

House Inquiry Reported Fruitless On Kennedy-King Assassinations

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WASHINGTON, June 5—The House Select Committee on Assassinations, which has been in operation for eight months, has come up with virtually no new information or evidence relating to the death of President Kennedy or of the Rev. Dr. Martin Luther King Jr. and has discovered that much of the so-called "new information" on which Congress based its decision to reopen the investigations is in error, according to a well-placed committee source.

"We certainly have come up with nothing earthshaking," the source said, "and much that witnesses tell us is in conflict with what they supposedly told people who have written books about the assassinations and who have provided the basic leads for the committee to pursue."

An examination by The New York Times has determined that it was Mark Lane, the author and lecturer, who

provided, on the basis of his published works, most of the "new leads."

Moreover, according to several officials familiar with the genesis and scope of the committee's investigation—and Mr. Lane himself—Mr. Lane was the primary force behind the formation of the committee and the architect of the direction that the investigation should take.

Mr. Lane, a former New York State legislator better known for his book "Rush to Judgment," criticizing the official investigations of the Kennedy assassination, was unsuccessful for two years in his attempts to get Congress to reopen an investigation into the death of Mr. Kennedy in Dallas.

But early last year he began looking into Dr. King's death and persuaded the civil rights leader's widow, Coretta King,

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to solicit support from the Congressional Black Caucus for a reinvestigation of both assassinations.

Shortly after such an investigating committee was formed, Mr. Lane and the comedian Dick Gregory began work on a book about Dr. King and the assassination in Memphis. Mr. Lane refused to say how much they received from the publisher as an advance against royalties, but it was reportedly \$100,000.

The book, entitled "Code Name Zorro," was recently published—at about the time that the committee, according to minutes of one of its executive sessions, was seeking favorable public and Congressional reaction to its funds request.

From the committee's inception, staff members acknowledge, Mr. Lane's books, theories and private investigations have provided the "working manuals" and the "working hypotheses" for the inquiry.

Delay in Work Cited

The committee source said that internal problems that resulted in the resignations of the committee's chairman, Representative Henry B. Gonzalez, Democrat of Texas, and its chief counsel, Richard A. Sprague, had delayed the active investigation phase of the committee's work until the "past two or three weeks."

This was true, the source said, even though the committee issued a report March 28 asserting that it was already pursuing "new leads" and had processed "new information."

Just as the committee almost collapsed in controversy a few weeks ago, much of the new evidence appears to be falling apart. The lack of credible new evidence

has been cited to explain why the committee has been unable to obtain a new chief counsel to replace Mr. Sprague. Arthur Goldberg, the former Supreme Court Justice, and Archibald Cox, the former Watergate special prosecutor, have both declined the post. In addition, the Associated Press reported tonight that Alvin B. Lewis Jr., acting chief counsel, had resigned, giving no reason for the move.

The report of March 28 said, "much of the new evidence is of a highly sensitive nature and cannot be publicly disclosed at this time," but it gave "representative examples which illustrate the leads the committee is currently pursuing."

An Unnamed Witness

In one of the examples, apparently designed to show that the Warren Commission was remiss in its conclusion that Lee Harvey Oswald had never seen Jack Ruby before Nov. 22, 1963, the report said the committee staff has spoken with an unnamed witness "who has never been previously interviewed" and who stated that in November 1963, before the assassination of President Kennedy, the witness was introduced to Oswald by Jack Ruby.

According to Harold Weisberg, a former Senate investigator who has investigated the Kennedy assassination for the last 13 years, written six books about it and collected thousands of pages of Government documents through the Freedom of

Information Act, the unnamed "witness" is a former nightclub dancer who performed under the name Cochise.

According to Mr. Weisberg, Cochise is now married to a clergyman and living in Texas. Mr. Weisberg observes that Cochise says "she was introduced by one man, now dead, to another man, also dead, and there is no way to prove or disprove it."

The report cites another unnamed "witness" who was "an F.B.I. security code clerk in the New Orleans field office from 1961 to 1966" and who says that the F.B.I. sent a teletype message to all its offices five days before the Kennedy assassination warning of a reported conspiracy by a "militant revolutionary group" to kill the President on his proposed trip to Dallas on Nov. 22 and 23.

That witness, according to Mr. Weisberg, is William Walters, who served as an F.B.I. clerk while in college and who has said the same thing on a CBS television show and to another Congressional committee 18 months ago.

Mr. Weisberg, who favors a thorough reinvestigation of the assassinations and does not believe that either death happened as official versions contend, maintains that the committee claims new and relevant information and leads that are neither new nor relevant and seemed to have been pursued "because of their public relations attractiveness."

Public opinion polls have shown that the vast majority of Americans do not believe that Oswald or James Earl Ray acted alone.

Other Ray Interviews Cited

At a public hearing, the committee staff said that it planned to investigate a letter purportedly written by Oswald to a "Mr. Hunt," asking that "we discuss the matter fully before any steps are taken by me or anybody else."

Nothing in the letter says that the recipient was the late Texas oil magnate, H.L. Hunt, or E. Howard Hunt Jr., the Watergate conspirator. Mr. Weisberg asks, "What liberal politician or oil-company hater would oppose checking into that letter, of which I have had a copy for two years and which has been available to the public for 18 months?"

As regards the assassination of Dr. King, the committee reported on March 28 that the "most important current development is the willingness of James Earl Ray, who pleaded guilty to the murder, to talk to the committee."

The report does not say that Mr. Ray has been interviewed by at least four newspapers, the Tom Snyder "Tomorrow" television show and a French television show, or that he testified for two days under cross-examination at an evidentiary hearing in October 1974 and testified in a civil lawsuit he brought against the author of a book about him.

The report said further that the committee had "uncovered other areas of possible assistance to Ray" and cited "bank records" as showing that Mr. Ray's safety deposit box in a Birmingham, Ala., bank "was closed by someone living in Baton Rouge, La.," while Mr. Ray allegedly was in Los Angeles.

According to Mr. Weisberg, who was

hired by Mr. Ray's lawyer as an investigator for several years, Mr. Ray closed the safety deposit box by returning the key in a letter that he mailed from Baton Rouge while on a trip from Los Angeles to New Orleans.

The committee said that it was examining information provided by Mr. Lane that would implicate the Memphis Police Department and the F.B.I. as assisting Dr. King's assassin "just before and immediately after the murder."

The evidence that the committee cites is that a black policeman was relieved of his assignment at a surveillance post on the day of the King murder. The report does not mention that 12 members of a police tactical squad were at that same point at the time of the assassination.

'One of Biggest Issues'

One of the committee members, Representative Yvonne Brathwaite Burke, Democrat of California, said "one of the biggest issues" the committee was investigating was how and why Dr. King was "lured" out onto the balcony of the Lorraine Motel where he was shot.

The fact is that the only exit from Dr. King's room was onto the balcony.

Mrs. Burke, as chairman of the Congressional Black Caucus in 1976, was one of the more influential people applying pressure on the House Democratic leadership to form a committee to investigate the assassinations.

Former Representative Thomas Downing, Democrat of Virginia, who was the first chairman of the Select Committee on Assassinations, said that his original resolution calling for an investigating committee limited it to a re-examination of the Kennedy assassination. He said that Mr. Lane "was constantly around the office" providing information and leads that would show the need of a committee to investigate the death.

Mr. Downing's bill was killed in the House Rules Committee, and it appeared that efforts to reopen the Kennedy investigation had run their course. Mr. Lane, however, did not cease his efforts. In his own version, backed up by other sources, he said in a telephone interview from Chicago:

"I moved to Washington in January 1975 and established the Citizens' Commission of Inquiry for the purpose of trying to get Congress to reinvestigate the Kennedy assassination. It was funded by the \$70,000 to \$80,000 a year I made in traveling and lecturing.

"After the effort was defeated last March [1975] in the Rules Committee,

Abby Mann, [creator of the television series "Kojak"] told me about a two-hour program he was putting together on the life of Dr. King. He wanted to do a little on the death, and he wanted me to help him."

So, Mr. Lane said, he went to Memphis and interviewed some people on tape recordings and concluded that the F.B.I. was involved in the murder.

"We went to see Mrs. Coretta King, and I told her about all the evidence we had uncovered," Mr. Lane said, "and she said it confirmed her suspicion about the F.B.I."

Then, Mr. Lane called former Representative Andrew Young, Democrat of Georgia, who is now the United States chief delegate at the United Nations, and told him about the "new evidence." An hour later, Mr. Lane met in Mr. Young's Capitol Hill office with Walter Fauntroy, Democratic Delegate of the District of Columbia, and Mrs. Burke.

Subsequently, Mr. Lane and Mrs. King met with the Black Caucus. In August, the caucus accompanied Mrs. King to a meeting with Carl Albert, who was then Speaker of the House, and his heir apparent, Representative Thomas P. O'Neill Jr., Democrat of Massachusetts.

The leadership was reminded of the influence that black voters would have on the outcome of the Presidential election, Mr. Lane said, and Mr. Albert was persuaded of the need for a Congressional investigation of both assassinations.

The leadership wanted to wait until the new Congress before naming such a committee, but Mrs. King was insistent. The leadership relented, and in September the committee was formed. Numerous sources in Congress said that without pressure from the Black Caucus no committee would have been approved by the House.

Not only was Mr. Lane instrumental in getting a committee named, but he was also perhaps most instrumental in getting Mr. Sprague named chief counsel. He was the first person to get in touch with Mr. Sprague, and he lobbied diligently in his behalf with both the committee members and their staffs.

Within a few months, however, a bitter feud between Mr. Sprague and the chairman, Mr. Gonzalez, led to the resignation of both from the committee.

The committee still has no permanent staff director or chief counsel to guide the \$2.5 million investigation. After eight months, it is about where it was at the beginning—checking "new leads," gathering "new evidence" and searching for a chief counsel.