

DIDN'T KILL KING, SUSPECT RAY TELLS COURT

Fingerprints Of Accused On Gun--FBI

LONDON (AP)—James Earl Ray, fighting extradition to the United States to stand trial for the murder of Dr. Martin Luther King Jr., asserted today he did not kill the Negro civil rights leader.

The prisoner—who is charged here under the alias of Raymond George Sneyd — took the witness stand in a surprise move and testified: "I have never met Dr. King. I have never had any kind of grudge against him."

AN FBI EXPERT, George

Jacob Bonebrake, had testified that Ray's fingerprints were found on a rifle and binoculars discarded in a shop doorway after King was killed at the Lorraine Motel in Memphis, Tenn., April 4.

"I found one print on the rifle and one on the sight and also on the binoculars," Bonebrake said. "I compared them for fingerprints of James Earl Ray in the Los Angeles police file. I found that they belonged to one and the same individual."

Ray's lawyer indicated he would seek to save Ray from extradition by contending that the assassination of King was a political crime.

Under the U.S.-British extradition treaty, political grounds are a principal reason for granting asylum to anyone and barring extradition.

RAY WAS ringed by detectives but did not wear handcuffs as he mounted the witness stand.

The hearing in Bow Street Magistrates Court was suspended for 10 minutes while he conferred with his British attorney, Roger Frisby.

Frisby said he would rather

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Ray neither took the usual oath nor affirmed, meaning taking the oath without invoking God.

This tactic meant that, under English legal procedure, Ray could not be cross-examined by David Calcutt, the British attorney representing the U.S. government.

WEARING a dark suit and heavy horn-rimmed glasses, Ray answered a series of questions from his lawyer. He

agreed that he was the man arrested at London Airport June 8.

He said he had never met Dr. King and bore him no grudge.

"Did you kill Dr. King?"

"No sir," Ray replied.

Again on his counsel's advice, Ray said he did not wish to sign the court recording of his testimony.

THE BOW STREET Magistrates Court adjourned then until next Tuesday, when the hearing is expected to end.

Ray was sent back to prison.

Silent through presentation of the prosecution's case, Ray declared at the windup of that phase of the hearing that "parts of some of the testimony are false and some are exaggerated."

"I would like to disagree with them and say something about this," he said.

Chief Magistrate Frank Milton had advised him about his right to call witnesses and give testimony in his own behalf.

WHEN THE court resumed Frisby said Ray disagreed with many of the facts given by Detective Chief Supt. Thomas Butler of Scotland Yard.

In a dramatic high point of the hearing, Butler had testified that, on hearing in his prison cell that the police identified him as an American wanted for a killing rather than as Canadian George Sneyd, his alias, Ray slumped into a seat and said: "Oh God . . . I feel so trapped."

Frisby said Ray wished in particular "to state most emphatically that he did not make the observation: 'I feel so trapped.'"

"Nor did he say 'Oh God,' nor did he collapse on the seat in the manner which the chief superintendent described," Frisby said.

IN COURT maneuvering, Frisby raised the matter of King's involvement in American politics. He questioned Bonebrake closely about this in an effort to get statements about such political involvement in the record.

The FBI agent admitted under questioning that there had been a certain amount of dislike for King in the United States. Peter Hopkirk, a correspondent of the London Times, appeared for the defense on a subpoena.

Hopkirk said he was in the United States in April cover-

ing the presidential primaries. He went to Memphis the morning after King was killed and spent four or five days there inquiring into his death.

"It was no secret that he was disliked by many white people living in the South," Hopkirk said.

Bonebrake said he found from the print on the rifle 14 characteristics the same as on the prints on file for Ray, a fugitive from the Missouri State Penitentiary. He found 11 similar characteristics from the prints on the telescopic sight.

Cross-examined by Frisby, the court-appointed lawyer defending Ray, Bonebrake said he took an interest in his country's politics although his work did not bring him in contact with them unless they were connected with fingerprints he was examining.

He agreed that King was a nationally known figure. Asked if he believed the Negro leader inspired liking or dislike in America, he replied: "More toward liking, I would think."

BUT HE AGREED there was a certain amount of dislike too.

Bonebrake said he knew of King's movement, the Southern Christian Leadership Conference. But he said that, to the best of his recollection, he knew of no commitment to any political party by the conference.

When the court suspended session for a luncheon break, detectives continued to guard all doors of the courthouse. Newsmen had to show credentials to get in or out and members of the public were searched for weapons.

The U.S. government was represented by a British lawyer, David Calcutt. He told Magistrate Frank Milton that Ray's fingerprints were found on the rifle which police recovered after King was shot in Memphis, Tenn., April 4.

"THE BULLET which killed Dr. King was examined when recovered," he continued, "and there is a strong likelihood that the bullet came from the rifle found by the police."

Calcutt told the crowded Bow Street Court that King was the victim of "a calculated, brutal and senseless murder—a murder that was bitter with irony."

"Though his name was a very password for peace," Calcutt said, "he met a violent death."

"This tragic death of Dr.

King was the working of the single hand of this man," he declared, referring to Ray.

In Washington, a Justice Department spokesman said the case is still under investigation. In answer to a reporter's question he said the government has not eliminated the possibility of a conspiracy.

THE 40-YEAR-OLD escaped convict was brought into the court today to hear Calcutt outline the U.S. government's case for his extradition.

With two British lawyers to defend him, Ray was expected to fight extradition and appeal to the High Court if Milton ruled that he should be returned to the United States. This could extend the process for weeks.

It was Ray's third court appearance under the alias of Raymond George Sneyd, the name on the Canadian passport he was carrying when he was arrested June 8 at London airport. His two previous trips to Bow Street for preliminary hearings had been

brief, and the proceedings today provided the first extensive look at the U.S. government's case against him.

Referring throughout to Ray as Sneyd, Calcutt gave the court this account:

ON MARCH 29, six days before King was killed in Memphis, Tenn., Ray went to a store in Birmingham, Ala., kept by a Mr. Wood and bought a rifle with telescopic sights and ammunition. There was another customer in the shop at the time.

The following day Ray was not satisfied and wanted to change the rifle. He took instead a Remington 760 which had telescopic sights attached to it. He also bought and took away a box of ammunition and a box which was not the right box for that particular gun.

"On April 3, Sneyd (Ray) booked in at the New Revel Motor Hotel at Memphis," the lawyer continued. "On the following day he checked out of the hotel and on that day in Memphis he bought a pair of binoculars."

Also on that day, Calcutt said, King was in Memphis, staying at the Lorraine Motel.

AS CALCUTT unfolded the story, four plainclothes detectives sat on a bench facing newsmen and the public gallery. All members of the public had been searched as they came into court.

Ray sat in front of the prisoner's dock with a detective on either side of him.

The court was tense as Calcutt continued his story:

"From bathroom window at 424½ South Main Street, a person could see into Dr. King's room.

"At 4 o'clock in the afternoon this defendant went to 424½ South Main Street, where accommodation was available, and he booked a room. As he did this he was seen by a witness, a Mr. Stevens.

"THE DEFENDANT got a room and, between then and 6 o'clock in the evening, he used the bathroom and the lavatory. Mr. Stevens, who was in the adjoining room, says that the man used the bathroom and the lavatory on three occasions, each time for a long time."

Calcutt continued:

"At 6 o'clock Mr. Stevens says he heard a shot fired

from the bathroom. He came out of his room and saw a man leaving below. He says it was the man who he had seen booking in earlier.

"The defendant left in a hurry, leaving binocular straps in his room. When he got out of the hotel entrance, he turned left and dropped his kit of rifle, sights and binoculars in the doorway.

"HE THEN made off in a car waiting nearby."

Calcutt said the Memphis police took possession of the rifle and binoculars. They say the defendant's fingerprints were on them, he added.

"These tie in with the defendant's face picture and fingerprints," Calcutt said. "The bullet which killed Dr. King was examined when recovered and there is a strong likelihood that the bullet came from the rifle found by the police.

"It is also likely that the strap found in his room belonged to the binoculars found with the rifle."

CALCUTT SAID that in September 1959 Ray—or Sneyd, as he still called him—was convicted of armed robbery.

"He was sentenced to 20 years imprisonment," he said, "but on April 23, 1967, he escaped from the Missouri State Penitentiary with 12 years of his sentence left to serve."

Calcutt then read extracts from written testimony by Frederick Wilkinson, a director of the Corrections Department of the Missouri penitentiary. He produced photographs and fingerprints and said:

"WE SAY the man in these photos from this records office is the man before you today."

John Deshazo, an Alabamian, declared in a sworn affidavit read out by Calcutt that on March 29 he was in the Birmingham store when he saw a man in a dark business suit handle several weapons and buy a Remington rifle. The man said he was going hunting in Wisconsin with his brother or brother-in-law, Deshazo said.

Deshazo was visited by FBI agents on April 16 and shown pictures of seven white men. He identified one as being the man who bought the rifle, Calcutt said.

Charles Stevens, 46, no fixed

address, said in another affidavit read by Calcutt that from March 1967 to June 1968 he lived with his common-law wife in an apartment on South Main Street in Memphis.

ON APRIL 4, Stevens said, he saw and heard a man standing with the manageress of the apartment building, Mrs. Bessie Brewer, near Apartment 5B which was just down the hall from his. He assumed the man was looking for a room.

On April 24, Stevens said he identified an FBI "wanted profile" as very much like the man he had seen.

His apartment was next to the common bathroom, his statement continued. After seeing the strange man with Mrs. Brewer, he heard someone in Room 5B and assumed it had been rented by the man.

"I heard footsteps and heard them leaving and coming past my room and into the common bathroom at the end of the hall," Stevens' affidavit went on. "On the first couple of times, he did not stay long. On the third time, the person stayed there what seemed like a long time towards the end of the afternoon, between 5 and 6 p. m."

"I WAS in my kitchen working on a small radio when I heard a shot. I could tell that it came from the bathroom because it was very loud.

"I heard through a broken pane in my window a lot of voices yelling and hollering from the building across the road. I saw a lot of people milling around near the motel.

"About a minute after hearing the shot I went to my door and opened it. The bathroom door was open. When I went to the bannisters, I saw of the hallway.

"He was carrying a bundle in his right hand. It was at least three or four feet long and six to eight inches thick. It was wrapped in what looked like newspaper.

"Although I did not get a good look at him, I think it was the same man I saw earlier with Mrs. Brewer."

Calcutt also read from the statement of an amusement shop owner near 424½ South Main st. who said he heard a thud in the doorway and saw a bundle which he said a white man had dropped.

He said he saw a man get into a small car and drive off, but he did not know if it was the same man who dropped the bundle. Part of a rifle barrel extended from the bundle, his statement added.

CALCUTT said first on the scene was a police patrolman named Zachary, who found in the bundle a pair of binoculars, a rifle with telescopic sight, a leather carrying case, a sack bearing the name York Arms Co., and nine cartridges. There were also some toilet articles.

Calcutt said that an inspector named Jensen found that the rifle contained one empty shell casing.

A written affidavit from an FBI fingerprint expert, George Jacob Bonebrake, said he was of the opinion that a rifle, sights and binoculars submitted to him bore Ray's prints.

Detective Sgt. Phillip Birch of Scotland Yard told the court he was on outward passport control at London Airport at 11:30 a.m. June 8.

"WHEN THE defendant presented two Canadian passports to the immigration officer, I was sitting by him," Birch said.

"In his right-hand back trouser pocket I found a .38 Liberty Chief Special revolver. It was loaded with five rounds of ammunition."