

James Earl Ray to Move to U.S. Prison

By MARTIN WALDRON

James Earl Ray, convicted of assassinating the Rev. Dr. Martin Luther King Jr., is being transferred from a state to a Federal prison for "security reasons," the Justice Department said in Washington yesterday.

Mr. Ray, convicted of shooting the civil rights leader with a rifle from ambush in Memphis on April 4, 1968, will be imprisoned in one of the six Federal maximum-security prisons under an agreement with the state of Tennessee, the Justice Department said.

Neither state nor Federal officials would explain why he was not considered to be safe in the Tennessee maximum security prison at Nashville where he has been serving a 99-year term since pleading guilty in 1969 to the killing.

The Justice Department would not say which Federal prison it will transfer Mr. Ray to. The Federal Government has maximum-security prisons at Atlanta; Leavenworth, Kan.; Lewisburg, Pa.; Marion, Ill.; McNeil Island, Wash., and Terre Haute, Ind.

For Testing First

The Justice Department said that Mr. Ray would be taken from Nashville to the Federal Medical Center at Springfield, Mo., for physical and psychological testing before being sent to one of these prisons. The state of Tennessee will pay the cost of keeping him in the Federal prison, the Justice Department said.

A spokesman said that there are now about 75 states prisoners placed, for one reason or another in Federal penitentiaries. The spokesman said that Mr. Ray would continue to be under the supervision of the Tennessee Parole Board while in the Federal prison.

This week Mr. Ray filed a writ for a new trial. Federal District Judge L. Clure Morton has not yet considered the writ, and its contents have not been released.

There were unofficial reports that Mr. Ray asserted in the application that he had been hired by a group of white Southerners to kill Dr. King, a Nobel Prize laureate who was the nation's most prestigious civil rights leader.



Associated Press

James Earl Ray

In Birmingham, Ala., yesterday Mr. Ray's first lawyer, Arthur J. Hanes, said in a telephone interview that if Mr. Ray was asserting that he had been hired by "Southern whites" to kill Dr. King, "he's talking malarkey."

Mr. Hanes, a former Mayor of Birmingham who once worked for the Central Intelligence Agency, said that in the summer and fall of 1968, Mr. Ray never mentioned any such plot.

Mr. Hanes quoted him as saying that while he was fleeing the authorities in 1968 after the assassination he toyed with the idea of trying to get the imperial wizard of the United Klans of America, Robert M. Shelton of Tuscaloosa, Ala., to shelter him but had not followed through.

Mr. Ray dismissed Mr. Hanes as his attorney in November, 1968, on the day his trial was scheduled to open in Memphis, and hired the Texas criminal lawyer Percy Foreman to defend him.

In the spring of 1969, he agreed to plead guilty to murder and to accept a life sentence. At his trial he testified that he had shot Dr. King but he balked at saying that there had been no conspiracy to kill the civil rights leader.

Mr. Ray's latest application

for a new trial is one of a series he has filed in the last four years. Thus far, all have been denied.

While serving at Nashville, he has been beaten by other inmates at least once, and on another occasion he tried to escape.

But there have been no recent reports of attempts to attack Mr. Ray, who has been kept segregated from other convicts for the most part.

Mr. Ray's reported assertion that he had been hired by white Southerners to kill Dr. King differs considerably from the story he told in the fall of 1968 to the author William Bradford Huie.

In notes written in the Memphis jail while he was awaiting trial, he said he had been sent to Memphis by a "blond Latin" he knew only as Raoul.

Mr. Hanes said in Birmingham yesterday that Mr. Ray "always told me he went to Memphis to show some rifles to some people."

Thought He was Tool

Mr. Hanes said that he believed Mr. Ray had been a tool of either the C.I.A. or of revolutionary groups financed by Cuba or Red China" who had been interested in starting a race war in the United States.

Mr. Ray bought a deer rifle at a Birmingham gun store in late March, 1968, and took it to Memphis.

"He said he thought he was going to show it to some people and if they liked it, he would either buy or steal them a bunch of the guns," Mr. Hanes said.

In the notes that he sent to Mr. Huie, Mr. Ray declared that "Raoul" shot Dr. King while Mr. Ray waited for him in a white Mustang automobile parked on the street.

Dr. King was struck in the throat by a .30-caliber rifle bullet while standing on the balcony of a small Memphis motel. Investigators said that the shot had been fired from a cheap rooming house across an alley. Mr. Ray had rented a room in that house earlier that day.

He was arrested in London in July, 1968, after trying to hide in Canada and Portugal. He was traveling under a false passport.