

Test Bullets In King Case Still Missing

By KEVIN SACK *NY Times*

MEMPHIS, July 18. — After a week of searching, prosecutors said today that they had still not found the bullets fired 29 years ago in Federal Bureau of Investigation tests of the rifle they believe was used by James Earl Ray to assassinate the Rev. Dr. Martin Luther King Jr.

In the latest of a series of court hearings concerning new tests of the rifle, Lee Coffee, a Shelby County assistant district attorney, said he had been told by the F.B.I. that the bureau no longer had the bullets.

"They have been able to locate copies of the lab notes only," Mr. Coffee said. "They have not been able to locate the bullets."

Mr. Coffee said he suspected, but could not verify, that the bullets had been deposited in the National Archives as part of the evidence collected in a 1978 Congressional investigation into the King assassination. Congress sealed that evidence for 50 years after completing its inquiry. Mr. Coffee said Archives officials had not been able to tell him whether the bullets were, in fact, part of the sealed evidence.

At a hearing last Friday, Judge Joseph B. Brown Jr. of Criminal Court ordered prosecutors and lawyers for Mr. Ray to try to find the F.B.I. test bullets so they could be compared with 18 bullets fired in new tests in May. The results of the new tests, thus far, have been called inconclusive by the ballistics experts who conducted them, and Mr. Ray's lawyers have asked Judge Brown to permit further testing.

Proving that the Remington .30-06

rifle did not fire the shot that killed Dr. King in Memphis on April 4, 1968, is crucial to Mr. Ray's efforts to win a new trial because Mr. Ray's fingerprints were found on the rifle.

Those efforts are supported by Dr. King's widow and children, who have said that they believe Mr. Ray is innocent and that the civil rights leader was killed in a conspiracy involving the Federal Government. The campaign for a new trial has taken on urgency because Mr. Ray is dying of a liver disease.

Mr. Ray, who was arrested in London in June 1968, pleaded guilty to the murder of Dr. King on March 10, 1969, and was sentenced to 99 years in prison. He then recanted, saying he had been pressured to plead guilty to avoid the death penalty.

In last Friday's hearing, one of the ballistics experts who conducted the tests in May said that 12 of the 18 bullets showed a raised mark that was not present on the death slug removed from Dr. King. But that expert said the tests were inconclusive and raised the possibility that the microscopic marks were caused by copper deposits left within the barrel during the test firings.

Judge Brown has asked Mr. Ray's lawyers to explore whether the deposits might be cleaned from the gun without altering the inside of the barrel. The judge seems to favor a technique he calls reverse electrolysis, which uses a solvent and an electric current but not a brush. The judge said today that he would give lawyers until Aug. 1 to explore whether cleaning the gun in a way that would result in a more conclusive test, to search further for the F.B.I. bullets and to file a report about the results of the May tests.