

murderer of Dr. Martin Luther King is that it is drawn in terms of a conspiracy. To the non-lawyer, a conspiracy means a plot hatched by many men, worked out in great detail, and executed with precision. This meaning may attach particularly to that word's use in the King case because of the charge by Negro extremists that white America conspired to kill Dr. King. But the legal meaning of a charge of conspiracy, and the reason such a charge is used in cases like this one, are often quite different from the image the word conspiracy is likely to raise.

In legal terms, a plot laid by two men to commit a crime is just as much a conspiracy as a plot hatched by two hundred. So far, no information has been released that indicates this conspiracy against Dr. King involved more than two men—one of them allegedly Eric Starvo Galt and the other a man described as one the accused said was his brother. If that is the extent of any conspiracy, it is a far cry from the kind of conspiracy the extremists have been shouting about.

More importantly, however, the Justice Department may or may not think it has a valid conspiracy charge in the works when it uses that charge in this kind of case. There is probably no Federal charge other than conspiracy that can be laid against the killer of Dr. King. A murder charge

can be filed only by a state, not by the Federal Government. In several civil rights cases in the past, the Government has used the conspiracy charge as a way of keeping full control of the investigation and of bringing its full resources into play. A few years ago, for example, a conspiracy charge was filed in the murder of Medgar Evers, but once the suspect was arrested the conspiracy charge was dropped and no evidence was ever presented to indicate that more than one man participated in that murder. The only other handle the Federal Government has in cases like this is to turn its evidence over to state officials, let them obtain a murder warrant and then ask the FBI to pursue the man as a fugitive. And the FBI is always reluctant to let go of its evidence until a case is sewed up.

It may, of course, turn out that two or more persons were involved in planning the murder of Dr. King. But, on the basis of the information released so far and on the kind of charge placed against Eric Galt, it is presumptuous to leap to such a conclusion.

DATE 4/19/68
PAGE A.74

- THE WASHINGTON POST & TIMES HERALD
- THE EVENING STAR
- THE SUN-BEY STAR
- THE WASHINGTON DAILY NEWS
- WASHINGTON Afro AMERICAN

44-703-240

SEARCHED	INDEXED
SERIALIZED <i>NPH</i>	FILED <i>NPH</i>
APR 13 1968	
FBI - WASH. F. O.	
<i>Clawson</i>	
44-703-240	