

RAY GETS 99 YEARS, HINTS OF CONSPIRACY

Ray Admits Killing King

Jury Concur in Deal--- Guilty Plea for Ray's Life

MEMPHIS, Tenn. (UPI)—James Earl Ray pleaded guilty to the murder of Dr. Martin Luther King Jr. in exchange for his life today but kept alive the theory of a conspiracy.

A 12-man jury heard an hour and 55 minutes of token evidence and then, by prearrangement, convicted Ray and sentenced him to 99 years in prison.

Judge W. Preston Battle excoriated critics of Memphis, announcing, "We have not done too badly here for a decadent river town."

After the trial, Prosecutor Phil Canale was asked if he thought a conspiracy might ever come to light in King's death and he replied, "I learned a long time ago not to rule out anything."

Later, the Justice Department said its investigation is still open into charges of conspiracy in the assassination of Dr. King April 4.

Ray was expected to be spirited away under heavy guard later today to state prison in Nashville 200 miles away, where a special, isolated cell awaited him. It was his 41st birthday.

He will be eligible for parole when he is 71. But Ray, once nicknamed "The Mole," fancies himself an escape artist. He is a fugitive from the Missouri State Prison.

The state, after assuring the surprised jurors that "We'll put on some proof," produced five witnesses.

Ray's attorney, Percy Foreman, said "I never expected, hoped or had any idea when I entered this case that I would be able to do anything other than save this man's life." He implied that Ray would likely have been sentenced to die if he had gone on trial as scheduled April 7 pleading innocent.

It appeared likely the question of whether Ray was part of a conspiracy would go forever unanswered.

Judge Battle, before turning the case to the jury said, "It has not been established at this time that there was any conspiracy. This is not conclusive evidence that there was no conspiracy."

"If there was a conspiracy no member of such a conspiracy can ever live in peace or lie down to pleasant dreams because there is no statute of limitations in capital cases in this state."

Of the five witnesses who testified, most described King's death and placed Ray in Memphis. The

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longest testimony came from Robert G. Jensen, FBI agent in charge of the Memphis office.

He recounted the search for Ray, telling how a pair of pliers, a hammer, an undershirt and undershorts found in Memphis led to Ray and his eventual arrest in London June 8.

There was never any mention of any motive Ray may have had for killing King.

After the trial, Canale and Judge Battle held a news conference. Canale said, "There was some indication he (Ray) was a racist" and that was the motive for the killing. Asked to elaborate, Canale would refer only to "some of the things in Ray's background."

There is nothing in Ray's background known to the public to indicate he was a racist.

Judge Battle said that despite waivers of the right of appeal during the trial, Ray still did have the right to file notices of appeal or motions to overturn his conviction on a variety of grounds.

The jury convicted Ray and sentenced him by a show of hands in the jury box.

King's widow was not immediately available for comment, but she had said in the past she hoped her husband's assassin would not be executed.

Other witnesses told of the single rifle shot that felled King as he stood with friends on the second floor balcony of the Lorraine Motel at dusk last April 4. The shot, the state claimed, was fired by Ray from the bathroom window of a nearby flophouse.

"The shot had cut his necktie right off," recalled the Rev. Samuel Kyles, who said he had come to the motel to take King to his home "for some soul food."

Both Foreman and Canale told the jurors there was nothing to the theory that Ray was part of a conspiracy.

"There have been rumors

that James Earl Ray was a hired dupe for others to kill Martin Luther King," noted Canale. "We have no evidence that any conspiracy was involved," he said.

Foreman said, "It took me a month to convince myself of this fact . . . that there was not a conspiracy."

At that point Ray arose, to the surprise of the jammed, heavily guarded courtroom.

"Your honor," he said "I'd like to say something. I agree with all these stipulations but I don't agree with these theories on the conspiracy."

Battle quickly asked Ray if he was trying to change his guilty plea. "No, sir," said Ray, and he spoke no more about conspiracies.

Ray waived all rights for appeal, for a new trial, or any other legal maneuvers, and said he had been promised nothing but the 99-year sentence.

"This is a compromise and settlement on a plea of guilty to murder in the first degree and 99 years in the penitentiary," said Battle. "Is this what you want to do?"

"Yes, I do," said Ray.

When Ray made the comment about the conspiracy theory, Foreman stood, turned to his client and said, "You're not required to agree or withdraw or anything, Jim."

"You change none of your answers?" asked Battle.

"No, sir," said Ray.

Ray entered the courtroom at 9:45 CST, and Battle followed a minute later. By 9:50 the jury had been called and by 10:17 they had taken their oaths.

"I have recommended a sentence of 99 years in the state penitentiary in Nashville," Canale told the jurors, two of whom were Negroes.

"We'll put on some proof for your consideration. Can each of you accept that sentence?"

There were murmurs and nods of assent from the jurors, who had been acting together as a jury for two weeks hearing other cases. They had no idea they would also hear the Ray trial.

A jury had to be called, despite the guilty plea, because in Tennessee a jury sets the penalty.

Despite Foreman's concern for getting Ray off alive, legal authorities pointed out that Tennessee has not executed a prisoner in seven years.

The theory of a conspiracy

motive for Ray killing King has ever been put forth, and none was established at his swift trial.

has been prevalent since King was slain and Ray, a small-time hoodlum and fugitive from the Missouri State Prison, was arrested in London June 8. No possible personal

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JAMES EARL RAY
No appeal possible



JUDGE PRESTON BATTLE
Questioned Ray at length