

SAC, MEMPHIS (44-1987)

8/2/79

SAC, ST. LOUIS (44-775) (RUC)

MURKIN  
OO: MEMPHIS

Enclosed for Memphis is the original of a letter from WYNDELL SPIVEY received 7/25/79.

For information of Memphis, enclosed letter was received by National Personnel Records Center, Military Branch, St. Louis, Mo., and furnished to the FBI on 7/25/79, by J. D. KELGORE, Director.

The letter indicates that SPIVEY has a "confession" to make relating to the murder of Doctor KING.

Memphis should interview SPIVEY.

2 - Memphis (Enc. 1)  
① - St. Louis  
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**Conclusion On Martin Luther King's Death****Questioned****A Plot,****Right Here  
In St. Louis?****By William Freivogel**  
Of the Post-Dispatch Staff

Are we to believe that the plot to assassinate the Rev. Dr. Martin Luther King was spawned right here?

Are we to believe that a reputable St. Louis patent attorney, whose clients included the area's largest corporations and whose children attended the area's most prestigious schools, turned his back on the law and put a \$50,000 bounty on King's head?

Are we to believe that the assassination plot probably took root among the flats of Arsenal Street in the shadow of the breweries and set James Earl Ray on his way to Memphis?

The most expensive Congressional committee investigation in U.S. history concluded last week that we are indeed to believe it.

St. Louis patent lawyer John H. Sutherland was an eccentric Southern gentleman who "never let the Civil War die," the House Select Committee on Assassinations concluded in its final report.

One evening in 1966 or 1967, wearing a Confederate colonel's hat and sitting in a study decorated with Confederate flags and Civil War memorabilia, he is said to have offered to pay Russell G. Byers of Rock Hill \$50,000 to kill King. Byers has testified to it and the House committee says he has no reason to lie. Two St. Louis lawyers have testified that Byers told them about the offer. Of course, we are to believe it, the committee says.

But committee critics, like author George McMillan and assassinations expert Harold Weisberg, assert that there is no more support for the Sutherland theory than other of the dozens of similar theories that fill FBI files. Byers is one of the slickest professional criminals in St. Louis, they say. Why believe him?

AND EVEN IF Byers is right, there is the scantiest evidence that Sutherland's offer made it to Ray, the critics say. The committee's theory is that after Byers turned down Sutherland, the lawyer's offer was conveyed to Ray's brother, John Larry, by South Siders working with Sutherland in the 1968 presidential campaign of George C. Wallace.

One of Sutherland's associates in that campaign lived only 100 feet from John Ray's Grapevine tavern on Arsenal. She was in the saloon at least once and other Wallace workers patronized it.

These critics of the committee report call preposterous the committee's conclusion that Ray "may simply have been aware of the offer and acted with a general expectation of payment after the assassination."

Not even a bumbling criminal like Ray would act without some assurance that he would be able to collect, the critics say.

The Post-Dispatch interviewed committee investigators, committee critics and two of those involved in the events themselves in evaluating the committee's final report.

THE EVALUATION shows that there is indeed substantial reason to believe that Sutherland offered a bounty for King's death.

But the belief that members of the Wallace campaign in South St. Louis transmitted it to the Ray family — while

(Indicate page, name of newspaper, city and state.)

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Post Dispatch,  
St. Louis, Missouri

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logical — is merely speculation. The absence of that link casts doubt on whether Sutherland's offer led to the assassination.

The committee made two other major contributions to knowledge about the King assassination.

First, it scotched countless theories supported by conspiracy advocates. The committee found no support, for example, for the theory that the FBI or CIA had been involved.

Second, the committee's extensive questioning of Ray undermined his claim that a mystery man named Raoul, not he, had masterminded the assassination.

**WHETHER THESE** findings, and the committee's investigation of the assassination of former President John F. Kennedy, are worth \$5.4 million, is hotly debated.

Those who challenge the finding that Sutherland offered a bounty on King, primarily attack Byers' credibility. Weisberg, who has spent years investigating the Kennedy and King assassinations, puts it this way: "The story is inherently incredible. It was made up by a professional crook named Byers to learn whether a friend was an FBI informant. He told the story to the friend and the story came back to him from the FBI."

The FBI says it first heard about Byers' allegation in a 1973 interview with one of its confidential informants here. The memo was misfiled and was not pursued until it was turned up by the FBI in a routine check of Byers' file in 1978.

Weisberg's criticism is supported by one of the two lawyers that Byers told about the plot, St. Louis Judge Murry R. Randall. Randall said in public testimony that Byers told him about the plot in 1974, but that he did not believe Byers.

**BUT TAKING** the other side of the Sutherland question last week was Conrad (Pete) Baetz — the committee investigator who conducted the study of the Byers allegation. In his first interview about the investigation, Baetz said that Byers had told Randall about the plot as early as 1968, well before Byers' supposed attempt in 1973 to test his associate.

Randall denied the 1968 conversation. But the committee concluded that Randall only denied the earlier conversation to undermine his own

credibility and avoid being subpoenaed to testify publicly.

That conclusion is substantiated by a Post-Dispatch source who said Randall had spoken last summer about the 1968 conversation.

The FBI informant himself discounted the theory that Byers was trying to unmask him. The informant, a former St. Louis antique dealer, agreed to be interviewed on the condition that his name not be published. He now lives in another Midwestern city.

"Byers told me too many things that he would not have told someone he suspected of being a snitch," he said. "He told me about robberies of art objects he was involved in and offered to sell me items."

**THE SECOND** St. Louis lawyer whom Byers told about the plot, Lawrence Weenick, told the committee he tended to believe Byers. "Byers had absolutely no reason to tell me this at the time he told it to me.... There was — there seems to be no credible reason why he would have made it up...." Weenick said.

Byers refused to be interviewed by the Post-Dispatch unless paid.

The committee gave credence to Byers' allegation about an offer from Sutherland in large part because of the characters of the men involved. Byers had a reputation for being one of the smartest professional criminals in St. Louis.

The man who allegedly introduced Sutherland and Byers was John R. Kauffmann, a long-time friend of Byers. Both Kauffmann and Sutherland lived near Imperial, Mo., in the 1960s and both were active in the 1968 Wallace presidential campaign. Both died in the 1970s.

In the 1940s and 1950s, Kauffmann was a stock broker, aircraft executive, and owner of an airport in Jefferson County who wielded political influence among St. Louis County Democrats whom he invited to parties at his home.

But Kauffmann's world fell apart. In 1952 the aircraft firm, Laister-Kauffmann Aircraft Corp., went bankrupt. His seat on the St. Louis Stock Exchange was taken away for improprieties. Although he continued to talk in big figures, he often had trouble scraping together \$100. A serious traffic accident left him a cripple. In 1967, he was arrested on a charge of selling 500,000 amphetamine pills to federal agents and was convicted the following

year.

**KAUFFMANN'S FINANCIAL** situation became increasingly desperate. Those who knew him well believe he might have joined a plot to kill King if he could make money.

And then there was Sutherland at the hub of the alleged plot. Socially, he was part of St. Louis's upper crust. His corporate clients were the big St. Louis corporations, including Monsanto Co.

Sutherland was a Virginia gentleman and outspoken segregationist. In 1964 he helped organize the Citizens Council here, a segregationist group, and in 1968 he was a presidential elector for Gov. Wallace.

Some friends say Sutherland was too strait-laced and law-abiding to plot a crime.

But others noted that he sometimes was intemperate. One neighbor remembers when Sutherland threatened to call U.S. Postal inspectors to investigate why his mail box had been knocked over by the neighbor's son. And another remembered that Sutherland once told an opponent in a lawsuit to walk out to sea until his hat was floating.

**SUTHERLAND WAS** disillusioned with the liberal decisions of the U.S. Supreme Court, investigator Baetz said. At a time when King was opposing the Vietnam War, might not Sutherland have seen it his patriotic duty to kill King, the investigator asked.

One other person, interviewed by the Post-Dispatch, independently corroborates Byers' story. The man says it was common knowledge in 1967 among a group of petty criminals who lived at a hotel on Kauffmann's property, that Kauffmann was offering \$20,000 to \$30,000 to kill King.

The man, who insisted that his name not be used, was serving as an unpaid informant for the Jefferson County Sheriff's department and spent much of his time at the motel.

The committee flew the man to Washington to give closed door testimony in the last days of its hearing last year.

The man said that he told a Jefferson County deputy about the remarks prior to the King's assassination. That would have been the first evidence that a law enforcement agency knew about the plot beforehand.

**BAETZ**, who has returned to the

affirmation of our basic values? Would the Soviet Union respond with restraint? Is technology gone about as far as it can go? Should GIs never be used except in Western Europe? Can land-based fighters always substitute for carrier planes? Are Soviet forces really so ill-equipped and trained? (The Soviet Defense Minister might find this book handy in arguing for increases in his defense budget.)

For all that, the authors deserve commendation for raising questions that so few of us think about — and for stating the issues in something short of emotional outbursts. (Oh, they slip here and there. For example: "We Americans are now targeting forests, cathedrals and others, in unprecedented numbers, as hostages." Cathedrals? In the Soviet Union?)

But mostly, the tone is one of honest disagreement with men of good will. Even the gruffest of generals will find *The Price of Defense* a handy source of statistics as well as food for thought. On the other side, the unread pacifist will find the book a good primer on military forces and what they are for. This book deserves to be read.

—Harry Levins

## Genius



Lili Brik, 1914

back to the Soviet Union, but he was denied permission to leave his country, and she married a French aristocrat instead.

The Jacobs' "hemicycle" under construction, with dip pool at left; from "Build

# Unique Designs For

## BUILDING WITH FRANK LLOYD WRIGHT

An Illustrated Memoir  
by Herbert Jacobs

With Katherine Jacobs, 142 pages  
Chronicle Books, \$14.95, \$8.95 paper

When I joined the staff of the Madison (Wis.) Capital Times in the mid-1950s, one of the fringe benefits was a Newspaper Guild Christmas party held in the spectacular home of one of my co-workers, Herb Jacobs. The curving 60-foot livingroom with its 14-foot-high wall of glass bisecting an indoor-outdoor pool was ideal for such a party. As long as we didn't walk into that expanse of glass, or step backward into the shallow indoor half of the circular pool, or brush against the rugged back wall of quarried stone, there was very little damage we could do to the house or ourselves. The floor was concrete, with pipes for radiant heat buried beneath it; the furniture was comfortable and rugged, most of it made by our host and hostess. We all loved it, but we also asked ourselves whether we would want to live in it. Where would we put all our *things* in this open and sweeping space? Would the bedrooms, suspended over the back part of the main room and featuring only drapes for doors, offer enough space and privacy? Was the heating system adequate? Who would want to live so far out in the country — eight miles from the office? And how in the world could a newspaperman afford a house designed by Frank Lloyd Wright?

Herb and his wife, Katherine, have answered most of those questions in this book, which describes their experiences as they built and lived in two Wright-designed homes. The first was the famous Usonia No. 1, so radically different from other new houses of the 1930s with its flat roof, blank wall to the street and vast exposure of glass to the rear. The house I visited several times was the second home, the "solar hemicycle" with its massive stone backbone curved into a slope so that from the north it looked like a buried fortress, a low stone wall with a narrow strip of windows.

In 1936, when the Jacobs challenged Wright to design for them a \$5000 house, Wright was in his seventies and at a low point in his career. He was not overburdened with clients but had many ideas that needed to be put in concrete form. One of them was "holocaust heating," a variation of the system used for centuries by the Koreans to heat their homes — allowing smoke from a fire to wind through hollow tiles under the floor. Radiant heating is quite common now, but it was first tried by Wright in the Jacobs' \$5,500 Usonia No. 1. (The Jacobs had to buy an extra \$500 lot to accommodate the wings and overhangs of Wright's plan.) How well did the heating system work? Herb is slightly reticent about any problems with the two Wright houses, but he does fully document the changes and adaptations made to cope with such things as drafts and cool areas. Wright's innovations obviously provided great aesthetic pleasures but also made demands of his clients — a willingness to accept sweeping changes, often including some sacrifice of convention and comfort for design.

In retrospect, the Jacobs were ideally suited for Wright's ventures. They came from a tradition and era in which everyone was expected to work hard and look to the future; there was little nostalgia for old ways. Working with Wright also required a measure of awe — the correct posture to avoid disturbing Wright's monumental ego. By being innocent and sincere — and relatively poor — the Jacobs were much more successful in getting Wright to modify his designs to reduce costs than were his wealthy clients. But Wright, too, had a way of manipulating, of smoothly ignoring what displeased him. Only once did Herb trigger Wright's wrath, and as a result the

B. Dalton

Madison County sheriff's department, said he believed from early in the inquiry that one of Ray's brothers had served as an intermediary between Ray and Sutherland. Ray had refused a deal offered by the committee that would have freed him if he named his conspirators. "The only people the Rays would protect are their only family," Baetz said.

Baetz followed a number of promising leads for linking Sutherland or Kauffmann to Ray, but none was proved.

The closest Baetz came, he thinks, was putting several of Sutherland's associates in the Wallace campaign inside John Larry Ray's Grapevine tavern. There was no proof beyond that. In addition, Wallace campaign workers said the campaign had not begun until after the assassination, which occurred on April 4, 1968, so the workers would not have been in the tavern before that time.

**CRITICS LIKE** Weisberg criticize the investigation as amateurish. "They simply did not investigate the shooting itself as thoroughly as they should have," Weisberg said.

Baetz, who insisted that the investigation was thorough, acknowledged that in two ways the committee did not pursue the Sutherland plot as far as it could have. The committee never obtained Sutherland's bank records, thinking it might be impossible to assemble them after a 10-year delay.

Also, even though the committee thought the answer to the plot lay in South St. Louis, only Baetz of the more than 130 committee employees, spent full-time investigating it. Baetz said that other staff members were busy making certain that all other conspiracy theories were debunked.

Baetz believes that the South St. Louis neighborhood near the Grapevine was fertile soil for the assassination plot. "I've concluded that that area is more racist than Biloxi, Miss.," he said describing the reception he got from residents 11 years after the killing.

"Those people would literally threaten to blow you off their front porch. Or when they did open their door and ask what I wanted and I told them I was investigating how King was killed, the most prevalent reaction was 'What the Hell for.'"

plot hatched by a group of visiting Americans from the Southern states who are posing as a trade delegation to England. A lot of cunning detective work by Mycroft and Sherlock reveal that the Americans — all ex-

in Holmesian pastiches, are informative and provocative. In all, "Enter the Lion" is a book that mystery fans will find divertingly enjoyable.

—Philip A. Shreffler

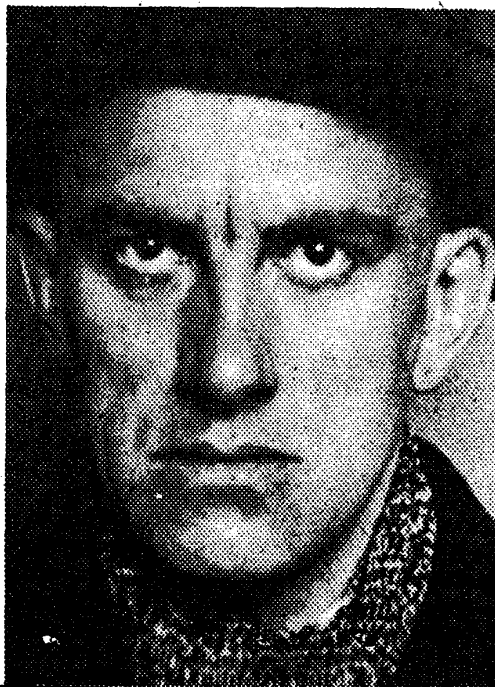
# A Poet's Love And

I LOVE:

The Story of Vladimir Mayakovsky  
and Lili Brik

By Ann and Samuel Charters, 398 pages  
Farrar Straus & Giroux, \$17.50

Imagine an iconoclast turned into an icon and you have the relationship between the life of the great Russian poet, Vladimir Mayakovsky (1893-1930) and the official Soviet attitude to him. Towards the start of his career, in 1912, he was one of four men to sign the famous "Slap in the Face of Public Taste" which declared, "The Academy and Pushkin are more incomprehensible than hieroglyphics. Toss Pushkin, Dostoevsky and Tolstoy overboard from the steamship of today." After his death, Passion Square in downtown Moscow was renamed in his honor and a mammoth statue with a determined looking



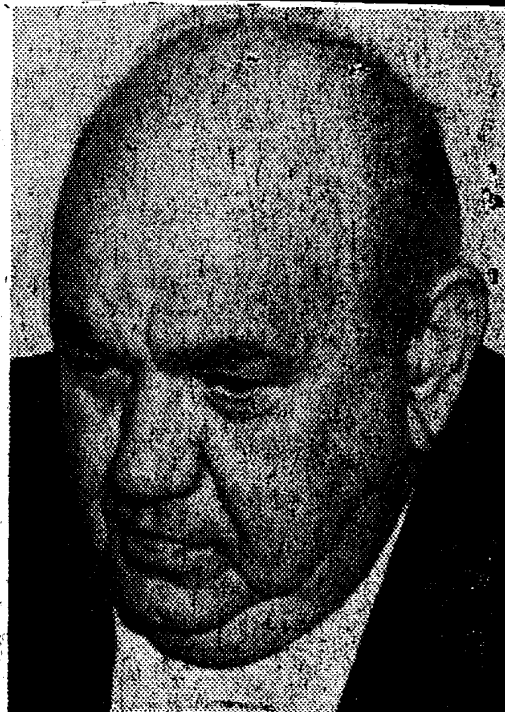




**Russell G. Byers**



**John H. Sutherland**



**John R. Kauffmann**



ion to stick our nose in the Third World.

(They point out something so obvious that few of us have noticed it: despite the title of the Department of Defense, the only military forces committed solely to the defense of the American homeland are a few hundred aging interceptors.)

The authors make some excellent points. They do so in prose that is clear, if somewhat academic; at any rate, the writing is a lot more clear than the English in the Secretary of Defense's annual report to Congress.

The authors lay their groundwork with care, re-emphasize key points and draw parallels, define simply the jargon of the armed forces and organize their work well. (Especially praiseworthy are the charts and graphs, apparently the work of Phyllis Morrison. Her summaries in sketch would be the envy of a Pentagon briefing officer.)

What will raise doubts are some of the assumptions on which the authors base their analysis. Would the world really view





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# book reviews

## Consumer Guide To

### THE PRICE OF DEFENSE

By the Boston Study Group

359 pages, Times Books, \$15

American liberals have long been frustrated in their siege of the military budget. Most have entered the fray armed only with passion, idealism and a serious sense of world politics. Given the sources of the Pentagon and the feelings of most Americans, the fight has never been a fair one.

Not until recently, that is. In this book, a group of Boston-based professors and researchers offer a cool-headed, well-thought-out blueprint for gradually trimming the defense budget to \$73.2 billion, down from the current level of \$120 billion or more.

The six authors have done their homework well. Even those who share my disagreement with large chunks of the book's assumptions and conclusions will be forced, as they say, to salute a gallant

effort. Here is what the Boston Study Group would do:

It would scrap our land-based intercontinental missiles and bombers. It

would cut back dramatically on our battlefield nuclear weapons, aircraft carriers, the Marine Corps, light infantry divisions, amphibious forces, the reserves, research and development and communications intelligence.

2. It would keep, for the most part, our submarine-based nuclear missiles (although fewer of them), our fighter and attack planes, the heavy Army divisions in Europe and the antisubmarine surface fleet.

Keeping so much firepower lets us know right away that the Boston Study Group is no peace-at-any-price fringe band. The authors obviously see the Soviet Union as something more than a misunderstood Sweden; everything they would keep is designed to deter a war (or, if necessary, to fight one) against the Soviet Union.

And that is the entire foundation of the book. If the Soviet Union is the only realistic threat to us, they say, we should be armed with only what we need to fight the Soviet Union.

They say the rest of the stuff — the bombers, the carriers, the Marines, etc. — are either redundant, useless against

## Elementary, Brother Holmes

### ENTER THE LION:

A Posthumous Memoir  
of Mycroft Holmes

Edited by Michael P. Hodel  
and Sean M. Wright

237 pages, Hawthorne, \$9.95

Mycroft Holmes is the elder brother of the famous detective, Sherlock. When you meet him in the original Conan Doyle stories, Mycroft is employed in one of the British Foreign Office's most important positions. But as "Enter the Lion" unfolds, in the year 1876, Mycroft is only a junior clerk in the F.O. and his brother has not yet launched himself into a career as a consulting detective.

Nevertheless, the Holmeses become deeply enmeshed in an international political plot hatched by a group of

Confederates — are actually in England to enlist British aid in a plan to invade the United States and restore the Confederacy as an autonomous crown colony.

Quite apart from the fact that this is another in a long series of Sherlockian sequels, it is a fine spy thriller complete with all the appropriate elements — ladies in distress, confusion as to who is on whose side and all the other trappings of good cloak-and-dagger work.

As a Sherlockian book, this is certainly among the best in recent years. All of the characters are consistent with those of Victorian period novels, and the attention to the day-to-day details of life in Victoria's England are thoroughly satisfying. Even the many footnotes here, indicated by the asterisks that always seem to bloom like black posies

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FROM: Thomas J. Kellen Postal Inspector St. Louis, MO 63199		
DATE: 12/20/82		
REMARKS:		
<p>I saw the enclosed in yesterday's St. Louis Post-Dispatch, (Sunday 12/19/82). Passing it along for whatever interest you may have.</p> <p>Tom Kellen</p>		
<div> <div> SEARCHED INDEXED SERIALIZED FILED DEC 20 1982 FBI - ST. LOUIS </div> <div> them on residence door knobs. Inter- ested parties contact Dave Taylor. 618-462-3031 or 618-277-0560 JAMES EARL RAY NAMES WHO financed M.L. King killing and more. For info... A.S. Ray, Box 858, Hendersonville, TN 37075 LAPAROSCOPIC THERMAL IMAGING </div> </div>		

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