

# Ray Wins New Delay On Hearing

By The Associated Press and  
United Press International

LONDON — A British magistrate today scheduled a hearing on June 27 on the U.S. government's application to return James Earl Ray to Tennessee for trial on a charge of murdering Dr. Martin Luther King.

Ray's British attorney, Roger Frisbee, indicated in Bow Street Magistrate's Court that the 40 year old escaped convict will fight extradition.

The lawyer asked Magistrate Frank Milton for as much time as possible to prepare his case.

Milton said he wanted to hold the hearing as soon as possible, and they compromised on Thursday of next week.

British extradition hearings usually last a day or two, and the magistrate generally gives his decision as soon as he hears all the evidence.

Ray was brought to Bow Street today for the second time since his arrest 10 days

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ago. The magistrate ordered him returned to Wandsworth Prison.

The hearing today was the customary two-minute session when a court has decided on a postponement.

The small courtroom was filled with 100 persons.

Ray, wearing a blue checked suit and glasses, sat impassively in the dock while attorneys and the magistrate discussed details.

After Milton fixed the extradition hearing date, Ray spoke only two words:

"Thank you."

He was separated from the spectators by a wall of policemen and detectives. Police also lined the corridor

through which he reached the courtroom.

Attorneys for the U.S. government told the magistrate Ray is wanted on a charge of murdering Dr. King in Memphis April 4 and also on a charge of escaping from Missouri State Prison while serving an armed robbery sentence.

## RAY'S PROTEST

Documentary evidence already has been produced in London, the American lawyers told the court, and a fingerprint expert will be flown over to testify at the extradition hearing.

Frisbee read a statement from Ray protesting press reports he had been interviewed by Assistant U.S. Attorney General Fred Vinson.

Ray said he took particular exception to a dispatch in the London Times June 10 under the headline "U.S. Justice Department chief interviews King case man."

Frisbee said Ray wanted to make it absolutely clear the dispatch was untrue. The lawyers for the U.S. agreed Ray had not been questioned by any American.

## 15-DAY DELAY

Under British law, Ray cannot be extradited in less than 15 days after the magistrate makes a decision. Ray could delay extradition an estimated three more months by appealing an adverse decision to a higher British court.

Ray was arrested at London airport June 8 and

charged with entering the country on a forged Canadian passport and carrying an unlicensed loaded gun.

After a preliminary hearing before Milton June 10, he has been held under round-the-clock guard at Wandsworth while Scotland Yard tried to reconstruct his movements and contacts during the three weeks he is believed to have spent in London before his arrest.

## TREATY CLAUSE

Under a 1931 extradition treaty between Britain and the United States, British courts can grant extradition only if U.S. authorities present evidence sufficient to send Ray to trial under British law.

Extradition of Ray was also asked because he is wanted by Missouri to complete a prison term for armed robbery.

While extradition on this charge would be almost automatic, the U.S.-British treaty specified a suspect can only be tried on the charges for which he has been specifically extradited.

Therefore unless he is extradited for the murder of the Negro civil right leader, he cannot be prosecuted on that charge in the United States.

The British Extradition Act of 1870 also says no one can be surrendered to another country for "an offense of a political character," and there has been speculation that Ray's attorney might

argue his client is charged with a political killing.

But Denys Holland, professor of English law at London University, said he would be surprised if Ray succeeded in any such defense.