

erence. I called him twice from Wahsington. Told them it was urgent that I talk to him. And, well, we're in August, and I haven't heard from Jim Garrison yet. Now at that meeting . . . I told Jim: "Don't make this a case of your breaking down the Warren Report and my defending it. I wouldn't piss on the Warren Report. I've read the Report itself; I've read one volume of the witnesses; I've not read the 26 volumes. There are a lot of things that bother me about it. This is not you against the Warren Report and every body choosing up sides in this thing. If there is anything wrong with the Warren Report that you or any body else can bring out, it ought to be brought out. I'll help. I just can't see your racking up Clay Shaw on the word of this little jerk down there. This is a terrible thing. . . . If you could just focus the same kind of critical analysis on your own people and their stories and particularly on ~~DeLoach~~ and especially on Russo that you focus on the Warren Commission, but you got blinkers on. You can see everything wrong with the Warren Report but this Russo story is absolutely incredible. There's everything wrong with it that can be wrong with a story, so you take and swallow the guy and you don't even give him the litmus test. You got a will to believe -- the worst thing that can happen either to an investigative reporter or to a D.A. or an investigator. You start deciding what happened and then fitting the facts in and you're dead." He said: "You know, I realize that. And I want to say something to you: I've got a small staff and I don't have enough money and if I had the people and the funds I would have devil's advocate -- who's trying to break the case down as we're trying to make it. It just dawned on me that I got a pretty one in you and you don't cost me anything. I want you to know I appreciate this. . . . I haven't got anything against Clay Shaw -- the worst thing that could happen to me is to go into the ditch on Clay Shaw on the basis of a lying witness." He says: "I'm concerned about something bigger than this -- the validity of the Warren Report. . . ." And that's when he proposed the confrontation. And, Mark, he proposed it -- I didn't. ~~It~~ was his idea.

LANE: Well, of course, it's a unique suggestion for a D.A. to do that with one of the witnesses. . . .

PHELAN: Oh -- one other thing that he said. He said: "You know I been thinking and thinking about Chamores said when he appealed to me . You know things were very hectic at that time. . . . I know he talked to me at some time, but the point is was it before Russo came up with this under hypnosis. Frankly, I can't tell you whether I am remembering what happened or what ~~Chamores~~ wants me to remember." Now, he told me that. . . . He was really on the spot . . . . he was sleeping three and four hours a night.

LANE: You think there is no case at all, huh?

PHELAN: I don't know. That's what I came up here to talk to you about. Now I read a news story after you came down there which quoted you as saying that you'd seen the major evidence that Garrison has and that you'd stake your reputation that he'd crack the case. Did you say that?

LANE: No. I never quote <sup>myself</sup> as saying that, but I don't doubt that such things happened. I said that I'd seen his evidence. I've talked to some witnesses and to many of the investigators and I've seen alot of the files.

Maybe all of the relevant files at that time . . . . As to whether Clay Shaw is guilty or not, I've never taken a position publicly because I think that when a man is on trial that's a matter that should be left for the jury. I've never commented directly on the evidence about Shaw. Just the general philosophy of the conclusions -- where they are broader.

. . . .

PHELAN: It was the way I reported it in the Post. I asked him what was the motive? He drew the analogy between the assassination and the Bobby Franks murder -- Loeb and Leopold -- the homosexual thing. I left out of his explanation what he said about Shaw because . . . he said Oswald was a homosexual, Ruby was a homosexual, he was trying to fit this kid Breck Wald . . .; he said here was this group of homosexuals, Ferrie -- a very brilliant -- you can see his antagonism toward President Kennedy -- Kennedy's a notorious heterosexual, a virile, good-looking, successful guy -- every thing that Dave Ferrie is not. And behind him he had Clay Shaw, a guy who got his kicks out of hurting people with whips and tubes and the stuff they got out of his place there . . .

LANE: Well, he told me the same thing but he said that homosexuals were used. He said: "I've been accused with interfering with the rights of a minority group -- homosexuals -- but I'm not I'm sorry" that they are involved and were utilized by a larger conspiracy." . . . But he never mentioned the Cuban forces to you, I guess.

PHELAN: Oh, yeah, he told me that the Cubans were used but he said it was a "crazy spinoff," that Ferrie was training them to go in for some kind of sabotage or something . . . and he told me also that Oswald was anti-Castro, and about this whole business of going down there and putting on a signboard. . . There's a certain logic to all these things, but there sure as hell speculation. . . . Now, I talked to Bill Turner early in the week. I've known Bill for quite some time. . . . And he gets a whole different version of this thing from Garrison. I'm really kind of pissed off at the whole thing.

LANE: A different of what?

PHELAN: Of my relations with Garrison, and what I've done. Turner told me that when he was down talking to Garrison that he mentioned me and that in the past he had thought that I was a pretty good reporter and wasn't a hatchet man or anything and what ~~was~~ about all these things. At any rate, he said: "Garrison told me that he can't understand you. Normally a guy does a magazine piece and that's it -- he goes on to something else. Garrison says Phelan keeps bugging me. He writes me, he calls me up, he even showed up in Monticello when I was doing an address to the DA's up there -- What's he up to anyway?" Well, I said: "Well, He's really got everything all backwards. I went up to Monticello and then I told him what I told you about our conversation and why I went there. The only time I've written him or called him was trying to set up the thing that he proposed. . . . Garrison portrays me to Turner as a guy who's nagging at him . . . ."

INTERRUPTION -----

PHELAN: Is there something about Shaw that I don't know? I don't want to be wrong.

LANE: There certainly is information that you haven't raised which Garrison has. But I don't see how I'm in a position to discuss it if he has additional information. Some of it he has discussed. That's the great advantage of the trial -- you see both sides for the first time. I can tell that I've heard what Russo said originally.

PHELAN: Before we go on, let me ask you one question. There's an awful lot of paranoia in this thing. I was really teed off at Turner on that piece and he's done another piece now called the "Press and Garrison" in which he tells ~~another~~ whole version of this thing. Never talked to me about it. . . . I said: "You know, Bill, you're not as good a reporter as I thought you were. I think you should've talked to me. I don't like to get stoned in Ramparts as being either an inaccurate or a biased reporter. . . . I take some fairly strong positions in the pieces that I write but I try to be careful about them. Now Garrison is portraying guys like Aynesworth and me as tools of the Establishment.

LANE: If I were you I would not put myself in the same category with Aynesworth. I think he is the most inaccurate, the most biased and the most pathologically committed person I've met to any cause. And his cause at the moment is support of the Commission.

PHELAN: Well, is there any question in your mind that I am anything other than what I say I am?

LANE: No. I have no indication at all that you're anything else than what you say. Not at all. . . . I think it's infortunate that everyone does what you say Turner did. In a sense, you did in your article too. You didn't present ~~an~~ answer, really, as I recall. I haven't read the article in some time. Certainly not as ~~Charles~~ told it to me: that Gurvich and Garrison both supported him as he told it and that Russo himself supported it. That didn't appear anywhere. . . .

PHELAN: . . . I sloughed off <sup>Scientia</sup> because I didn't believe it. You sit down; you got 7000 words to write; you got to give a lot of background. You can't report everything that everybody says. I didn't believe his story for a lot of different reasons.

PHELAN: I've been told by a guy I respect very much -- he's a lawyer in Washington; he's a good lawyer, a big guy and he's a close personal friend of Earl Warren. He likes him and he thought he shouldn't have taken this job. And he tells me that the Warren Commission missed something big. He tells me: "I can't tell you until sometime in November or December but I've the names and it's going to be a big story." This is all he tells me.

LANE: What's going to be a big story?

PHELAN: What they missed. And he says: "My heart bleeds for Earl Warren." Now, this guy gives me a story and I'm gonna check it out. And if it is valid I am gonna print it wherever I can print it -- in the Post or anywhere