

SEPTEMBER 13, 1968

-THREE

# Ray May Never Testify--Lawyer

MEMPHIS (AP)—James Earl Ray, who is charged with murdering Dr. Martin Luther King Jr., may never testify in his own defense.

Arthur Hanes Sr., Birmingham attorney who is chief defense counsel, said the decision to put Ray on the stand or keep him off may not be made until "the moment the prosecution

rests its case and the judge tells me to call my first witness.

"That's when I'll have to decide, because under Tennessee law the defense must call as its first witness the defendant himself," If he is to be called. If that happens, the prosecu-

tion under cross-examination could bring out Ray's hapless record as a thief and robber and the fact that he is an escaped convict.

Ray is scheduled to go on trial in Shelby County Criminal Court here Nov. 12.

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