

King Death Theories Explored

New York Times News Service

Most of the theories of a conspiracy surrounding the assassination of 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 King's increasingly militant civil rights activities a new economic and political threat that precipitated 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 smalltime holdup man with a reputation for bumbling 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 he was finally captured in London.

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

ACCORDING to officials and former officials of the Justice Department and the Federal Bureau of Investigation, the bureau has checked out various assertions of such a conspiracy 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 government files, which remain largely closed, or to Ray, who refused to be interviewed, The Times found puzzling gaps and

inconsistencies in the evidence so far made public by the FBI, 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, Ray, to tell a federal grand jury what he knows.

Ray's lawyers concede their client may, as the Justice Department suspected, have "some knowledge" concerning the involvement of others in the shooting. But they say 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 Ray is serving a 99-year sentence.

ALTHOUGH Ray pleaded guilty in a 2½-hour 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. Ray now has a motion for a new trial pending.

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

Ray previously had told his lawyers that he had been outside a rooming house adjacent to the motel when King was killed, al-

though he had not known of the murder at the time.

The Tennessee prosecutors produced a witness, Charles Q. Stevens, who placed Ray inside the house at the time the shot struck King, a shot he said he had heard, but had not seen fired from the boarding-house bathroom.

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

Fensterwald said his efforts to gain an acquittal for Ray probably would not produce the names of any

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co-conspirators. His client, Fensterwald said, "has no interest in solving the crime."

SEVERAL officials and former officials of the Justice Department's Civil Rights Division, have become increasingly convinced over the last seven years that Ray, despite his protests, was King's assassin.

In 1971 and in 1974, partly because of their own doubts and partly in response to the unofficial appeals by Fensterwald, Civil Rights Division officials resifted the mass of evidence gathered by the FBI during its intensive 1968 hunt for King's killer.

But after these investigations turned up nothing substantially new, and in light of Ray's persistent refusal to talk about possible co-conspirators, a number of Justice Department lawyers felt more convinced than before that he had acted alone.

Nevertheless, the Justice Department is re-evaluat-

ing several aspects of the case that have aroused the most interest and concern, including claims by two individuals that they had been part of or knew about plots to kill 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 King a few days before the assassination.

The second was the assertions of a convicted confidence man, Clifford H. Andrews, that he had been part of a conspiracy to kill King, for which he had been promised, but had never received, \$200,000. Because he was double-crossed, 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 Atty. Gen. Edward H. Levi that neither the Watson nor Andrews report warranted a reopening of the King investigation, and Fensterwald agreed in a recent interview that both men appeared to be without credibility.

Justice is 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 King's murder.

There remain some perplexing questions that make many familiar with the case reluctant to conclude that Ray was acted alone.

As one former Justice lawyer typically remarked, "The other assassinations made sense in a kind of mad way — the James Earl Ray thing never made any sense."

But the central question — the one on which the theory of any conspiracy turns and for which the FBI candidly admits it has no answer — is where Ray obtained the thousands of dollars he used to finance his travels through at least five countries, his \$2,000 Mustang car, his \$500 rifle and his habit of spending long hours in bars.

"We simply don't know how he got his money," one Justice Department official said recently. But he noted that 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 FBI investigated again all unsolved bank robberies at the time of King's murder, but was not able to link Ray to any of them.

There are many unanswered questions, but unless Ray eventually decides to cooperate and has some pertinent information to offer, his name appears destined to remain among the ranks of other American assassins whose motives will become progressively clouded by death, silence or history.