

Transcript of tape recording of speech by Wesley J. Liebeler, UCLA Honors Course, coffee klatch 5/2/67.

Note: Dots indicate material that could not be deciphered. Words in parentheses are approximate; (?) indicates uncertainty.

I want to focus particularly on New Orleans and outline what recent news had developed. I want to go through briefly the investigation that the Commission conducted, and tie it up as much as possible with the stuff that is coming out now from Mr. Garrison's investigation.

When the staff of the Commission was chosen, the work of the staff was divided into 7 general areas. One of them related to the actual physical events of the assassination itself. What actually happened that day. That basically concerned firearms, identification, trajectories and the placement and timing of the shots and that kind of thing. Another group dealt with the problem of the identity of the assassin.

One of them dealt with the area of Presidential protection, another dealt with the possible involvement of Jack Ruby in the conspiracy. Another^{one} dealt with Lee Harvey Oswald's activities outside the United States which comprised - which consisted primarily of his trip to the Soviet Union and his trip to Mexico in the fall of 1963. The only other area in which most of the conspiracy aside from Ruby and the possible involvement of - the possible connection of conspirators with Oswald's out-of-the-country activities was comprehended under a great variety (?) in which I worked, and that dealt with all of Oswald's contacts and activities since - from the time he was born to the time of the assassination. There were two of us working in that area: Mr. Jenner, a lawyer in Chicago, who has made some remarks since the assassination, which are mentioned in Mr. Lane's book on some other areas, some of which are not easy to combat unfortunately. I think this was unfortunate ... forgetfulness and some misinformation on Mr. Jenner's part and myself.

When we started to work, we went through all the FBI reports and other intelligence reports, but primarily FBI reports, that related to anything in Oswald's background, (whether there could be any (??) possible motive or a possibility of conspiracy (?)). We took testimony and we requested an additional investigation from the FBI. We took testimony in 3 different places, New Orleans, in Dallas and in New York. We took testimony in New York because we did take testimony of the leaders of the Communist Party and the Fair Play for Cuba Committee and the Socialist Labor Party. (???)

When we took a look at the New Orleans situation, we found - and this is something I did myself, with all respect to Mr. Jenner. He was an older lawyer and he was running for president of the American Bar Association at that time. And he was more concerned about writing letters to his lawyer friends at that time about promoting his candidacy ... stacks of them. The way I dealt - and most of the other lawyers did this, too - in going through the reports we dictated index cards, and I have a batch in my hand here, most of which relate to David Ferrie and came out of my own personal files. I kept all these ... and when this thing broke in New Orleans, I went back and used them and pulled these cards - ... these ... relate to Ferrie ... couple that don't. And this one is my alphabetical file, by name. There was a typical index that we worked in, too, different topics ... cross-reference to the main theme?). The FBI reports were all put together and given document numbers. This one here, for instance, is Commission Document 75, which was a voluminous FBI report about that thick, it was a composite, put together, a whole bunch of the different agents' reports that were put together, and related primarily to the activities that Oswald engaged in in New Orleans ... Commission document number, Ferrie's name and the page number and a brief summary of what the FBI report said about Ferrie.

And then as things started ... piece things together, of course, we went back to the original reports and decided on the basis of both these index cards and the original reports what witnesses we would actually take testimony from, ourselves. We did not take Mr. Ferrie's testimony. He didn't testify before the Commission and neither Mr. Jenner nor I examined him in New Orleans. The reason we didn't - that decision, for better or worse at this point - it was primarily my own. These(?) decisions, at this point, made on the staff level - they obviously would have to be because of the whole mass of FBI reports - because the Commissioners were not sitting down there until 3 or 4 o'clock in the morning going through those FBI reports. So the actual determination of what witnesses were going to be called was made on the staff level. There was some particular witnesses the Commission desired to call for various reasons. They of course indicated that ... But as far as the exclusion of someone like Ferrie, that was made on the staff level and it was basically my decision. And the reason I decided not to call him was because the FBI had conducted what I regarded as a very thorough examination, investigation into what he had done at the time of the assassination, where he had been, and to look to the possibility that he had known Oswald and been connected with the assassination in any other way. And on the basis of the FBI reports, it seemed to me that he didn't have anything to do with it. So he became one - his name joined the thousands of other names that appeared in the FBI reports whose testimony was not taken by the Commission.

I think at the time - I think if I had to make the judgment over again I'd probably make the same judgment without the benefit of hindsight. Of course, there's the benefit of hindsight. ... Unfortunately or fortunately, as the case may be, if a lawyer is involved in this kind of a situation, he doesn't have to. Ferrie is one of the - Garrison has him as one of the most important men. And now Mr. Shaw ... has been

both indicted, I guess, and held, bound over for preliminary hearings for trial on a charge of conspiring with Shaw, with Ferrie, rather, and Oswald, to assassinate the President.

Another character who was involved in this was a lawyer by the name of Dean Andrews. And we did take Mr. Andrews' testimony because the FBI reports indicated that he may actually have had some contact with Oswald. It was quite certain the FBI reports said Ferrie did not. But Andrews - I don't know to this day in my own mind whether ... the Commission concluded that it couldn't develop any substantial evidence that he did. It may have actually concluded that he had not seen Oswald - that Oswald had never been involved. The thing was that Oswald had been involved two or three times in connection with some personal legal matters relating to his own discharge from the Marine Corps, his wife's immigration status and his own citizenship status. Andrews testified, and it was kind of interesting. Andrews came over a couple of times. I was in New Orleans I think three times. The first two times I was there - the second time Andrews came over - we would ask the Secret Service to give the people notice that we wanted to take their testimony. The first time he came over I had to go to Dallas or something, or he came late, and I wasn't able to take his testimony. The second time I wanted him to come over he wouldn't come. So we had to subpoena him. He came under subpoena. And we also, in the subpoena, asked him to bring with him any records that he might find in his office to indicate whether or not Oswald had ever been in his office.

Well, Andrews came over and I took his testimony. I don't know how many of you saw Mort Sahl the other night, I think it was a week ago Friday, it was kind of an amusing thing from my point of view, because Mr. Sahl read Mr. Andrews - they had two guys, Mr. Sahl and one of his producers, and they read Mr. Andrews' testimony. Mr. Sahl played my

part, reading my lines, and his producer read Mr. Andrews' lines. I was somewhat amused to see Mr. Sahl taking the part of ... Wesley J. Liebeler. But in any event, Andrews testified, as I indicated, that Oswald had been in his office two or three times and that there had been some people with him - different people all the time except there was one Mexican-looking fellow that Andrews described as wearing a silk pongee shirt, that was with him a couple of times. The people that were with Oswald seemed to be homosexuals. And this tied up with other rumors that had developed in the French Quarter that people who inhabit the Quarter, in the homosexual community, had seen Oswald in the Quarter with an assorted group of homosexuals. The FBI made a pretty thorough investigation in the Quarter trying to trace this down and they weren't able to establish the fact that Oswald had ever been there. And there wasn't any other independent evidence that Oswald had any homosexual proclivities and Marina Oswald testified that he stayed pretty close to home during this period of time. At least, he wasn't out of the apartment overnight. And the testimony now is that he was apparently at one point living with Ferrie, which is not consistent with what Marina said. But again that involved a judgment as to the credibility of Marina Oswald. And my own view on that has been that I think her testimony is not entitled to very much weight unless it can be corroborated by independent evidence that tends to corroborate it. And there is no other evidence on this question besides Marina's testimony. I'd be inclined not to give it very much weight.

Andrews - the interesting part of Andrews' story - we asked Andrews - Oswald wanted Andrews to go back and see if he could go back and clear up his discharge - he received a bad conduct discharge from the Marine Corps. And Andrews said - Andrews is a very interesting fellow. He talks in a sort of modified French-Quarter jive talk. And I must say

were really
some of his lines ~~was~~ very amusing. He threw me at one point by referring to something called the Feebies. And I was not alert enough to discover - to understand what the Feebies were, at first glance, ^{but} ~~he~~ he said, "You know, the Feebies, the Feebies, the FBI," and .. But it was possible to understand him. But his testimony was - he said that someone had broken into his office and ruffled through his papers and he couldn't find any papers that related to - that showed that Oswald had been there. His secretary - the FBI questioned his secretary. She had no recollection of Oswald ever having been there. And his independent private investigator had a vague recollection that he might have been, but he really couldn't - he was very unspecific about it.

The most interesting thing about Andrews' testimony, though, was his statement that on the day of the - it was either the 22nd or 23rd, I believe it was the 23rd - he was in the hospital at that time with pneumonia. He was under fairly heavy sedation, he said, and sometime in the afternoon, he was unclear as to the exact time, he received a telephone call from someone - from a voice that he recognized as a Clay Bertrand - and this voice asked him, Andrews, if he, Andrews, would represent Oswald, in Dallas, in connection with the charges that had already been brought against him. At that point, I think he had only been charged with shooting Officer Tippit. Andrews then said that he called another lawyer in New Orleans by the name of Monk Zelden, Z-E-L-D-E-N, and asked Zelden if he would represent Oswald because he, Andrews, was sick and couldn't do it. Zelden told Andrews at that point that he didn't have to worry - Andrews didn't have to worry about it - because Oswald had been shot. This was Sunday when Andrews called Zelden. And so the matter was dropped at that point.

When Mr. Garrison's investigation broke I went back and reviewed what the Report said about this. And Andrews' testimony was unbelievable

standing by itself, in terms of either his inability to identify Clay Bertrand or - and it was unconvincing that Oswald had ever been in his office and it was unconvincing and unclear as to whether he ever received this telephone call or not because for various reasons, one of which was the time problem, he first testified that his private investigator was there at the hospital when he got the telephone call. His private investigator didn't remember the telephone call coming into the hospital while he was there. But the investigator was there/sometime after four o'clock on Saturday afternoon. Andrews testified that after he got the call he called his secretary about it. His secretary said that Andrews hadn't called him about it, as I recall - hadn't called him at all until - if he had called it was prior to 4 o'clock, prior to the time that Andrews said he got the call from Bertrand which was supposed to be verified by the presence of the detective, who didn't remember the call. The secretary didn't remember the call. And the report so indicates. One of the things, of course, when I sat back and thought about this again, after the Garrison thing broke, because I wondered - the Report didn't say anything about what Mr. Zelden said about this and we didn't take Mr. Zelden's testimony. But I went back to my files and I found the FBI report of an interview with Mr. Zelden in which the Bureau asked him about this. And Zelden said Andrews had called him about this. And that is not reflected in the Report. And that is one of those things that one can observe after the fact and say, "Well, you made a mistake." And I suppose that I did, in that context. And we should have questioned Andrews - Zelden, rather - and we should have reflected in the Report that Zelden said that Andrews had called him. I have no idea what the relationship between Andrews and Zelden is. Zelden is acting as Andrews' attorney at this point. Andrews at this point has been indicted personally, by the grand jury, apparently, I am told - now I haven't seen this

in the paper, but I'm told that the indictment doesn't relate to any of his testimony involving Oswald but in fact relates to questions that Garrison asked Andrews as to whether or not Andrews had been going around putting up bail, posting bail, putting up bail. Andrews ... a whole slug of these homosexuals and apparently they run off the streets of the French Quarter every Friday night, probably to make room for the tourists, I don't know, but he goes out and he bails these people out. He said that many times Bertrand used to call him and ask him to go and bail these different homosexuals out. Andrews, subsequent to all this - to his testimony and subsequent to the time ... he became an assistant district attorney of Orleans Parish - of Jefferson Parish which is next to Orleans Parish. And it's not - it is illegal for a district attorney to go out and post bond for these people that are picked up by the police, for I suppose fairly obvious reasons, and I am told Garrison asked Andrews if he had been going around putting up bail for the homosexuals after he became assistant district attorney. Andrews said, "No," that he hadn't. And so there the perjury count apparently related to testimony.

Now I had at first thought, and the impression was given in the newspapers, that the reasons that Andrews was indicted for perjury, is because he declined to identify Clay Shaw as Clay Bertrand, which he did do. He said that he couldn't say that Shaw was Bertrand and he couldn't say that Shaw wasn't Bertrand. Which goes back again to the fact that when I asked him about this - well, first of all, the FBI kept after him, they were looking for Clay Bertrand throughout this entire period after the assassination, they were looking for him throughout New Orleans, and the Secret Service was, too. And they went through all the - did all the things the FBI usually does to try to locate someone, and they weren't able to find anybody by the name of Clay Bertrand. And of course they kept pestering Andrews about it. They'd come back in a week and say,

"Have you seen the guy, do you know any more about it, can you help us any more?" So the final FBI report on their questioning of Andrews said, well, Andrews finally concluded that he'd made the whole thing up, he was under sedation and he just - it was a figment of his imagination. But when Andrews/and I took Andrews' testimony - well, he said, "That is what I told the Feebies, because you know how it is." He said, "When they are after you they are like cancer, they are after you all the time." And he finally told them to put down anything in the report they wanted to, just stop bothering him about it.

But then he testified that subsequent to his last interview by the FBI, and prior to the time I took his testimony, which was in the third week of July 1964, he had seen Clay Bertrand in the street, in a bar. And when he walked into the bar and saw Bertrand, he immediately went over to call the Secret Service, to get them to come down and pick this guy up. And Bertrand saw him and ran out and got away. This is the only time that Andrews had seen Bertrand subsequent to the telephone call, and the only time that he had seen him prior to that was sometime - was not clear when. As much as a year or two prior to that night. He said primarily he knew Bertrand as a voice. But he hadn't seen him before. He was able to recognize him when he saw him in this bar. He told the FBI that Bertrand was about 6'1" tall and had - I don't know - he mentioned his color - the color of his hair. He told me that the guy he saw in the bar was 5'8" and he had a different color hair, a completely different description. And I asked him if he could explain the apparent discrepancy between what he told the FBI about Bertrand's description - Bertrand's physical characteristics - and what he told me. And his answer was somewhat typically that of Dean Andrews. He said, "Look, I don't ^{play Boy Scout} /.. and measure them. And I have a picture of Dean Andrews standing there with one of these broads, you know, making a triangulation.... But now he is

not able to testify one way or the other whether Shaw is Bertrand.

The way that - that whole sequence, obviously, would be significant if it could be pursued and legitimately developed. We weren't able to do it, the FBI wasn't able to do it at the time, because we weren't able to find any indication or any evidence as to who this Clay Bertrand was. And we couldn't pursue it any further in that direction. The way that Garrison is apparently going to tie this whole thing in with Shaw, as you probably know, relates to the testimony of this Perry Russo, who testified before the preliminary hearing that he had been at a party at Ferrie's apartment, and that Shaw and Oswald and Ferrie just sat there toward the end part of this party and plotted the assassination of the President. I don;t know how many of you have seen the article that James Phelan has written in the Saturday Evening Post, in the last issue or the issue before that - there is a story in the L. A. Times about it, too. I talked with Mr. Phelan after the article came out -- he lives down in Long Beach - and he has sent me, he said, I haven't received it yet but he is going to send me copies of these two memoranda, that he talks about in the article and which were mentioned in the story in the L.A. Times. If Phelan's story is true, and it is based entirely, he says, on two memos that Garrison gave to Phelan when Phelan was talking to him over in Las Vegas shortly after this whole thing broke and Garrison had come over to Los Vegas, and that I know is true because I know a couple of other people who talked to him at the time. Phelan said he yalked to @arrison over in Las Vegas for sometime about this and late one evening Garrison gave him these two memos that had been prepared by Moo Schiambra, I think his name is S-C-I-A-M-B-R-A, an assistant district attorney, one of Garrison's assistants ... These two memos reflected - the first was a memo reflecting a conversation Sciambra had had with Russo over in Baton Rouge where Russo lives. And in this memorandum, Sciambra states that -

that Russo had seen Clay Shaw on two occasions to his knowledge. One was at a parade of some sort - I think it was a parade when Kennedy was there one time, some years back. And another time he saw him driving a car down the street. There is no indication in Sciambra's first memorandum that Russo had ever seen Oswald, had ever seen Ferrie, or had ever seen Shaw in their presence. Now, the second document that Phelan has, and has promised to provide me copies of, is a transcript of a session that Russo had with Garrison and with Sciambra and a Dr. Fatter, who is a hypnotist, apparently. And they had Russo come in and put him under hypnosis and they first asked him whether he'd ever - they asked him ... first they placed him - and Fatter said, "I want you to visualize a television screen in which you are in David Ferrie's apartment. And there's a tall white-haired man there. And they are discussing something important." And there was still no reaction on Russo's part. ^{Then} Fatter said while Russo was under hypnosis, "I want you to visualize a meeting with Clay Shaw, Lee Harvey Oswald, and David Ferrie, and they are discussing something very important." And then Russo came forth with the story, that he had been in Ferrie's apartment and seen these people, and they were discussing the possibility of assassinating the President.

Now, Phelan told me that he went back down to New Orleans after this. He made copies of the memos he got and Garrison let him keep them overnight ... the next morning, and he made copies of these memos. He said Garrison had not restricted him in any way as to their use. And he went back down to New Orleans - Phelan went back down to New Orleans, went out to Garrison's house one night and discussed this problem with Garrison. And Garrison said he was not aware of the fact that Sciambra hadn't mentioned this meeting in the first memorandum. But he said, Phelan said he had the distinct impression that Garrison had, in fact,

never read the first memorandum. And Garrison said, "Look, we'll get Sciambra out here now." And they did. They called and he came out to Garrison's home. And Garrison asked him about it. And Sciambra said, "Well, look," he said. He said, "Perry did - " He said, "Russo did mention this the first time I talked with him but I was so busy doing a lot of other things that I just didn't mention it" in this 3500-word memorandum that he wrote. Mr. Phelan said to him, "You know, you remind me of the story of the fellow who went out for a walk and came home and wrote a little memorandum ~~about~~ ^{about} what he found that day." And when the fellow was out walking he found two cigarette butts and an empty gum wrapper, and the "Star of India". And he came back and wrote a memorandum about what he found that day and he mentioned the two cigarette butts and the empty gum wrapper. But he failed to mention the "Star of India". And that is a sort of an apt analogy because it seems rather clear that if it is a fact that Russo had mentioned this in his first interview with Sciambra, it would be reasonable to expect that Sciambra would have mentioned it in the memorandum that he wrote. But he didn't.

Now I notice by today's paper that Mr. Garrison has asked Mr. Phelan to come down and testify before the Grand Jury about this whole thing. Phelan is not here now, he's gone back to Washington and he won't be back here for five weeks or so; I have no idea what he is going to do. But Phelan's attitude towards this whole thing is very critical and he said if this is all the evidence Garrison has got - and he thinks that - he doesn't know of any more - that Garrison is going to be in serious trouble trying to relate this whole thing to Oswald when the case comes to trial, which at this point, I guess, the best guess is I think should be in about five or six months.

One of the problems I have always had - and this is - Phelan's story is consistent with Russo's prior statements - prior public statements, because he had a television interview with reporters - before he

had this hypnosis session with Fetter and Sciambra, and he said he had never seen Lee Harvey Oswald, and didn't know anything about him, but then after the hypnosis he came forth with this story, in which ...

One of the things that's always - always made me somewhat suspicious of the whole thing is - is I - I - it is unlikely - I know that I would not - and I think that most people that I know well would not - stand idly by and say nothing if during the course of this investigation that was conducted by the Commission - and it may be that they ~~were very~~ ^{might be} rather scared ~~for~~ ^{to} other reasons - I don't know -/talk to the FBI - that depends on one's own background, I suppose ... might be afraid to talk to the FBI. I don't know if there is anything in Russo's background to make him ... give him this anxiety. But I - you'll forgive a certain amount of personal involvement, perhaps - but I can't imagine why he would be afraid to talk to the Commission because the Commission imposed no sanctions on ^{witness} anybody that appeared before it. There was never any story, as far as I know, at that point - nobody every suggested, when they testified before the Commission, with one possible exception, that they were intimidated or spoken to, or dealt with in any way about their testimony. I can't understand why a guy would still sit there, having knowledge with meaning like this, and say nothing about it until three years after the event. There are a couple of other aspects. At some point, Garrison is going to have to attempt to tie this whole thing in with the events in Dallas on the 22nd. There are two problems with that, one of which relates to the actual physical evidence of what occurred at the time of the assassination, which is not conclusive by any means, on the question of whether or not there might be somebody else involved in the conspiracy at some point to assassinate the President. The case is not conclusive by any means because it is perfectly possible that the other conspirators, if they were there at the time with Oswald, or acting independently, if they were acting somewhere else in Dallas, except in Dealey Plaza, or if they

were in Dealey Plaza, that their attempt, if they were actually going to make one, to join Oswald in the assassination, might have been aborted. If there was any such an attempt, it seems clear to me that it was aborted because the physical evidence relating to the direction of the shots, the impact of the shots on the President, is, as far as I am concerned, conclusive, absolutely conclusive, that the shots came from behind, and that no shots struck the President from any other direction. Once again, shots might have been fired from some other direction, except nobody saw them, but it is perfectly clear that no shots struck the President except from behind. That is the first problem that Garrison's going to face...The second is to get - to tie Ferrie with Shaw, if he is going to hang the hat on Ferrie and Shaw - to get them in Dallas, or relate them somehow to events in Dallas, at least at some point, And, as far as I can see at this point, there are a couple of ways in which that might be done. The first relates to Ferrie's activities at the time of the - after the assassination. On the afternoon of the 22nd, Ferrie and two friends drove from New Orleans to Houston, Texas, in Ferrie's stationwagon. And they stayed - they went to a skating rink. And they stayed overnight in a motel, in Houston. Ferrie told the FBI that he had just finished working - he was working as a private investigator for a lawyer by the name of Gill - C. Wray Gill, who was trying an immigration case involving a fellow by the name of Marcello. And that trial, which had gone on for 18 days, ended on the 22nd. After the trial was over, Ferrie said he wanted to get away, get out of New Orleans, and he had been interested ... involved in the assassination, so of course everybody was looking for Ferrie. He came back to New Orleans, he didn't turn himself over to the authorities immediately but he went over to Southwestern Louisiana State College, something like that, which is across the lake from New Orleans somewhere, and stayed there that night with a friend of his, came back the next day or the day after that and turned himself over to the New Orleans

police. And he was then interviewed by the FBI, while he was in the custody of the New Orleans Police Department. And I think that was - I don't remember the exact day - 3 or 4 days after the assassination.

And he was also interviewed at that time by Garrison's office, by the New Orleans Police Department, and twice by the FBI, and the FBI also got an affidavit from him subsequent to that. And the FBI ran down the possibility that he might have known Oswald while they were both in the Civil Air Patrol, which Oswald apparently was for a short period of time, and that didn't turn out. And the Bureau, of course, questioned the other two fellows that went with him and a lot of other people that knew Ferrie to try to check this thing out. One of the fascinating things - one thing that fascinates me about all of this - there are two things, and I can sort of see what is coming or likely to develop. I understand that Mr. Lane made a statement the other day that the New Orleans development would have a very shattering effect on the country. He may have been more specific than that; I don't know exactly what it was. But I think, at least if I were handling the investigation ... I would be very curious about two facts. One, Ferrie went to Guatemala twice during the month of October 1963. Now, he said the reason he went to Guatemala is because the case he was working on involving this fellow Marcello, - apparently Marcello was in Guatemala - and they kept getting him down in Guatemala to conduct some investigation relating to the possibility that Marcello had forged a birth certificate .../fascinating, of course, if Ferrie was in Guatemala at this time, because Guatemala, as we all know, was the training ground for most of the anti-Castro Cubans that were involved in the Bay of Pigs, and there was a lot of CIA activity in Guatemala ... Ferrie, at sometime prior to - oh, I can't remember the exact date, but it was - I think his involvement with this group terminated by January of 1962, which was almost two years prior to the time of the assassination.

He was involved in anti-Castro groups in New Orleans called the - I think it was either the DRE or the CRC - some revolutionary council or something like that. It was an anti-Castro group. And there had been rumors about for sometime that at some point during its existence, this organization had been receiving finances from Central Intelligence Agency, which, in a sense, wouldn't really surprise me very much, because New Orleans at that time had a lot of anti-Castro Cubans and a lot of people that had come from Cuba and the CIA was quite frankly involved in a program of trying to recruit people to get involved in the anti-Castro movement. And I don't know of anything that would indicate that the CIA ever had given any money to this organization. It is fairly clear that they weren't giving any money to it at the time that - uh - after the Bay of Pigs, or even prior to that, because the organization, eventually, got kicked out of an office it had, at 544 Camp Street, New Orleans, because it didn't pay its rent. And the thing finally - it (just) disintegrated, and one of the guys that was involved in it was a fellow Sergio Arcacha Smith who was also ... in this connection ... over in Dallas and Garrison wants to get him to come back to New Orleans to testify about something. Which is another indication that this is one of the ways in which Mr. Garrison is trying to move.

Another possible - oh! and in connection with Ferrie's trip to Galveston and Houston, it is also a fact that a fellow by the name of Breck Wall, who was a friend of Jack Ruby's, went to Galveston that weekend. And it's also a fact that there was a telephone conversation between Wall and Ruby, while Wall was in Galveston. Ruby testified that he called Wall because he wanted to discuss with him some problems he was having with the American Artists Guild, or Variety ... or something like that, because they were giving him a hard time because of his amateur night. He thought these strippers - they thought these strippers that he had

really weren't amateurs, and they were getting after him because they were breaking (TV) union requirements by having the amateurs and strippers in his place. He wanted to discuss this with Wall ...

which Garrison suggests doesn't fit in with the rest of Ruby's set that weekend. He was terribly concerned ^{about} ~~with~~ the assassination; he closed his place and he was going around all upset about it and taking pictures of signs saying "Impeach Earl Warren", that kind of thing, and he couldn't figure out why Ruby would call Wall to talk about this. Well, Garrison, I think, has the idea - is going to try to relate these two events to each other. In fact, he has said that it is clear to him, on the basis of the fact that there was a telephone at the skating rink, that the skating rink was a message center of some sort. And then that Ferrie went around and introduced himself to everybody at the skating rink, talked to them at the skating rink. But that - that is absurd on its face, because - that this is a "message center" of some sort. I suppose that Ferrie would stand next to the telephone and answer the telephone when it rang, and I doubt if he was answering the telephone, "I'm David Ferrie." And what the message center was - there was a telephone, there are telephones all over, you know. I've never been able to figure out what the point of it all is, but I have some information at least heading in that direction. Another possibility relates to the testimony of a woman in Dallas by name of Sylvia Odio, who said that someone who was introduced to her as Leon Oswald - and that's what they're - what Russo said he knew Oswald as and, I guess, ... came to her apartment with two Mexican type or Cuban types late in September of 1963. She knew it was September because she moved out of the apartment prior to the first of October. And she was getting ready to move when these guys came. They came about 9 o'clock one night, and she was quite sure it was September 26, but it could have been the day before, she said. Well, if these

people came on September 26, it couldn't have been Oswald, because Oswald was in Mexico at that point; but, you know, so maybe she was wrong about the 26th, so could it have been the 25th? Well, she was not able to identify the other two men. They came there and wanted her to translate a letter from Spanish into English, and they were attempting to raise funds for the anti-Castro movement. Mrs. Odio is a very high-born aristocratic Cuban woman, whose father was, prior to the Castro revolution, was a very wealthy man, who owned most of the transport facilities in Havana, apparently. And at this time, in 1964, he was a political prisoner of Castro's on the Isle of Pines. Mrs. Odio, once again - you know, it would be nice if you could get bishops for witnesses, although (I'm/^{not}sure if you look at) some of our outstanding bishops that would be particularly helpful. But Mrs. Odio had an interesting background. She left Miami, and she had been married to a fellow, I guess in Miami - uh, in Cuba. She left Cuba. They went to Puerto Rico. Her husband left her and went to Europe ... back to Puerto Rico. She had 5 or 6 children. She is 26 years old. She came to Miami. And you get - and in her family itself you get about 8 or 9 brothers and sisters. And they were all just penniless. I mean, there they were; everything - they'd lost it in the revolution. And she was working behind the jewelry counter at Neiman-Marcus, and I don't think it really set too well with her, because, you know, she wasn't used to this kind of thing. And she - I don't know, I sometimes wondered if - and she also had - it was felt by the FBI and she readily ~~said~~ testified that she also had certain psychological problems, which I don't blame her ... in circumstances like that. But one of her problems was that she was subjected to Seizures, called Grand Mal seizures. And she was struck with one of them, as a matter of fact, at the time she first saw Oswald ^{is picture} on television after the assassination, because she said she recognized him. This guy had been to her apartment. And no question

about it, she did faint, and - at that time, at work. She was hauled off to the hospital unconscious, in this condition for 2 or 3 hours. Something like an epileptic seizure, I guess, but it is not quite the same; you are unconscious or out of contact - unconscious, I guess, for a long period of time.

Now, in order to try to determine whether Oswald had been there - she couldn't identify those other two men - the Commission tried to pinpoint his precise movements from - throughout that period of time. On September 23 Marina and Ruth Paine left New Orleans and drove to Irving, Texas, along with Oswald's kid. We were able to pinpoint the fact that Oswald had to have stayed in New Orleans until, at the very latest, 8 a.m. on September 25. And I'm always - you know - you know the Commission didn't do a perfect job, I'm sure. There are - there are certain bits of inspiration that are very lawyer-like, and I think this investigation wasn't a very lawyer-like piece of work. Because he had cashed an unemployment compensation check, in New Orleans, at a particular supermarket. I suppose the course of action here is obvious. You go back - we went back to the Texas - the Texas State Unemployment Bureau compensation check and we were able to determine when that check had been sent from Austin ... and traced its movements through the mail - uh, to the post office - the substation where Oswald had his post office box. Couldn't have arrived - couldn't have arrived there prior to 5 a.m. on the 25th, and it wouldn't have been distributed any time prior to 8 a.m. He could have got it by 8 a.m. - I'm sorry, but he couldn't have cashed it until after 8 a.m., because the supermarket didn't open until 8 o'clock. And the initials of the - of the person in the supermarket who had authorized the cashing of this check indicated that this person had worked from 8 a.m. until 12 noon on the 25th of September.

- So Oswald had to have cashed the check sometime between 8 a.m.

and 12 noon on the 25th. So, giving him as much time as possible, suppose he did it at 8 o'clock? He could then have left New Orleans. He crossed the border into Laredo, according to the Mexican immigration records, at approximately 2 p.m. on the 26th. So, we've got a blank and we've no indication of where he was, from 8 a.m. on the 25th until 2 p.m. on the 26th. Now, he could not have gone by bus, and we know that he crossed the border into Mexico ^{on the} by bus, and he went to Mexico City in the bus, and he came back (from Mexico City on the bus).

We know that he called a person by the name of Horace Twiford, in Houston, and said that he wanted to talk to him. Which suggested to us, not unreasonably, I think, that he planned to be in Houston, where he would not have been if he'd gone to Dallas. He could not have gone by bus from New Orleans to Dallas and back to Laredo in the time that he had. He could have driven from New Orleans to Dallas and then caught a bus down. And the interesting part of it is that if he'd taken the bus on the night of the 25th from Dallas, he would have changed buses in a place called Alice, Texas, and - and gotten on a bus from Houston that would've been the same bus that he would've been on if he'd come directly from New Orleans.

And he was on that bus, so that, in this sense, the thing, the thing sort of ties together. There were no bus tickets sold, however, from Dallas to Laredo, during this period of time when Oswald could've bought a ticket. And there was a ticket sold - there were four tickets sold - that day, from Houston to Laredo. Ah, ... people thought that Oswald could have been one of the guys who bought one of the tickets ... very shaky ... couldn't do anything about it ... testimony very much.

One of the things that fascinated me about Oswald's movements, his landlord said that he'd left the apartment, or that the landlord didn't see him any more ... looking for him because Oswald hadn't paid his rent, and didn't, that Oswald was not around the apartment after the evening

of the 24th. One of the things that I was never able to quite understand - and the landlord said he saw - one of the neighbors said he saw Oswald get on a streetcar or a bus on the afternoon of the 24th with a - with a, uh, bag, a suitcase, in his hand, two of two of them, which he apparently took to Mexico and then brought back to Dallas.

Well, Oswald's post office box, post office substation, was in downtown New Orleans. And that's where he picked up the check. Couldn't have gotten the check before 5 a.m. on the morning of the 25th. There was a place within three blocks of the post office where he had previously cashed checks, where he, from the place he worked, and also some unemployment checks. But he didn't cash the check there. He went three miles through New Orleans, back to a supermarket near his apartment to cash the check. And when you sit back and speculate - and this is all you can do - you've got a few hard pieces of evidence. We know where he cashed the check, and we know where he got it; it is hard to really figure how credible the testimony that he left the apartment on the 24th was, but all right, let's assume for the moment that it is true; why did he go all the way back to the supermarket near his house to cash the check rather than cashing it within three blocks of the place he picked it up, and then, apparently, if the theory the Commission adopted was, that he did, simply, leave New Orleans on the bus and go to Houston and then down to Laredo ... went all the way back downtown in New Orleans to catch the bus and leave. I've never been able to understand that. And - and I don't know if there is any explanation for it. Maybe he'd just be riding ... an irrational kind of thing, but I don't know why he did it.

We checked out all of the - all of the inexpensive hotels in downtown New Orleans, and this is one thing the FBI really loved the Commission by the time they got through (sic), because the FBI never engaged - they never conducted an investigation like this one, really, a ... out

there, beating themselves up and down the street of downtown New Orleans for about a week, checking out every flophouse in New Orleans, to find out whether Oswald or anybody with a name that was similar to his had checked into a hotel and stayed in downtown New Orleans on the night of the 24th, which we'd thought that he might do if the testimony - and this is all based on the very shaky testimony of his neighbor, that he'd seen him leave on the afternoon of the 24th. Well, we weren't able to find (an answer).

Some people testified that they had seen him on the bus, and that he talked to them, and told them - they assumed that he had come from New Orleans on the bus. He didn't tell them that. Marina testified that he'd gone by bus. And that's the only evidence that he did that. Now, it would obviously've been nice if we could've found anybody - any other contact that Oswald had had with anybody who might have driven him to Dallas. That is something we were never able to find.

I'll close up this rather rambling discourse on the evidence the Commission was holding(?) by saying one thing - shows(?) two things, I guess - at least: When it became clear that we were not able to - we were not going to be able to resolve Sylvia Odio's testimony ourselves - it was just bare(?) - he could've been there - he had time - we wrote a letter to the FBI asking the FBI to find the three people that had been in Mrs. Odio's apartment. And that's - that's the old bureaucratic game, I suppose, you know, of putting the monkey on somebody else's back, uh, because I would not have wanted to accept the responsibility of - of not having tried to find these other three people ... prove it wasn't Oswald. It was pretty clear to me - in fact, ... tone ... letters, "Okay, boys, what're you gonna do with this one?"

Well, we went ahead and concluded, on the basis of the probabilities, that Oswald was not in her apartment ... couldn't connect up ...

with anybody else, and I had the impression, myself, throughout this entire period, for what I thought was pretty good reasons, which is something, one of the things that can never be reflected in the record - maybe I should have thought of it in a different way - but I had the impression that Mrs. Odio was not - she wanted to get information from me that would help her involve Oswald with these other people, with these pro-Castro Cubans ... pro-Castro Cubans. I had the feeling she really wanted to involve Oswald with pro-Castros, which would, of course, have been to her, you know, advantage, if she could have involved the pro-Castros in the assassination.

Ah, she was very (curious?) about Oswald's movements, and wanted to sort of get information in a conversation that we had after her testimony, that would help corroborate the story. She still believes that Oswald was in her apartment.

We wrote a letter to the FBI. We drafted the section of the Report dealing with Mrs. Odio and Oswald's presence in about the middle of chapter six of the Report, and it was the night of the 20th or 21st of September, 1964; we were going over the page proofs of this section of the Report for the last time. It was going back to the Government Printing Office for the last time, and that was going to be it, and a courier from the FBI came in with a letter from Mr. Hoover reporting that the FBI had found the three men that were in Mrs. Odio's apartment. There I am! Marvelous! What am I gonna do with this section of the Report that's locked into page proof, the footnotes are in there, the pages are in there; if we change the page - page numbers, it's going to foul up every footnote in the whole Report. And so I went down to Mr. Rankin ... and said, "What're we gonna do, Mr. Rankin?"

Mr. Rankin, in a very proper governmental response, said, "That's not the right question, Mr. Liebel. The question is, what are you going to do?" (Laughter)

So, we decided we were going to have to rewrite that section of the Report, there was no question about that. He(?) agreed. And, uh, it had to be done by 12 o'clock that night. He said the proofs had to be back over at the Printing Office. The Report (had to go to press?) the next day. Well - (laughter) uh (laughter) - over - overriding policy reasons (laughter) and - uh - (laughter) and - uh, so!

I sat down and rewrote the whole section, and used the same number of footnotes, and, uh (laughter) the same number of pages, approximately - it was a little bit longer. And it went over, physically, on yellow pad - on yellow scratch pad like this - in my handwriting, which is not very clear, to go into final, in the - in the Printing Office. And, uh, indicating that the FBI had found these three guys. They found one of them in Johnsondale, California.

And all I had at that point was a letter from the FBI, said they'd found them, and they were gonna send their report, later. They were to follow up with the actual report.

Well, imagine my surprise when I got a copy - and this is one thing I'm going to say about Mr. Lane, he was right about this. I got a copy of the publisher's proof of Lane's book when I was up in Vermont last summer, and, uh, I want - I started to read through it, and I got to the section on Sylvia Odio. And he said that the FBI had finally developed, in pursuing its investigation, the FBI had developed evidence that showed that these three men could not possibly have been in Mrs. Odio's apartment because they had finally found work records - these guys had checked in, you know, some time clocks in Miami - were working in Miami that day - two of them. They went back and they interviewed the first guy that came up with a story. He changed his story. And the whole thing just collapsed.

These guys, even though they thought - this one guy said that he'd been in Odio's apartment at some point during these ... time, these three

couldn't have been there at that time. And the really ironic part of it was that the Miami Bureau - Miami office of the Bureau - had developed that information on the day before we got the letter from the FBI saying that these three men were the three guys that were in Sylvia Odio's apartment, so that the field office of the Bureau had already developed information showing this couldn't possibly have happened, while we were sitting there rewriting the Report, (Liebeler's laughter makes part of the immediately following words incomprehensible)(probably "saying") that these were the three guys that were there.

So, I would suppose that one possibility, I guess, and Garrison might try and follow up on this, that is to indicate that if some of these fellows that were with Oswald, these Mexicans, or Cubans, that appear throughout this story, were, in fact, with Oswald, and did, in fact, take him to New Orleans in a car that day, and then, after they - and probably the purpose was - at least, I could argue the purpose would be - to infiltrate Oswald into the - into the anti-Castro movement to try and get him into Cuba, which is what - and this, this - this is somewhat attractive, as a matter of fact, to someone, because Oswald was trying to get to Cuba. That's what he - that's what he did. He went to Mexico City to try and get into Cuba. And it may be - it's possible, I suppose, that he did go to - to Dallas and talk to Odio, for the purpose of trying to infiltrate himself into that organization because he was ... anti-Castro movement ... And after that was unsuccessful, Oswald ...

Uh, I don't - I haven't - I have not really seen in Garrison's story ... New Orleans, very much that would lead me to believe that he had something very substantial. But there is an area here which obviously the FBI and the Commission at the time were not able to tie down all stories and follow all aspects of the thing, primarily, I think, on the point of establish ... the identity or even the existence of Clay Bertrand.

I've been told since then that the Bureau had convinced themselves some time after Garrison started ... and they do not think that Shaw is Bertrand. But that's just hearsay ...

(Here questions from the audience begin, the first, by a woman, is unintelligible at the beginning.)

Q. ... theory Andrews and Bertrand originally investigated by the FBI and the Warren Commission, how did they get their names involved at all?

L. Well, I've indicated where they got Ferrie's name. This fellow came up and reported it. .. Yeah. Uh, Andrews told his story to - he was a friend to a friend of John Rice, the head of the Secret Service in New Orleans at that time. He came to Rice and told him that Bertrand had called him about Oswald and Oswald ... and Andrews, and Andrews was the man. And those words ...

Q. And Bertrand (mostly incomprehensible)

L. Andrews mentions his name; Andrews mentions his name.

Q. (by man) ... told me that she was working in the New Orleans library the day of the assassination. That evening the FBI came there, and they went through - apparently Oswald used the library quite frequently -

L. Yeah.

Q. - they went through the - uh - records that are found (?) of the books taken out -

L. That's right.

Q. - and in these books, she said, they found anti-Castro papers.

(Here the question becomes incomprehensible, but the questioner asks Liebler's "reaction to that?")

L. Well, the list(?) of books that Oswald checked out (incomprehensible)

Q. I don't know of any record of the anti-Castro papers -

L. You meant it is written into the books?

Q. Yes.

L. You mean anti-Castro books, or -

Q. No; in the books, on all kinds of subjects, were these anti-Castro papers.

L. I don't - I have never heard that. And I don't know whether the Bureau went through the books ... or they just got a list. I really don't know the answer to that.

Q. Well, this is what she says: That they went through them and she was there ... that night.

L. Yeah. I wouldn't be surprised if they did go through them, but there is no indication in the reports that I recall, that there were ... checking the books. I expect the books are still there. The FBI reports are ... I don't know. Yeah? (to another questioner, male).

Q. ... when Ferrie came back from Texas and he knew that the authorities in New Orleans wanted him, that he spent the night before he (?) himself in a university ... why wouldn't he (deliver?) himself right away - why would he ...

L. I I don't know. I don't know. He had a friend over there. He went over there. I don't know. They didn't talk to him about it. I don't recall ... Bureau why ...

Q. (Incomprehensible)

L. I don't know whether the Bureau checked his - checked him out or not - uh, because I - I don't remember that I - I don't remember the name of the guy, and I never did run it down. His name is in the FBI reports ... What the Bureau did with him, I don't know ... I'm sure they verified it ... but whether they ... or not, I don't know. Once again, I would imagine that they did ... I don't know.

Q. Much(?) information is still classified in the Archives. Every day we hear, "Not much," but every time ... about Garrison an awful lot of it, and - uh - have you any idea exactly how much it is?

L. Well, two-thirds of the agency reports, the FBI reports and the

CIA and Secret Service, have been made available. And one-third of them have been withheld. There's still the - there's still the problem with the Commission's documents itself (sic), the Commission papers, the memoranda, correspondence files, drafts, transcripts of testimony - much, much less of that has been made available. And that is, as I've indicated before, is - is an inexcusable situation. It should never have happened.

The Commission decided fairly early in the game that one of the lawyers on the staff - that one of the lawyers was assigned this job of - of making a determination of what - which of the Commission's papers should be released at the time we released the Report. And that was never done. The Commission disbanded, the lawyers left, and the old - all the Commission papers were turned over to the Archives without any instructions whatsoever as to what should be done. And the question - that question was finally raised by - uh, the people who were going through them raised it at the Archives. The Archives kept pestering Lee Rankin about them over a ... period of time, and the general counsel of the Commission, Rankin, wouldn't do anything about it. And I finally got interested in it last summer and I called Rankin. And Rankin - Rankin wouldn't - just wouldn't do anything about it. His position was, the Commission is disbanded, I'm not general counsel for anything any more, I'm not gonna do anything about it, period. And, as a result of this, the chief archivist spoke to the Chief Justice in the summer of '66, last summer. And, uh - well, that - the substance of that conversation has never been reported to me. Immediately thereafter, the Archives went to the office of the legal counsel of the Justice Department and got an opinion. And the office of legal counsel admitted it was their responsibility, the Archives', to determine which of the papers should be released and which shouldn't, And they immediately embarked upon a review of these papers. Uh ... if I may say that - that's absurd because they'll be lucky if they get those

papers reviewed by the time the next President is assassinated, the way they're going. They got one guy working on it.

Q. When (incomprehensible)

L. Pardon?

Q. ... of transcription of what the witnesses -

L. It ... that that's, uh - that's a problem, and I've indicated to the Archives - uh, in fact, I've been in - I've - this whole problem has gotten - it got to the point where, in Christmas time ... and, uh - and told him about it, and, uh - and, uh - he'd been generally aware that the situation at the Archives was next to hopeless. I confirmed it. He wanted, he said, "Well, what shall we do about it?" So I suggested to him - I wrote him a memorandum about it, in which I suggested that we set up something, that I would - well, let's call it "The Advisory Committee to the Administrator of General Services", who is in charge of the Archives. And let's just get you and probably Senator Cooper, and probably Senator Russell - anybody that could be interested. Either(?) you talk to Russell or Cooper about it... and I was, - I was, uh, gonna talk to - uh - Dulles about it, and we'd get two or three staff members on it, and we would - and we would either get some people from the Justice Department in there or get some guys from the staff down there that knew ... in a sense, these fellows ... the determination that the Archives are - are totally unsuited to make.

Uh, and - and in any event, an archivist, bless their heart, is not going to make a determination to withhold or to release. You can bet your - you can bet your bottom dollar that the determination will always be weighted in favor of withholding, because they're not gonna put their necks on the line when they knew something would embarrass somebody. Because they're not political people, they don' - they're - they're very nervous about this kind of thing. Well, I wrote the memorandum report

and - and nothing ever came of it. Subsequently learned through the invariable grapevine that Rankin - that - that he sent the memorandum to Rankin, and asked Rankin for him to ... on it. Rankin had showed it to Professor Redlich at NYU law school, and Mr. Redlich had given Mr. Rankin his views, and - uh, while I'm not - uh, I don't know what the views were, - I don't have any real doubt as to what they were. And uh - that story came back to me from someone Redlich had told it to, and nothing's been done about it.

Uh, I've - well, I've indicated to the Archives that what they ought to look at first are the correspondence and memoranda that the Commission ... The transcript - the testimony - ^{are} ~~that's~~ really - that's marginal, because that - because 99 - over 99 percent of that - much more than that - is printed in the 26 volumes. There's only a few deletions that ... printed ... that's, you know, because they ... mixed up ... Jackie Kennedy said, you know, reference to ... and he wants to know why it was deleted. Uh, there's, uh - Ford has a complete set of these himself - himself. And, uh -

(End of tape. Here the supply of tape ran out, alas.)