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'69 report looked at King plot

But says Jowers targeted for blame

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MEMPHIS — Just 10 days ago, former restaurant owner Loyd Jowers went on national television, claiming that he found someone to kill the Rev. Martin Luther King Jr. in 1968, and that it wasn't James Earl Ray.

But an investigative report obtained last week by *The Tennessean* shows that someone began trying to blame King's assassination on Jowers himself just months after the civil rights leader was slain on April 4, 1968.

Betty Smith Spates, who worked as a waitress in Jowers' restaurant, Jim's Grill, told investigators in 1969 that a former Memphis ball bondsman had offered her \$5,000 to say that it was Jowers — not escaped convict Ray — who shot King on a balcony at the Lorraine Motel in Memphis.

Retired ball bondsman James Wright told *The Tennessean* Thursday that he talked with Spates about the King assassination in 1968, but he denied that he offered Spates money or suggested that she attempt to incriminate Jowers.

Spates "said that Ray didn't do it," Wright said, but she did not try to blame the shooting on anyone else.

"That's the biggest lie in the world," Wright said of Spates' claim that he offered her \$5,000 and a safe haven outside Memphis if she would accuse Jowers.

"I don't know nothing" about the King assassination, Spates told a *Tennessean* reporter who went to her Memphis home on Dec. 15. She refused to discuss anything about the case.

Spates' statement to investigators in February 1969 adds another layer of confusion to the question of whether Jowers plotted to kill King — and, if so, why he went on ABC News' *Primetime Live* show on Dec. 16 to talk about it.

Jowers said on the broadcast that Frank C. Liberto, a now-dead Memphis produce dealer, paid him "a large sum of money" to find someone to kill King in the spring of 1968, when the civil rights leader came here to lead a strike by city sanitation workers.

"Liberto done me a large favor, so I owed him a favor — or at least I thought I did," Jowers told ABC correspondent Sam Don-

aldson.

Jowers, 67, operated Veterans Cab Co. here in the late 1980s. He now lives in Martin, Tenn., where he runs a convenience store and manages about 20 rental houses, said Lewis Garrison, his attorney in Memphis.

Jowers did not say on camera who he found to kill King. He said Ray was set up as a decoy to divert attention from the assassination plot.

But Willie Akins, Jowers' long-time friend and former business partner who also appeared on *Primetime Live*, told *The Tennessean* Dec. 15 that Jowers repeatedly said he paid a mentally "slow" black laborer to shoot King from the lot behind Jim's Grill.

Akins said Jowers claimed that he also got rid of the rifle that killed King.

Jowers has refused to comment on the King case since his television appearance.

Jowers is now "almost a prisoner in his own home," because of the furor stirred by news reports about his claims, said Garrison, who advised Jowers against going on TV.

He said harassment has forced Jowers to close his convenience store in Martin.

On Thursday, Garrison said Shelby County prosecutors must not have taken seriously the suggestion in the 1969 Spates interview that Jowers killed King.

"No one ever questioned him about it," Garrison said.

But, Garrison said, James Earl Ray's lawyer has had access to Spates' statement for years. He contends William Pepper is using it to help build a case against Jowers designed to free Ray from a Nashville prison.

Pepper, an American-born attorney now based in London, said in a telephone interview Friday that Spates "has been trying to get her story out for 25 years."

Ray's attorney said Spates "was trying to help James [Ray] without implicating Jowers."

Pepper, who worked with King in the antiwar movement in 1967-68,

vocal opposition to the Vietnam War.

"I've always taken the position that it's very possible that Jowers himself carried out the contract," said Pepper, who first met Ray in 1977 and who became Ray's attorney in 1988.

Jowers' friend Akins, 63, told *The Tennessean* that Jowers identified King's killer as Frank Holt, who lived near Jim's Grill in 1968 and worked for a now-defunct produce company on Front Street here.

The Tennessean found Holt Dec. 17, staying in a homeless shelter in Orlando, Fla. Holt, 62, appeared stunned when he learned Jowers had accused him of killing King, the charismatic preacher who is a hero to most black Americans.

"I didn't do it," Holt said. "Jowers is lying. Jowers ain't give me no money."

Saying he wanted to clear his name, Holt took — and passed — a polygraph test arranged by *The Tennessean* Dec. 18 in Nashville.

Holt, who said he has spent most of his time in Florida since leaving Memphis in 1969, speculated that Jowers might have "thought I was dead." Holt said he has returned to Memphis only for occasional visits with relatives.

People involved in the initial King murder investigation in 1968 say they believe Jowers is faking a conspiracy theory — which can never be proved or disproved — in an effort to profit by selling his story.

"My feeling is that this whole thing has been concocted to garner publicity and somehow profit financially," Shelby County District Attorney General John Pierotti said Thursday. Still, Pierotti says he is looking into Jowers' story.

Robert K. Dwyer, the Memphis lawyer who would have prosecuted Ray if the murder case had gone to trial in 1969, earlier this month called the latest King assassination theory "a joke."

"It's 25 years later, and now all of these people come forward?" asked Dwyer, now a judge on the Tennessee Court of Criminal Appeals.

Jowers' conspiracy theory "is a bunch of crap, as far as I'm concerned," said retired police inspector N.E. Zachary, who headed the Memphis Police Department's original investigation of King's murder.

But a conspiracy has been talked

Kentucky Lottery

The winning numbers in last night's Kentucky Lottery drawing were unavailable at press time.



An investigative report suggests someone tried to blame former Memphis businessman Loyd Jowers, shown in a cable TV documentary a few years ago, in the death of the Rev. Martin Luther King Jr. just months after the slaying.

about almost from the outset, as shown by Spates' statement to investigators in 1969.

Investigators working for then-Shelby County District Attorney General Phil Canale questioned the waitress Feb. 12, 1969, a few weeks before Ray was set to go to trial in King's death.

Memphis police and FBI officials said they were satisfied they could

prove that Ray had stalked King across several states and then shot the civil rights leader from the bathroom of a rooming house upstairs from Jim's Grill. The balcony on which King was standing when he was shot is just over 200 feet from the bathroom window.

But the case came to an abrupt halt March 10, 1969, when Ray pleaded guilty to first-degree mur-

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Attorney for James Earl Ray

der in exchange for a 99-year prison sentence rather than risking the death penalty.

Ray, though, began trying to withdraw his guilty plea three days later, and has insisted since that he had been lured to Memphis by a gun deal, but had nothing to do with the assassination.

Pepper is the latest in a string of lawyers who have tried to prove that Ray was wrongly convicted.

In preparing for a made-for-television mock trial of Ray to commemorate the 25th anniversary of King's assassination earlier this year, Pepper said he found evidence that pointed to Jowers' involvement in King's killing.

In her 1969 statement to Memphis investigators, Spates said the ball bondsman she identified as "Mr. Wright" offered her money to say Jowers was King's murderer.

"I told him my life was worth more than \$5,000," Spates said, according to the 1969 statement, obtained by *The Tennessean* from the district attorney general's office.

Spates insisted, under questioning by a district attorney's investigator, that she knew nothing about the King assassination.

Wright acknowledged Thursday that he was a regular customer at Jim's Grill. He said he knew Spates as a waitress, but said he never asked her to implicate Jowers.

But, Wright said, Spates told him shortly after King was killed that she suspected Memphis police were somehow involved in the assassination because several officers visited the kitchen at Jim's Grill, which had a view of the Lorraine Motel, before King checked in there.

Wright said Spates also told him the real murder weapon was thrown into the yard behind the restaurant, not dropped on the street in front of a nearby amusement company.

Police found a rifle like the one used to kill King in the company's doorway. It bore Ray's fingerprints,

but ballistics tests could not prove it was the gun that killed King.

Wright said he heard nothing about Spates for many years until "some people from England" — where Pepper is based — came to his home last year, researching the King murder case for the televised mock trial.

Spates is one of 12 witnesses listed by Memphis attorney Wayne Chastain, who is working with Pepper, in a request for a new Shelby County grand jury investigation.

The list of prospective witnesses also includes two of Spates' sisters, Bobby Smith and Alda Washington.

Bobby Smith, who worked at Jim's Grill with Spates in 1968, could not be reached for comment.

In a telephone interview Tuesday, Washington said she worked at Jim's Grill sometime after King was killed, but knew nothing about the King assassination and has never heard that Jowers was involved in the crime.

She said she does not know why Chastain included her on the witness list.

Garrison asked Pierotti last summer to grant Jowers, Akins and the three Smith sisters immunity from prosecution in exchange for information they might have about a plot to kill King.

The Liberto-Jowers-Holt conspiracy theory surfaced publicly only after the London newspaper *Observer* reported the outlines of the theory without using names Dec. 12.

Garrison, Jowers' attorney, said he began seeking immunity for Jowers, Akins and the three sisters when he learned Ray's attorney was threatening to release their identities.

Pierotti has said he would not grant immunity to anyone who had a role in planning King's assassination, but that Garrison's four other clients would not face prosecution if all they knew about the King case came after the fact. ■