

Memorandum

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TO : Mr. Gallagher

DATE: October 15, 1975

FROM : B. [Signature]

- 1 - Mr. Callahan
- 1 - Mr. Adams
- 1 - Mr. Jenkins
- 1 - Mr. Gallagher
- 1 - Mr. O'Connell
- 1 - Mr. Cooke
- 1 - Mr. Nettles
- 1 - Mr. Mintz
- 1 - Mr. Wannan

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

On 10/12/75, United Press International (UPI) carried a story from West Hartford, Connecticut, which quoted former New Orleans, Louisiana District Attorney Jim Garrison and author Mark Lane at a three-day conference on the assassination of President Kennedy.

Garrison and Lane said that the former Julia Ann Mercer of Dallas, Texas, whose present name they would not disclose, will testify before a House FBI Subcommittee. Garrison gave UPI copies of what he said were Miss Mercer's heretofore unpublished signed statements that Dallas FBI Agents and the Sheriff's Department falsified testimony she gave to both agencies on Jack Ruby. They said that if Miss Mercer's testimony had been unaltered and acted on, Jack Ruby could have been prevented from fatally shooting Lee Harvey Oswald. They said Miss Mercer would give evidence implicating the FBI and the Dallas County Sheriff's Department in a cover-up of what they claim was a CIA conspiracy to kill Kennedy.

These are not new allegations. While on the Johnny Carson Show on the night of January 31 - February 1, 1968, Garrison stated that the FBI had interviewed Mercer immediately following the assassination and she claimed to have seen a man approximately an hour or so before the assassination who carried a rifle from a truck. Garrison further stated that the day following the assassination the FBI exhibited several photographs to Mercer, one of which was of Jack Ruby. Garrison claimed that Mercer identified the photograph of Ruby as the driver of the truck from which the man with the rifle emerged approximately one hour before the assassination.

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Memorandum to J. Gallagher
Re: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

The facts of this matter are that FBI Agents did interview Mercer on 11/22/63, when she volunteered information that she had seen a truck with an "air conditioning" sign parked near the assassination site at approximately 10:50 a.m. on 11/22/63. She claimed a man left the truck carrying what appeared to be a gun case. She was again interviewed by FBI Agents on 11/25/63, and was exhibited photographs of Lee Harvey Oswald to determine if the man carrying the object from the truck may have been Oswald. Mercer advised the Agents that the individual in question did not resemble Oswald.

Mercer was again interviewed by FBI Agents on 11/27/63 (five days after the assassination and three days after Ruby killed Oswald). At this time she was shown a group of photographs, which included Jack Ruby. She stated the driver of the truck she had observed on 11/22/63, had a rather large round face similar to Ruby's, but she could not identify Ruby as the driver.

The results of the interviews of Mercer were furnished to the Warren Commission.

During the investigation of the assassination, the FBI determined that at approximately 11 a.m. (which is the approximate time Mercer saw the truck), Ruby was at the "Dallas Morning News" placing advertisements for his two night clubs. This was corroborated by several people who saw and talked with him at the time.

It should be noted that in this same 10/12/75 UPI release, Garrison and Lane mentioned that former FBI Agent William S. Walter, now a bank executive in Morgan City, Louisiana, will also testify before the same House Subcommittee. Garrison said Walter will testify 10/20/75 that as an FBI Agent in Dallas he received a telegraphed message from the FBI's Washington Headquarters five days before Kennedy's death that there would be an attempt on Kennedy's life, but the warning was destroyed and never followed up.

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Garrison said the Warren Commission appears to have decided in advance that Oswald was the lone assassin of President Kennedy and tailored its investigation to fit its prejudice.

The UPI release listed others at the three-day conference at the University of Hartford as George O'Toole, former CIA Chief of Problems Analysis, and Haverford University Professor Josiah Thompson, author of "Six Seconds in Dallas."

ACTION: For Information.

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