FD-350 (Rev. 7-16-63)

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MURKIN

Dismissal Ruled In Suit By Ray

By ROBERT KELLETT

A federal court suit seeking to void a series of contracts between James Earl Ray and his former attorneys and to forbid publication of certain information in connection with the slaying of Dr. Martin Luther King was dismissed yesterday.

United States Dist. Judge Robert M. McRae Jr., acting on a motion from attorneys for the defendants, told Ray's former attorneys: "I do not see anything that would overripen into fraud or fraud that would cause this court to void these contracts."

Ray, the convicted slayer of Dr. King, did not appear in court, but said in a 118-page deposition that he had been pressured into signing the contracts which pledged revenues from writings by Alabama author William Bradford Huie first to attorney Arthur Hanes and later to attorney Percy Foreman.

Attorneys Richard J. Ryan of Memphis and J. B. Stoner of Savannah, Ga., representing Ray, said that the actions of the attorneys contributed conflicts of interest and the contracts which they received from Ray were involuntary.

John J. Hooker, Nashville attorney representing Mr. Foreman and Mr. Hanes, argued that no evidence had been presented that Ray was prevented to seek other legal counsel and that he had ample opportunity to secure them during the three months he was in private detention before the contracts were signed.

Mr. Hooker called the court to "let him (Ray) explain how with all these writings in his own handwriting he can claim he was overreached."

Arthur Hanes Jr., who represented his father, sought to emphasize that his father had done everything possible to properly represent Ray before he was dismissed two days before a trial was scheduled Nov. 12, 1968.

Ray's deposition included two direct denials that he killed Dr. King.

Mr. Hooker, questioning Ray in Nashville, asked: "Did you or not, on April 4, 1968, fire a shot that fatally wounded and killed Dr. Martin Luther King?"

"No, sir," was the reply from Ray.

In his next question Mr. Hooker asked: "You deny that you fired any such shot into the head or some part of the body of Dr. Martin Luther King on that particular date or any other date?"

"Yes, sir, that's correct," was the second answer.

Mr. Stoner indicated that Judge McRae's decision will probably be appealed.

58DEC 1 1969

Mr. Tolson
Mr. DeLoach
Mr. Walters
Mr. Mohr
Mr. Bishop
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Sizoo
Tele. Room
Miss Holmes
Miss Gandy

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

PAGE 13 7-

COMMERCIAL APPEAL

MEMPHIS, TENN.

Date: 12/2/69
Edition:
Author:
Editor: GORDON HANNA
Title:

Character:
or
Classification:
Submitting Office: MEMPHIS

☐ Being Investigated

49-3856

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170 DEC 15 1969

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0-19 (Rev. 7-17-68)

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Was King Assassination Work of One Man or Part of National Plot to Murder Dissent?

Murkin

(Mark Lane, ~~the man who~~ has pulled the covers off conspiratorial treachery in some of the most famous assassinations of our time, this week looks into the assassination of Dr. Martin Luther King, Jr., one of the key figures in the civil rights movement of the early 1960s and a prime mover in the peace and anti-Viet Nam protests of the latter part of this decade. Lane contends that the forces who control this country will not hesitate to kill singularly or en masse if the careful psychological grip they have placed on the mind of America is threatened. In this installment, he explains why he believes Martin Luther King, Jr. became a target for the assassins.)

By Joe Walker
(New York Bureau Chief)

MS: Are there any similarities between the assassinations of John F. Kennedy and Martin Luther King?

LANE: Yes. In both cases there are the trappings of intelligence work. For example, someone cleverly infiltrated the police radio system in Dallas, which is how the description of Lee Harvey Oswald reached the police and was sent out over the police radio at 12:44 p.m. — 14 minutes after the shots were fired at President Kennedy.

To this date the Warren Commission has to concede that it does not know how that information reached the Dallas police. In Memphis, something quite similar happened. After ~~the shot~~ was fired that killed Dr. King, somehow, someone infiltrated the Memphis police radio and gave details, for a considerable period of time, of a man fleeing the scene in a car chased by police. However, that chase never took place and it was a diversion which was useful to whoever was involved in the assassination of Dr. King.

MS: Are there any big differences in the two assassinations?

LANE: Yes, in the treatment of the alleged assassins. In Dallas, it was quite clear that the country was so deeply concerned with who killed JFK that if Lee Harvey Oswald had lived to face

The Washington Post
Times Herald
The Washington Daily News
The Evening Star (Washington)
The Sunday Star (Washington)
Daily News (New York)
Sunday News (New York)
New York Post
The New York Times
The Sun (Baltimore)
The Daily World
The New Leader
The Wall Street Journal
The National Observer
People's World
Examiner (Washington)
Muhammad Speaks

Date 9/12/69

Pgs. 31, 32, 37, 35

44-38861-A

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trial, we would have learned a great deal about the conspiracy. Once you know that President Kennedy was killed by shots coming from at least two different directions, then you know that Oswald was either guilty (in that he was a part of a conspiracy to kill Kennedy) or that he was innocent.

A trial that would have established that Oswald was part of a conspiracy or innocent posed very serious problems for those who killed the President. If he was acquitted, the country would ask "who did do it?" and turn the attention in the direction of the assassins. If he was found guilty, he might have talked and named those who were involved with him.

In any event, the trial for Lee Harvey Oswald presented very serious problems for Kennedy's murderers. And so, in order to avoid it, Oswald was eliminated while in the Dallas police station, "protected" by 70 Dallas police officers — killed by an old, dear friend of the Dallas police, Jack Ruby.

The country changed in the next five years, and, when Dr. Martin Luther King was killed, it was decided that it was not necessary to eliminate the person charged with killing him. In fact, we had become so callous by then that James Earl Ray stood in open court in his mini-trial and said:

"I disagree with my lawyer. I disagree with the attorney general. There was a conspiracy to kill Dr. Martin Luther King." The judge did not even inquire who was involved in the conspiracy. He merely said, "Never mind that. The question is whether you still plead guilty?" And Ray said, "yes, I do," and he was sent off for 99 years in jail in solitary confinement.

MS: Ray then immediately made an application for a new trial to Judge Battle who tried the mini-case.

LANE: Judge Battle had a reputation as a very honest and fair man, and a man who would be very deeply troubled by doing anything he considered incorrect. I know one of his relatives who lives in New York City and she told me that he was very deeply troubled during this entire period and the family was very worried about his reaction to what was taking place.

He died of a heart attack within 30 days after the application for a new trial was made by James Earl Ray.

The law in Tennessee is very clear. If a judge dies before ruling on an application for a new trial, for whatever grounds, then the new trial is automatically granted. A higher court decided, however, that the law didn't apply in this case.

MS: Then you consider James Earl Ray as much a "fall guy" as Lee Harvey Oswald.

LANE: Yes. I was in New Or-

(Continued on page 32)

(Continued from page 31)

leans when Dr. King was assassinated, and I flew to Memphis and interviewed all the witnesses that I could find.

The most important witness should have been the landlady of the boarding house who rented the room to the man who fired the shot that killed Dr. King. But she was so vague about everything — either she didn't want to get involved or she wasn't much of an observer.

However, right next door to the room that James Earl Ray, or whoever the man was who shot Dr. King, was Charles Q. Stevens. He was the most astute of all the observers I found. I talked with him about what he saw and the new tenant who moved in next door. He heard the man go to the bathroom several times. The bathroom directly overlooked the motel balcony where Dr. King was standing later.

When Stevens heard the shot, he looked out of his room door and saw the new tenant running away with a rifle in his hand. He went to the police and gave a description of the man. The police made a drawing based on his verbal description. Stevens was considered to be the most important witness at that time.

Stevens told me that the man was in his early 20s and could not have been more than 25. Of course, James Earl Ray is over 40. The description Stevens gave me was clearly not that of James Earl Ray and he was clearly the best observer.

MS: Did the police send out Stevens' description of the assassin?

LANE: The police sent out not only the drawing of the man described by Stevens, but also the name Eric Starvo Galt and fingerprints they said belonged to Galt. It was not until considerably later that they came up with the name James Earl Ray and that Ray's picture (different from Galt's) and Ray's fingerprints (different from those sent out as Galt's) were sent out. The Georgia Bureau of Investigation to this date states that it has two sets of pictures and two sets of fingerprints.

While you can argue that the man may have changed in terms of the picture, you can't make that same allegation about the fingerprints. The FBI was obviously talking about two different people even at that time but later they resolved it, for their own purposes, by saying that Eric Starvo Galt was the same man as James Earl Ray.

MS: But what about the different fingerprints?

LANE: The FBI never went into that question at all.

MS: I understand you discussed the King murder with New Orleans D.A. Jim Garrison on your return to that city from Memphis. What were his impressions?

LANE: Garrison is certain that the assassination of John F. Kennedy was a result of an intelligence operation and also feels that the assassination of Martin Luther King was also the result of intelligence work. One

night, Garrison and I were in his study and he wove a "fairy tale" about who Eric Starvo Galt really was and how he was used. He said that if the operation was the same as the operation involving Lee Harvey Oswald, he would tell me how Galt was used.

It was a long, fanciful story which went on for about an hour. The fantastic thing about that story was that several weeks after James Earl Ray was arrested, Ray gave his information to William Bradford Huie. Huie ran two articles in Look magazine and the articles were almost word-for-word what Garrison had told me when he was just formulating a hypothesis about how an intelligence agency would have used a man like Galt or Ray. Give him money, move him around, not tell him what he was doing or tell him something different from what he really was doing.

That is clearly what happened to Oswald. According to Henry Wade (the district attorney of Dallas) and Waggoner Carr (the attorney general of Texas), who both gave this information to the Warren Commission, Oswald was working for the FBI on the day that he was charged with the assassination of President Kennedy. He was employed for some time and Wade and Carr knew exactly what his salary was and knew his secret FBI number.

Oswald was able to be moved around because he was following orders from the FBI. Since he was an undercover informant, he wasn't concerned if he was asked to do rather strange or odd things — never knowing that what he really was doing was establishing a trail that would ultimately lead to him after the assassination of President Kennedy.

MS: Many people don't like to believe things like that. Why would the FBI hire a man like Lee Harvey Oswald?

LANE: I don't know why they would, but they did, and they do it all the time. You remember, of course, when Mrs. Viola Liuzzo was killed (on a Southern highway), in the car (of killers) was an FBI employee. This came out at that trial. No one paid too much attention to it, but it should have shook the conscience of this country.

The FBI man pointed a pistol out of the window (like his KKK companions) and said that he didn't fire at Mrs. Liuzzo but made believe he was going to. Well, he had a loaded pistol, he could have stopped that murder. He didn't try, but continued to maintain his cover. And who really knows if he is not the one who fired the shot that killed Mrs. Liuzzo?

I have never heard of anybody chastising this FBI agent for not preventing the murder. The FBI has a lot of strange people working for it, and Lee Harvey Oswald was certainly not the strangest.

MS: Getting back to the King murder, wouldn't you agree that there was a deliberate effort to let whoever

(Continued on page 34)

(Continued from page 32)

killed King escape? And not only from the murder scene, but also from the country?

LANE: Yes. There was supposed to be a great manhunt for Eric Starvo Galt, yet it was James Earl Ray they finally ended up catching. He went from the South to Canada, arrived there in a small community where three sets of identification were made available for him.

MS: Yet he wasn't arrested in Canada, but in England.

LANE: He was arrested by Scotland Yard doing something that a guy on the run wanted for murder wouldn't do. Ray was just changing planes in London. Well, if you are just changing planes you don't have to go through customs or immigration. He did and that's when he was caught. I think that his original story in Look magazine was accurate. He was given $12,000, moved around, and never knew why.

MS: Wouldn't he ask why he was mysteriously told to move about?

LANE: Why, as long as he was being paid? Scotland Yard said he had a numbered Swiss bank account, that was where he was drawing funds from. Now, how does a real small-time hood from the South set up a numbered Swiss bank account? I don't know how to do it myself and I'm a little more sophisticated than he was supposed to be.

MS: Yet a lot of people apparently believe that James Earl Ray was involved in the assassination alone.

LANE: Anyone who believes Ray did it alone is willing to

(Continued on page 35)

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believe anything which this society wants him to believe

MS: Ray is now in jail for 99 years, and his secret is locked up with him.

LANE: True. I would give anything to talk with him and get that story. But there is no way I can even communicate with him to let him know I want to see him. You know it is a bit funny. Originally, he had an old Klu Klux Klan and segregationist lawyer from Birmingham. I was pleased with that because, although I'm not inclined towards the KKK as you can imagine, this was an anti-establishment guy. So he said I'm going to prove that there was a conspiracy. "There was a conspiracy of the Communists."

Well, the Communists obviously didn't want Martin Luther King dead, but I was happy that a guy took the case who would not say that there was no conspiracy and hide all the facts. I didn't care what his conclusions were about who was involved. I wanted to see what facts he could uncover and make avail-

able. But then they quickly bounced him and brought in the old Texas-based establishment figure, Percy Foreman, who was brought in for awhile to represent Jack Ruby as well.

One of the most amazing things I've ever seen on network TV was after Foreman had done this "magnificent" job — merely got his client locked up for 99 years in solitary confinement, he was asked if there had been a conspiracy. Foreman said, "No, no. I thought there might have been at the beginning. But I have investigated every single aspect of the case and now I'm absolutely convinced that there was no conspiracy."

So the reporter asked, "Did you ask your client if there was a conspiracy?" Foreman thought for a moment and then replied, "No, I never asked him that."

MS: How could Foreman conduct an investigation, for supposedly two months, to find out if his client had been a part of a conspiracy if he didn't even discuss it with his client?

LANE: He didn't have to. His job was to get Ray sent away to jail and to prevent any detailed information from reaching the American people about who actually killed Dr. King.

MS: He did that well and he got paid very handsomely to boot.

LANE: Oh yes. Something happened in the Ruby trial which is a perfect example. Everybody involved was trying to prove that there was no conspiracy. The government was trying to prove it because it is their position that there is never a conspiracy in any of these things and they know if you untap some evidence, there is a lot more evidence of various other activities that will come out.

MS: But what about the defense?

LANE: Well, if Jack Ruby was trying to escape the death penalty, it had to be shown that there was no premeditation or deliberation. Of course, conspiracy is absolute proof of premeditation and deliberation. Your only defense is that you acted impulsively. You can't act impulsively if you sat down and planned it in advance.

So you have the strange phenomenona in all these trials of both the defense and the prosecution agreeing in advance that they aren't going to show any conspiracy. So even in the longer trials, like the Ruby trial and the Sirhan trial, longer than the trial of James Earl Ray — and "the trial" of Lee Harvey Oswald certainly, nothing comes out which is relevant. The basic question, "who was involved in the conspiracy?" never gets asked because of the tacit agreement between the prosecution and defense even before the trial begins.

In the mini-trial of James Earl Ray, his name is hardly mentioned. I just finished reading the transcript of that trial and nothing was really presented which showed that Ray was in anyway involved. But that wasn't necessary because he had entered a plea of guilty.

Of course, the best thing for those who believe in assassinations is to have the alleged assassin removed, as they did in Dallas with Lee Harvey Oswald, and then you don't even have the formality of a trial, there's nothing!

(In the 4th and final installment of this exclusive interview with Mark Lane, the noted attorney talks about future assassinations, right wing control of the U.S., the CIA's assassination program, and his vice-presidential race in the last election on a ticket headed by Dick Gregory.)

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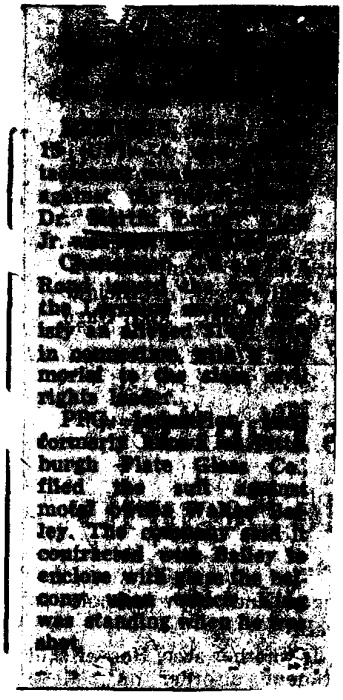

The Washington Post
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The Washington Daily News
The Evening Star (Washington)
The Sunday Star (Washington)
Daily News (New York)
Sunday News (New York)
New York Post
The New York Times
The Sun (Baltimore)
The Daily World
The New Leader
The Wall Street Journal
The National Observer
People's World
Examiner (Washington)

Date JUL 16 1969

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KNOXV[redacted] (AP)—Th[redacted] Criminal [redacted] to revie[redacted] Memphis [redacted] der trial [redacted] the slay[redacted] Martin L[redacted]

President [redacted] Walker [redacted] decision [redacted] for less t[redacted]

J. B. Stoner, a Georgia attorney, said the appellate court's ruling would be appealed to the State Supreme Court.

Ray pleaded guilty in Memphis March 10 to the murder slaying last year of Dr. King, the civil rights leader, and was sentenced by Criminal Court Judge W. Preston Battle to 99 years in state prison. Judge Battle died 21 days later.

In seeking a new trial, Ray said he had been pressured by his former lawyer, Percy Foreman of Houston, into entering the guilty plea. Mr. Foreman denied the charge.

Judge Arthur C. Faquin, who succeeded Judge Battle in handling the case, denied Ray's motion for a new trial at a hearing on May 26 in Memphis.

The gist of the defense argument before the appellate court this morning was that Judge Faquin erred in not setting aside the sentence on grounds that Judge Battle died before he had time to hear Ray's motion for a new trial.

Mr. Stoner also argued that Judge Faquin erred in his refusal to consider the motion for a new trial [illegible]

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The Washington Daily News
The Evening Star (Washington)
The Sunday Star (Washington)
Daily News (New York)
Sunday News (New York)
New York Post
The New York Times C-48
The Sun (Baltimore)
The Daily World
The New Leader
The Wall Street Journal
The National Observer
People's World
Examiner (Washington)

Date JUL 16 1969

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FD-350 (Rev. 7-16-63)

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Senator To Urge Ray Inquiry

By BETH J. TAMKE

A complete investigation covering the entire James Earl Ray case will be proposed by Senators Ed Gillock (D-Memphis) and Avery Brown (R-Knoxville) in January.

In a statement yesterday, Senator Gillock said he would make three proposals to the Senate after traveling to the penal institutions of the state as a member of the Senate State and Local Government Committee.

"First, I am going to propose the takeover of the Shelby County Penal Farm by the state. Secondly, I propose that a juvenile institution be built in Shelby County for first offenders. [illegible], I propose the Senate [illegible] into the treatment of [illegible] in the penal system, [illegible] over the [illegible] Ray case and the [illegible] and handling of all prisoners in the state of Tennessee.

"I am going to ask former Commissioner Harry Avery to testify before the committee and hire a staff to carry out a complete investigation so people will know the facts of the case."

Senator Brown was the only other member of the committee who knew of the proposal about James Earl Ray, but Senator Gillock indicated the two other proposals met with committee agreement.

The committee tourned the Shelby County Jail and Fort Pillow Prison yesterday. It will view the Shelby County Penal Farm at 9:30 this morning. Senator William Farris (D-Memphis) said the committee was gathering facts "so a knowledgeable program could be involved in the appropriations for the penal system next year.

"We found Fort Pillow very clean," he said. "We talked with inmates and officials and we learned that Fort Pillow needed a new cannery and bulldozer. It is very likely that money will be appropriated for these needs next year.

"The tour is a step by the independent [illegible] and independent look at correctional institutions [illegible]

"We need the [illegible] concept in handling of penal systems. We don't [illegible] trip over [illegible]

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

PAGE 17

COMMERCIAL APPEAL

MEMPHIS, TENN.

Date: 6-14-69
Edition:
Author: GORDON HANNA
Editor:
Title:

Character:
or
Classification:
Submitting Office: MEMPHIS

☐ Being Investigated

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[illegible] approach, but we should not eliminate the human value [illegible]."

Sheriff William N. Morris Jr. said the state should take over the Shelby County Penal Farm. He said his department would even take it over if the state prisoners were removed and he could have a chance to work with the inmates.

County Commissioner Lee Hyden, asked about the proposal of a state take-over of the farm, said, "We're not going to give up our Penal Farm. We're going to make it into a model community.

"I'd be very much in favor of the state taking over after the revamping of the state system."

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ns Davis Jr. will be best
men will be Oliver Mayhew
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Ray's Appeal Plea Denied

Criminal Court Judge Arthur Faquin Jr. today refused to grant an appeal of his May 26 ruling in which he denied James Earl Ray's motion for a new trial.

The request for an appeal was presented by two of Ray's attorneys, Richard J. Ryan of Memphis and J. B. Stoner, Savannah, Ga.

Following the brief hearing, the lawyers said their request was a "simple formality" and it was discretionary with the judge to sign the order of appeal.

They said their next step would be to file a petition asking the Tennessee Criminal Court of Appeals to review Judge Faquin's decision in the case.

Ray pleaded guilty March 10 to the murder of Dr. Martin Luther King and is now serving a 99-year sentence in the state penitentiary at Nashville.

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

PAGE 22

MEMPHIS-PRESS SCIMITAR

MEMPHIS, TENN.

Date: 6-16-69
Edition:
Author:
Editor: CHARLES H. SCHNEIDER
Title:

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Submitting Office: MEMPHIS

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FD-350 (Rev. 7-16-63)

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Review Is Sought By Ray Lawyers

Attorneys for James Earl Ray indicated yesterday they will ask the state Court of Criminal Appeals to intervene and review a decision rejecting Ray's motion for a new trial for the murder of Dr. Martin Luther King Jr.

Criminal Court Judge Arthur C. Faquin Jr. yesterday refused to clear an appeal to the higher court on his ruling which turned down Ray's bid for a new trial.

Judge Faquin said he declined to approve the appeal because Ray — when he pleaded guilty — waived his right to move for a new trial or to appeal a ruling on a motion for new trial.

Ray may still file an appeal under laws that permit petitions for a writ of habeas corpus or for a hearing on post conviction relief, said the judge.

The request for the right to appeal was a legal formality, the lawyers, Richard J. Ryan of Memphis and J. B. Stoner of Savannah, Ga., said.

Mr. Stoner said he expects a "total" challenge will be filed "shortly" on Ray's confinement under maximum security conditions at the state prison at Nashville.

The Georgia attorney said a suit seeking Ray's transfer from maximum security to normal assignment at the prison will be filed in federal court in Nashville by Robert Hill Jr., Ray's third attorney.

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

PAGE 17

COMMERCIAL APPEAL

MEMPHIS, TENN.

Date: 6-16-69
Edition:
Author: GORDON HANNA
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Submitting Office: MEMPHIS

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MEMPHIS, TENN. (UPI)--ATTORNEYS FOR JAMES EARL RAY SAID MONDAY THEY WOULD ASK THE TENNESSEE COURT OF CRIMINAL APPEALS TO ORDER RECONSIDERATION OF THEIR REQUEST TO APPEAL HIS MURDER CONVICTION.

CRIMINAL COURT JUDGE ARTHUR C. FAQUIN JR. LAST MONTH REFUSED TO ALLOW THE DEFENSE ATTORNEYS TO APPEAL THE CASE. HE DENIED ATTORNEYS J. B. STONER AND RICHARD RYAN A MOTION FOR A NEW TRIAL, TELLING THEM RAY HAD ADMITTED THE SLAYING OF DR. MARTIN LUTHER KING JR. AND WAIVED HIS RIGHTS TO A NEW TRIAL.

HOWEVER, FAQUIN TOLD RAY'S COUNSEL MONDAY THEY COULD PREPARE A BILL OF EXCEPTIONS OR PETITION THE APPELLATE COURT FOR A WRIT OF CERTIORARI. THE BILL OF EXCEPTIONS WOULD BE THE FIRST STEP IN A HABEAS CORPUS PROCEEDING TO FREE RAY, BUT STONER SAID THE DEFENSE WAS NOT READY TO ENTER A HABEAS CORPUS PROCEEDING.

THE WRIT OF CERTIORARI WOULD ASK THE APPEALS COURT TO ORDER FAQUIN TO RECONSIDER HIS DENIAL FOR A NEW TRIAL.

FAQUIN DENIED THE DEFENSE APPEAL IN OPEN COURT, BUT THERE WAS NO FORMAL HEARING. HE SUCCEEDED THE LATE JUDGE W. PRESTON BATTLE AS TRIAL JUDGE IN THE RAY CASE.

RAY PLEADED GUILTY MARCH 10 TO THE MURDER OF KING IN EXCHANGE FOR A 99-YEAR PRISON TERM. HE WROTE BATTLE THREE DAYS LATER REQUESTING A REVIEW.

BATTLE HAD A SECOND LETTER FROM RAY WHEN HE DIED ON MARCH 31. RAY'S ATTORNEYS BASED THEIR ARGUMENTS FOR A NEW TRIAL ON A TENNESSEE LAW WHICH AUTOMATICALLY GRANTS ANY MOTION PENDING BEFORE A JUDGE WHO DIES.

44-38861-A

FAQUIN TOLD THAT BATTLE, IN SPECIFICALLY ASKING RAY IF HE WAIVED HIS RIGHTS OF APPEAL, SAID THE QUESTION HAD BEEN SETTLED BEFORE BATTLE'S DEATH.

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FOR MR. TOLSON
WASHINGTON CAPITAL NEWS SERVICE

0-19 (Rev. 7-17-68)

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Ray's Lawyers Ask Rehearing

MEMPHIS, Tenn., June 13 (AP) — Attorneys for James Earl Ray asked today for a review of the recent denial of his new trial request, a move that could bring the case before the state Court of Criminal Appeals.

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

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

The Washington Post
Times Herald
The Washington Daily News
The Evening Star (Washington)
The Sunday Star (Washington)
Daily News (New York)
Sunday News (New York)
New York Post
The New York Times
The Sun (Baltimore)
The Daily World
The New Leader
The Wall Street Journal
The National Observer
People's World
Examiner (Washington)

JUN 14 1969
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44-38861-A
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184 JUN 23 1969

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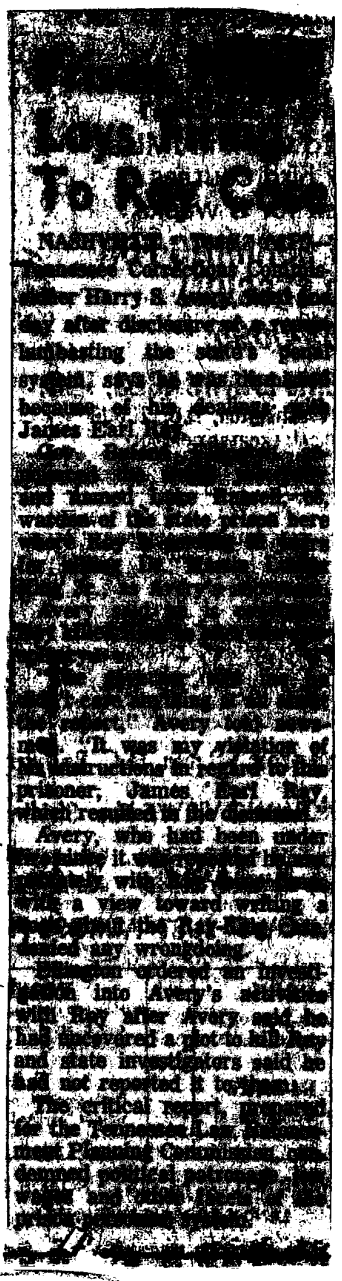

Loyal Men To Run Case

MURKIN

The Washington Post
Times Herald
The Washington Daily News
The Evening Star (Washington) A-3
The Sunday Star (Washington)
Daily News (New York)
Sunday News (New York)
New York Post
The New York Times
The Sun (Baltimore)
The Daily World
The New Leader
The Wall Street Journal
The National Observer
People's World
Examiner (Washington)

Date MAY 30 1969

44-38861-A

NOT RECORDED
176 JUN 6 1969

TOP CLIPPING
DATED 5-30-69
FROM Wash. Post + Times Herald
MARKED FILE AND INITIALED
55 JUN 9 1969

0-19 (Rev. 7-17-68)

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Corrections Chief Fired in Tennessee

A-3

NASHVILLE, Tenn., May 29 (UPI) — Tennessee Corrections Commissioner Harry S. Avery, accused of using his position to gather facts about James Earl Ray for a book, was fired today by Gov. Buford Ellington.

Ellington said only that Avery was dismissed after an investigation "regarding recent events in the Corrections Department." He refused to answer questions concerning the details of the dismissal.

Avery said he had no plans to write a book about Ray, "at this time." He added "Some situation might arise that I would think it would be propritious for me to write an article about penology or investigative work."

Robert W. Hill of Chattanooga, one of Ray's attorneys, charged two weeks ago that Avery offered to "look after" Ray if the admitted killer of the Rev. Dr. Martin Luther King Jr. "would write in his own handwriting his story of the crime."

Ray is serving a 99-year term in the Tennessee state prison at Nashville.

The controversy over Ray was not Avery's first. He also had been criticized for using a prison inmate as his chauffeur, and the International Association of Chiefs of Police had issued a highly critical report on the Commissioner's office and state prison operations.

O Murkin

The Washington Post
Times Herald A-3
The Washington Daily News
The Evening Star (Washington)
The Sunday Star (Washington)
Daily News (New York)
Sunday News (New York)
New York Post
The New York Times
The Sun (Baltimore)
The Daily World
The New Leader
The Wall Street Journal
The National Observer
People's World
Examiner (Washington)

Date MAY 30 1969

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FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

Ray Whisked Back To Pri[illegible] As Lawyers Ponder [illegible]

[illegible] where Ray pleaded [illegible]

Legal observers said various petitions and appeals could keep the case in courts for years.

Ray's attorneys contended in yesterday's hearing that letters which their client sent to the late Judge [illegible] Battle on March [illegible] March 26 constituted a motion for a new trial [illegible] Tennessee [illegible] should be granted [illegible] the judge [illegible] was [illegible]

[illegible] took almost 30 minutes to relate, Judge [illegible] with the prosecution [illegible] waived the right to a new trial when [illegible]

After citing decisions in numerous related cases, Judge Fequin said:

[illegible] of the court [illegible] plea was properly [illegible] intelligently and voluntarily entered and such a guilty plea precluded the defense from filing a motion for a new trial in this case."

When Judge Fequin announced his decision, Ray [illegible] twice, leaned [illegible] briefly [illegible] quickly [illegible] of the [illegible] Criminal Appeals upheld [illegible] Fequin's decision, [illegible] appeal. [illegible]

[illegible] ing a petition for a writ of [illegible] challenge some phase of his arrest, interrogation and trial. The attorney's also could seek a post-conviction hearing in an effort to have the conviction overturned.

Mr. Hill said during yesterday's hearing, however, that defense attorneys feel that both of these approaches would be "detrimental" to their client's case.

Presumably, Ray's attorneys, including Memphis lawyer Richard J. Ryan, will base part of their appeal of yesterday's decision on their objection to admission into testimony of minutes of previous court actions in the case.

The state's only witness, Criminal Court Clerk J. A. Blackwell, read the minutes that recorded Ray's guilty plea and sentencing.

Although there had been speculation that Ray would take the witness stand for the first time since his arrest in London last June, the defense called no witnesses at the hearing.

Before the state made its motion [illegible] trial motion, [illegible] drew [illegible] own [illegible] graphs [illegible] the [illegible] Ray's [illegible]

[illegible]

51 JUN 11 1969

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

PAGE 1

COMMERCIAL APPEAL

MEMPHIS, TENN.

Date: 5-27-69

Edition:

Author: GORDON HAWKA

Editor:

Title: 44-38861-A

NOT RECORDED

Character:

46 JUN 10 1969

Classification:

Submitting Office: MEMPHIS

Being Investigated

File 44-38861

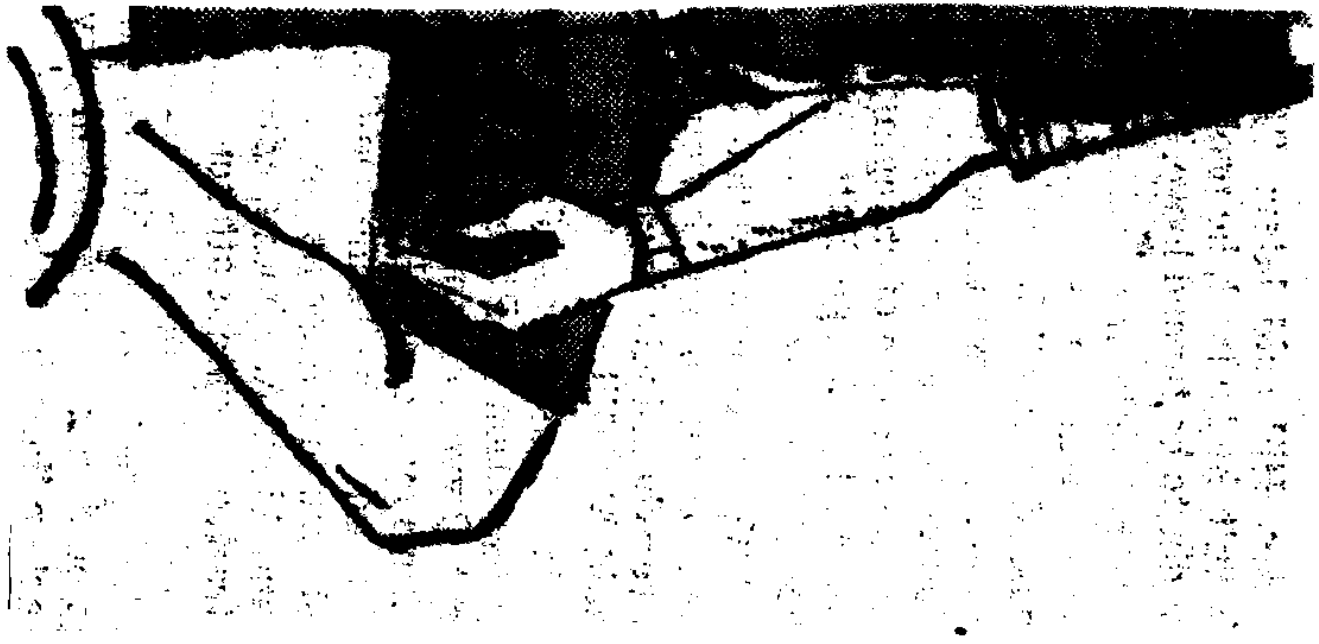
JUN 9 1969

Mr. Hill said later: "If he hasn't had a trial, he probably ought to be turned loose."

"The only man who could have heard this cause has passed away," he told Judge Faquin. "If we argued before Judge Battle we would be put in the position of changing his mind, but Judge Battle isn't here."

"We're convinced that if we put on our proof, it would be overwhelmingly in our favor," said Mr. Hill.

Mr. Mason was joined in the prosecution by Robert K. 'Bussy' Dwyer, executive assistant attorney general, who was named to the Tennessee Court of Criminal Appeals yesterday, and Lloyd A. Rhodes, administrative assistant attorney general. If an appeal is filed with the appeals court, Mr. Dwyer would not participate in any action the court takes.



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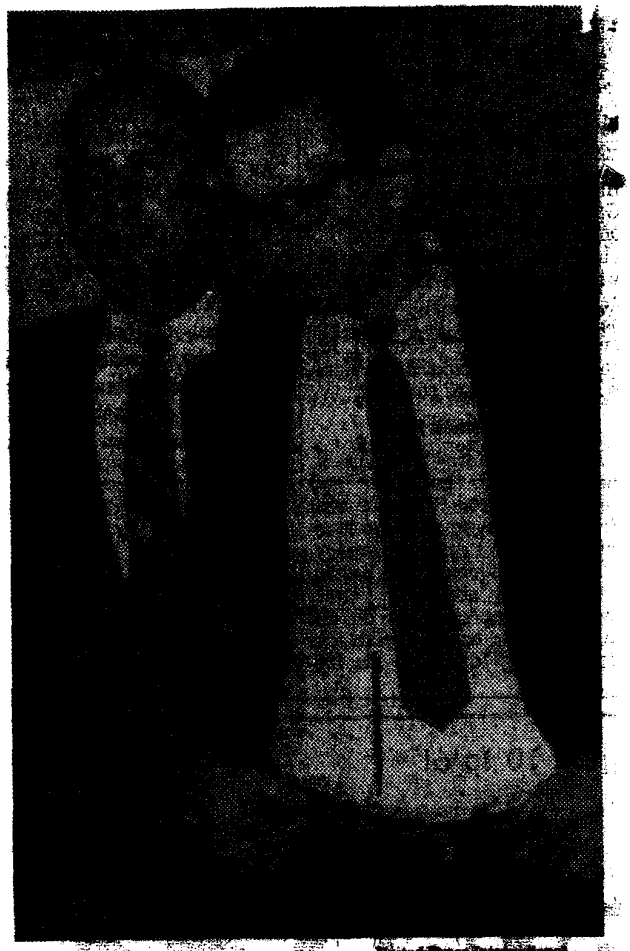

—United Press International

RAY RETURNS TO MEMPHIS

A handcuffed James Earl Ray is led from the Tennessee State Prison in Nashville by Maj. Hickey McCrory of the Tennessee Highway Patrol [illegible] to Memphis, where a hearing will be held Monday on a plea for a new trial. Ray traveled in an 11-car motorcade surrounded by 25 armed state troopers.

The Washington Post
Times Herald
The Washington Daily News
The Evening Star (Washington) A-5
The Sunday Star (Washington)
Daily News (New York)
Sunday News (New York)
New York Post
The New York Times
The Sun (Baltimore)
The Daily World
The New Leader
The Wall Street Journal
The National Observer
People's World
Examiner (Washington)

Date MAY 23 1969

44-38861-A File
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MAY 26 1969

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0-20 (Rev. 7-27-67)

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RAY 5/19 AJ

NASHVILLE, TENN. (UPI)--STATE CORRECTIONS COMMISSIONER HARRY S. AVERY SAID MONDAY THAT HE HAD RECEIVED INFORMATION OF A PLOT TO KILL JAMES EARL RAY.

IN AN INTERVIEW WITH WSM-TV HERE, AVERY SAID THAT HE RECEIVED A TELEPHONE CALL WHILE HE AND OTHER PRISON OFFICIALS WERE INTERVIEWING THE CONVICTED KILLER OF DR. MARTIN LUTHER KING JR. HE ADDED THE IDENTITY OF THE CALLER HAS BEEN ESTABLISHED AND THE CONSPIRACY HAS "SOME FOUNDATION."

HE SAID THE INCIDENT OCCURRED MARCH 12, THE DAY AFTER RAY PLEADED GUILTY AND RECEIVED A 99-YEAR SENTENCE, AND HAD A LOT TO DO WITH THE DECISION TO KEEP RAY IN MAXIMUM SECURITY AT THE STATE PRISON.

AVERY WOULD NOT DISCLOSE THE IDENTITY OF HIS INFORMER OR OTHER DETAILS OF THE ALLEGED CONSPIRACY.

ONE OF RAY'S ATTORNEYS, ROBERT W. HILL JR., CHARGED MONDAY THAT AVERY WAS KEEPING RAY IN MAXIMUM SECURITY IN ORDER TO GET HIS STORY FOR A BOOK.

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167 MAY 23 1969

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56 MAY 27 1969

WASHINGTON CAPITAL NEWS SERVICE

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

Mr. Tolson
Mr. DeLoach
Mr. Mohr
Mr. Bishop
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

[redacted]

NASHVILLE — [redacted] James Earl Ray [redacted] does not appear to be [redacted] with his chances for prison and civil adjustment are guarded," a state prison official says.

The man convicted of killing Dr. Martin Luther King Jr. would not discuss the crime with a team of interviewers, psychiatrists, guidance counselors and others during the two months he has been lodged in the maximum security wing of the state prison here.

He said he preferred to make any statement he had to make in the court.

"THIS MAN was extremely guarded in answering questions," the report said. "He did not appear to be [redacted], but certainly [redacted]. All his answers were brief and he did not elaborate on any of his answers."

The psychological portion of the report said that "being [redacted] bright, normal intelligence (but the) [redacted] prison and civil adjustment appears guarded."

AFTER the state Department of Corrections released the report, it was announced that Ray will remain in the maximum security wing of the prison.

Corrections Commissioner Harry Avery said that the classification process was completed and Ray could receive family visitors and have mail privileges.

Robert W. Hill Jr., of Chattanooga, one of Ray's attorneys, said "I don't have any doubt but that [redacted] confinement on an indefinite basis, would be cruel and unusual treatment."

Ray Lawsuit Hearing Set

NASHVILLE — (UPI) — A federal court hearing will be held here May 27 on motions to dismiss a lawsuit filed by James Earl Ray against two former attorneys and an author.

The hearing was set by U.S. Dist. Court Judge William E. Miller.

The suit names William Bradford Huie, an author, [redacted] of Birmingham, Ala., and [redacted] Washington [redacted].

Ray charged that Huie [redacted]

Ray is [redacted]

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

MEMPHIS PRESS-SCIMITAR

PAGE 29

Date: 5-14-69
Edition:
Author:
Editor:
Title: [redacted] SCHRIVER

Character:
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44-38861-A File
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176 JUN 6 1969

55 JUN 9 1969

FD-350 (Rev. 7-16-63)

Mr. Tolson
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Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

(Mount Clipping in Space Below)

A KILLER
EUDED POLICE

Commentary and Comment

checkpoints established at the nearest [illegible] neighboring [illegible] Mississippi [illegible] about [illegible] Memphis [illegible] at 6:[illegible] [illegible] with [illegible] percentage of the state's evidence.

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

Chief Lux, in explaining the failure to [illegible] the suspicious [illegible] we [illegible] have [illegible] white Mustang [illegible] We [illegible] the suspect was behind the wheel of a white Mustang [illegible] points. To do that, you [illegible] type to indicate [illegible] [illegible] with [illegible] the [illegible] [illegible] was healthy and [illegible] authorities were concerned about rioting and disorder.

In his trial before the [illegible] Judge W. Preston [illegible] drew a 99-year sentence March 10 under an [illegible] to plead guilty. [illegible] pudiated the [illegible] following [illegible] death was [illegible] of his [illegible]

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

A-13 Herald-Examiner
Los Angeles, Calif.

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

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

☐ Being Investigated

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51 JUN 4 1969

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MAY 26 1969

He [illegible] cause [illegible] don't see how we [illegible] held up without getting [illegible] with an [illegible] bulletin out." [illegible] was [illegible] ed by [illegible] 11, 196[illegible]

Investigators [illegible] tion showed that [illegible] areas the [illegible] were [illegible] in some [illegible] ing [illegible] who still had the impression that there had been such a bulletin.

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

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

[illegible] cause and [illegible] now [illegible] The [illegible] disclosed.

But Sheriff [illegible] the questioned [illegible] the night of April [illegible]

"I never received [illegible] munication that [illegible] ing a white Mustang [illegible] request to transmit [illegible] any other police [illegible]

The Tennessee [illegible] had reported that [illegible] statewide broadcast [illegible] p.m., to be "on the [illegible] late model Mu[illegible] by a white male [illegible] later, notify [illegible] connection with [illegible] Martin Luther [illegible]

[illegible]

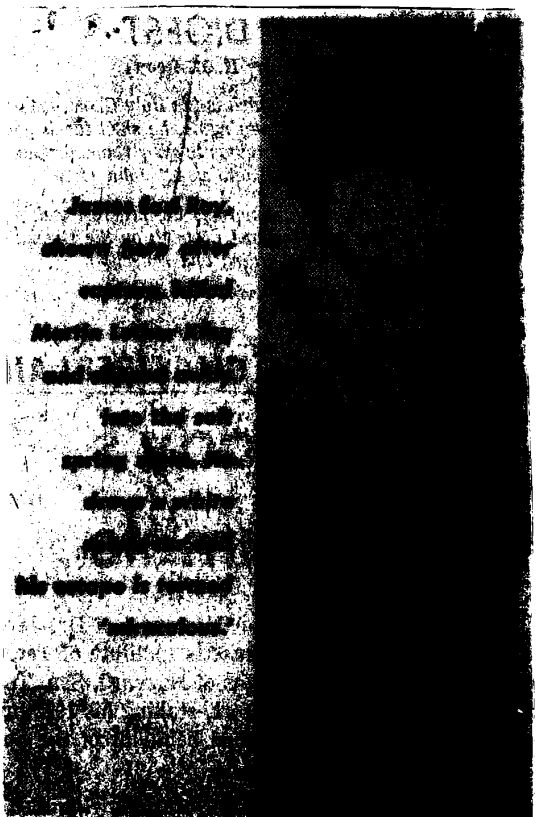
Donald Goodenow, Managing Editor

Reform Plan

it as now required by law; and return to the former system of allowing income taxpayers to take personal exemptions.

Reagan admits some people won't like his tax revision because they will have to pay more if it passes. But his plan is the result of diligent research and investigation, and gives sizeable relief to property taxpayers who have been footing too large a share of county, city and school financing.

The governor welcomes constructive suggestions for tax reform. Write to us, mark on the outside of



BIBLE DIGEST

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0-20 (Rev. 7-27-67)

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RAY 5/14 NX

NASHVILLE, TENN. (UPI)--JAMES EARL RAY HAS NORMAL INTELLIGENCE, DOES NOT APPEAR TO BE FEARFUL, BUT HIS CHANCES FOR PRISON AND CIVIL ADJUSTMENT ARE "GUARDED," A STATE PRISON REPORT SHOWED TUESDAY.

THE CONVICTED KILLER OF DR. MARTIN LUTHER KING JR., WOULD NOT DISCUSS THE CRIME WITH A TEAM OF INTERVIEWERS, PSYCHOLOGISTS, MINISTERS AND OTHERS DURING THE TWO MONTHS HE HAS BEEN LODGED IN THE MAXIMUM SECURITY WING OF THE TENNESSEE STATE PRISON.

HE SAID HE PREFERRED TO MAKE ANY STATEMENT HE HAD TO MAKE TO THE COURT.

"THIS MAN WAS EXTREMELY GUARDED IN ANSWERING QUESTIONS," THE REPORT SAID. HE DID NOT APPEAR TO BE APPREHENSIVE, BUT CERTAINLY NOT COMMUNICATIVE. ALL HIS ANSWERS WERE BRIEF AND HE DID NOT ELABORATE ON ANY OF HIS ANSWERS."

THE PSYCHOLOGIKCAL PORTION OF THE REPORT SAID THAT "TESTS INDICATE BRIGHT, NORMAL INTELLIGENCE (BUT THE) PROGNOSIS FOR PRISON AND CIVIL ADJUSTMENT APPEARS GUARDED."

AFTER THE STATE DEPARTMENT OF CORRECTIONS RELEASED THE REPORT, IT WAS ANNOUNCED THAT HE WILL REMAIN IN THE MAXIMUM SECURITY WING OF THE PRISON.

CORRECTIONS COMMISSIONER HARRY AVERY SAID THAT THE CLASSIFICATION PROCESS WAS COMPLETED AND RAY COULD RECEIVE FAMILY VISITORS AND HAVE MAIL PRIVILEGES.

ROBERT W. HILL JR., OF CHATTANOOGA, ONE OF RAY'S ATTORNEYS, SAID "I DON'T HAVE ANY DOUBT BUT THAT SOLITARY CONFINEMENT ON AN INDEFINITE BASIS WOULD BE CRUEL AND UNUSUAL TREATMENT."

DEPUTY COMMISSIONER WELDON W. COX PERMITTED NEWSMEN TO SEE THE REPORT, BUT SAID THAT MUCH OF THE INFORMATION CONCERNING RAY'S BACKGROUND WAS UNVERIFIED.

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133 MAY 17 1969

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WASHINGTON CAPITAL NEWS SERVICE

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MAY 15 1969

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

Canale Believes Ray Appeal Not

James Earl Ray forfeited the right of appeal when he pleaded guilty in Criminal Court here to the slaying of Dr. Martin Luther King Jr., Atty. Gen. Phil M. Canale said in a motion filed yesterday.

The attorney general cited a Tennessee Supreme Court opinion holding that an "attempted appeal after a plea of guilty is a complete 'nolity'" and asked Judge Arthur C. Faquin to dismiss Ray's motion for a new trial. Judge Faquin will hear the motion May 26.

A plea of guilty precludes appeal both in the state and the United States Supreme Court, the attorney general said. But the state acknowledged informally that Ray can ask for a habeas corpus hearing if his new trial motion is refused. The right to a habeas corpus hearing is guaranteed in the state's Post-Conviction Act.

Meanwhile in Nashville, state penitentiary personnel completed Ray's prisoner classification but ruled he must continue to live alone in a single maximum security cell, as he has since March 11.

An unidentified prison guard was quoted as saying Ray's life would be in danger if he mingled with other inmates.

Ray was found by psychologists to be of "bright normal intelligence." He refused to make any statement to them regarding the killing of Dr. King at the Lorraine Motel April 4, 1968.

The classification notes Ray never had "a great deal to do with religion." His prognosis for adjustment to prison or civil life "appears guarded."

Weldon W. Cox, deputy commissioner of corrections, said fitting Ray into a prison occupation presents a "special case. He may be qualified to be a carpenter, plumber, or what-not, but we may not be able to fit him into any of those programs."

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

MEMPHIS 17
PRESS-SCIMITAR

PAGE

MEMPHIS, TENN.

Date: 5-14-69
Edition:
Author:
Editor:
Title: CHAS. H. SCHNEIDER

Character:
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Classification:
Submitting Office: MEMPHIS

☐ Being Investigated

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NOT RECORded
184 MAY 17 1969

CLIPPING
DATED 5-9
FROM Commercial Appeal
MARKED FILE AND INITIALED

70 MAY 21 1969

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UPI-117
(RAY)
NASHVILLE--JAMES EARL RAY, CONVICTED KILLER OF MARTIN LUTHER KING, HAS COMPLETED HIS CLASSIFICATION PROCESS AT THE TENNESSEE STATE PENITENTIARY BUT WILL REMAIN IN MAXIMUM SECURITY, THE STATE CORRECTIONS DEPARTMENT ANNOUNCED TODAY.
WELDON W. COX, DEPUTY COMMISSIONER, SAID HE DID NOT KNOW WHEN RAY WILL BE MOVED FROM HIS SMALL, ISOLATED CELL WHERE HE HAS BEEN HOUSED SINCE MARCH 11.
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WASHINGTON CAPITAL NEWS SERVICE

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FD-350 (Rev. 7-16-63)

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State Tells Court Ray Waived Right

By ROY B. HAMILTON
Press-Scimitar Staff Writer

The state today contended that James Earl Ray waived his right to a new trial and appeal when he pleaded guilty and accepted a 99-year prison term in the slaying of Dr. Martin Luther King, Jr.

The state filed its answer opposing Ray's motion for a new trial before Criminal Court Judge Arthur Faquin. Robert K. Dwyer, executive assistant attorney general, filed the state's reply.

Judge Faquin will hear arguments on the issue May 26.

Accompanying the state's motion was a copy of a petition for waiver and acceptance of the guilty plea signed by Ray and his former attorney, Percy Foreman of Houston.

The last sentence of the petition reads, "I hereby waive any right I may or could have to a motion for a new trial and-or an appeal."

Ray now claims he was pressured into peading guilty March 10 by his former counsel.

He wrote a letter to the late Judge W. Preston Battle, who presided at the guilty plea proceedings, asking for a new trial shortly before Battle's death.

Ray is expected to be returned to Memphis from the state penitentiary at Nashville for the May 26 hearing.

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

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MEMPHIS PRESS-SCIMITAR

MEMPHIS, TENN

Date: 5-13-69
Edition:
Author:
Editor:
Title: CHAS. H. SCIMITAR

Character:
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Classification:
Submitting Office: MEMPHIS
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TOP CLIPPING
DATED 5-9-69
FROM Commercial Appeal
MARKED FILE AND INITIALED

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NOT RECORDED
184 MAY 17 1969

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