

(Mount Clipping in Space Below)

Ray Denied Court Approval For Analysis Of Fatal Bullet

By CHARLES EDMUNDSON

Criminal Court Judge William H. Williams yesterday denied a motion by an attorney for James Earl Ray, confessed slayer of Dr. Martin Luther King Jr., for a spectographic analysis of the bullet that killed the Negro leader.

Bernard Fensterwald Jr., the 11th attorney to be employed by Ray, contended the analysis is needed to establish whether the bullet taken from Dr. King's body here in April, 1968, is of the same composition as either of two lots of bullets left on the sidewalk at 422½ Main just after the slaying.

Judge Williams denied this and other defense motions as not in order for arguments to be made before him on a defense move for a new trial under the Tennessee post-conviction relief act. Judge Williams set the new trial hearing for Sept. 2.

Atty. Gen. Phil M. Canale will contend Ray's motion for a new trial should be dismissed because it alleges no violation of Ray's constitutional rights.

Mr. Fensterwald, executive director of the Committee to Investigate Assassinations, with offices in Washington, contends Ray did not fire the shot that killed Dr. King. A spectographic analysis of the fatal bullet might show, he maintains, that it belongs to neither of two lots 30-06-caliber cartridges left on the sidewalk in front of the rooming house from the second floor of which the state contends Dr. King was shot.

Robert A. Frazier, an FBI ballistics expert, found that the bullet extracted from Dr. King's body was a 30-caliber

metal-jacketed soft-point sporting type bullet. He found it identical to five unfired bullets the state claims Ray left behind but dissimilar from four others, also left behind, that had full metal jackets.

If the FBI made a spectographic analysis of the bullets, the 560 word affidavit prepared by Dr. Frazier for use at the trial does not mention it.

"This is a serious flaw in the investigation and should be corrected," Mr. Fensterwald said.

Judge Williams refused a defense request for Ray to be brought to Memphis from Brushy Mountain Penitentiary in East Tennessee for the Sept. 2 hearing.

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COMMERCIAL APPEAL

MEMPHIS, TENN.

Date: 7/10/70

Edition:

Author:

Editor: GORDON HANNA

Title:

Character:

or

Classification: 44-1987

Submitting Office: MEMPHIS

Being Investigated

44-1987-Sub-C-41

INDEXED

FILED

7/10/70

Orig. and one to Bureau 7-14-70.