

BOOK FOR TODAY - HISTORICAL REVIEW PROGRAM

What Was Lee Oswald's Motive?

Even Star 29 Oct 70

By REED J. IRVINE

THE ASSASSINATION OF JOHN H. KENNEDY, THE REASONS WHY. By Albert H. Newman. Clarkson N. Potter, Inc. 621 pages. \$10.

Any reader of murder mysteries knows the importance of establishing a motive in determining the identity of the murderer. It has been recognized some time that one of the obvious weaknesses of the Warren Commission Report is its failure to show clearly why Lee Harvey Oswald wanted to kill John F. Kennedy.

Albert H. Newman, a veteran journalist, recognized that the failure of the Warren Commission to establish a convincing motive for Oswald's action is responsible for much of the suspicious reaction to the Commission's conclusions.

Newman has written this book to show why Lee Harvey Oswald tried first to murder John F. Kennedy, a passionate advocate of the far right in

political philosophy, and then murdered President Kennedy, who represented a very different segment of the political spectrum. In doing so, he has produced a brilliant piece of detective work, one that would do credit to a Perry Mason or Sherlock Holmes.

Like any great detective, Newman recognizes the importance of trying to understand exactly how the mind of the murderer functioned. This requires careful examination of all the factors that influenced his thought and action. Newman set out to obtain as accurate a picture of the way Oswald thought as he possibly could. He did this by sifting with great care the mass of material assembled by the Warren Commission and by adding to this analysis of the material that Oswald was reading and listening to with his short-wave radio.

Developing a very credible map of Oswald's mind, Newman deduces how his overt acts were triggered by what he read in the papers and by what he heard on the radio. Oswald's consuming interest in life was politics, or more specifically the politics of Marxism. While the Warren Commission suggested that he was motivated to kill the President by his maladjustment to his environment, his hatred for American society, his desire to be a great man and his commitment to communism, it failed to make a credible case for any of these factors as motives for murder.

Newman painstakingly unravels the mystery of Oswald's peculiar conduct from the time he returned from the Soviet Union in June 1962 until he was shot down by Jack Ruby on Nov. 24, 1963.

Newman clearly establishes the fact that Oswald, after his 32-month sojourn in Soviet Russia, became a devotee of the Trotskyite brand of communism. He was disillusioned with communism as he had seen it in Russia, but Marxism remained his religion. He tried to join the Trotskyite Socialist Workers Party, and he subscribed to its publication, The Militant. He came to share its ardent admiration of Fidel Castro.

Newman shows, quite persuasively, that Oswald's deci-

sion to murder Gen. Walker was triggered by Walker's strongly hawkish position on Cuba and his designation by the Communist press which Oswald read as America's leading "fascist."

Newman develops some interesting evidence that Oswald had several accomplices in his effort to kill Walker. For example, a snapshot that Oswald made of Walker's home in preparation for the murder attempt shows an automobile, and for some reason Oswald made a hole in the picture to obliterate the license tag. The inference is that Oswald was driven to the Walker residence by an accomplice, since he himself had no car and could not drive. Newman does not think these presumed accomplices were involved in the attack on President Kennedy, but he strongly criticizes the Warren Commission for not doing more to try to establish their existence and their identity.

The Warren Commission did not attach the same significance to Oswald's attack on Walker as does Newman. Newman shows that many of Oswald's seemingly inexplicable actions fit into a carefully conceived plan to murder Walker, flee to Cuba and be accorded a hero's welcome for having done away with this leading "fascist." Newman is convinced that Oswald continued to plot the murder of Walker even after his initial unsuccessful attempt. In fact, he believes that after killing the President, Oswald set out with his pistol to shoot Walker. By sheer chance police officer J.D. Tippit ended up being shot by Oswald instead.

But why the murder of John F. Kennedy? Newman shows that Kennedy too was a great enemy of Fidel Castro's. Shortly after Oswald returned to the U.S., the Cuban missile crisis broke out. The outcome was a defeat for Castro. Radio Havana was constantly heaping abuse on the United States and its President.

Newman points out that the Warren Commission was so unconcerned about the kind of ideas Oswald was ingesting that they did not even establish the fact that the radio he owned was capable of picking up the nightly broadcasts from Cuba. Oswald's radio did have a shortwave band, Newman discovered, and his habits suggested that he listened to Ha-

Oswald's Widow Wins

A federal appeals court has awarded \$17,729 to the widow of Lee Harvey Oswald for property seized during the FBI's investigation of the assassination of President John F. Kennedy, ruling that Oswald's diary and other papers have historical importance.

27 Feb 73

The 5th U.S. Circuit Court of Appeals reversed a Texas federal district court finding that Marina Oswald Porter was entitled to only \$3,000 — the stipulated market value of property similar to that seized.

The items taken by the government for use in the compilation of the Warren Commission report consisted mainly of Oswald's personal effects, such as letters, a diary, family photographs, a marriage license and other personal effects.

The appeals court said it agreed with Mrs. Porter's claim that the items taken by the government had souvenir or collector's value, and that in order to properly compensate her for her loss, she should receive the fair market value of such collector's items. — UPI

vana regularly. If he missed Castro's bitter diatribes against the U.S. and its leaders on the radio, he could frequently read them in full in The Militant.

There is a weakness in Newman's presentation in that it is not clear what led Oswald to abandon his long-range plan to kill Walker and escape to Cuba in favor of a plan to kill both Walker and Kennedy with almost no hope of escape.

I think Newman did not give adequate attention to the contents of The Militant, Oswald's favorite reading matter.

He should have noted that this publication was not only publishing Castro's inflammatory denunciations of Kennedy, but it was also caricaturing



missed Kennedy as "a determined partner" of Mississippi Sen. James Eastland and as one who was "clinging" to the "Dixiecrats."

Newman suggests that the only thing Oswald had against Kennedy was his Cuba policy, but *The Militant*, which strongly influenced Oswald's thinking, played on many keys to inspire hatred of the President. And strangely, Newman, for all his attention to detail, overlooked a very significant passage from a Castro speech printed in a copy of the *Militant* that was found among Oswald's possessions. Castro said: "With the rifle and the work tool, the work tool and the rifle, with these both we

must bring about our victory."

Newman points out that Oswald once told a friend that in reading the Communist papers you could tell what they wanted you to do by reading between the lines. Here was his idol, Castro, denouncing John F. Kennedy and in the same speech suggesting the use of the rifle to achieve victory. There was surely a message there for expert rifleman Lee Harvey Oswald. At least, that was the way he took it.

Even if one does not accept all of Newman's deductions and theories, his book makes highly interesting reading. It

is a valuable contribution not only for the light it sheds on the slaying of John F. Ken-

nedy, but for its demonstration of the impact that ideas have on human conduct.

Russell Says He Never Believed Oswald Alone Planned Killing

19 Jan 70

By Don Oberdorfer
Washington Post Staff Writer

Sen. Richard B. Russell, who was a member of the Warren Commission which investigated the assassination of President John F. Kennedy, says he never believed that Lee Harvey Oswald planned the assassination alone.

"I think someone else worked with him (on the killing)," the Georgia Democrat said in one of a series of taped television interviews to be broadcast next month by WSB-TV, an Atlanta television station.

"There were too many things—the fact that he (Oswald) was at Minsk (in the Soviet Union), and that was the principal center for educating Cuban students . . . some of the trips he made to Mexico City and a number of discrepancies in the evidence, or as to his means of transportation, the luggage he had and whether or not anyone was with him—that) caused me to doubt that he planned it all by himself," he said.

Russell appeared to be in accord with the commission's conclusions that Oswald was the man who fired the shots at Kennedy, and that he acted alone. "I think at any other commission you might appoint today would arrive at that conclusion," he said.

Due to his doubts that Oswald planned the act alone, Russell said he insisted on a disclaimer sentence in the final report before he would sign it. That sentence in the report, which was issued in September, 1964, says that because of the difficulty of proving negatives to a certainty the possibility of others being involved with either Oswald or (Jack) Ruby cannot be established categorically, but if there is any such evidence it has been beyond the reach of all investigative agencies and resources of the United States and has not come to the attention of this commission.

The majority of the seven-member commission, headed by then-Chief Justice Earl Warren, "wanted to find" that Oswald planned and acted alone, Russell said. Some 25 hours of interviews, which constitute the most extensive memoir yet available on the long public



Associated Press

Sen. Richard B. Russell, member of the Warren Commission that investigated the assassination of President John F. Kennedy, will expound his own views of that tragedy in a television interview in Atlanta.

career of the 72-year-old Georgia senator, will be condensed to three one-hour programs for broadcast in Atlanta Feb. 11, 12 and 13.

Cox Broadcasting Co., owner of the Atlanta station, will present 30 minutes of program highlights at a Washington Hilton reception here Feb. 10. The members of the U.S. Senate, senior members of the House, administration officials, family and friends of Russell are being invited. Though the senator has been in ill health with emphysema and lung cancer, it is expected that he will attend.

Now president pro tempore of the Senate and the chairman of its Appropriations Committee, Russell has granted only rare interviews during recent years. None of those published have delved

so deeply into his relationship with Lyndon B. Johnson, his Senate protege and later his close friend in the White House.

The relationship between the two men has been "one of the most peculiar in American history," say the

Georgian in the taped interviews, evidently referring to their division of opinion on civil rights and many issues in later years which somehow did not prevent a continuing close friendship.

After Mr. Johnson became President, he would frequently summon his old friend and Senate mentor to the White House in the evenings. "I'd go down and we'd have a highball and eat supper and talk about things and people," the senator recalled. "He was always interested in people and what they were doing, the people up there on the Hill, without getting into any arguments about the matters that we differed over . . ."

"He would call me about things, well, like the Dominican incident and things like that, the Panama Canal controversy. He never did stop advising with me on things like that. It was just on these domestic spending issues that he made so many mistakes . . . (he) made every conceivable mistake almost from the standpoint of administration and organization," Russell said.

Both Russell and Mr. Johnson were strongly opposed to U.S. military intervention in South Vietnam when it was first proposed in 1953. Once the U.S. became committed, Russell said in the taped interviews, he could not criticize Mr. Johnson for sending additional forces.

"My complaint with him was not for sending others in, but because we didn't go on and win the day by closing up the ports of North Vietnam. He let the timid souls in the State Department talk him out of that," said the senator. "He could have ended that war in six months any time."

Letter From Minsk

A 1962 letter written by Lee Harvey Oswald in Minsk, Russia, to his mother has been auctioned for \$1,250 and a letter to Adolf Hitler from his wife sold for \$500 here at an auction at Charles Hamilton Galleries. (LH) 72

Both purchases were made by an unidentified New York physician, the gallery said.

EU Star

The letter from Hitler's wife, Eva Braun, is believed to be the first to be auctioned in the United States, a gallery spokesman said. It is addressed to "Dear Friend" and was written Sept. 23, 1931, just after the suicide of Hitler's niece, Geli Raubal. — AP

Ray Admits Plot Theory

By RICHARD STARNES
Scripps-Howard Staff Writer

MEMPHIS, March 11 — It was a case without conclusion, tried in a courtroom with no windows, dealing with a murder to which there has been no final solution.

With swift precision yesterday the state of Tennessee packed James Earl Ray off to the penitentiary at Nashville to start laying the days end to end that would someday add up to 50 years of a 99-year sentence.

But there were few in Judge W. Preston Battle's airless courtroom who felt that the assassination of Dr. Martin Luther King had been finally and totally resolved.

Judge Battle, prosecutor Phil M. Canale, defense attorney Percy Foreman — even Ray himself — all tacitly conceded that Ray may well have been trigger man in a conspiracy to murder King.

CONSPIRACY POSSIBLE

But if conspiracy existed, any breath of its little dimensions was smothered in the clockwork choreography of the ritual trial that began and ended yesterday morning in Shelby County Criminal Court.

Mr. Canale told reporters after the trial: "There was some indication that he (Ray) was racist and that that was the motive for the killing."

Asked if he thought conspiracy ever would be proven in the case, the prosecutor answered: "I learned a long time ago not to rule out anything."

Earlier, Mr. Foreman, a big, shambling, genial man told the jury of 12 men that "it took me a month to convince myself that there was no conspiracy."

RAY HINTS

Ultimately, Mr. Foreman continued, he had reached the same conclusion earlier voiced by the luminaries as FBI Director J. Edgar Hoover and former U. S. Attorney General Ramsey Clark: That there was no evidence that the murder of Dr. King was the product of conspiracy.

But when Mr. Foreman had finished his remarks to the jury, Ray almost upset the carefully wrought agreement to barter his guilty plea for prison term.

"I don't want to change anything," he said, sticking to his earlier agreement to the plea, "but I just want to say that I don't accept Mr. Clark's theory."

Ray was obstinately insisting that he was not guilty in the murder of the Negro civil rights leader, and for a moment it looked as if his plea would overturn the bargain and mean endless, weary weeks of a full-dress murder trial.

But Judge Battle patiently led Ray back to the question he had asked him earlier: "Do you admit guilty to murder in the first degree because you killed Dr. Martin Luther King Jr., under such circumstances that verdict of murder in the first degree would be justified?"

Weekly Ray answered, "Yes, sir," and the crisis was averted.

AT LEAST 50 YEARS

Ray would not be eligible for parole under his sentence for 50 years, by which time he would be 70 years old. The only way he could be released from prison earlier, apparently, would be to be pardoned by a Tennessee governor.

Mr. Canale opened the state's starkly abbreviated case against Ray by explaining to the jury, despite the defendant's decision to change plea to guilty, Tennessee law required a jury trial, and it required the jury's agreement in the plea that had already been decided by prosecution, defense and the court.

There have been many rumors that Ray was a dope, a fall guy," Mr. Canale said, gingerly touching the quicksand of conspiracy implicit in the case, "but I want to say to you in all frankness we have no proof other than that Martin Luther King Jr. was killed by James Earl Ray, and by no one else.

We have examined over 5,000 pages of testi-



James Earl Ray's attorney, Percy Foreman, left, talked with newsmen after leaving the Memphis court house, and Trial judge Preston Battle, right, looked Wash. Daily News relieved after pronouncing sentence. 11 Mar 69

mony," Mr. Canale continued, "and we have examined over 300 physical bits of evidence, and I say to you that we have no evidence that any conspiracy ever existed."

If, the soft-spoken Mr. Canale added, evidence of conspiracy is "ever presented" that will be "prompt, vigorous action — you have my assurance on that."

At the conclusion of the pro forma trial, Judge Battle also addressed himself to the widespread rumors of conspiracy.

If — in spite of the lack of evidence — a conspiracy did actually exist, Judge Battle warned: "No member of such conspiracy can ever lie down in peace and security. In this state there is no statute of limitations on capital crimes."

As an additional warning to any unnamed conspirators lurking in the shadows that still enfold so much of the case, Judge Battle quoted Hamlet: "Murder, tho it have no tongue, will speak with most miraculous organ."

Ray Conspiracy Panel Urged

Warren-Type Probe Urged

By TED KNAP
Scripps-Howard Staff Writer

Rep. Charles C. Diggs Jr., D-Mich., said today he will ask President Nixon to appoint a Warren-type commission to investigate a possible conspiracy in James Earl Ray's murder of Dr. Martin Luther King Jr.

Rep. Diggs, a Negro, said he is "inclined to believe there was a conspiracy." He said Mr. Nixon should appoint a presidential commission to investigate the King assassination the way the Warren Commission investigated the assassination of President John F. Kennedy.

Dr. King's widow, Mrs. Coretta King — more than ever convinced of conspiracy — issued a statement saying that Ray's plea of guilty yesterday "cannot be allowed to close the case, to end the search for the many fingers which helped pull the trigger."

The Rev. Ralph D. Abernathy, Dr. King's successor as head of the Southern Christian Leadership Conference, told a news conference in Atlanta that "my belief in the conspiracy has been strengthened."

PROBE 'OPEN'

The Justice Department said its investigation into possible conspiracy "is still open" and the FBI probe is continuing.

A Justice spokesman said a Federal conspiracy warrant filed by the FBI in Birmingham, Ala., April 17 has not been dismissed.

Ray, pleading guilty to avoid possible death sentence, said in open court that he agreed to the 99-year prison term, "but I don't agree with these theories on the conspiracy." That referred to the statements of the prosecutor and defense attorney that there was no conspiracy.

'ALL SIGNS'

Rep. Diggs said "all signs appear to point in the direction" of a conspiracy. He referred to reports that Ray had received money, transportation and identification papers from outside sources.

Rep. Diggs said if a conspiracy is proved, he might not object to less than full disclosure of its details; in the interest of the public good.

"I just don't know if it should be made public," he said in an interview. "There could be consequences from these revelations. Whole groups might be targets of hostility."

'Mystery Man' Link to King Plot Cited

By POWELL LINDSAY
Scripps-Howard Staff Writer

A shadowy "mystery man" known only as "Raoul" stands today as the only link on the public record which ties James Earl Ray into a "conspiracy" plot in the assassination of Dr. Martin Luther King Jr.

In two articles published in Look Magazine last Nov. 12 and 26, author William Bradford Huie quotes Ray about his flight to Canada after escaping Missouri State Penitentiary and of putting out "the word" in a Montreal bar that he needed money and identification papers in order to flee to South America.

"This 'word' led to a contact with a man Ray identified as "Raoul," who Ray said was a "blood Latin" in his mid-30's, according to Mr. Huie.

In August, 1967, Mr. Huie wrote, "Raoul" came up with this proposition:

After a few smuggling jaunts across the U. S.-Canadian border, Ray would go to Birmingham, "lie low," and await instructions.

As promised, Ray is quoted, "Raoul" appeared in Birmingham, gave Ray \$2,000 with which to buy a white 1966 Mustang and \$500 for "living expenses," and again told Ray to await instructions.

In December, 1967, Ray was summoned to New Orleans and told there was "one more job to do" in "two or three months" and that then Ray would be "finished" and would "for sure" get "complete travel papers and \$12,000," the article quotes Ray.

In March, 1968, Ray was summoned from California to Selma, Ala., where Dr. King was to appear, and on March 23, Ray went to Atlanta, Mr. Huie reported.

by Edwin M. Yoder Jr. Feb 69

At this writing, New Orleans District Attorney Earl G. Carothers (Jim) Garrison, who stands six-foot-six and is known to friends as The Jolly Green Giant, has finally brought to trial a "suspect" in the alleged conspiracy to murder President Kennedy. The accused is prominent New Orleans entrepreneur, Clay Shaw. He is said to be smoking a lot these days, and no wonder. If Mr. Epstein's incisive study is right Mr. Shaw may be the victim of one of the great American legal lulls.

Sifted of its red herrings, bleached of shadowy New Orleans intrigue, Garrison's case is easily summed up. In late 1966 Mr. Garrison accompanied Senator Russell Long on a plane ride from New Orleans to New York. Senator Long being no slouch at conspiracy theories, they mused skeptically together about the Warren Report's "single-assassin" theory and the conversation inspired Garrison to go back and reopen his file on Lee Harvey Oswald's New Orleans activities. From that probe sprang a lot of theory and even more publicity, but only one rest — Mr. Shaw's.

By Epstein's account the district attorney seems to have run up several blind alleys and indeed had almost called it quits when in February 1967 the New Orleans press broke the story to the world. Not long afterwards Garrison arrested Shaw and impounded many of his personal papers and effects — including a sinister-looking Mardi Gras costume and an address book with which Garrison can do more exercises in number mysticism than a medieval alchemist.

Mr. Epstein, while researching a piece for *The New Yorker* (where portions of this book appeared), grew skeptical when Garrison allowed him in violation of a court order to rifle the largely unexplored Shaw papers. Why, he wondered, would the D.A. "risk having his nose thrown out of court on a technicality by letting outsiders go freely through the evidence"? Was it in hopes that free-lance sleuths, who had swarmed around Garrison in plenty, might find a damning clue?

Mr. Garrison needs clues, all right. For unless Mr. Clay Shaw is the shadowy "Clay Bertrand," who has never materialized, the case collapses. And the chief witness to that effect, a confidential informer named Perry Russo, did not say so in his initial deposition of 500 words. Not until Russo was hypnotized on the day after Shaw's arrest (March 2, 1967) did he mention Shaw or the alleged meeting at which "Bertrand," Oswald and another plotted to kill the 35th President. It is as a very helpful hypnosis, to say the least:

A transcript of Russo's first hypnosis session, . . . reveals that many of the details of Russo's story were developed under hypnosis . . . Dr. Esmond Fatter . . . told him to imagine a television screen in his mind . . . "Look at the picture and tell us the story that you see." Russo talked about some of Ferrie's friends but said nothing about an assassination plot or conspiratorial meeting. . . . Then Dr. Fatter instructed Russo to let his "mind go completely blank" and again "notice the picture on the television screen." Dr. Fatter suggested, "There will be Bertrand, Ferrie and Oswald and they are going to discuss a very important matter and there is another man and girl there and they are talking about assassinating somebody. Look at it and describe it to me." The story that Russo then told is similar to the one he told in court about overhearing an assassination plot.

Edwin M. Yoder Jr. is the editorial page writer of the Greensboro [N.C.] Daily News.



New Orleans District Attorney Jim Garrison at play

If Garrison's case depends on coached witnesses, why has it come to trial? A technicality of law permitted a three-judge court to find "there was evidence that merited judgment" but in no sense did this finding suggest the legitimacy of the evidence.

It is now almost two years since Clay Shaw's arrest. As skeptical taunts arose, as the New Orleans spectacle came under attack, Garrison passionately defended himself, boldly evolving the theory that the government and the "establishment" press are out to foil him. He has outrageously traduced President Johnson as "the man who profited most from the murder." He has charged that the C.I.A. was "deeply involved in the assassination." He has cavalierly misrepresented the federal establishment's whole attitude towards certain assassination documents placed in the National Archives. By Mr. Epstein's count he has alleged that as many as 16 gunmen were operating that awful day in Dallas, one from a sewer manhole.

If the D.A. is caught up in Fu Manchu, he has also taken Antonioni's *Blow-Up* to heart as well: "Most of the assassins," writes Epstein, "were identified only as projections of connected dots in enlargements of photographs of trees and shubbery" — including one "assas-

sin" who turned out to be

Mr. Epstein's book is his *Inquest*, scrupulously feels the real mystery is in New Orleans but what he mind to give Garrison an from Edward Shils, suggest a profound fear of secret life, ready to be tapped in the early Fifties

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the D.A. is caught up in Fu Manchu, he has also Antonioni's *Blow-Up* to heart as well: "Most of the sins," writes Epstein, "were identified only as protons of connected dots in enlargements of photographs of trees and shubbery" — including one "assas-

sin" who turned out to be a newsmen who'd fainted.

Mr. Epstein's book is pitiless, devastating and, like his *Inquest*, scrupulously clinical. After reading it one feels the real mystery is not what happened in Dallas or New Orleans but what has happened inside the public mind to give Garrison an audience. Epstein, borrowing from Edward Shils, suggests that it has much to do with a profound fear of secrecy in the higher reaches of public life, ready to be tapped by a Garrison now as it was tapped in the early Fifties by a Senator Joe McCarthy.

To that astute speculation, I would add one other: that what has been missing all along in responsible probes of the assassination is the presence of a good historian or two, schooled in modes of disciplined inquiry at once more wide-ranging and less formally conclusive than that of lawyers. A historian, strategically placed on the Warren Commission, would certainly have recalled the suspicion of skulduggery in high places that lingered after Lincoln's assassination. And I suspect he would have been less likely than lawyers and statesmen to forget subtle factors of public skepticism that must be satisfied if a horrendous event is not to feed endless speculation and, in New Orleans, self-promoting demagoguery.

Oswald's Widow Tells Trial of Life With JFK's

By John P. Mackenzie
Washington Post Staff Writer
NEW ORLEANS, Feb. 21

The widow of Lee Harvey Oswald came back to this city today and recalled once again the troubled married life she shared here with the accused assassin of President John F. Kennedy.

Marina Oswald Porter, Russian-born 27-year-old mother of Oswald's two children, was the lead-off defense witness in the conspiracy trial of Clay, L. Shaw.

Speaking almost inaudibly in a thick accent, the frail, disconsented, brooding husband, Marina fell far short of pretty witness related many details about Oswald, which, according to all of Oswald's attorneys, would be believed by the jury, would

during the summer preceding the murder.

Accompanied here by her second husband, Dallas bartender Kenneth Jess Porter, Marina was called to the witness stand after Judge Edward A. Haggerty denied a defense motion to acquit Shaw at the close of the State's case.

Shaw, 55, is accused by District Attorney Jim Garrison of plotting with Oswald and the late David W. Ferrie to murder the President. There were these other trial developments:

Shaw's former employer and personal secretary at the International Trade Mart, where the defendant was managing director for 19 years, explained the business reasons for a trip from New Orleans to the West Coast that Garrison contends was taken to conceal Shaw's role in the assassination in Dallas.

FBI ballistics expert Robert A. Frazier, who had been subpoenaed and dropped as a prosecution witness, began explaining the investigative work he did to help the Warren Commission find that Oswald alone perpetrated the crime with rifle fire from above and behind the Dallas motorcade on Nov. 22, 1963.

Much of Marina Porter's testimony ran sharply counter to that of Garrison's chief witness, book salesman Perry Russo, and other prosecution evidence.

She said her husband was away from home only one night between May and late September, 1963, when they lived together in New Orleans, and on that night he was in fall. This would have given Oswald no time to have been the roommate of Ferrie, a former airline pilot, or to have conspired with Shaw and Ferrie at Ferrie's apartment in mid-September.

She said her husband never used the name "Leon," never went unshaven for very long and never looked like a beatnik. Russo said Ferrie's roommate, "Leon Oswald," was be-whiskered, dirty and shabbily dressed.

Denies Going to Clinton She said that neither she nor her husband had a car or could drive. She denied that they ever went to Clinton, La. Prosecution witnesses placed Oswald there in late August and early September, sometimes with his wife and child in an automobile, sometimes with Shaw or Ferrie or both. She testified that, at the moment of the assassination, a Rambler station wagon belonging to her friend Ruth Paine was parked outside Mrs. Paine's home in a Dallas suburb. A former Dallas deputy

sheriff has sworn that Oswald denied her with deportation escaped in such a vehicle and that after his capture the told police, "That station wagon belongs to Mrs. Paine. Don't drag her into this."

Marina's testimony, 45 minutes under questioning by defense attorney F. Irvin Dymond and twice that long by Assistant District Attorney James L. Alcock, was delivered with weary tones. Her brief answers seemed repeatedly to recall unhappy memories tracked over many times in FBI interviews and three appearances before the Warren Commission.

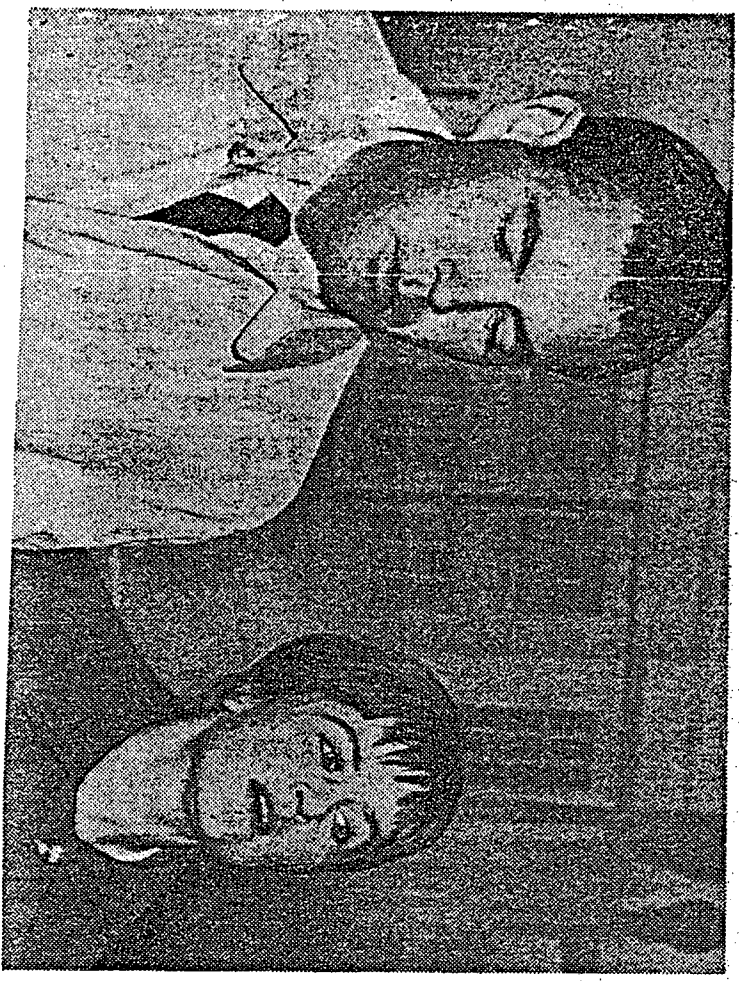
She began in a relaxed, almost absent-minded manner, occasionally biting her lip and becoming agitated only when Alcock's cross-examination accused her of suddenly changing her testimony and lying to the FBI and the Commission. "I didn't lie," Marina protested. She admitted, failing to tell FBI agents at first about her husband's attempts to reach Cuba by way of Mexico, but she insisted that she told the truth when she testified before the Commission.

She conceded that she had not liked the FBI men who interrogated her in Dallas, but she denied that they had threatened her with deportation and she didn't cooperate. Marina admitted changing the date of her departure from New Orleans to Dallas from late August to late September after a consultation with I said her memory was refreshed by the date of his second daughter. She also has a son by her second marriage.

"Do you consider Lee Communist?" Alcock demanded. "No sir," Marina replied heavily on Oswald's failure to tell his wife he was out of work, stressing how little Marina knew about what her husband was doing in the time. He suggested that Oswald had lost his job a month before telling her about not a few days as she had posed.

"Not Very Friendly" The witness said she never had seen Shaw and had never heard of a number of people Oswald would have known he had met Russo or Ferrie. But she had to admit she simply didn't know anybody else her husband knew either.

"He never had many friends," she said. "He was not very friendly. He liked to be alone." They rarely spoke



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Swald's Widow Tells Trial of Life With JFK's Assassin

Marina Oswald Porter, Russian-born 27-year-old mother of Oswald's two children, was the lead-off defense witness in the Harvey Os- conspiracy trial of Clay L. Shaw.

Speaking almost inaudibly in a thick accent, the frail, disconsented, brooding husband of the accused pretty witness related many details about Oswald, which, if believed by the jury, would clear Shaw of ever conspiring with him.

But by dramatizing once again, as she had in her Warren Commission testimony, how little she really knew her husband, Marina fell far short of the role she had played in the past as a witness.

Shaw, 55, is accused by District Attorney Jim Garrison of plotting with Oswald and the late David W. Ferrie to murder the President. There were these other trial developments:

- Shaw's former employer International Trade Mart, where the defendant was managing director for 19 years, explained the business reasons for a trip from New Orleans to the West Coast that Garrison contends was taken to conceal Shaw's role in the assassination in Dallas.
- FBI ballistics expert Robert A. Frazier, who had been subpoenaed and dropped as a prosecution witness, began explaining the investigative work he did to help the Warren Commission find that Oswald alone perpetrated the crime with rifle fire from above and behind the Dallas motorcade on Nov. 22, 1963.

Much of Marina Porter's testimony ran sharply counter to that of Garrison's chief witness, book salesman Perry Russo, and other prosecution evidence.

She said her husband was away from home only one night between May and late September, 1963, when they lived together in New Orleans, and on that night he was in the room of Ferrie, a former airline pilot, or to have conspired with Shaw and Ferrie at Ferrie's apartment in mid-September.

She said her husband never used the name "Leon," never went unshaven for very long and never looked like a beatnik. Russo said Ferrie's roommate, "Leon Oswald," was be-whiskered, dirty and shabbily dressed.

Denies Going to Clinton

She said that neither she nor her husband had a car or could drive. She denied that they ever went to Clinton, La. Prosecution witnesses placed Oswald there in late August and early September, sometimes with his wife and child in an automobile, sometimes with Shaw or Ferrie or both.

She testified that, at the moment of the assassination, a Rambler station wagon belonging to her friend Ruth Paine was parked outside Mrs. Paine's home in a Dallas suburb. A former Dallas deputy sheriff has sworn that Oswald escaped in such a vehicle and that after his capture he told police, "That station wagon belongs to Mrs. Paine. Don't drag her into this."

Marina's testimony, 45 minutes under questioning by defense attorney F. Irvin Dymond and twice that long by Assistant District Attorney James L. Alcock, was delivered with weary tones. Her brief answers seemed repeatedly to recall unhappy memories tracked over many times in FBI interviews and three appearances before the Warren Commission.

She began in a relaxed, almost absent-minded manner, occasionally sitting her lip and becoming agitated only when Alcock's cross-examination accused her of suddenly changing her testimony and lying to the FBI and the Commission.

"I didn't lie," Marina protested. She admitted failing to tell FBI agents at first about her husband's attempts to reach Cuba by way of Mexico, but she insisted that she told the truth when she testified before the Commission.

Dallas Interrogation

She conceded that she had not liked the FBI men who interrogated her in Dallas, but she denied that they had threatened her with deportation if she didn't cooperate.

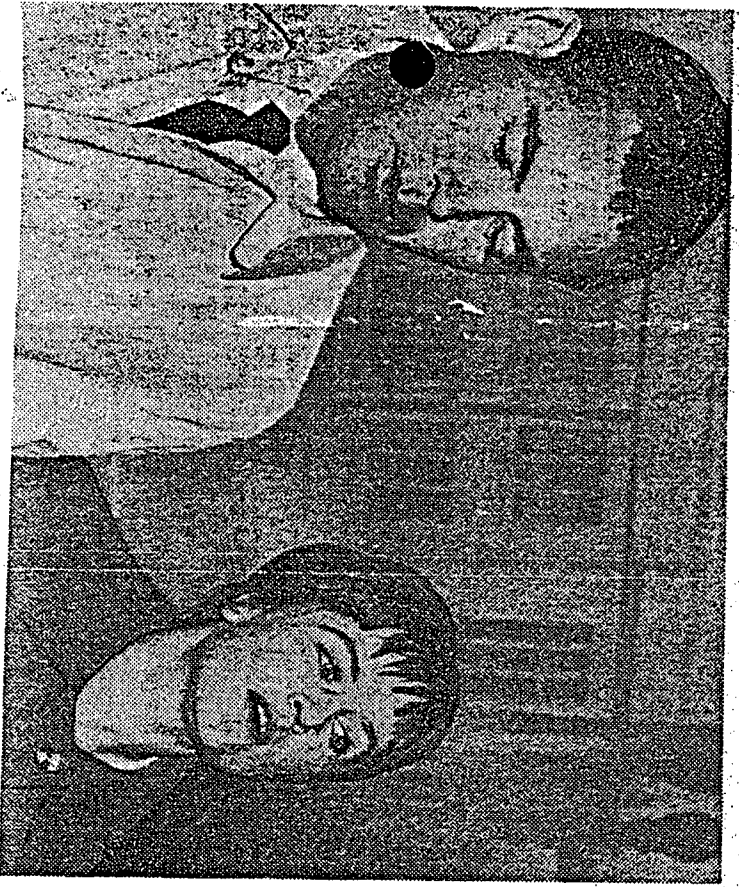
Marina admitted changing the date of her departure from New Orleans to Dallas from late August to late September after a consultation with Dymond during a recess, but she said her memory was refreshed by the date of birth of her second daughter. She also has a son by her second marriage.

"Do you consider Lee a Communist?" Alcock demanded. "No sir," Marina replied. Alcock bore down most heavily on Oswald's failure to tell his wife he was out of work, stressing how little Marina knew about what her husband was doing in the daytime. He suggested that Oswald had lost his job a month before telling her about it, not a few days as she had supposed.

'Not Very Friendly'

The witness said she never had seen Shaw and had never heard of a number of people Oswald would have known if he had met Russo or Ferrie. But she had to admit she simply didn't know anybody else her husband knew either.

"He never had many friends," she said. "He was not very friendly. He liked to be alone." They rarely spoke



Both said Shaw's long working hours were consumed by a crash program during the late summer and early fall of 1963 to arrange financing for the new Trade Mart. Their testimony brought out that Shaw's trip to Portland, Ore., for a speech on Nov. 22 was to keep a trade promotion commitment arranged in early September.

(In Washington, General Sessions Court Judge Charles W. Halleck said that a court order directing the National Archivist to appear as a prosecution witness—with pictures and X-rays of the Kennedy autopsy—no longer stands because the prosecution has finished its case.)

(Thus, the autopsy materials and other assassination artifacts will remain in the ar-

Shaw Shinning Mart

10 Feb 69

By John P. MacKenzie
Washington Post Staff Writer

NEW ORLEANS, Feb. 9—

With only three days of the Clay Shaw trial under its belt, this city of charm and diversity is well on its way to accepting the trial as one of the two great circuses in town.

The other one, of course, is the Mardi Gras celebration that is building to a high point a week from Tuesday.

Unlike past years, Shaw is not taking part in the annual festivities. It would be "most imprudent," he said, declining to elaborate because of trial restrictions on newspaper interviews.

Friends of Shaw, less reticent and admittedly less charitable toward Shaw's accuser, say the reason is that "Jim Garrison would find a new way to frame Clay."

Garrison, the District Attorney for Orleans Parish, has mustered the full power of his office to bring Shaw to trial on a charge of conspiring to murder President Kennedy.

His investigation has both terrified and entertained much of New Orleans, where Lee Harvey Oswald lived in 1963 and where Garrison says plots were hatched.

Mixed Credibility

Garrison's prosecutors have offered testimony of mixed credibility placing Shaw with Oswald and the late David Ferrie, two men whom Shaw denies knowing, in the same rural section near Baton Rouge the summer before the assassination.

They have sprung a surprise witness and seen him backfire, a plausible-seeming man whose destruction under cross-examination inevitably brought to mind the court-martial testimony of Capt. Queeg in "The Caine Mutiny." The witness was Charles I. Spiesel, who was unsuccessful in peddling his story of a party attended by Ferrie and Shaw until Garrison bought it and put him on the stand.

It is still far from clear why Garrison happened to fasten on Shaw with the charge that the prominent social figure and business promoter used the alias "Clay Bertrand" or "Clem Bertrand" in conspiratorial dealings with Oswald and Ferrie.

Lawyer's Story

As reconstructed by Edward Jay Epstein, a harsh critic of Warren Commission but now an even harsher critic of Garrison's methods, the prosecutor worked from a story by a New Orleans lawyer who claimed, and later denied, that a Clem Bertrand had

sought legal help for Oswald after his arrest in Dallas.

In Epstein's new book, "Counterplot," the author says Garrison theorized that the lawyer was covering up for "a wealthy client with homosexual associates."

Shaw, 55, who built this port city's International Trade Mart after World War II and pioneered the restoration of the French Quarter, is widely respected in easygoing New Orleans as an able, genial man whose personal life is strictly his own business.

Yet there is an undercurrent at the trial and some apprehension that the prosecution intends to get rough. Garrison investigators executed an open-ended search warrant at Shaw's home after arresting him two years ago and made much of the seizure of a chain, pieces of leather and rope, a black hood and cape.

Shaw's friends make no apology for his personal life—though they complain of terribly exaggerated rumors—but they insist that the confiscated items are irrelevant to it. The reason: They

Suit for \$5 Million Filed by Clay Shaw

Even Star 26 Feb 69

NEW ORLEANS (AP)—Clay Shaw has filed a \$5 million damage suit against Dist. Atty. Jim Garrison and others for accusing him of a conspiracy to kill President John F. Kennedy.

A Criminal District Court jury acquitted Shaw of the charges last March 1. His suit, filed in U.S. District Court yesterday, contended that his constitutional rights were violated by the defendants and that Garrison "misused and abused the prosecution powers of his office."

Garrison could not be reached for comment about the suit.

The suit contended the charges against Shaw were part of a scheme by Garrison and the other defendants "to conduct an illegal, useless and fraudulent investigation of the assassination of President Kennedy" and "to obtain a judicial forum for his (Garrison's) attacks upon the Warren Commission and other government officials."

Shaw, 56, was a retired New Orleans businessman and former managing director of the International Trade Mart in New Orleans when he was charged by Garrison.

Also named defendants in Shaw's suit were Perry Raymond Russo, Dr. Esmond A. Fatter, Joseph M. Rault Jr., Willard Robertson and Cecil M. Shilstone. The suit also named as defendants certain persons identified by fictitious names.



Clay Shaw

SHAW JURY TOLD OF OSWALD FLIGHT

Ex-Deputy in Dallas Says a

Second Man Drove Car

NYT 15 Feb 69

By MARTIN WALDRON

Special to The New York Times

NEW ORLEANS, Feb. 14—

A former Dallas, Tex., deputy sheriff testified at the Clay L. Shaw conspiracy trial today that he had seen Lee Harvey Oswald leave the scene of President Kennedy's murder in a green Rambler station wagon shortly after the shots that killed the President were fired. The witness, Roger Dean Craig, said that the station wagon was being driven by "a very dark complected, Latin-looking man, dark hair. Very muscular. Bull neck. He had a strong face."

Oswald had come running from a grassy strip near the Texas School Book Depository, Mr. Craig said, and had jumped into the old station wagon as it was doubled parked at the curb on Elm Street in front of the depository.

Mr. Craig said that traffic speeding along the street had prevented him from stopping the station wagon.

The former deputy said that he gave a description of Oswald at the time as "five feet nine inches tall, 150 pounds, sandy-haired, a Caucasian" to the Dallas police department.

Late that afternoon, after Oswald had been arrested in a Dallas movie, he was brought to the Dallas police station, where Mr. Craig said he identified Oswald as the man he had seen jump into the station wagon.

Testimony by Deputy

"He [Oswald] said that the station wagon belonged to Mrs. Paine. 'Don't try to drag her into this,'" Mr. Craig recalled. "He leaned back in his chair and said, 'Everyone will know who I am now.'"

On Nov. 22, 1963, the day that President Kennedy was shot, Oswald's wife, Marina, was living with Mrs. Ruth Paine in Irving, a suburb of Dallas.

The entire testimony today was devoted to the President's murder. The name of Clay Shaw, who is charged with conspiring in New Orleans to murder Mr. Kennedy, was not mentioned once.

Mr. Shaw, a retired businessman, sat quietly smoking during the day while his lawyers fought to keep the Dallas testimony out of the record.

Several times, Mr. Shaw's chief counsel, F. Irvin Dymond, took angry exceptions to the rulings of the trial judge because the judge had said during two years of court hearings leading to Mr. Shaw's trial that the President's murder had no bearing on the conspiracy case.

Mr. Dymond also objected vigorously when Criminal District Judge Edward A. Haggerty Jr. allowed the prosecution to show the jury for the fourth and fifth times a motion picture film of the President's murder.

Mr. Craig, who resigned from the Dallas Sheriff's office in July, 1967, said he had lived in New Orleans since December, 1967. He has been employed by Willard Robertson, a regional Volkswagen dealer in New Orleans, who helped finance District Attorney Jim Garrison's investigation of the assassination.