

Lawyer Banned From Plane

RAY'S FEAR OF FLIGHT BACK

Top Secret Plans for Air Return To Memphis For Trial

By United Press International
and Associated Press

LONDON — James Earl Ray is afraid of traveling alone with agents of the Justice Department, his attorney said today.

"I don't know the basis of the fear, but he says it and he wants me to be present," Arthur Hanes, lawyer for the accused killer of Dr. Martin Luther King, said.

Ray yesterday withdrew his appeal of a British court's order that he be extradited to Memphis to stand trial for Dr. King's murder, and he is expected to be returned to the U.S. soon, possibly tomorrow.

Hanes lashed out at the Justice Department for refusing him permission to accompany Ray back to the United States. He said both he and Ray had asked the department to let them return together, but that the U.S. Embassy in London told him the department refused.

'UNFAIR'

"This is totally unfair, ridiculous and violates my client's constitutional rights," Hanes said.

The former Birmingham mayor said he had no idea when Ray would return to the United States. A British Home Office spokesman said the extradition papers for Ray would likely be signed tomorrow.

Hanes said the reason Ray decided not to appeal the British court decision to extradite him was that he wanted to return to the United States quickly.

He said Ray wanted to "begin without further delay to

combat and counteract the unprecedented, vicious and libelous press and television

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campaign to portray him as a convicted murderer, a monster, a degenerate and a dope addict."

Hanes said it was proper and legal that he "be present when he (Ray) is surrendered to U.S. agents and

... accompany him throughout the journey to the United States and Memphis."

CITES DECISIONS

The lawyer said it would be in keeping with the Supreme Court's decisions "that no agent of the law has the right to question a suspect except in the presence of the suspect's attorney."

Embassy officials declined comment on Hanes' statements. They said the decision to bar Hanes from the plane had been made in Washington and any comment would have to come from there.

U.S. officials have steadily

refused on security grounds to disclose anything about how they will take Ray to the United States.

But he is expected to go aboard a U.S. military plane of a chartered airliner under heavy guard.

BRITISH CHARGES

Ray's British lawyer, Michael Eugene, said the two British charges against Ray would be left "on the file" or adjourned without setting a date for future action.

Ray was charged with possession of an illegal passport and of a loaded gun when he was arrested at London's Heathrow Airport June 8.

"There will really be great heat, great passion and emotion, to a point where it is almost sickening" when Ray returns, Hanes said. "The entire U.S. government and the state of Tennessee are building a case against somebody—they are after somebody's scalp."