

Last Man Who Fled With Ray Is Caught

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PETROS, Tenn., June 14—The last of five convicts who broke out of Brushy Mountain State Penitentiary last Friday with James Earl Ray was run down and recaptured early this morning, bringing an end to one of the biggest manhunts in Tennessee history.

As the scratched and weary convict, Douglas Shelton, was put back behind bars, the prison steam whistle shrieked a long "all clear" that could be heard for miles in the surrounding Cumberland Mountains. At the same time, prison officials called the five-day escape episode "routine" and said that they were certain the escapers had received no outside help.

"We're fully convinced there was no outside conspiracy," said Stonney Lane, the penitentiary warden. "The escape and recapture followed the usual pattern. Now all we have to do is determine if any negligence was involved. We are conducting an investigation."

There had been some speculation that Mr. Ray, the convicted assassin of the Rev. Dr. Martin Luther King Jr., might have planned the breakout with outside assistance.

Serving 99-Year Sentence

Mr. Ray, who is serving 99 years for shooting the civil rights leader in Memphis in 1968, was recaptured early yesterday after being tracked down by bloodhounds on a woody hillside about five miles northeast of this little village.

Mr. Shelton, a 32-year-old native of Kingsport, Tenn., who is serving 65 years for murder, assault and larceny, was taken in the same general area this morning after he jumped into a truck, scared off its driver, then slipped into a ditch while trying to flee pursuing patrols.

Neither Mr. Shelton nor the truck's driver, Larry Joe Phillips, was hurt.

None of the six escapers ever got more than 20 miles from the 440-inmate prison after scaling the wall with a ladder they had made with pipe. But they could not elude the brambled Cumberland hills, the braces of relentless bloodhounds, the whirling helicopters and the scores of patrols and roadblocks. For that matter, no convict has ever successfully broken from the prison in the eight years since it became a "maximum security" installation in the Tennessee penitentiary system.

Visit by Ray's Attorney

Mr. Ray's attorney, Jack Kershaw of Nashville, visited his client this morning and later told newsmen that although he had long argued that the King killing involved a conspiracy, he had concluded that the Brushy Mountain breakout had been planned and executed only by the prisoners.

"I think James Earl regrets his caper," Mr. Kershaw added. "He's been through quite an ordeal. He's mentally exhausted, though physically O.K."

Mr. Kershaw said that he would continue his effort to get a new trial for Mr. Ray and would fight a request by Gov. Ray Blanton that Mr. Ray be transferred to a Federal prison.

The Governor asserted yesterday in a letter to President Carter that Federal



United Press International

Ray Blanton, Governor of Tennessee, announcing in Nashville on Monday that he had asked the Federal Government to accept custody of James Earl Ray. Sitting on left is C. Murray Henderson, State Correction Commissioner.

courts had "hampered" state efforts to keep Mr. Ray behind bars by insisting that he be allowed to mingle freely with other prisoners.

Mr. Ray has a long history of escape attempts and was at large from a Missouri prison when Dr. King was killed.

Mr. Kershaw said that Mr. Ray had committed no Federal crime and therefore could not be transferred to a Federal prison. He called the Governor's request "ridiculous."

In Washington, Justice Department officials said that they would consider the request, but they expressed doubt that it could be honored if Mr. Ray refused to go along. The Federal Government sometimes houses state prisoners under contract in cases in which a prisoner's security is at issue.

Mr. Kershaw also said today that Mr. Ray had agreed to talk "in a few days" with members of the House Select Committee on Assassinations. The committee is investigating the King slaying and the assassination of President Kennedy. Two members of the committee's investigative staff visited Brushy Mountain today to question guards about Mr. Ray's escape, then departed without issuing any statement.

Warden Lane said that none of the escapers were cooperating with the state's investigation of the break. All were being detained in a specially guarded section of the penitentiary pending hearings that could result in additional sentences of up to five years for each man.

Mr. Lane added that two major ques-

tions raised immediately after the breakout had been answered to his satisfaction.

"We now know," he said, "that our phone system went out at the time of the escape because there were too many outgoing calls. And we know that the electric fence did not suddenly fail. The prisoners slipped under it."

When recaptured, all of the prisoners appeared to be wearing the same clothing in which they had escaped, but several were missing shoes or shirts. Mr. Ray was found to be carrying a map of eastern Tennessee and \$290 in cash, a discovery that did not seem to hold particular interest for his captors.

"He could get a map anywhere," Mr. Lane said. "That's not difficult in a prison."

As for the cash, Donald Daugherty, a prison guard who helped recapture Mr. Ray, said that inmates were frequently discovered carrying many times the \$50 each has been authorized to keep in his cell or wallet.

"They make \$35 a month," he added, "and they gamble and wheel and deal."

Mr. Daugherty was asked how he felt about the recapture of Mr. Ray.

"He was out too long," the guard said. "We'd have gotten him back a lot sooner if all those outsiders hadn't poured in here with their helicopters and searchlights and the like."

"When you go after a man, you go quiet-like. You put down in the bushes somewhere and you don't smoke and you don't talk and you don't rattle around. You just wait for him to come by because you know your man."