

(Mount Clipping in Space Below)

## Federal Judges to Open Shaw Case Hearing Today

### Halt to Prosecution Is Being Sought

Three federal judges will open a hearing Monday in New Orleans on a plea that they stop the prosecution of Clay L. Shaw on a charge of conspiring to murder President John F. Kennedy.

The defense for permanent injunction contends that District Attorney Jim Garrison violated Shaw's constitutional rights with what amounted to a "reign of terror" through abuse of power.

Shaw has been free on bond since his arrest March 1, 1967—the first in Garrison's case.

Garrison angrily condemned the federal inquiry as a continuation of federal "obstruction and interference which we have received in this case from the outset. . . ."

In addition to a bid for permanent injunction against prosecution, Shaw's defense also asked for a number of alternate orders—including one making the Warren Report admissible as evidence in any court.

The Warren Commission said Lee Harvey Oswald, acting alone, was the gunman who killed President Kennedy in Dallas Nov. 22, 1963.

Garrison contends that a conspiracy to kill the President originated in New Orleans a few weeks before the shooting. Shaw, Oswald and others were involved, he said.

The three-judge federal panel consists of Dist. Judge Frederick J. R. Heebe, Dist. Judge James A. Comiskey, and Judge Robert A. Ainsworth of the 5th U.S. Circuit Court of Appeals.

(Indicate page, name of newspaper, city and state.)

PAGE # 1

THE TIMES PICAYUNE  
NEW ORLEANS, LA.

Date: 6/17/68

Edition:

Author:

Editor: GEORGE W. HEALY

Title: ASSASSINATION OF  
PRESIDENT JOHN F.KENNEDY, DALLAS, TEX.  
11-22-63

Character:

or AFO

Classification: 89-

Submitting Office: N.O., LA.

 Being Investigated

ENCLOSURE

(Mount Clipping in Space Below)

# LETTERS TO THE EDITOR...



From the Desk of Jim Garrison  
-800-  
June 5, 1968  
To News Media

There are indications that the news services have not communicated the details of the federal court order preventing us from going to trial as scheduled with Clay Shaw. Consequently, this office is mailing directly to you a copy of Mr. Garrison's order to his staff with regard to the federal interference with the trial.

TO: Members of the Staff engaged in the investigation of the assassination of President Kennedy

RE: State of Louisiana versus Clay Shaw

As you know, the United States District Court now has prevented us from going to trial as scheduled in the case against Clay Shaw. At the same time, subpoenas have been issued through the same court authorizing Mr. Shaw's lawyers to question members of this staff by deposition. This unprecedented action by the federal court has the effect of converting the trial of a defendant in a Louisiana court into an investigation of the defendant in a Louisiana court into an investigation of the District Attorney's staff by defense lawyers.

This is to inform you that the

action of the United States District Court in blocking the Shaw trial and converting it into a fishing expedition for the defense lawyers is absolutely illegal and is not supported either by law or custom. The action by this federal court continues the obstruction and interference which we have received in this case from the onset, beginning with the unprecedented announcement of the Attorney General of the United States that the defendant had been "cleared" and proceeding through a series of federal actions too numerous to describe here.

I am sure that each of you know as well as I do the cause of this program of obstruction by the United States government. In the course of doing our duty in Orleans Parish we came across evidence that the investigation by the United States government of the assassination of President Kennedy was neither complete nor honest. In time we learned that individuals connected with the Central Intelligence Agency were involved in the assassination of the President. We learned, further, that a number of high officials of the United States government were in effect, acting as accessories after the fact in trying to conceal the truth about the President's murder. It became clear that the United States government was do-

(Indicate page, name of newspaper, city and state.)

PAGE # 6

THE JACKSON INDEPENDENT  
JONESBORO, LA.

Date: 6/13/68

Edition:

Author:

Editor:

Title: ASSASSINATION OF  
PRESIDENT JOHN F.  
KENNEDY, DALLAS, TEX.,

11/22/63

Character:

AFO

or

Classification:

Submitting Office: 89-

N.O., LA.

Being Investigated

ENCLOSURE

ing ~~everything~~ in its power to prevent the facts from becoming known by the citizens of the United States.

The recent order by the United States District Court blocking our trial of Mr. Shaw is in my judgment, simply an extension of the program of interference we have met with from the United States government. It is an unauthorized and indefensible invasion of the legal processes of the State of Louisiana by the federal government. The position of this office is that we will not accept nor acknowledge such lawless use of power, despite the color of law given by the pretense that there is some "question" for the federal judiciary to examine, nor will we cooperate with illegal fishing expeditions by the defense counsel even illegal fishing expeditions by the defense counsel even though authorized by the same United States District Court. We have no concern about answering any relevant questions the defense lawyers may be able to think of, but these will be answered in the Court of the State of Louisiana where actual jurisdiction exists and not in a federal court which has seized the case without any legal right to do so.

~~This is to instruct you that you~~

are to refuse to recognize in any way this illegal and unauthorized invasion of the operation of our office by the federal government.

For those of you who are served with a subpoena to appear at depositions and answer questions by defense attorneys, give them your name, your office rank and your social security number — and nothing more. You are not to lend substance to this power play by the United States government by taking any action which would constitute recognition of the illegal federal seizure from our hands of a case which we were about to bring to trial in the State Criminal District where it belongs.

The position of this office can be summed up very briefly: We were ready for trial in this matter, we continue to be ready for trial and we strongly oppose this outrageous federal intrusion into the processes of justice of a Louisiana Court. The United States District Court's action in cancelling our scheduled trial date is plainly illegal and no member of this staff is to compromise or cooperate in any way with this totalitarian display of power by the federal government.

JIM GARRISON

JUN 19 1968

TELETYPE

~~REC-44~~

Mr. Tolson	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

FBI WASH DC

FBI NEW ORLS

5:04 PM URGENT 6-19-68 GLM

TO DIRECTOR 62-109060 AND DALLAS 89-43

FROM NEW ORLEANS 89-69

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY,

DALLAS, TEXAS, NOVEMBER TWENTYTWO, NINETEEN SIXTYTHREE.

MISC. INFO CONCERNING. OO: DALLAS.

NEW ORLEANS STATES ITEM, FINAL EDITION, JUNE NINETEEN INSTANT, REPORTED THAT ATTORNEYS FOR CLAY L. SHAW HAVE FILED NOTICE IN FEDERAL DISTRICT COURT THAT THEY WILL TAKE A DEPOSITION FROM SANDRA MOFFETT MC MAINES IN THE DES MOINES, IOWA OFFICE OF ATTORNEY LEX HAWKINS ON MONDAY NEXT. THE ARTICLE STATED THE NOTICE WAS ADDRESSED TO GARRISON AND HIS ASSISTANTS CHARLES RAY WARD AND JAMES L. ALCOCK AND INVITED THEM TO BE PRESENT WHEN THE DEPOSITION WAS TAKEN.

REC-44 62-109060-6481

2 JUN 21 1968

THE ARTICLE IDENTIFIED SANDRA MOFFETT MC MAINES AS A FORMER GIRL FRIEND OF PERRY RAYMOND RUSSO WHO HAS BLOCKED ALL EFFORTS TO RETURN HER TO NEW ORLEANS AS A MATERIAL WITNESS.

NO LHM BEING SUBMITTED.

U.S. DEPT. OF JUSTICE  
F. B. I.

END

WA..SAA

JUN 20 8 24 AM '68

FBI WASH DC

DIVISION 2  
RECEIVED  
JUN 20 1968

51 JUN 27 1968

*5-10-68*

*SLA*

CC- MR. SULLIVAN

Mr. Conrad  
Mr. White

REC-6

6/17/68

SAC, Kansas City

ST-103

Director, FBI (62-109060) — 6482

DEC 15

ASSASSINATION OF PRESIDENT  
JOHN FITZGERALD KENNEDY  
11/22/63, DALLAS, TEXAS;  
MISCELLANEOUS - INFORMATION CONCERNING

Attached is a copy of a letter dated June 8, 1968, from Dr. John Nichols, Associate Professor of Pathology, University of Kansas Medical Center, Kansas City, concerning theories and ideas which he has in regard to the assassination of President Kennedy and requesting additional information from the FBI. For your information this is the sixth letter which the Bureau has received from Nichols pertaining to this same subject matter and it is to be noted that he is in the process of writing a book on the assassination of President Kennedy.

In the past the Bureau has attempted to be of assistance to Nichols and concerning his several offers to present oral information as to his theories about the assassination, the Bureau has previously advised him that we would take any information he desired to furnish the FBI but we requested that it be furnished in documentary form suitable for referral to appropriate Government agencies. It was not believed desirable for the FBI to accept oral information concerning his medical findings since this would be subject to interpretation and the FBI obviously would have to reduce his findings to written form for dissemination. For this reason Nichols was requested to furnish any information in documentary form. Apparently Nichols does not wish to furnish documentary information as his June 8th letter again states that he would be willing to discuss his findings with Agents from the Kansas City Division.

MAILED 23  
JUN 17 1968

It appears that Nichols has nothing of value which he wants to make available to the FBI but instead hopes to obtain information and to use any statements we might give him which would be useful to him in the preparation of his book. In his letter of June 8th Nichols made frivolous, if not derogatory, statements concerning Agents from the Kansas City Office and he states that previously he had been visited by our Agents concerning other items "considerably more trivial and even hilarious."

NOTE: Reference memo Mr. White to Mr. Conrad, 6/13/68

enc. "Letter From John Nichols, M. D., Ph. D.  
Associate Professor of Pathology,  
University of Kansas Medical Center  
Kansas City, Kansas"

1 - Mr. Mohr  
1 - Mr. Bishop

BJW:mn

- Folsom
- DeLoach
- Mohr
- Callahan
- Conrad
- Felt
- Gale
- Rosen
- Sullivan
- Tavel
- Trotter
- Tele. Room
- Holmes
- Sandy

MAIL ROOM  TELETYPE UNIT

70 JUL 1 1968

**SAC, Kansas City**

**re: Assassination of President John Fitzgerald Kennedy**

**In regard to Nichols' statements concerning Colonel Pierre Finck of the Armed Forces Institute of Pathology, it is pointed out for your confidential information that Colonel Finck is a close friend of the Bureau, well known to Laboratory representatives, and is a recognized authority in the field of pathology. Colonel Finck confidentially advised the Laboratory on 6/13/68 that Nichols was an extremely arrogant, loud-mouthed individual who contacted Finck only at inappropriate times in public places where he made self-serving statements in a loud voice apparently to impress others who were in the area.**

**In view of the various reasons set out hereinbefore in regard to Nichols' attitude, his letter of June 8, 1968, is not being acknowledged at the Bureau. You are instructed to advise personnel assigned to your Division to be most circumspect in any future dealings and contacts with this individual.**



UNIVERSITY OF KANSAS MEDICAL CENTER

RAINBOW BOULEVARD AT 39TH STREET  
KANSAS CITY, KANSAS 66103 • AREA CODE 913 • ADams 6-5252

SCHOOL OF MEDICINE  
DEPARTMENT OF PATHOLOGY AND ONCOLOGY

June 8, 1968

- Mr. Tolson
- Mr. DeLoach
- Mr. Mohr
- Mr. Bishop
- Mr. Casper
- Mr. Callahan
- Mr. Conrad
- Mr. Felt
- Mr. Gale
- Mr. Rosen
- Mr. Sullivan
- Mr. Tavel
- Mr. Trotter
- Tele. Room
- Miss Holmes
- Miss Gandy

J. Edgar Hoover, Esq., Director  
Federal Bureau of Investigation  
United States Department of Justice  
Washington, D. C. 20535

*Levell*

Dear Mr. Hoover:

Please allow me to thank you for your letter of March 28, 1968 in which you explain that the FBI re-enacted the assassination for the Warren Commission and that the medical aspects (autopsy) were done at the Bethesda Naval Hospital and that some other tests were conducted by the army at Edgewood Arsenal. You suggested that I contact these divisions of the federal government.

ST-103 - FC 62-109060-6482

Must advise that early in the beginning of my study in 1966 my letters to the Commandant at Edgewood and to some of the officers who conducted the tests were all unanswered. Also my letters to the Commandant of the Bethesda Naval Installation and to Doctors Hume and Boswell who conducted the actual autopsy were also all unanswered. During April, last, I spent the first week at the Armed Forces Institute of Pathology where I made several attempts to talk with Colonel Finck, all of which were rejected. He would not even touch some of my pristine bullets and other bullets which have traversed ribs and wrist bones but instead would retreat backward and decline comment. It was during this same week that I was disappointed in not receiving a visit from someone of your staff while I stayed at the Silver Springs Motel.

JUN 24 1968

Must mention that my findings are not entirely medical and/or ballistic in nature. Perhaps 1/4 are medical and another 1/4 are ballistic. The most important of my findings, perhaps 1/2, are based on your FBI re-enactment. These are reinterpretations of erroneous concepts accepted by the Warren Commission and some considerations

7/ Finck

EXP. PROC.  
JUN 11 1968

*Handwritten notes and signatures at the bottom of the page.*

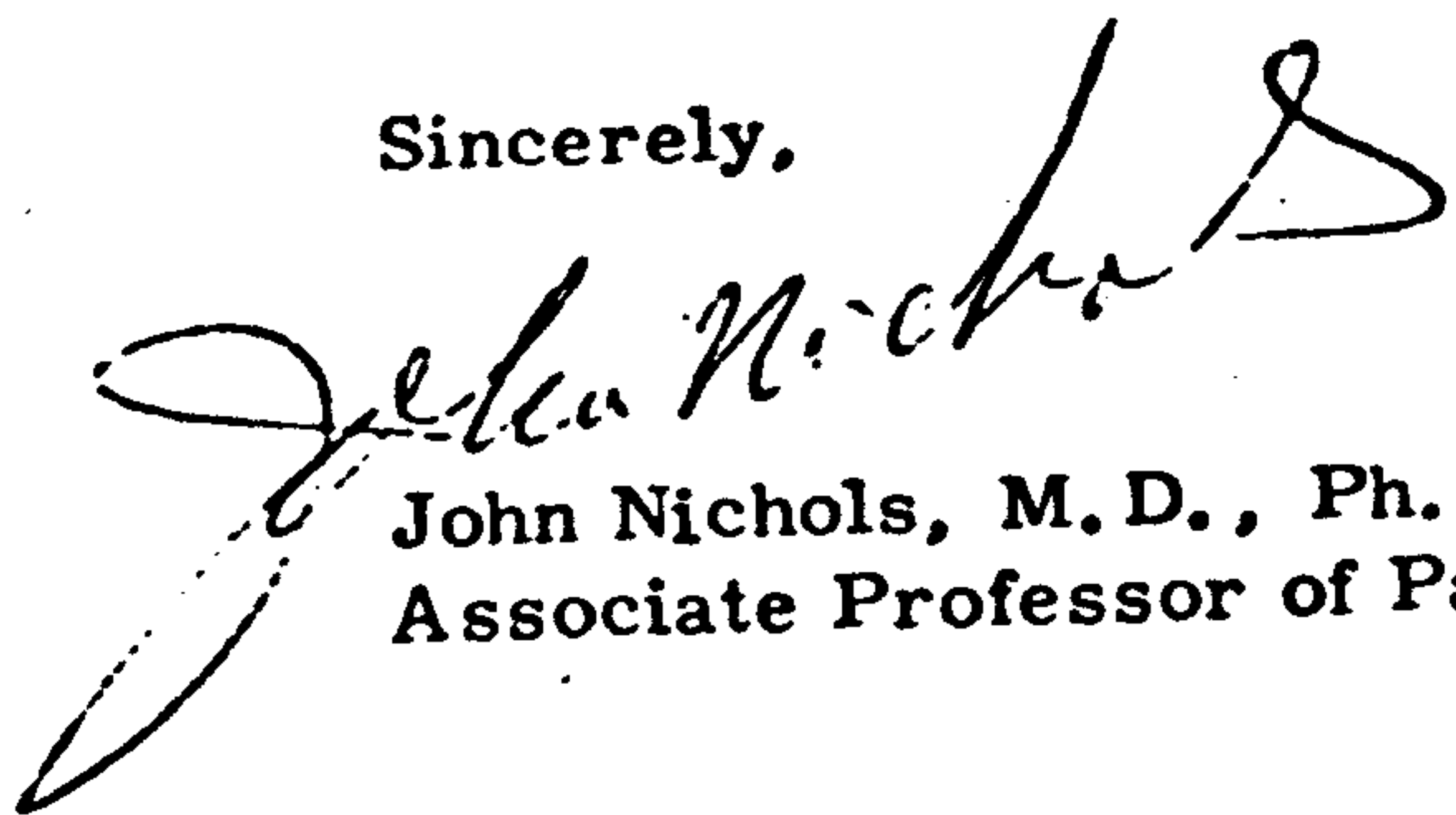
some considerations of observations hitherto ignored. These are of national importance.

I am suprised that you do not want my oral description of these and that you have not had an officer from your Kansas City office come by to see me. I have previously been visited by your officers on other items considerably more trivial and even hilarious. Am writing a book on the subject and, of course, will send the manuscript to you prior to publishing.

My main purpose in writing you now is to ask for the analysis (chemical, spectrographic, or neutron bombardment) of some of the missile fragments removed from the late President's brain and Governor Connally's wrist, presumeably CE 843 & 842. I will, of course, be quite happy to give to you my chemical and spectrographic analysis of the core and jackets of my Western Cartridge Company 6.5 mm bullets, both lots 6002 and 6003, together with analysis of some commercially available ammunition that I have examined.

It is probable that I will be in the vicinity of your office later this month and will advise you in the hopes that a meeting can be arranged.

Sincerely,



John Nichols, M. D., Ph. D.  
Associate Professor of Pathology

P.S.: I should be quite happy to receive any of your officers here in my office at 219 Wahl Hall at any time and discuss my findings with them.



FBI

Date: 6/19/68

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)

Via AIRTEL AIRMAIL  
(Priority)

Mr. Tolson	✓
Mr. DeLoach	✓
Mr. Mohr	✓
Mr. Bishop	✓
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	✓
Mr. Sullivan	✓
Mr. Tavel	
Mr. Trotter	
Mr. Tele. Room	
Miss Holmes	
Miss Gandy	

*7/17*

**TO: DIRECTOR, FBI (62-109060)**

**FROM: SAC, NEW ORLEANS (89-69)**

**SUBJECT: ASSASSINATION OF PRESIDENT  
JOHN FITZGERALD KENNEDY,  
DALLAS, TEXAS, NOVEMBER 22, 1963  
MISC. - INFO CONCERNING  
(OO: DALLAS)**

*D. B. B. y*

*we*

*L. R. O.*

Enclosed for the Bureau are three newspaper articles appearing in New Orleans newspapers concerning above-captioned matter.

Copies of these newspaper articles are enclosed for Dallas and Miami.

- 3 - Bureau (Enc. 3)
- 1 - Dallas (89-43) (Enc. 3)
- 1 - Miami (Enc. 3)
- 1 - New Orleans

ECW:srl  
(6)

*F. C. Bishop*  
*cc: [unclear]*

ENCLOSURE

REC-40

EX-105

*62-109060-6483*

15 JUN 20 1968

Approved: \_\_\_\_\_

Special Agent in Charge

Sent \_\_\_\_\_

M

Per \_\_\_\_\_

61 JUL 1 1968

# U. S. Opposes Clark Role in Shaw Case Court Study Of Defense Plea Opens

U.S. Attorney Louis LaCour said today the government will oppose an attempt to bring Attorney General Ramsey Clark into a court fight between District Attorney Jim Garrison and Clay J. Shaw.

LaCour made a brief statement during a hearing which opened today before a three-judge federal panel, declaring his office "will object to such an enjoiner" making Clark a party of the proceeding.

Today's hearing is on an action brought by Shaw in which he is seeking a permanent federal injunction barring Garrison from prosecuting him on state charges of conspiring to kill President John F. Kennedy.

HE IS ALSO challenging the constitutionality of certain state laws under which he is being prosecuted, and is asking the federal court to rule on the Warren Commission Report on Kennedy's slaying "valid and binding" on all courts.

Arguments were heard today on two specific points:  
1. An attempt by Shaw's attorneys to have Clark brought into the suit as a defendant. They said this was in connection with their effort to get a ruling on the validity of the

Warren Report.  
2. A Shaw motion to compel four Garrison aides to answer questions put to them by Shaw's attorneys in depositions. They earlier won court permission to take the depositions, but the aides — James L. Alcock, Numa Bertel, Andrew Sciambra and Louis Ivon — refused to answer questions. Presiding over the three-judge panel is Judge Robert A. Ainsworth of the Fifth Circuit Court of Appeals. The other two are District Judges Frederick J. R. Heebe and James A. Comiskey.

Shaw's chief counsel is F. Irvin Dymond. As the hearing opened this morning Judge Ainsworth, the presiding judge, set a limit of 15 minutes on the attorneys for arguing two motions.

WILLIAM WEGMANN, one of Shaw's attorneys, said his client is faced with "an unusual situation" because four of the witnesses Shaw has called in the current proceedings are assistants to Garrison or members of his staff.

"So all are under the con-

(Indicate page, name of newspaper, city and state.)

PAGE # 1

STATES ITEM  
NEW ORLEANS, LA.

Date: 6/17/68  
Edition: FINAL  
Author:  
Editor:  
Title: ASSASSINATION OF  
PRESIDENT JOHN F.  
KENNEDY, DALLAS, TEXAS  
Character: 11/22/63 AFO  
or  
Classification: 89-  
Submitting Office: N.O., LA.  
 Being Investigated

648

ENCLOSURE  
ENCLOSURE

of the DA, who is a defendant," Wegmann said.

Wegmann cited the refusal last week of Louis Ivon, chief investigator for Garrison, to answer questions, along with other Garrison assistants.

HE CITED a letter from Garrison in which the DA ordered his personnel not to give information on depositions.

Judge Heebe had given Shaw's attorneys the right to question the DA's staff members, but they refused to answer questions.

Wegmann said Garrison's letter was received by the staff members on June 4, and the taking of depositions was scheduled on June 5. The letter told them to give only their "name, rank in the DA's office and Social Security number."

WEGMANN said, "It is our position that the defendant did not rely on any law in refusing to answer these questions.

"We do not have a question-by-question refusal to answer," said Wegmann. "We have a pattern of refusal to answer."

He said the refusals were "made in bad faith and blindly, following the instructions of Garrison."

HE CITED a number of questions the aides refused to answer. They covered such subjects as wire-tapping, bribery attempts and the preparation of witnesses by the DA's office.

Wegmann also cited questions asked of Sciambra and Alcock.

At one point, Judge Ainsworth reminded Wegmann that the panel had already at least glanced through the questions asked of the DA's aides.

Judge Heebe said that as he understood the matter, the scope of the questions by Shaw's attorneys "had nothing to do with the guilt or innocence of Clay Shaw."

HE SAID THE questions were asked to give Shaw "advance discovery" of information and were based upon the position "that the whole prosecution is a fraud."

Wegmann agreed with this line of reasoning.

Alcock, responding for the DA's office, said that the questions were not answered because it was felt they were all directed at privileged information.

He denied that the aides relied only on Garrison's letter, saying they have a number of reasons, all involving the question of privileged information, for refusing to answer.

JUDGE HEEBE asked Alcock why he didn't file any motion, for refusing to answer depositions if they were not going to answer the questions.

Alcock said, "My research reflected that this motion is rarely granted."

Judge Heebe said he asked Alcock if he personally felt that all of the questions he refused to answer involved privileged information. Alcock said yes.

He said that Shaw and his attorneys have been given everything they are entitled to under criminal procedure.

ALCOCK CITED a number of cases in which, he said, the courts had refused to allow defendants to use the liberal discovery procedures of civil law to get information about the state's case in a criminal proceeding.

Alcock cited one of the questions in which Sciambra was asked if he had tried to influence the testimony of Perry Raymond Russo. He said this question went to the heart of the criminal case.

Judge Heebe said, "It goes to the heart of the plaintiff's case here, too." He noted that Shaw is claiming that the Garrison case is a fraud.

After Alcock finished his argument, Wegmann responded that "absolute privilege is being claimed here" instead of partial privilege.

HE SAID the thrust of the plaintiff's argument is that the refusal to answer questions was made on a blanket basis rather than on a good-faith basis, question by question.

Next argued was the motion to join Atty. Gen. Clark as a party to the suit.

Dymond argued this motion, saying, "It is our position that it is the duty of the U.S. attorney general to become a party to this action" to protect the interest of the United States.

HE CITED PART of the U.S. legal code which he said makes it the duty of the attorney general to prosecute or defend any case in which the government has an interest.

He cited four reasons the government should have an

interest in this case:

1. He said the DA is attempting to brand the President of the United States as an accessory after the fact in the Kennedy slaying.

2. The DA, through the investigation, attempts to brand the temporary restraining order issued by Judge Heebe as an illegal interference.

3. The investigation attempts to impugn the chief justice of the U.S. Supreme Court, all other members of the Warren Commission and all federal investigative agencies.

4. The investigation seeks to destroy confidence in the U.S. government.

The DA, Dymond said, would have you believe there was one mammoth conspiracy encompassing everybody, including the President, the Dallas police force, the Secret Service, the FBI and the CIA.

"If that is not something in which the U.S. has an interest, I don't know what what is," he said.

Judge Ainsworth asked Dymond if he had any citations of authority for the court to compel Clark to enter the suit.

DYMOND SAID he did, and listed them.

He told the court, "This court undeniably does have the right to compel the attorney general to become a part of these proceedings."

Judge Heebe apparently questioned this reasoning. He said it is "one thing for the court to order an executive employe" of the government to appear. But he said that in the case of an officer such as the attorney general it would be discretionary.

"Doesn't this run flat right into the teeth of the separation of powers?" he asked Dymond.

JUDGE ANSWORTH then asked if Dymond thought the President of the United States could be enjoined.

"Can we enjoin him, too?" he asked. "The President might say, 'Sorry, I haven't got time.' Is he in as good a position as the attorney general?"

Dymond told the court in answer that he thought the President could be enjoined.

Assistant DA Bertel told the judges they were being asked "to substitute your judgment for that of the attorney general."

He said the relief sought by Shaw's attorneys could be granted without the presence of the attorney general.

JUDGE ANSWORTH then announced that LaCour had been invited to sit in on the hearing this morning. Then the judge asked LaCour if he would like to make a statement.

LaCour first made it clear that he was not appearing as a party in the action brought today. He said the only interest the U.S. has in the matter is the involvement of Clark.

"We will object to such an enjoinder (the involvement of Clark in the suit)," he said. He then asked for time to file pleadings backing up his objections, and was granted a week to do so.

ALCOCK THEN began arguments on the DA's motion to dismiss the entire proceedings brought by Shaw in federal court.

Alcock cited a number of U.S. Supreme Court rulings to uphold the position that historically the federal courts have not interfered in similar proceedings.

In arguing his motion to dismiss the suit, Alcock stated it was his position that there is always inconvenience involved in being a defendant in a criminal proceeding. He said, however, he could see no difference between inconveniences to Shaw and any other defendants charged with a crime.

ALCOCK ALSO said it is his position that there is no irreparable injury in this case. He said if all of Shaw's facts are true, and he can convince a jury that they are true, he probably won't be convicted.

"If he is convicted, he can appeal first to the higher state courts and if necessary into the federal system, he said.

Alcock said the only way the district attorney's aides in this suit can disprove the charges is to try their criminal case in state court.

"How else can we prove the case is not a fraud unless we try the case?" he asked.

JUDGE ANSWORTH asked, "You mean we would in effect be trying the criminal case in federal court?"

Alcock said, "Yes."

Judge Heebe interjected that he does not think that

would necessarily be the case.

At this point, Alcock, Heebe and Judge Ainsworth got into a discussion about how long it might take to present an evidentiary hearing if the motion to dismiss is denied. Alcock estimated it would take about four weeks since no jury would be involved.

THE ASSISTANT DA said, however, that there is no need for an evidentiary hearing and that in fact such a hearing would "impugn upon privileged information to be presented during the trial."

Judge Ainsworth then brought up the fact that Shaw's attorneys have attacked the constitutionality of the Louisiana conspiracy law under which Shaw is charged.

The judge said the law had been attacked on its face and perhaps the way it has been applied in the case.

HE ASKED ALCOCK what would be the result if the law were declared unconstitutional.

"If the court declares the statute unconstitutional, then there would be no need for an evidentiary hearing, because the state would not proceed," said Alcock.

Judge Ainsworth replied, "I think you've got your work cut out for you . . . but you have to address yourself to this."

EDWARD F. WEGMANN, another Shaw attorney, predicted that the proceedings on this matter will take a long time because the DA will

them as a forum for theories as to what transpired in Dealey Plaza in 1963."

"It is for this reason they say it would take six weeks to try the case."

Edward Wegmann also told the court that the argument has been advanced that there was no connection between the assassination of President Kennedy and the prosecution of Shaw.

"We don't know what overt act we were supposed to have committed," he told the judges, and added that the defense was "given a limited number of overt acts" that included a meeting in the apartment of the late David William Ferrie and a meeting with the late Jack Ruby in the Capitol House in Baton Rouge.

WHEN JUDGE HEEBE said that the state would not be able to introduce information not included in the bill of particulars during the trial, Wegmann countered:

"We have been told otherwise."

He said the defense was repeatedly told by the lower court during hearings that there need not be a connection between the Warren Report, the Shaw trial, what happened in Dealey Plaza and the Garrison-Kennedy investigation.

"NOW WE FIND in another division Alcock saying to the court 'I need the Zapruder film for preparation of the case, the state vs. Shaw'"

Judge Ainsworth then asked Wegmann if he had any doubts that when the trial begins, he would hear about "what happened in Dallas." ~~cannot comment on the guilt. He~~ principally, Wegmann said that the suit is claiming extraordinary circumstances and that generally he was relying on the broad equity powers of the court.

Wegmann said, "Not the true story, but a story that Garrison, Lane and Weisburg believe in their own distorted minds as to what went on in Dallas."

Wegmann also pointed out that Alcock has gone into Division C of Criminal District Court to get the national archivist to produce the autopsy file on President Kennedy.

THE ATTORNEY said again that "the prosecution has not been brought in good faith."

Judge Ainsworth asked Wegmann what he thought Garrison's motive was.

Wegmann replied that he does not know what the DA's personal motive is. He said he has alleged only that the DA required a judicial forum of some sort for his criticisms of the Warren Commission and that Shaw provided the way to get that forum.

Wegmann said there is a conflict in what Garrison says and what he does. He said Garrison has "joined the grapefruit circuit, speaking to all sorts of groups" and that the DA says repeatedly "I

THE ATTORNEY said Garrison does indirectly what he says he will not do. "We can prove that while Mr. Shaw was in the DAs office on March 1, 1967, at about 3 p. m. while awaiting the arrival of his counsel, that Garrison allowed a Life magazine photographer to take Mr. Shaw's picture through a two-way mirror," he said.

Wegmann also cited an article in the National Observer which quotes Garrison as saying "There is no way Clay L. Shaw can get an acquittal."

The attorney said he thinks it is significant that Garrison has been involved in so many federal court suits alleging misuse of his official powers.

He cited the case of TV newsmen Walter Sheridan and Richard Townley, the case of Life Magazine reporter David L. Chandler and the case of James Dombrowski, a civil rights leader whose belongings were seized in a raid.

ASKED BY Judge Ainsworth what law he would rely

He said he is also relying on sections of the U.S. code pertaining to violation of First Amendment rights.

Judge Ainsworth said the big obstacle to the suit is the fact that there is a pending state action. He asked Wegmann to pay particular attention to this obstacle in preparing his briefs.

ATTORNEYS FOR both sides then argued a second Garrison motion to remove Alcock and Ward from Shaw's suit asking for the permanent injunction against prosecution of the case.

Alcock argued that the suit should properly be filed only against Garrison and his office in general, not individual assistants.

The judges received in evidence a two-inch-thick transcript of the preliminary hearing for Shaw, conducted by a three-judge state panel May 14-17, 1967.

They gave attorneys for both sides until next Monday to file pleadings, and took the matter under advisement.



**CLAY L. SHAW**, left, charged by District Attorney Jim Garrison of conspiring to murder President John F. Kennedy, accompanies his attorney, **EDWARD F. WEGMANN**, to a three-judge hearing in federal court.



**JAMES L. ALCOCK**, left, and **NUMA V. BERTEL**, assistant district attorneys, en route to federal court for today's hearing. —States Item photo.

(Mount Clipping in Space Below)

# DISMISS SHAW SUIT, GARRISON AIDE ASKS

## Four Motions Heard by Federal Court

One of District Attorney Jim Garrison's assistants Monday asked a special three-judge federal court to dismiss without further hearing a suit filed by Clay L. Shaw seeking to block his prosecution in criminal district court on a charge of conspiring to murder President John F. Kennedy.

The plea was made by Assistant District Attorney James L. Alcock as the court heard arguments on four technical motions filed in connection with Shaw's suit.

A court composed of Judge Robert A. Ainsworth Jr., of the United States Fifth Circuit Court of Appeals, and District Judges Frederick J. R. Heebe and James A. Comiskey took the motions under submission after three hours of argument.

Attorneys were given until Monday to file written briefs. No indication was given as to how long it would take the court to rule on the motions.

Motions taken under submission include Garrison's asking dismissal of the entire Shaw suit as well as one seeking dismissal of Alcock and First Assistant DA Charles R. Ward as defendants in the suit.

Also taken under submission were motions by Shaw's attorneys asking that the United States Attorney General Ramsey Clark be joined as a defendant in the case, and that four of Garrison's aides be compelled to answer questions asked when they appeared for depositions sought by Shaw's attorneys.

### ATTORNEY APPEARS

United States Attorney Louis C. La Cour appeared in court and formally objected to inclusion of the attorney general.

Shaw's federal court suit seeks an injunction to block his prosecution by Garrison as well as a declaratory judgment holding that the Warren Commission report on Kennedy's assassination is valid and binding on all courts. The report held that Lee Harvey Oswald acted alone in the killing of the President.

It also seeks to have declared unconstitutional a number of statutes used in the Shaw prosecution, including the Louisiana conspiracy statute and the law dealing with the number of jurors in criminal cases and the number needed to concur in convictions.

Early in the hearing La Cour, who had been invited by the court to appear, entered the formal objection to the inclusion of the Attorney General and was given permission by the court to file a legal memorandum as "friend of the court."

In urging dismissal of the Shaw suit, Alcock claimed that the court is really considering more than just the Shaw case and hanging in the balance is the whole issue of comity between state and federal courts.

He cited a number of United States Supreme Court cases in which he claimed that federal courts have historically refused to interfere in state prosecutions.

### 'IN DEPTH' STUDY

At this point Judge Ainsworth and Judge Heebe both asked Alcock to include in his brief an "in depth" study of first amend-

ment rights, and asked him to also include any contemporary case in which an injunction was issued under the same circumstances as in the Shaw case.

Alcock contended that as a matter of law, Shaw's suit should be dismissed without further evidentiary hearing. He claimed that there is no need for an injunction because Shaw has adequate remedies by way of a jury trial, appeals to higher state courts and by way of federal habeas corpus procedures.

Alcock claimed that all defendants are inconvenienced by criminal prosecutions, but said that he could see no difference between the inconvenience to Shaw and that of any other defendant.

Judge Ainsworth questioned Alcock about how much evidence would be placed before the court in the event an evidentiary hearing was held and the assistant DA answered that he had been given to understand that Shaw's attorneys would want to place all of their evidence before the court.

"Wouldn't we be trying the criminal case in federal court?" Judge Ainsworth asked.

"Yes," Alcock replied.

In response to further questioning by the court, Alcock estimated that the Shaw trial in Criminal court would take about six weeks.

He said that if an evidentiary hearing were held in federal court it would probably take less than four weeks because no jury would be present.

Alcock said that if Shaw was granted an evidentiary hearing all of the inmates in parish prison would ask for the same thing.

He also contended that it would impinge upon the district attorney's privileged evidence.

In answer to a question from

(Indicate page, name of newspaper, city and state.)

PAGE # 1

THE TIMES PICAYUNE  
NEW ORLEANS, LA.

Date: 6/18/68

Edition:

Author:

Editor:

Title: ASSASSINATION OF  
PRESIDENT JOHN F.  
KENNEDY, DALLAS, TEXAS

Character: 11/22/63

AFO

or

Classification: 89-

Submitting Office: N.O., LA.

Being Investigated

Judge Ainsworth, Alcock agreed that the court must rule on Shaw's attack upon the constitutionality of the state statutes, regardless of what it does on the motion to dismiss. If the Louisiana conspiracy statute is declared unconstitutional, he conceded, the Shaw prosecution will fall.

In his reply, Edward F. Wegmann, one of Shaw's attorneys, argued that the prosecution of Shaw was not brought in good faith and with no hope of conviction.

He claimed that the federal court has jurisdiction over the case because of the extraordinary circumstances pleaded in the suit, adding that for the purposes of the DA's motion to dismiss, all of the allegations in the complaint must be treated as being true.

Wegmann argued that the charges of Garrison are in contradiction of the Warren Report which he claimed was the "most elaborate investigation ever made in the United States."

He asserted that the Warren Commission had at its disposal the entire Federal Bureau of Investigation, the Justice Department, the Secret Service, the Dallas Police Department, and other government agencies.

#### NO ONE KILLED

"We have the conclusion of the Warren Commission that Lee Harvey Oswald acted alone. We have the conclusion that Oswald did not even know that Jack Ruby existed, that Oswald did not act in concert with any other person or government, but here we have a statement by the District Attorney of Orleans Parish that Oswald did not kill anyone in Dallas," Wegmann asserted.

He charged that Garrison, Alcock and Ward manufactured evidence against Shaw and claimed that he can show in court that Perry Raymond Russo, one of Garrison's major witnesses, testified while under post-hypnotic suggestion.

The sole purpose of the Shaw prosecution, he alleged, is to provide Garrison with a vehicle through which to attack the Warren Commission.

Asked by Judge Ainsworth why Garrison would have such a motive, Wegmann said that he has never had the opportunity to discover it on cross examination but that he can only "surmise" the district attorney's motive.

"I have not made any allegations, only that he required a judicial forum for his criticism of the Warren Commission," Wegmann added.

#### GRAPEFRUIT CIRCUIT

He said that Garrison has joined the "grapefruit circuit" and has made speeches as far away as San Francisco.

Judge Heebe asked if Garrison discusses the Shaw case in his speeches and Wegmann replied, "As for Garrison, he doesn't, but according to Ed Wegmann, he discusses it in all of his speeches. He does indirectly what he allegedly does not do directly."

The attorney called upon the court to use its broad and general equity powers to block the prosecution and called attention to a number of cases which recently were decided by federal courts here involving what he termed Garrison's "abuse of his power."

Pressing the motion to join the attorney general in the suit, F. Irvin Dymond, another Shaw attorney, took the position that it was the duty of the attorney

general to become a party to the proceedings because statute provides that it is the duty of the United States attorney to prosecute or defend any civil proceeding in which the government is concerned.

"It follows that if it is the duty of the United States attorney, then it is the duty of the Attorney General," Dymond argued.

#### JOHNSON ACCUSED

Dymond charged that Garrison has accused the President of the United States of being an accessory after the fact in the Kennedy killing; that he has branded the temporary restraining order issued by Judge Heebe an illegal interference by the government; that he has impugned the chief justice of the United States, the President, the attorney general, the members of the Warren Commission and other federal agencies; and that the DA is seeking to destroy confidence in the United States government.

Judge Ainsworth questioned Dymond about any legal authorities he had to support his position that the attorney general should be compelled to enter the case. He cited several authorities and claimed that the court undeniably has the right to order the attorney general to appear.

Judge Heebe asked if it was not "one thing for the court to order an executive employe" of the government to appear but another to order an officer such as the attorney general. "Doesn't this run right into the teeth of the separation of powers?" he asked.

Judge Ainsworth then asked the attorney if he thought that

President of the United States could be compelled to join in a suit and added, "Can we join him too? The President might say 'Sorry, I haven't got time.' Is he in as good a position as the attorney general?"

#### CAN BE JOINED

Dymond replied that he thought the President could be joined.

Assistant District Attorney Numa V. Bertel took the position that the court was being asked to substitute its judgment for that of the attorney general.

He said that the relief sought by Shaw's attorney could be granted without the joinder of the attorney general.

Judge Ainsworth then announced that he had invited the United States attorney to be present although the attorney general was not at that time a party.

LaCour then explained that he was appearing, not as a party to the action, but merely to observe in that the only interest the United States has in this action is the fact that plaintiffs have filed a motion seeking to join the attorney general of the United States as a party defendant."

He added, "At this time we enter a formal objection to such joinder of the attorney general and request leave of court for sufficient time for the filing of a legal memorandum by the government as amicus curiae, stating the legal grounds for our objection to such joinder."

#### AIDES COMPELLED

The first motion argued was Shaw's request that four of Garrison's aides be compelled to answer questions they refused to answer when Shaw's attorneys sought to take their depositions.



Judge Heebe had ordered that they submit to the depositions. But the four, Alcock, Assistant DA Anthony Sciambra, and investigators Lynn Loisel and Louis Ivon, refused to answer most of the questions.

William Wegmann, another Shaw attorney, cited a letter from Garrison to his aides in which he told them to give no information other than their names, rank in the office, and social security numbers when at the depositions.

Wegmann took the position that the four aides did not rely on ~~any~~ law in refusing to answer but were acting solely on the orders of their superior.

#### BAD FAITH

He called it a pattern of refusal in bad faith and a "blind following" of Garrison's instructions.

He claimed that none of the questions went to any of the evidentiary matter in the Shaw case and he listed a number of the questions that were asked.

Alcock responded by claiming that his office felt that all of the matters covered in the questions were aimed at privileged information.

In answer to a question from Judge Heebe, Alcock said that he filed no motion in opposition to the depositions because his research showed that such motions are rarely granted.

In asking the court to dismiss Alcock and Ward from the case, Bertel argued that their presence as defendants was not necessary because Garrison is the sole person responsible for the prosecution and if an injunction would be granted it would apply to all others in the DA's office and those acting for him.

Edward Wegmann argued that the two assistants are necessary defendants because Garrison is frequently out of town and an assistant, particularly Ward, would be in a position to carry on the prosecution.



—Photo by The Times Picayune.

A SMILING Clay L. Shaw (right) is accompanied by his attorney, Edward F. Wegmann, as a three-judge hearing opened Monday in federal court in New Orleans. Shaw, charged by District Attorney Jim Garrison with conspiring to assassinate President John F. Kennedy, is seeking a permanent federal injunction barring Garrison from prosecuting him on the state conspiracy charge.

# Federal Judges Study Move to Drop Shaw Suit

A three-judge federal court has taken under advisement a motion to dismiss a suit by Clay L. Shaw, who seeks to block his trial on a charge of conspiring to kill President John F. Kennedy.

The motion was filed by District Attorney Jim Garrison and assistant DAs James L. Alcock and Charles R. Ward, who are accused by Shaw of prosecuting him on a false charge and violating his constitutional rights.

**SHAW WANTS** Garrison barred from bringing him to trial in Criminal District Court.

The motion and three others were argued yesterday before Federal District Judges James A. Comiskey and Frederick J. R. Heebe and United States Fifth Circuit Court of Appeals Judge Robert A. Ainsworth.

One of the other motions asks that Ward and Alcock be dismissed as defendants in the suit.

The other two motions, filed by Shaw's attorneys, ask that U.S. Attorney General Ramsay Clark be made a party to the suit and that Alcock and other Garrison aides be compelled to answer questions by Shaw's attorneys.

U.S. Attorney Louis LaCour appeared to object to making Clark a party to the proceedings.

**IF THE SUIT** is heard, Alcock said, the DA's staff will be required to present all of its evidence that it would present in the criminal trial itself in order to show that the case is not a fraud.

Edward F. Wegmann, one of Shaw's lawyers, told the court that the sole purpose of the prosecution of Shaw is to provide Garrison with a forum for attacking the Warren Commission, which concluded that there was no evidence of a conspiracy to kill Kennedy and that Lee Harvey Oswald was the lone assassin.

The panel gave no indication when it would rule on the motions.

(Indicate page, name of newspaper, city and state.)

PAGE # 5

STATES ITEM  
NEW ORLEANS, LA.

Date: 6/18/68  
Edition: RED COMET  
Author:  
Editor:  
Title: ASSASSINATION OF  
PRESIDENT JOHN F.  
KENNEDY, DALLAS, TEXAS  
Character: 11/22/63  
AFO  
or  
Classification: 89-  
Submitting Office: N.O., LA.  
 Being Investigated

ENCLOSURE

UNITED STATES GOVERNMENT

# Memorandum

TO : L. W. CONRAD *JWC*

DATE: 6/13/68

FROM : B. J. WHITE *BJS*

SUBJECT: LETTER FROM JOHN NICHOLS, M. D., Ph. D.  
Associate Professor of Pathology  
University of Kansas Medical Center  
Kansas City, Kansas

Tolson	_____
DeLoach	_____
Mohr	_____
Bishop	_____
Casper	_____
Callahan	_____
Conrad	_____
Felt	_____
Gale	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

*Handwritten signatures and initials, including 'JWC' and 'BJS'.*

The Bureau is in receipt of a letter dated June 8, 1968, from Dr. John Nichols (attached) requesting additional information concerning the assassination of President Kennedy and again suggesting that he present some findings of his in oral rather than in written form. This is the sixth letter which the Bureau has received from Nichols concerning certain ideas and theories which he has in regard to the President's assassination. It is to be noted that he is in the process of writing a book on the assassination of President Kennedy.

By letter dated 7/6/67 he requested an appointment with the Director in order to explain some of his studies and by Bulet 7/12/67, the Director declined to make an appointment and suggested that Nichols might make any information he had available to the Laboratory. The Bureau did advise him that we would take any information he desired to furnish the FBI but we requested that it be furnished in documentary form suitable for referral to proper agencies. It was not believed desirable for the FBI to accept oral information concerning his medical findings since this would be subject to interpretation and the FBI obviously would have to reduce his findings to written form for dissemination. For this reason Nichols was requested to furnish any information in documentary form. Apparently Nichols does not wish to furnish documentary information and his June 8th letter again states that he would be willing to discuss his findings with Agents from the Kansas City Division.

It appears that Nichols has nothing of value which he wants to make available to the FBI but instead hopes to obtain information and to use any statements we might give him which would be useful to him in the preparation of his book. In his letter of June 8th Nichols makes frivolous, if not derogatory, statements concerning Agents from the Kansas City Office and he states that previously he had been visited by our Agents concerning other items "considerably more trivial and even hilarious." It is to be noted that Nichols himself states that letters which he sent to military commandants and personnel at Edgewood

enclosure  
1 - Mr. Mohr  
1 - Mr. Bishop

REC-40

62-109060-6484

CONTINUED--OVER

EX 103 PPS 11 JUN 21 1968

BJW:mn

(4)

SEVEN

Mr. White to Mr. Conrad  
LETTER FROM JOHN NICHOLS, M. D., Ph. D.

Arsenal and the Bethesda Naval installation were not answered. He also makes several facetious statements concerning Colonel Pierre Finck of the Armed Forces Institute of Pathology who was one of the pathologists who conducted the post mortem examination of President Kennedy. Colonel Finck is a close friend of the Bureau having met the Director, is well known for many years to Laboratory representatives and is a well recognized authority in the field of pathology. Colonel Finck confidentially advised the Laboratory on 6/13/68 that Nichols was an extremely arrogant, loud-mouthed individual who contacted Finck only at inappropriate times in public places where he made self-serving statements in a loud voice apparently to impress others who were in the area.

In view of Nichols' flippant statements concerning previous contacts by our Agents; the evaluation furnished by Colonel Finck; the fact that other government agencies with which he had been in contact apparently will not answer his letters; and the fact that we have made previous efforts to be of assistance to him and have given him the opportunity to present his theories in documented form, it is believed his most recent communication dated June 8th should not receive any acknowledgement.

RECOMMENDATION:

That this sixth letter from John Nichols, M. D., Ph. D. not be acknowledged and that the field office be advised to be most circumspect in any future dealings with this man. Also send Kansas City copy.

*JAN*  
*6/13*  
*JAN*  
*JAN*  
*OK*  
*D. H.*  
*T.E.*

SAC, Norfolk

June 25, 1968

REC-30

Director, FBI (62-109060) — 6485

1 - Mr. Raupach

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY  
NOVEMBER 22, 1963  
DALLAS, TEXAS

Enclosed for receiving offices are Xerox copies of a self-explanatory letter dated "12 June 1968" bearing the signature "Robert G. Joergensen, Sr." This communication was addressed to the Attorney General and referred to the Bureau by the Department.

Briefly, the correspondent indicates he cannot convince himself that a conspiracy did not exist concerning the assassination of President Kennedy. Correspondent claimed that in 1962 he had informed the FBI of an uncovered plot to assassinate the President and that the FBI turned the case over to the Treasury Department.

The correspondent believes that the "Birch Society" in the San Diego area originally plotted the assassination. He also believes the possibility exists that these individuals were responsible for the assassination of Senator Robert F. Kennedy.

The Norfolk Division should locate and thoroughly interview Robert G. Joergensen, Sr., concerning this matter and obtain all details. At the same time his letter to the Attorney General should be acknowledged. The results of your inquiry are to be incorporated into a letterhead memorandum suitable for dissemination. Based on information furnished, there was no record for the correspondent in Bureau files and it is unknown what field division Joergensen allegedly furnished his information to during 1962.

MAILED 10  
JUN 25 1968  
COMM-FBI

Tolson \_\_\_\_\_  
DeLoach \_\_\_\_\_  
Mohr \_\_\_\_\_  
Bishop \_\_\_\_\_  
Casper \_\_\_\_\_  
Callahan \_\_\_\_\_  
Conrad \_\_\_\_\_  
Felt \_\_\_\_\_  
Gale \_\_\_\_\_  
Rosen \_\_\_\_\_  
Sullivan \_\_\_\_\_  
Tavel \_\_\_\_\_  
Trotter \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

Enclosures (2)

1 - Dallas (89-43) (info.) (Enc. 2)  
1 - San Diego (info.) (Enc. 1)

KMR:rpr  
(6)

SEE NOTE PAGE 3.

MAIL ROOM  TELETYPE UNIT

Letter to Norfolk  
Re: ASSASSINATION OF  
PRESIDENT JOHN FITZGERALD KENNEDY

Since he mentioned San Diego area, a copy of his communication is being furnished to San Diego for information as well as the office of origin, Dallas.

Dallas and San Diego should promptly conduct a search of their indices to determine whether there is any previous reference to Joergensen which should be promptly submitted to the Bureau and Norfolk.

Upon receipt of information from auxiliary offices and as a result of the interview conducted, Norfolk may find it necessary to request an additional auxiliary office to submit result of an interview with Joergensen conducted in 1962 and what action was taken. If this is necessary, appropriate background should be furnished to this office requesting that an appropriate letterhead memorandum be submitted suitable for dissemination so that this matter may be fully resolved. Norfolk further insure that the results of your inquiry are furnished to local Secret Service. Handle promptly.

NOTE:

The Department referred a letter addressed to the Attorney General from Robert G. Joergensen, Sr. He claimed that he is not convinced that a conspiracy did not exist in the assassination of President Kennedy. He claimed he personally informed the FBI in 1962 of an uncovered plot to assassinate the President and that this case was turned over to the Treasury Department. He believes that the "Birch Society" originally plotted the assassination and that somehow this same organization was responsible for the assassination of Robert F. Kennedy. Bureau files contain no previous reference to Joergensen and this matter should be fully resolved. Upon receipt of requested investigation, results will be disseminated to U. S. Secret Service and the Department.

12 June 1968

Dear Mr. Attorney General,

I am writing this letter because I cannot convince myself that a possible conspiracy did not exist in the assassination of our President, John F. Kennedy. This failure to convince myself stems from events which took place in 1962, at which time I personally informed the F.B.I. of an uncovered plot to assassinate the President. At that time the F.B.I. turned the case over to the Treasury men, who investigated the matter.

I was no longer informed of the outcome of their investigation and I well understood why and never questioned the matter. However, I did know that no action involving the court was taken on the subjects involved. I assumed at that time that the authorities were either satisfied with their investigation or an action of observation was prevailing.

However, in 1963, one year later and while I was serving in Japan, our President was assassinated and I began referring to my earlier thoughts on the plot and wondering if the same people were involved. I did at that time feel that our agents just do not make mistakes. In 1965, while I was on a thirty day leave in the States, I met one of the principle subjects in that case and through normal conversation he had mentioned another of the principles to which he had referred as having been arrested recently as the leader of the Minutemen in California and of having hordes of fire-arms. As I considered this information compounded with what I already knew about this man and his mother-in-law who was a leader of the Birch Society in the San Diego area and who originally plotted the assassination.

REC-3062-109060-6485

15 JUN 24 1968

I could not help from wondering if they were actually involved in the assassination of our President. I, as other citizens, have doubts as to the authenticity of the Warren Report. I feel that, more than other citizens, I have good reason to doubt it. Now in the past few months we have had other assassinations, the most recent, the President's brother, Robert F. Kennedy, and this time in the general area of these previous schemers.

EXP-PROC.  
38--JUN 24 1968

Stamp: JUN 24 1968, with handwritten initials and numbers.

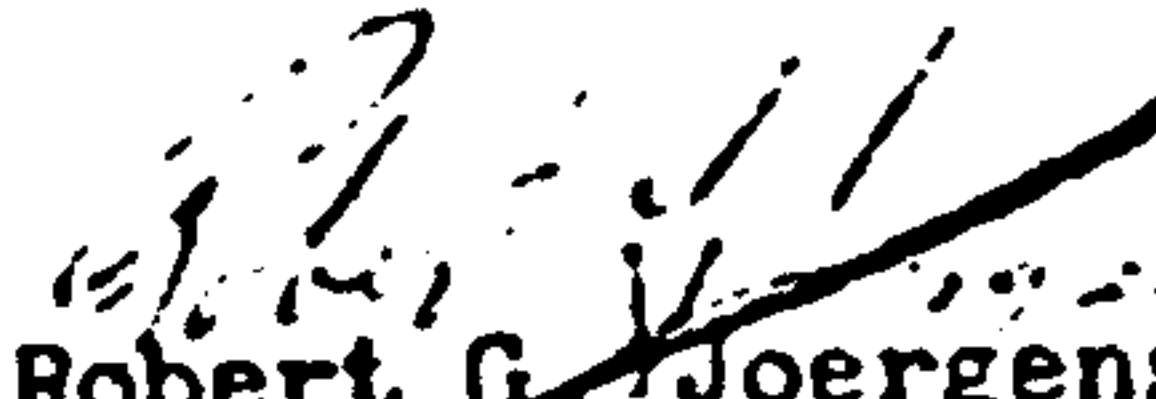
Handwritten notes: let to NF, 6-25-68, KHC/lpt

Handwritten notes: 129-11, 6-19-68, IMK



I ask you, sir, as I also ask myself, is it possible that these people could have had something to do with Robert F. Kennedy's assassination? I believe that these dangerous people could have a connection. Of course this is an assumption. However, if there was a laxity in the 1962 investigation, then I would not care to know at a future date that these people were overlooked if there was any possible connection to this recent event. I would be most happy to give more particulars on things which I have stated within, upon request.

Sincerely yours,

  
Robert G. Joergensen, Sr.  
618A Chester Street  
Norfolk, Virginia 23503

FBI

Date: 6/21/68

REC-11 *mel*

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)

Via AIRTEL AIRMAIL  
(Priority)

*X*  
TO: DIRECTOR, FBI (62-109060)  
FROM: SAC, NEW ORLEANS (89-69)  
SUBJECT: ASSASSINATION OF PRESIDENT  
JOHN FITZGERALD KENNEDY,  
DALLAS, TEXAS, NOVEMBER 22, 1963  
MISC. - INFO CONCERNING  
(OO: DALLAS)

*copy*

Enclosed for the Bureau are two newspaper articles appearing in New Orleans newspapers concerning above-captioned matter.

Copies of these articles are enclosed for Dallas and Miami.

*ps*

- 3 - Bureau (Enclosure)
- 1 - Dallas (89-43) (Enc. 2)
- 1 - Miami (Enc. 2)
- 1 - New Orleans

ECW:srl  
(6)

REC 11

62-109060-6486

NOT RECORDED

6 JUN 22 1968

EX 106

*Handwritten signatures and initials*

Approved: \_\_\_\_\_ Sent \_\_\_\_\_ M Per \_\_\_\_\_  
Special Agent in Charge  
66 JUN 20 1968

# Shaw Lawyers To Interview Iowa Witness

Attorneys for Clay L. Shaw have filed notice in Federal District Court that they will take a deposition in Iowa Monday from a witness who has refused to come to New Orleans and testify.

Shaw, accused by District Attorney Jim Garrison of participating in a conspiracy to murder the late President John F. Kennedy, has filed suit in federal court to block his trial on the charge.

A three-judge panel took a motion by Garrison's staff to dismiss the suit under advisement after hearing arguments Monday.

In the notice, addressed to Garrison and his assistants, Charles Ray Ward and James L. Alcock, Shaw's attorneys said they will take a deposition Monday from Sandra Moffett McMaines in the Des Moines office of attorney Lex Hawkins.

Mrs. McMaines is a former girlfriend of Perry Raymond Russo, who testified at a preliminary hearing that he saw Shaw with the late Lee Harvey Oswald, accused assassin, at a party in September, 1963. Russo testified that Mrs. McMaines was at the party briefly.

Mrs. McMaines has blocked all efforts to return her to New Orleans as a material witness, but agreed some time ago to give a deposition in Des Moines.

The notice was addressed to Garrison, Ward and Alcock and invited them to be present when the deposition is taken.

(Indicate page, name of newspaper, city and state.)

PAGE # 19

NEW ORLEANS STATES-ITEM

Date: 6-19-68

Edition: Flash

Author:

Editor: GEORGE W. HEALY

Title: ASSASSINATION OF PRESIDENT JOHN F.

KENNEDY, DALLAS, TEXAS

Character: 11/22/63 AFO

or

Classification: 89-

Submitting Office: N.O., LA.

Being Investigated

62 1117 6186

ENCLOSURE

(Mount Clipping in Space Below)

## Shaw Attorneys Plan Deposition

Attorneys for Clay L. Shaw filed notice Wednesday in Federal District Court that they intend taking the deposition in Des Moines, Iowa, Monday, of Sandra Moffett McMaines, a witness who has refused to come to New Orleans to testify in connection with District Attorney Jim Garrison's investigation of the assassination of President John F. Kennedy.

Shaw is accused of conspiracy in connection with the killing of the President and has filed a suit in Federal Court seeking to block his state court prosecution.

A special three-judge federal court now has under submission a number of technical motions in the case, including one filed by the DA's office seeking dismissal of the suit.

In the notice, Shaw's attorneys notified Garrison and his assistants, Charles R. Ward and James Alcock, of the deposition and invited them to attend.

Mrs. McMaines has been identified as a former friend of Perry Raymond Russo, one of Garrison's principal witnesses.

(Indicate page, name of newspaper, city and state.)

PAGE # 32

THE TIMES-PICAYUNE  
NEW ORLEANS, LA.

Date: 6-20-68

Edition:

Author:

Editor: George W. Healy

Title: ASSASSINATION OF  
PRESIDENT JOHN F.  
KENNEDY, DALLAS, TEXAS

Character: 11/22/63  
AFO

or

Classification: 89-

Submitting Office: N.O., LA.

Being Investigated

6 1/2  
ENCLOSURE

FBI

Date: 6/26/68

REC-15

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)

Via AIRTEL AIRMAIL  
(Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, NEW ORLEANS (89-69)

SUBJECT: ASSASSINATION OF PRESIDENT  
JOHN FITZGERALD KENNEDY,  
DALLAS, TEXAS,  
NOVEMBER 22, 1963  
MISC. - INFO CONCERNING  
(OO: DALLAS)

Enclosed for the Bureau are two (2) newspaper  
articles appearing in the New Orleans States-Item, 6/25/68,  
concerning above-captioned matter.

Copies of these newspaper articles are enclosed for  
Dallas and Miami.

EX-103

B

ENCLOSURE

REC-15

62-109060-6487

16 JUN 27 1968

- 3 - Bureau (Enc. 2)
- 1 - Dallas (89-43) (Enc. 2)
- 1 - Miami (Enc. 2)
- 1 - New Orleans

ECW:srl

(6)

C. C. Bishop

5- [Handwritten signatures and initials]

54 JUL 5 1968

Approved: \_\_\_\_\_ Sent \_\_\_\_\_ M Per \_\_\_\_\_  
Special Agent in Charge

# WOMAN DENIES RUSSO'S CLAIM

## Attorney Speaks for Mrs. McMaines

DES MOINES, Iowa (AP) — A woman subpoenaed in New Orleans District Attorney Jim Garrison's probe of the Kennedy assassination refuted Monday the testimony of one of Garrison's star witnesses, according to her attorney.

Lex Hawkins of Des Moines said Mrs. Sandra Moffett McMaines, 23, denied that she attended a party in New Orleans in September, 1963, at which Garrison claims the assassination of John F. Kennedy was plotted.

Lawyers for Clay L. Shaw of New Orleans, who is charged with conspiring to murder President Kennedy, took deposition testimony from Mrs. McMaines during a 40-minute session in Hawkins' office.

Mrs. McMaines, a former girl friend of Perry Raymond Russo, one of Garrison's chief witnesses, has refused to return to New Orleans.

"She testified that she met Russo in the fall of 1962 and dated him but that she did not attend a party in September of 1963 where the conspiracy allegedly took place," said Hawkins.

"In effect, she completely refuted the testimony of Mr. Russo," he said.

(Indicate page, name of newspaper, city and state.)

PAGE # 12

NEW ORLEANS STATES-  
ITEM  
NEW ORLEANS, LA.

Date: 6-25-68  
Edition: Red Comet  
Author:  
Editor: George W. "ealy  
Title: ASSASSINATION OF  
PRESIDENT JOHN F.  
KENNEDY, DALLAS, TEXAS  
Character: 11/22/63  
AFO  
or  
Classification: 89-  
Submitting Office: N.O., LA.  
 Being Investigated

*6-11-68 - (11)*

# Russo Story In JFK Probe Said Refuted

DES MOINES, Iowa (AP)—

The testimony of one of Dist. Atty. Jim Garrison's star witnesses in the Kennedy assassination plot probe has been refuted by a woman subpoenaed to testify, her lawyer says.

Attorney Lex Hawkins said yesterday Sandra Moffett McMaines, 23, gave a sworn deposition in which she denied attending a party in New Orleans in September, 1963, at which Garrison claims the assassination of John F. Kennedy was plotted.

THE DEPOSITION was taken in Hawkins' office here by lawyers for Clay L. Shaw of New Orleans who is charged by Garrison with conspiring to murder Kennedy.

Mrs. McMaines, a former girl friend of Perry Raymond Russo, one of Garrison's chief witnesses, has refused to return to New Orleans.

Hawkins said that in Mrs. McMaines' deposition, "she testified that she met Perry Russo in the fall of 1962 and dated him but that she did not attend a party in September of 1963 where the conspiracy allegedly took place."

"IN EFFECT, she completely refuted the testimony of Mr. Russo," he said.

Russo testified at a preliminary hearing last year that he and Mrs. McMaines, then unmarried, attended a party at which he heard Shaw, Lee Harvey Oswald and others plot the assassination of President Kennedy.

Oswald was named by the official Warren Commission as the lone assassin of President Kennedy. Garrison has called the Warren Report a "white-wash."

(Indicate page, name of newspaper, city and state.)

PAGE # 42  
NEW ORLEANS STATES-  
ITEM

NEW ORLEANS, LA.

Date: 6-25-68  
Edition: Red Flash  
Author:  
Editor: George W. Healy  
Title: ASSASSINATION OF  
PRESIDENT JOHN F.  
KENNEDY, DALLAS, TEXAS  
11/22/63  
Character: AFO  
or  
Classification: 89-  
Submitting Office: N.O., LA.  
 Being Investigated

6411

# Memorandum

TO : DIRECTOR, FBI (62-109060)

DATE: 6-27-68

*Handwritten initials*

SAC, KANSAS CITY (62-8156) RUC

SUBJECT:

ASSASSINATION OF PRESIDENT  
JOHN FITZGERALD KENNEDY,  
DALLAS, TEXAS  
11-22-63  
MISCELLANEOUS-INFORMATION CONCERNING  
  
OO: DALLAS

*Handwritten: file at*  
CC TO: AS. 10  
REQ. REC'D 9/26/73  
APR 16 1973  
ANS. BY: JLM  
*Handwritten: P. O. M. S. C. H.*

Re Albuquerque airtel to Bureau dated 5-29-68,  
and Dallas airtel to Bureau dated 6-4-68.

Enclosed for the Bureau are 6 copies and for  
Dallas 2 copies of a self-explanatory letterhead memorandum.

One copy of this letterhead memorandum is being  
furnished to the local Secret Service Office in Kansas City.

*[Redacted]* on June 18, 1968, advised  
he intended to correspond with JAMES GARRISON, New Orleans,  
Louisiana, Parish District Attorney, and furnish in report  
form the same information regarding the association of JACK  
RUBY and LEE HARVEY OSWALD. It should be noted *[Redacted]* was  
very reluctant to furnish any information and during the  
course of the interview never volunteered any information.

*[Redacted]* was contacted by SAs JAMES R. GRAHAM, JR.  
and GEORGE A. ARNETT in his apartment in Mission, Kansas,  
and the information furnished by *[Redacted]* to the effect that  
he often carries a gun was furnished on a confidential basis  
to the Chief of Police JOSEPH HERD of Mission, Kansas, on  
June 19, 1968 by SA JAMES R. GRAHAM, JR.

ROBERT DOWNS, 430 East 31st Street North, Kansas  
City, Missouri, on June 14, 1968, advised he had no firsthand  
information regarding the alleged association of RUBY and  
OSWALD. The only information available to him was furnished

- 2 - Bureau (Enc. 6)
- 2 - Dallas (89-43) (Enc. 2) REC-57
- 1 - Kansas City

*Handwritten: 62-109060-6488*

JRG:per

12 JUL 1 1968

(15) cc LHM to USSS +  
DEPT (RAO-CRIM DIV.)

8 JUL 9 1968

1 CC LHM RM 5732 *Kul*

*Handwritten: Raitchick SIX*

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

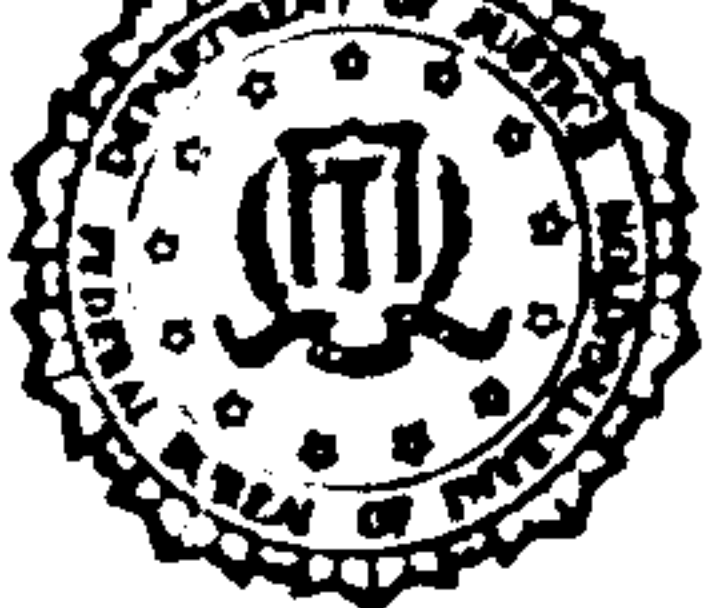


KC 62-8156

to him by SAM WALTERS and he furnished this information to his former police supervisor, Lieutenant KENNETH HAINES of the Albuquerque, New Mexico Police Department.

No leads are being set forth for the Dallas Division inasmuch as Kansas City is not in a position to know if any of the individuals at the Spa were ever interviewed.

IN VIEW OF ALLEGATION THAT [REDACTED] MAY BE MENTALLY DISTURBED AND THAT HE CARRIES A GUN IN A SHOULDER HOLSTER, HE SHOULD BE APPROACHED WITH CAUTION.



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

707 United States Court House  
Kansas City, Missouri 64106

In Reply, Please Refer to  
File No.

June 27, 1968

ASSASSINATION OF PRESIDENT  
JOHN FITZGERALD KENNEDY,  
DALLAS, TEXAS  
11-22-63  
MISCELLANEOUS-INFORMATION CONCERNING

On June 14, 1968, Sammy Joe Walters, 810 Glead Terrace, Kansas City, Missouri, advised he is a college student presently attending Cleveland Chiropractic College, 3724 Troost, Kansas City, Missouri. While attending this school he became associated with [REDACTED] who is also an associate student. In fact, this association was the result of he and [REDACTED] forming a corporation known as The College Co-op, which is a professional janitorial company. They primarily hire students attending professional schools in the Kansas City area for their janitorial work. This corporation has been formed for approximately six months and that he has known [REDACTED] for approximately the past year.

Some time during the month of May 1968, he and his wife were visiting socially in the [REDACTED] home in Mission, Kansas. On this occasion [REDACTED] made a comment as to how he has been followed constantly by the FBI. The reason being he had information regarding the assassination of the former President John Fitzgerald Kennedy. [REDACTED] continued by saying he had worked in a health Spa in Dallas, Texas, where Jack Ruby and Lee Harvey Oswald used to visit together. In fact, on one occasion Ruby introduced Oswald to him as a cousin. Merrick concluded this part of the conversation by saying he expected the FBI to be contacting him in the near future. According to Walters, he considered [REDACTED] a paranoid and in fact was trying to void the corporation in which they were now involved. [REDACTED] on several occasions has carried a gun and claimed to have a great desire to kill someone. In fact, on

COPIES

4 2 JAN 16 1973

This document contains neither recommendations nor conclusions of the FBI.  
It is the property of the FBI and is loaned to your agency; it and its contents  
are not to be distributed outside your agency.

ENCLOSURE

ASSASSINATION OF PRESIDENT  
JOHN FITZGERALD KENNEDY

one occasion he claimed to get a sensational tingling when this thought came to his mind. According to Walters, on one of these occasions he persuaded [REDACTED] to surrender the gun which he carried in a shoulder holster and on this occasion [REDACTED] claimed that he was going to shoot a Negro. [REDACTED] never furnished any explanation or reason why he intended to shoot a Negro or why he has such a desire to shoot anyone.

On June 18, 1968, [REDACTED] was contacted in his apartment [REDACTED] Mission, Kansas. At this address he has telephone number [REDACTED]

According to [REDACTED] in the fall of 1963, he was working in a new health studio which was just opening at 3883 Turtle Creek, Dallas, Texas. This health studio was known as the Spa. This Spa was then under the management of Jack Countryman who in his opinion is still the manager. His business was to conduct tours through this business establishment. In this capacity he met and became acquainted with Jack Ruby who visited this new Spa on several occasions, but to his knowledge did not have a membership. He recalls on one occasion a manicurist by the last name of Green and who was of the Negro race, gave Ruby a rub down. Ruby also on one occasion asked his, [REDACTED] wife, [REDACTED] who is a college graduate with a degree in journalism, to write a story about a strip tease friend of Ruby's by the name of "Jada". [REDACTED] claimed his wife never wrote any such story.

During these pre-opening days, the date of which he could not recall but which he was positive that on a Sunday during this period he met Ruby in the Spa. He recalled it was specifically Sunday since it is unusually quiet and very few people had yet arrived at the Spa and the tours had not started. On this occasion Ruby was dressed in a silk shirt and introduced to him a man Ruby claimed to be his cousin and furnished this man's name as either Ray or Raymond. [REDACTED] did not recall if Ruby furnished the last name, but if he did he did not recall the name. This individual was dressed in a plaid shirt with khaki pants. Approximately two to three weeks later he again

ASSASSINATION OF PRESIDENT  
JOHN FITZGERALD KENNEDY

saw this individual's photograph introduced to him as either Ray or Raymond in the news media and at that time the person was depicted as Lee Harvey Oswald. [REDACTED] was emphatic in stating this was the only time he purportedly saw Oswald and Ruby together in the Spa.

Shortly after the death of Lee Harvey Oswald, an individual contacted him in Dallas, Texas, regarding the killing of Oswald by Ruby. This man claimed to be an ex-FBI agent and that this individual was working for a private concern. This unknown individual seemed to know that Ruby and Oswald had visited the Spa together and, therefore, asked him several questions regarding this association. He answered the questions very vaguely. He described this unknown individual as being a caucasian, 30 to 34, dark hair, tall and slender with an acne skin complexion on his face.

Shortly after the death of Oswald, [REDACTED] claimed he left the Dallas area since he enrolled in the Texas Chiropractic College, San Antonio, Texas. He attended this school for one semester, which would have been the spring semester of 1964 and later this school was moved to Houston, Texas, where he again attended at least one semester prior to joining the Merchant Marines. He served in the Merchant Marines for approximately 8 months receiving his discharge, on December 19, 1966, in Manila. On several occasions while in the Merchant Marines he thought possibly the Central Intelligence Agency (CIA) came aboard his ship to make inquiry regarding himself. In fact, shortly after arriving in the Kansas City area in the early part of 1967, he thought he was being followed by the FBI and that the agent following him was driving a pink Rambler. The result being he purchased a 38 revolver, which he still owns and on occasions carries for protection. He claimed never to have met the FBI agent who was following him or the CIA agents who were checking on him.

ASSASSINATION OF PRESIDENT  
JOHN FITZGERALD KENNEDY

[REDACTED] concluded by saying he had no further information as to the death of John Fitzgerald Kennedy or the association of Jack Ruby and Lee Harvey Oswald.

FBI

Date: 6/28/68

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)

Via AIRTEL \_\_\_\_\_  
(Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, DALLAS (89-43) (P)

ASSASSINATION OF  
PRESIDENT JOHN FITZGERALD KENNEDY  
NOVEMBER 22, 1963  
DALLAS, TEXAS  
MISCELLANEOUS - INFORMATION CONCERNING

OO: DALLAS

Re Bulet to Norfolk dated 6/25/68.

A search of the Dallas indices, both general and special indices with respect to captioned case, failed to reflect any information concerning ROBERT G. JOERGENSEN, SR.

*Reufach*

- 3 Bureau
  - 1- Norfolk (89-17) (Info)
  - 1- San Diego (Info)
  - 2- Dallas
- RPG/wvm  
(7)

EX-115

REC-20

62-109060-6489

JUL 1 1968

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 RECEIVED  
 CIVIL RIGHTS  
 DIVISION

51 JUL - 3 1968

Approved \_\_\_\_\_ Sent \_\_\_\_\_ M Per \_\_\_\_\_  
Special Agent in Charge

FBI

Date: 6/5/68

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)

Via AIRTEL AIR MAIL - REGISTERED  
(Priority)

TO: DIRECTOR, FBI (44-38861)

FROM: SAC, BUFFALO (44-374) (P)

MURKIN  
(OO Memphis)

UNSUBS; Alleged Plot in  
New York City, New York,  
to Harm or Kill a Prominent  
Negro Woman

ASSASSINATION OF PRESIDENT JOHN  
FITZGERALD KENNEDY, DALLAS,  
TEXAS, 11/22/63

POCAM  
CIVIL RIGHTS - CONSPIRACY

There are enclosed herewith for Bureau 10  
copies of an LHM setting out a letter received at  
Buffalo Office on 6/4/68 from TAYLOR CALDWELL, which

- ⑥ - Bureau (Enc. 12) (RM)
  - (1 - 62-10960) (ASSASSINATION OF PRES.  
J. F. KENNEDY)
  - (1 - 100-106670) (WILLIAM MOSES KUNSTLER)
  - (1 - 157-8428) (POCAM)
- 2 - Memphis (44-1987) (Enc. 2) (RM)
- 3 - New York (Enc. 3) (RM)
  - (1 - 100-146994) (WILLIAM MOSES KUNSTLER)
- 5 - Buffalo
  - (1 - 62-1827) (ASSAS. OF PRES. J. F. KENNEDY)
  - (1 - 62-1305) (Mrs. JANET REBACK)
  - (1 - 157-623) (POCAM)

TJS;cah  
(16)

62-109060

NOT RECORDED  
199 JUN 25 1968

ORIGINAL FILED IN 44-38861-21161

Approved: \_\_\_\_\_ Sent \_\_\_\_\_ M Per \_\_\_\_\_  
Special Agent in Charge

57 JUL 5 1968

deals with all four captioned matters. Two copies of LHM are enclosed for Memphis as OO in MURKIN case, and three copies of LHM are enclosed for New York, since it is alleged locus of plots set forth, with one of these copies being for New York file on WILLIAM MCSES KUNSTLER.

For info of Bureau, information previously received on various matters from TAYLOR CALDWELL has been set forth in following communications to Bureau:

(1) Buffalo let to Bureau, 7/23/62, captioned "AMERICAN NAZI PARTY, RM."

(2) Buffalo let to Bureau, 8/15/63, captioned "MRS. JANET T. C. REBACK, aka, INFO CONCERNING."

(3) Buffalo let to Bureau, 12/18/63, captioned "TAYLOR CALDWELL, aka, INFORMATION CONCERNING."

(4) Buffalo let to Bureau, 9/16/64, captioned "WILLIAM KUNTZLER, aka, SM-C," (Bureau file 100-106670).

(5) Buffalo let to Bureau, 4/30/65, captioned "TAYLOR CALDWELL, aka, INFO CONCERNING."

(6) Buffalo let to Bureau, 10/27/65, captioned "TAYLOR CALDWELL, aka, INFO CONCERNING."

(7) Buffalo airtel to Bureau, 11/18/66, captioned "ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, 11/22/63, DALLAS, TEXAS."

These communications have been itemized so Bureau itself can better evaluate Miss CALDWELL and information furnished by her.

The above communications and a review of Buffalo Office files reflect that TAYLOR CALDWELL (whose true name is Mrs. JANET T. C. REBACK) is a world famous novelist, that she is an inveterate letter writer, possessed of a vivid imagination, and is inclined to intermingle fact with fiction indiscriminately; that she is prone to carry on literary battles through the mails and in publications



with various and sundry persons throughout the world; and that she has a proclivity for furnishing information to other government agencies in addition to the FBI.

The information set forth in the LHM is being furnished to the Bureau and interested Offices, principally because of the serious nature of the charges, Miss CALDWELL's prominent position, and the possibility that she may at some future time claim she furnished pertinent information to the FBI, which received no attention.

Buffalo is making no local dissemination of the LHM, and whether or not any dissemination should be made at Washington, D.C., is being left to the discretion of the Bureau.

No action, other than possible dissemination at the Seat of Government to Secret Service because of intimation of threats of harm to President JOHNSON and Vice President HUMPHREY included in the material furnished by Miss CALDWELL, is recommended, on the basis that prior experience with Miss CALDWELL reflects she is unreliable and possibly demented. It would appear that a person in her position would place the welfare of the U.S. above an alleged loyalty to a correspondent, whom she has never met, and that she would disclose the identity of her correspondent so he could be located and questioned if he does, in fact, exist and if he did in fact send her the information she claims to have received.

It is pointed out that in the telephonic interview conducted with Miss CALDWELL by SA THADDEUS J. SZYMANSKI on 6/4/68, it was suggested to her that in the future she send any letters received from her friend to the FBI, deleting his signature if she feels so obligated, but so the FBI would have his exact wording for purposes of evaluation. She first replied this would be a violation of her promise to destroy her friend's letters. She then stated possibly she could Xerox the letters, and send the Xerox copies to the FBI, and then destroy the originals, which would mean she was honoring her promise. Finally, she stated that doing this would bother her conscience, and that anyway she felt her friend would not write anymore because he sounded

so terrified in his last letter. Miss CALDWELL's responses throughout the telephonic interview of 6/4/68 emphasized her unwillingness to be interviewed in person concerning this matter, and reflected a desire on her part to go into great detail on extraneous matters rather than on the alleged plots.

It is acknowledged by the Buffalo Office that there is considerable detail in the LHM dealing with Miss CALDWELL herself and prior FBI experiences with her. It is felt this data is essential to an appropriate evaluation of the serious charges contained in her letter should the Bureau feel compelled to disseminate the LHM.

Unless advised to the contrary by the Bureau, the Buffalo Office will make no further effort to personally interview Miss CALDWELL re instant matters, and will simply acknowledge receipt of any further data from her in this matter without incorporating the information into LHMs for the Bureau.



FEDERAL BUREAU OF INVESTIGATION  
Buffalo, New York 14202  
June 5, 1968

In Reply, Please Refer to  
File No.

JAMES EARL RAY, Also known  
as Eric Starvo Galt

ASSASSINATION OF REV. MARTIN  
LUTHER KING, JR., MEMPHIS,  
TENNESSEE, April 4, 1968

UNKNOWN SUBJECTS; Alleged Plot  
In New York City, New York, to  
Harm or Kill a Prominent  
Negro Woman

ASSASSINATION OF PRESIDENT JOHN  
FITZGERALD KENNEDY, DALLAS, TEXAS,  
November 22, 1963

POOR PEOPLE'S CAMPAIGN

On June 4, 1968, there was received at the Buffalo, New York Office of the Federal Bureau of Investigation, a letter, dated May 31, 1968 from TAYLOR CALDWELL, 34 Audley End, Buffalo (26), New York, the contents of which will be set forth below.

TAYLOR CALDWELL is a world famous novelist, whose true name is Mrs. JANET T. C. REBACK. She is referred to from time to time in news articles as an outspoken foe of Communism. She is known as and admits to be an inveterate letter writer. She has frequently engaged in literary battles with persons who opposed her private and public statements. Close associates have described her imagination as vivid, and many of her statements as tending toward exaggeration.

On one occasion, Miss CALDWELL wrote an article which appeared in the October, 1960, issue of "The American Mercury," in which she alleged that an unnamed, American-born distinguished professor, in one of the large universities, was a Communist. When an attempt was made by a Special Agent of the Federal Bureau of Investigation to arrange an interview

ENCLOSURE

JAMES EARL RAY, Also known  
as Eric Starvo Galt

ASSASSINATION OF REV. MARTIN  
LUTHER KING, JR., MEMPHIS,  
TENNESSEE, April 4, 1968.

UNKNOWN SUBJECTS; Alleged Plot  
In New York City, New York, to  
Harm or Kill a Prominent  
Negro Woman

ASSASSINATION OF PRESIDENT JOHN  
FITZGERALD KENNEDY, DALLAS, TEXAS,  
November 22, 1963

POOR PEOPLE'S CAMPAIGN

with Miss CALDWELL concerning this story, her husband, MARCUS  
REBACK, a former official of the United States Immigration  
and Naturalization Service, and who scheduled appointments  
for Miss CALDWELL, stated it would serve no purpose for  
the Federal Bureau of Investigation to interview Miss  
CALDWELL regarding the article in "The American Mercury"  
because the unnamed professor was non-existent, a figment  
of Miss CALDWELL's imagination and a hypothetical situa-  
tion employed by Miss CALDWELL to provoke public opinion.

On another occasion in September, 1968 when  
Miss CALDWELL was being interviewed by a Special Agent  
of the Federal Bureau of Investigation in the presence  
of her husband concerning an occurrence she had brought  
to the attention of the Federal Bureau of Investigation,  
Miss CALDWELL's husband flatly stated that the true cir-  
cumstances of the occurrence were completely different  
from the version given by Miss CALDWELL, after which the  
latter materially modified her earlier statement.

The above mentioned letter received from Miss  
CALDWELL on June 4, 1968, reads as follows:

"As I am always wary of giving you any  
information which even vaguely sounds 'kooky'  
to me, I now deeply regret that I did not

JAMES EARL RAY, Also known  
as Eric Starvo Galt

ASSASSINATION OF REV. MARTIN  
LUTHER KING, JR., MEMPHIS,  
TENNESSEE, April 4, 1968

UNKNOWN SUBJECTS: Alleged Plot  
In New York City, New York, to  
Harm or Kill a Prominent  
Negro Woman

ASSASSINATION OF PRESIDENT JOHN  
FITZGERALD KENNEDY, DALLAS, TEXAS,  
November 22, 1963

POOR PEOPLE'S CAMPAIGN

inform you of something which my terrified Negro  
businessman friend in New York wrote me last  
October. It still disturbed me, however - though  
it sounded very improbable - that I incorporated  
it as a sort of warning in my article in the Buffalo  
Evening News concerning events of 1968, earlier  
this year, when you may have read, yourself. ESF  
had nothing to do with that!

He wrote me, if I remember accurately - as  
I immediately destroy his letters at his urgent  
request - that a meeting was held in New York  
the latter part of last September, in which  
plans were laid to 'throw the country into  
chaos and revolution.' It was suggested that  
a prominent Negro leader be assassinated, or at  
least badly injured, in early 1968, 'as a start  
to revolution.' He said that New York lawyer  
and novelist, about whom I have written you  
before, discussed this at length, and then re-  
marked the matter would be given considerable  
thought - later. My friend was not invited  
'later,' for some reason or other which alarmed  
him. But he was able to gather together a few  
facts last October and write me about them.  
He did not give me the source of his informa-  
tion.

JAMES EARL RAY, Also known  
as Eric Starvo Galt

ASSASSINATION OF REV. MARTIN  
LUTHER KING, JR., MEMPHIS,  
TENNESSEE, April 4, 1968.

UNKNOWN SUBJECTS; Alleged Plot  
In New York City, New York, to  
Harm or Kill a Prominent  
Negro Woman

ASSASSINATION OF PRESIDENT JOHN  
FITZGERALD KENNEDY, DALLAS, TEXAS,  
November 22, 1963

POOR PEOPLE'S CAMPAIGN

"The man finally chosen was a white man, between the ages of 25 and 30, named Robert W---, some simple name such as Watson or Watkins or Wellock or Wilkins, from the vicinity of New Jersey, a crack shot, of fair complexion, light eyes either very light brown or blue-gray, medium brown hair, long thin face, very agile - and a 'Marxist.' My friends say you have had a dossier on him for several years in either New Jersey or New York. He followed Martin Luther King for several months before the assassination, which was scheduled for early March, not April, but the opportunity did not arise. 'They' wanted a larger city than Memphis, especially Washington. 'They' had thought of Carmichael or Brown, then settled on King. It was remarked that they had 'failed' with Mr. Kennedy, because they had thought to start nationwide riots against 'right wing extremists,' and a general blood-bath, and nothing happened. 'Only Oswald got caught,' they remarked, which led my friend to believe that others were implicated, too, in the Marxist assassination. Apparently 'they' don't believe in the Warren Commission Report, either, for good and sufficient reasons.

JAMES EARL RAY, Also known  
as Eric Starvo Galt

ASSASSINATION OF REV. MARTIN  
LUTHER KING, JR., MEMPHIS,  
TENNESSEE, April 4, 1968

UNKNOWN SUBJECTS; Alleged Plot  
In New York City, New York, to  
Harm or Kill a Prominent  
Negro Woman

ASSASSINATION OF PRESIDENT JOHN  
FITZGERALD KENNEDY, DALLAS, TEXAS,  
November 22, 1963

POOR PEOPLE'S CAMPAIGN

"Now he writes that 'something much worse' is  
'going to happen soon.' He doesn't know what it  
is, because he is being included less and less in  
'conferences,' and is very frightened. He had  
asked me to write you last October about the  
planned assassination, and I did not, and he  
now wonders 'if I can trust you.'

"He writes that a woman will be the focus-  
point of the 'much worse,' and almost immediately,  
but does not know who the woman is. She is a  
Negro, however. He also writes that the man you  
are looking for is working either in New Jersey or  
'just outside of New York,' and is or was in the  
Army and received a 'discharge without prejudice,'  
whatever that means, though not an honorable dis-  
charge. I thought they were the same. At any rate,  
he is often in New York at 'conferences.' Then  
it was decided to send him to Washington with the  
'Poor People,' and is probably there now. (By the  
way, he had accomplices in Memphis.)

"He never liked Martin Luther King, my friend  
wrote last September, but reproaches me that if I  
had written you in October you might have prevented  
him from being murdered.

JAMES EARL RAY, Also known  
as Eric Starvo Galt

ASSASSINATION OF REV. MARTIN  
LUTHER KING, JR., MEMPHIS,  
TENNESSEE, April 4, 1968

UNKNOWN SUBJECTS; Alleged Plot  
In New York City, New York, to  
Harm or Kill a Prominent  
Negro Woman

ASSASSINATION OF PRESIDENT JOHN  
FITZGERALD KENNEDY, DALLAS, TEXAS,  
November 22, 1963

POOR PEOPLE'S CAMPAIGN

"This new information is also vague, but it may serve some purpose, though I don't see how. But remembering that letter of last October I thought it only right to let you know now. My friend also says that Mr. Johnson and Mr. Humphrey 'had better not' show themselves too openly in Washington, or be too available, in the very near future, but what threatens them he does not know. He just overheard 'hints.'"

"He fears, now, that he is suspected, so if you do any investigation on this information, don't try to find him or question him. He has a family. I know I will do all I can to protect him.

"Sincerely,

"(Miss) /s/ Taylor Caldwell

"P.S. My poor husband now lies at the point of death in the hospital - where he has been since March, 1967 - after he was attacked in our house by two of Earl Warren's pampered thugs. He is completely shattered in body and mind. He was a most brilliant man, and he has now become a confused, wandering, disoriented old shadow, and is unable even to feed himself or even to sit up, and is attended constantly



JAMES EARL RAY, also known  
as Eric Starvo Galt

ASSASSINATION OF REV. MARTIN  
LUTHER KING, JR., MEMPHIS,  
TENNESSEE, APRIL 4, 1968

UNKNOWN SUSPECTS: PLANNED PLOT  
In New York City, New York, to  
Harm or Kill a Prominent  
Negro Woman

ASSASSINATION OF PRESIDENT JOHN  
FITZGERALD KENNEDY, DALLAS, TEXAS,  
November 22, 1963

POOR PEOPLE'S CAMPAIGN

by private nurses. I brought a specialist from New York to see him recently, a Dr. Donald Scurlia; he told me frankly that my husband's destruction of mind and body had led to his present dying condition. If I knew who the thugs were I'd kill them, myself, so that some 'rule' of Earl Warren's would not set them free again to murder over and over.

"N.B. by the way, the Internal Revenue Service Center at Andover, Mass., has been opening letters addressed to me from all over the country, and then stamping the envelopes: 'opened by mistake.' I thought they were genuine 'mistakes,' and threw away all letters but one - and you may see it if you wish. For instance, how could a letter addressed to me by a fan from Syracuse, N.Y., find its way to Andover, Mass.?' That was the one I kept. I can't imagine what the records are up to, but I have long had reason to suspect them, as files in your office will show."

On June 4, 1968, a telephone call was made to Miss Callahan by a Special Agent of the Federal Bureau of Investigation requesting an interview with her to any additional details she might be able to furnish in connection with the contents of the above letter.

JAMES EARL RAY, also known  
as Eric Starvo Galt

ASSASSINATION OF REV. MARTIN  
LUTHER KING, JR., MEMPHIS,  
TENNESSEE, April 4, 1968

UNKNOWN SUBJECTS; Alleged Plot  
in New York City, New York, to  
Harm or Kill a Prominent  
Negro Woman

ASSASSINATION OF PRESIDENT JOHN  
FITZGERALD KENNEDY, DALLAS, TEXAS,  
November 22, 1963

FOUR PEOPLE'S CAMPAIGN

Miss CALDWELL stated she is extremely busy and upset, that her husband is at the brink of death in the hospital, that she is in the midst of preparing two speeches for delivery in California later this month, and that she would have no time for a personal interview for at least two weeks or perhaps longer. She stated all the facts known to her are set forth in her letter. She pointed out that under no circumstances would she disclose the identity of the friend who had supplied her with the information set forth in the letter. She said she no longer has any of his letters because in keeping with a promise made to him, she burns them immediately after reading them.

When asked for the name of the New York lawyer she mentions in the second paragraph of her letter, Miss CALDWELL replied that this lawyer's name is WILLIAM KUNSTLER, adding she had previously advised the Federal Bureau of Investigation that KUNSTLER in her opinion is a Communist.

Miss CALDWELL was then asked if she could furnish any data on the source of her information which would aid in evaluating the reliability of this source. She then replied she has never met this source, but that he is a person who started writing to her about five years ago after reading one of her books. He has