

Source selectively used documents - not using <sup>Sturgis in Britain</sup> ~~Walter~~ <sup>Wills</sup> - Buchanan  
Brid? Scott? Scott piece? Phoenix Scott?

Collection of the unlikely - how did he come by it esp the obscure?  
Published sources not identified - fiddler - pretended personal interviews  
99 Omit C. L. I was when it is so typical of his when he went? )  
"One informal note" - where?  
Source of hidden de Mimmenschmidt reports? all public without comment

## Wisconsin Avenue at Harrison Street Northwest.

Other things being equal, your choice of a funeral director may be determined by the convenience of his location.

Three blocks south of the D.C.-Maryland line on Wisconsin, Gawler's, with parking for more than 100 cars, is convenient for anyone living almost anywhere in the metropolitan area.

However, we believe that other things are not equal. Since 1850 we've tried to make them unequal—in your favor.

**For a copy of  
"What Everyone Should  
Know About Funerals"  
phone 966-6400.**

what everyone should know about funerals



FUNERAL DIRECTORS SINCE 1850

**JOSEPH  
GAWLER'S  
SONS, INC.**

5130 Wisconsin Avenue, N.W.  
at Harrison Street  
Private parking for more  
than 100 cars.

## LEWIS AND CLARK

Contributing editor Julia Cameron demonstrates on page 58 that Washington is a romantic setting for lovers—a place of parks and rivers, tree-lined streets, and historic charm. There is also, primarily for visitors, a lingering aura of romance about the capital city itself—state secrets, immensely powerful men, diplomatic intrigue, subterranean command centers. During World War II and at other times when our country was threatened from abroad, this aura of romance was very strong.

But in recent years, especially since the death of John F. Kennedy, the Federal Establishment hasn't seemed at all romantic. Even high-minded tourists can't help but associate it with misguided, corrupt, and inefficient government.

Not surprisingly, after Watergate and Vietnam, romantic fantasies about Washington are spun around conspiracies in the White House, plots in the CIA, and coups d'état in the Pentagon.

Freelancer Joseph Goulden deals, on page 46, with a particular fervid breed of Washington fantasist—the people who concoct elaborate theories about the political assassinations that have plagued this country. Goulden, who worked for the *Dallas News* from 1958-61 and got to know many of the people who figured in the investigation of the JFK assassination, believes the Warren Commission report is accurate and regards the various assassination theories with a great deal of skepticism. He is author of many books, including *The Superlawyers*, a report on Washington's most powerful law firms. His latest book, *The Benchwarmers*, is an examination of federal judges.

The remarkably active world of Washington auctions is described on page 150 by Nona Baldwin Brown, an enthusiastic antiques collector who made her first acquisition—a \$16 set of brass andirons—at a Sloan's auction in 1947. Now a free-lance writer, she recently retired after 30 years as a *New York Times* correspondent.

Another veteran reporter, Shirley Elder, analyzes the performance of DC Delegate Walter Fauntroy (page 170)—his role in getting home rule for the District and his strategy for securing voting representation in Congress. Ms. Elder has covered local politics for the last 20 years, first for the *Washington Daily*

*News*, then as chief Congressional correspondent for the *Star-News*.

Although John Timberlake Gibson vouches for the authenticity of his secret diary of a Congressman's wife in 1930



Washington (page 70), we suspect his editing of the diary may include flights of editorial fantasy. In 1930 Gibson was an 18-year-old senior and yearbook editor at Westminster School in Simsbury, Connecticut, and he recalls that

Washington seemed to him a glamorous, exciting, and faraway place. He moved here in 1946 as a staff member of the Truman White House. Now a contributing editor of *The Washingtonian*, he has also contributed articles to the *Smithsonian Magazine*, *Spur*, *Town and Country*, *Sports Illustrated*, and *The National Observer*.

The incredibly rich lode of books in Washington-area libraries is assayed on page 165 by Beryl Lief Benderly, who



has spent the past five years with the Foreign Area Studies Group at American University doing research and writing on the Middle East and North Africa. After receiving a BA and MA in anthropology from the University of Pennsylvania, she taught sociology and anthropology at Fisk University and the University of Puerto Rico.

Our Money department is inaugurated this month by Herb Stats with a column on how to prepare for the day of tax reckoning. April 15. Stats is managing editor of *The Tax Executive*, an international professional journal for corporate tax executives, and Washington bureau chief for *Interconnection*, a newsletter covering the independent telephone manufacturing and marketing industry. On leave from Delaware Tech, where he taught business law and administration, Stats has spent over 30 years divided equally between government and industry. He has served as technical assistant to the Secretary of the Treasury, staff member of the Bureau of the Budget (now OMB), and financial management consultant to many private and public organizations including the Republic of the Philippines. □



1. The Bay of Pigs left two groups of people with a deep hatred of John F. Kennedy. The anti-Castro exiles never got their invasion force past the waterline at Playa Giron because the cowardly President Kennedy withdrew promised air support. Planners and paramilitaries from the CIA saw their careers ruined when the White House dictated that scapegoats be mustered. Regardless of the real truth of the Bay of Pigs failure, after April 1961 a number of men in the United States with conspiratorial experience felt that John Kennedy should not be in the White House.

The Bay of Pigs fiasco also galled a recently unemployed politician named Richard M. Nixon. As early as mid-1959 Nixon had advocated a "military solution" to Fidel Castro's regime, and he and CIA chief Allen Dulles argued President Eisenhower into approving the incursion in March 1960. To Nixon's dismay, however, Kennedy succeeded in talking the toughest about Cuba in the 1960 campaign's televised debates, calling for "support of the non-Batista democratic forces in exile, and in Cuba itself, who offer eventual hope of overthrowing Castro." Nixon, privy to the clandestine plans already being made, could only denounce Kennedy for "dangerously irresponsible recommendations."

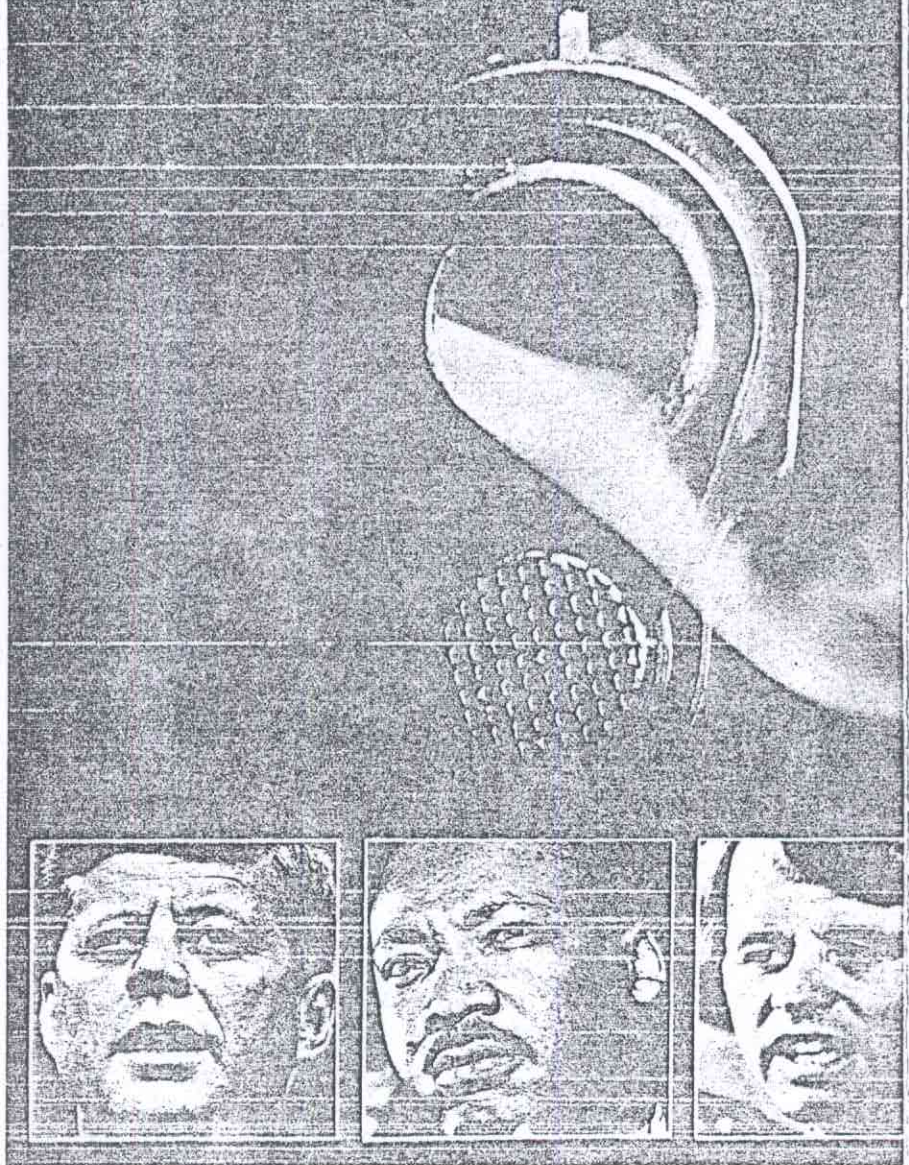
Someone to remember: A man using the name "Frank Fiorini" helped the CIA recruit Cubans for the mission. He really was Frank A. Sturgis, an American citizen and a contract employee of the CIA. His superior was agent E. Howard Hunt.

2. In mid-1963 President Kennedy looked unbeatable for re-election, so much so, in fact, that the political people around him fretted over such matters as whether to retain Lyndon Johnson on the ticket. In 1960 Johnson had demonstrated so little national appeal that his nomination for the Presidency was never taken seriously by national party leaders. As Kennedy's Vice President, he suffered as the butt of "Whatever-happened-to-Lyndon?" jokes. Although no one thought about the prospect—in audible voices, anyway—Republican chances for victory would be greatly enhanced should fate permit them to run against Lyndon Johnson in 1964, rather than an incumbent President Kennedy. Or so it appeared in November 1963.

On November 21, 1963, Wall Street lawyer Richard Nixon visited Dallas to speak at a convention of a soft drink bottlers' association and to spread some good will for a client, Pepsi Cola. Nixon mingled with bottlers at their convention motel—across the highway from the Dallas Trade Mart—and gave an interview to the *Dallas News* reporter ("Nixon Predicts JFK May Drop Johnson"). At nine

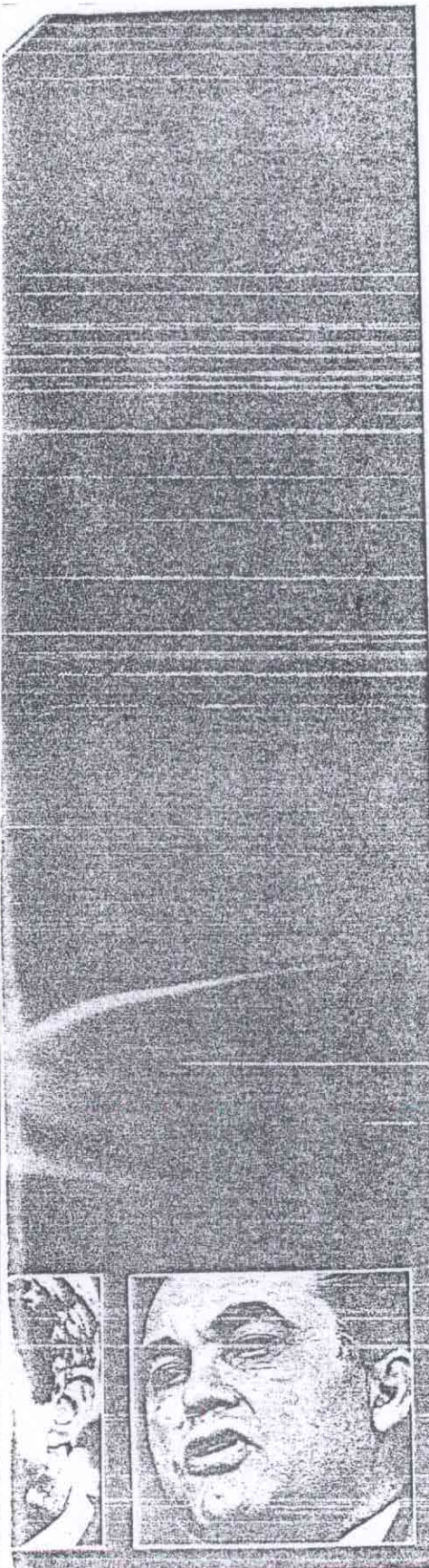
# Gun Barrel Politics

Being the First and Perhaps the Ultimate Scenario on Assassination Conspiracies In Which Isolated Facts Are Connected by a Skein of Conjecture and Suspicion



PHOTOGRAPHED BY PETER GARFIELD





o'clock the morning of November 22, Richard Nixon boarded American Airlines Flight 82 at Love Field for New York. In early afternoon a Manhattan cab driver told him about Kennedy's murder.

To the surprise of just about everyone, Lyndon Johnson seized the Presidency and so dazzled the country with performance and personality that wiser Republicans—men such as Nixon—simply stood aside and permitted Barry Goldwater to take the party's licking.

In September 1963, Lee Harvey Oswald, the man the Warren Commission determined was the unassisted assassin of Kennedy, travelled to Mexico City. He visited both the Soviet and Cuban embassies in an ostensible attempt to gain visas for travel to those countries, but was refused, even though he loudly proclaimed his admiration for Castro.

**Someone to remember:** The CIA's acting station chief in Mexico City during August and September 1963 was Howard Hunt. Hunt's temporary posting to Mexico City—the agency's largest, most sensitive post in Latin America—was unusual. A year earlier he had taken a newly created position as chief of covert activities of the CIA's Domestic Operations Division, with a Washington base. Although Hunt had previous experience in Mexico, he no longer worked for the agency division responsible for Latin affairs. The CIA was aware of Oswald's trip: On October 10 the Mexico City station sent the FBI a message stating a person "tentatively identified" as Oswald had visited the Soviet embassy. Hunt told the Watergate committee a decade later that his politics during this era were "Goldwater Republican."

**Someone revisited:** A few days after the JFK assassination the Pompano Beach, Florida, *Sun-Sentinel* quoted Frank Sturgis/Fiorini as saying Oswald had been in touch with Cuban intelligence in 1962, as well as with pro-Castro activists in New Orleans, Miami, and Mexico City. But when questioned by the FBI (for the Warren Commission) Sturgis/Fiorini said he had no firsthand knowledge of Oswald's activities; that he had merely speculated with the Pompano Beach reporter on the post-assassination rumors rampant in the Cuban-American community. The speculations had a common theme: Castro had ordered Kennedy killed in retaliation for Cuban humiliation in the October 1962 missile crisis, and as a *quid pro quo* for a Castro assassin the CIA had sent to Havana the previous year.

**3.** Given the political volatility of America in the spring of 1968 the surest way to stir up racial strife would be to assassinate a prominent civil rights

leader—someone, say, with the stature of Dr. Martin Luther King Jr. Potential Republican candidates like Richard Nixon talked early about law and order, often in careful euphemisms that equated violent crimes with blacks. One theme was that a GOP administration would not tolerate "urban rebellions," a reminder of the black ghetto riots that made a mockery of LBJ's Great Society.

An assassin's bullet killed Dr. King the evening of April 4, 1968. The riots began within the hour, and they raged for days, each burning building scorching Democratic hopes for success in November.

Richard Nixon, already on the brink of clinching the Republican Presidential nomination (only the hapless Nelson Rockefeller stood in the way), said the riots were just awful, and that under his administration America would be a more civil place in which to live.

**Someone to remember:** During August 1967, prison escapee James Earl Ray, scrambling across the continent to avoid capture, somehow got to Canada. He desperately needed papers to document a new existence and money to get to South Africa. According to Ray's now-disowned biographer, William Bradford Huie, Ray talked about his problems in a seedy seamen's tavern in Montreal named the Neptune. Huie wrote: "A man whom Ray calls Raoul and describes to me as being a blond Latin about 35, and whom Ray took to be a seaman, showed interest in him. They began cautious verbal explorations, with Raoul hinting that if Ray was willing to assist in certain projects, Raoul might be able to provide Ray ID and capital." They agreed, and soon thereafter Ray undertook the wanderings that eventually brought him to Memphis one April evening the next spring.

According to Arthur Hanes Sr., Ray's first lawyer, the purpose of the visit was "to try to sell rifles to Cuban exiles. . . . When Ray found out that Dr. King had been shot, he panicked and fled from Memphis." Later, after his arrest, Ray issued a statement through his brother Jerry, claiming he had been controlled by "federal agents" who would return him to prison unless he cooperated:

*They told me I was helping them to supply arms and guns to Cuban refugees to overthrow Castro and the Communists in Cuba. . . . The reason why I've made trips to Mexico was in regard to helping the agents of the federal government to supply arms to Cuban refugees there to overthrow Castro. The federal agents led me to believe that I was in Memphis in April for the same purpose. . . . I knew nothing about King being in Memphis until after King had been killed. . . . I know that the federal agents merely used me to be the fall guy when they killed King.*

Blond Latins, although not rare, are



found more often than not in racially polyglot Cuba, where blacks, Indians, Spaniards, and other whites are so mixed up that the racial origin of any given individual is a matter of conjecture.

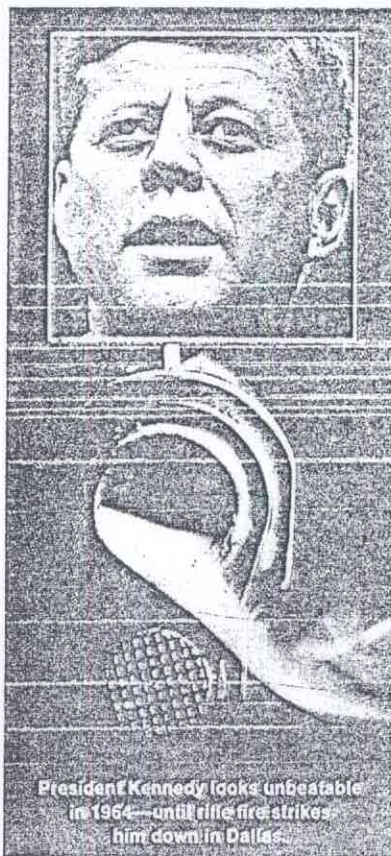
4. One reason Robert Kennedy decided to run for the Presidency was to keep Richard Nixon out of the White House. George Romney's abrupt withdrawal from GOP contention on the eve of the New Hampshire primary in February 1968 "convinced Kennedy more than ever that Nixon would be the Republican nominee," according to biographer Jules Witcover. "To all the Kennedys the thought of Richard Nixon in the White House, eight years after having been beaten by John Kennedy, was bitter to contemplate."

And when he did begin campaigning, Bob Kennedy loved to jibe at Nixon. For instance, he ridiculed a signboard showing Nixon carrying a briefcase and looking like a Boy Scout; the legend was "Nixon's the One." To guffawing crowds, Kennedy would scoff: "Nixon's the one what? . . . Look at that briefcase. I've been wondering all this time what's in that briefcase. Do you think he's a briefcase salesman?" RFK was a Democrat who appealed to both Gene McCarthy's kids and George Wallace's white-socks crowd. Witcover—although acknowledging he dealt in guesswork—wrote later, "In a campaign against Richard Nixon, in which the winner would be chosen in the cities and in the streets where his special constituency could be brought directly to bear, Kennedy might well have become what millions thought he someday inevitably would be—President of the United States."

The night Kennedy won the California primary, he told Jimmy Breslin, "I'm going to chase Hubert Humphrey's ass all over this country. Everywhere he goes, I'll go too." Then he went downstairs and a man named Sirhan Sirhan fired a gun at him and 24 hours later he was dead.

The Humphrey candidacy didn't survive the turbulence of the Chicago convention. Indeed, Richard Nixon's chief concern was whether George Wallace would siphon off so many Southern and conservative votes as to throw the election to the Democrats. Wallace didn't. He got 13 percent, and Nixon squeaked through.

5. Richard Nixon constantly threw nervous glances over his shoulder at the Wallace specter during his first term, occasionally tossing an ash can in his path (i.e., the tax problems stirred up for the governor's brother), occasionally trying to undercut his constituency (the Haynsworth-Carswell nominations). But Wallace marched onward, his ratings in the major polls edging upward to 17 percent by May 1972. Nixon, conversely, couldn't break the 43 percent he had



drawn in 1968, notwithstanding the China trip and the Vietnam peace flurries and the economic machinations. The Nixon people were scared of Wallace's strength among blue-collar voters in the north—a fear given reality by Wallace's sweep of the Michigan Democratic primary. As late as March, political strategist Robert Finch was saying Nixon's entire strategy "depends on whether George Wallace makes a run on his own."

The afternoon of May 15, 1972, a balding, blondish Arthur Bremer pressed close to Wallace at a rally in suburban Laurel and gutshot the little governor. With Wallace's elimination, Theodore White said, "The re-election of the President was finally, irrevocably, assured."

Someone to remember: About an hour after the shooting, John Dean told the Watergate committee, Nixon counsel Charles Colson ordered E. Howard Hunt, by now a card-carrying White House plumber, to fly to Milwaukee "immediately" and "break into Arthur Bremer's apartment, and bring back anything that might help in connecting Bremer to left-wing political causes." Dean said he received this information from Hunt. Colson flatly denied the story. He did concede that Nixon was "agitated" about the shooting and wanted political background on Bremer. Colson depicted Nixon as fearful that Bremer might have ties to the Republican party, or even the Committee

to Re-Elect the President. If so, Colson opined, Nixon well might have lost the election.

Nixon didn't, of course; he won a landslide victory in the third consecutive American Presidential election in which the single bullet of an assassin was of more importance than millions of citizens' ballots. In two of these elections the chief benefactor of the political killings was . . .

But so what? Are not the people who concoct and pursue such conspiracy theories the sort of nuts who give paranoia a bad name? Does any American of any public importance believe that the three big hits and the big near miss were other than isolated acts by unassisted kooks? Have not the Grassy Knoll and Zapruder Frame #110 and the Eric Starvo Galt coincidences and the station wagon near the Ambassador Hotel rear exit been pursued to the point of meaningless return?

Can you really conceive of a conspiracy so vast, so tangled that it encompasses the late Chief Justice Earl Warren and Memphis traffic cops? The manager of a film developing service in Dallas and the head of the White House Secret Service detail? The thousands of FBI and CIA agents and local, state, and foreign investigators who had a hand in the cases at one time or another? Oh, bosh.

Such was the prevailing national opinion the past ten years. Now, however, the climate is changing. One little discussed but potentially explosive side effect of Watergate is the sudden intellectual comfort in thinking about the previously unthinkable. Watergate revealed that America's government can plot against its own citizens—bug them, burglarize them, defame them, even banter about kidnapping and firebombing them. What are the outer bounds of official criminality once lawbreaking becomes acceptable to a national administration? Does it extend to . . .

Congressman Henry B. Gonzalez said the ugly thing on November 21 in a floor speech. The San Antonio Democrat, who was travelling with the Kennedy party when the President was shot, said he and most Americans "wanted to believe the results of the official conclusion"—that Lee Harvey Oswald alone was the killer. But now, Gonzalez said, he and colleagues are beginning to have "serious doubts about the thoroughness of the Warren Commission's findings." He continued: "My suspicions last year were greatly aroused as the result of some of the Watergate testimony regarding CIA-related activities and the Bay of Pigs." Gonzalez said he was considering asking Congress to reopen the investigation. "The official verdict is, I feel, unfortunately, inconclusive."

Although Gonzalez is an eighth-term Congressman he is not a mover and



shaker in the House of Representatives, and his floor statement failed to excite any immediate support. Nevertheless several unrelated happenings in recent months point up a resurgence of interest, official and otherwise, in political murders officially marked closed.

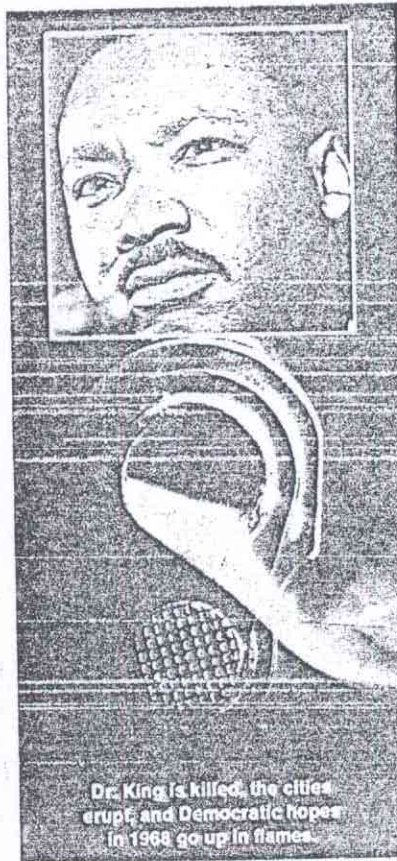
—Disturbing disclosures during a Federal district court hearing in Memphis raise the very real possibility—even probability, in the opinion of some people involved—that the admittedly flimsy James Earl Ray case is about to fall apart. Working through Washington lawyers James Lesar and Bernard J. Fensterwald, Ray is seeking a full-blown new trial in which he would recant his 1969 “confession” that he killed Dr. Martin Luther King Jr. Ray pleaded guilty in return for a sentence of 99 years in prison. Now Lesar has established that Tennessee officials regularly opened Ray’s correspondence before his “trial,” including communiques with his then-lawyers in which he discussed defense strategies.

Lesar and Fensterwald are asking a new trial on grounds these interceptions violated Ray’s rights. If this occurs, prosecutors face the dubious prospect of proving that Ray fired the rifle shot that killed King—something Fensterwald flatly states cannot be done. The defense team has produced credible evidence that the sole “eyewitness” to Ray’s involvement—an old wino who lived in the flophouse from which the fatal shot was fired—was “so drunk he couldn’t even walk” at the time he purportedly saw Ray running from the scene.

If a new trial is granted, Ray’s lawyers and investigators could get a chance to explore publicly the dozens of loopholes, inconsistencies, and contradictions that riddle the accepted “no conspiracy” explanation of the case. On these points, more in a moment.

—An audacious challenge by Allard Lowenstein, the former Congressman and peace activist, to the conclusion that Sirhan Sirhan did all the shooting the night Robert Kennedy was killed in Los Angeles. Acknowledging that he was putting his personal reputation on the line, and offering no counter-theories to explain Senator Kennedy’s murder, Lowenstein is asking that Los Angeles authorities reopen the case and answer “disturbing questions” about the number, source, and trajectories of shots fired.

Lowenstein had no sooner floated his questions than *Washington Post* reporter Ron Kessler, in two weeks’ brisk investigative work, knocked them from the air. Undeterred, Lowenstein is pressing on. “The choice, as I saw it, was either to go public, or say we are prepared to let it [political murder] happen again. We can’t leave it to the kooks when such questions are involved.” Indications are that Los Angeles District Attorney Joseph Busch will drop his long opposition to a hearing



on the disputed ballistics evidence—a hearing recently requested by Sirhan’s attorney—on the assumption that a “court sanctioned examination of the facts” will root the skeptics.

—An indefatigable effort by free-lance investigator Harold Weisberg to jar still-secret Warren Commission documents out of the National Archives is producing intriguing snippets of information that are subject to varied interpretations—many of them hair-raising. For instance, Weisberg recently bagged a transcript (with the TOP SECRET markings scratched out) of an urgent commission session on January 27, 1964. Chief Justice Warren called the meeting to discuss how to verify or disprove reports that Oswald worked for either the FBI or CIA or both. J. Edgar Hoover had issued a flat denial, but Allen Dulles, the former director of the Central Intelligence Agency and a commission member, suggested that such statements should not necessarily be taken at face value. If a CIA agent recruited an informer who went sour, Dulles said, “I wouldn’t think he would tell it under oath,” or even to his own superiors.

In some instances, Dulles continued, he would not reveal that a certain person was a covert agent to anyone other than the President. “I would tell the President of the United States anything, yes, I am under his control. He is my boss. I wouldn’t necessarily tell anybody else,

unless the President authorized me to do so. We had that come up at times.”

“You wouldn’t tell the Secretary of Defense?” asked John J. McCloy.

“Well,” answered Dulles, “it depends a little bit on the circumstances. If it was within the jurisdiction of the Secretary of the Defense, but otherwise I would go to the President, and I do on some cases.”

Dulles also said the only paper record of some covert informers would be “hieroglyphics that only two people knew what they meant, and nobody outside the agency would know, and you could say this meant the agent, and somebody else could say it meant another agent.”

The bulk of the discussion was how the Warren Commission would dare ask the redoubtable Hoover to substantiate his statement that Oswald did not work for the bureau. Dulles said, “I think under any circumstances . . . Mr. Hoover would say certainly he didn’t have anything to do with this fellow [Oswald]. You can’t prove what the facts are. There [is] no other external evidence. I would believe Mr. Hoover. Some people might not. I don’t think there is any external evidence other than the person’s word that he did or did not employ a particular man as a secret agent.”

Justice Warren avowed, “I am not going to be thin-skinned about what Mr. Hoover might think, but I am sure if we indicated to Mr. Hoover that we are investigating him, he would be just as angry at us as he . . . would be at the Attorney General for investigating him.” The commission finally pawned the assignment of belling Hoover off onto counsel J. Lee Rankin; its final report concluded Oswald worked for neither the FBI nor the CIA.

Let us turn, finally, to the two Washingtonians in the vanguard of the people chasing conspiracy theories, and a look at what they are doing and how. The field is cluttered. One informal roster shows about 400 persons around the country baying after one theory or another, looking for smoking-pistol-irrefutable proof that murder was not committed the way the cops say it was. Many of these people don’t like one another. They are constantly stepping on egos and sensitivities and pet theories, and generally making each other mad. In moments of deep rage, they are apt to call one another the dirtiest of names—“You CIA agent you”—and pick up their scenario and go home.

Bernard Fensterwald sees one of his missions as that of preserving order amongst this snarl of scratching cats. He is the guiding spirit behind something called the Committee to Investigate Assassinations (CTIA), which consists of Fensterwald’s enthusiasm, a mimeograph machine, a board of directors which meets about once a year to kick around the latest



findings, and two rooms of files in a dim office suite at 15th and I streets.

"The subject of assassinations is too damned involved for any one person to handle by himself," Fensterwald maintains. "I saw the need for a clearinghouse where people could get together and talk about what they are finding, and to exchange information. So we offer a repository for the material, and make our files available to anyone who wants to use them. The main idea in any investigation is to put information into the hands of people who can use it."

Because of Fensterwald's tendency to speculate out loud about the darkest of conspiracies, involving important personages and agencies, he tends to come across on paper as a fellow you might find distributing hand-lettered pamphlets outside the White House gates. In the flesh, however, he is convincing, with a background that gives him *ex officio* standing as something more than one of our classic Washington nuts.

Son of a wealthy Memphis merchant family, Fensterwald has degrees in international law both from Harvard Law School and the Johns Hopkins School of Advanced International Studies. He joined the State Department as a Congressional liaison officer and worked on such projects as defending old China hands under assault by Senator Joseph McCarthy and helping beat down the controversial Bricker Amendment, which would have put effective control of US foreign policy in the Congress. This work threw him into intimate contact with Senator Estes Kefauver, whom he admired, and whom he joined as a speechwriter and foreign policy adviser in the 1956 Vice Presidential campaign.

As staff director of Kefauver's Subcommittee on Antitrust and Monopoly, he helped run the hearings that exposed the electrical price-fixing case, and he ran a tough but futile battle against the 1962 legislation that put the \$25 billion communications satellite program in the hands of private industry. (Kefauver felt the satellites should be controlled by a TVA-type agency because of the government investment in the space program).

Fensterwald got his first taste of government wiretapping as counsel for Senator Edward V. Long's invasion-of-privacy probe during the 1960s. He documented widespread and dubiously legal bugging by the IRS, the Food and Drug Administration, and other agencies, and publicized the Justice Department's use of mail covers on criminal suspects. He also got into loud name-calling with Robert Kennedy, then the Attorney General, over Justice Department buggings; now, ironically, he is spending much time probing RFK's death.

The Long probe poofed when *Life* magazine charged that the Missouri Senator was actually fishing for evidence



Robert Kennedy runs in 1968 to keep Richard Nixon out of the White House—then he's killed.

that the government had illegally bugged imprisoned Teamsters president James Hoffa, citing a fee-splitting deal Long had with a union attorney. Fensterwald has argued, convincingly, that Long was doing no such thing; nonetheless, the Senator lost his seat, and Fensterwald was suddenly a private Washington lawyer.

Given his energy and independent income, it was perhaps inevitable that Fensterwald would find himself a cause. During a 1967 visit to New Orleans on Long committee business he heard District Attorney Jim Garrison expound on assassination theories. He then did some reading of the critics' material, and he was hooked. The more he read, the more suspicious he became, and he roamed the Senate trying to find a member to take up a formal investigation.

"They were interested but scared," Fensterwald says. "The John Kennedy killing was a great mystery no one wanted to touch. Some of these people honestly felt they would get killed if they messed around in it. Take Russell Long. He was a member of the Warren Commission, but he didn't buy the no-conspiracy finding. But no one wanted to go up against a commission that included such respected men as Richard Russell and Earl Warren. They thought it would be political suicide. And maybe even physical suicide."

So Fensterwald began his own investigation, starting with an 8,000-mile trip

that took him to Los Angeles, Dallas, New Orleans, Memphis, and Miami in quest of leads. He established contact with "the more or less serious students of the killings" and persuaded them to start an informal interchange of information via his CTIA. He estimates he now spends about half his time on CTIA work, the other half in private law practice (from very plush offices in the Third Church of Christ Science Building at 16th and I streets, across Lafayette Square from the White House).

Fensterwald can talk on any number of inconsistencies and mysteries—major and trivial—in the assassinations. One of the more interesting theses is his contention that Lee Oswald and James Earl Ray (Fensterwald calls him "Jimmy") had doubles who deliberately laid down easily followed trails of evidence that could be discovered after the crimes.

In the case of Oswald, Fensterwald points to a photograph of a man who visited the Soviet Embassy in Mexico City during the period Oswald was said to be in the country. (Through Mexican intelligence, the CIA obtains a covert photograph of anyone who comes near the Soviet and Cuban embassies). The CIA, in forwarding the photo to the US, tentatively identified the man as Oswald. "No such thing," says Fensterwald. "This picture landed in the FBI office in Dallas on November 22, and the agent who had been working on Oswald was busy and laid it aside. That afternoon, however, he took much more interest in it. Agents took the photo out to the motel where Marina and Marguerite Oswald [wife and mother of the accused assassin] were staying. Marguerite said she didn't know who it was.

"A friend of mine who used to be in that business [intelligence] saw the picture and gave me a quick ID on the fellow. It was a 'mechanic'—a man who had been a contract killer for intelligence agencies. I'm fairly certain we know the name he used in the past, and the [European] country he's from. What is definite is that someone using Oswald's name went to the Soviet and Cuban embassies. The CIA got a picture of him, but none of Lee Harvey Oswald."

(The Warren Commission, which chased the "two Oswalds" theory as well, concluded that the "real" Oswald in fact had visited the Cuban embassy, based upon a description given by a Mexican woman working there as a visa clerk.)

The Ray story is a bit more complex. How, for instance, could the fugitive (then using the name Eric Starvo Galt) order a duplicate Alabama driver's license by phone, and pick it up at a Birmingham boarding house, when all the while he was in California? During a London trip in 1969 Fensterwald found widely disparate descriptions for the



"real" Ray and a man using another of his aliases (Ramon George Sneyd) when staying at a cheap West End hotel. The hotel landlady told Fensterwald a peculiar story: The dubious Ray was accompanied by a blond man who did most of the talking. (Remember "Raoul," the "blond Latin" Ray claimed to have met in Canada?) Fensterwald showed the woman a photo of the real Ray. "That's not the man who stayed here," she replied. Both the FBI and Scotland Yard say it was.

What explanation can Fensterwald offer for the assassinations? Are they one interrelated plot? Did branches of the US government actually direct the killings of prominent personages who, for one reason or another, had disturbed the established order?

"I am not one of those who believe they were planned out at Langley," Fensterwald says. "But I do believe it is tied up with intelligence, and particularly the [President] Kennedy killing. Further, I don't think that private citizens will ever solve the murders. What is needed is some pressure on possible participants in the conspiracy." (Fensterwald named two, both Dallas residents not mentioned in this article). "These men could be made to talk. The US government, when it puts its mind to it, has the facilities to solve the Kennedy case.

"Now the King case is something different. The US government could give you the name, rank, and serial number of Dr. King's murderer right now—without leaving the FBI Building."

Fensterwald's mate in the King probe is a charmingly pugnacious man named Harold Weisberg, who lives in a pleasant house outside Frederick that is filled with sunshine, verdant potted plants, and a large mountain of assassination data. Weisberg is the kind of person who drives governments nuts. In terms of hours spent, words produced, and bureaucrats harassed, Weisberg is by far the busiest of the assassination buffs. He has published five books on the killings—four on JFK, one on King. He has driven the Justice Department into a rage with his freedom of information suits. He was a guiding spirit in Jim Garrison's attempt to pin the JFK murder on New Orleans businessman Clay Shaw and a chattering coterie of young homosexuals and Cuban refugees.

All this Weisberg has done on his very own. His wife types his books, which are published from typescript via photo-offset. Weisberg does his own sales, chiefly by mail, and arranges his own publicity, mostly telephone interviews with small radio stations in faraway places. Weisberg's experiences with commercial publishers were generally sour (even with Dell, which sold hundreds of thousands of a paperback he wrote about the Warren Commission) and



Richard Nixon in 1972 nervously looks over his shoulder at George Wallace, the next to be gunned down.

hence he opts for the frayed-shoestrings operation—even though, as he complains, his investigative output far exceeds his printing capacity.

Weisberg is possessed of an ability to

spot a conspiracy most anywhere he looks—a major failing, and one which causes him considerable credibility problems among other buffs. Weisberg suspects foul play, for instance, when a Southern newspaper won't send him requested clippings on the King murder. He wondered, darkly, whether the JFK conspirators had agents posted at photo development labs in Dallas to filch amateur movie films that could shed light on the assassination. Any policeman or ballistics expert who gets on the stand, any prosecutor who argues in court, any official remotely connected with the federal government is *ipso facto* a perjurer or worse.

That Weisberg resorts to such conspiratorial overkill is a pity, for the man's books show a tenacious, dogged ability to plow through conflicting sets of facts and seize upon the discrepancies. His analysis of the King murder, for instance, would convince even a deputy sheriff that the crime could not have been committed as described in court during Ray's guilty plea. (One example, from among many: Ray didn't smoke. Yet the white Pinto auto in which he supposedly fled Memphis had its ashtrays jammed with cigarette butts when abandoned on a parking lot in Atlanta.)

Ray has dribbled out such conflicting stories of his role in the shooting that most people who have dealt with him are not sure what, if anything, should be believed. But during his guilty plea in March 1969 Ray made plain he did not accept assertions by Attorney General Ramsey Clark, FBI Director Hoover, Memphis prosecutor Phil Canale, and others that the case did not involve a con-

### A Do-It-Yourself Assassination Theory Kit, as Designed By Bernard Fensterwald During Lunch at Paul Young's Restaurant on December 6, 1974, After Only One Bottle of Budweiser Beer.

1. The evening of July 13, 1965, UN Ambassador Adlai Stevenson, while visiting in London, told CBS newsman Eric Sevareid he was damnably unhappy about the course of events in Vietnam, and just might leave the Johnson Administration.
2. The next day Stevenson dropped dead while walking through Grosvenor Park near the US Embassy.
3. Although press reports said Stevenson died of a heart attack, no autopsy was conducted and the British government permitted the US government to fly the body home without the usual death certificate formalities.
4. The KGB uses a cyanide aerosol spray for assassinations outside the Soviet Union. One whiff of the stuff and a man is dead within seconds. All traces vanish from the body within half an hour.
5. The CIA is every bit as smart as the KGB, and uses the same kind of dirty tricks equipment.
6. Stevenson's companion on the walk was Marietta Tree, a member of the US delegation to the UN.
7. Mrs. Tree's first husband was Desmond FitzGerald, Deputy Director for Plans of CIA, a title that means he ran the clandestine services division.
8. FitzGerald dropped dead nine days later, on July 23, while playing tennis at his country home near The Plains, Virginia. The press reports gave the same reason as for Stevenson's death: heart attack.
9. Stevenson never got a chance to publicize his discontent with LBJ's war.
10. The CIA was very much involved in the Vietnam war, and it didn't care for people who criticized what was happening out there.
11. Fensterwald admits all this is rather far-fetched, but he has visited London in the past, and thinks that Grosvenor Park is a nice place for a walk. But one should be careful of strangers carrying aerosol cans.



spiracy.

These statements came after Canale outlined a stipulated case showing Ray to be a lone killer. Ray interrupted, "Your honor, I would like to say something too, if I may." Judge W. Preston Battle told him to proceed.

Mr. Ray: *I don't want to change anything that I have said. I don't want to add anything onto it either. The only thing I have to say is, I don't exactly accept the theories of Mr. Clark. In other words, I am not bound-to-accept these theories of Mr. Clark. . . . I mean on the conspiracy*

### Some Trivia the Feds Found in Pursuit of Perpetrators of More Important Violations of the Ten Commandments.

Should the entire investigative record of the Kennedy assassination be thrown open for public inspection? Critics of the Warren Commission maintain that full disclosure of the evidence would reveal high-level chicanery or worse. Bernard Fensterwald maintains, however, "The answer isn't in the National Archives, because the Warren Commission didn't do its work."

The critics' suspicions that "suppressed evidence" could break the case date to a statement by Chief Justice Earl Warren on February 3, 1964, that because of "security considerations" some testimony might not be released to the public within their lifetimes. Warren later let it be known he had only two types of material in mind: details of techniques the Secret Service uses to protect a President, information a future assassin could put to malevolent use; and reports the CIA produced from its covert sources abroad, especially in the Soviet Union. (By one unconfirmable account, the CIA was able to report as "hard fact" that the USSR had no role in the killing because of the presence of a high-level informant on the Central Committee of the Communist Party.)

Warren could have pointed to a third category as well: the irrelevant but spicy data inevitably turned up by the FBI when it began poking through the personal lives of citizens who were on the periphery of the assassination. The FBI, once set into motion, sucks up facts with the nondiscriminating, impersonal enthusiasm of a vacuum cleaner. Whatever an agent learns, he writes down, on the theory that a seemingly useless fact might be of significance when collated with information found elsewhere.

The FBI spent considerable time probing the backgrounds of a couple who had a casual relationship with Lee and Marina Oswald during the months preceding the assassination. The acquaintanceship, the Warren Commission ultimately concluded, was in no

thing. *I don't want to add something to it which I haven't agreed to in the past.*

Ray's then-lawyer, Percy Foreman, interrupted: "I think that what he is saying is that he doesn't think that Ramsey Clark's right, or J. Edgar Hoover is right. I didn't argue them as evidence in the case." Foreman said nothing required Ray to accept the no-conspiracy statements of Clark and Hoover.

Judge Battle was to say later that he did not believe the full truth was known in the case. "But my conscience told me it better served the ends of justice to accept the

way related to the President's death. But a summary of the reports—obtained from the National Archives under the Freedom of Information Act—illustrates the sort of gossip and personal information compiled by the FBI in chasing leads in the case. The summary has been edited to remove identifying data.

Mrs. —, owner of the property at —, residence of the SUBJECTS as of that date, advised the SUBJECTS had resided there since —. Mrs. — characterized their life as "Oriental" or "beatnik." Mr. and Mrs. — ADVISED THAT THE SUBJECTS had taken a walking trip . . . and that they had shown the — movies of this trip. Much of the film showed SUBJECT and his wife nude, bathing in various creeks and rivers. When questioned as to this matter . . . SUBJECT stated that these films showed him and his wife from a rear view only. . . .

[another interviewee] advised that he and his wife had known SUBJECT on a social basis when SUBJECT had a previous wife. He recalled on one occasion SUBJECT exhibited movies of a trip he had made with —, a — with offices in — in Dallas. The movies included scenes of — and SUBJECT dancing naked around an automobile in which a prostitute was seated naked in an extremely lewd position.

SUBJECT also exhibited photographs of male nudes and bragged of having worn his wife's panties. [The interviewee] stated that when he last visited in the SUBJECT home . . . he recalled that there was a painting in the downstairs bathroom depicting erotic scenes. This painting was proudly identified by SUBJECT'S present wife as a work of her daughter by a previous marriage. [The interviewee] also said he knew of no one who could furnish any information to the effect that SUBJECT or his present wife were homosexuals but on the basis of general observations — may be homosexual.

agreement. Had there been a trial, there could always have been the possibility, in such an emotionally charged case, of a hung jury. Or, though it may appear far-fetched now, he could have perhaps been acquitted by a jury." (Battle died several weeks after accepting the plea.)

Ray gave more details of the conspiracy story during the recent federal court hearing in Memphis on his motion for a new trial. He claimed he received funds from Raoul, the "blond Latin," for more than a year after meeting him in Canada. Eventually, he said, he received instructions to meet Raoul in New Orleans, only to find he had gone onto Birmingham. He said he was instructed (by an unnamed party) to buy the King death rifle and deliver it to Memphis on April 3 or 4. He claimed to have been more than a mile from the murder scene when Dr. King was fatally wounded, and that he had witnesses to prove it. And one of Ray's Memphis lawyers, Robert I. Livingston, has said at least eight persons were involved—four who did the actual killing, and four who paid for it.

Harold Weisberg, meanwhile, plods away at finding more evidence that he hopes could get Ray out of jail—undeterred by the fact that his chief conduit, Ray's brother Jerry, is an unabashed anti-Semite. Weisberg uses investigative skills honed during the 1930s, when he probed union-busting tactics for the old LaFollette Senate Committee on Civil Liberties. During the war he moved to the Office of Strategic Services, specializing in tracking down assets of enemy corporations and cartels. He left radio journalism in the 1950s and moved to rural Maryland to write and raise geese.

What is the conceivable outcome of the Ray case? Both Weisberg and Fensterwald doubt that Ray will ever give the full story publicly, for fear the co-conspirators will kill him. And they concede that a new trial would not necessarily mean a thorough airing of the conspiracy theories they have chased the past six years.

In Fensterwald's words, the first priority in the trial would be to force the state to prove that Ray killed King. If the state can't make its case, Ray goes free, and nothing further is said. "There's no reason that Ray has to prove he didn't do it—the system works the other way," Fensterwald noted.

If Ray did not win a directed acquittal after the state finished its case, would he then spell out details of the conspiracy—naming the men who supposedly made him the patsy of the assassination investigation?

"Now that is the S64 question," Fensterwald said. "If this happens, we just might begin to unravel the first thread of some things that have been troubling this country since 1963." □