

(Mount Clipping in Space Below)

## Ray Denied Hearing On Book Contract

From The Commercial Appeal  
Washington Bureau

WASHINGTON, Feb. 22. — The United States Supreme Court Tuesday denied a hearing to James Earl Ray, who is serving a 99-year sentence in Tennessee for the assassination of Dr. Martin Luther King Jr., in connection with a controversy over a book contract.

Ray sued in Federal District Court in Nashville in 1969 to void a contract under which he said attorney Percy Foreman of Houston would receive \$165,000 of the proceeds from a book, "He Slew the Dreamer," written by William Bradford Huie.

The book was about Ray's life and the assassination.

Meanwhile, Ray, in a letter brought out of Brushy Mountain State Prison at Petros by his brother, denies he attempted to escape Feb. 5 as reported by state officials.

Ray said he actually was in bed in his cell when the alleged escape attempt occurred. State officials promptly denied his denial.

The letter denying the escape attempt was brought from the prison by Jerry Ray, Ray's brother, who gave it to a Knoxville newspaper.

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

— PAGE 8

— COMMERCIAL APPEAL

— MEMPHIS, TENN.

Date: 2-23-72

Edition:

Author:

Editor: GORDON HANNA

Title:

44-1987 sub C 502

Character:

or

Classification:

Submitting Office: MEMPHIS

Being Investigated

*my file*

*Hester*

(Mount Clipping in Space Below)

## Appeals Court Denies Ray Bid For New Trial

From The Commercial Appeal  
Jackson, Tenn., Bureau

JACKSON, Tenn., Feb. 24. — Tennessee Court of Criminal Appeals refused a new trial for James Earl Ray in a unanimous ruling here Thursday.

The panel of judges upheld a ruling by Shelby County Criminal Court Judge William H. Williams refusing the new trial.

The judges held that Ray's contentions in his appeal were all unacceptable, ruling that they either did not rise to constitutional proportions, they already had been ruled on, or they concerned constitutional rights waived by his guilty plea.

A new trial based on other grounds previously had been refused by the state Supreme Court.

Ray pleaded guilty before the late Criminal Court Judge W. Preston Battle March 10, 1969, to the murder of Dr. Martin Luther King. He received a 99-year prison sentence.

The judges also affirmed the Shelby County Criminal Court armed robbery and assault convictions of Jessie James Taylor.

Taylor was indicted for armed robbery and attempted robbery in connection with three Memphis liquor stores in September, 1970. He was convicted in each.

The court also affirmed the Shelby County Criminal Court conviction of Harold Ray Moultrie for the Feb. 2, 1970, second-degree burglary of the Samuel Gassaway Jr. home.

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

— PAGE 9

— COMMERCIAL APPEAL

— MEMPHIS, TENN.

Date: 2-25-72

Edition:

Author:

Editor: GORDON HANNA

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

Being Investigated

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 23 1972	
FBI - MEMPHIS	
Hester	

(Mount Clipping in Space Below)

# Ray Is Denied New Trial

NASHVILLE, Tenn. — (UPI) — James Earl Ray, convicted assassin of Dr. Martin Luther King Jr., has failed again in his bid for a new trial.

A three-judge panel of the Tennessee Court of Criminal Appeals voted unanimously Thursday to deny a petition for a new hearing.

The appellate court ruling upheld a refusal by Shelby County Criminal Court Judge William H. Williams to grant Ray a new trial.

The civil rights leader was slain in Memphis April 4, 1968. A single bullet from a sniper's gun slew King as he stood on the balcony of

his room at the Lorraine Hotel.

Ray, linked to fingerprints found on a hunting rifle, was apprehended in London and pleaded guilty to the crime.

The late Judge W. Preston Battle accepted the guilty plea and imposed a 99-year prison sentence. Under Tennessee law, a guilty plea waives the right to appeal except under certain unusual circumstances.

Ray's petition for a new trial claimed that famed defense attorney Percy Foreman of Houston coerced him into pleading guilty. Also, the petition says, the public has a right to know all the

events surrounding the death of the civil rights leader.

The petition was denied on the grounds that Ray's contentions were all unacceptable—either that they did not raise constitutional questions, had already been ruled on or were waived by the defendant's guilty plea.

Earlier, Ray had petitioned the state Supreme Court for a new trial. That petition was denied also.

Ray is presently serving his prison sentence at Tennessee's maximum-security Brushy Mountain state prison at Petros. Since he has been confined there officials say he has tried to escape twice — both times without success.

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

PAGE 3

MEMPHIS PRESS  
SCIMITAR

MEMPHIS, TENN.

Date: 2-25-72  
Edition:  
Author:  
Editor: CHARLES H.  
Title: SCHNEIDER

Character:  
or 44-1987 sub C 504  
Classification:  
Submitting Office: MEMPHIS

Being Investigated

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 28 1972	
FBI - MEMPHIS	

Hester [Signature]

(Mount Clipping in Space Below)

## Visiting Rights End For Ray's Brother

KNOXVILLE, March 18.—(U P I)—J a m e s Earl Ray's brother, Jerry Ray, has been banned from visiting Brushy Mountain State Prison for six months because of a letter he mailed last month for the convicted assassin.

Ray, who is serving 99 years for the murder of Dr. Martin Luther King, sent the letter by his brother to the Knoxville News Sentinel. In it, he denied reports that he attempted to escape.

Warden Robert Moore confirmed that Jerry Ray's visitation rights had been suspended. He said the decision was made by his office and the State Department of Corrections.

Prison officials said Ray made his second escape attempt in early February by cutting a hole in the ceiling of a room just off the prison's movie projection area.

Shortly after he was transferred to the maximum security facility near Petros in East Tennessee, Ray made an escape try which failed when he had to leave a heating duct because it became too hot.

Moore said that there is a rule prohibiting a visitor from delivering any object for an inmate outside the prison walls.

At the time Jerry Ray mailed the letter, he told the newspaper he had taken several other letters out for his brother.

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

PAGE 12 Sec. 2

COMMERCIAL APPEAL

MEMPHIS, TENN.

Date: 3-19-72

Edition:

Author:

Editor: GORDON HANNA

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

Being Investigated

44-1987 Sub C 505

SEARCHED  
SERIALIZED  
MAR 20 1972

HESTER JKH

(Mount Clipping in Space Below)

# 1,200 Attend Memorial Service for Martin Luther King

By **BROWN ALAN FLYNN**  
 Press-Scimitar Staff Writer

The power of Dr. Martin Luther King Jr. still lives, said one speaker at a memorial service for the civil rights leader who was slain four years ago yesterday in Memphis. Another speaker warned that the fight for which he gave his life still has not been won.

About 1,200 persons gathered in the auditorium at Central High School for the memorial service last night, following a march of about 60 persons to the school from the Lorraine Motel where King was shot April 4, 1968.

"What was Dr. King's legacy?" said the Rev. Kelly Miller Smith, assistant dean of the Vanderbilt University Divinity School and pastor of First Baptist Church, Capitol Hill, in Nashville.

"It was not a legacy of weakness, of acquiescence," he said, "but rather a legacy of power."

He said King's struggles involved battles of "God-endowed power" against constituted authority. He said King's power to right injustices did not die with him.

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

PAGE 14

MEMPHIS PRESS  
 SCIMITAR

MEMPHIS, TENN.

Date: 4/5/72

Edition:

Author: CHARLES H.

Editor: SCHNEIDER

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

Being Investigated

44-1987 sub c 506

SEARCHED	INDEXED
SERIALIZED	FILED
APR 7 1972	
FBI - MEMPHIS	

*Herber* *qst*



—Press-Scimitar Staff Photo by James R. Reid

### MEMORIAL MARCH FOR DR. MARTIN LUTHER KING

More than 60 persons marched from the Lorraine Motel to Central High School yesterday in honor of the late Dr. Martin Luther King Jr. King was shot four years ago yesterday at the motel. Memorial services were held at Central.

but was transferred to his followers.

“There was a calm courage about Martin that would cause those of us who marched with him to some-

how capture part of the light of his courage,” said Rev. Smith.

Mrs. Maxine Smith, execu-

tive ~~secretary~~ of the Memphis Branch, NAACP, and a member of the city school board, said blacks and other minority groups can't afford to relax in their struggle for equality.

"It has been a long, hard painful road," she said, "and on this road we lost Martin, the best of what we had. So we can't afford to go back."

She said that it "still disturbs me greatly that Memphis as a city has not truly expressed joy that Dr. King lived, nor sorrow that he

died in our midst."

Another speaker was Jerry Wurf, president of the American Federation of State, County and Municipal Employees. Dr. King was in Memphis to aid in organizing efforts by sanitation workers now represented by the AFSCME when he was killed. The AFSCME sponsored the service last night.

Wurf accused President Nixon of racism on the busing question, saying that he is "the man who lit the torch

and threw it in the gas tank."

The march to the school, down Main and Union during rush hour traffic, attracted little notice ~~from persons on~~ the streets. More police were assigned to patrol the march route than ~~there were~~ persons in the march column.

(Mount Clipping in Space Below)

# Ray Wears Many Faces In Author's Portrait

By RICHARD LENTZ  
Portrait of a murderer, sketched in a motel room last night: James Earl Ray — psychotic, inept but with a catlike instinct for landing on his feet, a racist and political extremist, a loser who in a twisted way found success.

"Ray's life really began when he killed Martin Luther King," said author Gerold Frank. "Every history book will have to mention his name."

Mr. Frank talked with reporters for more than two hours at the Holiday Inn-Rivermont on the first leg of a national tour to plug his book on the slaying in Memphis of Dr. King, "An American Death."

The inevitable question concerned conspiracy. "No hand came out of the darkness to

help him (Ray)," said Mr. Frank.

Ray's hatred of blacks and his right-wing extremism are the "best-kept secrets of the case," said the author.

"Ray had an almost obsessive hatred of blacks," he said. "When he was in Leavenworth (prison) he had a chance to go to a halfway house where he'd get great privileges. He turned it down because it was integrated."

John Jay Hooker Sr. was suggested by Texas attorney Percy Foreman as the lawyer who should defend Ray in Tennessee courts but Ray refused because John Jay Hooker Jr. got the majority of black votes when he ran for governor of Tennessee, said Mr. Frank.

"Ray pretended not to be political. He was convinced if Wallace was elected (in the

1968 presidential campaign) that Wallace would pardon him."

But political extremism and racism aren't the only motives, said Mr. Frank. Ray came from a tragedy-ridden family almost dismantled by society and circumstances. "Ray had a score to settle with society as far as he could see. And here was King, a black man and a Noble Prize winner . . ."

A \$50 reward was placed on

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

— PAGE 25  
— COMMERCIAL APPEAL  
— MEMPHIS, TENN.

Date: 3-30-72  
Edition:  
Author:  
Editor: GORDON HANNA  
Title:

Character:  
or  
Classification:  
Submitting Office: MEMPHIS  
 Being Investigated

44-1987-Sub C 507  
mep smi

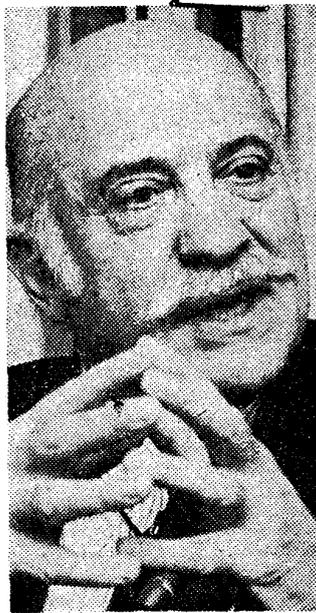
Hester JH

Ray after his escape from a Missouri prison and he had nothing to lose by killing the civil rights leader, said Mr. Frank.

"He knew if he was caught just having an ice cream cone he'd go back to prison for the rest of his life anyway. If he killed King, he'd go back as one of the Ten Most Wanted, one of the elite. Now, at Brushy Mountain (state prison), he's a celebrity; he has his own radio and TV. He's now in the only society he'd made it in."

And Ray told one of his brothers that he's "no worse off in the Tennessee prison than he was ... at Missouri State Prison," said Mr. Frank.

Conspiracy theories have been fueled by the well-documented series of Ray's failures at crime, the writer indicated. "We only know about his failures. We underestimate him."



Gerold Frank  
—Staff Photo

Ray exhibited "ineptness, but (also) a jungle (animal)-like ability to land on his feet," he said.

(Mount Clipping in Space Below)

# 'True Story' Of King Death Shy Of Goal

By THOMAS BEVIER  
Staff, The Commercial Appeal

"An American Death" may very well be what author Gerold Frank intends for it—"the true story of the assassination of Dr. Martin Luther King Jr. and the greatest manhunt of our time."

But something else is required of this book. Others—Jim Bishop and William Bradford Huie, for instance—profited from the journalistic moment by coming out quickly after the event with their books.

MR. FRANK CHOSE, instead, to labor four years. His challenge was to provide a masterful account of a tragedy of historical proportions. But what we have smacks rather of detective magazine journalism, albeit the best of what that genre suggests.

The publisher, Doubleday, has chosen to release "An American Death" with its \$10 price tag this week because it is the anniversary of the April 4, 1968, death of Dr. King.

In a note to the reader, Mr. Frank, writes:

"It is important for us to know the truth about the assassination of Dr. King, who murdered him, why he was murdered, and what took place from beginning to end. We want to know this, if not for the sake of our

own sanity in the world where the bizarre all too often becomes the commonplace, then at least in the hope that, by knowing and understanding it, perhaps in some way — still unfathomable to us—we can help prevent such things in days to come."

BUT, ONE ASKS after reading the book, didn't we already know that truth? and how could anything told here prevent such things in days to come?

The foregoing criticism is not meant to suggest that "An American Death" is not a worthwhile book. It is filled with wonders of detail. One learns, for instance, that after Dr. King's death, an attending doctor tore off the paper cardiograph tape to give it to his children.

IT MAY BE niggling to point out that the detail is not always accurate. Mr. Frank writes, for instance, that many sanitation workers belonged to Centenary United Methodist Church of which the Rev. James M. Lawson Jr., who invited Dr. King to Memphis, is pastor. None belonged.

And the characterizations Mr. Frank draws of principal personalities such as former Sheriff William Morris, sometimes tend to be a little much. This is the way he describes Morris when the sheriff was preparing to escort James Earl Ray, Dr. King's

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

SECTION 6

PAGE 6

THE COMMERCIAL  
APPEALMEMPHIS,  
TENNESSEE

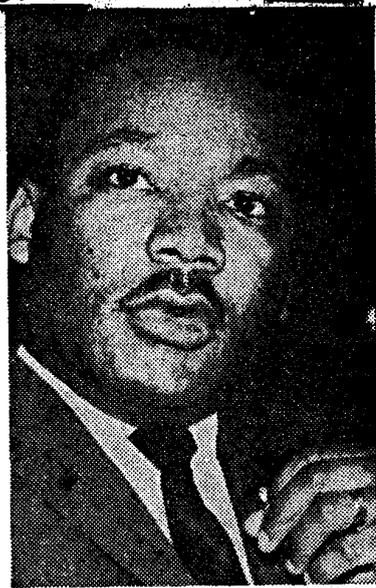
Date: 4/2/72  
Edition: SUNDAY  
Author:  
Editor: GORDON HANNA  
Title:

Character:  
or  
Classification:  
Submitting Office: MEMPHIS  
 Being Investigated

44-1987 sub C 508

mp

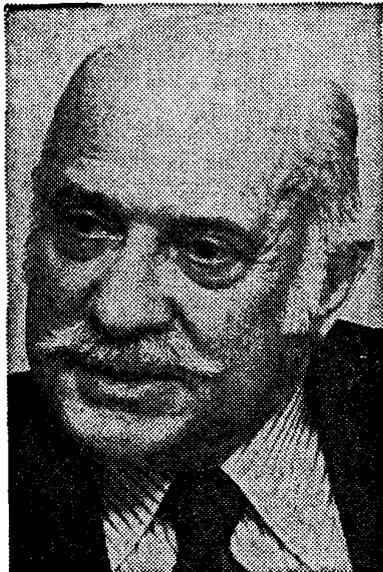
He... JH



Martin Luther King Jr.

assassin, from the airport at Millington to the county jail:

"ONE HAD THE impression that Morris would be prepared to do away with himself — commit hara-kari were that the sort of a thing an American did — if anything happened to Ray; that if an attack came, he would willingly throw himself in front of the prisoner to take the bullets in his own



Gerold Frank

body. The sheriff was the kind of man who would walk alone down the center of the street in 'High Noon.' "

If Mr. Frank's writing sometimes borders on the cornball, his skills as a reporter cannot be denied. It is especially with his treatment of Ray, that the book excels.

**EVEN** ~~THOUGH~~ he never met



James Earl Ray

Ray, Mr. Frank provides us with a portrait of the assassin which dispels any lingering doubts one might have about whether Ray was part of a conspiracy.

The life of Ray is painstakingly reconstructed—his childhood in poverty, his hatred of Negroes, his life of petty crime and—perhaps most impor-

tantly—an almost macabre ~~self-discipline~~ discipline.

"What must be understood about James Earl Ray," Mr. Frank writes, "is that he is a man utterly alone who made up for his isolation from others by living in a private world of fantasies and, sadly, enacted one of them when he assassinated Dr. King . . ."

"HE WAS COMFORTABLE, therefore, only in a society in which his life was structured for him: That is, in prison. He kept to himself, he was rarely involved in fights, he got along with fellow prisoners, his jailers, needing no one to talk to, to exchange opinions with, to confide in, to lean upon, for he was supported by his own fantasies, which never failed him and allowed him to tolerate even isolation and solitary confinement . . ."

Mr. Frank uses his reporting skills to detail the manhunt for Ray. The efforts of law enforcement were fantastic.

In checking out a lead in a hotel, officers checked registration cards for everyone who had been staying in the 1,000-room hotel, examined all hotel stationery, menus and desk blotters.

It is this sort of detail which makes "An American Death" worthwhile.

But history has yet to be served."

(Mount Clipping in Space Below)

### **Court To Hear Claim For Gun**

Private detective Renfro T. Hays' three-year fight to gain possession of the rifle police said James Earl Ray used in the assassination of Dr. Martin Luther King Jr. reached the Sixth U.S. Circuit Court of Appeals in Cincinnati yesterday.

The three-judge panel took the case under advisement. Lower courts have ruled that local authorities may continue to hold the rifle and other items "pending a final resolution of the Ray case." Mr. Hays claims Ray deeded him the rifle as partial payment for services performed for Ray's attorneys.

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

— PAGE 5

— COMMERCIAL APPEAL

— MEMPHIS, TENN.

Date: 4-13-72

Edition:

Author:

Editor: GORDON HANNA

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

Being Investigated

SEARCHED INDEXED  
SERIALIZED FILED  
APR 13 1972  
FBI - MEMPHIS  
*Hester*

44-1987 sub c-509

(Mount Clipping in Space Below)

# State High Court Refuses Ray Appeal

From The Commercial Appeal  
Jackson, Tenn., Bureau

JACKSON, Tenn., May 1. — The Tennessee Supreme Court refused here Monday to hear an appeal for a new trial by James Earl Ray, whos is serving 99 years in prison for the murder of Dr. Martin Luther King.

The panel of judges gave no explanation as to why it would not hear the case.

Ray was seeking a review

by the judges of a Feb. 24 ruling by the state Court of Criminal Appeals upholding a previous ruling by Shelby County Criminal Court Judge William A. Williams refusing the new trial.

The appeals judges in that decision held that the contentions in Ray's appeal did not rise to constitutional proportions, concern constitutional rights waived by his guilty plea, did not provide grounds enough for reversing Judge

Williams' decision, or have already been ruled upon.

A new trial based on other grounds previously had been refused by the state court. Ray, 41, who contended his plea "was not freely and willfully given," pleaded guilty to the March 10, 1969 murder of Dr. King, before the late Shelby County Criminal Court Judge W. Preston Battle.

He reportedly has attempted to escape from Brushy Mountain Prison twice.

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

PAGE 16

COMMERCIAL APPEAL

MEMPHIS, TENN.

Date: 5-2-72

Edition:

Author:

Editor: GORDON HANNA

Title:

Character: 44-1987 sub C 510  
or

Classification:

Submitting Office: MEMPHIS

Being Investigated

SEARCHED \_\_\_\_\_ INDEXED \_\_\_\_\_  
SERIALIZED *mp* FILED *mp*  
MAY 20 1972  
FBI — MEMPHIS  
*[Signature]*

*Original 40  
changed 5-10-72*

(Mount Clipping in Space Below)

# James Earl Ray Denied Retrial

JACKSON, Tenn. — (UPI) — The Tennessee Supreme Court refused Monday to consider the question of a new trial for James Earl Ray, the convicted assassin of Dr. Martin Luther King Jr.

Without comment, the state's highest court refused to review a decision issued in February by the State Court of Criminal Appeals. The appellate court had upheld a previous ruling by a Memphis judge denying a new trial for Ray.

King was killed in Memphis on April 4, 1968, and, almost a year later, Ray pleaded guilty to the murder. He was sentenced to 99 years in the state penitentiary and is confined at Tennessee's maximum-security Brushy Mountain State Prison at Petros.

In seeking a new trial, Ray contended that he was coerced into pleading guilty to the murder of King by defense attorney Percy Foreman. Ray said that Foreman told him he would only escape the electric chair by pleading guilty.

In turning down Ray's motion for a new trial, the appellate court said the motion had brought forth no constitutional issues and that, under Tennessee law, Ray waived his right to appeal with the guilty plea.

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

— PAGE 12

— MEMPHIS PRESS  
SCIMITAR

— MEMPHIS, TENN.

Date: 5/2/72

Edition:

Author: CHARLES H.

Editor: SCHNEIDER

Title:

Character: 44-1987 Sub C 5 11  
or

Classification:

Submitting Office: MEMPHIS

Being Investigated

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
MAY 20 1972	
FBI — MEMPHIS	

*JST*

*Original to  
Bureau  
5-22-72*

(Mount Clipping in Space Below)

# Ray To Ask Court For A New Trial

James Earl Ray, convicted assassin of Dr. Martin Luther King Jr., Monday will present a petition for a new trial to the United States District Court in Nashville.

Memphis attorney Robert Livingston, one of at least three attorneys representing Ray, said this will be his first attempt in federal court to gain a new trial.

Ray currently is serving a 99-year sentence in the Tennessee State Penitentiary at Nashville. He was found guilty of first degree murder in the shooting death of the civil rights leader here April 4, 1968.

The Tennessee Supreme Court twice has refused Ray a new trial based on his contention that his guilty plea, issued in Criminal Court March 10, 1969, was not freely and voluntarily made. Ray was captured in London June 9, 1968.

"We would have gone into the federal courts before," Mr. Livingston said, "but the law requires that all state court appeals be exhausted first. We have now done this."

The 24-page petition, to be filed with Judge L. Clure Morton Monday afternoon, contends Ray is entitled to a new trial based on nine points involving the violation of his constitutional rights.

Listed are alleged violations that occurred both before and after the 1969 trial.

"We didn't get a very good reception in the Tennessee courts," Mr. Livingston said, "and we really don't know what to expect from the federal judge. But we will pursue this man's right to a trial, which he has never had, to the United States Supreme Court if necessary."

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

PAGE 25

COMMERCIAL APPEAL

MEMPHIS, TENN.

Date: 12-2-72

Edition:

Author:

Editor: GORDON HANNA

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

Being Investigated

*Orig + one copy to Bureau 12-1-72*

44-1987 Sub C 512

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 1 1972	
FBI - MEMPHIS	

*Hoster*

Ray's most recent petition reiterates his earlier contentions attorney Percy Foreman was incapable of rendering effective counsel and that attorney Arthur Hanes had contracts with author William Bradford Huie which were not in the best interests of Ray's defense.

Ray's newest petition also charges evidence regarding his case was withheld and trial Judge Preston Battle neither ascertained the facts prompting his guilty plea nor determined whether or not Ray understood the nature of the charges against him.

Judge Battle, who was 60 at the time, died of a heart attack while at his desk on March 31, 1969.

Lawyers Bernard Fensterwald and James H. Lesar of Washington also are

working with Ray's defense.

"We have some very strong material if we can just get the judge to see it. We expect to show that Mr. Ray's guilty plea was a sham and a farce and a mockery of justice and was not voluntarily entered," Mr. Livingston said.

A 32-page memorandum of points and authorities and a 47-page memorandum of facts also will be submitted Monday to support the trial petition.

(Mount Clipping in Space Below)

# Ray Attorneys Ask New Trial

12/4  
NASHVILLE, Dec. 4. — (UPI) — Attorneys for James Earl Ray filed a petition in federal court Monday seeking to gain Ray a new trial in the murder of civil rights leader Dr. Martin Luther King Jr.

The petition was technically a writ of habeas corpus, but Ray's attorneys said its intent was to gain Ray a new trial.

Ray is serving a 99-year sentence after pleading guilty to King's assassination.

Bernard Fensterwald of Washington, one of three attorneys representing Ray, said the petition asks a new trial on the merits of a case in federal court at Memphis.

A habeas corpus petition technically seeks to free someone who is incarcerated. If Ray's petition is granted the state would have 60 days to decide whether it wanted to try Ray again for the King assassination.

"If we can get him a trial there is a very good chance of getting him acquitted," Fensterwald said.

The attorney said Ray is now being kept in solitary confinement at the state prison here.

"He doesn't look anywhere near as well as he did the last time I saw him," Fensterwald said.

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

PAGE 3

COMMERCIAL APPEAL

MEMPHIS, TENN.

Date: 12-5-72

Edition:

Author:

Editor: GORDON HANNA

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

Being Investigated

44-1987 sub C 513  
SEARCHED INDEXED  
SERIALIZED FILED  
DEC 6 1972  
FBI - MEMPHIS  
Hester

(Mount Clipping in Space Below)

# Ray's Appeal Wins Show-Cause Order

NASHVILLE, Dec. 7. — (AP) — United States Dist. Judge L. Clure Morton ordered the State of Tennessee Thursday to show within 20 days why James Earl Ray should not be released from the Tennessee State Prison.

Ray, 44, convicted in the April, 1968, murder in Memphis of Dr. Martin Luther King Jr., asked federal court Monday to review the circumstances of his guilty plea in Memphis on March 10, 1969. He was sentenced to 99 years in prison by the late Judge Preston W. Battle.

In his petition, Ray asked the court to set a hearing within five days after the petition was served on the defendant, Jim Rose, warden of the state prison.

Judge Morton gave Warden Rose and Atty. Gen. David Pack 20 days "due to the complexity of the cause."

Ray's latest legal effort — the first time he has pursued his case through federal court channels — seeks the district court to review his guilty plea to see if it was the result or duress and coercion. If so, Ray asks that he be permitted to withdraw the plea and be retried.

Ray is in solitary confinement at the prison.

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

PAGE 8

COMMERCIAL APPEAL

MEMPHIS, TENN.

Date: 12-8-72  
Edition: Final  
Author: —  
Editor: GORDON HANNA  
Title:

Character:  
or  
Classification:  
Submitting Office: MEMPHIS  
 Being Investigated

44-1987 Sub-C 514  
SEARCHED INDEXED  
SERIALIZED FILED  
DEC 11 1972  
FBI - MEMPHIS  
Pester

(Mount Clipping in Space Below)

# Judge Gives State 20 Days In Ray Case

NASHVILLE, Tenn. (UPI) — A federal judge gave Tennessee 20 days on Thursday to show cause why the man convicted of assassinating Dr. Martin Luther King Jr. should not be released from prison.

The move came two days after attorneys for James Earl Ray, who pleaded guilty to the murder in exchange for a 99-year sentence, filed a bulky petition seeking a federal court review of the case.

The petition, complete with photographs and affidavits, was filed in U.S. district court here after Ray exhausted state court appeals, all of which were unsuccessful.

Ray's new attorneys claim in the petition that he was coerced into the guilty plea by former attorneys Arthur Hanes and Percy Foreman. The petition states that without the guilty plea author William Bradford Huie would not be able to write the exclusive story of the assassination and they would lose money.

Prison Warden Jim Rose and Attorney General David Pack were given 20 days to show cause because "of the complexity of the case." The petition asked for an evidentiary hearing within five days.

The hearing will be held before Judge L. Clure Morton.

"In short," Ray's petition said, "Ray's guilt was determined by the judge, the defense counsel and outside pressures, but not by a jury or the admission of Ray himself."

12/7

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

PAGE 6

MEMPHIS PRESS  
SCIMITAR

MEMPHIS, TENN.

Date: 12-8-72

Edition:

Author:

Editor: CHARLES H.  
Title: SCHNEIDER

Character:

or

Classification:

Submitting Office: MEMPHIS

Being Investigated

44-1987-Sub C 515  
SEARCHED INDEXED  
SERIALIZED FILED  
DEC 11 1972  
FBI - MEMPHIS

(Mount Clipping in Space Below)

## Judge Gives State 20 Days In Ray Case

NASHVILLE, Tenn. — (UPI) — A federal judge gave Tennessee 20 days on Thursday to show cause why the man convicted of assassinating Dr. Martin Luther King Jr. should not be released from prison.

The move came two days after attorneys for James Earl Ray, who pleaded guilty to the murder in exchange for a 99-year sentence, filed a bulky petition seeking a federal court review of the case.

The petition, complete with photographs and affidavits, was filed in U.S. district court here after Ray exhausted state court appeals, all of which were unsuccessful.

Ray's new attorneys claim in the petition that he was coerced into the guilty plea by former attorneys Arthur Hanes and Percy Foreman. The petition states that without the guilty plea author William Bradford Huie would not be able to write the exclusive story of the assassination and they would lose money.

Prison Warden Jim Rose and Attorney General David Pack were given 20 days to show cause because "of the complexity of the case." The petition asked for an evidentiary hearing within five days.

The hearing will be held before Judge L. Clure Morton.

"In short," Ray's petition said, "Ray's guilt was determined by the judge, the defense counsel and outside pressures, but not by a jury or the admission of Ray himself."

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

PAGE 6

MEMPHIS PRESS  
SCIMITAR

MEMPHIS, TENN.

Date: 12-8-72

Edition:

Author:

Editor:

Title:

CHARLES H.  
SCHNEIDER

Character:

or

Classification:

Submitting Office: MEMPHIS

 Being Investigated

44-1987 sub c 515

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 11 1972	
FBI - MEMPHIS	

Hester

(Mount Clipping in Space Below)

## State Opposes Ray On New Trial Bid

NASHVILLE, Dec. 20. — (UPI) — The state sought Wednesday to block a new trial for James Earl Ray, convicted assassin of Dr. Martin Luther King Jr.

The state asked federal court to vacate a show cause motion filed in behalf of Ray. The motion, which was filed as a writ of habeas corpus, sought the new trial on the grounds that he was coerced into pleading guilty to King's murder in exchange for a 99-year prison term.

The state also asked for a copy of Ray's lengthy petition to more adequately prepare an answer.

Dist. Judge L. Clure Morton has not ruled on the state's requests.

Ray's motion was filed in federal court earlier this month after he exhausted appeals in state courts. Ray claims that attorneys Arthur Hanes and Percy Foreman coerced him into the guilty plea so the story of the assassination could be sold to author William Bradford Huie.

The petition said that Ray had never had a trial on the murder charge. "In short," it said, "Ray's guilt was determined by the judge, the defense counsel and outside pressures, but not by a jury or the admission of Ray himself."

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

PAGE 40

COMMERCIAL APPEAL

MEMPHIS, TENN.

Date:

12/21/72

Edition:

Author:

Editor: GORDON HANNA

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

 Being Investigated

44-1987 Sub C 516

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 22 1972	
Hester	

(Mount Clipping in Space Below)

# State Wants Ray Petition Thrown Out

FROM PRESS DISPATCHES

NASHVILLE, Tenn. — The State of Tennessee has sought to have James Earl Ray's latest petition for freedom thrown out of federal court because it lacks his signature.

Asst. State Atty. Gen. W. Henry Haile III asked Judge L. Clure Morton of U.S. District Court on Wednesday to strike Ray's 100-page petition because Ray had not signed it and certified it as required by federal law.

Ray, 44, is serving a 99-year sentence at the Tennessee State Prison in Nashville in the April 1968 slaying in Memphis of Dr. Martin Luther King Jr. Ray, who is in solitary confinement, pleaded guilty to the shooting in March 1969 in Memphis.

Ray's petition was filed Dec. 4. In it he seeks either to be freed from prison outright or to be granted another trial.

Ray's motion was filed after he had exhausted state court appeals. He claims that former attorneys Percy Foreman and Arthur Hanes coerced him into the guilty plea so the story of the assassination could be sold to author William Bradford Huie.

The petition said Ray had never had a trial on the murder charge.

"In short," it said, "Ray's guilt was determined by the judge, the defense counsel and outside pressures, but not by a jury or the admission of Ray himself."

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

PAGE 27

MEMPHIS PRESS  
SCIMITAR

MEMPHIS, TENN.

Date: 12/21/72  
Edition:  
Author:  
Editor: CHARLES H.  
Title: SCHNEIDER

Character:  
or  
Classification:  
Submitting Office: MEMPHIS

Being Investigated

44-1987 sub 512  
mp mp

R

(Mount Clipping in Space Below)

# State Wants Ray Petition Thrown Out

FROM PRESS DISPATCHES

NASHVILLE, Tenn. — The State of Tennessee has sought to have James Earl Ray's latest petition for freedom thrown out of federal court because it lacks his signature.

Asst. State Atty. Gen. W. Henry Haile III asked Judge L. Clure Morton of U.S. District Court on Wednesday to strike Ray's 100-page petition because Ray had not signed it and certified it as required by federal law.

Ray, 44, is serving a 99-year sentence at the Tennessee State Prison in Nashville in the April 1968 slaying in Memphis of Dr. Martin Luther King Jr. Ray, who is in solitary confinement, pleaded guilty to the shooting in March 1969 in Memphis.

Ray's petition was filed Dec. 4. In it he seeks either to be freed from prison outright or to be granted another trial.

Ray's motion was filed after he had exhausted state court appeals. He claims that former attorneys Percy Foreman and Arthur Hanes coerced him into the guilty plea so the story of the assassination could be sold to author William Bradford Huie.

The petition said Ray had never had a trial on the murder charge.

"In short," it said, "Ray's guilt was determined by the judge, the defense counsel and outside pressures, but not by a jury or the admission of Ray himself."

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

PAGE 27

MEMPHIS PRESS  
SCIMITAR

MEMPHIS, TENN.

Date: 12/21/72  
Edition:  
Author:  
Editor: CHARLES H.  
Title: SCHNEIDER

Character:  
or  
Classification:  
Submitting Office: MEMPHIS

Being Investigated

44-1987-Sub C 517

*mp mp*  
**Hester**

(Mount Clipping in Space Below)

# U.S. Court Asked To Deny Ray Plea

NASHVILLE, Tenn. — (AP) — The state of Tennessee has asked federal court to reject James Earl Ray's latest bid for a new trial because he freely and voluntarily plead guilty to slaying Dr. Martin Luther King Jr.

The state contended Wednesday that Ray's "freely and intelligently entered guilty plea" in Memphis in the April 1968 slaying of Dr. Martin Luther King Jr. was made to avoid the possibility of a death sentence.

Ray, 44, earlier this month filed a petition in U. S. District Court in Nashville asking that he be released outright from the Tennessee State Prison, where he is serving a 99-year sentence, or be granted a new trial.

Ray contended that his guilty plea in March 1969 was involuntarily because of pressure from his attorneys and because of "cruel and unusual punishment" prior to the trial.

Asst. Atty. Gen. W. Henry Haile, in a 19-page brief filed Wednesday in answer to a show cause order, said: "It is clear that Ray was not coerced" into entering his plea.

"Faced with overwhelming evidence of his guilt and with the considered advice of three experienced criminal attorneys — Percy Foreman, Arthur Hanes and Hugh Stanton Sr. — to the effect that the plea of guilty

was necessary to save his life, Ray pleaded guilty," Haile said.

Haile said that Ray "was questioned at length about the voluntariness of his plea" in an hour-long hearing before Judge Preston Battle of Shelby County Criminal Court, who has since died.

"The transcript of the in-court proceedings . . . showed beyond doubt that the court exercised the utmost care in ascertaining whether or not James Earl Ray had a full understanding of what the plea connotes and of its consequences," Haile added.

Ray, who is in solitary confinement, is seeking his first bid for freedom in federal court. His conviction has previously been affirmed on direct appeal and in post-conviction proceedings by Tennessee appellate courts.

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

PAGE 25

MEMPHIS PRESS  
SCIMITAR

MEMPHIS, TENN.

Date: 12/28/72  
Edition:  
Author:  
Editor: CHARLES H.  
Title: SCHNEIDER

Character:  
or  
Classification:  
Submitting Office: MEMPHIS

Being Investigated

44-1987 Sub C 518

mp mp  
Hester

(Mount Clipping in Space Below)

**CLEANUP:** James Earl Ray, the convicted slayer of Dr. Martin Luther King, will appear today before the disciplinary committee of the Tennessee State Prison for refusing to clean up litter in front of his cell, Warden Jim Rose said. Guards found litter in front of Ray's cell Wednesday and Rose said Ray could lose some of his privileges.

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

PAGE 22

COMMERCIAL APPEAL

MEMPHIS, TENN.

Date:

1-5-73

Edition:

Author:

Editor: GORDON HANNA

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

Being Investigated

44-1987-Sub C 519

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 5 1973	
MEMPHIS	

(Mount Clipping in Space Below)

CLEANUP: ~~James Earl Ray~~, the convicted slayer of Dr. Martin Luther King, will appear today before the disciplinary committee of the Tennessee State Prison for refusing to clean up litter in front of his cell, Warden **Jim Rose** said. ~~Guards found~~ litter in front of Ray's cell Wednesday and Rose said Ray could lose some of his privileges.

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

\_\_\_ PAGE 22

\_\_\_ COMMERCIAL APPEAL

\_\_\_ MEMPHIS, TENN.

Date: 1-5-73

Edition:

Author:

Editor: GORDON HANNA

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

Being Investigated

44-1987 Sub C 519

SEARCHED	INDEXED
SERIALIZED <i>mp</i>	FILED <i>mp</i>
JAN 5 1973	
FBI — MEMPHIS	

*GA*

(Mount Clipping in Space Below)

## 'Ray Lawsuit Seeks \$300,000 From Canale, Dwyer, Author

James Earl Ray, the convicted murderer of Dr. Martin Luther King Jr., yesterday asked for \$300,000 in civil damages from Shelby County Atty. Gen. Phil M. Canale and former Asst. Atty. Gen. Robert K. Dwyer.

In a suit filed in federal court here, Ray claims the Memphians were in "collusion" in 1969 with New York author Gerold Frank and Doubleday & Co., Inc., a New York publishing firm.

He says Mr. Canale and Mr. Dwyer, now a state Court of Criminal Appeals judge, supplied Frank with confidential records relating to the slaying, and that Frank "falsely" quoted the records, incorporating them into his novel, "An American Death," published by Doubleday April 4, 1972.

In his suit, Ray accuses Frank and Doubleday with libel, claiming the novel is an "inaccurate . . . plagiarized . . . and malicious" account of Dr. King's assassination.

Ray, serving a 99-year sentence in the State Penitentiary in Nashville, apparently prepared the petition on his own, mailing it to the United States District court clerk's office here.

United States Dist. Judge Harry W. Wellford allowed Ray to file the suit on pauper's oath (without cost). Later, the case was assigned to Judge Wellford.

While he was preparing for trial in 1969, Ray claims, Mr. Canale and Mr. Dwyer, who served as his prosecutors, refused to allow him and his attorney to examine the same documents and records which they turned over to Mr. Frank.

Before the trial, Ray said, "Frank, by his implied and written account (the book) was taken into the confidence of Canale and Dwyer and thereby was either present in the state's pre-trial strategy sessions . . . or made privy to the recorded minutes of said strategy sessions of Canale or Dwyer."

Mr. Canale denied the claim yesterday. "Mr. Dwyer and I did not entertain Mr. Frank before the trial." He said Mr. Frank was not provided any documents or records "prior to disposition of the case. We might have discussed it with him (Frank) after the case was concluded."

As a result of the supposed collusion, Ray says he "has been falsely imprisoned for five years, mostly in solitary confinement."

Meanwhile, in Nashville yesterday, United States Dist. Judge L. Clure Morton denied Ray a new trial.

The judge dismissed Ray's petition for a writ of habeas corpus and said "no evidentiary hearing" was justified by the pleadings in the petition.

Ray had asked federal court to grant him a new trial because he claimed he was "coerced" into pleading guilty by his two attorneys and an author to make a book more salable.

When filing the petition for a writ of habeas corpus, Ray's new attorneys said its intent was to gain Ray a new trial.

The state contended that Ray's plea of guilty was "freely and intelligently made in accordance with the Constitutions of the State of Tennessee and the United States and the petitioner's claims for habeas corpus relief are without merit."

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

PAGE 21

COMMERCIAL APPEAL

MEMPHIS, TENN.

Date: 3-31-73  
Edition:  
Author:  
Editor: GORDON HANNA  
Title:

Character:  
or  
Classification:  
Submitting Office: MEMPHIS

 Being Investigated

44-1987 Sub C 520

mmp mmp

2

(Mount Clipping in Space Below)

# Ray Asks to Be Out of Solitary

~~NASHVILLE, Tenn.~~  
 (AP) — An attorney for James Earl Ray told a federal judge yesterday that the mental condition of the convicted slayer of Dr. Martin Luther King is deteriorating because of solitary confinement.

Ray, serving a 99-year prison term for the 1969 slaying of King, is seeking a return to the normal prison population at the Tennessee State Penitentiary here where he is being held in what prison officials call administrative segregation.

Bernard Fensterwald Jr. of Washington told Judge J. Clure Morton that Ray's

~~physical and mental condition~~ are suffering because of his confinement. He said Ray has no recreation, no contact with other prisoners, no exercise and no sunlight.

"In the last few months I find a great deal of deterioration of his mind," the attorney said. "He's not totally capable any longer of being much assistance..."

Fensterwald argued that the state is, in effect, "condemning him to 30 years of solitary confinement. Personally, I think it's kinder to put somebody to death."

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

26 PAGE

MEMPHIS PRESS  
 SCIMITAR

MEMPHIS, TENN.

Date: 6/13/73  
 Edition:  
 Author:  
 Editor: CHARLES H.  
 Title: SCHNEIDER

Character:  
 or  
 Classification:  
 Submitting Office: MEMPHIS  
 Being Investigated

44-1987 Sub C 521  
 SEARCHED INDEXED  
 SERIALIZED FILED  
 JUN 19 1973  
 FBI — MEMPHIS

(Mount Clipping in Space Below)

# Ray Asks to Be Out of Solitary

**NASHVILLE, Tenn. —**  
 (AP) — An attorney for James Earl Ray told a federal judge yesterday that the mental condition of the convicted slayer of Dr. Martin Luther King is deteriorating because of solitary confinement.

Ray, serving a 99-year prison term for the 1969 slaying of King, is seeking a return to the normal prison population at the Tennessee State Penitentiary here where he is being held in what prison officials call administrative segregation.

Bernard Fensterwald Jr. of Washington told Judge L. Clure Morton that Ray's physical and mental condition are suffering because of his confinement. He said Ray has no recreation, no contact with other prisoners, no exercise and no sunlight.

"In the last few months I find a great deal of deterioration of his mind," the attorney said. "He's not totally capable any longer of being much assistance . . ."

Fensterwald argued that the state is, in effect, "condemning him to 30 years of solitary confinement. Personally, I think it's kinder to put somebody to death."

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

26 PAGE

MEMPHIS PRESS  
 SCIMITAR

MEMPHIS, TENN.

Date: 6/13/73  
 Edition:  
 Author:  
 Editor: CHARLES H.  
 Title: SCHNEIDER

Character:  
 or  
 Classification:  
 Submitting Office: MEMPHIS

Being Investigated

44-1987 Sub C 521

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 19 1973	
FBI - MEMPHIS	

(Mount Clipping in Space Below)

# Ray Asks to Be Out of Solitary

NASHVILLE, Tenn. — (AP) — An attorney for James Earl Ray told a federal judge yesterday that the mental condition of the convicted slayer of Dr. Martin Luther King is deteriorating because of solitary confinement.

Ray, serving a 99-year prison term for the 1969 slaying of King, is seeking a return to the normal prison population at the Tennessee State Penitentiary here where he is being held in what prison officials call administrative segregation.

Bernard Fensterwald Jr. of Washington told Judge L. Clure Morton that Ray's physical and mental condition are suffering because of his confinement. He said Ray has no recreation, no contact with other prisoners, no exercise and no sunlight.

"In the last few months I find a great deal of deterioration of his mind," the attorney said. "He's not totally capable any longer of being much assistance . . ."

Fensterwald argued that the state is, in effect, "condemning him to 30 years of solitary confinement. Personally, I think it's kinder to put somebody to death."

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

6 PAGE

MEMPHIS PRESS  
SCIMITAR

MEMPHIS, TENN.

Date: 6/13/73  
Edition:  
Author:  
Editor: CHARLES H.  
Title: SCHNEIDER

Character:  
or  
Classification:  
Submitting Office: MEMPHIS

Being Investigated

44-1987 subc 522

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 20 1973	
FBI - MEMPHIS	

(Mount Clipping in Space Below)

# Ray Asks to Be Out of Solitary

NASHVILLE, Tenn. — (AP) — An attorney for James Earl Ray told a federal judge yesterday that the mental condition of the convicted slayer of Dr. Martin Luther King is deteriorating because of solitary confinement.

Ray, serving a 99-year prison term for the 1969 slaying of King, is seeking a return to the normal prison population at the Tennessee State Penitentiary here where he is being held in what prison officials call administrative segregation.

Bernard Fensterwald Jr. of Washington told Judge L. Clure Morton that Ray's physical and mental condition are suffering because of his confinement. He said Ray has no recreation, no contact with other prisoners, no exercise and no sunlight.

"In the last few months I find a great deal of deterioration of his mind," the attorney said. "He's not totally capable any longer of being much assistance . . ."

Fensterwald argued that the state is, in effect, "condemning him to 30 years of solitary confinement. Personally, I think it's kinder to put somebody to death."

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

6 PAGE

MEMPHIS PRESS  
SCIMITAR

MEMPHIS, TENN.

Date: 6/13/73  
Edition:  
Author:  
Editor: CHARLES H.  
Title: SCHNEIDER

Character:  
or  
Classification:  
Submitting Office: MEMPHIS

Being Investigated

44-1987 Sub C 522

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 20 1973	
FBI - MEMPHIS	

*[Handwritten signatures and initials over the stamp]*

(Mount Clipping in Space Below)

## **'Huie, Foreman Have Key Data, Ray Suit Says**

James Earl Ray yesterday filed a Chancery Court suit by mail, accusing attorney Percy Foreman and author William Bradford Huie of withholding correspondence important to upcoming federal court actions.

Ray, convicted slayer of Dr. Martin Luther King Jr., said in the suit, which he prepared, that Foreman and Huie are using the letters for their own financial gain.

Foreman represented Ray in 1969 when Ray pleaded guilty to the King slaying in exchange for a 99-year prison sentence. Huie's book, "He Slew the Dreamer," drew heavily on information from Ray.

In the suit Ray said that while awaiting trial all correspondence from persons other than his lawyers and family was given to Foreman.

He said Huie used many of the letters in his book without authority.

"Plaintiff needs portions of said mail for habeas corpus proceedings before the federal courts . . . , i.e. the 'legal business' segment of said mail," the suit says.

He asks that the letters be returned and that damages be awarded to "the extent (Foreman and Huie) utilized and capitalized on plaintiff's personal property . . ."

Ray asks the court to "overlook technical deficiencies in the instant complaint as the plaintiff is being arbitrarily held in solitary confinement here at the state

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

PAGE 19

COMMERCIAL APPEAL

MEMPHIS, TENN.

Date:

July 26, 1973

Edition:

Author:

Editor:

GORDON HANNA

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

 Being Investigated

44-1987 Sub C 523

mp mp  
Hester

(Mount Clipping in Space Below)

# State Fights Bringing Ray To Memphis

By **KAY PITTMAN BLACK**  
Press-Scimitar Staff Writer

Lawyers from the Tennessee Attorney General's office today were fighting an order issued by Federal Judge Harry Wellford that state prison officials return James Earl Ray, the convicted murderer of Dr. Martin Luther King Jr., to Memphis.

Judge Wellford has ordered that Ray be delivered to his courtroom at 2:30 p.m. Friday, Aug. 17, from his solitary confinement cell at the state prison in Nashville. On that date, Judge Wellford plans to hear arguments on the state's motions to dismiss Atty. Gen. Phil M. Canale and former Asst. Atty. Gen. Robert K. Dwyer as defendants in a Federal Court damage suit filed by Ray. Dwyer is now a state Court of Criminals Appeals judge.

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

— PAGE 2/  
— MEMPHIS PRESS  
— SCIMITAR  
— MEMPHIS, TENN.

Date: **JULY 30, 1973**  
Edition:  
Author: **CHARLES H.**  
Editor: **SCHNEIDER**  
Title:

Character:  
or  
Classification:  
Submitting Office: **MEMPHIS**  
 Being Investigated

44-1987 Sub C 524  
my my  
Hester [Signature]

**Asst. Atty. Gen. Bart Durham** of Nashville filed a written argument today, contending that Ray's "rights" at the hearing can be handled by his lawyer, Richard Ryan, and that because of security required at any of Ray's appearances, Ray would be "best" left in his Nashville cell and absent from the hearing.

In the suit, Ray claimed that Canale and Dwyer were in "collusion" in 1969 with New York author Gerold Frank and Doubleday & Co., Inc., a New York publishing firm, and that they supplied Frank with confidential records relating to the slaying. Ray said that Frank "falsely" quoted the records, incorporating them into his novel, "An American Death," published by Doubleday April 4, 1972. In the suit, Ray accuses Frank and Doubleday with libel, claiming the novel is an "inaccurate . . . plagiarized . . . and malicious" account of Dr. King's assassination.

**Durham, in a legal document** filed with Judge Wellford today, states, "The people who have written books on the murder of Dr. King have been practically unanimous in concluding that Mr. Ray committed the murder so that he might wallow in his notoriety."

Durham says that bringing Ray "from the prison in Nashville to the courtroom with the security measures required and the attendant publicity should be effected only in circumstances where it is necessary to protect Mr. Ray's right . . ." He said only matters of law will be argued and that Ray's presence will "not be required" at such a hearing.

In ordering that the state and U.S. Marshals deliver Ray, Judge Wellford noted that Ray's "testimony" would be "necessary" at the hearing. He is expected to rule soon on the state argument.

(Mount Clipping in Space Below)

# Ray's Court Visit Is Canceled

Federal Judge Harry Wellford, heeding a plea by the state Attorney General's office, ruled today that James Earl Ray does not have to be brought to Memphis for a hearing on Aug. 17.

Wellford previously ordered state penitentiary officials in Nashville to deliver Ray, the convicted murderer of Dr. Martin Luther King Jr., to his courtroom for a 2:30 p.m. hearing.

The hearing is to consider the state's motion to dismiss Shelby County Atty. Gen. Phil M. Canale and former Asst. Atty. Gen. Robert K. Dwyer as defendants in a civil suit filed by Ray last March.

Asst. State Atty. Gen. Bart Durham of Nashville filed a written argument with Judge Wellford stating that Ray, "for security reasons," should not be moved from his solitary confinement cell at the Nashville penitentiary and brought to Memphis for the hearing.

Judge Wellford ruled today that Ray's appearance would not be needed "since it does appear that the matters to be heard . . . are primarily legal matters and that it would not be necessary under the circumstances for James E. Ray to be present in the courtroom with further notoriety and expense."

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

PAGE 10

MEMPHIS PRESS  
SCIMITAR

MEMPHIS, TENN.

Date: July 31, 1973

Edition:

Author:

Editor: CHARLES H.

Title: SCHNEIDER

Character:

or

Classification:

Submitting Office: MEMPHIS

 Being Investigated

44-1987-Sub-C-525

SEARCHED	INDEXED
SERIALIZED	FILED
AUG 2 1973	
FBI - MEMPHIS	

Hester

(Mount Clipping in Space Below)

## Judge Delays Ray Lawsuit

A hearing was postponed today which was to determine whether two defendants should be removed from a federal libel suit filed by James Earl Ray, convicted killer of Dr. Martin Luther King Jr.

Federal Judge Harry Wellford continued the case to "sometime in September" when Ray's attorney, Richard Ryan, told him he was not prepared, primarily due to illness in his family.

State attorneys are seeking to have Shelby County Atty. Gen. Phil M. Canale and former Asst. Atty. Gen. Robert K. Dwyer dismissed as defendants in the civil case. Dwyer is now a state Court of Criminal Appeals judge.

The suit also names as defendants Gerold Frank, author of "An American Death," and Doubleday & Co., Inc., of New York, which last year published the book dealing with the assassination of Dr. Martin Luther King.

Ray is expected to be brought by state prison officials to Memphis to be present during portions of the arguments of the suit which charges that Canale and Dwyer supplied Frank with confidential records which Frank, in turn, "falsely" quoted in his book.

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

PAGE 13

MEMPHIS PRESS  
SCIMITAR

MEMPHIS, TENN.

Date: August 14, 1973

Edition:

Author: CHARLES H.

Editor: SCHNEIDER

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

 Being Investigated

44-1987 sub C 526

mp mp

Hester

AK

(Mount Clipping in Space Below)

## Hearing Delayed On Ray Libel Suit

U.S. Dist. Judge Harry Wellford yesterday postponed a preliminary hearing which had been scheduled for Friday in a libel suit filed by James Earl Ray.

The delay was at the request of Ray's attorney, Richard Ryan, who said he is not prepared for the hearing, partly because of illness in his family.

Wellford said he will reset the hearing for "sometime in September." The proceedings will consider the state's motion to dismiss Shelby County Atty. Gen. Phil M. Canale and former Asst. Atty. Gen. Robert K. Dwyer as defendants in the civil suit. Ray filed the suit March 30, asking \$30,000 in damages from Doubleday & Co., Inc., of New York and author Gerold Frank, claiming they libeled him in the book "An American Death," published by Doubleday April 4, 1972.

Ryan claims Canale and Dwyer (now a state Court of Criminal Appeals Judge) supplied Frank with confidential records of the slaying and that Frank "falsely" quoted from the records.

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

PAGE 29

COMMERCIAL APPEAL

MEMPHIS, TENN.

Date: August 15, 1973  
Edition:  
Author:  
Editor: GORDON HANNA  
Title:

Character:  
or 44-1987 sub C 527  
Classification:  
Submitting Office: MEMPHIS  
 Being Investigated

*Handwritten notes:*  
J. Hester  
GHT

(Mount Clipping in Space Below)

## Ray Libel Case Set for Nov. 2

Federal Judge Harry Wellford has set a 2 p.m. Friday, Nov. 2, date for a preliminary hearing in a libel suit filed by James Earl Ray.

The hearing had been scheduled originally for Aug. 17 but was postponed at the request of Ray's attorney, Richard Ryan, who said he was not prepared for the hearing.

The November proceedings will consider the state's motion to dismiss Shelby County Atty. Gen. Phil M. Canale and former Asst. Atty. Gen. Robert K. Dwyer as defendants in the civil suit. Ray filed the suit

March 30, asking damages from Doubleday & Co. Inc., of New York and author Gerold Frank, claiming they libeled him in the book "An American Death."

Ryan claims Canale and Dwyer (now a state Court of Criminal Appeals Judge) supplied Frank with confidential records of the slaying and that Frank "falsely" quoted from the records.

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

PAGE 31

MEMPHIS PRESS  
SCIMITAR

MEMPHIS, TENN.

Date: 10-3-73

Edition:

Author: CHARLES H.

Editor: SCHNEIDER

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

Being Investigated

44-1987-Sub C 528

SEARCHED INDEXED  
SERIALIZED FILED  
OCT 9 1973  
FBI - MEMPHIS  
Hester

(Mount Clipping in Space Below)

## Ray Libel Case Set for Nov. 2

Federal Judge Harry Wellford has set a 2 p.m. Friday, Nov. 2, date for a preliminary hearing in a libel suit filed by James Earl Ray.

The hearing had been scheduled originally for Aug. 17 but was postponed at the request of Ray's attorney, Richard Ryan, who said he was not prepared for the hearing.

The November proceedings will consider the state's motion to dismiss Shelby County Atty. Gen. Phil M. Canale and former Asst. Atty. Gen. Robert K. Dwyer as defendants in the civil suit. Ray filed the suit March 30, asking damages

from Doubleday & Co. Inc., of New York and author Gerold Frank, claiming they libeled him in the book "An American Death."

Ryan claims Canale and Dwyer (now a state Court of Criminal Appeals Judge) supplied Frank with confidential records of the slaying and that Frank "falsely" quoted from the records.

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

PAGE 31

MEMPHIS PRESS  
SCIMITAR

MEMPHIS, TENN.

Date:

10-3-73

Edition:

Author:

CHARLES H.

Editor:

SCHEIDER

Title:

Character:

or

Classification:

Submitting Office:

MEMPHIS

Being Investigated

SEARCHED	INDEXED
SERIALIZED	FILED
OCT 10 1973	
FBI - MEMPHIS	

44-1987 Sub C 529

(Mount Clipping in Space Below)

## Court To Study Appeal By Ray

The U. S. Sixth Circuit Court of Appeals in Cincinnati yesterday took under advisement arguments on James Earl Ray's appeal of a district court decision denying his writ of habeas corpus.

Ray pleaded guilty in 1969 to the 1968 murder of civil rights leader Dr. Martin Luther King Jr., but has since renounced the guilty plea. He is serving a 99-year sentence in the State Penitentiary in Nashville.

His attorney, Bernard Fensterwald Jr., told the Cincinnati judges that Ray was "brownbeaten and bribed . . . and deprived of effective counsel all the way down the line." Therefore, he said, Ray is entitled to an evidentiary hearing, reopening the case.

U. S. Dist. Judge L. Clure Morton of Nashville denied Ray's writ of habeas corpus last March, refusing his request for the hearing.

Asst. State Atty. Gen. Henry Haile argued the case "is conclusive on the issue of Ray's voluntary admission of guilt."

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

PAGE 34

COMMERCIAL APPEAL

MEMPHIS, TENN.

Date: 10-10-73  
 Edition:  
 Author:  
 Editor: GORDON HANNA  
 Title:

Character:  
 or  
 Classification:  
 Submitting Office: MEMPHIS  
 Being Investigated

44-1987 Sub C  
 SEARCHED INDEXED  
 SERIALIZED FILED  
 OCT 11 1973  
 FBI - MEMPHIS

530

(Mount Clipping in Space Below)

# James Earl Ray Makes Appeal

CINCINNATI. — (UPI) — The appeal of James Earl Ray, convicted killer of Martin Luther King, came before the 6th U.S. Circuit Court of appeals today. Ray wants to change his plea of guilty to innocent and ask for a new trial.

He pleaded guilty March 1, 1969, to the sniper slaying of the civil right leader in

Memphis on April 4, 1968, and was sentenced to 99 years in the Tennessee State Prison at Nashville.

Ray's attorney, Bernard Fensterwald Jr. said he would ask the court to allow his client to go before the court in person and change his plea.

"Ray said his guilty plea was coerced," Fensterwald said. "He was held in solitary confinement for eleven months before he made the plea."

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

PAGE 2

MEMPHIS PRESS  
SCIMITAR

MEMPHIS, TENN.

Date:

Edition:

Author: CHARLES H.

Editor: SCHNEIDER

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

Being Investigated

44-1987 sub C  
531

SEARCHED	INDEXED
SERIALIZED	FILED
APR 11 1973	
FBI - MEMPHIS	

*[Handwritten signatures and initials over stamp]*

(Mount Clipping in Space Below)

## King Reward Ruling Asked By Claimant

A motion has been filed in Chancery Court supporting Charles Quitman Stephens' claim to the \$190,000 reward posted during the investigation of the death of Dr. Martin Luther King Jr.

The motion for summary judgment, filed by Harvey Gipson, Stephens' attorney, states that the attorney general's office indicated Stephens' importance during the investigation by jailing him as a material witness.

Stephens, 51, has asked Chancery Court to award him the rewards posted by the 1968 City Council, State of Tennessee, Memphis Publishing Co., Scripps-Howard, The National Alliance of Postal Employees, Memphis Area Chamber of Commerce, Downtown Association, Future Memphis and Council member Gwen Awsumb.

The motion states that Stephens was jailed July 22, 1968, after Atty. Gen. Phil Canale Jr. filed an affidavit in Criminal Court stating that Stephens "was residing and present on the date, at the time, at the scene of the alleged crime."

The motion said Canale added that Stephens' testimony "could be testified to by no one else."

Stephens' suit was filed in 1969, and claims he is due the money because he identified photographs of James Earl Ray, who pleaded guilty in the King death. Stephens was a tenant at the rooming house where the fatal shots were fired April 4, 1968.

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

PAGE 34

MEMPHIS PRESS  
SCIMITAR

MEMPHIS, TENN.

Date: OCT 17 1968  
Edition:  
Author: CHARLES H.  
Editor: SCHNEIDER  
Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

 Being Investigated

44-1987 Sub C 532

mp mp  
Vester

(Mount Clipping in Space Below)

# Talks Set On Ray Shift

By WILLIAM BENNETT

From The Commercial Appeal  
Nashville Bureau

NASHVILLE, Dec. 21. — Corrections Commissioner Mark Luttrell will meet with State Atty. Gen. David Pack soon after Christmas to discuss the legality of transferring James Earl Ray from the state penitentiary here to the federal prison system.

Although Luttrell said Friday the proposed transfer of the convicted slayer of Dr. Martin Luther King Jr. is "kind of in the talking stage," federal officials evidently have agreed tentatively to the move and it also has Gov. Winfield Dunn's endorsement.

The reason for the meeting with Pack is to make sure a transfer against his will would not violate any of Ray's constitutional rights.

"We anticipate Ray will object to it (the transfer)," Luttrell said.

These main points in favor of a transfer were listed by the commissioner:

- There are fears Ray either would escape or be killed if he is turned into the general prison population.

- It would not be proper to keep Ray in relative isolation in the maximum security building, without

access to rehabilitation and vocational programs.

Luttrell said that, as a security measure, Ray was not permitted to take his exercise periods with other inmates and two or three months ago he refused to take any more exercise.

"It's bound to deteriorate him," the commissioner noted, for Ray to do nothing but lie in his bunk or watch television 24 hours a day.

Luttrell called Ray "an extreme security risk," pointing out he tried to escape from prison in Missouri and was an escapee when King was shot in Memphis in April, 1968. Also, Ray tried to escape twice while he was at Brushy Mountain Prison in East Tennessee.

Ray, along with about 400 other inmates, was transferred to the main prison here when Brushy Mountain was closed in July, 1972, because of labor difficulties with the guards.

Luttrell said it is believed that if Ray were allowed to mingle with other prisoners, someone may "pay a black man to kill him."

The official said even though Ray is serving a 99-year sentence for murder, training programs should be available to him as well as

other inmates and noted such services could be provided in a federal installation.

Luttrell was emphatic in his belief Ray would flee if he were removed from maximum security.

"We're confident that in the Nashville unit, he will escape," the commissioner said. He added he would favor Ray's transfer to federal prison "if he were a relative or loved one of mine."

Luttrell said the tentative plan is to send Ray to the Federal Bureau of Prisons' hospital unit at Springfield, Mo., for a series of tests and later move him to one of the bureau's maximum-security facilities.

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

— PAGE 3

— COMMERCIAL APPEAL

— MEMPHIS, TENN.

Date: DEC. 22, 1973  
Edition:  
Author:  
Editor: GORDAN HANNA  
Title:

Character:  
or  
Classification:  
Submitting Office: MEMPHIS

 Being Investigated

44-1987 Sub C 533  
SEARCHED INDEXED  
SERIALIZED FILED  
JAN 2 1974  
FBI — MEMPHIS

Hester

(Mount Clipping in Space Below)

# New Suit Is Filed By James Earl Ray

NASHVILLE, Tenn. — (UPI) — James Earl Ray, convicted assassin of Dr. Martin Luther King Jr., today filed a \$500,000 suit against the state of Tennessee seeking his release from prison on the grounds crucial evidence in his case was mishandled by attorneys.

In a suit drafted in his solitary confinement cell, Ray charged he gave two telephone numbers to his former attorney, Percy Foreman, who in turn gave them to the late Z. T. Osborne, another of Ray's attorneys who was later disbarred.

Ray, serving 99 years in the state prison on his conviction in the 1968 slaying of the civil rights leader, said one of the phone numbers belonged to a man who among other things, was an agent of a Middle East-oriented organization. He said the organization was distressed because of King's plan to possibly offer support of "the Palestinian Arab cause."

Ray alleged the other phone number was traced to a New Orleans Parish county official who was "under the influence" of a Teamsters Union official.

Ray's writ drew special attention since a local tele-

vision station, WSM-TV, had said it had learned from "highly placed" sources that Ray would contend there were several other persons involved in the conspiracy to kill King.

Ray is seeking \$500,000 in punitive damages for what he claims is his illegal imprisonment for a crime he says he did not commit.

WSM-TV also reported that Ray "is reported to have dismissed his latest attorney, Washington lawyer Bernard Fensterwald, and is apparently representing himself."

"As far as I know, I have not been fired and certainly I will not abandon Ray," Fensterwald said in a statement issued from his Washington office.

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

PAGE 17

MEMPHIS PRESS  
SCIMITAR

MEMPHIS, TENN.

Date: Dec. 27, 1973

Edition:

Author: CHARLES H.

Editor: SCHNEIDER

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

Being Investigated

44-1987 sub C-534  
mp gnr

Hester

(Mount Clipping in Space Below)

# Protesting Ray To Be Moved To Federal Unit For Security

From Our Press Services

James Earl Ray, convicted of assassinating the Rev. Dr. Martin Luther King Jr., is being transferred from a state to a federal prison for "security reasons," the Justice Department said yesterday in Washington.

Meanwhile, Ray filed a \$500,000 damage suit in U.S. District Court in Nashville, claiming he is imprisoned falsely under oppressive conditions for a crime he didn't commit.

In a separate document, Ray also seeks a temporary restraining order to prevent the state from transferring him to the federal prison system.

Ray, convicted of shooting the civil rights leader with a rifle in Memphis April 4, 1968, will be imprisoned in one of the six federal maximum-security prisons under an agreement with the State of Tennessee, the Justice Department said.

Neither state nor federal officials would explain why he was not considered to be safe in the Tennessee maximum security prison at Nashville where he has been serving a 99-year term since pleading guilty in 1969 to the killing.

The Justice Department would not say to which federal prison it will transfer Ray. The federal government has maximum-security prisons at Atlanta, Leavenworth, Kan., Lewisburg, Pa., Marion, Ill., McNeil Island, Wash., and Terre Haute, Ind.

The Justice Department said Ray would be taken from Nashville to the federal medical center at Springfield, Mo., for physical and psychological testing before being sent to one of these prisons.

In his suit, Ray seeks \$500,000 in punitive damages from the State of Tennessee. He maintains the state has made "fraudulent representations" in court for the purpose of prolonging his imprisonment, acted to deprive him of his constitutional rights and attempted to impair his health.

Ray also accuses one of his former lawyers, Percy Foreman of Houston, of either failing to investigate information given him by Ray, investigating and suppressing the results, furnishing the data to the prosecution and a legal associate, or making the information available to writers William Bradford Huie and Gerold Frank.

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

— PAGE 21

— COMMERCIAL APPEAL

— MEMPHIS, TENN.

Date: DEC. 28, 1973

Edition:

Author:

Editor: GORDAN HANNA

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

 Being Investigated44-1987 sub C 535  
my pth

Hester JH

Among the information Ray said he gave Foreman before he pleaded guilty were two phone numbers in the Baton Rouge and New Orleans areas.

Though the complaint at times is not clear and contains numerous misspellings and typographical errors, Ray apparently contends Foreman gave the telephone numbers to the late Z. T. Osborn Jr. of Nashville to have them investigated.

"Mr. Osborn," Ray said in the complaint, "reported the resident listed under the Baton Rouge phone number was a parish (sic) official under the influence of a Teamsters Union official in the Baton Rouge area; that the resident listed under the New Orleans area was — among other things — an agent of a Mideast-oriented organization distressed because Dr. Martin Luther King's reported forthcoming, before his death, public support of the Palestine Arab cause."

Osborn was convicted of attempted jury tampering while he was an attorney for former Teamsters' president James R. Hoffa. He was sentenced to prison and later killed himself.

Ray names as defendants in the lawsuit state Corrections Commissioner Mark Luttrell, state Penitentiary Warden James H. Rose, Deputy Warden Robert V. Morford, state Atty. Gen. David Pack and one of Pack's assistants, W. Henry Hoile.

A Nashville television station had reported earlier Ray had written a document implicating a number of persons in a conspiracy to kill King. However, court spokesmen said they had received no such document and it was not included in Ray's lawsuit.

In the petition for a temporary restraining order, Ray seeks to halt state officials' plans to transfer him to the federal prison system.

He contends, among other things, that he received a back injury about a month ago that prevents him from standing or sitting more than 10 minutes at a time and said he could not be transferred any appreciable distance without risking irreparable physical harm.

Ray complains in the suit that conditions in the Shelby County Jail, where he was held more than six months after his extradition from London in July, 1968, gave him chronic headaches and nosebleeds.



James Earl Ray

(Mount Clipping in Space Below)

## 3 Are Dismissed From Ray's Suit

U.S. Dist. Judge Harry W. Wellford yesterday dismissed Memphians Phil M. Canale and Robert K. Dwyer and New York author Gerold Frank as defendants in a civil damage suit filed in March by James Earl Ray.

The judge also dismissed two claims by Ray against Frank's New York publisher, Doubleday & Co., Inc. But, he deferred ruling on Ray's claim that Doubleday "fraudulently" acquired either his personal property or evidence that might have been helpful to his legal defense in the slaying of Dr. Martin Luther King Jr.

Wellford said the third claim "is not specific enough," and gave Ray 30 days to amend or supplement his complaint, stating precisely what property or evidence the firm may have acquired.

Ray filed the damage suit in his own behalf March 31. He claimed Canale (the Shelby County attorney general) and Dwyer, one of Canale's former assistants, supplied Frank with confidential records relating to the slaying and that Frank "falsely quoted" the records in writing "An American Death," published by Doubleday April 4, 1972.

Ray had claimed Doubleday violated his right to privacy and was in collusion with the other defendants to deny him due process of law. Wellford said he has no jurisdiction to rule on the collusion claim, since such claims require "as a predicate" that the defendant acted under the authority of the state.

And, he said Ray cannot legally claim that his privacy was violated, since he was a "clearly newsworthy" figure, and Doubleday was exercising its First Amendment right to relate "the elements of a startling news event which shocked the public and virtually commanded its attention."

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

— PAGE 19

— COMMERCIAL APPEAL

— MEMPHIS, TENN.

Date: DEC. 29, 1973.

Edition:

Author:

Editor: GORDAN HANNA

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

 Being Investigated44-1987-Sub C 536  
JMB JMB

72

(Mount Clipping in Space Below)

## 3 Are Dismissed From Ray's Suit

U.S. Dist. Judge Harry W. Wellford yesterday dismissed Memphians Phil M. Canale and Robert K. Dwyer and New York author Gerold Frank as defendants in a civil damage suit filed in March by James Earl Ray.

The judge also dismissed two claims by Ray against Frank's New York publisher, Doubleday & Co., Inc. But, he deferred ruling on Ray's claim that Doubleday "fraudulently" acquired either his personal property or evidence that might have been helpful to his legal defense in the slaying of Dr. Martin Luther King Jr.

Wellford said the third claim "is not specific enough," and gave Ray 30 days to amend or supplement his complaint, stating precisely what property or evidence the firm may have acquired.

Ray filed the damage suit in his own behalf March 31. He claimed Canale (the Shelby County attorney general) and Dwyer, one of Canale's former assistants, supplied Frank with confidential records relating to the slaying and that Frank "falsely quoted" the records in writing "An American Death," published by Doubleday April 4, 1972.

Ray had claimed Doubleday violated his right to privacy and was in collusion with the other defendants to deny him due process of law. Wellford said he has no jurisdiction to rule on the collusion claim, since such claims require "as a predicate" that the defendant acted under the authority of the state.

And, he said Ray cannot legally claim that his privacy was violated, since he was a "clearly newsworthy" figure, and Doubleday was exercising its First Amendment right to relate "the elements of a startling news event which shocked the public and virtually commanded its attention."

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

— PAGE 19

— COMMERCIAL APPEAL

— MEMPHIS, TENN.

Date: DEC. 29, 1973

Edition:

Author:

Editor: GORDAN HANNA

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

 Being Investigated44-1987 Sub C 530  
JTB JTB

JTB

(Mount Clipping in Space Below)

# Judge Refuses To Halt Ray's Shift

NASHVILLE, Jan. 2.— (UPI)—U.S. Dist. Judge L. Clure Morton Wednesday denied convicted assassin James Earl Ray's petition for a temporary restraining order that would have blocked his transfer from the state prison here to a federal penitentiary.

State corrections officials said they have not set a date for Ray's transfer and are awaiting an opinion by the state attorney general's office regarding the procedures they should follow.

Morton ruled that he did not have the authority to interfere with the state penal system and that Ray's petition failed to make factual allegations concerning the transfer.

Ray, convicted slayer of Martin Luther King Jr. serv-

ing a 99-year term at the state prison, claimed in his petition that the transfer to a federal institution would affect his health. He also expressed fears that he would be placed in a hospital that he said was little more than an asylum.

Morton said he could not lawfully restrain state officials from transferring Ray.

State Corrections Commissioner Mark Luttrell announced last month he had contacted the U.S. Bureau of Prisons about the transfer. Federal officials have since said they approved the plan.

At the same time Ray filed his petition for the temporary restraining order, he filed a \$500,000 damage suit against state officials for what he called illegal imprisonment for a crime "he did not commit."

Morton has not acted on the suit.

Federal officials said that when Ray is transferred into the U.S. prison system, he will undergo routine testing at a medical facility in Missouri before being assigned to a prison.

The information director for the corrections department, Stewart Judkins, said last month that Luttrell asked for the transfer to allow Ray to lead a more normal prison life.

Ray is confined to "administrative segregation"—which is like solitary confinement. Judkins said there had been no specific threats against Ray, but added that there was always the possibility of his being harmed by other inmates because of the nature of his crime.

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

PAGE 3

COMMERCIAL APPEAL

MEMPHIS, TENN.

Date: JAN 3, 1974

Edition:

Author:

Editor: GORDAN HANNA

Title:

Character:

or

Classification:

Submitting Office: MEMPHIS

Being Investigated

44-1987 Sub C 537

*mp mp*

*rw*

(Mount Clipping in Space Below)

# Ray's Transfer Is Postponed

NASHVILLE, Jan. 3. — (UPI) — ~~State~~ Atty. Gen. David Pack said Thursday James Earl Ray, confessed slayer of Martin Luther King Jr., will be retained in Tennessee until all pending suits are resolved.

Ray failed Wednesday in his bid to block his transfer from the state prison here to a federal penitentiary. U.S. Dist. Judge L. Clure Morton denied Ray's petition for a temporary restraining order blocking the move.

Pack said it was his understanding that the Tennessee General Assembly would have to approve specific legislation regarding the transfer of prisoners before Ray could be moved.

Ray, who has filed a number of legal actions since he began serving his 99-year sentence, currently has an appeal for a new trial before the U. S. Sixth Circuit Court of Appeals in Cincinnati, and only last week filed a \$500,000 damage suit against state officials, claiming false imprisonment for a crime "he didn't commit."

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

— PAGE 3  
 — COMMERCIAL APPEAL  
 — MEMPHIS, TENN.

Date: JAN. 4, 1974  
 Edition:  
 Author:  
 Editor: GORDAN HANNA  
 Title:

Character:  
 or  
 Classification:  
 Submitting Office: MEMPHIS  
 Being Investigated

44-1987 Sub C 538

*[Handwritten signature]*

92