

A228

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MEMPHIS Ray BJT A226 add: Ray. 400

Q. Is this what you want to do?

A. YQES, I think so.

Q. Do you understand that a plea of guilty means that you waive your right to appeal the conviction, or to appeal any pretrial rulings which may have gone against you. Do you understand this?

A. Yes sir.

Q. Has anything else been promised to you besides the 99-year sentence to induce you to plead guilty?

A. No.

Q. Has any pressure been put on you to induce you to enter a plea of guilty?

A. No.

Q. Are you pleading guilty because you killed Dr. Martin Luther King in such a manner that you would be found guilty of first-degree murder under the laws of this state?

A. Yes, I'm pleading guilty.

Soon afterward, the jury entered the courtroom. Dist. Atty. Gen. Philip Canale and Foreman then made their usual opening statements to the jury. Canale told the jurors that there was no evidence of any conspiracy in the case.

Foreman put it this way: "It took me months to prove to myself . . . that it was not a conspiracy."

It was then that Ray stood up and, addressing the judge, said, "don't want to change things. I just want to add something. I don't agree with the theory that there was no conspiracy."

He did not elaborate.

At this point, Foreman interrupted Ray to say that his client was pleading guilty to first-degree murder, "not to anything about a conspiracy."

"Will this change any of the answers you gave me previously?" asked the judge.

"No, sir," Ray replied.

Q. I want to ask you again if you are pleading guilty that you killed Martin Luther King under circumstances under which you could be found guilty of first-degree murder under the laws of this state?

A. Yes, sir.

Later, when he passed sentence, the judge himself said there was no evidence of any conspiracy. But, he said, if such evidence arises, the state will be quick to prosecute.

Canale, the district attorney, was asked later at a news conference about Ray's possible motive in pleading guilty.

"I think race had a lot to do with it," Canale replied. He refused to elaborate, but said later there was "some indication he Ray was a racist."

Battle himself told newsmen: "Memphis has been blamed for the death of Dr. King, to me wrongfully and irrationally. Neither the decedent (King) nor his killer lived here. Their orbits merely intercepted here."

The judge said he felt he had tried the case "as nearly as possible to other like cases, and to scrupulously follow the law" and his own conscience.

db-ff3-8pes March 10

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MEMPHIS, Tenn. Ray Bjt A226-228 add: conscience
Foreman, who took over the case on the eve of Ray's scheduled
November trial, told the judge earlier in the court:

"I've never had hopes of anything except . . . to save this man's
life." He took over from Arthur Hanes, former mayor of
Birmingham, Ala., after Ray fired Hanes four days before his November
trial was to start.

This resulted in a postponement of the scheduled trial until
March 3 and thence to April 7 to give Foreman more time to prepare
a case.

The first public hint of the guilty plea came last Friday.
The Huntsville Ala. Times published the story, the subject of
recurrent but unconfirmed rumors. Soon afterward, newsmen accredited
to cover

the trial—there were about 100 of them, all told—were
summoned to be in court Monday morning.

Again, there was no indication what the hearing would entail until
a briefing session for the newsmen began at 8 a.m. An hour and a
half later, Ray told the judge in court he wanted to plead guilty.

Then, to make no mistake, came the judge's lengthy questioning of
Ray and finally, as Ray sat quietly in the court, the judge asked
the jurors if they still were willing to abide by the guilty plea
arrangement.

All 12 men raised their hands in assent. At 12:12 p.m., Battle then
intoned: "You have pleaded guilty to first-degree murder and it is
the judgement of the court that you be confined for 99 years in the
state penitentiary."

There still was no immediate indication when Ray would leave his
special jail cell and be transferred to the penitentiary in
Nashville—or how the transfer would be made.

At Nashville, however, Harry Avery, state corrections commissioner,
said at midmorning that his office had not been in contact "with
the people in Memphis" concerning Ray

"But in view of the special security arrangements in Memphis,"
he said, "We will keep him in maximum security here until his
classification is completed—about a month or six weeks."

Under normal circumstances, he said, prisoners are kept in
six-man cells for this maximum security period. After this, Warden
Lake Russel said, "He'll be treated like everyone else."

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