

ROUTING SLIP

TO:	NAME	DIVISION	BUILDING	ROOM
1.	<del>Mr. Block</del>			
2.	<del>Mr. Baker</del>			
3.	Jan Robinson			2116
4.				

- SIGNATURE
- APPROVAL
- SEE ME
- RECOMMENDATIONS
- ANSWER OR ACKNOWLEDGE ON OR BEFORE
- PREPARE REPLY FOR THE SIGNATURE OF
- COMMENT
- NECESSARY ACTION
- NOTE AND RETURN
- CALL ME
- PER CONVERSATION
- AS REQUESTED
- NOTE AND FILE
- YOUR INFORMATION

REMARKS

Justerwald did the hatchet job for Sen. Jong when they hit IRS for wiretapping.

Hold with the Assassination materials  
*EW 2/20*

FROM:	NAME	BUILDING & ROOM	EXT.	DATE
	Michael T. Epstein			3/21

#DCBDMB  
DC48-EUR  
CONSPIRACY

3/17/69  
129-11

BY RONALD J. OSTROW  
THE LOS ANGELES TIMES

WASHINGTON--A NEW GROUP PROBING AMERICAN POLITICAL ASSASSINATIONS SUGGESTED MONDAY THAT CONSPIRATORS--SOME OF THEM POSSIBLY THE SAME PERSONS--WERE BEHIND THE MURDERS OF PRESIDENT JOHN F. KENNEDY AND DR. MARTIN LUTHER KING.

THE CONSPIRACY ALLEGATIONS--SOME NEW AND SOME OLD--WERE MADE AT A PRESS CONFERENCE BY THE COMMITTEE TO INVESTIGATE ASSASSINATIONS (CAP C,I,A)

THE COMMITTEE, DECLINING TO REVEAL THE SOURCE OF ITS FINANCES, CHARGED THAT THE GOVERNMENT WAS DELIBERATELY WITHHOLDING FACTS ABOUT THE ASSASSINATIONS FOR FEAR THE AMERICAN PUBLIC WAS NOT PREPARED TO ACCEPT THEM.

BERNARD FENSTERWALD JR., EXECUTIVE DIRECTOR OF THE COMMITTEE WHOSE DIRECTORS INCLUDE NEW ORLEANS DIST. ATTY. JIM GARRISON, SAID ONE PURPOSE IN HOLDING THE PRESS CONFERENCE WAS "TO GET OUR NAMES BEFORE THE PUBLIC" TO HELP RAISE FUNDS.

FENSTERWALD, FORMER COUNSEL TO THE SENATE JUDICIARY SUBCOMMITTEE ON ADMINISTRATIVE PRACTICES AND PROCEDURES, SAID THE NEW COMMITTEE HAS RAISED "A RELATIVELY SMALL SUM"--ENOUGH TO RUN A TWO-MAN OFFICE HERE BUT NOT ENOUGH TO SUPPORT THE STAFF OF PROFESSIONAL INVESTIGATORS IT WANTS TO EMPLOY.

HE SAID THE COMMITTEE "ULTIMATELY HOPES TO FORCE THE FEDERAL GOVERNMENT INTO THE THOROUGH AND HONEST INQUIRY WHICH IT HAS AVOIDED" SINCE THE DEATH OF PRESIDENT KENNEDY.

FENSTERWALD SAID THERE WAS "A MOST REMARKABLE RESEMBLANCE" BETWEEN THE PHOTOGRAPH OF A TRAMP PICKED UP BY DALLAS POLICE AN HOUR AFTER PRESIDENT KENNEDY WAS SHOT AND A MEXICAN POLICE ARTIST'S DRAWING OF A MAN SOUGHT IN DR. KING'S SLAYING.

FENSTERWALD AND RICHARD SPRAGUE, ANOTHER OF THE COMMITTEE'S NINE DIRECTORS, WHO SPECIALIZES IN COLLECTING AND ANALYZING ASSASSINATION PHOTOGRAPHS, DISPLAYED A BLOWUP OF ONE OF THE MEN IN THE PHOTO AND THE DRAWING WHICH HAVE SIMILAR FEATURES, PARTICULARLY AROUND THE NOSE AND MOUTH.

THE PHOTOGRAPH SHOWS TWO POORLY DRESSED MEN BEING LED AWAY BY DALLAS POLICE. SPRAGUE, A SELF-EMPLOYED HARTSDALE, N.Y., MANAGEMENT CONSULTANT, SAID THE MEN WERE BEING MARCHED FROM THE DIRECTION OF THE TEXAS SCHOOLBOOK DEPOSITORY BUILDING TO THE DALLAS SHERIFF'S OFFICE.

HOWEVER, IN TESTIMONY BEFORE THE WARREN COMMISSION, DALLAS POLICE SGT. D. V. HARKNESS INDICATED THE MEN WERE TRAMPS HE AND OTHER POLICE FOUND IN FREIGHT CARS THAT WERE ABOUT TO PULL OUT OF THE DALLAS RAILROAD YARD.

THERE IS NO RECORD IN THE WARREN COMMISSION VOLUMES OF WHAT BECAME OF THE MEN, "AND THE FBI CONFISCATED ALL OF THE DALLAS POLICE BOOKING RECORDS," SPRAGUE SAID.

THE MEXICAN ARTIST'S CONCEPTION WAS DRAWN THE MORNING AFTER DR. KING'S DEATH AT THE REQUEST OF THE FBI WHICH RELAYED BY TELEPHONE DESCRIPTIONS OF A MAN WANTED IN CONNECTION WITH THE SLAYING, SPRAGUE SAID.

HOWEVER WHEN THE DRAWING WAS CIRCULATED LAST APRIL BY UNITED PRESS INTERNATIONAL, THE FBI WAS REPORTED AS STATING IT HAD AUTHORIZED NO SUCH SKETCH. THE FBI DECLINED COMMENT MONDAY ON THE DRAWING OR ANY OF THE COMMITTEE'S ALLEGATIONS.

A SOURCE CLOSE TO THE BUREAU SAID THERE WAS NO DRAWING CIRCULATED IMMEDIATELY AFTER THE ASSASSINATION BECAUSE WITNESSES COULD NOT AGREE ON THE SUSPECT'S FEATURES.

SPRAGUE SAID HIS INFORMATION ON THE DRAWING CAME FROM SERGIO JAUBERT WHO HE SAID DREW THE SKETCH FOR THE MEXICO CITY POLICE DEPARTMENT.

THIS MARKS AT LEAST THE SECOND TIME THAT SPRAGUE HAS DISPLAYED THE PHOTOGRAPH AND DRAWING AND POINTED OUT THE SIMILARITY TO REPORTERS.

LAST MAY 24, THE NEW YORK TIMES PUBLISHED THE ENLARGED PHOTO AND THE DRAWING OF THE THIN-LIPPED, LONG-NOSED MAN AND SAID SPRAGUE DISPLAYED THEM FOR A GROUP CALLING ITSELF THE KENNEDY ASSASSINATION INQUIRY COMMITTEE.

THAT COMMITTEE, WHICH APPARENTLY IS NOT RELATED TO THE GROUP DIRECTED BY FENSTERWALD, WAS HEADED BY TRENT GOUGH, A CANADIAN ACTOR.

FENSTERWALD SAID THAT IN ADDITION TO THE SIMILARITY OF THE MAN IN THE PHOTOGRAPH AND DRAWING, THERE ARE OTHER "COMMON FACTORS WHICH SUGGEST A CONNECTION" BETWEEN THE TWO ASSASSINATIONS.

THESE, HE SAID, INCLUDE "EASILY IDENTIFIABLE GUNS CONVENIENTLY LEFT AT BOTH ASSASSINATION SCENES," AND THE FACT THAT LEE HARVEY OSWALD AND JAMES EARL RAY BOTH USED TWO OR THREE IDENTITIES.

FENSTERWALD SAID THERE IS "A CONSIDERABLE BODY OF EVIDENCE" THAT SCOTLAND YARD ARRESTED AT LONDON AIRPORT NOT ONE BUT TWO MEN IN THE KING ASSASSINATION PROBE, TRAVELING UNDER THE ALIAS OF RAYMOND GEORGE SNEYD.

"IF WE COULD ANSWER" THE QUESTION OF WHAT HAPPENED TO THE SECOND MAN, FENSTERWALD SAID, "WE COULD HAVE THE ANSWER" TO THE MYSTERY THAT STILL SHROUDS THE ASSASSINATION.

FENSTERWALD STEPPED DOWN AS THE SENATE SUBCOMMITTEE'S COUNSEL LAST JAN. 1 AFTER THE CHAIRMAN, SEN. EDWARD V. LONG (D-MO.), LOST HIS BID FOR RE-ELECTION. HE SET UP THE PRIVATE ASSASSINATION PROBE THE NEXT DAY.

SENT MARCH 17...JM947PE

Typed: 3/20/69  
MR:BAR:ehd  
129-11

3/12

MARCH 21 1969

Honorable Walter F. Mondale  
United States Senate  
Washington, D. C.  
Dear Senator:

Your communication of March 12, 1969 on behalf of  
[redacted] who requests that the investigation of the  
assassination of President Kennedy be re-opened has been  
referred to me.

The authors who have criticized the conclusions of the  
Warren Commission do not claim to have any additional or  
new inquiry are based upon. Rather, to have any significant new  
parts of the same body of evidence that were examined by the  
Commission made a thorough inquiry and demands for a  
basic conclusions of the Commission. The evidence analyzed by the  
Commission. In these circumstances, we see  
no basis for a new inquiry.

I hope that this information will be of assistance.  
Your enclosure is returned herewith.

Sincerely,

Enclosure  
Records  
Chrono  
Hennagin  
Mr. Wilson  
Deputy AG

WILL WILSON  
Assistant Attorney General

PMH  
3/21  
WR  
WR  
0/21

1295

ANSWERED WITHIN 48 HOURS

Receipt was acknowledged 3-17-69

Correspondence Section  
Records Administration Office  
Administrative Division

DATE:

March 12, 1969

**United States Senate**

RE:



Respectfully referred to

Office of Congressional Liaison  
Department of Justice

.....  
For your consideration of the attached  
letter, and for a report.

RECEIVED  
MAR 17 1969

\_\_\_\_\_ To be forwarded directly to the  
constitution with a copy to me  
for my information and records.

To me, in duplicate to accompany  
return of enclosure.

\_\_\_\_\_ As requested below.

Additional comments:

129-11	
DEPARTMENT OF JUSTICE	
10	MAR 17 1969
CRIMINAL GEN. CRIME SEC.	

*for*


Please refer response to attention of

Mr. Avery, of my staff,

on the outside of the envelope only.

Thank you.

WALTER F. MONDALE  
U.S. SENATE

  
March 2, 1969

The Honorable Senator Mandale  
United States Senate  
Washington, D.C.

Dear Senator Mandale,

Because of the information recently brought into light by the trial of Clay Shaw in New Orleans, I feel a full reinvestigation of the Kennedy Assassination should be made.

As representative of my state in the Senate, I feel that it is up to you to begin the action.

Until there exists no doubt about the Warren Report, no person in the United States is truly free.

Respectfully,  


UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA  
NEW ORLEANS DIVISION

NOV 18 1964  
J. S. DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA  
NUMBER: 6  
DOCKET:

07-553

DEAN A. ANDREWS, JR.

VERSUS

JAMES J. GARRISON, DISTRICT ATTORNEY  
PARISH OF ORLEANS, STATE OF LOUISIANA

SECTION

FILED: BY CLERK:  
TO THE HONORABLE THE JUDGES OF THE UNITED STATES DISTRICT COURT IN AND FOR THE  
EASTERN DISTRICT OF LOUISIANA, NEW ORLEANS DIVISION:

D A M A G E S

The petition of Dean A. Andrews, Jr., of age and majority, and a resident of the Parish of Jefferson, with respect represents that:

1.

JURISDICTION: This Court has jurisdiction of this cause pursuant to the provisions of

- a) Title 28 USC section 1331; b) Title USC 1343(3)(4); c) Title 28 USC 2281
- d) Title 28 USC section 2282; e) Title 28 USC 2283; f) Title 28 USC 2284;
- g) Title 42 USC section 1983;

2.

Title 42 USC 1983, provides: "Every person, who under color of any statute, ordinance, regulation, custom, usage, of any State or Territory, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding to redress."

3.

James J. Garrison, District Attorney of Orleans Parish, hereinafter referred to as defendant, is the duly elected and commissioned District Attorney of Orleans Parish pursuant to the powers invested in his office and conferred upon him by law, has embarked upon an investigation of a "conspiracy to murder John F. Kennedy", a public disclosure of which was made public by an article appearing in the New Orleans States Item newspaper, on Feb. 17, 1964;

4.

That prior to the investigation of a conspiracy to murder John F. Kennedy, the defendant called the plaintiff by phone on or about Saturday, Oct. 29, 1964, and invited plaintiff to meet him at Broussard's Rest., on Iberville St., New Orleans, La on an important matter that could not be discussed by phone; further, plaintiff and defendant met in Broussard's Rest. on the afternoon of Saturday, on or about Oct. 30, 1964.

5.

Further, during the conversation, as set out in paragraph 4 supra, defendant had in his possession a copy of "Whitewash", by Hubert Weisberg, and the defendant indicated that according to the author of "Whitewash" your plaintiff was a overlooked witness; further, the defendant produced a copy of "Whitewash" and your plaintiff, during the discussion browsed through the book;

6.

It was during the initial conference/discussion with the defendant that the defendant informed your plaintiff that in November of 1963 he had had good information and some good clues in connection with the assassination of John F. Kennedy and has turned them over to a U.S. Agency and nothing has ever happened; further, that he was going to re-open his investigation since he has reason to believe that a conspiracy to murder John F. Kennedy existed in New Orleans prior to the assassination of the 35th President of the United States;

7.

There were frequent conversations between plaintiff and defendant from on or about Oct. 29, 1966, through the first week of Feb. 1967 concerning the identity of Clay Bertrand, and the unknown Latin/Mexican person who had appeared in plaintiff's office with Lee Oswald, also the possibility of a so-called "assassins training camp" across the lake ( Lake Fontchaudrain) consisting of Cubans & other nationalities, the dissolution of the said camp, examination of numerous photographs, the possibility of triangulation of gunfire, a mobile unit from New Orleans to Dallas, possibility of mobile unit being parked on street, possibility of more than one person being involved in the actual assassination; all of the above on a hypothetical basis;

8.

Just prior to Christmas, 1966, the name Clay Shaw was presented by the defendant as the person Clay Bertrand, and your plaintiff informed the defendant that the Clay Bertrand referred to by the plaintiff in his testimony before the staff member of the Warren Commission, had no connection with Clay Shaw; the conflicts in the testimony were pointed out and all possibilities of identification were discussed and your plaintiff informed the defendant the two persons were not one and the same;

9.

Further, the defendant knows personally, that the plaintiff does not have any evidence or knowledge of evidence that would be of value to his investigation into a conspiracy to murder JOHN F Kennedy, yet the defendant did continue to pressure your plaintiff by the use of mutual friends, and finally in that by use of a District Attorney's subpoena under Article 66 of the Louisiana Criminal Code of Procedure to appear before the District Attorney for questioning;



10.  
Art. 66 of the LCCP provides: " Upon written notice of the District Attorney setting forth reasonable grounds therefor, the Court may order the clerk to issue subpoenas directed to the persons named in the notice, ordering them to appear at a time and place designated in the order for questioning by the District Attorney concerning an offense under investigation by him. . . ."

11.  
Your plaintiff filed certain documents to compel the District Attorney to issue a subpoena served upon him for the reason that the subpoena served was not a subpoena authorized under Article 66; the motion was filed and by agreement with Assistant District Attorney Richard Burns the subpoena issued was modified to conform with the provisions of Article 66; further, plaintiff appeared with his attorney and answered all questions to the best of his ability; further, plaintiff requested and was not furnished a transcript of the questions and answers before the District Attorney; further, plaintiff requested and was not granted the return of his testimony before a staff member of the Warren Commission which was lent to the defendant by the plaintiff sometime in November of 1966;

12.  
The defendant was not satisfied with the personal interviews as set out supra, or the questions and answers in his office, he caused a " Grand Jury " subpoena to be served upon your plaintiff pursuant to: Art. " The Grand Jury shall inquire into all capital offenses triable within the parish. It may inquire into other offenses triable by the district court of the parish, and shall inquire into such offenses when requested to do so by the district attorney or ordered to do so by the court." AND Art. 64 of the LCCP: " The district attorney is the representative of the state before the grand jury and its legal advisor. He shall be notified of and has the right to be present at all sessions of the grand jury, except when it is deliberating and voting. He shall examine witnesses before the grand jury."; and further, Art. 142 of the LCCP: " A grand jury shall hear all evidence presented by the district attorney. It may hear evidence for the defendant, but is under no duty to do so. When the grand jury has reason to believe that other available evidence will explain the charge, it should order the evidence produced."

A grand jury should receive only legal evidence and such as is given by witnesses produced, or furnished by documents and other physical evidence. However, no indictment shall be quashed or conviction reversed on the ground that the indictment was based, in whole or in part, on illegal evidence, or on the ground the grand jury violated a provision of this article."

13.  
Your plaintiff appeared before the Grand Jury for the Parish of Orleans; further, after a brief session he was discharged;

14.  
Your plaintiff was served another subpoena to appear before the Grand Jury for the second time, and appeared on March 16, 1967, and questions were propounded by the assistant District Attorney and by some of the grand jurors;

15.  
The defendant appeared before the Grand Jury sometime during the afternoon of the 16th of March, 1967, and shortly thereafter your plaintiff was indicted for perjury; a uncertified copy of the body of the indictment is annexed hereto and made a part hereof the same as if copied in extenso, and marked for the purposes of identification, ANNEXES "A";

16.  
On Thursday, March 13, 1967, the defendant dismissed the indictment docketed in the Clerk of Court's Office, Criminal District Court under # 197-998, allotted to Section "C", for the reason that another indictment was handed down by the same Grand Jury containing about 11 feet of words under docket # 198-483;

17.  
Your plaintiff avers that the defendant, personally, is of the opinion that your plaintiff can identify Clay Shaw and others, who he has reason to believe are involved in a conspiracy to murder John F. Kennedy; this belief of the defendant being arbitrary, capricious, and not founded on any fact, but to the contrary, founded on the defendant's conclusions; further, plaintiff told the defendant during the many conferences held between plaintiff and defendant from on or about Oct. 29, 1966 through the first week of Feb., 1967, and the defendant even assigned to your plaintiff, a code name, the name of an army associate, which was written in the defendant's handwriting including two private phone numbers, said instrument is annexed hereto and made a part hereof the same as if copied in extenso and marked ANNEXES, "B", that there was no connection between Clay Shaw and Clay Bertrand;

18.  
There is annexed hereto and made a part hereof the same as if copied in extenso, and marked ANNEXES "C", an envelope marked C-1, mugshot of Emilio Galindo Santos marked C-2; photograph marked C-3; photograph marked C-4; photograph marked C-5; photograph marked C-6, delivered by associates of the defendant to plaintiff for plaintiff to study; further, plaintiff examined numerous mug shots in addition to the above;

19.

Plaintiff avers that the defendant has arbitrarily used the powers of his office  
a) district attorney subpoena; b) grand jury subpoena(1st Time); c) grand jury  
subpoena(2nd time); d) indictment for perjury to pressure your plaintiff into a  
identification of Clay Shaw as Clay Bertrand and an identification of Julian Busno  
as the Mexicano/Latin type who appeared with Lee Oswald; further, defendant has sought  
to discredit and pillar plaintiff in the community by offering to him the following:

a) sodium penethol test; b) hypnosis; c) lie detector test;

and making same known to the public and the defendant did arbitrarily and capriciously  
do this knowing that none of the systems are of any legal value whatsoever; and last  
but not least, in causing the plaintiff to be indicted two separate times for perjury  
and the defendant knowing that the plaintiff has and did not commit perjury at any  
time; further, plaintiff avers that any and all information the defendant could obtain  
from plaintiff was obtained from plaintiff voluntarily in the discussions that took  
place from on or about Oct 29, 1966 through the first week of Feb. 1967;

20.

Plaintiff avers that the defendant and his associates under his instructions,  
seize upon obvious discrepancies existing in the sworn testimony of your plaintiff  
before a staff member of the Warren Commission, and deliberately placed your  
plaintiff before the Grand Jury so that either plaintiff identified Clay Shaw and  
Julian Busno or he(plaintiff) must contradict the previous sworn testimony;

21.

Plaintiff avers that the acts of the defendant as set out above are arbitrary,  
capricious, done under color of state statutes and the plaintiff has been subjected  
under color of law to the deprivation of his rights, privileges and immunities, more  
particularly, but not exclusively, the defendant has used sworn testimony of the  
plaintiff contained in the Warren Report and then placed plaintiff before a grand  
jury and compelled him to answer questions designed to trap him, full knowing that  
plaintiff had no knowledge of any conspiracy or any facts material to a conspiracy  
to murder John F. Kennedy.

22.

Plaintiff avers that he has been damaged in the amount of \$100,000.00;  
WHEREFORE, plaintiff prays that the defendant be cited and served in the manner  
set out by law, and that after all legal formalities be complied with, there be  
judgment in favor of Dean A. Andrews, Jr. in the amount of \$100,000.00, together  
with costs and interest and against James J. Garrison, individually and in his  
capacity as District Attorney, Parish of Orleans; a trial by jury, and for all  
such general and equitable relief as the court may permit.

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

# Memorandum

TO : Mr. Carl Eardley  
Deputy Assistant Attorney General  
Civil Division

DATE: March 3, 1969

FROM : Harland F. Leathers, Chief  
General Litigation Section  
Civil Division

HFL:mmo

129-11

SUBJECT: Response to Congressman Reid  
on Clay Shaw

We have drafted the attached letter in response to the specific request of Congressman Reid. If you have no objection, please initial and we will correct the typographical error.

Note that the first main paragraph incorporates the substance of answers to other letters which you have previously sent. The following paragraph merely recites the history of the litigation.

File  
SPV

WDR:JFAxelrad:bd  
129-11

2/27

MAR 6 1969

Honorable George Murphy  
United States Senate  
Washington, D.C. 20510

Dear Senator Murphy:

Your February 27, 1969, communication referring a letter dated February 19, 1969, from [REDACTED]

[REDACTED], regarding the denial of certain evidence for the Clay Shaw trial has been referred to me for reply.

WDR 7C  
CC

7C

The Department of Justice has not taken any action to interfere improperly with the prosecution of Clay Shaw, and has cooperated with the District Attorney when he requested the presence in New Orleans of FBI agents, and a retired Secret Service agent as prosecution witnesses. The Department did defend an action brought by the District Attorney for the purpose of requiring the Archivist of the United States to produce the autopsy photographs and x-rays at the trial of Clay Shaw. These materials, by statute and by agreement with the Executors of the Estate of John F. Kennedy, are to remain in Archives, with access limited to official federal agencies or committees, and to technical experts provided that such access is approved by the authorized representative of the Kennedy family. There has been no such consent given, insofar as we are informed.

gd  
PJB

I hope that this information will be helpful to you.

Sincerely yours,

WILLIAM D. RUCKELSHAUS  
Assistant Attorney General

# SPECIAL

16-10000

From WILLIAM D. RUCKELSHAUS  
Assistant Attorney General

Date 3/3/69

Receipt of this letter has been acknowledged. Please furnish complete response within ten to fourteen days.

Please acknowledge receipt of this letter within two days and furnish complete response within ten to fourteen days.

PLEASE PREPARE A REPLY FOR MY SIGNATURE AND MARK A COPY FOR THE DEPUTY ATTORNEY GENERAL.

2/27/69 ref fr Senator George Murphy  
w/attached ltr fr [REDACTED]

7C

[REDACTED] 7C urging for release of all pertinent photographs, x-rays, etc. relative to the Kennedy assassination for use in Clay Shaw trial.

129-11  
Civil Division  
Mr. Arnold  
General Litigation Section

Receipt was acknowledged

Correspondence Section  
Records Administration Office  
Administrative Division

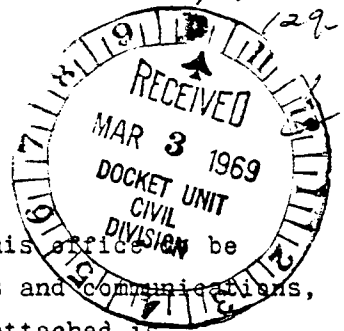
# United States Senate

February 27, 1969

Respectfully referred to:

Department of Justice

*Paul*  
233279-190  
104-221226  
129-11



Because of the desire of this office to be responsive to all inquiries and communications, your consideration of the attached is requested. Your findings and views, in duplicate form, along with return of the enclosure, will be appreciated by

*du*

*2/28*

<i>129-11</i>	
DEPARTMENT OF JUSTICE	R E C O R D
10 FEB 28 1969	
R.A.O.	
CIVIL DIV.	

George Murphy  
U.S.S.

General Litigation Sec.

February 19, 1969

Justice

Hon. George Murphy  
U. S. Senate  
Washington D. C.

Dear Sir;

I am writing to urge you to press for the release of all pertinent photos, X-rays and items of clothing now locked in the national archives, relative to the Kennedy assassination and the current trial in progress in New Orleans.

Tens of thousands of Cubans who are well informed of the facts, are fed up with the Government's macabre machinations to keep pertinent evidence from the light of day —

It seems that Mr. Garrison

KR



is the only <sup>2.</sup> public servant with  
"balls" enough to press for the  
truth.

I speak for many friends and  
relatives, all California voters,  
who demand some action!

Open the archives and lets  
have competent, independent and  
expert study of the secreted  
evidence. (Romero Book. Ency-  
-clicles.)

Sincerely yours,

7C

7C

RECORDS

HEH:HMD:njf

2/26

March 11, 1969

129-11

D. A. R.

Hef  
Honorable John L. McClellan  
United States Senate  
Washington, D.C. 20510

Dear Senator:

Upon receipt of your letter of February 26, I made some inquiries concerning the autopsy report and other materials relating to President Kennedy.

I find that the report itself has been made public and appears in full in the Warren Commission Report. As for the autopsy photographs, x-rays, etc., enclosed is a copy of an agreement between the Administrator of General Services, acting pursuant to the authority granted him by section 397(e)(1) of title 44 of the United States Code, and the executors of the estate of the late President, dated October 29, 1964. The agreement contains the limitations pursuant to which the items in question were deposited in the National Archives and may be examined.

If I can be of any further service to you or your constituents in this or any other matter, please let me know.

Sincerely,

Herbert E. Hoffman  
Chief, Legislative & Legal Section

Enclosure

*Handwritten:* Feb 28. 69

JOHN L. McCLELLAN, ARK., CHAIRMAN  
HENRY M. JACKSON, SH.  
SAM J. ERVING, JR., N.C.  
ERNEST GRUENING, ALASKA  
EDMUND S. MUSKIE, MAINE  
ABRAHAM RIBICOFF, CONN.  
FRED R. HARRIS, OKLA.  
ROBERT F. KENNEDY, N.Y.  
LEE METCALF, MONT.  
JOSEPH M. MONTOYA, N. MEX.

KARL E. MUNDT, S. DA.  
CARL T. CURTIS, NEBR.  
JACOB K. JAVITS, N.Y.  
CLIFFORD P. HANSEN, WYO.  
HOWARD H. BAKER, JR., TENN.

JAMES R. CALLOWAY  
CHIEF COUNSEL AND STAFF DIRECTOR

# United States Senate

COMMITTEE ON  
GOVERNMENT OPERATIONS  
WASHINGTON, D.C. 20510

February 26, 1969

*Handwritten:* Copy for H&H

Mr. Herbert E. Hoffman  
Chief Legislative and Legal Section  
Office of the Deputy Attorney General  
Room 4117 Main Justice  
Washington, D. C. 20530

Dear Mr. Hoffman:

I have recently received several letters from constituents regarding the controversy involving the release of the autopsy report on President Kennedy.

In order that I may be fully apprised of all the facts with regard to this matter, I would appreciate your providing me with a complete report outlining the reasons why the autopsy report was not released.

With all good wishes, I am

Sincerely yours,

*Handwritten signature:* John L. McClellan  
John L. McClellan

JLMc/wsk

129-71	
DEPARTMENT OF JUSTICE	
10	MAR 21 1969 D. P.
1. DEPUTY ATTORNEY GENERAL	
LEGISLATIVE COUNCIL	

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

*3-11-69  
Lmb*  
**Memorandum**

TO : Mr. Herbert E. Hoffman  
Chief, Legislative and Legal Section  
Office of the Deputy Attorney General

DATE: MAR 10 1969

WDR:JF Axelrad:bd  
129-11

FROM : William D. Ruckelshaus  
*WDR*  
Assistant Attorney General  
Civil Division

SUBJECT: Senator McClellan's February 26, 1969 letter

Attached is a draft reply to Senator McClellan's February 26, 1969 letter as requested by your memorandum to Stanley Rose dated March 3, 1969. We are forwarding herewith your request and its attachment.

*129-11*

	DEPARTMENT OF JUSTICE	R E C O R D
10	MAR 21 1969	
	R.A.O.	

D R A F T

WDR:JFAxelrad:bd  
129-11

Honorable John L. McClellan  
United States Senate  
Washington, D.C. 20510

Dear Senator McClellan:

This replies to your February 26, 1969, letter to me regarding release of the autopsy report on former President Kennedy.

The autopsy report on President Kennedy has been made public and appears in full in the Warren Commission report. The Department of Justice did defend an action brought by the District Attorney of Orleans Parish, Louisiana for the purpose of requiring the Archivist of the United States to produce the autopsy photographs and x-rays at the trial of Clay Shaw. These materials, by statute and by agreement with the Executors of the Estate of John F. Kennedy, are to remain in Archives, with access limited to official federal agencies or committees, and to technical experts provided that such access is approved by the authorized representative of the Kennedy family. There has been no such consent given, insofar as we are informed. A copy of the letter-agreement, dated October 29, 1966, is enclosed.

I hope that this information will be helpful to you.

Sincerely,

HERBERT E. HOFFMAN  
Chief, Legislative and Legal Section

129-11	
DEPARTMENT OF JUSTICE	H A R D
10 MAR 21 1969	
R.A.O.	

From WILLIAM D. RUCKELSHAUS  
Assistant Attorney General

Date 3/4/69

Receipt of this letter has been acknowledged. Please furnish complete response within ten to fourteen days.

Please acknowledge receipt of this letter within two days and furnish complete response within ten to fourteen days.

~~PLEASE PREPARE A DRAFT REPLY FOR HERBERT E. HOFFMAN, ROOM 4117.~~

PLEASE PREPARE A DRAFT REPLY FOR HERBERT E. HOFFMAN, ROOM 4117.

3/3/69 ref fr Mr. Hoffman w/attached ltr to Mr. Hoffman fr Senator John L. McClellan re release of autopsy report on President Kennedy.

129-11  
Civil Division  
Mr. Arnold  
General Litigation Section

DATE: March 3, 1969

To: Stanley Rose  
Civil Division

From: *HEH* Herbert E. Hoffman  
Chief, Legislative & Legal Section  
Office of the Deputy Attorney General

Subject: Correspondence from:

Sen. McClellan re release of the autopsy report on  
President Kennedy.

Responsibility

draft Herbert E. Hoffman

Prepare/reply for ~~signature of Department of Justice General~~ and forward to Herbert E. Hoffman, Room 4117, Main Justice.

Make an appropriate reply with a copy to Herbert E. Hoffman, Room 4117, Main Justice.

Department File No.:

Miscellaneous Information:

Interim reply is being/has been made.

No interim reply is being made.

Copy of incoming correspondence attached.

Original of incoming correspondence attached.

Please return attachment.

JOHN L. MCCLELLAN, ARK., CHAIRMAN  
HENRY M. JACKSON, WASH.  
FRANK J. ERVIN, JR., N.C.  
DANIEL GIBSON, ARIZONA  
EDMUND S. MUSNIE, MAINE  
ABRAHAM RIBICOFF, CONN.  
FRED R. HARRIS, OKLA.  
ROBERT F. KENNEDY, N.Y.  
LEE METCALF, MONT.  
JOSEPH M. MONTOYA, N. MEX.

JAMES R. CALLOWAY  
CHIEF COUNSEL AND STAFF DIRECTOR

United States Senate

COMMITTEE ON  
GOVERNMENT OPERATIONS  
WASHINGTON, D.C. 20510  
February 26, 1969

Mr. Herbert E. Hoffman  
Chief Legislative and Legal Section  
Office of the Deputy Attorney General  
Room 4117 Main Justice  
Washington, D. C. 20530

Dear Mr. Hoffman:

I have recently received several letters from constituents regarding the controversy involving the release of the autopsy report on President Kennedy.

In order that I may be fully apprised of all the facts with regard to this matter, I would appreciate your providing me with a complete report outlining the reasons why the autopsy report was not released.

With all good wishes, I am

Sincerely yours,

  
John L. McClellan

JLMc/wsk

*Handwritten note:*  
C...  
for Mr. H.



*M. R. ...*

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

# Memorandum

TO : Nathaniel E. Kossack  
Deputy Assistant Attorney General  
Criminal Division

DATE: February 25, 1969

FROM : *JK* James R. Robinson  
Attorney, General Crimes Section

*129-11*

SUBJECT: Report on Garrison trial  
of Clay Shaw, New Orleans, La.

**FILE**

Last night, (February 24) Bill Block reported that the cross-examination of Colonel Finck severely damaged the reliability of Colonel Finck's findings and conclusions at the autopsy. Bill is convinced that unless the photos, x-rays and autopsy report are released, the net result of the cross-examination of Frazier and Finck will be to discredit the Commission Report in the minds of the jury and lead to Shaw's conviction. He says reporters are now of the opinion that the Report is open to grave criticism and its validity doubtful, but they understand this has no direct bearing on Shaw's guilt. Bill feels the jurors will not be inclined to draw such a distinction, rather they will reason: if the Report is wrong, Garrison is right.

*Noted  
Lumpkin  
2/25*

*I spoke to Block and I am  
most apprehensive about  
the after-effects of Col  
Finck's cross exam. We  
are unable to instruct Shaw's  
attorneys. I am reluctant to  
get us involved in any position  
at all.  
K. 2/25*

NC

LU:DHC:fe  
129-11

20530

cc FILES  
Mrs. Copeland  
Mr. Chapman

FEB 25 1969

7C

[REDACTED]

*cut 2/25*

Dear [REDACTED]

7C

*pc  
fn*

Your letter to the National Security Council concerning information or pictures relating to the Warren Commission has been referred to this Office for reply.

All the evidence pertaining to the assassination of President Kennedy gathered by the Warren Commission was transferred to the National Archives, where the bulk of the evidence is available for investigation by researchers. Accordingly, your request should be addressed to the National Archives, 8th Street and Pennsylvania Avenue, N. W., Washington, D. C. 20408.

Sincerely,

Leon Ulman  
Deputy Assistant Attorney General  
Office of Legal Counsel

*file  
pc*

THE WHITE HOUSE OFFICE

REFERRAL

To: Department of Justice

Date: February 15, 1969

ACTION REQUESTED

- Draft reply for:  
 President's signature.  
 Undersigned's signature.
- Memorandum for use as enclosure to reply.
- Direct reply.  
 Furnish information copy.
- Suitable acknowledgment or other appropriate handling.
- Furnish copy of reply, if any.
- For your information.
- For comment.

NOTE

*Prompt action is essential.*

If more than 48 hours' delay is encountered, please telephone the undersigned immediately, Code 1450.

Basic correspondence should be returned when draft reply, memorandum, or comment is requested.

REMARKS:

Description:

Letter:  Telegram: Other:  
To: National Security Council  
From: [REDACTED] 7C  
Date: January 27, 1969  
Subject: Ltr requesting any info or pictures available for writing report on Warren Report

By direction of the President:

*R. Booth*  
for Richard Moose

(Copy to remain with correspondence)

7C

[Redacted]

7C

[Redacted]

January 27, 1969

National Security Council  
Executive Office Building  
Washington D.C.

Dear Sirs:

I am writing a report on the Warren Report, and I would appreciate any information or pictures you might have that could be compiled into my report.

If your department has no information available, I would be grateful if you could refer me to the department that does have this information. Thank you.

Sincerely yours,

[Redacted]

7C

RECEIVED  
H.S.C.  
JAN 30 9 51 AM '69  
01 JAN 30 1969

WDR:JFAxelrad:bd  
129-11

2/25

MAR 6 1969

Honorable Otho E. Reid  
House of Representatives  
Washington, D.C. 20515

Attention: Miss Edith Wilkie  
Office of Congressman Reid  
240 Cannon House Office Building

Dear Congressman Reid:

Your February 23, 1969, memorandum to Congressional Liaison, Department of Justice, regarding the denial of certain evidence for the Clay Shaw trial has been referred to me for reply.

The Department of Justice has not taken any action to interfere improperly with the prosecution of Clay Shaw, and has cooperated with the District Attorney when he requested the presence in New Orleans of FBI agents, and a retired Secret Service agent as prosecution witnesses. The Department did defend an action brought by the District Attorney for the purpose of requiring the Archivist of the United States to produce the autopsy photographs and x-rays at the trial of Clay Shaw. These materials, by statute and by agreement with the Executors of the Estate of John F. Kennedy, are to remain in Archives, with access limited to official federal agencies or committees, and to technical experts provided that such access is approved by the authorized representative of the Kennedy family. There has been no such consent given, insofar as we are informed.

Judge Charles Halleck of the District of Columbia Court of General Sessions entered an order on February 17, 1969 requiring the Archivist of the United States to take the autopsy photographs and x-rays to New Orleans, Louisiana. On the following day a Notice of Appeal to the District of Columbia Court of Appeals was filed on behalf of the Archivist. Shortly thereafter by telegram to the Clerk of the District of Columbia Court of Appeals, the Louisiana District Attorney's office informed the Court that it was withdrawing its request for the x-rays and photographs.

WDR  
CR

JA

ET

CR

- 2 -

I hope that this information will be helpful to you.

Sincerely yours,

WILLIAM B. WHELAN  
Assistant Attorney General

# SPECIAL

SPC 16-1986

From WILLIAM D. RUCKELSHAUS  
Assistant Attorney General

Date 2/28/69

Receipt of this letter has been acknowledged. Please furnish complete response within ten to fourteen days.

Please acknowledge receipt of this letter within two days and furnish complete response within ten to fourteen days.

PLEASE PREPARE A REPLY FOR MY SIGNATURE AND MARK A COPY FOR THE DEPUTY ATTORNEY GENERAL.

2/25/69 memo fr Ofc of Congressman Ogden R. Reid re Clay Shaw trial.

129-11  
Civil Division  
Mr. Arnold  
General Litigation Section

PLEASE EXPEDITE

THIS MAIL SHOULD BE

ANSWERED WITHIN 48 HOURS

Receipt was acknowledged 2-27-69

Correspondence Section  
Records Administration Office  
Administrative Division

233279-190

~~Handwritten signature~~  
Oxley

MEMO

Feb. 25, 1969

TO: CONGRESSIONAL LIAISON, DEPT. OF JUSTICE

FROM: THE OFFICE OF CONGRESSMAN OGDEN R. REID

RE: THE DENIAL OF CERTAIN EVIDENCE FOR THE CLAY SHAW TRIAL

Congressman Reid would very much appreciate your appropriate assistance in finding the official reasons for the denial of certain materials which could be used as evidence in the Clay Shaw conspiracy trial now in session in New Orleans. We have received a request from a constituent for this information.

In addition, we would appreciate knowing the status of the Feb. 17(?) order by the Court of General Sessions that the Government provide the medical autopsy report for use as evidence in the Shaw trial. Specifically, is this order being appealed?

Whose decision was it to withhold the information which is being withheld? Would a reversal of the decision be the responsibility of "the Kennedy Family," Mrs. Jacqueline Onassis, Senator Edward Kennedy, or would it be a matter for the courts to decide with the "advice and consent" of one or all of the above? I.E. who, in this case, has the appropriate authority?

See  
144, 32-127  
129, 11

Thank you for your attention to these matters. Would you kindly address any return correspondence to the attention of Miss Edith Wilkie, Office of Congressman Reid, 240 Cannon H.O.B.

Thank you.

RECEIVED  
FEB 23 1969  
DEPT. OF JUSTICE

Chyd  
2-27-69  
KRS

129-11  
~~233279-190~~  
DEPT. OF JUSTICE  
10 FEB 27 1969 L.E.G.  
CIVIL DIV.  
General Litigation Sec.

RECORDED - 100



129-11-1000

MAR 14 1969

317

Honorable John Paul Hammarichmidt  
House of Representatives  
Washington, D.C. 20515  
Dear Congressman Hammarichmidt:

Your March 7, 1969 communication:

February 18, 1969 from

for the Clay Shaw trial

regarding the denial of certain evidence

The Department of Justice has been referred to me for reply.

as prosecution witnesses. The Department did defend an action Kennedy, are to remain in Archibren. These materials, by statute sensitive of the Kennedy family. There has been no such consent

Judge Charles Halleck of the District of Columbia Court of the Archivist of the United States to take the autopsy photographs of appeal to the District of Columbia Court of Appeals, the Louisiana District Attorney's office informed the Court that it was withdrawing its request for the x-rays and photographs.

1305

I hope that this information will be helpful to you.

Sincerely yours,

**WILLIAM P. HICKINSHAW**  
Assistant Attorney General

**SPECIAL**

From WILLIAM D. RUCKELSHAUS  
Assistant Attorney General

Date 3/11/69

Receipt of this letter has been acknowledged. Please furnish complete response within ten to fourteen days.

Please acknowledge receipt of this letter within two days and furnish complete response within ten to fourteen days.

PLEASE PREPARE A REPLY FOR MY SIGNATURE AND  
MARK A COPY FOR THE DEPUTY ATTORNEY GENERAL.

3/7/69 ref fr Congressman John Paul Ham-  
schmidt w/attached ltr fr [REDACTED] re release of autopsy  
report on President Kennedy.

129-11  
Civil Division  
Mr. Arnold  
General Litigation Section

Form CV-146  
(Ed. 2-27-69)

THIS MAIL SHOULD BE

ANSWERED WITHIN 48 HOURS

Receipt was acknowledged 3-10-69

Correspondence Section  
Records Administration Office  
Administrative Division

Congress of the United States

House of Representatives

Washington, D.C.

March 7 1969

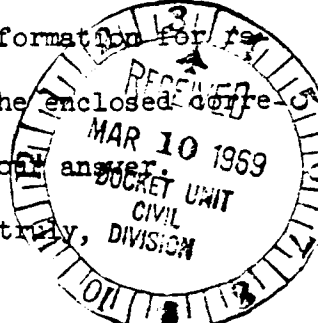
Office of Congressional Liaison  
Department of Justice

Sir:

*See 144-32-122  
233279*

The attached communication  
is sent for your consideration.  
Please investigate the statements  
contained therein and forward me  
the necessary information for re-  
ply, returning the enclosed corre-  
spondence with your answer.

Yours truly,



JOHN PAUL HAMMERSCHMIDT M. G.  
THIRD DISTRICT, ARKANSAS

*enc*

129-11	
DEPARTMENT OF JUSTICE	
10	MAR 10 1969
CIVIL DIV.	
General Litigation Sec	

M. K.

February 18, 1969

The Honorable John Paul Hammerschmidt  
House of Representatives  
Washington 25, D. C.

*Red*

Dear:

A federal judge has ordered the release of President Kennedy's autopsy report for use in the trial of Clay Shaw. The federal government plans to block the release of this information. Why would the government seek to block this release if the Warren report is true? This action by the government only creates more doubt in the public mind and less confidence in the government. I urge you to thoroughly investigate this matter. The Presidential order, which keeps the assassination information from the public for seventy years, has appeared to many people as a white-wash of the actual facts of the assassination. I urge you to take the necessary steps to release all this information to the public that our trust might be either restored or that our government might be cleaned up.

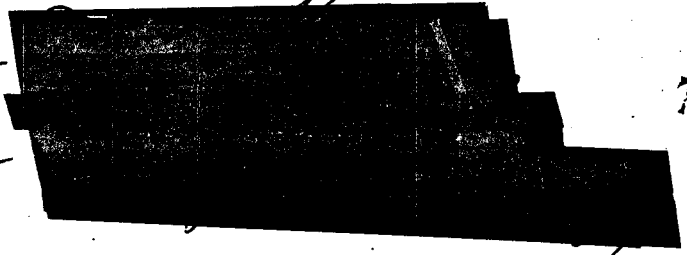
RECEIVED

FEB 21 1969

Sincerely,

7C

7C



*Red*

*7C*