

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. W. C. Sullivan

FROM : Mr. W. A. Branigan

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

- 1 - Mr. C. D. DeLoach
- 1 - Mr. A. Rosen
- 1 - Mr. T. E. Bishop

DATE: February 7, 1969

- 1 - Mr. W. C. Sullivan
- 1 - Mr. W. A. Branigan
- 1 - Mr. T. N. Goble

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

### SYNOPSIS:

For information, New Orleans District Attorney James C. Garrison on 2/6/69 made his opening statement to the jury in New Orleans in the trial of Clay L. Shaw, charged by Garrison with conspiracy to assassinate President John Fitzgerald Kennedy. This advises of points raised by Garrison, as reported by press, in his opening to the jury.

The State will prove five overt acts: (1) Meeting between Oswald, David Ferrie and Clay Shaw in Ferrie's apartment in New Orleans in September, 1963; (2) Discussion between these three of means to carry out assassination of President Kennedy; (3) Shaw's trip to West Coast in November, 1963; (4) Ferrie's trip to Houston, Texas, on 11/22/63 and (5) Oswald taking rifle to Texas School Book Depository Building in Dallas, 11/22/63.

Garrison stated he will produce evidence concerning Oswald's activities in New Orleans in Summer, 1963. He will show Shaw and Oswald met on lake front in New Orleans in June, 1963. The State will show two trips by Oswald to Jackson, Louisiana, and Clinton, Louisiana in August or September, 1963, on the latter of which Oswald was accompanied by Shaw and Ferrie.

The State will establish, according to Garrison, that President Kennedy and Governor Connally were wounded by shots fired from different guns at different locations.

Defense counsel for Shaw in his opening statement said he would prove that Garrison's star witness, Perry Russo (who has previously testified as to the meeting at Ferrie's apartment between Shaw, Oswald and Ferrie), was a "liar" and Shaw had never known Oswald and Ferrie.

### ACTION:

For information. Case is being closely followed.

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FEB 19 1969

Memorandum to Mr. W. C. Sullivan  
RE: ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY  
62-109060

DETAILS:

New Orleans "States-Item" 2/6/69 reported New Orleans District Attorney James C. Garrison made his opening statement, that date, to the jury in the trial of Clay Shaw for conspiracy to assassinate President John Fitzgerald Kennedy.

GARRISON WILL PROVE FIVE OVERT ACTS:

Garrison stated he will prove five overt acts as follows:

- (1) A meeting of Oswald, David W. Ferrie and Clay L. Shaw in Ferrie's apartment at 330 Louisiana Avenue, New Orleans, in September, 1963.
- (2) Discussion by Oswald, Ferrie and Shaw of methods of execution of the conspiracy with regard to the assassination of President Kennedy, particularly the selection of rifles to be fired simultaneously from multiple directions to produce a triangulation of cross fire; also, establishing and selecting escape routes and methods; also, determination of procedures and places to be used to establish alibis on the date of the assassination.
- (3) Trip to West Coast of U. S. by Shaw in November, 1963.
- (4) Trip by Ferrie from New Orleans to Houston on 11/22/63.
- (5) Oswald taking rifle to Texas School Book Depository Building, Dallas, on or before 11/22/63.

Garrison said in his opening that evidence will show Oswald, in the Summer of 1963, was engaged in New Orleans which made it appear that he was connected with a Cuban organization. Garrison cited Oswald's distribution of "Fair Play for Cuba Committee" leaflets in New Orleans and his arrest there on 8/9/63, resulting from a fight with several Cubans who protested his distribution of these leaflets.

\*activities in

DETAILS CONTINUED OVER

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Garrison also said his evidence would show a meeting between Shaw and Oswald on the lake front in New Orleans in June, 1963.

GARRISON'S ALLEGATIONS REGARDING OSWALD'S TRIPS TO JACKSON AND CLINTON, LOUISIANA:

Garrison's statement set out that the State would show that in August or September, 1963, Oswald went to Jackson, Louisiana, and while there tried to get a job and tried to vote in that parish. Shortly thereafter Oswald, Shaw and Ferrie drove to Clinton, Louisiana, and parked near the Voter Registrar's Office and while Shaw and Ferrie remained in the car Oswald tried to register.

Garrison's opening outlined the meeting at Ferrie's apartment between Shaw, Ferrie and Oswald where plans for the assassination of President Kennedy were discussed. Garrison referred to Perry Russo's testimony of this meeting.

Garrison stated he would prove Shaw traveled to the West Coast in November, 1963, and remained there until after the assassination to establish an alibi. Garrison alluded to a trip made by Ferrie to Houston, Texas, on 11/22/63.

In his opening, Garrison stated he would produce evidence as to Oswald's activities in Dallas in the days prior to 11/22/63.

GARRISON'S ALLEGATIONS ASSASSINATION SHOTS FIRED FROM DIFFERENT GUNS AND LOCATIONS:

According to Garrison's statement, he will prove that President Kennedy and Governor Connally were wounded by shots fired from different guns from different locations; further, that more than one person was shooting at President Kennedy. In this regard, Garrison indicated he would produce several experts, including physicians. He mentioned that he will produce as witnesses Special Agents Robert A. Frazier and Lyndal Shaneyfelt.

Finally, Garrison stated he will produce evidence that the FBI learned shortly after the assassination from Dean Andrews of a person named Clay Bertrand. Garrison said he will prove that

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Clay Shaw was Clay Bertrand and received mail addressed to Clem Bertrand and once signed a guest register in the name Clay Bertrand.

OPENING STATEMENT FOR DEFENSE:

According to the newspaper, Defense Counsel Irvin Dymond told the court that the defense would prove that the star witness for the State, Perry Raymond Russo, was a "liar" and that Shaw had never known Oswald and Ferrie. Dymond explained that the defense could<sup>not</sup> prove Shaw was elsewhere at the time of the alleged meeting. He said this was impossible\*because the State has never given the exact date of the alleged meeting. He said the alternative was to prove that the person alleging Shaw was at the meeting lied when he said that.

OBSERVATIONS:

What Garrison says he can prove, and what he in fact can prove, are two different things.

Although we have adhered to a strictly "hands-off" policy regarding Garrison's investigation, we have received information from various sources as to the quality of some of Garrison's witnesses. For example, we have received information that Perry Russo's story of the meeting in Ferrie's apartment was procured from him only after he had been given sodium pentothal and placed under hypnosis. It is possible his story was obtained only after the story itself was suggested to his drugged mind.

As you know, we conducted an intensive investigation into Oswald's activities when he resided in New Orleans from about 4/25/63 to 9/25/63. We developed no information that Oswald knew, visited with or lived with David William Ferrie. Marina Oswald said Oswald lived with her on a day-to-day basis during this entire period. A number of neighbors of the Oswalds in the vicinity of their residence in New Orleans said Oswald resided at 4509 Magazine Street until the date he left the city. One neighbor, who was unemployed during the Summer of 1963, said he saw Oswald at least once every day from mid-July, 1963, until 9/25/63. Another neighbor saw Oswald about the house most of the time and reported that when he left his residence during the day, he would return shortly thereafter. Marina Oswald told the Warren Commission that from mid-July, 1963, until they left New Orleans, Oswald spent most of his time in the house reading.

\* to prove

OBSERVATIONS CONTINUED OVER

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No information was ever developed that Oswald  
was in the Jackson and Clinton, Louisiana, areas during the  
late Summer or early Fall of 1963.

*WJ* *P* *6/20*