

RAY GIVEN 99 YEARS ON GUILTY PLEA

MEMPHIS (AP) — James Earl Ray pleaded guilty today to murdering Dr. Martin Luther King Jr. and was sentenced to 99 years in the Tennessee State Penitentiary.

Ray, pleading guilty to the slaying, told the court he wanted to add a statement that he did not agree with "the theory there was no conspiracy" in the killing of Dr. King.

"YOU HAVE PLEADED GUILTY to first degree murder and it is the judgment of the court that you be confined for 99 years in the state penitentiary," Criminal Court Judge Preston Battle intoned at 12:12 p. m.

The entire proceeding, from original guilty plea to setting of the sentence by the jury, lasted less than three and a half hours.

A minute before the judge passed sentence, Ray sat quietly in a checked blue sport coat and dark pants as the judge asked the jurors if they still agreed to a state-defense arrangement that Ray plead guilty and accept the sentence. All 12 raised their right hands in assent.

THE JUDGE THEN THANKED the jurors and all others who had helped in the case. He repeated defense and prosecution contentions that there was no evidence of conspiracy in King's slaying.

Should any such evidence arise, the judge made it clear, the state will prosecute.

Ray said he does not agree with the theory that there was no conspiracy to assassinate King. He did not elaborate, He said, however. "I agree with the stipulation" to plead guilty.

"I'VE NEVER HAD HOPES of anything except . . . to save this man's life," said Ray's lawyer, Percy Foreman of Houston. "It took me months to prove to myself . . . that it was not a conspiracy."

Five witnesses then testified to the actual fact of King's slaying at the Lorraine Motel here April 4, 1968. This is necessary under Tennessee law in a case where the death penalty could be involved.

Then, the jury must retire to go through the formality of setting the 99-year sentence.

The jury was chosen from a venire picked two weeks

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ago, but the jurors themselves had no idea, they would be assigned to the Ray case until court began this morning.

CRIMINAL COURT JUDGE Preston Battle asked Ray, who was called to the stand, whether he understood his guilty plea means he waived all rights to appeal. He also was asked if the decision to plead guilty was his own and of his own free will.

"I agree with the stipulation" Ray said, and then told the judge he wanted to add something.

Asked what it was, Ray said he wanted to go on record as saying he did not agree with "the theory that there was no conspiracy."

In Atlanta, the Rev. Martin Luther King Sr., father of the slain civil rights leader, said he had no comment on Ray's plea. Mrs. Martin Luther King Jr., widow of the slain man, was reported to be out of the city and not available.

TESTIMONY SIMPLY established the fact that King was killed. Five witnesses were called, in this order:

—The Rev. Samuel B. Kyles, a Memphis Baptist min-

ister with whom King was to have had supper on the eve of his death.

—Chauncey Eskridge of Chicago, a lawyer and close friend of the civil rights leader.

—Dr. Jerry Francisco, the Shelby County coroner, who discussed the single rifle wound which King received.

—Inspector N. E. Zachary, chief Memphis homicide officer.

—Robert Jensen, in charge of the Memphis FBI office.

If the jury agrees to the 99-year sentence, and there are indications it will, Ray could be eligible for parole in 33 years.

The state previously said it would demand the death penalty, but the state's electric chair has not been used since 1961.

Ray's voice, as he answered the judge's questions, was barely audible and somewhat quavering.

This was his 41st birthday.

TWO OF THE jurors are Negroes and all are men. The same jury has been on duty since it was empaneled on other cases in Battle's court.

About 30 spectators were in the courtroom, five of them Negroes. The newsmen's section, which holds about 40, was filled.

Before the jury entered the courtroom, Judge Battle questioned Ray at length about his decision to plead guilty.

Here is the exchange between the judge and the prisoner:

"HAS YOUR lawyer explained all your rights to you?" the judge asked. These rights include, Battle said, the right of trial by jury, with penalties on conviction ranging from 20 years to death,

with various appeals possible. "Do you understand these?"

"Yes, sir," Ray replied.

"Is this what you want to do?" the judge asked.

"Yes, I think so."

The judge then explained a guilty plea means that Ray waives his right to appeal the conviction and to appeal any pretrial rulings which have gone against him. "Do you understand this?"

"Yes, sir."

Q. Has anything else been promised to you besides the 99-year sentence to induce you to plead guilty?

A. No.

Q. Has any pressure been put on you to induce you to enter a plea of guilty?

A. No.

Q. Are you pleading guilty because you killed Dr.

Martin Luther King in such a manner that you would be found guilty of first-degree murder under the laws of this state?

A. Yes, I'm pleading guilty.

Soon thereafter, the jury was brought into the courtroom. Dist. Atty. Gen. Philip Canale and Foreman then made their usual opening statements to the jury, both of them alluding to the official theory that there was no conspiracy.

AT THIS point, Ray stood up and said, "I don't want to change things. I just want to add something. I don't agree with the theory that there was no conspiracy."

At this point, Foreman interrupted Ray to say that Ray was pleading guilty to first-degree murder, "not to anything about a conspiracy."

"Will this change any of the answers you gave me previously?" the judge asked.

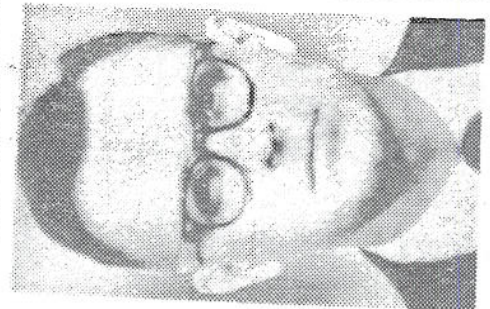
"No, sir," Ray replied.

"I want to ask you again if you are pleading guilty that you killed Martin Luther King under circumstances under which you could be found guilty of first-degree murder under the laws of this state?"

"Yes, sir."



—AP WIREPHOTO.
ATTY. PERCY FOREMAN



JAMES EARL RAY