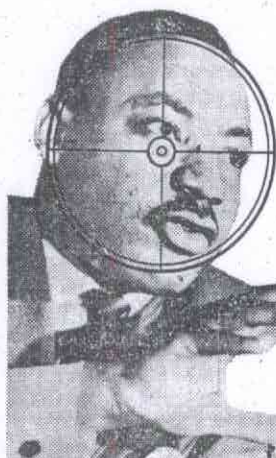


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Who killed this man?

*Doubt is growing
that James Earl Ray
acted by himself*

*"I personally did not shoot
Dr. King but I believe I am
partly responsible for his death."*

—James Earl Ray

By LES PAYNE and
PAUL VALENTINE
Special to The Star

WASHINGTON — Did James Earl Ray, acting alone, pull the trigger of the rifle that killed Martin Luther King on April 4, 1968?

That nagging question and others have not been answered despite Ray's 99-year prison sentence for pleading guilty to the murder without a trial in March, 1969. Critics of the FBI finding that Ray acted alone are multiplying as further details of the case come to light.

Even the man who sentenced Ray, Judge Preston Battle, (who died three weeks after the non-trial) admitted that the investigation left unanswered many crucial questions about the assassination.

"I would surely like to know how Ray actually found the spot from which to fire," Battle said almost seven years ago. "How did Ray know where Rev. King would be? (Ray supposedly entered Memphis only a few hours before King was shot).

"Most puzzling of all is his escape from Memphis. To me, it seems miraculous that he was able to flee to Atlanta despite the all-points bulletins without his white Mustang being spotted on the highway."

The whole case has been cast in a new light with the recent disclosure that the FBI closely monitored King's movements up to the time of his death.

The questions now are: Was the FBI

involved in the assassination? And, if not, how could someone shoot King down in broad daylight and flee the country if the FBI was watching the civil rights leader 24 hours a day.

Senator Frank Church has called for a special prosecutor to investigate the FBI's involvement. King's widow, Coretta Scott King, said she now suspects a government conspiracy in his murder.

Perhaps James Earl Ray knows what actually happened in Memphis that day—but he's not talking. Ray's tactics in seeking a new trial appear to be centred on disproving the state's case against him rather than revealing facts about the conspiracy he says existed in the assassination.

Double conspiracy cited by lawyer

The efforts of his lawyer, Bernard Fensterwald, to win Ray his day in court hinge on a double conspiracy concept: First, the conspiracy by a group of racist ideologues to kill King and make Ray the scapegoat; and second, a separate and more loosely defined conspiracy by various government officials to suppress investigation of the first conspiracy, push a "one assassin" story for political gain and coerce Ray into irrevocable silence by pleading guilty without trial.

Within 24 hours of King's death, Fensterwald says, "Ramsey Clark (then

U.S. attorney-general) was saying there was only one killer. That was the official line, and once they said it, no matter what new contradictory evidence came up, they had to stick to it."

Fensterwald says it was easy for American officialdom to cover up the King conspiracy because "the American people have been more psychologically prepared to accept a 'lone nut' theory."

According to Fensterwald, "I really think Ray is in considerable danger" of being killed in prison on the instruction of collaborators if specific evidence is disclosed prematurely. But, in cautiously generalized terms, he described the double conspiracy this way:

Ray escaped from Missouri State Penitentiary, where he was serving a robbery sentence, in April, 1967, a year before King was shot. He joined a group of men who were engaged in smuggling narcotics into the United States from Mexico and Canada. Ray served as a driver and general errand runner with little authority and no knowledge of the group's possibly larger purposes.

His contact was limited primarily to a man code-named "Raoul." In March, 1968, Ray was given money and instructed to purchase a 30.06 Remington rifle with telescopic site in Birmingham, Ala. On April 2, 1968, two days before the assassination, he met with a contact in northern Mississippi, handed over the rifle and scope and continued on to Memphis.

On the day of the assassination, he was instructed to rent a room at 422½ South Main Street in Memphis, a dilapidated flophouse with a second floor bathroom window overlooking the Lorraine Motel where King was staying.

According to Fensterwald, Ray met "Raoul" at the room, then left about

5.50 p.m. Eleven minutes later, a single shot was fired from the rear area of the flophouse, killing King instantly as he stood on the balcony of the Lorraine.

Ray was elsewhere in the city at the moment the shot was fired and has an alibi witness to prove it, says one member of the Ray defence team.

The death of King completed the first conspiracy—a conspiracy by a group of racially motivated men to eliminate the power and influence of King from the civil rights movement.

Ray was simply a decoy—his fingerprints were all over the 30.06 rifle found abandoned near the murder scene. Ray, when he learned by radio of King's death, realized how seriously

he might be implicated and decided to flee the country.

The second conspiracy was then set in motion.

Evidence at the flophouse naturally led police to focus on Ray. Within 25 hours, Ramsey Clark and local police officials were suggesting a lone killer.

Evaded police for six weeks

"I'm told they put out the 'lone assassin' story to keep riots down," said Fensterwald. With ghettos erupting across the country after the assassination, Washington officialdom felt the tottering country could not tolerate the additional information that a well-organized cabal, rather than a lone lunatic, had murdered King.

The search went on for Ray, but for six weeks he evaded police. Then in mid-May, he was spotted by Canadian and Portuguese officials in Lisbon, travelling on a phony Canadian passport. He was followed but not arrested for two more weeks as he left Portugal and flew to England. Authorities were anxious to see if he would lead them to possible cohorts.

Then on June 5, 1968, Robert Kennedy was shot by an assassin in Los Angeles.

The nation's leaders feared the country was again moving toward psychological collapse.

On June 8, the day of Robert Kennedy's funeral in New York, the word went out from Washington, and Ray was arrested in Heathrow Airport in London as he was about to board a plane for Brussels. The case was solved."

During the nine months he awaited trial in Memphis, Ray was subjected to unremitting "harassment," 24-hours-a-day closed circuit television surveillance, constant artificial light with no sunshine and close censorship of his mail, including confidential correspondence with his attorneys.

Weakened by this treatment and led to believe by his lawyer, Percy Foreman, that he might die in the Tennessee electric chair if he went to trial, Ray submitted to the guilty plea arrangement.

All this is Fensterwald's theory. Tennessee law enforcement officials acknowledge the evidence against Ray is not of the classic textbook variety. No eyewitness can place Ray in the flophouse bathroom from which police say the fatal shot was fired. The bullet

fragment removed from King's body cannot be matched precisely to Ray's 30.06 rifle.

On the other hand, police say, the general pattern of evidence against Ray is convincing, including his movements around the time of the assassination: He appeared to be stalking King for several weeks prior to the murder and fled as fast and far as he could afterwards.

Lived in comfort for full year

Investigator Harold Weisberg cites several major clues that he says suggest Ray was with a group and not by himself:

—His finances. Police have produced little evidence of how Ray lived during the year between his escape from Missouri State Penitentiary and the assassination. Yet he bought a car (an \$1,800 second-hand Mustang), traveled coast-to-coast twice, vacationed in Mexico and lived comfortably for a full year. Justice department officials say Ray robbed banks.

—Ray's post-assassination disguises. After he fled to Canada, he used as aliases the names of at least four actual Canadian citizens before continuing to Europe with a passport in the name of one of the four, George Sneyd.

—The motive. State and federal law enforcement officials say Ray's killing of King was racially inspired. Weisberg contends there is "absolutely no evidence of racism" in Ray's history.

As for James Earl Ray himself, the only certainty in his life is the fact that he won't be eligible for parole until the year 2018 when he will be 90.