

King Assassination Figure on TV

Ray Says Hell Testify Only at Public Session

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James Earl Ray says he would testify before the House Assassinations Committee only in a public session and that he would not consider appearing in any kind of executive session which might lead to leaks by committee staffers.

In what amounts to his first public declarations about the assassination of Martin Luther King Jr., Ray denied on national television last night that he killed the civil rights leader in Memphis, Tenn., in April 1968.

Ray declared in an interview with Dan Rather on CBS that assassination would have been "out of my league." Assassination or being a "hit man" was never mentioned to him, he said, by the mysterious "Raul" for whom he claimed he was working in some sort of gun-running deal.

The committee is scheduled to meet today to hear "five" witnesses, but Ray, according to committee sources, will not be one of them. It is considered a strong possibility that Ray, now serving a 99-year prison term because of his guilty plea, will be subpoenaed by the committee to testify later.

RAY'S TELEVISION appearance was his first public account of his situation. The prisoner has never taken the witness stand or testified in any court about the death of King except to plead guilty eight years ago without trial. Subsequently Ray recanted his guilty plea and said he had been railroaded by his attorney at the time, Percy Foreman.

In other points made by Ray, the prisoner threw some new light on his activities and his present state of mind. Among other things, Ray said: • In the one year, one month and 15 days he was at large from his escape from prison until he was arrested on the charge of shooting King, he spent

\$9,500 or \$10,000. The FBI has computed Ray's expenditures during that time as about \$7,000.

"Raul" appeared to be a Latin, about 5-feet-8 or 5-feet-9, 150 pounds, and had dark Auburn hair. But Ray insisted that there was no mention of politics or of any group by "Raul." He said his impression was that there was some kind of monetary gain in the mind of the man whose instructions he claims he followed for a year.

He does not want to talk to the attorney General, Griffin Bell, on an ex parte basis, but has no objection if the attorney general wants to question Ray under oath on a witness stand.

"I DON'T WANT to rely on the Justice Department," Ray said in the interview conducted in Brushy Mountain Penitentiary, Tenn. "They have an inherent hostility to anyone with my background. I'd rather keep them at arm's length. There's pitfalls in being a state witness. Valachi died in solitary confinement. If I testify for anyone, it would be for myself. I'm not concerned with the state's case."

Asked about his willingness to testify before the House committee now headed by Rep. Louis Stokes, D-Ohio, Ray replied, "That depends. There's not much point if the premise is that I'm guilty and they just want to find out who else is involved. If I do testify, I don't want to testify in any type of executive session. Members of the staff, not the committee, leak like the Church committee did. I'd rather testify in public and have a public record available to anyone."

Asked by Rather if he fired the shot that killed King, Ray replied, "No, and I think we could prove it through some kind of judicial proceeding."

TENNESSEE HAS refused to

grant Ray a new trial. Ray claimed he was at a service station in Memphis at the time King was shot by a sniper. He added he was positive he was not in his rooming house, from where the shot was fired, after 5:30 p.m. April 4, 1968, when King was shot.

Ray acknowledged that he had told the Tennessee court that his guilty plea was voluntary. He explained the plea by saying, "I assumed if I entered a plea of guilty I could have had an investigation after the plea with newly discovered evidence and there was a possibility the case could have been reversed."

Asked why he has remained silent so long if someone else did the killing, Ray replied, "A lot of people have a Pollyanna view of the legal system. If you testify, the prosecutor will misuse what you tell him."

THE FBI HAS never been able to locate anybody like the man Ray describes as "Raul," and Ray acknowledged, "I think people would be skeptical of anything I testified to in the media." But he said that if he and others were placed under oath he thinks it could be proven that somebody like "Raul" existed.

He said it would be totally false to ascribe the King murder to white racists and said he could not accept the theory that black militants wanted King dead because he was too nonviolent. He also said he doubted very much if Communists were involved and that it was not a valid theory to connect the death of King with the 1963 assassination of Kennedy.

MEMBERS OF THE assassinations committee, including Chief Counsel Richard A. Sprague, have made no secret of their interest in getting Ray on the witness stand under oath.

It has scheduled closed-door testimony today in connection with the killing of Kennedy, reportedly with a witness in or knowledgeable about the Mafia.

Committee members were unusually secretive about the witness, but one source said he understands it is a "mafioso guy" who will testify of use of underworld figures in assassination plots against Cuban Premier Fidel Castro with the Kennedy was president.