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Beacon Story Ignites Ray Trial Controversy

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Beacon Staff Writer

A front-page story in the Wichita Beacon on Sept. 12 has become the center of a controversy in Memphis, Tenn., over public statements made by the defense and prosecution in the case of James Earl Ray, accused assassin of Dr. Martin Luther King.

The Beacon story quoted FBI fingerprint expert George Bonebrake, the agent who identified Ray at an extradition hearing in London last summer, as saying: "There is no doubt in my mind that he (Ray) at least handled the murder weapon."

IN A STORY TODAY in the Memphis, Tenn., Commercial Appeal, Ray's attorney, Arthur J. Hanes, charged that a court order restricting pre-trial publicity in the case, "protects the prosecution and only muzzles the defense."

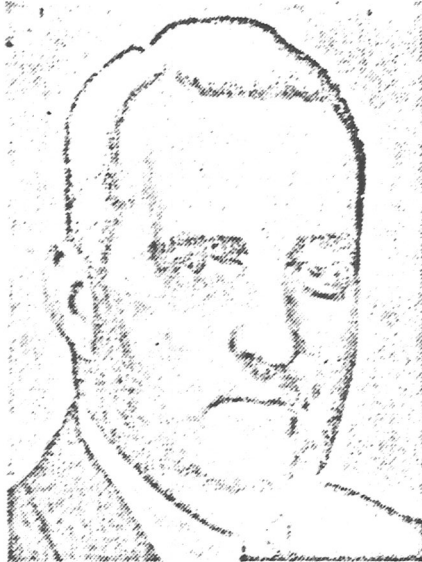
Hanes cited specifically The Beacon interview story here with Bonebrake as an example of prosecution witnesses who have made public statements "convicting my client and we have had no chance to counter them."

On Sept. 30, Hanes, private detective Renfro Hays, hired by the defense, and two Memphis reporters, Roy Hamilton of the Memphis Press — Scimitar and Charles Edmundson of the Commercial Appeal were cited for contempt of court for trial-related statements made outside of court.

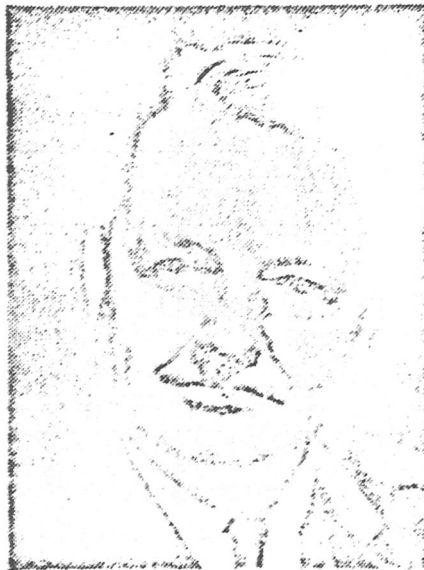
W. Preston Battle, criminal court judge in Tennessee's Shelby County, issued the contempt citations.

The contempt findings came after complaints Hanes and Hays had voiced about the unusually strict guard placed on Ray. The two newsmen reported the complaints in their Memphis papers.

Hanes had complained the strict security surrounding his client had



Arthur Hanes



Judge Battle

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

1 Wichita Beacon

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threatened Ray's sanity and called the security measures "cruel and unusual punishment."

LAST WEEK, Time Magazine in reporting the conflict between Judge Battle and the four defendants in the contempt action, reported Hanes also had talked to the press about the possibility of Communist conspiracy in the King murder.

The Time report said that Judge Battle had found no violation of Ray's rights and had described the security precautions as "reasonable."

The judge further stated that out-of-court suggestions that Ray's sanity may be in danger were "extremely prejudicial and constitute a clear and present danger" to picking an impartial jury and holding a fair trial.

In issuing the contempt citation Battle found statements by Hanes and Hays and the subsequent news stories by the two reporters were violation of his order prohibiting any prejudicial out-of-court discussions of the case.

IN TODAY'S STORY in the Memphis Commercial Appeal, Hanes referred extensively to the interview here with Bonebrake. The FBI expert was here to conduct a seminar on fingerprint identification for local law enforcement agencies.

At that time, Bonebrake told a Beacon reporter he had testified at the Ray extradition hearing that "the latent fingerprints we found in Memphis matched those taken of the man arrested in London and that the same prints matched those taken of James Earl Ray while he was at the Missouri penitentiary."

"Therefore, my testimony tended to implicate him in the murder of Dr. King as well as identify him as the fugitive wanted for escaping from the Missouri prison."

BONEBRAKE ALSO STATED that FBI agents had obtained "good" latent prints from a rifle believed used to kill Dr. King, from a telescopic sight on the rifle and from a pair of binoculars all found abandoned near the Memphis crime scene.

In the Commercial Appeal Story, Hanes referred to Bonebrake's statements as an example of how Judge Battle's order limiting pre-trial publicity has different effects on the defense and prosecution.

He added that any effort at successfully limiting the press would have to be at a nation-wide level.

A REPORTER FOR the Commercial Appeal told The Beacon an attempt had been made to contact Bonebrake but the Washington, D.C., FBI office said the fingerprint expert was out of town and could not be reached.

The reporter also said Hanes told him he received a copy of The Beacon story in the mail from an unidentified sender, apparently from Wichita.

Hanes, a Birmingham, Ala., attorney, is in Memphis continuing his investigation of items of evidence the state is expected to introduce when Ray goes to trial Nov. 12.

The Beacon today attempted to contact Hanes at his Memphis motel for comment on his charges against the court but the attorney could not be reached.