

WATCHMAN WAKETH BUT IN VAIN

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But there were others. Minutes after the shots an unarmed 31 year old man was arrested in the railroad yards adjacent to the parking lot. He was arrested and booked on charges of "investigation of conspiracy to commit murder." These charges weren't dropped until December 2, eight days after Lee Harvey Oswald's murder. He was held for eight days during which the Dallas police and nationwide news media were claiming the case was closed and Oswald was the sole assassin. He was still being held on December 8 on "city charges" and there is no way of knowing when, if ever, he was released (DALLAS TIMES HERALD, Dec. 8, 1963)

Just after the shots, Patrolman W. E. Barber noticed workers on the third floor of the Depository tapping on a window and pointing to a man wearing horn-rimmed glasses, a plaid jacket, and a raincoat. He was immediately arrested and taken to Sheriff Bill Decker's office for questioning. (DALLAS TIMES HERALD, Nov. 22, 1963) At about 1:15 Patrolman L. S. Debenport told the police radio

dispatcher that he was "taking a prisoner to the downtown jail." (XXIII H 919) A short time later police brought a "disheveled-looking man" from the Depository. Jack Beers Jr., a photographer for the DALLAS MORNING NEWS, snapped a picture of him. (XIII H 105) Chief Deputy Sheriff Allen Sweatt reported an arrest made about this time which may be a reference to the same incident. According to him, a police officer "brought a boy

in a sport coat up and said, 'Here is the man that had done the shooting.' " Since the Warren Commission never made any inquiries about this arrest, there is no way of knowing why the police officer thought that he had apprehended the assassin. (XIX H 532)

Finally, when Oswald's mother and wife went to visit him in the Dallas Sheriff's office, they were told that there would be a long delay because the police had "picked up another suspect." Whoever this man was, the police were quite interested in him. (I H 149) Perhaps the most interesting thing about these suspects is that most or possibly all of them were arrested at the scene of the crime. Oswald, of course, was not.

Physical evidence and eyewitness testimony were also pouring in. Three empty cartridge cases were found near the southeast corner window on the sixth floor of the Depository Building, and a bolt action rifle with a telescopic sight was discovered in a different section of the same floor. Ownership of the rifle was not traced until about 2:00 a.m. the next morning. (W 79)

Eyewitness testimony indicated the following:

1. Shots had been fired from behind a picket fence which is on top of a grassy knoll to the west of the Book Depository Building. In addition to ear-witness testimony, several witnesses saw a puff of smoke in that area, and a police officer smelled gunsmoke. (VI H 243,245; XXIII H 833,836) Many footprints were found on the ground, and strangers had been seen in the area prior to the assassination. (VI H 245, 246; XXII H 833; VI H 287) Finally, a man with credentials identifying him as a Secret Service man, was encountered by a policeman as he was escaping from the area just after the shots. (VII H 535)
2. Shots had been fired from the southeast corner window of the sixth floor of the Book Depository Building. Three men had been seen on the sixth floor prior to the shots, two of whom were armed with rifles. (II H 171, 175-176) Eyewitness testimony seemed to indicate that only one of these men had done any shooting.
3. A man was seen escaping from the area between the Depository and the picket fence who was thought to have a "headpiece" in his hands (restricted to police cars) behind the picket fence prior to the shooting, and at least one car was driven by

a man speaking into a microphone. (XXV H 853; VI H 285--286)

4. A man was seen carrying a "guncase" up towards the picket fence more than an hour prior to the assassination while another man stayed in their truck which seemed to be stalled. (XIX H 983-84; XXIV H 216)

In conclusion, even if all of the preceding testimony was later judged to be incorrect in a court of law, on the day of the assassination it suggested in an overwhelming fashion a conspiracy to kill Kennedy. We quoted Dallas District Attorney on this very point in our first installment.

There was reason to believe of course, that others might be involved as accessories before and after the fact. It should be added that, if Oswald was involved, there was immediate evidence of at least one accessory after the fact. The only convincing eyewitness identification of Oswald made that day was by a Deputy Sheriff, Roger D. Craig, who saw him leave the Depository ten minutes after the shooting and then identified him at police headquarters. (VI H 266, 267) Craig stated that he saw Oswald run from the Depository and jump into a car driven by another man and they sped away from the scene. Oswald, according to Craig, immediately admitted that he had full knowledge of the incident. (VI H 270; XIX H 524)

On that afternoon, the strongest evidence against Oswald was that he was inside the Depository when the shots were fired. Since he worked in the Depository, and there were also others in the building at the time of the assassination, this is poor evidence indeed. When asked where he was at the time of the shots, he replied that he was on the first floor eating his lunch. Since Patrolman Marion Baker and Depository manager Roy Truly rushed up into the Depository immediately following the shots and found Oswald in the second floor lunchroom, there would appear to be no reason to question Oswald's claim. Baker testified Oswald was calm and not out of breath. (W 149, 152) Depository employees who were near the stairs or who ran

down them were questioned, but none had seen or heard Oswald descending the stairs. (W 71; VI H 388; XXII H 632, 676)

Since the shots fired from the Depository appeared to have come from the sixth floor, Oswald seemed to have had an alibi.

By late in the afternoon of November 22, 1963, the following was the state of affairs:

1. John F. Kennedy was dead and his body had been illegally taken from Dallas ostensibly because of the concern for the protection of Jacqueline Kennedy and Lyndon Johnson. But what possible excuse could be provided for the immediate and illegal removal to Washington of the Presidential car which was damaged in the firing on the motorcade and constituted vital evidence in the anticipated trial of Oswald? Such patent disdain for the evidence on the part of the federal authorities indicated that more than the Presidential limousine were being taken for a ride. Until proven otherwise, the Secret Service was dutybound to assume that there was a conspiracy to kill Kennedy and other high officials.

2. The available evidence overwhelmingly indicated that there had been a conspiracy to kill at least the President. There had apparently been enough gunmen strategically placed in Dealey Plaza to have also killed Lyndon Johnson. There was no way of telling at the time whether the plans had been to kill Johnson.

3. A number of suspects had been arrested. Of these suspects, we know only of Oswald, against whom at the time of the assassination there was no evidence for participation in the crime and who was not charged with the crime until 1:30 the next morning.

What is most disturbing about the investigation of the assassination is that it seemed to proceed with the lone assassin thesis at the outset. If such is the case, then one is faced with prima facie evidence of foreknowledge of the assassins actions on the part of those who guide our federal intelligence agencies. Again we must also raise questions about the conduct of the Dallas police, but their failure is nowhere near as disturbing as that of federal agencies.

Let us now further examine the unusual facets of the investigation of the assassination of J. F. K.