

# Ray Gives His Story Today in Slaying of Dr. King

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Special to The New York Times

MEMPHIS, Oct. 23—James Earl Ray will take the witness stand in Federal District Court here tomorrow to tell in public for the first time his version of the assassination of the Rev. Dr. Martin Luther King Jr.

Mr. Ray is seeking to withdraw his guilty plea in the slaying. He contends that he was pressured by circumstance and by his attorneys into saying that he had murdered the civil rights leader.

His testimony is expected to be the high point but not the end of the hearing ordered by the United States Court of Appeals for the Sixth Circuit into whether Mr. Ray received fair treatment from the authorities and from his lawyers in 1968 and 1969.

Today, a Memphis physician whose secret treatment of Mr. Ray for nine months while he was held in a Shelby County jail awaiting trial, testified that Mr. Ray once told him that he was not the only person involved in the assassination on April 4, 1968. The slaying of Dr. King touched off violent demonstrations of looting, rioting and arson in several of the nation's cities.

## 99 Year Sentence

Dr. McCarthy DeMere said that the trial judge, W. Preston Battle, who imposed a 99-year sentence on Mr. Ray after the guilty plea, had told him to tell no one that he was to be Mr. Ray's physician and not to discuss the case with the prisoner.

But after Mr. Ray's guilty plea, Dr. DeMere said, "I asked him if he was really involved in this and he said, 'Let's put it this way: I wasn't by myself.'"

Dr. DeMere, a state witness called out of turn because he was scheduled to take a trip, was brought forward in an effort to refute suggestions that tight security at the Shelby County Jail had made Mr. Ray "a nervous wreck."

During the nine months he was in jail awaiting trial, Mr. Ray was under the constant watch of two guards, two television cameras and one or more



James Earl Ray leaving jail for court in Memphis

Associated Press

microphones. His mail was searched, he was never allowed a glimpse of the outside world.

Dr. DeMere said that in those nine months that Mr. Ray was never seriously ill and that he never saw Mr. Ray when the prisoner was not cheerful, and that Mr. Ray was in splendid physical condition.

"We envy the condition he was in," the plastic surgeon

testified. "On two or three occasions, I saw him walk the length of his cell, some 20 feet, on his hands. That's something most people can't do."

## Sleep Not a Problem

He said that while Mr. Ray had complained about a lack of privacy, he never mentioned being unable to sleep because of the bright lights and the constant surveillance. He also said that Mr. Ray's blood pressure had not shown the fluctuations that normally accompany nervousness. The physician said he would compare Mr. Ray's cell at the county jail to a "good motel room, except for the bed."

Dr. DeMere, whose sister was married to one of the state prosecutors handling the Ray case, said he had not kept any

reports of his numerous visits to see the prisoner because of orders from the Sheriff that no such reports were to be kept.

The doctor said that he did not consider the conditions under which Mr. Ray was held to have been "injurious to his health."

Dr. DeMere said that out of curiosity one day he asked Mr. Ray about his racial feelings. "I asked James Earl if he had a dislike for the black race. He said, 'Absolutely not.'"

Another of the day's witnesses, Hugh M. Stanton Jr., who as assistant public defender was one of Mr. Ray's lawyers from Dec. 18, 1968, until he pleaded guilty on March 10, 1969, said that defense attorneys had not prepared a very good defense for Mr. Ray.

Mr. Stanton, who is now the chief prosecutor in Memphis, said he had not been allowed to talk with Mr. Ray, who preferred to deal only with his chief counsel, Percy Foreman of Houston.

Mr. Stanton and his father were appointed by Judge Battle as co-counsel for Mr. Ray in order to be ready to defend him if the prisoner suddenly decided he wanted to dismiss Mr. Foreman, as he had two other attorneys. The elder Mr. Stanton, who handled most of the preparation for such an eventuality, is now dead.

Mr. Stanton told Federal District Judge Robert M. McRae Jr., who will decide if Mr. Ray should be given a new trial, that he was not informed in advance, that Mr. Ray had decided to plead guilty. He said he had been told of this development by William N. Morris, then the sheriff, had been "amazed, surprised and astounded."

"We were trying to check out every defense, but frankly I concluded that we didn't have much of a defense," Mr. Ray's fingerprints got on that rifle."

## Found in the Street

A rifle that Mr. Ray had bought in Birmingham, Ala., was found on the street near the spot from which Dr. King was shot.

"Well," said Bernard Fensterwald of Washington, D. C., Mr. Ray's chief attorney, "it was his rifle. He bought it."

Mr. Stanton said that Mr. Foreman, who has refused to come to Memphis to testify in the current hearing, told him and his father at their first meeting that he believed Mr. Ray was guilty, and that a suggestion was put forth that perhaps Mr. Ray might plead guilty.