

Attorney Says Ray Sought

By **JOY HOROWITZ**
Herald-Examiner Staff Writer

James Earl Ray, convicted assassin of Martin Luther King Jr., escaped from the Brushy Mountain Penitentiary a week and a half ago not to flee prison, but to "escape into a courtroom," one of his lawyers has said.

In an exclusive interview with The Herald-Examiner, attorney Mark Lane, of Washington, D.C., said that Ray, who has attempted to be tried for the murder of King, fled from prison so that his case could finally come to trial.

"What he had planned was if he got off the (prison) wall and escaped from the mountainous regions of Tennessee and got to a population center, he was going to call his attorney and have him negotiate with the government — state and federal," Lane said.

"The terms he had in mind when he escaped were that he would surrender if he was guaranteed a trial," Lane added.

Ray never has been tried for King's murder since he entered a guilty plea on March 10, 1969. The U.S. Supreme Court recently refused to allow him to withdraw his guilty plea.

"In essence," said Lane, who became Ray's attorney two days ago along with Tennessee attorney Jack Kershaw, "he was not trying so much to escape from the Brushy Mountain Penitentiary as to escape into a courtroom."

Ray, who is serving a 99-year prison sentence, has claimed that his original guilty plea was coerced by his lawyer at the time, Percy Foreman.

Ray claims a mysterious man named "Raoul" furnished the money for a rifle Ray bought which was apparently used to kill King in Memphis on April 4, 1968.

But he has said he did not know "Raoul" planned on shooting King.

Ray is expected to be indicted for escaping prison, a

E Los Angeles Herald-Examiner, Wed., June 22, 1977 A-3

Trial in Escape Bid

EXCLUSIVE

felony, by a Tennessee grand jury next week.

Lane said his legal strategy will be to try the case of the murder of Martin Luther King in Ray's escape trial.

"It is our contention that Ray is wrongfully at the penitentiary in the first place because he was coerced...into pleading guilty, and therefore, he cannot lawfully escape," Lane declared.

"The trial of the death of Martin Luther King has never taken place. We hope to turn the trial of James Earl Ray for escaping into the first legal confrontation of the evidence about who killed Dr. King."

Lane, who said he last spoke with Ray April 23, said that he will attempt to call key witnesses involved with the

King assassination, including "all the people in the FBI who masterminded the destroy-King squad" and former Memphis Police Chief Frank Holloman, a J. Edgar Hoover confidante and the man who was responsible for reducing the security surrounding King the day he was killed.

Lane further charged that the FBI had no lawful jurisdiction in trying to apprehend Ray since he was charged with a state crime, not a federal one.

"Kershaw (Ray's other attorney) has informed me that one prisoner picked up (before Ray was captured) was actually beaten by an FBI agent for the purpose of forcing him to tell where Ray was because the FBI was anxious to capture Ray before the local authorities did," Lane claimed.

"The rest of that is going to be told in affidavits in court."