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BOX 70

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United States Department of Justice

UNITED STATES ATTORNEY  
NORTHERN DISTRICT OF TEXAS  
DALLAS, TEXAS 75221

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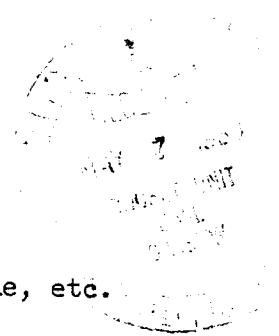
May 3, 1968

*Gershuny*

Department of Justice  
Washington, D. C. 20530

Attention: General Litigation Section  
Civil Division

Re: One 6.5 mm Manlicher-Carcano Military Rifle, etc.  
Civil Action 3-1171 - Dallas Division  
DJ Reference: EWJr:WAGershuny:sao 129-11



Dear Sir:

Please be advised that the Government's Opposition and Cross-Motion for Judgment forwarded with your letter of March 12, 1968 was modified and the last sentence on page 2 being completed on page 3 was deleted, and the motion and brief were filed after being approved by Regional Counsel.

*Bell-*  
*129-11-975*

I will advise you when a setting has been made for this motion.

Sincerely yours,

Melvin M. Diggs  
United States Attorney

Kenneth J. Mighell, Assistant  
United States Attorney

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*Index on  
Miscellaneous Under Subject*

129-11	
DEPARTMENT OF JUSTICE	
10	MAY 6 1968
	R.A.O.
CIVIL DIV.	
General Litigation Sec.	

RADIO TV REPORTS, INC.

41 EAST 42ND STREET NEW YORK, N. Y. 10017. 697-5100

FOR NATIONAL BROADCASTING COMPANY

PROGRAM Tonight Show STATION WNBC-TV and  
NBC Network  
DATE January 31, 1968 - 11:30 PM CITY New York

INTERVIEW WITH JIM GARRISON

129-11

JIMMY CARSON: Mr. Garrison, I thank you for coming and accepting the invitation. And I hope I did not misstate a moment ago what I tried to say to you in the telegram.

JIM GARRISON: I want to thank you for inviting me, Johnny. It's an honor to be here. And I think your - your curiosity and your fairness are in the interest of the American people.

CARSON: Well, as you know, I'm not legally trained or law-oriented. And at one time NBC suggested that it might be of some value to have legal counsel out here. And I did not want to do that for the main reason that I thought it might look like we were gangling up on you. Like this is going to become another showdown or something. And I thought as a layman and an interested citizen of the country, it might be a little more casual atmosphere if we just talked in this way. And I hope it's all right.

GARRISON: It's fine. I wish you'd also ask me any questions of any kind that occur to you as long as they don't touch on Mr. Shaw. I haven't...

CARSON: I understand.

GARRISON: I haven't made a comment about Mr. Shaw since the day we arrested him and I don't intend to talk about him.

CARSON: Mr. Shaw is under indictment, as is public record. And with the trial to come up sometime in February, I believe.

GARRISON: We hope.

CARSON: We hope.

All right, is it all right with you if I, first of all, maybe give a little chronology of some of your statements concerning...

GARRISON: By all means.

CARSON: ...the case?

GARRISON: By all means.

CARSON: A year ago, I believe it was, in February, you announced that you had solved - now this, of course, is not all of the statement of the particular day, but parts of it, if it applies. You announced that you had solved the Kennedy assassination. "I have no reason to believe that Lee Harvey Oswald killed anyone in Dallas on November 23rd 1963." That was a news conference a year ago.

Then in AP interview in May, you said the President was killed by a bullet that was fired from the front. That it was

a crossfire situation set up, which involved at least two pairs of men in the front. They had at least one man in the back who was shooting and another man engaged in a row in Daley Plaza, in order to aid those with guns. That as an AP interview in May.

From a television interview in May, you - these are your quotes, I believe - "There were five of them. Three behind the stone wall and two behind the grassy knoll. And they're not quite out of sight. And they've been located in photographs by the process of bringing them out. Although they're not distinct enough, you can make an identification from their faces."

In the NBC show of July. You said, "The evidence indicates that he was shot at from two different directions in the rear and also from the right front."

And then from the Playboy interview, you said, "Our office has developed evidence that the President was assassinated by a precision guerilla team of at least seven men."

December news conference, you said, "It was very large and very well organized." In talking about the conspiracy you said, "An infinitely larger number of participants than you would dream."

Press release in December. You say, "One man may have fired from a sewer in Daley Plaza. But the development of the likely use of portions of the drainage system does not conflict with the picture of the other major shooting points."

And now in relation to the people involved, you said in

an interview in May, "There was a mixture of individuals. But the point is they were all anti-Castro oriented and had been engaged in anti-Castro training."

From NBC in July, you said, "The assassins were men who sought to attain a radical change in our foreign policy, particularly with regard to Cuba. Individuals who were once associated with the CIA" - the Central Intelligence Agency.

In a UPI release, September, you said, "It was a Nazi operation whose sponsors included some of the oil-rich millionaires in Texas and elements of the Dallas police force are clearly involved."

January press release. "The involvement of high officials of the United States government in the affair becomes more and more apparent."

Isn't that terribly confusing? And don't you seem to be riding off in all directions?

GARRISON: It seems like it, doesn't it?

CARSON: Yes, it certainly does.

GARRISON: Let me ask you - right. Let me ask you, first. How many hours do I have to answer this list you've just run over?

CARSON: I don't - we have the rest of the program this evening. I understand we can't sit here and completely recreate or theorize on what happened. But I just wanted to get the chronology of the statements.

GARRISON: Well, let me see if I can put this in focus.

If I were to say, for example, that an elephant has a tail, that he's gray, and has four legs, would it be possible for somebody to point out, "Just a minute, you just finished saying an elephant had a tail. Now you say he has four legs. And now you say he's gray."

The point I'm making is that each of these factors is - is a characteristic of one being. And in a complex situation like this, it's possible to be standing at a different point of view and describing different aspects.

For example, we find that in the group which killed John Kennedy, there are indeed Latins as well as Americans. It's also true...

CARSON: You say, "We find." Excuse me if I do interrupt, so we don't get out of context.

GARRISON: We have identified.

CARSON: You say you have identified...

GARRISON: Yes.

CARSON: ...and have proof? As a fact?

GARRISON: Yes.

CARSON: All right.

GARRISON: All right.

Secondly, we have found that the Central Intelligence Agency, without any question, had individuals who were connected with it - involved.

CARSON: You have absolute facts and proof of that?

GARRISON: Without any question.

CARSON: All right.  
 GARRISON: I wouldn't say so either.  
 Third, we have found that a number of these individuals  
 are in their political organization, reactionary.  
 Now that doesn't mean that there was any single conservative  
 group involved, because there was not. But it is I'm talking  
 at one press conference and I'm asked, "What is the political  
 case of the individuals involved," I may say, "Well, as far  
 as the spectrum is concerned, the number - we found a number  
 who were reactionary."  
 Later on, a month or so later, I might be asked, "Have  
 you found any letters involved?" I answer, "Yes."  
 So it seems like each one is a different answer. But  
 essentially it's the same. In other words, there hasn't been  
 a great deal of change in the matter as we see it in the last  
 nine or ten months.  
 Certainly there have been statements. My God, an inves-  
 tigation is a developmental thing. If we didn't know more  
 about it now than we knew 30 days ago, we wouldn't be doing  
 much. Yes, there are changes...  
 CARSON: When you say these things, Mr. Garrison, as  
 we have found and it comes out in print, people accept this  
 as an established fact. And you say it is an established  
 fact, but it has not been proved in any court of law has  
 it? I mean this is - what you are threatening - are saying,  
 but in fact has not been proved. Is that true?

GARRISON: It's partly true, except I'm not theorizing. I'm telling you what we know to be fact, as far as a court of law.

CARSON: But nobody else seems to.

GARRISON: Seems to what?

CARSON: Seems to know it as a fact.

GARRISON: Nobody else has looked into it. This has never been investigated before. It wasn't investigated by the federal government. That was no attempt to investigate. That was just an operation to conceal the evidence. To conceal what happened.

This is the first investigation they've ever had on the case.

CARSON: What would you call the Warren Commission?

GARRISON: I would say that the function of the Warren Commission was to make the American people feel that the matter had been looked into, so that there would be no further inquiries; so that the American people would not find out the involvement of elements of the Central Intelligence Agency; and so that they would think the matter was closed.

CARSON: For what possible reason would they wish to do that?

GARRISON: First of all, I have to identify my answer now as speculation because you're asking me to go inside of their minds. I think that they could answer this better than I. But if you want to know my opinion, I will say it was probably



The investigation was under the supervision of the

was, Robert Kennedy.

Chief of the Secret Service; and Attorney General, at that

of the FBI; John Moore, Director of the CIA; James H. Doolittle,

Director, Secretary of the Treasury; J. Edgar Hoover, Director

of State; Robert S. McNamara, Secretary of Defense; Douglas

independently by the following persons: Dean Rusk, Secretary

that no evidence of conspiracy existed. It was reached

CARSON: Have we the people who came to the conclusion

(laughter)

GARRISON: So ahead.

CARSON: Well, I could give you a list of them.

26 volumes. No.

GARRISON: I don't think there's one who's gone to the

CARSON: You say you don't believe there's one?

conclusion of the Warren Commission was totally false. Totally.

Warren Commission inquiry who does not recognize that the

United States, Johnny, who has gone to the 26 volumes of the

GARRISON: I think that there is not one person in the

CARSON: What's your opinion?

Judgment...

intense. Basically untrue. And they had to know. In my

But the fact remains that their conclusion was totally

aren't evil men. These were essentially good men.

I'm sure they rationalized it in that way, because these

presented to them as - as a matter of national security.

Commission. It was conducted by approximately 30 attorneys selected from 12 states and included professors of law, prosecutors from federal and state law enforcement agencies, and the former police commissioner of the City of New York. In addition, numerous FBI and Secret Service agents conducted various phases of the investigation and submitted over 25,000 reports.

Now when I read what you say, are you asking the American public to believe that all of them were one of either low intelligence or could be so easily duped and not know the facts?

GARRISON: I can tell you that none of them have read the Warren Commission, or they wouldn't be taking that position. Now I don't pretend to know what motivates these distinguished men. But I can tell you that I'm no longer impressed by the title of a man and the fact that he's important in Washington doesn't mean a thing to me. Because I've seen what the members of the Warren Commission did.

For example, they concluded that Lee Oswald was the lone assassin. And the evidence is clear that Oswald never fired a shot. Never fired a shot. So the fact that these - you could give me a list of one thousand honorable men and that wouldn't change the facts. That doesn't make it so.

CARSON: Didn't the Warren Commission say, "Insofar as we are able to determine, Lee Harvey Oswald acted alone. And if there were other assassins, we were unable to find them."

GARRISON: I think they probably...

CARSON: There is a difference, isn't there? I mean, categorically saying one thing.

GARRISON: The difference is kind of marginal. I'd say there is a saving clause when they add those words. But I think it's much more significant when you consider that the major question by December of 1964 was from how many directions was John Kennedy hit? And which shot was the fatal shot? And where was he hit?

Now 18 colored pictures were taken at the autopsy and 12 black and white. And not a single member of the Warren Commission looked at them. Not one of them looked at them. And surely the reason for that must be that they knew what they would see. Not a single member looked at them.

So, consequently, right now - today - these men have not looked at the evidence which shows that the President of the United States was killed by a shot in the front.

On the other hand, there is evidence available to the people of this country - if we can just get - get it presented to them - that shows that the President was killed from the front. And that is the Zapruder film.

The Zapruder film was taken on the 22nd and shows the assassination. And it shows that John Kennedy was hit from the front with such force, that he is nearly blasted out of the back of the car. Yet it's four years since the assassination and no one here has seen the Zapruder film. Not - nobody in the country listening to us has seen it. And they probably never will.

And the reason they probably never will is because if you look at the Zapruder film, you know, without any question, the President was hit from the front.

And the question is: If all these honorable men are telling the truth, and if they really have looked into it, why is that NBC, for example - I know NBC would love to show it - why can't NBC show the Zapruder film? What does it difference does it matter, Johnny, how many honorable men are involved? When the critical evidence...

CARSON: I think it makes a great deal of difference.

GARRISON: When the critical evidence is continually being concealed from the American people?

When they can't see the evidence, how can...

CARSON: Now, Jim, that's a big statement, isn't it? To say that the evidence...

GARRISON: No, it isn't. No, it isn't.

CARSON: ...is being concealed from the American public?

GARRISON: No. No, let me show you some of the...

CARSON: Do we have to interrupt for a second? We'll come back. I just have to interrupt for a commercial here occasionally this evening. And then we'll continue.

\* \* \*

CARSON: Jim, before you go on to this, I have to say as a layman, I find your statement that all of these people whose names I've mentioned, plus high government officials, are trying to hide knowledge of a conspiracy in the death of the President - I don't see for what possible reason. Secrets

in this country have not been notoriously well-kept. Things have a way of getting out anytime more than two or three people know it. I just can't understand how you think that these men think they could get away with this. And for what reason they would do it.

If they want to reassure the American public, I hardly think that they would be involved in any kind of complicity - would they - in trying to hide information? That just doesn't make sense to me.

GARRISON: Well, I agree with you. As a matter of fact, I have not been exactly famous for rocking the boat. I was a true believer until I stumbled into this thing.

But let me answer your question by first of all giving you a list of dozens and dozens of files which are secret until the year 2039. I have an eight-year-old boy. Before my eight-year-old boy can look at these files - some of them having titles like, "Lee Harvey Oswald's accessibility to the U-2," the CIA file on Lee Harvey Oswald, the CIA file on Jack Ruby - before my boy can look at these, he will be over 70 years old.

Now all I can say is there are four long listed pages here and they are secret. If there's nothing wrong, certainly they can open them up.

But I can't look into their brains, Johnny, and tell you why they did it.

CARSON: Does this mean, Jim, that you feel anytime anyone comes up - say another District attorney in a few weeks or

another citizen comes up and says, "How do we know only five shot - three shots were fired? I think there were five." And now do you expect somebody to be galvanized into action and make the Commission defend itself when these findings were accepted by all parties concerned? And also accepted by the then Attorney General of the United States Robert Kennedy. I find it hard to believe that a conspiracy could exist or things could be hidden in the Warren Report.

The Commission's findings - they could find no link to Oswald with the CIA, to Oswald with the Secret Service, to Oswald with the FBI. Why do you insist in the face of that evidence that there was?

GARRISON: Of what evidence? Johnny, I know you won't mind...

CARSON: In their investigation.

GARRISON: There was never an investigation. I know you won't mind my being candid and say that actually, you've changed the subject and you've asked me several questions. One involving the Warren Commission and the other involving Senator Kennedy.

CARSON: All right, that's...

GARRISON: First of all, let's take the Warren Commission.

I'm not at all impressed with the fact that they could find no evidence of a conspiracy. After going through their inquiry, I doubt if they could find - if they could find a streetcar, if they had a transfer in their hand and it was

pointed out to them.

(Laughter)

I think that they knew at the beginning what they were going to do. And what they were going to do was to reach the conclusion that Oswald was the lone assassin because he was dead and because the Central Intelligence Agency was deeply involved in the assassination.

Was their action fraudulent? You bet.

Is this unusual for people of such stature? Yes. But the fact remains that they did it.

Now with regard...

CARSON: Now you say - wait a minute. You say the fact remains again. As if it is a fact. You keep saying, "We know," and "the fact is."

GARRISON: Let me...

CARSON: But that's not a fact, is it?

GARRISON: Yes, let me take one point.

CARSON: What makes it a fact?

GARRISON: Because...

CARSON: Because you say so?

GARRISON: No, not because I say so. But because the evidence indicates that Lee Harvey Oswald did not fire a shot. Will you concede that the Warren Commission reached the conclusion that Lee Oswald shot at the President from the depository?

CARSON: I will.

GARRISON: All right. Now let's - let's look at the facts.

The facts are that they couldn't find a single witness, out of all the hundreds and hundreds of people in the Plaza, to say that Oswald was at that window until Lee Oswald was dead.

And finally one man who initially had said that he - it was not Oswald at the window - a man named Brennan - finally agreed that it was.

No one else out of a hundred saw him there. Actually...

CARSON: I have to take issue with you.

GARRISON: What's the name of...

CARSON: That other people did see people in the window.

GARRISON: Not...

CARSON: A man in the window and identified him - his characteristics, his height, his clothing.

GARRISON: Are you talking - no, that's not correct. If you're talking about Arnold Rowland, he said that the man in the window had on a yellow shirt. And he had another - there was another man - a very dark man with him.

The first part of his statement does not point to Oswald because he had a dark maroon shirt on. And further it points away from the 'Lone assassin.

No one else, other than Brennan, indicated that he saw Oswald in the window. And Brennan, himself, said it was not Lee Oswald at first.

CARSON: No, he described the man. And a broadcast was put out for a man of that description.

GARRISON: And when he was shown Oswald's picture, he



said it was not Lee Oswald. That was his first position.

CARSON: That was his first position, right.

GARRISON: Can you name anybody else who saw Oswald in the window?

CARSON: I would have to take out the report. Yes, there were other people who saw a man up there and gave a description of him. And that was why Oswald was - was picked up.

GARRISON: If you take the afternoon paper from Dallas on November 22nd and read the statement made by, for example, Otis V. Camboli who was Vice President of the Book Depository, you'll read that after the assassination, he went inside the book depository and he saw Lee Oswald on the first floor.

If you read the statements of Officer Marion Baker and Roy Tuley, you will read that they came running in shortly after Campbell went in, and in running up towards the roof, they saw Oswald on the second floor.

If you look at the fingerprint results for the rifle, you will find that Oswald's fingerprints were not on the rifle.

CARSON: Just a palm print.

GARRISON: The palm print was not confirmed by the federal government either. That was an announcement by the Dallas police.

You'll also find that no test was ever made to see whether the rifle was fired. You'll also find that no test was made to see whether the rifle was fired. You will also find the young lady named Vicky Adams, if you look in Volume 12, was on her way down

from the fourth floor during the time that Oswald is supposed to have descended, and no one passed her at all.

CARSON: Jim, aren't what you're doing--and I'm not saying all of these things are factual--aren't you taking inconsistencies in testimony, during the emotion of the time, even self-contradictory testimony from even sometimes the most truthful of witnesses, and using that as tainting everything else that is very well explained? Can we come back and follow that up in a moment? I have to stop here for a second.

\* \* \*

CARSON: Mr. Garrison is about ready to make another point here, but I see we only have about 30 seconds before we have to cut away from the network, so it wouldn't be fair to start it and then have to recapitulate when we come back.

So we will come back, and also you will discuss, as you say, the new evidences you've uncovered?

GARRISON: Sure.

CARSON: And has never been--I guess you've never talked about this before; is that true?

GARRISON: No.

CARSON: All right, we'll be back after station identification. Stay right where you are.

\* \* \*

CARSON: We're back with Mr. Garrison, to kind of say where we were. I will agree with you, but you want to go right ahead and make this point first, and then I'll...

GARRISON: Yes. Let me answer your last question. In effect, you said, aren't you taking advantage of the fact that many witnesses were excited at the moment and confused and so forth.

Let me reply that I can't change the fact that it was an unusual moment and there were many people who were emotionally affected by what happened.

However, we have located, with no trouble, many, many people who heard shots coming from the area of the grassy knoll. Practically none of these people were called by the Warren Commission. On the other hand, the Warren Commission merely presented one person, Mr. Brennan, who initially insisted that he couldn't identify Oswald.

I'm simply saying that whether they were emotionally affected or not, they should have called in some of the others so that they could have found out what happened.

For example, among the many, many people who heard shots coming from the area to the west of the Depository are Dorothy Ann Garner, Otis Williams, Otis Campbell, Mrs. Avery Davis, Mr. and Mrs. Newman, Mrs. Dolores Canos, Steven Wilson, Danny Otis, Jim Hicks, and many, many others. Practically all of these people were ignored by the Warren Commission. My point is they didn't look into it because they didn't talk to anybody who heard the shots coming from anywhere else.

In other words, they didn't want to hear a thing that did not incriminate Lee Oswald.

GARRISON: Isn't it a fact that many people, depending on

where they were standing that day, heard shots coming from where they--in relation to where they were standing, and that the unique arrangement of the buildings there, and even in the discussion with witnesses, they said they really couldn't tell? It could have been a reverberation, it could have been an echo. But that, even again, does not change the overwhelming evidence, does it, in any way?

I mean, somebody who is not sure where shots come from, how does that in any way change the overwhelming, major revelations of the case?

GARRISON: First of all, there is no overwhelming evidence that Oswald shot from the Book Depository. The only evidence available indicates that he did not.

Furthermore, of all the major conclusions reached by the Warren Commission, the only one that's true is the conclusion that Jack Ruby shot Lee Oswald. And they had to say that because everybody in the country saw it.

(LAUGHTER)

CARSON: In your opinion, that's the only conclusion they reached. Hardly the major conclusion that many reasonable people have accepted. Now, you cannot say that that's the only conclusion they came to. They came to many conclusions, or what presumably, or what possibly did happen, with all credible evidence available.

GARRISON: Having gone through the 26 volumes, Johnny, I can say that it is not possible for a reasonable man to conclude that the Warren Commission was right.

CARSON: Well then, you are accusing--if you say there is a conspiracy involved in this, doesn't it have to be one amazing conspiracy, Mr. Garrison? I mean, if you say this is a conspiracy, doesn't this have to involve the CIA, elements of the Dallas police force, the doctors at Parkland, the doctors at Bethesda, the members of the Warren Commission themselves, the district attorney? Doesn't this have to involve all of these people?

GARRISON: No. Now, let me answer this and get this clear, once and for all. The doctors at Parkland found, concluded, that the shots came from the front, to the last man. Dr. Perry, Dr. McClellan--Dr. McClellan's...

CARSON: Why did they come to that conclusion?

GARRISON: Because they looked at the body of the President. Now, let me finish this point.

CARSON: But they didn't turn it over, did they?

GARRISON: But John, if there were shots from the front, what difference does it make if there were shots from the back, too? Oswald was behind the President; he can't produce shots from the front.

CARSON: Well, Mr. Garrison, you say that they all agreed there were shots from the front. In the confusion of the autopsy, all of the doctors involved--and in after speculation--including Dr. Perry, admitted that they did not, at the time. There were the words "penetrating wounds" used; some people have changed that to "entrance wounds." They were involved in saving the President's life, but all of the doctors

agreed at Bethesda, in the final autopsy, that the shots came unequivocally from above and behind the President.

GARRISON: This is not the conclusion of all of the doctors. For example, if you will look at Commission Exhibit 392, you will see the cause of death written down at 4:45 on the afternoon of November 22nd by Dr. McClellan, and he says the cause of death was a gunshot wound of the left temple. Everybody who has a Warren Commission in their library can go look at Commission Exhibit 392 and they will see gunshot wound to the left temple.

Furthermore...

CARSON: Was that the doctor at Parkland?

GARRISON: Yes.

CARSON: But that wasn't the final autopsy, and that was not the final autopsy after you had a chance to do it correctly. That was done very quickly, under great strain, with trying to remove the President's body from--I think, Jim, and I'm sorry, and we're going--and I don't want to throw something at you and then cap out on it. But I think we're starting to rehash things that have been rehashed so much...

GARRISON: We can go on to something else.

CARSON: Why don't we go on to this new evidence that you

...

GARRISON: Fine, but I must say this, that when you talk about an autopsy being performed correctly, I take it that you're talking about Commander Hume's autopsy.

CARSON: I'm talking about the doctors...

GARRISON: Bethesda.

CARSON: ...at Bethesda who all agreed that this...

GARRISON: Yes. This is certainly the first autopsy in history in which the doctor performing it found it necessary to burn his notes afterwards. Now, I don't know what he did that caused him to burn his notes, but I can't view that as a correct autopsy.

CARSON: Is that a fact?

GARRISON: Of course it is. It's admitted in the Warren Report.

Now let me go to something else. Let me show you, with a few examples, the technique that the federal government used to distort and conceal evidence.

For example, one of the...

CARSON: Now again, when you say let me show you a method, and I hate to interrupt.

GARRISON: Yes.

CARSON: But when you make a statement, that let me show you methods that the federal government used to distort--that is not a fact, is it? Is this what your opinion is, or the way you think it happened?

GARRISON: Well now, you understand that I'm a human being, and it's very difficult for any human being, including a scientist, to speak with total objectivity, so when I say 'let me show you some examples of how distortion was accomplished,'

obviously these are examples about how I think it was accomplished.

CARSON: All right.

GARRISON: You may or may not agree.

CARSON: All right, that's what I wanted to make clear.

GARRISON: Okay? All right. Now if you look in the Warren Commission report, especially in exhibits, you will see Julia Ann Messer's statement, there is an affidavit, sworn to, on the stationery that indicates the sheriff's department, county of Dallas, and the fact, as it's described in the Warren Commission, indicates that Julia Ann Messer, an hour or so before the assassination, was proceeding by the grassy knoll when she was stopped by traffic, and she happened to be next to a truck a young man was getting out of with a rifle, and she was stuck where she had to look inside and see the driver.

Now the Warren Commission exhibits indicate to you that she could not see the driver clearly and that this truck had air-conditioning written on the side. Actually, in spite of the fact that this young lady saw a man getting out on the grassy knoll with a rifle, she was never called by the Warren Commission. They didn't call anybody who had evidence that conflicted with the theory of the lone assassin.

CARSON: May I interrupt again?

GARRISON: Interrupt again, go ahead.

CARSON: You say despite the fact that she saw a man get out with a rifle -- whose fact is that?

GARRISON: Well, I'm about to read from the affidavit and



then you can tell.

CARSON: All right.

GARRISON: Okay. In her affidavit she says, "on the driver's side of the truck there were printed letters in black, oval shape, which said 'Air Conditioners'." She said, "I could not see the driver too clearly." And then it had a signature here, and then it's certified to by a notary public.

CARSON: Um-hmm.

GARRISON: When I showed this to Julia Ann Mercer, she stated this, "The signatures on this affidavit are not mine but are very good imitations, except for the capital A is not close." Incidentally, this is published in the Warren Commission.

CARSON: Um-hmm.

GARRISON: Designated exhibit 5253. "I did not sign anything of this kind and furthermore there was no woman present at any time when I was questioned. It is not true that the truck had 'Air Conditioning' printed on the side. I repeatedly stated that there was no printing on the side. I did not say that I could not see the driver too clearly. The fact is that I looked right in his face and he looked at me twice. This is why I was able to recognize him when I later saw him shoot Oswald on television.

In other words, she was stating immediately that she recognized the driver of the truck, from which a man got out with a rifle, as Jack Ruby. As a matter of fact, she stated, and her signature's right here, that within 24 hours after the assassination the Federal Bureau of Investigation was showing her pictures which

included Jack Ruby, and they omitted this from her printed statement.

Here's the FBI statement: "On the driver's door, the words 'Air Conditioning' were printed in black letters," and then it goes on to state that she saw the driver, but it doesn't give his name. In a separate FBI report, it said she could not identify Jack Ruby's picture. Her answer is this, "Four pictures were selected by me as the driver of the truck. One of them is Jack Ruby. I remember seeing his name on the back of the picture when they turned it over. I again recognized Jack Ruby when I saw him shoot Oswald, and I said to my family, who were watching TV with me, 'That was the man I saw in the truck,' and she also wrote here, "It was November 23rd, the day before Ruby shot Oswald, when I picked out the picture of Jack Ruby."

In other words, she was shown Jack Ruby's picture, with his name on the back, within 24 hours after the assassination, more than 24 hours before Oswald was shot, and there's not a hint of this in the 26 volumes. This...

CARSON: Is that Mrs. Mercer's statement?

GARRISON: Yes.

CARSON: But it is not...

GARRISON: The writing is a true statement. The printing is the false statement...

CARSON: Are you saying by that that somebody changed that testimony?

GARRISON: Of course. As a matter of fact...

CARSON: Well, for what possible reason would they change it?

GARRISON: Well, I think you'd have to talk to the sheriff's office, Johnny, and also to the FBI. The young lady told me, and I have her signature here, that she never said this. I can't...

CARSON: Well, doesn't that impugn -- at that time -- this is the same Mercer, I assume, that Mark Lane also interrogated to put his gunman on the grassy knoll.

GARRISON: No.

CARSON: He did not?

GARRISON: No, I don't think that -- I don't think anybody talked to Julia Mercer because she was threatened and left very early.

CARSON: Well, in the one...

GARRISON: I think you're thinking of someone else. I think you...

CARSON: Warren, didn't Mark Lane talk with Mrs. Mercer about an air conditioning truck in which she said at first her statement was he took a tool box out, and then later it became a gun case? And according to testimony that I have read, the Warren Commission later checked and found that the air conditioning truck belonged to a firm that was doing work on a building nearby.

GARRISON: Julia Mercer never said at any time that there was 'Air Conditioning' on the side of the truck. This was put in because later on -- it was not her statement. She has said here within the last several weeks, and signed her name, that this is not true. It's a false affidavit. Her name was forged, and it was Jack Ruby driving the truck.

CARSON: Isn't also Mrs. Mercer's statement one of sixty

odd -- also statements, depositions, taken by the FBI by other people who saw at one time or another these people carrying guns riding various cars and -- that were also taken by the FBI?

GARRISON: I don't know about all that. Look -- let's don't get away from the point. The point...

CARSON: Yeah, but let's put it in context.

GARRISON: No -- put it in any context. The point is, this lady saw Jack Ruby driving a truck...

CARSON: She says she did.

GARRISON: She says she did.

CARSON: That doesn't make it a fact, does it? What time does this take place?

GARRISON: I -- but...

CARSON: I don't mean to sound like an interrogator. I'm only asking questions I don't understand.

GARRISON: Well...

CARSON: What time was this supposed to have taken place?

GARRISON: About an hour before the assassination. But look...

CARSON: But at that time...

GARRISON: ...let me...

CARSON: ...Jack Ruby was in the office of the Dallas Times.

GARRISON: How do you know? How long was he there?

CARSON: Well, he was there between 11 and 11:30 placing an ad for a master of ceremonies for his club.

GARRISON: Aren't you aware that there was a space-gap between the two newspapers when he went from one to the other, a twenty

minute space gap, and they don't know where he was?

CARSON: But you're going to put him in a truck?

GARRISON: No. I'm not going to put him anywhere. The point is, she was there...

CARSON: But that -- does that...

GARRISON: You weren't there.

CARSON: ...But doesn't that implicate the Dallas police?

GARRISON: I think you would like pictures better.

CARSON: No, but wouldn't that implicate the Dallas police?

GARRISON: They're implicated. How do you think they did it? How do you think they did it? Why do...

CARSON: Well, I don't know. Have you taken anybody to court? How can you accuse the Dallas police of being involved?

GARRISON: All right. Just one question at a time. You give me three at a time.

CARSON: All right. I'm sorry; I didn't mean to .

GARRISON: An advertisement again?

CARSON: I'm not an attorney.

GARRISON: Okay.

CARSON: We've got to have some money to keep this thing going.

(Laughter and applause)

\* \* \*

CARSON: All right, Jim, we're back.

GARRISON: Let me just make this one point. You said that you - the cases aren't coming up.

Let me answer by saying, in the land of the blind, the one-eyed man is king. Nobody else has charged anybody.

*Dear and... for perjury*

We've made three charges, one man has been convicted. We're trying to get the other man to trial. He's postponed the case for six months. And...

CARSON: The man was convicted of perjury, wasn't he?

GARRISON: Yes. That's a little of the case. Our third man is fighting extradition. We're going as fast as we can, John, with five men.

Remember it took six thousand men to do nothing. We're moving with five. It's a little bit slower, I apologise.

(laughter and applause)

CARSON: You mentioned at the end of your Playboy article, in relation to that, "If it takes me 30 years, I'm going to bring these men to justice."

That doesn't sound like you've got a very strong case. Couldn't this go on forever? When are - when is somebody going to get this into court and either prove it or not prove it?

GARRISON: Let me answer by saying we've set the case for trial last fall. And the defendant moved for a six-month continuance. I think you could get your answer better by contacting the defense lawyers. We're trying to get it to trial.

CARSON: All right.

GARRISON: Now let me read to you an affidavit which will indicate to you the technique the federal government used in this investigation.

This is an affidavit sworn to by Mark Lane, who is not

only a distinguished author, but is working for me as an investigator for nothing and helping me.

Mark Lane has sworn, before a notary, that on - in January, 1968, he interviewed William S. Walter in New Orleans, Louisiana.

"Mr. Walter informed me and Anna Lee Lane that he had been employed by the FBI during 1963. He said that he was a security clerk and was assigned to the New Orleans office of the FBI.

"Walter said that during the morning of November 17th 1963, he received a TWX message directed to all southern regional offices of the FBI. The message advised that an attempt to assassinate President Kennedy would be made in Dallas on November 22nd 1963.

"Walter stated that as he was alone on duty on the midnight to 8:00 A.M. shift, he immediately called the special agent in charge of the New Orleans office, Mr. Maynard, and informed him of the content of the message.

He was then advised - informed to call a number of FBI agents in New Orleans who maintained contacts with various informants.

"Walter also told me that an FBI directive ordered the New Orleans office to direct the various agents who had conducted interviews regarding the assassination of President Kennedy to examine those interview reports to make sure that there were no conflicts contained within them. The agents were ordered to resolve the conflicts, prepare new reports and to destroy the old ones."

Another example of...

CARSON: Well, what does all of that mean?

GARRISON: It means whatever you choose to have it mean.

Again, if you ask me to...

CARSON: What if somebody's saying something. Did that actually happen or - I mean, you said that Mark Lane said that a man told him. But did it actually happen?

GARRISON: If you fly down to New Orleans, I can show you these people talking. But you just invited one person up here, I'm telling you what they said. Each time I tell you, you say, "Is that a fact." All...

CARSON: Yes.

GARRISON: ...I can say is that it appears to me to be a fact.

GARRISON: If you want to reject it, you can.

CARSON: All right. All right.

GARRISON: But let me show you some pictures. And if you want to reject these, go ahead.

In the 25 volumes...

(Laughter)

CARSON: You're not on trial, Jim. I'm just asking.

(Laughter)

Really, I...

GARRISON: Yeah, but I'm afraid another advertisement may be coming up.

(Laughter and applause)

CARSON: You're right about that too.

GARRISON: In the 25 volumes, there is no reference to any



serious sort of arrest. There are a couple of references to short dialogues. And then the indication is that the man wasn't of any value or any importance at all.

Actually at Desley Plaza, there were ten men arrested. And this has been kept secret for more than four years. Here are the pictures of five of them being arrested and they've never been shown before.

CARSON: Well, I don't know what...

GARRISON: Several of these men - several of these men arrested have been connected by our office with the Central Intelligence Agency of the United States government. The probability is that this is why Officer Tippit was killed.

Is this speculation? Positively. And I want to identify it as that.

But the probability appears to be that the killing of Tippit was a diversion which allowed them to turn loose these ten men.

Here's some more. And here's another.

CARSON: It won't really - it won't show, Jim, in...

GARRISON: But why aren't they mentioned? Why aren't they mentioned? They're not mentioned at all.

CARSON: Yeah, but you say speculation and the probabilities.

GARRISON: Oh, now just a...

CARSON: Which I don't understand. Who's suppressing all of this information on whose order?

GARRISON: I'll tell you who's suppressing it. The Federal government is suppressing it....

CARSON: Who in the Federal government?

GARRISON: The Administration. The Administration of your government is suppressing it because they know that the Central Intelligence Agency...

CARSON: On whose order?

GARRISON: On the order of the President of the United States. Who do you think issued - let me finish now, before you...

CARSON: I didn't say a thing.

(Laughter)

GARRISON: Before the advertisement.

The executive order which forbids every person in this audience and every person listening to this program, which forbids them to look at this evidence until September in the year 2039, was issued by the President of the United States. Does that answer your question. He's suppressing it.

CARSON: For what possible reason?

GARRISON: Why don't you ask him, John?

(Laughter and applause)

CARSON: I know what he'd say.

(Applause continues)

I think he would say, "Because first of all, Mr. Garrison has come up with no credible evidence to support any of his theories."

GARRISON: Well, let me reply to that. That I am not allowed, as an attorney, to come up with evidence until the case comes. Why don't they just let me fall on my face?

CARSON: Are you willing to say tonight, that when your

trial comes up that you'll secure a conviction without a shadow of a doubt?

GARRISON: I can make a statement which would reflect on Mr. Shaw. Since the day I - we charged him and arrested him, I have not made a statement which inferred that he's guilty. And I cannot infer that now.

But I am trying to tell you that there is no question, as a result of our investigation, that an element of the Central Intelligence Agency of our country killed John Kennedy and that the present Administration is concealing the facts. There is no question about it at all.

CARSON: That is your opinion.

GARRISON: No, it is not. I know it. And if you will just wait, you will see that history will support this as valid.

\* \* \*

CARSON: Sir, I really don't know where to go on this. We could pursue this, I suppose, for hours and hours; we've been out here almost an hour tonight and I have to say, as a layman, I am still quite confused. I don't understand. As you say, this will come to trial eventually, but it could be years, could it not?

GARRISON: Not as far as we're concerned. We're pushing for trial now. There won't be any continuances asked for by my office.

CARSON: Could I ask you one other question? When the evidence against the Commission, which you have nothing to do with and refuse, I guess, almost in toto, outside of that Ruby

killed Oswald -- but, in lieu of that evidence, which you say -- I think you said was a "fairytale", if I'm quoting you right.

GARRISON: That's conservative.

CARSON: All right. All right.

(LAUGHTER)

You are asking us and the American public to believe a team of seven gunmen carried this out with decision, firing from various points, that day in Dallas, which is a remarkable feat in itself, and have disappeared into thin air with no witnesses who observed any gunmen or getaway vehicles, and a gigantic conspiracy in which nobody seems to have yet proved anything -- you ask us to believe that. I find that a much larger fairy tale than to accept the findings of the Warren Report.

GARRISON: Let me reply to you by saying first of all that these men did not disappear into thin air. A number of them were arrested, and I just showed you pictures of them being arrested. I presume you accept that as a fact. You can see them in the pictures.

CARSON: No, sir. I don't accept that as a fact. I don't know who those men are, and I don't know for what reason they were arrested and how can you say that the assassins were arrested and then were turned loose? Is this what you're saying?

GARRISON: Some of them were arrested, yes. Now, let me go on.

CARSON: And were subsequently turned loose?

GARRISON: They were turned loose later in the afternoon. Now -- yes. The -- let me go to the second point. The second point is, you point out again the fact that you see no evidence and the matter doesn't seem to come to trial. We are pushing for trial and there's nothing more we can do than to try to get the case to trial. Let me sum it up by saying, am I asking the people of America to believe this? I'm doing more than that. I'm trying to tell the people of America that the honour of this country is at stake, and if we don't do something about this fraud, we will not survive, and there is no way to survive if we don't bring out the truth about how our President was killed four years ago, and the investigation by the Warren Commission wasn't even close. It wasn't even close.

CARSON: We'll be back in a second.

\* \* \*

CARSON: Jim, I thank you for coming tonight; we're out of time. We'll see what the trial brings when it comes out. Thanks for being with us. Good night, everybody.

(APPLAUSE)

United States Department of Justice

UNITED STATES ATTORNEY  
EASTERN DISTRICT OF LOUISIANA  
NEW ORLEANS, LOUISIANA 70130

*Mr. Bell*

January 26, 1968

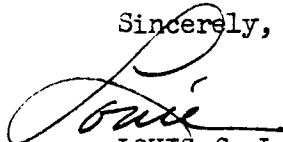
*129-11*

Mr. Nathaniel E. Kossack  
First Assistant Attorney General  
Criminal Division  
Department of Justice  
Washington, D. C. 20530

Dear Mr. Kossack:

As per our conversation of last week, enclosed herewith is a copy of the Articles of Incorporation of the Guatemala Lumber & Mineral Corporation, as requested by you.

Sincerely,



LOUIS C. LaCOUR  
United States Attorney

LCL:cbu  
Encl.

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**FILE**

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Typed 2/1/68

February 1, 1968

J. C.

Louis C. LaCour, Esquire  
United States Attorney  
Eastern District of Louisiana  
New Orleans, Louisiana 70130

Dear Louis:

Thank you very much for obtaining  
and sending us the Articles of Incorporation of  
the Guatemala Lumber and Mineral Corporation. I  
certainly appreciate this and especially want to  
thank you for such quick action.

Sincerely,


J. WALTER YEAGLEY  
Assistant Attorney General

Records ✓  
Mr. Yeagley  
Mr. Oliver  
Hold

SECURITY DIVISION MAIL ROOM  
DATE 2-1-68  
BY

fo  
JWY

UNITED STATES OF AMERICA

State of  Louisiana

**WADE O. MARTIN, JR.**

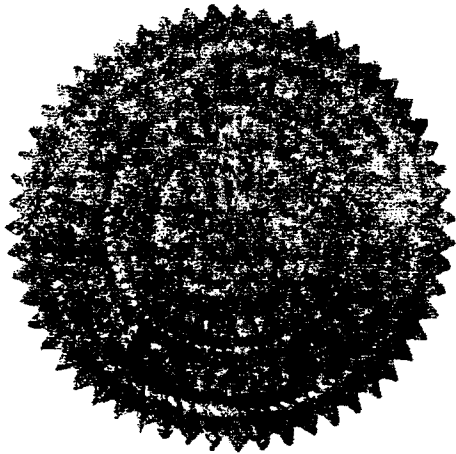
*I, the undersigned Secretary of State, of the State of Louisiana*

DO HEREBY CERTIFY that the annexed and following is a True and Correct copy of the Articles of Incorporation of

GUATEMALA LUMBER & MINERAL CORPORATION,

A Louisiana corporation domiciled at New Orleans,

As shown by comparison with document filed and recorded in this Office on July 18, 1963.



*In testimony whereof, I have hereto set my hand and caused the Seal of my Office to be affixed at the City of Baton Rouge on, January 19, 1968.*

*Wade O. Martin, Jr.*  
Secretary of State

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F. J. DEMAREST, SR.

Mortgage Office

Recorder of Mortgages for the Parish of Orleans

OFFICE

Poydras and Loyola Streets

263 / 309

NEW ORLEANS, LA., July 15, 19 63

I, the undersigned Recorder of Mortgages, in and for the Parish of Orleans, State of Louisiana, do hereby certify that the above and foregoing Act of Incorporation of the \_\_\_\_\_

GUATEMALA LUMBER & MINERAL CORPORATION

was this day duly recorded in my office in Book No. 2031 Folio ---

New Orleans, July 15, 19 63 @ 10:00am

*F. J. Demarest, Sr.*  
Dy Recorder of Mortgages.

ARTICLES OF INCORPORATION  
OF  
GUATEMALA LUMBER & MINERAL  
CORPORATION

\* \* \* \* \*

\* UNITED STATES OF AMERICA  
\* STATE OF LOUISIANA  
\* PARISH OF ORLEANS  
\*  
\* BE IT KNOWN that on this 10th  
\* day of July in the year  
\* of Our Lord One Thousand,  
\* Nine Hundred and sixty-three  
\* and of the Independence of the  
\* United States of America, the  
\* One Hundred and eighty-eighth  
\*  
\* BEFORE ME,  
\*  
\* JAMES H. DRURY

a Notary Public in and for the Parish of Orleans, State of Louisiana, therein  
residing, duly appointed, commissioned, and qualified,

PERSONALLY CAME AND APPEARED:

the several subscribers hereto, all of the full age of majority and residents  
of the State of Louisiana in the Parishes shown after the name of each, who  
declared unto me, Notary, in the presence of the undersigned competent  
witnesses, that, availing themselves of the provisions of Act 250 of 1928 of  
the Legislature of Louisiana, approved on the 18th day of July, 1928, as  
amended, and/or Revised Statutes of 1950, Title 12, Section 1, et seq, as  
now or hereafter amended, they do hereby organize themselves, their  
successors and assigns, into a corporation in pursuance of the provisions  
of said Act and Statutes, under and in accordance with the following articles  
of incorporation, to wit:

ARTICLE I

The name of this corporation is:

GUATEMALA LUMBER & MINERAL CORPORATION

ARTICLE II

The period of duration of this corporation is ninety-nine (99) years from the  
date hereof:

ARTICLE III

The objects and purposes for which this corporation is organized and the  
nature of the business to be carried on by it are stated and declared to be  
as follows, to wit:

- (1) To make investments in lumber and minerals.

2

(2) To make loans of money at or below the conventional interest rate and to extend credit to persons, firms or corporations, or otherwise, and in connection therewith to accept and receive any security or collateral it deems necessary to secure the repayment of moneys loaned or any extensions of credit made; to buy, sell, exchange and generally deal in real, personal or mixed property.

(3) To acquire, hold, purchase, own, pledge or discount notes, evidences of indebtedness, customers obligations, liens, collateral or other security furnished by borrowers.

(4) To acquire, hold, buy, deal in, pledge, discount or rediscount negotiable or non-negotiable notes and other commercial paper whether they are secured by chattel mortgages, conditional sales contracts or other liens on personal property and in general to purchase at discount or otherwise, notes, mortgages, assignments or other instruments and securities.

(5) To purchase, sell, pledge and otherwise deal in bonds, debentures, stock, notes, accounts, mortgages and securities of all types and in any property or assets, issued or created by any persons, firms, associations, corporations, syndicates, or by any governments or subdivisions thereof; and to possess and exercise in respect thereof any and all the rights, powers and privileges of individual holders.

(6) To manufacture, purchase or otherwise acquire, own, mortgage, pledge, sell, assign and transfer, or otherwise dispose of, to invest, trade, deal in and deal with, goods, wares and merchandise and personal property of every class and description.

(7) To acquire, and pay for in cash, stock or bonds of this corporation, or otherwise, the good will, rights, assets and property, and to undertake or assume the whole or any part of the obligations or liabilities of any persons, firm, association or corporation.

(8) To acquire, hold, use, sell, assign, lease, grant licenses in respect of, mortgage, or otherwise dispose of letters patent of the United States or any foreign country, patent rights, licenses and privileges, inventions, improvements and processes, copy-rights, trade-marks and trade names, relating to or useful in connection with any business of this corporation.

(9) To carry on any of the businesses herein enumerated as principal factor, agent, commission merchant or broker.

(10) To borrow money, and to issue, sell, pledge or otherwise dispose of the bonds, debentures, promissory notes, bills of exchange and other obligations and evidences of indebtedness of the corporation, from time to time, for any of the objects or purposes of the corporation, and to secure the same by mortgage, pledge, or any other hypothecation of any kind of property of the corporation.

(11) To guarantee dividends on the shares of the capital stock of any corporation in which this corporation at any time may have an interest as stockholder, and to endorse or otherwise guarantee the principal and/or interest of the notes, bonds, debentures, or other evidences of indebtedness created or to be created by any such corporation.

(12) To conduct and carry on in all of their various branches a general real estate, rental, loan, commission, brokerage and investment business and the doing of any and every act or acts, thing or things, necessary or incident to, growing out of, or connected with the usual conduct of said business, or any part or parts thereof.

(13) In general, to transact or carry on all kinds of Agency or brokerage business and in particular in relation to the investment of money, the issuance and placing of securities, the sale of property and the collection and receipt money.

(14) To act as agent or broker for insurance companies in soliciting, procuring, receiving and accepting applications for any and all kinds of insurance; to make, place, procure, arrange and sell any policies of insurance; to execute insurance agency contracts and other insurance agreements; to collect, charge, receive and collect premiums and receive and retain insurance commissions; to do such other business as may be delegates to agents by such companies and to conduct a general insurance agency or brokerage business.

(15) To acquire, hold, buy, sell, exchange, pledge, deal in, lease or improve real estate, and the fixtures and personal property incidental thereto or connected therewith, either as principal or agent, and with that end in view to acquire by purchase, lease, hire, or otherwise, lands, tenements, hereditaments or any interest therein, and to improve the same, and generally, to hold, manage, deal with and improve the property of the company, and to sell, lease, mortgage, pledge or otherwise dispose of the lands, tenements and hereditaments or other property of the company, to construct, erect, equip, repair and improve houses, buildings, public or private roads, reservoirs, irrigation ditches, wharves, sewers, tunnels, and to make, enter into, perform and carry out contracts relative thereto whether for private or public works; and to carry on in all their respective branches the business of builders, contractors, decorators, dealers in stone, brick, timber, hardware and other building materials or supplies.

(16) To have one or more offices, to carry on all or any of its operations and business and without restriction or limit as to amount to purchase or otherwise acquire, hold, own, mortgage, sell, convey, or otherwise dispose of real and personal property of every class and description in any of the States, Districts, Territories or Colonies of the United States, and in any and all foreign countries, subject to the laws of such State, District, Territory, Colony or Country.

(17) To engage in foreign as well as domestic commerce, of any and all kinds; to negotiate and enter into contracts and agreements with foreign or local individuals or companies relative to the manufacture and/or distribution of machinery or products.

(18) To carry out and do work in all phases of the mining and mineral operations, and more particularly, but not limited to the following: exploring, searching for, drilling, producing, buying, selling and pledging oil, gas and other minerals, and all things that may be incident thereto or connected therewith; to buy and sell and to otherwise deal and trade in oil, gas and mineral leases, rights and royalties both for said corporation and for others on commission or otherwise; and generally to conduct the business of exploring and searching for oil, gas and other minerals and a general drilling contract business and any and all things that may be incident thereto or germane or connected therewith.

(19) To enter into, make, perform, and carry out contracts of every sort and kind, which may be necessary or convenient for the business of this corporation, or business of a similar nature, with any person, firm, corporation, private, public or municipal body politic under the government of the United States, or any State, Territory or Colony thereof, or any foreign government, and performed by corporations organized under the Laws of the State of Louisiana.

The foregoing clauses shall be construed both as objects and powers, and it is hereby expressly provided that the foregoing enumeration of specific powers and objects shall not be held to restrict or limit in any manner the general powers or objects of this corporation. In general, to carry on any other business in connection with or related or incidental to the foregoing, permitted by law; to have and exercise all of the powers conferred by present or future laws of Louisiana upon corporations formed for any or all of the purposes aforesaid, and to do any or all of the things heréin set forth to the same extent as natural persons might or could do.

In order to accomplish the aforesaid objects and purposes, the said corporation shall have authority to perform all such acts as are necessary or proper which are not repugnant to law, and, without limiting or enlarging this grant of authority, it is hereby specifically provided that this corporation shall have authority:

- (a) To have a corporate seal and to alter the same at pleasure, but failure to affix a seal shall not affect the validity of any instrument;
- (b) To continue as a corporation for the time limited in its articles of incorporation;
- (c) To contract, sue, and be sued in its corporate name;
- (d) To acquire in any legal manner and to hold, sell, dispose of, lease, pledge, mortgage, or otherwise alienate or encumber any property, movable or immovable, corporeal or incorporeal, subject to any limitation prescribed by law or these articles;
- (e) To acquire in any legal manner and to hold, sell, dispose of, pledge, mortgage, or otherwise alienate or encumber the shares, bonds, debentures and other securities or evidences of indebtedness, or franchises and rights of any other corporation, domestic or foreign, subject to the limitations contained in the articles; and in relation thereto to exercise all the rights, powers and privileges of ownership, including the right to vote on any shares of stock of any other corporation;
- (f) To conduct business in this State and elsewhere as may be permitted by law;
- (g) To appoint such officers and agents as the business of the corporation may require;
- (h) To borrow money and to issue, sell, pledge or otherwise dispose of, its bonds, debentures, promissory notes, bills of exchange and other obligations and evidences of indebtedness, and to secure the same by mortgage, pledge or other hypothecation of any kind of property.
- (i) To make by-laws, not inconsistent with the laws of this State or with the articles, fixing or changing the number of its directors, for the management of its business, the regulation and government of its affairs, and for the certification and transfer of its shares;
- (j) To guarantee shares, bonds, contracts, securities and/or evidences of indebtedness of any other domestic or foreign corporation, including interest and/or dividends thereon.
- (k) To acquire its own shares of stock by purchase or otherwise in the manner now provided or which may be hereafter provided by the laws of the State of Louisiana.

#### ARTICLE IV

All the corporate powers of this corporation shall be vested in and exercised by a Board of Directors composed of not less than three nor more than nine natural persons, which Board of Directors after the first Board named in these articles, shall be elected annually at a general meeting of the shareholders to be held during the month of October of each year, at such time and place as shall be selected by the directors and designated in the notice of such meeting to be given by the Secretary by mailing such notice to each director five (5) days in advance of said meeting. All directors shall be of the same class and they shall hold office and exercise all the functions of the Board until the next annual meeting of the shareholders and/or until their successors are duly elected and qualified as hereinabove provided. The failure to elect directors shall not dissolve the corporation, but the directors in office at the time of such failure to elect shall hold

their respective offices until the election shall be held after fifteen (15) days' notice is served on each shareholder of record entitled to vote by depositing said notice in the United States mail, postage prepaid. Any director absent from the meeting may be represented by any other director or shareholder, who may cast the vote of the absent director according to the written instructions, general or special, of said absent director. A director need not be a stockholder. A majority of the Board of Directors shall constitute a quorum for the transaction of business, and each director shall be entitled to one vote in person or by proxy, as aforementioned.

The Board may, without the necessity of submitting its actions to the shareholders, sell or exchange any or all of the property of the corporation, borrow money, execute bonds, notes and/or obligations therefor and secure the same by mortgage, pledge and hypothecation of the property of the corporation to any individual or to another corporation, or merge or consolidate this corporation with any such corporation; may fix the price and consideration of such sale, exchange, merger or consolidation and take and receive in exchange for the assets of this corporation, the stock or other securities of such purchasing, merging or consolidation corporation.

Subject to the rights of the shareholders at any time to change same, the Board of Directors may adopt and from time to time repeal, amend and supplement by-laws containing any provision with respect to the government of the corporation and the powers of the directors and shareholders not prohibited by law and not inconsistent with these articles, and may appoint an Executive Committee and such other committees of the Board of Directors and define their respective powers and duties.

In the event of a vacancy occurring for any cause in the said Board of Directors, the vacancy shall be filled by election at a meeting of the stockholders entitled to vote at a meeting called for that purpose.

#### ARTICLE V

There shall be four (4) officers of this corporation, viz: President, Vice-President, Secretary, and Treasurer, and such additional officers and agents as shall be from time to time named in the by-laws or by the Board of Directors. The office of Secretary and Treasurer and/or Vice-President and Treasurer may be combined and filled by the same person. The officers shall hold office until their successors have been elected and qualified.

The election of officers shall be at a special meeting of the Board of Directors called for that purpose after the new Board of Directors is selected in October of each year as set forth hereinabove. All such officers and agents appointed and elected shall be subject to the orders of and be removable by the authority appointing them.

#### ARTICLE VI

At all meetings of the shareholders, whether to elect a Board of Directors or for other purposes, each shareholder shall be entitled to one vote for each share of voting stock standing in his name on the books of the corporation, to be cast by him in person or by his written proxy. A majority of the voting stock shall constitute a quorum for the transaction of business; and a majority of the votes cast shall suffice to prevail. Failure to elect a Board on the date specified or at any adjournment of said meeting shall not impair the management of the corporation, and the Board then in office shall continue to function until its successor is elected and qualified.

Any director may be removed at any time by the action of the holders of a majority of the voting stock taken at special or regular stockholders meeting. Notice of meetings of shareholders for any purpose shall be in writing, postage prepaid and addressed to each voting shareholder at his address of record, not less than fifteen (15) days prior to the day named for such meeting, the shares present or represented by written proxy, and entitled to vote, may be voted vive voce, unless otherwise decided by the majority vote of the shares present or represented at such meeting.

#### ARTICLE VII

The location and post office address of its registered office is:

710 Pere Marquette Building, New Orleans 12, Louisiana

#### ARTICLE VIII

The full names and post office addresses of its registered agents are:

Rudolph Richard Davis, Jr.  
2001 Canal Street, New Orleans, Louisiana

F. D. V. de La Barre  
710 Pere Marquette Building, New Orleans 12, Louisiana

#### ARTICLE IX

The names of the first directors and officers and their post office addresses are as follows:

Joseph R. Milla, President & Director  
3305 Palmyra Street, New Orleans, Louisiana

Rudolph Richard Davis, Jr., Vice-President & Director  
2001 Canal Street, New Orleans, Louisiana

Gus J. LaBarre, Vice-President & Director  
710 Pere Marquette Building, New Orleans 12, Louisiana

F. D. V. de La Barre, Secretary-Treasurer & Director  
710 Pere Marquette Building, New Orleans 12, Louisiana

#### ARTICLE X

The stock of this corporation is to be divided into two classes, to wit:

- (a) Class A common voting stock of which there shall be an authorized number of shares totaling \_\_\_\_\_
- (b) Class B common non-voting stock of which there shall be an authorized number of shares totaling \_\_\_\_\_

Class A stock shall have a par value of One Dollar (\$1.00) for each share, shall have sole voting rights and shall be common stock. Each share of Class A stock issued shall have a voting power of one (1) vote at all general or special elections or meetings of the stockholders, which said vote may be cast by the stockholder in person or by a proxy, and the proxy need not be a stockholder of the corporation. This Class A stock may be issued for cash or for services rendered to the corporation or

property transferred to the corporation, or the corporation may declare a stock dividend, all as now is or may hereafter be provided by law.

Class B stock shall have a par value of One Dollar (\$1.00) for each share, shall not have any voting rights and shall be common stock. None of the shares of this Class B non-voting stock shall have any voting rights whatsoever at any general or special elections or meetings of the stockholders. The stock so issued as Class B shall have indicated on the face of the stock certificates that said stock is One Dollar (\$1.00) par value per share, is Class B, and is non-voting common stock. This Class B stock may be issued for cash or for services rendered to the corporation or property transferred to the corporation or the corporation may declare a stock dividend, all as now is or may hereafter be provided by law.

No stockholder shall be entitled to preemptive rights to purchase, subscribe for, or receive additional shares of any class of stock of the corporation, or any bonds, debentures or other securities convertible into stock, whether now or hereafter authorized, but such additional shares of stock and securities may be issued or disposed of by the board of directors to such persons and on such terms as in its discretion it may deem advisable.

Dividends may be declared and paid on the Class A Common Stock and on the Class B Common. Stock from time to time and in such amount as may be fixed by the board of directors out of any assets available for distribution of dividends, provided that no dividend shall be declared and paid upon either of said classes of stock unless a dividend in the same amount per share is simultaneously declared and paid upon the other of said classes of stock.

#### ARTICLE XI

The amount of paid in capital with which this corporation shall begin business is One Thousand And No/100 Dollars (\$1,000.00) in cash or other property taken at a fair valuation.

#### ARTICLE XII

The corporation may purchase and/or redeem its own shares in the manner and under the conditions provided in Paragraphs 23 and 45, Title 12, Revised Statutes of Louisiana, 1950. Such shares so purchased shall be considered treasury shares, and may be reissued and disposed of as authorized by law, or may be cancelled and the capital stock reduced, as the Board of Directors may, from time to time, determine. The Corporation shall have the benefits of the provisions of Section 63 of Title 12, Revised Statutes of Louisiana, 1950.

#### ARTICLE XIII

If at any time this corporation should own wasting assets intended for sale in the ordinary course of business, or shall own property having a limited life, it may pay dividends from the net profits arising from such assets without deduction for appreciation or depletion of assets thereby sustained.



#### ARTICLE XIV

Whenever notice is required by law or by these articles to be given to the shareholders and/or to the directors, such notice may be waived by unanimous consent of the shareholders or of the directors, in the applicable situation, and such waiver shall be incorporated in or attached to the minutes of the meeting of which notice is waived. Such waivers may be in writing or by cable or wire, or made orally at the meeting.

#### ARTICLE XV

No transfer of stock shall be binding upon this corporation unless made upon its books, and all certificates of stock shall be signed by the President and the Secretary or by the Vice-President and the Secretary, or such other officers as may be designated by the Board of Directors.

#### ARTICLE XVI

These articles may be amended and/or the capital stock may be increased or reduced by a vote of the holders of the majority of the voting stock issued and outstanding expressed at a meeting duly called for that purpose, after fifteen (15) days written notice mailed as herein provided, in which notice shall be stated the general nature of the proposed amendment and/or the general nature of the proposed changes in the capital structure.

#### ARTICLE XVII

This corporation may be dissolved by the vote of shareholders holding two-thirds of the capital stock issued and outstanding, at a meeting duly called for that purpose after fifteen (15) days' written notice mailed as herein provided, or such dissolution may be had by the written consent of all of the shareholders of the corporation without the necessity of a meeting of such shareholders. In case of dissolution by either method above prescribed, the shareholders shall, by a majority vote if the shareholders entitled to vote, appoint a liquidator or liquidators to conduct the winding up of the corporation, and may fix the time and the method of such liquidation, the compensation of the liquidator or liquidators and make any other provisions which may be desirable and approved at said meeting.

#### ARTICLE XVIII

This corporation is organized under the laws of the State of Louisiana and especially Title 12 of the Revised Statutes of Louisiana, 1950 and the subscribers hereto, for themselves and said corporation and for its stockholders, directors and officers, hereby accept as part of this charter and as conditions of this corporation, all the rights, powers, privileges and immunities granted to corporations and granted to and conferred upon stockholders, directors and officers of corporations by said laws and said Revised Statutes; said acceptance being a full, complete and binding as if said rights, powers, privileges and immunities were set forth at full length in this instrument.

ARTICLE XIX

The names and post office addresses of the incorporators and statements of the number of shares subscribed for by each are as follows:

<u>Name and Address</u>	<u>Parish of Residency</u>	<u>Shares of class "A" stock subscribed</u>
Joseph R. Milla 3305 Palmyra Street New Orleans, Louisiana	Orleans	5,000
Rudolph Richard Davis, Jr. 1570 Westbrook Drive New Orleans, Louisiana	Orleans	5,000
Gus J. LaBarre Rt. 2 - Box 3 Napoleonville, Louisiana	Assumption	5,000
F.D.V. de La Barre 4122 Pitt Street New Orleans, Louisiana	Orleans	5,000

THUS DONE AND SIGNED in my notarial office in the City of New Orleans State of Louisiana on the day, month, and year hereinabove set forth, in the presence of the undersigned competent witnesses and me, Notary, after due reading of the whole.

Witnesses

Incorporators

S/ Maureen G. Barnett

S/ Joseph R. Milla  
Joseph R. Milla

S/ Rudolph Richard Davis, Jr.  
Rudolph Richard Davis, Jr.

S/ Sheelah R. Maginnis

S/ Gus J. LaBarre  
Gus J. LaBarre

S/ F.D.V. de La Barre  
F.D.V. de La Barre

S/ James H. Drury  
James H. Drury  
Notary Public

A TRUE COPY:

NOTARY PUBLIC