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Bureau File Number 44-38861

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SEE VOL 1
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See next Section

SHAW-WALKER 18-37972

44-1987-Sub-C

CLASSIFICATION NO.

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Volume Number

Serials

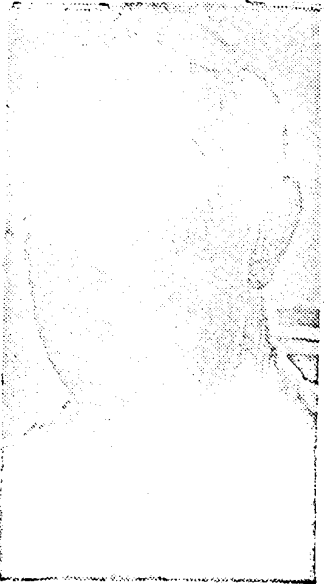
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PEACEMAKER
DESTRUCTION

(Mount Clipping in Space Below)



CHARLES STEVENS

* * *
Wants Out

Witness In Ray Case 'Bored'

By ROY B. HAMILTON
Press-Scimitar Staff Writer

Complaining that he's "tired and bored" with prison routine, Charles Quitman Stephens, a key state witness in the James Earl Ray case, today hired two private lawyers in what apparently was a preliminary move to regain his freedom.

At a hearing this morning, Criminal Court Judge W. Preston Battle approved a court order relieving public defender Hugh Stanton Jr. as Stephens' counsel and appointed Harvey L. Gipson to replace him. Gipson will be assisted by his law partner, J. Fred Friedman.

Stephens, a balding 46-year-old disabled war veteran with a drinking problem, has been held as a material witness in the Shelby County penal farm in lieu of \$10,000 bond.

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

PAGE 1+9

MEMPHIS PRESS
SCIMITAR

MEMPHIS, TENN.

Date: 8/9/68
Edition: Home
Author:
Editor: CHARLES T. JENNINGS
Title: JENNINGS

Character:
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NO COMMENT

Gipson declined to say whether he would seek to have Stephens released, stating he was forbidden by court edict from commenting on the case.

However, his client was in the court for today's hearing and a reporter heard him say several times that he wanted out.

At one point during a court recess, Robert K. Dwyer, executive assistant attorney general, stopped by Stephens' chair and asked him how he was getting along at the penal farm.

"Fair, I guess," but I'm

tired and bored out there," the witness replied. "I feel like those walls are closing in on me."

It was at the state's request that Stephens was placed in protective custody pending Ray's trial scheduled Nov. 12 in the slaying of Dr. Martin Luther King. Stephens was first confined in county jail but was recently transferred to the penal farm by Judge Battle, who thought Stephens would like it better there.

At the time of Dr. King's murder, Stephens said he saw a man fleeing from the second floor bathroom at 222½ South Main from which the fatal shot was said to have been fired.

(Mount Clipping in Space Below)

By GEORGE BRYAN

An electrician's wrench yesterday short-circuited an electrical panel in the basement of Shelby County Jail, injuring the electrician and knocking out all power and telephone service in the building where James Earl Ray is awaiting trial on charges he murdered Dr. Martin Luther King Jr.

Officials said Edward Bryeans, 28, of 4032 Argonne, an electrician for McBride Electric Co. was working on an electrical control box when the wrench he was using apparently touched some wiring, causing an explosion and fire.

Mr. Bryeans stumbled from the basement and collapsed on the grass outside following the 11:10 a.m. accident. The fire was under control nine minutes later. Mr. Bryeans was released after treatment at Methodist Hospital for burns on his arms and smoke inhalation.

Telephone communications within the four-story gray stone building were disrupted for nearly four hours. Calls were received by the main switchboard, however, and

messages relayed by runners.

Electrical power was restored at 8:05 last night. Portable generators were brought in to light the cell of the jail's most famous prisoner in the meanwhile.

Also knocked out by the power failure was the closed circuit television system which keeps Ray's every move under surveillance. It also stopped the air conditioners that were installed in the third floor cell block after outside ventilation was blocked by steel plates installed over the windows.

Charles Holmes, press officer in the Ray case, said Ray's cell remained cool during the blackout but humidity made it somewhat uncomfortable.

The other cell blocks in the building are not air conditioned.

Sheriff William N. Morris, out of town for the weekend, and Chief Deputy Roy Nixon, who is on vacation until Tuesday, were both advised of the fire and blackout. Neither were expected to return to duty immediately because of the accident.

Arthur J. Hanes, attorney for Ray, was visiting with his client yesterday morning at the time of the accident.

Neither Ray nor any other prisoner in the building was threatened by the minor blaze. Meals were served "as usual" since the cooking stoves are gas.

Hanes Visits His Client, Sees No Need To Delay

Birmingham lawyer Arthur J. Hanes came to Memphis yesterday "to talk to people in town" on matters relating to the trial of James Earl Ray.

Mr. Hanes, who plans to leave this afternoon or tonight, said he spent 2½ hours at the County Jail yesterday talking with his client, charged with killing Dr. Martin Luther King.

He declined to discuss his meeting with Ray but said that "the defense is shaping up and, as far as I'm concerned at the moment, I see nothing on my part to delay the start of the trial (set for Nov. 12)."

Reports earlier said that Memphis lawyer Russell X. Thompson was being considered to help Mr. Hanes with Ray's defense.

Mr. Hanes said last night, "I have not associated with any lawyer other than my son (Arthur J. Hanes Jr.) nor do we expect to."

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

PAGE 25

COMMERCIAL APPEAL

MEMPHIS, TENN.

Date: 8-9-68

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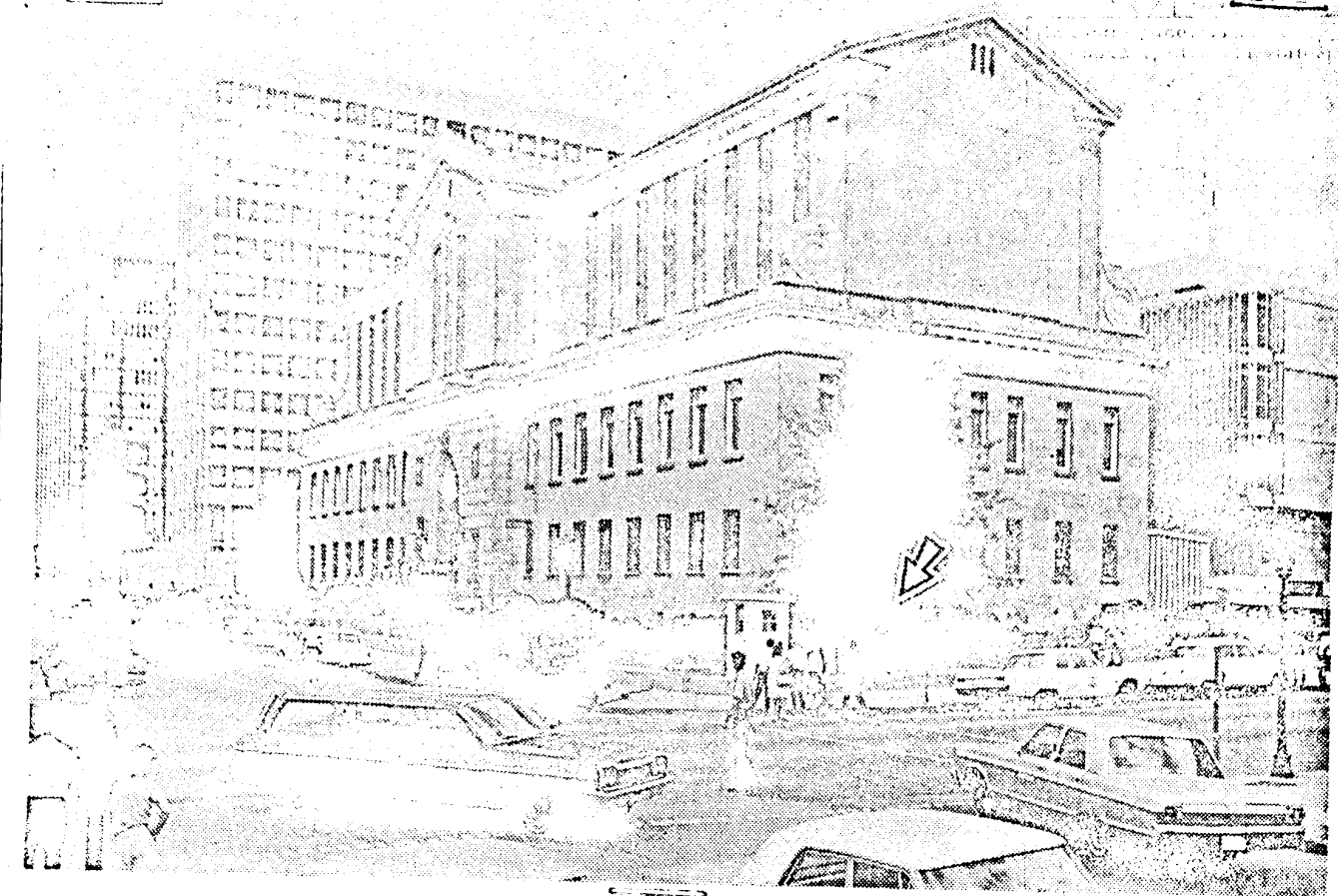
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44-1987-Sub C-175

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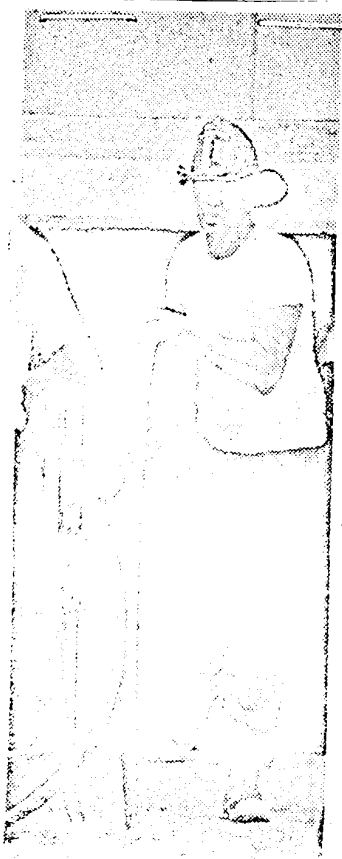
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Arrow Indicates Site Of Electrical Fire Which Blacked Out Jail

—Staff Photos by Fred Griffith



Mr. [Name]

Mr. [Name]

Mr. [Name]

Mr. [Name]

(Mount Clipping in Space Below)

Sam Sheppard Ruling Is Guide For Ray Case

By **ROY B. HAMILTON**
Press-Scimitar Staff Writer

IN HANDLING the James Earl Ray case, Criminal Court Judge W. Preston Battle is closely following what the Supreme Court said in another famous case — Sheppard vs. Maxwell.

Judge Battle's latest order clamping down on public statements by persons involved in the Ray case not only refers to the Sheppard decision, but language of the two is parallel in spots.

The Supreme Court, in the Sheppard decision of 1966, reversed the conviction of Dr. Sam Sheppard, Cleveland Ohio, osteopath accused of murdering his wife in 1954. Sheppard, who had spent the intervening years in prison, was granted a new trial and acquitted.

The crime and the trial were among the most highly publicized of modern times.

The opinion was written by former Associate Justice Tom Clark. His son, U.S. Atty. Gen. Ramsey Clark, was among those reprimanded by Judge Battle last week for making public statements in the Ray case in violation of principles set forth in the Sheppard decision. The attorney general had said there was no evidence of a conspiracy in the shooting of Dr. Martin Luther King Jr. Ray, accused of killing King, is scheduled to stand trial in Judge Battle's court beginning Nov. 12, on a first-degree murder charge.



Hamilton

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

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THE SUPREME COURT held that Sheppard was deprived of a fair trial because of the trial judge's failure to protect him from "massive, pervasive and prejudicial publicity and disruptive influences attending the prosecution."

For one thing, the Sheppard jurors were not locked up during the nine-week trial except during deliberation and then were allowed to make phone calls. In Shelby County felony cases, juries are locked up during the entire trial, and not allowed to telephone.

The Supreme Court held that procedures available to the Sheppard trial judge, if he had used them, "would have been sufficient to guarantee Sheppard a fair trial."

The court criticized the trial judge for not taking steps to control information released to the press and said what was published included "many prejudicial matters" which were never introduced in the trial.

"In a state murder prosecution," the court said in its decision, "the court should make an effort to control the release of leads, information and gossip to the press by such persons as police officers, the coroner, witnesses and counsel for both sides."

★ ★ ★

THE SUPREME COURT, attacking what it called "carnival atmosphere" of the trial, said newsmen should not have been permitted behind the courtroom bar.

The corridors, the rooms throughout the courthouse, and most of the seats in the courtroom were filled with representatives of the news media," the opinion stated.

"Newsmen handled and photographed trial exhibits lying on the counsel table, radio broadcasting was done from a room next to the room where the jury was deliberating, courtroom proceedings which were supposed to be private were overheard and reported by the press, and the noise of newsmen moving in and out of the courtroom made it difficult for counsel and witnesses to be heard."

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IN THAT STATEMENT the court complained of things never permitted anyway in Shelby County courts.

The Supreme Court did not question the right of the press to cover the Sheppard trial, pointing out that "a responsible press has always been regarded as the handmaiden of effective judicial administration, especially in the criminal field." But it held that the trial judge "compounded" his fundamental error by neither cautioning restraint nor using authority at its disposal to restrict prejudicial statements coming from official sources.

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IN THE RAY CASE, Judge Battle has issued three court orders. Very much evident in them are guidelines laid down by the Supreme Court in the Sheppard decision — and also earlier in the Billy Sol Estes case.

All principals in the Ray case, including defense and prosecuting attorneys, law enforcement officers, witnesses and courtroom personnel, have been forbidden to take part in interviews and press conferences. They were specifically enjoined from making "extrajudicial statements" relating to certain points—merits or evidence of the case, personal belief in Ray's guilt or innocence, plans or strategy for the trial, and credibility of witnesses. Even statements about the defendant's "treatment, acts and attitude" in his county jail cell were banned. (Sheriff William N. Morris got in trouble on this last point).

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THESE RESTRICTIONS were spelled out in detail by a special Bar Association committee appointed by the judge to advise him and were adopted as official court policy. Besides Sheriff Morris and Ramsey Clark, the committee also cited Ray's attorney, Arthur B. Hanes of Birmingham, and, Memphis attorney Russell X. Thompson, who is being considered as co-defense counsel, for making prejudicial statements.

Judge Battle has also laid down strict courtroom rules for the coming trial. Newsmen will not be allowed behind the bar at any time but will sit in the courtroom in the spectator section, as they were required to do at Ray's arraignment and again when the bar committee submitted its publicity report. Reporters will not be permitted to enter or leave the courtroom while proceedings are under way.

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NEWSPAPER AND TV CAMERAS have been banished from the courtroom—indeed, from the entire block of the Criminal Courts-Shelby County Office Buildings complex. Shelby courts have never allowed pictures to be taken in the courtroom during a trial, at least in recent years, but they could be made in a courtroom during recess with special permission from the judge and in the corridors outside the courtroom, which is considered a public area.

A press room is being set up to accommodate a huge contingent of newsmen from all over the world but it will be located a safe distance away from the courtroom, probably in the Shelby County Office Building.

(Mount Clipping in Space Below)

Jailed Witness Finds Luxuries Seriously Void

By CHARLES EDMUNDSON

At the Shelby County Jail Charles Quitman Stephens, held as a material witness in the slaying of Dr. Martin Luther King Jr., gets three adequate meals a day, has an air-conditioned private room, a television set, radio, telephone, newspapers, books and magazines—and is very unhappy.

Fact is, 57-year-old Charles Stephens, a World War II veteran with a metal plate in his skull, wants to chuck it all and get out. He wants out so badly he has fired Hugh Stanton Sr., chief public defender, and his counsel and hired two private lawyers.

Harvey L. Gipson and Jay Fred Friedman, Mr. Stephens' new attorneys, consider themselves bound to silence by a sweeping order issued by Judge W. Preston Battle, who will preside at the trial of James Earl Ray, charged with Dr. King's murder.

But a source close to Mr. Stephens said yesterday he is determined to get, if not complete freedom, then "at least some of the amenities other free American citizens are guaranteed by the Constitution."

Mr. Stephens has a drinking problem and has been in a shooting scrape or two. He also is believed to be able to identify a man he saw fleeing from the South Main Street rooming house from which the state contends Dr. King was shot. The attorney general's office says Mr. Stephens has been placed in custody both to assure his own protection and to assure his presence when needed to testify.

So Mr. Stephens is in prison without being charged or convicted of felony or misdemeanor. He has a record of having on occasion drunk too much but so, he says, have millions of others whose freedom has not been infringed.

His bond as a material witness is \$10,000. The United States Supreme Court is taking a hard look at such bonds to see if they are excessive. It might or might not sustain such a high bond in this case.

Three avenues are open to Mr. Stephens' attorneys. They can file a writ of habeas corpus seeking to have their client completely liberated. Or they can sue to have the bond reduced. Or they can demand conditions of a more amenable type.

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

—PAGE 7

—COMMERCIAL APPEAL

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Court Will Get Hide, Seek Game

Hanes Will File Motion To Gain Access To State Witnesses

By CHARLES EDMUNDSON

An eight-week-old legal game of hide-and-seek between defense and prosecution in the case of James Earl Ray, charged with the murder of Dr. Martin Luther King Jr., will be carried into Criminal Court this morning.

One of Ray's attorneys, Arthur J. Hanes Jr. of Birmingham, said he will file motions this morning to give him access to state witnesses.

Mr. Hanes' father, chief counsel for Ray, said one of his representatives has been refused an opportunity to talk to Charles Quitman Stephens, held under \$10,000 bond in the Shelby County Jail as a material witness in the case.

He said he has found other state witnesses unwilling to talk to him because of Judge W. Preston Battle's order restricting publicity.

Judge Battle's order says, "Nothing in this order shall prohibit any witness from discussing any matter in connection with the case with any of the attorneys representing the defendant or the state or any representative of such attorneys."

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

PAGE 3 /

COMMERCIAL APPEAL

MEMPHIS, TENN.

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In spite of this, it was learned, the defense has found most state witnesses, such as Miss Christine Kelley, clerk in the Rebel Motel on Lamar, where Ray is supposed to have spent the night before the murder, unwilling to talk.

Asst. Atty. Gen. James C. Beasley, who will help prosecute Ray, said protocol provides that attorneys on either side may see witnesses on the other.

"But it is up to each witness whether and how much he wants to tell. The attorney general's office often has great difficulty in finding witnesses it wants to see. Once found, they may refuse to talk until placed on the witness stand."

Ray's indictment folder in the Criminal Court Clerk's office shows the names of 14 state witnesses who have been served with the anti-publicity order.

Judge Battle said no hearing will be held today on the defense motions.

"The law allows an interval of five days before a hearing. There may be no hearing at all. It may be the state will concede Mr. Hanes' right to talk to the witnesses."

If Mr. Hanes wins this point and witnesses still refuse to talk to him, he indicated he will come back with a new motion to deal with the situation.

(Mount Clipping in Space Below)

A Risky Business

ALTHOUGH Judge Preston Battle has followed the direction and even the words of the Supreme Court in his order concerning pre-trial publicity for James Earl Ray the propriety and status of both his order and the law on the subject are unclear.

The order, which is daily affecting many people, is based on the Supreme Court's 1966 reversal of the famous murder conviction of Sam Sheppard. In that case the high court criticized the trial judge for not preventing a deluge of wild statements and a circus-like atmosphere before and especially during the trial.

The Sheppard case was an extreme example of how not to administer justice and was conducted in an atmosphere far different from that so far in Memphis. Officials leaked wild stories, newspapers declared Sheppard all but guilty and the trial itself was conducted in uproarious surroundings.

And the Sheppard reversal more than anything else was based on exposure of the jurors to masses of prejudicial material and treatment as celebrities, something Judge Battle could prevent without his present broad order.

ALTHOUGH the Supreme Court was clear in ruling the judge did not do enough in the Sheppard case it was unclear on how far a judge can and should go.

Relevant to Judge Battle's order, the high court did emphasize the need for a free press in keeping an open judiciary. Furthermore, it said the judge could have proscribed "extrajudicial statements by any lawyer, party, witness or court official which divulged prejudicial matters" and "requested" that appropriate government officials regulate statements by their employees.

Judge Battle made his order much more sweeping, in effect banning all statements, even information on the "treatment, acts and attitude of the defendant." He also extended it to all employees in the criminal court building, all law enforcement officers and all employees of lawyers in the case. He has, in short, partially abridged the free speech of a large number of people.

How far a judge may go in such rulings as they begin to conflict with free speech and vital public information has yet to be decided by the Supreme Court, though it is to be hoped the high court will continue its strong emphasis on these basic constitutional rights.

Trial courts ultimately will have to recognize they do not have a blank check in controlling public statements and that there are grave risks in orders such as Judge Battle's, which silently frighten scores of minor officials from revealing information which may be harmless or even something press and public have a substantial and functional right to know. Cutting off the pre-trial part of justice from the public eye is a very risky business.

As is often the case in our judicial

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

PAGE 6

COMMERCIAL APPEAL

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Submitting Office:

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44-1987-Sub-C-179

system two valid interests, guarantee of fair trial and freedom of press and speech, conflict and the line between them must be drawn with great care.

We wholeheartedly support Judge Battle in his attempts to make the protections of the Sheppard ruling real so that both defense and prosecution can have their honest day in court and we again urge proper restraint by all parties involved. But we must be frightened by the scope, nebulousness and dangers of the particular order Judge Battle wrote.

The task of the law and of judges in this case is not easy and no one should want a lot of wild statements floating around before and during the trial. But when courts edge toward limiting free speech and press they should show a judicial meticulousness and sensitivity to basic rights somewhat lacking in Judge Battle's order.

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Attorneys Seek Dismissal for Ray: Claim 'Prejudicial Publicity'

By **BROWN ALAN FLYNN**
Press-Scimitar Staff Writer

Attorneys for James Earl Ray, accused of slaying Dr. Martin Luther King Jr., today asked Criminal Court Judge Preston Battle to quash the indictment against Ray because of "pervasive and widespread" publicity in the case. They contend this has made it impossible for Ray to get a fair trial anywhere in the U.S.

Arthur B. Hanes Jr., who with his father will defend Ray, filed a motion to that

effect with the Shelby Criminal Court Clerk.

Hanes also asked the court for access to the state's evidence against Ray.

A tentative date to hear the motions was set for Sept. 6.

The motion to dismiss the indictment cited radio and television reports, magazine stories and newspaper reports which the attorneys claim are prejudicial to Ray.

The motion concerning evidence, if granted, would open the door to pre-trial ex-

amination of all papers and evidence collected by the attorney general's office in preparation for the prosecution of Ray.

The motion listed 21 separate items which the defense attorneys seek permission to examine.

Included in the list were any firearms owned by the defendant, any automobile and objects found in it owned by Ray, records or documents pertaining to motels, hotels or rooming houses, any photos "showing the de-

fendant or others sought in connection with the crime charged," and any penal records of Ray.

The defense also asked to see medical records in the case, passports and records of entry into the United States or other countries, military records, evidence of and tests of fingerprints of Ray, fingerprints of any other persons found during the investigation, ballistics and weapons tests, and any "expended slugs or fragments thereof."

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

PAGE 1

MEMPHIS PRESS
SCIMITAR

MEMPHIS, TENN

Date: 8/16/68

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Author:

Editor:

Title:

BROWN ALAN FLYNN
CHARLES M.
SCHEIDT

Character:

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MEMPHIS

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Minutes of the Grand Jury session during which Ray was indicted, names and addresses of all witnesses, autopsy reports and copies of all statements made by Ray were also sought.

The motion to dismiss the indictment stated that reports on the case have been so widespread "that any prospective jurors will have read and or heard prejudicial matter on many occasions and will have been repeatedly exposed to published matter tending to in-

fluence public opinion in favor of defendant's guilt and tending to remove that presumption of innocence which must accompany him (Ray) to trial."

The reports "have created such widespread prejudicial publicity that the defendant has been effectively precluded from receiving a fair and impartial trial," the motion stated.

Among exhibits attached to the motion were copies of a magazine cover showing a picture of Ray and a head-

line, "The Man Who Killed Dr. Martin Luther King Jr."

Another was a copy of a Life Magazine story about Ray with the caption, "The Revealing Story of a Mean Kid."

A third motion filed by Hanes was a motion to dismiss an indictment of Ray on a charge of carrying a dangerous weapon.

The motion stated that Ray was extradited for trial only on a murder charge and hence could not be tried on another charge.

(Mount Clipping in Space Below)

King Murder Is Lure To Authors

At least five authors are working on books on the assassination of Dr. Martin Luther King Jr. No one of them may earn a million dollars in royalties as did William Manchester, author of "Death of a President," the story of the assassination of President John F. Kennedy. But all expect to earn a tidy return on the time spent.

William Bradford Huie, a successful writer of novels and documentaries, has obtained book and movie rights for an account from hand written notes by James Earl Ray, accused of Dr. King's murder. From author's royalties and movie rights Mr. Huie has become a wealthy man. His "Three Lives for Mississippi,"

the story of three civil rights workers slain at Philadelphia, Miss., he grossed more than \$400,000.

Gerald Frank, author of several successful books, including "The Boston Strangler," plans to retrace practically every step of Ray's wanderings for the past two years. He has already begun plotting his book, to be published by Doubleday.

George McMillan, reared in Knoxville and now living in Atlanta, has a contract from Little, Brown.

Mr. and Mrs. David Yellin of Memphis are working on a monumental piece of social research on the causes and course of the Memphis garbage strike. This includes the strike as a setting for the murder of Dr. King. The Reader's Digest, of which Mrs. Yellin is a former associate editor, has furnished the primary financing in return for magazine rights.

What Mr. Huie paid Ray for book and movie rights has not been revealed. Both Mr. Huie and Arthur J. Hanes, Ray's attorney, sidestep all questions.



William Bradford Huie
—Staff Photo—

Mr. Hanes says defense contributions mailed to him in Birmingham and to Ray at the Shelby County Jail total only about \$300. Mr. Hanes says no right-wing organizations are raising defense funds, although at least one is known to have made an offer.

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

PAGE 7
COMMERCIAL APPEAL

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Bureau by
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Habeas Corpus Hearing Set

A hearing on a habeas corpus petition in Circuit Court tomorrow for Charles Q. Stephens, a witness in the James Earl Ray case, does not present a conflict of jurisdiction with criminal court, Atty. Gen. Phil Canale said today.

The habeas corpus petition will be heard by Circuit Court Judge William W. O'Hearn.

Ray's trial on a charge of murder in connection with the slaying of Dr. Martin Luther King Jr. will be held in Criminal Court, with Judge Preston Battle presiding.

Canale said the petition could have been filed in criminal, chancery or probate court, but as a matter of routine such petitions normally are filed in Circuit Court.

The petition was filed by attorneys for Stephens in an effort to have him released from jail, where he is held in lieu of \$10,000 bond as a material witness in the Ray case.

He was a resident of the rooming house from which the shot which killed Dr. King was believed to have been fired.

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

PAGE /

MEMPHIS PRESS
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Date: 8-20-68

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Author:

Editor: CHARLES H.

Title: SCHNEIDER

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Stephens Case Still Undecided

Charles Q. Stephens promised today to appear and testify in the King murder trial — but first Stephens wants his release from custody.

Stephens made the promise to appear as he testified before Circuit Judge William W. O'Hearn in a bid for freedom.

He has been held in county jail since July 22 as a material witness. He reportedly saw the suspected killer leave the rooming house on S. Main April 4 after firing the shot that killed Martin Luther King Jr.

In his court appearance, Stephens said he has cooperated in every way with authorities and has no plan to leave Tennessee before the trial.

Judge O'Hearn, conducting the hearing in Division 3 of Criminal Court because of greater security precautions there than in Circuit Court, will rule on whether Stephens should be released without a bond as he requested.

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

— PAGE /

— MEMPHIS PRESS
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— MEMPHIS, TENN.

Date: 8-21-68

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Editor: CHARLES H.

Title: SCHNEIDER

Character:

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Bureau
8-22-68*

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'Lead' Claimed In King Slaying

Arthur J. Hanes, defense lawyer in the King murder trial, told The Press-Scimitar he received a letter this morning that is "one of the best leads yet in the case."

Hanes quoted the writer as saying: "I would have contacted you sooner, but I'm in public work. I can't stick my neck out too far."

Hanes said in Birmingham, his home, that he received the letter there yesterday, and it was post-marked Memphis.

"I want to develop the truth of this thing," Hanes said, though he confirmed that he believes the lead in favor of his client, James Earl Ray, who is held in the Shelby County jail on a charge of killing Dr. Martin Luther King Jr.

The writer was anonymous, but asked Hanes phone number and exact address — phone (205) 324-9536 at Room 617 Frank Nelson Bldg., Birmingham.

The lawyer declined to reveal the lead, saying the evidence must wait for the trial.

"It directly bears on the case," he said.

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

PAGE 33

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Key Witness in Ray Case Walks Free After Jail

By CHARLES EDMUND DODSON

Charles Q. Stephens, 57-year-old key witness in the coming trial of the man charged with killing Dr. Martin Luther King Jr., walked free from the Shelby County Jail yesterday after a Circuit Court judge ruled his imprisonment as a "material witness" was illegal.

Judge William W. O'Hearn held that Mr. Stephens' imprisonment for the past 30 days was without legal justification and ordered his instant release.

"I cannot imprison a man because he is the victim of circumstances?" Judge O'Hearn asked. "Mr. Stephens promises to cooperate as a state witness. He has not violated the statutes. He cannot be imprisoned on conjectures as to what he might do."

Mr. Stephens is supposed to have seen a man identifiable as James Earl Ray, charged with Dr. King's murder, run from the second floor of a South Main Street rooming house from which the fatal shot was fired April 4.

Asst. Atty. Gen. James C. Beasley told the court the prosecution has no other witness who "can testify to the same material facts."

Mr. Beasley said Mr. Stephens was placed in jail "to keep him from being disposed of—to speak plainly." However, Police Chief Henry Lux said a three-shift bodyguard detailed to guard the witness in the Shelby County Jail would be discontinued. "We haven't the men to supply a bodyguard for Stephens," Chief Lux said.

Mr. Stephens was freed on a writ of habeas corpus. During the hearing Judge O'Hearn observed, "It would be naive not to consider that something could happen to him (if he is released)."

Atty. Gen. Phil M. Canale and the Memphis office of the FBI replied, "No comment," when asked if Mr. Stephens will be given a bodyguard, which he said he is willing to accept. He had a bodyguard outside the jail from July 5 to July 22.

On July 22, Criminal Court Judge W. Preston Battle, who will preside at Ray's trial, ordered Mr. Stephens held in default of a \$10,000 material witness bond. Until 3:30 p.m. yesterday he had been held in an air conditioned private room on the fifth floor of the Shelby County Jail.

It was the first of several pretrial orders issued by Judge Battle to be tested in another court.

Jay Fred Friedman, one of Mr. Stephens' attorneys, quoted his client as saying, "I'm going underground — out of circulation. Last time I opened my mouth they put me in jail. This time I'm going to keep my mouth shut."

Mr. Friedman said Mr. Stephens, a former heavy machinery operator drawing a partial disability pension of \$113 from the Veterans Administration, will remain in Shelby County as ordered by Judge O'Hearn and will be on hand to testify when the Ray trial opens Nov. 12.

Mr. Stephens testified he agreed to "take a room" at the jail upon being assured he could leave occasionally under

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

PAGE 55+68

COMMERCIAL APPEAL

MEMPHIS, TENN.

Date: 8/22/68
Edition: Final
Author:
Editor: FRANK R. AHLGREN
Title:

Character:

or

Classification: 44-1987

Submitting Office:

MEMPHIS

☐ Being Investigated

police protection and could have visitors. He said he had been allowed no visitors except his two attorneys.

Harvey L. Gipson, co-counsel for Mr. Stephens, objected that his client had been allowed fewer visitors than accused criminals and convicts.

Mr. Stephens who has a drinking problem, appeared in excellent health. He appeared 10 to 20 pounds heavier than when he went on jail fare.

He wore a blue, grey and white-checked sport shirt, gray slacks and soft-finished loafers.

Order Frees Key Witness

A confinement of 40 days that began voluntarily and ended with Charles Quitman Stephens (right) a prisoner was over yesterday when the man who has been identified as a key witness in the death of Dr. Martin

Luther King Jr. left the Shelby County Criminal Courts Building with Harvey L. Gipson, one of his attorneys. A writ of habeas corpus ordering the release was granted by Circuit Court Judge William O'Hearn.



2025 RELEASE UNDER E.O. 14176

(Mount Clipping in Space Below)

Guard Ordered For Witness

Memphis Police Providing
Full-Time Protection For
Charles Q. Stephens

By CHARLES EDMUNDSON

At the request of Atty. Gen. Phil M. Canale, Police Chief Henry Lux yesterday ordered a round-the-clock bodyguard for Charles Q. Stephens, expected to be a key witness in the trial of James Earl Ray, charged with fatally shooting Dr. Martin Luther King Jr.

"In spite of a critical shortage of personnel we are providing security to the best of our ability for Mr. Stephens," Chief Lux said.

"We point out, however, that we have no legal authority to influence the movements of Mr. Stephens to enhance his security. This was adjudged in Circuit Court yesterday (in a habeas corpus order issued by Judge William W. O'Hearn). Stephens was held in Shelby County Jail from July 22 until last Wednesday when Judge O'Hearn ordered him released.

"We further emphasize that maximum security for an individual who moves about at will is at best less than dependable."

Chief Lux said that at any time Mr. Stephens, who is known to have a drinking problem, decides to move outside the Memphis city limits, where the police have no jurisdiction, police security will cease.

"Our past experience taught us," Chief Lux said, "that security for Mr. Stephens was difficult and posed problems, as evidenced by our support of an attempt at court action to hold him in order to provide maximum security. This, in our opinion, was the only way we could provide maximum security."

"We also point out that the security we are providing necessitates diverting men from the investigation and suppression of crime, for which they are sorely needed in this area."

Mr. Stephens was a resident of the South Memphis rooming house from which the shot that killed Dr. King is said to have been fired April 4. Mr. Stephens told police he saw a man leaving a second floor communal bathroom seconds after the shot was fired.

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

PAGE 25

COMMERCIAL APPEAL

MEMPHIS, TENN.

Date: 8-23-68

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Author: FRANK R. AHLGREN

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Bureau 8-23-68
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(Mount Clipping in Space Below)

Ray's Lawyer Seeks 'Leads'

Arthur Hanes, attorney for James Earl Ray, said today he would attempt to question Charles Stephens, chief witness in the case, now that he has been released from Shelby County jail.

Stephens, who has been held as a material witness in the Dr. Martin Luther King slaying case since July 22, was ordered released Wednesday by Circuit Court Judge William W. O'Hearn.

Stephens will have police protection although police officials had earlier decided not to guard him.

At the request of Atty. Gen. Phil Canale, Police Chief Henry Lux reinstituted 24-hour bodyguard protection for Stephens.

Hanes, reached in Birmingham, said he has received no further information on a "lead" in the case he received earlier this week.

Hanes said he is still hoping the writer will contact him about the letter.

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

PAGE 10

MEMPHIS PRESS-
SCIMITAR

MEMPHIS, TENN.

Date: 8-23-68
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Editor: CHAS. H.
Title: SCIMITAR

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or

Classification:

Submitting Office: MEMPHIS

☐ Being Investigated

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(Mount Clipping in Space Below)

Hanes Says Ray Won't Appear

Court Moves Friday Won't Require His Presence, Attorney Says

By CHARLES EDMUNDSON
James Earl Ray, charged with slaying Dr. Martin Luther King Jr., will be absent from the courtroom Friday when defense and prosecution argue preliminary motions looking toward Ray's Nov. 12 trial.

Arthur Hanes, Ray's attorney, said at his office in Birmingham yesterday he will not have Ray in the courtroom. "His presence is not necessary for the argument of preliminary motions," Mr. Hanes said.

Mr. Hanes, accompanied by his son, Arthur Hanes Jr., co-consul for Ray, will fly to Memphis Thursday night. The hearing before Judge W. Preston Battle is set for 9:30 a.m. Friday.

One motion asks the court to provide the defense with access to all state witnesses and all items of physical evidence.

Atty Gen. Phil Canale has filed with the Criminal Court clerk his agreement to give the defense the names and addresses of its witnesses, several of whom are in voluntary protective custody. Mr. Canale agreed to give Mr. Hanes access to certain items of physical evidence, but indicated he will oppose an order to let the defense see all the evidence.

It appears that one contested item may be a fingerprint, said to be Ray's, found on a road map left in a white Mustang abandoned in Atlanta a day or so after Dr. King was shot here April 4. According to one report, the fingerprint conforms only to a certain number of the indices required for a positively identifiable fingerprint.

Mr. Hanes also may ask to see—and Mr. Canale may oppose his seeing—FBI ballistic studies of the fatal bullet in relation to the riflings of the barrel of the gun said to have fired the shot. The rifle was left on the sidewalk near 422½ South Main, minutes after Dr. King was shot on the balcony of the Lorraine Motel, a block east.

Also to be argued is a defense motion asking the court to quash Ray's indictment, on the ground that widespread publicity has made it impossible for a fair trial to be held anywhere in the United States.

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

PAGE 17

COMMERCIAL APPEAL

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FRANK R. ARLGREN

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44-1987-Sub C-188

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FBI - MEMPHIS	

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Hanes 'Not Satisfied' After Conference

By ROBERT KELLETT

Attorneys for James Earl Ray met yesterday with the man who has been characterized as the state's chief witness in its charges against Ray in the assassination of Dr. Martin Luther King and came away apparently displeased with their initial confrontation.

Arthur J. Hanes of Birmingham said last night, "we were not satisfied and that is all we can say" about the brief 12:30 p.m. meeting with Charles Quitman Stephens.

He said he and his son, Arthur J. Hanes Jr., may have more to say about the meeting in the offices of Mr. Stephens' attorneys after a court session this morning in which they are to argue three preliminary motions they have presented in the defense of Ray.

The attorneys and Mr. Stephens met with attorneys Jay Fred Friedman and Harvey Gipson in Mr. Friedman's offices in the 100 North Main Building for slightly more than 10 minutes. None would comment about what was said.

"Mr. Hanes did most of the talking. You'd have to ask him whether or not he was satisfied with the meeting," said Mr. Friedman. "Part of the time we sat back there and waited for the TV people to go." He said he did not know whether Mr. Stephens would discuss the case with Ray's attorneys in any future meetings.

"We have no interest in Mr. Hanes' lawsuit," he said. "We've tried ours and ours is over. Whatever Mr. Stephens knows, we don't know and don't want to know."

Mr. Friedman and Mr. Gipson successfully represented Mr. Stephens in a habeas corpus action seeking his release from Shelby County Jail, where he had been held as a material witness under \$10,000 bond. Mr. Stephens is said to have seen a man leave a rooming house on South Main soon after the fatal bullet was believed fired from the building.

Part of the apparent chill in the meeting appeared to be a

result of the presence of press and television representatives when the Birmingham attorneys arrived for the meeting which had been set at Mr. Hanes request.

"They (Mr. Stephens' attorneys) notified them to be there," said Mr. Hanes. "We were surprised. We did not want them there. We were chagrined and just said we couldn't talk with them there."

"And Stephens' city bodyguards were outside the door. Whether or not they were eavesdropping, I don't know."

Mr. Friedman said he did not know how news representatives learned of the meeting in his office.

Mr. Hanes, who said he does not anticipate his client's being present when his motions are heard this morning, said "there is a possibility" that he

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

PAGE 23

COMMERCIAL APPEAL

MEMPHIS, TENN.

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FBI - MEMPHIS

will meet today with persons who are believed to be state witnesses in the case.

One county source said that although Ray may not be in court today, security measures will be carried out in accord with the court's extensive order "pretty much" as if Ray were there.

One of Mr. Hanes' motions to be heard today asks the court to dismiss the first degree murder charge against Ray on the ground that "pervasive and widespread publicity" has made it impossible for him to receive a fair trial anywhere in the United States.

The motion, filed Aug. 16, said further that radio and television network programs "so canonized and so depicted the victim of the crime (Dr. King)" that "widespread public ~~outrage~~ and hatred have been generated" toward Ray.

Another motion asks dismissal of a charge that Ray carried a dangerous weapon for the purpose of going armed.

The third motion asks Judge Preston Battle, who has set the Ray trial for Nov. 12, to direct Atty. Gen. Phil M. Canale to give defense counsel access to all records, physical evidence and witnesses the state expects to use in the trial.

Mr. Canale has agreed to furnish names and addresses of prosecution witnesses to the defense and to make available, with proper protection, some but not all of the 20-odd items of physical evidence the defense asked to see.

Mr. Hanes yesterday ended speculation that he might associate with a local attorney in the defense of Ray. "We plan to have no local associates and for that matter never did have such plans."

(Mount Clipping in Space Below)

Ray's Attorney Charges Holloman Hurts Task

By CHARLES EDMUNDSON

Attorneys for James Earl Ray, charged with killing Dr. Martin Luther King Jr., yesterday won nearly all their motions in Criminal Court to gain access to prosecution evidence but immediately announced more motions will be filed.

Arthur J. Hanes of Birmingham, chief counsel for Ray, charged Fire and Police Director Frank Holloman with taking part in a "conspiracy of silence" blocking the defense from talking to prospective witnesses.

Mr. Hanes cited Capt. Charles G. Wardlow of Fire Station No. 2, near the Lorraine Motel where Dr. King was fatally shot April 4, as a prospective witness who said he had been told not to talk.

Mr. Holloman denied giving such an order.

"I told my men to check with the attorney general's office," Mr. Holloman said, "and that whatever is all right with them is all right with me."

Judge W. Preston Battle told Mr. Hanes to put his additional motions in writing. He set a hearing on the new motions for Sept. 18.

One of the motions, Mr. Hanes said, will seek to give him entrance to the room Ray is said to have occupied at a rooming house at 422½ South Main, from the bathroom of which the state claims the fatal shot was fired.

Judge Battle let Mr. Hanes argue at length that a "fog, a shroud of unfavorable publicity" has made it impossible for Ray to obtain a fair trial anywhere in the United States and then overruled a motion to quash the indictment.

"A juror acts in a quasi-judicial capacity," Judge Battle said. "I have been connected with the criminal courts since 1934. I have seen cases drenched with publicity. But I believe we have obtained fair and impartial jurors. My considered opinion is that we can do that in this case."

Judge Battle declined to issue a special order for witnesses to talk with Mr. Hanes. But he asked Memphis newspapers to note that his order on pre-trial publicity specifies that nothing in it is to inhibit conversations between prospective witnesses and counsel for the defense or prosecution.

Hanes was denied access to FBI ballistic test results, but told he could test fire the impounded rifle and have his own tests made.

The names and addresses of prospective witnesses fill more than six typewritten pages, said Asst. Atty. James C. Beasley, who did most of the talking for the state.

Mr. Hanes protested to the court that the conditions of Ray's imprisonment — on the fourth floor of the Criminal Courts Building, just above Judge Battle's courtroom — constitute "cruel and inhuman treatment."

Judge Battle asked Mr. Hanes to put his complaint in the form of a written motion, to be argued, like the others, Sept. 18.

The trial is set for Nov. 12.

Judge Battle ordered Ray's attorneys to be given access to scores of pieces of evidence the state is expected to use in its effort to convict the 42-year-old defendant, who was not in the courtroom yesterday.

This evidence includes the deer rifle said to be the fatal weapon, now in the safe of Criminal Court Clerk J. A. Blackwell; fragments of the fatal bullet; passport and visa records used by Ray under the alias of Ramon Sneyd; fingerprints found on a road map and other objects left in a white Mustang, now garaged in Atlanta and said to be the escape vehicle.

Other evidence Hanes is to see includes penal records of Ray, military records, including his proficiency as a marksman, motel, hotel and travel records, bank records, statements made by Ray, and names and addresses of all prospective witnesses.

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

Pg. 1, Commercial
Appeal, Memphis,
Tennessee

Date: 9-7-68
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Author: CHARLES EDMUNDSON
Editor: FRANK AHLGREN
Title: MURKIN

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Ray And Attorney Confer On Motions

Publicity, Evidence Access Are Included

James Earl Ray, charged with slaying Dr. Martin Luther King Jr., conferred at the Shelby County Jail yesterday with his attorney, Arthur J. Hanes Sr., on preliminary defense motions to be argued next Friday before Judge W. Preston Battle.

Neither defense nor prosecution will present witnesses at the hearing, it was learned, but will rely on legal arguments.

One of Mr. Hanes' motions asks the court to void Ray's first degree murder indictment on the ground that "pervasive and widespread publicity" has made it impossible for him to receive a fair trial. This is true, the motion argues, not only in Shelby County but throughout the United States.

Another motion asks Judge Battle to direct Atty. Gen. Phil Canale to give defense counsel access to all records, physical evidence and witnesses the state expects to use in the trial.

One witness Mr. Hanes wants to talk to is Charles Quitman Stephens, held in jail here for a month under a \$10,000 material witness bond. Circuit Judge William W. O'Hearn last week ordered Mr. Stephens released on a writ of habeas corpus alleging illegal deprivation of liberty.

Mr. Stephens, like three other material witnesses, is reported to have accepted police protection outside jail. Mr. Hanes contends he has a right

to see all such witnesses. Whether they want to talk to him is for them to decide.

Although Ray has been convicted of several crimes such as larceny or robbery, the jury in the King case would be technically uninformed about this unless Ray took the witness stand.

If he declined to take the witness stand, Judge Battle would be asked to instruct the jury to disregard anything they might have heard or read in regard to a criminal record.

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

PAGE 25

COMMERCIAL APPEAL

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(Mount Clipping in Space Below)

Book Fees Pay Ray's Defense, Huie Declares

**\$25,000 Has Been Received
With More To Come,
Writer Says**

By CHARLES EDMUNDSON

The legal defense for James Earl Ray, charged with killing Dr. Martin Luther King Jr., is being financed by payments Ray is receiving for book rights to his life story, William Bradford Huie, an Alabama free lance writer, said last night.

Mr. Huie, who lives at Hartselle, Ala., and has written several best sellers, most of them made into movies, said he has paid Ray \$25,000 since Ray was placed in the Shelby County Jail July 19. He indicated he expects to pay him considerably more.

"Ray delivered to me a first installment of 10,000 words, written in longhand, a month ago. Since then he has delivered 10,000 words more."

Ray spends a great deal of his time in jail writing and is expected eventually to produce at least 50,000 words, which Mr. Huie will polish into a finished product.

Mr. Huie, who spent Wednesday, Thursday and Friday in Memphis going over the murder scene at the Lorraine Motel and investigating other Memphis angles of the murder, said he has not yet gained permission to see Ray in his air-conditioned cell at the Shelby County Jail. "But I haven't given up hope. Judge Battle (Criminal Court Judge W. Preston Battle) did not turn me down flat when I talked to him three weeks ago."

"Meanwhile, I work through Ray's chief counsel, Arthur Hanes Sr. of Birmingham. In return for his legal services, he has a lien on everything I pay Ray, I suppose on everything Ray has or gets."

Mr. Huie, in a telephone interview from his home in Hartselle, said, "I don't particularly like paying somebody for his story but often there is no other way of getting the truth."

Mr. Huie said he got the material for his "Three Lives for Mississippi," the story of the murder of three civil rights workers near Philadelphia, Miss., in 1964, by hefty payments to "greedy Klansmen who knew the facts."

This book is being made into a motion picture. Some of the proceeds from movie rights are going toward paying Ray for his longhand manuscript. Mr. Huie says he hopes the Ray story, too, will be made into a motion picture, possibly a documentary.

Mr. Huie also wrote a book on the murder of Emmet L. Till, a young Chicago Negro, killed in Tallahatchie County, Miss., in 1955.

Mr. Huie said he has asked and received from Gov. Albert Brewer of Alabama special police protection as a result of threats made against his life after he spoke in various parts of the country against the candidacy of former Gov. George Wallace for president.

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

PAGE /

COMMERCIAL APPEAL

MEMPHIS, TENN.

Date: 9-11-68

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Editor: FRANK R. AHLGREN

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Character:

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MEMPHIS

☐ Being Investigated

'Ray Security Called Danger To His 'Sanity'

By CHARLES EDMUNDSON

The health of James Earl Ray, charged with slaying Dr. Martin Luther King Jr., is so threatened by security measures in force at the Shelby County Jail that he may not be able to stand trial as scheduled Nov. 12, a private detective employed by Ray's attorney said last night.

Renfro T. Hays, 40-year-old investigator with offices in the Commerce Title Building, compared some of the conditions in Ray's cell with "devices used by Communist police agents to destroy the health and balance of their victims."

Hays spoke of bright lights kept shining night and day, of television cameras constantly monitoring the prisoner and of and uninterrupted lack of privacy.

Arthur Hanes, Ray's attorney, complained of the same items to Criminal Court Judge W. Preston Battle in a preliminary hearing Friday. Mr. Hanes was instructed to put his complaint in writing. The written complaint is expected to be argued at another hearing Wednesday.

Mr. Hays said, his work in interviewing prospective witnesses has been easier since Judge Battle Friday repeated his caution that a court order restricting publicity is not to interfere with the right of witnesses to talk to attorneys for the prosecution or the defense.

Interviewed by telephone in Birmingham, Mr. Hanes said only he will have his motion asking security changes ready Wednesday. In court Friday Mr. Hanes charged the conditions "constitute cruel and unusual punishment."

Mr. Hays said he does not think the conditions criticized in Ray's cell result from intentional persecution.

"I don't for a moment think Sheriff Bill Morris is trying to drive this guy out of his mind. But it's the effect of this type of surveillance that counts."

Below)

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

PAGE 4

CRIMINAL APPEAL

MEMPHIS, TENN.

Date:

9-12-68

Edition:

Author:

FRANK R. ALLISON

Editor:

Title:

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Classification:

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MEMPHIS

☐ Being Investigated

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SEP 1 1968
FBI - MEMPHIS

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Hanes Has 'No Plans' For Delay

Ray's Attorneys
Still Planning
Trial Nov. 12

By ROY HAMILTON
Press-Scimitar Staff Writer

The defense for James Earl Ray, accused killer of Dr. Martin Luther King, has "no plans" to seek a postponement of his trial scheduled Nov. 12 in Memphis, Arthur J. Hanes Jr. said today.

"So far as I know we will be ready to go on the 12th," said Hanes, who is assisting his father, Arthur J. Hanes, in Ray's defense.

REPORT

It had been earlier reported that the senior Hanes had "intimated" in a Birmingham interview that Ray might not be able to stand trial in November because his health was being jeopardized by intensive security measures in his Shelby County jail cell.

Hanes Sr. was in court on another matter but his son, when asked about the report, said, "Some things are read into statements that are quite often only in the eyes of the beholder. I know of no plans to ask for a continuance."

COMPLAINT

The younger Hanes did confirm that Ray had complained about conditions in his cell and he said it was possible that a written motion may be filed next week asking for relief.

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

— Page /

— Memphis Press
Scimitar

— Memphis, Tenn.

Date: 9-12-68

Edition: Home

Author:

Editor: Charles H.

Title: Schneider

Character:

or

Classification:

Submitting Office: Memphis

☐ Being Investigated

44-1987-Sub-C-194

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FBI - MEMPHIS	

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The defence lawyers are due back in Memphis Wednesday to inspect items of physical evidence accumulated by the state for use in the prosecution. The defense won access to the state's evidence in a hearing last week in Judge W. Preston Battle's court.

QUOTED

In the earlier report, Hanes Sr. was quoted as saying that Ray has undergone "enough to bug anybody" during his confinement. He said Ray has had two guards "breathing down his neck 24 hours a day" and sometimes has to cover his eyes against the bright lights "shining on him night and day" in order to sleep.

Hanes charged that the security setup surrounding Ray constitutes "cruel and inhuman treatment."

(Mount Clipping in Space Below)

Prisoner Charges Ray Favoritism

A Shelby County jail prisoner today told of life there with James Earl Ray as a fellow inmate—and complained that it means guards neglect the others.

The prisoner, Carl Lindquist, described system of red lights flashing on whenever the door to Ray's specially built enclosure is opened. The Sheriff's Department said Lindquist is in jail on charges of carrying a pistol and robbery with a deadly weapon.

Lindquist said in a written report: "Since James E. Ray has been here, on many occasions they have set our food on the benches in front of our cells and went on 'red light' (which is when they feed Ray or anytime they open his door for anything).

"They usually stay on this red light for about 20 minutes, and while 72 men's food gets cold, they sneak in Ray's A-tank with his pad-locked stainless steel box

containing, I imagine something somewhat better than we get.

"For your information, the A-tank where Ray is being kept has 16 bunks for one man. They seal off the inside of this floor and you couldn't get a guard to unlock this side if you cut your throat, while the red lights are on.

"When they get finished with Ray and our food is

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

PAGE 145

MEMPHIS PRESS-
SCIMITAR

MEMPHIS, TENN.

Date: 9-17-68
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Author: CHAS. H. SCHNIEDER
Editor:
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9-18-68

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SEP 13 1968	
FBI - MEMPHIS	

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cold, they open back up, and come around and unlock our doors so we can eat."

In telling of unrest among other prisoners in jail with Ray, who is charged with the slaying of Dr. Martin Luther King Jr., Lindquist said:

"I do not know if Ray has reading material or not, but since he got here, they stopped ours. I do know he has a TV. They call it the guards. I think they should put a couple of TVs, one at each end of the tanks, for us. It's not uncommon in large jails to have TV and it also has been known to cut down a lot of fights, etc.,

"If they would put in the TV and call it the guards, we don't care. Just as long as we can watch it, we don't care what they call it. I do know without anything to read, and no recreation, and nothing to do all day, it's just a matter of time before all hell breaks loose, which nobody wants, but with so many men placed in a small confinement, it's bound to happen sooner or later."

Lindquist also said he felt a blood plasma program to help prisoners make money to buy cigarettes, stamps, envelopes and personal items would be desirable.

HANES

Meanwhile, Arthur Hanes, attorney for Ray, said he will not pursue a motion that would ask better jail conditions for Ray. He had lashed out earlier at around-the-clock lighting and television security of Ray. He said lights shine on Ray at all times and he has to sleep with his head under a pillow. Hanes said it was "enough to bug anybody" and said he feared for Ray's health.

Lindquist, 29, is from Tulsa, Okla. He has been in jail since March and his trial comes up Oct. 14. He is charged with two others in connection with the robbery.

Sheriff William N. Morris today took issue with some of the complaints that Lindquist made in his letter to The Press-Scimitar.

Morris conceded that county jail is overcrowded, but that this has been a continuing problem. He said conditions have been alleviated to some extent by opening up the jail facilities at the Penal Farm.

He said no recreational privileges have been taken away from the prisoners since Ray's arrival. He said there is no TV available, but prisoners are permitted radios and games such as cards, checkers and dominoes.

Morris said "the jail is one of the cleanest in the country and we serve the best food." He declined comment on Lindquist's reference to a red light system in connection with Ray's security.

Mail that prisoners send out and receive is read by guards but no attempt is made to censor it unless something involving jail security is mentioned.

"We wouldn't hold up any complaints made to a newspaper," Morris said.

(Mount Clipping in Space Below)

Ray's Lawyer, City Reporters Could Be Cited

Four persons, including the chief counsel for the defense, were ordered yesterday to show cause why they should not be held in contempt of a court order to restrain pre-trial publicity in the Dr. Martin Luther King Jr. murder case.

Criminal Court Judge W. Preston Battle, who will try the case, issued the order against Arthur J. Hanes Sr. of Birmingham, chief counsel for defendant James Earl Ray; Renfro T. Hays, a private detective in Mr. Hanes' employ; Charles Edmundson, a reporter for The Commercial Appeal, and Roy Hamilton, a reporter for the Memphis Press-Scimitar.

Judge Battle set the contempt hearing for Sept. 27.

He issued his order after receiving a "petition for contempt" presented by a committee of seven members of the Memphis and Shelby County Bar Association named to assist him in restraining publicity in the interest of a "fair and impartial trial."

Mr. Hanes had no comment on the contempt order, which was served on him after he arrived in Memphis last night. He said he would file some motions in Ray's case today, but declined to discuss them.

Judge Battle ordered both defense and prosecution attorneys, their agents and employees, all law enforcement officials of Memphis and Shelby County, all potential witnesses and all employees at the Court-house and the County Office Building from "giving interviews or making extra-judicial statements prejudicial to a fair trial by an impartial jury."

The order was stated to apply to these persons, all of whom were served with a copy of the order. Memphis newspapers and other news media were sent a copy of the order.

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

PAGE 1

COMMERCIAL APPEAL
MEMPHIS, TENN.

Date: 9-18-68
Edition: ...
Author:
Editor:
Title:

Character:

or

Classification:

Submitting Office:

☐ Being Investigated

44-1987-Sub-C-196

SEARCHED.....	INDEXED.....
SERIALIZED <i>lla</i>	FILED <i>lla</i>
SEP 18 1968	
FBI - MEMPHIS	

orig in file
Bureau
9-18-68
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One purpose of the show cause order, it was learned, is to determine whether the order applies by extension to the news media, though not specifically covered. To this extent the order may be plowing ground never before turned, in the United States at least, in determining the authority of a court to control publicity before the trial of an accused person.

Judge Battle's order includes a photostat of a story in The Commercial Appeal Thursday headed, "Ray Security Called Danger To His Sanity." The story quotes Mr. Hanes and Mr. Hays. Another exhibit is a photostat of a story in the Press-Scimitar Thursday headed "Hanes Has 'No Plans' For Delay" (of the trial, set for Nov. 12).

(Mount Clipping in Space Below)

Prisoner Charges Ray Favoritism

A Shelby County jail prisoner today told of life there with James Earl Ray as a fellow inmate—and complained that it means guards neglect the others.

The prisoner, Carl Lindquist, described system of red lights flashing on whenever the door to Ray's specially built enclosure is opened. The Sheriff's Department said Lindquist is in jail on charges of carrying a pistol and robbery with a deadly weapon.

Lindquist said in a written report: "Since James E. Ray has been here, on many occasions they have set our food on the benches in front of our cells and went on 'red light' (which is when they feed Ray or anytime they open his door for anything).

"They usually stay on this red light for about 20 minutes, and while 72 men's food gets cold, they sneak in Ray's A-tank with his padlocked stainless steel box

containing, I imagine something somewhat better than we get.

"For your information, the A-tank where Ray is being kept has 18 bunks for one man. They seal off the inside of this floor and you couldn't get a guard to unlock this side if you cut your throat, while the red lights are on.

"When they get finished with Ray and our food is

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

— PAGE 1

— MEMPHIS PRESS-
SCIMITAR

— MEMPHIS, TENN.

Date: 9-17-68
Edition:
Author: CHAS. A. SCHNIEDER
Editor:
Title:

Character:

or

Classification:

Submitting Office:

☐ Being Investigated

44-1987-Sub-C-197

SEARCHED	INDEXED
SERIALIZED	FILED
SEP 19 1968	
FBI - MEMPHIS	

RJ

Orig. + one furnished
Bureau 9-19-68

cold, they open back up, and come around and unlock our doors so we can eat."

In telling of unrest among other prisoners in jail with Ray, who is charged with the slaying of Dr. Martin Luther King Jr., Lindquist said:

"I do not know if Ray has reading material or not, but since he got here, they stopped ours. I do know he has a TV. They call it the guards. I think they should put a couple of TVs, one at each end of the tanks, for us. It's not uncommon in large jails to have TV and it also has been known to cut down a lot of fights, etc.

"If they would put in the TV and call it the guards, we don't care. Just as long as we can watch it, we don't care what they call it. I do know without anything to read, and no recreation, and nothing to do all day, it's just a matter of time before all hell breaks loose, which nobody wants, but with so many men placed in a small confinement, it's bound to happen sooner or later."

Lindquist also said he felt a blood plasma program to help prisoners make money to buy cigarettes, stamps, envelopes and personal items would be desirable.

HANES

Meanwhile, Arthur Hanes, attorney for Ray, said he will not pursue a motion that would ask better jail conditions for Ray. He had lashed out earlier at around-the-clock lighting and television security of Ray. He said lights shine on Ray at all times and he has to sleep with his head under a pillow. Hanes said it was "enough to bug anybody" and said he feared for Ray's health.

Lindquist, 29, is from Tulsa, Okla. He has been in jail since March and his trial comes up Oct. 14. He is charged with two others in connection with the robbery.

Sheriff William N. Morris today took issue with some of the complaints that Lindquist made in his letter to The Press-Scimitar.

Morris conceded that county jail is overcrowded, but that this has been a continuing problem. He said conditions have been alleviated to some extent by opening up the jail facilities at the Penai Farm.

He said no recreational privileges have been taken away from the prisoners since Ray's arrival. He said there is no TV available, but prisoners are permitted radios and games such as cards, checkers and dominoes.

Morris said "the jail is one of the cleanest in the country and we serve the best food." He declined comment on Lindquist's reference to a red light system in connection with Ray's security.

Mail that prisoners send out and receive is read by guards but no attempt is made to censor it unless something involving jail security is mentioned.

"We wouldn't hold up any complaints made to a newspaper," Morris said.

Press Stations In Ray Case

James Earl Ray's chief defense counsel, Arthur B. Hanes, two Memphis newspaper reporters and a private detective today faced possible contempt citations on charges of violating Criminal Court Judge W. Preston Battle's order restricting "publicity" in the Ray case.

Hanes and the others, Roy B. Hamilton of The Press-Scimitar, Charles Edmundson of The Commercial Appeal, and Renfro Hays, a private investigator employed by the defense, were ordered by Judge Battle to appear in his court at 9:30 a.m. Friday, Sept. 27, and show cause why they should not be held in contempt.

PETITION.

A petition seeking contempt citations against the four was filed yesterday by a committee of lawyers appointed by Judge Battle to advise him on publicity and courtroom procedures in the Ray case.

The committee said that in its opinion statements attributed to Hanes and Hays in stories appearing under Hamilton's and Edmundson's bylines in their newspapers last Thursday were in violation of the court's order.

The committee said the order, entered July 18, amended July 23 and supplemented July 30, prohibited and enjoined "the perpetration of certain specific acts in connection with publication given instant case."

STATEMENTS

The petition said the ban included extrajudicial statements involving "the treatment, acts and attitude of the defendant," and "all other statements" which might be prejudicial to his right to a fair trial.

The Commercial Appeal story quoted Hays as saying that security arrangements in Ray's county jail cell were endangering the prisoner's health and the defense might ask for a continuance of his trial scheduled Nov. 12.

The Press-Scimitar story

quoted Arthur J. Hanes Jr., who is assisting his father in Ray's defense, as saying there were "no plans" to ask for a postponement of the trial. The story also quoted Hanes as saying in a Birmingham interview that the round-the-clock guards, lights and TV scrutiny of Ray's cell constituted "cruel and inhuman treatment" and were "enough to bug anybody." These statements were not made to a Press-Scimitar reporter but were taken from a story by The Associated Press.

'EXHIBITS'

Copies of the two newspaper stories were attached to the petition as exhibits. The petition was signed by the following members: Lucius E. Burch Jr., J. Alan Hanover, Cooper Turner Jr., James D. Causey, Leo Bearman Jr., Lee A. Hardison and Don Owens, who is president of the Bar Association.

Hamilton and Edmundson were called separately into the office of Chief Roy Nixon, administrative assistant to Sheriff William N. Morris, where a deputy read and issued them copies of the court summons.

Judge Battle's order enjoined all principals in the Ray case, including attorneys and their employees, law enforcement officers, witnesses and others, from making public statements, but the injunction did not apply to reporters or the news media.

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

Page 14

MEMPHIS PRESS-SCIMITAR

MEMPHIS, TENN.

Date: 9-18-68

Edition:

Author: C. B. HANES, JR.

Editor:

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

☐ Being Investigated

44-1987-Sub-C-198

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SERIALIZED *ll*, FILED *ll*

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Aug 14 9-15-68

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(Mount Clipping in Space Below)

Proclamation Ray Is Called Cruel

By ROY B. HAMILTON
Press-Scimitar Staff Writer

Attorneys for James Earl Ray today asked Judge W. Preston Battle to alleviate what they described as "an electronic form of cruel and inhuman punishment" of the prisoner in his tv-monitored Shelby County jail cell.

The request was made in one of two written motions filed in the criminal court clerk's office this morning by Ray's father-son legal defense team, Arthur J. Hanes Sr., and Arthur J. Hanes Jr.

PRIVACY

In the other motion they asked to be allowed to confer privately with Ray in his cell. They charged they have never been able to talk to him outside of the presence of at least two guards and without being subjected to the scrutiny of television cameras and microphones monitored by the Sheriff's office.

The defense action came after Judge Battle ordered the elder Hanes, two newspa-

per reporters and a private detective to show cause why they should not be held in contempt for violating his anti-publicity edict in the Ray case.

A hearing on the contempt citation is scheduled at 9:30 a.m. Friday, Sept. 27, in Judge Battle's court. Argu-

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

PAGE 144

MEMPHIS PRESS-
SCIMITAR

MEMPHIS, TENN.

Date: 9-13-68

Edition: HOME

Author: CHAS. T. SCHNEIDER

Editor:

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

☐ Being Investigated

44-1987-Sub-C-199

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SEP 19 1968

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ments on the two motions could be heard at the same time, although no date for a hearing has been set.

INEQUIT

After leaving the clerk's office this morning, the Haneses went to Atty. Gen. Phil Canale's office one floor below in the Shelby County

Office Building and began inspecting the state's evidence against Ray in the slaying of Dr. Martin Luther King. The defense won access to the evidence in a previous hearing.

Hanes Sr., who declined immediate comment on the contempt charge, said he expected the examination of the state exhibits to take two or three days. Included among the items is a rifle

which the state contends is the death weapon.

One of the motions filed today complained that Ray "has been constantly and continuously illuminated by high powered lights and has been continuously surveilled by television cameras and microphones" connected to the sheriff's office. These security measures, it was alleged, are depriving Ray of sleep and rest and have caused him to become "nervous and disturbed."

PRISONER

"No other prisoner in Shelby County or throughout the free world is so illuminated or surveilled," the petition said. It also claimed that the cameras provide "an unwarranted and undetectable opportunity for illegal identification and or lineup of the defendant for the purpose of refreshing or suggesting the recollection of the defendant to potential material wit-

nesses."

Judge Battle was asked to order Sheriff William N. Morris to "cease and desist" from the use of TV lights, cameras and microphones,

or to grant ~~some other~~ form of relief.

CENSORSHIP

The lawyers also asked the court to direct the sheriff to

permit them to confer in private with Ray and to permit them to exchange notes and correspondence without censorship. They said the notes they make during consulta-

tions with Ray are now read by a guard before they are permitted to leave the jail. They also said Sheriff Morris reads and censors Ray's mail to his counsel.

(Mount Clipping in Space Below)

Prisoner Ray Seeks Privacy; Motion Filed

By JOHN MEANS

James Earl Ray is becoming "nervous and disturbed" by high-powered lights in his cell, and by television cameras and microphones that monitor him around the clock, a motion filed on his behalf says.

The legal paper asks Criminal Court Judge Preston Battle to order Sheriff William N. Morris Jr. to turn out the lights, disconnect the microphones and remove the television camera.

It was one of two such motions filed yesterday by Arthur Hanes of Birmingham, Ray's attorney. The other motion says Mr. Hanes is not permitted to talk to his client without two officers present, that the television camera and microphones pick up every word they say, and that he is searched for notes from his client before he is allowed to leave Ray's County Jail cell.

It asks that the accused slayer of Dr. Martin Luther King Jr. be allowed to confer in private "absent from the presence of law enforcement officers" with Mr. Hanes and Arthur Hanes Jr., his two attorneys, and "to permit defendant and counsel to exchange notes and to correspond without the censorship of the sheriff," stating that Ray's mail to his attorneys is read by Sheriff Morris before being sent.

Mr. Hanes and his son would not discuss the two motions yesterday, and left for Birmingham shortly after visiting the office of Atty. Gen. Phil Canale where they were allowed to inspect physical evidence involved in the nation's most celebrated murder case.

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

PAGE 4

COMMERCIAL APPEAL
MEMPHIS, TENN.

Date: 9-19-68
Edition: Final
Author: FRANK R. AHLGREN
Editor:
Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

☐ Being Investigated

44-1987-Sub-C-200

INDEXED	FILED
SEP 19 1968	
FBI - MEMPHIS	

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Bureau 9-19-68

Mr. Hanes, a private detective on his staff, and two Memphis newspaper reporters were ordered by Judge Battle earlier in the week to show cause Friday morning why they should not be held in contempt of court for violation of Judge Battle's order relating to publicity in the Ray case. The action was recommended by a committee of lawyers appointed by the judge to advise him on publicity and procedures in the Ray case.

(Mount Clipping in Space Below)

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

PAGE 4

COMMERCIAL APPEAL

MEMPHIS, TENN.

Date: 9-19-68
Edition:
Author: FRANK R. AHLGREN
Editor:
Title:

Character:

or

Classification:

Submitting Office:

MEMPHIS

☐ Being Investigated

44-1987-Sub-C-200

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
SEP 20 1968	
FBI - MEMPHIS	

(Mount Clipping in Space Below)

~~Chance For Testing~~ Rifle Is Bypassed

Comment On Bullet Pieces Declined By Hanes

Although authorized to do so by Criminal Court Judge W. Preston Battle, attorneys for James Earl Ray, charged with the murder of Dr. Martin Luther King Jr., said they have no present plans to test fire the rifle police say was the death weapon.

Attorney Arthur J. Hanes, who returned to his home in Birmingham Wednesday after filing new motions in the case, declined to say whether he eventually will have a ballistics expert fire the gun. The rifle is in the Criminal Court's safety vault in the County Office Building.

Mr. Hanes, who with his son Arthur Hanes Jr., is conducting the Ray defense, declined to comment on fragments of the fatal bullet taken from Dr. King's body in the Shelby County medical examiner, which he recently inspected.

The 30-caliber bullet was of the type used to hunt deer, it has been reported. Soft-nosed, such a bullet explodes upon impact.

The gun was found in front of Canipe Amusement Co. at 424 South Main, next door to the building from the rear of which Dr. King was shot.

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

— Page 38

— The Commercial
Appeal

— Memphis, Tenn.

Date: 9/20/68

Edition: Final

Author:

Editor: Frank R. Ahlgren

Title:

Character:

or

Classification:

Submitting Office: Memphis

☐ Being Investigated

44-1987-Sub-C-201

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llh

Rt

(Mount Clipping in Space Below)

White Mustang Sits In Pretrial Spotlight

By CHARLES EDMUNDSON

What is probably the most publicized white Mustang automobile in the world is due to be driven to Memphis today from Atlanta and placed under guard in a garage selected by the Memphis Police Department.

It is the 1966 white Mustang the state is expected to say was used by James Earl Ray to escape from Memphis April 4, minutes after Dr. Martin Luther King Jr. was shot and killed on the balcony of the Lorraine Motel.

The car was found on an Atlanta side street April 11 after a housewife, learning from a friend the FBI was searching for a white Mustang, exclaimed, "Why, I saw a man leave a car like that in front of my apartment the morning after Dr. King was shot. It's still there!"

The Atlanta police were notified. An inch-by-inch inspection of the car revealed some of the evidence which started the FBI on the way to having Scotland Yard arrest Ray in London June 8.

The Mustang was the subject of a mysterious broadcast from a police squad car of a running gun fight between its occupants and a "blue Pontiac." The broadcast, now believed to have had no basis in fact, was picked up by a ham radio operator who fed the information to a policeman in a squad car.

Arthur J. Hanes Sr., Ray's chief counsel, said in Birmingham last night he will fly to Memphis Wednesday to meet Exec. Asst. Atty. Gen. Robert K. Dwyer to listen to tapes of that broadcast.

The defense may contend the broadcast was inspired by Ray's co-conspirators, of whose murder plans they would say Ray had no knowledge.

The police search in Atlanta found in the Mustang green threads like those on a bedspread wrapped around a deer rifle left on South Main near the rooming house from which police say Dr. King was shot.

In a rooming house near where the Mustang was abandoned the FBI found letters addressed to Eric S. Galt, which they were soon to believe was an alias for Ray. FBI agents also found a road map yielding the best fingerprint of Ray they had been able to find.

This permitted Eric S. Galt to be identified as Missouri fugitive convict James Earl Ray, police say.

The Mustang is one of more than 20 items of evidence Arthur Hanes is authorized by Criminal Court Judge W. Preston Battle to inspect. It is understood the car is being returned here at this time so Mr. Hanes can look it over next week.

An officer of the Memphis police homicide squad received an advance of \$150 to fly on Eastern Airlines to Atlanta last night and drive the Mustang back.

In a separate action, Sheriff William N. Morris Jr. yesterday ordered barriers blocking Washington Street between Second and Poplar removed in a general lessening of the tight security that has prevailed around the Shelby County Criminal Courts Building since

Ray was returned from London almost two months ago.

At the same time, he ordered a corridor connecting that building with the Shelby County Office Building reopened.

The street barriers were removed after workmen completed placing heavy protective screens on all the windows of the Criminal Courts Building, which includes the Shelby County Jail where Ray is awaiting his Nov. 12 trial date.

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

Page 19

The Commercial Appeal

Memphis, Tenn.

Date: 9-21-68

Edition: Final

Author:

Editor: Frank R. Ahlgren

Title:

Character:

or

Classification:

Submitting Office: Memphis

☐ Being Investigated

SEARCHED INDEXED
SERIALIZED FILED
SEP 24 1968
FBI - MEMPHIS

44-1987-Sub-C-402

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Detective Is First To File Denial Of Court Contempt

Private detective Renfro T. Hays yesterday "emphatically denied" he is in contempt of court orders to limit pre-trial publicity in the Dr. Martin Luther King Jr. murder case.

Mr. Hays yesterday became the first of the four persons ordered to show cause why they are not in contempt to file a response to the citation issued Tuesday by Criminal Court Judge W. Preston Battle.

Mr. Hays' response was filed by attorney Robert I. Livingston. The hearing on the citation against Mr. Hays and the others is to be heard by Judge Battle Friday morning.

Arthur J. Hanes of Birmingham, Mr. Hays' employer and chief counsel for James Earl Ray, charged with Dr. King's murder, said he would file his response Thursday. Mr. Hanes said he would represent himself at Friday's hearing.

Armistead Clay, attorney for the Memphis Publishing Co. and for a reporter of The Commercial Appeal and one for the Press-Scimitar, said he will file responses by Thursday.

All the responses, it was learned, will be denials.

Under study is a set of guidelines adopted by the Federal Judicial Conference last week governing statements by attorneys and courthouse personnel on pending criminal cases.

The report written by a committee headed by Judge Irving R. Kaufman of the Second Circuit, United States Court of Appeals, has been sent to the 323 judges of the 93 United States judicial districts with the recommendation it be placed in effect.

The rules are less strict in many details than those urged by the American Bar Association in its "Reardon Report."

The Kaufman report, like the Reardon report, would bar attorneys and courthouse personnel from disclosing an accused person's prior criminal record or his confession. Disclosure of expected testimony also would be forbidden.

The Kaufman report rejects as "unwise . . . any direct curb or restraint on publication by the press of potentially prejudicial material."

Judge Battle's order on publicity does not directly impose any restraint or curb on the press.

Meanwhile, police would not say whether a white Mustang had been returned safely to Memphis from Atlanta this weekend, as planned.

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

PAGE 5

COMMERCIAL APPEAL

MEMPHIS, TENN.

Date: 9-24-68
Edition: Final
Author:
Editor: FRANK R. AHLGREN
Title:

Character:
or
Classification:
Submitting Office: MEMPHIS

☐ Being Investigated

44-1987-Sub-C-923

SEARCHED.....	INDEXED.....
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FBI - MEMPHIS	

*Original
9-27-68*

(Mount Clipping in Space Below)

Canale Says Guards Don't Eavesdrop

**Attorney General
Denies Charge By
Ray's Attorney**

By ROY B. HAMILTON
Press-Scimitar Staff Writer

Atty. Gen. Phil Canale today "emphatically denied" a defense charge that guards eavesdrop over microphones on conversations between James Earl Ray and his chief legal counsel, Arthur B. Hanes Sr. in Shelby County Jail.

In a two-page written reply to defense motions filed last week, the attorney general said the microphones in Ray's cell are turned off during his conferences with Hanes.

"In truth and fact, the petitioner (Hanes) has had tests performed at his request showing to the petitioner's satisfaction that his conferences with Ray cannot be heard by guards in the cell," Canale said.

REQUESTS

The defense motion asked Criminal Court Judge W. Preston Battle to order Sheriff William Morris to "cease and desist" from using television cameras, bright lights and microphones to monitor Ray's cell on the third floor of the county jail building.

Hanes charged he has never been able to talk to the prisoner outside of the presence of at least two guards and without being subjected to the scrutiny of television cameras and microphones.

"The attorney general is curious as to how the petitioner knows what has been or has not been heard by the guards assigned to Ray's cell," Canale stated in his answer, filed in the Criminal Court Clerk's office this morning.

'FOR SECURITY'

Asking Judge Battle to reject Hanes' motions, Canale maintained that the microphones were placed in the cell for security reasons. As to defense contentions that the sheriff's office should be stopped from censoring correspondence between Ray and his attorneys, Canale said the state is legally entitled "to read any written communication emanating from the prisoner Ray to anyone. For the sheriff not to do his duty in this regard would be incongruous with his duty to this office and to the people of this community."

Arguments on the motions are scheduled to be heard in Judge Battle's court Friday, the same day a hearing is scheduled on a contempt petition. Hanes, two newspaper reporters, Roy Hamilton of The Press-Scimitar and Charles Edmundson of The Commercial Appeal, and a private investigator, Renfro Hays, have been instructed to appear before Judge Battle and show cause why they should not be held in contempt for violating the court's pre-trial, anti-publicity order.

Hanes and his son, Arthur J. Hanes Jr., who is assisting in Ray's defense, are flying to Memphis from Birmingham tonight. Ray's murder trial in the slaying of Dr. Martin Luther King is set for Nov. 12.

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

PAGE 1

MEMPHIS PRESS-
SCIMITAR

MEMPHIS, TENN.

Date: 9-25-68

Edition:

Author: CHAS, H. SCHNEIDER

Editor:

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

☐ Being Investigated

44-1987-Sub-C-304

SEARCHED.....	INDEXED.....
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FBI - MEMPHIS	

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Bureau 9-27-68*

[Signature]

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Ray, Attorney Confer Again

Arthur J. Hanes held another jail cell conference with James Earl Ray today while Hanes' son, Arthur J. Hanes Jr., prepared to defend his father at a contempt hearing.

"I told my son that's one case he had better win or look for another law partner," quipped the senior Hanes, a former mayor of Birmingham.

Hanes, two Memphis newsmen and a private detective have been cited to appear before Judge W. Preston Battle at 9:30 a.m. tomorrow and show cause why they should not be held in contempt.

A petition filed last week by the Bar Association committee appointed by the judge to advise him on pre-trial publicity charged Hanes and the others with violating the court's anti-publicity order.

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

— PAGE /

— MEMPHIS PRESS-
SCIMITAR

— MEMPHIS, TENN.

Date: 9-26-68

Edition: Home

Author:

Editor: Charles H.

Title: Schneider

Character:

or

Classification: 44-1987

Submitting Office: Memphis

☐ Being Investigated

*Orig & me to Bureau
9-27-68*

44-1987-Sub-C-205

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