

RAY TAKES STAND IN BID FOR RETRIAL

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Tells of Circumstances of
Publishing Contracts—
Case Resumes Tuesday
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MEMPHIS, Oct. 25—James Earl Ray, who had pleaded guilty to the assassination of the Rev. Dr. Martin Luther King Jr., took the witness stand today in Federal court to ask for a new trial.

The early hours of his testimony did not provide "sensations," as one of his lawyers had predicted. Instead, Mr. Ray was led through the circumstances surrounding a maze of publishing contracts. ^{29 Oct}

The court adjourned late this afternoon until next Tuesday while Mr. Ray was still recounting how he had not been consulted about contracts for books and magazine articles that his lawyers had arranged.

Two of the contracts, he said, had never been shown to him until this afternoon.

Only once in his testimony today did Mr. Ray come close to alluding to the circumstances around the assassination that plunged the nation into a week of rioting.

Mr. Ray said that when one of his attorneys said that he wanted title to the white Mustang automobile that Mr. Ray had driven to Memphis the day before Dr. King was shot and to the rifle the state alleges was used to kill the civil rights leader, Mr. Ray said that he had told the attorney, Percy Foreman of Houston, that he was not sure that he had clear title to the rifle.

Sentence Not Explained

"I told him I had some collateral on the Mustang, but I didn't know about the rifle," Mr. Ray said.

He did not explain the sentence, but he appeared to mean that he had title of the Mustang. Often during his testimony, Mr. Ray used words that did not seem to make sense.

Mr. Ray's lawyers have said that he was given money to buy the rifle as a model that might interest a Memphis-based gun-running outfit.

Mr. Ray appeared wan and drawn. He is much thinner than he was in March, 1969, when he stood in the State Courthouse in Memphis two blocks from the Federal building and was sentenced to 99 years in prison after admitting



United Press International
James Earl Ray, right, being taken from jail in Memphis by a deputy U.S. marshal for appearance in court.

that he had fired the rifle shot that killed Dr. King.

His voice was husky today, and he spoke in low tones. He said that he was held in solitary confinement at the Tennessee state penitentiary at Nashville from August, 1972, until six weeks ago, when he was released "to get ready to come here, I guess."

Two of Mr. Ray's brothers—John and Jerry—also testified today.

Like their brother James Earl, they have often been in trouble with the law, although Jerry Ray said that he has not been convicted of a felony since he was 21. Before that, Jerry Ray served two terms for robbery and two for larceny.

Brother in Prison

John Ray is serving 18 years in Federal prison for bank robbery.

At the time that Dr. King was murdered, James Earl Ray was an escaped convict who had fled the Missouri State Penitentiary with 13 years left to serve on a 20-year sentence for robbery.

The two brothers, John and Jerry, said that Mr. Foreman, who was James Earl Ray's attorney when he pleaded guilty to the assassination, had "boxed Jimmy in."

The two men said that Mr. Foreman wanted "Jimmy" to plead guilty, saying that if he did not do so, he would probably die in the electric chair.

James Earl Ray took the stand in midafternoon before Federal District Judge Robert M. McRae Jr.

The crowd in the courtroom strained to hear Mr. Ray's words as one of his attorneys, James Lesar of Washington, began to question him.

Wrote to Two Lawyers

Many expected that the first question would be if Mr. Ray had killed Dr. King. Instead, Mr. Lesar asked him how he had become involved with Arthur J. Hanes of Birmingham, Ala., the lawyer who was first hired to defend him. Mr. Ray said that he had written to Mr. Hanes and F. Lee Bailey of Boston, the criminal lawyer, to ask if they could defend him.

Mr. Bailey wrote that he could not, because he was an attorney for the Southern Christian Leadership Conference, the civil rights organization that Dr. King headed.

Mr. Hanes said that he would be happy to. Mr. Hanes said that Mr. Hanes began urging him almost immediately to allow William Bradford Huie, an Alabama author, to write the inside story of the King assassination. Mr. Ray said that Mr. Hanes insisted that this would be the only way to raise the tens of thousands of dollars that would be needed for the defense.