

benches. You couldn't have a better judge. I respect him."

Foreman's profanity is legend. In the course of one day's time he chewed out in purple prose at least a half dozen newsmen. Foreman has a hair-trigger temper, but in the next instant can be extremely kind and gentle.

He is also erudite, sprinkling his conversation with quotes from the Bible, H. G. Wells, and the Greeks.

Meanwhile, Atty. Gen. Phil

M. Canale is considering subpoenaing Ray's 20,000-word handwritten manuscript as evidence.

Ray wrote the document in his jail cell as the basis for a series of stories being written by Huie and appearing in Look magazine. Canale's approach may well be a request for Huie or Look to supply the material voluntarily, as the attorney general's subpoena powers do not extend outside the state.

The second of the articles,

published yesterday, claims that a conspiracy to murder Dr. King existed as early as August 1967, but that Ray did not know, as late as March 23, 1968, that murder was involved or that the victim was to be Dr. King (killed April 4).

(Mount Clipping in Space Below)

# Foreman Concerned Of Brand As Traitor

By CHARLES EDMUNDSON

Percy Foreman, Texas attorney who has assumed the defense of James Earl Ray, yesterday expressed concern that civil rights advocates will regard him as a "Judas Iscariot."

"I suppose I am about to represent Judas Iscariot," Mr. Foreman said softly as he visited the shrine erected in the memory of Dr. Martin Luther King Jr. at the Lorraine Motel on Mulberry.

An attendant pointed out the simple dishes, white with a maroon border, from which Dr. King ate his final meal before his slaying April 4.

"I understand the reference (to the Last Supper)," Mr. Foreman said, adding the phrase about Judas.

Noting that visitors are asked to give \$1 each to the shrine, Mr. Foreman glanced about the room and said, "I'd like to give \$10." He reached into his pocket and handed the attendant a \$10 bill.

Mr. Foreman tried to visit the South Main Street rooming-house bathroom from which police say Dr. King was shot. When the manager refused him admission, saying the quarters were being remodeled, the attorney threatened to write FBI Director J. Edgar Hoover.

He later expressed doubt whether his dictated letter will be mailed by his office in Houston. Instead, he went to the owner and last night said he had received permission for the visit. The two-story structure is a 442½ South Main, 205 feet west of the Lorraine.

Mr. Foreman will fly to Atlanta this morning to address a bar association luncheon seminar. It is understood he will retrace Ray's wanderings there, visiting, among other places, the rooming house where his client is said to have stopped and to have abandoned, nearby, a white Mustang.

With Ray's trial postponed by Judge W. Preston Battle for nearly four months, the attorney general's office moved yesterday to restore the Criminal Court calendar to a normal operation.

Administrative Asst. Atty. Gen. Lloyd Rhodes said all five divisions should be operating normally by Monday.

Meanwhile, thousands of dollars of extraordinary public

expense continue. The Police Department said eight officers are assigned to guard one witness, Charles Quitman Stephens, around the clock. At an average monthly salary of \$550 for each officer, this would come to \$4,400 a month, or about \$15,000 for the four-month continuance.

In Birmingham, Arthur J. Hanes Sr., whom Ray dropped as counsel in favor of Mr. Foreman, said he was glad to be out of the case but that he disapproved of the delay.

"A pall hangs over the country, a cloud is hanging there over Memphis," he said. "It would be well if these were lifted."

He added, "I had some bombshells (of evidence) to drop on them."

Mr. Hanes indicated doubt that it would be necessary for the attorney general's office to subpoena the handwritten manuscript Ray sent out by him for author William Bradford Huie to use in writing a series of articles for Look magazine.

"Deputies looked at every scrap of Ray's writing I took out of the jail," he declared. "I don't know how much of it they made mental notes on, but they could have learned the substance."

The Look articles quoting Ray are expected to figure as evidence in the trial. Two articles have been published and a third was in the works. Publication of much, if not all, of the remainder is now expected to be delayed until the trial starts next spring and the jury is sequestered.

Atty. Gen. Phil M. Canale is known to be interested in the substance of the third article.

Last night Mr. Foreman had not announced his choice of a Tennessee attorney to associate with him in Ray's defense.

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

Page 1  
Commercial Appeal  
Memphis, Tennessee

Date: 11-14-68  
Edition: FINAL  
Author: CHARLES EDMUNDSON  
Editor: FRANK R. AHLGREN  
Title: MURKIN

Character:  
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Classification:  
Submitting Office: MEMPHIS  
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SERIALIZED	FILED
FBI - MEMPHIS	

Hester

(Mount Clipping in Space Below)

# Judge Battle Grants Delay

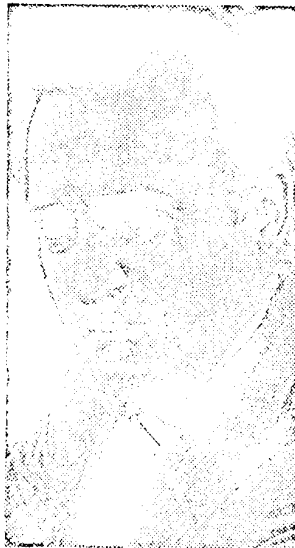
Judge W. Preston Battle today set a new date of Monday, March 3, for James Earl Ray to go on trial in the sniper murder of Dr. Martin Luther King.

Percy Foreman, flamboyant Texas attorney, got court approval to take over the defense from Arthur Hanes of Birmingham. Foreman told reporters as he went into the hearing he might ask to move the trial to another place, saying the "mood of the community" would determine the need for a change of venue. However, he did not bring up the matter during the hearing.

Foreman first asked Battle to set another hearing in 90 days, and then to set a trial date agreeable to the prosecution and the defense. He argued that the delay was needed so he could dispose of some cases he has pending in Texas. As an alternative, he asked that the court fix the time for the trial.

Judge Battle ordered Foreman to report back to court on Dec. 12, a month from today, and let him know if he will be ready for trial on March 3.

Judge Battle refused to permit Hanes to withdraw completely from the case. He said he would grant Hanes permission to make a "conditional withdrawal." Hanes must be bound, he said, by the court's orders on publicity and must turn over the results of his investigation to Foreman. Hanes was required by the judge to post a \$1,000 appearance bond in connection with his contempt citation for violation of Battle's ban against pre-trial publicity.



—Press-Scimitar Staff Photos by  
James R. Reid

**ARTHUR HANES SR.**  
Ordered to post \$1,000 appearance bond on contempt charge.

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

Page 1

Memphis  
Press-Scimitar

Memphis, Tenn.

Date: 11-12-68  
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Author:  
Editor: Charles H.  
Title: Schneider

Character:

or

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#### RAY APPEARS

The hearing began at about 9:45 a.m. Ray was brought into the courtroom. He was not handcuffed. He was wearing a dark blue checked sportcoat, a dark blue tie. He took a seat behind Hanes and his son. He shook hands with Hanes and his court-appointed London attorney, Michael Eugene, who was seated near the wall of the courtroom.

Hanes got up and told the

judge he understood Ray had written a letter requesting that he do nothing further in the case. He said he had not seen the letter, then was handed a copy of it by Foreman and glanced at it. Hanes moved that in view of this letter he should be removed as attorney of record.

The judge asked Ray to read a copy of the letter and asked Ray if he wrote it. Ray rose to his feet and said: "I did."

#### OBJECTION

At this point Robert K. Dwyer, executive assistant attorney general, objected strongly to a delay in the trial. He said: "It is the state's position that the motion should be disallowed."

Dwyer said Hanes had been Ray's attorney of record since his arrest in London in June. "As of last Sunday, the defendant states he doesn't want Hanes and his son to represent him any more. The point I'm making is that he has been here four months and it appears he is trifling with the court. He is attempting to employ counsel here.

"I don't know this gentleman from Texas (Foreman). I have read something about him and heard some things along the way. There was no assurance that Ray might

not return to court in 90 days and say, 'Well, I don't like this gentleman here (Foreman) and I want another continuance.'

"This is a unique case, but it's still a piece of business. From what I've read, these gentlemen (Hanes and his son) have been paid." Dwyer wanted to know why Foreman couldn't associate himself with Hanes in the defense, saying: "Let him sit where he is and let's go to trial today."

When Dwyer concluded, Foreman got to his feet and asked to be heard on what he termed "the diatribe spoken in my direction." He started out by referring to Dwyer as the "distinguished attorney general" and Dwyer, evidently stung by what he felt was sarcasm, asked the court to order Foreman "to leave out personalities and address himself to legal matters."

#### ARGUMENT

Foreman argued that Ray had a right to choose his own attorney. "Frankly I'd be much better off physically and financially if the court adhered to the adjuration of the attorney general," Foreman said. "But if this man (Ray) needs me and wants me, I feel an obligation to my oath as an attorney to make myself available."

Judge Battle said that Ray's decision to switch lawyers came at "the eleventh hour" and after "an immense amount of time, money and energy had been spent on the trial." The judge said it was "an awful thing" to have to continue the trial," but he added:

"Under the unique facts and circumstances of the case, the court is of the opinion this (Foreman's) motion should be granted."

#### LAW CITED

He cited Tennessee law to the effect that a defendant cannot be required to go to trial with an attorney not of his own choosing.

The judge then called a recess and asked Foreman to meet with Atty. Gen. Phil Canale and his two assistants, Dwyer and James Beasley, to decide on a trial date agreeable to both sides. Dwyer, at this point, asked for clarification of the court's instructions and became involved in another exchange with Foreman.

Foreman said he couldn't

remember the name of the assistant attorney general.

"Name's Dwyer," Dwyer shot back.

Foreman good-naturedly replied: "I always feel handicapped as a private attorney. Everybody for the state is a general." Foreman added that he "hoped he could get along with Mr. Dwyer before the day is over."

The recess was taken at 10:20 a.m. and Ray was removed from the courtroom. The hearing resumed a little more than an hour later. Canale announced that the defense and the state could not agree on a trial date.

Canale requested a setting of no later than the Tuesday following the opening of the January term of court, which begins on the third Monday of the month.

Foreman argued that the "very magnitude and geographical area involved" in the case made it impossible for him to be ready by that time. He said he already was committed to clients with cases pending in Texas courts and it would take time to turn them over to other lawyers or get continuances.

Foreman said the state has a list of 360 prospective witnesses, with from 80 to 90 expected to be called. He said it was his "basic approach" to interview all the

witnesses, particularly those who were not being summoned to testify, before going to trial. He maintained this would take a minimum of 90 days.

He suggested a date during the second term of court next year, which "would take us into the month of May, I understand from Mr. Canale."

Canale opposed a setting that distant. "The State of Tennessee is going to insist on a speedy and early setting. Any continuance militates against the state's case," Canale said. He agreed that Ray has a right to a fair and impartial trial but he said the people of this state also have rights.

"I want to do everything possible to protect the rights of the people of this state. I think we should get this show on the road." He said his office handles 4,500 cases a year and he felt the community had been forced to suffer enough "tumult and turmoil" in connection with the Ray case.

The judge, after hearing the arguments, said, with a half-smile, "Well, you gentlemen have dumped this right in my lap."

In resolving the dispute, Battle said the rights of the defendant and the commun-

ity had to be weighed equally. He said he was setting Monday, March 3, as the trial date with a proviso that Foreman come back into court 30 days from now to state if he will be ready at that time.

Judge Battle told Hanes: "I understand there is a difference between you (Hanes and his client) on money matters . . . but that's a civil matter."

Foreman said in his motion that the Haneses had been paid about \$30,000 and they wanted an additional \$12,000 before they would release statements, interviews and other information collected for the defense during their investigation. But Battle ordered the Haneses to turn over their files on the case to Foreman anyway.

The U.S. Circuit Court of Appeals in Boston set aside the conviction in 1952 on the grounds there had been too much advance publicity about the trial.

Delay, the ruling said, might continue "until by lapse of time the danger of the prejudice may reasonably be thought to have been substantially removed."

Speculation continued today over why Ray ditched Hanes, the lawyer who had represented him since his arrest in London in June, and

hired Foreman, a legal as well as a 6-foot-4 physical giant, at the last minute.

Ray's two brothers, John and Jerry Ray, were believed to have been a major influence.

Ray and Hanes also have had their differences, over finances as well as defense strategy. Ray, it was reported, wanted to take the witness stand, but Hanes was strongly against it. Also, Ray was resentful because he had never seen any of the \$30,000 reported to have been turned over to his attorney by William Bradford Huie, author of a series of articles on the Ray case now running in Look. The money was an advance from Huie for exclusive rights to Ray's story.

Foreman denied making any reference to the Ku Klux Klan when discussing his entry into the case yesterday with Press-Scimitar reporter Clark Porteous.

"All reference to the Ku Klux Klan is a misstatement of fact," Foreman told The Press-Scimitar later. "The Klan was not mentioned by the reporter or by me.

"I said a bunch of nuts from all over the country called and wanted to raise funds in my name. It always happens in every famous case."

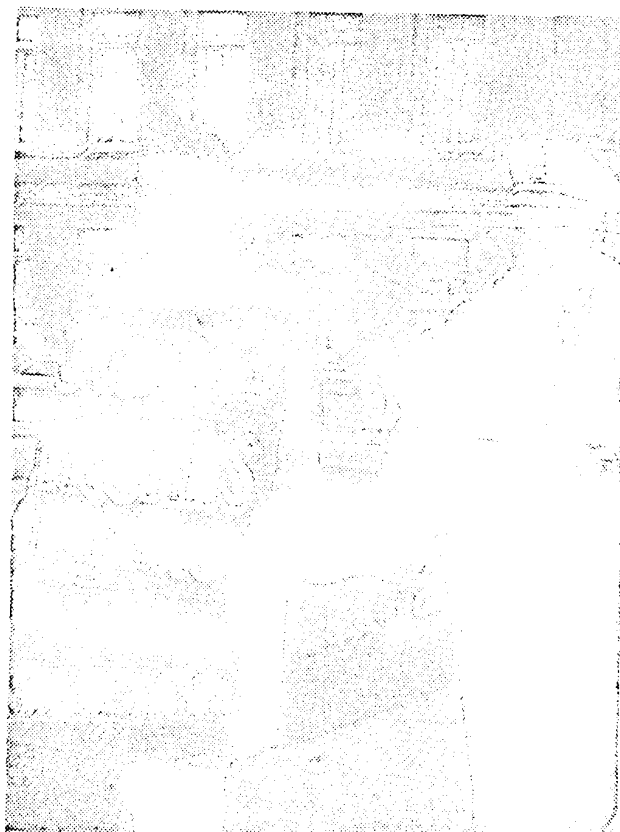
Porteous said he suggested nothing, but Foreman came into the case two days before the trial and the manner in which he entered the case was obviously newsworthy. Also, Hanes had been successful in defense of Klansmen.

"I asked Foreman if the Klan or any other organization was involved in getting him into the case," Porteous said. "Foreman answered he has been asked a number of times to enter the case before Ray's arrest but had refused. While he did not use the word 'Klan' himself, that was what the question had been about. I had no reason to believe Foreman had not understood the question."



### **PERCY FOREMAN GETS RAY TRIAL DELAYED**

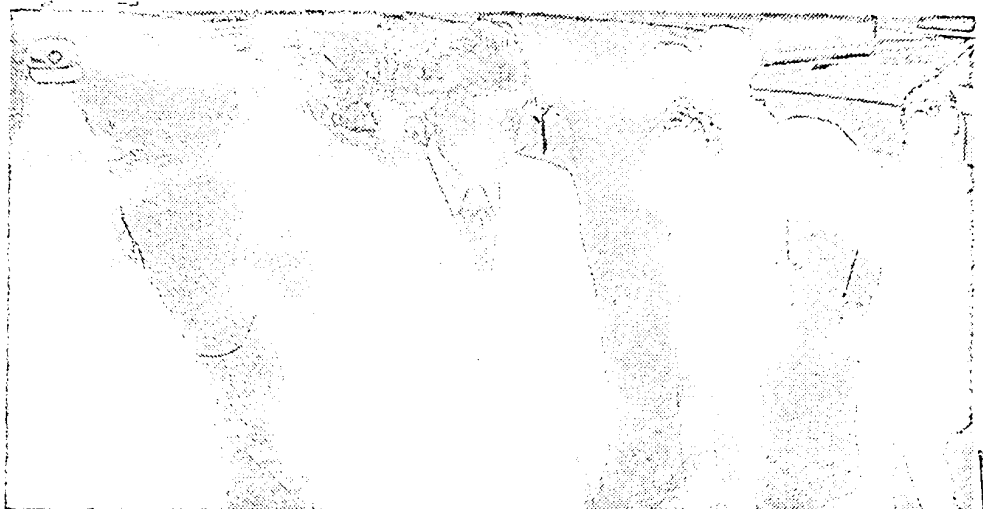
Defense lawyer tells newsmen there should be a long wait for trial of James Earl Ray.



—Press-Scimitar Staff Photos by James R. Reid

### **TRIAL PICKETED**

Police politely usher picket away from Criminal Courts Building, scene of Ray hearing.



**PRESS AND PERCY FOREMAN**  
James Earl Ray's lawyer is followed to hearing by newsmen.



(Mount Clipping in Space Below)

# Author Says Ray Admits To Involvement in Plot

BY UNITED PRESS INTERNATIONAL

James Earl Ray, accused of assassinating Dr. Martin Luther King Jr., has admitted that he believes he became "involved in some sort of plot to kill King" as early as eight months prior to the murder, it was reported Monday.

But Ray is quoted in the second of a series of articles in Look magazine as claiming he was duped into the conspiracy and "nobody told me anything about any planned murder of King or anyone else."

The series is by author William Bradford Huie who corresponded with Ray at the Shelby County jail where Ray awaits trial. Huie states that he cannot reveal all he has learned until Ray has been tried but he believes Dr. King was the secondary, not the primary, target of the plotters.

## TARGET

"The primary target was the United States," Huie wrote.

"Dr. King was to be murdered for effect. His murder was planned, not by impulsive men who hated him personally, though they probably did hate him, but by calculating men who wanted to use his murder to trigger violent conflict between white and Negro citizens."

According to information given Huie by Ray, the escaped convict was recruited in Canada by a man identified only as Raoul for some "activity" on Aug. 18, 1967, eight months prior to the April 4, 1968, assassination. His first assignment was to smuggle three packages by car from Windsor, Ont., to Detroit, Mich.

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

— Page 7

— Memphis  
Press Scimitar

— Memphis, Tenn.

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SEARCHED	INDEXED
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From then on, Huie wrote, Ray "moved as directed by the plotters," although he did not know as late as two weeks before King's assassination "that the plot included murder or that it was aimed in any way at Dr. King." One of his assignments was to smuggle a tire—which apparently con-

tained some sort of contraband—across the Texas-Mexican border at Nuevo Laredo.

In payment, Ray received \$200 to buy an old car for the Canada-United States haul, for which he was paid \$750; \$2,000 to buy a 1966 Mustang, which he used for the Mexican smuggling expedition; \$500 for living expenses, \$500 for camera equipment and \$2,000 after returning from Mexico. Ray said Raoul told him he would get him travel papers and \$12,000, "enough for me to go in business in a new country."

#### MEXICO

Ray said that in October, 1967, while waiting for the next assignment from Raoul expected in two or three months, he visited Puerto Vallarta on Mexico's Pacific Coast and decided it was the "best town in Mexico" and a place he would like to live in eventually. He even consid-

ered trading his car for a piece of property there.

"When I get out of jail again, I'm going back there permanently," Huie quoted Ray as writing him.

During another sojourn in Los Angeles, Ray consulted with a hypnosis expert, the Rev. Xavier von Koss, on means of self-improvement through hypnosis and he also had an identifying nasal tip removed from his nose by Dr. Russell C. Hadley, a prominent surgeon.

#### RECOGNITION

According to Huie, Von Koss said he sized Ray up as belonging to "the recognition type."

"He desires recognition from his group, from himself. He yearns to feel that he is somebody. This desire for recognition in him is superior to sex, superior to money, superior to self-preservation," Von Koss said.

(Mount Clipping in Space Below)

# How To Make Friends, Foreman Style

"By the end of the second day Percy Foreman will be a friend of the judge, a bosom buddy of the press and also the 13th member of the jury," said an out-of-town reporter who covered the Candace Mossler trial in Miami.

The reporter commented just before Judge W. Preston Battle opened proceedings at the Courthouse yesterday in the case of James Earl Ray, charged with killing Dr. Martin Luther King Jr.

Then court was called to order and Mr. Foreman, the tall, 66-year-old Texas who will now defend Ray, rose to speak. Almost his first sentence included a reference to "the great State of Tennessee, whose citizens nearly a half century ago fought and gained the independence of Texas." Georgia, from where Mr. Foreman's forebears came, and which also did its part in the Texas Revolution, was not mentioned.

Next it was "the distinguished judge of this court, who knows from his experience when he was a prosecutor . . ."

And later in an impromptu press conference, "If there is a change of venue I certainly shall ask that this judge be delegated to preside over the case in the jurisdiction to which it is transferred. I would never ask this judge to recuse himself."

Memphis probably has as many church edifices as any city in the country in proportion to population and soon there was a New Testament quotation, "I have learned, in whatsoever state I am, therewith to be content."

This was a masterpiece, two birds with one stone. For with a warm glance Mr. Foreman revealed he meant the word "state" in the geographic sense. He was content in Tennessee.

Mr. Foreman had disclosed earlier that he is an ordained deacon in the Baptist Church — although not an

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

— Page 19

— The Commercial Appeal

— Memphis, Tenn.

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active one — and has helped build "five Baptist churches." There was no jury yesterday but there will be one when the trial starts, presumably March 3.

Mr. Foreman had a modest posey for The Commercial Appeal. "I read that in the morning paper and I understand it is known as 'The Reliable.'"

From the lips of a lesser person all this might seem open flattery. From Mr. Foreman, whose brow never beams, it is the articulation of genuine feeling.

Mr. Foreman's verbal armory also includes shafts of sarcasm.

Exec. Asst. Atty. Gen. Robert K. Dwyer, who spoke first yesterday, remarked, "I don't know this man from Texas — I have read about him . . ."

Mr. Foreman soon returned the compliment, "The gentleman at the end of this table — he knows my name, I don't know his."

And a little later, "I hope I shall have no trouble with the gentleman on the end; I know I shall have no trouble with Attorney General Canale."

Mr. Foreman also had a bow for the Memphis and Shelby County Bar Association. He would confer with heads of the bar as to an attorney to associate with him in Ray's defense.

It will be a Tennessee attorney and probably one from Memphis, many believe.

Mr. Foreman said there is no basis for a report he will ask the aid of John J. Hooker Sr. of Nashville, one of the state's best known defense attorneys.

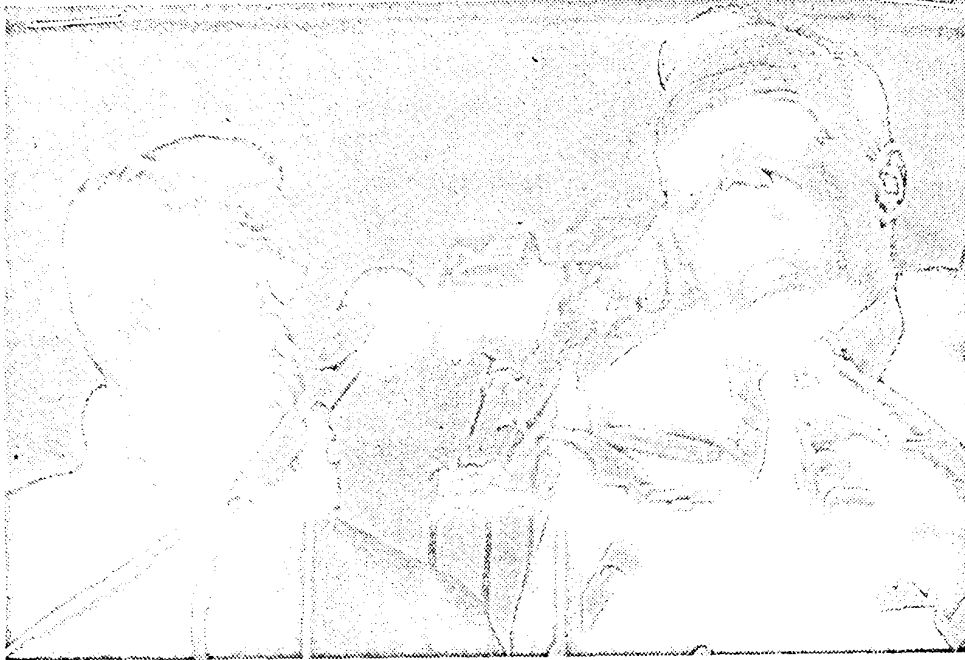
"That would be," Mr. Foreman observed, "like harnessing two race horses to a plow."

\* \* \*



Percy Foreman Is The Center Of Attention As He Leaves Courthouse  
—Staff Photo by James McKnight—

(Mount Clipping in Space Below)



Arthur Hanes And Son Talk To Newsmen After Hearing —Staff Photo

## A Letter From Ray

This is the text of James Earl Ray's letter dated Nov. 10 to Arthur J. Hanes Sr., delivered to the attorney Sunday night, the first official word of his switch in attorneys:

"Dear Mr. Hanes,

"Due to some disagreements between me and you in regards our handlings of my case, I have decided to engage a Tennessee attorney and perhaps someone else.

"Therefore I would appreciate it if you would take no further action on my case in Memphis, Tenn. Also, I appreciate what you have already did for me.

Sincerely (sic),  
James E. Ray."

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

— Page 19

— The Commercial Appeal

— Memphis, Tenn.

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INDEXED *ll* FILED *ll*

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FBI - MEMPHIS

*187*

44-1987-Sub-C-260

(Mount Clipping in Space Below)

## ***Tight Security Soon Relaxes After Hearing***

Three hours after the James Earl Ray hearing had ended, it was hard to tell there had been one.

The white sawhorses blocking Washington were gone.

The police guards, outside and inside the Shelby County Criminal Courts Building had returned to their normal duties. Access to the building was simply a matter of walking through the door.

Sheriff William N. Morris ordered a large temporary "search room" in the second floor corridors dismantled immediately. It was gone by 3 p.m.

The corridor to the nearby County Office Building was unlocked and unguarded.

The sheriff said security around the jail was returned to normal as quickly as possible, and will remain normal until the March 3 trial date for Ray when the tight security measures will be resumed on spectators, news media representatives, and officials connected with the trial.

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

— Page 19

— The Commercial Appeal

— Memphis, Tenn.

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(Mount Clipping in Space Below)

## Ray Displays Another Face, This One Pale And Worried

By ANGUS McEACHRAN

The plastic face of James Earl Ray was stretched into another pose yesterday.

Neatly dressed in blue, double-vented sports coat with faint checkered pattern, Ray appeared gaunt and worried as he entered Judge W. Preston Battle's courtroom.

A prison pallor grown chalk white since his arrest June 8 in London accentuated his shallow, pinched face. His hair was oiled but only partly combed.

It was far different from the bespectacled face that peered out of FBI wanted flyers, different too from the subdued countenance that faced the London magistrate during extradition proceedings, and the heavy-set face which first appeared in the Shelby County criminal courtroom July 21.

Ray sat quietly behind his attorneys during yesterday's proceedings, an apprehensive expression often on his face. He spoke in open court only when Judge Battle questioned him about wishing to change attorneys.

Getting slowly to his feet, a sheaf of what appeared to be folded yellow legal paper protruding from his left hip pocket, the defendant answered, "Uh, yes sir."

Once he leaned forward and whispered something to the man he fired, Arthur Hanes Sr. The rest of the time he was merely a spectator, his left arm sprawled over the back of a red padded chair, his face resting on his upraised right arm.

A sheriff's office official said only 8 persons showed up for the 35 seats set aside by the judge for the public. The press counted only three, two Negroes and a young white woman. Some of the foreign press members suggested the turnout was indicative of local interest in the trial.

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

— Page /  
— The Commercial Appeal  
— Memphis, Tenn.

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When it was obvious that the public seats were not going to be filled, several employees of the sheriff's office were allowed in. One of those was Toy Strickland, personal secretary to Sheriff William N. Morris Jr. Oscar Edmonds, a County Court squire, a member of the sheriff's auxiliary force and close political ally of the sheriff, was also in attendance.

One of public seats went to 17-year-old Alfred Guinn of 2125 Swift, a senior at Carver High School. "I cut class to come because I wanted to see what happened. No, I won't get in trouble if I have a written excuse."

Security arrangements for getting into the courtroom were even more elaborate than they were for the first Ray hearing. But the process moved smoothly.

In the second-floor foyer of the Criminal Courts Building the sheriff's office has con-

structed a maze of plywood partitions for searching anyone entering the courtroom. Claude Armour, Gov. Buford Ellington's special advisor on law enforcement, assisted in the security.

Deputies were polite but thorough — to the point of unscrewing ball point pens and examining the contents of cigarette packs. Unnecessary personal effects such as pen knives were deposited in manila envelopes marked: "For Shelby County Prisoners."

A metal detector was next. It resembled a cordless vacuum cleaner. It was sensitive enough to detect the tin foil in a roll of antacid tablets. The video tape machine, which records voice and pictures of spectators, was the last step. In between that and the metal detector was the somewhat embarrassing procedure of sitting down in front of everybody and removing your shoes for an inside inspection.

Seven men sat waiting in the lobby of the Criminal Courts Building.

They had been subpoenaed as witnesses for the defense, and, unlike witnesses for the state, they had not been told they need not appear yesterday.

"That's something, isn't it?" said Solomon Jones Jr., the chauffeur who was with Dr. Martin Luther King Jr. on the night of the assassination.

"They knew there was no reason for us coming, but they didn't bother to tell anybody."

Shortly, Percy Foreman, new attorney for Ray, came from the courtroom. Mr. Jones introduced himself.

"I want you to know my last client was a member of your race," said Mr. Foreman. "I got a \$50 fee for it and I made a \$5,000 bond for him."

"I just want to say my being involved in this has nothing to do with the color of your skin or mine. Furthermore, over half of my clients are members of your race."

"Thank you," said Mr. Jones.

(Mount Clipping in Space Below)

## Canale Ponders

**Trial Postponed Till March  
Over Strong Objection  
Of Attorney General**

By CHARLES EDMUNDSON

Faced with a new trial date and a new defense lawyer in the James Earl Ray murder case, prosecutors last night turned their attention to the possibility of using Ray's handwritten 20,000-word manuscript as evidence.

Atty. Gen. Phil M. Canale is considering subpoenaing the document written by Ray in his Shelby County Jail cell as the basis for a series of stories being written by author William Bradford Huie and appearing in Look magazine, it was learned.

The approach may well be a request for Mr. Huie or Look to supply the material voluntarily. The attorney general's subpoena powers do not extend outside the state and there is a question on whether the cover material in the hands of defense counsel, a Criminal Court official said.

The second of the articles, published yesterday, claims that a conspiracy to murder Dr. Martin Luther King Jr. existed as early as August, 1967, but that Ray did not know, as late as March 23, 1968, that murder was involved or that the victim was to be Dr. King.

Mr. Huie says material he is holding for a third article in the series, which apparently would bring Ray's career up past April 4, the day Dr. King was shot, will not be published until after the trial starts.

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

— Page 1

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☐ Being Investigated

44-1987-Sub-C-263

Criminal Court, Judge W. Preston Battle yesterday postponed at least until March 3 the trial of the 40-year-old fugitive convict, who had been scheduled to go on trial yesterday morning. Ray yesterday appeared visibly aged and less jaunty than when he first was arraigned here in July.

Judge Battle granted the continuance on the motion of attorney Percy Foreman of Houston, Texas, whom he authorized to succeed Arthur J. Hanes of Birmingham as chief defense counsel.

Attorney General Canale argued strongly that the trial be continued only to Jan. 16, the beginning of the winter term of court, but lost.

Judge Battle directed Mr. Foreman to report Dec. 12 on whether it then appears he would be ready for the trial March 3. The judge indicated that if additional time for preparation were required it might be granted.

Judge Battle granted an hour's recess for the defense and prosecution to try to reach an agreement on the trial date. At the expiration of the hour, Mr. Canale reported that the opposing attorneys were unable to agree.

"The law requires only a three-day wait between indictment and trial," the attorney general said. "Delay always favors the defense. We request a date no later than Tuesday following the third Monday in January."

Mr. Foreman replied that there were 360 potential witnesses to be interviewed and that it could not be done by Jan. 16.

"The state has an interest in seeing that justice is done the defendant as well as society at large," Mr. Foreman argued. He cited a legal precedent from Massachusetts for a substantial continuance when a change of counsel was authorized.

As the hearing opened Judge Battle passed to Mr. Hanes the original of a note handwritten by Ray asking Mr. Hanes be replaced as his counsel by other attorneys, "including one from Tennessee."

Mr. Hanes immediately asked to be relieved of the case. Judge Battle ruled that Mr. Hanes would be "conditionally relieved."

The condition was required, Judge Battle said, as a means of assuring that Mr. Hanes, now intimately acquainted with the evidence, disclose none of it to the news media in violation of the court's order restraining publicity.

"Since contempt of court is

not an extraditable offense," Judge Battle said, "I shall order that you make \$1,000 bond."

Ray spoke only twice during the nearly two hours the court was in session. This was at the beginning when Judge Battle handed him a note he had written telling Mr. Hanes he was no longer to be his attorney.

"Did you write this note?" Judge Battle asked.

"I did," Ray replied in an unsure voice, hardly loud enough to be heard 10 feet away.

"Yes, sir," Ray quavered when Judge Battle asked him if it were still his desire to change counsel. Ray was thinner than in July.

His former self-confidence was replaced by a worried if not harried look. Reporters remarked the slightly enlarged lobe of his left ear, which he had planned to submit to plastic surgery in Los Angeles last spring, in addition to an operation carried out to correct a too pointed nasal tip.

The small courtroom was crowded. The 35 seats allotted to the public were occupied mostly by Courthouse employees. Reporters for the press, television and radio occupied 42 seats. No relatives of the defendant or the deceased were present.

All news media persons were searched electronically and were, in addition, "patted down." Courthouse personnel were similarly searched.

The attorney general's staff assigned to the case had been fingerprinted and photographed. But defense counsel, both incoming and outgoing, were exempted from this routine.

"I'm 66 years old, have never been fingerprinted and will stay out of this case rather than be fingerprinted now," Mr. Foreman had said Monday. He need not have worried. There had been no plans to fingerprint him or Mr. Hanes.

When Mr. Foreman entered the courtroom he was introduced to several courthouse officials, including Criminal Court Clerk J. A. Blackwell. He was not introduced to Mr. Hanes, who sat at the same table only a few feet away.

Mr. Hanes made no move and in a few minutes Mr. Foreman moved over and began a conversation. Reporters could not hear much of it but the word "fees" was audible.

(Mount Clipping in Space Below)

# Foreman Concerned Of Brand As Traitor

By CHARLES EDMUNDSON

Percy Foreman, Texas attorney who has assumed the defense of James Earl Ray, yesterday expressed concern that civil rights advocates will regard him as a "Judas Iscariot."

"I suppose I am about to represent Judas Iscariot," Mr. Foreman said softly as he visited the shrine erected in the memory of Dr. Martin Luther King Jr. at the Lorraine Motel on Mulberry.

An attendant pointed out the simple dishes, white with a maroon border, from which Dr. King ate his final meal before his slaying April 4.

"I understand the reference (to the Last Supper)," Mr. Foreman said, adding the phrase about Judas.

Noting that visitors are asked to give \$1 each to the shrine, Mr. Foreman glanced about the room and said, "I'd like to give \$10." He reached into his pocket and handed the attendant a \$10 bill.

Mr. Foreman tried to visit the South Main Street rooming-house bathroom from which police say Dr. King was shot. When the manager refused him admission, saying the quarters were being remodeled, the attorney threatened to write FBI Director J. Edgar Hoover.

He later expressed doubt whether his dictated letter will be mailed by his office in Houston. Instead, he went to the owner and last night said he had received permission for the visit. The two-story structure is a 442½ South Main, 205 feet west of the Lorraine.

Mr. Foreman will fly to Atlanta this morning to address a bar association luncheon seminar. It is understood he will retrace Ray's wanderings there, visiting, among other places, the rooming house where his client is said to have stopped and to have abandoned, nearby, a white Mustang.

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

Page /

The Commercial  
Appeal

Memphis, Tenn.

Date: 11-14-68

Edition: Final

Author:

Editor: Frank R. Ahlgren

Title:

Character:

or

Classification: 44-1987

Submitting Office: Memphis

☐ Being Investigated

44-1987-Sub-C-264

See file

With Ray's trial postponed by Judge W. Preston Battle for nearly four months, the attorney general's office moved yesterday to restore the Criminal Court calendar to a normal operation.

Administrative Asst. Atty. Gen. Lloyd Rhodes said all five divisions should be operating normally by Monday.

Meanwhile, thousands of dollars of extraordinary public

expense" continue. The Police Department said eight officers are assigned to guard one witness, Charles Quitman Stephens, around the clock. At an average monthly salary of \$550 for each officer, this would come to \$4,400 a month, or about \$15,000 for the four-month continuance.

In Birmingham, Arthur J. Hanes Sr., whom Ray dropped as counsel in favor of Mr. Foreman, said he was glad to be out of the case but that he disapproved of the delay.

"A pall hangs over the country, a cloud is hanging there over Memphis," he said. "It would be well if these were lifted."

He added, "I had some bombshells (of evidence) to drop on them."

Mr. Hanes indicated doubt that it would be necessary for the attorney general's office to subpoena the handwritten manuscript Ray sent out by him for author William Bradford Huie to use in writing a series of articles for Look magazine.

"Deputies looked at every scrap of Ray's writing I took out of the jail," he declared. "I don't know how much of it they made mental notes on, but they could have learned the substance."

The Look articles quoting Ray are expected to figure as evidence in the trial. Two articles have been published and a third was in the works. Publication of much, if not all, of the remainder is now expected to be delayed until the trial starts next spring and the jury is sequestered.

Atty. Gen. Phil M. Canale is known to be interested in the substance of the third article.

Last night Mr. Foreman had not announced his choice of a Tennessee attorney to associate with him in Ray's defense.

(Mount Clipping in Space Below)

## Bar Committee Eyes Foreman

The Bar Association committee policing publicity in the James Earl Ray case today was reported to be casting a critical eye at public statements made this week by Ray's new attorney, Percy Foreman.

Members of the committee, who were appointed by Judge W. Preston Battle, have consistently declined comment on their investigations, speaking only through reports and recommendations to the court.

However, it was learned that a meeting is being considered to take up some of the out-of-court statements of the Texas attorney, who has been quoted extensively by the press since he entered the case Sunday.

Meanwhile, foreman dropped by the attorney General's office this morning and picked up a list of the state's witnesses.

Foreman told Judge Battle Monday, when the trial was postponed to March 3, that he intends to interview every one of the witnesses who will talk to him.

The list contained approximately 360 names of persons in the U.S., Canada, Portugal and England.

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

Page 1

Memphis  
Press Scimitar

Memphis, Tenn.

Date: 11-14-68

Edition: Home

Author:

Editor: Charles H.

Title: Schneider

Character:

or

Classification: 44-1987

Submitting Office: Memphis

☐ Being Investigated

44-1987-Sub-C-265

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11/14/68	

(Mount Clipping in Space Below)

## High Court Maps Contempt Release

### Petitions For Reporters In Criminal Appeals

The Tennessee Supreme Court has instructed counsel for two Memphis reporters held in contempt of court in the James Earl Ray case to seek relief first in the State Court of Criminal Appeals.

In compliance with the order, Armistead Clay, counsel for the Memphis Publishing Co., yesterday re-filed petitions for certiorari and supersedeas with Criminal Appeals Judge Mark Walker at Covington.

Criminal Court Judge W. Preston Battle in a ruling Sept. 30 held Charles Edmundson of The Commercial Appeal and Ray Hamilton of the Press-Scimitar in contempt of his order to limit pretrial publicity in the Ray case.

Arthur Hanes Sr., who until Tuesday was Ray's attorney, was held in contempt at the same time. So was Renfro T. Hays, an investigator in Mr. Hanes' employ. When Judge Battle Tuesday let Ray substitute Percy Foreman of Houston for Mr. Hanes as his counsel, Hanes posted a \$1,000 cash bond as surety against violation of the judge's order.

Mr. Edmundson and Mr. Hamilton plead the constitutional guarantee of a free press and other grounds in appealing Judge Battle's ruling.

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

— Page 15

— The Commercial  
Appeal

— Memphis, Tenn.

Date: 11-15-68

Edition: Final

Author:

Editor: Frank R. Ahlgren

Title:

Character:

or

Classification: 44-1987

Submitting Office: Memphis

☐ Being Investigated

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SERIAL	FILED
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44-1987-Sub-B-266



(Mount Clipping in Space Below)

## 'Racial Aspect' Is Seen In Dismissal Of Hanes

The New York Times News Service

BIRMINGHAM, Nov. 15. — Arthur J. Hanes, the dismissed attorney for James Earl Ray, contended Friday that it was "entirely possible" that he had been picked as Ray's attorney only to underscore the racial aspect of the assassination of Dr. Martin Luther King Jr. and that he had never been expected to be the actual trial lawyer.

Hanes said it was also possible that Ray had been told, even before King was murdered, that "he should contact me" if he was arrested.

The lawyer offered his observations in an interview in Birmingham.

He said he still could hardly credit the brusque manner in which he and his son, Arthur J. Hanes Jr., were dismissed from the Ray case last Sunday night when they arrived at the jail in Memphis to give Ray a new gray suit to wear during his trial. Upon his arrival the lawyer was handed a note from Ray stating that he had been relieved.

Hanes said that for months he had been aware of many indications that Ray might be preparing to switch attorneys and that about a month ago he became virtually certain that this was Ray's plan. The attorney said that he had mentioned this possibility to Judge W. Preston Battle, and to the prosecutor, Phil M. Canale, the Shelby County attorney general.

"But Ray didn't say anything, and Artie and I had to proceed on the assumption that we were going to trial," Hanes said.

The suggestion that Hanes' background would point up racial aspects of the case was due, he says, to a combination of circumstances. He was elected mayor of Birmingham on a ticket with arch-segregationist Eugene 'Bull' Connor and was in office during the city's racial troubles. He later defended three Ku Klux Klans.

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

— Page /

— The Commercial Appeal

— Memphis, Tenn.

Date: 11-16-68

Edition: Final

Author:

Editor: Frank R. Ahlgren

Title:

Character:

or

Classification: 44-1987

Submitting Office: Memphis

☐ Being Investigated

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44-1987-Sub-C-267

men accused of murdering Mrs. Viola Liuzzo, a white civil rights worker, in the wake of the Selma-to-Montgomery march.

William Bradford Huie, the author who brought the rights to Ray's life story, says in an article in the current Look magazine that from information furnished him by Ray, he concluded that the Negro civil rights leader's murder had been ordered by men who wanted his death to provoke

outbreaks of violence between whites and Negroes. They were said, for this reason, to prefer that the murder occur in Birmingham, Montgomery or Selma.

Hanes said he decided that he and his son should undertake Ray's defense notwithstanding their conclusion and that they should proceed on the assumption that the murder had been plotted and financed by what he called "black militants with foreign ties."

Hanes said that the attitude of Ray's brothers, John Ray and Jerry Ray, had helped him form the conclusion that he was never to be the defense attorney at Ray's trial.

"You would expect the family to flock around the attorney to offer help and advice," Hanes said. "But I couldn't even get close to them. I offered to meet with them in St. Louis, Memphis, Birmingham or anyplace else. But I never did see either one of them."

Hanes said that he had not learned until after he had been dismissed by Ray that the two brothers had ordered a copy of the British hearings on Ray's extradition.

"That certainly indicated they had tried to find another attorney," he said.

Percy Foreman, the Houston criminal lawyer who agreed Sunday night to represent Ray, said that John Ray and Jerry Ray had asked him last week to take the case and that he had reluctantly agreed to do so after going to Memphis to talk to Ray himself.

Foreman, who still has not hired a Memphis lawyer to assist him in the case, had told reporters he planned to visit Hanes in Birmingham Friday afternoon. But he failed to show up and Hanes and his son left their office at 5:30 p.m.

Hanes, who has been cited for contempt of court in Memphis for making public statements about the Ray case, posted a \$1,000 cash bond with the court in Memphis Tuesday as a guarantee for his return later to be sentenced for the contempt of court.

"They can keep the \$1,000," Hanes said. "But I guess I'll have to find a new ski resort. I don't suppose I can ever go to Gatlinburg again." Gatlinburg, Tenn., is a ski resort town frequented by many Alabamans.

Hanes said that under Tennessee law he cannot be extradited for contempt of court.

(Mount Clipping in Space Below)

## Reporters' Case Is Shifted

Tennessee Supreme Court has instructed counsel for two Memphis reporters held in contempt of court in the James Earl Ray case to seek relief first in the State Court of Criminal Appeals.

In compliance with the order, Armistead Clay, counsel for Memphis Publishing Co., yesterday re-filed petitions for certiorari and superseas with Criminal Appeals Judge Mark Walker at Covington.

Criminal Court Judge W. Preston Battle in a ruling Sept. 30 held Roy Hamilton, reporter for The Press-Scimitar and Charles Edmundson of The Commercial Appeal in contempt of his order to limit pretrial publicity in the Ray case.

Hamilton and Edmundson pleaded the constitutional guarantee of a free press and other grounds in appealing Judge Battle's ruling.

Clay said the intermediary court will hear the case, "but I don't know when." He said, "We asked to be heard at the earliest possible time."

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

— Page 19

— Memphis  
Press Scimitar

— Memphis, Tenn.

Date: 11-15-68

Edition: HOME

Author:

Editor: Charles H.

Title: Schneider

Character:

or

Classification: 44-1987

Submitting Office: Memphis

☐ Being Investigated

44-1987-Sub-C-268

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(Mount Clipping in Space Below)

# Another Long Wait Before Ray Goes To Trial For Murder Of Noted Dr. Martin Luther King

They rolled the James Earl Ray case into the courtroom Tuesday morning and then rolled it right back out again after Judge W. Preston Battle granted a motion to continue the trial of the accused slayer of Dr. Martin Luther King.

The trial was reset for March 3 and there is a possibility that it may be started at even a later date, if defense counsel is not ready.

The continuance was granted after Ray switched lawyers, shifting from Arthur J. Hanes of Birmingham to the celebrated criminal lawyers, shifting from Arthur J. Hanes of Birmingham to the celebrated criminal lawyer Percy Foreman of Houston, Texas. Foreman's fee is reported higher than Hanes'.

Hanes referred to the switch as a delaying tactic on the part of Ray.

More than 350 witnesses must be interviewed by Foreman and his staff and this is expected to take about three months.

Scores of Negro Memphians were disappointed when they learned Dr. King's widow, Coretta, had decided against attending the trial. Club women had hoped to place her in the spotlight and entertain her during the duration of the long session.

It also was learned that neither Dr. King's father nor brother plan to be in Memphis for the famous trial. The Rev. Jesse Lawrence King of Mansfield, Ohio, an uncle of the slain civil rights leader, is the only member of the King family scheduled to occupy a reserved seat in the courtroom.

As far as could be learned, none of Dr. King's close associates, including the Rev. Ralph Abernathy, has applied for a seat in the small

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

PAGE /

MEMPHIS WORLD

MEMPHIS, TENN.

Date: 11-16-68

Edition:

Author: J.A. BEAUCHAMP

Editor:

Title:

Character:

or

Classification: MEMPHIS

Submitting Office:

☐ Being Investigated

44-1987-Sub-C-269

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section reserved for the King family and friends.

General feeling among Negroes in Memphis and other sections of the country is that behind-the-scene forces are at work attempting to delay opening of the trial. This feeling was given strength over the weekend when Ray switched lawyers and his new attorney announced he would seek a postpone-

ment to give him ample time to prepare his case.

The new defense attorney, wealthy Percy Foreman, denied a report that the Ku Klux Klan or a similar organization is involved in financial arrangements. He was quoted as saying he had been asked a number of times by the Klan and other organizations to enter the case before Ray's arrest but

had refused.

The slaying, which attract international attention from the very beginning, will be well covered by the news media. There will be about 250 members of the press, including local representatives, at the trial.

Only 42 seats in the courtroom have been set aside for the press. special arrangements have been made which enable reporters from several newspapers to take turns in the courtroom. News photographers and TV cameramen will not be allowed in the courthouse building.

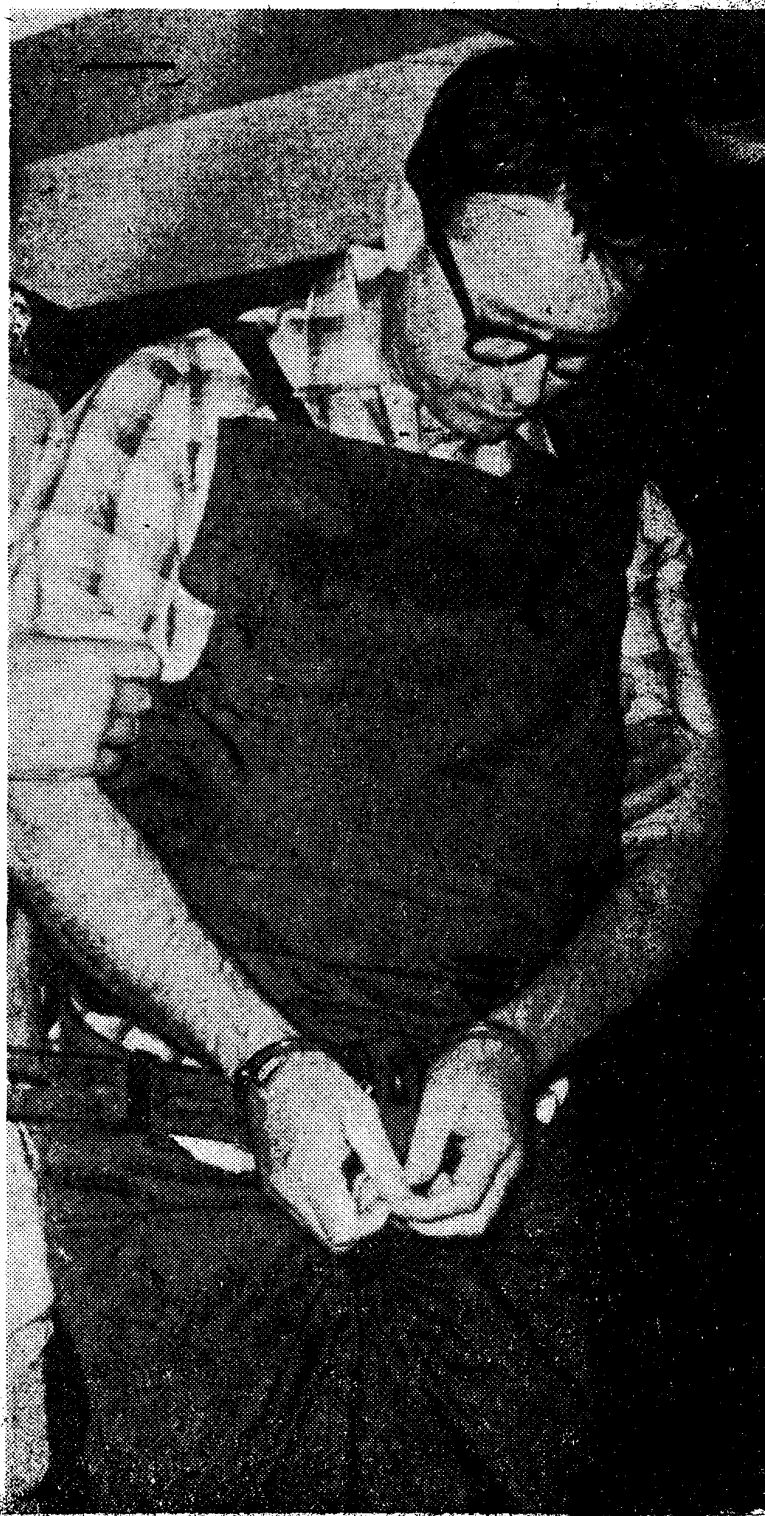
Only three Negro newsmen have been spotted from the Memphis World another from the Tri-State Defender, and the third from New York.

A spacious press room has been set up for reporters on the Poplar Avenue side of the Courthouse building. It is the room used by motorists applying for motor vehicle licenses.

Newsmen have been screened over a period of months. They must wear identification cards showing their picture and fingerprints before gaining entrance to the courtroom. Sheriff's deputies will search all newsmen and members of the public.

Ray's deposed attorney, Arthur Hanes Sr. of Birmingham and the late Dr. King were considered personal foes in the early 1960s when Dr. King was leading protest marches in Birmingham. Attorney Hanes a former mayor of that city.

At that time, Hanes was quoted as saying of Dr. King, "He should be put out of circulation because if any group, organization or person can divide a country then it is wrong and shall be stopped."



**CREATES BIG STIR** — James Earl Ray, the man charged with the slaying of Dr. Martin Luther King, created a stir throughout the world Sunday when he announced he was switching lawyers. He dropped Birmingham Atty. Arthur Hanes for his replacement, Percy Foreman of Houston, Tex.

(Mount Clipping in Space Below)

# 'Judge Denies 2 Reporters Hearing in Contempt Case

Judge Mark Walker of the Tennessee Court of Criminal Appeals today refused to grant a hearing to two Memphis newsmen who were cited for contempt for writing stories about the James Earl Ray case.

The Covington judge denied a petition for certiorari asking the court to review the matter and reverse Criminal Court Judge W. Preston Battle.

Judge Walker ruled he could not assume jurisdiction because the lower court had not passed sentence and thus its action was not final.

The two reporters, Roy B. Hamilton of The Press-Scimitar and Charles Edmundson of The Commercial Appeal, were held in contempt Sept. 30 on charges they violated Judge Battle's orders against pretrial publicity.

Ray's trial in the assassi-

nation of Dr. Martin Luther King was continued last week to March 3 after he switched attorneys.

Armistead Clay, attorney for the newsmen, said Judge Walker's decision paves the way for an appeal to the Tennessee Supreme Court.

The state Supreme Court last week refused to consider the case until application had been made to the Court of Criminal Appeals.

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

PAGE 1

MEMPHIS PRESS  
SCIMITAR

MEMPHIS, TENN.

Date: 11-19-68  
Edition:  
Author:  
Editor: CHAS. H.  
Title: SCHNEIDER

Character:

or

Classification:

Submitting Office:

☐ Being Investigated MEMPHIS

44-1987-Sub-C-270  
INDEXED  
SERIALIZED FILED  
NOV 22 1968  
FBI - MEMPHIS  
RT

(Mount Clipping in Space Below)

## Newsman's Appeal Ruled Premature

### Sentence For Contempt Is Due First, Judge Says

A conviction for contempt of court cannot be appealed unless sentence has been pronounced, Criminal Appeals Judge Mark Walker of Covington ruled yesterday.

Judge Walker announced his ruling in the case of two Memphis newspaper reporters held in contempt in the James Earl Ray case by Criminal Court Judge W. Preston Battle.

Judge Walker held that Judge Battle's contempt conviction of Charles Edmundson of The Commercial Appeal and Roy Hamilton of the Memphis Press-Scimitar will not become final and subject to appeal until Judge Battle pronounces a sentence.

Judge Battle held the two newsmen, and also attorney Arthur J. Hanes Sr. of Birmingham and investigator Renfro Hays of Memphis, in contempt Sept. 30. He held them in violation of a pretrial publicity order in the case of Ray, charged with the April 4 murder of Dr. Martin Luther King Jr.

Armistead Clay, attorney for the reporters and the Memphis Publishing Co., said Judge Walker's ruling opens the way for an appeal to the Tennessee Supreme Court. The Supreme Court earlier held that petitions of certiorari and superseas should be taken first to the Court of Criminal Appeals.

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

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— COMMERCIAL  
APPEAL

— MEMPHIS, TENN.

Date: 11-20-68  
Edition:  
Author: FRANK R.  
Editor: AHLGREN  
Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

☐ Being Investigated

NOV 22 1968

FBI - MEMPHIS



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## Foreman Pays Visit To Ray

No Light Shed On Possible  
Memphis Member Of  
Defense Team

By CHARLES EDMUNDSON

Percy Foreman, Texas attorney who has taken over the defense of James Earl Ray, conferred yesterday with his client in the Shelby County Jail but delayed announcing what Memphis attorney he would ask to aid him in the case.

Mr. Foreman came here after a five-hour conference in Birmingham with Arthur J. Hanes Sr. and his son, Arthur Jr., whom Mr. Foreman succeeded 10 days ago as Ray's counsel.

To give Mr. Foreman time to acquaint himself with the case of Ray, charged with the murder of Dr. Martin Luther King Jr., Judge W. Preston Battle set the case forward at least till March 3.

In Birmingham Mr. Hanes said he and his son conferred with Mr. Foreman from 4 to 9 p.m. Monday. "We gave him the benefit of all our research and evidence," Mr. Hanes said.

Before counsel was changed, it was learned that defense plans called for an examination of Ray's blood to see if it would show a combination of chromosomes which some scientists say dispose a person to criminality. It is not known whether such a possible line of defense will be followed by Mr. Foreman.

Meanwhile it appeared unlikely that Judge Battle would agree to give a larger number of newsmen access to the trial through closed circuit television.

"I don't think we can do it," Judge Battle said when asked whether he would consider the use of closed circuit TV to carry the trial to a nearby assembly room for probably more than 150 news media representatives who will not get seats in the courtroom.

The court has assigned 38 regular and 4 rotating seats to newsmen.

In Los Angeles the judge who will conduct the trial of Sirhan Sirhan, charged with killing Senator Robert F. Kennedy, says he favors the use of closed circuit television to carry the trial to newsmen who cannot be seated in his courtroom. Thirty-five seats are provided for newsmen there.

Whether the plan is carried through there will depend, it is understood, on the reaction of the prosecuting and defending attorneys.

Atty. Gen. Phil M. Canale said, "I'm against it" when asked his reaction to the California proposal. Mr. Foreman has not given his reaction.

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

PAGE 1

COMMERCIAL  
APPEAL

MEMPHIS, TENN.

Date: 11-21-68  
Edition:  
Author: FRANK R.  
Editor: AULGREN  
Title:

Character:  
or

Classification:

Submitting Office: MEMPHIS

☐ Being Investigated

44-1987-Sub-C-272

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SERIALIZED.....FILED.....  
NOV 22 1968  
FBI - MEMPHIS

(Mount Clipping in Space Below)

## Foreman Visits Ray In Shelby Jail Cell

Percy Foreman, the volatile Texas attorney defending James Earl Ray, charged with murder in the death of Dr. Martin Luther King Jr. was back in Houston today after paying a visit to his new client in Memphis yesterday.

Foreman said, "I saw him yesterday and that is all I'm going to say." He visited Ray in his Shelby County jail cell.

Foreman is the man who succeeded Arthur Hanes Sr., of Birmingham, Ala., as attorney for Ray just before Ray was to have gone on trial. The switch in attorneys forced postponement of the trial.

Hanes said in Birmingham that he has met with Foreman and has supplied Foreman with material he compiled while he was Ray's

lawyer. Foreman left Birmingham and spent yesterday in Memphis, before returning to Houston.

Meanwhile, Shelby County Criminal Court Judge W. Preston Battle virtually ruled out the use of closed circuit television to provide newsmen with electronic coverage of the Ray trial.

Ray is now slated to go on trial March 3. Various news agencies have been allotted 38 regular seats in the courtroom and four others on a rotating basis.

"I don't think we can do it," Battle replied when asked if he would consider a private television hookup for newsmen.

County Dist. Atty. Gen. Phil M. Canale, prosecutor in the Ray case, said "I'm against it."

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

PAGE 2

THE MEMPHIS  
PRESS - SCIMITAR

MEMPHIS,  
TENNESSEE

Date: 11-21-68  
Edition:  
Author: CHARLES H.  
Editor: SCHNEIDER  
Title:

Character:  
or

Classification:  
Submitting Office: MEMPHIS

☐ Being Investigated

44-1987-Sub-C-273

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FBI - MEMPHIS	

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## Huie Voices No Doubt Of Ray's Involvement

There is no doubt as to James Earl Ray's involvement in the murder of Dr. Martin Luther King Jr., and this has "been understood" between him and Ray from the beginning, author William Bradford Huie said yesterday.

Apparently stung by suggestions that his articles in Look magazine, based on handwritten notes from Ray, may damage Ray in his trial on a charge of murdering Dr. King, Mr. Huie said some key facts in the case are so clear "they could be stipulated by any defense lawyer."

Percy Foreman, Ray's new attorney, and Melvin Belli, noted California attorney, are among those who have been critical of Ray's former counsel, Arthur J. Hanes Sr. of Birmingham, for co-operating with Mr. Huie in obtaining material for the Look articles.

Mr. Foreman has not discussed the matter for quotation. But Mr. Belli in a telephone interview with The Commercial Appeal Saturday said, "The (Huie) articles leave the impression Ray was a dupe in a conspiracy and would have shot anyone."

Mr. Huie retorted that, "In dealing with Ray, I made it clear from the beginning we'd have to reveal he was involved (in Dr. King's murder). Ray's purchase of the gun in Birmingham and his leaving it in front of Bessie Brewer's rooming house on South Main are so clear it could be stipulated (admitted) by any defense attorney."

Mr. Huie was referring to the scope-sighted, pump-action rifle abandoned near 422½ South Main a few minutes after Dr. King was shot April 4. The state is expected to exhibit this gun at the trial as the murder weapon. An FBI ballistics expert has said it bears Ray's fingerprints.

Mr. Huie's statements appear to confirm reports current for three months or more that had Mr. Hanes remained as Ray's attorney he would have pleaded that Ray acted as a dupe for others. One such report said the defense would plead that Ray acted as a decoy for the "real killer" and that the gun left on South Main was a "plant" to throw police off the trail.

Mr. Huie repeated that Dr. King's murder resulted from a conspiracy, as he wrote in Look, but would not say whether Ray has given him the names of any co-conspirators.

"If he'd told me any other conspirators, it would not be any good till the FBI arrested them," he said. "It would be libel per se for me to name them. If the FBI can't make the case, I sure can't."

Atty. Gen. Phil M. Canale talked yesterday with Mr. Huie by telephone, it was learned. It is understood that Mr. Huie was asked whether he would submit Ray's handwritten notes to the attorney general for use as evidence in the trial.

Mr. Canale would not discuss Mr. Huie's reaction. But it

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

PAGE 19

THE COMMERCIAL  
APPEAL

MEMPHIS, TENNESSEE

Date: 11-27-68

Edition:

Author:

Editor: FRANK R. AHLGREN

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

☐ Being Investigated

is assumed to have been favorable, as Mr. Huie earlier said, "I will withhold nothing useful to the State of Tennessee . . . I will make a full disclosure when asked to."

Atty. Gen. Canale said he did take up with Mr. Huie whether the writer himself would be willing to volunteer as a prosecution witness.

Mr. Huie indicated he might consider certain material coming to him from Ray as confidential between himself as a reporter and Ray as a news source. He said he paid Ray \$25,000 for about 20,000 words handwritten by Ray in the Shelby County Jail and relayed to him through Mr. Hanes.

Mr. Huie has said the \$25,000 was to be used by Ray to pay Mr. Hanes as his defense counsel and that Mr. Hanes had a legal paper permitting him to take over Mr. Huie's payments to Ray as they were remitted.

(Mount Clipping in Space Below)

## **Battle Postpones Contempt Action Involving FBI**

A contempt of court hearing for an FBI agent cited as speaking out of turn in the James Earl Ray case has been postponed until after Ray's trial on a charge of murdering Dr. Martin Luther King Jr.

Criminal Court Judge W. Preston Battle said yesterday that a hearing for George Bonebrake, a senior fingerprint specialist with FBI headquarters in Washington, was deferred because it has been found "such hearings are self-defeating. They generate more publicity. We want publicity to subside.

"There will be no more contempt hearings until after the trial. There may be more cita-

tions to show cause why conviction for contempt is not in order. But trials would not be held till after Ray is tried."

Ray's trial is now set for March 3.

Judge Battle on Oct. 24 ordered Mr. Bonebrake to show cause why he should not be held in contempt for having said in an interview at Wichita, Kan., "Ray at least handled the murder weapon."

The charge against Mr. Bonebrake was set for hearing Friday but that was when it appeared Ray would go on trial Nov. 12.

Four persons, including two Memphis reporters, have been held in contempt of Judge Battle's order to limit pretrial publicity in the Ray case. Sentence has been withheld.

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

PAGE 25

COMMERCIAL  
APPEAL

MEMPHIS, TENN.

Date: 12-5-68

Edition:

Author: FRANK R.

Editor: ANTHONY

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

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## Ray's Attorney, Battle Confer

### Trial-Date Hearing In King Murder Case Delayed Till Wednesday

Judge Preston Battle conferred yesterday with Percy Foreman, attorney for James Earl Ray, and agreed to postpone until Wednesday a hearing to finally determine the date of Ray's trial. The trial now is set tentatively for March 3.

Mr. Foreman later conferred for 50 minutes with Ray in Ray's specially guarded cell in the Shelby County Jail. The Texas attorney left yesterday afternoon for Los Angeles, where he will speak today.

He refused all comment, except to say, "This case was tried before I got into it." He apparently referred to worldwide publicity on the search for, arrest and background of Ray, the fugitive Missouri convict charged with the sniper-slaying of Dr. Martin Luther King Jr.

Dr. King was slain on the balcony of the Lorraine Motel on Mulberry Street the evening of April 4.

Judge Battle set a formal hearing on the date for the Ray trial for 9 a.m. Wednesday. The trial was set originally for Nov. 12 but postponed at the last moment because Ray chose to dismiss his first attorney, Arthur J. Hanes, former mayor of Birmingham, and retain Mr. Foreman.

It is understood the attorney general's office will oppose postponing the trial beyond March 3. It is noted that while the courts grant a defendant's right to an attorney of his choice, both the state and federal constitutions guarantee the right to a "speedy public trial."

Tennessee law permits an accused person to be tried three days after an indictment is returned, Atty. Gen. Phil Canale said in arguing against a long continuance. Ray was indicted May 17.

Before Dr. King's murder threw an extra load on it, the attorney general's office brought the average case to trial four to six months after indictment. The lag now has increased by about two months.

In another development yesterday, the attorney general's office said Ray could not be tried in Missouri under that state's habitual criminal act after his trial in Memphis for murder.

Ray would be subject to such a trial in Missouri, with life imprisonment upon conviction, except that the terms of the treaty under which he was extradited from England forbid his trial on any charge except that specified in the extradition warrant — the murder of Dr. King.

But Ray had 14 months to serve on an armed robbery conviction when he escaped from the Missouri State Prison in a bread truck. That 14 months will still hang over him, sources said.

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

Page 40  
Commercial Appeal  
Memphis, Tenn.

Date: 12/12/68  
Edition: FINAL  
Author:  
Editor: FRANK R. AHLGREN  
Title:  
MURKIN

Character:  
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Classification: CR  
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*12/12/68*

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## Firm Ray Trial Date Is Expected Today

### Battle To Hear Attorneys At 9:30

Judge W. Preston Battle will hear the views of defense and prosecution attorneys on the proper date for the trial of James Earl Ray at 9:30 this morning. At the end of the hearing he is expected to set a firm date for the trial.

On Nov. 12 Judge Battle tentatively set the trial for March 3 but directed defense attorney Percy Foreman of Houston to appear before him in December to say whether he would require time beyond March 3 to prepare the case.

The trial of Ray, charged with the sniper slaying of Dr. Martin Luther King Jr., was originally set for Nov. 12. Judge Battle granted additional time when, two days before the trial was to begin, Ray fired Arthur Hanes Sr. of Birmingham and retained Mr. Foreman as his attorney instead.

Atty. Gen. Phil Canale opposed continuing the trial beyond the second week in January but lost.

Asked last night if he will oppose a trial date later than March 3, Mr. Canale said, "I don't want to cross the bridge before I come to it. I don't know if the defense will ask a further continuance." His attitude seemed to leave little room for doubt he will oppose putting the trial off again.

The hearing on the trial date was set for last Thursday but was reset to today when Mr. Foreman appeared and asked the change. He had a date to speak in Los Angeles Thursday.

It was not announced whether Ray will be brought to the courtroom, on the second floor of the Criminal Courts Building, for today's hearing.

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

PAGE 24

COMMERCIAL  
APPEAL

MEMPHIS, TENN.

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Editor: FRANK R.

Title: AHLGREN

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