

Theories on King Murder Tied by Common Threads

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This is the second of two articles written by John M. Crewdson and based on reporting by Mr. Crewdson, Ben A. Franklin, Nicholas M. Horrock and Martin Waldron.

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WASHINGTON, Jan. 1—Most of the theories of a conspiracy surrounding the assassination of the Rev. Dr. Martin Luther King Jr. on April 4, 1968, are bound by a common thread—the view that unnamed “interests,” Southern, reactionary and white, had sensed in Dr. King’s increasingly militant stance a new economic and political threat that prompted his murder at their hands.

A second common thread has been the skepticism of many over the intervening seven years that James Earl Ray, a small-time holdup man with a reputation for bumbling bad luck and a long string of jail sentences, could by himself have planned and carried out both the crime and an escape that stretched over four countries and two months before his capture in London.

Charges that Mr. Ray had not acted alone began to mount almost from the moment that Dr. King, his spinal cord severed by a hollow-nosed rifle bullet, died in the emergency room where he had been taken from the Lorraine Motel in downtown Memphis.

According to officials and former officials of the Justice Department and Federal Bureau of Investigation, the bureau has checked out various assertions of such a conspiracy that have come to its attention and has found virtually all to be without substance. A team of New York Times reporters spent six weeks investigating the case, also without being able to establish any firm evidence of a conspiracy.

But even without access to

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Government files, which remain largely closed, or to Mr. Ray, who refused to be interviewed. The Times found puzzling gaps and inconsistencies in the evidence so far made public by the F.B.I., the Justice Department and other agencies.

Even some Justice Department lawyers have been so concerned that someone possibly involved in the assassination may have gone unpunished that they have twice tried to induce the convicted killer, Mr. Ray, to tell what he knows to a Federal grand jury.

Testimony Refused

On both occasions, first in 1971 and again in 1974, Mr. Ray, who has privately maintained that he was but an unwitting part of a larger plot against Dr. King’s life, sent word to the Justice Department through his lawyers that he would not testify.

Mr. Ray’s lawyers concede that their client may, as the Justice Department suspected, have “some knowledge” concerning the involvement of others in the shooting, but they say that his refusal to talk stems from his fear of reprisals

from co-conspirators. Such reprisals, they add, could easily be carried out inside the walls of the Tennessee State Penitentiary in Nashville, where the 47-year-old Mr. Ray is serving a 99-year sentence.

Although Mr. Ray pleaded guilty in a 144-minute pro forma proceeding on March 10, 1969, he attempted to retract that plea within a few days, saying it had been made under undue pressure from his lawyer, Percy Foreman of Houston. Mr. Ray now has before the United States Court of Appeals for the Sixth Circuit a motion for a new trial.

Bernard M. Fensterwald Jr., a Washington lawyer and founder of the Committee to Investigate Assassinations, who is now Mr. Ray’s chief counsel, asserted in a recent interview that if a new trial were granted he could present a case that Mr. Ray was nowhere near the Memphis motel at the time of the assassination.

Mr. Ray had previously told his lawyers that he had been outside a rooming house adjacent to the motel when Dr. King was killed, although he had not known of the murder at the time.

The Tennessee prosecutors produced a witness, Charles O.

Stevens, who placed Mr. Ray inside the house at the time the shot struck Dr. King—a shot he said he had heard but had not seen—fired from the boarding house bathroom.

Mr. Stevens later asked for, but did not receive, the \$100,000 reward offered for information leading to the conviction of Dr. King’s murderer. The reward has never been paid to anyone.

Conspirators’ Names

Mr. Fensterwald said that his efforts to gain an acquittal for Mr. Ray probably would not produce the names of any co-conspirators. His client, Mr. Fensterwald said, “has no interest in solving the crime.”

Several officials and former officials of the Justice Department’s Civil Rights Division, which was given the responsibility for investigating the murder almost from the moment it occurred, have become increasingly convinced over the last seven years that Mr. Ray, despite his protests, was Dr. King’s assassin.

And even those officials who doubt Mr. Ray’s sole responsibility attributed their beliefs to “hunches” and “gut feelings,” not to hard evidence.

In 1971 and in 1974, partly because of their own doubts and partly in response to the unofficial appeals by Mr. Fensterwald, Civil Rights Division officials sifted and resifted the mass of evidence—enough to fill 13 packing crates—gathered by the F.B.I. during its intensive 1968 hunt for Dr. King’s killer.

But after these investigations turned up nothing substantially new, and in light of Mr. Ray’s persistent refusal to talk about

possible co-conspirators, a number of Justice Department lawyers felt more convinced that before that he had acted alone.

Last summer, for example the Rev. Dr. Ralph David Abernathy, Dr. King’s successor as head of the Southern Christian Leadership Conference, and Dick Gergory, the comedian, who has become interested in assassination conspiracies, asked Stanley Pottinger, head of the Civil Rights Division, to re-examine the two most persistent conspiracy reports.

Re-Evaluation

But the Justice Department is re-evaluating several aspects of the case that have aroused the most interest and concern, including two claims by indi-

viduals that they had been part of or knew about the effort to kill Dr. King.

The first was the assertion of Robert Byron Watson, a former employee of an Atlanta art gallery that he had overheard his employers plotting to kill Dr. King a few days before the assassination.

The second was the assertion of a convicted confidence man, Clifford H. Andrews, that he had been part of a conspiracy to kill Dr. King, for which he had been promised, but had never received, \$200,000. Because he was double-crossed, Mr. Andrews was reported to have said, he was willing to name the other conspirators in return for various considerations, including immunity from prosecution and an undescribed sum of money.

The Civil Rights Division concluded in a memorandum sent recently to Attorney General Edward H. Levi that neither the Watson nor Andrews report warrants a reopening of the King investigation, and Mr. Fensterwald, Mr. Ray's lawyer, agreed in a recent interview that both men appeared to be without credibility.

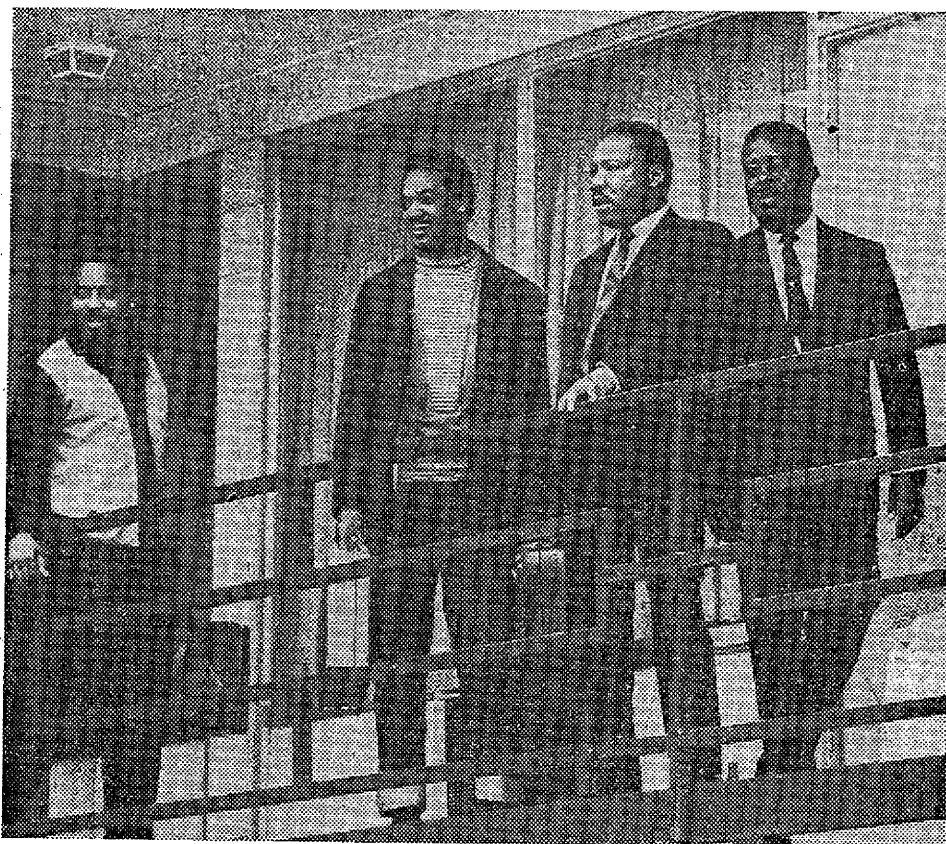
Third Assertion

The Justice Department, despite its findings in the Watson and Andrews matters, is nonetheless looking into a third such assertion involving a group of visitors to an Atlanta jail who purportedly were overheard, six months before the assassination, attempting to solicit the help of inmates in arranging for Dr. King's murder.

While Justice officials see Mr. Ray's refusal to talk as the most significant indication of the absence of any conspiracy, that conclusion is reinforced by his story to defense lawyers that he was "set up" to take the blame for the killings by a mysterious French Canadian named Raoul.

Mr. Ray's story has changed over the years, and parts of it are demonstrably untrue, but its essence is that he first encountered the man in a Montreal bar a few months after his escape from the Missouri prison at Jefferson City on April 23, 1967.

He spent most of the year between his escape and the



The Rev. Dr. Martin Luther King Jr., on the day before he was killed, flanked by the Rev. Ralph David Abernathy, right, and Jesse Jackson, civil rights activists—Mr. Abernathy succeeded Dr. King as leader of the Southern Christian Leadership Conference. The scene is the motel in Memphis where Dr. King was shot, April 4, 1968.

Associated Press

King assassination, Mr. Ray says, working for Raoul, whom the Canadian authorities have never found and whom patrons at the Neptune Bar, where Mr. Ray says the two men conducted their initial business, do not remember, just as they do not remember Mr. Ray.

'Arms Sale' Planned

It was Raoul, Mr. Ray has said, who induced him to purchase a .30-06 rifle at a Birmingham sporting goods shop and carry it to Memphis in his white Mustang, also financed by Raoul. The weapon, Mr. Ray says, was to be shown to prospective customers in an arms sale.

Mr. Ray told his first lawyer, Arthur Hanes Sr., the former Birmingham Mayor, that he was instructed by Raoul on the afternoon of April 4, 1968, to check into the rooming house opposite the Lorraine Motel. He said he was eventually joined by the Canadian, who asked him to leave the rifle and wait in a downstairs bar.

Mr. Hanes recalled in a recent telephone conversation that Mr. Ray had said he had done as he was asked, but, growing restive, had stepped out of the bar in time to see Raoul running

down the stairs to the street, where he dropped the rifle and Mr. Ray's other belongings and climbed into the Mustang.

Mr. Ray, who insists that he had no knowledge of Dr. King's murder until he heard about it on a car radio sometime later, said he drove off with Raoul in the back seat, hidden by a bedsheet. After four blocks, Mr. Ray said, Raoul jumped out of the car and vanished and Mr. Ray continued on to Mississippi.

Mr. Ray is reported to have since changed his story, maintaining without elaboration that he was some distance from the rooming house when the fatal shot struck Dr. King, but the discrepancies between elements of either version and the facts cast doubt on the story in its entirety.

For one thing, none of the patrons gathered that afternoon in Jim's Grill, a bar on the ground floor of the rooming house, were able to recall for F.B.I. agents having seen a man resembling Mr. Ray.

For another, Mr. Ray's contention that Raoul had joined him in Room 5B, which, as "John Willard," he had rented a half hour earlier, is called into question by the failure of anyone, including Mrs. Frank

Brewer, the rooming house manager, to recall having been asked by a stranger for the room in which "Mr. Willard" was registered.

Apart from the doubtful story of Raoul, no independent evidence of Mr. Ray's involvement in a conspiracy has turned up in seven years, and the record of his movements before and after the killing of Dr. King includes his securing for himself such things as the rifle and a bogus Canadian passport, which would more logically have been provided by co-conspirators.

Still, the suspicion of a con-

spiracy persists in the minds of many, from Harold Weisberg, the former Maryland chicken farmer who has styled himself an "independent investigator" of several recent assassinations, to the former high-ranking Justice Department official who recently reflected on the evidence and decided that Mr. Ray was "probably not a solo."

Although there is some basis for such suspicions, they have been founded in large part on misinformation, and confusion over erroneous "facts" picked up after the King killing and passed on over the years, gaining a kind of credence through repetition.

A principal example is the belief, widely held, that the Federal Government uncovered some early evidence of a conspiracy that it subsequently suppressed. That belief was prompted by the warrant, obtained by the Justice Department for Mr. Ray's arrest three weeks after the King assassination, which charged that he had conspired in the killing with a man "whom he alleged to be his brother."

Conspiracy Alleged

Since ordinary murder is not a Federal crime, the Justice Department was able to claim jurisdiction in the case only by alleging the existence of a conspiracy to violate Dr. King's civil rights, and the warrant charging Mr. Ray with that offense was obtained on the strength of his statement to the Birmingham sporting goods clerk that he was purchasing a rifle in anticipation of a hunting trip with his "brother."

Much speculation has also centered on how Mr. Ray obtained the five military cartridges found in the bundle dropped outside the Memphis rooming house, with the implication that he might have been aided by someone with Government connections.

But according to the 1972

edition of "Cartridges of the World," by Frank C. Barnes, a large quantity of surplus military .30-06 cartridges of the type found in the bundle had, by 1968, been commercially available in this country for some years.

While there is no conclusive proof that Mr. Ray killed Dr. King—no one reports having seen him or anyone else fire the fatal shot—a rifle of the type used in the assassination was found shortly afterward outside the rooming house, and Mr. Ray's fingerprints were on it.

He had indisputably purchased the rifle, and three hours before the murder, rented a room in the house. Immediately after the shooting, he fled from Memphis to Canada, England, Portugal and back to England before he was captured.

There remain, however, some perplexing questions about the

Ray case that make many of those familiar with its detail reluctant to conclude that Mr. Ray was a lone assassin. As one former Justice Department lawyer who worked on the case typically remarked, "The other assassinations made sense in a kind of mad way—the James Earl Ray thing never made any sense."

Foremost among the mysteries are Mr. Ray's motives for suddenly leaving a girlfriend and offers of a bartending job in Los Angeles in March, 1968 to drive across the country to kill Dr. King.

The Justice Department is addressing this question, but the evidence it has assembled is contradictory. There are some indications that Mr. Ray was a virulent racist with a particular antagonism toward Dr. King, and other signs that he was a nonviolent man who neither liked nor detested blacks and had no particular feeling about Dr. King.

Oddities of Case

The F.B.I., one former official said, did not address the question of motive, nor was it "particularly" puzzled at the time about the oddities of the case. One of these was the discovery that Mr. Ray's rifle, when abandoned, contained only one empty cartridge in the chamber and none in the four-round clip. That would suggest that the assassination had been a one-shot, all-or-nothing proposition—risky at best for an experienced rifeman, much more so for Mr. Ray, whose skill at shooting was evidenced only by an Army marksmanship medal.

Nor is there a convincing explanation why Mr. Ray—if the

killer was Mr. Ray—dropped the rifle and his other belongings on the street in full view in front of the rooming house, rather than secreting them upstairs or tossing them out a window.

The F.B.I. concluded that dropping the rifle on the street, where it was found by a Memphis policeman within seven minutes, was simply typical of Mr. Ray's career as a bungler. He had previously been arrested after having fallen out of a getaway car onto the street, having run headlong into a blind alley and having dropped his bankbook, complete with name and address, at the scene of a crime.

Escape a Mystery

Other anomalies abound. The details of Mr. Ray's escape from the Missouri penitentiary are unclear. And no one can explain why the "wanted" flyer issued routinely after his absence was discovered contained examples of fingerprints that were not his.

Nor is there a convincing explanation of how Mr. Ray, after making his way by bus from Atlanta to Toronto, secured the aliases Paul Bridgman and Ramon George Sneyd. They were residents of the Toronto area who bore a resemblance to Mr. Ray, who was carrying a Canadian passport in Mr. Sneyd's name when he was arrested at London's Heathrow Airport on June 8, 1968.

There are a number of similar questions, each in itself perhaps explicable as the result of luck or happenstance, but together the substance of a deeper mystery.

For example, why did Mr. Ray exchange after one day the

first gun he purchased from the Birmingham gun shop, obtaining a more powerful expensive weapon, when the first would have served his purpose equally well?

But there are larger questions, and one of the most significant is how Mr. Ray, a stranger to Memphis who had arrived there less than 24 hours before Dr. King was killed, was able to learn that the black leader was staying at the Lorraine Motel.

Although it has been widely reported that the Memphis newspapers of April 4 carried articles to that effect, and even photographs of him standing on the balcony outside his room, no such articles or photographs appeared until April 5, the day after Dr. King was shot.

Source of Funds

But the central question—the one on which the theory of any

conspiracy turns and for which the F.B.I. candidly admits it has no answer—is where Mr. Ray obtained the thousands of dollars he used to finance his travels through at least five countries, his \$2,000 Mustang, his \$500 rifle and his habit of spending long hours in bars.

One Justice Department official said recently, "We simply don't know how he got his money." But he noted that Mr. Ray's robbery of a London savings bank four days before his arrest seemed to be an indication that he was not being supplied with funds by other conspirators.

The F.B.I. investigated again all unsolved bank robberies at the time of Dr. King's murder but was not able to link Mr. Ray to any of them. The bureau theorizes, but cannot prove, that he sustained himself with other small robberies in the United States.

There are many more unanswered questions, but the clues to their solution lie not in the files of the F.B.I., but in the recesses of the mind of James Earl Ray.

Unless Mr. Ray eventually decides to cooperate with the Justice Department and has some pertinent information to offer once he mounts the witness stand, his name appears destined to remain among the ranks of the other American assassins—Lee Harvey Oswald and Sirhan B. Sirhan among them—whose motives will be-

come progressively clouded by death, silence or history.

As one former F.B.I. agent put it with a shrug the other day, "There are still people who wonder about John Wilkes Booth."

CBS news has called for an independent inquiry to deter-

mine whether the King assassination was the result of a conspiracy.

In a television documentary on the assassination broadcast last night, CBS concluded that there were enough unanswered questions to justify an inquiry by an independent commission or by Congress.