

Jim DiEugenio
10734 Jefferson Blvd., #441
Culver City, CA 90230

7/20/95

Dear Jim,

I'll not mail this now because you are to phone me day after tomorrow. However, I write what I do to make a clear record of Lifton's lying as reported by Epstein. If it is not too much trouble I'd like to know the 26 source note on Epstein's ~~page~~ page 234.

I know nothing about any conversations between Lifton and Garrison but I do know that the Epstein story about Thornley is false and it is false as Lifton would want it to be. It was Lifton who got Thornley to execute an affidavit in which Thornley alleged that John Gene Heindell had the nickname and was known as Hidell. Unless that, too, was stolen when the thief of a cop Waybright was here working for Livingsstone and Lifton both, I have that and much else of that period in the basement where I cannot now go. That should include the waste of much time arguing with Lifton and Thornley in a small underground paper. But Paul Hock or Hal Verb may have that affidavit. If not perhaps the AARC has in Bud Fensterwald's records.

The footnote makes no reference to the Jones Printing Co. and as I told you that was my interest not what the Epstein makes up. I had no interest in that, having gone into that all I could and long before Popkin as the "false" swald. There is a big difference but if Popkin had stolen the title as well as the concept that would have been a bit raw.

Can it be believed that if I was up to something dirty I'd have wanted a duplicate copy around, as I did of those pix, and not in my possession? Lifton made that whole business up, too.

The Bringuier story is true but the silliness is omitted.

I was in New Orleans for the first time, to testify before the grand jury. On the day I was going home I had several hours before plane time. One of Garrison's investigators was to drive me to the plane. He or another offered to drive me around, for me to see places of interest I'd never seen, and I welcomed that. One of those places was the Habana bar and Grill. The dick drove the unmarked police car up onto the sidewalk of the back end of the customs house and we got out and I prepare to take photos of Pena's place. We had hardly gotten out of the car and stood to look when suddenly Bringuier came rushing from his store two buildings toward Canal St. in a crouch, like a big-game hunter, snapping away with a 35mm camera. If the detective had not been with me he'd have jumped me. He was close to doing that when prevented. We'd never seen or spoken to each other and I regarded him as totally undependable and had no interest in him. But he did go there with some of those pix and when the FBI had no interest he persisted until they accepted and filed them. I got them under FOIA because they are in the NO files.

Heinrich

7/16

Dear Harold:

Am forwarding the pages from "Counterplot" you requested. You will probably find the footnote about your letter to Newcomb most interesting since he seems to pervert what you said you told him was your intent.

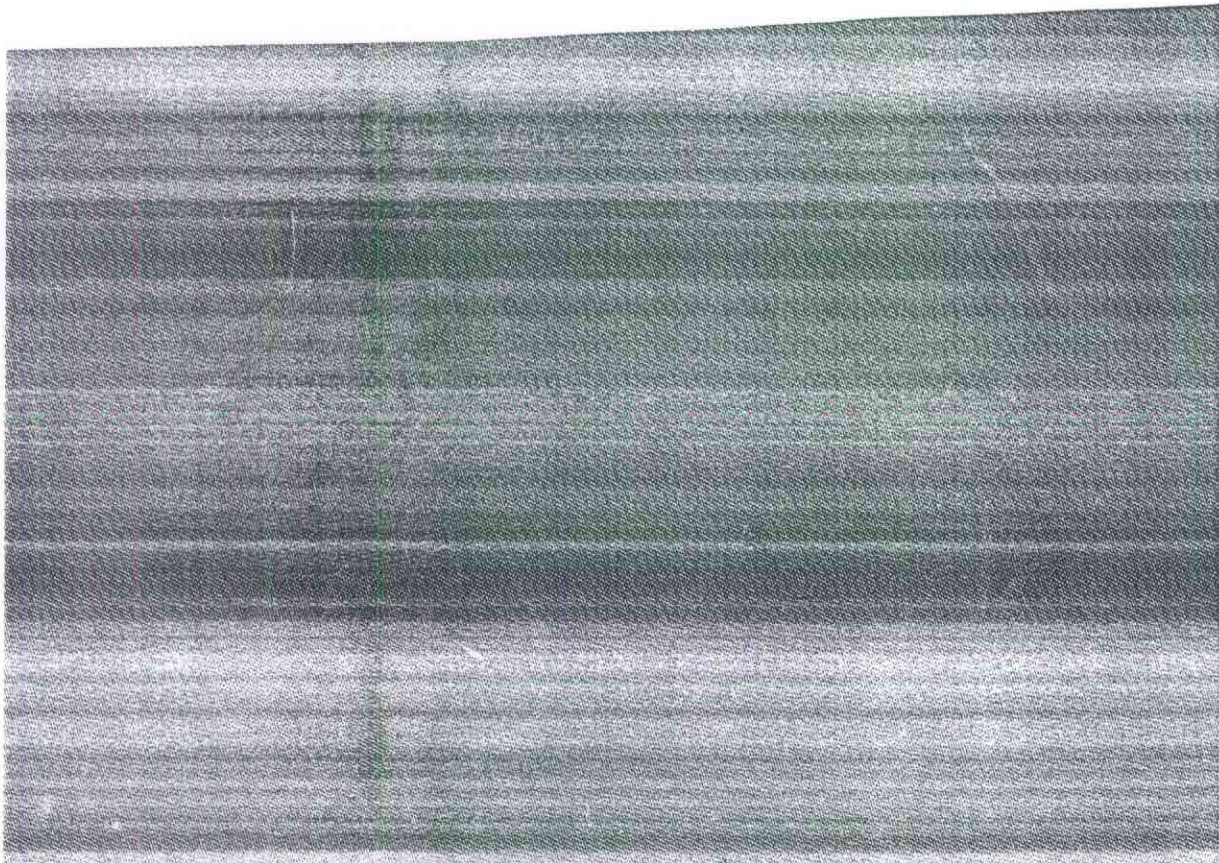
Also thought you might enjoy the FBI report on Bringuier surveilling you and JG as you were surveilling him.

Greatly enjoyed our talk on Saturday. Have replaced my phone so I can hear you better. Will call you on Saturday to continue some of those points and develop some more. Thanks you for your time.

Sincerely,



Jim DiEugenio



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RELEASED PER P.L. 102-526 (JFK ACT)
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OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

Brinquier
Quiroga

TO : SAC, NEW ORLEANS (89-69) DATE: 5/17/67

FROM : SA ROBERT J. HEIBEL

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS
11/22/63
MISC. INFORMATION CONCERNING

On 5/9/67, CARLOS BRINGUIER and CARLOS QUIROGA, Cuban exiles and anti-Castroites in New Orleans, appeared at the New Orleans office and were interviewed by the writer.

At the conclusion of this interview BRINGUIER insisted that the writer accept a photograph he (BRINGUIER) had taken of author JACK WEISBERG and an investigator of JAMES GARRISON who were photographing BRINGUIER's store, "La Habana" on Decatur St., New Orleans.

The original of this photograph is contained in NO 89-69-1A104.

RJH - New Orleans
RJH:emh
(1) *emh*

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SERIALIZED ☒ FILED ☒
MAY 17 1967
FBI - NEW ORLEANS
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89-69-3070



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behalf of David Ferrie during his tenure as assistant district attorney in Jefferson Parish; he answered that he had not. If he had replied in the affirmative, acknowledging the information he had confidentially given Garrison several months before, he would have risked incriminating himself for having got a parole for a private client. Andrews was also questioned about statements he had previously made in the District Attorney's office, and was then indicted on five counts of perjury. Afterward, Andrews commented, "The Jolly Green Giant seeks out and destroys or cripples his enemies. . . . If you think a district attorney's subpoena isn't raw power, and if you think a district attorney's ability to present a matter to a grand jury and recommend, and interpret the law, isn't raw power, then you just don't know what goes on."¹⁹

As the case against Clay Shaw progressed, it became apparent to Andrews that Shaw was "just a poor unfortunate who was grabbed out of the sky by the Jolly Green Giant, and his wizards and practitioners of voodoo, labeled Clay Bertrand, and bang, he's been tagged 'it' ever since." Andrews saw that his deal with Garrison was being used to "put the hat on" Clay Shaw—that is, to frame him.²⁰ In what he claims was an effort to undo this wrong, Andrews voluntarily appeared before the grand jury for a third time on June 28. He testified that he had known all along that Clay Shaw was not Clay Bertrand, the fictitious name which he said he had invented in order to protect the identity of his bartender friend. Furthermore, he acknowledged that he had previously told the grand jury that he was unable to say that Shaw was *not* Bertrand only because of the deal he had made with Garrison. For confessing this, and also in consequence of his earlier refusal to incriminate himself when he denied that he had arranged the parole for Ferrie's friend, Andrews was finally convicted of perjury.²¹

Thus, deftly using the legitimate powers of his office, Garrison had managed to discredit the one witness who could have undermined his court case by testifying that Clay Bertrand did not exist. (A convicted perjurer cannot testify in court in Louisiana.) And he succeeded as well in hoodwinking most of the press; few, if any, reporters and commentators seemed to recognize how the fact of Andrews' conviction tended to undermine rather than sustain the case against Clay Shaw. Though it was broadly

To the 1969

reported that Garrison was hailing Andrews' conviction as a "major victory," what was not reported was the larger implication of Andrews' perjury: Andrews had in fact been convicted precisely because he admitted that Clay Shaw, the man whom Garrison had arrested as Clay Bertrand, was *not* Bertrand.

Kerry Thornley

Garrison obtained indictments against individuals who, like Andrews, failed to co-operate with him; to recall Gutwirth's words, he "put the screws on" these "potential witnesses" largely as a means of garnering publicity, since it became evident that the press seldom questioned the relevance of these peripheral indictments to the main case being prosecuted against Clay Shaw. And every successful indictment (if not conviction) on a charge of perjury at least *appeared* to enhance the image of the District Attorney's success and the validity of his investigation. In fact, Garrison seemed, on occasion, less concerned with indicating key figures in the investigation than with obtaining indictments *per se*—even if this involved turning friendly witnesses into suspects. The case of Kerry Thornley is particularly enlightening in this regard.

In October 1967, while Garrison was visiting Los Angeles to raise funds for his investigation, he met with David Lifton, a man who had spent considerable time doing independent research into the Kennedy assassination. According to Lifton,²² Garrison solicited his help in obtaining the "co-operation" of Kerry Thornley, a friend of Lifton's who had served with Lee Harvey Oswald in the Marine Corps in 1959 and who, after the assassination, had written a brief book about Oswald. Garrison explained that Thornley was to play an essential role in his plan to indict for perjury one John R. Heindel, who had also served in the Marines with Oswald. Garrison said that he had reason to believe that Heindel was the man Thornley had once overheard speaking Russian with Oswald, and he wanted Thornley to confirm the fact publicly and under oath. The plan was quite simple: Garrison would first call Heindel before the grand jury and ask him to state whether or not he had ever heard Oswald speaking Russian; Heindel would, as he had previously stated,

answer that he had not. Then Garrison would call Thornley before the grand jury and ask him to state whether he had ever heard Heindel speaking Russian with Oswald. Thornley would answer that he had, and Heindel would then be indicted for perjury. Although the question of whether or not Oswald had ever spoken Russian in the presence of Heindel was palpably irrelevant—to the investigations of both the Warren Commission and Garrison—the news stories that Heindel's arrest would produce could be, in Garrison's opinion, quite advantageous to his case. As he explained to Lifton, Heindel's nickname in the Marine Corps had been "Hidel," which was nearly the same as the alias, "A. J. Hidel," which Oswald had used several times, most notably to order the rifle he allegedly used in the assassination. Garrison told Lifton that he could already envision the splendid news stories that would develop out of Heindel's arrest: "John R. Heindel, alias 'Hidel,' was today arrested in New Orleans in the conspiracy investigation. . . ." And aside from the publicity the indictment would generate, Garrison indicated that he could use it as a "legal lever" to induce Heindel to give testimony relevant to his court case against Clay Shaw. "This could be the break I've been waiting for," he declared.²³

Lifton finally agreed to discuss the matter with Thornley. After Garrison returned to New Orleans, however, Lifton did some investigating of his own, determined that Heindel was probably not the person with whom Oswald had reportedly been conversing in Russian, and immediately telegraphed that information to Garrison. Although Heindel could not be arrested without the "co-operation" of Lifton and Thornley, which would not now be forthcoming, Garrison realized that he could still create the sort of conflict of testimony he had originally intended to use in indicting Heindel—simply by using it with reference to a different candidate for perjury: Kerry Thornley.

Several weeks after their first meeting, Lifton and Garrison had another discussion in Los Angeles regarding Thornley. Lifton's account of the meeting runs as follows:

We sat down in chairs. Garrison then fixed me with this "mystical stare" of his, and said, in a slow, even tone, as if making some type of biblical pronouncement: "Thornley

lied." (He stretched out the word "lied," by pausing on the i sound for about a second or two.)

This took me quite by surprise. After all, only three weeks ago Thornley was to be Garrison's star witness-to-be.

Why, I asked, did he say Thornley lied?

Pause.

Again, "Thornley lied." (As if, by repeating it, it gained in validity.)

Then Garrison told me: "Thornley lied when he said he didn't know Oswald in September 1963." Again, I was dumbfounded. I politely offered the thought that I would go wherever the evidence led; what evidence did he have that this was the case?

Then, Garrison told me: "We have so many witnesses who saw them together at that time we have stopped looking for more."

Then, another pontifical pronouncement: "Thornley's with the CIA."

"But why do you say that, Jim?" I asked.

"Thornley worked at a hotel in Arlington, Virginia."

So what, I wanted to know. My "so what?" type of rebuttal was met by his incredulity, as if "What do you mean, 'so what?'; isn't it obvious to you what this means?"²⁴

Garrison also told Lifton that although Thornley denied he had seen Oswald in New Orleans in 1963, his office had located another witness who claimed to have seen Oswald and Thornley dining together in a New Orleans restaurant that year. The witness turned out to be Barbara Reed, a French Quarter resident who reputedly practices voodoo and has from time to time assisted Garrison's investigators by "screening witnesses."²⁵

Garrison proceeded to subpoena Thornley before the grand jury. His testimony to the effect that he had not seen Oswald in New Orleans in 1963 did in fact conflict with the sworn testimony of Barbara Reed, and Thornley was subsequently indicted for perjury.* Thus, as Lifton notes, Garrison succeeded in doing

* Apparently Garrison had entertained other plans regarding Thornley. At one time, it was thought he might serve as a likely "second Oswald"—that is, the individual who, according to Professor Richard Popkin's theory, impersonated Oswald before the assassination as part of a ruse for fooling the investigators. In what was evidently an effort to

to Thornley precisely what he had originally hoped to do to John Heindel with Thornley's aid.

What is really outrageous is that Kerry's subpoena to come to New Orleans to testify was not issued by a man who sought to find out facts, or find out truth, but to *do to Kerry exactly and precisely* what Garrison had intended doing to Heindel!

In other words, Garrison had a theory about Heindel, a theory which posited Heindel's involvement in the assassination, at least after the fact. The point is, Garrison thought Heindel "knew something" and was "hiding" it.

The method for "breaking" Heindel was to get Heindel to testify, get Thornley to testify, establishing a conflict of testimony. Then Heindel was to be charged with perjury, with Kerry (and others) presumably being the witnesses against Heindel.

Now, Garrison called Kerry to New Orleans to do the same thing to him.²⁷

Thornley's indictment was the twelfth ancillary case arising out of Garrison's main investigation into the conspiracy charges against Clay Shaw. Six of these involved unco-operative witnesses—Kerry Thornley (perjury), Dean Andrews (perjury), Layton Martens, an acquaintance of Ferrie's (perjury), John Cancler (contempt of court), Sergio Arcacha Smith (burglary), and Morris Brownlee (possession of narcotics); three involved newsmen who had been critical of Garrison—David Chandler (perjury), Walter Sheridan of NBC (public bribery), and Richard Townley of WDSU-TV (intimidation of a witness); two involved former members of Garrison's own staff—Gordon Novel (bur-

help Garrison realize this plan, Harold Weisberg, whose series of books critical of the Warren Report includes the one entitled *Photographic Whitewash*, sent a letter on the District Attorney's office stationery to Fred Newcomb, a photographer in California, saying, "Enclosed are four sets of pictures of Kerry Thornley printed backwards but otherwise the resemblance to Oswald and his receding hairline, which when his hair is combed the opposite of his normal fashion, is quite emphatic. What I would like you to do with one of each pair is pretend you were a make-up man doing the minimum necessary to make Thornley look as much as possible like Oswald as for example by prunning off or brushing back the forelock, trimming the eyebrows, shadowing the chin, etc. I would like you to keep one pair for your use out there, send one pair to me and the other two to Jim Garrison. . . ."

²⁸

glary) and William Gurvich (petit larceny); and one involved a man who, at least according to Dean Andrews, doesn't even exist—Manuel Garcia Gonzales (narcotics). Add to this list the several other newsmen, FBI agents, two directors of the CIA (Allen Dulles and Richard Helms), two administrators of the National Archives in Washington, D.C., Cuban exile leaders, and various other persons subpoenaed to appear before the Orleans Parish Grand Jury, and it becomes clear that the District Attorney exercised his considerable powers not simply to harass unco-operative witnesses but to create as well the impression that certain important individuals were somehow involved in the conspiracy under investigation.