

32 M

THE NEW YORK TIMES

ATTORNEY FOR RAY ASSAILS U.S. MOVE

Says He Was Barred From
Flying Home With Client

By ANTHONY LEWIS
Special to The New York Times

LONDON, July 17—James Earl Ray's American lawyer charged today that the accused assassin of the Rev. Dr. Martin Luther King Jr. was being treated unfairly by American officials and the press.

The lawyer, Arthur J. Hanes, disclosed that he had demanded the right to accompany his client when Ray is taken back to the United States. Justice Department officials in Washington turned that idea down.

"Gentlemen," Mr. Hanes told a news conference, "I'm here to say that that's in violation of my client's constitutional rights. I think it's highhanded and wrong."

Ray is likely to be flown back to the United States within the next few days. Mr. Hanes confirmed today that Ray had decided to give up his fight against extradition.

Tomorrow, in the Bow Street Magistrate's Court, British officials are expected to dispose of the local charges pending against Ray. These are that he carried an unlicensed pistol and forged passport, under the name Ramon George Sneyd, when arrested at London airport on June 8.

Cites High Court Rulings

Mr. Hanes said his request to be with Ray on the way home was "entirely legal and proper" and "in keeping with our Supreme Court decisions holding that no agent of the law has the right to question a suspect except in the presence of the suspect's attorney."

This was a reference to the Supreme Court's much-disputed 1966 decision in the Miranda case, assuring any arrested person of the right to see a lawyer before being questioned by the police. Mr. Hanes conceded that the case did not deal with the mere moving of a prisoner, but he said:

"He [Ray] has fear of being in the presence of Justice Department agents alone."

The lawyer said he did not know the basis of Ray's feelings—"he just has that fear." The implication was that Ray objected to any opportunity for Federal agents to question him without his lawyer being present.



Associated Press

PROTEST EXTRADITION PROCEDURE: Arthur J. Hanes, right, American lawyer for James Earl Ray, and Michael Eugene, one of Ray's British lawyers, at a London news conference. Mr. Hanes charged that U.S. officials had refused to let him accompany Ray—accused of killing the Rev. Dr. Martin King Jr.—when he is flown back to the U.S.

Reporters pressed Mr. Hanes to explain why the fight against extradition had been given up—a decision that he said he had advised Ray to take.

Wants to Clear His Name

"Gentlemen," Mr. Hanes said, "this man is innocent, and we want to get back to the United States and clear his name. It's as simple as that."

Mr. Hanes also explained that he wanted to get Ray back to the United States so that they could deal with what he called a press campaign against the accused.

"I have advised this action," Mr. Hanes said, "so that my client and I can begin without further delay an effort to combat and counteract an unprecedented, vicious and libelous press and television campaign to portray him as a convicted murderer, a monster, a degenerate and a dope addict."

"This campaign violated our most sacred Anglo-Saxon precept that every man must be regarded as innocent until he is proved guilty without reasonable doubt."

"Once my client is in Memphis, where he can confer daily with me and others, we will

find the whole truth and establish it."

He had no criticism of the British press, Mr. Hanes said to British reporters present at the conference—"you do a magnificent job."

"But if the American press insists on trying this matter in the press," he continued, "I say this man's guilt should be put on the ballot in November. Of course I'm being facetious, but it makes just as much sense."