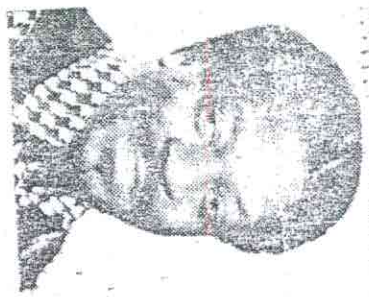


Mrs. Javis

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# PAYNE

## The King Killing: Case Is Closed, But Not Solved

**U**NDER NORMAL circumstances, the police file on the murder case would be a file "solved" and probably have long been forgotten. The assassination of Martin Luther King Jr. 13 years ago yesterday, however, is not a normal case.

James Earl Ray first confessed and then recanted, but he always held that he did not act alone. All the evidence was circumstantial: The rifle that was found near the scene and bore Ray's thumbprint was never linked conclusively to the fatal bullet; the same rifle was never linked to the window sill from which it was allegedly fired, even though the path of the bullet has not been established. Ray fled Memphis that day and was tracked for two months, apprehended in London, and made to face the circumstantial evidence against him.

There never has been a trial. And, for years, the public was led to believe that the case against Ray was airtight. There have been numerous government investigations. Yet the key question remains: Did Ray, acting alone, pull the trigger that killed King?

Over the years, government investigations have been clouded by the FBI's determination to keep se-

cret his secret plan to discredit King as a national black leader in the volatile years of the 1960s. A Senate committee stumbled across the bureau's harassment of King while investigating overall domestic intelligence procedures in 1975. The bureau said its agents were not where near the Lorraine Motel in Memphis where King was killed. Yet we later learned that J. Edgar Hoover's FBI, for more than five years, had kept King under constant surveillance, harassed his friends and associates, and mailed him a letter, suggesting that he commit suicide. Even after his death, the FBI considered planting news stories to tarnish King's image and having a book written to discredit his widow, Coretta.

The Senate Intelligence Committee discloses kindled public interest in the FBI's plan may have had in King's slaying, and whether Ray was involved in a conspiracy. All of the Justice Department investigations had, of course, cleared the FBI of any involvement. Finally, in 1976, under the prodding of the Congressional Black Caucus, the House of Representatives appointed a committee to investigate the King assassination and, to ensure the \$4.4 million ap-

propriations, threw in the case of President John F. Kennedy. Initially, the two-year investigation simply covered the same ground that earlier federal probes had covered and was headed toward the same conclusions.

The House Select Committee on Assassinations was chaired by Rep. Louis Stokes (D-Ohio) and the King investigation by D.C. delegate Walter Fauntroy, a former aide to King. Both men are black, King admirers and thus perfect foils to lay to rest the conspiracy theories. For each it was a no-win situation. If the committee exonerated the FBI and found no trace of conspiracy, many were prepared to say that the two had been manipulated by the Justice Department. If they disclosed the existence of a conspiracy or FBI involvement, the government would have denied the findings.

The committee took the middle ground. In the King case, the committee, in its wishy-washy fashion, cited two possible conspiracies, one involving Ray's brothers, another \$50,000 offer to King's death. All of the principals in the latter case are conveniently dead.

Stokes, a criminal lawyer by profession, never fully held the reins on the investigations. His committee relied heavily on FBI files and evidence, and fell under the influence of the Justice Department while drifting toward its conclusion. Only the \$50,000 St. Louis bounty, which the investigators stumbled across at the 11th hour, saved the committee from promulgating what some observers knowledgeable about the case would have called a whitewash.

Reflecting on the case, Stokes now, as then, seems to be more concerned with the prestige of having chaired the Select Committee than with the need to discover finally the

full truth about the assassination. To clear the air about the King case, Stokes wrote in the April issue of Ebony magazine, "It is necessary, first of all to deal with the fact that I—a black congressman from Ohio and a personal friend of Martin Luther King Jr.—was named chairman of the committee. Needless to say this was a precedent-shattering appointment, for never before had a black man served as chairman of a congressional investigating committee with a national scope."

Stokes's appointment, as well as Fauntroy's, was made to lend credibility to the government's conclusions by having black congressmen throw the final shovels of dirt on conspiracy theories that will not stay dead.

But truths, even facts, have a strange way of crawling up out of the grave. Even Stokes's committee concluded that Ray fired the one shot that severed King's spinal cord, but that "Dr. King was probably the victim of a conspiracy."

"The evidence tends to paint the outlines of a conspiracy," Stokes said at the conclusion of the investigation. "I'm not sure, given the passage of time, that we proved conclusively that there was a conspiracy." However, the committee recommended that its findings and "analyze whether further official investigation is warranted."

Further investigation clearly is warranted in the King case but we have not heard a word about the government's intentions. Many, including King's closest aides, feel that the full truth will never be known. Such notions must be rejected, for history must be served. I am convinced that one day, to paraphrase a line King often quoted, truth pressed to the ground shall rise again. □

Mrs. Javis decided to do what