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**King bullet path disputed** *Aug. 16, 1978*

WASHINGTON (AP) — The House Assassinations Committee was told Tuesday that scientific tests failed to prove whether the bullet killing Dr. Martin Luther King Jr. came from the window of a boarding house or the bushes below.

The panel heard the testimony as it prepared for Wednesday's appearance by James Earl Ray, who pleaded guilty to slaying King on April 4, 1968, while the civil rights leader stood on a Memphis hotel balcony across from the boarding house.

Ray has since recanted his plea and now maintains he did not fire the shot that killed King.

IN ANOTHER development, civil rights leader Jesse Jackson, declaring, "Ray appears to be a small cog in a large wheel," asked the Justice Department to reopen its investigation into the assassination.

A rifle shot from the bushes would

be a major contradiction of eyewitness testimony and the conclusion of Memphis police that Ray assassinated King with a rifle shot from the bathroom window of the boarding house.

The committee refused to say whether that question will be settled. But Rep. Samuel Devine, R-Ohio, said he thinks hearings scheduled for November will leave no doubt the fatal shot came from the window.

Dr. Michael Baden, a spokesman for a team of committee pathology experts, testified engineer measurements and a review of Dr. King's autopsy established the shot could have come from the window.

But he also told the panel a shot from the bushes below would have been only two to five degrees lower, and that the experts could not establish the shot's direction that precisely.

"At the moment of firing of the weapon the barrel of the gun had to be somewhat slightly upward from the chin," Baden said.

But he said King's head was down as he talked from the balcony of the Lorraine Motel to a follower below, and thus "upward" could have been the bushes as well as the boarding house window.

The pathologist said the autopsy and X-rays taken at the time clearly show the path the bullet took through Dr. King's cheek and neck and into his

shoulder. He said the panel of experts also was able to establish from eyewitnesses King's position — leaning forward against the balcony talking to someone below.

Rep. Louis Stokes, D-Ohio, and the committee's chief counsel, G. Robert Blakey, refused to tell reporters whether the committee already has other evidence proving where the bullet came from.

A COMMITTEE investigator, who did not want to be named, said one witness will testify someone ran from the bushes after the assassination. But he said other witnesses have been testifying since the assassination they saw a man come down the boarding house hall from the bathroom with a rifle after the assassination.

In asking for a new Justice Department investigation, Jackson said: "There is overwhelming circumstantial evidence that he (Ray) did not act alone." Jackson said one way to get at the truth would be a new trial for Ray.

Jackson met for over 1½ hours with Deputy Atty. Gen. Benjamin Civiletti, then told reporters he wanted a new investigation to show whether there was a conspiracy that may have involved the FBI.