

NATIONAL AFFAIRS

clear: no progress toward desegregation in public accommodations. By the weekend, a biracial committee of business and professional men had been set up—without official sanction—to begin talking, at least, about the city's problems. But there could be no certainty that trouble was over. "We will keep up our hit-and-run tactics," said a local NAACP official. "We are calling for a complete boycott of the downtown area. We are not so much interested in a biracial committee as we are in the complete desegregation of hotels and restaurants."

On Thursday the Southerners allowed the Senate to vote on the motion to take up the civil-rights bill. The Senate voted 50 to 34 against a move to send it to the Judiciary Committee for ten days and 67 to 17 in favor of starting the debate on the bill itself this week. At the news, such strange bedfellows as nonviolent Negro leader Martin Luther King and "non-nonviolent" black nationalist Malcolm X cheered as though it were a major victory. In truth, the step only meant the beginning of a new legislative day. In the peculiar time of the Senate, it promised to drone on for quite a while. The clocks would be running much faster in Jacksonville and the rest of the U.S.

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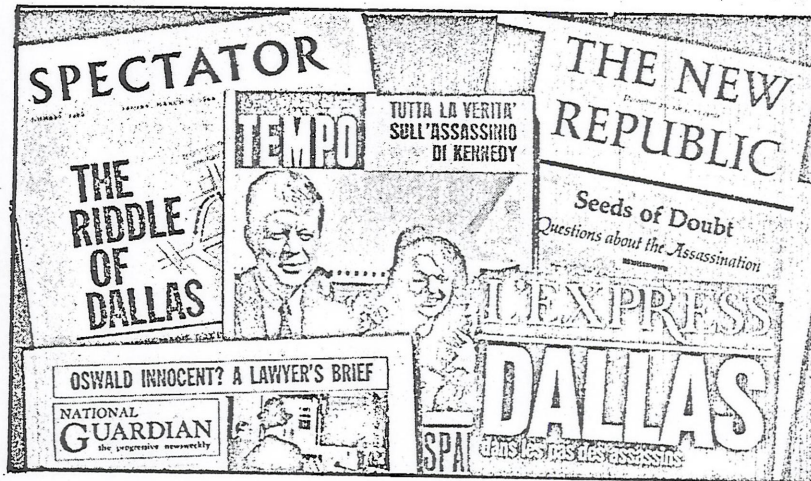
Safe for Democracy

He wasn't sure he could pronounce it correctly, said Frank Leftwich, the genial old (64) state senator from Aberdeen, Miss., but the way he saw it, "this bill delivered the 'coop de grass' to the Republicans."

The bill he was talking about was one of eighteen proposing changes in Mississippi's election laws that the all-Democratic state senate pushed through last week with the bare-faced intention of keeping itself—and any other elected officials—all Democratic.

The Republicans invited trouble when they scored the largest vote since Reconstruction—nearly 40 per cent—against Gov. Paul Johnson last November. Drafted with his blessing, the senate measures now go to the house for the expected final approval.

The total effect will make it necessary to have a well-financed statewide apparatus even to qualify as a legal party—a current impossibility for Republicans, whose means are limited and whose voters are concentrated in a few urban areas. "Now," beamed the bills' co-author, Sen. George Yarbrough of Red Banks, "you'll have your election in August [when the Democratic run-off is held] and be through with it."



Some at home, many more abroad, raise skeptical questions

JFK's Murder: Sowers of Doubt

Almost from the first, the crime of the century seemed hardly a mystery. A bare 90 minutes after John F. Kennedy was shot down in Dallas last Nov. 22, Lee Harvey Oswald was under arrest. Before the night was out, he was formally charged with the assassination. Within two days, he had been tried in the press, convicted in the public mind, and executed by small-time strip-joint impresario Jack Ruby. It was open and shut—or was it?

A nagging chorus of doubts was abroad on both sides of the Atlantic last week, the dissenting opinions of a world not yet wholly convinced that Oswald—and Oswald alone—killed the President.

Some of the alternate views were plainly farfetched: it was a plot by the Syndicate, or the CIA, or labor racketeers, or a ring of Dallas cops. Yet such tales are only the most imaginative making the rounds in the absence of a final, authoritative account of the case. Some of the doubts are political, the speculations of those given to a conspiratorial view of events. The far right has been relatively quiet, content to rest its case on Oswald's private "Marxism" and his two-year defection to Russia as ipso facto evidence of a Communist plot. The voice of the left has been lustier. Thrown onto the defensive by Oswald's *politique*, it has applied reverse English to the conspiracy theory: the suspect was really an FBI hireling, a crypto-rightist—if he was involved at all.

But even in the middle, some Americans—and many Europeans—simply find it hard to believe that so great a crime should be so random, so absurd, so devoid of motivation and mystery as it seems in the official view.

It was precisely to settle any doubts

that Lyndon B. Johnson named his extraordinary commission of inquiry with Chief Justice Earl Warren as chairman. But the commission is still taking testimony in private, its verdict still two or three months away. Until that verdict is in, the public case against Oswald remains a collage of statements and mis-statements by Dallas authorities in the first chaotic days after the assassination, patched up piecemeal by un-attributed leaks from Washington and amateur sleuthing by newsmen.

Grab Bag: That mixed bag has been a grab bag for the doubters, a source of loopholes and contradictions for anyone with the time and the will to subject the press accounts to a close, selective exegesis. Conspiracy theories are common currency abroad. And an ex-Communist American in Paris, Thomas Buchanan, seems destined for the widest circulation with one of the most fanciful reconstructions of all: Oswald was little more than an errand boy and, finally, the fall guy in a plot involving several Dallas policemen. His account—serialized in the Paris tabloid L'Express—has been snapped up by book publishers throughout Europe.

And Oswald is not without defenders in the U.S. His most ardent advocate has been Mark Lane, a New York lawyer who made his name as a controversialist in a lonely, losing campaign for conflict-of-interest legislation as a one-term state assemblyman. He had already argued Oswald's innocence in a lengthy "brief" published in the leftist National Guardian when the suspect's mother, Marguerite, named him defense counsel to her late son. Since, he has carried his cause onto the college lecture circuit; the Warren com-

mission itself granted him a hearing. And critiques by other skeptics have appeared in several liberal journals, among them *The New Republic*, *The Nation*, and *Commentary*.

Questions: The critiques are a mixed lot, some based entirely on newspaper accounts, others—including Lane's—fleshed out by on-scene inquiries in Dallas. Yet they share an instinct for the soft spots in the case thus far made public. With official sources under orders to button up until the Warren report is in, the doubters have raised some puzzling questions for which only incomplete answers are now available. The key points:

Did all the shots fired at the Kennedy motorcade really come from the sixth floor, of the Texas School Book Depository, where Oswald worked?

The doubters argue that one, at least, came from a railroad overpass or a grassy knoll dead ahead of the motorcade—not from the Depository to the rear. Several witnesses thought that was the angle of fire, and so did the cop who first broadcast a report of the assassination. Moreover, doctors at first described a wound just below the President's Adam's apple as an entry wound—an impossible shot from the rear. Two newsmen reported seeing a bullet hole in the windshield of the Kennedy limousine. And some press tallies of the number of recovered bullets suggest that four or five shots were fired—not three as officially indicated.

Investigators simply dismiss ear-witness accounts of where the shots came from; besides, no known witnesses saw a rifle on the knoll or the overpass, while some reported seeing a gun barrel in the Depository window. They also discount the entry-wound diagnosis as the fleeting impression of doctors before they opened the President's throat in the attempt to save his life. According to subsequent leaks, an autopsy at Bethesda, Md., showed the President had been hit twice from behind—once in the back of the shoulder, once in the back of the head. A third shot hit Texas Gov. John Connally in the back.

Authorities remain convinced that no other shots were fired. By their count, the bullet that hit Connally lodged in his leg. Another fell from Mr. Kennedy's body when he was placed on a stretcher—thus giving rise to reports of a fourth bullet. The third bullet fragmented: one chunk exited through Mr. Kennedy's throat, and another scarred the inner layer of glass in the three-ply middle windshield. There wasn't so much as a bump on the outer layer, said one commission insider—and there was no bullet hole.

Does the time element alibi Oswald?

April 6, 1964 **NEWSWEEK**



Lane: He defends Oswald

In the first moments, Depository superintendent Roy Truly and a policeman dashed into the building, bounded up to the second floor, and spotted Oswald coolly sipping a Coke in the cafeteria—a bare 30 seconds, by Truly's estimate, after the final shot. Truly himself figures it would have taken a man at least that long to get downstairs from the sixth floor. And the doubters insist the killer would have lost still more time crossing the sixth-floor room—to hide the rifle—and buying the Coke from a cafeteria coin machine. Their conclusion: Oswald would have to have been in two places at once. And further complicating the picture was the entry a cabbie jotted in his log when a man he identified as Oswald boarded later. His notation said 12:30 p.m.; the assassination was at 12:31. The doubters grant that the entry might have been a rough guess. But they feel it nevertheless raises questions since, by official accounts, Oswald first walked seven



Buchanan: He accuses the police

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blocks from the Depository, boarded a bus, and alighted before taking the cab—and still reached his rooming house sometime between 12:45 and 1 p.m.

Investigators doubt whether Truly got upstairs quite so quickly as he said he did; their assumption is that the assassin got a head start downstairs in the confusion immediately after the shooting. And one insider quoted the cabbie as saying he customarily logged his fares in fifteen-minute blocks; a 12:30 entry might mean any time up to 12:45.

Could Oswald have fired the shots?

The doubters say not even an expert could have scored three hits with the murder weapon—an Italian army rifle—in the estimated five and a half seconds involved. They quote one published report that no palm prints or fingerprints were found on the rifle. They cite the negative results of paraffin tests on Oswald's cheeks as evidence that he hadn't fired a rifle.

Investigative sources insist that there is a palm print matching Oswald's—plus some clothing particles traceable to the shirt he wore to work that morning. They write off paraffin tests as inconclusive. They insist that the rifle found by Dallas police in the Depository was the one Oswald bought under an assumed name, despite some initial confusion in identifying it. And, so authorities say, ballistics tests show it fired all three shots. Could Oswald have shot so fast? Some experts say yes, others no; investigators simply note that the five-and-a-half-second estimate is only an estimate, anyway. Their unbudging conclusion: Oswald could—and did.

Did Oswald shoot down Dallas patrolman J.D. Tippit?

The doubters question whether he was the man who gunned down Tippit in the street 3 miles from the assassination scene, principally because one eye-witness description didn't fit Oswald. But investigators claim three witnesses linking Oswald to the killing—plus ballistics and fingerprint evidence on the revolver taken from him.

Was there a conspiracy?

The doubters find portents aplenty that there was, starting with Oswald's easy escape from the Depository and his swift arrest miles away, ending with his own death at Ruby's hands in a scarcely credible security bungle. Some wonder how Oswald slipped out of the building unless someone let him out. Others doubt the official account that Oswald's arrest was ordered because he was the only Depository employe missing in a quick headcount immediately after the assassination. They question, indeed, whether a roll call could be made at all in the confusion—and if it

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wasn't, how did police know whom to look for unless they had been told in advance? And Ruby's act of vengeance stirred the deepest suspicions of all; a Louis Harris poll showed that fully 40 per cent of the U.S. public still believes there was some link between the two.

Tip on a Slip: For Oswald's escape, there is only the alternative theory that he slipped out before police could seal off the building—a process that took four or five minutes by Truly's estimate. There was a headcount, but the first police broadcasts describing the suspect were based on a tip from a bystander who had seen a man who looked like Oswald leave the building. By the time police were ready to name Oswald on the air, he had already been arrested. And Ruby? Beyond the word of a mixed lot of witnesses who claimed to have seen him with Oswald, authorities say there is no solid evidence of any connection.

Yet the virtually impossible problem of proving a negative is likely to leave the case forever open to doubt by those who favor the conspiratorial view. "Hell," said one Justice Department lawyer, "I can't prove that I didn't conspire with Oswald to kill the President." In the end, all he and his colleagues can do is raise the corollary question of just how—let alone why—all the government agencies involved would enter a leak-proof effort to frame Oswald if he was innocent or to shield his fellow plotters if he was part of a conspiracy.

One favored answer among the doubters is that Oswald was on the payroll of the FBI, the CIA, or some other agency and that authorities wanted the case closed quickly to hide his involvement. Both the FBI and CIA have denied employing Oswald. Yet if the doubts are at last to be laid to rest, the Warren commission will have to deal convincingly with that question and a related one: why Oswald wasn't kept under surveillance during the Presidential visit as a known leftist and a sometime defector. FBI officials dismiss that question as "Monday morning quarterbacking"; the doubters go on doubting.

Homework: Some, indeed, have already written off the Warren commission on the mistaken ground that it is limiting its inquiry to evidence already collected and digested by the FBI. The commission actually is going far beyond: it has summoned 40 key witnesses thus far to Washington, and dispatched a crew of its own staff lawyers to Dallas to take statements from perhaps 150 others. "Our own investigation," says one member, "has been much more exhaustive than anything done by the FBI."

The commissioners are painfully aware of the doubters; some are tempted to offer rebuttals. But a proposal to release a preliminary digest of

the FBI's report on the assassination was rejected three months ago, and the commission is under Presidential orders not to discuss the case until its report is in. Meantime, the commission has taken pains not only to collect its own first-hand evidence but to submit it to skeptical review even before the report is written. On its invitation, the American Bar Association has dispatched a rotating series of lawyers to look out for Oswald's interests. And, though its proceedings have been closed to public view, the commission plans eventually to publish the testimony it has taken.

"We've had one objective," a commission staffer says: "the truth." But until its account of the truth is published, the doubters—and theorizers—at home and abroad have the field to themselves.



UPI
Salinger: Where to put his hat?

DEMOCRATS:

Pierre's Round

Plump and plucky as ever, Pierre Salinger was off and running back home in California. But it took him all week to find out whether he was running for the U.S. Senate—or for exercise.

It boiled down to a question of whether home is where a man hangs his hat or where he throws it into the ring. As Presidential press secretary, Salinger had lived and voted in Virginia these past three years. Accordingly, he was ruled off California's June 2 Democratic primary ballot as a non-resident—a scarcely hospitable welcome that forced him to seek a State Supreme Court visa.

While the court thought, Democrats fought. Rivals called Salinger both a

front man for Assembly Speaker Jesse Unruh and a "carpetbagger." Salinger, already munching political chicken, was talking about how he would run eighteen hours a day—if he could run at all.

As it turned out, he could; the court unanimously allowed him on the ballot. But Virginian Salinger was still ineligible as a voter in California. Californian Salinger said: "I better not lose this election by one vote."

TRIALS:

Cohn on the Defense

Roy Cohn sits cool in the defendant's chair. Tanned and freckled, a whiz kid middle-aging, he is polite and very quiet these days. He answers questions with a "Cee, I don't know," and a "Gosh, I can't recall." But the hooded eyes still stare alertly, missing nothing, and the agile lawyer's brain dances as nimbly as ever over the landscape of the law.

Indeed, the main dance for Roy last week was the Legal Footwork Trot. In the very Federal courthouse in New York City where he first became famous prosecuting Communists thirteen years ago, Cohn was himself being prosecuted. For the 37-year-old lawyer, whose yearly earnings have been in six figures over most of the last decade, a guilty sentence could bring disbarment and up to 40 years in jail.

The case against Cohn makes three main charges: (1) that he took a \$50,000 bribe five years ago from a Las Vegas gambler named Samuel Garfield to keep him and three other men from being indicted by a grand jury in the \$5 million United Dye & Chemical Corp. stock-fraud case; (2) that he later pressured Garfield into changing previous testimony before another grand jury; (3) that he himself (and lawyer Murray Cottesman, who is Cohn's co-defendant in the present trial) lied to a grand jury last spring.

Cohn's defense is deep and formidable. Beside him at the defense table sit his two "chief" lawyers. Behind and on the sides is a changing, scurrying cluster of assistant lawyers, aides, and law clerks. They are uniformly young, dark-suited, and earnest, and each is armed with his own ball-point pen, held constantly at the ready. The defense is led by a senatorial gentleman named Frank Raichle, 66, who looks like every actor ever cast to defend Bogart or Cagney in a gangster movie, and who, in fact, was counsel to John Montana, an alleged Mafia member who participated in the 1957 Apalachin meeting.

Raichle's opening oratorical flight promised to bring out "the real Roy Cohn ... the fine young [man victimized by] ... false witness." His main point was that the government had made a