

Conspiracy Question Raised

29 Dec 69

'Have Trial,' Ray Says

NASHVILLE, Tenn. (AP)—James Earl Ray, seeking to win a transfer from a maximum security cell at Tennessee State Penitentiary, told a federal court today that if authorities believe a conspiracy was responsible for the slaying of Dr. Martin Luther King Jr., "they should have a trial."

Thomas E. Fox, assistant state attorney general, raised the question of a conspiracy in King's slaying by asking Ray: "Would you think if there are other members of a conspiracy, they might be a danger to you?"

Ray replied, "If the state is interested in a conspiracy they should have a trial."

Ray, who is serving 99 years in prison for the 1968 slaying of King, was the first witness at a hearing to determine if his rights are being violated by continued confinement in a maximum security cell.

U.S. DISTRICT Court Judge William E. Miller said the only question at issue in the hearing is whether Ray's confinement in a six-by-nine-foot cell violates the 8th amendment to the Constitution prohibiting cruel and unusual punishment.

Ray pleaded guilty last March to a murder charge in King's death. But at that time, he said he did not agree with stipulations that he acted alone in killing King. The state contends Ray is being held in maximum security for his own protection.

Fox asked Ray: "You realize you are in prison for killing a man with a great following?"

"I think I'm in prison be-

See RAY—Page 8



JAMES EARL RAY arrives at the Federal Court-house in Nashville, Tenn., this morning to attend a hearing. Ray is seeking release from maximum security at the Tennessee State Prison. —AP WIREPHOTO.

Continued from Page 1

cause my attorneys sold me out," Ray said.

RAY'S NEW LAWYERS, led by Robert W. Hill of Chattanooga, objected at that point and ended the line of questioning.

Ray was on the witness stand for 90 minutes.

Since he was transferred to the state penitentiary here after his trial in Memphis, he has been seeking to recant his guilty plea. He contends he was pressured by his lawyers into pleading guilty.

Ray testified he originally planned to wait two or three years to appeal his case "but

after Mr. Foreman and Huie started making statements, I decided I couldn't wait for the money from a book."

HE REFERRED TO attorney Percy Foreman of Houston, Tex., who represented him at the trial, and to William Bradford Huie of Hartselle, Ala., an author who is writing a book about Ray.

Ray testified he thinks his mental capacity has diminished during his confinement but added, "I don't think it's a permanent thing."

Asked by Fox if he has asked for a psychiatric examination, Ray replied, "I've got

enough troubles now without talking to your psychiatrists."

This was Ray's second time outside the prison since his conviction. He was taken to Memphis last May 26 in an attempt to get a new trial—a fight still being carried on in state courts.

Ray, appearing pale after 18 months behind bars here and in Memphis, was shackled as he was whisked into the courthouse. He claims maximum security confinement violates his rights and is damaging his health.

U.S. Dist. Court Judge William E. Miller ruled that Ray should be present at the hearing but denied a state motion that he be given a physical examination first.

The state maintains Ray's confinement is for his own good and that his health is fine.