitentiary going to earn anything?" he asked. "That's ridiculous."

Foreman said he asked Ray to specify a reasonable fee three weeks after he received a letter from Ray asking for a guilty plea and Ray said \$150,000.

"I didn't fix the fee. He fixed it," Foreman said.

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

I-12 Los Angeles Times
Los Angeles, Calif.

Date: 3/24/69
Edition: Home
Author:
Editor: Nick B. Williams
Title: Murkin

Character:

or

Classification: LA 44-1574
Submitting Office: Los Angeles

☐ Being Investigated

44-1574-B-221

SEARCHED	INDEXED
SERIALIZED	FILED
1 MAR 24 1969	
FBI - LOS ANGELES	

*cc to Bureau
3-24-69*

(Mount Clipping in Space Below)

Rightist Attorney Says Ray Wants a New Trial

Klan Figure Claims He Has Been Hired to Aid Admitted Killer in Changing Plea

SAVANNAH (AP)—J. B. Stoner, an attorney long associated with anti-Jewish, anti-Negro causes, has been retained by James Earl Ray in his effort to win a new trial in the slaying of Dr. Martin Luther King, Stoner's office announced Friday.

Edward R. Fields, director of the militantly segregationist National States Rights Party, said Stoner would help Ray change his plea from guilty to innocent and would ask for another trial.

Stoner is an NSRP attorney whose office is located in the party headquarters here.

Ray was sentenced to a 99-year prison term after he pleaded guilty in Memphis to last year's sniper-slaying of Dr. King.

Fields said Stoner was enroute to Nashville to see Ray at the Tennessee State Penitentiary. Warden Lake Russell said he did not yet know whether Stoner would be allowed to confer with Ray.

"We'll let him see him if he can present the proper credentials," Russell said. "He'll have to show that he (Ray) actually hired him as his lawyer."

Criminal Court Judge W. Preston Battle Jr., who presided in the Ray case, disclosed Wednesday that he had been notified by Ray that he wanted to withdraw his guilty plea and stand trial for first-degree murder.

The judge said also that Ray wrote him he had fired his attorney, Percy Foreman of Houston.

Ray had been scheduled for trial April 7 when he abruptly switched plans and pleaded guilty March 10. The 99-year sentence was prearranged by the state and Foreman.

30-Year Wait

Ray was reported to have told officers who accompanied him from Memphis to the Nashville prison that he had changed his mind and wished he had gone on trial and taken his chances of getting a life sentence rather than the electric chair.

Under a life sentence, Ray would be eligible for parole in 13 years. However, the 99-year term prevents him from seeking parole for 30 years.

Stoner, 44, has been involved in Ku Klux Klan and anti-Jewish activities since boyhood. In 1945, he formed the "Stoner Anti-Jewish Party" and in 1952 his Christian Anti-Jewish Party urged deportation of Jews and confiscation of their property for distribution to "Christian Americans."

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

I-5 Los Angeles Times
Los Angeles, Calif.

Date: 3/22/69
Edition: Home
Author:
Editor: Nick R. Williams
Title: Murkin

Character:

or

Classification: 44-1574
Submitting Office: Los Angeles

☐ Being Investigated

44-1574-222

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 24 1969	
FBI — LOS ANGELES	

cc to Bureau
3-24-69

(Mount Clipping in Space Below)

New Attorney Says Ray Now Denies Guilt

NASHVILLE (AP)—James Earl Ray's new lawyer said Saturday that Ray had reversed the position he took in open court and now said he was innocent and was "pressured into a guilty plea" in the murder of Dr. Martin Luther King.

When Ray pleaded guilty in Memphis March 10, Judge W. Preston Battle Jr. asked him if he had been pressured in any way into pleading guilty. Ray said "No."

But the lawyer who visited Ray Saturday, J. B. Stoner of Savannah, Ga., reported he had changed his story.

Percy Foreman, Ray's previous attorney, said in Houston that Ray had sent him a letter officially requesting the guilty plea. "I have the letter and I showed it to the judge and to the prosecuting attorney," Foreman said. "I wouldn't leave myself open on that count."

Spared Execution

He said he advised Ray to plead guilty "because I believe he would be electrocuted if he didn't." Ray "thought he'd be electrocuted, too," Foreman said. Stoner said he would represent Ray in filing libel suits against "Life magazine and others" who Stoner said had interfered with Ray's getting a fair trial.

Stoner's 2-hour, 20-minute visit with Ray in the Tennessee State Penitentiary maximum security section was followed almost immediately by a visit from Ray's brother, Jerry, from East St. Louis, Ill.

Stoner had no comment when asked if he would help Ray in a postconviction hearing in Memphis. He refused to discuss any criminal aspects of the case, saying he would represent Ray in "civil suits and libel suits only."

Stoner's office earlier said he had been retained to help Ray win review of his guilty plea and 99-year sentence for first-degree murder in the death of Dr. King, slain in Memphis last April 4.

Battle also had asked Ray: "Is this plea of guilty on your part a free act of your own free will, made with full knowledge and understanding of its meaning and consequences?"

"Yes, sir," Ray had replied.

Asked who, in addition to Life magazine, would be involved in libel actions, Stoner replied, "So many have libeled him (Ray) it would be impossible to include them all." But, he said, "Life magazine and others" could "count on it."

Ties With KKK

His past associations with Ku Klux Klan members should not harm his case, Stoner said, adding, "I have represented klansmen and other white men in the past. I don't think it will hurt."

Ray, he said, "appeared in good spirits for a man in a hotel like this." Ray, he said, gave him permission to make the statement about Ray's being pressured into a guilty plea. But he did not elaborate.

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

A-4 Los Angeles Times
Los Angeles, Calif.

Date: 3/23/69
Edition: Final
Author:
Editor: Nick R. Williams
Title: Murkin

Character:

or

Classification: 44-1574
Submitting Office: Los Angeles

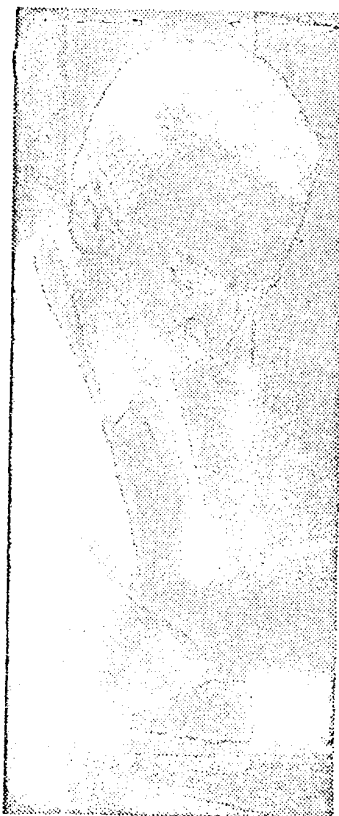
☐ Being Investigated

44-1574-B-223
SEARCHED INDEXED
SERIALIZED FILED

1 MAR 24 1969

FBI - LOS ANGELES

*cc to Bureau
3-24-69*



RAY VISIT—J. B. Ston-
er signs out at prison
after visiting his new
client, James Earl Ray.
UPI Wirephoto

(Mount Clipping in Space Below)

Court Rejects Appeal Similar to Ray Case

Stated Standard

The high court held that the facts set forth did not warrant a reversal of the Circuit Court judgment, then stated the standard which it said is applied in most federal courts:

"Incompetency of counsel, such as to be a denial of due process and effective representation of

counsel, must be such as to make the trial a farce, a sham, a mockery of justice," to warrant reversal of a prior judgment.

When Ray went before Judge Preston Battle in Criminal Court in Memphis to plead guilty, the judge asked him repeatedly if the decision were his own, whether any pressure had been applied, whether he made his decision to plead guilty of his own free will.

In addition, the judge made it clear that his guilty plea forfeited any right of appeal.

No Pressure

In each case, in open court, Ray agreed he had not been pressured and said he understood there was no appeal.

Subsequently, however, Ray was reported as having second thoughts, and telling officers who brought him here from Memphis that he wished to change his plea to innocent and stand trial. The idea, he said, would be to take his chances on a life sentence.

Under the 99-year sentence, he will not be eligible to seek parole for 89 years. Should he get life, he could be eligible for parole in 13 years, seven months — earlier than maximum good behavior time.

Meanwhile, the Nashville Banner quoted James E. Powers, 45, of Indianapolis as saying Ray "didn't expect to be in prison very long." The Banner said Powers, just released from serving a one-year sentence for petit larceny, had been in a maximum security cell just two doors away from Ray.

NASHVILLE, Tenn. (AP) — In an action which could apply to James Earl Ray's case, the Tennessee Supreme Court ruled Wednesday a man convicted of a crime cannot win freedom on habeas corpus on grounds he was pressured by his lawyer to plead guilty.

Ray, serving a 99-year sentence for the assassination of Dr. Martin Luther King, now claims he was induced by his lawyer, Percy Foreman of Houston, into pleading guilty.

Foreman has denied any pressure on Ray—and Ray said there was none when he pleaded guilty March 10.

But Ray was quoted Wednesday by a prison mate as saying the guilty plea was the result of pressure, adding, "I'll be going back to Memphis before long" for a hearing. Dr. King was slain in Memphis April 4, 1968.

The State Supreme Court opinion, written by Justice Allison B. Humphreys, was in the case of Robert E. Richmond, convicted of burglary in Franklin County, Tenn. He sought a writ of habeas corpus on grounds that he was wrongfully induced by his lawyer to plead guilty.

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

I-20 Los Angeles
Times
Los Angeles, Calif.

Date: 3-27-69
Edition: Home
Author:
Editor: Nick B. Williams
Title: Murkin

Character:

or

Classification: LA 44-1574
Submitting Office: Los Angeles

☐ Being Investigated

SEARCHED	INDEXED
SERIALIZED	FILED
1 APR 1 1969	
FBI — LOS ANGELES	

44-1574-B-224

(Mount Clipping in Space Below)

Author Says Ray Killed Dr. King To Aid Wallace

NEW YORK (AP) — Author William Bradford Huie says James Earl Ray thought that by murdering Dr. Martin Luther King Jr. he would help former Alabama Gov. George C. Wallace win the presidency.

Huie says Ray now considers himself a political prisoner and that certain political developments in the United States will lead to his being freed from prison in two to four years.

Ray, Huie says, thought Wallace would be elected and then promptly pardon him.

His comments are contained in the current issue of Look magazine. He says they are based on information supplied by Ray, his lawyers and members of Ray's family.

Huie also writes that he thought last October that "Powerful men probably made the decision to kill Dr. King." Now, he says, he has found no confirmation of this.

"I believe," Huie says, "that one or two men other than James Earl Ray may have had foreknowledge of this murder, and that makes a little conspiracy. But if there was a conspiracy, I now believe that James Earl Ray was probably its leader, not its tool or its dupe."

Discussing Ray's view of himself as a political prisoner, Huie writes:

"When, early in the presidential campaign of 1968, he shot and killed Dr. Martin Luther King Jr., Ray took what he regards as a political action approved by millions of Americans. Ray thinks he fired the first shot in a social or racial conflict, a second Civil War, which will eventually result in his being freed.

"He therefore feels fulfilled. He believes he is liked, respected, even admired. And he is confident that political developments in the United States will cause him to be freed in two to four years.

"James Ray, who is 41, along with his brothers Jerry, 34, and John, 37, believed that George C. Wallace would be elected president on Nov. 5, 1968, and that President Wallace would promptly pardon the murderer of Dr. King. James Ray thought that by murdering Dr. King, he would aid Wallace's cause."

Huie writes that the Ray brothers "figured they had gained something" with the Republican victory. One reason Ray changed lawyers on the eve of his trial set for Nov. 12, 1968, Huie writes, was that he thought he'd have a better chance after the inaugural date.

Huie quotes Jerry Ray as saying, "Jimmy's friends are just found to have more power after Nixon becomes President."

Huie, arguing against what he called the misconception that Ray was not a racist, said that on April 5, 1958, Ray was released from the federal prison at Leavenworth, Kan., with this item in his report:

"On Sept. 12, 1957, he was approved for our Honor Farm but was never actually transferred to the farm due to the fact that he did not feel that he could live in an Honor Farm Dormitory because they are integrated."

Huie also said persons who knew Ray in Canada, Mexico and California reported bitter anti-Negro actions or remarks by Ray.

Huie also said a psychiatric examination in 1966 at the Fulton State Hospital in Missouri strongly suggested he would have been capable of murder. He was diagnosed as a "sociopathic personality, antisocial type with anxiety and depressive features."

In the same issue, Look carries articles by Arthur J. Hanes, a former Ray lawyer, and Percy Foreman, Ray's lawyer when he pleaded guilty to murder of King at Memphis and was sentenced to 99 years in prison.

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

A-9 Herald Examiner
Los Angeles, Calif.

Date: 4-1-69
Edition: Night Edition
Author:
Editor: Donald Goodenow
Title: Murkin

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

44-1574-B-225

SEARCHED	INDEXED
SERIALIZED	FILED
1 APR 2 1969	
FBI - LOS ANGELES	

*cc to Bureau
4-2-69*

"I still believe," Hanes writes, "that Ray killed Dr. King because he was directed to do it. Despite his plea of guilty in court, I also feel that Ray did not carry out the murder entirely alone."

"On balance, both my son and partner, Arthur Jr., and I feel that, at the very least, Ray was helped. This means that we believe there was what the law calls a conspiracy."

Fenneman writes:

"I think Ray believed Dr. King was a Communist; that his crusades opened the Pandora's box of riot; and that, though he preached nonviolence, by indirection he created Black Muslims, Black Panthers and Invaders."

"Ray thinks that the war between the races is imminent, and he wanted to fire the first shot. The shooting of Dr. King, to him was the Pearl Harbor of that war. He didn't tell me any of this: 'It is what I believe he thinks.'"

"I don't believe there was any conspiracy."

In another article, Look quotes the Rev. Ralph Abernathy as saying Dr. King had told him and his wife Coretta shortly before his assassination that he would not lead the Poor People's Campaign on Washington. He and other King aides were quoted as saying Dr. King had become weary and despondent over criticism.

(Mount Clipping in Space Below)

Ray's Attorneys Submit Motions for New Trial

Claim Slayer's Previous Lawyers Used Him to Sell His Inside Story for Publication

MEMPHIS (UPI)—Attorneys for James Earl Ray, convicted of slaying Dr. Martin Luther King, filed motions for a new trial Monday on grounds that Ray has been used by his previous attorneys to peddle his inside story to magazines, books and motion pictures.

In motions signed by Ray's three new attorneys, the 41-year-old convict claimed that he was forced to plead guilty to the April 4, 1968, sniper slaying because of pressure from his attorneys.

Ray's two chief attorneys in the case were Percy Foreman, the famed Houston lawyer, and Arthur J. Hanes Sr., a former mayor of Birmingham, Ala. Ray has fired both of the men.

The motions for a new trial were filed in the Shelby County clerk of courts office and must be acted upon by Criminal Court Judge Arthur Faquin.

Judge Stricken

Faquin was assigned to the Ray case earlier this month when Judge W. Preston Battle, who had presided over Ray's short trial March 10, died of a heart attack last month.

No court decision has been made yet, but several Tennessee legal authorities say Ray may already have won a new trial. They based this opinion on a letter from Ray, written from the Tennessee State Prison in Nashville before Battle died. The letter asked for a new trial, but Battle had not acted on Ray's request before he died.

The legal authorities say Tennessee law may automatically grant Ray a new trial because of a section in the law that grants new trials to convicted persons when the trial judge in the case dies without acting on motions for a new trial.

Ray's formal motions to Judge Faquin Monday were signed by Richard Ryan, a Memphis attorney, and associate counsels J. B. Stoner, a Ku Klux Klan lawyer from Savannah, Ga., and Robert W. Hill Jr., of Chattanooga.

The motions were submitted with copies of several letters between Ray, Hanes, Foreman and author William Bradford Huie, who had a contract with Ray for his autobiography and inside story of the slaying.

Ray's motion said he was deprived of his right to effective legal counsel by the conflicting interests his attorneys had in making publication contracts with Huie for Ray's inside story.

It also quoted a letter from Huie saying Ray should not be allowed to take the witness stand in his own defense because "I would have no book" if he did.

Another letter said that part of the financial agreement between Huie, Ray and Hanes, signed July 8, 1968, shortly after Ray's arrest in London, provided that Ray would be paid \$5,000 a month until a total of \$35,000 was paid him by Huie.

A letter from Huie to Ray, dated March 7 this year, said that Huie paid a total of \$40,000 to Ray and his attorneys, of which \$10,000 went to Foreman and the remaining \$30,000 to Hanes.

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

I-6 LA Times
Los Angeles,
Calif.

Date: 4-8-69
Edition: Home
Author:
Editor: Nick B. Williams
Title: Murkin

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

☐ Being Investigated

(Mount Clipping in Space Below)

Ray Sues to Void Contracts for Royalties

NASHVILLE (AP)—James Earl Ray, serving a 99-year sentence in the death of Dr. Martin Luther King, sought Friday to void contracts for at least \$200,000 with his former lawyer and a biographer.

Robert Hill Jr., a Chattanooga lawyer, filed suit in U.S. District Court accusing lawyer Percy Foreman of Houston, and writer William Bradford Huie of Hartselle, Ala., of "looking out for their monetary interests, rather than the rights" of Ray.

Hill became associated in Ray's case after Ray announced he had fired Foreman after Ray pleaded guilty March 10 at Memphis.

Share of Royalties

The suit and exhibits show Foreman was to receive royalties up to \$165,000 from writings by Huie on Ray's life. Huie was to receive at least \$35,000 himself from the sale of magazine articles and a book entitled, "He Slew the Dreamer."

The result, the lawsuit said, was that Foreman had a "strong monetary interest in having Ray found guilty and sentenced to a 99-year term for a crime which he did not commit."

The development came as a spokesman for Criminal Court at Memphis said an announcement was expected Wednesday on a date for a hearing in

Ray's attempt to win a new trial on a first-degree murder charge in Dr. King's death. Ray fired Foreman after pleading guilty March 10.

Both the new trial bid and the attempt to nullify the contracts with Foreman and Huie are based on Ray's charges that he was pressured by Foreman — a charge which Foreman has denied.

Hill, meanwhile, told newsmen that he had been turned back by Warden Lake Russell when he sought to visit Ray at the state penitentiary Friday morning.

Harry S. Avery, state corrections commissioner, said no prisoner is allowed to visit anyone but his defense lawyer during his classification period, which takes about six weeks.

Dr. King was slain April 4, 1968, in Memphis.

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

I-6 Los Angeles Times
Los Angeles, Calif.

Date: 4/12/69
Edition: Home
Author:
Editor: Nick P. Williams
Title: Murkin

Character:

or

Classification: LA 44-1574
Submitting Office: Los Angeles

☐ Being Investigated

44-1574-227
SEARCHED INDEXED
SERIALIZED FILED
APR 14 1969
FBI—LOS ANGELES

(Mount Clipping in Space Below)

Attorney Calls Ray 'Innocent'

CHATTANOOGA, Tenn. (UPI)—James Earl Ray's new attorney said Saturday he believes his client is innocent of the slaying of Dr. Martin Luther King Jr. and that he is prepared to present "new evidence" at a hearing next Wednesday.

Attorney Robert Hill noted that Criminal Court Judge Arthur Faquin has said he will decide in Memphis Wednesday when he will hear arguments on Ray's motions for a new trial.

Hill said he wasn't sure whether Faquin would take new evidence at that time, but if so, "I do have new evidence in the case." The nature of the evidence was not disclosed.

The attorney said Ray's brother, Jerry, would be available to testify if the judge so desires, and that Jerry "had a good portion of proof and will cooperate."

Hill filed a petition in U.S. District Court in Nashville Friday charging that Ray was "pressured" into pleading guilty to the King slaying to protect the story and movie rights to his life—rights that Hill said might be worth "millions of dollars."

The 29-year-old lawyer, a karate expert who walks with a slight limp as a result of a childhood bout with polio, asked the District Court to void the contracts which Ray previously made with famed trial lawyer Percy Foreman and author William Bradford Huie, and another lawyer, former Birmingham Mayor Arthur Hanes Sr.

The petition contended Foreman "never intended for him (Ray) to have a fair trial and testify in his own behalf as this would then make the facts and

testimony public property and no one would or could have exclusive story rights in the matter."

Acting on Foreman's advice, Ray entered the guilty plea March 10 and, by prearrangement was sentenced to 99 years in prison. He now claims he did so after Foreman convinced him that it was his only chance of escaping the electric chair.

Ray's petition asking the court to void his contract with which Foreman would have received Ray's share of the royalties from anything Huie might write on the case—charged that the bargaining for the 99-year term "could easily have been done by any student fresh out of law school."

Explaining his role, Hill said: "The reason I became involved in the case basically came from my reading of the contracts under which Foreman, Huie and Hanes had become involved."

He said he took the case out of sympathy for Ray and "because I think Mr. Ray was done a great injustice."

Asked whether he thinks Ray is innocent, Hill replied: "Well, I believe in defending him—my personal viewpoint is immaterial, but since you have asked me, 'yes,' I do believe he is innocent."

Hill was permitted to talk with Ray Friday in the maximum security section of the Tennessee State Prison at Nashville, where Ray is being held.

The attorney said that although the state had charged that Ray killed King because of a deep-seated hatred for Negroes, this was not the case.

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

A-5 Herald-Examiner
Los Angeles,
Calif.

Date: 4-13-69
Edition: Sunday Final
Author:
Editor: Donald Goodenow
Title: Murkin

Character:

or

Classification: 44-1574
Submitting Office: Los Angeles

☐ Being Investigated

cc to Ben
4/15/69

44-1574-228

(Mount Clipping in Space Below)

Attorney Says Ray 'Duped'

NASHVILLE, Tenn. (UPI)—James Earl Ray was the dupe in the murder of Dr. Martin Luther King Jr., and is virtually assured of winning a new trial, his attorney said Tuesday.

Robert W. Hill of Chattanooga told newsmen following a three-hour and 15-minute conference with Ray at the state penitentiary that he discussed with Ray the new trial motion which will be heard in Memphis May 26.

Hill said they also discussed in passing the conspiracy aspects of the case.

"He (Ray) has no real knowledge of any conspiracy that I know of," Hill said. "He flatly just doesn't know. He doesn't have that much knowledge of what actually happened."

The slender, young attorney did not say who he thought had "duped" Ray and declined to say what type of alibi Ray will claim in the event a new trial is granted.

Ray has been confined to an isolated maximum security cell in the state prison here since March 11, the day after he pleaded guilty in Memphis to King's murder in exchange for a 99-year sentence.

If a new trial is granted, Hill said, Ray has no particular desire to testify but would be willing to do so "to explain facts that might be confusing."

Hill said Ray denied pulling the trigger of the rifle that killed King and he was convinced that Ray was innocent.

Implying that the room in which he talked with Ray may have been electronically bugged, Hill said he never felt completely free to talk with Ray in the prison.

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

A-11 Herald-Examiner
Los Angeles, Calif.

Date: 4-23-69
Edition: Night Final
Author:
Editor: Donald Goodenow
Title: Murkin

Character:

or

Classification: 44-1574
Submitting Office: Los Angeles

☐ Being Investigated

1 C.C. to Bu.

SEARCHED	INDEXED
SERIALIZED	FILED
APR 24 1969	
FBI — LOS ANGELES	

(Mount Clipping in Space Below)

HOW A KILLER ELUDED POLICE

Comment and Opinion

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

A-13 Herald-Examiner
Los Angeles, Calif.

MEMPHIS, Tenn. (AP)—There was no all-points bulletin issued to stop James Earl Ray the night he shot and killed Dr. Martin Luther King Jr. and fled Memphis in a white 1966 Mustang.

Police Chief Henry Lux, who for months had the impression that an automatic alarm had been broadcast, confirmed in an exclusive interview that no such bulletin was issued.

The widespread belief among law enforcement officers—and consequently the public—that a bulletin had been issued and that Ray had apparently escaped with ease in spite of it contributed to the suspicion that he might have been part of a conspiracy rather than a lone killer.

The judge in Ray's trial said in an interview afterward he was mystified over how Ray eluded the roadblocks that would have been established following an all-points alert. A hearing on Ray's motion for a new trial is scheduled for May 26.

Since there was no bulletin, there were no roadblocks or

checkpoints established at the nearest escape routes to neighboring Arkansas and Mississippi—or in Georgia, Alabama, Missouri, Louisiana, South Carolina, Virginia or Kentucky. Or anywhere.

"The first Memphis police radio transmission mentioning a white Mustang was logged at 6:11 p.m., April 4, 1968," said a Shelby County authority with intimate knowledge of the state's evidence.

King was shot at 6:01 p.m. Ray apparently was on the street and on his way within minutes. Had he begun his flight in the Mustang as late as 6:05 p.m., by 6:11 he would have been on the Memphis-Arkansas Bridge leading to Arkansas or no more than 10 minutes away from the Mississippi state line.

Chief Lux, in explaining the failure to issue an all-points bulletin, said: "At this time, we did not know for sure or have any proof that a white Mustang was involved. We had broadcast that the sus-

pect was believed to be in a white Mustang. This wasn't enough to put out an all-points. To do that, you usually have to indicate that a warrant has been issued and that you will extradite. Otherwise, the receiving states are not going to act on it."

Another explanation, given by Memphis police as well as police officials in other areas, was that the local situation was hectic and tense and that authorities were concerned about rioting and disorder.

In his trial before the late Judge W. Preston Battle, Ray drew a 99-year sentence March 10 under an agreement to plead guilty. Ray later repudiated the agreement and, following Judge Battle's death, was granted a hearing on his motion for a new trial.

During a series of exclusive interviews just before he died of a heart attack, Judge Battle said there were questions about the Ray case which troubled him, the chief one being Ray's flight.

Date: 5/14/69
Edition: Night Final
Author:
Editor: Donald Goodenow
Title: Murkin

Character:

or

Classification: LA 44-1574
Submitting Office: Los Angeles

☐ Being Investigated

44-1574B-230

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 15 1969	
FBI — LOS ANGELES	

He said: "To me, the escape seems miraculous. I don't see how he got from here to Atlanta in that white Mustang with an all-points bulletin out." Ray's abandoned Mustang was confiscated by the FBI in Atlanta April 11, 1968.

Investigation into this question showed that even a year after the slaying there were authorities in some neighboring states who still had the impression that there had been such a bulletin.

A spokesman for the Virginia State Police said: "We passed on an all-points bulletin." Georgia informants said they couldn't remember a specific message but "somehow we knew there was a Mustang." South Carolina sources said the details were now blurred but "we definitely remember an all-points bulletin."

But in none of these states, or any others, were there any unusual or nonroutine patrol actions, such as the setting up of roadblocks.

Chief Lux at first seemed certain an alarm had been broadcast to neighboring states. He explained:

"We have a direct telephone line to the Shelby County sheriff's office. It's automatic procedure to call the sheriff's office."

The sheriff's office has two-way radio communication with the Tennessee Highway Patrol and state police in Arkansas and Mississippi. That's how, according to Chief Lux, the adjoining states were alerted.

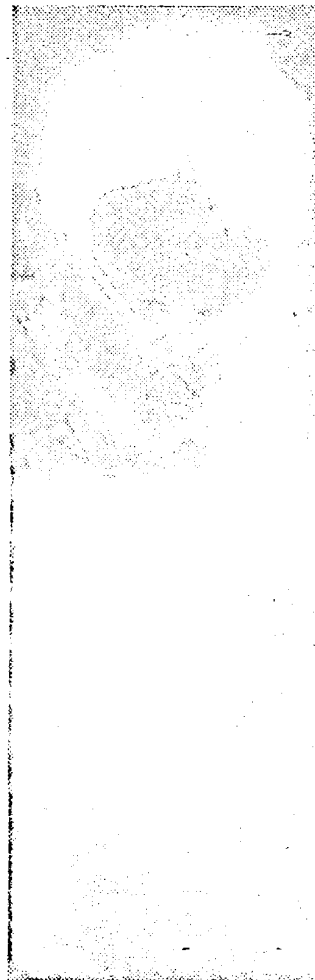
But Sheriff William N. Norris, questioned about his role the night of April 4, said:

"I never received any communication that night regarding a white Mustang or any request to transmit an alert to any other police agency."

The Tennessee Highway Patrol reported that it logged a statewide broadcast at 6:30 p.m., to be "on the alert for a late model Mustang, driven by a white male, with dark hair, neatly dressed, in connection with the slaying of Martin Luther King." But no roadblocks were established nor did the patrol issue an all-points to other areas.

"The reason we did not put out an automatic all-points is that the Memphis Police Department did not request it," said a highway patrol spokesman.

James Earl Ray,
shown here after
capture, killed
Martin Luther King
and slipped away
into the soft
spring night. He
drove a white
sports car and
his escape is termed
'miraculous.'



(Mount Clipping in Space Below)

Ray Had 'Spying' Camera

By BERNARD GAVZER

CHICAGO (AP) — During the time James Earl Ray was on the run as an escaped convict, he invested at least \$337.24 in camera equipment that could be used for undercover surveillance. He was so anxious to have it, he asked for it airmail special delivery.

There has been no explanation why Ray bought such equipment or whether it played any part—however remote—in the murder April 4, 1968, of Dr. Martin Luther King Jr. Ray got rid of the equipment sometime before the slaying.

His dealings with the Superior Bulk Film Co. of Chicago helped the FBI reconstruct Ray's movements up to the time of the shooting in Memphis.

Ray now is serving 99 years in Tennessee State Penitentiary. He is trying to get a new trial and to upset the agreement under which he pleaded guilty in order to escape the electric chair. A hearing is set for May 26 in Memphis.

Ray, using his alias, "Eric S. Galt," sent a postal money order Oct. 3, 1967, to Superior Bulk along with an order blank for purchase of a Kodak Dual projector, M95Z; a Kodak Super 8 Camera, Model D33, with a zoom lens; an HPI combination 8mm super splicer, and a 20 ft. remote control cable.

Asked what such equipment could be used for, Gunnar Burke, officer manager of Superior Bulk, said:

"There is no way to know why he wanted this equipment, but it is not unusual for someone wishing to make a film from a hidden position to use such a camera with a remote control cable. I can see the possibilities of a person doing surveillance work using such a camera setup. But I do not know, and he did not indicate his interest in any communication."

In his original order, Ray twice said he wanted the equipment sent to him quickly. He asked that it be shipped to him at 2608 Highland Ave., Birmingham, Ala. This was the Economy Grill & Rooms, a private home that had seen its glory and now was a cheap rooming house. Ray moved in Aug. 26, after coming from Montreal. He had been on the move since April 23, 1967, when he escaped from the Missouri State Penitentiary at Jefferson City.

"In his first order," Burke said, "he also wrote for manuals on sound strippers, an I&F automatic cine printer and a Eumig Mark S sound projector."

Superior Bulk sent the order to Birmingham but had to substitute a Crestline 8 camera on a loan basis because the Kodak Super 8 was out of stock temporarily.

On Oct. 5, Ray wrote he was returning the Crestline because it "has only one film speed and I wanted the Kodak M8 which has 4."

Ray stayed in Los Angeles until March 17, 1968.

Whether Ray thought he would be in Los Angeles for five months as certainty or whether this was merely a casual guess on his part cannot be determined. But before the five months were up, he was in Memphis, where he killed King.

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

B-1 Herald-Examiner
Los Angeles, Calif.

Date: 5/22/69
Edition: Night Final
Author: Bernard Gavzer
Editor: Donald Goodenow
Title: Murkin

Character:

or

Classification: 44-1574
Submitting Office: Los Angeles

☐ Being Investigated

CCB Bureau
5-23-69

44-1574B-51
APK

(Mount Clipping in Space Below)

Ray Case Judge Frees 7 on Contempt Counts

MEMPHIS (AP) — The judge who will hear James Earl Ray's bid for a new trial in the slaying of Dr. Martin Luther King dismissed contempt-of-court charges against seven persons Friday in connection with the Ray case.

Ray entered a guilty plea March 10 in the murder of Dr. King and was sentenced to 99 years in prison by Judge W. Preston Battle, who died later that month.

Judge Arthur Faquin, who took over after Battle's death, acted at the recommendation of a special bar association committee on publicity.

The committee had recommended that, because of Battle's death, four persons whom Battle had held in contempt should be granted new trials or the charges should be dismissed.

The four were Arthur J. Hanes, Ray's first attorney; Renfro T. Hays, a private investigator, and

two Memphis newspaper reporters, Charles Edmundson of the Commercial Appeal and Roy Hamilton of the Press-Scimitar.

The bar committee had recommended contempt proceedings against the three others but a hearing had not yet been held. They were George Bonebrake, an FBI firearms expert; author William Bradford Huie; and the Rev. James Bevel, a top official of the Southern Christian Leadership Conference.

Ray, bound in chains and escorted by 25 armed guards in an 11-car police caravan, was returned Thursday to the Shelby County jail.

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

I-20 Los Angeles Times
Los Angeles, Calif.

Date: 5/24/69
Edition: Home
Author:
Editor: Nick B. Williams
Title:

Character:
or
Classification:
Submitting Office: Los Angeles
☐ Being Investigated

44-1574-B-232

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 26 1969	
FBI — LOS ANGELES	

(Mount Clipping in Space Below)

Ray Case Judge Frees 7 on Contempt Counts

MEMPHIS (AP) — The judge who will hear James Earl Ray's bid for a new trial in the slaying of Dr. Martin Luther King dismissed contempt-of-court charges against seven persons Friday in connection with the Ray case.

Ray entered a guilty plea March 10 in the murder of Dr. King and was sentenced to 99 years in prison by Judge W. Preston Battle, who died later that month.

Judge Arthur Faquin, who took over after Battle's death, acted at the recommendation of a special bar association committee on publicity.

The committee had recommended that, because of Battle's death, four persons whom Battle had held in contempt should be granted new trials or the charges should be dismissed.

The four were Arthur J. Hanes, Ray's first attorney; Repfro T. Hays, a private investigator, and

two Memphis newspaper reporters, Charles Edmundson of the Commercial Appeal and Roy Hamilton of the Press-Scimitar.

The bar committee had recommended contempt proceedings against the three others but a hearing had not yet been held. They were George Bonebrake, an FBI firearms expert; author William Bradford Huie, and the Rev. James Bevel, a top official of the Southern Christian Leadership Conference.

Ray, bound in chains and escorted by 25 armed guards in an 11-car police caravan, was returned Thursday to the Shelby County jail.

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

I-20 Los Angeles Times
Los Angeles, Calif.

Date: 5/24/69
Edition: Home
Author:
Editor: Nick B. Williams
Title: Murkin

Character:

or

Classification: 44-1574
Submitting Office: Los Angeles

☐ Being Investigated

CC to Bureau

44-1574-P-1

1

LOS ANGELES

(Mount Clipping in Space Below)

King Slayer Loses Bid for New Trial

MEMPHIS (AP)—James Earl Ray, admitted assassin of civil rights leader Dr. Martin Luther King, was denied a new trial Monday.

Judge Arthur C. Faquin Jr. held that the evidence showed Ray had voluntarily and in good faith entered a guilty plea to the slaying. Under Tennessee law, the judge held, such a plea precludes a motion for a new trial, for postconviction remedies or an appeal.

Faquin, who succeeded the late Judge W. Preston Battle in the case, further held that Ray waived all rights to file a motion for a new trial or for an appeal.

He ordered Ray returned to the state penitentiary at Nashville to continue serving his 99-year term in the Nashville State Prison.

Ray was brought to Memphis Thursday and held under heavy ~~security~~ precautions in the county jail.

However, security measures for the hearing were considerably lessened over those enforced at Ray's March 10 trial. There were no pillboxes outside the building this time and the street in front was not blocked off.

Ray fidgeted in his captain-style chair as Faquin read his lengthy opinion. He crossed and recrossed his legs and alternately rested his head on his right or left hand.

J. B. Stoner of Savannah, one of Ray's attorneys, told the court the defense took exception to the ruling. He later said, "some move" would be made, but declined to say when or what it would be.

Faquin held that a section of the Tennessee Code which automatically grants a new trial should the judge die while such a motion is pending did not apply in Ray's case. He said Ray, by pleading guilty, irrevocably waived in advance any right of appeal for a new trial.

Ray did not take the witness stand.

Evidence Cited

Faquin ruled that Ray "knowingly, intelligently and properly" pleaded guilty to the King slaying during his trial. Faquin said there was ample evidence from the minutes of the trial that the plea was proper.

Ray wrote Judge Battle two letters from prison asking for a new hearing. Battle died in late March without acting on the requests.

Ray asserted that Percy Foreman, his second attorney, and a previous lawyer, Arthur J. Hanes, wanted him to circumvent a full-scale trial through a guilty plea so their royalties from books and motion pictures on his life would not be jeopardized.

He argued that if he had gone to trial, the facts in the case would have become court record and, therefore, would have been open to all parties wanting to write about them.

The prosecution stood firm on the position that Ray closed the possibility of an appeal or new trial when he pleaded guilty.

The state contended that Ray signed waivers during his trial and was not entitled to any appeal.

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

I-1 Los Angeles Times
Los Angeles, Calif.

Date: 5/27/69
Edition: Home
Author:
Editor: Nick B. Williams
Title: Murkin

Character:
or
Classification: 44-1574
Submitting Office: Los Angeles
☐ Being Investigated

SEARCHED	INDEXED
SERIALIZED	FILED
/ MAY 27 1969	
FBI — LOS ANGELES	

(Mount Clipping in Space Below)

4 Part I—Sat., May 31, 1969 Los Angeles Times 2★

Dismissed Penal Chief Admits Ray Fund Plan

Offered to Get Any Cash Hidden Away by King's Killer and Put It in Trust Account

NASHVILLE (AP)—Harry Avery, fired 24 hours earlier as state corrections commissioner, confirmed Friday that he had offered to place in a trust fund any money hidden away by James Earl Ray.

Avery's comment came in an interview with Jim Miller, WMAK radio newsman, after the Nashville Banner said the information was contained in a confidential report to Gov. Buford Ellington.

Ray is in maximum security at the Tennessee State Penitentiary, serving 99 years after pleading guilty to first-degree murder in the assassination of Dr. Martin Luther King in Memphis April 4, 1968.

Secret Agreement

The Banner, in a story by crime reporter Larry Brinton, said a report to Ellington by W. E. Hopton, director of the Tennessee Bureau of Criminal Identification, said, "Avery . . . had assured the killer of Dr. Martin Luther King that he would secretly get the hidden money and place it in a trust fund for Ray."

Asked about this in a tape-recorded interview with WMAK, Avery gave these details:

"I told him (Ray) that if he would write me the full truth about his connection with the slaying of Dr. Martin Luther King Jr., and if anybody wanted to pay him for the story, I

would deposit whatever was paid to him for that in his trust account at the prison.

"And that I would not take one cent of it. All I wanted to do was to tell the full truth. And that if he had any money hidden away that he received as a prepayment for his participation in the assassination, that if he'd tell me where it was, I would go get it and deposit that in the trust fund. That's what I told Mr. Hopton."

Motive Questioned

Asked if he were interested in trying to solve the King slaying, Avery replied:

"That's not necessarily true at all. One of my principal motives in talking with him (Ray) was to try to determine who we might protect him against out there at the prison."

The Banner said the report by Hopton quoted Avery as saying he conducted three lengthy interviews with Ray at the prison, aimed primarily at solving the King slaying as well as to gather material for articles and probably a book.

Ellington fired Avery Thursday, on the heels of a report by the International Assn. of Chiefs of Police which was highly critical of the entire state penal system. But Avery quoted the governor as saying his dealings with Ray were the basis for the dismissal.

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

PART I

PAGE 4

Los Angeles
Times

Date: 5-31-69

Edition: HOME

Author:

Editor:

Title: JAMES EARL
RAY

Character:

or

MURKIN

Classification:

Submitting Office:

☐ Being Investigated

44-1574-B-234

JUN 2 1969

(Mount Clipping in Space Below)

Dismissed Penal Chief Admits Ray Fund Plan

Offered to Get Any Cash Hidden Away by
King's Killer and Put It in Trust Account

NASHVILLE (AP)—Harry Avery, fired 24 hours earlier as state corrections commissioner, confirmed Friday that he had offered to place in a trust fund any money hidden away by James Earl Ray.

Avery's comment came in an interview with Jim Miller, WMAK radio newsman, after the Nashville Banner said the information was contained in a confidential report to Gov. Buford Ellington.

Ray is in maximum security at the Tennessee State Penitentiary, serving 99 years after pleading guilty to first-degree murder in the assassination of Dr. Martin Luther King in Memphis April 4, 1968.

Secret Agreement

The Banner, in a story by crime reporter Larry Brinton, said a report to Ellington by W. E. Hopton, director of the Tennessee Bureau of Criminal Identification, said, "Avery . . . had assured the killer of Dr. Martin Luther King that he would secretly get the hidden money and place it in a trust fund for Ray."

Asked about this in a tape-recorded interview with WMAK, Avery gave these details:

"I told him (Ray) that if he would write me the full truth about his connection with the slaying of Dr. Martin Luther King Jr., and if anybody wanted to pay him for the story, I

would deposit whatever was paid to him for that in his trust account at the prison.

"And that I would not take one cent of it. All I wanted to do was to tell the full truth. And that if he had any money hidden away that he received as a prepayment for his participation in the assassination, that if he'd tell me where it was, I would go get it and deposit that in the trust fund. That's what I told Mr. Hopton."

Motive Questioned

Asked if he were interested in trying to solve the King slaying, Avery replied:

"That's not necessarily true at all. One of my principal motives in talking with him (Ray) was to try to determine who we might protect him against out there at the prison."

The Banner said the report by Hopton quoted Avery as saying he conducted three lengthy interviews with Ray at the prison, aimed primarily at solving the King slaying as well as to gather material for articles and probably a book.

Ellington fired Avery Thursday, on the heels of a report by the International Assn. of Chiefs of Police which was highly critical of the entire state penal system. But Avery quoted the governor as saying his dealings with Ray were the basis for the dismissal.

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

I-4 Los Angeles Times
Los Angeles, Calif.

Date: 5/31/69
Edition: Home
Author:
Editor: Nick B. Williams
Title: Murkin

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

☐ Being Investigated

44-1574-E-234

SEARCHED	INDEXED
SERIALIZED	FILED
1 JUN 2 1969	
FBI — LOS ANGELES	

(Mount Clipping in Space Below)

King Slayer May Get Rehearing

MEMPHIS (AP)—A hearing may be held Monday to review the recent denial of a new trial for James Earl Ray in the assassination of Dr. Martin Luther King.

Richard J. Ryan of Memphis, a member of Ray's new team of attorneys, said that, even if no hearing were held, he believed Judge Arthur Faquin Jr. would at least issue a ruling on Ryan's request for a review.

Ray, who entered a guilty plea March 10 to the slaying of Dr. King, was refused a new trial May 26 by Faquin.

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

A-16 Los Angeles Times
Los Angeles, Calif.

Date: 6/15/69
Edition: Final
Author:
Editor: Nick B. Williams
Title: Murkin

Character:

or

Classification: LA 44-1574
Submitting Office: Los Angeles

☐ Being Investigated

44-1574-B-2-5

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 16 1969	
FBI - LOS ANGELES	

Bo Heum

(Mount Clipping in Space Below)

Ray Pleads For Review Of Denial

MEMPHIS, Tenn. (AP) — Attorneys for James Earl Ray asked for a review Friday of the recent denial of his new trial request, a move that could bring the case before the state Court of Criminal Appeals.

Ray, who entered a guilty plea March 10 to the slaying of Dr. Martin Luther King Jr., was refused a new trial last month by Criminal Court Judge Arthur Faquin Jr.

Richard J. Ryan of Memphis, a member of Ray's new team of lawyers, said he filed for permission Friday with the criminal court clerk to appeal the ruling against the new trial.

Ray said he expects Faquin to hold a hearing on the new legal maneuver Monday, or if no hearing is held, to at least issue a ruling.

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

PAGE 2

PASADENA
STAR

NEWS

PASADENA
CALIF

Date: 6-14-69

Edition: HOME

Author:

Editor: JAMES EARL

Title: RAY

Character: MURKIN
or

Classification:

Submitting Office:

☐ Being Investigated

44-1576-B-236

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 14 1969	
FBI - LOS ANGELES	

[Signature]

(Mount Clipping in Space Below)

James Earl Ray was denied a new trial by a Memphis court. The decision by Shelby County Criminal Court Judge Arthur Faquin Jr. was the latest step in an increasingly complicated effort by Ray to take back a guilty plea he entered March 10 to the slaying of civil rights leader Dr. Martin Luther King.

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

I-2 Los Angeles Times
Los Angeles, Calif.

Date: 6/17/69
Edition: Home
Author:
Editor: Nick P. Williams
Title: Murkin

Character:

or

Classification: LA 44-1574
Submitting Office: Los Angeles

☐ Being Investigated

44-1574-B-237

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 17 1969	
FBI - LOS ANGELES	

Chen

(Mount Clipping in Space Below)

An attempt by James Earl Ray to block publication of a book based on his handwritten memoirs was denied by a federal judge in Memphis. Ray, serving 99 years for the murder of Dr. Martin Luther King, was not in court. But a deposition claimed that contracts he had signed with his lawyers prejudiced his case.

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

I-2 Los Angeles Times
Los Angeles, Calif.

Date: 12/2/69
Edition: Tuesday Final
Author:
Editor:
Title:

Character:

or

Classification:

Submitting Office: Los Angeles

☐ Being Investigated

44-1514 B-136

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 2 1969	
FBI - LOS ANGELES	

(Mount Clipping in Space Below)

Judge Orders Exercise, Recreation, Job for Ray

Says Enforced Idleness Can Constitute Cruel Punishment for Dr. King's Slayer

NASHVILLE (AP)—A federal judge ordered Tennessee State Prison officials Monday to provide more exercise and a job to James Earl Ray, who declared earlier he prefers the threat of death at the hands of fellow inmates to remaining in solitary confinement.

U.S. Dist. Judge William E. Miller's order could result in Ray, the admitted killer of Dr. Martin Luther King, becoming a part-time food server and janitor in the prison's maximum security section.

Miller ordered the state to submit by Jan. 12 a plan incorporating "recreation, work and exercise" for Ray, who had sought an injunction against continued maximum security confinement. However, the judge did not order that Ray be permitted to mingle with other prisoners.

Ray contended solitary confinement is impairing his health and violating his rights.

The state said Ray, who was sentenced to 99 years in Dr. King's slaying, is being kept in the 6 x 9-foot cell here for his own protection.

"Enforced idleness can

be cruel punishment," Miller said in handing down his order, "particularly when it is only to protect him from bodily harm."

Miller described as constructive a suggestion by Warden W. S. Neil that Ray be allowed to help serve food to other maximum security prisoners while they were locked up, and that he be allowed to help janitors clean up. The judge reserved final judgment, however, until he receives the written plan.

Ray was asked at the day-long hearing whether

he feared harm from other inmates and replied, "I'd rather face that than 99 years in solitary."

Miller said at the outset he would decide only if the confinement violates Ray's rights under the Eighth Amendment which prohibits cruel and unusual punishment.

Lake Russell, the state commissioner of correction, told Miller:

"I'm ready to transfer him to Brushy Mountain right now." He referred to the state's maximum security prison at Petres in east Tennessee where there is one guard for each two prisoners.

At the Nashville penitentiary, Russell said, there are 300 guards for 2,000 inmates.

Neil, warden at the Nashville facility, said Ray was being kept in the prison's isolation section because "We don't want somebody to kill him and we don't want him to escape."

The warden said he also believed Ray might get more help from sympathetic white workers at the prison here, should he try to escape.

But he added that Ray would have to be guarded constantly no matter where he was confined.

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

I-13 Los Angeles Times
Los Angeles, Calif.

Date: 12/30/69
Edition: Tuesday Final
Author:
Editor:
Title:

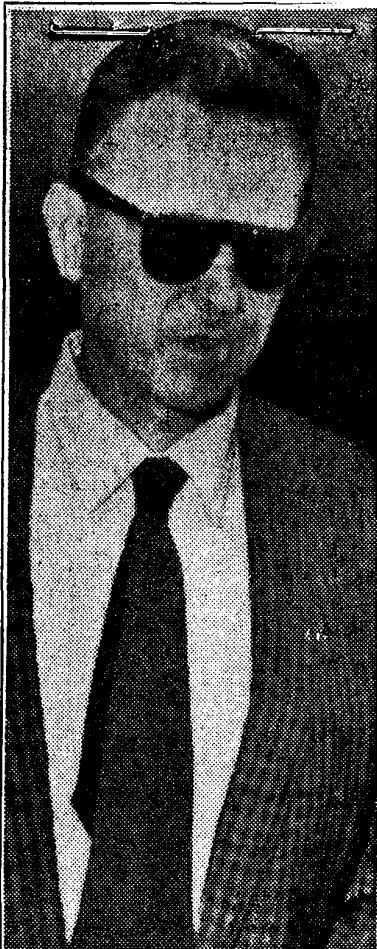
Character:
or
Classification:
Submitting Office: Los Angeles
☐ Being Investigated

44-1574-B-239

SEARCHED	INDEXED
SERIALIZED	FILED
1 DEC 30 1969	
FBI - LOS ANGELES	

[Signature]

(Mount Clipping in Space Below)



PREFERS RISK — James Earl Ray entering courthouse in Nashville where he said he would prefer risking death at hands of other prisoners than remain in his isolated cell.
 Story on Page 13, Part 1 in wirephoto

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

I-2 Los Angeles Times
 Los Angeles, Calif.

Date: 12/30/69
 Edition: Tuesday Final
 Author:
 Editor:
 Title:

Character:
 or

Classification:

Submitting Office: Los Angeles

☐ Being Investigated

44-1574-B-240

SEARCHED	INDEXED
SERIALIZED	FILED
1 DEC 30 1969	
FBI — LOS ANGELES	

[Signature]

(Mount Clipping in Space Below)



VENTURA COUNTY

Star-Free Press

Sec. B — 12 Vol. 95, No. 283 Aug. 15, 1970

To Cesar Chavez

Would your agreement with the Teamsters Union to divvy up the organizing of agricultural workers properly be called a "sweetheart pact"?

PA VENTURA

To Baseball Fans

The Flood case, it seems, turned out to be a mere trickle.

PA VENTURA

To Assemblyman MacDonald

Your demonstration of the need for a tighter clamp on dangerous drugs was timely and convincing.

PA VENTURA

To Native Americans

Officials are reported to believe the Alcatraz Indians will cooperate. That's what Custer thought, too.

PA VENTURA

To The FBI

Amid reports of your wiretap eavesdropping on the private life of Dr. Martin Luther King, one thing remains unexplained: How can any citizen's peccadillos pose a threat to the national security? That is the rationale for wiretapping, isn't it?

PA VENTURA

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

B-12 Star-Free Press
Ventura, Calif.

Date: 8/15/70
Edition:
Author:
Editor: Julius Gius
Title:

Character:
or
Classification:
Submitting Office: Los Angeles
☐ Being Investigated

44-1574-B-241

SEARCHED	INDEXED
SERIALIZED	FILED
AUG 20 1970	
FBI — LOS ANGELES	

(Mount Clipping in Space Below)

THE BOOK REPORT**An Appraisal of Martin Luther King****BY ROBERT KIRSCH***Times Book Critic*

THE KING GOD DIDN'T SAVE Reflections on the Life and Death of Martin Luther King Jr., by John A. Williams (Coward - McCann: \$5.95) is a book which swings between potboiling and honest anger, character decimation and penetrating appraisal, and illustrates, sadly and perhaps unintentionally, the punitive impulses within the black liberation movement.

Issued Statement

Williams has issued a statement in connection with the book which ought, in fairness, to have been included in the work itself. Obviously, it anticipates and attempts to disarm criticism: "I didn't sit down to do this book to reveal anything or to gossip." But the book is filled with the statements of anonymous informers on Dr. King's personal life, matters which, Williams claims, were used by the white Establishment to keep the black leader in

line and thus part of his standing of caste, his pretensions, his ambitions, even his omissions as a leader, at least as the author sees them.

But how much of this was really necessary? How much detail of "barnyard gossip" is necessary for Williams who claims that he has no interest in Dr. King as a private person, "except as it pertains to black people as a whole"? If this were the only deprecation of Dr. King, it might be understandable. But Williams excoriates him on every level: his lack of under-

standing of caste, his pretensions, his ambitions, even his omissions as a leader, at least as the author sees them.

Though he has a few good things to say about Dr. King, his basic point is to deny him most of the credit which has been given to him. He contends that Dr. King was a creation of the white press and the white Establishment, that in "the awesome exercise of white power in the United States, . . . it was this power, finally, that cut King down in conspiracy, and then conspired to plug the memory of the man with putty."

Williams suggests that whites loved Dr. King because nonviolence was safe and had not resulted in real freedom or equality for blacks. Then in some contradiction to the burden of the rest of the book, he goes on to say that Dr. King was killed because he "had been more or less hinting in public that the alternative to his philosophy could only be violence. He had not gained the victories he needed to weaken the growing press-manufactured power and publicity of the 'black militants.' He had spoken out in condemnation of the

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

IV-13 Los Angeles Times
Los Angeles, Calif.

Date: 8/20/70
Edition: Thursday Final
Author:
Editor:
Title: MURKIN

Character:

or

Classification: 44-1574

Submitting Office: Los Angeles

☐ Being Investigated

44-1574-B-242

SEARCHED	INDEXED
SERIALIZED	FILED
AUG 20 1970	
FBI - LOS ANGELES	

103

Vietnam War; he had ex-coriated the institutions that constitute the white power structure, while publicly refusing to acknowledge the validity of black power."

Yet the very existence of this book and its tone raise serious questions. Obviously black militants were as opposed to Dr. King as white extremists (though Williams contends that all but a handful of whites really felt joyful at Dr. King's death!); the most critical work so far to appear is precisely this one written by Williams.

Punitive Impulses

The pity is that punitive impulses know no color line. Black leaders turn on each other with depressing regularity. In his statement Williams knows the truth: "White people didn't have to lay a finger on him for, like most of us, he was crippled in subtle ways by the screaming eagle of racism. The vic-

tim of the eagle often turns in on himself, apes the views and habits of those who have oppressed him."

And this is precisely what Williams has done, consciously or unconsciously, intentionally or unintentionally. It is all the more a shame because he is a fine writer and, in general, a thoughtful man. Here he has written a screed which for all the occasional truths it uncovers about the thinking and feeling of blacks in America, echoes the inverted prejudice of one of his anonymous barnyard informants, "Martin," Person B told him, "was nothing but a Southern country boy, naive as hell about almost everything."

The antidote to the myth of Dr. King must surely one day be written but it cannot be this anger-distorted perspective. He was a man of consequence, flawed as all of us are,

black or white, but deserving, at the very least, of compassion, understanding and recognition, all of which are in short supply

in this self-indulgent book, which applies standards to Dr. King the author might not want applied to his contribution to the liberation of blacks in America.



Robert Kirsch

(Mount Clipping in Space Below)

Ray Fails In New Escape Attempt

PETROS, Tenn. (UPI) — James Earl Ray, the slayer of Dr. Martin Luther King Jr., has bungled another attempt to escape from prison, authorities said Monday.

State Corrections Commissioner Mark Luttrell said the attempt occurred Feb. 5 and resulted in Ray being put back in a disciplinary cell at the maximum security Brushy Mountain State Prison.

"He was found crawling to or from a place where he could work and not be seen," Luttrell said.

Warden Robert Moore said Ray had acquired a makeshift handsaw and was attempting to saw a hole through the ceiling of a room adjoining an auditorium where inmates watched movies.

The lights came on too soon, Moore said, and the guards saw Ray slipping out of his secluded work area.

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

A-3 Herald-Examiner
Los Angeles, Calif.

Date: 2/15/72
Edition: 8 Star
Author:
Editor:
Title:

Character:
or

Classification:

Submitting Office: Los Angeles

☐ Being Investigated

44-157624-18

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 16 1972	
FBI - LOS ANGELES	

#107

(Mount Clipping in Space Below)

Bell Indicates He Doubts King Assassin Acted Alone

BY RONALD J. OSTROW

SEATTLE—Atty. Gen. Griffin B. Bell said Sunday that he had changed a secret Justice Department report's conclusion that James Earl Ray had acted alone when he assassinated Martin Luther King.

Bell, contending that the conclusion was "extraneous" to the purpose of the report, indicated he had doubts about Ray's capacity to carry off the crime singlehandedly.

He said the purpose of the report was to determine whether there had been cause for a lengthy FBI surveillance of the civil rights leader and to assess the quality of the FBI's assassination investigation.

The report was prepared at the request of Bell's predecessor, Edward H. Levi, in the wake of disclosures that the FBI had harassed King for several years and had wiretapped and bugged him extensively.

The report has not been released, but parts of an earlier version were leaked when Levi gave copies to several congressional chairmen.

Bell, appearing on the CBS television program Face the Nation, said the report was "couched in terms of assessing the type job the FBI did" in investigating King's slaying. In a subsequent interview, he disclosed that he had treated the report as a draft and had altered the conclusion that no conspiracy existed.

Bell said that the conclusion was "gratuitous."

"I had that part changed," he said.

The attorney general, who is attending the winter meeting of the American Bar Assn. here, said that he had asked that the report's authors discuss whether "Ray had the mental capacity" to arrange the assassination and travel through Canada and to England before he was apprehended.

Bell said that Ray, whose criminal career had been notably unsuccessful before the King slaying, had spent most of his life in penitentiaries. He said that Ray's extensive travels after the assassination "puzzled me." He directed also that Ray's IQ score be listed in the report.

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

I-1 LOS ANGELES
TIMES
LOS ANGELES, CA

Date: 2/14/77
Edition: Monday Final
Author: Ronald J. Ostrow
Editor: William Thomas
Title: MARTIN LUTHER
KING

Character:

or

Classification:

Submitting Office:

Los Angeles
☐ Being Investigated

44-1574B-244

SEARCHED.....	INDEXED.....
SERIALIZED 442	FILED 442
FEB 14 1977	
FBI - LOS ANGELES	

Bell said he had asked two or three other persons to study the report and advise him on whether to make it public.

On the conspiracy question, Bell said, "I think if you read the report you could lean to either side on it. You could say there is no evidence of a conspiracy, but you could still wonder if there happened to be a conspiracy."

Bell said he favored releasing the report but wanted to be certain that it did not "embarrass anyone."

According to testimony before the Senate Intelligence Committee, the FBI planted electronic bugs in hotel rooms that King occupied and then mailed a tape of the illicit eavesdropping to King and his wife, Coretta.

Bell cited the King investigation and the current investigation of alleged Korean influence peddling on Capitol Hill as examples of matters that drew much attention here in Washington but not in the rest of the country.

In defending his decision to press for speedy action in the Korean investigation, which Justice Department officials have described as highly complex and requiring far more work, Bell said that a corrosive Watergate atmosphere had festered too long.

In reply to questions at a news conference after the program, Bell said that the law of school desegregation, and the Supreme Court had ruled busing could be used as a last resort rather than a basic remedy. He suggested that the Administration would encourage use of local, multiracial committees to devise school desegregation plans that "may not suit everybody but will be the best under the circumstances."

Bell said also that neither the attorney general nor the Justice Department had authority to conduct warrantless break-ins. But he left open the possibility that, in his view, the President could order warrantless break-ins under some circumstances to protect national security.