

(Mount Clipping in Space Below)

Author Seeks to Dispel Ray Misconceptions

By JAMES H. WHITE
Press-Scimitar Staff Writer

James Earl Ray now regards himself as a "political prisoner" who by killing Dr. Martin Luther King Jr. fired the "first shot in a social or racial conflict, a second Civil War, which will eventually result in his being freed."

Ray, says author William Bradford Huie, in the third of a series of articles in the current issue of Look Magazine, believes the action he took has the approval of "millions of Americans."

"HE THEREFORE feels fulfilled," writes Huie. "He believes he is liked, respected, even admired. And he is confident that political developments in the United States will cause him to be freed in two to four years."

Ray, 41, and his brothers, Jerry, 34, and John, 37, all believed that "President" George C. Wallace would promptly pardon him for the murder, the article states. Even the Republican victory by Richard Nixon gave comfort to the Ray brothers and the postponement of the trial when it was to begin Nov. 12, 1968 was calculated for polit-

ical reasons, Huie wrote. "He thought he'd have a better chance if his trial were held after Jan. 20, 1969," the article states.

IN ONE OF the letters Ray wrote to Huie, the former stated that he had nothing to fear from a Shelby County jury because "70 per cent of the voters of this county (Shelby) voted for either Wallace or Nixon." He added that he didn't fear the death penalty because "no white man has ever been given a death sentence in a racial killing."

It was difficult to convince Ray that he might get the electric chair because of racial statements made to Ray by his jailers, Huie states.

Huie said Ray feared that his guilty plea might cause him to lose "status" among prison population. "Ray first wants status among criminals and their guards," Huie writes. "I now believe he killed Dr. King to achieve such status. Only secondly is he concerned about status among people who don't inhabit prisons."

"HE HUNGERED for the drama of a trial. He sus-

tained himself with a fantasy in which he took the witness stand before the world and performed masterfully.

"He surrendered this fantasy and agreed to plead guilty, I feel sure, only after he decided that, despite his guilty plea, he will now be an important person in prison, and that he will yet win freedom in some dramatic manner."

In the Look article, Huie sets out to dispel several "misconceptions" about the Ray case.

The first misconception, Huie said, was that Ray's flight through Canada after the murder and the obtaining of a Canadian passport by using the names of living citizens of Toronto were complex feats that Ray could have accomplished only with assistance. Huie said that after retracing this trip and studying Ray's account of it, he (Huie) believes it was within Ray's capabilities. Huie offers an elaborate account, given to him by Ray, beginning with his Mustang flight from Memphis and ending with his capture at a London airport.

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

PAGE 15

MEMPHIS PRESS-
SCIMITAR

MEMPHIS, TENN.

Date: 4-1-69

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APR 3 1969
FBI - MEMPHIS

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Status Is Argued

Judges Differ On Whether Documents Could Bring New Trial, Appeal

By CHARLES EDMUNDSON

Letters from James Earl Ray, said to be the legal equivalent of a motion for a new trial and an appeal, were filed with Criminal Court Clerk James A. Blackwell yesterday.

The letters, one dated March 13 and the other March 26, were found in the desk of Judge W. Preston Battle, who heard Ray's plea of guilty March 19. Judge Battle was found dead at his office desk late Monday.

The letters were taken for safekeeping by Mr. Blackwell Monday night and were formally filed at 3 p.m. yesterday after he conferred with the four remaining Criminal Court judges over the fate of the confessed slayer of Dr. Martin Luther King Jr.

Ray's letters are written in a neat, cramped hand. References to Percy Foreman, who pleaded him guilty, are penned in vitriol. He referred in his first letter to "famous Houston atty. Percy Fourflusher."

In his second letter he spoke of "Mr. Percy Foreman, the attorney who was supposed to be representing me." In the next paragraph an intended witticism is apparently meant to read "Mr. Forum" or "Mr. Foreman."

Ray cites that although Mr. Foreman said at one time he was not getting a cent in fees, he later said he had a contract, involving magazine writer William B. Huie, to get \$150,000.

None of those in the judicial conference would comment for quotation on the legal purport of Ray's letters. But it was learned that the judges decided the letters, which Ray asked to be given legal status, are valid documents under the Tennessee Post-Conviction Relief Act.

But although the letters may be taken as a motion for a new trial, they do not automatically assure it will be granted, said Chief Justice Hamilton Burnett of the Tennessee Supreme Court. In this Justice Burnett clashed with Judge Charles Galbreath of the State Court of Criminal Appeals.

Judge Galbreath said in Nashville that under Tennessee law a motion for a new trial is automatically granted if the judge who presided at the petitioner's conviction dies before the motion is heard.

Chief Justice Burnett said this would be true only if Ray had chosen to have a jury trial and had then moved for a new trial. "But the new trial plea is one of the rights Ray waived in pleading guilty, along with his right of appeal to other state courts."

Judging from the usual outcome in such cases, a new trial motion would be denied. The denial could be appealed all the way to the United States Supreme Court, Chief Justice Burnett conceded.

At the attorney general's office it was said a preliminary hearing on the motions implied in Ray's letters probably will be held in about two weeks. The formal hearing, it was said, would be held probably six to eight weeks later, depending on the wishes of Ray's attorney. Ray would be present at all such hearings.

Who that will be is in doubt. Richard J. Ryan of Memphis attempted to confer last week with Ray in his cell in the State Penitentiary in Nashville, but was denied permission. No notice of his employment as Ray's attorney has been filed here. At his neat, red-brick, split-level home off Covington Pike, Mr. Ryan said, "Sorry, I don't give out interviews."

Although Ray's first letter to Judge Battle dismisses Mr. Foreman as his attorney, nothing is said of dismissing Public Defender Hugh Stanton Sr., whom Judge Battle named to assist Mr. Foreman. One of the letters filed yesterday asked Judge Battle to name "an attorney or public defender to assist me."

This might be interpreted to leave Mr. Stanton in the case. But since he was a party to pleading Ray guilty, it appeared likely another member of the public defender's staff would be named for any further proceedings.

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

PAGE 1

COMMERCIAL APPEAL

MEMPHIS, TENN.

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"RAY HAS AN amazingly retentive criminal mind. He can draw an accurate diagram of any place he has ever visited," Huie writes. "He knows his way around. He may have had assistance in his escape after the murder, but he probably didn't need it, and I now don't believe he had it. He's too proud of having done it alone."

Huie said Ray's finding the rooming house in Memphis from which he shot Dr. King, the precise timing, his 'knowing where King would be at a certain time,' and his escape from a scene "crawling with police" has been satisfactorily explained by Ray to Huie.

A THIRD misconception is that the fatal rifle shot which killed the Civil Rights leader could only have been fired by an expert marksman. Huie said he bought a rifle like the Remington .30-06 used by Ray and reconstructed the conditions under which the murder took place. "I hadn't fired a heavy rifle in 25 years," Huie said. "On my first shot, I hit a circle the size of a

silver dollar. Any 12-year-old boy familiar with a .22 could have killed Dr. King from that position with that weapon."

The fourth misconception, Huie said, is that Ray is an inept, stupid criminal who could not have carried out such an elaborate crime. Huie said Ray's early crimes were largely bungled, amateurish jobs, but that he "matured as a criminal" during his seven years in Missouri State Penitentiary at Jefferson City. Huie said his well-planned escape from Missouri showed that Ray was no longer inept.

THE FIFTH misconception is that Ray could not have supported himself financially between April 23, 1967, when he escaped, and June 8, 1968, when arrested in London — that he must have had financial assistance.

"Ray seems to have spent about \$12,000 (during that period) . . . There were a number of unsolved robberies of banks, loan companies and supermarkets in the areas through which Ray moved. Getting that much money would have been as

easy for him as killing Dr. King from 205 feet," Huie writes.

"I can't prove that no one gave him money to kill Dr. King, but I can prove that he could have gotten it in other ways."

THE SIXTH misconception is that Ray was not a racist, Huie said. To refute this, Huie reports that Ray was once refused transfer to an honor farm, while serving a federal sentence at Leavenworth in 1957, because he "did not feel he could live in an Honor Farm Dormitory because they are integrated."

A seventh misconception, Huie said, is that Ray is not a "killer" type. Although he had not been accused of murder before, a six-week psychiatric examination of him in 1966 at Fulton (Missouri) State Hospital resulted in a diagnosis of "sociopathic personality, anti-social type with anxiety and depressive features," Huie writes. Huie said the hospital superintendent, Dr. D. B. Peterson, told him (Huie) that Ray is capable of killing.

Finally, turning to the nagging question as to whether there was a conspiracy, Huie concludes:

"I believe that one or two men other than James Earl Ray may have had foreknowledge of this murder, and that makes a little conspiracy. But if there was a conspiracy, I now believe that James Earl Ray was probably its leader not its tool or dupe."

Why did he do it?

NOTING THAT Ray left evidence wherever he went, Huie concludes: "He purposely left his calling card, telling the FBI that James Earl Ray was there. That was his glory. He wanted the FBI and all of us to know that James Earl Ray, that poor, contemptible little man with a price of \$50 on his head, had killed one of the great Americans of this century."

In separate articles in the same issue of Look, Arthur J. Hanes, Ray's former attorney, tells why he thinks the evidence points toward a conspiracy, and, in another article, Percy Foreman, Ray's attorney when the guilty plea was entered, states that he believes there was no conspiracy. "He (Ray) hoped that by killing Martin Luther King, he could make the rest of his futile, boring life exciting," writes Foreman.

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Ray Letters To Battle Are Filed With Court; Grief Clouds Outlook

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On Succession

Shock At Death Of Jurist
— Speculation
— As To Appointee

Speculation about a successor to W. Preston Battle on the Criminal Court bench was muted yesterday in the shock that followed the death of the jurist.

Gov. Buford Ellington's office said it would be "improper to make any statement at this time" concerning a successor. The governor's appointee will serve until the August, 1970, general election at which the remainder of Judge Battle's term — until 1974 — will be filled.

One or more of the general sessions court judges, especially Judge Wayne Lindsey, are known to be interested in the post. City Court Judge Ray Churchill has indicated an interest in the criminal court bench before and the name of attorney Robert Tillman also has been mentioned.

The other four divisions of Criminal Court will be closed today and tomorrow because of Judge Battle's death and also on Good Friday. They will be back in session on Monday. The court clerk's office will be open tomorrow.

Circuit and probate courts will be open until 12:30 p.m. today, then close for the funeral. All but one division of the general sessions court will close at 2 p.m. One judge will be on duty to hear previously scheduled cases.

The Courthouse will be open today, but County Commission Chairman Jack Ramsay said employees will be permitted to attend the judge's funeral.

Services will be at 3:30 p.m. today at Grace-St. Luke's Episcopal Church, with burial in Elmwood. Memphis Funeral Home on Union has charge.

The Memphis and Shelby County Bar Association will hold a memorial at 9:30 tomorrow morning in Judge Battle's old courtroom.

Judge Battle, who was 60, was found dead in his chambers about 5:30 Monday afternoon.

He had been in "good spirits" earlier in the day and had lunch at the Catholic Club with Circuit Judge Harry C. Pierotti, who was his partner in private practice for 15 years, and six other circuit judges.

"He'd been down in Florida for a week. He looked good, he'd got some sun," said Judge Pierotti. "He was in great spirits . . . he didn't seem to be worried about anything like he usually was," said Judge William B. Lettler.

Judge Pierotti said Judge Battle did not seem upset by any of the recent developments in the Ray case, although he knew it had been "a heavy burden" on him.

Dr. Jerry Francisco, the county medical examiner who conducted an autopsy Monday night, said death was due to a coronary insufficiency, "a form of heart disease in which emotions can cause a fatal outcome."

PAGE 1

COMMERCIAL APPEAL

MEMPHIS, TENN.

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Author:

Editor:

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FBI — MEMPHIS

Ray's Latest Letter

3-26-69

Hon. Judge W. Preston Battle
Judge of the Criminal Court
Memphis, Tennessee.

I would respectfully request this court to treat this letter as a legal notice, of an intent to ask for a reversal of the 99 year sentence petitioner received in aforementioned (sic) court. I understand on one avenue of appeal, I have only 30 days in which to file review notice, to have previous sentence set aside. That is the appeal route to which I address the court.

I also would like to bring to the attention of the honorable court, that Mr. Percy Foreman, the attorney who was supposed to be representing me on this charge, stated in open court:

One. That since he "Mr. Foreman" was receiving no funds to help prepare case for trial, and he did not think he should be required to use his own funds, he requested court to appoint consul (sic) to help defray cost, the court appointed public defender to investigate (sic) case and assist Mr. Foreman.

Two. Mr. Foreman said in open court he did not want, or expect to receive, a cent for his efforts: I think from Mr. Percy Foreman's statement to the press that he had a contract from me and Mr. William B. Huie upon entering the case for \$400,000, and that he was now to receive \$150,000, should lay to rest the above two lies Mr. Foreman told the court.

Three. I, James E. Ray in turn, have not personally received a cent from Mr. William B. Huie.

My only reason for bringing to the aforementioned (sic) facts to the attention of the court is that I would respectfully move that the court appoint an attorney, or the public defender to assist me in the proceeding. I have no stock, bonds, nor have I received any funds from any source to engage consul (sic).

Petitioner uses the word "assist," as I hereby request the court, that I personally present (sic) at the hearing, and to assist court appointed consul (sic) so that their (sic) be no repetition of Mr. Percy Foreman actions.

Respectfully

James Earl Ray

Station #1 West

477 S B Hwy 3

Memphis, Tenn 38203.

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4-1-69

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J. A. BLACKWELL, CLERK

J. A. Blackwell, D. C.

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Richard J. Ryan Is Third To Try Defense Of Ray



Richard J. Ryan

Cell Visit Due

Confessed Slayer Of King,
New Counsel May Meet
In Nashville Today

By CHARLES EDMUNDSON

Richard J. Ryan, 55-year-old attorney with offices in the Falls Building, yesterday was accredited as the third successive attorney retained by James Earl Ray, confessed slayer of Dr. Martin Luther King Jr.

Mr. Ryan refused to talk to a reporter but in Nashville Corrections Commissioner Harry Avery said prison authorities have accepted Mr. Ryan's credentials and expect him at any time to arrive for his first conference with his client.

Mr. Ryan had been expected to see Ray yesterday, Commissioner Avery said, but 4 p.m., the final hour for prison visits, passed without his arrival.

Commissioner Avery said Ray has given a letter designating Mr. Ryan as his counsel and that nothing more is needed except for Mr. Ryan to present evidence of his membership in the Memphis bar. Mr. Ryan has been a member of the bar since the 1940s.

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

PAGE 1

COMMERCIAL APPEAL

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As Ray's counsel, Mr. Ryan succeeds Arthur Hanes Sr., former Birmingham mayor, whom Ray dismissed without ceremony Nov. 10, and Percy Foreman of Houston, whom Ray fired March 13, referring to him as "Percy Four-flusher."

Commissioner Avery said Mr. Ryan came to the Nashville prison last week in company with other attorneys and asked that they be permitted to see Ray.

"He didn't have proper accreditation at that time," Mr. Avery said. "Neither did we want a lot of lawyers going up there at one time. But Mr. Ryan now has the necessary letter and will be allowed to see Ray in the maximum security ward."

Mr. Ryan also talked to Criminal Court Judge W. Preston Battle Monday a few hours before Judge Battle's death of a heart disorder, it was learned. Mr. Ryan, it is reported, claimed his client should have a new trial because of pressures he said were exerted to influence him to plead guilty March 10, when he got 99 years in prison.

Mr. Ryan is expected to plead that a letter Judge Battle received from James Earl Ray the day he died constitutes a motion for a new trial. If this contention were granted, the next logical step would be to claim Ray gets a new trial automatically. A Tennessee law says that a new trial motion pending before a judge who dies before passing on it is granted automatically.

Legal authorities differ on whether this applies in a guilty plea. Chief Justice Hamilton Burnett of the Tennessee Supreme Court says it does not.

A formal motion for a new trial could be filed in Criminal Court here any day before Wednesday, when the 30-day period for the filing of such a motion expires. Whatever Criminal Court judge takes over the Ray case from Judge Battle would then set a date for the hearing.

Exec. Asst. Atty. Gen. Robert K. Dwyer said there is no legal presumption that the judge to be appointed by Gov. Buford Ellington to succeed Judge Battle will inherit the Ray case. "The case belongs to the Shelby County Criminal Court and any judge the members (judges) decide on would take the case over, in my opinion."

Meanwhile, Charlie Q. Stephens, 56, regarded as a material witness in the assassination of Dr. King, filed a suit in Chancery Court yesterday seeking to collect the \$50,000 reward offered in the case. A \$25,000 reward was offered by The Commercial Appeal and another for the same amount by Scripps-Howard Newspapers.

Mr. Stephens was prepared to testify, had there been a formal trial, that he was in his room at 422½ South Main when the fatal shot was fired and that he saw a man fleeing down the second-floor corridor. The attorney general's office has credited Ray's arrest and conviction principally to fingerprint identification made by the FBI. ~~The FBI~~ does not accept rewards.

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Witness Seeking Reward

Charles Quitman Stephens, 47, the state's only material witness in the James Earl Ray case, has filed a Chancery Court law suit seeking the reward money.

Stephens' lawyers, Harvey Gipson and J. Fred Friedman, estimated that about \$100,000 had been offered by various sources for information leading to the arrest and conviction of Dr. King's killer.



Among the rewards offered in the case were \$25,000 by The Commercial Appeal, \$25,000 by Scripps-Howard Newspapers, including The Press-Scimitar, \$5,000 by the State of Tennessee, \$10,000 by the National Alliance of Postal Employees and \$25,000 jointly by Memphis Area Chamber of Commerce, Downtown Association of Memphis and Future Memphis, Inc. City Council first offered \$100,000 but later reduced this to \$5,000, the legal limit on rewards the city can offer.

Mrs. Wells Awsumb of the Council personally offered \$1,000 and \$5,000 was offered by an anonymous citizen in Greenwich, Conn., according to the bill.

The bill says Stephens, at various times, gave information to the police, the FBI, and Atty. Gen. Phil Canale which aided in the investigation.

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

PAGE 21

MEMPHIS PRESS-SCIMITAR

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Ray, New Attorney May Confer

Richard J. Ryan, a Memphis attorney and former candidate for the state Senate, may confer with his client, James Earl Ray, for the first time today at the state penitentiary in Nashville.

Ryan, 55, of 5172 Oak Meadow, who has an office in the Falls Building, 22 N. Front, is the sixth attorney to enter the case, and the third to be retained by Ray.

State Corrections Commissioner Harry Avery in Nashville made the announcement yesterday, saying Ray had given prison officials a letter naming Ryan as his new defender.

PRISON OFFICIALS accepted the appointment, and will allow Ryan to see Ray, said Avery.

Ryan, accompanied by other attorneys, went to the prison last week and attempted to see Ray, but was

refused admittance.

He will be permitted to confer with Ray, in the maximum security block, by telephone, with bullet-proof glass separating them.

First legal effort is expected to be a request for a new trial for Ray, on the basis of a letter Ray wrote March 26 to Criminal Court Judge W. Preston Battle, who died of a heart attack Monday.

IN THE LETTER, Ray asked a reversal of his 99-year sentence for the murder of Dr. Martin Luther King Jr., along with a "post conviction hearing."

Observers expect a hearing to be held on the matter within about two weeks, with a full hearing possibly six to eight weeks after that.

Ray's new attorney succeeds Percy Foreman of Houston, whom Ray fired March 13.

ANOTHER ATTORNEY,



RICHARD J. RYAN

J. B. Stoner of Savannah, Ga., has been retained by Ray to file libel suits.

Hugh Stanton Sr., court-appointed public defender,

said his responsibility in the case ended when Ray pleaded guilty. Stanton assisted Foreman.

Ryan is a communicant of Blessed Sacrament Church, is a member of the Knights of Columbus, Irish Society, Loyal Order of Moose, and American Legion.

He was with the First and Ninth Armies in Europe in World War II.

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PAGE 21

MEMPHIS PRESS-
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Date: 4-3-69

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Author:

Editor: CRAS. H.

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Will Conduct Post-Trial Hearings

He Will Preside
If a New Trial
Is Ordered

By ROY B. HAMILTON
Press-Scimitar Staff Writer

Criminal Court Judge Arthur C. Faquin Jr. today was named to succeed the late Judge W. Preston Battle as the presiding judge in the James Earl Ray case.

The announcement was made shortly before noon by Judge Perry Sellers, senior member of the Criminal Court bench in Shelby County, following a meeting of the four judges.

"Pursuant to the method used by the judges of the Criminal Court in assigning the James Earl Ray case to the Hon. W. Preston Battle, Judge Arthur Faquin was selected as the alternate or substitute judge in the event that Judge Battle became incapacitated or unable to hear the case," Judge Sellers said.

MOVING UP as the presiding judge in the historic case, Judge Faquin will conduct all post-trial hearings, including Ray's motion for a new trial made in two letters sent to Judge Battle shortly before his death Monday.

Judge Faquin, who presides over Division 2 of Criminal Court, would also be the trial judge, should Ray succeed in having his guilty plea set aside.

FAQUIN, 47, obtained his law degree at Memphis Law School in 1946. He attended Central High School and the University of Tennessee and formerly was associated with the old law firm of Evans, Exby, Moriarty & Petree. He left the firm to become an assistant attorney



JUDGE ARTHUR FAQUIN
To Handle Ray Case

ney general and was appointed to the General Sessions bench in 1963 after winning a bar primary.

He was appointed by Gov. Clement, following the recommendation of the Memphis-Shelby County Bar Association, to the Criminal Court bench in May 1965.

He's a quiet man with a courteous manner and keen sense of humor. He has served as West Tennessee vice president of the Episcopal Churchmen of Tennessee, is married and has three children and lives at 1891 Mignon.

COURT OBSERVERS described Faquin as a friendly outgoing man, who, like Judge Battle is extremely conscientious about the duties and responsibilities of the Court.

Said one attorney, who has practiced before his Court, "he has a very good judicial temperament. I would say the atmosphere in his Courtroom is a little more relaxed than it was in Judge Battle's court, but he certainly allows no nonsense."

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

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MEMPHIS PRESS-
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MEMPHIS, TENN.

Date:

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(Mount Clipping in Space Below)

Judge Gives Ryan Permission To Confer With Ray in Cell

By ROY HAMILTON
Press-Scimitar Staff Writer

Criminal Court Judge Arthur Faquin today ordered the warden of the state penitentiary at Nashville to permit James Earl Ray's new defense attorney, Richard J. Ryan of Memphis, to confer with the prisoner.

Faquin, who was named yesterday to succeed the late Judge W. Preston Battle on the case, signed the order at Ryan's request. It recognized Ryan as Ray's counsel and gave him court authorization "to visit and consult" with Ray in his maximum security cell at Nashville.

While neither Faquin or Ryan would comment, apparently the order was felt to be a necessary procedure to enable Ryan to visit with Ray. Previously he had been refused admittance, though Ray had given prison authorities a letter naming Ryan as his new defender.

THE ATTORNEY would not say when he planned to return to Nashville or answer any other questions.

However, it was reported that he will consult with Ray over the week end.

Ryan conferred with Faquin in his chambers for about an hour this morning before the order was signed and filed in the Criminal Court Clerk's Office.

The courts were closed today but Faquin apparently made a special trip to the office to accommodate Ryan.

SIGNING the order was Faquin's first action in the case since taking over. He was named the alternate or "backup" judge on the case when it was assigned to Battle last year. Battle was found dead in his chambers

Monday, apparently after suffering a heart seizure.

Ray, who pleaded guilty March 10 to the murder of Dr. Martin Luther King in Memphis one year ago today, has asked that his guilty plea be set aside and that he be granted a new trial.

A hearing on the issue is expected in about two weeks. Faquin indicated today that all post trial hearings involving the Ray case will be held in Battle's courtroom because the Sheriff's Office security measures are designed for that courtroom.

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PAGE 3

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(Mount Clipping in Space Below)

Year After King's Death, SCLC Battles to Survive.

By DON McKEE
Associated Press Writer

ATLANTA, Ga. — A year after the assassination of the Rev. Dr. Martin Luther King Jr. the organization he led during the civil rights movement's most successful era is struggling to survive on its own as an effective force for social change.

It is not a new struggle for the Southern Christian Leadership Conference.

BUT IT IS made more difficult by several factors, among them:

- The parallel yet conflicting development of increasing acceptance of racial change and the rise of black separatist elements.

- Opposition to the Vietnam war continues to draw the energy of many of the same elements that might otherwise be fighting full-time for Negro rights.

- The widening challenge particularly among young Negroes, to King's philosophy of non-violence.

Funds and followers are harder to come by now for SCLC, founded by King 12 years ago. But his disciples have no doubt that the organization will endure.

"WE'RE SOLVENT," said the Rev. Ralph D. Abernathy, 43-year-old Alabama-born Baptist preacher who took over SCLC after King was killed by a sniper in Memphis, Tenn., on April 4, 1968.

Abernathy's challenge is not simply to see that SCLC survives as an organization. It must deal effectively with the broad problems of poverty, racism and war—the causes selected by SCLC as its reason for being.

SCLC, a loosely run organization of numerous church affiliates without formal rank-and-file membership, has been reorganizing, tightening its belt financially, planning—and waiting for something to give new life to the struggle.

"UNLESS WE get pulled into something, we'll kinda wait for a spark," said the Rev. Andrew Young, executive vice president and second in command.

Young and other top staff members including Abernathy have been making speeches at colleges and universities, primarily talking to black students, in an effort to generate a new youth movement in the fight against poverty, racism and war.

Political organizing in the South, with emphasis on Alabama, will be a major part of the 1969 program. SCLC has its sights on some 80

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

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MEMPHIS PRESS-
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Southern counties with heavy Negro population. In addition, there are plans to enlist garbage collectors, janitors and other low-paid workers in local campaigns. A national student conference is planned in Atlanta this summer.

BUT ABERNATHY said, "The forces of evil are becoming so sophisticated that it will be very difficult to really have a confrontation."

This problem, however, is not the basis of the most persistent question raised about SCLC from the outside: Will it survive as an effective force without King?

"Unquestionably there were two institutions: Dr. King and the SCLC," said Hosea L. Williams, director of voter registration and political education. He said when King was killed "everybody on the staff went through a period of hopelessness."

BUT NOW, he said, staff members are beginning to recover and to rally behind Abernathy.

Abernathy describes his first year at the SCLC helm as a "creative one." He still tends to be defensive but is less preoccupied with the inevitable comparisons between him and King.

Abernathy, King's warm-up man for 13 years and jail

mate 17 times, said, "My first responsibility was to hold this staff together." None of the key staff has quit. Nor is any likely to, if for no other reason than loyalty to the cause.

ABERNATHY'S second major task was to continue King's plans for the Poor People's Campaign, an attempt to dramatize the plight of the poor and to spur Congressional action for jobs or a guaranteed income.

Even though King was "hesitating at that particular time," and might have postponed the campaign at least a year, Abernathy said he had no alternative but to proceed.

Abernathy said the campaign produced gains and brought poverty to the nation's attention even though major goals were not realized.

THE STAFF is being cut from nearly 200 to about 100 but cuts involve part-time or lower echelon employees, Abernathy said.

Money was a problem even for King and fund-raising is more difficult now.

In addition to mail appeals, SCLC draws funds from foundations for programs like voter education, sometimes from labor unions, churches and staff speaking engagements.

(Mount Clipping in Space Below)

No Rush Is Seen On Ray Motions

Criminal Court Judge Arthur C. Faquin, named to conduct proceedings in the James Earl Ray case, indicated last night there will be no rush in acting on defense motions.

"I have no idea when any motions in Ray's behalf will be taken up," Judge Faquin said. He also said it has not been decided whether contempt of court hearings set for next Friday will be heard on that date.

The cases of FBI Agent George Bonebrake of Washington and magazine writer William B. Huie of Hartselle, Ala., cited for possible violation of an order limiting pretrial publicity in the Ray case, were set for Friday by the late Judge W. Preston Battle.

Sentence was due to be passed also Friday on four men already found guilty of contempt in the same connection.

Judge Faquin was named yesterday by his fellow judges in Criminal Court to succeed Judge Battle in the Ray case.

He was chosen, senior Judge Perry Sellers said, because he had been designated from the beginning as "back-up" to Judge Battle.

In Nashville, Chief Justice Hamilton Burnett of the Tennessee Supreme Court said Ray, by his plea of guilty to the murder of Dr. Martin Luther King Jr., waived his right of normal appeal. Ray can seek relief only through a writ of habeas corpus, he said.

A writ of habeas corpus can be filed at any time by any convict. The court usually sets a hearing within one to two months. Ray's new attorney, Richard J. Ryan of Memphis, an enthusiastic supporter of former Gov. George Wallace of Alabama, has not indicated when a writ will be filed.

Judge Faquin was graduated from Central High School and

attended the University of Tennessee for two years before joining the Marines in 1942. After nearly four years in the Marines, he returned to Memphis and studied at the University of Memphis Law School.

He got his law degree in 1949 and spent the next 15 years in private practice, as an assistant attorney general and as a General Sessions judge.

In 1965 he won a Bar Association preference vote for a vacancy on the Criminal Court and was appointed by former Gov. Frank G. Clement.

Recent notable cases tried in his court include the conviction of Margo Freshwater for murder in a liquor store hold-up and conviction of four young men for disturbances at Carver High School last spring.

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COMMERCIAL APPEAL

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Court Bench Of The Late Judge W. Preston Battle



Judge Arthur Faquin
—Staff Photos by Thomas Busler

(Mount Clipping in Space Below)

Appointment Is Made By Ellington

Judge Faquin To Continue In Ray Case

Gov. Buford Ellington today appointed William H. (Slick) Williams, 42, Shelby County attorney, as Criminal Court judge (Division III) at Memphis to succeed the late Judge W. Preston Battle.

Williams will not assume any jurisdiction in the James Earl Ray case, which was handled from its inception by Battle. The Ray proceedings have been turned over to Judge Arthur Faquin who was the "back up" judge in the case for Battle. Ray is serving 99 years in the slaying of Dr. Martin Luther King Jr. in Memphis April 4, 1968.

Williams, who has been county attorney since 1964, will serve until the next general election in 1970 when a successor for the remainder of Battle's term is to be elected.

WILLIAMS has been an attorney since 1957. He was graduated from Memphis State University and Southern Law University at Memphis. He served as an assistant district attorney from 1959-62.

"I am grateful and appreciative of the confidence of the Governor in my appointment," Williams said. "I will do the best I can to discharge the duties of his office in exemplary fashion."

Ellington said: "Mr. Williams has a splendid record, not only in the field of law, but in other areas of public service. In succeeding Judge Battle, he will be taking the place of a truly outstanding jurist. I am pleased he was available for this position."

WILLIAMS was notified of the appointment by Ellington this morning.

"I'm grateful also for the friendship of those who were so kind to recommend me to the governor," Williams said.

Williams is an "imported native Memphian," having been born in Florida but brought to Memphis with his family when he was 6-weeks-old.

He attended public schools, and was graduated from Central High.

He is married to the former Betty Schneider. They have four children, John, 16, David, 13, Ginny, 10, and Bobby, 8. They live at 5153 Normandy, and attend Mullins Methodist Church.



WILLIAM WILLIAMS

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

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