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Clay Loses New Round In 'Bugging' Decision

HOUSTON, July 14 (UPI)—A Federal judge ruled today that the Government did not use wiretap information in convicting Cassius Clay of draft evasion, bringing the former heavyweight boxing champion closer to a prison cell.

Clay's attorneys were expected to appeal District Judge Joe Ingraham's decision to the Fifth Circuit Court of Appeals in New Orleans.

Ingraham said he had decided the wiretaps on Clay's telephone conversations were "lawful surveillance."

He said he did not believe information gained by the Government in listening in on conversations between Clay and Dr. Martin Luther King Jr. was used to convict Clay.

"Whether the Attorney General's authorization of a wiretap for the purpose of gathering foreign intelligence information violates the Fourth Amendment is an issue of extreme gravity," Ingraham said in his opinion.

"This court will not speculate on the direction in which the (Supreme Court) justices will lean."

The Government had admitted it had monitored conversations between Clay and King, as well as Black Muslim leader Elijah Muhammad.

The admissions came while Clay's attorneys were arguing their case before the Supreme Court earlier this year. They were basing most of their hopes of obtaining a reversal of Clay's 1967 conviction on the grounds that Clay was a Black Muslim minister and exempt from the draft on religious grounds.

Clay was sentenced to five years in prison and fined \$5000 on the draft evasion conviction.

The court, however, granted Clay a new hearing on the grounds that the wiretapped information gathered by the Government might have been used against him in his trial. Such action has previously been ruled unconstitutional, and would have automatically thrown out Clay's conviction.

The court sent the case back to Ingraham for him to determine whether the wiretapping information was used against Clay.