

Ex-Attorney Links Ray to Rifles for Cuban Exiles

By MARTIN WALDRON

The former attorney for James Earl Ray said in New York yesterday that Ray went to Memphis last April 3 to try to sell rifles to Cuban exiles and that he never knew in advance that the Rev. Dr. Martin Luther King Jr. was to be murdered.

"When Ray found out that Dr. King had been shot, he panicked and fled from Memphis," the lawyer, Arthur J. Hanes of Birmingham, Ala., said.

The lawyer said that the 41-year-old convict had confessed "under pressure" that he had killed King.

"He was afraid he might get the electric chair," said Mr. Hanes, who was dismissed by Ray last Nov. 10 on the eve of his scheduled trial for the murder of the civil rights leader. Ray pleaded guilty last month and was sentenced to 99 years in prison under an agreement with Judge W. Preston Battle, who died Monday.

In Memphis yesterday, four judges met to discuss what effect Judge Battle's death would have on efforts by Ray to repudiate his guilty plea.

The judges studied a letter that Ray wrote March 26 from the Tennessee State Penitentiary asking Judge Battle to appoint him an attorney and asking that the judge consider the letter as "legal notice of intent to ask for a reversal of the 99-year sentence."

The judges reached no decision and declined comment.



Associated Press
Arthur J. Hanes

There had been speculation that Ray's letter might be considered a motion for a new trial.

The letter does not automatically assure a new trial, Chief Justice Hamilton Burnett of the Tennessee Supreme Court said.

In this, Justice Burnett clashed with Judge Charles Galbreath of the State Court of Criminal Appeals. Judge Galbreath said in Nashville that, under Tennessee law, a motion for a new trial is automatically granted if the judge who presided at the petitioner's conviction

dies before the motion is heard.

Chief Justice Burnett said this would be true only if Ray had chosen to have a jury trial and had then moved for a new trial.

A 30.06-calibre deer rifle found near the murder scene was not the rifle used to kill Dr. King, Mr. Hanes said, adding, "And the F.B.I. knew it."

Mr. Hanes, a former agent of the Federal Bureau of Investigation, said that he had examined the bullet recovered from Dr. King's body and that the bullet had enough markings on it to be traced to the murder weapon.

"A 6-year-old kid could have traced it," he said.

Ballistics experts of the F.B.I. said that the rifle bullet that struck Dr. King in the right jaw and severed his spinal cord could have been fired from the abandoned rifle Ray bought in Birmingham on March 30.

Mr. Hanes said that Ray and a "contact" had taken the rifle to Memphis to show to Cubans who were interested in buying or stealing rifles. The "contact" abandoned the rifle, which had Ray's fingerprints on it, on the street so that Ray would become a "fall guy" in the murder, Mr. Hanes said.

Unable to Find Latin

William Bradford Huie, the Alabama author who bought the publication rights to Ray's life story, said that he disagreed with Mr. Hanes's version of the events leading to Dr. King's slaying.

Mr. Huie said that, while he believed Ray had a "contact" in Birmingham, it was to further some unlawful activity such as robbery. All evidence indicated that it was Ray's idea to murder Dr. King and that he carried the idea out alone, Mr. Huie said.

The author said that he had

spent thousands of dollars trying without success to find Raoul, a blond Latin who Ray contended had lured him into the murder plot.

"To me, the major questions still to be answered are: When was the decision made to kill Dr. King? And why was it made?" Mr. Huie said.

Mr. Hanes, who flew to New York with Mr. Huie from Alabama to promote magazine articles they had written about the slaying, said that Mr. Huie, who is from Hartselle, Ala., did not have all the information imparted by Ray.

"Bill Huie never talked to Ray," Mr. Hanes said. "I talked to him a hundred hours or more."

Lay on Floor to Talk

Mr. Hanes said that Ray's cell in the Shelby County jail in Memphis had been constantly monitored by closed-circuit television and that he and Ray had lain on the cell floor to talk so that those watching could not read their lips. It was in this manner that Ray related his version of the slaying, Mr. Hanes said.

Both Mr. Huie and Mr. Hanes said that Ray's visits to New Orleans in the three to four months preceding Dr. King's murder last April 4 could bear more investigating.

"The only show of emotion, apprehension or concern which Ray showed was when we went over the list of state's witnesses from Louisiana," Mr. Hanes said. "He was terrified."

The names of witnesses the state had planned to call if Ray came to trial was never made public.

Ray is known to have been in Louisiana at least three times before Dr. King was killed—in October and December 1967 and in March 1968.