

Mr. James Earl Ray, 65477
7475 Cockrill Bend Ind. Rd.
Nashville, TN 37209-1010

1/22/94

Dear Jimmy,

I fear that what the clipping you sent quotes Judge Brown as saying ^{represents} the ^{legal} ~~sole~~ actuality ever since MacRae's decision. In it he also said that guilt or innocence were immaterial, even if all the evidence we presented was to the contrary. We did then present evidence that exculpated you. That is why he used those words in his decision. I fear also that all the cock-and-bill stories presented since then have undermined your chances. However, I wonder why you do not say that Pepper says ^{only} he has "new evidence" that proves you ~~not~~ ^{not} guilty. It was my understanding that is the only course remaining for you after MacRae. I know this Jowers story is supposed to be new evidence but from the first I ^{had} ~~have no~~ belief in it. I interviewed him and McCraw before Jim questioned them at the evidentiary hearings. Neither indicated anything like what since has been attributed to them. And based on what little I've read, the story just does not stack.

With regard to the clippings I used in writing Frame-Up, I gave them all to Jim Mesar. From the little I hear from him he is much too busy to be able to take the time to make a search of them for that N.Y. Times story, if in deed, he has the time to locate the batch of clippings themselves. But I'll send him a copy of your letter and of this in what I regard as the remote event he can readily locate the story you want.

The AP reporter whose stories I quoted was Bernard Gavzer.

There are ways in which you can get copies of it, from the paper and from innumerable libraries. These libraries have the Times on microfilm and they can make copies from it.

I suggest that you first write the Times. (I no longer know anyone there.) The address is 229 W. 43 St., the zip is 10036. Ordinarily the one to write is the Librarian.

In a library if you have the date you have the microfilm for that date checked. If not, the Times has an index and you can locate the date and the story from it. The time period would be narrow because Battle went on vacation and died the day he returned to his office from it. So, it would be after the date of the hearing and before he left on what I think was a two-week vacation. However, I think that even a student using a college or university library can find that story for you easily, under Battle's name, because there will not be that many listings of him for the relevant time period. While I do not know, I would guess that the library at Vanderbilt Univ., in Nashville, would have a good chance of having the index and the microfilms.

Because you can limit it to this short time period, I suggest that if you write the Times you be sure to indicate the time span. If the librarian or anyone in that office sees the search to be made is for a very narrow time period they may perhaps be more inclined to honor it if they are busy.

Sincerely, Harold Weisberg



18 Jan-1994

Mr. Harold Weisberg
Old Receiver Road
Frederick MD 21702.

JE Ray #65477
7475 Cockrill Bend Ind Rd.
Nashville, 37209-1010.

Dear Harold,

Well were trying to obtain another hearing in the MLK case. I understand the "Tennessean" has contacted you about it. Loyd Jowers, who operated a bar underneath the flophouse where I had checked in in Memphis claims he had a part in the MLK shooting, and has ask for immunity. Naturally the AG don't want to indict him for anything since Jowers could then subpoena for his defense the classified files in the case. In re the files, I recently filed an FOIA with Army intelligence for its surveillance of MLK and was told they had no records of any kind but the Army may have placed them in the archives in 1979(the same time Blakey-Stokes placed their files in the NARS. So I have written the archives as the Army suggested. (As you probably know, the Army took over the electronic surveillance of MLK in 1966 when Clark stopped the FBI.

The Judge hearing our petition has stated that even thought I may prove I didn't shoot MLK the 99 years would stand...he assumes I was an knowing accomplice. I think this will be the State's first fall back defense even if it conflicts with the extradition treaty I was returned to the US under.

The Judge is also going into the "best interest" guilty plea bit. This is N.C. v. Alford which you mentioned in your book at p. 89. It seems Alford plead guilty to a reduced charge of murder while maintaining his innocence. The court ruled he plea for his "best interest" and it was OK even if he were innocence. Now, in my case I have always testified beginning in the 1969 suit against Foreman/Huie that the death penalty threat had nothing to do with the plea plus the State has never thus far made an issue of it, although the news media has constantly harped or touted the plea was made to avoid a death sentence. Anyway, I am getting all the papers & documents together indicating everyone except me wanted the plea and that other threat rather than a death penalty threat led to the plea. This brings me to several press conference Judge Battle made after the plea, some of the apparently conducted by NY "Times" reporter Bernard Graser?. I have one of the Battle interviews see enclosure. But I noted

in your book that in another news conference Judge Battle stated he feared I might get a hung jury or even be acquitted. Do you have this clipping or a duplicate? If so I would appreciate a copy of it. If not, can old copies of the NY "Times" be purchased from the paper. I assume the copy would be a flim or something. I think the Judge also may have spokan to the Wash. "Post" about the plea. Anyway if you have any information about the Battle statements I could use it. (In turn I'll have Jerry do some songs for you on cassette--he is no longer a country crooner but has gone into RAP.

Well that about it for now. Trust all is going well.

Sincerely,

A handwritten signature in dark ink, appearing to read "J. E. Ray". The signature is written in a cursive style with a horizontal line underlining the name.

2-enclosures.

Note, I think to obtain back issues from newspapers on a certain subject one has to have p. nr. & the specifice edition, covering the sujet of interest,

MAR 17 1968

RAY JUDGE SAYS TRUTH IS HIDDEN

Doubts if Trial Would Have
Produced the Answers

MEMPHIS, March 16 (AP)—

Judge W. Preston Battle said today he believed the full truth about what was now known about James Earl Ray and the assassination of the Rev. Dr. Martin Luther King.

The judge, in whose court Ray pleaded guilty to the slaying of Dr. King and where the case would have been heard had it gone to trial, said he, like many other Americans, remained puzzled about several unanswered questions.

But he said in an interview that he was convinced that a



Associated Press
Judge W. Preston Battle

trial would not have produced the answers.

"Like others, I would truly like to know how Ray actually found the spot from which to fire," he said. "How did Ray know where the Rev. King would be? How did he determine the type of weapon to be used? What are the details of the actual purchase and selection of the weapon? Was he alone in surveillance of the Lorraine Motel?"

"Most puzzling of all is his escape from Memphis. To me, it seems miraculous that he was able to flee to Atlanta despite the all-points bulletins without his white Mustang being spotted on a highway."

Dr. King was shot to death April 4 as he stood on the balcony of the Lorraine Motel in Memphis. The killer was reported to have fled in a white Mustang.

The judge said there was much speculation about possible answers, but nothing based on fact and evidence. "I'd like the full proof," Judge Battle said. "And as I said on March 10 when the agreement was reached to permit Ray to change his plea to guilty, there is no end to our interest or to the law's responsibility and determination. If any evidence would arise that would point to a co-conspirator, that person will be pursued and treated as though he also had his finger on the trigger."

"There has been much talk of a conspiracy, but no one's saying so has yet produced a single shred of evidence or named an associate or conspirator."

Allowed to Change Plea

With these questions puzzling him, why did Judge Battle concur in the agreement between the defense and the prosecution to allow Ray to change his plea and take a 99-year sentence? Ray could have been sentenced to death if he had been found guilty.

"I was convinced then and am convinced now that the trial would have muddled our understanding of the substantial evidence which established Ray as the killer," Judge Battle said.

It is an error to assume that the prosecution would have had a chance to cross-examine Ray about his finances, or how he escaped from the Missouri State Penitentiary, or about persons who gave him any aid before or after the slaying of Dr. King.

That assumes Ray would have taken the stand. I doubt very seriously that defense counsel would have risked placing Ray in such a position. In fact, as I understand it, this all along has been one of the main problems between Ray and various men who have acted for the defense. They counseled against it, and he kept wanting to take the risk.

"Suppose he had taken the stand the public should understand that this would not guarantee that this would have cast light upon these puzzling questions. In an adversary proceedings, each side tries to make the best case, and so some things might be exaggerated, some minimized or obscured."

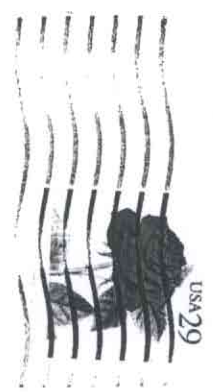
The judge could have refused to accept the joint defense-prosecution agreement.

"It was entirely in my power to do so," Judge Battle said. "But my conscience told me that it better served the ends of justice to accept the agreement."

Judge Battle said he thought that some of the unanswered questions ultimately would be answered by Ray. He said he thought that Ray had enjoyed the notoriety and would periodically explain various details of the crime.

The judge was taken aback by some of the public response to the proceedings of March 10 at which the plea-and-punishment agreement was made official.

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