

# Report by a Missouri Man Suggests Plotters Sought Murder of Dr. King

## He Tells of Spurning \$50,000 Offer to Arrange Death and of Link to the Prison Where Ray Was Held

The following article is based on reporting by Nicholas M. Horrock, Anthony Marro and Wendell Rawls Jr. It was written by Mr. Horrock.

7/26/78  
ST. LOUIS, July 25 — A 46-year-old man here has told the House assassination committee that late in 1966 or early in 1967 he turned down an offer of \$50,000 to arrange the death of the Rev. Dr. Martin Luther King Jr.

Russell G. Byers, a former auto parts dealer, acknowledged in an interview with The New York Times that he had told the committee that two men from Imperial, Mo., had offered him the money on behalf of a group of businessmen to kill the civil rights leader, who was assassinated on April 4, 1968. Both men have since died, but their wives said that they did not believe the story.

The account has spurred an intense inquiry by investigators for the committee, largely because Mr. Byers's brother-in-law, John Spica, was serving a murder term at the time of the alleged offer in the Missouri State Penitentiary, where James Earl Ray, later convicted of killing Dr. King, was also a prisoner. The committee plans to administer a lie-detector test to Mr. Ray as a result of the Byers report.

### Says He Rejected Offer

Mr. Byers told The Times that he had rejected the proposal and had not informed Mr. Spica about it. But he said he had suspected that word of a bounty on Dr. King's life might have reached men inside the prison through other routes.

A three-month investigation by the House committee, and an independent inquiry by a team of reporters for The New York Times, have uncovered a series of circumstantial connections leading from Mr. Byers and the two men from Imperial, Mo., into the state penitentiary, from which James Earl Ray escaped on April 23, 1967, almost a year before the fatal shooting of Dr. King in Memphis, Tenn.

### Serving 99-Year Term

Mr. Ray is serving a 99-year prison term in Tennessee for the murder of Dr. King. Mr. Ray, who pleaded guilty to the murder, has more recently denied from time to time that he fired the fatal shot and has repeatedly requested a new trial, which he maintains would place the blame on others whose identity has not

been disclosed so far.

Although no evidence has yet been produced that establishes a direct link between the alleged proposal to Mr. Byers and the death of Dr. King, this is the first of many conspiracy allegations that leads directly into the Missouri prison. At the prison, it was widely rumored in 1966 and 1967 that a conservative business group was willing to pay a large sum of money to anyone who would murder Dr. King.

House investigators are reported to regard this trail of evidence as one of the most tangible avenues of inquiry in their

explorations into the deaths of Dr. King and President John F. Kennedy.

The investigators have declined to comment on the allegations of Mr. Byers, but it is clear, from interviews with some of the persons that they have questioned, and from some of the public records that they are known to have checked, that they are trying to determine whether the information adds up to a true conspiracy, or whether they have merely come across

Continued on Page A12, Column 3

### Continued From Page A1

a chain of casual acquaintanceships in a criminal setting.

Mr. Byers, who has been granted immunity from prosecution in this case and has testified under oath in Washington, said he could give no reason why the two men from Imperial should have presented him with such an offer. He has given no documentary corroboration for his allegation, but acknowledged in an interview that 10 years ago he had told others about the alleged plot.

He said he had been so "shocked and surprised" by the offer that after Dr. King was shot he told two lawyers and other unnamed persons about it.

### F.B.I. Withholds Comment

One of those he told, he said, was an informer for the Federal Bureau of Investigation, and he said that the bureau had been given the details of the matter. Mr. Byers said the F.B.I. had never followed

up on his report nor had anyone in the bureau talked to him about it. He said he suspected that the F.B.I. would now be "embarrassed" by its failure to investigate the matter fully.

The F.B.I.'s chief spokesman, Homer Boynton, would not comment specifically on the allegations today, except to say, without identifying any of the parties involved, that "certain information" concerning the assassination of Dr. King was provided to the bureau's St. Louis office in 1973.

A bureau source, however, said that the agents who received the information had simply filed it under the name of the informer and under the name of Mr. Byers, and had never made it a part of the assassination case file, and had never questioned Mr. Byers about it. "It just sat there for the past five years," he said.

### Came to Light in March

Mr. Boynton said that the information came to light in March of this year, when the files in St. Louis were being reviewed in connection with a separate matter. "It was forwarded to F.B.I. headquarters and to the Department of Justice for transmittal to the House Select Committee," he said.

He said the information was "limited in nature," and that, because of the way it had been filed in St. Louis, "it was not retrievable to anyone requesting information about Martin Luther King."

House investigators have been looking into the question of whether a plot was concocted to help Mr. Ray to escape and to finance his stalking of Dr. King in the months that followed.

Mr. Byers said he suspected that the offer to him has been an effort to recruit a dupe who would not actually commit the murder but who would be arrested for it. "They were looking for a pig," he said, suggesting that he suspected that the men who approached him were looking for someone to be slaughtered.

House investigators have also been trying to determine if Mr. Byers transmitted the offer to his brother-in-law, Mr. Spica, 40 years old, who in 1967 was serving a life sentence at the prison following his conviction in the contract killing in 1963 of a wealthy St. Louis real estate

Mr. Spica reportedly occupied a cell near Mr. Ray's — it was six cells away — and at one point worked with Mr. Ray in the prison bakery.

### Operates Fruit Stand

Mr. Byers said in an interview that he had not told Mr. Spica about the \$50,000 bounty until "just a little while ago" and that there was no record of his visiting Mr. Spica in prison prior to Dr. King's death.

Mr. Spica, who was released on parole in 1973, now operates a fruit stand here. When two reporters from The Times attempted to interview him about the matter, Mr. Spica threatened: "I'll blow your head off" if they did not leave his store. He angrily declined to answer any questions.

According to what Mr. Byers told the

House committee, whose official name is the House Select Committee on Assassinations, a friend and business associate, John R. Kauffmann, who was 61 years old in 1966, invited him to a meeting with John H. Sutherland, a prominent St. Louis patent lawyer. At the meeting, he said, Mr. Sutherland told him that a group of businessmen would pay \$50,000 for the murder of Dr. King.

The widows of both Mr. Kauffmann and Mr. Sutherland said that they knew nothing about the alleged plot until they were questioned by House investigators this year. They also said that they did not believe that their husbands could have been involved in such a plot.

Mr. Sutherland, who died in 1970, had been a member of Gov. George C. Wallace's American Independent Party, a leader of the White Citizens Council of St.

and convicted on charges that he sold 100,000 amphetamine capsules to a Federal narcotics agent. He served a brief sentence at the Federal Medical Facility at Springfield, Ill.

His widow, Beulah G. Kauffmann, said in an interview that the first time she heard about the alleged murder plot was in May, when House investigators came to her home and questioned her. She said that it was "absolutely impossible" that her husband could have been involved in such a matter.

#### Charges Fabrication

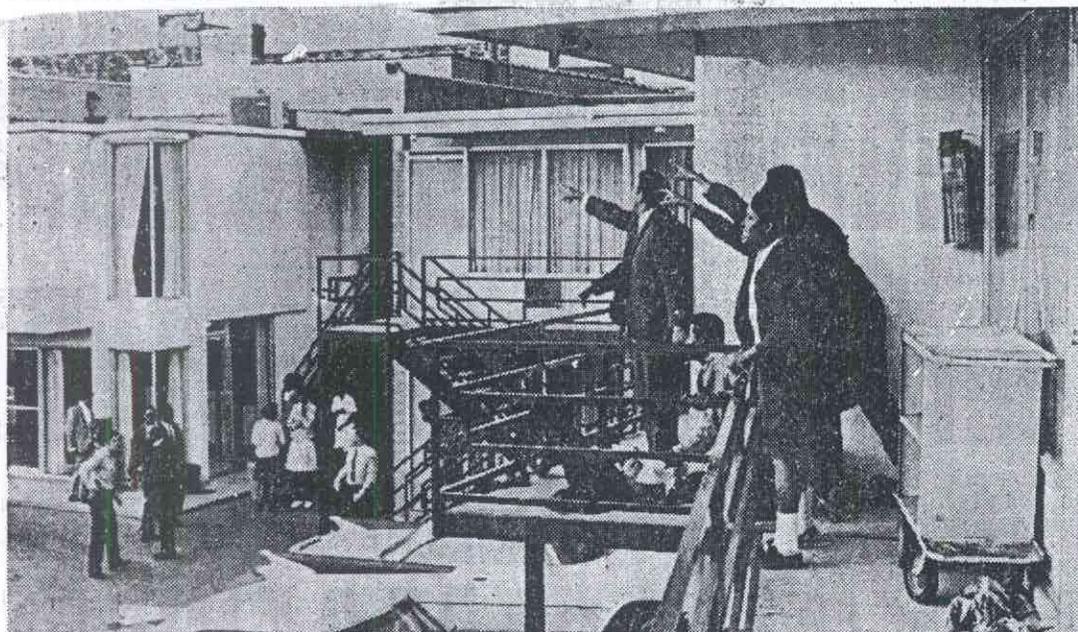
She said that her husband had known Mr. Byers for nearly two decades and she believed that Mr. Byers had fabricated the allegation about her husband to "help himself get out of the art case." Mr. Byers was implicated as a buyer of stolen

ference between her age and that of her husband, and that a former convict working on the property had ordered Mr. Spica to leave. If Mrs. Kauffmann's memory of the date is correct, it would mean that Mr. Spica was able to make an out-of-prison social visit while serving a life sentence for murder. Mrs. Kauffmann said that convicts had told her that Mr. Spica was able to take "furloughs" on holidays.

#### Doctor Now 84

Records at the Missouri penitentiary records indicate that Mr. Spica did not receive his first authorized "furlough" until 1972, but they also showed that he was in the Clayton County jail in Missouri, seeking a new trial, between October 1968 (nearly six months after Dr. King's death) and May 1, 1969.

Dr. Maxey, now 84 and totally deaf,



1968, Time Inc., via Associated Press

The Rev. Dr. Martin Luther King Jr. lying on the balcony of motel in Memphis moments after he was struck by an assassin's bullet. Aides surrounded him, pointing in the direction of the shot.

ouis and an official of the Southern States Industrial Council, a conservative group. One legal colleague said Mr. Sutherland had been a segregationist but not a "violent man."

#### Associated in Business

Mr. Kauffmann and Mr. Sutherland were associated in the ownership of a small water company in Imperial and lived near each other in that small semi-rural community south of here.

Mr. Byers said that Mr. Kauffmann had not been involved in racial politics nor had he been an outspoken segregationist. "His orientation was money," Mr. Byers said. He suggested that Mr. Kauffmann had been acting only as a go-between in this matter.

In 1967 Mr. Kauffmann was indicted

goods in an investigation involving the theft last spring of a well-known Frederic Remington bronze sculpture, the "Bronco Buster," but prosecutors later dropped the charges.

Mrs. Kauffmann said that one of her husband's closest friends had been Dr. Hugh W. Maxey, the chief physician at the Missouri penitentiary. She said that over the years her husband had had a "little rehabilitation program" at his motel in Imperial, and had provided work for former convicts. She said at least one of these convicts had been placed there by Dr. Maxey.

She also said that on at least one occasion in 1966, John Spica came to visit her husband with Mr. Byers. She said she remembered the incident because Mr. Spica made a rude remark about the dif-

said in response to written questions that he had had no involvement in a plot to kill Dr. King. He acknowledged that he had known Mr. Kauffmann and that he had often been a guest at Mr. Kauffmann's motel. He said that he had had only had a brief acquaintanceship with Mr. Sutherland.

For medical reasons, The Times was allowed to interview Dr. Maxey for only 10 minutes. His answers indicate that he could not recall the name of John Paul Spica.

However, prison records show that Mr. Spica worked in the medical department of the prison from May 1964 until January 1966.

Published reports have contradicted one another on how James Earl Ray escaped from the prison on April 23, 1967. In one interview Mr. Ray said he had gone over the wall without assistance. But a report issued in January 1977 by the Department of Justice said that the most plausible escape story was that Mr. Ray had reached freedom with the help of accomplices by secreting himself in a breadbox and being lifted onto a prison truck that delivered food to outlying prison farms.

According to information obtained by House investigators, Mr. Spica and Mr. Ray worked together in the prison's food service section at one point in their prison careers. But prison records show that at the time of Mr. Ray's escape, Mr. Spica was assigned to the prison's maintenance department.

#### F.B.I. Admonished for Lapse

The Justice Department report in 1977 admonished the F.B.I. for its failure to develop fully whether James Earl Ray's family, his brothers John Larry Ray and Jerry Ray and his sister Carol Ray Pepper, had aided him in his escape or flight through the country. The members of the Ray family have denied any wrongdoing.

But House investigators are studying the relationship, if any, between Mr. Spica and the Ray family. Their attention centers on the Grapevine Tavern, a small neighborhood bar in South St. Louis, Mo., on which Mrs. Pepper held the license between November 1967 and December 1968.

In 1968 an employee of the tavern was Neoma Regazzi, according to sources familiar with the investigation. She is the former wife of Robert Regazzi, a seafood business operator from St. Charles, Mo.

Mr. Regazzi said in an interview that his son drowned in the Missouri River on July 23, 1968, and that during the search for the youngster's body, Mrs. Regazzi introduced him to her companion, John L.

Ray, and later introduced him to James Earl Ray's other brother, Jerry.

Mr. Regazzi said that at the time John Ray said that he did not believe that his brother had killed Dr. King, but Mr. Regazzi said there had not been an extensive discussion of the assassination.

Mr. Regazzi said he also knew John Spica, whom he had met years earlier when both were incarcerated at the St. Louis County jail at Clayton, Mo. But Mr. Regazzi said that he had never heard from any source that a \$50,000 bounty had been offered to kill Dr. King. And he said that he had not discussed such a matter with Mr. Spica or anyone else and that he had had no part in such a plot.

Mr. Regazzi is on probation from Federal court on a charge of receiving stolen goods in connection with the theft of 35,000 pounds of pork. Mr. Regazzi said he did not believe that his former wife knew any details of the Ray escape. He said that he did not know her present whereabouts or her present married name, but he said that he had heard infor-

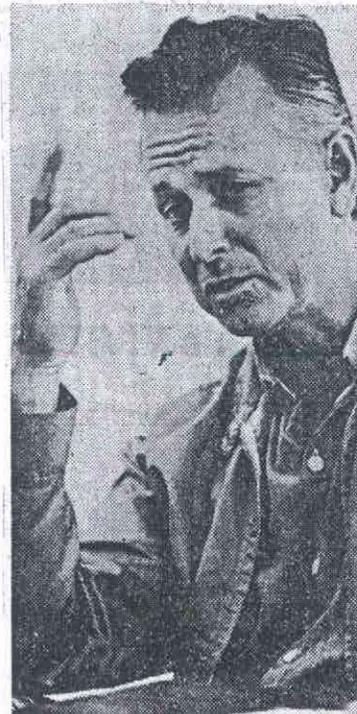
mally that she had been questioned recently by the F.B.I.

Thus, House investigators are pursuing a number of leads that suggest at least casual links between the persons who allegedly made the proposal to Mr. Byers and James Earl Ray. These leads suggest one possible route through which information about a bounty on Dr. King might have found its way into the prison.

#### Notation on Records

The man alleged to have made the proposal, Mr. Sutherland, died eight years ago of a heart attack, leaving an estate valued at several hundred thousands dollars. A note attached to the probate records in the Jefferson County, Mo., courthouse now reads: "Do not destroy this file — may be subpoenaed by Congressional Committee (Select Committee on Assassinations)."

Mr. Sutherland's widow, Anna Lee Sutherland, declined to be interviewed, saying through her attorney that she was cooperating with the House investigation,



James Earl Ray, in a photo made last year in Tennessee prison.

and that she believed that it would be improper to grant private interviews. She is reported, however, to have told committee staff members that she had never heard of the alleged plot before, and that she believed that it was impossible that her husband could have been involved in it.

One of Mr. Sutherland's former law partners, Philip B. Polster, said that although Mr. Sutherland had been a conservative on matters of race, he did not believe that Mr. Sutherland had had the sort of "violent" personality that one would expect of a person making such a proposal.

As a patent lawyer in this Mississippi River city, Mr. Sutherland represented a large number of corporate clients. At one point he was a local official of the Southern States Industrial Council, which was an outspoken lobbying organization against the civil rights legislation of the 1960's.

Some sources familiar with the inquiry agree that Mr. Byers's allegation is uncorroborated and that the lines into the prison may be no more than the casual relationships among persons who live in the same area, but they nonetheless argue that the situation merits the intense scrutiny that it is now receiving.

They also note that Mr. Byers did not offer, on his own, to cooperate, but testified only after the committee tracked him down. And they appear to believe that his account is buttressed to some extent by the fact that he told it to several persons at the time, and was not coming forward now, after the death of the persons who allegedly made the offer.

#### Asked Reporter to Withdraw

When reporters from The Times first interviewed Mr. Byers on the carport patio of his home in Rock Hill, Mo., a St. Louis suburb, he refused to discuss the case with more than one reporter present. After one reporter had withdrawn, Mr. Byers told the other newsman that the arrangement would allow him to deny that he had made any comment. He discussed the case, then, for 40 minutes.

Later, however, Mr. Byers instructed his lawyers, Roy Walther 3d and Terry B. Crouppen, that he did not want to talk further on the matter. Mr. Crouppen refused to confirm or deny any details of this matter and when reporters tried to question him he said he would "have to ask you to leave."

Several sources have said that the violence surrounding some figures in this matter might be intensified if its details were published.

In the recent burglary of the Remington sculpture, one of the suspects was mysteriously shot to death several months ago. Another source said the question of whether informers for the police and the Federal Bureau of Investigation might be exposed to jeopardy was "very real" in this case. The committee is expected to conduct a polygraph examination of Mr. Ray early next week. It has scheduled public hearings on the King assassination in August and additional hearings in November.

GIVE TO THE FRESH AIR FUND

## James Earl Ray: 10 Years of Notoriety and Protest

By WOLFGANG SAXON

From the time of the assassination of the Dr. Rev. Martin Luther King Jr. 10 years ago until this month, when the way was cleared for him to "go public" on Capitol Hill, James Earl Ray never allowed the public to put him out of mind for long.

Instead, Mr. Ray continually made news with denials of his guilt, with his role as a figure in conspiracy scenarios and with a spectacular jail break just over a year ago from Brushy Mountain State Prison, where he is serving a 99-term.

Over the years, Mr. Ray, now 50 years old, went through a succession of 11 lawyers, gave closed testimony to investigators of the House of Representatives and vainly pursued a quest for a new trial that, he insisted, would clear him of the accusation that he shot the civil rights leader in Memphis on April 4, 1968.

Twelve days ago, a Federal judge in Washington signed papers that would make it possible for Mr. Ray to be brought before the special House assassination committee. Members of the committee had previously questioned him behind closed doors in the Tennessee prison.

His most recent attorney, Mark Lane, said at the time that his client wanted to "go public" with his story. No immediate date for his committee appearance was set.

Mr. Lane, a New York lawyer, is the author of a book on the King assassination. Mr. Ray engaged him last October while involved in preliminary proceedings before a Criminal Court judge in Tennessee in connection with his trial on charges stemming from his escape from the state prison.

Mr. Ray told the judge that he wanted Jack Kershaw of Nashville, his previous lawyers, relieved because he had become "deeply involved in conflict of interest." The basis for this assertion was an interview that Mr. Kershaw had given to Playboy magazine.

The interview included results of polygraph tests purporting to show that Mr. Ray lied when he denied killing Dr. King as the civil rights leader stood on the balcony of a Memphis motel. Mr. Ray was accused of shooting Dr. King, acting alone, from a window of a nearby rooming house.

Mr. Ray was apprehended in London on June 8, 1968, two months after the assassination. In that time, he led the authorities on a 25,000-mile chase through three countries.

Among fellow prisoners, Mr. Ray had always been known as an escape artist, constantly plotting ways to get out. He succeeded in 1967 by slipping out of the Missouri State Penitentiary at Jefferson City. Prison offi-

cial never figured out how he managed it.

Then, on the night of June 10, 1977, he and five other inmates bolted over the wall of the maximum-security prison in Tennessee, executing an ingenious escape plot attributed to Mr. Ray. All of those who escaped were recaptured within days; Mr. Ray was seized a few miles from the prison after 54 hours.

The State of Tennessee then wanted the Federal Government to take charge of Mr. Ray, but his attorney contended that Mr. Ray would be in "grave danger" from those who want to keep secret the details of the King assassination if he were transferred to a Federal institution.

Mr. Ray, along with the others who escaped, was put in solitary confinement at Brushy Mountain until January.

Also in January, the Federal Bureau of Investigation made public its conclusion that Mr. Ray had financed himself through a series of robberies in the two months as a fugitive after the King assassination. The F.B.I. files disputed assertions that he had been financially supported by co-conspirators.

The documents disclosed that Mr. Ray was preparing for a flight to South Africa just before he was seized at London's Heathrow Airport in 1968.