

(Mount Clipping in Space Below)

Judge in Ray Trial Puts Lid on Publicity

MEMPHIS (AP) — The cloak of secrecy around James Earl Ray was but-
toned tighter Tuesday under a new court order forbidding lawyers and other court officers from making virtually any comments in the case.

The order handed down by Judge W. Preston Battle forbids those connected with the case—regardless of how remotely—from granting interviews or holding press conferences.

It enjoined them from making any out-of-court comments on a specific list of subjects or "any and all other statements which may be prejudicial to a fair trial by an impartial jury in this case."

Specifically ruled out were any comments on legal strategy.

Battle, who will preside over Ray's trial for the murder of Dr. Martin Luther King, acted after a committee of eight lawyers reported it found "probable cause" to believe his previous no-publicity edict had been violated.

The committee's report said these probable violations were contained in statements made by U.S. Atty. Gen. Ramsey Clark; Sheriff William N. Morris Jr.; Arthur J. Hanes Jr. of Birmingham, Ray's attorney, and Memphis lawyer Russell X. Thompson.

Battle's order said disposition of the alleged violations—apparently meaning possible contempt-of-court citations—would be reserved until later "in the interest of preserving the constitutional rights of all concerned and protecting the orderly preparation and progress of the trial."

Battle had named the committee of lawyers on Sunday, one day after Hanes in an airport press conference here had charged that Ray's rights were being violated by the tight security precautions at the county jail.

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

I-25 Los Angeles Times
Los Angeles, Calif.

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Editor: Nick B. Williams
Title: MURKIN

Character:
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Submitting Office: LOS Angeles

Being Investigated

*cc to Bee
7/31/68*

*44-1574-B-173
1
Hanes*

(Mount Clipping in Space Below)

Judge Tightens Silence Around James Earl Ray

MEMPHIS, Tenn. (AP) — The cloak of secrecy around James Earl Ray has been buttoned even tighter under a new court order forbidding attorneys and other court officers from making virtually any comments in the case.

The order handed down by Judge W. Preston Battle forbids those connected with the case—regardless of how remotely—from granting interviews or holding press conferences.

It enjoined them from making any out-of-court comments on a specific list of subjects or "any and all other statements which may be prejudicial to a fair trial by an impartial jury in this case.

Specifically ruled out were any comments on legal strategy.

Battle, the judge who will preside over Ray's trial for murder in the slaying of Dr. Martin Luther King Jr., acted after a

committee of eight attorneys reported it found "probable cause" to believe his previous no-publicity edict had been violated.

The committee's report said these probable violations arose from statements made by U.S. Atty. Gen. Rasey Clark; Sheriff William N. Morris Jr.; Arthur J. Hanes of Birmingham, Ray's attorney, and Memphis attorney Russell X. Thompson.

Battle had named the committee of attorneys on Sunday, one day after Hanes in an airport press conference here had charged that Ray's rights were being violated by the tight security precautions at the county jail.

Hanes also said King was slain here April 4 as part of a "Communist left-wing conspiracy" and that Ray was a victim of the same plot.

Ray's trial is set for Nov. 12.

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

A-12 Herald-Examiner
Los Angeles, Calif.

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Edition: 8 Star
Author:
Editor: Donald Goodenow
Title: MURKIN

Character:
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Classification: LA 44-1574
Submitting Office: LOS Angeles
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*cc to [unclear]
8/1/68*

*44-1574-B-1174
1
[unclear]*

(Mount Clipping in Space Below)

PAUL COATES

Eric Galt's Trail--and Some Puzzling Angles

Come with me along a winding trail that, unfortunately, ends in the curve of a question mark.

When Dr. Martin Luther King was assassinated, I was in Puerto Vallarta, Mex., where I have many compadres. Among them are Mexican artist Manuel Lepe, his wife, Laura, and her sister, Susana Quieroz, who manages the Hotel Tropicana.

On the day I was leaving, we had a farewell luncheon and, naturally, our conversation dealt with the tragedy in Memphis and with the rumor, then current, that the killer had fled to the nearby town of Mazatlan—a rumor fed by the sudden appearance of a Mexican Coast Guard cutter that anchored in the bay and whose sailors, armed with rifles, were patrolling the beaches.

Hotel "Tropicana"
Puerto Vallarta, Jalisco, Mexico.

NOMBRE COMPLETO Eric Galt
 FULL NAME
 PROFESION Editor de publicacion
 PROFESSION
 DOMICILIO 2608 Highland Ave
 ADDRESS
 CIUDAD Birmingham ESTADO Alabama
 CITY STATE
 PAIS US
 COUNTRY
 FECHA ENTRADA Nov. 7 FECHA SALIDA Nov. 13
Eric Galt 13
 SIGNATURE (FIRMA)

Oct 27 1968

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

II-6 Los Angeles Times
Los Angeles, Calif.

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 Editor: Nick B. Williams
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Character:
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 Classification: LA 44-1574
 Submitting Office: Los Angeles

Being Investigated

44-1574-B-175

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OCT 10 1968	
FBI - LOS ANGELES	

I recall somebody's saying, "Puerto Vallarta is the least likely place for a wanted man to hide out in Mexico. The American colony here is very clannish. They'd notice a stranger immediately and find out all about him."

That theory seems ironical now. You see, Eric Galt was in Puerto Vallarta.

I learned recently that some three weeks after I left, a couple of FBI agents visited the town. At the Rio Hotel, they showed a sketch of the wanted man and asked if he had stayed there. The manager remem-

bered the man and volunteered the information that he had been a guest in the hotel.

He gave the agents a registration card, signed "Eric S. Galt."

Then, the FBI men went to the Tropicana Hotel and asked Susana if she would look through her records and find Galt's registration. They said they knew he had stayed there. She checked and confirmed that he had. Only, this time, he had registered as "Eric Galt" with no middle initial.

I obtained duplicates of the registration slips from both hotels. They show that the man representing himself as Galt had checked into the Rio on Oct. 19, 1967, and later moved to the Tropicana, where he stayed until Nov. 13.

He claimed U.S. nationality and had listed his residence as: 2608 Highland Avenue, Birmingham, Ala. This, as we now know, is the address of the boarding-house where James Earl Ray, alias Galt, had rented a room until early October last year.

Employees of both hotels have vague recollections of the man, whom they describe as "quiet," but they distinctly remember his car — a 1966 white Mustang.

Now, I find myself asking a lot of puzzling questions.

• Why did Ray-Galt, the man accused of plotting Martin Luther King's murder, leave Birmingham and go to Mexico six months before Memphis?

• And why did an escaped convict on the lam drive a white Mustang, a car that might have attracted attention in Puerto Vallarta? Was it just bungling, or part of a carefully planned conspiracy?

• Was this really Ray-Galt, or some other man acting as a decoy?

The answers, of necessity, would just be conjecture. But, in Friday's column, I'll explore them.

(Mount Clipping in Space Below)

PAUL COATES

Eric Galt's Trail: Was He in Birmingham or Mexico?

Let me trace the story of the man known as Eric Starvo Galt.

He was "born" during the summer of 1967, at the age of 36, when James Earl Ray, an escaped convict, apparently began to use that alias. On Aug. 26, Galt rented a room in a boarding-house at 2608 Highland Ave., Birmingham, Ala.

On Aug. 30, a 1966 white Mustang was purchased from a Birmingham resident, William Paisley, and registered in Galt's name. It is reported that the buyer paid cash for it. Then Galt applied for an Alabama driver's license, which was issued on Sept. 6. It listed his age as 36 and described him as: "5 feet-11, 175 lbs., brown hair, blue eyes."

★

He stayed at the boarding-house for about six weeks. His room was on the ground floor and he parked his car on the street. And, according to the landlord, Peter Cherpes, he ate all his meals at the house, "excepting the last week, when he ate out. I don't know where." Cherpes also said that Galt never had any callers or telephone calls during his stay, and that he paid his weekly bill in cash and on time.

On Oct. 7, 1967, he checked out, saying that he was going to Mobile to find a job. For the next two months, he seems to have disappeared. None of the newspaper stories covers his exact whereabouts until mid-December, when he turned up in Long Beach, California.

But now, part of that gap is filled. As reported in Wednesday's column, I have duplicate registration slips from two hotels in Puerto Vallarta, Mexico. They indicate that Eric Galt, or a man using that name, who listed the Highland Ave. address,

was in this resort town from Oct. 19 through Nov. 13, 1967. And residents of Puerto Vallarta remember a white Mustang seen in town during the same time.

But what was going on in Birmingham while Eric Galt was "vacationing" in Mexico?

You will remember that on Oct. 30, Dr. Martin Luther King returned to that Alabama city to serve a five-day jail sentence and was taken to the jail at suburban Bessemer, a city described as a Ku Klux Klan stronghold. On Nov. 1, he was secretly moved at night to the downtown Birmingham jail. At the time, Bessemer's chief warden said: "... there's no doubt about it—the Birmingham jail is safer."

Safer from what?

Mel Bailey, sheriff of Birmingham's Jefferson County, recalls that he threw a tight security net around Dr. King during those five days. Bailey believes that a conspiracy existed to murder the civil rights leader and has said that the killing probably was planned in Birmingham. Bailey also said that there was evidence that Galt was in Birmingham at the same time as Dr. King last October and November.

★

If the Sheriff was right, if Galt was indeed in Birmingham, then who was the man who registered in two Puerto Vallarta hotels as Eric Galt? And what about the white Mustang? Was this the same car that was bought by Galt in Birmingham, seen in Memphis at the time of the assassination and, eventually, found abandoned in Atlanta?

These questions must be answered. Until they are, we will not know if Martin Luther King's murder was the work of one man or the result of a conspiracy.

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

II-6 Los Angeles
Times
Los Angeles, Calif.

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Author: Paul Coates
Editor: Nick B. William
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Character:

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 Being Investigated

cc to Baw
8/9/68

44-1574-B-176

(Mount Clipping in Space Below)

Judge Battle has ordered all parties to the case not to release to the public extrajudicial information about the case. There have been reports here that these guidelines may be violated to permit further transfer of information among Ray, Hanes and Huie.

But Huie said he was prepared to defend in court, if necessary, Ray's right to talk to whom he pleases and to tell his story.

And Hanes commented heatedly, "I'm not going to abide by anybody's order if my client is treated unfairly."

Judge Battle declined to discuss the issue.

However, Huie indicated that his initial writings about Ray will not deal with the period between March 25 of this year and after April 4, when Dr. King was assassinated in Memphis. Huie's contracts with Ray

**Alabama Author Indicted
Accused Buyer of King
Paid Lawyer From Funds**

NICHOLAS C. CHRIS
Newspaper Writer

MEMPHIS--An Alabama author has signed contracts with James Earl Ray, accused of slaying Dr. Martin Luther King, giving him publication and motion picture rights to Ray's experiences.

The author, William Bradford Huie, told The Times Thursday that he had paid Ray money for information Ray had given him under the contracts, and indicated that Ray had used the funds to pay the Alabama lawyer who is defending him.

However, Huie and the lawyer, Arthur J. Hanes of Birmingham, disagreed over what role, if any, Hanes played in negotiations toward the contracts.

Huie, in a telephone interview from his home in Hartselle, Ala., said that Ray had given the writer a 10,000-word personal account of his recent experiences and that this information will be the basis for several articles Huie plans to write soon.

Guidelines Pose Question

The question arose as to whether the transfer of this information conformed with strict guidelines ordered by the judge who will hear Ray's case. Huie was in Memphis Wednesday and talked with the judge, W. Preston Battle, about that point.

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

I-1 Los Angeles Times
Los Angeles, Calif.

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Editor: Nick B. Williams
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Submitting Office: Los Angeles

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*cc to B...
8/16/68*

44-1574-177
[Handwritten initials and signatures]

give him rights to Ray's experiences since he escaped from the Missouri State Penitentiary in April, 1967.

It was Hanes' part in the Huie-Ray negotiations and his legal fees that raised the most puzzling questions. Huie said he had not met Ray personally, although he had asked Judge Battle for permission to see Ray in his Memphis jail cell.

Huie confirmed that Hanes had been a party to the negotiations, and that Hanes contacted him when the author was visiting London shortly after Ray's arrest there June 8.

Ray's Suggestion

Huie said Hanes had told him that it was Ray who suggested that Huie be contacted. Ray apparently had read some of Huie's books, some of which dealt with racial problems in the South.

Hanes, however, in a telephone interview from Birmingham, said he played no role in the negotiations and had nothing to do with the 10,000-word account Ray had written for Huie.

That account, Huie said, is a "day-by-day" record of Ray's story, "his escape, the people he contacted, where he went, whom he saw, his way of life."

Huie did not specify in just what manner he will use the material, but presumably he will assemble it into a book to be written after Ray's trial, which is scheduled to begin Nov. 12 in Memphis.

Lonely Life

Huie said Ray's account characterizes the accused assassin as a man who led a lonely life of crime, a literate writer and a reader of books "who was used by forces he didn't understand."

He said Ray does not fit into the image of a racist who would kill a Negro in an attempt to slow down the tide of racial change.

He said he does not believe Ray is a racist and that "there is a great deal of difference between him" and white racists who had killed Negroes in civil rights slayings in the South.

(Mount Clipping in Space Below)

Witness in the coming trial of the man accused of assassinating Dr. Martin Luther King has been ordered released from jail. Circuit Court Judge William O'Hearn ruled in Memphis, Tenn., that the witness, Charles O. Stephens, was being held without justification. Stephens has told police he saw a man run from a Memphis rooming house bathroom where investigators say Dr. King's assassin was standing when the fatal shot was fired. The trial of the accused slayer, James Earl Ray, is scheduled to begin Nov. 12.

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

**I-2 Los Angeles Times
Los Angeles, Calif.**

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A'Hearn

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(Mount Clipping in Space Below)

Ray 'Eye' Irrks Other Prisoners

MEMPHIS, Tenn. (AP) — Maximum security efforts to guard the man charged with the murder of Dr. Martin Luther King Jr. has drawn criticism from another prisoner in the Shelby County Jail.

Carl Lindquist charged that guards were neglecting other inmates because of rigid measures adopted for the security of James Earl Ray.

Ray is confined in a steel-shuttered cell and subjected to round-the-clock lighting and television scrutiny.

Lindquist told of a red light alert which flashes on whenever the door to Ray's cell is opened.

"Since James E. Ray has been here," Lindquist said, "on many occasions they (guards) have set our food on the benches in front of our cell and went on red light, which is when they feed Ray or anytime they open his door for anything."

Lindquist said the red light periods usually last about 20 minutes while the food of 72 other prisoner "gets cold . . . When they get finished with Ray and our food is cold, they open back up, come around and unlock our doors so we can eat."

Lindquist said reading material had been shut off to prisoners since Ray was incarcerated, presumably to preclude the possibility of any weapon or explosives being slipped into jail.

Lindquist was jailed on charges of carrying a pistol and robbery with a deadly weapon.

Ray's attorney, Arthur Hanes of Birmingham, also has protested the security measures but for a different reason. He said the constant monitoring of his client constituted "cruel and inhuman treatment" and added that he feared for his client's health.

Ray is scheduled to go on trial Nov. 12 for King's slaying. The civil rights leader was cut down by an assassin's bullet April 4.

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

A-8 Herald-Examiner
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#1

(Mount Clipping in Space Below)

Ray Finances Defense By Selling Life Story

MEMPHIS, Tenn. (AP) — James Earl Ray, who is charged with murdering Dr. Martin Luther King, Jr., is financing his defense by selling his life story, an Alabama author has said.

William Bradford Huie of Hartselle, Ala., said he has paid \$25,000 to Ray since July 19, when Ray was brought here from London and jailed to await a Nov. 12 trial.

"Ray delivered to me a first installment of 10,000 words, written in longhand, a month ago," said Huie. "Since then he has delivered 10,000 words more."

Huie said yesterday he still has not been given permission

to visit Ray and spends his time in Memphis visiting such places as the Lorraine Motel where King was fatally wounded while standing on a balcony April 4.

Huie, who has written a series of best sellers, said he expects Ray to produce another 30,000 words which will be polished into a biography.

"Meanwhile, I work through Ray's chief counsel, Arthur Hanes Sr. of Birmingham," said Huie. "In return for his legal services, he has a lien on everything I pay Ray—I suppose on everything Ray has or gets."

Hanes has refused in the past to say who is paying for Ray's defense.

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

A-8 Herald-Examiner
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*cc to Ben
9/12/68*

[Handwritten signature]

*1 c.
A. Hearn*

(Mount Clipping in Space Below)

'EAVESDROPPING' ON RAY, ATTORNEY DENIED

MEMPHIS, Tenn. (AP)—Dist. Atty. Gen. Phil Canale has denied a defense charge that guards eavesdrop over microphones on conversations between James Earl Ray and his attorney, Arthur B. Hanes.

Canale, in a written reply yesterday to defense motions filed last week, said the microphones in Ray's jail cell are turned off during his talks with Hanes, former mayor of Birmingham.

Ray is scheduled to go on

trial Nov. 12 for the sniper assassination of Dr. Martin Luther King Jr. last April 4.

"In truth and fact," Canale said, "The petitioner Hanes has had tests performed at his request showing to the petitioner's satisfaction that his conferences with Ray cannot be heard by guards in the cell."

The defense motion asked Criminal Court Judge W. Preston Battle to order Sheriff William Morris to "cease and desist" using television cameras,

bright lights and microphones to monitor Ray's tightly guarded cell on the third floor of the county jail building.

Hanes contended he had never been able to talk to the prisoner without the presence of at least two guards and without being subjected to the scrutiny of television cameras and microphones.

Battle is scheduled to hear arguments on the motions Friday, the same day set for a

hearing on a contempt petition. Hanes, two newspaper reporters, Roy Hamilton of the Memphis Press-Scimitar and Charles Edmundson of the Commercial Appeal, and private investigator

Renfro Hays have been ordered to appear before Battle to show why they should not be held in contempt for violating the court's pre-trial, anti-publicity order in the Ray case.

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

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*44-1574-B-181
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(Mount Clipping in Space Below)

Hanes Says He May Not Defend Ray

MEMPHIS, Tenn. (AP) — Arthur J. Hanes raised the possibility Friday that he may withdraw as defense attorney for James Earl Ray, the man charged in the slaying of Dr. Martin Luther King Jr.

"Serious difficulties have arisen between me and my client on the best way to handle this defense," Hanes told Shelby County Criminal Court. "At some future day I may have to withdraw as counsel for James Earl Ray."

Hanes surprise statement, which he said was agreed to Thursday, came at the end of a day-long hearing on whether Hanes and three other persons should be held in contempt of court for newspaper articles concerning Ray's treatment in jail.

Hanes told the court he made his statement "out of no fear" of what might happen to him. "I can take anything you can hand down," he said.

He also lashed out at the committee of attorneys which watches over pre-trial publicity and said he would do his best for his client regardless of any prejudice by the committee. "I think prejudice was shown like grandmother's petticoat under a miniskirt," he said.

The hearing was continued until Monday morning.

Hanes denied earlier that he had made any statements prejudicial to his client's case in the past and said, "I do not intend to do so in the future."

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

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Being Investigated

*cc to P...
9/30/68*

44-1574-182
8
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JA

(Mount Clipping in Space Below)

Ray's Attorney Held in Contempt for Publicity

MEMPHIS (AP) — The judge who will try James Earl Ray held four persons in contempt Monday on charges they violated his guidelines restricting pretrial publicity in the case.

Arthur J. Hanes, the attorney for the man charged with the assassination of Dr. Martin Luther King, two Memphis newspaper reporters and a private investigator hired by Hanes were held in contempt by Criminal Court Judge W. Preston Battle.

Called 'Prejudicial'

Battle ruled that comments by Hanes and the investigator carried in stories written by the reporters were "extremely prejudicial and constitute a clear and present danger" to impaneling an impartial jury to try Ray.

Battle withheld punishment until a later date, indicating future conduct of the four men might possibly mitigate or purge the contempt finding.

After the hearing, court was reconvened and the attorney for the reporters — Ray Hamilton of the

Press-Scimitar and Charles Edmundson of the Commercial Appeal — asked the judge either to reconsider his ruling or sentence the newsmen immediately.

Battle denied the motion to reconsider and said he was not ready to impose sentence.

Leaves Court Open

The attorney, Ezra K. Bryan, contended that holding sentences in abeyance would prevent the reporters from appealing. This, he said, left the way open for any court to abridge freedom of speech and the press.

Bryan called Battle's action "censorship at its virulent best," and added: "The reporters and the newspapers are in limbo not under an order of the court but in the threat of punishment by the court."

"Like it or not," Judge Battle said, "it's my duty to follow justice and that's what I've done."

Trial courts, the judge said, had not sought the authority to regulate pretrial publicity but had the burden thrust upon them by the U.S. Supreme Court in its ruling on the Dr. Sam Sheppard case. The high court ruled then, he

said, that the Sheppard trial court should have moved to regulate out-of-court news accounts.

Hanes and the investigator, Renfro T. Hays, denied making some statements attributed to them in newspaper stories dealing with conditions in Ray's cell in the county jail. Hanes said that any comments he may have made to newsmen were points he had already raised in court.

Hays denied making statements attributed to him in a story written by Edmundson on Ray's jail cell. The reporter insisted that the story was true and factual and Judge Battle, noting the conflicting testimony, said the "court believes Mr. Edmundson."

In another development Monday, Ray appeared in open court and lost a motion to have security in his cell eased.

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

I-24 Los Angeles Times
Los Angeles, Calif.

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10-1-68*

44-1574-310

(Mount Clipping in Space Below)

Ray's Tight Security Ruled 'Reasonable'

MEMPHIS, Tenn. (AP) — James Earl Ray, neatly dressed and heavily guarded, has appeared in open court and lost a motion to have security in his Shelby County Jail cell eased.

In holding the security measures are reasonable and necessary, Judge W. Preston Battle told Ray, who is charged with murdering Dr. Martin Luther King Jr., that if he has trouble sleeping, he should "get one of those black masks and put it over his eyes."

Battle also held in contempt four persons who were accused of violating a ban on prejudicial publicity in the Ray case. The four are Arthur J. Hanes Sr., Ray's chief attorney; a private investigator and two newspaper reporters.

Hanes, meanwhile, who had said last week he might have to withdraw from the case, said yesterday he will continue because Ray "has reaffirmed his faith (in me)."

Ray's appearance in court was his first since he was arraigned July 22. He wore a blue suit, white shirt and blue tie and sat behind Hanes with three deputies behind him.

Ray, who said nothing at the hearing, contended that tight security conditions—which include around-the-clock lighting and full-time television surveillance—constitute cruel and inhuman punishment.

"The court is of the opinion that the measures taken are reasonable," Battle said.

Battle ruled that comments by Hanes and the investigator, and carried in stories written by the reporters, were "extremely prejudicial and constitute a clear and present danger" to impaneling an impartial jury to try Ray.

Battle withheld punishment until a later date, indicating future conduct of the four men might possibly mitigate or purge the contempt finding.

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

A-5 Herald-Examiner
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10/2/68*

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1 OCT 2 1968	
FBI — LOS ANGELES	

RA

(Mount Clipping in Space Below)

Ray May Never Testify in His Own Defense

MEMPHIS (AP) — James Earl Ray, who is charged with murdering Dr. Martin Luther King, may never testify in his own defense.

Arthur Hanes Sr., Birmingham lawyer who is chief defense counsel, said the decision to put Ray on the stand or keep him off may not be made until "the moment the prosecution rests its case and the judge tells me to call my first witness.

"That's when I'll have to decide, because under Tennessee law the defense must call as its first witness the defendant himself," if he is to be called.

If that happens, the prosecution under cross-examination could bring out Ray's record as a thief and robber and the fact that he is an escaped convict.

Single Bullet

Ray is scheduled to go on trial in Shelby County Criminal Court here Nov. 12. He is charged with first degree murder in the sniper assassination of Dr. King, who was slain by a single bullet April 4 as he leaned on the balcony railing of a downtown motel.

The Negro apostle of nonviolence was in Memphis to give support to striking garbage workers, almost all of them Negroes, who were locked in a vitriolic battle for higher wages with the city administration.

Hanes indicated in an interview in Birmingham that he may move for postponement in the trial date. He said security precautions at the Shelby County jail were unsettling to Ray, explaining that Ray is kept in constant light and is watched continually by shifts of two guards as well as by closed-circuit television surveillance.

"He may be unfit mentally to really participate in the defense," Hanes said. "He needs some rest and privacy."

In discussing the trial and possible defense problems or maneuvers, Hanes said that "as far as anything regarding Ray's background, it is all just newspaper and magazine material.

"The jury is going to have to be found that will be able to look at Ray as though it doesn't know anything at all about the press and television reports."

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

I-5 Los Angeles Times
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*cc to [unclear]
9/16/68*

*44-1574-B
185
[unclear]
[unclear]*

(Mount Clipping in Space Below)

NASHVILLE (U) -- The Nashville Tennessean said Monday James Earl Ray would claim he was only a "decoy" in a plot to kill Dr. Martin Luther King, in answer to the state's circumstantial case that he was the lone assassin.

In a dispatch written by

reporter Jim Squires from Memphis, where Dr. King was shot to death April 4, the Tennessean story said "sources close to the case say that Ray's defense will contend at his trial next month he was promised '\$12,000 to \$15,000' to lead police away from the real killers and become the lure in the greatest manhunt in history."

The prosecution, however, will subpoena witnesses to support its claim that Ray acted alone in the murder and that there is no evidence to support a conspiracy theory, the newspaper said.

The newspaper said numerous sources indicate "the defense will claim Ray played only a small part in a master plot so complex and far-reaching that even Ray does not know who masterminded it."

The Tennessean story added that "the state has a long list of witnesses they want to put on to show Ray didn't associate with any particular groups of men . . . to show it wasn't a conspiracy."

The Tennessean said the defense theory was that all of Ray's movements in

Memphis were to get him up at the Hilton Hotel and defense would contend Ray was hired to go to Memphis, leave behind certain evidence, and "the decoy" speed away in a white Mustang which was found in Atlanta.

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

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Earl Ray Defense: A Decoy

RAY: ONLY DECOY IN KING SLAYING

By Associated Press

The Nashville Tennessean says James Earl Ray, accused of the murder of Dr. Martin Luther King Jr., will claim he was promised '\$12,000 to \$15,000' to lead police away from the real killers and become the lure in the greatest manhunt in history.

Ray's biographer says the man accused of the sniper slaying of King in Memphis, Tenn., last April 4 was tempted out of a Canadian hideout months before the killing by a \$12,000 offer to make a ystery mission to Birmingham, Ala.

Author William Bradford Huie

quoted Ray about the money offer in the first installment of a series which began Monday in Look magazine.

The Tennessean, in its Monday editions, said Ray will claim that he was only "decoy" in a plot to kill King in answer to the state of Tennessee's contention that Ray acted as a lone assassin.

Ray, an escapee from the Missouri State Prison, goes on trial in Shelby County Criminal Court at Memphis Nov. 12 on a murder charge.

The Tennessean story, a copy

right dispatch by reporter Jim Squires from Memphis, quoted "sources close to the case" as to the line of Ray's defense.

The newspaper said numerous sources have indicated "the defense will claim Ray played only a small part in a master plot so complex and far-reaching that even Ray does not know who masterminded it."

Apparently, no effort will be made by the defense to show who masterminded the alleged conspiracy, the paper said.

The Tennessean story said the defense theory is that Ray's movements in Memphis were designed to set him up as the killer to leave a false trail while someone else shot King.

Huie said Ray, who has been writing autobiographical notes in his jail cell in Memphis for use by Huie in a book, told him the money offer to leave Canada came from "a man whom Ray calls Raoul and describes to me as being a blond Latin about 35, and whom Ray took to be a seaman."

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Ray told of a half a dozen meetings with Raoul, Huie said.

Huie quoted Ray as saying the proposition boiled down to this:

Ray was to meet Raoul in Windsor and make several trips across the border from Windsor to Detroit, carrying packages with unspecified contents hidden in the car.

Ray would then sell the car and proceed to Birmingham where he would lie low, try to establish a false identity and await instructions by general delivery mail.

Raoul was to pay Ray's living expenses and go to Birmingham to buy Ray a "suitable car."

(Mount Clipping in Space Below)

BEFORE KING ASSASSINATION**Plastic Surgery on 'Eric Galt' in L.A. Told**

Three or four weeks before Martin Luther King was assassinated in Memphis, a Hollywood plastic surgeon operated here on a man who identified himself as Eric Galt, an attorney said Tuesday night.

Bennet Olan, attorney for Dr. Russel C. Hadley, told The Times the plastic surgery was a minor operation "that wouldn't materially change the man's appearance."

James Earl Ray, accused of murdering the civil rights leader, was known in the Los Angeles area earlier this year as Eric Starvo Galt, according to the FBI. Ray, arrested in London after the April 4 assassination, is now awaiting trial in Memphis.

Olan said the plastic surgery "may have been on the fourth or the 11th of March, I forget which." He declined to give details about the operation, even declining to specify that it was facial surgery.

Olan said he and Dr. Hadley reported the surgery to the FBI after the name of Eric Galt began to figure in accounts of the King killing.

Olan also said he doesn't think Dr. Hadley has been subpoenaed as a witness in Ray's trial. "I don't believe what he did was that relevant," Olan said.

He added that the surgeon had no "independent recollection" of Galt beyond the man's name in his medical records.

Olan said Galt apparently was referred to Dr. Hadley by the Los Angeles County Medical Assn. after he asked for the name of a qualified surgeon in the Hollywood area.

Author William Bradford Huie would be the only person authorized to look over Hadley's records of the surgery, the lawyer said. Huie has a contract with Ray to write the latter's memoirs, and Ray authorized Hadley to let Huie see the records, Olan said.

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New Ray Attorney Will Request Delay of Trial

Judge Expected to Set January Date for Case Involving Suspect in King Slaying

BY PAUL VALENTINE

Exclusive to The Times from the Washington Post

MEMPHIS—As security-minded officials made last-minute preparations to open the trial today of James Earl Ray in the assassination of Dr. Martin Luther King, new defense attorney Percy Foreman moved to postpone it indefinitely.

The noted Texas criminal lawyer told newsmen he will ask County Judge Walter Preston Battle for a continuance when the trial is scheduled to open at 9:30 a.m. today.

He said he needs time to study and prepare the case after taking it over less than two days ago. Ray's former defense attorney, Alabamian Arthur Hanes Sr., withdrew Sunday after an apparent falling out with Ray.

Foreman's request for a postponement is routine under the circumstances, and Judge Battle is expected to grant it. Continuances are normally made for 30 days.

However, the trial is expected to last four or five weeks beyond that

time, and it is known that Battle does not wish to keep the jury tied up during the Christmas holidays. This means he will

probably continue the trial until sometime in January.

Foreman met with Ray Monday in the prisoner's closely guarded Shelby County jail cell and huddled periodically with state officials. The wealthy attorney, keeping close to his client, is staying in a downtown hotel less than two blocks from the county jail.

Also in Memphis to observe the trial is Michael Eugene, 30, the Irish attorney appointed to represent Ray in extradition proceedings when Ray was arrested in London last summer.

The Shelby County courthouse—where Ray is imprisoned one floor above the courtroom in which he will be tried—was sealed off Monday to

all persons except specified state and local officials. City police and county sheriff's deputies maintained an armed guard at key points around the building.



RAY'S NEW ATTORNEY — Percy Foreman in Memphis after taking over the defense of James Earl Ray from attorney Arthur J. Hanes. (AP Wirephoto)

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James Ray Trial Delay

NEW LAWYER WILL DELAY RAY TRIAL

MEMPHIS, Tenn. (AP) — A switch in lawyers just two days before James Earl Ray was to stand trial on charges of murdering Dr. Martin Luther King Jr., raised doubts as to whether the trial will be held this year.

Ray took action Sunday to drop Arthur J. Hanes, a former Birmingham, Ala., mayor, as his lawyer and retain famed defense attorney Percy Foreman of Texas.

Foreman, whose clients have included Jack Ruby and heiress Candace Mossler, said he would go before Criminal Court Judge W. Preston Battle at 9:30 a.m. Tuesday—the time Ray's trial is scheduled to begin—and request a continuance.

When told earlier Sunday of rumors of the impending switch, Battle said he would grant a delay "if Ray retains Foreman and if he asks" for a postponement.

It was believed that Foreman would ask for at least 30 days to give him time to become familiar with the case. Hanes, who said the change came as a surprise to him, said he would not object to the motion.

Since the trial is expected to last at least four weeks, a postponement of 30 days would push the start of trial close to the Christmas holidays—with the likely result that Battle would

reset it for early next year. Ray, charged with first-degree murder, is accused of the sniper slaying of King on April 4 while King was in Memphis to support the city's striking garbage collectors.

The surprise switch by Ray was announced in a late night news conference called by Sheriff William N. Morris Jr. The sheriff said Foreman and two of

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

A-1 Herald-Examiner
Los Angeles, Calif

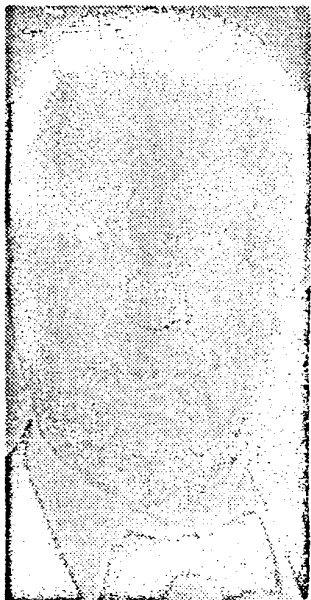
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A. Hearn

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—Associated Press Wirephoto

PERCY FOREMAN
Assumes Earl Ray defense

Ray's brothers, John and Jerry Ray, had come to the jail earlier Sunday to see Ray.

"During the course of this visit, certain decisions were made and a letter was written to Mr. Arthur Hanes Sr., attorney, and signed by James Earl Ray," Morris said.

"This letter was presented to me for reading by Mr. Foreman and it declared an intent by James Earl Ray to dispense with the legal services of Mr. Hanes and his son and of an intention to obtain new counsel and a Tennessee lawyer."

Morris also said Foreman had told him he intended to appear before Battle Tuesday morning and request a continuance.

The Tennessee lawyer to be retained by Ray was not named.

"The first I knew of this was at 8:20 this evening," Hanes said in a brief news conference of his own in a drizzling rain on the steps of the county office building.

"I didn't come to Memphis for the ride," Hanes said. "I came to play ball. I was prepared to go to trial Tuesday morning.

However, Hanes added, "I don't want a reluctant client."

Proceeds from Ray's life story, being written by Alabama author William Bradford Huie and already running in magazine serialization, were being used to pay Hanes, but there was no immediate indication how Ray would pay Foreman.

(Mount Clipping in Space Below)

King's Accused Killer Hires Percy Foreman

Switch From Hanes by James Earl Ray Will Probably Delay Trial to Next Year

MEMPHIS, Tenn. (AP)—James Earl Ray, charged with the murder of Dr. Martin Luther King, engaged a new lawyer Sunday who said a delay in Ray's trial would be asked.

The sudden shift by Ray to famed defense lawyer Percy Foreman was announced in a late night news conference by Shelby County Sheriff William N. Morris Jr., virtually on the eve of Ray's scheduled trial.

Ray had been scheduled for trial on a first-degree murder charge Tuesday.

Foreman was expected to request at least a 30-day continuance to familiarize himself with the case, meaning Ray will probably not be tried this year.

Declares Intention

Morris said Ray had signed a letter of intent earlier Sunday to hire Foreman to represent him.

"Mr. Foreman has told me that it is his intention to appear before Judge W. Preston Battle Tuesday morning at 9:30 a.m. to request a continuance in the trial of the case pending against James Earl Ray," Morris said.

Foreman will replace Arthur J. Hanes of Birmingham, who had represented Ray since shortly after he was apprehended.

Hanes said the sudden switch came as a surprise to him but that he would not object to the motion to be offered Tuesday.

Sheriff Explains

"I first learned of this at 8:20 this evening," Hanes said after the sheriff's news conference. "I was prepared to go to trial Tuesday morning.

However, Hanes added, "I never want a reluctant client."

Hanes had told the court once earlier that serious difficulties had arisen between him and Ray over the conduct of the trial and that at some later date he might have to withdraw as counsel.

Morris said Foreman, who once represented Jack Ruby and was defense counsel in the murder trial of exonerated heiress Candace Mosler, came to the

jail Sunday with two of Ray's brothers, John Ray and Jerry Ray.

The sheriff said the three asked to see Ray and during the visit "certain decisions were made and a letter was written" to Hanes.

"This letter was presented to me for reading by Mr. Foreman and it declared an intent by James Earl Ray to dispense with the legal services of Mr. Hanes and his son and of an intention to obtain new counsel and a Tennessee lawyer," Morris said.

Attorney in Doubt

There was no immediate indication of who this Tennessee attorney would be.

King was shot to death here April 4 while in Memphis to support striking city garbage workers. Ray was arrested in London June 8 at the end of an extensive manhunt and returned to Memphis July 19.

Ray has been held in a jail cell since then, under constant surveillance by closed circuit television and two guards. A tight no-publicity order was invoked by Battle, who is to preside at the trial.

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Ray Feels Plot Aimed At America

NEW YORK (AP) — James Earl Ray, charged in the slaying of Dr. Martin Luther King Jr., is quoted in the current Look magazine as having said he unknowingly became involved in "some sort of plot to kill King" eight months before the murder.

Author William Bradford Huie says Ray wrote from his Memphis, Tenn., jail cell: "I suppose I became involved in some sort of plot to kill King when I first took those packages into the United States from Canada . . . But nobody told me anything about any planned murder of King or of anyone else."

The "packages" were not identified by Ray or Huie.

The article quotes Ray as having written that, while a fugitive in Canada in August, 1967, he met a man named Raoul who offered him money, a car and "travel papers" if he would establish himself in Birmingham, Ala., and make himself "available."

Before leaving for Birmingham, Ray made two auto trips across the border at Windsor-Detroit with "packages" concealed in his old car by Raoul, Huie relates.

In Birmingham, Ray got a room and bought a white Mustang with \$2000 given him by Raoul, Huie wrote. Raoul also gave Ray \$500 for living expenses and \$500 for some camera equipment, the article states. Huie said Ray did not know why he was asked to buy photographic equipment.

After six weeks in Birmingham, Ray went to Mexico where he met Raoul and, at Raoul's request, hauled a spare tire across the border into Nuevo Laredo, Huie relates.

Ray traveled about in Mexico then drove to Los Angeles in November, 1967, where, Huie says, he received "a command to come to New Orleans for instructions."

He quotes Ray as having written that he drove to New Orleans, where Raoul "said we had one more job to do and we'd do it in about two or three months."

Ray wrote that Raoul promised him "travel papers" to anywhere he wanted to go and \$12,000, and when he asked what the job was he was told "not to worry about it and not to ask questions," Huie states. Ray said Raoul gave him \$2,500 in \$20 bills, the article relates.

Back in Los Angeles, Huie says, Ray took dancing and bar-

tending lessons, visited a hypnotist, and had a plastic surgeon change the shape of his nose.

"Before his nose could heal completely," Huie wrote, "Ray received by mail on March 15 the directive he had been expecting. He was wanted in Selma and Birmingham, Ala.—where King was recruiting support for his poor people's march on Washington."

Huie relates that Ray registered in a motel in Selma on March 22, and went to Atlanta the next day. He quotes a news dispatch that said King had gone to Atlanta on March 21, after a swing through Alabama. King was slain in Memphis, Tenn., on April 4.

Huie said he could not reveal all he learned from Ray until after his trial, but that he was convinced King's murder was plotted "by calculating men who wanted to use his murder to trigger violent conflict between white and Negro citizens."

"The primary target was the United States of America," Huie writes.

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Legal Shift To Delay Ray Trial

(C) 1963 New York Times News Service

MEMPHIS, Nov. 11--The trial of James Earl Ray apparently will be delayed at least two months to give Ray's new attorney, Percy Foreman, of Houston, time to prepare a defense against the charge that Ray assassinated the Rev. Dr. Martin Luther King Jr.

Although permission has not been granted by the court for Foreman to enter the trial, the famed Texas attorney was busy today preparing motions to be offered tomorrow when Ray's trial is scheduled to begin.

Ray last night fired his lawyer of five months, Arthur J. Hanes, the former mayor of Birmingham, Ala., and asked Foreman to take over the defense.

Trial Judge W. Preston Battle was expected to grant Foreman's request for the postponement since Hanes has refused to turn over his files on the case to Ray or Foreman.

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Judge Grants Delay in Ray Trial Until March

Change Ordered to Give New Attorney Time to Interview Prospective Witnesses

BY JACK NELSON
Times Staff Writer

MEMPHIS — Accused assassin James Earl Ray got a new attorney and a 110-day trial delay Tuesday in the Dr. Martin Luther King murder case.

In a crudely-written letter and later in a barely audible voice, the 40-year-old Ray dismissed Arthur Hanes Sr. and his son, Arthur Jr., both of Birmingham, Ala., as his counsels and retained criminal lawyer Percy Foreman of Houston.

That set the stage for Foreman to request the delay, which he did, declaring he intended to try to interview all of the prosecution's 360 "prospective witnesses."

The change in lawyers apparently resulted from disagreements over trial strategy and over financial arrangements in the contract Hanes and William Bradford Huie, an Alabama author, had with Ray for his written account of the case.

From his jail cell, Ray has been peddling a story that the King killing was a conspiracy. So far Look Magazine, under contract with Huie, has run two installments of the Ray account as told to Huie.

Foreman indicated that Ray would not divulge further details until the trial was completed. He angrily refused to say whether he would advise Ray to cancel the contract with Huie or to tell how he would be paid for his legal services in the case.

Huie has never met Ray, but has based his stories on accounts handwritten by Ray and transmitted to him by Hanes. The conspiracy angle propounded by Ray supports the defense Hanes reportedly was preparing in the case — that Ray was an unsuspecting dupe in the assassination, possibly a decoy.

Ray signed a contract with Hanes and Huie, agreeing that his share of the money for his account of the King case would be used to pay Hanes for his legal services.

Hanes, ex-FBI agent and former mayor of Birmingham, already has been paid \$30,000 under the agreement, but claims he is still owed \$15,000 for services and expenses.

However, Hanes denied Tuesday that money had anything to do with the dispute with Ray. He said it was a matter of trial strategy, that "I thought this was the right time to go to trial but Ray didn't. His change of lawyers was a subterfuge in order to get a delay."

Criminal Court Judge W. Preston Battle noted that the motion for delay came as the trial was scheduled to begin Tuesday "at the 11th hour and the 59th minute and 59th second." But he added that the state and federal constitutions guaranteed the defendant the right "to counsel of his choosing."

And under the unique circumstances of the case, Judge Battle said, with so many prosecution witnesses

living throughout the United States, in Mexico, Canada, England and Portugal, defense counsel was entitled to additional time to prepare the case.

Judge Battle, overruling strenuous objections from the prosecution, granted the delay until March 3 and instructed Foreman to report to the court by Dec. 12 on whether his preparations indicated he would be ready for trial by that date.

Ray is accused of killing Dr. King with a rifle shot on April 4 as the civil rights leader stood on a balcony outside his motel room here. He was in Memphis to lead demonstrations by striking sanitation workers.

The defendant, dressed in dark trousers, a dark blue checkered sports coat with light blue shirt and solid dark blue tie, walked into the small courtroom here preceded by Shelby County Sheriff William Morris and followed by a deputy.

Ray, a vacant look in his eyes ("It's always there," says M. D. Eugene, the solicitor from London who represented him in extradition proceedings after his arrest there on June 5), quickly took his seat facing the judge.

"How are you doing?" asked Hanes Sr., who only Sunday night was presented with Ray's letter of dismissal by Sheriff Morris. "I'm fine, everything's all right," Ray murmured, and the proceedings began.

Judge Battle had a court aide show Ray a copy of the letter he reportedly

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wrote to Hanes and asked
if he wrote it.

"I did, sir," Ray said.

The letter, handwritten
to "Dear Mr. Hanes," said:
"Due to some disagree-
ments between me and
you in regards to the
handlings of my case I
have decided to engage a
Tennessee attorney and
perhaps someone else.
Therefore I would appre-
ciate it if you would take
no further actions on my
case in Memphis, Tenn.

Also I appreciate what
you have already did for
me. Sincerely, James E.
Ray."

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EX-RAY LAWYER HINTS 'RACE' ANGLE

(C) 1968 New York Times News Service

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

Hanes has received wide publicity for defending three Ku Klux Klansmen in a civil rights case.

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

The lawyer offered his observations in an interview in Birmingham.

He said he still could hardly credit the brusque manner in which he and his son, Arthur J. Hanes Jr., were dismissed from the Ray case last Sunday night when they arrived at the Shelby jail in Memphis to give Ray a new gray suit to wear during his trial.

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

"But Ray didn't say anything and Artie and I had to proceed on the assumption that we were going to trial and so we put together just a great defense for Ray, including a few bombshells," Hanes said.

The suggestion that Hanes was retained with an intention of underscoring the racial aspects of King's murder, Hanes contended, arose from a combination of circumstances.

Hanes was elected mayor of Birmingham six years ago to a racist platform after joining forces with Alabama's arch segregationist, Eugene (Bull) Connor, then the Birmingham police commissioner.

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Ray... The Drama and Complexity Grow

MEMPHIS, Tenn. (UPI)—The mixed up case against James Earl Ray in the assassination of Dr. Martin Luther King Jr. showed every sign this week of becoming even more tangled before a single word of testimony is ever heard in court.

Since Ray unceremoniously dumped Arthur J. Hanes as defense attorney and hired Percy Foreman last Tuesday, the case has quickly taken on these elements:

—Would-be eyewitnesses, one an 11-year-old boy, are cropping up to say they saw the assassin.

—Attorneys, brothers, defendant and authors are squabbling over who should make how much money out of the case.

—Arthur Hanes is negotiating to sell his story of Ray's defense to Life magazine, and refusing to turn over his files, if he has any, to Foreman, who presumably could read them in Life if he wanted to.

—It appears possible that Hanes may have been hired only as an ingredient to add more racial tension to the April 4 slaying of the nation's major civil rights figure.

—A mysterious and phony chase broadcast over police radio and thought to be possible evidence of a conspiracy may have been the irresponsible work of two teen-aged ham radio operators.

Ray's trial was postponed Tuesday when Foreman, the celebrated Texan who defended heiress Candy Mossler and claims one loss to the electric chair in 1,000 murder cases, took over the defense.

The new trial date is March 3. There are early indications that it too may be postponed. The possibility of moving the trial outside Memphis to another Tennessee city also exists.

Two of the many sides in the case claim at least one eyewitness each. The prosecution claims Charles Q. Stephens, a disabled war veteran who lived in the dollar-a-day flop-house the state said Ray waited in to kill King.

In an interview in Birmingham, Ala., Hanes claimed he had an eyewitness, "a bombshell" whom he refused to identify.

And there is the 11-year-old boy, whom Hanes claimed he never heard of, the prosecution remains silent about and other sources say may have been scared into silence.

The boy supposedly saw a white man bearing a rifle jump from bushes atop an embankment that faced the Lorraine Motel where King was standing when he was shot. Behind the bushes, in the same trajectory from window to balcony, is the bathroom window the prosecution said was the ambush hideout.

The boy ran to a Memphis

fire station 100 yards from the Lorraine, breathlessly told three firemen and then was whisked to police headquarters, according to sources.

Although Hanes was dismissed out of hand in a penciled, two-paragraph letter signed "sincerely" by Ray, the attorney remains a cog in the center of the case.

In an interview at a private club on a hill overlooking Birmingham, the former Birmingham mayor noted another bizarre element.

"It wouldn't surprise me at all," Hanes said when asked if it were likely that he was "set up" by men who plotted King's murder, and in fact was never intended to take the case to trial.

The theory behind this plot within a plot, Hanes noted, could be that his selection—he was a segregationist mayor and successfully defended three Ku Klux Klansmen in the highway murder of Mrs. Viola Liuzzo—would make the murder appear to be the work of white racists.

Author William Bradford Huie, in a copyright series of articles in Look magazine based on information from Ray, contends there was a conspiracy to kill King and its aim was to touch off waves of racial violence even more severe than that which actually occurred.

Hanes also noted that perhaps Ray saw him on Birmingham television, or read of him in Birmingham newspapers, when Ray allegedly was in the city the autumn before the assassination.

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A. Hanes

However, Hanes was not a frequent figure in the city's news media last fall.

Michael Eugene, Ray's London solicitor, was in Memphis for the Tuesday session of court. He said in an interview that Ray wrote Hanes and F. Lee Bailey, the famed defender of the Boston Strangler, a few days after his arrest June 8.

Eugene said Bailey turned down the case in a transatlantic telephone call. Hanes called also, to be briefed by Eugene. Hanes said he and his son, Arthur Jr., 27, took two days off work to discuss undertaking Ray's defense.

"Art and I figured it out," Hanes said. The one-time contract employe for the Central Intelligence Agency and former FBI agent said "only two groups could have done this: the CIA and black militants financed by Cuba or Red China." Hanes felt that only a clandestine organization with the backing of some government could have accomplished the killing.

The two men settled on black militants as most likely. They took the case.

"However, nothing worked out for the father-son team. Ray's close-mouthed brothers, John

and Jerry, refused to see or talk to Hanes," the attorney said.

"I offered to fly them anywhere they wanted," Hanes said. "I tried everything in the book."

In mid-October, Hanes said, he became convinced Ray was going to switch attorneys at the last minute before the scheduled Nov. 11 trial.

Judge W. Preston Battle of Shelby County criminal court ordered Hanes last Tuesday to give Foreman all his files and research. Hanes was put under \$1,000 bond to enforce the judge's order on the research, and also to prevent Hanes from talking about the case.

"I'll let Tennessee keep that \$1,000," Hanes said. He said he intends to ignore parts of the court order and still not jeopardize Ray's defense.

Ray owes Hanes \$12,000 in addition to \$30,000 already paid him through money Ray made on Huie's Look magazine articles. But not even payment of that would produce the files for Foreman, Hanes said.

"I need that \$12,000 like I need a hole in the head," Hanes said.

Hanes also said Alabama law allows an attorney to keep his case files if the client switches to another attorney without paying his bill. He appeared determined his files would not be lost, or stolen.

"I keep my files right up here," Hanes said, pointing to his forehead. "I never forget anything: times, names, dates, places, distances, calibrations—it's all up here."

Whatever Hanes has, and wherever he keeps it, Life magazine wants to buy it. "They offered me a blank check," Hanes said.

The unusual situation of an attorney relieved of his duties of defense only days ago, and now negotiating the sale of that defense to a major magazine, was confirmed by Hanes and Life.

However, Gerald Moore, Time-Life bureau chief in Chicago, said "no blank check" was offered, no specific figure mentioned, and no contract yet signed.

In the meantime Hanes has become aware of the large sums often paid by mass circulation magazines and for foreign distribution rights of inside information on sensational cases.

Ray's brothers also have become aware of this. The result is some bickering over who gets how much from which story in which magazine. The friction is thought to have contributed to Hanes' troubles with Ray's brothers, who felt Hanes should have gotten less and their brother more from Huie's articles.

Hanes now wonders if he should have gotten more and Huie less. And brother John Ray sold his South St. Louis tavern last week.

Percy Foreman, who has a warehouse full of merchandise payments in lieu of cash, has not yet said what his fee is for this, the biggest case of his life. Nor has he said where James Earl Ray and his brothers

would get the kind of money Foreman can command for such a case.

Finally, there is the fake chase of the white Mustang automobile broadcast on Memphis police radio frequencies F1 and F2 minutes after the assassination. The FBI said Ray made his getaway in a white Mustang and at the time of the assassination it was thought the

phony chase was a plot by accomplices to lure police into another part of town.

The Memphis Police Department has leaked to several reporters hints that two teen-aged ham radio operators have confessed they were responsible for the phony chase broadcast, and did it as a prank.

However, police refuse official comment.

(Mount Clipping in Space Below)

In a magazine article, which he taped shortly before his assassination, Dr. Martin Luther King said that dissent was the hope of America and that "the poor and despised of the 20th century will revolutionize this era. In our 'arrogance, lawlessness and ingratitude,' we will fight for human justice, brotherhood, secure peace and abundance for all," Dr. King said in the article to be published in the January Playboy magazine.

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

I-2 Los Angeles Times
Los Angeles, Calif.

Date: 12/4/68

Edition: Home

Author:

Editor: Nick B. Williams

Title: Murkin

Character:

or

Classification: 44-1574

Submitting Office: Los Angeles

Being Investigated

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SERIALIZED	FILED
1 DEC 4 1968	
FBI - LOS ANGELES	

(Mount Clipping in Space Below)

Judge W. Preston Battle insisted that the trial in Memphis of James Earl Ray on charges of murder in the death of Dr. Martin Luther King start on schedule March 3. But in an unprecedented action he ordered the public defender's office to assign as many persons as necessary to work with defense attorney Percy Foreman.

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

I-2 Los Angeles Times
Los Angeles, Calif.

Date: 12/19/68
Edition: Home
Author:
Editor: Nick B. Williams
Title: Murkin

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

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12-19-68

44-1574-2529

SEARCHED	INDEXED
SERIALIZED	FILED
1 DEC 19 1968	
FBI - LOS ANGELES	

C. Stearns

(Mount Clipping in Space Below)

Families Not To Be at Trial

MEMPHIS, Tenn. (AP)—Neither the family of James Earl Ray nor that of the late Dr. Martin Luther King Jr. has expressed an interest in attending Ray's trial.

"We have received no requests from either the family of for seats in the courtroom," the defendant or the family of the deceased for seats in the courtroom," said Charles Holmes, who is handling press relations for the trial.

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

A-5 Herald-Examiner
Los Angeles, Calif.

Date: 11/2/68
Edition: 8 Star
Author:
Editor: Donald Goodenow
Title: MURKIN

Character:
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Classification: LA 44-1574
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NOV 4 1968
FBI - LOS ANGELES

(Mount Clipping in Space Below)

King Associates Think Killing Was Conspiracy

By Associated Press

Two associates of the late Dr. Martin Luther King, Jr., agreed Tuesday that his assassination was the result of a conspiracy rather than an unassisted act by James Earl Ray, who faces trial for the killing.

They differed, however, over what part Ray may have played in the shooting of the Southern Christian Leadership Conference head in Memphis last April 4.

In Philadelphia the Rev. James L. Bevel, an SCLC director, expressed doubt that Ray had either the mental or physical competence to have carried out the assassination.

"We've allowed King to be killed under the guise of law and order and now we're going to allow Ray to be lynched under the guise of justice," Bevel asserted.

Bevel, who previously offered to act as a lawyer for Ray in his forthcoming trial, has been

balked by lack of a license from the Tennessee Bar Association to practice law in the state. He told a news conference he planned a court appeal.

Later, in Atlanta, the Rev. Ralph David Abernathy, who succeeded Dr. King as SCLC president, said he stands behind Bevel's offer to help defend Ray but does not necessarily feel that Ray was innocent of firing the fatal shot.

"I felt that Mr. Bevel was merely seeking to state what I have said, that more than one person is guilty in the death of Martin Luther King," Abernathy told an interviewer.

"I do not believe he was saying that Mr. Ray did not pull the trigger."

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

A-8 Herald-Examiner
Los Angeles, Calif.

Date: 1/29/69
Edition: Night Final
Author:
Editor: Donald Goodenow
Title: Murkin

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

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FILED
FEB 2 1969
FBI - LOS ANGELES

44-1574-B-20

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1-29-69*

(Mount Clipping in Space Below)

Abernathy Says He Has No Data to Acquit Ray

Tells of 'Error' Causing Belief He Thinks Suspect Is Innocent in Killing of Dr. King

BY JACK NELSON
Times Staff Writer

ATLANTA — The Rev. ~~Ralph David Abernathy~~ said Tuesday he knew of no evidence that might acquit James Earl Ray of the murder of Dr. Martin Luther King.

Embarrassed by reports that he and an aide believe Ray is innocent, Mr. Abernathy called a press conference here to clarify his position.

He told newsmen that a statement issued in his name Thursday was partially erroneous and that some press reports had misinterpreted his position and that of the Southern Christian Leadership Conference.

He said he was speaking for SCLC, and emphasized that the Rev. James Bevel of Philadelphia cannot speak for the organization.

Mr. Bevel, head of SCLC's nonviolence direct action program, raised the issue of Ray's guilt or innocence recently by sending Ray a telegram offering to help defend him and declaring, "I know that you are not guilty." Mr. Bevel later told newsmen he had "evidence that would free" Ray.

Tells of Error

Mr. Abernathy, vacationing at the time in the Virgin Islands, later participated in a conference telephone call with Mr. Bevel and other officials at SCLC headquarters here, and authorized the release of a statement endorsing Mr. Bevel's telegram.

But he said Tuesday that an "error" caused by poor communications resulted in the endorsement of that part of the telegram which claimed Ray was not guilty.

He stressed that he still believes "white racism" was the actual cause of Dr. King's death, but he said he has no evidence—and believes Mr. Bevel has none—that Ray did not fire the fatal shot.

Mr. Abernathy and Mr. Bevel both were at the Lorraine Motel in Memphis when Dr. King was killed just outside his room on April 4, 1968.

In answer to newsmen's questions, Mr. Abernathy said that in his opinion more than one person participated in the crime. He said he had no evidence to support the theory, but added that black leaders in Memphis had relayed to him information that, if true, could support it:

He said:

—Two Negro policemen who patrolled a beat in the area where Dr. King was shot by a sniper received threatening telephone calls and were ordered out of the area by their superiors shortly before the assassination.

—Two Negro firemen at a station in the neighborhood also left their stations on orders of their superiors just before the killing.

—False information about an alleged auto chase was broadcast from the Memphis police station at the time police were trying to locate the car driven by Dr. King's killer.

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

I-6 Los Angeles Times
Los Angeles, Calif.

Date: 1/29/69
Edition: Home
Author: Jack Nelson
Editor: Nick B. Williams
Title: Murkin

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*cc to Bureau
1-29-69*

44-1574-520

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SERIALIZED _____	FILED _____
1 JAN 29 1969	
FBI - LOS ANGELES	

(Mount Clipping in Space Below)

Bevel Doubts Ray's Competence to Kill

PHILADELPHIA (AP)—
The Rev. James L. Bevel
said Tuesday he does not
think James Earl Ray had
either the mental or physi-
cal ability to assassinate
Dr. Martin Luther King.

And Mr. Bevel also said
in a news conference he is
willing to take his fight to
defend Ray to the courts.

Ray would not be able to
plot the murder of the
civil rights leader, or di-
rect the bullet more than
100 yards, Mr. Bevel said
at a news conference.

He would not say,
however, whether his
planned defense is to try
to prove Ray physically
innocent, or morally and
socially without guilt.

*copy made
1-29-69*

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

I-6 Los Angeles Times
Los Angeles, Calif.

Date: 1/29/69
Edition: Home
Author:
Editor: Nick B. Williams
Title: Murkin

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

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1 JAN 29 1969	
FBI - LOS ANGELES	

(Mount Clipping in Space Below)

Abernathy Agrees Ray Shouldn't Be Scapegoat

Exclusive to The Times from a Staff Writer

ATLANTA — The Rev. ~~Ralph David Abernathy~~ agreed Thursday that James Earl Ray should not be a "scapegoat" in the assassination of Dr. Martin Luther King.

Mr. Abernathy endorsed an earlier statement by one of his top aides, the Rev. James Bevel, who said he knew Ray was "not guilty."

But an aide who issued the Abernathy statement emphasized that neither minister had said that Ray, who is charged with murder in the assassination, did not actually shoot Dr. King.

What both men are trying to do, according to Tom Offenburger, public relations director of the Southern Christian Leadership Conference, is to emphasize that the question of guilt goes far beyond the matter of who pulled the trigger.

Mr. Bevel has offered to help defend Ray, who is scheduled to be tried in Memphis March 3. Whatever the value of the offer, Ray's attorney, Percy Foreman, already has contacted Mr. Bevel.

In a recent telegram to

Ray, Mr. Bevel said, "I would like to inform you that I would be very happy to take your case without fee. I was present at the Lorraine Motel when Dr. King was killed.

You have been charged with murdering him. Of course, I know that you are not guilty."

At a press conference later Mr. Bevel was quoted as saying he had "evidence that would free" Ray, but Offenburger says Mr. Bevel contends "he was misquoted or what he said was misinterpreted."

Mr. Bevel apparently initiated a conference telephone call Thursday to Mr. Abernathy in the Virgin Islands, where he is vacationing, and to SCLC staff members in Atlanta.

During the conference they discussed the Bevel telegram and agreed that the SCLC should conduct a vigorous campaign to see that American racism is properly blamed for the assassination. To further that objective Mr. Abernathy, who succeeded Dr. King as president of SCLC, authorized Offenburger to issue a statement supporting Mr. Bevel's views.

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

I-17 LA Times
Los Angeles

Date: 1/24/69
Edition: Home
Author:
Editor:
Title:

Character:
or
Classification:
Submitting Office: LA

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JAN 27 1969
LOS ANGELES
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44-1574-B-203

(Mount Clipping in Space Below)

Negro Leader Claims Evidence Ray Didn't Shoot Dr. King

Associated Press Writer

PHILADELPHIA (AP) — A ranking figure in the Southern Christian Leadership Conference (SCLC) refused Sunday to elaborate on evidence he claims could free Dr. Martin Luther King's accused assassin.

"I have evidence that would free him," the Rev. James Bevel said at a news conference. "I won't discuss the specific evidence now because it wouldn't be beneficial to James Earl Ray. But, he's not guilty."

The director of SCLC's non-violent education and direct action program, sent a telegram Saturday to Ray in Memphis, Tenn., which read:

"I would like to inform you that I would be very happy to take your case without fee. I was present on April 4 at the Lorraine Motel when Dr. King died—you have been accused of murdering him. Of course, I know you are not guilty."

The 32-year-old civil rights advocate and former liaison officer between SCLC and militant



—Associated Press Wirephoto

**REV. JAMES BEVEL
Offers to defend Ray**

Negro groups, said he did not volunteer his information sooner because of the shock immediately following King's slaying.

"I hadn't prepared to be responsive to him," Bevel said. "But then I thought, 'Here's a

man sitting here that shouldn't be here.'"

Ray is scheduled to go on trial March 3 in Memphis on a charge of murder.

"If he (Ray) decides not to take my services, that's his choice," Bevel said. "I would continue to be very good and warm to him. I wouldn't be against him."

Bevel is not a member of the bar, but a lawyer "by circumstances." The native of Itta Bena, Miss., said he was qualified to defend Ray because of the legal experience gained while representing himself during several civil rights' cases in Mississippi.

Public Defender Hugh Stanton in Memphis has refused to react to the telegram as has Ray's attorney, Percy Foreman of Houston.

King was cut down by a sniper's bullet while leading a strike by Memphis garbage collectors last spring.

His accused assassin was subsequently arrested in London following an intensive manhunt and extradited to Memphis.

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

A-3 Herald-Examiner
Los Angeles, Calif.

Date: 1/20/69
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Editor: Donald Goodenow
Title: MURKIN

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Former King Assistant Claims Ray Is Innocent

Saying He Has Evidence to Free Accused Assassin, Rev. James Bevel Offers Help

PHILADELPHIA (AP)—A ranking figure in the Southern Christian Leadership Conference said Sunday he had evidence he claimed could free Dr. Martin Luther King's accused assassin, but he refused to elaborate.

"I have evidence that would free him," the Rev. James Bevel said at a news conference. "I won't discuss the specific evidence now because it wouldn't be beneficial to James Earl Ray. But he's not guilty."

The director of SCLC's nonviolent education and direct action program, Mr. Bevel sent a telegram Saturday to Ray in Memphis, which read:

"I would like to inform you that I would be very happy to take your case without fee. I was present on April 4 at the Lorraine Motel when Dr. King died—you have been accused of murdering him. Of course, I know you are not guilty."

The 32-year-old civil rights advocate and for-

mer liaison officer between SCLC and militant Negro groups, said he did not volunteer his information sooner because of the shock immediately after Dr. King's slaying.

"I hadn't prepared to be responsive to him," Mr. Bevel said. "But then I thought, 'Here's a man sitting here that shouldn't be here.'"

Ray is scheduled to go on trial March 3 in Memphis on a charge of murder.

"If he (Ray) decides not to take my services, that's his choice," Mr. Bevel said. "I would continue to be very good and warm to him. I wouldn't be against him."

Not Member of Bar

Mr. Bevel is not a member of the bar, but a lawyer "by circumstances." He said he was qualified to defend Ray because of the legal experience he gained while representing himself in several civil rights cases in Mississippi.

Public Defender Hugh Stanton in Memphis has refused to react to the

telegram as has Ray's attorney, Percy Foreman of Houston.

Dr. King was killed by a sniper's bullet while in Memphis last spring to aid a strike by garbage collectors.

His accused assassin was subsequently arrested in London after an intensive manhunt and extradited to Memphis.

Asked why he waited so long to announce that he had evidence, Mr. Bevel said it was not until now that he felt he "had enough evidence . . . enough to come to the conclusion" about Ray's innocence.

He said that when Dr. King was shot last April, he was standing "on the ground" outside the motel.

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

I-5 Los Angeles Times
Los Angeles, Calif.

Date: 1/20/69
Edition: Home
Author: Dial Torgerson
Editor: Nick B. Williams
Title: Murkin

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or

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Submitting Office: Los Angeles

Being Investigated

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1 JAN 30 1969	
FBI—LOS ANGELES	

(Mount Clipping in Space Below)

Mercy Plea Made for Ray at Rites for King

Abernathy Asks That Jan. 15, Civil Rights Leader's Birthday, Be Declared a Holiday

BY JACK NELSON
Times Staff Writer

ATLANTA—An impassioned plea that the life of the killer of Dr. Martin Luther King be spared and that Dr. King's birthday—Jan. 15—be declared a national holiday were made here Wednesday at ceremonies commemorating the civil rights leader's 40th birthday.

Dr. King's widow and parents nodded agreement as the Rev. Ralph David Abernathy, Dr. King's successor as president of the Southern Christian Leadership Conference, urged "the forces of goodwill throughout the land to exert their total influence in seeing to it that the life of James Earl Ray, or whoever is proven to have pulled the trigger that felled our sainted and beloved leader, is spared."

Ray, 40, accused of assassinating Dr. King in Memphis last April 4, is scheduled to go on trial for murder here on March 3.

Unusual Memorial

Prior to the series at Ebenezer Baptist Church, where Mr. Abernathy spoke, an unusual memorial program to Dr. King unfolded in the Georgia State Senate where the Rev. Martin Luther King Sr. and several civil rights leaders received a warm reception.

The two black members of the 51-man senate—Leroy Johnson and Horace Ward—participated in the brief program. Except for one segregationist member (Roy Noble) who walked out, the senate listened attentively.

Ward quoted from Dr. King's famous "I Have a Dream" speech at the 1963 march on Washington and Johnson introduced to the senators Rev. King Sr.; Rosa Parks of Detroit, who sparked the 1955 Montgomery bus boycott that propelled Dr. King to civil rights leadership; the Rev. Walter Fauntroy, vice mayor of Washington and head of SCLC's office there, and several African officials.

Aids Groundbreaking

The visitors were welcomed by Lt. Gov. George T. Smith, who later participated in ground-breaking ceremonies for the \$2.5 million Martin Luther King Jr. Village, a model community and housing development sponsored by SCLC and the Ebenezer Baptist Church. It will be constructed under the National Housing Act.

*cc to Bureau
1-16-69*

Earlier Monday, Mrs. Coretta King, Dr. King's widow, told a press conference that a Martin Luther King Jr. Memorial Center will be developed in Atlanta around two locations—the Auburn Ave. area of the Ebenezer Church and the house where he was born two blocks away, and the area of Atlanta University, where he was graduated from Morehouse College.

Mrs. King estimated the total cost at between \$25 to \$40 million and said the money would be raised through foundations and private and corporate donations.

The remains of Dr. King now in Southview Cemetery, will be permanently interred in a memorial park that will be part of the Auburn Ave. development, she said.

Almost 1,000 persons crammed into the Ebenezer Church and another 2,000 stood outside or sat in an annex and listened to Monday's program over loudspeakers. Dr. King was co-pastor of the church at the time of his death.

Actor Harry Belafonte, a longtime friend of the Kings and a board member of SCLC, sat in the front row beside the widow and her four children. He applauded Mr. Abernathy's call for sparing the life of Dr. King's killer.

Mr. Abernathy said it would be "needless to kill one man for the sins of millions. For us to kill all of those who are truly guilty of taking Dr. King's life, we would be guilty of mass murder, perpetrating an atrocity no less than that of Adolf Hitler."

Executing the killer "would not deal with our

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

I-25 Los Angeles Times
Los Angeles, Calif.

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Author: Jack Nelson
Editor: Nick B. Williams
Title: Murkin

Character:
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Submitting Office: Los Angeles

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1 JAN 16 1969	
FBI - LOS ANGELES	

major problem, only with the symptom of our problem," Mr. Abernathy said, adding that the real problem is that the nation has "concentrated on violence and we are saturated with hate."

Mr. Abernathy noted that no day is set aside in the United States to honor a black man and he said that Congress, by making

Jan. 15 a legal holiday, could help blacks by "enriching our heritage in America and strengthening our faith in the democratic system."

U.S. Rep. John Conyers Jr. (D-Mich.), a Negro, said that last year he had 53 sponsors for a bill declaring the day a holiday and that he is again sponsoring the legislation and has found increased support for it.

"Sacred Holiday"

Cleveland Robinson of New York, president of the Negro American Labor Council, said, "It should be a sacred holiday in the sense and for the purpose that we are here today."

"We don't want anyone to believe we hope Congress will do this," he

added, "we're just sayin', 'Us black people in America just ain't gonna work on that day anymore.'"

The remark prompted a standing ovation. Except for its lone Negro member, who stood and applauded, members of the Georgia Tech Glee Club, who participated in the program, remained seated.

Theodore Hibbler, an elderly sanitation worker from Memphis, recalled that Dr. King was in that city to give sanitation workers leadership in their drive for better working conditions when he was assassinated.

"We'll never forget his leadership," Hibbler said. "He gave his life for what some people would call the least of Memphis, which is the sanitation workers."

(Mount Clipping in Space Below)

Ray Biographer Seized on Contempt Warrant

MEMPHIS (AP) — William Bradford Huie, biographer of James Earl Ray, was arrested on a contempt of court warrant Friday after testifying before the Shelby County Grand Jury. Ray is charged with murdering Dr. Martin Luther King last April.

Huie, who claims knowledge of a conspiracy in the King slaying, had been directed to appear before the grand jury and tell all he knows about the case. He was with the grand jury two hours and 40 minutes.

The warrant was issued by Judge W. Preston Battle, who will try Ray when he goes to trial March 3. The contempt citation, issued in connection with magazine articles Huie wrote, was based on Huie's alleged violation of a strict no pretrial publicity order issued by Judge Battle.

Huie was released after posting \$1,000 bond.

Huie's articles on Ray, in which he said Dr. King's death was the outgrowth of a conspiracy, appeared in Look magazine. He purportedly paid Ray up

to \$35,000 for the material he used in writing them.

Battle also turned down a defense motion that Huie be allowed to meet privately with Ray in his jail cell.

The judge said he was convinced the Look articles have "caused tremendous damage" to the Ray trial and would render it difficult to obtain a jury "within a reasonable

length of time."

"In light of what has happened in the past, I don't trust Mr. Huie not to violate those orders again in the future when he feels like it," Battle said.

Battle also denied a motion that Ray be photographed in his cell for a magazine.

Percy Foreman, Ray's lawyer, had said money gained from the sale of such photos would go toward paying for Ray's defense. But Battle said making pictures available on an exclusive basis would be "desecrating the temple of justice."

Before going before the jury, Huie told newsmen he could name others he said were involved in Dr. King's slaying, but probably wouldn't do so before the grand jury.

"I can't name people who I think may be in-

involved until they are arrested. I could be sued for libel," said the author.

"I am not in the law enforcement business," Huie said. "The only information I have is information given me by James Earl Ray. All of it has

been made available to the FBI and the state of Tennessee."

Judge Battle has cited several others for violating his no-publicity edict.

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

PART I
PAGE 7

LOS ANGELES
TIMES

Date: 2-8-69
Edition: Home
Author:
Editor: JAMES EARL
Title: RAY

Character:
or
Classification:
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44-1574-B-207
SEARCHED INDEXED
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FEB 10 1969
FBI - LOS ANGELES
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(Mount Clipping in Space Below)

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

I-7 Los Angeles Times
Los Angeles, Calif.

Date: 2/8/69
Edition: Daily
Author:
Editor: Nick B. Williams
Title: Murkin

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

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SERIALIZED	FILED
FEB 10 1969	
FBI — LOS ANGELES	

*cc to [unclear]
2-10-69*

4-1-1969 11:20

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Ray Trial May End Next Week if He Pleads Guilty as Predicted

BY NICHOLAS C. CHRIS

Times Staff Writer

MEMPHIS—The trial of James Earl Ray, the accused assassin of Dr. Martin Luther King, may be finished within two days next week.

A source close to the proceedings said Ray would plead guilty Monday, his attorney would seek a 99-year sentence for Ray to escape the risk of a death penalty and a jury would be impaneled for an abbreviated trial to hear some state evidence and officially set the sentence.

The source said the state attorney general's office here "has already agreed to the guilty plea and a 99-year sentence. There are a lot of stipulations and Ray may not be able to back out even if he wanted to by Monday," he added.

Some observers here believed that there could be a change between now and Monday, particularly if the state becomes alarmed at public criticism.

But the schedule of events for next week was related by a source who has been close to both Ray and his attorney, Texas lawyer Percy Foreman.

Foreman asked Judge W. Preston

Battle Friday for a hearing at 9:30 a.m. Monday and also asked that Ray be present. Aside from that, there was no other official information concerning the case. Foreman, here the past two days, returned to Houston Friday afternoon after reminding newsmen that he was not allowed to comment on the case.

The source said all the physical evidence surrounding the assassination, including a huge mockup of the assassination scene made by the FBI, may be presented at the hearing Monday. He said other evidence on hand would be the bullet that killed Dr. King here last April 4 and a pair of binoculars and a rifle traced to Ray by the FBI.

If Ray does plead guilty and if he does get a 99-year sentence, he would be eligible for parole after he serves half the term. The state of Missouri, however, has issued a warrant of arrest charging him with escaping for the state penitentiary there.

Ray has been held in the Shelby County Jail here for the past eight months under super-security pre-

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I-1 Los Angeles Times
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under super-security precautions. He was captured in the London Airport last June 8 and returned to Memphis where a grand jury charged him in an indictment with first-degree murder.

One hitch in the various reports concerning Ray's hearing Monday is that he is noted for changing his mind and his proclivity to practice law with his attorney. There was the possibility he might be in disagreement with Foreman and fire him Monday instead of following the attorney's course of action. Ray has already fired one of his attorneys.

"It was Percy's decision (to enter a guilty plea)," the source said.

Under Tennessee law in capital cases, a jury must be impaneled after the guilty plea is entered. The jurors will then hear from three or four state witnesses, the source said. Then they will deliberate and

return to officially set the sentence.

Earlier, when they are selected each will be asked if he agrees to go along with the court's recommendation of the 99-year sentence and the acceptance of the guilty plea. If a juror does not, he can be dismissed. And if the jury deliberates and then comes out with a sentence or finding other than that discussed during the trial, the judge could dismiss the jury and go through the whole process again.

Some observers here said Foreman, in planning to enter a guilty plea for Ray, was taking into consideration the mass of physical evidence against the accused assassin.

(Mount Clipping in Space Below)

RAY—A PLEA OF GUILTY?

(C) 1969 New York Times News Service

MEMPHIS, March 9—A special court hearing for James Earl Ray, accused of assassinating the Rev. Dr. Martin Luther King Jr., remained scheduled for tomorrow after a series of unusual meetings in the Memphis courthouse tonight.

Circuit Judge W. Preston Battle came to the courthouse early tonight after Ray had met for more than an hour with his attorney, Percy Foreman, amid reports that Ray had had second thoughts about pleading guilty to King's murder.

The judge stayed about 30 minutes and would not comment when he left. In the courthouse at the same time were Foreman and a prosecutor, P.M. Canale.

Tomorrow's court hearing was scheduled at Foreman's request, who had asked that Ray be present. Sources said that Ray had agreed to plead guilty and to accept a 99-year sentence for the slaying of the civil-rights leader.

Last night there was an indication that Ray had changed his mind and was contemplating firing Foreman as his attorney. As this report gained strength today, Foreman flew to Memphis from Houston, his home, and met with Ray in his jail cell.

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**Biographer of Ray
Doubts Conspiracy**

NEW YORK (AP)—William Bradford Huie, biographer of James Earl Ray, said Tuesday he now doubts that the death of Dr. Martin Luther King was the result of a conspiracy.

Huie, who interviewed Ray after his capture and wrote a series of magazine articles hinting at a conspiracy, said in a television interview that he concluded early this year that Ray made the decision to kill Dr. King himself.

Ray pleaded guilty to the murder of Dr. King in a Memphis, Tenn., courtroom Monday but declared he did not accept the conclusion that there was no conspiracy.

"What Ray meant in the courtroom yesterday he tried to point out that

he was pleading guilty of firing the shot. But he was insisting that there was a great deal else and that he had assistance," Huie said.

Although he has now concluded that Ray himself made the decision to kill Dr. King, Huie added, "But I do not know this and Ray insists otherwise. Ray has a strange mind and a sharp one.

"He takes great satisfaction out of the fact that we still have doubts. That we still have unanswered questions. He wants continuing drama in his life," Huie said.

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"We find no evidence of conspiracy in the sentencing of James Earl Ray."

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Questions About the Ray Case

ISSUE: *The sudden end of the Dr. King assassination trial leaves many doubts unresolved. What should be done to clarify matters?*

The deal between the prosecution and the defense which permitted James Earl Ray to plead guilty to the murder of Dr. Martin Luther King Jr. and receive a sentence of 99 years may have served the interests of justice and the requirements of the law. But did it serve the public interest?

Quite clearly the assassination of Dr. King last April did not constitute simply another homicide case, to be treated routinely even to the point of a presentence understanding between prosecution and defense. Too much interest and doubt revolve around the murder for that.

Certainly it would have been preferable if a normal adversary proceeding had run its course, with witnesses called, evidence presented and cross-examination allowed. The reason would not have been to determine Ray's guilt, which seems plainly established. The reason, rather, would

have been to throw as much light as possible on the question of whether a conspiracy existed in the assassination.

The Shelby County prosecutor and the Justice Department, after extensive investigation, say they found no evidence suggesting a conspiracy. Beliefs to the contrary nonetheless remain, even though these beliefs appear to be entirely intuitive. A full trial would have gone far to resolve many doubts.

The prosecution in the Ray case collected thousands of pages of information which, reportedly in minute detail, answer many outstanding questions: about how Ray got his money (purportedly by smuggling and bank robbery); his attitudes toward Negroes; his travels and associates.

The prosecution's evidence should be made fully available to the public so that matters now obscure or in dispute might be clarified. This will not take the place of an open adversary proceeding, but at least it will do something to make up for the unfortunate way in which the Ray case was so suddenly terminated.

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