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MEMPHIS, Tenn. AP — James Earl Ray, charged with the murder of Dr. Martin Luther King Jr., has been granted a hearing in Criminal Court Monday. The Huntsville Ala. Times said Friday that Ray will plead guilty in exchange for a 99-year sentence instead of a possible death penalty. Asked about this, Ray's lawyer, Percy Foreman of Houston, Tex., replied, "It's none of your business." Dist. Atty. Gen. Phil Canale refused all comment and State Atty. Gen. George McCanless could not be reached. Newsmen accredited to cover Ray's April 7 trial were notified at midmorning that Foreman had been granted the Monday hearing by Judge Preston Battle. There was no elaboration.

These same newsmen had been asked to come to the press room facilities, set up near the courtroom, an hour and a half before the hearing opens at 9:30 a.m. Monday. Again, there was no indication what this conference would involve.

Judge Battle has issued strict orders against pretrial publicity by any of the principals in the case. The Huntsville Times said, however, that a source close to the case said the guilty plea would be "the only way Ray can escape the death sentence."

King was assassinated in Memphis last April 4, after he had come here to lead a demonstration in behalf of city garbage workers who at that time were on strike. Ray is accused of shooting King from a rooming house opposite the Lorraine Motel, where King was standing on a balcony.

The civil rights leader was staying at the motel pending a scheduled downtown march in behalf of the 1,200 striking workers, most of them Negroes. The walkout, seeking a union contract and a pay increase, was settled soon after King's death.

Ray was arrested in London last June 8, after a worldwide manhunt, jailed by Scotland Yard detectives and returned to Memphis in secrecy, after lengthy British legal proceedings, to face a murder charge in King's death.

Since his return, Ray has been held in a specially armored, air-conditioned cell at the Shelby County Jail under tight security.

First scheduled to go on trial in November, Ray won a postponement after he fired Arthur Hanes, former Birmingham, Ala., mayor, as his defense lawyer on the eve of that proceeding.

Subsequently, he hired Foreman to take his case—and Foreman won delays until March 3 and April 7, on grounds that he still had not had time to study the case completely.

The newspaper at Huntsville said the state was prepared to accept the guilty plea. But the Times said such a sentence would have to be imposed by a trial jury.

The story, said, however, that plans call for the jury to be empaneled and each juror will be asked if he can abide by the court's recommendation.

After a prima facie case involving only a few witnesses, the source said, the court then would accept a plea of guilty and recommend the sentence of 99 years. Under this procedure, the Times said, the jury would be allowed to leave the courtroom to confirm the sentence.

Previously, it has been estimated that the trial might last several months.

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