

Byers Knew Of Ray Payoff, Informant Told FBI In 1973

WASHINGTON — The Federal Bureau of Investigation received information in 1973 that Russell G. Byers, a former anti-piracy dealer and police character from Rock Hill, Mo., knew who "made the payoff of James Earl Ray" after the assassination of the Rev. Dr. Martin Luther King Jr.

Byers' accusation, reported by an informant, is contained in an internal St. Louis FBI office memorandum made available Wednesday to the Post-Dispatch under the Freedom of Information Act.

The memorandum, which went un-noticed for four years in the wrong file in St. Louis, does not give the name of the man identified by Byers. But it describes the man as "a short, stocky man who walked with a limp."

This description, several sources have told the Post-Dispatch, fits John R. Kauffmann, a one-time stockbroker of Imperial, Mo. Byers has reportedly told investigators for the House Assassinations Committee that Kauffmann and John H. Sutherland, both now dead, asked Byers to arrange King's murder.

Byers refused to comment on the FBI memo when reached at his Rock Hill home Wednesday night. He said the House committee had asked him not to make public statements.

Byers was keenly interested, however, in the new disclosures. He carefully analyzed the copy of the FBI memo released Wednesday. And, while humming a tune, he read through a New York Times story about the memo.

Byers' allegations are currently under scrutiny by the House Committee on Assassinations, which is holding hearings on the slaying of Dr. King.

Information for this story was provided by Paul Wagman, Robert Adams, Gerald M. Boyd, William Freivogel and J. Pulitzer, all of the Post-Dispatch staff.

All names but that of Byers were deleted from the FBI memorandum by the Freedom of Information Privacy Acts Branch. But the memorandum discussed a meeting among Byers and two men in which Byers said he "had been offered either \$10,000 or \$20,000 to kill King."

Sources have told the Post-Dispatch that Byers told House investigators that Kauffmann and Sutherland, a patent lawyer, also from Imperial, asked him to arrange King's murder.

The memorandum, dated March 19, 1974, was written by a St. Louis agent of the FBI on the basis of information supplied by an informant.

"In the fall of 1973," the memorandum reads, "Byers (the name is consistently misspelled in the memo) talked freely about himself and his business, and they later went to (short deletion, by FBI) where Byers told a story about visiting

a lawyer in St. Louis County, now deceased, not further identified, who had offered to give him a contract to kill Martin Luther King. He said that also present was a short, stocky man, who walked with a limp."

The memorandum then continues with this sentence, enclosed in parentheses:

"Later with regard to the latter individual, Byers commented that this man was actually the individual who made the payoff of James Earl Ray after the killing."

Several sources have told the Post-Dispatch that Kauffmann was short, overweight and walked with a marked limp after being injured in an automobile accident several years prior to the events described by Byers.

One source said that accident also seemed to have impaired Kauffmann

mentally. "He was a completely different man after that." In fact, when Kauffmann was arrested in 1967 for selling 500,000 amphetamine pills to a federal agent he asked his attorney if he could plead innocent by reason of insanity, the source said. That idea was abandoned, however, and Kauffmann was convicted. Kauffmann, a stockbroker and business man, died in 1973.

His wife Beulah G. Kauffmann testified for about three hours last week before the House select committee.

The committee did not ask her about the allegation that a "short, stocky man, who walked with a limp, had paid off Ray," the Post-Dispatch was told by a source familiar with her interrogation. Mrs. Kauffmann refused to discuss the

Byers

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matter, hanging up on a reporter Wednesday night.

The memorandum largely jibes with an account Byers gave about the same time to a reputable St. Louisan.

In about 1974, the St. Louisan told the Post-Dispatch. Byers told him that a stockbroker who had lost his license was involved in offering Byers \$50,000 for King's murder. The stockbroker apparently was Kaufmann.

The \$50,000 figure differs from the \$10,000 to \$20,000 figure cited in the FBI memo. Byers said he never intended to go through with the plot, but followed along for awhile out of curiosity.

Byers allegations have led investigators to speculate that his brother-in-law, John Paul Spica, might have conveyed word of the bounty to Ray at the Missouri Penitentiary, where both were serving sentences at the time of the alleged offer in late 1966 or early 1967.

Spica, who now runs a fruit stand in St. Louis, has denied having any dealings with Ray.

Members of the House committee have refused to say how seriously they are

taking Byers' story. One committee source told the Post-Dispatch that the panel is undecided.

"We're just working on it," the source said. "We haven't come to any conclusions as to how seriously to take it."

The source noted, however, that the intensity of the committee's efforts shows that the panel considers the story well worth investigation.

"Certain things appear to corroborate the story," the source said, without elaborating. "But at this point, we're just following up all angles... Basically, we take anything like this seriously until we prove otherwise."

Byers' allegations have focused attention on Kaufmann and Sutherland, whose names had not been mentioned publicly in connection with the King case until last week.

The FBI memorandum went unnoticed by investigators looking into King's assassination for four years because it was filed under Byers' name and not cross-referenced. It was uncovered in March when investigators were reviewing Byers' file in connection with the

theft of statues from the St. Louis Art Museum earlier this year.

Byers is described in the memorandum as a "very treacherous guy." The description apparently came from an associate of the FBI informant, who cautioned the informant "to stay from him if he wanted to stay out of trouble."

One of the investigators on the staff of the House committee was the federal drug agent who 11 years ago led the investigation into Kaufmann's illegal sale of amphetamines. Kaufmann was convicted in 1967.

The investigator Harold D. Leap, has been on the committee staff since last year. That indicates that he was not just hired to follow up on the Kaufmann angle, which was disclosed to the committee in March.

While heading the successful effort to prosecute Kaufmann and seven co-defendants, Leap, was wounded in a shooting on a country road in St. Louis County.

No arrests were ever made in the shooting.

A well-placed source said drug agents suspected one of Kaufmann's co-defendants, but no evidence was developed linking any co-defendant to the shooting.

In addition two St. Louis County policemen who investigating said they and federal drug agents had questioned the authenticity of Leap's story.

Leap told county police that a car blocked his path on Sulphur Springs Road on his way back home after a late night meeting Sept. 22, 1967, with the informant, who had helped make the case against Kaufmann. The informant, Dallas Barr, had taken active part in Kaufmann's illegal amphetamine operation.

Leap said he struggled outside his car with two men from the other car before being shot in the head by his own pistol. The wound was superficial and he soon regained consciousness.

Leap refused to comment on his work with the assassinations committee or the shooting.