

WHO REALLY KILLED Dr. Martin Luther King?

WAYNE CHASTAIN JR.

The world got a flashback glimpse into history at 9 a.m., Oct. 22, 1974, when U.S. Judge Robert McRae tapped his gavel in a Memphis courtroom to begin what could be the longest proceeding of its kind in legal history.

The case: a Habeas Corpus proceeding into the case of *James Earl Ray v. State of Tennessee*.

Ray, 47, is the man history has already recorded — and probably forgotten — as the assassin who shot and killed Dr. Martin Luther King Jr., as Dr. King stood on a balcony of a Memphis motel at 6:01 p.m. on April 4, 1968. Memphis police, the FBI and the State of Tennessee contend that Ray fired the shot from the bathroom window at the back of a dingy rooming house next to the motel.

If the authorities and historians are in error, Ray must share the blame, because he pleaded guilty to Dr. King's murder on March 10, 1969, in exchange for a 99-year sentence. Ray attempted to reverse his guilty plea less than 24 hours later, however.

In a letter he wrote shortly after arriving in the Tennessee State Prison in Nashville, Ray again pleaded his innocence, fired his attorney Percy Foreman of Houston, and contended Foreman had coerced him into making the guilty plea. He sent his letter to Judge Preston Battle, who had approved the negotiated guilty plea. Battle received the letter five days after the hearing, and dropped dead of a heart attack after conferring with a Shelby county assistant prosecutor most of the day over the matter.

Today, Ray still maintains he is innocent.

Ray A. "Patsy"?

This writer talked to Ray in a four-hour interview at the

Tennessee State Prison last May — one of the only two interviews Ray has granted to newsmen in his six years in prison. Ray says he was "set up as a patsy" for Dr. King's murder by a mysterious French Canadian named Raoul, a husky and swarthy underworld character enmeshed in profitable narcotics and gun smuggling activities.

He said he met Raoul on the Montreal docks in the summer of 1967 — some three months after Ray escaped from the Missouri State Prison where he was serving a 30-year sentence for armed robbery. Raoul, Ray says, brought him to Memphis in 1968. Ray thought they were to meet an international gun-runner and work out details of a gun-smuggling scheme in South America — an operation that Raoul said would make Ray rich. Ray says he had no knowledge of a conspiracy to murder Dr. King. Looking back, he says he now realizes it was a murder conspiracy hatched by professionals.

This writer has been investigating King's assassination since the night it occurred. I

showed Ray some photographs of the man believed by Ray's attorney to be the "international gun-runner" and the trigger man. Ray believes he saw this man, twice the afternoon of King's murder — once in a beer lounge two blocks from the rooming house, later in a cafe downstairs from the rooming house. "I had the feeling the man was following me," he says.

Ray ran several errands for Raoul, then met him in a room that had been rented that afternoon. (Ray earlier admitted renting the room, he said, to protect Raoul but the rooming house manager, Mrs. Bessie

Brewer, said Ray was not the man who rented the room.)

"Raoul told me he was going to meet this gun-runner at 6 p.m. and that he would speak more freely if I was not there," Ray said. "Raoul gave me \$200 and told me to go downtown and see a picture show." Ray said Raoul also instructed him to leave the white Mustang parked at the curb on the street below, only a few feet from the foot of the stairwell.

"He said the other man and he might want to use the Mustang later in the evening," Ray said. "It was about 5:20 when I reached the street below because I remembered looking at my watch. I saw a low tire on the Mustang and saw I had plenty of time to have the tire filled and be back at the rooming house by 6:00."

Ray said a feeling of relief passed through him as he pulled away from the curb. At first he had thought that the man he had seen in the beer lounge — whom he vaguely recalled seeing before — might have been a federal investigator of some sort, but now he was convinced that this man was the gun-runner Raoul was supposed to meet. He drove the Mustang to a service station about three blocks away, waiting a long time for service because attendants were very busy. While a mechanic attendant was filling the low tire, Ray said he recalled seeing an ambulance go by. He looked at his watch and saw that it was about 6:05.

"I drove back, but when I got to the rooming house, the entire block was sealed off," Ray said. "Police were swarming all over the place. There was a policeman standing in the middle of the street. He yelled 'Get out of here' as I tried to drive and park somewhere in front of the rooming house."

Ray said he asked the policeman if he could make a U-turn (illegal under traffic ordinances) and proceed north on South Main Street. Ray quoted the policeman as saying:

"I don't care what you do, just get out of here."

Ray said he made the U-turn and proceeded to drive south out of Memphis toward Mississippi.

"It wasn't until I almost got to Grenada, Miss. (about 100 miles away) that I turned on the radio and heard what had happened," Ray said. "The radio broadcast mentioned

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422 1/2 South Main Street (address of the rooming house) and it wasn't until then I learned I had been associated with the men who killed Dr. King.

If Ray had no knowledge of King's death, then why did he flee Memphis to Mississippi via back roads?

"I was afraid that the man whom I suspected of following me had turned out to be a federal investigator. He called me all night and had led a raid on the rooming house to arrest Ray. And the

didn't want to get caught. No matter what kind of scheme they were involved in, because I still owed the state of Missouri 30 years."

Evidence in Hearing
Witnesses expected to be Ray's former attorney, Percy Foreman, and William Bradford Huie, author of *He Was the Dreamer*, and numerous magazine articles on the King assassination. Both have testified in depositions that Ray acted alone and that Ray killed Dr. King.

The hearing will examine Ray's charges that:
— Ray did not make his guilty plea voluntarily.
— Ray's former attorney, Per-
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cy. Foreman, deliberately compromised Ray's right to a fair trial in order to further Huie's and his own financial successes (Foreman and Huie had an agreement that Foreman's legal fees would be paid by sales of Huie's books and income from a film to which both had film rights;

— Foreman withheld exculpatory evidence proving Ray's innocence from both Ray and the state, and insisted to Ray that the state had an "air-tight case" against him and that he would die in the electric chair if he went to trial;

— Foreman continued to deal with Huie even after telling Ray that Huie had compromised Ray's rights to a fair trial by an article published in *Look* magazine (Huie's dealings with Ray's first attorney, Arthur Hanes of Birmingham Ala, were "legally and ethically improper," Ray quotes Foreman as saying);

— Huie wrote him in December 1968, saying it would be in Ray's financial interest to plead guilty, because this would insure financial success of *He Slew the Dreamer* (a book about the man who did not kill Dr. King would not sell, Ray quotes Huie as saying);

— Foreman assured Ray he would get a new trial after he pleaded guilty and accepted a negotiated sentence, and promised that if he did not get a new trial, Foreman would see to it that he got a pardon when John Jay Hooker Jr., son of Foreman's law associate, was

elected governor of Tennessee.

"I was browbeaten, badgered and bribed into pleading guilty," Ray told this reporter. "My mental state bordered on insanity as I was kept awake by lights on in my cell at all times — for 24 hours at a time. I only managed to grab a few minutes of sleep at a time, and my nervous and irritable state prevented me from making any rational decisions about my fate."

Foreman denies these allegations. In an unsigned deposition taken by the state attorney-general, Foreman says Ray is the assassin, calling him a "racist who wanted recognition and praise from his old inmates back at Jefferson City (site of Missouri state prison)."

Assistant Attorney-General Henry Haille, who opposed the broad discovery powers McRae granted to Ray's attorneys, said Ray's hearing will probably be the longest evidentiary hearing in legal history.

McRae replies that a full review of the evidence is called for: "The appellate court ordered a full and fair hearing on all matters pertaining to whether Ray's plea was voluntary," McRae said. "The very issue the high court asked to be decided lies at the heart of the evidence Ray's attorneys are seeking to discover."

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Mr. Chastain is a veteran newspaper reporter and author of a forthcoming book, *Who Really Killed Dr. King — And the Kennedys? A Disturbing View of Political Assassinations in America*. Chastain was one of the first reporters on the scene after Dr. King was shot. He has investigated the King death for more than six years. □