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Assassination Probes

Associated Press

DALLAS—A Dallas Police Department spokesman has confirmed that a House committee investigating the 1963 assassination in Dallas of President Kennedy has subpoenaed all police records on the murder.

Bob Shaw said Chief Don Byrd received the subpoena, which calls for Byrd to appear before the committee Nov. 29 and produce the records.

It was not clear whether the subpoena also called for records of the subsequent murder of presidential assassin Lee Harvey Oswald by nightclub owner Jack Ruby. Ruby shot Oswald to death in Dallas Nov. 24, 1963, two days after Kennedy was killed.

The House Select Committee on Assassinations is looking into the assassinations of Kennedy and of the Rev. Martin Luther King Jr.

Meanwhile, in Memphis, six city officials have been subpoenaed to appear before the house committee Nov. 29 and bring files pertaining to the death of King, who was slain there in 1968.

Police Director E. Winslow Chapman was served a subpoena Friday and ordered to supply the committee with all his department's "records, tapes, logs and other evidence" on the murder and the arrest of confessed assassin James Earl Ray.

Also subpoenaed were Shelby County Attorney General Hugh Stanton and his chief investigator, John Carlisle; Frank C. Holloman, who was fire and police director when King was killed; public defender Edward G. Thompson, and criminal court clerk James A. Blackwell.

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PM-KING 11-20
 MEMPHIS, TENN. (UPI) -- SIX MEMPHIS OFFICIALS HAVE BEEN SUBPOENAED TO APPEAR BEFORE THE HOUSE ASSASSINATIONS COMMITTEE NOV. 29 AND BRING FILES PERTAINING TO THE DEATH OF DR. MARTIN LUTHER KING JR., WHO WAS SLAIN HERE IN 1968.

POLICE DIRECTOR E. WINSLOW CHAPMAN WAS SERVED A SUBPOENA FRIDAY AND ORDERED TO SUPPLY THE COMMITTEE WITH ALL HIS DEPARTMENT'S "RECORDS, TAPES, LOGS AND OTHER EVIDENCE" ON KING'S MURDER AND THE ARREST OF CONFESSED ASSASSIN JAMES EARL RAY.

QUESTIONS WERE RAISED THIS WEEK ABOUT THE RECENT DESTRUCTION OF DOMESTIC SECURITY FILES OF THE MEMPHIS POLICE DEPARTMENT. A LAWYER FOR THE CONGRESSIONAL PANEL SAID DOCUMENTS RELATING TO KING'S DEATH HAVE BEEN DESTROYED SINCE THE COMMITTEE WAS SET UP TO INVESTIGATE THE MURDERS OF KING AND JOHN F. KENNEDY.

MEMPHIS MAYOR WYETH CHANDLER ORDERED THE WHOLESALE DESTRUCTION OF NUMEROUS SURVEILLANCE RECORDS IN SEPTEMBER BUT DENIES THE RECORDS PERTAINED TO KING'S ASSASSINATION.

ALSO SUBPOENAED WERE SHELBY COUNTY ATTORNEY GENERAL HUGH STANTON AND HIS CHIEF INVESTIGATOR, JOHN CARLISLE; FRANK C. HOLLOMAN, WHO WAS FIRE AND POLICE DIRECTOR WHEN KING WAS KILLED; PUBLIC DEFENDER EDWARD G. THOMPSON, AND CRIMINAL COURT CLERK JAMES A. BLACKWELL.

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Levi Rejects Proposal for Outside Study of King Slay

By John M. Goshko

Washington Post Staff Writers

Attorney General Edward H. Levi yesterday rejected a recommendation from his civil rights chief that a committee from outside the government study the 1968 assassination of the Rev. Dr. Martin Luther King Jr.

Instead, Levi directed the Justice Department's new Office of Professional Responsibility to take over and complete the review of the King case that had been started by J. Stanley Pottinger, assistant attorney general in charge of the Civil Rights Division.

Levi's action was seen as an effort to demonstrate that the department itself, still smarting from allegations of aiding the Watergate cover-up, can in-

vestigate one of its units thoroughly and impartially.

Following a five-month preliminary investigation, Pottinger on April 9 reported to Levi that he had found no evidence of FBI involvement in the killing of the black civil rights leader.

However, Pottinger recommended that the review be completed by an independent panel recruited from outside the government. He reportedly argued that an independent inquiry was necessary to resolve the questions of credibility still surrounding the April 4, 1968, shooting of King in Memphis.

Suspicious have been raised about the initial FBI probe of the murder because of recent revelations that the bureau wiretapped and harassed King.

There also have been questions about whether the motives and activities of the convicted assassin, James Earl Ray, have been fully explained.

But in his announcement yesterday, Levi did not mention Pottinger's recommendation for an independent inquiry. Justice Department officials, including Pottinger, refused to discuss why the recommendation had been turned down.

Privately, though, Justice sources said that Levi had acted from a conviction that the Justice Department and its subsidiary agencies like the FBI, must demonstrate that they are capable of policing themselves effectively.

Top sources said Levi was not, as he appeared, concerned that a new probe of the King assassination

undermine the authority of the Office of Professional Responsibility. It was created by him to function within the Justice Department as an inspector general's office, pursuing allegations of wrongdoing by department officials.

Levi's decision was consistent with the position he took recently when the Justice Department rejected as inadequate an internal FBI investigation of alleged financial irregularities within the bureau. Although some Justice officials argued for an outside inquiry, Levi instead bucked the matter back to the FBI with orders that it carry out a new probe that would be above suspicion.

However, his decision to keep the King probe under Justice Department control raised the possibility of criti-

cism from civil rights leaders. And in Atlanta, the Rev. Ralph Abernathy, who succeeded King as head of the Southern Christian Leadership Conference, issued a statement yesterday demanding "a special committee of distinguished American citizens who owe no allegiance to anyone except to their country and to justice and to truth."

Levi's announcement said Pottinger had reached the "tentative conclusions" that the FBI had engaged in a campaign to discredit King. However, he found no evidence indicating FBI complicity in King's murder or lack of thoroughness and honesty in the subsequent FBI investigation.

The Attorney General's instructions to the Office of Professional Responsibility ordered it to pursue these ques-

tions and also determine "whether the nature of the relationship between the bureau and Dr. King calls for criminal prosecutions, disciplinary proceedings or other appropriate action."

Pottinger told reporters that his investigation had involved a review of approximately 3,500 documents held by Justice and the FBI. However, he added that an estimated 200 documents relating to the King case are scattered in various FBI offices and must still be examined.

In addition, Pottinger said the FBI had reviewed the King case and

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Levi: Continue Review of King Case

By Jerry Oppenheimer
 Washington Star Staff Writer

Atty. Gen. Edward H. Levi has formed a task force within the Justice Department to continue a review of FBI files to determine whether the bureau properly investigated the assassination of Dr. Martin Luther King Jr., or had any involvement in his death.

Levi called for the expanded inquiry after receiving finds of a five-month civil rights division review of some 3,500 FBI files on King that "tentatively" exonerated the bureau of any links to the black civil rights leader's slaying in April 1968.

The review also tentatively found the FBI's probe of the assassination to be "honest and thorough." But, it showed evidence that the FBI undertook a "systematic program" of harassment against King in order to discredit him and the movement he led.

IN DISCUSSING today's

announcement of Levi's decision, Asst. Atty. Gen. J. Stanley Pottinger said "it is possible" that the task force review could reach different findings than the inquiry he headed "or I wouldn't have recommended that they go forward. This further investigation may indeed turn up something."

Informed sources have said that Pottinger recommended to Levi that a blue ribbon panel of private and public citizens conduct the investigation, but Pottinger declined to discuss the internal memorandum sent by him to the attorney general. He said he supported Levi's recommendations and declared that "the Justice Department is honest enough to investigate properly and thoroughly."

The expanded review, which will include the questioning of witnesses, will be carried out by the Justice Department's Office of Professional Responsibility, which handle internal

investigation. Pottinger indicated that about six lawyers will be assigned to the King task force.

Levi directed that the investigation be completed as soon as possible and that the results be furnished to him and FBI Director Clarence M. Kelley. Pottinger estimated that it would take "months" for the task force to review some 200,000 files on King that are stored at FBI headquarters and at FBI field offices around the country.

POTTINGER, in response to a question, indicated that there were nine FBI officials who designed, approved and directed the harassment campaign of King but he said that they were either "all dead or retired" and declined to identify them.

See KING, A-8

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"There may be others in the chain we may not have identified," he added, "and the task force will try to track them." He said there may be lower level FBI officials still in the bureau who were involved in the King harassment campaign.

While the five-year statute of limitations rules out prosecutions on any wrongdoing found by the task force, the statute has no effect on any conspiracy to cover up the harassment campaign.

Pottinger said that the records reviewed showed that FBI Director J. Edgar Hoover did not see the activities of the FBI against King as an "harassment campaign. He wanted it to be effective." But Pottinger declined to discuss details of the harassment activities that were uncovered in the FBI documents.



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Department of Justice

FOR IMMEDIATE RELEASE AT 11:00 A.M., E.D.T.
THURSDAY, APRIL 29, 1976

AG

In response to inquiries from the news media regarding the Civil Rights Division's review of the Martin Luther King files, Attorney General Edward H. Levi today issued the following statement:

I have directed the Office of Professional Responsibility, headed by Michael Shaheen, to complete a review of all records in the Department of Justice concerning the Reverend Dr. Martin Luther King, Jr. The Civil Rights Division, under the personal direction of Assistant Attorney General J. Stanley Pottinger, completed on April 9 a five-month preliminary review of files at FBI headquarters. As a result of this preliminary review, the Civil Rights Division has recommended that the review be carried forward to completion with an additional examination of records at FBI headquarters and field offices. It is believed that more than 200,000 documents may be involved.

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On the basis of this preliminary review, Assistant Attorney General Pottinger stated that his ~~conclusive~~ conclusions were (1) there was no basis to believe that the FBI in any way caused the death of Dr. King, (2) no evidence was discovered that the FBI investigation of the assassination of Dr. King was not thorough and honest, and (3) instances were found indicating that the FBI undertook a systematic program of harassment of Dr. King in order to discredit him and harm both him and the movement he led.

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In ordering on April 26 the complete review by Mr. Shaheen, I directed that the investigation be completed forthwith and that answers to four specific questions be furnished to me and FBI Director Clarence M. Kelley on the basis of the review of all documents:

-- Whether the FBI investigation of Dr. King's assassination was thorough and honest;

-- Whether there is any evidence that the FBI was involved in the assassination of Dr. King;

-- Whether, in light of the first two matters, there is any new evidence which has come to the attention of the Department concerning the assassination of Dr. King;

-- Whether the nature of the relationship between the Bureau and Dr. King calls for criminal prosecutions, disciplinary proceedings, or other appropriate action.

Mr. Pottinger pointed out that the Civil Rights Division has been continuously investigating allegations concerning the assassination of Dr. King as these allegations come to the attention of the Department.

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CORRESPONDENTS:

ATTORNEY GENERAL LEVI WILL ISSUE A STATEMENT AT 11
A.M. TODAY ON THE JUSTICE DEPARTMENT'S REVIEW OF THE ASSASSINATION OF
MARTIN LUTHER KING AND OTHER RELATED MATTERS--ROOM 5114 JUSTICE BLDG.
CONTACT: ROBERT HAVEL OR JOHN WILSON, 739-2014.

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RAY 4-5

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BY KATHERINE G. BEAN

NASHVILLE, TENN. (UPI) -- JAMES EARL RAY FLASHED A TRACE OF A SMILE WHEN HE WAS ASKED THE QUESTION THROUGH THE BARS OF A DARK CELL, BARELY LARGE ENOUGH TO HOLD HIS SLENDER FRAME.

WHY WAS HE WILLING TO RISK THE ELECTRIC CHAIR IN A NEW TRIAL RATHER THAN HOPE FOR AN EARLY PAROLE?

"YOU'VE NEVER BEEN IN PRISON, HAVE YOU?" REPLIED THE MAN SERVING A 99-YEAR PRISON SENTENCE FOR THE 1968 SNIPER SLAYING OF DR. MARTIN LUTHER KING JR.

IF RAY MERELY SERVES OUT HIS TERM, HE WILL BE ELIGIBLE FOR PAROLE 22 YEARS FROM NOW. HIS SENTENCE OFFICIALLY IS SCHEDULED TO END APRIL 29, 2019.

RAY RECEIVES NO SPECIAL TREATMENT IN TENNESSEE STATE PENITENTIARY. HE SPENDS HIS DAYS WORKING IN THE LAUNDRY OR LYING SILENTLY IN HIS DINGY CELL WITH HIS FACE TOWARD THE WALL.

ACCORDING TO MEMPHIS ATTORNEY ROBERT LIVINGSTON, RAY MAY BE THE TARGET OF VIOLENCE FROM OTHERS SECRETLY RESPONSIBLE FOR KING'S ASSASSINATION.

"I THINK HE'S IN SOME DANGER," LIVINGSTON SAID RECENTLY. "RAY SPOKE UP (ABOUT A CONSPIRACY) IN 1969, BUT THEY ALL CHOSE TO IGNORE HIM."

KING WAS SHOT BY A SNIPER AS HE STOOD ON THE BALCONY OF A MEMPHIS MOTEL EIGHT YEARS AGO. RAY ORIGINALLY PLEADED GUILTY TO THE CRIME WITH THE UNDERSTANDING HE WOULD ESCAPE THE ELECTRIC CHAIR BY DOING SO.

NOW HE CLAIMS LAWYER PERCY FOREMAN COERCED HIM INTO THE PLEA AND THAT HE DID NOT PULL THE TRIGGER ON THE RIFLE SAID TO HAVE BEEN THE MURDER WEAPON.

RAY CONSISTENTLY HAS REFUSED TO TALK WITH REPORTERS. BUT ONE RECENT DAY HE RELUCTANTLY INTERRUPTED A MAP TO DISCUSS AN UPCOMING RULING BY CINCINNATI'S 6TH CIRCUIT COURT OF APPEALS THAT COULD ALLOW HIM TO STAND TRIAL.

"THE RULING MAY COME IN FIVE WEEKS OR SO," THE SOFTSPOKEN, SANDY-HAIRED RAY SAID AS HE PEERED THROUGH THE BARS.

SEEMING IN GOOD MENTAL AND PHYSICAL SHAPE AND LOOKING YOUNGER THAN HIS 48 YEARS, HE APOLOGETICALLY REFUSED TO DISCUSS HIS CONTENTION HE WAS "SET UP" BY ONE OR MORE CONSPIRATORS TO TAKE THE BLAME FOR KING'S DEATH.

"I THINK IT WILL ALL COME OUT IN COURT," HE SAID. "ANYTHING I SAY HERE NOW WON'T MAKE ANY DIFFERENCE BECAUSE IT WILL BE DECIDED IN COURT. AND IT SEEMS TO ME IT SHOULD BE DECIDED IN COURT."

"I DON'T WANT TO BE TRIED IN THE PRESS."

LIVINGSTON SAYS RAY REFUSES TO ADMIT HIS LIFE IS IN DANGER. HE ALSO SAYS IT MAY BE THE UNDERLYING REASON FOR HIS CLIENT'S SEALED LIPS.

"OF COURSE HE ISN'T GOING AROUND NAMING ADDRESSES AND TELEPHONE NUMBERS (OF CONSPIRATORS)," THE ATTORNEY SAID.

"LET'S JUST SAY HE CARES NOT TO DIE."

LIVINGSTON INSISTS HIS CLIENT HAS A CHANCE OF ACQUITTAL IF FEDERAL JUDGES WILL GRANT HIM A TRIAL.

"IF WE COME TO TRIAL, THE BURDEN WILL BE ON THE STATE OF TENNESSEE TO PRODUCE EVIDENCE TO PROVE HIM GUILTY," HE SAID. "THEIR EVIDENCE IS CIRCUMSTANTIAL AT BEST AND I THINK WE CAN PUNCH HOLES IN IT."

RAY, WHO HAS SAID HE HAS NOTHING AGAINST KING AND HAD NEVER SEEN HIM, ADMITTED THE RIFLE WAS HIS. BUT HE SAID HE WAS NOT NEAR THE MOTEL WHEN THE SHOT WAS FIRED AND HEARD OF THE MURDER ONLY AS HE DROVE TOWARD MISSISSIPPI.

HE SAID HE PANICKED WHEN HE HEARD HE WAS WANTED FOR MURDER AND BEGAN A FLIGHT WHICH ENDED IN HIS ARREST IN ENGLAND ON JUNE 8, 1968.

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KING 4-3

WASHINGTON (UPI) -- ATTORNEY GENERAL EDWARD H. LEVI IS AWAITING A REPORT THAT COULD PROMPT HIM TO REOPEN THE INVESTIGATION OF MARTIN LUTHER KING'S ASSASSINATION, A JUSTICE DEPARTMENT SPOKESMAN SAID TODAY.

LEVI ORDERED HIS CIVIL RIGHTS DIVISION LAST NOVEMBER TO REVIEW THE FBI'S INVESTIGATION OF KING'S DEATH IN A MEMPHIS, TENN., MOTEL APRIL 4, 1968. SPOKESMAN JOHN WILSON SAID THE REPORT IS ALMOST READY FOR LEVI'S REVIEW.

ASSISTANT ATTORNEY GENERAL J. STANLEY POTTINGER, HEAD OF THE DIVISION, IS AWAITING REPORTS BEFORE HE IS READY TO GIVE LEVI HIS RESULTS, WILSON SAID. THERE HAS BEEN NO HINT OF WHETHER POTTINGER WILL RECOMMEND A FULL INQUIRY.

LEVI MADE IT CLEAR IN A DISCUSSION WITH NEWS REPORTERS LAST DECEMBER THAT HE WAS KEEPING HIS OPTIONS OPEN UNTIL AFTER HE SEES POTTINGER'S APPRAISAL OF THE FBI INVESTIGATION.

THE FBI HAS BEEN CREDITED WITH TRACKING DOWN JAMES EARL RAY AS THE KILLER. RAY PLEADED GUILTY TO A STATE MURDER CHARGE AND IS SERVING A LIFE SENTENCE.

"OBVIOUSLY," LEVI SAID, "IF IT WAS A THOROUGH INVESTIGATION AND THERE IS NOTHING NEW, THERE MIGHT BE ONE ANSWER. IF THAT IS NOT THE CASE WE MIGHT HAVE ANOTHER."

LEVI ASKED POTTINGER ALSO TO CHECK INTO THE "RELATIONSHIP" BETWEEN THE FBI AND KING BEFORE THE ASSASSINATION. THE SENATE INTELLIGENCE COMMITTEE LAST YEAR HEARD EVIDENCE THE FBI HAD HARASSED KING FOR YEARS BECAUSE THE LATE J. EDGAR HOOVER REGARDED THE CIVIL RIGHTS LEADER AS "DANGEROUS."

LEVI TOLD REPORTERS HE WANTED TO SEE IF THE HARASSMENT "CAST ANY NEW LIGHT ON THE (FBI'S) INVESTIGATION OF THE ASSASSINATION."

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Independent Probe On King Proposed

By John M. Goshko and Warren Brown
 Washington Post Staff Writers

The Justice Department's Civil Rights Division next week will recommend that Attorney General Edward H. Levi appoint a committee of persons outside of government to study the 1968 assassination of the Rev. Dr. Martin Luther King Jr.

Informed sources said the recommendation by Assistant Attorney General J. Stanley Pottinger will argue that an independent inquiry is necessary even though a four-month Justice Department review of the King case found no evidence that the FBI or other government agencies were involved in the killing of the black civil rights leader.

Suspensions have been raised about the initial government probe of the murder

because of recent revelations that the FBI subjected King to wiretapping and harassment. Questions also have been raised about whether the motives and activities of the convicted assassin, James Earl Ray, have been fully explained.

For these reasons, the sources said, Pottinger, who headed the review, feels that an independent inquiry is necessary to resolve the questions still surrounding the April 4, 1968, shooting of King in Memphis.

The inquiry would determine whether a full-scale investigation of the assassination should be resumed. And, the sources said, Pottinger's report will recommend that for reasons of credibility it should be con-

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1ST ADD RAY NASHVILLE HFR 4-6 XXX CARES NOT TO D.L." LIVINGSTON LAST VISITED RAY IN FEBRUARY SHORTLY AFTER THE 6TH DISTRICT APPEALS COURT IN CINCINNATI TOOK THE PLEA FOR A TRIAL UNDER ADVISEMENT.

PRISON SPOKESMEN SAID RAY, WHO NOW HAS A CELLMATE, IS LOOKING BETTER SINCE HE WAS RELEASED FROM HIS SOLITARY CELL ON THE PRISON'S MAXIMUM SECURITY UNIT LAST AUGUST.

BERNARD FENSTERWALD JR OF WASHINGTON, ANOTHER RAY LAWYER, DISPUTES THOSE WHO SAY RAY HAS CHANGED HIS STORY OVER THE YEARS AND IS NOT TO BE BELIEVED.

"I DON'T THINK HE'S BEEN INCONSISTENT," FENSTERWALD SAID IN A TELEPHONE INTERVIEW. "HE'S ALWAYS MAINTAINED HE WAS NOT AT THE SCENE OF THE CRIME. IT'S JUST THAT HE'S BEEN ASKED SO MANY DETAILED QUESTIONS THAT UNLESS HE HAD A PHOTOGRAPHIC MEMORY, HE'S BOUND TO HAVE SOME DISCREPANCIES."

LIVINGSTON INSISTS THAT HIS CLIENT HAS A CHANCE OF ACQUITTAL IF HE IS SUCCESSFUL IN WINNING THE FULL-FLEDGED TRIAL HE GAVE UP IN 1969 TO AVOID THE ELECTRIC CHAIR.

"IF WE COME TO TRIAL, THE BURDEN WILL BE ON THE STATE OF TENNESSEE TO PRODUCE EVIDENCE TO PROVE HIM GUILTY," THE PLAIN-SPOKEN MEMPHIS ATTORNEY SAID. "THEIR EVIDENCE IS CIRCUMSTANTIAL AT BEST AND I THINK WE CAN PUNCH HOLES IN IT."

THE STATE BASES ITS CASE ON FINGERPRINTS FOUND ON THE RIFLE USED IN THE SLAYING AND A WITNESS WHO CLAIMS HE SAW RAY FLEEING FROM THE FILTHY FLOPHOUSE BATHROOM WHERE THE SINGLE SHOT THAT SEVERED KING'S SPINAL CORD ALLEGEDLY WAS FIRED.

"THE STATE'S STAR WITNESS IS ESSENTIALLY A SKIDROW DRUNK," DRAWLED LIVINGSTON. "AND HIS CREDENTIALS ARE NOT UNIMPEACHABLE. I HARDLY THINK HIS EVIDENCE WILL STAND UP IN COURT."

RAY, WHO HAS SAID HE HAD NOTHING AGAINST KING AND HAD NEVER SEEN HIM, HAS MAINTAINED THAT HE WENT TO MEMPHIS AT THE REQUEST OF A MYSTERIOUS MAN KNOWN TO HIM ONLY AS "RAOUL".

HE ADMITS THAT HE BOUGHT THE .30-06 RIFLE IN BIRMINGHAM AND REGISTERED AT THE SLEAZY BOARDINGHOUSE ACROSS FROM THE MURDER SPOT, BUT SAYS HE FIRST HEARD OF THE CIVIL RIGHTS LEADER'S DEATH AS HE DROVE HIS WHITE MUSTANG TOWARD MISSISSIPPI.

HE SAID HE PANICKED WHEN HE HEARD ON THE CAR RADIO THAT HE WAS WANTED FOR THE CRIME, AND BEGAN A FLIGHT WHICH ENDED IN HIS ARREST IN ENGLAND JUNE 5, 1968.

THE STATE'S POSITION, WHICH HAS BEEN UPHELD ONCE BY A U.S. DISTRICT COURT IN MEMPHIS, IS THAT RAY IS "AN INTELLIGENT AND SEASONED CRIMINAL WHO WAS AND IS WELL AWARE OF THE NATURE OF CRIMINAL PROCEEDINGS."

A BRIEF FILED BY ASSISTANT STATE ATTORNEY GENERAL WILLIAM HAYNES JR. SAYS RAY DELIBERATELY ENTERED THE GUILTY PLEA TO AVOID THE DEATH PENALTY.

"THERE WAS NO REAL HOPE OF AVOIDING THE DEATH PENALTY FOR JAMES EARL RAY OTHER THAN TO ENTER THE PLEA OF GUILTY...AND RAY'S DECISION WAS A REASONED AND INTELLIGENT ONE," HAYNES WROTE.

THE JUSTICE DEPARTMENT, WHICH HAS SO FAR DECLINED SUGGESTIONS THAT IT REOPEN THE KING INVESTIGATION, HAS STATED IT IS SATISFIED THAT RAY ACTED ALONE. BUT STILL UNANSWERED IS THE QUESTION OF WHERE RAY--A SMALL-TIME HOLDUP MAN AND ESCAPEE FROM THE MISSOURI STATE PRISON--OBTAINED THE MONEY TO FINANCE HIS \$2,000 MUSTANG, HIS TRIP TO MEMPHIS AND SUBSEQUENT FLIGHT THROUGH FOUR COUNTRIES.

WHEN HE WAS CAUGHT, THE FUGITIVE STILL HAD \$200 IN HIS POSSESSION.

THOSE WHO BELIEVE THE CASE SHOULD BE REOPENED POINT TO RECENT HINTS OF A CONSPIRACY BROUGHT FORTH BY CONVICTED HEROIN DEALER ROBERT BYRON WATSON AND CONVICTED CONFIDENCE MAN CLIFFORD H. ANDREWS. CLAIMS BY WATSON AND ANDREWS THAT THEY HEARD OF A PLOT AGAINST KING HAVE LARGELY BEEN DISCOUNTED, BUT HAVE RAISED SOME QUESTIONS.

IN ADDITION, RUMORS OF AN FBI CONSPIRACY AGAINST KING HAVE ALSO SURFACED.

LAWYERS FOR BOTH SIDES NOW SAY THAT WHETHER RAY GETS A TRIAL WILL LIKELY BE DECIDED BY THE SUPREME COURT, POSSIBLY IN EARLY 1977.

"ANY WAY I SEE IT, THE SUPREME COURT IS GOING TO HAVE TO DECIDE THE MATTER," LIVINGSTON SAYS. "THEY (THE PROSECUTION) FOUGHT US EVERY STEP OF THE WAY. IF WE WIN IN THE APPEALS COURT, THEY'LL FIGHT US ON UP TO THE SUPREME COURT. IF WE LOSE, YOU CAN BE SURE WE'LL APPEAL."

HENRY HAILE, A FORMER ASSISTANT TENNESSEE ATTORNEY GENERAL WHO WAS PART OF THE FIRST SUCCESSFUL ATTEMPT TO BLOCK A TRIAL FOR RAY, AGREES.

"RAY'S ATTORNEYS WILL BE FIGHTING IN THE APPEALS COURTS AS LONG AS LIFE AND BREATH HOLD OUT," HE SAID RECENTLY.

RAY, WHO WILL PROBABLY FACE CHARGES IN MISSOURI AND ENGLAND EVEN IF HE CAN CONCEIVABLY WIN AN ACQUITTAL IN THE KING MURDER CASE, BECOMES ELIGIBLE FOR PAROLE 22 YEARS FROM NOW EVEN THOUGH HIS SENTENCE DOES NOT OFFICIALLY EXPIRE UNTIL APRIL 29, 2019.

BUT TENNESSEE'S RETIRING STAR PRISONER SHOWED THE FIRST TRACE OF A SMILE AS HE INDICATED HE'D RATHER RISK A TRIAL THAN CONTINUE TO SERVE OUT HIS TERM IN HIS DINGY, CRAMPED PRISON CELL.

"YOU'VE NEVER BEEN IN PRISON, HAVE YOU?" HE SAID WRYLY. "THAT'S ALL I THINK I NEED TO SAY."

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Washington Post Staff Writers

Martin Luther King Jr.

Suspensions have been raised about the initial government probe of the mur-

For these reasons, the sources said, Pottinger, who headed the review, feels that an independent inquiry is necessary to resolve the questions still surrounding the April 4, 1968, shooting of King in Memphis.

The inquiry would determine whether a full-scale investigation of the assassination should be resumed. And, the sources said, Pottinger's report will recommend that for reasons of credibility it should be con-

See HING, A3, Col 1

Independent Inquiry Sought In Dr. King's Assassination

ducted by persons independent of the Justice Department, which has policy control over the FBI.

According to the sources, Portinger is recommending that the committee of inquiry look into such questions as whether there was any FBI complicity in King's death, whether the FBI violated any law or policy guideline in its dealings with King and whether any complicity, say, of President John F. Kennedy, was connected to the murder.

The sources said the study conditions, as outlined in PolitiCorp's report, would have no pure electoral function, instead, it would allow the record-keeping culture, if put on a video screen, to allow a candidate to see the record of his or her campaign.

The sources said that Justice Department officials believe that a study committee can be named under the provisions of the 1972 Advisory Commission Act, which was designed to provide better public input into government operations. The legislation requires that at least one member be a government official with the power to conduct and disseminate information.

However, the so-called "Bulldozer" news manipulation will be that many, if not all, of the other members be driven from outside the government. Although the sources would not necessarily agree, they said it seemed obvious that many would be persons prominent in the civil rights movement.

Quoted in the *Life*,
"one hour's peace, quietness,
which had been denied
the poor child till now."
The *Life* further says that
"the child's mother told
that the little girl, when
in the hospital, had been
"very happy."

a secret, six-year campaign to harass and try to discredit King. Agents bugged Dr. King's telephone conversations and sent him an anonymous letter, containing defamatory information about his personal life.

Ray, who has told a muddy and contradictory story about his involvement in the murder, is now seeking to overturn his 99-year prison sentence and win a new trial. His lawyer, a judge, said that if his request is granted, Ray will attempt to prove that he was coerced to confess or guilty to the killing.

This document is covered Level 1 of the Civil Rights Act, which is headed by a reference to

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review Federal awards relat-
ing to the program, a fee
may be imposed if it is
shown that the grantee's
expenditures are not

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Independent Probe On King Proposed

By John M. Goshko and Warren Brown
Washington Post Staff Writers

The Justice Department's Civil Rights Division next week will recommend that Attorney General Edward H. Levi appoint a committee of persons outside of government to study the 1968 assassination of the Rev. Dr. Martin Luther King Jr.

Informed sources said the recommendation by Assistant Attorney General J. Stanley Pottinger will argue that an independent inquiry is necessary even though a four-month Justice Department review of the King case found no evidence that the FBI or other government agencies were involved in the killing of the black civil rights leader.

Suspensions have been raised about the initial government probe of the murder

because of recent revelations that the FBI subjected King to wiretapping and harassment. Questions also have been raised about whether the motives and activities of the convicted assassin, James Earl Ray, have been fully explained.

For these reasons, the sources said, Pottinger, who headed the review, feels that an independent inquiry is necessary to resolve the questions still surrounding the April 4, 1968, shooting of King in Memphis.

The inquiry would determine whether a full-scale investigation of the assassination should be resumed. And, the sources said, Pottinger's report will recommend that for reasons of credibility it should be conducted.

See KING, A9, Col. 1

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Independent Inquiry Sought In Dr. King's Assassination

KING, From A1

ducted by persons independent of the Justice Department, which has policy control over the FBI.

According to the sources, Pottinger is recommending that the committee of inquiry look into such questions as whether there was any FBI complicity in King's death, whether the FBI violated any laws or policy guidelines in its dealings with King, and whether any conspiracy, say, of persons outside government, was connected to the murder.

The sources said the study committee, as envisioned in Pottinger's report, would have no prosecutorial function. Instead, it would review the record, hear new evidence, if any, and advise the Attorney General whether it believes that there are grounds for pursuing the King case, technically never closed, with a renewed investigation.

The sources said that Justice Department officials believe that a study committee can be named under the provisions of the 1972 Advisory Commission Act, which was designed to provide better public insight into government operations. The legislation requires that at least one member be a government official with the power to convene and dismiss meetings.

However, the sources added, Pottinger's recommendation will be that most, if not all, of the other members be drawn from outside the government. Although the sources would not speculate on names they said it seemed obvious that some would be persons prominent in the civil rights movement.

Questions about the King case have been growing since last November when the Senate intelligence committee hearings revealed that the late FBI director, J. Edgar Hoover, had inspired

a secret, six-year campaign to harass and try to discredit King. Agents bugged Dr. King's telephone conversations and sent him an anonymous letter containing defamatory information about his personal life.

Ray, who has told a murky and contradictory story about his involvement in the murder, is now seeking to overturn his 99-year prison sentence and win a new trial. His lawyers have said that if his appeal is granted, Ray will attempt to prove that he was coerced into pleading guilty to the killing.

These developments caused Levi to direct the Civil Rights Division, which is headed by Pottinger, to



J. STANLEY POTTINGER
... headed the review

review federal records relating to the assassination for any additional light they might shed on the FBI's campaign against King and its pursuit of Ray.

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Inquiry on Dr. King Death Finds No Plot or U.S. Role

By JOHN M. CREWDSON
 Special to The New York Times

WASHINGTON, March 23—The Justice Department's civil rights division, after a four-month study of Federal records relating to the assassination of the Rev. Dr. Martin Luther King Jr., has found no evidence of government complicity or of a tangible conspiracy in the black leader's death, according to department sources.

But Assistant Attorney General J. Stanley Pottinger, who headed the review of files compiled at the time of Dr. King's death in 1968, is nevertheless expected by some Justice officials to recommend a new inquiry into the assassination in hopes of resolving persistent questions about the motives and activities of James Earl Ray, the convicted assassin.

One source noted that Mr. Pottinger's report on the matter, described as "quite lengthy," would not be sent to Attorney General Edward H. Levi until late this week or early next and that a recommendation to begin a full-scale field investigation of the Memphis assassination had not yet been committed to paper.

But the source said that a new investigation would be "the most credible way to handle" the renewed public concern that resulted from disclosures last November by the Senate Intelligence Committee of a secret six-year effort by the Federal Bureau of Investigation to harass and discredit Dr. King.

Those disclosures prompted Mr. Levi to ask the civil rights division to review both the F.B.I.'s covert attempt to dis-

rupt Dr. King's civil rights campaign and the volumes of evidence gathered by the bureau in its search for Mr. Ray, who was sentenced to 99 years in jail after confessing his guilt as Dr. King's murderer.

There was initial concern among past and present Justice lawyers familiar with the King case that the F.B.I. might have contributed directly or inadvertently to Dr. King's death or might have failed to warn him of a plot against his life.

Although the civil rights lawyers reportedly have found no hint that the F.B.I. played a role in Dr. King's death, or that Mr. Ray was only a part of a larger assassination conspiracy, they apparently have concluded that a new new F.B.I. investigation of the murder would prove or disprove, once and for all, Mr. Ray's allegations.

Mr. Ray is now seeking a new trial, and his case is before the United States Court of Appeals for the Sixth Circuit in Cincinnati. If his appeal is granted, his lawyers say, he will attempt to show only that he was coerced into admitting his guilt and will not help identify the "real" assassin.

Mr. Ray admits to having been in Memphis on April 4, 1968, the day that Dr. King was felled by a high-powered rifle bullet fired from a rooming house near his hotel. But the prisoner has since told a tangled and sometimes contradictory story that makes him out to be a pawn in a larger plot to murder Dr. King.

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Coby Smith:**Article on Invaders
and King not accurate**

member of the Invaders and now assistant to the vice president of State Technical Institute, told the Tri-State Defender that a recent report on the now defunct militant organization by a New York newspaper is not completely accurate.

Smith, who served on the executive board of the Invaders said he, and other members of the organization were aware of infiltrators long before the death of Martin Luther King, Jr. Smith said those sources used in the article appearing in the Garden City Newday was misleading. He said "people, when asked to speak on aspects of a subject they are familiar with, have a tendency to talk about that aspect which they know least about."

"This was obviously the case," he continued, "with those friends of Dr. King who the writer used as sources. The story said "according to some witnesses, the 100-member group called the Invaders led the March 28 riots which attempted to discredit King's efforts."

"Following the riot, in which one youth was killed, scores injured, and 238 arrested, King vowed that he would return to prove that he still could lead a non-violent demonstration."

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—PAGE 6

—TRI-STATE DEFENDER

—MEMPHIS TENNESSEE

Date: Feb. 28, 1976

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Smith said since the organization felt that a small nucleus of the black community was leading King in the wrong direction as far as strategy was concerned, the Invaders decided they would not take part in the march. He said at the time many people were donning Invader jackets because "they were very easy to make."

Smith said it wasn't that people were interested in what happened to Dr. King at the time, rather it was what would happen to the other black ministers such as Rev. James Lawson and Rev. Ralph Abernethy. A letter sent to the black leadership

invited all groups met, with caused the confusion. Some King and his staff and people tried to blame the renewed violence Invaders. were given

The article written by Les Payne stated, "several FBI informants and at least one undercover agent from the Memphis Police Department were among the most active members of a young, violence prone black group which openly opposed King's peaceful march supporting the city's sanitation workers."

Smith said the organization had many people associated with it directly and indirectly who were on the payrolls of the FBI, CIA and Memphis Police Department. As for the members of the Invaders that infiltrated our group, some of our members had seen him in Indiana and were aware of the fact that he was an infiltrator.

The Newday Article stated, "On April 4, the day King was

\$750,000 to redevelop their community 'They just got louder and louder,' one aide who was at the meeting recalled. "We told them we didn't have access to that kind of money. We had to put them out."

Smith stated, "There were no shouting matches. We attempted to show Dr. King that the time had come for community organizing at a grass roots level. Smith stated, "King allowed himself to be led by a small segment of the Memphis black leadership. We got the impression that, during the meeting, he understood what we were saying and that is that the younger element of the Memphis community had been ignored by the so called established black leadership."

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By HORACE SAVAGE

A word needs be said about Lane College's awareness of our national history as all hands at this historic institution celebrate the 200th Anniversary of our nation.

Dr. Ronald Cunningham, head of the Division of Social Sciences, pointed the way by securing the services of the Reverend Jesse Jackson, to appear at Lane. Reverend Jackson made a vivid impression upon the overflow crowd that attended his appearance at the college.

Dr. Cunningham said that the national president of P.U.S.H. was delighted to come and fellowship with citizens and students of Jackson. Reverend Jackson said some very pointed things, while speaking at the historic St. Paul C.M.E. Church.

Jackson said "Black parents need to cut off television in the evenings, between 7 to 9 p.m., and encourage their children to study homework . . . Children need to get something

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GARDEN CITY, N.Y. (UPI) -- THE TOP LAW ENFORCEMENT OFFICIAL IN MEMPHIS, TENN., REMOVED A DETECTIVE ASSIGNED TO PROTECT MARTIN LUTHER KING HOURS BEFORE THE CIVIL RIGHTS LEADER WAS ASSASSINATED IN 1968, NEWSDAY REPORTED SATURDAY.

IN A COPYRIGHTED STORY IN ITS SUNDAY EDITION, THE LONG ISLAND NEWSPAPER SAID ED REDDITT, THE CITY DETECTIVE GUARDING KING, WAS PULLED FROM HIS POST AND TOLD THERE WAS A PLOT TO KILL HIM.

THE MEMPHIS PUBLIC SAFETY DIRECTOR DID NOT REPLACE REDDITT AFTER TAKING HIM OFF THE ASSIGNMENT AND ALLOWED THE DETECTIVE TO RETURN TO WORK THREE DAYS AFTER KING WAS SHOT TO DEATH AT THE LORRAINE MOTEL, NEWSDAY SAID.

IT ALSO SAID REDDITT "HAD PREPARED A CONTINGENCY PLAN TO ENABLE THE POLICE DEPARTMENT TO APPREHEND AN ASSASSIN SHOULD AN ATTEMPT BE MADE ON KING'S LIFE."

"AFTER REDDITT WAS REMOVED FROM DUTY, HE WAS TOLD AT A MEETING IN POLICE HEADQUARTERS THAT THE U.S. SECRET SERVICE HAD LEARNED OF A 'CONTRACT' ON HIS LIFE," NEWSDAY SAID.

"REDDITT PROTESTED, SAYING HE WANTED TO RETURN TO HIS POST, BUT THE CITY'S THEN PUBLIC SAFETY DIRECTOR, FRANK HOLLoman, INSISTED ON THE OFFICER'S REMOVAL," THE NEWSPAPER SAID.

"EN ROUTE HOME WITH HIS POLICE GUARD, REDDITT HEARD OVER THE RADIO THAT KING HAD BEEN SHOT BY AN ASSASSIN," THE STORY SAID.

"THREE DAYS LATER, THE ROUND THE CLOCK GUARD WATCHING REDDITT WAS REMOVED AND HE WAS ALLOWED TO RETURN TO WORK. THE POLICE DEPARTMENT NEVER OFFERED ANY FURTHER EXPLANATION OF THE 'CONTRACT' ON HIS LIFE," NEWSDAY SAID.

THE STORY ALSO SAID HOLLoman ACKNOWLEDGED THE REPORT OF A THREAT ON REDDITT'S LIFE, BUT REFUSED TO SAY WHO HAD MADE THE THREAT.

"REDDITT'S ASSASSINATION CONTINGENCY PLAN, ACCORDING TO SOURCES, CALLED FOR THE ENTIRE FOUR BLOCK AREA AROUND KING'S HOTEL TO BE SEALED OFF BY PATROL CARS," THE ARTICLE SAID.

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WASHINGTON CAPITAL NEWS SERVICE

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ASSASSINATION OF MARTIN LUTHER KING, JR MEMPHIS, TENNESSEE

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WASHINGTON CAPITAL NEWS SERVICE

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UNITED STATES GOVERNMENT

Memorandum

TO : Assistant Attorney General
Civil Rights Division

DATE: 2/17/76

FROM : Director, FBI

ATTENTION: MR. ROBERT A. MURPHY

SUBJECT: ASSASSINATION OF MARTIN LUTHER KING, JR.

Reference is made to _____ memorandum dated _____
(your file _____).

There is enclosed one copy of the report of Special Agent _____
dated _____ at _____.

A. ☐ This covers the preliminary investigation and no further action concerning a full investigation will be taken by this Bureau unless the Department so directs.

B. ☐ The investigation is continuing and you will be furnished copies of reports as they are received.

C. ☐ The investigation requested by you has now been completed. Unless advised to the contrary no further inquiries will be made by this Bureau.

D. ☐ Pursuant to instructions issued by the Department, no investigation will be conducted in this matter unless specifically directed by the Department.

E. ☐ Please advise whether you desire any further investigation.

F. ☒ This is submitted for your information and you will be advised of further developments.

G. ☐ This is submitted for your information and no further investigation will be conducted unless specifically requested by the Department.

H. ☐ This covers the receipt of a complaint and no further action will be taken by this Bureau unless the Department so directs.

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SEE NOTE PAGE TWO...

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COPY

NOTE: Attached is a copy of a UPI Wire Service article dated 2/14/76. Our files at FBI Headquarters, Washington, D. C., and at our Memphis Office contain no information relative to this reported threat against Ed Redditt. No further investigation is being conducted concerning this UPI article unless specifically requested by the Department.

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RAY 2-4

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BY RICK VAN SANT

CINCINNATI (UPI) -- MARTIN LUTHER KING'S CONFESSED ASSASSIN HAS CHANGED HIS STORY -- BUT HE'S HAVING TROUBLE FINDING A TRIAL JUDGE TO TELL IT TO.

ATTORNEYS FOR JAMES EARL RAY WENT TO COURT TUESDAY WITH A REPORT RAY NOW CLAIMS HE IS INNOCENT AND WANTS A TRIAL.

ATTORNEY JAMES LESAR ARGUED BEFORE THE U.S. SIXTH CIRCUIT COURT OF APPEALS THAT RAY "CONTENDS HE DID NOT SHOOT KING" AND MAINTAINS HIS 1969 GUILTY PLEA WAS ILLEGALLY "COERCED."

THE THREE-JUDGE PANEL QUIZZED RAY'S ATTORNEY IN AN UNUSUALLY LONG 75-MINUTE ORAL ARGUMENT. IT IS EXPECTED TO TAKE SEVERAL WEEKS BEFORE DECIDING IF RAY SHOULD BE ALLOWED TO CHANGE HIS PLEA AND STAND TRIAL.

A TRIAL POSSIBLY COULD SHED LIGHT ON THE DEBATED QUESTION OF WHETHER A CONSPIRACY LED TO THE MURDER OF THE CIVIL RIGHTS LEADER IN MEMPHIS, TENN., ON APRIL 4, 1968.

RAY PLEADED GUILTY MARCH 10, 1969, TO FIRST-DEGREE MURDER AND IS SERVING A 99-YEAR SENTENCE AT TENNESSEE STATE PRISON IN NASHVILLE.

"RAY CONTENDS HE DID NOT SHOOT KING," LESAR SAID AFTER COURT TUESDAY. "HE CLAIMS HE WAS FRAMED."

LESAR ARGUED THAT RAY WAS COERCED BY HIS FORMER ATTORNEY, PERCY FOREMAN, TO PLEAD GUILTY. THE NEW LAWYER SAID FOREMAN WAS INTERESTED IN GETTING THE CASE CLOSED TO MAKE MONEY FROM MAGAZINE, BOOK AND MOVIE RIGHTS TO RAY'S STORY.

RAY'S HOPE FOR A TRIAL HINGED ON WHETHER THE COURT DECIDES FOREMAN'S ACTIONS VIOLATED RAY'S RIGHT TO RESPONSIBLE COUNSEL. A LOWER FEDERAL COURT IN TENNESSEE ALREADY HAS RULED AGAINST RAY, AND TUESDAY'S HEARING WAS AN APPEAL OF THAT DECISION.

JUDGE ANTHONY CELEBREZZE TOLD LESAR THAT RAY STATED IN COURT IN 1969 HE WAS NOT BEING COERCED INTO PLEADING GUILTY.

LESAR SAID, "RAY DISTRUSTED FOREMAN, BUT FELT HE WAS BOXED IN."

ASKED JUDGE WILLIAM MILLER: "WHY DID RAY PLEAD GUILTY AND TAKE THE ADVICE OF SOMEONE HE MISTRUSTED?"

LESAR REPLIED, "WHO ELSE WAS HE GOING TO GET ADVICE FROM? RAY HAD ALREADY FIRED ONE ATTORNEY AND FOREMAN TOLD HIM, 'YOU GET RID OF ME, YOU'RE GOING TO GO TO TRIAL WITH THE PUBLIC DEFENDER.'"

"THE FACT IS RAY WANTED A TRIAL, BUT HE WANTED IT UNDER AN ATTORNEY WHO HAD INVESTIGATED HIS CASE. HE WAS AFRAID FOREMAN WAS GOING TO THROW A TRIAL."

WILLIAM HAYNES JR. OF THE TENNESSEE ATTORNEY GENERAL'S OFFICE ARGUED THAT RAY SHOULD NOT GET A TRIAL BECAUSE FOREMAN "DID MAKE AN EXTENSIVE AND EXHAUSTIVE" INVESTIGATION INTO THE CASE.

"BUT HE FOUND NOTHING TO REFUTE THE STATE'S CASE, AND IF FOREMAN WAS TO SAVE HIS CLIENT'S LIFE, IT REQUIRED A GUILTY PLEA," SAID HAYNES.

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Wash Post

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Ray 'Coerced'

CINCINNATI—James Earl Ray did not shoot civil rights leader Martin Luther King and was "coerced" into pleading guilty, his attorney argued before the Sixth U.S. Circuit Court of Appeals.

James Lesar, of Washington, told the three-judge panel that Ray had signed stipulations admitting to the 1968 sniper shooting so that he could eventually get a new trial and change his plea.

"It was a technical plea of guilty to get him out of town so he could attack the plea," Lesar said.

He quoted Ray, now serving a 99-year prison term in the Tennessee State Prison in Nashville, as saying he was "framed" and was not willingly a part of any conspiracy in regard to the King murder.

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(RAY)

CINCINNATI (UPI) -- JAMES EARL RAY CONTENTS HE DID NOT ASSASSINATE MARTIN LUTHER KING AND ONLY PLEADED GUILTY TO THE MURDER BECAUSE HE WAS "COERCED" BY LAWYER PERCY FOREMAN, AN ATTORNEY FOR RAY ARGUED TODAY.

"RAY CONTENTS HE DID NOT SHOOT KING," ATTORNEY JAMES LESAR SAID AFTER ARGUING BEFORE A FEDERAL APPEALS COURT THAT RAY BE ALLOWED TO DROP HIS 1969 GUILTY PLEA TO KILLING KING IN MEMPHIS, TENN., ON APRIL 4, 1968.

"THE FACT IS RAY WANTS A TRIAL," ADDED LESAR. "HE CLAIMS HE WAS FRAMED."

JUDGE ANTHONY CELEBREZZE ASKED LESAR HOW RAY COULD CLAIM THAT FOREMAN "COERCED" THE GUILTY PLEA FROM HIM WHEN RAY PREVIOUSLY TOLD ANOTHER JUDGE HE WAS NOT COERCED INTO ENTERING THE PLEA.

"THE PROBLEM IN COERCION IS THAT THE PERSON UNDER COERCION WILL DENY IT," ANSWERED LESAR.

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Two of the items of two articles written by John M. C. ... based on reporting by Mr. Creviston, Ben A. ... M. Horrocks and Martin Waldron.

Special to The New York Times

According to officials and former officials of the Justice Department and Federal Bureau of Investigation, the bureau has checked out various assertions of such a conspiracy that have come to its attention and has found virtually all to be without substance. A team of New York Times reporters spent six weeks investigating

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 his convicted killer, Mr. Ray, to tell what he knows to a Federal grand jury.

Testimony Refused

Although Mr. Ray pleaded guilty in a 144-minute 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. Mr. Ray was now before the United States Court of Appeals for the Fifth Circuit a motion for a new trial.

Mr. [redacted] Jr.
[redacted] [redacted] [redacted]

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

Conspirators' Names:

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 Mr. Ray, despite his protests, was Dr. King's assassin.

And even those officials who doubt Mr. Ray's sole responsibility attributed their beliefs to "hunches" and "gut feelings," not to hard evidence.

In 1971 and in 1974, partly because of their own doubts and partly in response to the unofficial appeals by Mr. Gunsterwald, Civil Rights Division officials acted and initiated the mass of evidence—mostly in

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...the FBI during its ... 1968 hunt for the ...

...after these investigations ... essentially ... about ... conspirators, a ... Department ... convinced ... that he had acted ...

...summer, for example ... Dr. Ralph David Abernethy, Dr. King's successor as ... Southern Christian ... Conference, and ... comedian, who has become interested in ... conspiracies, ... Pottinger, head ... Rights Division, ... the two most ... reports.

Re-evaluation

But the Justice Department ... evaluating several aspects ... that have aroused ... and concern, ... claims by individuals that they had been part ... about the effort to ...

The first was the assertion of Robert Byron Watson, a former employee of an Atlanta ... that he had overheard ... plotting to kill Dr. King a few days before the assassination.

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

Third Assertion

The Justice Department, despite its findings in the Watson and Andrews matters, is nonetheless looking into a third such assertion involving a ... to an Atlanta ...

the absence of any conspiracy, that ... is reinforced by his ... that he was ... to the ... for the killings by a mysterious French Canadian named Raoul.

Mr. Ray's story has changed over the years, and parts of it are demonstrably untrue, but the essence is that he first encountered the man in a Montreal bar a few months after his escape from the Missouri prison at Jefferson City on April 23, 1967.

In almost most of the year ... his escape and the ... assassination. Mr. Ray ... for Raoul, whom the Canadian authorities have never found and whose patrons at the Neptune bar where Mr. Ray says the two men conducted their initial business, do not remember, just as they do not remember Mr. Ray.

'Arms Sale' Planned

It was Raoul, Mr. Ray has said, who induced him to purchase a .30-06 rifle at a Birmingham sporting goods shop and carry it to Memphis in his white Mustang, also financed by Raoul. The weapon, Mr. Ray says, was to be shown to prospective customers in an arms sale.

Mr. Ray told his first lawyer, Arthur Hanes Sr., the former Birmingham Mayor, that he was instructed by Raoul on the afternoon of April 4, 1968, to check into the rooming house opposite the Lorraine Motel. He said he was eventually joined by the Canadian, who asked him to leave the rifle and wait in a downstairs bar.

Mr. Hanes recalled in a recent telephone conversation that Mr. Ray had said he had done as he was asked, but, growing restive, had stepped out of the

bar in time to see Raoul running down the stairs to the street, where he dropped the rifle and Mr. Ray's other belongings and climbed into the Mustang.

Mr. Ray, who insists that he had no knowledge of Dr. King's murder until he heard about it on a car radio sometime later, said he drove off with Raoul in the back seat, hidden by a bedsheet. After four blocks, Mr. Ray said, Raoul jumped out of the car and vanished and Mr. Ray continued on to Mississippi.

Mr. Ray is reported to have since changed his story, maintaining without elaboration that he was some distance from the rooming house when the fatal shot struck Dr. King, but the discrepancies between statements of other witnesses and the facts ...

... a ... the ... room in which "Mr. Williams" was registered.

Apart from the doubtful story of Raoul, no independent evidence of Mr. Ray's involvement in a conspiracy has turned up in seven years, and the record of his movements before and after the killing of Dr. King includes his securing for himself such things as the rifle and a bogus Canadian passport, which would more logically have been provided by co-conspirators.

Still, the suspicion of a conspiracy persists in the minds of many, from Harold Weisberg, the former Maryland chicken farmer who has styled himself an "independent investigator" of several recent assassinations, to the former high-ranking Justice Department official who recently reflected on the evidence and decided that Mr. Ray was "probably not a solo."

Although there is some basis for such suspicions, they have been founded in large part on misinformation, and confusion over erroneous "facts" picked up after the King killing and passed on over the years, giving a kind of credence through repetition.

A pertinent example is the belief, widely held, that the Federal Government uncovered some early evidence of a conspiracy that it subsequently suppressed. That notion was prompted by the warrant obtained by the Justice Department for Mr. Ray's arrest three weeks after the King assassination, which charged that he had conspired in the killing with a man "whom he alleged to be his brother."

Conspiracy Alleged

Since ordinary murder is not a Federal crime, the Justice Department was able to claim jurisdiction in the case only by alleging the existence of a conspiracy to violate Dr. King's civil rights, and the warrant, charging Mr. Ray with that offense was obtained on the strength of its statement in the Birmingham ...

... the ... 1968 ... in this ...

While there is no ... that ... King and ... seen him or ... the fatal shooting ... type used in ... was found ...

outside the ... Mr. Ray's fingerprints ... it.

He had ... chased the rifle, and ... before the ... room in the house ... after the shooting ... Memphis to Canada, ... Portugal and back to ... before he was ...

There remain ... perplexing questions ... Ray case that ... those familiar ... reluctant to concede ... Ray was a long ... one former Justice ... lawyer who ... typically ... assassinations ... later ... had ...

Foremost among ... are Mr. Ray's ... suddenly leaving ... and ... in Los Angeles ... to drive ... kill Dr. King.

The Justice Department ... dressing this ... evidence it has ... contradictory ... indications that ... virtuous ... assassination ... and after ... not ... liked ... had ... Dr. King.

Chance of Case

The F.B.I. ... said, did not address ... tion of ... "particulars" ... free about ... east ... discredited ... when ... and ... charged ... room ... the ...

in Mr. Ray's name when he was arrested at London's Heathrow Airport on June 8, 1968.

There are a number of similar questions, each in itself perhaps explicable as the result of luck or happenstance, but together the substance of a deeper mystery.

For example, why did Mr. Ray exchange after one day the first gun he purchased from the Birmingham gun shop, obtaining a more powerful expensive weapon, when the first would have served his purpose equally well?

But there are larger questions and one of the most significant is how Mr. Ray, a stranger to Memphis who had arrived there less than 24 hours before Dr. 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 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 Dr. King was shot.

Source of Funds

But the central question—the one on which the theory of any conspiracy hinges and for which the F.B.I. candidly admits it has no answer—is where Mr. Ray obtained the thousands of dollars he used to finance his travels through at least five countries, his \$2,000 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 Mr. 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 F.B.I. investigated again all unsolved bank robberies at the time of Dr. King's murder but was not able to link Mr. Ray to any of them. The bureau theorizes, but cannot prove, that he sustained himself with other small robberies in the United States.

There are many more unanswered questions, but the lines to which attention has been paid in the days of the war, but in

the records of the investigation.

Unless Mr. Ray voluntarily decides to cooperate with the Justice Department and has been some pertinent information, it is to be expected that he might be able to witness stand his name appearing, but destined to remain among the ranks of the other American-born

...the scene of a crime.

...the "wanted" ...

...a convincing explanation of how Mr. Ray, after making his way by bus from Atlanta to Toronto, secured the aliases Paul Bridgman and Ramon George Sneyd. They were residents of the Toronto area who bore a resemblance to Mr. Ray, who was carrying a Canadian passport

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WASHINGTON—In its staff report, "Covert Action in Chile, 1963-1973," the Senate Intelligence Committee has provided the first detailed official account of the large-scale secret efforts of the Central Intelligence Agency to manipulate and, if possible, control po-

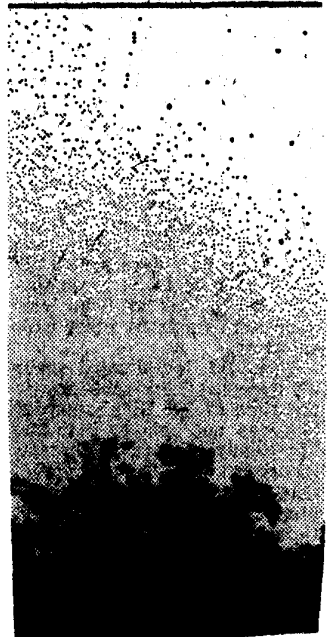
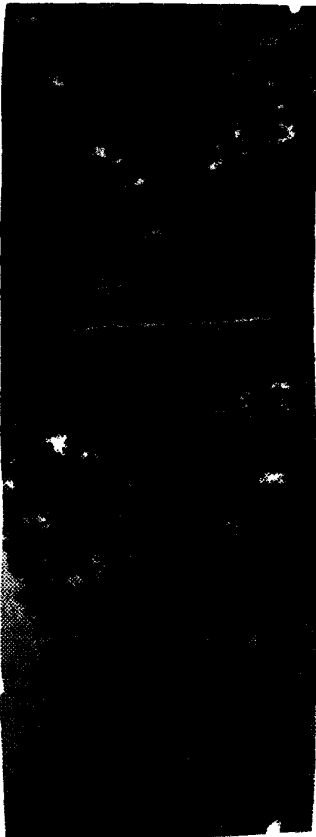
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PICTURE

BY FLOYD H. NORRIS

MONTGOMERY, ALA. (UPI) -- DR. MARTIN LUTHER KING JR. WAS KILLED BY A CONSPIRACY, HIS FAMILY AND CLOSEST ASSOCIATES SAID FRIDAY, CALLING FOR AN INVESTIGATION INDEPENDENT OF THE JUSTICE DEPARTMENT AND FBI.

"THERE WAS MORE THAN ONE FINGER ON THAT TRIGGER AND SOME OF THEM WERE BLACK," SAID KING'S FATHER, DR. MARTIN LUTHER KING SR., FROM THE PULPIT WHERE KING BEGAN HIS CAREER.

"THE DREAMER WAS KILLED BY A CONSPIRACY," SAID DR. RALPH D. ABERNATHY, KING'S SUCCESSOR AS HEAD OF THE SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE. "WE WANT A THOROUGH INVESTIGATION, AND NOT BY THE JUSTICE DEPARTMENT AND NOT BY THE FBI. WE DON'T TRUST THE FBI."

CORETTA SCOTT KING, THE WIDOW OF THE SLAIN CIVIL RIGHTS LEADER, SAID ONLY A PROBE INDEPENDENT OF THE FBI "CAN ERASE ALL DOUBTS AND THE SHAME SURROUNDING THE ASSASSINATION AND THE ACTS OF THE FBI."

"THERE APPEARS TO BE A CONSPIRACY," SHE SAID. "IT DOES NOT APPEAR IT COULD HAVE BEEN THE WORK OF ONE MAN." NEITHER SHE NOR ANY OTHERS NAMED ANY PERSONS AS POSSIBLE PARTICIPANTS IN A CONSPIRACY.

KING WAS SHOT IN MEMPHIS IN 1968. JAMES EARL RAY PLEADED GUILTY TO THE MURDER, BUT HAS SINCE SOUGHT TO CHANGE HIS PLEA.

THE CALL FOR A NEW INVESTIGATION WAS MADE AT CEREMONIES COMMEMORATING THE 20TH ANNIVERSARY OF THE MONTGOMERY BUS BOYCOTT, THE FIRST MASS ACTION OF THE CIVIL RIGHTS MOVEMENT AND THE EVENT THAT CATAPULTED KING TO NATIONAL ATTENTION.

MRS. KING CITED RECENT REVELATIONS OF FBI ATTEMPTS TO DISCREDIT HER HUSBAND AS REASONS FOR AN INVESTIGATION INDEPENDENT OF THE JUSTICE DEPARTMENT.

SPEAKING TO A WILDLY CHEERING CROWD OF 2,500 PERSONS AT A RALLY, SPEAKER AFTER SPEAKER PRAISED KING AND SAID THAT DESPITE SETBACKS THE CIVIL RIGHTS MOVEMENT HAD MANY ACCOMPLISHMENTS.

"WE HAVE TURNED THE CRADLE OF THE CONFEDERACY INTO A CRADLE OF FREEDOM," SAID ABERNATHY.

"I'M VERY PROUD WE'VE COME FROM A VOTELESS AND A HOPELESS AND A HELPLESS PEOPLE TO A PEOPLE WHO CAN AND SHOULD HOLD THE BALANCE OF POWER POLITICALLY," SAID ROSA PARKS, WHOSE ARREST FOR REFUSING TO YIELD HER BUS SEAT TO A WHITE SET OFF THE BOYCOTT. THE BOYCOTT LASTED 381 DAYS BEFORE THE SUPREME COURT BARRED SEGREGATION ON BUSES.

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PICTURE

BY FLOYD H. NORRIS

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MURKIN

U.S. to Review King Probe

By George Lardner Jr.
Washington Post Staff Writer

Attorney General Edward H. Levi has instructed two top Justice Department officials to review the FBI's investigation of the assassination of Martin Luther King Jr. and consider whether it should be reopened.

A department spokesman said yesterday that Levi took the step in light of last week's disclosures by the Senate intelligence committee of a concerted FBI undercover campaign to discredit King as a civil rights leader that began in the early 1960s and continued after his death in April, 1968.

Levi ordered the review Monday in a brief note to Assistant Attorneys General J. Stanley Pottinger, head of the department's Civil Rights Division, and Richard L. Thornburgh, head of the Criminal Division.



EDWARD H. LEVI
...asks study of FBI inquiry

The Attorney General was quoted as instructing them "to review the file and to recommend to me whether the investigation should be reopened."

Department spokesman Robert Havel said that no deadline was set for the study, but that Levi ordered it started "at once."

Suggesting that the review was largely a precautionary measure, Havel emphasized that "it's not a reopening of the investigation." He said Levi has no reason to think the FBI probe of King's murder was anything but thorough.

King was killed on April 4, 1968, at the Lorraine Hotel in Memphis, Tenn. The FBI investigation, conducted under federal civil rights statutes, ended with the arrest in London some three months later of James Earl Ray.

Ray subsequently pleaded guilty to the murder and is serving a 99-year prison term. However, he is appealing the conviction in the federal

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courts with claims that he was browbeaten into pleading guilty and that he was a "fall guy."

According to Havel, a Civil Rights Division lawyer involved in the original FBI investigation has told Levi it was "incredibly good."

Another Harold Weathers, who was charged with reviewing the review, was the newest of yearned efforts by the department of justice to continue finding evidence in the King assassination by having the FBI records under the department's review of the inquiry.

pressed information on the King case" and declared that he was planning a freedom-of-information lawsuit for the records of the FBI investigation when Levi ordered the review.

The Justice Department also has said it is studying the FBI's tactics of harassing King and other Americans as part of its counterintelligence efforts.

Unless the department decides prosecutions are warranted, FBI Director Clarence M. Kelley told the Associated Press, he probably won't punish any of the FBI agents involved.

Kelley told AP reporter Margaret Gentry that the department is "not planning any prosecutions."

"might be some justification" for "disciplining" those who knew their actions were illegal, but he maintained that "there is no indication that any who participated knew or even thought that it was illegal to do these things."

Kelley said he was "very firm" of the opinion that the high-ranking officials and agents involved in the review were "not" of these agency officials are alive and therefore could be held accountable for their actions.

The Washington Post

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Conspiracy Killed King. Widow Says

By Andrew Torchia
Associated Press

NAIROBI, Nov. 27—The widow of Martin Luther King said today that his assassination apparently was caused by a government conspiracy and that investigations into his slaying should be reopened.

"I don't have the facts, but at this stage I say it appears there was a conspiracy in the death of my husband," Coretta King said.

"The way he was documented and followed around by Hoover and the CIA when he was abroad, it would have to have been attached to the forces of our government that felt he was a threat to the system as it existed," Mrs. King said.

She referred to the U.S. Central Intelligence Agency and to the late Federal Bureau of Investigation chief, J. Edgar Hoover.

Mrs. King, on a three-nation African tour, arrived here Wednesday. She was interviewed before a meeting with Kenyan women leaders arranged by the U.S. Information Service.

She commented on the review ordered by Atty. Gen. Edward Levi of the FBI investigation of the King's shooting death in 1968. James Earl Ray pleaded guilty to the killing in Memphis, Tenn., and was sentenced to 99 years in prison.

The FBI has acknowledged that it undertook a harassment campaign to discredit King but has concluded that Ray acted alone in King's assassination. Levi ordered a review of the investigation of King's death.



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comment on President Ford's statement at a news conference Wednesday that he abhorred FBI harassment of King and that he would consult Levi on taking action against those to blame.

"I am very encouraged by this. I do feel with the recent investigations into the FBI and CIA we have new evidence, confirmed evidence," she said.

"I feel it requires further investigation into the death of my husband, as well as the assassinations of others from the Kennedys on.

"I think there are grounds for reopening the case. I have always felt there was more to it than came out. I also felt somehow in the long run of history it would be revealed—just what did happen," she said.

Mrs. King told the Kenyan women Hoover tried to discredit her husband by alleging he stole some money, sought self-glorification and was sexually immoral.

The last accusation was "an effort to get me upset and turn me against him," she said. "I was never affected, because I knew his moral commitments.

"From the grave the truth has risen," Mrs. King added. "High officials now know it was Hoover and not Martin Luther King who was immoral and unjust."

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