

# CLAY IS SET BACK IN WIRETAP CASE

**Court Rules U.S. Didn't Use  
Data in Draft Conviction**

HOUSTON, July 14 (UPI)— A Federal judge ruled today that the Government had not used wiretap information in convicting Cassius Clay of draft evasion. The decision brought the former heavy-weight boxing champion closer to prison.

Clay's lawyers were expected to appeal District Judge Joe Ingraham's decision to the United States Court of Appeals for the Fifth Circuit in New Orleans.

Judge Ingraham said he had decided that the wiretaps on Clay's telephone conversations had been "lawful surveillance."

He said he did not believe information gained by the Government in listening in on conversations between Clay and the Rev. Dr. Martin Luther King Jr. had been used to convict Clay.

"Whether the Attorney General authorization of a wiretap for the purpose of gathering foreign intelligence information violates the Fourth Amendment is an issue of extreme gravity," Judge Ingraham said in his opinion.

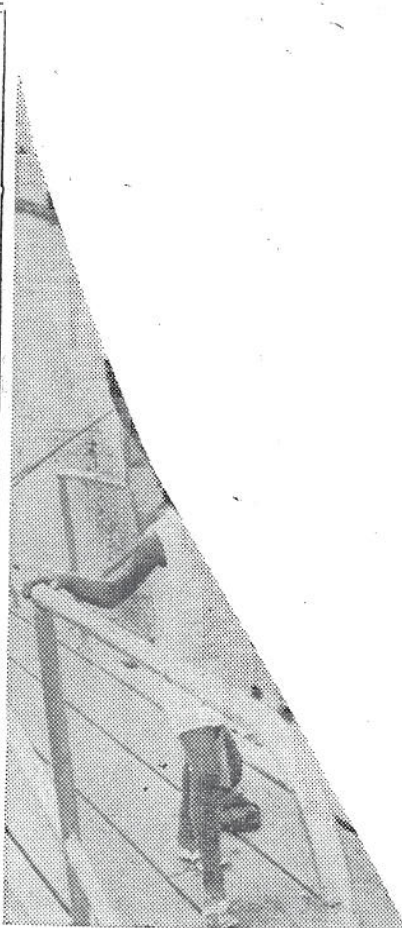
"This court will not speculate on the direction in which the [Supreme Court] Justices will lean."

The Government acknowledged that it had monitored conversations between Clay and Dr. King, as well as the Black Muslim leader, Elijah Muhammad.

The admissions came while Clay's attorneys were arguing their case before the Supreme Court earlier this year. The lawyers were basing most of their hopes in obtaining a reversal of Clay's conviction in 1961 on the fact that Clay was a Black Muslim minister and exempt from the draft on religious grounds.

Clay was sentenced to five years in prison and fined \$5,000 on the draft-evasion conviction.

The Court, however, granted Clay a new hearing on the ground that the wiretapped information gathered by the Government might have been used against him in his trial. Such



**Jacques Piccard escorting his daughter  
a tour of the Ben Franklin before the**

WEST PALM BEACH, Fla., July 14 (UPI)— The research submarine Ben Franklin slid out to sea today for a rehearsal of a lengthy voyage in the depths of the Gulf Stream.

"I've been waiting seven years for this launch," said Jacques Piccard, the Swiss oceanographer, as the yellow submarine was made ready for a test run that may take her as far as Cape Cod.

Mr. Piccard and five other scientists will dip 2,000 feet into the depths of the ocean "river," first charted by Ben-

jamin Frankl

The practice  
uled for four c  
may be stretche  
if Mr. Piccard al  
find everything go.  
spokesman said.

With the Ben Fran  
pected to be in the  
of Cape Kennedy on W  
day, a spokesman sa  
voice hookup between  
Piccard's crew and the mo  
bound astronauts of Apollo  
might be attempted.

The object of the project,  
called the "Gulf Stream Drift  
Mission," is a 1,500-mile drift

action has previously been ruled unconstitutional and would have automatically thrown out Clay's conviction.

The Court sent the case back to Judge Ingraham to determine whether the wiretapped information had been used against Clay.

Judge Ingraham said that although Clay's voice had been

monitored during the various telephone conversations, he had not been the primary target of the wiretap.