

Enclosed with  
letter of 3/26/68

On Thursday, March 14, 1968, Dick Billings, associate editor of Life Magazine arrived in New Orleans, having received a letter from Jim Garrison assuring him of immunity from subpoena or any other legal entanglement. On Thursday morning Garrison came into my office and told me that Billings was arriving that afternoon, and was planning to stay for three months. I asked him what I was supposed to do if Billings came into my office. Was I co-operate with him, as we had in the past, and show him the files? Garrison said emphatically not, that he was now convinced that Life was working with the Federal Government, that he himself wasn't even going to talk to Billings, and he would prefer it if I didn't even see Billings socially outside the office, although, he added, he wasn't exactly ordering me not to.

It should be noted that about a week earlier we had received word from the west coast that Life was preparing an article about the case which would be published at the time of the Shaw trial, which would cast the investigation in a derogatory light. Also, on March 11, 1968, Federal District Judge James Comiskey ruled that Life stringer David Chandler did not have to testify before the Orleans Parish Grand Jury as to his alleged knowledge of organized crime in Orleans Parish. On March 14, 1967, Jim Garrison addressed the National District Attorneys Convention, which by chance is being held in New Orleans this year, and attacked the Judge's decision on the grounds that there was collusion between the Federal District Court, Life Magazine and the Federal Government. He added that they were engaged in a conspiracy to suppress the Zapruder film, amongst other things.

By way of retaliation, Garrison decided on Thursday, March 14, 1968, to subpoena the Zapruder film from Life. This subpoena was drawn up by Assistant D.A. Richard Burnes on the same day, and he requested my assistance in including some details about the actual film itself. I considered it important to clarify whether we were subpoenaing the original film, or a copy. I advised Burnes that it would be better to subpoena a first generation copy, as I was quite sure the magazine wasn't going to take the original out of their safe for anyone, and that we would therefore have a better chance of success if we subpoenaed a copy. The matter was referred to Garrison. I went into his office, (Harold Weisberg and Andrew Sciambra were in there at the time,) and again recommended that we subpoena a copy. However Garrison was adamant that we subpoena the original. In taking this course of action I was received the impression that he was less concerned about actually getting a copy of the film to show at the trial than he was about making trouble for Life. In any event, the subpoena was drawn up that afternoon. I discussed the matter with Jim Alcock, and he agreed that it would be better to ask for a copy. I pointed out that from the point of view of the trial, it would be very affective to show the film, and that therefore this subpoena was more important than many we had issued, such as for Allen Dulles, in that in this instance we were, or should be, genuinely concerned about the outcome. Alcock also pointed out that it would be even more sensible merely to ask for the film, especially as Billings was coming in that very afternoon. Thus, it should be noted, the film was subpoenaed before even a formal request was made to borrow it for showing at the Shaw trial.

At 3.00p.m. Billings arrived in the office, and sat outside in the lobby, waiting to be invited. Eventually he spoke to Jim Alcock in Alcock's office. Billings at that time advised that Life was outraged by Garrison's recent statements about them in front of a large proportion of the D.A.'s in the country, and that Life's lawyers were instituting contempt proceedings against Garrison as a result. Alcock told him of the new office policy with regard to Billings, and that they had been told not to provide him with any more information. On Friday, March 15th, Billings had still failed to reach Garrison, and

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he therefore came into the office again. He spoke to Alcock and Louis Ivon on this occasion, and they told him of the subpoena of the Zapruder film, which was in fact issued that day. I saw Billings briefly soon after he had met with Alcock and Ivon. He seemed depressed by his failure to make any headway; he told me he was leaving Life magazine on April 1, 1968, with plans to be a freelance writer. We agreed to meet that evening to discuss the whole matter further.

I met Billings at 7.00 p.m. that night and we discussed the whole question of the assassination and the Garrison investigation for several hours. Clearly, his position is that he wants to write a book about the subject, and has already approached about 6 publishers in New York, without, however, receiving any encouragement. He feels that his problem is that he is unable to reach any conclusion on the subject. I was never too clear exactly what he meant by this, but my guess is that the fact that he has been out of touch with the office since about September means that he cannot make any positive statements about the validity of Garrison's case.

In general, I feel that Billings and I share a similar position about both the assassination and the Garrison investigation. He does not believe that there was a conspiracy on the part of the Government, the Warren Commission or the FBI to conceal the truth, but that a probability exists that they simply did not discover really what happened. When it came to the investigation of sensitive areas, such as Oswald's possible alliance with anti-Castro Cubans, he feels that the FBI tended to side-step the problem by not investigating it very thoroughly, for fear that it might upset their some assassin pre-conceptions. In corroboration of this, one need only point out the absence of any trace of an FBI investigation of the "544 Camp Street" problem; Billings argues that the classified documents, if declassified, probably would reveal some interesting information, and he cited CD 1085, the FBI report on Cuban exile groups. Billings does not feel that the FBI knowingly filed any reports which indicated conspiracy, merely that these reports would inadvertently contain such information. I agree with this position.

As for the Garrison investigation, Billings was more guarded, but I sense that he feels that: 1. Shaw is most probably completely innocent. 2. Garrison sincerely believes everything he says. 3. Garrison is not motivated by political ambition, but that his motives are much more complex, or maybe, much more simple. 4. Garrison, regrettably, has too much of a butterfly approach, and instead of concentrating on a few important areas, such as Oswald's Cuban connections, hops around from storm drain theories to the Minutemen, without ever really exhausting one line of inquiry. I believe that Billings is correct in all of these assessments.

We discussed Life magazine's position at some length. I said that I thought it was absurd to say the magazine was a tool of the Government in view of their Nov. 1966 article ("A Matter of Reasonable Doubt"), and it was also unfair to accuse them of "suppressing" the Zapruder film. They have made it available for viewing in the Archives, they wrote and published an article based on its contents criticising the Commission and calling for a new investigation, and, above all, they are a magazine and not a TV station or a Movie theater. The only decision Life made about the Zapruder film which cannot easily be interpreted as simple commercial vested interest was their refusal to let CBS show it on their 'special.' Such a showing would almost certainly have enhanced rather than diminished the value of the film. I asked Billings about this and he said this was one of those somewhat mysterious calculations made by the businessmen in the upper echelons which, he agreed, did not seem to make good sense. He then said that Life has in fact been dickering with the project of making a film, utilising Zapruder and other footage which they possess, such as DCA, Dorman, Hughes, etc. However the problem has been to find a producer for it. As Billings said, you cannot just make such a film and then show it. You have to analyse it and come to conclusions,

and this is precisely what no-one in the magazine wants to do, not because anyone there knows there was a conspiracy, but because it would represent a controversial entanglement which they would rather avoid. If they made such a film it would be sold to a TV station.

Billings emphasised that he has no Federal Govt. connections. He worked closely with Garrison at the early stages of the investigation, and was sincerely hoping for some solid proof of conspiracy, which the magazine would have published if it had existed. As he said, this would have been of considerable embarrassment to the FBI and the Government, and he observed that the present open rift between ~~him~~ Garrison and Life must be a source of pleasure to the FBI. Billings said that he had serious suspicions about the New York Times' aborted investigation, and in particular, their very peculiar attitude towards Garrison. He said he thought it was possibly the same as Hugh Ainsworth's, namely, if we can't find anything then we're not going to believe that you can. (Billings feels that Ainsworth's initial resentment of Garrison was pure sour grapes.) However, there are more intriguing possibilities with regard to the NY Times. In November, 1966, NY Times reporter Martin Waldron was in Dallas and at that time he had a long list of questions about the assassination he was looking into. I met Waldron at that time but he did not show me the list. Most of them were about New Orleans, and some specifically about Ferrie. Thus it should be emphasised that he was looking into Ferrie quite independently of Garrison - almost before Garrison. Billings later saw a copy of these questions, which Waldron took to New Orleans police chief Giarrusso for answers. Nearly all the answers were "don't know" or "See Garrison" - hardly answers which should satisfy a NY Times reporter. The very odd thing is, as Billings confirms, ~~is~~ that Waldron never did go and see Garrison, not once. Moreover, there was no question that Waldron knew, a full month before the news of the investigation broke in the States-Item, that Garrison was conducting an investigation centered on Ferrie. I met Waldron in Dallas on the day Ruby died and I spoke to him for some time in the company of Penn Jones. I had overheard him in November telling Jones something about a policeman in New Orleans who had died. I asked him in January who this policeman was, and he said, "Oh, Lieutenant Dyer, some name like that; you ask your D.A., I'm sure he knows about it." (Dyer is mentioned in Frederick O'Sullivan's testimony.) I had not breathed a word about working for Garrison to Waldron, nor, I am sure, had Penn Jones. The question is, why didn't Waldron ever go and talk to Garrison? Why didn't the NY Times display any interest in breaking the news? Billings feels there is a strong likelihood that Waldron has very good Federal connections, who regularly supply him with information, but also place him under certain constraints. In this instance, orders not to talk to Garrison. Since returning to New Orleans I have several times seen Waldron with other reporters, such as at the time of the Andrews trial, and I have a cordial relationship with him (he even occasionally gives me a lead or two,) but I have noticed that he will not step inside the D.A.'s office, even though I once invited him in.

Billings first saw Garrison on December 14th, 1966. He was alerted to the fact that Garrison was up to something by David Chandler, who in turn had been alerted by me. I had called Chandler, at the suggestion of Matt Herron, who is a friend of Chandler's, and knew that Chandler knew more than most people about Garrison. I wanted to know a bit more about Garrison before I committed myself to working for him. I asked Chandler a few questions (ironically enough, I was worried specifically about the possibility Garrison might be scared off the subject if he stumbled into CIA involvement.) Chandler was alerted by my call, made a few inquiries, and called Billings. I asked Billings when the investigation really began, and he replied that that was, to him, one of the big mysteries of the case. He thinks it might be earlier than is realised. The Long-Garrison-Rault plane ride took place some time in October. Garrison once told me that one of the things that got him going was the Esquire article, "35 Theories and 84 New Leads." (Question: what date exactly did

that issue hit the news stands?) I note that no investigative report in Garrison's files is dated earlier than December 1966, and so I conclude that the investigation did not seriously get under way until early December, although there may have been some unrecorded investigation before that. Billings feels that Garrison was in possession of important and convincing information implicating Ferrie very early on in the investigation, because Garrison was so positive and sure about Ferrie. He feels that Garrison may never have made this information available to anyone. I do not believe this for one minute. Garrison had a way of being positive about things on precious little evidence.

We discussed some aspects of the New Orleans investigation in more detail. I said that it was important to cast ones mind back to the beginning of a hypothetical investigation into the assassination: what are the really important things to investigate in New Orleans? They are, I think, 1. Who is "Clay Bertrand"? 2. Who is the unidentified person passing out leaflets with Oswald in front of the Trade Mart? 3. How did "544 Camp Street" appear on Oswald's pamphlets? 4. In general, did the FBI conduct an honest investigation into Oswald's activities in New Orleans, or did they leave big gaps? All of these questions have been looked into, and the net result has been that Clay Bertrand has been putatively identified as Clay Shaw, the unidentified man with the leaflets remains today as mysterious as ever, ( although he was apparently at one stage alleged to be someone called 'Manuel Garcia Gonzales', on evidence which seems to be non-existent,) no credible explanation has been offered as to how the Camp Street address appeared, and it has been concluded that the FBI's investigation into Oswald was, in general, very thorough indeed. (Exception: Guy Banister, and 544 Camp St, both seem to have been overlooked. Reason: Banister's office was in 544 Camp building, and he was an ex FBI man in close communication with Regis Kennedy.) This does not add up to a very productive investigation, although it should be added that this is not really Garrison's fault. A serious and quite considerable investigation was conducted into these important areas. Also, Alcock, Sciambra and Ivon have all attested at different times to the efficiency of the FBI's investigation. It is hard to think of anyone of any relevance who was not interviewed by them within a week or two of the assassination.

(This has been, I am sure, a source of great disappointment to the DA's office, although Garrison himself has never admitted as much. When all the books and articles came out criticising the Commission, I think many people in the DA's office thought they were exploring virgin territory when they first looked into Oswald's background, andx that it would only be a matter of time before the conspiracy was unearthed. On the contrary, they found that the FBI had always been there, 3 years ahead of them.)

Billings still considers the Sylvia Odio lead one of the most important in the case, and recently checked out the rumor that she is now in Chicago with her husband. He concluded that she is not. He has spoken to Annie Odio, who has promised to forward a letter from Billings to Odio, but she will not give him her address. (No-one has succeeded in interviewing Odio, or showing her pictures of possible suspects.) Billings wants to talk to Odio's father, who may still be in jail, to find out if he still has the letter she wrote him before the assassination (?) referring to the visit. Billings feels that Fidel Castro might well co-operate in this project, and might even be able to furnish him with some valuable information. I gather he is toying with the idea of approaching Castro about this.

By chance, Billings was present with Garrison on the night of Saturday, March 25, 1967, having dinner at ~~Amant~~ Broussard's restaurant. Andrew Sciambra joined them later in the evening and related that he had just interviewed Perry Russo in Baton Rouge. Sciambra was excited about the results of the interview, because Russo said he had seen Shaw and Ferrie together - in a car at Ferrie's gas station. He also said he had seen Shaw at the Nashville St. wharf on the occasion of President Kennedy's visit. No mention was made of the third meeting at the party at Ferrie's home, no mention was made of Oswald, and no mention was made of Clay or Clem Bertrand. Thus, Billings' description accurately describes the contents of the controversial

memorandum publicised by Jim Phelan in the May 6, 1967 issue of the Saturday Evening Post. Moreover, it precisely contradicts Sciambra's explanation of why he did not include these vital points in his memo, which in essence is that he rushed to tell Garrison the story of the conspiracy meeting in person, and therefore it was not necessary to include it in the memo. Billings, who was present when Sciambra told Garrison about his interview, affirms that Sciambra did not in fact mention anything about a conspiracy meeting.

Billings concludes from this that Sciambra is "a liar", and I am forced to agree. The Phelan article always struck me as the most serious criticism of Garrison's case, and I now conclude that it is correct, namely that Russo did not relate seeing Shaw with Ferrie and "Leon Oswald", discussing the assassination and using the name Clay Bertrand until he had been hypnotised and given sodium pentothal. Thus, Garrison's explanation of these tactics - as "objectifying" the witness' testimony - is a euphemism: apparently they were used to elicit the testimony.

Two points need elaborating here: 1. It is still possible that Russo's testimony is in fact correct, i.e. he needed to be hypnotised to recall the events he testified to; (however it is not easy to believe this.) 2. As Billings said, Russo's pre-hypnotised statements to Sciambra were in themselves interesting enough - placing Shaw and Ferrie together - and as such Billings remarks, and I agree, it is a pity that Russo was subsequently so "prepared" by hypnosis etc. that he finally was unable - genuinely unable, I am sure - to distinguish between what he recalled and what was suggested to him.

There is a further conflict; when Russo first said he saw Shaw and Ferrie together at the gas station he said it was before the assassination. When Billings later interviewed Russo he had changed this to after the assassination, which was more in harmony with the facts, as Ferrie did not have the gas station until after the assassination.

Shaw was arrested on Wednesday, March 1, 1967. Billings has a clear record of the events which led up to this arrest, and he briefly outlined them to me, however I cannot recall them in any detail. Basically, there were the sodium pentothal and hypnosis sessions intervening between the Sciambra interview and the arrest. Billings said that after Garrison heard of Russo's amplified testimony elicited by these means, he demanded the immediate arrest of Shaw, right on the street as he came out of his house. (Shaw's house was being staked out at the time.) Garrison's assistants demurred at this, especially in view of the presence of a Life magazine reporter. They insisted that Shaw be brought into the office. Garrison acquiesced, Shaw was brought to the office, and refused to answer any questions without an attorney being present. He was then placed under arrest. I was once told in the office that Shaw's somewhat precipitate arrest was motivated by this consideration: that if he was allowed to return to his apartment he would undoubtedly destroy whatever incriminating evidence there was there. (Rebuttal: Shaw had already been interrogated in the DA's office on Dec 23 1966 and asked if he had ever used the name Clay Bertrand. He said he had not. He would presumably have destroyed the evidence at this time.)

Taken in conjunction with Dean Andrews' denial that Shaw is Bertrand, it is difficult to avoid the conclusion that ~~there~~ there is no basis at all for supposing that Shaw is guilty.

It is important to realise that Garrison seems at all times to be guilty of bad judgement rather than bad faith. There is no doubt that he sincerely believes that Shaw is guilty, that Thornley is a conspirator, that the CIA planned the assassination and carried it out, and that the Federal Government covered it up. I once asked Alcock what he thought about this and he agreed. He said it was the only thing that kept him working on the case. He said that if he thought Garrison was being insincere he would have quit long ago.

\* Tom Bethell, March 24 1968