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Ray Discloses Names, Leads In King Death

London, July 6 (AP)—James Earl Ray gave his American lawyer today what the attorney called "names and other leads" to investigate in preparing Ray's defense against charges of assassinating Dr. Martin Luther King Jr. in Memphis, Tenn., April 4.

The attorney, Arthur J. Hanes, former mayor of Birmingham, Ala., conferred with Ray for 70



Arthur J. Hanes
Praises security procedure

minutes in Wandsworth Prison. Ray, arrested here June 8, is being held pending a court appeal against an extradition order issued by a British magistrate last Tuesday.

Hanes visited Ray with his assistant, but was alone with the attorney today except for prison guards. The lawyer was searched before the interview.

The two men spoke through a thick metal grille in the glass panel separating them. At times they whispered and exchanged notes which were passed by a guard.

Hanes told newsmen he found the interview "most helpful, most fruitful, and beneficial." He added: "I am beginning to build a case, to organize a defense. He gave me names and other leads to follow up back in the United States. And I am building a file."

Freedom Restricted

Hanes said local security procedures restricted his freedom to talk with his client, but he did not criticize them.

Apparently alluding to conditions in Dallas after the assassination of President Kennedy, Hanes said: "I think the procedure over here is rather good. There have been people hurt in other cases like this."

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UPI-87

(RAY)
 LONDON--THE ALABAMA ATTORNEY FOR JAMES EARL RAY SAID TODAY HIS CLIENT WAS COMFORTABLE IN A LONDON JAIL, VERY MUCH LONDON'S WEATHER AND STILL UNHAPPY WITH ACE SCOTLAND YARD CRIMINIST TONNY BUTLER.

ARTHUR HANES MET FOR 70 MINUTES AT LANDSWORTH PRISON WITH RAY, WHO IS AWAITING APPEAL OF AN EXTRADITION ORDER ON TENNESSEE CHARGES HE MURDERED DR. MARTIN LUTHER KING JR. APRIL 4.

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HANES TOLD NEWSMEN IN THE LOUNGE OF HIS LONDON HOTEL THAT HE FOUND RAY "QUITE PLEASED AND SATISFIED WITH THE TREATMENT HE IS GETTING FROM BRITISH AUTHORITIES BUT DISPLEASED WITH MR. BUTLER'S TESTIMONY."

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THE ALABAMA LAWYER SAID RAY TOLD HIM:

"YOU MIGHT EXPECT A 10-YEAR-OLD GIRL TO MAKE SUCH A REMARK, BUT NOT A GROWN MAN."

HANES SAID RAY "CATEGORICALLY DENIES" BEHAVING AS BUTLER ALLEGED. ACCORDING TO HANES, RAY HAS BEEN WRITING LETTERS AND READING IN HIS CLOSELY GUARDED CELL. HE ALSO HAS BEEN ALLOWED WALKS IN THE EXERCISE YARD.

"HE READS NEWSPAPERS AND MAGAZINES. I DON'T KNOW WHAT KIND," HANES SAID. "HE SAYS HE HAS ALL HE NEEDS. HE HAS WRITTEN SOME LETTERS--HE WROTE TO ME--AND TO HIS FAMILY."

HANES REFUSED TO IDENTIFY THE FAMILY MEMBERS.

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(RAY)

LONDON--ALABAMA LAWYER ARTHUR J. HANES MET FOR 75 MINUTES TODAY WITH JAMES EARL RAY AND SAID THE ACCUSED KILLER OF MARTIN LUTHER KING JR. DENIED HE COLLAPSED WHEN ARRESTED IN LONDON, MUTTERING "OH MY GOD, I FEEL SO TRAPPED."

HANES SAID HE SPOKE WITH RAY AT WANDSWORTH PRISON THROUGH A GLASS PANEL WITH GUARDS ON EITHER SIDE. RAY HAS BEEN UNDER MAXIMUM SECURITY SINCE HIS ARREST ON JUNE 8.

IT WAS THEIR SECOND MEETING IN TWO DAYS.

HANES SAID RAY RESTATED HIS OBJECTIONS TO TESTIFYING AT HIS EXTRADITION HEARING TUESDAY BY SCOTLAND YARD CHIEF SUPERINTENDENT THOMAS BUTLER. RAY HAD PROTESTED TO THE JUDGE OVER BUTLER'S TESTIMONY THAT HE COLLAPSED AND SAID HE FELT "TRAPPED" WHEN TOLD THERE WAS REASON TO BELIEVE HE WAS THE MAN WANTED FOR KILLING KING.

"HE CATEGORICALLY DENIES HE BEHAVED IN SUCH A MANNER," HANES TOLD NEWSMEN.

HANES QUOTED RAY AS SAYING, "YOU MIGHT EXPECT A 10-YEAR-OLD BOY TO MAKE SUCH A REMARK, BUT NOT A BROWN MAN."

HANES SAID HE CALLED RAY "BUDDY GERALD--ANY OLD THING" DURING THEIR TALKS. HE SAID HE DID NOT ADDRESS HIM AS RAY OR AS RACON SECRET SUEVE, THE NAME UNDER WHICH HE WAS ARRESTED. HANES HAS REFUSED TO GIVE ANY INDICATION HE TAKES THE ALIENALITIES. NOTE THAT HIS CLIENT IS IN FACT JAMES EARL RAY.

THE BIRMINGHAM LAWYER SAID HE AND RAY HAD A RATHER LENGTHY TALK--THERE WAS A LITTLE MORE DELAYED FEELING ON HIS PART AND MY PART THAN YESTERDAY.

HE SAID RAY WAS "quite pleased and satisfied with his treatment" AT WANDSWORTH, WHERE HE IS BEING HELD PENDING HIS APPEAL AGAINST THE ORDER TO SEND HIM BACK TO THE UNITED STATES TO STAND TRIAL IN MEMPHIS, TENN., FOR THE SHOOTING OF KING LAST APRIL 4.

HANES SAID THE GUARDS DESCRIBED RAY AS "VERY COOPERATIVE" AND WITH "GOOD RAPPORT WITH THOSE AROUND HIM."

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—UPI Photo

RAY TO PLEAD "NOT GUILTY" — American lawyer Arthur Hanes Sr. is interviewed outside London's Wandsworth Prison after meeting with his client, James Earl Ray, accused of assassinating Dr. Martin Luther King Jr. Mr. Hanes said Ray will plead not guilty if he is to trial in N.Y. on charges of killing

Dr. King. British lawyers are working on Ray's appeal of an extradition order that would return him to the U.S. Mr. Hanes said no organizations were paying for his services and that the prisoner would pay his fee. "He ain't going to pay me with love, I can tell you that," Mr. Hanes said.

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His Attorney Says Ray Has Given Him Leads

LONDON (AP) — James Earl Ray's American lawyer talked with him in prison today and said he got "names and other leads" to build a case for the defense of Ray, accused of assassinating Martin Luther King Jr.



ARTHUR J HANES

Arthur J. Hanes of Birmingham, Ala., met with Ray for an hour in an interview room at Wandsworth Prison. Hanes said afterward he found the conditions somewhat restrictive. He said he was not permitted an interview in confidence. He and Ray were separated by a glass screen.

The Alabama lawyer said he was beginning to build his case and organize a defense for the day that Ray might be extradited to stand trial for the murder of the American civil rights leader.

"Our meeting was most helpful, most fruitful and beneficial," Hanes said. "We got to know each other better. He is relaxed and feels good. He is perfectly rational, sane and lucid."

Hanes said he plans to leave London tomorrow and did not foresee another trip to Britain.

He said Ray had been receiving "many messages of support from the United States and he is grateful for it. He also has received many offers of help for his defense."

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At Plea of Insanity

By HARRY MATTLE

Staff Correspondent of The News

London, July 5—James Earl Ray may plead not guilty by reason of insanity to the murder of Dr. Martin Luther King Jr., his American lawyer said here today.

However, Arthur Hanes, former mayor of Birmingham, Ala., later conferred with Ray for 33 minutes in Wandsworth Prison and afterward told waiting reporters: "I will enter a plea of not guilty to murder."

Referring to Ray as Ramon George Sneyd, the name under which he was arrested with phony Canadian passports at

sinated April 4) have to prove other things.

Hanes said he was now acting officially for Sneyd—although, as an American, he cannot take part in extradition proceedings here.

Says Ray Can Pay

Pressed to say how Ray could afford a lawyer's fee when he had applied for legal aid in Britain, Hanes reddened and almost shouted: "The source of any money is not relevant to the case." But he added: "I am not doing it for sympathy. Sympathy won't find any good in a man. Hanes, who defended three ad-

Kluge-Killmen and civil rights slaying, denied he was violent. He also denied he would ease to aid a possible campaign for governor in Alabama. "I wouldn't swap with the governor for all the tea in England," he said.



Associated Press Wirephoto
Arthur Hanes after conferring with James Earl Ray in prison in London.

Hanes refused here June 8, to make any discussion of the case by saying: "Only if he is found guilty am I not certain."

Hanes, 62, was born in Birmingham, Ala., and has been a member of the Birmingham City Council for 12 years.

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UPI-87

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HANES REFUSED TO IDENTIFY THE FAMILY MEMBERS.

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Attorney Sees Ray, Plans A Not Guilty Plea at Trial

By Karl E. Meyer
 Washington Post Foreign Service

LONDON, July 5—Alabama attorney Arthur J. Hanes saw his client James Earl Ray for the first time today and said that a "not guilty" plea would be entered in the event that Ray is extradited to face trial for the murder of the Rev. Dr. Martin Luther King Jr.

Hanes spent about 40 minutes talking with Ray in London's Wandsworth prison. He said he was fully satisfied that Ray could pay his legal fees but declined to say how big the charge would be or who would pay it.

"A minister doesn't say how big his collection is," Hanes told a press conference. "I can tell you that I expect somebody to pay me."

Hanes told reporters that no organization, "leftwing or rightwing," had approached him to offer paying for Ray's defense. Asked why he had taken the case, Hanes replied: "Because it's a big case, it's a challenge. It's a ballgame to me and I have no feeling one way or another about it. It's another contest, another case."

He said he was already compiling a defense file under the name Ramon George Sneyd, the name under which Ray was arrested at London Airport on June 8. "As far as I'm concerned, he's R. G. Sneyd," Hanes said. "The letters he sent me were signed R. G. Sneyd."

A British court ruled Tuesday that Sneyd was actually Ray, the man the United States charges with killing Dr. King in Memphis last April 4. The ruling is under appeal. Hanes said he has taken no part in his client's British legal case and that he would be returning to America on Sunday. He plans to see Ray again on Saturday.

Ray, according to Hanes, was "in good health, getting plenty of sleep and rest. He feels good."

Hanes amiably brushed aside needling questions from reporters about his own political beliefs. He acknowledged that he had defended three members of the Ku Klux Klan in an Alabama murder case but said that he would have taken Ray as a client even if the American were a Negro.

Asked if he wanted the publicity, Hanes snapped, "That's ridiculous." He denied that he intended to run for Governor of Alabama, saying he would not swap places with the Governor "for all the tea you have in England." Hanes said he had met Dr. King several times in Birmingham, but as to his opinion about the Negro leader, "let's leave that to history."

Prison officers were present in the cell during Hanes' interview with Ray today, the Home Office said. The Home Office would not say whether Hanes was searched for weapons before the interview, but it is deemed likely that such security precautions were taken.

In all, Hanes said, he had received three letters from "R. G. Sneyd" and was returning to the United States with some messages for his client's family.

Ray Case Witness Taken Into Protective Custody

MEMPHIS, Tenn., July 5 (AP)—Charles Q. Stevens, identified as a key witness against James Earl Ray in the slaying of the Rev. Dr. Martin Luther King Jr., has been taken into protective custody.

"He wasn't as impressed at the danger as police and the District Attorney General's staff were," a source said in confirming that Stevens had been taken into protective custody.

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American counsel Arthur Hanes Sr. talks
to newsmen outside Wandsworth prison,

London, after visit to Harold
leged killer of Dr. Martin Luther King.

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ADD RAY, LONDON (UPI-12)

"HE FEELS GOOD, HE LOOKS GOOD, HE IS IN GOOD HEALTH," HANES SAID OF RAY AFTER SEEING HIM INSIDE THE THICK WALLS OF THE LONDON PRISON. EMERGING FROM THE PRISON TODAY IN THE BRIGHT AFTERNOON SUNLIGHT, HANES TOLD NEWSMEN HE CONFERRED WITH RAY FOR 40 MINUTES, DISCUSSING THE DEFENSE AND PAYMENT OF ATTORNEYS' FEES. "THIS IS A PRIVILEGED MATTER BETWEEN ME AND MY CLIENT," HANES RECOILED WHEN ASKED FOR DETAILS OF THE PRISON MEETING.

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WILLIAM F. BUCKLEY JR.

Strange Episodes Fill Ray Story

There are strange and interesting elements in the unfolding story of James Earl Ray. It is reported that in London, where extradition proceedings were instituted on the ground that he had murdered Dr. Martin Luther King, he slumped down and sighed "Oh my God, I feel trapped." But Ray's demoralization was only temporary, and it soon transpired that he had hired a prominent Birmingham attorney to go to London, and that said attorney was the very same man who managed the successful defense of those who were accused of killing Mrs. Liuzzo.

Although this is the land of John Birch and Mark Lane and highly inflamed political imaginations, it cannot be imagined by the average American how gleefully Europeans leap to conclusions of Florentine complexity whenever political assassinations are involved. A fortnight ago, Prince Rainier of Monaco asked a visitor whether he had meditated on the first initial of the last name of the three great recent American victims of assassination? — K(ennedy) K(ing) K(ennedy). The visitor confessed that he had not reflected on the three initials' significance, and forebore going on to say that no American who knows anything at all about anything at all would invest any meaning in the coincidental K's.

The Ku Klux Klan is as capable of organizing the killing of a President of the United States, the most prominent Negro in the world, and the

most prominent liberal politician in the world, as Monaco is of deposing De Gaulle. It is hard for a people whose history is watered with organized connivings for power to imagine individualistic assassination.

Having said all of which, there is something about the James Earl Ray case which does suggest that if indeed it was he who fired the shot, that he did not work alone in the tradition of Leon Czolgosz and Lee Harvey Oswald. Too much is known about Ray, and he is more readily imaginable as a hired killer than a lusting fanatic. He has been small-time always.

Moreover, the escape from Memphis suggested the cooperation of at least one ally. Assuming Ray was the assassin, the escape required a kind of cosmopolitan sophistication one does not learn at Midwest penitentiaries. The ample supply of cash isn't particularly surprising, inasmuch as the professional training of James Earl Ray is in acquiring fairly large amounts of cash on short, stick-em up notice. But the exhaustive research necessary, for instance, to appear half-way plausible when applying for foreign passports was more likely supplied by someone other than himself.

Truman Capote ventured early during the mystery that the killer was a paid assassin, and was in all likelihood dead. If the FBI's contentions are validated, then Ray is the killer, and is most certainly not dead, nor will he die, except many years from now—from

arteriosclerosis or whatever—Tennessee having abolished the death penalty. But as long as he is alive, he of course jeopardizes his silent partners, and it is supremely in the interest of the state to establish who they are, and to discover what was the motivation for the killing of Dr. King.

If the idea of killing Martin Luther King was that of the KKK, or some local white supremacist group, then in the light of the experience with the Birmingham church, the three civil rights workers in Mississippi, Mrs. Liuzzo and the others—the killing of which consolidated national sentiment in favor of more and more civil rights legislation—then the KKK is even more stupid than it is supposed to be, which is an extraordinary achievement.

Such stupidity does not go hand in hand with the super-sophisticated provisions made for the assassins' escape; does not explain the easy success he had in eluding the greatest manhunt in the history of the world (yes, in the history of the world), until, by committing a foolish mistake of the kind that catches up with the suspect in second-rate detective stories, the accused as good as turned himself in.

Up until now, Ray has kept his mouth shut. And no doubt the Birmingham lawyer will counsel him to continue to do so. But Ray is not the type to suffer in order to sustain the underworld's code. If he is the assassin, he'll blow up when he is indeed caught.

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 Times Herald _____
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 The Evening Star (Washington) A-8
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 The Wall Street Journal _____
 The National Observer _____
 People's World _____
 Date 7/5/68

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Couldn't See Client, Hanes Says

BY CHRIS CONWAY

Birmingham attorney Arthur J. Hanes, James Earl Ray's defense attorney in the United States, said Tuesday Ray's British attorneys put up a good legal battle in fighting his extradition to the United States.

Ray's statement in court that Hanes was denied access to visit him prompted a denial of that charge from the Home Office in London.

Informed of the denial, Hanes fired back:

"The British officials I contacted denied me permission to see the man."

Asked if he was denied permission on just one occasion, he said, "That was on one occasion, but my British associates tried on several occasions to arrange the visit."

"The British authorities did permit me to send communications directly to the man. I was disappointed, naturally."

"I was not particularly expecting Ray to make that statement, but I'm not surprised," he said.

Asked when he expected to see his client in the United States, Hanes said, "I don't have any idea. It will take another 15 to 30 days to exhaust the appeals in England."

Ray will be in custody of the British until he is extradited to the United States.

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Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

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

THE BIRMINGHAM
NEWS

1 BIRMINGHAM POST-
HERALD

BIRMINGHAM, ALABAMA

Date: 7-3-68

Edition:

Author: Chris Conway

Editor: Duard LeGrand

Title: MURKIN

Character:

or

Classification: 44-1740

Submitting Office: BIRMINGHAM

☐ Being Investigated

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Ray Trial Planned In Memphis in Fall

MEMPHIS (AP) — Shelby County District Atty. Phil M. Canale says he is planning an early fall trial in Memphis for James Earl Ray, whose extradition for trial in the murder of Dr. Martin Luther King Jr. was ordered yesterday in London.

In London today Ray's British lawyers began preparing his appeal of the extradition ruling. Ray remained under close guard in London's Wandsworth prison. The appeal process could delay his return to the United States until at least late this month.

Dist. Atty. Canale yesterday said he would head the prosecution and denied the courtroom would be filled with top Justice Department lawyers, as claimed by Ray's attorney, Arthur Hanes of Birmingham, Ala.

"If a federal attorney is present, it will be in the capacity of observer," Canale said.

Hanes, in Birmingham, said he does not plan to ask that Ray's trial be changed from Memphis, where King was killed on April 4.

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RAY WAS A 'LONER' SAY THE YARD

JOHN PONDER

The view of the American authorities that James Earl Ray, who is appealing against a Bow Street extradition order, was not the hired assassin of a political group is strengthened by inquiries made by Scotland Yard on behalf of the U.S. Federal Bureau of Investigation.

Inquiries show that between Ray's arrival in Britain on May 17 and his arrest on June 8 he was short of money.

At the time of his arrest he had only £60 on him. It has been established that his finger-



JAMES EARL RAY

prints were on a bag thrown at a cashier in a Fulham bank by a lone armed raider who got about £100 in the raid.

The raider left the paper bag behind when he grabbed the bank notes. It was "baked" in the Yard's fingerprint department—a special process that brought up the print.

If Ray's appeal against the order that he be extradited to face trial for the murder of Dr. Martin Luther King fails, he is likely to be flown out to Memphis, Tennessee, in a U.S. Service plane.

Ray, 38, was arrested in Britain and charged in the name of Ramon George Sneyd with possessing a forged passport and firearm at Heathrow.

One problem is the discovery that Ray had a U.S. passport in his name.

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Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

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

PAGE 12

EVENING STANDARD
LONDON, ENG.

Date: 7-3-68

Edition:

Author:

Editor: D

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Submitting Office: LONDON

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FBI - JUSTICE

JUL 15 1968
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Appeal Expected

Judge Orders Ray Extradited to U.S.

By Karl E. Meyer

Washington Post Foreign Service

LONDON, July 2—A British magistrate today ordered the return of James Earl Ray to the United States to face charges of murdering the Rev. Dr. Martin Luther King Jr.

Ray, 40, showed no visible emotion in Bow Street Court as he heard Chief Magistrate Frank Milton reject a defense argument that the murder of Dr. King was a political crime and therefore not subject to extradition.

The judgment, which is almost certain to be appealed, was pronounced in a crowded and dingy courtroom. It meant that the American had lost the first major round in what could be legal battle lasting well into August.

In an unexpected development, Ray complained that he had not received all the rights due him since he was arrested at London airport on June 8 under the name of Ramon George Sneyd.

Ray volunteered the statement after formal argument had concluded in the morning. He began by repeating his objection to testimony by Chief Superintendent Thomas Butler of Scotland Yard, who quoted Ray at the time of his arrest as saying "Oh God . . . I feel so trapped."

Ray declared:

"I would like to take the opportunity to object to Mr. Butler's testimony, especially in view of the fact that this case will be given wide publicity in the United States, especially in the so-called liberal press.

"I would urge this court to take in the totality of the circumstances and not sign any kind of statement whatsoever, and

also the fact I said I did not want to have a conversation with anybody connected with the U.S. Justice Department."

Ray also objected to being denied a visit with U.S. Attorney Arthur Hanes, stating that "I believe there is a connection between this hearing and the trial in the states.

"Shortly after I was arrested by British authorities, I engaged an attorney in the United States, Mr. Arthur Hanes of Birmingham, Ala. He subsequently made the trip to consult with me. This was opposed by the Home Secretary, and I made an application to the Home Secretary and received no answer.

"I then wrote to Edward Heath (leader of the conservative opposition)" Ray said, "and was informed by the governor of Wandsworth Prison that this was not permissible and that he would forward the letter to Mr. Callaghan (James Callaghan, the Home Secretary).

"Evidently, the Home Secretary would decide whether Mr. Heath would be permitted to read the letter. I think in view of the seriousness of this case I should have had a little more freedom to write and visit people in the circumstances. That is all I would like to say. I would like to thank the court."

Ray spoke in a low voice, his words coming in rapid bursts. The court reported had difficulty understanding his accent, especially the phrase "so-called liberal press," which was initially transcribed as "little press."

Ray's statement was made after the court had formally adjourned for lunch. When the magistrate heard

through Ray's attorney that the defendant wished to offer a statement, he reconvened the court so that he might hear it before making his ruling. The statement was then read aloud by a court reporter when the afternoon session resumed, with Ray making occasional corrections as it was recited.

Later in the day, the Home Office denied that it had prevented Ray from seeing his American attorney. A spokesman said that on June 25 Ray had petitioned the Home Office for a visit with Hanes and this was granted the same day. But Hanes had flown back to the United States on the 24th.

In court, Chief Magistrate Milton said that Ray's complaint could have no bearing on the ruling he was about to make. He pointedly said that Ray's case "could not have been more conscientiously, persuasively and ably put" than it was by Roger Frisby, the defense counsel.

Frisby summed up his main argument by asserting that something akin to an insurrection existed in the South of the United States as a result of the civil rights movement of which Dr. King was a prominent and controversial leader.

Frisby did not dispute that the U.S. had submitted evidence showing that there was a prima facie case for trying Ray for murder, even though his client denies killing Dr. King.

Whoever's finger was on the trigger in Memphis, on April 4, the attorney contended, "was acting consciously or otherwise as a

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representative of a large group of people who oppose Dr. King . . . " This, he maintained, meant that the murder was a political crime and as such was specifically excluded from offenses subject to extradition.

David Calcutt, the attorney representing the U.S., retorted that in a political offense the motive is critical and that the crime had to be in furtherance of a larger enterprise. In the case of Ray, he said, all the evidence pointed the other way . . .

There was "no evidence" of a conspiracy in Dr. King's murder, no evidence that Ray was working with another man, he said.

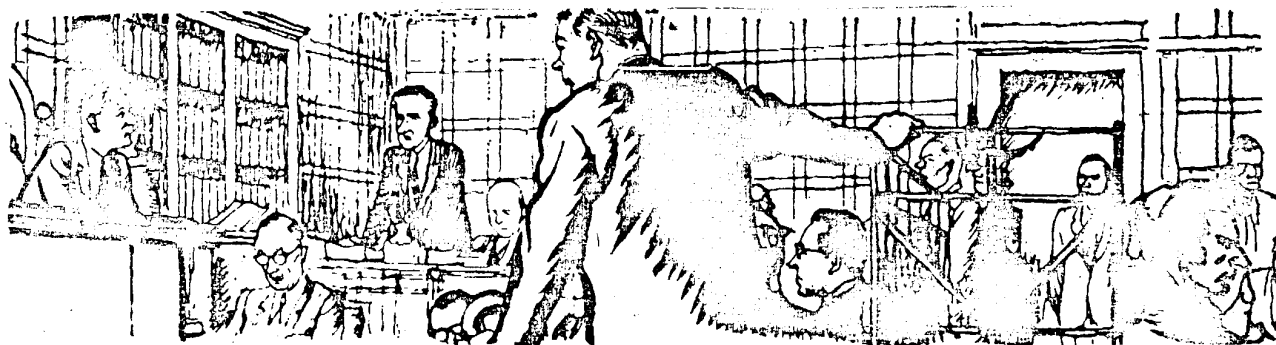
The judge rejected a defense contention that a technical difference in terminology meant that Ray could not be extradited for armed robbery, for which he was convicted in 1960 and was serving a 20-year sentence in Missouri State Penitentiary until his escape last year. "Robbery with violence" and "armed robbery" are analogous offenses, the Magistrate said.

The next legal move now rests with Ray's court-appointed solicitor, Michael Eugene, who works with Frisby.

An appeal would take the form of a application within 15 days for a writ of habeas corpus to the divisional court of the high court. If the application were granted, the case would be reargued before the high court, whose decision is subject to a final appeal to the Law Lords of the House of Lords.



United Press International
FRANK MILTON
... orders extradition



Sketch by Illingworth

Bow Street Court scene shows participants in James Earl Ray extradition hearing. From left, Chief Magistrate Frank Milton; the Court Clerk; defense attorney Roger Frisby, addressing the Court; David Calcutt, appearing for the United States; a Scotland Yard detective guarding Ray; the defendant (seated); another detective.

JUDGE ORDERS RAY RETURNED TO U.S. IN DR. KING DEATH

British Magistrate Rejects
View of Case as Political
—Suspect Will Appeal

By ANTHONY LEWIS
Special to The New York Times

LONDON, July 2—A London court today ordered James Earl Ray returned to the United States to stand trial as the accused assassin of the Rev. Dr. Martin Luther King Jr.

The chief metropolitan magistrate, Frank Milton, gave his decision promptly after a second day of legal argument in the case. He said quietly:

"The accused will be put in prison to await extradition to the United States."

Ray will continue the legal fight against extradition. His lawyers made it known that, within the 15 days allowed, they will apply in the Queen's Bench Division of the High Court of Justice for a writ of habeas corpus.

Appeal to Lords

On that application the lawyers will again be able to make their arguments that Ray should not be extradited. The chief contention is that the murder of Dr. King in Memphis on April 4 was a political act and hence outside Britain's extradition treaty with the United States.

If the application for habeas corpus fails, Ray's lawyers can seek leave to appeal to the House of Lords, which in its highest capacity is Britain's highest court. Leave would have to be granted by the Queen's Bench Division or the law lords themselves.

51 JUL 12 1968

The magistrate's decision to order Ray's return to the United States was not unexpected. The Bow Street court heard an almost anticlimactic and extended argument and the dramatic circumstances.

The court had actually recessed for lunch, when, 8 or 10 minutes later, policemen came out on the sidewalk and told a few newspaper reporters who were still standing there that the prisoner wanted to say something.

Conversation Denied

At Ray's request, Mr. Milton came back on the bench. Ray then stood between the plainclothesmen guarding him and made a statement touching on some points not affecting the legal issues.

There was one point of interest in the statement—a possible clue to Ray's political views. This was a comment that the case "will probably be given wide publicity in the United States, especially in the so-called liberal press."

"I would urge this court," Ray said, "to take in the totality of circumstances. One, that I did not sign any kind of statement whatsoever, and also the fact that I said I did not want to have the conversation with anybody connected with the United States Justice Department."

The Assistant Attorney General in charge of the Justice Department's Criminal Division, Fred M. Vinson Jr., is here. He, like Ray, has denied that any American representative has interviewed the prisoner.

Ray devoted most of his courtroom statement to a complaint that he had not been allowed to see Arthur J. Hanes, a former Mayor of Birmingham, Ala., whom he said he had retained as a lawyer.

Mr. Hanes flew here June 20 and told reporters that Ray had written asking him to take the case in the United States if extradition occurred. Mr. Hanes said he would have nothing to do with the British proceedings.

Shortly after I was arrested by the British authorities," Ray said today, "I engaged an attorney in the United States, Mr. Arthur J. Hanes, who was then in Birmingham, Ala."

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The Washington Post
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Date JUL 3 1968

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F. B. I.

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"He subsequently made the trip to consult with me. This was denied by the Home Secretary, and I made an application to the Home Secretary and I received no answer."

"I then wrote to Edward Heath [leader of the Conservative party], and I was informed that this was not permissible and he would forward the letter to Mr. [James] Callaghan [Home Secretary]. Evidently the Home Secretary would decide whether Mr. Heath would be permitted to read the letter."

"I think that in view of the seriousness of this case, I should have had a little more freedom to write and be visited

in the circumstances. That is all I have to say, and I would like to thank the court."

An official of the Home Office later stated that a petition from the prisoner was received on June 25 asking that Mr. Hanes be allowed to visit him, and that it had been granted. But Mr. Hanes never picked up his permit, a spokesman said.

Informed sources indicated that Mr. Hanes had originally asked, through British lawyers, to be allowed to see Ray. This request was turned down because Mr. Hanes had no known connection with the case and no standing in British courts.

When Ray said he wanted to consult Mr. Hanes on American legal questions, the Home Office agreed. But by then Mr. Hanes had flown home.

In any event, the Chief Magistrate made clear that nothing in Ray's statement could "possibly have" any bearing on my decision.

Ray, who wore a white shirt without a tie and the same rather rumpled blue suit, displayed no particular emotion at the handling of his complaint or at the decision that came at the end of the day. From time to time he had a slight smile on his face.

Mr. Milton, in his decision made the first formal legal finding that the prisoner was James Earl Ray, who escaped from the Missouri State Penitentiary in 1967 after serving seven years of a 20-year term for armed robbery.

[illegible]

W. J. "Mac" Watson said as he began his decision "that James Earl Ray is the same as the person before me."

The first legal question that Mr. Milton had to answer was whether there was a prima facie case against Ray on the two grounds on which the United States sought extradition—the escape on the rob-

bery conviction and the killing
of Dr. King.

That meant that there had to be as much evidence as would be needed to justify binding a British suspect over for trial—"probable cause" in the American phrase, which means something considerably short of preponderant proof of guilt.

The case for extradition, on this point, was based on last

week's statements and affidavits linking Ray to the rifle that killed Dr. King and placing him in the motel from which the fatal shot was fired. There was also fingerprint evidence.

Ray's lawyers did not deny the existence of a prima facie case. Mr. Milton found that there could be "no doubt" of it.

Next, Mr. Milton had to consider whether the two grounds of robbery and murder came within the 1931 extradition treaty between Britain and the United States. Extradition can take place only under the strict terms of the treaty.

'Ridiculous Loop-hole'
Roger Frisby, the barnmaster who appeared for Ray, argued that the Missouri crime of armed robbery was not, technically, within the treaty, which refers to robbery with violence.

But Mr. Milton said such a reading of the treaty would open "a very ridiculous loop-hole in the law." He held that in fact Ray's crime of robbery was an extraditable offense.

The more serious and interesting argument made by Mr. Frisby was on the murder charge. This was the argument that the offense was outside the treaty because it was political.

The treaty provides that "a fugitive criminal shall not be surrendered if the crime or the offense in respect of which his surrender is demanded is one of a political character."

OVER A PERIOD OF 10 YEARS, THE
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King, headed by a coalition of boycotts and demonstration. Mr. Frisby noted. He mentioned Dr. King's connection with the March on Washington in 1963 and his lobbying for civil rights legislation.

"His actions had a moral content," Mr. Fursty said. "Most political activities do. But these were political activities in the normal sense of the term."

"Dr. King was disliked by both sides. He was black power people rather thought Dr. King to be not getting on well enough. There were the others on the other side who disagreed completely with him and was trying to do."

Mr. Milton interrupted to say that all of that was beyond dispute. But he asked if there was to show that the motive for Dr. King's march had been political.

Here, Mr. Fisher, was something of a difficult prisoner, to anyone who wanted information on his identity and his points, had not himself taken the witness stand in an unsworn statement last week. He had simply denied being the King—or knowing him. There was thus no revelation of motive.

In those circumstances, Frisby argued, "witnessing the evidence," a court would be "entitled to conclude that the fact of it that in 1964, there was a political motive."

David Keene, who became the Governor of the Commonwealth of Massachusetts a month after the death of Paul Revere, was a member of the Sons of Liberty.



Robert F. Wagner, right, with

Mr. Williams' term as Mayor is remembered here for his orders to fly both Spanish and Italian flags in

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and board chairman, Sinclair Oil Corp.
Kupert C. Thompson Jr., chairman, Textron, Inc.
John C. Virden, chairman, Executive Committee, Eaton, Yale & Towne, Inc.
Sinclair Weeks, chairman, Reed & Barton Corp.

Lawyer Indicted in Theft

Martin Von Zamft, a 50-year-old lawyer, of 200 Central Park South, was indicted yesterday.



1 Antonio Villacieros, Spanish

New York on Columbus Day.
Here, where Columbus is regarded as Spanish, a decision for the

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tician." Mr. Calcutt said "still less of a mere public figure, cannot satisfy the definition of an offense of a political character."

"There is not one shred of evidence here to show that the killing took place to further a larger enterprise."

"There is no evidence of any conspiracy. There is no evidence of this man having worked with any other man. There is no evidence of this man being associated with a body."

"It is no doubt said that there is an undertone in this case of a conspiracy, but all the evidence is of a lone assassin."

Mr. Milton, who delivered his decision quickly from the bench, as the highly skilled British trial judges usually do, agreed with Mr. Calcutt's view of the evidence and what it meant for the political offense argument.

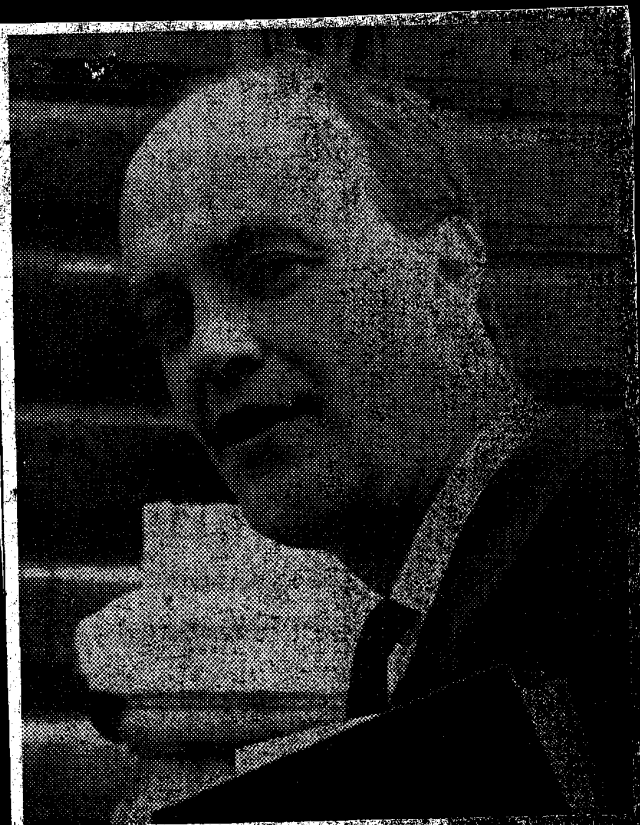
"Do you ask me for legal aid?" Mr. Milton asked.

"Yes, sir," Ray replied softly.

The magistrate granted the necessary certificate, and the four plainclothes guards led Ray back to his cell.

The legal aid certificate authorizes payment by the state of the solicitors and barristers who will carry Ray's case on to the Queen's Bench Division, which is the highest court of general jurisdiction in England. It handles important trials and reviews of magistrates' decisions.

The court of last resort in this case is the House of Lords. It exists as one of the two legislative houses of Parliament, but its members include a number of law lords—formally Lords of Appeal in Ordinary—who sit as Britain's highest court of appeal.



David Calcutt, British barrister who represents the Government, arriving yesterday at court.

Special to The New York Times

MADRID, July 2 — His Honor arrived here today to become His Excellency.

At 9 A.M. Robert F. Wagner, Mayor of New York from 1954 to 1965, stepped off a jet to take up his post as United States Ambassador to Spain. He was accompanied by his wife, the former Barbara Joan Cavanagh.

Dressed in a lightweight blue suit, Mr. Wagner was greeted in the blazing heat of Barajas Airport by the Antonio Villaceros, the United States chargé d'affaires, William Walker, and a swarm of Spanish photographers.

Speaking briefly into the microphones, the new Ambassador said that he hoped "to contribute to the strengthening of our long friendship and the widening of our shared interests."

The first major piece of business in which Mr. Wagner will have a hand is the renewal of the agreement by which the United States operates military bases here. Spain is reported to have asked for a sharp increase in United States military aid.

Ahead" and "Peace or Peaceful Coexistence?"

As a foreign relations specialist, Mr. Allen was a research principal at Georgetown University's Center for Strategic Studies and taught both at Georgia Institute of Technology and the University of Maryland's overseas division before going to Stanford.

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BY SCOTT B. BRUNS
LONDON (UPI)--JAMES EARL RAY CHARGED TODAY HE HAD BEEN DENIED THE
RIGHT TO SEE AN AMERICAN LAWYER WHO AGREED TO REPRESENT HIM IN ANY
TRIAL FOR THE MURDER OF DR. MARTIN LUTHER KING JR.
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WASHINGTON CAPITAL NEWS SERVICE

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1ST ADD 2ND LD RAY LONDON 069A XXX KING JR.

THE MISSOURI-BORN RAY INTERRUPTED COURT PROCEEDINGS TO TELL THE
MAGISTRATE HE WANTED TO MAKE A PERSONAL STATEMENT AT THIS SECOND
HEARING TO DETERMINE WHETHER HE CAN BE EXTRADITED TO THE UNITED STATES.
HIS BRITISH DEFENSE ATTORNEY, ROGER FRISBY, CHARGED THAT THE
SLAYING OF DR. KING WAS A POLITICAL CRIME FOR WHICH THE U.S.-BRITISH
EXTRADITION AGREEMENT DOES NOT APPLY.

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2ND ADD 2ND LD RAY LONDON 069A XXX NOT APPLY.

THE 40 YEAR OLD RAY, WHO IS ALSO ACCUSED OF ESCAPING FROM A MISSOURI PRISON WHILE SERVING A SENTENCE FOR ARMED ROBBERY, WAS REFERRING TO THE RECENT LONDON VISIT OF BIRMINGHAM, ALA., LAWYER ARTHUR J. HANES.

~~HANES, A FORMER MAYOR OF BIRMINGHAM, FLEW TO LONDON WITH HIS SON ARTHUR JR., ALSO A LAWYER, AND THEN RETURNED HOME AFTER COMPLAINING HE HAD BEEN REFUSED PERMISSION TO SEE RAY.~~

IN HIS UNEXPECTED PERSONAL APPEARANCE BEFORE THE BOW STREET MAGISTRATE COURT RAY SAID THE AMERICAN PROSECUTION CASE "IS NOT TOO FAVORABLE TO ME."

RAY BOUNCING UP AND DOWN ON THE HEELS AND TOES OF HIS FEET, SPOKE IN A STACCATO VOICE. IT WAS DIFFICULT TO UNDERSTAND HIM.
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SUB AND CORRECT 5TH PGH 2ND LD RAY LONDON 069A: HANES.
HANES, A FORMER MAYOR OF BIRMINGHAM, FLEW TO LONDON WITH HIS SON
ARTHUR JR., ALSO A LAWYER AND THEN RETURNED HOME AFTER TALKING WITH
BRITISH ATTORNEYS. HE DID NOT SEE RAY, AND ON HIS RETURN, SAID HE
HAD NEVER ASKED TO SEE HIM.
PICKUP 6THPGH : 069A: IN HIS
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3RD ADD 2ND LD RAY LONDON 069A XXX UNDERSTAND HIM.

RAY MADE A REQUEST TO MAKE A STATEMENT TO THE COURT ONLY MINUTES AFTER HEARING WAS RECESSED UNTIL 2 P.M. (9 A.M. EDT). NEWSMEN WHO STILL REMAINED RUSHED BACK FROM PHONE BOOTHS AND FROM THE STREET FOR THE FOUR-AND-A-HALF-MINUTE STATEMENT.

AFTER MAKING THE STATEMENT THE COURT ASKED IF HE WANTED IT READ BEFORE THE FULL COURT WHEN THE AFTERNOON SESSION CONVENED AT 2:15 P.M. (9:15 A.M. EDT).

"YES, SIR, BEING AS HOW THE OTHER PART (OF THE TESTIMONY) IS NOT TOO FAVORABLE TO ME," HE REPLIED.

RAY AGAIN OBJECTED TO THE TESTIMONY OF SCOTLAND YARD DETECTIVE SUPERINTENDENT THOMAS BUTLER CONCERNING HIS BEHAVIOR WHEN ARRESTED AT LONDON AIRPORT JUNE 8. HE SAID HE WAS "CONCERNED" THAT THIS PROBABLY WOULD BE GIVEN WIDE PUBLICITY IN THE UNITED STATES, "ESPECIALLY IN THE SO-CALLED LIBERAL PRESS."

RAY URGED THE COURT TO CONSIDER THAT HE SIGNED NOTHING WHEN ARRESTED IN BRITAIN AND HAD NO CONTACT WITH ANYONE FROM THE U.S. EMBASSY, ESPECIALLY THE U.S. ASSISTANT ATTORNEY GENERAL, FRED VINSON WHO VISITED LONDON AFTER RAY'S ARREST.

HE SAID HE BELIEVED THAT TESTIMONY CONNECTED WITH THE EXTRADITION HEARING WOULD BE USED IN "ANY" PROCEEDINGS IN THE UNITED STATES.

HE THEN COMPLAINED THAT HIS ALABAMA ATTORNEY WAS DENIED ACCESS TO HIM BY BRITISH HOME SECRETARY JAMES CALLAGAN. RAY SAID HE APPEALED IN A LETTER TO BRITISH CONSERVATIVE PARTY LEADER EDWARD HEATH BUT CLAIMED HEATH RECEIVED A SIMILAR REBUFF FROM THE HOME SECRETARY.

"IN VIEW OF THE SERIOUSNESS OF THIS CASE, I THINK I SHOULD HAVE HAD A LITTLE MORE FREEDOM TO WRITE AND VISIT PEOPLE," RAY SAID.

RAY ALSO SAID HE PETITIONED THE HOME SECRETARY FOR PERMISSION TO SEE HIS ATTORNEY AND "RECEIVED NO ANSWER."

~~"I WAS INFORMED BY THE GOVERNOR (WARDEN) OF WANDSWORTH PRISON THAT THIS WAS NOT PERMISSIBLE," RAY SAID.~~

"I WAS INFORMED BY THE GOVERNOR (WARDEN) OF WANDSWORTH PRISON THAT THIS WAS NOT PERMISSIBLE," RAY SAID.

PICKUP 3RD PGH 048A: FRISBY SAID

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