

July 27, 1975

Ray's Testimony Sought In Alleged Plot On Dr. King

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WASHINGTON — A House committee investigating the assassination of the Rev. Dr. Martin Luther King is seeking the testimony of James Earl Ray as a result of allegations by Russell G. Byers of Rock Hill that Byers was offered \$50,000 to kill King, the Post-Dispatch has learned.

Sources close to the investigation said that testimony this spring by Byers, 46, of the 9300 block of Fredric Court, had raised questions among committee members of a conspiracy to kill King.

But Mark Lane, an attorney for Ray, said Ray had never had any dealings with Byers and had never been questioned about the alleged offer. He said

also that the Byers' allegations were leaked to promote the idea of a conspiracy and thus shift attention from the Federal Bureau of Investigation, which Lane contends is involved in the King killing.

Ray is serving a 99-year prison sentence after pleading guilty to the shooting death of King on April 4, 1968 in Memphis, Tenn. Since pleading guilty, however, Ray has denied responsibility for King's assassination and has asked repeatedly for a new trial.

Byers testified that he turned down the offer by two men from Imperial, Mo., in late 1966 or early 1967, sources said. Byers said the men offered him the money in behalf of a group of conservative businessmen who wanted King silenced as a civil rights leader, the source

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es said. Both men implicated by Byers are dead.

The Post-Dispatch was told that the committee might never have heard from Byers had he not become implicated in last winter's burglaries at the St. Louis Art Museum. A routine check of his file at the St. Louis FBI office turned up a version of Byers' allegations written five years ago and inadvertently misfiled, sources told the Post-Dispatch.

The file search on Byers was requested by local officials investigating the Art Museum burglaries, sources told the Post-Dispatch. An FBI spokesman in Washington said it was forwarded in March to the Washington office for use by the House Select Committee on Assassinations, which is investigating King's death.

Lane, reached at his home in Venice, Calif., said he was present last May when four members of the House committee interviewed Ray at the Tennessee state prison where Ray is incarcerated. No questions were asked at that time, or at other interviews where Lane

was present, concerning Byers or other individuals implicated by Byers in the alleged offer to kill King, Lane said.

"I don't think James (Earl Ray) knows anything about them," Lane said. "It's a deliberate selective leak of alleged evidence to make it seem like James got some money while trying to cover up the fact that the FBI was involved somehow in the murder."

Lane said James L. Wolf, deputy chief counsel of the House select committee, had informed him Wednesday that Ray must take a lie-detector test to determine whether his statements were true.

Wolf, reached in Washington, would not comment on Lane's charges and would not confirm or deny talking to Lane. He said, however, that under procedural rules of the select committee, polygraph tests were voluntary and were not a condition for giving testimony. Wolf refused to confirm that Ray would testify before the committee, saying that the information was still confidential.

Lane said that making Ray take a lie-

detector test was an attempt to cast doubt on Ray's credibility in the event that his testimony should implicate the FBI in King's assassination.

Sources close to the select committee said members were concerned about the five-year delay in obtaining the FBI informant's account of the alleged offer to Byers.

Homer Boynton, an FBI spokesman in Washington, told the Post-Dispatch Wednesday that the bureau's St. Louis office had received "certain information relating to the Martin Luther King assassination" in 1973.

But that information was filed only under the names of the informant and Byers, sources said, and never cross-indexed under the King file. It was discovered only by accident in checking Byers' file on a request from local authorities investigating the Art Museum thefts, sources said.

Boynton said that the agent who had misfiled the information had retired and that no internal inquiry was planned. He also refused to identify the agent.

Other FBI sources told the New York

Times that the agent had violated bureau rules by not notifying other agents or authorities investigating King's death.

"He may have thought it was a frivolous allegation, but that wasn't his decision to make," an FBI source told the Times. "The information was supposed to go to a supervisor or some agent who had worked that investigation for them to evaluate."

Although Boynton dismissed the matter as an honest error, several FBI and Justice Department sources said the disclosure was causing great embarrassment at bureau headquarters.

They noted also that the failure to investigate the allegations promptly might have been costly, because the second of the two men said to have offered \$50,000 for the murder of King has since died, making the story far more difficult to corroborate or discredit.

Byers' allegations have led House investigators to his brother-in-law, John Paul Spica, who at the time of the alleged offer to Byers was serving a life sentence for murder at the Missouri

State Penitentiary.

Prison records indicate that Spica and James Earl Ray were housed in the same cell block at that time, and that they worked in the prison bakery together for a period. Authorities have speculated that word of a bounty on King's life may have reached the prison from Spica.

Byers, however, told the House committee that he had not informed Spica of the offer until recently, sources said. But Byers speculated that word of the bounty on King's life might have reached inmates there from other sources in his testimony to the House select committee, the sources said.

Spica, who was paroled in 1973, now operates a fruit stand at Vandeventer and Shaw avenues. He said in an interview Wednesday that he knew nothing of a bounty on King's life.

In his testimony, Byers speculated that he was offered the \$50,000 to arrange King's death so that he would be a "fall guy" who would not actually commit the murder, but who could be blamed for it later because of the al-

leged offer, sources said.

Authorities familiar with Byers described him as a "middle man" in criminal dealings and generally believed that he would not be approached as a hired killer.

Byers was charged with burglary in connection with the theft of several statues from the Art Museum last January, but the charges were later dropped by the St. Louis circuit attorney's office.

The New York Times account of Byers' appearance before the House committee said that he had been granted immunity from prosecution in King's assassination in return for his sworn testimony.

A widow of one of the Imperial, Mo., men implicated by Byers in the offer to kill King said her husband knew Byers, but denied that he had ever heard of any such offer.

Sources said the woman had left St. Louis for Washington Wednesday to testify before the House committee. A spokesman for the committee would not confirm or deny the report.