

(Mount Clipping in Space Below)

Protesting Ray To Be Moved To Federal Unit For Security

From Our Press Services

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



James Earl Ray