

Ray Plea of Guilty 'Pressured': Brother

By JIM SQUIRES
THE MEMPHIS Tennessean

James Earl Ray will seek a new trial on grounds that his former attorney, Percy Foreman, "pressured him" into pleading guilty to the murder of Dr. Martin Luther King. Ray's younger brother said yesterday.

Jerry Ray, 32, said he delivered "evidence" to support this claim to the defendant yesterday when he visited his brother in the state prison here. The "evidence," described as personal contracts between Ray and Foreman, will be used in the petition for a new trial, Jerry Ray said.

REGARDING THE alleged pressure, Foreman said yesterday he advised Ray to plead guilty "because I believed he would be electrocuted if he didn't."

Foreman said Ray "thought he'd be electrocuted, too" and sent Foreman a letter officially requesting the plea.

"I have the letter, and I showed it to the judge (Preston Battle) and to the prosecuting attorney," Foreman said. "I wouldn't leave myself open on that count."

THE YOUNGER Ray visited his brother nearly three hours yesterday, arriving shortly after J. B. Stoner, a Georgia attorney long associated with Ku Klux Klan activities, visited the prisoner. A petition seeking a new

trial in which Ray would plead not guilty to King's murder will be filed with trial judge Preston Battle in Memphis, possibly this week, Jerry Ray said. He added:

"A decision will be made within the next three days on exactly what the petition will say and who will file it. We are considering two attorneys."

THE LAWYERS under consideration, he said, are Stoner and "A. J. Ryman of Memphis." Jerry Ray said Ryman has been contacted but has not yet formally agreed to handle the petition. Efforts to locate an attorney named Ryman in Memphis were unsuccessful.

The "evidence" given to James Earl Ray yesterday consisted of several contracts between the admitted assassin and Foreman, Jerry Ray said. It was through these contracts, that Foreman "exerted the pressure" on Ray to enter a guilty plea.

"Foreman said he would take \$150,000 if my brother pleaded guilty," Jerry Ray said. "But he wanted everything he (Ray) would ever earn if he didn't (plead guilty)."

Asked about Jerry Ray's allegations last night by the Houston Post, Foreman explained that when he took over Ray's defense he took over the same financial arrangement that existed between Ray and his first attorney, Arthur Hanes.

THE ORIGINAL contract, he said, called for author William Bradford Huie to receive 40% of all picture, book and magazine rights to Ray's story, with Ray and Hanes splitting the remaining 60%. As attorney's fees, Ray signed over his 30% to Hanes.

Foreman said that technically the contract still calls for him (Foreman) to receive 60%, or about \$400,000, for heading Ray's defense. But Foreman said that when Ray decided to plead guilty he suggested to Ray that the fee be adjusted.

"When it appeared that the plea was going through, in view of the fact, that I would be relieved of the responsibility of appeal," he said, "I thought there should be an adjustment of the fee in his favor."

Foreman said that Ray then signed a second agreement to pay him (Foreman) a \$150,000 fee, a figure suggested by Ray.

FOREMAN SAID he intends

to assign all proceeds over that amount to some bank "in a trust for his family."

Concerning Jerry Ray's allegation that Foreman wanted everything James Earl Ray would earn for the rest of his life, Foreman said: "That's a bunch of bull. How is some man doing 99 years gonna make anything?"

Foreman said the picture rights to Ray had already been sold for \$175,000, plus 13% of receipts.

JERRY RAY said he made the trip to Nashville yesterday from East St. Louis, Ill., specifically to deliver the contracts to his brother.

Ray has been at the Tennessee State Prison since March 11, the day after he entered a guilty plea in Battle's court and accepted a 99-year sentence. At the time of his trial, Ray said he was not pressured in any way to plead guilty.

"Is this plea of guilty on your part a free act of your own free will, made with your full knowledge and understanding of its meaning and consequences?" Ray was asked by Battle.

"Yes sir," Ray replied.

STONER WAS the first person to visit Ray since the prisoner was confined in State Prison here. After the two-hour and 20-minute meeting, Stoner said Ray maintains he is innocent of King's murder.

The lawyer, once an organizer for the Ku Klux Klan and a vice presidential candidate in 1964 on the National States Rights party ticket, also claimed to have new evidence in the case. He said, however, that he couldn't divulge the nature of the "evidence" because "I might need it later on for his trial."

The lawyer indicated he would not be working to help Ray gain a reversal of his conviction. Instead, he said, he will represent Ray in filing a suit against Life magazine.