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Washington

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 threat has been the skepticism of many over the intervening years that James Earl Ray, a small-time holdup man with a reputation for bumbling bad luck 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 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, 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 found almost all to be without substance.

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.

On both occasions, first in 1971 and again last year, Ray—who has privately maintained that he was but an unwitting part of a larger plot against King’s life—sent word to the Justice Department through his lawyers that he would not testify.

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 other 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.

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, although he had not known of the murder at the time.

The Tennessee prosecutors produced a witness, Charles A.

— Puzzles About

Ford Nominee Has to Do It Again

Washington

Representative Robert Casey (Dem-Tex.) was confirmed nearly unanimously December 19 to a job on the Federal Maritime Commission. But because the Senate acted too quickly, he will have to go through with it again.

President Ford named Casey to the vacancy created by the resignation of George Hearn, of Silver Spring, Md.

But Casey could not get the job until a law was passed to skirt

the constitutional provision that no member of Congress can take a job for which that member voted a pay increase. Congress had passed a law with cost-of-living increases for the commission, among other federal agencies.

The law making an exception for Casey's job passed Congress December 17 and the Senate confirmed him December 19, before President Ford had a chance to sign the pay exception law.

United Press

Stevens, who placed Ray inside the house at the time the shot struck King, a shot Ray said he had heard, but had not been fired from the boarding house bathroom.

Several officials and former officials of the Justice Department's Civil Rights Division, which was given the responsibility for investigating the murder almost from the moment it occurred, 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 sifted and resifted the mass of evidence, enough to fill 13 packing crates, 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 law-

yers felt more convinced than before that he had acted alone.

There remain, however, some perplexing questions about the Ray case that make many of those familiar with its details reluctant to conclude that Ray was a lone assassin.

As one former Justice De-

partment lawyer who worked on the case typically remarked, "The other assassinations made sense in a kind of mad way—the James Earl Ray thing never made any sense."

Foremost among the mysteries are Ray's motives for suddenly leaving a girl friend and offers of a bartending job in Los Angeles in March, 1968, to drive across the country to kill King.

The Justice Department is addressing this question, but the evidence it has assembled is contradictory. There are some indications that Ray was a virulent racist with a particular antagonism toward King, and other signs that he was a nonviolent man who neither liked nor detested blacks and had no particular feeling about King.

A larger question is how Ray, a stranger to Memphis, who had arrived there less than 24 hours before King was killed, was able to learn that the black leader was staying at the Lorraine Motel.

Although it has been widely reported that the Memphis newspapers of April 4 carried articles

Ray

to that effect, and even photographs of him standing on the balcony outside his room, no such articles or photographs appeared until April 5, the day after King was shot.

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 four countries, his \$2000 Mustang, his \$500 rifle and his habit of spending long hours in bars.

One Justice Department official said recently, "We simply don't know how he got his money." 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.

New York Times