

Informer's Story

Report of Payoff In King Murder

Washington

The FBI received a report in March, 1974, that an Imperial, Mo., businessman was "the individual who made the payoff of James Earl Ray after the killing" of Dr. Martin Luther King, according to bureau documents made public yesterday.

The documents, released under the Freedom of Information Act to Harold Weissberg, a private investigator of assassination matters, and the New York Times, included an FBI control agent's account in 1974 of an informer's report to him in late 1973.

It was based upon the informant's conversation with Russell G. Byers, a one-time St. Louis auto-parts dealer who is now a witness before the House Select Committee on Assassinations.

Although the censored document did not specify who Byers said had made the payoff to Ray, government sources said he had identified the man as John H. Kauffmann, a former stockbroker who died in 1974. Byers last week confirmed to the New York Times that he had told the committee that Kauffmann and a Missouri lawyer had offered him \$50,000 to arrange the assassination of King, and that he turned the offer down.

But the documents released yesterday showed that in 1973

Byers told an FBI informant that one of these two men had paid off Ray after King's murder on April 4, 1968. Ray is serving a 99-year sentence in Tennessee for the killing. He has said, after pleading guilty, that he did not shoot the black leader.

There is no indication that Byers presented any corroboration for the charge that Kauffmann paid Ray. The memorandum made public by the FBI yesterday notes, "Sometime later (lengthy deletion) this individual advised (short deletion) that Byers truly is a 'very treacherous guy,' cautioning him to stay away from him if he wanted to stay out of trouble."

In an interview with a New York Times reporter on July 18, Byers confirmed that he met with John K. Sutherland, a patent lawyer from Imperial, Mo., and John R. Kauffmann, a one-time stockbroker, in late 1966 or early 1967 and that they offered him \$50,000 for the King murder. Byers said he turned down the offer. He did not say in that interview that Kauffmann paid Ray after the crime.

Both Sutherland and Kauffmann are dead and their widows have said they do not believe their late husbands would have become involved in such a plot. Byers told this story to persons in 1968 and again in 1973.

S.F. Massacre Suspect Denied Venue Change

A request for a change of venue by lawyers for Curtis Tam, a defendant in the Golden Dragon restaurant massacre case, was denied yesterday by the state Court of Appeal.

The ruling clears the way for Tam's trial to proceed in Superior Court here August 14 on multiple murder and assault charges arising from the shootings at the Golden Dragon in Chinatown last year.

The judges could consider another request to move the trial "if an impartial jury cannot be selected at the time of the trial."

The FBI did not investigate the report or even interview Kauffmann about it. Bureau spokesmen have said the allegation did not receive proper dissemination within the bureau.

An inquiry by New York Times reporters has uncovered court testimony that Kauffmann was smuggling amphetamine powder into the Missouri State Penitentiary, where Ray was serving a robbery sentence, in 1966. According to some accounts of Ray's activities, he was receiving money from the sale of drugs in prison. It is from this penitentiary that Ray escaped a year before King's death.

New York Times