

# Memphis officials express joy over capture of Ray

By JAMES M. EVANS

MEMPHIS, Tenn. (UPI) — Secretive swiftness apparently will be the order of the day when, and if, James Earl Ray, the 40-year-old accused assassin of Dr. Martin Luther King Jr., is returned to stand trial for murder.

Police officials, the mayor, civil rights leaders and the average citizen expressed joy Saturday when FBI officials in Washington announced that Ray, after a 65-day manhunt, had been arrested at a London airport.

District Atty. Gen. Phil Canale, who for years has left active prosecution of criminal cases to other members of his 19-man staff, indicated he would serve actively in Ray's trial and said a request for extradition would be made as soon as possible.

Canale, Shelby County Sheriff William Morris and City Police Director Frank Holloman said Ray most likely would be safely behind bars before the world learned of his return.

IN SPITE of their in-

tended secrecy, it was reported that Morris will bear the chief responsibility for Ray's safety.

This leads to the conclusion that the high security prisoner would be housed in the four-story, gray concrete Shelby County jail, a building that houses both the jail and, on a lower floor, the five county criminal courtrooms.

It would be one of those courtrooms where Ray would appear both for arraignment—he was indicted for first degree murder May 7 — and, eventually, for trial.

Holloman, informed of Ray's capture Saturday, said he "and the citizens of Memphis are elated." Mayor Kenry Loeb said the news was "great" and promised his administration would take every possible step to see that "justice is done" and would "cooperate fully" in extradition efforts.

The FBI has said Ray, an escaper from the Missouri State Prison, is the man who stood in a flophouse bathroom and fired the single rifle shot April 4 that severed King's spinal as he stood on the balcony in front of room 306 at the Lorraine Motel.

KING WAS in Memphis to lead a mass demonstration in behalf of the City's predominantly colored sanitation workers who, at that time, were nearing the two-month

mark in their strike against the city, a strike that Loeb contended was illegal.

The Rev. James Lawson, a colored minister who led a group of strike sympathizers and invited King to Memphis, said he was gratified by the news of Ray's arrest, but warned, "we must remember he is presumed innocent until the jury receives the evidence."

"I think most of us in the black community are not persuaded that one man only is responsible," Lawson said. "After all, there is the decoy chase that has not been adequately explained."

Lawson referred to a broadcast heard over the Memphis police radio frequency shortly after King was shot, telling of a white car speeding through the city with a blue car in pursuit. It later was established that the broadcast was a hoax.

IN SPITE of a state law that requires the death penalty for a conviction of first degree murder without extenuating circumstances, it appeared unlikely that any convicted killer ever again would be put to death in Tennessee.

The last man to die in the electric chair at state prison in Nashville was William Tines, 37, a man from Knoxville who was convicted of rape. He died Nov. 7, 1960.

Since that time, in spite of the fact that the nine cells on death row at state prison have remained virtually full, there have been no executions, at first because of questions raised about the law and civil rights and, later, by the personal convictions of two governors.

GOV. BUFORD Ellington was completing his first term in office in 1962 when the case of a Memphis man, Clayton Dawson, was carried to the U.S. Supreme Court on the grounds that Tennessee's capital punishment law was invalid because it was adopted by a malapportioned legislature.

By the time the high court overruled the argument, Ellington had been succeeded by Gov. Frank Clement, an opponent of capital punishment who pleaded tearfully with legislators in 1965 to repeal the act.

Clement granted continuous reprieves for the men on death row, apparently hoping for legislative action that never came. He was succeeded Jan. 1, 1967 by Ellington, who has since made two pleas to the General Assembly on the same subject without success.

Ellington has indicated there will be no further executions as long as he remains in the governor's mansion.

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