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# Richard J. Ryan Is Third To Try Defense Of Ray



Richard J. Ryan

## Cell Visit Due

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

By CHARLES EDMUNDSON

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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