

(Mount Clipping in Space Below)

# Newsman move in— Memphis set for Ray trial

BY CHARLES RICHARDSON, News staff writer

MEMPHIS

The Mississippi River slid on by as always and the tourists gawked at Beale Street as usual. But other than that, there was very little of the routine left in Memphis this weekend as a rare earth tremor coincided with a massive influx of newsmen from this country and abroad who descended on this Southern crossroads for the James Earl Ray trial.

Ray, accused of killing Rev. Martin Luther King last April, goes on trial at 9:30 a.m. Tuesday in the Shelby County Criminal Court building here.

The trial itself, presided over by Judge Preston Battle, will be conducted under sweeping legal restrictions on both newsmen and principals which are believed to be among the toughest in Southern history.

And the prisoner, captured early last summer in England after the nation's most intensive manhunt, will be surrounded by the tightest security precautions in memory here.

DOZENS OF CITY and state law officers have been pulled off routine duty and assigned for the duration to Sheriff William Morris' already overworked staff.

Newsmen, who will occupy some 42 of the courtroom's 77 seats, were being photographed and fingerprinted this weekend and, once the trial is underway, will be checked into and out of the courtroom in an elaborate security process each day.

Although attorneys and witnesses for both sides have been enjoined by Judge Battle from discussing details, it was learned that the prosecution will ask the death penalty and that Arthur Hanes, Ray's

Birmingham attorney, will base his defense on a conspiracy theory in which Ray reportedly will be pictured as an unwitting pawn.

KING, LEADER of the Southern Christian Leadership Conference at the time, was shot and killed on the balcony of his room at the Lorraine Motel here last April 4. The motel, just a few blocks away from the courtroom, lies in a deteriorating neighborhood of run-down frame homes and brick warehouses on the edge of downtown Memphis.

The trial will take place in a second floor courtroom in the Criminal Courts Building, a squat five-story structure of whitish-brown stone in downtown Memphis.

Ray, whose movements are watched round the clock by a live TV camera, occupies a cell on the third floor directly above the courtroom and will be moved back and forth during the trial past solid rows of armed guards.

BATTLE SAID he would hold court six days a week, with a minimum of six hours each day, and that this would be stepped up "if the trial runs on too close to Christmas."

The judge said he was taking the unusual step of holding court on Saturdays because "Jurors who are going to be locked up seven days a week for several weeks running might not like it if the judge and the attorneys held to a five day week."

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

A-  
1 THE BIRMINGHAM NEWS  
Birmingham, Alabama

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Author: CHARLES RICHARDSON  
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Character: RM  
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Because of the expected length of the trial, the judge's courtroom, formerly equipped with the usual hard benches, has been renovated, and theater-type cushioned seats have been installed in the spectator section. The jurors quarters on the building's first floor have been overhauled and each member will sleep in a private paneled cubicle with rugs and draperies instead of on the usual dormitory-type cots.

HARDEST HIT of all will be the reporters. The judge has banned all cameras and tape recorders, not only in the courtroom but in the immediate vicinity of the Criminal Courts Building. Police even plan to block off certain streets surrounding the building during trial hours each day.

The newsmen, along with other spectators, will be checked into the courtroom at 8:30 a.m. each day and not allowed out of their seats until noon recess at 12:30 p.m. The same restrictions will apply during the afternoon hours. All will be searched and identified individually by special credentials at each coming and going.

Charles Holmes, borrowed from Memphis University to serve as press officer during the trial, said reporters will not be permitted to swap seats except at noon because the occasional brief recesses will not provide enough time for a substitute to go through the intricate security check.

FOR BIRMINGHAM and Alabama, the trial is expected to have a number of direct bearings. Ray reportedly lived in a Southside rooming house for a week last year, and the prosecution claims the 30-caliber deer rifle which

fired the fatal bullet was purchased in a Birmingham store. The white Mustang alleged as the getaway car was bought from a Birmingham resident.

The rifle, equipped with an expensive sniperscope, was recovered in front of a rooming house in Memphis shortly after the slaying. George Bonebrake, an FBI fingerprint specialist, said the weapon bears Ray's fingerprints.

But whether fragments of the fatal bullet taken from King's neck can be matched to the rifle appears problematical.

Although the prosecution will ask the death penalty, local observers pointed out that no criminal has been put to death in Tennessee since 1960 and no Shelby County jury has prescribed the death penalty since 1949. Tennessee law calls for death by electrocution.

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**Delay Called 'Awful Thing'****Ray Trial Reset For March 3**

Bk. File only

BY HENRY P. LEIFERMANN

MEMPHIS, Tenn. (UPI) — James Earl Ray formally hired Percy Foreman Tuesday to defend him against charges of murdering Dr. Martin Luther King Jr., and a judge, calling the last minute delay "an awful thing," postponed his trial until March 3.

Art Hanes, sacked by Ray in favor of Foreman, told reporters the switch "was a delaying tactic pure and simple. I was prepared to go to trial but my client wanted a delay."

Ray's trial for the April 4 slaying of the civil rights leader was to have begun Tuesday, but Criminal Court Judge W. Preston Battle said he had no choice but to delay it.

"It's an awful thing to have to continue a case at this time," said the judge, "but the defendant's right to counsel of his own choice is guaranteed by the Constitution of the state of Tennessee."

Battle set the March 3 date — apparently a tentative one — when Foreman and prosecuting attorneys failed to agree among themselves on a new starting time. It gives Foreman 111 days to prepare his case, and the famed trial lawyer from Texas, indicated

he didn't think it would be enough.

"Let the court know on or about Dec. 12 if you can get ready March 3," Battle told him.

**15 Minutes Late**

"I'll let you know," Foreman agreed.

What was to have been Ray's trial began about 15 minutes late. The defendant, looking "sick and scared" according to a British attorney who represented him when he was arrested in London, was led in by deputies.

He was neatly dressed in a dark suit with faint pin stripes, accentuating his prison pallor. Battle ordered him given a copy of a letter that Ray issued from his steel-plated cell in the county jail Sunday, announcing the lawyer switch.

"Did you send that letter?" the gray-haired judge demanded.

Ray, on his feet, replied "Uh, yes sir."

Battle asked him if it was correct that he wanted to fire Hanes, whom he hired from London, and take on another attorney.

"Uh, yes sir," answered Ray. He said no more, and after the hearing was ended — it was punctuated by a recess of more than an hour — he was led back to the jail. Memphis Asst. Atty. Gen. Robert K. Dwyer objected vigorously to any delay at all. He said the 40-year-old escaped convict was "trifling with the court."

Battle said that "a defendant in a legal case has an absolute right to hire his lawyers. This is an 11th hour

motion, so to speak — the 50th minute and 59th second. As far as I knew as late as noon Sunday everything was green light in this case."

Nevertheless, Battle indicated he could do nothing but grant the delay.

"I think the case here is unique in many ways — unique in the number of witnesses — 360 potential for the state and the defense with more, and these witnesses to come from the United States, Mexico, Canada, England, Portugal, France — a good portion of North America and Europe."

Dwyer, in his protest against the delay, said he had 90 witnesses "alerted" to testify.

Battle kept Hanes, a former Birmingham mayor and FBI agent, and his son, also an attorney, associated with Ray in court records so they would be kept under his anti-publicity orders.

Hanes had refused to turn over his records to Foreman, claiming Ray still owed him

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

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FBI — BIRMINGHAM	

44-1740-SF1-100

\$12,000, but Battle ordered him to hand all his files on the case over to Foreman.

After the hearing was over, Hanes said "in my judgment it was all a delaying tactic."

"I advised the prosecutors and the judge as much as a month ago that this was in the works," said Hanes.

"The disagreements boiled down to the fact that I was prepared to go to trial but my client wanted a delay. I was the lawyer in the case, not James Earl Ray."

Foreman argued that "the only way to prepare a case is to talk to the witnesses. I intend to do my best to talk to every one of the 360 that will talk to me."

He said two hours apiece for 360 witnesses worked out to 90 days.

Foreman walked into the courtroom, walked to Hanes and said "I'm sorry about this."

"Aw, that's all right," said Hanes.

(Mount Clipping in Space Below)

# Ray gets what he wanted: Delay

BY CHARLES RICHARDSON  
News staff writer

MEMPHIS

After all the security checks and the body searches and the obvious armed air of expected belligerency, the appearance of James Earl Ray — Missouri convict, fugitive extraordinary, accused assassin of Dr. Martin Luther King — is almost a letdown.

He came shuffling into the courtroom, moving toward his chair in a peculiar, swaying gait, clad in a black suit and dark tie and his face impassive. There was nothing about the man to conjure up visions of continent-spanning conspiracies, to say nothing of ordinary aggressiveness.

YET, WITHIN minutes, and in defiance of some of the best legal brains in the state of Tennessee, he got what he wanted: A four-month delay of a trial which could cost him his life and court approval for a new attorney on the very day this trial was first to have begun.

So in Memphis today Ray faces even more months in his third floor jail cell, pacing and writing letters and, doubtless, pausing to stare with distaste at the eye of the live TV camera which follows and records his every motion around the clock, all day every day.

Tuesday, having contracted on the sly for the services of would-be Houston attorney

Percy Foreman, Ray went into criminal court here before Judge Preston Battle and said he couldn't reach a meeting of the minds — and, some say, the pocketbook — with Birmingham attorney Arthur Hanes, the lawyer who first flew to his defense in England after his capture there last summer and who has since done little else but prepare for a trial which was aborted.

SOME SAY THIS disenchantment came because Hanes, former Birmingham mayor and former FBI agent, wanted Ray to take the stand in his own defense. And others say Ray and his brothers, Jerry and John of St. Louis, were resentful of the large amounts of cash which were coming the way of everyone but Ray himself from accounts dictated by mail to magazine author William Bradford Huie of Hartsville.

Whatever the cause, Ray sat in his cell Sunday afternoon and wrote out a note in the presence of Attorney Foreman, who had appeared unexpectedly at the jail in company with the two other brothers, and the note said simply that Ray "wished to dispense" with Hanes.

What it all meant in legal semantics was that a new attorney — acquired in what Judge Battle was to describe as not only "the eleventh hour, but the 59th minute and the 59th second" — meant a trial delay.

AND THIS, the irate prosecution lawyers argued, was the point of the whole move; and who was to say that come March 3 — the date Battle decided the trial should be scheduled again — Ray wouldn't come into court at still another "eleventh hour" and ask for yet another attorney?

But Battle, a plump judge and a veteran on the bench, had other things on his mind: The world's overriding interest in the case of the slain King. And state Supreme Court reversals of convictions in cases where defendants had been forced to go to trial against their wishes and with attorneys not to their liking.

So he largely ignored state objections — although he admitted delay at this juncture and after all this expense "was an awful thing" — and he compromised somewhat with Foreman's requests.

The Houston attorney — who said he didn't really want the case and it would have been much better for him never to have taken it, but that he owed it to his duty as a lawyer — had wanted a trial date set sometime next May.

BUT BATTLE said March 3, he thought, would give Foreman sufficient time to interview what Foreman said were 360 potential witnesses scattered throughout North America and in Canada, Mexico, England and Portugal.

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

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**RAY'S NEW LAWYER, PERCY FOREMAN**

**... Leaves courthouse after hearing**

(Mount Clipping in Space Below)

## Ray Trial Delay: A Reminder

The presiding judge in Memphis could hardly have acted otherwise than to grant a postponement in the trial of James Earl Ray, accused slayer of Martin Luther King, despite the emotion-attended atmosphere rising from the death of the civil rights leader.

To have acted otherwise—and had Ray been convicted—would surely have led to a higher court ruling that Ray had been denied due process because his new attorney had not been given sufficient time to prepare a defense. The reasons for Ray's last moment decision to change attorneys has nothing to do with the legal reasons for granting the postponement.

The startling development, however, does serve as a useful reminder that basic weaknesses exist in the American trial system; problems which derive more often from human reasons than from legal ones.

At the federal level the human

problem rises from the traditional habit of appointing federal judges, on occasions, for political consideration rather than on the basis of competence and experience.

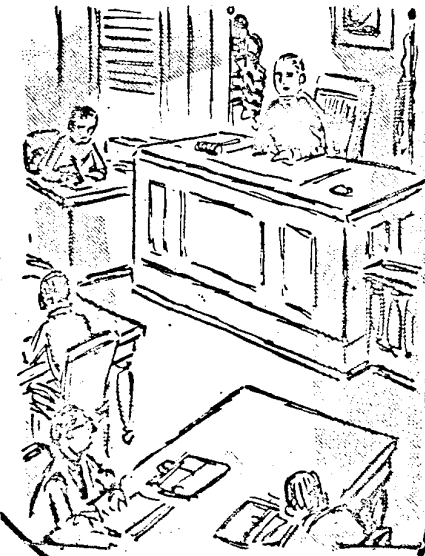
At state and local levels the election of judges certainly does not encourage a politically-free judiciary, often leading to the opposite condition and spurs less competent members of the legal profession to make a mockery of the constitutionally-embedded principle of reasonably swift and certain justice for all people.

Almost constant delays in trials, whether of civil or criminal nature, are a scandal of national proportions. And they come from unwarranted postponements granted on the flimsiest of grounds, robbing already choked court dockets of vital time and stacking other waiting cases still farther behind.

Remedies, both in the quality of the American judiciary and the practice of law before our courts at all levels, can be found.

By its vigorous and determined action Congress has the power and can establish still higher standards for membership on the federal bench.

Higher competence on state and local courts and handling cases with reasonable dispatch will come about only when the public—which has the most to gain or lose—demands that reform be undertaken.



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## Unable to find acceptable aide so far, Foreman says

MEMPHIS (CDN) Percy Foreman, James Earl Ray's Texas attorney, said Friday he has been unable to find an acceptable local lawyer to assist in the defense of the accused killer of Dr. Martin Luther King Jr.

"I'm having difficulty getting an attorney I want because the outstanding attorneys of the community have

disqualified themselves," Foreman said.

Foreman said he talked to four lawyers who are members of a special seven-man committee named by Criminal Courts Judge W. Preston Battle to keep an eye on news coverage of the trial.

HE REFUSED to name the attorneys he talked to and declined to speculate on whether he might seek a change of venue for the trial.

However, if Foreman can show he has been unable to obtain a local lawyer of his choice because the best ones have been active in the case, it could be grounds for a shift.

Foreman also revealed that he has been unable to find a key prosecution witness, Charles Q. Stevens. Stevens allegedly identified Ray as the man he saw emerge from a rooming house bathroom from which police believe the shot was fired.

"I understand he's guarded around the clock by six city policemen," said Foreman.

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

5 THE BIRMINGHAM NEWS

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Edition: Metro

Author:

Editor: John W. Bloomer

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## Hanes, Ray's new lawyer confer here

Birmingham attorney Arthur Hanes Sr. affirmed Tuesday that famed Houston murder lawyer Percy Foreman flew to Birmingham Monday to confer with him on the defense of James Earl Ray, accused in the slaying of Dr. Martin Luther King.

Hanes, who was replaced by Foreman as Ray's attorney in a surprise move Nov. 10, said, "There are some developments," but added that any further information would have to come from Foreman.

Foreman was not in his office Tuesday for comment.

Hanes said that Foreman had visited him following a long-distance phone conversation between the two attorneys Monday morning.

Hanes declined to reveal any of the conversation.

Foreman, he said, flew into the city Monday, had lunch and dinner with him, and "discussed the case in my office for several hours."

Hanes pointed out that he is still docketed in Memphis as being a counsel in the Ray trial, which was continued after Ray hired Foreman two days before the scheduled Nov. 12 date.

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

31 THE BIRMINGHAM NEWS

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Editor: John W. Bloomer

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NOV 22 1968	
FBI-BIRMINGHAM	

(Mount Clipping in Space Below)

# Huie, Ray Meeting Refused

BY JAMES M. EVANS

MEMPHIS, Tenn. (UPI)—Criminal Court Judge W. Preston Battle, expressing mistrust in author William Bradford Huie, Friday denied James Earl Ray's requests to meet with Huie in private and to have pictures made which could net Ray up to \$5,000.

Battle listened as Percy Foreman, chief counsel for the man accused of killing Dr. Martin Luther King Jr., argues that a conference between Ray and Huie was necessary to settle differences that had arisen concerning a contract between the two men.

The contract, arranged by Ray's former attorney, Arthur J. Hanes Sr., provided Huie with the source material for a series of articles in Look Magazine for which he paid Ray more than \$30,000.

"I see no reason for allowing a visit in Ray's cell by Mr. Huie," Battle said, adding: "Very frankly, I don't trust Mr. Huie not to violate these orders further if, as and when he pleases."

The judge said in either August or July last year Huie was brought to his office. Battle said the Hartselle, Ala., author outlined his part in the case and asked permission to see Ray.

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

**Birmingham File Only**

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X — BIRMINGHAM POST-HERALD

— BIRMINGHAM, ALABAMA

Date: **2-9-69**

Edition: **Final**

Author: **James M. Evans**

Editor: **Duane Le Grand**

Title: **Ray James Earl**

**Assassination of  
Martin Luther King**

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Submitting Office: **BH**

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"I certainly didn't grant that right," the judge said, "and I thought enough of that conversation that I sent Mr. Huie certified copies of all the orders I had entered in the case.

"I also asked that nothing be published until after the jury's verdict was in," Battle said. He said the first Look article was published two weeks before Ray's trial was scheduled to start last Nov. 12 and the second was published on that date.

Earlier in the day Huie appeared before the Shelby County grand jury for two and one-half hours. On emerging from the jury room, he was promptly arrested by sheriff's officers for violation of the tough pre-trial publicity order laid down by Battle.

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

— BIRMINGHAM NEWS

— BIRMINGHAM POST-HERALD

— BIRMINGHAM, ALABAMA

Date:

Edition:

Author:

Editor:

Title:

Character:

or

Classification:

Submitting Office:

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(Mount Clipping in Space Below)

# Ray admits slaying rights leader King

BY TED PEARSON AND GEORGE METZ

MEMPHIS, Tenn.

James Earl Ray, the ex-convict who crossed an ocean to avoid capture, today admitted the slaying of Civil Rights Leader Dr. Martin Luther King Jr.

The dramatic change in the case came in mid-morning as Ray, surrounded by a ring of armed guards and accompanied by his lawyer, Percy Foreman, walked into the courtroom of Judge Preston Battle and indicated he wanted to plead guilty.

A 99-year sentence appeared in the making if a jury goes along with the recommendation of the State of Tennessee, revealed in open court by District Attorney Phil Canale.

SHORTLY AFTER FOREMAN and Ray entered the guilty plea and the state announced its recommendation of a sentence, the court proceeded to the formality of selecting a jury to finalize the decision.

But prior to that the judge questioned Ray. "Do you know that you have a right to trial by jury—do you understand you have these rights?" Judge Battle said to the defendant.

"Yes, I do," Ray replied.

RAY, WHEN ASKED if he admitted killing King replied: "I am pleading guilty."

"Is the plea of your own free will, understanding the consequences?" Battle asked.

"Yes, sir."

Canale informed the court that investigators had found no evidence of a conspiracy in the case.

The judge, after his questioning of the defendant, proceeded to the selection of the jury to hear an outline of the evidence from the prosecution. The jury that was hearing the evidence at mid-day was composed of 10 white and two Negroes, all male, and each had agreed under questioning by the court that they could accept the recommendation of the state for a 99-year-sentence.

The same tight and thorough protective security that has kept Ray sealed off from the outside world for months surrounded the slightly stocky, brown-haired defendant when he was escorted today to the courtroom from his custom-designed jail suite.

Today's momentous hearing came just 25 days short of the first anniversary of Dr. King's assassination.



JAMES EARL RAY

... Pleads guilty

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

1 THE BIRMINGHAM NEWS  
Birmingham, Alabama

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Edition: Metro  
Author: Pearson & Metz  
Editor: John W. Bloomer  
Title: MURKIN

Character:

or

Classification: 44-1740 591-106  
Submitting Office: BH

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MAR 11 1969	
FBI — BIRMINGHAM	

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Today's momentous hearing came just 25 days short of the first anniversary of Dr. King's assassination.

Thus began another odyssey — that of James Earl Ray. Or, rather, it was the second phase of Ray's meandering flight from the clutches of lawmen. The first phase began on April 23, 1967, when he broke out of the Missouri State Penitentiary at Jefferson City, Mo., where he was serving one in a series of jail or prison sentences that thread through his adult life.

As pieced together by investigators — both official and unofficial — the story of Ray's travels and alleged doings between his escape and his capture by Scotland Yard 14 months later reads like it came from a storybook. Yet, in some ways it is stranger than fiction.

It includes his reported link with a mystery man known only as "Raoul," who Ray reportedly has said he first met in a Montreal tavern and who provided him with large sums of cash.

It includes Ray's reported presence in Birmingham between August and October of 1967, and again on March 29-30 of 1968, five days before Dr. King was murdered in Memphis.

It includes the use of the name Eric Starvo Galt while Ray stayed in Birmingham the first time — one of several aliases the FBI says Ray used. The others: John Willard, Harvey Lowmyer (the name under which the rifle found after the King murder was purchased in Birmingham), James McBride, James O'Connor, W. C. Herron, James Walyon.

It includes the presence of an "Eric Starvo Galt" in Atlanta not far from Dr. King's headquarters a few days before the Memphis slaying, and subsequent

discovery in the Atlanta room occupied by "Galt" of maps circling the locations of King's home, his church, and his headquarters.

It includes the presence of a white Mustang in the immediate vicinity of the King murder spot, and the tracing of a white Mustang to its purchase in Birmingham by a man who called himself "Eric Starvo Galt" and who paid for it in cash, followed by tracing of the same car to other places pinpointed in the Ray case investigation.

All this took place before the King assassination, and investigators ran across it in the weeks after the murder.

It took the FBI 15 days to publicly identify the elusive Eric Starvo Galt as James Earl Ray, to conclude from descriptions and other evidence that this was the same man as the "Harvey Lowmyer" who bought the rifle in Birmingham and the "John Willard" who rented a cheap room across from the Lorraine Motel on the same day Dr. King was killed.

Painstaking, intricate, diligent checking of fingerprint records clinched the identification, and the FBI had to sort out millions before it sent out its worldwide alert for the wanted James Earl Ray.

By this time, Ray was in Toronto, Canada. There, he got a passport in the name of "Ramon George Sneyd." Four days later, he boarded a transatlantic airliner for London. On the same day he arrived at London's Heathrow Airport, he caught another plane for Lisbon, Portugal. He stayed there for nine days, then returned to London.

Meanwhile, the Royal Canadian Mounted Police were hard at work because, by this time, Ray's movements had been traced to Toronto. They hit the jackpot when they discovered the passport obtained by "Ramon George Sneyd" was issued to none other than James Earl Ray. The alarms were out everywhere.

On June 8, 1968, Ray was poised to board a flight for Brussels at London's Heathrow Airport. An immigration official examined his passport, asked him to go to the office for further inquiries. Scotland Yard, notified, pounced.

"Oh God," Ray said. "I feel so trapped."

From London, the odyssey of James Earl Ray, accused of murdering Dr. Martin Luther King, doubled back to Memphis, where his home for eight months has been a jail suite with two guards constantly on hand, with two television cameras keeping him in continual focus, and with food delivered in locked steel boxes.

There has been considerable speculation that Ray was only part of a conspiracy to kill Dr. King. One who subscribes to the plot theory is the first lawyer Ray hired and then fired, Birmingham's ex-mayor Arthur J. Hanes. Another is writer William Bradford Huie, who got himself exclusive access to Ray's story.

Conspiracy, however, has not concerned the State of Tennessee, the state where the murder occurred and the state which is prosecuting him. Here, Ray is charged with the slaying of Dr. King.

(Mount Clipping in Space Below)

## Hanes would limit pre-trial publicity

Art Hanes Sr., who has himself been convicted of contempt of court for violating a ban against pre-trial publicity, said he believes the press prints too much about accused criminals.

Speaking at Parliament House Tuesday to former special agents of the FBI, the Birmingham attorney who once represented James Earl Ray, accused of killing Dr. Martin Luther King, said the British press is more restrained in handling stories about accused persons.

Hanes was found guilty by Memphis Judge W. Preston Battle of breaking a rule laid down by the court that people connected with the Ray case should not talk about it.

Hanes had complained, publicly, about conditions under which Ray was held.

HE TOLD his fellow former FBI men that a defendant's



ART HANES

entire criminal history is often laid before the public.

Such facts would never be admissible at the trial unless the defendant were put on the stand and criss-examined, Hanes contended.

British courts have a formal atmosphere, Hanes said. He thinks this is in itself a deterrent to crime. Judges in wigs and robes, and the hushed, solemn atmosphere make a British trial very impressive, he said.

Hanes said the press will have to regulate itself, since the First Amendment to the constitution assures freedom of speech and the Sixth Amendment guarantees a fair trial.

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

X BIRMINGHAM NEWS

— BIRMINGHAM POST-HERALD

— BIRMINGHAM, ALABAMA

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MAR - 5 1969

FBI - BIRMINGHAM

(Mount Clipping in Space Below)

# Ray Is Given 99-Year Term

BY HENRY P. LEIFERMANN

MEMPHIS, Tenn. (UPI) — James Earl Ray pleaded guilty to the murder of Dr. Martin Luther King Jr. in exchange for his life Monday but he and the judge kept alive the possibility of a conspiracy.

A 12-man jury heard an hour and 55 minutes of token testimony and then, by prearrangement, convicted Ray and sentenced him to 99 years in prison.

Judge W. Preston Battle slapped at critics of Memphis and its handling of the case. "We have not done too badly here for a decadent river town," he said.

Judge Battle noted that although "it has not been established at this time that there was any conspiracy" by Ray and others to kill King, "this is not conclusive evidence that there was no conspiracy."

If there was, he said, the conspirators could never "lie down to pleasant dreams."

Both King's widow and his successor, Rev. Ralph Abernathy, insisted others were involved in the murder and said the government should continue to investigate. Negroes throughout the South called the sudden, two-hour trial a "cover-up."

## After Trial

After the trial, prosecutor Phil Canale said when asked if a conspiracy might ever come to light that "I learned a long time ago not to rule out anything."

In Washington, the Justice Department said "the investigation into the original allegations of a conspiracy is still open." The "original allegation" was an FBI warrant which said Ray, alias Eric Starvo Galt, and a man "whom he alleged to be his brother" conspired to kill King.

The "brother" — Ray actually has two — quickly evaporated from the investigation and then Atty. Gen. Ramsey



RAY

Clark insisted only one man was involved.

## Spirited Away

Ray was expected to be spirited away under heavy

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

1 THE BIRMINGHAM POST-HERALD

Birmingham, Alabama

Date: 3-11-69

Edition: Final

Author: H.P. Leifermann

Editor: Duard Le Grand

Title: MURKIN

Character:

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☐ Being Investigated

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SERIALIZED	FILED
MAR 11 1969	
FBI — BIRMINGHAM	

guard later Monday to state prison in Nashville 200 miles away, where a special, isolation cell awaited him. It was his 41st birthday.

He will be eligible for parole when he is 91. But Ray, once nicknamed "The Mole," fancies himself an escape artist. He is a fugitive from the Missouri State Prison.

The state, after assuring the surprised jurors that "we'll put on some proof," produced five witnesses.

Ray's attorney, Percy Foreman, said "I never expected, hoped or had any idea when I entered this case that I would be able to do anything other than save this man's life." He implied that Ray would likely have been sentenced to die if he had gone on trial as scheduled April 7 pleading innocent.

#### Go Unanswered

It appeared likely the question of whether Ray was part of a conspiracy would go forever unanswered.

Judge Battle, before turning the case to the jury said, "it has not been established at this time that there was any conspiracy. This is not conclusive evidence that there was no conspiracy.

"If there was a conspiracy no member of such a conspiracy can ever live in peace or lie down to pleasant dreams because there is no statute of limitations in capital cases in this state."

Ray himself interrupted the proceedings before the jury was called. He merely said he didn't agree with Foreman's assurances that there was no conspiracy, and then said — and was asked — no more.

#### Five Witnesses

Of the five witnesses who testified, most described King's death and placed Ray in Memphis. The longest testimony came from Robert G. Jensen, FBI agent in charge of the Memphis office.

He recounted the search for Ray, telling how a pair of pliers, a hammer, and undershirt and undershorts found in Memphis led to Ray and his eventual arrest in London June 8.

There was never any mention of any motive Ray may have had for killing King.

The jury convicted him and sentenced him by a show of hands in the jury box.

Other witnesses told of the single rifle shot that felled King as he stood with friends on the second floor balcony of the Lorraine Motel at dusk last April 4. The shot, the state claimed, was fired by Ray from the bathroom window of a flophouse across the street.



(Mount Clipping in Space Below)

# Ray May Plead Guilty

MEMPHIS, Tenn. (UPI) — Houston Attorney W. Percy Foreman surprised Criminal Court personnel Friday with a request for a hearing in the James Earl Ray case at 9:30 a.m. Monday.

Foreman asked that Ray be present in the courtroom.

The attorney's request came on the heels of renewed speculation that Ray, scheduled to go on trial before Criminal Court Judge W. Preston Battle April 7, might change his plea to guilty in the assassination of Dr. Martin Luther King Jr.

A spokesman for the criminal court clerk's office said no new motions had been filed in the Ray case, and added, "I didn't know about the hearing until a newsman telephoned to ask about it."

Foreman refused to say what he planned for the hearing.

There had been speculation previously that Ray might change his plea. The speculation stemmed primarily from a statement attributed to public defender Hugh Stanton Sr., shortly after he was named to aid Foreman.

Stanton reportedly told a newsmen that the subject of a change in plea had been discussed with the district attorney general's office, but he later denied making any such statement.

Should Ray enter a new plea, Battle could reject by a jury, which, under Tennessee law must set the penalty in capital cases.

Ray's last appearance before Battle was Feb. 14 when Foreman won a month's delay in the trial that was then scheduled to begin March 3. Battle granted the second continuance in the case after both Foreman and Stanton said they felt they could not be ready for trial in March.

Ray won his first continuance of the trial last Nov. 12 when he switched attorneys, replacing former Birmingham, Ala., Mayor Arthur J. Hanes Sr. with Foreman.

Ray, the object of a two-month manhunt following King's slaying here last April 4, was captured in London in early June and brought here last July 19.

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

1 BIRMINGHAM POST-  
HERALD  
Birmingham, Alabama

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44-1740-SF-109

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FBI - BIRMINGHAM	

(Mount Clipping in Space Below)

*To plead guilty?*

# Ray gets Monday hearing

MEMPHIS, Tenn. (AP)

Amid reports that James Earl Ray will plead guilty and accept a 99-year sentence for the slaying of Dr. Martin Luther King Jr., the judge for Ray's trial has granted him a hearing Monday morning.

Beyond a terse announcement from Criminal Court Judge Preston Battle that the hearing had been granted and that newsmen accredited to cover the trial should arrive early, there was no official indication of what would happen.

There were published reports that Ray, charged with murdering King, would plead guilty in exchange for a 99-year sentence instead of a possible death penalty.

A source close to the case was quoted as saying the guilty plea is "the only way Ray can escape the death sentence."

"IT'S NONE of your business," replied Ray's lawyer, Percy Foreman of Houston, Tex., to a question on Friday's developments. State officials would say nothing.

The hearing is set for 9:30 a.m., and newsmen accredited to cover Ray's trial scheduled April 7, were asked to come to press room facilities an hour and a half beforehand.

Judge Battle had issued strict orders against pretrial publicity by any of the principals in the case — and has already held several persons in contempt of the order, among them two Memphis newsmen and Ray's biographer, William Bradford Huie.

King was assassinated last April 4 after he came here to lead a demonstration in behalf of striking city garbage workers.

RAY IS ACCUSED of shooting King from a rooming house opposite the Lorraine Motel, where King was standing on a balcony.

Since his capture in London after a worldwide manhunt, Ray has been held here in a specially armored, air-conditioned cell under tight security.

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

1 THE BIRMINGHAM NEWS  
Birmingham, Alabama

Date: 3-8-69  
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Author:  
Editor:  
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SERIALIZED	FILED
MAR 10 1969	
FBI - BIRMINGHAM	

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# Ray now awaiting at least 30 years of living a maximum security life

BY GEORGE METZ  
News staff writer

MEMPHIS

For the killer of the dreamer, it may have been a bad swap.

James Earl Ray today was transferred to the Tennessee State Penitentiary's, Nashville maximum security unit, to begin a 99-year prison sentence in a cell close by the death chamber, which his plea of guilty in Memphis Monday averted.

Ray's defense counsel, famed Texas attorney Percy Foreman, in an impassioned appeal to a bi-racial Shelby County jury "to underwrite" a pre-trial agreement by prosecution and defense to the plea and 99-year sentence, had intoned: "This is the extreme penalty short of one step."

RAY, WAS TRANSFERRED from Memphis to the state penitentiary at Nashville today.

Ray, sentenced to 99 years, was driven the 200 miles from the Shelby County jail in Memphis.

A highway patrolman in the eight-car caravan called the trip "uneventful."

When the caravan stopped in front of the prison, Ray was immediately taken inside. He made no comment.

HE WILL BE kept in maximum security for a month to six weeks until his classification is completed.

After this period Warden Lake Russell said, "He'll be treated like everyone else."

Ray, 41, Monday, will not be eligible for parole for 30 years under Tennessee law.

His first days in the large gray rock structure will be spent alone in a cell a little

larger than most — about 8 by 10 feet. The only furnishings are a bed, chair, wash basin and toilet.

IT WILL BE "kind of a quarantine until we get all the data in his records and determine under what type security he should be held and where he should work," Russell said.

AND, IRONICALLY, this was exactly what Tennessee prison officials indicated later in the day would be Ray's lot — incarceration in the Nashville penitentiary's maximum security wing containing the state's electric chair.

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

\_\_\_ Birmingham News  
X

\_\_\_ Birmingham Post  
Herald

Date: 3-11-69  
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Author: George Metz  
Editor: John W. Bloomer  
Editor: James Earl Ray  
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A 99-year sentence means the 41-year-old Ray, the nondescript escaped Missouri convict who killed Dr. Martin Luther King on a Lorraine Motel balcony in Memphis April 4, 1968, must serve 30 years before even petitioning for parole. If parole isn't granted he could serve up to 49½ years of the sentence before, under Tennessee law, becoming automatically eligible for release.

Under a life sentence, he would have been eligible for a parole hearing after only 12½ years.

In either case, it was a stiff sentence and the close proximity of Ray's future prison lodgings to the death chamber appeared more and more today literally "one step" from the extreme penalty.

CONSIDERING THE national furor over Dr. King's assassination, the worldwide manhunt for Ray ending with his arrest at a London airport last summer and stringent well-publicized preparations here for an anticipated eight-week trial, Ray's own day in court Monday seemed almost anti-climatic.

It lasted less than three hours. Ray, wearing a dark grey suit, entered the courtroom at 9:44 a.m. At 12:11 p.m., he stood sullenly before Criminal Court Judge W. Preston Battle to be sentenced.

AT OUTSET OF the proceeding, Foreman told the court: "I've never had hopes of anything except . . . to save this man's life."

The bi-racial jury — 10 white men and two Negroes — was seated by Judge Battle 20 minutes after court began. Each agreed, by raising their hands, to follow instructions of the court in their verdict an acceptance of the guilty plea and agreed on 99-year sentence.

These terms were carefully spelled out, first by Judge Battle and later by both Atty. Gen. Phil Canale and Foreman in brief opening statements.

Canale admitted there had been widespread reports that Ray was a "dupe" and a "fall guy or member of a conspiracy." But he said his office had examined over 5,000 pages of investigative documents, 800 items of possible evidence and traveled thousands of miles without finding any creditable evidence linking Ray to a conspiracy.

"I'LL BE FRANK, we have no evidence of a conspiracy," Canale said. He quickly promised, however, that should any new evidence point to a conspiracy: "We'll take prompt action — you have my assurance of that."

The pug-faced greying Foreman later praised Canale as "a man not primarily concerned with getting scalps on his belt building a reputation to run for some higher office."

"You are blessed with a judge and prosecuting attorney who are able to look at this case without being caught in the backwash of publicity," Foreman continued. Of each juror, he asked one question: "Will you underwrite the verdict agreed on?" Each nodded affirmatively.

At one point, Foreman quoted former U. S. Attorney

General Ramsey Clark and FBI Director J. Edgar Hoover as stating "there had been no conspiracy" and asserted this was his own opinion.

WHEN FOREMAN sat down, Ray rose immediately, stammering out that he hadn't agreed "with everything Mr. Foreman has said."

Ray said he did not "accept the theory" that no conspiracy existed but did not elaborate, beyond stating that he still agreed to court stipulations on the verdict and sentence.

A TOTAL OF FIVE witnesses were called to testify against Ray. Even this was a mere legal formality, like the selection of a jury, to comply with Tennessee law. Three established death and two testified to evidence obtained in a massive state-federal investigation leading to Ray's arrest.

Other prosecution witnesses included Chauncey Eskridge of Chicago, an attorney and close friend of Dr. King also present at King's death; Dr. Jerry Francisco, Shelby County pathologist who testified the fatal rifle shot followed a "downward angle;" Memphis Police Inspector N. E. Zackary, who described a police homicide team's finding evidence in the 422½ South Main Street rooming house from which Ray fired the shot; and Robert Jenssen, special agent-in-charge of the FBI's Memphis division, who described the procedure by which that evidence was later processed linking Ray to the slaying.

THEIR TESTIMONY was matter of fact. The defense raised no objections and, following a brief court recess, Asst. Atty. Gen. James Beasley gave a lengthy resume of other evidence. He named witnesses from Los Angeles to Portugal and England prepared to testify against Ray and, as he continued without an objection from Ray or his counsel foreman, it was apparent that this spelling out of the "state's case" too was part of Ray's defense bargain.

When Beasley finished, Foreman half-raised from his chair to advise Judge Battle that the defense had nothing to add.

Turning to the jury, Battle asked: "Will you the jury do as you said you would do and accept this compromise verdict? If so, hold up your right hand." Twelve hands went up and one minute later, Ray faced a 99-year prison sentence.

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

Birmingham News

Birmingham Post Herald

Date:  
Edition:  
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or  
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12- The Birmingham News Tues., Mar. 11, 1969



JAMES EARL RAY AT TIME OF HIS JAILING IN MEMPHIS  
... Admitted killer of King sentenced to 99 years

Associated Press wirephoto

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

— Birmingham News

— Birmingham Post  
Herald

Date:

Edition:

Author:

Editor:

Title:

Character:

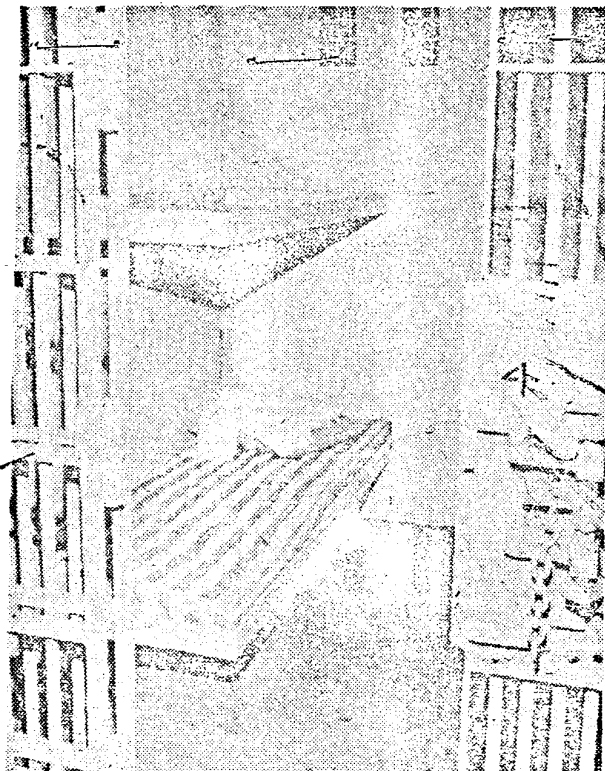
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Submitting Office:

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Associated Press wirephoto

**RAY'S MAXIMUM SECURITY CELL**

No. 4 at Tennessee State Prison in Nashville

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

\_\_\_ Birmingham News

\_\_\_ Birmingham Post  
Herald

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Date:

Edition:

Author:

Editor:

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Submitting Office:

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# Birmingham Post-Herald



A SCRIPPS-HOWARD NEWSPAPER—TELEPHONE 323-5381  
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Editor Vice President

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©"Give Light and the People Will Find Their Own Way"

PAGE 14 —

Wednesday, March 12, 1969

## Ray Gets Off Easy

James Earl Ray believed in capital punishment for Dr. Martin Luther King Jr., but not for himself.

As the climax to the weird case in Memphis, Ray pleaded guilty to murdering Dr. King last April.

But the plea was part of a deal to save Ray from the electric chair.

In California there is no doubt about who murdered Sen. Robert F. Kennedy. Sirhan Sirhan admits it. His whole pitch at the trial is to escape the capital punishment he meted out to the senator.

Ray's deal in Memphis was made with the judge, the jury and the prosecution. It was not made with the public, or with those bereaved by the murder.

In the courtroom, the defense attorney and the prosecutor both insisted Ray acted alone in the murder, that there was no evidence of conspiracy.

But Ray, voluntarily, stood up in court and voiced his disagreement with the theory that there was no conspiracy.

Whatever Ray had on his mind, true or untrue, presumably will remain undisclosed. If he had had to stand a four-square trial, with the

threat of execution confronting him, it might have been a different story. Who can say now?

"If there was a conspiracy," said the judge from the bench, "no member of such conspiracy can ever live in peace or lie down to pleasant dreams because there is no statute of limitations on capital cases in this state."

But a conspirator, or conspirators, if there were any, now can rest much easier. The trial is over. Ray will be under no more compulsion to talk—if, indeed, he had anything to say.

Conceding there are "practical" aspects to an engineered verdict, such deals nevertheless leave the impression that justice has not been clear-cut. And in this case, doubt about the possibility of a conspiracy is bound to flourish. The more so because, in the brevity of the compromise trial, no motive was even suggested. In most capital trials, motive is one of the major factors.

In short, Dr. Martin Luther King Jr., who had no opportunity to compromise with his killer, is dead. But James Earl Ray, while he presumably will spend the rest of his days in prison, is alive.

Is this justice?

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

14 THE BIRMINGHAM POST  
HERALD

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*[Handwritten signatures and initials]*

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In King ShootingArt Hanes Says He Is Convinced  
Of Conspiracy~~BY JAMES BENNETT~~

Birmingham Atty. Arthur J. Hanes, first lawyer to represent James Earl Ray after his arrest in the slaying of Dr. Martin Luther King, said Wednesday he is convinced a conspiracy involving others exists.

Ray, who fired Hanes just prior to his trial in Memphis, Tenn., which Monday gave him a 99-year jail sentence, admitted assassinating the Negro civil rights leader but has not implicated any fellow conspirators.

"I say that there was a conspiracy," Hanes said. "I came to this conclusion months ago after my first two or three visits with him. I am of the firm opinion that this was a plot."

Hanes, a former mayor of Birmingham, was replaced by Houston Atty. Percy Forman who has discounted the conspiracy possibility.

So has Author William Bradford Huie, Ray's biographer, who says Ray would like to have the public believe there were others involved to keep the case alive and generate more publicity for himself.

"I'm taking a position different from Huie or Foreman," Hanes said. "During the course of my investigation in preparation for trial, my beliefs that there was a conspiracy were confirmed rather than dispelled."

~~vinced that there were others.~~

He said he may reveal "certain other information" later.

"Perhaps later on other information will be released and I'm convinced that James Earl Ray will in time, himself, tell more than he's told."

Hanes, who said he didn't have any immediate plans to try to see Ray again himself, ~~said he felt Ray might even~~

~~Hanes~~ said he probably spent more time "jawbone to jawbone" with Ray than anyone else involved in the trial adding "he never once altered his position to me that there were others."

There Were Others

"He never changed his story one time," Hanes said. "There are certain things I know about the case that I don't care to divulge at this time but I'm thoroughly con-

~~vinced~~ reveal "more to me in time."

Although Hanes said he wasn't surprised at the sentence given Ray, he said he was shocked that defense lawyers would plead him guilty in the manner they did.

Hanes said he would not have agreed to accepting a 99-year sentence for Ray in exchange for the guilty plea. He would not elaborate.

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

Birmingham News

1 Birmingham Post  
X Herald

Date: 3-13-69  
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Editor: Duard Le Grand  
Title: James Earl Ray

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## The Ray Guilty Plea

The weird trail of figurative bits of paper left behind by James Earl Ray in his peregrinations across the United States, into Canada and finally ending with a criss-crossing pattern in Europe understandably led many—including this newspaper—to wonder which of those scraps of evidence were fact and which were deliberate fiction.

The very nature of the man whom the State of Tennessee accused of the assassination of Martin Luther King Jr. contradicts the elaborate trail of false identities and behavior.

Ray's criminal record clearly established that he was lacking even in the ability to rob a cab driver without running immediately into the arms of the law. His other attempts

at law breaking were consistently unsuccessful.

It taxes the imagination to accept the notion that he alone plotted King's death, perpetrated the deed and then eluded capture for an extended period. And this a man who stated freely that he held no firm opinions on racial matters one way or the other.

Now Ray has pleaded guilty to King's slaying and received a sentence of 99 years in prison. He has declared also that he will not state that King's death was the result of a conspiracy; neither will he affirm that it was *not* an organized plot.

We have no idea what will develop further in the bizarre story. Will Ray's transfer to state prison at Nashville close the file, or is it possible that someone will continue to poke around, if for no other reason than to establish a motive for the murder of which Ray says he is guilty?

There has been no motive entered in the record so far.

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

Birmingham News

Birmingham Post  
Herald

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Title: James Earl Ray

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*Jan 11*

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# Lingering question: Was there conspiracy?

BY TED PEARSON  
News staff writer

MEMPHIS

One lingering question has not been erased by James Earl Ray's dramatic guilty plea in the assassination of Dr. Martin Luther King:

Did Ray act alone — or were there conspirators?

Persistent suspicion that all has not yet come to light remains far from scuttled in the wake of what was said and done here Monday, both during and after Ray's plea of guilty in an open court hearing.

UNLIKE THE old soldiers of the barracks ballads, conspiracy theories in murders of famous public figures neither die nor fade away as long as

More Ray  
on  
Page 12

the slightest crack in the door is kept open to nourish conspiratorial suspicions.

The chief prosecutor has kept the door ajar. So has the judge. And so has the man who probably knows more than anybody else about it — the defendant himself.

On the courtroom floor, Dist. Atty. Phil Canale said

one of history's most far-flung investigations has failed to turn up proof that a conspiracy took Dr. King's life. But, he says, neither is there proof that Ray was not acting alone.

However, in Atlanta King's widow maintained his assassination was the work of more than one person and is still on the conscience of the nation despite the sentencing of Ray to 99 years.

The Rev. Ralph David Abernathy, who took over leadership of Dr. King's civil rights organization, says he is convinced by Ray's admission of guilt itself that the murder was part of a conspiracy.

"There are the unanswered questions," commented "au-

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

Birmingham News

Birmingham Post Herald

Date: 3-13-69  
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Editor: JOHN W. BLOOMER  
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FBI - BIRMINGHAM	

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thor William Bradford Huie, who wrote Ray's biography while Ray was awaiting trial on the murder charge.

Others demanded to know, at the very least, "Why was Ray permitted to 'cop a plea' of guilty—and go to prison without the revealing trial all had expected?"

ONCE THE sentencing was over, with Ray destined for a 99-year term in the Tennessee State Penitentiary, Canale met with newsmen and made it even plainer that investigators aren't closing the door to any possible conspiracy.

He said they are "ready, willing, and able to move with vigor" if any conspiratorial evidence turns up at any time.

"I learned a long time ago," Canale said, "never to rule out anything."

And what did Judge Preston Battle say to keep the conspiratorial avenues open? It was a combined observation and warning:

"IT HAS BEEN established that the prosecution is not in possession of enough evidence to indict anyone as a co-conspirator.

"Of course, this is not conclusive evidence that there was no conspiracy.

"If this defendant was a member of a conspiracy, 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, subdued in resignation to the trap that had snared him, went out of his way to put into the court record his refusal to accept what his own lawyer said about the conspiracy angle.

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

— Birmingham News

— Birmingham Post Herald

Date:

Edition:

Author:

Editor:

Title:

Character:

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Classification:

Submitting Office:

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~~PERCY FOREMAN~~, the Texas criminal lawyer of wide-spread reknown and acute perception who replaced Birmingham's ex-mayor Arthur J. Hanes as Ray's attorney several months ago, said he now agrees with FBI Director J. Edgar Hoover and former U.S. Atty. Gen. Ram-

### Term begins MEMPHIS

James Earl Ray was secretly taken from his cell early today and shuttled some 200 miles to the state penitentiary at Nashville to begin his 99-year sentence.

sey Clark that there was no conspiracy.

Ray, however, jumped to his feet and told the court he does not accept the no-conspiracy theory.

But that was all. Ray said nothing more — no fingering of any accomplices; no revelations of any conspiratorial planning.

Foreman later told reporters Ray had spoken out in court only to keep the conspiracy notion alive, that it meant money to him for stories he could sell.

"He's got a . . . gold mine in stories. He didn't want to

~~But the prosecution can get~~ only on what it can prove. It showed Monday to the satisfaction of the court and a jury that it could prove Ray killed Dr. King, but could not prove Ray had conspiratorial cohorts.

The motive?

"WE'VE GOT our own theory about the motive," says Canale. "I think race had a lot to do with it. Several things along this line in Ray's background came out in the investigation. There was indication he was a racist.

~~Why Memphis?~~

"The fact that the murder happened here, we feel, was sort of accidental as far as time is concerned," said Canale. "We feel Ray had been following Dr. King."

Was Ray the only follower? Were there others? Was there a plot?

~~Ray's decision to plead guilty~~

~~been in~~ Los Angeles, the whole time.

WHO MADE the call? Who picked up the license?

"We don't know," says Canale's assistant, James C. Beasley, who as a "detail man" brilliantly summed up the state's evidence pointing to Ray as the man whose finger was on the trigger when King was killed.

The state, at the post-hearing meeting with newsmen, did unveil its conclusions on another question that has spiced the conspiracy — the source of apparent large sums of money that Ray spent before and after the murder.

Canale says there is evidence that Ray, after his 1967 escape from a Missouri penitentiary and before the King assassination, was "running contraband" from Canada and Mexico into the United States — possibly drugs across the Canadian border, and possibly jewelry from Mexico.

MOREOVER, the prosecutor reported the state "feels sure" Ray robbed one and perhaps two banks in Montreal. In addition, Canale said, Ray "saved a very substantial amount" of money while he was imprisoned in Missouri — money that Canale said was sent out of

~~the prison and which Ray~~ reclaimed after his escape.

The district attorney did not say how Ray managed to accumulate the money in prison.

"We feel that Ray had sufficient means of income to live and travel as he did without being paid under any conspiracy to kill Dr. King," Canale declared.

What about the mysterious "Raoul," whom Ray reportedly said provided him with large sums of cash after they met in a Montreal tavern?

"It has never been ascertained," Canale said, "that there is such a man. There could be, but we have no evidence of it."

WHAT OF the police-band radio broadcasts shortly after Dr. King's murder that led Memphis officers on a wild goose chase and perhaps threw them off the track of the murderer's escape from the city? They were not made by police radio operators.

"We feel this was a prank," says Canale. "We think we know who did it, but we can't prove it. As far as we're concerned, it was a prank."

After the murder, Canale said the trail traced by investigators showed that the killer went to Atlanta by way of Birmingham.

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

— Birmingham News

— Birmingham Post  
Herald

Date:  
Edition:  
Author:  
Editor:  
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kill the golden goose, the gravel-voiced attorney said.

The unexplained mystery of a duplicate driver's license in Alabama continues to stand as one of the classic symbolic elements of the conspiracy theory that will stay alive for a long time to come.

THAT IS one angle, Canale and his chief assistant admitted, for which they have found no explanation.

On Feb. 28 or 29, 1968, little more than a month before Dr. King's slaying in Memphis, the Alabama Highway Patrol in Montgomery got a telephoned request to issue a duplicate driver's license to Eric Starvo Galt — the name under which Ray lived in Birmingham.

The patrol sent the license and a bill for 25 cents to the Highland Avenue address furnished by the caller. On March 6, it received the 25 cents by mail.

But Galt — or Ray — had

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

— Birmingham News

— Birmingham Post  
Herald

Date:

Edition:

Author:

Editor:

Title:

Character:

or

Classification:

Submitting Office:

☐ Being Investigated

(Mount Clipping in Space Below)

# End of the trail



RAY DUCKS HEAD AS HE ENTERS PRISON

...James Earl Ray hides face on way to cell in Nashville; Maj. Mickey McGuire is at left

Associated Press Wirephoto

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

Birmingham News

Birmingham Post Herald

Date:

Edition:

Author:

Editor:

Title:

Character:

or

Classification:

Submitting Office:

☐ Being Investigated

(Mount Clipping in Space Below)

## Questions About Ray

Sen. James O. Eastland, chairman of the Senate Judiciary Committee, said he has no answers. But the questions he raised about the shooting of Dr. Martin Luther King Jr., for which James Earl Ray now has been sentenced to 99 years, are questions which would occur to anyone familiar with the case.

How did Ray know Dr. King was going to be in the Lorraine Motel in Memphis where the shooting took place?

How did Ray know the location of Dr. King's room?

How did Ray know Dr. King would appear on the balcony where he was shot?

How did Ray know where to get a room which would give him the angle to fire the fatal shot?

Who assisted and advised Ray in the "intricacies of international travel" which enabled him to escape to

Canada and then to England?

"The mathematical odds that King would step from a certain room onto a balcony directly in front of a would-be assassin are impossible to calculate," the senator said. "Only a man armed with detailed and accurate information could have positioned himself to fire the fatal shot."

The abbreviated "trial" which resulted from the deal made by Ray with the judge, jury and prosecutor, did not raise any of these questions, or provide even slight clues to the answer. They are the type of questions which would be raised, at least, in any normal murder trial.

They are questions which ought to be answered.

Birmingham Atty. Arthur Hanes, who represented Ray for a while, has indicated he believes they can be answered. The question now is, by whom?

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

15 Birmingham Post-Herald  
Birmingham, Ala.

Date: 3-14-69  
Edition: Final  
Author: Editorial  
Editor: John W. Bloomer  
Title: MURKIN

Character: 44-17405FI-116  
or  
Classification:  
Submitting Office:  
☐ Being Investigated

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 17 1969	
FBI - BIRMINGHAM	

(Mount Clipping in Space Below)

# King probe urged on basis of two telephone calls

BY JAMES SPOTSWOOD  
Special to the News

NASHVILLE

A telephone conversation allegedly mentioning a balcony and \$5,000, and made an hour before the murder of Dr. Martin Luther King, was cited Saturday as among grounds for appointing a federal commission to investigate possible conspiracy angles in the case.

The Tennessee Council on Human Relations urged that President Richard Nixon appoint a powerful commission like the one which studied the assassination of President John Kennedy to do the job.

Baxton Bryant, executive director of the Council, said two telephone conversations were overheard in a Memphis wholesale business office shortly before the April 4, 1968 murder of Dr. King.

The resolution of the TCHR board of directors was adopted at their Nashville headquarters only five miles from the prison where James Earl Ray has just begun serving a 99-year sentence.

IT WAS IMPOSED at Memphis after Ray pleaded guilty to the killing of the civil rights leader.

Ray hinted that a conspiracy existed in a statement made during his last day in court.

Bryant gave details of the latest development in the King case at his home here shortly before a nationwide television broadcast.

The Council executive said John McFerrin, a Negro civil rights activist who is in business near Memphis, told of overhearing the conversation.

THE COUNCIL OFFICIAL said the FBI questioned McFerrin at length but later said doubt had been thrown on the man's credibility in another incident not related to the King assassination.

Bryant gave this account of McFerrin's statement to him, which, he said, was made three days after the killing of King.

McFerrin said that he entered a wholesale business in Memphis at 5 p.m. Thursday, April 4, which was about an hour before the shooting.

He said he saw two men in a small office, one of whom was talking on a telephone. McFerrin said he heard this man say, "I'm not going to pay you a dime until the job is done."

McFERRIN SAID his interest became aroused when the man said in the same conversation, that he could shoot the man on the balcony.

The Negro man said he stayed around and in a short time heard the telephone ring again. The other man in the office answered and said, "It's for you again."

McFerrin said the man who had been talking on the telephone earlier answered again and told him that he did not want him around. "You can pick up the 5,000 bucks from my brother in New Orleans," he said.

Bryant said the identity of the man who made the remarks on the telephone is known, and it has been determined that he has a brother in New Orleans.

KING WAS SHOT to death on the balcony of a Memphis motel about 6 p.m. Thursday, last April 4.

During the investigation that followed, officers said Ray had been in Birmingham before the killing, and had purchased a rifle and telescopic sight there.

The Human Relations Council directors addressed their appeal for the federal commission to Tennessee U. S. Sens. Albert Gore and Howard Baker Jr.

Bryant said one of the reasons inspiring the appeal was the detailed testimony about the murder of Sen. Robert Kennedy in Los Angeles and the lack of similar detailed information about the slaying of King because Ray's guilty plea eliminated the necessity for trail and testimony.

BRYANT, A WHITE MAN, is a native of Arkansas who was minister of a Methodist church in Dallas, Tex. before accepting his position about five years ago. He is an ordained Methodist minister.

Bryant said that after McFerrin told him about the telephone conversation he notified both Frank Holloman, Memphis director of the Memphis police and fire departments, as well as the FBI.

He said officers of the two agencies questioned McFerrin for several hours in Bryant's room at the Peabody Hotel in Memphis.

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

26 THE BIRMINGHAM NEWS  
Birmingham, Ala.

Date: 3-16-69  
Edition: Dixie  
Author: James Spotswoods  
Editor: John W. Bloomer  
Title: MURKIN

Character:

or

Classification: 44-1740 SF/117  
Submitting Office: BH

☐ Being Investigated

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 17 1969	
FBI - BIRMINGHAM	



(Mount Clipping in Space Below)

## Issued In Birmingham

# Conspiracy Warrant For James Ray Is Still Pending

BY JANEAN MANN

James Earl Ray, alias Eric Starvo Galt, pled guilty to killing Martin Luther King Jr., but the federal conspiracy warrant issued in Birmingham shortly after the slaying is still pending and could provide a vehicle by which to prosecute Ray on conspiracy charges.

The warrant remains open and, although it has not been executed on Ray, neither has it been dismissed.

It is apparently no oversight on the part of the U. S. Justice Department that the warrant remains outstanding, although Ray is now serving a 99-year sentence on his guilty plea to Tennessee murder charges.

According to officials in the U. S. attorney's office in Birmingham, the Justice Department Civil Rights Division has issued orders the warrant is not to be dismissed

unless the division gives the go-ahead.

The writ charges Ray, using the name Galt, "and an individual whom he alleged to be his brother" with conspiring to violate King's rights as guaranteed by the U. S. Constitution.

It is not a murder warrant and carries a maximum sentence of only 10 years and-or a \$5000 fine. Within days after King's death, Congress passed a law which sets a maximum

life sentence upon conviction in connection with the death of a person involved in civil rights activities.

Ray could not be charged under this stronger statute because it was enacted after the assassination.

No grand jury indictment has ever been returned formally charging Ray under the federal law, but "the warrant is remaining open," a Justice Department spokesman said Tuesday.

"This is all that we're prepared to say about it," he said, refusing to give the reason for holding the warrant.

There have been charges and speculation that Ray did not act alone in the April, 1968, shooting of King in Memphis, Tenn.

Judge W. Preston Battle, who accepted Ray's plea and sentenced him, earlier this week voiced a number of queries. Battle said no evidence of a conspiracy has been presented, but if an alleged co-conspirator is found, he will be tried as though he fired the rifle which killed King.

Birmingham FBI officials said they are currently conducting "no active investigation in this area" on the case, but their "investigative interest has never closed." They are interested in any information concerning the slaying, they said.

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

1 Birmingham Post-Herald  
Birmingham, Ala.

Date: 3-19-69  
Edition: Final  
Author: Janean Mann  
Editor: Duard Le Guard  
Title: Murkin

Character:

or

Classification: 44-1740

Submitting Office:

☐ Being Investigated

44-1740-571-118

SEARCHED _____	INDEXED _____
SERIALIZED _____	FILED _____
MAR 19 1969	
FBI — BIRMINGHAM	

An FBI spokesman in Washington Tuesday said the bureau has "no comment at all" concerning any continuing investigation on the assassination.

He said, however, it is his understanding that the Justice Department may be looking further into the case.

(Mount Clipping in Space Below)

## Ray Seeks Another Hearing

MEMPHIS, Tenn. (AP) — James Earl Ray says he plans to seek a review of his plea of guilty to the slaying of Dr. Martin Luther King Jr., 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, Texas.

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 state 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.

However, under Tennessee law, Battle retains jurisdiction in the case over a 30-day review period. Only after 30 days does the plea and sentence become final.

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

2 Birmingham Post-Herald  
Birmingham, Ala.

Date: 3-20-69  
Edition: Final  
Author: API  
Editor: Duard Le Guard  
Title: Murkin

Character:

or

Classification: 44-1740

Submitting Office:

☐ Being Investigated

44-1740-581-119  
SEARCHED INDEXED  
SERIALIZED FILED

MAR 20 1969  
FBI—BIRMINGHAM

(Mount Clipping in Space Below)

## Those Nagging Gaps

Does anyone care whether James Earl Ray was involved in a conspiracy to kill Dr. Martin Luther King?

Well, yes, probably the Justice Department cares; but officials there are keeping quiet.

Last week, Ray reportedly told his brother, John Larry Ray, "I am not the only one in on this." Earlier, James Earl Ray said he regretted having changed his plea to guilty. Why?

The nation ought to care very much about the motives in this case. The nation ought to care enough to demand some explanations.

The public knows, of course, that James Earl Ray has a criminal record. He robbed a St. Louis supermarket of \$190 once, then parked the getaway car outside his lodgings. The police merely walked in and arrested him. On another occasion, he held up a Chicago cab driver for \$11, and again was immediately arrested.

Armed robbery, drunkenness, forgery, and car theft dot his background. He tried three times to break out of the Missouri State Penitentiary—and almost didn't make it the third time.

Out of prison, though, he suddenly became a mastermind of criminality. He also suddenly became quite wealthy. He came to Birmingham. He traveled to New Orleans. He traveled to Los Angeles, then back to Birmingham, then to Memphis, then to Atlanta, then to Toronto, then to London, then to Lisbon, then back to London.

He lived well and paid for everything in cash. He bought a white Mustang, paid over \$400 for dancing lessons, paid \$250 in advance for a short course in bartending, bought a rifle, bought airline tickets, passports, hotel bookings, and other incidentals.

For two months following the assassination of Dr. King, Ray eluded the combined forces of the FBI, Scotland Yard, the Royal Canadian Mounted Police, and INTERPOL (International Police). The grammar school dropout and taxicab hold-up artist checked in

and out of hotels, slept with prostitutes, and drank in public bars on three continents as though the only thing he had to worry about in the world was his shyness.

Ray's four aliases (Willard, Galt, Bridgman, and Sneyd) were adopted from men who all happened to look like Ray. (The FBI and *Time* magazine said so.) Three of the four men all happen to live in the same suburb of Toronto, and the fourth (John Willard) just happens to have been the occupant of the room next to Ray's at the Rebel Motel in Memphis on the day Dr. King was shot. Eric Galt just happens to have scars on his forehead and right palm almost identical to those Ray bears. Sneyd and Bridgman are both 35, and both have Ray's build.

On the night of Dr. King's death, there were said to have been two white Mustangs parked outside the Rebel Motel. After the shooting, both were gone, and false radio reports to Memphis police headquarters diverted attention from the fact that Ray (or someone driving a white Mustang) was on his way to Atlanta.

There are other oddities about the Ray case too numerous to detail here. They may mean nothing in particular, or they may mean something. Taken together, they don't necessarily mean that Ray was involved in a conspiracy.

It is doubtful, though, that Ray (if he acted alone) began to plot Dr. King's murder as long ago as 1952. During the 'fifties, Ray's performance as a plotter of petty crimes was shoddy. It is extremely doubtful that he feigned ineptness just to fool the FBI in 1968. By all published accounts of Ray's background that we have seen thus far, the man has always been a loser, an "unremarkable nobody."

Why did he change his plea to guilty last week? Why did he tell his brother he was not "the only one in on this"? Why did he disagree in court when it was said there had been no conspiracy?

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

8 Birmingham News  
Birmingham, Ala.

Date: 3-18-69  
Edition: Metro  
Author: Editorial  
Editor: John W. Bloomer  
Title: James Earl Ray

Character:

or

Classification: 44-17405F1

Submitting Office:

☐ Being Investigated

44-17405F1-120

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 19 1969	
FBI - BIRMINGHAM	

Above all: Why did James Earl Ray kill Dr. Martin Luther King—if, indeed, he did kill him? Was it for money? If so, whose money?

Was it because Ray hated Dr. King in particular or Negroes in general?

Was it because Ray is insane?

The nation ought to ask such questions. The nation ought not to let this matter slip into the deep freeze, as one cartoonist has already suggested.

There are political issues involved here. If Dr. King was not the victim of an insane assassin's bullet, the motive for his death is of great importance—particularly if there *was* a conspiracy, but, too, even if there wasn't.

Certainly, if a conspiracy of some sort was responsible for Dr. King's death, and if the conspirators are not exposed, then other public men may suffer. And if other public men do suffer, then the nation will suffer.

***'Hey! What's Going On Here!'***



—Sanders, *Milwaukee Journal*

(Mount Clipping in Space Below)

## ~~NSRP aide~~ says Ray to change plea

SAVANNAH, Ga. (AP)

James Earl Ray definitely will change his plea to innocent in the assassination of Dr. Martin Luther King Jr. and will seek a new trial, the head of the National States Rights Party announced today.

Edward R. Fields, NSRP chairman, said he made the announcement on behalf of J. B. Stoner, NSRP vice chairman. He said Stoner would represent Ray in the case.

Stoner, 44, announced last Saturday he would handle a libel suit for Ray against several national magazines. He conferred with Ray in the Tennessee State Penitentiary at Nashville but declined to comment on a possible new trial.

Fields, who shares an office with Stoner, said the attorney "will not be giving any more interviews" until after the first-degree murder trial.

HE SAID Stoner would be assisted by two unidentified attorneys.

Ray pleaded guilty March 10 to last year's sniper slaying of King in Memphis, Tenn. He was sentenced to 99 years in prison.

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

1 Birmingham News  
Birmingham, Ala.

Date: 3-25-69  
Edition: Metro  
Author: API  
Editor: John W. Bloomer  
Title: Murkin

Character:

or

Classification: 44-1740

Submitting Office:

☐ Being Investigated

44-1740-SF-121

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 20 1969	
FBI - Birmingham	

*[Handwritten signatures and initials]*

(Mount Clipping in Space Below)

# Hanes, Stoner May Meet With Ray

NASHVILLE, Tenn. (UPI) — Two attorneys, one long linked with the Ku Klux Klan, disclosed Friday night they may meet with James Earl Ray amid reports he may try for a new trial in the assassination of Dr. Martin Luther King Jr.

J. B. Stoner, from Savannah, Ga., linked in the past with the Klan and the National States Rights Party, disclosed Friday night that he plans to see Ray about the possibility of filing a libel suit against a magazine.

About the same time, Arthur J. Hanes, the former mayor of Birmingham, Ala., who was Ray's original lawyer in the King case until Ray fired him in favor of Percy Foreman, said that he had a "very nice" letter from Ray and might meet Ray in the Tennessee State Prison Saturday.

Hanes said he didn't know anything about the Stoner development.

Stoner was intercepted at Chattanooga, Tenn., when he stopped to visit an attorney friend, Robert Hill Jr.

"I'm not representing Mr. Ray in any criminal case," Stoner said. But when asked if he would represent Ray in a criminal proceedings if he were asked Stoner added:

"Yes sir, I would if he asked me to."

Ray, on the advice of Foreman, the famed trial lawyer

from Houston, entered a guilty plea to the slaying of King on March 10 in exchange for a 99-year prison sentence instead of a possible seat in the electric chair.

Prison sources said he had voiced regret at the decision.

Stoner said he had known Ray since last September "when he employed me on a civil action.

"I don't think Mr. Ray is guilty. That's one reason we plan to bring a libel suit. On the criminal matter, I'm not in a position to say anything about it now because I haven't reached the stage yet where I can.

"I think Mr. Ray is a victim of a conspiracy, certainly certain magazines are part of a conspiracy to libel him and to deprive him of a fair trial. And they apparently did succeed with their libel into pressuring him into a plea when otherwise there was no apparent reason for it."

Hanes disclosed he had received the letter from Ray at Birmingham.

"I'm not intending to be his (Ray's) attorney of record or participate in any more legal actions but I may go up there and see what he wants."

An associate of Stoner, Edwards Fields of Savannah, said Stoner would act within the 30-day "post trial hearing" period provided for under Tennessee state law.

But Stoner said Fields could be only guessing about his plans.

Then Stoner added he had independent information on the Ray case.

"I know quite a few people in Memphis and on the basis of limited information, I think that it would be impossible for Mr. Ray to be guilty of having shot King."

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

1 BIRMINGHAM POST-  
HERALD  
Birmingham, Alabama

Date: 3-21-69

Edition: Final

Author:

Editor:

Title: MURKIN

Character:

or

Classification:

Submitting Office: BIRMINGHAM

☐ Being Investigated

44-1740-SF-1-122

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 21 1969	
FBI-BIRMINGHAM	

(Mount Clipping in Space Below)

## IN LETTER

# Ready to talk to senators, Ray indicates

BY PAUL SCOTT

WASHINGTON

An unpublished letter that James Earl Ray sent Sen. James Eastland, (D-Miss.), is figuring prominently in the Senate security subcommittee's inquiry into the assassination of Dr. Martin Luther King.

In the two-page, handwritten communication, Ray gave hints of a conspiracy in King's assassination by alleging that others were involved.

While he gave no specific details, Ray clearly indicated that he was ready to talk if permitted to do so freely under the protection of the court or a congressional committee.

RAY'S CAREFULLY composed letter so intrigued Eastland that he sent subcommittee investigators to Memphis, Tenn., to try to get the answers to these still unanswered questions:

How did Ray know King was going to be in the Lorraine Motel?

How did Ray know the location of King's room?

How did Ray know King would come out on the balcony where he was shot?



JAMES EARL RAY

How did Ray know exactly where to go to get a room from which to fire the shot?

Was Ray's eye sight good enough to have permitted him to fire the fatal shot?

This last question was raised by Eastland after his subcommittee received several reports that the convicted assassin's poor eyesight made it almost impossible for him to be King's killer.

ALTHOUGH STATE and federal authorities are known to have investigated these reports, their findings have never been made public.



SEN. JAMES EASTLAND

cause of the impact they might have had on Ray's trial.

While Eastland still hasn't determined how far-ranging an inquiry his subcommittee will conduct, several persons involved in the Justice Department's probe of Ray have urged him to include the activities of one of the late King's mysterious associates.

This adviser, known to the Federal Bureau of Investigation as one of the top secret Communists in the country, was the chief architect of the

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

A-  
1 THE BIRMINGHAM NEWS  
—Birmingham, Alabama

Date: 3-30-69  
Edition: Metro  
Author: PAUL SCOTT  
Editor:  
Title: MURKIN

Character:

or

Classification: 14-1740  
Submitting Office: BIRMINGHAM

☐ Being Investigated

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 29 1969	
FBI-BIRMINGHAM	

44-1740-SF1-123



**"Poor, People's campaign" that King was to have led in the nation's capital a year ago.**

The mysterious adviser was also one of King's main writers, and is believed to have drafted many of the speeches that the civil rights leader gave during the two months before his assassination.

ACCORDING TO an FBI informant, the mysterious adviser believed the country was ripe for a black-white civil war at the time and was looking for an incident to trigger the bloody conflict.

Still incomplete is an FBI investigation of this mystery with a group of black militants following the violent March 28 demonstration in Memphis, in which a Negro youth was killed. It is considered significant that one of the persons that attended that meeting was also with King at the Lorraine Motel on April 4, 1968, the day of the assassination.

In his discussions of the possibility of a conspiracy being involved in King's death, Eastland has taken the position that someone inside the motel had to finger King for the assassin.

"It is obvious to me that someone inside the motel advised Ray," reported Eastland. "The mathematical odds that King would step from a certain room onto a balcony directly in front of a would-be

assassin, are impossible to calculate. Only a man armed with details and accurate information would have positioned himself to fire the fatal shot."

EASTLAND HAS asked permission from Tennessee prison authorities to have his subcommittee investigators question Ray, who pleaded guilty to King's assassination for a guaranteed 99-year prison sentence, concerning how he knew where to find King on the day of the assassination.

granting of a duplicate driver's license on Feb. 28, 1969, for Eric S. Galt, an alias Ray used.

Since Ray has been positively located in California on that date, Eastland wants to know the identity of the person who called the driver's license division of the Alabama Highway patrol to order the duplicate license.

The duplicate was mailed to 2608 Highland Avenue, a boarding house where Ray had lived in Birmingham before going to the West Coast. Eastland also plans to have his investigators question Ray about the driver's license application.

(Mount Clipping in Space Below)

# Lawyer is denied meeting with Ray by prison official

NASHVILLE, Tenn. (AP)

James Earl Ray, who wants to disavow his admission of guilt in the murder of Dr. Martin Luther King Jr., has been denied an immediate meeting with a Memphis attorney at the state prison here.

Harry S. Avery, Tennessee commissioner of corrections, said Richard J. Ryan was turned away by prison officials Wednesday because he had not been officially retained as Ray's lawyer.

In another development, the Tennessee Supreme Court could become a major hurdle for Ray in his bid to gain a new trial and overturn his 99-year sentence.

THE COURT, in an opinion by Justice Allison B. Humphreys dealing with a burglary conviction, ruled that a convicted criminal cannot seek to invalidate a prison sentence on grounds he was misadvised by his attorney to plead guilty.

Jerry Ray, James' brother, said last week Ray would ask for a new trial on grounds he was "pressured" by his for-

mer attorney, Percy Foreman, into entering a guilty plea. Foreman has denied he put pressure on Ray.

Ray's brother also said a Memphis lawyer had been asked to work on the new trial plea. He identified the attorney as "A. J. Ryan."

Prison sources said Ryan did not present a letter or other proof of contact with Ray when he arrived at the prison.

Avery said prison regulations allow only the prisoner's immediate family to visit during an initial six-week peni-

tentiary processing period. That would mean Ray would not be able to have other visitors until sometime next month.

"As a courtesy we usually allow any attorney who has been officially retained to visit inmates at any time," said Avery. "But we are not going to let in just any Tom, Dick and Harry who would like to represent him."

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

36 The BIRMINGHAM NEWS  
BIRMINGHAM, ALABAMA

Date: 3-27-69

Edition: METRO

Author:

Editor:

Title: JAMES EARL RAY

Character:

or

44-1740\*

Classification:

Submitting Office: BH

☐ Being Investigated

44-1740-SF-124

SEARCHED	INDEXED
SERIALIZED	FILED
APR 1 - 1969	
FBI - BIRMINGHAM	

(Mount Clipping in Space Below)

# Battle's death may get Ray new trial

MEMPHIS, Tenn. (AP) Judge W. Preston Battle has died of a heart attack, raising the possibility that Tennessee may have to give James Earl Ray the trial by jury he now says he wants.

The 60-year-old jurist was found dead in his chambers Monday night. On March 10 he had accepted Ray's plea of guilty to the murder of Martin Luther King Jr. and sentenced him to 99 years in prison.

Later Judge Battle disclosed Ray had written from the state penitentiary advising that he wanted to withdraw his plea and stand trial.

Charles Galbreath, a Tennessee Appeals Court judge, said today that if the letter is construed as a motion for a new trial, the state would have to give Ray one.

GALBREATH SAID such a motion must be granted under state law if the trial judge dies or is judged insane while the case is pending.

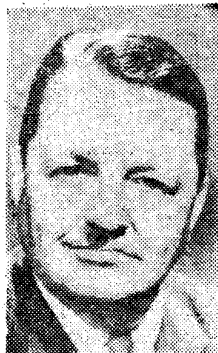
Battle's body was found by James Beasley, an assistant district attorney general who was one of the prosecutors in Ray's case.

Beasley said he had tried unsuccessfully to reach Battle during the afternoon and

noticed lights still on in the chambers in the Criminal Court-county jail building when leaving for home.

"I just thought something might be wrong," said Beasley. He said he opened the door to the chambers and found Battle slumped over his desk.

A HEART ATTACK was given as the cause of death after an autopsy by Dr. Jerry T. Francisco, the same county medical examiner who ~~did the~~ postmortem on King.



JUDGE BATTLE

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

BH file only

22 THE BIRMINGHAM NEWS  
Birmingham, Alabama

Date: 4-1-69  
Edition: Metro  
Author: AP  
Editor: John W. Bloomer  
Title: MURKIN

Character:

or

Classification: 44-1740

Submitting Office:

☐ Being Investigated

44-1740-58125

Mr. [unclear]

[Handwritten signature]

# Ray letters puzzle Tennessee judges over legal validity

MEMPHIS, Tenn. (AP)

Two prison cell letters from James Earl Ray and the death of the judge who received them have placed the state of Tennessee in an apparent legal dilemma.

The problem is whether the circumstances may force authorities to give the convicted killer of Dr. Martin Luther King Jr., the trial by jury he has been quoted as saying he wants.

Faced by seemingly conflicting opinions from higher judicial authority, four judges of the Shelby County Criminal Court huddled with prosecution officials Tuesday. None of those at the meeting would say what, if any, conclusion was reached.

JUDGE W. PRESTON Battle, who accepted Ray's guilty plea in Criminal Court March 10 and sentenced him to 99 years, disclosed nine days later that he had received a letter from Ray, saying he intended to "file for a post-conviction hearing."

Battle, 60, died of a heart attack Monday in his chambers.

Associates who searched his official effects said Tuesday they found a second letter which Ray asked the judge to treat "as a legal notice of an intent to ask for a reversal of the 99-year sentence."

Existence of the second letter written from the state penitentiary in Nashville, had not been made public by the judge. Its wording raised the question whether it was the valid equivalent of a motion for a new trial, or perhaps a writ of habeas corpus.

"I UNDERSTAND on one

avenue of appeal," Ray's second letter said, "I have only 30 days in which to file review notice, to have previous sentence set aside. That is the appeal route to which I address the court."

Ray apparently referred to a 30-day review period in which a judge may reopen a case at his discretion.

The Memphis Commercial Appeal reported that "at the attorney general's office, it was said a preliminary hearing on the motions implied in Ray's letters probably will be held in about two weeks."

MEANWHILE, IN New York, a former attorney for James Earl Ray says the convicted killer went to Memphis last April to sell rifles to Cuban exiles without knowing Dr. King was to be murdered.

Arthur Hanes of Birmingham, a former FBI agent, said Ray and "a contact" had taken the rifle to Tennessee to show Cubans interested in buying or stealing rifles. The contact abandoned the rifle, which carried Ray's fingerprints, on the street to frame Ray in the murder, according to Hanes.

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

BH file only

15 THE BIRMINGHAM NEWS

Birmingham, Alabama

Date: 4-2-69

Edition: Metro

Author:

Editor: John W. Bloomer

Title: MURKIN

Character:

or

Classification: 44-1740

Submitting Office:

☐ Being Investigated

44-1740-SF-126

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## Ray Lawyers File For New Trial

MEMPHIS, Tenn. (UPI) — Attorneys for James Earl Ray, convicted of slaying Dr. Martin Luther King Jr., filed motions for a new trial Monday on grounds that Ray has been used by his 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. He 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.

Faquin was assigned to the Ray case earlier this month when Judge W. Preston Bat-

tle, 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 the judge 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 action 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.

BH file only

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

THE BIRMINGHAM POST  
HERALD

Birmingham, Alabama

Date: 4-8-69  
Edition: Final  
Author: Memphis (UPI)  
Editor: Duard Le Grand  
Title: MURKIN

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INDEXED	FILED
APR 9 1969	FBI — BIRMINGHAM

(Mount Clipping in Space Below)

# Ray's plea for retrial claims lawyers only wanted funds

MEMPHIS (AP)

James Earl Ray, contending that two of his lawyers were more interested in financial gains than his fate, has officially asked for a new trial in the slaying of Dr. Martin Luther King Jr.

In a petition filed Monday Ray said he was "pressured" into a March 10 guilty plea because a trial would have made the facts a "matter of public record for the free use of all" and would have endangered the success of a projected book and movie.

Ray was represented first by Arthur Hanes of Birmingham, an attorney he fired in November, and then by Percy Foreman of Houston, who arranged a 99-year sentence in exchange for the guilty plea.

Attached to the petition were letters and agreements involving Ray, Alabama author William Bradford Huie of Hartselle, who is writing a book about Ray and negotiating movie rights, Hanes and Foreman.

THEY OUTLINED financial arrangements under which Huie, who has already written a series of magazine articles on the case, will pay part of his royalties to the two attorneys.

Ray said in the motion that if he had taken the stand in a full scale trial, "then he would have no book."

He contended that his guilty plea was "a farce, a sham and a mockery of justice."

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

14 Birmingham News  
Birmingham, Ala.

Date: 4-8-69  
Edition: Metro  
Author: API  
Editor: John W. Bloomer  
Title: Murkin

Character:

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APR 9 - 1969	
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(Mount Clipping in Space Below)

# Ray Suit Nonsense, Huie Says

HARTSELLE (AP) — Author William Bradford Huie said Wednesday that an accusation against him by James Earl Ray is nonsense.

Ray is serving a 99-year prison sentence in Nashville, Tenn., on his guilty plea to a first degree murder charge in the death of Dr. Martin Luther King Jr. in Memphis, Tenn.

Ray has filed a suit against Huie and two attorneys, Percy Foreman of Houston, Tex., and Arthur Hanes of Birmingham, Ala.

He contends that the three were more interested in money than in Ray and accuses them in the suit of collusion to exploit him for personal profit at the expense of his constitutional rights.

The suits ask that a federal court nullify contracts between Ray and Hanes, Foreman and Huie for Ray's exclusive life story, estimated to be worth \$1 million.

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

— BIRMINGHAM NEWS

29 BIRMINGHAM POST-  
HERALD

— BIRMINGHAM, ALABAMA

Date: **4-17-69**

Edition: **FINAL**

Author:

Editor: **DUARD LEGRAND**

Title: **MURKIN**

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FBI—BIRMINGHAM

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**Ray new trial hearing May 26**

MEMPHIS, Tenn. (AP)

James Earl Ray's plea for a new trial in the slaying of Dr. Martin Luther King Jr. will be argued May 26.

Judge Arthur C. Faquin Jr., who succeeded the late Judge W. Preston Battle in the case, set the hearing date Wednesday. He said it was the most convenient date that could be agreed upon by both the prosecution and defense.

Should Ray be granted a full trial, all aspects of the deal under which he pleaded guilty in return for a 99-year sentence would be off — and Ray could be eligible for the death penalty if convicted.

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

8 BIRMINGHAM NEWS

BIRMINGHAM POST-HERALD

BIRMINGHAM, ALABAMA

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Edition: METRO

Author:

Editor: JOHN W. BLOOMER

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SERIALIZED	FILED
APR 13 1969	
FBI - BIRMINGHAM	



(Mount Clipping in Space Below)

## Could be used in surveillance Ray bought special camera while on run as escaped con

BY BERNARD GAVZER

CHICAGO (AP)

During the time James Earl Ray was on the run as an escaped convict, he invested at least \$337.34 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 to Superior Bulk, which was received Oct. 3, 1967, along with an order blank for purchase of a Kodak Dual projector, M95Z; a Kodak Super — Camera, Model D38, 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. This was the Economy Grill & Rooms, a private home that was now a 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 L&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."

In this typewritten note, he added:

"As I think I told you on the phone I will have to leave for Mexico Saturday and will be unable to wait. Due to Mexico high customs I would not want it sent their (sic). Upon my arrival

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

5 BIRMINGHAM NEWS

BIRMINGHAM POST-HERALD

BIRMINGHAM, ALABAMA

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Edition: METRO

Author: BERNARD GAVZER

Editor: JOHN W. BLOOMER

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FBI - BIRMINGHAM	

in Mexico I will send you my address and you can mail whatever remittance their."

He had paid \$160 in advance for the Kodak Superi 8. The company deducted \$17.11, as he had instructed, for special shipping charges and a refund check for \$142.89 was issued.

On Oct. 22, Ray wrote from Puerto Vallarta, Mexico, telling Superior Bulk to send the refund to Mexico.

The camera was returned Nov. 2, and the company sent the refund to Mexico Nov. 10.

Ray wrote again Nov. 20, from 1535 N. Serrano St. in Los Angeles, inquiring about the refund and asking that it be sent to his new address.

"I will be at the below address for five months," he wrote. This also was a typewritten letter, all in capitals, but having the signature "Eric S. Galt."



**JAMES EARL RAY**

The check was never delivered. "It still is an open item on our books," said Burke.

Ray stayed in Los Angeles until March 17, 1968, and the film firm cannot understand why he never got the check.

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.