

ORLEANS PARISH GRAND JURY  
AUGUST 16, 1967

SPECIAL INVESTIGATION

*Stephen Plathin*  
*Francis Fliggie*  
*John J. ...*

Sent to Mr. J. -  
10-13-67  
C. Plotkin  
Mr. Burns 1/10/68

ORLEANS PARISH GRAND JURY

AUGUST 16, 1967

SPECIAL INVESTIGATION

PRESENT: MR. JIM GARRISON, DISTRICT ATTORNEY,  
MESSRS. ALVIN OSER, JAMES ALCOCK, RICHARD  
BURNES, NUMA BERTEL AND WILLIAM MARTIN,  
ASSISTANT DISTRICT ATTORNEYS

MEMBERS OF THE ORLEANS PARISH GRAND JURY

WITNESSES:

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Reported By:  
Maureen B. Thiel,  
Secretary  
Orleans Parish Grand Jury

STEVEN R. PLOTKIN, after being sworn by the Foreman of the Orleans Parish Grand Jury, was questioned and answered as follows:

MR. GARRISON:

Bobby, I know that you have read in the newspapers some charges by a few individuals that we harass people, so I want to say at the outset that you are under no suspicion of any kind and the purpose of this questioning is not in any way to entrap you, but I have information that you know something about the activities on the part of Clay Shaw and you may be able to enlighten us and help the Jury in their investigation of the assassination. We are particularly interested in anything you may know of Clay Shaw's activities with regard to the gathering of materials or armaments or trucks, or anything else, in connection with Cuba.

- A. First, if I may say a few words, in response to your question, generally, I was out of town when you issued the subpoena yesterday and had not planned to be back today, but having learned of the subpoena I returned to facilitate whatever questions you or the Grand Jury may have. In response to your question, I would have to say this, Jim, and to you, gentlemen, at this time, any information that I have regarding the investigation that you are pursuing, namely the assassination of President Kennedy,

or the indictment against Clay Shaw, I have received through clients. Now I am prohibited by ..... first, let me again develop that. I know nothing about the assassination except what I have learned from my clients that I represent, which are approximately five or six. There are 3 canons of ethics which will prevent me from making disclosures as to what clients have told me. First of all, the Canons of Legal Ethics - the first article concerning my testimony is found in the La. Revised Statutes, Art. 14, Sec. 37, which is as follows: (reads Article)

FOREMAN:

The questions we will ask you are things that occurred long before you received these clients, anything that we ask you - whether you have knowledge of these clients since they employed you, we don't expect you to answer.

- A. All right, but let me further clarify my position so that you fully understand me. I am under a burden as a lawyer not to make any disclosures. If a judge orders me to make disclosures I, of course, will obey any attempt or order of any court to make any disclosures that the court would say that I do so considering this. If you ask me specific questions, and Jim has asked me one,

about information regarding the assassination, I had no knowledge of anything regarding the assassination prior to my representation of first, Jack Martin, then Lewis, whatever his first name is, Gordon Novel ....

MR. GARRISON:

Who are these people prior to whom you had no knowledge?

A. Well, I would - I was first contacted to represent Jack Martin, who was one of the original figures in connection with the outbreak of the investigation.

Q. Is that the Jack Martin we know or another?

A. The Jack Martin that you know, who is somewhat unstable.

Q. Yes.

A. Then I was contacted by his friend, David Lewis, he came to me next, then Novell got his subpoena and I represented him as you know, then Ehrlinger, then Dalzell, and of course Mr. Sapir who owns the property where Ferrie lived. To the best of my recollection those are the people who I have discussed this attorney-client relationship with.

Q. How did you know these particular questions of legal ethics would arise?

A. I did not know that, but I knew I had no independent knowledge of the investigation unless it came from these individuals.

Q. Do you represent Clay Shaw?

A. In no way.

Q. Have you heard any information or are you aware of any information, hearsay or otherwise, which links Clay Shaw with gathering of armaments, trucks, ammunition and other material in connection with anti-Castro activities?

A. Let me say - answer the questions in two ways. I know that you are interested in this, I have interview notes that I have made with Novel. At this time I do not know whether or not these notes reflect any answers that would be involved with the question that you have just asked me. But whatever information I do have, or do not have, would come through Novel or the other clients, and I could not reveal it unless Novel gave me permission. Although if you ask me about Clay Shaw I couldn't give you the information unless Novel gave it to me.

Q. If you had not mentioned the name of the client, could you not have told us that you have heard this and it is hearsay. And you cannot mention the names of the clients it came from, and just have given the Grand Jury the information - would that not have been possible without violating their confidence. We would not have known what client it came from.

A. I don't think I could do it in good conscience. To myself. You know I work for them and I am a very principled person and I think this could be a violation of my own principles and the specific principles of the Canons.

Q. Isn't it a fact, Bobby, that the purpose of the Canons is to protect the client, and if you omitted the client's name and just answered our questions about Mr. Shaw was not your client, you could have contributed something of information to the Jury and not have injured your client in any way.

A. Jim, I would like to help you on it and help the Grand Jury. If you take this issue before the Judge and he says go, I will gladly turn over my files to you on that point, but in good conscience to myself I don't think I can do it. The only information I have regarding Clay Shaw which may or may not be relevant to what you just asked me would have to come from Novel, the only person to my knowledge would give me that information. Or Ehlinger. I don't know whether Ehlinger has information but these would be the sources which I have which would be only attorney-client relationship.

- Q. But you do not represent Shaw, now we are agreed on that. Can you answer yes or no to this: do you know of any activities of Shaw's, in connection with ammunition, armaments, trucks, with Cuban activities?
- A. I will answer it this way. Of my own knowledge, excluding my client's information to me, I would say no.
- Q. Have you ever heard of such activities?
- A. You are leading me into a position that I don't wish to be led into.
- Q. You are leading yourself into it.
- A. I just don't see how I can answer that question. First of all, in all honesty, I would have to consult my notes. I do not remember whether or not - but I have detailed notes and if it is in there it would reflect it in the notes. On the other hand, the notes were secured through my interviews and I just don't see how in the world I could give you an answer to that without violating the specific Canons. And I am not trying to quibble with you, or split hairs. I just don't see how I could violate this obligation. Unless Judge Bagert or another Judge ordered me to do so, and I would be delighted to turn over anything the Judge told me to turn over.
- Q. Is it not a fact that if these notes contained no references



to such activities by Shaw you would be able to say you have not even heard of these activities?

A. I don't think I understood your question.

Q. Is it not a fact that if your notes did not contain references to Shaw in such activities concerning Cuba, you would be able to tell the Jury that you know nothing about his activities?

A. Yes. I could say conversely - I don't know what my notes say - there may be references to it, because you have asked me this personally and privately, and I gave you the same answer that I am giving to the Jury now. I don't know - I don't recall any evidence of what you are asking me in my notes.

Q. Suppose you looked at your notes and you find that it contained no reference at all to any/<sup>such</sup>activities by Shaw? Would you not then be able to tell the Jury that you have not even hearsay knowledge of this activity.

A. If it is not in my notes then I will tell the Jury that I know nothing about it.

Q. Then why don't you go look at your notes and it may be that there is no problem. You may be able to say that you know nothing about it even after looking at your notes.

A. Well, the only question again, would be going back to the

information I secured from my client, if there is not anything there I don't know how it would be relevant to what you all are trying to do, but on the other hand any information I would have would come from my notes.

- Q. It would be relevant if you would be able, after examining the notes, to come in and tell the Jury 'I have no knowledge, even hearsay, of any connection of Shaw's activities in Cuba'.
- A. On the other hand, if my notes had reference to it I would be unable to give you the information in the notes.
- Q. You could then come to the Jury and cite the same privileges you earlier cited.
- A. If that is what the Jury and you want me to do, I will be happy to do it. If it boils down to a question of do I have notes, and the answer is no, if I have notes, yes, I still wouldn't answer the question of what the notes said until the question of the privilege is ironed out.
- Q. There is nothing wrong with saying what the notes would not say.
- A. Well if there were <sup>no</sup> notes they wouldn't say anything.
- Q. No, what I mean, for example: if we were to ask you if you had any information concerning activities on the North Pole last year there wouldn't be any problem about

- your saying you had none at all.
- A. I agree with you. On the other hand, if my notes did not show something that you are interested in I could not reveal the contents of my notes.
- Q. Well then you can tell the Jury that you are in a position where you are unable to reveal the contents of the notes.
- A. I have no objection to that.
- Q. Would you then consider looking at your notes?
- A. I would be delighted, I will bring my notes here, and look at them in the office. I did not know what you were interested in. I will be happy to do so. I would like to complete it today if possible. To be honest with you I do not know of any reference in my notes now, but I will be delighted to review them and tell you if there is any reference. It should not take more than half an hour my files are that big but my notes are typed and they run about 40 pages.
- Q. Could someone from your office bring the file here to you and save time.
- A. I do not have a car here but if your office can facilitate me I will be glad to go pick up my file.
- Q. We will get an Investigator.
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LATER:

MR. PLOTKIN (continued)

FOREMAN:

Mr. Plotkin, you are still under oath.

MR. GARRISON:

Q. Have you heard of any connection with Clay Shaw on the one hand, and either Jack Rubie, Dave Ferrie or Lee Harvey Oswald?

A. I am going to have to invoke the privilege.

Q. I want to ask you if you have ever heard of any information in regard to Clay Shaw being engaged in gathering ammunition, trucks, or other such materials in connection with Cuban activities?

A. I will again have to invoke that privilege. For the Court

Q. record it is understood that I am implying the attorney-client relationship privilege.

Q. Yes.

Do you know where Gordon Novel is?

A. He called me about, this may be privilege or it may not but I am going to tell you, he called me approximately Friday, the day after the bonds were reduced in Houma, about a week or ten days ago. I have not heard from him since,

Nor has his lawyer in Ohio.

Q. You recall that our attitude in my office was that we were not going to be vindictive about it, we went along with it by reducing the bonds because there was an indication that he would come back and talk to the Jury. We said by all means, yet there is nothing but silence. Is he going to come back? To talk to the Jury?

A. I do not know the answer to that. I have explained to him fully his rights and I have also explained to him the possibility of contempt for perjury before the Grand Jury, and you well know, Mr. Novel is a difficult client. I can't control him in terms of advising you when he will return.

Q. Do you think he understands this: we are not trying to hit him with another charge nor arrest him, nor anything else. We would just like him to give information.

A. Jim, If I had assurances from the Grand Jury or from you in some form, and I could explain this to him, he would not receive any further charges against contempt for perjury, and he tells a story as he knows it whether you all believe it or not, he will come back. You may not

agree with it but he is a person who is afraid that you may bring in other witnesses or hold him in contempt and he fears that others charges will be placed against him. At this time. I think that is his attitude.

Q. I think the Jury probably has this reaction, as I do, that would be perfectly all right if we knew that he was going to tell the truth but suppose he came and it was apparent that he lied. How could we guarantee not to .....

A. I understand the problem, I don't think the Grand Jury could waiver their rights to impose perjury .....

Q. We can say this: there is no intention to charge him with anything. In other words, there is no plan to do that nor to trap him, you understand that? All we want is information.

A. I have conveyed that message to him. If you would convey it to him personally and give him your assurance I am sure there is a common ground we could discuss, because he definitely wants to come back.

Q. You know this is a difficult personality. If I were to talk to him at all he is liable to announce to NBC the next day that I offered him \$50,000 to tell a lie about Clay Shaw.

A. As I suggested to you one day, if you recall, that we have a meeting in Biloxi with you, one of your aides, Novel and myself, and maybe we can work out a common ground - untaped or . . . .

Q. Have the meeting in here, let him come in, he won't be arrested, he can talk to us - and then leave.

A. Shall I suggest it to him?

Q. I will tell you now that if he wants to come in for that purpose we can meet in my office, he can walk out, he will not be arrested. We can at least talk about it, and then he can go back to his sanctuary, wherever that is.

A. And I don't know where it is.

Q. But we cannot promise in advance that if he obviously lies that he will be given special treatment. On the other hand, if he tells the truth of course there will be nothing happening to him. Nobody wants him.

A. I will convey that message to him when I hear from him. I do not have his phone number. He calls me when he feels he is ready to call me. And I will tell him that, and see if we can work something out.

Q. You can tell him, just to sum it up, that the Grand Jury is interested in hearing what he has to say and so is the

District Attorney and that there is no vindictiveness - no one is out to get him, but we have to do it on the same basis as anybody else, but if he wants to meet on this basis I will be glad to do that.

A. I have your private numbers and will call you.

MR. BURNES:

Just one point I want to check.

MR. GARRISON:

Richard wants to point<sup>out</sup>/that in invoking the privilege of course you have to name the client, I think his name is Gordon Novel, Lewis .....

A. Well, let's go through them again: I have Mr. Sapir, who owns the house that David Ferrie lived in, Jack Martin, David Lewis, Bill Dalzell, Gordon Novel, Randy Ehlinger.

Q. Who is paying Gordon's fee?

A. I can tell you this now. I have not received one nickel from Gordon Novel, and I am not a CIA Agent, nor have I received a dime from anybody.

Q. It serves you right!

A. If I knew it was coming to this, Jim, believe/<sup>me</sup>I could do without it. When he first came tome I did not know it would develop into all of this. He came in at 12:00 o'clock and had a 1:00 o'clock subpoena to go before the



Grand Jury. At that point I couldn't get out, I had represented him to that point and it was an impractical position to get out of.

JUROR:

Q. I read in the paper where Novel stated that he wanted to go on a long vacation, what was he talking about?

A. I don't know what he was talking about, but he wrote that statement without my knowledge, and I may add that his lawyer in Ohio knew nothing about it either, because he called me after he had his copy.

MR. BURNES:

I would like to clear up one point. The attorney-client privilege, as you know, can be waived by the client, not by the attorney. Now you stated while ago that you had several clients, now if we were to attempt to obtain a waiver either through you or someone else with reference to the question about knowledge of Clay Shaw and moving guns to Cuba or other places, who would the client be who could waive the privilege?

A. Gordon Novel.

Q. And he has not waived that?

A. As of yet, that is correct.

Q. Would that be the only client that would be involved with the waiver?

A. Well, I have not discussed this with any of the clients.

Q. With this particular information, that would be the only client who has the privilege?

A. I would invoke the privilege of Gordon Novel on the specific question that Jim asked me.

Q. There wouldn't be any other client from whom the privilege would be invoked on this particular point, from whom we would have to have a waiver to ask this particular question?

A. Its sort of a catch question you are asking me and the only thing I can say is .... in other words, the questions that you have asked me wherein I have invoked the privilege would apply to Gordon Novel only. At this time. If you ask me other questions I would have to invoke the privilege on other clients.

MR. GARRISON:

That is all.

FOREMAN:

Thank you a lot, you may go.

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RANCIER EHLINGER, after being duly sworn by the Foreman of the Orleans Parish Grand Jury, was questioned and answered as follows:

MR. GARRISON:

Mr. Ehlinger, the Grand Jury today is interested in a matter a little different from the subject we last discussed with you. Of course you understand that whatever you testify here is secret and you cannot discuss it with anybody else. We are not going into the Novel trip to Houma, but we have information that Clay Shaw was in the early '60's engaged in the activities of gathering of armaments, ammunition, trucks and other such items in connection with activities pointing toward Cuba. We further have developed in Dallas that in the course of such activities he developed a relationship with Jack Ruby, who was doing the same thing in Dallas. We also have information that you have some awareness of some of this activity in which Shaw was engaged, now would you tell us what you know about it.

- A. Well, sir, I know absolutely nothing about Shaw's activities I have never been introduced to the gentleman, and aside from seeing his photograph in some films on television I am not at all familiar with him personally. I have never met the gentleman.
- Q. Have you ever heard anything about his activities?

A. No sir I haven't.

Q. Have you ever heard anything about Gordon Novel being engaged in such activities?

A. No sir, I haven't. But Gordon never did confide in me with everything that he did.

Q. Are you aware that Gordon, in 1963, visited Florida at No Name Key, do you know anything about that?

A. No sir I don't. The only time that I am aware of the fact that Gordon was in Florida was in connection with his ex-wife, the Miss Universe Pageant, some time prior to his divorce.

Q. Are you aware that in 1963 Gordon was also in Dallas on a number of occasions?

A. No sir I wasn't aware of that, in fact to the best of my knowledge he was mixed up with Mr. Thomas Lupo at the Louisiana Pavilion at the World's Fair. They were working on that. I do remember that.

Q. Do you know why in the fall of 1963 Gordon left New York and went to Las Vegas?

A. No sir.

Q. Do you know anything about Gordon's connections in Las Vegas?

A. The only connections that I know of him specifically in Las Vegas was the business deal he had with a person by the name of Larry Solo to sell some of his electronic equipment to certain interests who owned gambling casinos in that area. But other than that .....

Q. Is Larry Solo related to Murray Solo?

A. I believe he is. His son,

Q. Is Larry Solo still in electronics?

A. Not that I know of, in fact his knowledge of electronics is rather brief. He was supposed to be a leg man, salesman, to the best of my knowledge he never did sell any equipment.

Q. Have you ever heard the name James Hicks? In electronics?

A. No sir.

Q. Have you ever heard the name Larry Schmidt?

A. No sir.

Q. Did Gordon ever mention anything to you about going to Dallas?

A. No sir, he didn't.

Q. Going back to the early '60's, did you know anyone who was connected with the gathering of ammunition, armaments or trucks?

A. The only one I would have any knowledge of this activity would be Mr. David Ferrie and Sergio Arcacha Smith and

most of that activity transpired with this other development that I was questioned on earlier.

Q. Do you have any knowledge in regard to that outside of Houma?

A. No sir, I didn't, because I never did fool with that individual, Sergio or David Ferris after that. As a matter of fact, my particular involvement in that was more or less as a passenger. I wasn't actively engaged in any of that activity.

Q. Have you ever met or heard of Mr. William Dalzell?

A. I have heard his name mentioned, but only so far as - I believe I was questioned on that once in your office. The only time I can remember ever having heard that name.

Q. Did you ever remember seeing or hearing of Mr. Byron Chiverton?

A. Never saw him before, five minutes ago, I believe, the gentleman sitting outside right now.

Q. Has Gordon ever mentioned the name Rich Lockley?

A. No sir, he hasn't. He never has to me.

Q. Do you know anything about Gordon's Nazi activities during a period when he was ....

A. That was before I met Gordon. I met him shortly thereafter.

That transpired sometime in 1952 or 1953.

Q. What was the Storm Trooper activity?

A. That was a group of Gordon and some of his friends, schoolmates, I would presume, and their major activities was emulating Hitler and his Storm Troopers and causing untold problems as juveniles, that is about the extent of it. I do know that they have been involved in some trouble with - I believe they had some girl in the neighborhood in an old abandoned store and there was some problems, they had brought her in this building and were frightening her to some extent and some incidence relating to their having burglarized some hardware store out there and stolen some thousand or fifteen hundred rounds of ammunition for 22 rifles. That was about the extent of it.

Q. How long had you known Gordon at this time?

A. I hadn't known him at all. I met him after all of this had happened. He related these incidences to me.

Q. What were the names of some of the other individuals who were involved in these Nazi activities?

A. The only other one I can remember was Rip Trotter.

Q. Do you know where Rip Trotter lives?

A. In Jefferson Parish somewhere.

Q. Do you know where he works now?

A. The last I saw of Rip Trotter he was working for La. Power

& Light Co.

- Q. We have encountered at least one incidence in which one individual had a card which identified him as a Storm Trooper. In other words, certificates so to speak. Did Gordon ever indicate to you ....
- A. No, he never showed me anything to that effect.
- Q. Did he ever indicate who was in charge of this operation?
- A. No, not that I can remember. They were more or less a group that used to cause trouble.
- Q. Did they have any kind of uniform at all?
- A. Not that I am aware of. As I say all of that transpired before I ever met Gordon. And at the time I was about 14 or 15 years old.
- Q. Did you ever know a man named Jack Lawrence?
- A. No sir.
- Q. Have you ever heard the name Loran Hall?
- A. No.
- Q. How well does Gordon know Clay Shaw?
- A. He had some business dealings with Mr. Shaw back in 1964-1965, pertaining to securing the concessions in the Trade Mart, but Mr. Shaw retired at the time and he was unable to secure this contract for his services.
- Q. Who was the attorney handling that, do you know?



- A. Dean Andrews filed some papers - put them on legal papers to submit - but to the best of my knowledge Joe Riccobono, who owns a restaurant chain in the City here, . . . . .
- Q. But the parties to this proposed deal were Gordon Novel, Joe Riccobono, and Clay Shaw, and Dean Andrews was handling the papers?
- A. Correct. He drew up all of the legal documents as to the clauses in the contract, and that is the extent of my knowledge of that particular transaction.
- Q. Do you know whether or not Gordon knew Sergio Arcacha Smith?
- A. Yes, Gordon does know Sergio. Their first connection came about with the - as I remember it - it came about in regards to a television show which was going to be put on Channel 4 to raise money for the Cuban Exiles. This was sometime prior to the Bay of Pigs, as I remember it. That is where the association came about.
- Q. Did Gordon ever tell you that he had connections with the Central Intelligence Agency?
- A. He did tell me on occasion, but I never did meet any of these people and as to the veracity of that I would not be able to state whether its true or untrue.
- Q. What did he say to you about it?
- A. He said that he had some connection with an organization by

the name of Double Check, but I never had any relationship with these people.

Q. Do you know where Gordon is now?

A. No, I don't. The last I heard from Gordon was about 3 weeks ago. He called me on the telephone and told me he was leaving Ohio and he would not tell me where he was going. I have been close to him, unfortunately, as anybody has been in the last ten years, and he wouldn't tell me where he was going. So, that's a moot question.

Q. Did Gordon ever indicate to you who was footing the bill in Ohio?

A. As I understand it, he was attempting to get some of his expenses paid by NBC, but was unsuccessful in receiving any money from them, at least that is what he told me. He intimated that to me on the phone. He was in somewhat of a plight financially, that's the impression that I got from him.

Q. Did Gordon ever indicate to you that he knew Lee Harvey Oswald?

A. No, he did not. In fact, he told me on a number of occasions that he had never heard of the person before the assassination.

Lee

- Q. Did he volunteer that he never heard of ~~XXXX~~ Harvey Oswald before the assassination?
- A. Correct. We had a discussion after his appearance before this Grand Jury, when he got his subpoena, that he had no knowledge of Lee Oswald or any of the other people with the exception of Clay Shaw. And I don't doubt for a minute that's one of the reasons he is not here now.
- Q. Do you know if he ever went to Clay Shaw's house?
- A. I don't have any personal knowledge of that. I do know that he saw the man on a number of occasions in his office.
- Q. Did he ever mention Jack Ruby?
- A. No, he never did.
- Q. Do you know how long he knew David Ferrie?
- A. To the best of my knowledge he met David Ferrie through Sergio. Sergio had known David Ferrie from some other time back.
- Q. Did Gordon ever indicate that his connection with any of these people was involved with the CIA?
- A. Not until some time afterwards.
- Q. And then what did he indicate?
- A. That it was part of a munitions pickup.
- Q. What persons did he indicate were involved with the CIA?

- A. Just some person who went under the name of Red, that was supposed to have been his contact. Now whether that was a code name or a person who actually exists is something that I don't know.
- Q. Red?
- A. Red.
- Q. How often did he refer to Red?
- A. Once or twice.
- Q. Did he indicate that Red was an authority of some kind?
- A. That was the impression that I got.
- Q. Was there any indication that Red was the control agent or the man who paid him money?
- A. Possibly so. Yes sir.
- Q. Did he refer to Red during that period in which he seemed to be working with Red?
- A. Yes sir.
- Q. What year was that?
- A. 1961.
- Q. Did he indicate who else might have been working with Red?
- A. No sir, he didn't.
- Q. Do you know how <sup>he</sup> met Red?
- A. No, I don't.
- Q. Or how he contacted Red?
- A. No sir, I don't. I had no contact with these people myself

Aside from my relationship with Gordon, that was the extent of it.

Q. During this period what was Gordon doing for ~~living~~ living?

A. All sorts of things, he was mixed up with some political activities at one time, I don't know if this was prior to or subsequent to that particular period, but he was also involved with promoting auto races, that was another one of his activities at that time.

Q. In regard to the political activity who was he associated with?

A. Well, Thomas Lupo, and I believe at that time somewhere in that same general time period, he was connected with the Mayor's race, and he had done some work for Willard carrying Robertson securing promotional funds for ~~starting~~ starting on this political activity.

Q. Did you ever ask him about Red?

A. No, it never did enter my mind because it was such a brief and passing thing to me. I was not connected with them in any way.

Q. You mean the name only came up one time?

A. Once or twice, possibly, until this last session when he related this story to you in your office, sometime the last part of February.

Q. Which, if you remember, he didn't mention Red.

A. Not afterwards, no. In between that Gordon would be mixed up with one thing or another. The latest thing was his Jamaican Village.

Q. What is/about the name Red that makes you remember <sup>it</sup> after six years?

A. Possibly its connection and the fact that it was brought up to me afterwards.

Q. How did he use the name Red?

A. That was his contact, that is the way it was used to me. The way it was described to me.

Q. Did he say 'I have to go to see Red'?

A. No, because most of his communications were by telephone, at least that is what he intimated to me.

Q. Did he say then that 'I got to call Red', or 'I got a call from Red'?

A. Something to that effect, yes.

JUROR:

Q. Since Gordon Novel left town has he been in contact fairly frequently with you by telephone?

A. Yes, mostly to the dismay of my parents because they don't have too much use for the boy and I have to live with that also. He asked me all kinds of questions and comes out with rather ridiculous statements about the things he is doing, etc, and frankly it is a source of irritation

but I have not heard from him in 3 or 4 weeks.

Q. Last week when you were here in the Dean Andrews' trial, I think it was Wednesday evening, we were in the room back there and you were sitting in a corner and there was another heavysset fellow there in conversation with you and Bobby Gordon - do you recall that?

A. Vaguely, yes.

Q. Just a conversation. I am not trying to lead you into anything, I am just asking for information, I happened to be standing by the window there and you said something then to the effect that Gordon would do anything for money, and he laughed and you were both agreed on this, and you stated something that you thought he had been selling information to NBC?

A. Well, that's the impression I got.

Q. From him, that he had been selling information?

A. If not inventing it outright. Because a lot of what Gordon says is so rife with untruth that it is hard to separate one thing from another, it's impossible.

Q. Do you know Mr. Walter Sheridan?

A. Never met the gentleman - I was asked by Gordon over the telephone once to contact Mr. Sheridan, but I told him that I had gotten involved in this thing as far as I wished to and did not wish to become further involved, and this I

never did do. I never did call Mr. Sheridan. The only person who did, and I did not answer the phone, was Rick Townley who called my house and my sister answered the phone, and I told her I was not home I did not feel like talking to him, which was about 3 or 4 weeks after I had appeared before the Grand Jury.

Q. You gave him no information at all?

A. No sir, I haven't. I have nothing to give, absolutely nothing.

MR. GARRISON:

Q. Did Gordon ever tell you anything about the picture which was State evidence, a copy of which he sold to Walter Sheridan for a thousand dollars?

A. Well, that is pretty much correct, the words you said just there, that he had sold it to Walter Sheridan.

Q. Did he ask you for money?

A. No, he didn't. He tried to hang me with a couple of telephone bills, he is long winded on the phone, he will get on the phone and call six thousand miles removed from here and stay on 25 or 30 minutes at the time.

Q. He calls you collect?

A. He called once and I refused to accept the call.

Q. What did he discuss with you on the phone?



- A. He wanted to find out generally what was going on around here, the tenor of people, what the average man in the street thinks about him, his credibility and so forth.
- Q. Did he ask you what you thought about Garrison?
- A. Yes to some extent. I told him as far as I know everything is going according to what Mr. Garrison has intended and that was the gist of it.
- Q. How long did he talk to you three weeks ago?
- A. Not too long, not more than ten minutes.
- Q. You don't know where the call came from?
- A. No, I would answer and he would be on the line.
- Q. That is all, thank you.
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BYRON CHIVERTON, after being duly sworn by the Foreman of the Orleans Parish Grand Jury, was questioned and answered as follows:

MR. GARRISON:

Mr. Chiverton, what business are you in?

A. I am with Dixie Brewing Co. Sales Manager.

Q. How long have you lived in New Orleans?

A. Since 1948.

Q. Where did you come from?

A. Illinois, Dixon, Ill.

Q. Where do you live now?

A. At 4209 Fontainebleau Drive, New Orleans.

Q. I want to direct your attention to the fact of July 31,

1963 at which time the FBI conducted a raid on a part

of land north of Lake Pontchartrain and seized arms,

ammunitions, explosives, bomb casings and napalm. At

the time the FBI seized this a number of individuals

were listed by the Federal Bureau of Investigation as

having been connected with it and the names of these

individuals - and I will read them to you: first of all,

your name, Rich Lauchli, Earl J. Watson, Jr., Ralph

Folkerts, Sam Benton, Victor Domenodoc, Espinoza Hernandez,

Carlos Eduardo Hernando Sanchez, John Kock, Gene Asselo

Pedro Amoyes, Miguel Alvarez Jimenez, and Antonio DeSoto

Vasquez.

Now, can you tell us what this is all about?

A. I don't know any of those names, sir. I don't know how you ask the question, I know the name of the FBI.

Q. You are Byron Chiverton?

A. Yes I am.

Q. Do you know Bill McLaney?

A. Yes.

Q. Do you know Bill McLaney's piece of land over on the Lake?

A. Yes sir. I have a piece of property right next door to it.

Q. These explosives were seized on Bill McLaney's land on July 31, 1963. These Latin names are Anti-Castro Cubans who were training in the summer of 1963 on a mission in regard to Cuba. Does that refresh your memory at all?

A. Well, I read this in the newspaper, but I don't know any of these men. I have never heard of their names before - I have never met any of them.

Q. Do you know Rich Lauchli?

A. No sir. Not to my knowledge.

Q. You don't know that Rich Lauchli is one of the best known Minutemen in the United States? In '63 he was the No. 2 Minuteman in the United States under Depew?

A. No sir.

Q. Do you know any Minutemen?

A. Minutemen?

- Q. Yes. Minutemen.
- A. No sir.
- Q. Do you know Adrian Alva?
- A. No sir.
- Q. Do you know Guy Banister?
- A. I read about him in the papers - I never met him.
- Q. You don't know Sam Benton?
- A. No sir.
- Q. Do you know Earl Watson?
- A. No sir.
- Q. Do you know Ralph Folkerts?
- A. No sir.
- Q. Could you tell me how you believe your name came up in this list of names and it is between Sam Benton and Rich Laughli.
- A. No, I don't even know why I am on the list. I have a piece of property next to McLaney's.
- Q. How big is your property?
- A. 70 x about 300 feet somewhere.
- Q. Did you know anybody was training there in 1963?
- A. No sir.
- Q. Where are you from in Illinois?
- A. Dixon
- A. ~~Birkens~~, Ill.
- Q. How far is that from Collinsville?

- A. I don't know. I don't know where Collinsville is.
- Q. Do you know that Rich Lauchli is from Collinsville, Ill?
- A. I never heard of him.
- Q. You never heard of him?
- A. No sir.
- Q. Well, if you never heard of him we don't expect you to tell us anything. On the other hand, I must counsel you that if you fail to tell the truth before the Grand Jury this is perjury. You understand that, don't you?
- A. Yes sir.
- Q. Will you wait outside for a minute while I talk to the Grand Jury.

(Exit Mr. Chiverton)

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MR. GARRISON:

This list was obtained from the notes taken from a copy of the FBI report which was in the Customs Office files here. Gurvich, in what I regard as the one contribution of his, managed to get access to it one evening while he was working with the Customs people on something else and he took the names down. The FBI report on the seizure of the ammunition was in the papers the next day and lists all of these Latin names. It lists Rich Lauchli - look in last month's Esquire, or the month before - and you will see a full page picture of him because he has moved, the Minutemen became too liberal

for him and he has moved to the Right. Now between Rich Lauchli's name and Sam Benton's name is Byron Chiverton's name. Unfortunately I have no other knowledge about Chiverton except to say that from this he would appear to have to know about it.

JURORS:

Q. Was he arrested?

A. They kept it a secret so we can't verify it. And they didn't even release the names - they said they had seized ammunition and explosives.

Q. Did they arrest any of these people?

A. The report indicated that they, as Gurchich was able to see it, they were temporarily arrested but not booked and the reason appeared to be as certainly all of the Latins were being paid by the CIA . . . .

Q. Was this man taken into custody?

A. There is no way to know, I can't answer that, except that his name was listed with these people who are connected with the ammunition. This is a case - I don't know why his name was put there by the FBI .....

Q. Do you want to ascertain if he owned the land there in '63 and if he did he certainly must have read about this and recognized the property next to his, and ask him if he ever talked to

McLaney about .....

- A. Do you want to go <sup>and get</sup> down/some of those newspaper clippings in my office on a chair?
- Q. Does he have a house on his property? Does he live there? Or just a vacant lot? If he had a house he might know.
- Q. Ask him if he ever saw anybody go in there? If he saw people go in there he must have talked to them.
- Q. Ask if the FBI ever talked to him?
- Q. Let him look at the paper, Jim.
- A. Good idea, let him read it.

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(Return of Mr. Chiverton)

MR. GARRISON:

FOREMAN:

You say you don't know nothing, but please read this.

- A. I can see your point there.
- Q. We are not trying to trick you, but you have us confused.
- A. I don't know these people, I really don't.
- Q. We can't understand why you don't know them and you are listed among them? Were you arrested at that time by the FBI?
- A. No, I never in my life have been .... I don't even know an FBI.

MR. GARRISON:

Did they ever question you?

A. No sir.

Q. What is the address of your land over there?

A. Its Morris \_\_\_\_\_ Subdivision. Rightnext to McLaney's -  
McLaney's mother and I own this jointly.

Q. Do you have a house on it?

A. Yes.

Q. Were you there in the summer of 1963?

A. Yes, everyweekend.

Q. And you saw no activity going on?

A. No, while all of this was going about we were over one  
weekend and this trailer was sitting out there in the yard -  
it was sitting there and we used to swim in the pool there -  
and the kids were jumping up and down and playing in this  
trailer. And the next weekend, if I recall it right,  
we went there and the trailer was there but there was no  
people in the house. The trailer was sitting over there  
besides the pool and the kids were playing on it. This  
is the only thing I knew of anything afterwards.

Q. Did you hear anything about ammunition being seized?

A. I remember after that weekend we spent over there, it was  
during the middle of the week it was seized, and this is  
the first I knew about it.

Q. Did you ever talk to anybody about it?

A. Afterwards?



Q. Yes. Did you talk to Bill McLaney about it afterwards?

A. Yes.

Q. What did he say?

A. They were out of town at the time and quite often there were people there from out of town over there and they would stay in their place over there across the lake - different people. Travelling through. Something like that. He said they were people from out of town - friends - and they would stay in his place.

Q. Did he indicate anything or any feeling on his part that was unusual for guests to bring napalm with them?

A. He was quite concerned over it.

Q. What did he say in that regard?

A. He asked me if we were worried about it. He told me don't be worried about it - it was something out of his control - he had nothing to do with it - and that everything was cleared up - and nothing could be done about it -

Q. Did he mention anything about the number of Latins- the number of Cubans? Coming to his place?

A. As far as I know, he did not know these men.

Q. BY MR. ALCOCK:

These people who visited him periodically, were they Cubans?

A. No sir.

Q. You never saw Spanish looking people on the grounds?

A. No sir.

Q. Do you speak Spanish?

40.

A. No sir.

Q. You didn't see anybody - unusual people there?

A. There wasn't anybody there.

Q. No one at all?

A. No sir.

Q. Did you have occasion to go on the property, other than go swimming?

A. We went over there - might have went over in the carport and got some chairs off it. We had a few guests over at our place.

MR. GARRISON:

Did you hear any noise as shooting or ammunition exploding?

A. No sir.

Q. We have talked to Cubans - there is one Cuban who in particular was in an adjacent camp and they spoke of the continual noise of explosives from that vicinity.

A. In our area?

Q. From that general area.

A. No, we are only there on weekends, on Saturdays and Sundays. Sometimes we went Friday night- but I can't remember if we went Friday night this particular weekend. During that time there there wasn't anybody around.

Q. What business were you in before you left Dixon, Ill?

A. I was in the diaper service.

Q. Did you ever live in any other towns besides Dixon?

A. No.

Q. You were born in Dixon?

A. Yes.

Q. BY MR. ALCOCK:

You mean to tell me that Mr. McLaney only told you in a casual comment, don't worry, its all cleared up, and you knew this was found on property right next to you - and this is all he told you? You didn't feel that you should inquire further into that?

A. I don't see him that often, only weekends. I saw everything in the newspaper ....

Q. Let's establish this. How soon after the finding of this cache did you see him?

A. Maybe a week. I am guessing now.

Q. Yes, I understand. Now, was his wife on the property at the time?

A. At what time?

Q. When the explosives were found.

A. I don't know.

Q. What about the weekend you were there prior to their being found, was she there then?

A. No, no. I am quite sure she wasn't.

JUROR:

Q. Mr. Chiverton, you say Mr. McLaney did not know these people, they just walked into his property. Did anybody get permission to come in?

A. As far as I know, I am guessing, I could be wrong, Bill told me that someone had called and wanted to use his place, they were travelling through, . . . .

Q. When did he mention this to you?

A. I think it was afterwards.

MR. ALCOCK:

Q. You must have had some conversation with him. What else did he tell you? We are getting this by bits and pieces ... You come in here the first time and it appears that you have no knowledge whatsoever, now you are giving us a little bit here and a little bit there ... I would like to know what the whole story is.

A. I am trying to search in my mind . . . .

JUROR:

Q. You said a while ago when Mr. Garrison asked you what McLaney told you about it and I think you said he said not to worry about it, as it was out of his control.

A. About getting involved in it by being next door.

Q. The first you knew of anything like this , a ~~ENNE~~ cache of

ammunition you read it in the paper?

A. I heard it on the radio, I was coming in from Mississippi.

Q. You did not immediately start trying to find out from Mr. McLaney and ask him what was going on.

A. I was coming in from Mississippi and heard them mention something about McComb on the car radio, and soon as I got home and walked in the house my mother-in-law said it was in the newspaper.

Q. And you just let it ride for a week? Until you saw him?

A. No, I tried calling him but he wasn't available at the time. His phone didn't answer.

MR. ALCOCK:

Q. Are you related to Mr. McLaney?

A. By marriage, yes sir.

Q. What relationship?

A. My wife's cousin.

MR. GARRISON:

Q. Where did you try to reach him?

A. At his house on Camp St.

Q. Here in the City?

A. Yes.

Q. Is he back in Las Vegas now?

A. No sir, he is in Miami.

Q. Do you know Louis McWilly?

A. McWilly?'

Q. Yes, a friend of Bill McLaney's, from Las Vegas.

A. No, I know quite a few of his friends. I have been introduced to them. I met a Willy - I am trying to think -

Q. He had been in Cuba previously.

A. Was he a gray haired man?

Q. I don't know what the color of his hair was.

Does the name McWilly sound familiar to you?

A. I know somebody by the name of Mac - I can't remember the last name.

Q. Where is he from?

A. I was in Las Vegas two years ago and I think it was at that time.

Q. Was this at the Thunderbird?

A. No, I don't know now, if this is the same man or not, but this was a white haired fellow.

Q. One friend of his who visited him in the summer of 1963 was Gerald Patrick Heming, do you know him?

A. No sir.

Q. I asked Mr. Heming if he had occasion to see Rick Lauchli

while he was north of the Lake and he said yes he went over there and saw him ~~over~~ there.

MR. ALCOCK:

Q. How big a piece of property does McLaney own over there?

A. I think's it one lot wider than this, 35' wider than the one we have, that would be 300 feet.

Q. Can you see clearly from one end to the other, or are there a lot of trees which would prevent you from seeing the entire property?

A. From my house?

Q. From your place.

A. The bushes are between our house.

Q. What if you used the swimming pool area, can you see the entire property from the pool?

A. Oh yes.

Q. And you didn't see any activity whatsoever?

A. No. There was a trailer there. No one inside, a Newhauf trailer.

Q. Did you notice the license plate on it?

A. No sir.

Q. Who do you work for, Mr. Chiverton?

A. Dixie Brewing Co.

Q. Did the FBI ever talk to you at all?

A. No sir.

MR. OSER:

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Q. Never talked to anybody, never talked to your wife?

A. No sir.

Q. Never talked to McLaney's relatives that he told you about?

A. I think he talked to them. I think, I don't know.

Q. Isn't it kind of strange the FBI didn't inquire anything of you when you are the next-door neighbor to see what you may, or may not have known about this? Didn't this strike you as funny?

A. I was looking for them.

Q. And they never came?

A. No sir.

MR. ALCOCK:

Have you ever heard the name Jose Juarez?

A. No sir.

Q. If I told you that Mrs. McLaney told or said that they let the property to a Jose Juarez, whom they knew in Cuba, you would not know about that?

A. No sir.

Q. You and Mrs. McLaney own the property together?

A. No, Bill McLaney's mother, Mrs. Julia McLaney, .....

Q. You and she own this piece of property together?

A. Yes sir.

Q. Then you apparently are close with Mr. McLaney through your relationship directly and through his mother, and



your property is adjacent to his. Do you have a key to his property?

A. Yes, we have a key.

Q. Now, you have had occasion to go in and out of his place on weekends, as caretaker so to speak. Now, in all your close relationship with this place you had no indication that there was anybody inhabiting this place other than Mr. and Mrs. McLaney?

A. No. When relatives came down they would come over to our house - it was always somebody we knew.

Q. Now you had a key to this property, and you had no indication or knowledge - and you know what had happened - you heard it over the radio and you read it in the papers - and you, the next door neighbor, had no knowledge ?

A. No sir.

Q. In your perusal, and going through the house, did you see any packages or boxes which would indicate that there had been somebody there?

A. No sir.

JUROR:

Mr. Chiverton, do you know what part of Illinois Mr. McLaney comes from?

A. Springfield, Ill.

MR. GARRISON:

Did you know Bill McLaney when he was in Cuba and Havana? Have you ever been to Cuba?

A. Yes sir. I spent about ten days in Havana.

Q. when did you go to Cuba?

A. I guess right after Castro had taken over, they had the casino at the Nacional Hotel there.

Q. While they were still allowing McLaney to operate?

A. Right.

Q. Did you go to visit Bill McLaney?

A. Yes.

Q. What year was that?

A. I can't say, it was right after Castro had come in there - I know all of his men were walking around the streets with machine guns.

Q. Did you have occasion to meet Loran Hall?

A. No sir.

Q. BY A JUROR:

Getting back to the telephone conversation with McLaney, you said somebody called and asked him if they could use his property, what else was said in the conversation?

A. This was after it happened. Somebody called and said they were travelling through and wanted to use his place.

Q. For what purpose?

A. Just use the place, that was all. That's all I know.

Q. Was that during a weekend or during the week?

A. No, this was after it all happened.

Q. These people wanted to use the place on the weekend?

A. No, not to my knowledge.

Q. You said that these people called and wanted to use it?

A. And he said go ahead and use it.

MR. GARRISON:

Do you remember the approximate month you went to Cuba to visit the McLaneys?

A. If you can tell me when Castro first went .....

MR. ALCOCK:

January 1, 1959.

A. Then it was probably the spring going into the summer of 1959.

MR. GARRISON:

Q. In the summer of 1959 another person who visited Cuba was Jack Ruby who visited Havana to see a man named Louis McWilly, a gambler, did you encounter McWilly or Ruby there?

A. No.

Q. You don't remember McWilly?

A. McWilly, that's the name I am trying to remember, I know a man named Willy, I don't know if it is McWilly.

Q. What did he look like?

A. About my size and had white hair, stocky set fellow.

Q. You met him where?

A. In Las Vegas.

Q. You remember the place?

A. He worked at the - if its the one I am thinking of, I don't know for sure if this is the same man or not - he worked for Bell at the Casino there.

Q. I have no other questions.

FOREMAN:

That is all, thank you.

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C E R T I F I C A T E

I certify that the preceding transcript is a true and correct copy of the testimony given, under oath, before the Orleans Parish Grand Jury, on the 16th day of August, 1967, and reduced to type-writing by me.

Maureen B. Thiel

