Ray Witness Called 'Too Drunk

Star-News 10/24/74

MEMPHIS (AP) — Fifteen minutes before Dr. Martin Luther King Jr. was assassinated, the only witness to place James Earl Ray near the slaying was so drunk he couldn't stand up, a cab driver has testified.

James McGraw, the cab driver, gave the testimony yesterday on the second day of a federal court hearing on Ray's efforts to withdraw his guilty plea to the King slaying and gain a new trial for murder.

McGraw said he was called to a rooming house across the street from the motel where King was shot April 4, 1968, to pick up Charles Quitman Stephens and found Stephens drunk in an upstairs room.

"HE WAS laying on the bed and couldn't get up," McGraw said.

Stephens told officers he saw Ray running from an upstairs bathroom in the rooming house, from where officers theorize King was shot.

Earlier yesterday, Ray was quoted by the doctor who treated him during his stay in the Shelby County jail as saying he wasn't alone in the King death.

Dr. McCarthy DeMere said he asked Ray if he were involved in the slaying as Ray prepared to leave Memphis in March 1969 to begin serving a 99-year sentence in the state penitentiary in Nashville.

"Well, let's put it this way — I wasn't by myself," DeMere said Ray replied.

BECAUSE of the guilty plea, there never was any testimony on Ray's guilt or innocence. But a former assistant in the public defender's office, Hugh Stanton Jr., testified yesterday he had concluded, "We didn't have much defense."

But Stanton said he was preparing a defense for Ray

Five Muslims Plead Not Guilty

MONTGOMERY, Ala. (AP) — Five men accused in the shootout and takeover of a downtown Montgomery radio station have pleaded not guilty to murder charges and have been bound over to a grand jury on bond of $300,000 each.

One of the men, Reginald Robinson, 25, waived a preliminary hearing in municipal court yesterday, Arthur Lewis, 30; Julian Davis, 21; Charles Williams, 27, and Alphonso Davis, 22, were held for grand jury action following hearings.

A sixth person is still being sought in connection with the Oct. 12 incident in which department store guard M. E. Furr was shot and killed. All of the accused identified themselves as Black Muslims when taken into custody.

to Stand Up'

until he pleaded guilty. "I was amazed and astounded" at the plea, Stanton said.

Despite his surprise, however, Stanton said he considered as reasonable the recommendation that Ray plead guilty. "I think it was an extremely high probability that the jury probably would have given him the death penalty."

Stanton, whose father was public defender after Ray's 1968 arrest in London, now is district attorney. He and DeMere testified before Judge Robert M. McRae Jr. of U.S. District Court.

Explaining why he thought Ray's defense was weak, Stanton cited Ray's fingerprints on the murder weapon, Ray's presence in Memphis at the time and the discovery of his overnight bag at the scene of the shooting.

RAY CLAIMS his private attorney, Percy Foreman of Houston, Tex., coerced him to enter the plea and that none of his former attorneys developed a supportable defense for him.

Stanton said that several documents collected by defense investigators could have been used in support of Ray's innocence, including statements by witnesses disputing the site from which the fatal shot came.