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Ray's Escape Trial Opens With Rebuff To Defense Lawyer

WARTBURG, Tenn., Oct. 27 (AP)—A criminal court judge today rebuffed James Earl Ray's initial attempt to turn the convicted assassin's escape trial into a forum to discuss the murder of the Rev. Dr. Martin Luther King Jr.

But Mr. Ray's attorneys said they still hoped to present testimony on their client's 1969 guilty plea to the Memphis slaying, and thus make the murder charge an issue in the current trial, in which Mr. Ray is charged with escaping from Brushy Mountain Penitentiary last June 10.

At the court session, a nine-man, three-woman jury was selected.

Before the trial began, Mr. Ray's attorney, Mark Lane, said he would argue that his client was illegally confined and therefore not guilty of illegal escape.

The trial is being conducted at the Morgan County Vocational School because the county courthouse is being remodeled. Security was tight around the building, which is about 10 miles from the penitentiary.

Mr. Lane had hoped to show that Mr. Ray was deprived of a fair trial in Memphis in 1969, when he pleaded guilty in a court in Shelby County to the slaying of Dr. King in Memphis on April 4, 1968, and was sentenced to 99 years in prison.

"I have no intention to provide a forum for Mr. Ray to issue his complaints against the system, the Shelby County authorities or anybody else," Judge Lee Asbury said. "I believe that the law is very narrow in this case."

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