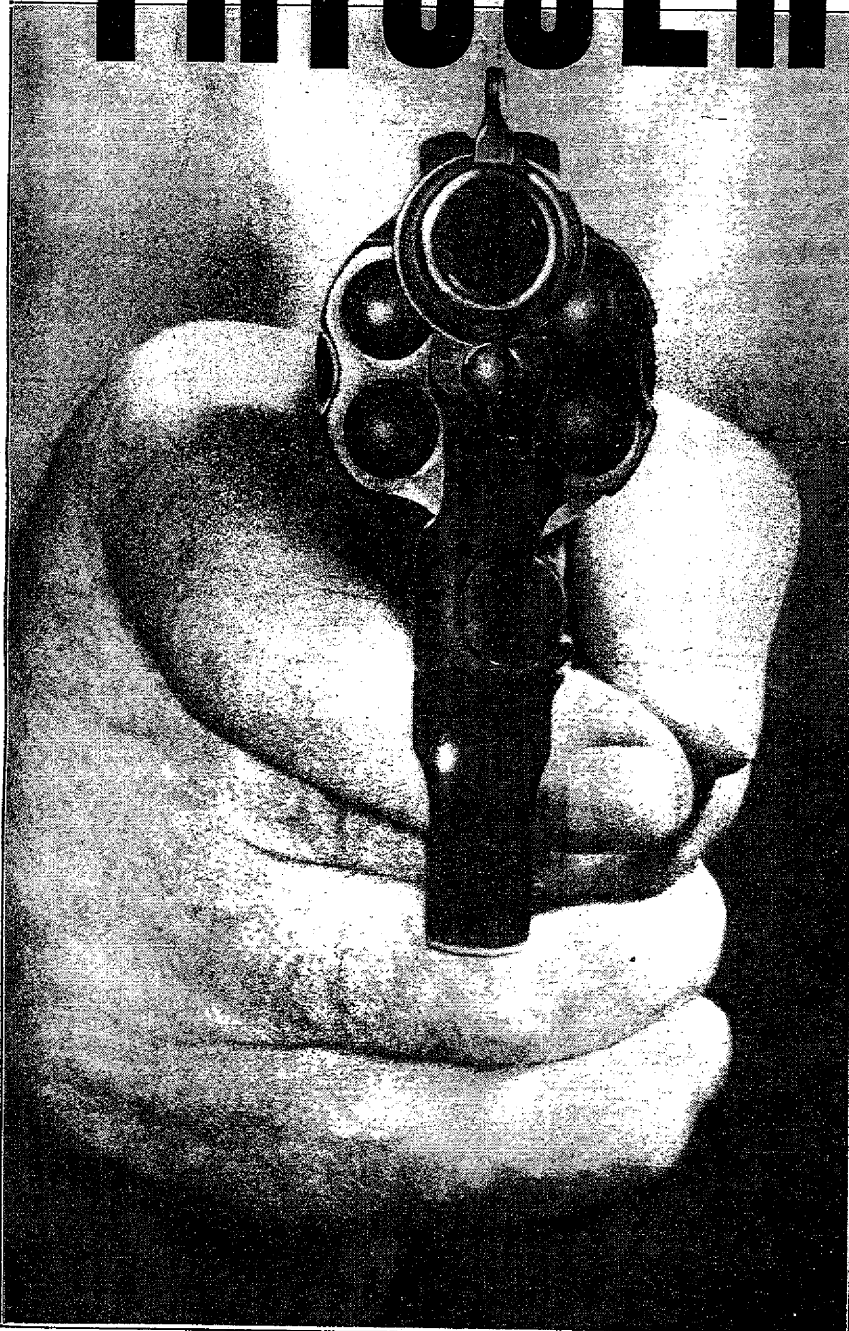


# THE TEMPTING TRIGGER



**BRAND NEW!** The ORIGINAL GERMAN military G43 semi-automatic assault rifle. The finest and most advanced semi-automatic ever offered for sale in the U. S. A. Ruggedly reliable in all climates. The best available for sportsman and target shooter alike. **ACCEPT NO CHEAP IMITATIONS,** settle for nothing but the best!

By CHRISTINA KIRK

THIS MAGAZINE ADVERTISEMENT invites you to order a powerful Nato weapon simply by mailing a check to the California distributor. The dealer promises to deliver the gun by express in "safe shooting and working order." He doesn't question how you intend to use it.

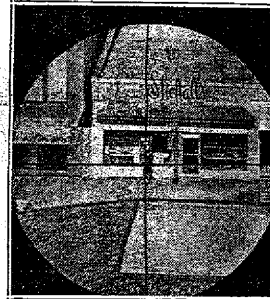
The gun is just one of thousands of foreign and U. S.-made weapons that are advertised by mail order dealers in the scores of publications catering to American gun enthusiasts.

Lee Harvey Oswald ordered the \$12.95 Italian-made rifle he used to assassinate President John F. Kennedy by clipping a coupon from a gun buffs' magazine.

But he could just as easily have walked into a local store and made his deadly purchase.

The morning of Aug. 1, Charles J. Whitman bought a 12-gauge shotgun at a Sears store in Austin, and added it to the arsenal he used that day to kill 16 persons and wound 30 others.

In few other nations in the world is the sale, possession and use of firearms so widespread and unrestricted by laws as in the United States. And in no other



Mad sniper had this view of victims he shot from University of Texas tower.

country in the world do more people die every year from deliberate or accidental gun shots.

The mass murders committed by the deranged young Whitman before he was shot to death by police have shocked some Americans into an awareness of this toll of death by guns. Once again, there is pressure to pass the federal gun control laws that have been kicking around Congress for years.

"The time has come for action," President Johnson declared upon learning of the Texas tragedy. "The gun control bill would not prevent all such tragedies. But it would help reduce the sale of firearms to those who cannot be trusted in their use or possession. How many lives might be saved as a consequence?"

### The 17,000 Who Die

The number of lives that might be saved was put at nearly 17,000 a year by Carl Bakal, author of "The Right to Bear Arms," a controversial anti-gun book published by McGraw-Hill shortly before the Whitman massacre.

Bakal, a freelance journalist, has compiled statistics to show that each year more than 2,000 Americans are killed accidentally by firearms; more than 5,000 are murdered by firearms and nearly 10,000 use firearms to take their own lives.

"A strange and peculiarly American plague has long swept our land — a plague of guns," Bakal states. "Every year, firearms claim more and more lives in this country."

"Since the turn of the century," he adds, "this plague has brought death to an astonishing total of more than 750,000 Americans — a civilian toll far greater than the 530,000 Americans killed in battle in all our wars."

Bakal favors restrictions on the sale

(NEWS photo by Ed Charney)

## Are guns too easy to buy? . . . the laws controlling ownership too lax? . . . gun foes say yes, citing last year's 5,634 gun murders . . . but defenders of the right to own arms say that no controls yet proposed would have barred weapons from Austin's mad sniper

and possession of guns in order to reduce the number of guns in the hands of actual or potential criminals, the known mentally ill and disturbed, the unscrupulous, the irresponsible and the immature."

But in a country where last year 49,000 citizens were killed in automobile accidents and another 1.8 million were injured, it is difficult to arouse legislators to pass laws to protect the relatively few who are victims of firearms.

All 50 states and the District of Columbia have some sort of firearms control laws. Most of the statutes are aimed at restricting the sale and possession of concealable weapons, such as pistols and revolvers—commonly called handguns.

### Sullivan Law Is Toughest

New York is generally conceded to have the most restrictive firearms law in America. It is the so-called Sullivan Law, named for Timothy D. Sullivan, the state senator who introduced it in 1911. The law requires a license to purchase as well as possess a handgun or other concealable weapon—such as a knife, brass knuckles or a blackjack.

Anyone caught with such an unlicensed weapon on his person or in his home is liable to a jail sentence of up to seven years. If the weapon is used in the commission of a crime, the criminal can get up to 10 years added to his sentence.

New York City police last year arrested 1,885 persons on felony violations of the Sullivan Law and 1,326 on misdemeanor charges. They also confiscated 1,212 guns last year, a steady increase from the 8,606 confiscated in 1964 and 2,976 taken in 1965.

No state, including New York, requires a permit or license for the purchase, possession or carrying of rifles and shotguns, although many states prohibit the sale of these firearms to minors, aliens or convicted felons.

The easiest way to get a gun is to order by mail. Some dealers will ask that a pistol permit be sent along with such an order, but there are few if any strings attached to ordering a rifle, shotgun or "deactivated" machine gun.

### Yours for the Asking

Some mail-order companies include a statement for the purchaser to sign, declaring that he is over 21, of sound mind and not a drunkard, dope addict, criminal or fugitive. But the statement is not a sworn legal document, and apparently the dealers rarely bother to check the purchaser's identity.

Bakal tells how he clipped a coupon from the May, 1965, issue of the American Rifleman and sent for a duplicate of the 6.5 mm Maüscher-Carcano carbine that Oswald used to kill President Kennedy. It was delivered to his door 10 days later.

On the second anniversary of Kennedy's death, the Patterson, N. J., Morning Call ran a story telling how many of its reporters used the name L. H. Oswald in ordering a .38 caliber revolver by mail. The gun was promptly received, despite the fact that the reporter did not have the gun permit required by both his city and state.

The Kennedy assassination for a time spurred action on a federal firearms control bill that had been introduced in Congress in September, 1963.

But by the time emotions cooled, the gun bill was buried under bushels of angry letters and telegrams from the 740,000 members of the National Rifle Association and other gun fanciers.

### Guardian of the Gun

The NRA advertises itself as "the largest, oldest organization of sportsmen devoted to preserving your right to keep and use firearms for lawful purposes." And it boasts that it can flood Congress with more than 500,000 pieces of mail on "72 hours' notice."

It has two principal objections to stiffer federal gun control laws:

That they will "make it more difficult for honest citizens to obtain arms for recreation and personal defense . . . but will not appreciably increase the difficulties encountered by a criminal in obtaining weapons."

That "the only practical effect of a firearms registration law is to play into the hands of unscrupulous seekers of political power; to encourage bootlegging; to disarm reputable citizens and thereby to encourage the depredations of the criminal element."

This NRA stand, Bakal argues, has

contributed to the "crucial accessibility" of firearms.

"I regard the NRA as accomplices in the murders in Austin," Bakal declares. The murders have, for the moment at least, stirred some members of Congress to action again on gun control legislation which has been languishing in committees of both houses for months.

In the Senate, there was wrangling last week over an administration-backed measure whose chief sponsor is Sen. Thomas J. Dodd, (D-Conn.). The bill was approved last March 22 by a subcommittee of the Senate Judiciary Committee. It will be taken up by the full committee this week. But staff members say the committee is deeply divided on the measure, and there is no indication of when—if ever—it will come up for a vote.

Even if the bill receives the committee's approval, it must then confront the Senate Commerce Committee, where a majority is said to oppose it.

### What Bill Doesn't Do

Sen. Dodd says his bill "has been delayed for years by legitimate groups of sportsmen, and others, who have been deliberately misled into thinking the law would require fingerprinting, licensing and police registration of all firearms, and that it would prohibit a hunter from crossing state lines in pursuit of his sport."

Dodd further charged that these groups had created a "deliberate disor-

ban the interstate mail-order sale of rifles and shotguns as well.

Asked how his bill could have prevented Charles Whitman from embarking on his murderous rampage, Sen. Dodd replied: "I've never claimed that if the bill was passed it would put an end to all murders by firearms. But it would be a deterrent. If it had been passed, the retailer who sold Charles Whitman the gun would have had to get positive identification."

### A Pause for Reason

Even though Whitman was of age and had no record, Sen. Dodd suggested that the mere fact of having to identify himself could have caused him to hesitate and perhaps drop his plan for mass homicide.

But Gov. John B. Connally Jr. of Texas said, when asked if stronger gun restrictions could have prevented the tragedy, "I do not believe you can legislate against every possible contingency when somebody goes berserk."

Proponents of stricter firearms laws concede that controls will not prevent all gun deaths and injuries. But they argue, the laws should certainly cut down on the impulse killings and suicides in which a readily accessible gun so often figures.

They note, for example, that Charles Whitman had a cache of weapons with him that included a 6 mm rifle with a telescopic sight, a Remington .35 caliber

more than half of the 9,300 murders in 1964 were committed with firearms, many of them obtained through the mails, as were many of the guns used in half of the 26,000 suicides in 1963. And he said the "vast majority" of the 64,000 armed robberies in 1964 were carried out with firearms.

Total homicides rose to 9,850 in 1965, according to the Uniform Crime Reports. Of these murders, 8,834—or 87.2%—were committed with a gun.

The Dodd study also found an extraordinary correlation between low homicide rates and areas with strict gun laws. Texas law, for example, requires only that rifles and pistols not be sold to anyone under 21 and that dealers report the name and address of purchasers of pistols to the state department of public safety.

In 1963, Dallas had a murder rate of 13.1 per 100,000 persons. In the same year, New York, which has the toughest weapons law in the land, had 5.4 homicides per 100,000 population. Statistics also showed that 72% of the Dallas murders were committed with guns, compared with only 25% of the New York killings.

Understandably, law enforcement officers generally are in favor of tighter controls on the sale and possession of guns, although they don't expect it will solve the whole problem.

### Time to Cool Off

Leonard Reisman, former deputy commissioner of the New York City Police Department's legal division and now president of the Police College, commented:

"The proposed federal law would help, but it cannot be considered a cure-all. Where it will help is in crimes of emotion. The time and effort that would be required to get a gun permit could lead to a cooling-off period that would stop the impulsive action."

The NRA, however, is still expected to oppose broadening the Federal Firearms Act of 1938 to cover incidents such as the Texas slayings.

Franklin L. Orth, executive vice president of the association, said that new restrictions would not have prevented either the recent murder of eight nurses in Chicago or the killings in Austin.

### Sniper Has His Say

The NRA position got some unsolicited support last week from a convicted sniper slayer. Michael P. Moeller, 26, who was found guilty of fatally shooting a Honolulu policeman and wounding five tourists 13 months ago, voiced his objections to tougher laws in a letter—from jail—to the editor of the Honolulu Advertiser.

"I'm willing to say that something needs to be done somewhere, somehow, but legislation is not the whole answer," said Moeller. "Prohibition didn't stop those who wanted to sell or buy liquor from doing it. If anything, it only increased its illegal use."

Furthermore, said Moeller, "There should not be a general licensing and registration of rifles and shotguns along with handguns because if this nation should ever become occupied or invaded by a foreign power, it would be quite easy to collect all firearms that might otherwise be used in an active resistance to our oppressors."

### A Curious Consensus

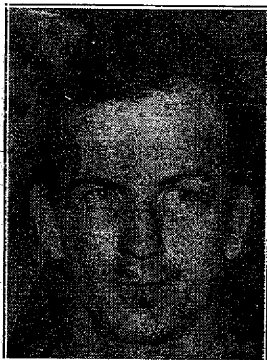
This defense is embarrassingly close to the official NRA statement on gun controls, which warns: "No dictatorship has ever been imposed on a nation of free men who have not been first required to register their privately owned weapons."

But it would be unfair to link a convicted sniper with the NRA. Its members are, by and large, solid, respectable citizens. John F. Kennedy was a life member.

Ironically, Sen. Edward M. Kennedy, brother of the slain President, last week drew the battle line between the NRA and the anti-gun forces.

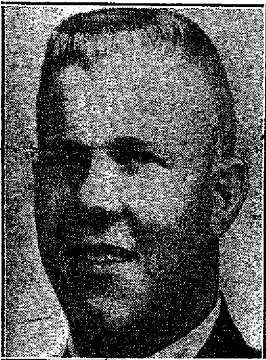
"Let us hear from the lobby of the American people," Kennedy said in a Senate speech. "For those of us in Congress who are concerned about the need for effective gun control need their support in the fight that looms ahead."

After years of skirmishing, this may well be the showdown.



Lee Harvey Oswald

Oswald spent only \$12.55 to assassinate a President. It cost Whitman a little more to kill 16 persons in his 86 minutes of murder.



Charles J. Whitman

tion of the image in the American mind of the Mounteman with the flintlock, the armed citizen and the Second Amendment's often misinterpreted provision concerning the people's right to keep and bear arms."

What the Dodd bill would do, the Senator explained, is this:

- Ban the interstate mail-order sale of concealable firearms—such as pistols and revolvers—to all individuals.

- Regulate the interstate mailing or shipping of rifles and shotguns. The purchaser would be required to have his application for a weapon notarized, and sale would be prohibited to felons and those under 18. The firm receiving the order would have to send a copy of it to the police chief in the customer's home town. The dealer could not mail the gun for seven days after the police had received a copy of the application.

- Restrict the importation of all surplus military handguns. Newly manufactured handguns could be imported only if they were of a type meeting a legitimate sporting need and conforming to safety standards. Rifles and shotguns could be imported if of good quality and designed for sporting use.

- Ban the sale of pistols to persons under 21.

- Ban the sale of rifles and shotguns to persons under 18.

- Ban the over-the-counter sale of concealable firearms to persons who are not residents of the state wherein the licensee—the dealer—does his business.

- Place special regulations over the acquisition of destructive devices.

Sen. Dodd had promised to try to amend the bill in the full committee to

pump rifle, a 12-gauge sawed-off shotgun, a reconditioned Army carbine, a 9 mm Luger and a .357 Magnum pistol. Three other rifles and two Derringer pistols were found in his home.

Neighbors remembered that even as a boy Whitman was always playing with guns. His father admitted that he, too, was "a fanatic about guns" and that his son grew up in a home where firearms hung in every room.

As a marine, Whitman earned a sharpshooter's rating with the rifle, but also was court-martialed for illegally possessing a pistol and ammunition in his barracks and aboard ship.

"The easy accessibility of firearms is a significant factor in murders committed in the United States today," FBI Chief J. Edgar Hoover declared in the June, 1963, FBI Law Enforcement Bulletin.

### Right to Public Safety

"The questionable traffic in deadly weapons in many sections of our country is a disgrace," Hoover added. "To my mind, the public has a right to expect that a distributor and the purchaser of weapons so deadly and easily concealed as handguns must meet certain regulations and qualifications."

Nearly a million guns were bought by mail in 1963, the Dodd subcommittee investigators estimate, and about two million more are made and sold annually in this country.

Estimates of the number of privately owned guns in the U.S. range from 60 million to one billion.

A year ago, Attorney General Nicholas Katzenbach told Congress that