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JFK ACT RELEASE

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JFK HISTORICAL REVIEW PROGRAM

JURY SELECTION FINALLY COMPLETED IN SHAW CASE



—Photo by The Times-Picayune.

CHATTING in the courtyard of the Rowntowner Hotel Wednesday after the jury for the Clay Shaw trial was completed were Criminal District Judge Edward A. Haggerty Jr. (right), who will preside over the trial, and Criminal Sheriff Louis A. Heyd Jr.

DA Will Make Opening Statement Today

By CLARENCE DOUCET

Fourteen tedious days of jury selection were ended Wednesday, and on Thursday morning the conspiracy trial of Clay L. Shaw will begin.

District Attorney Jim Garrison will deliver the opening statement.

He is expected to tell the jury if the state will attempt to link the alleged conspiracy with the assassination of President John F. Kennedy.

Criminal District Court Judge Edward A. Haggerty, who is presiding, will hear two motions when the court session begins at 10 a.m.

Once the motions are heard, the presentation of witnesses and evidence will begin with Garrison's opening statement expected to be the first day's highlight.

SECOND ALTERNATE

The way was paved for the start of the trial with the selection on Wednesday morning of Robert J. Burlet, 4101 Vixen, Algiers, the 46-year-old president of GNT Crane Service, as the second alternate.

The questioning of Burlet, the second prospective juror called to the witness chair Wednesday, started at 10:55 a.m. and ended at about 11:30 a.m.

Judge Haggerty had to call nearly 1,200 prospective jurors in the two weeks of jury selection. Most were excused because they would suffer a loss of earnings, or for medical reasons, or because they said they had a fixed opinion.

TIMES - PICAYUNE, New Orleans

In other action related to the case, legal efforts by Garrison to obtain the secret autopsy photos and X-rays of President Kennedy for use in the trial were delayed.

Shaw is charged with having participated in a conspiracy with Lee Harvey Oswald, and David W. Ferrie to murder President Kennedy.

Judge Charles W. Halleck of the Court of General Sessions in Washington, D. C., had given Garrison until Wednesday to tell him if he intends to link the conspiracy with the assassination.

DEADLINE MOVED BACK

However, he delayed the deadline and rescheduled a hearing, which was set for Friday, to Feb. 14 after agreement between the government and Garrison's attorneys.

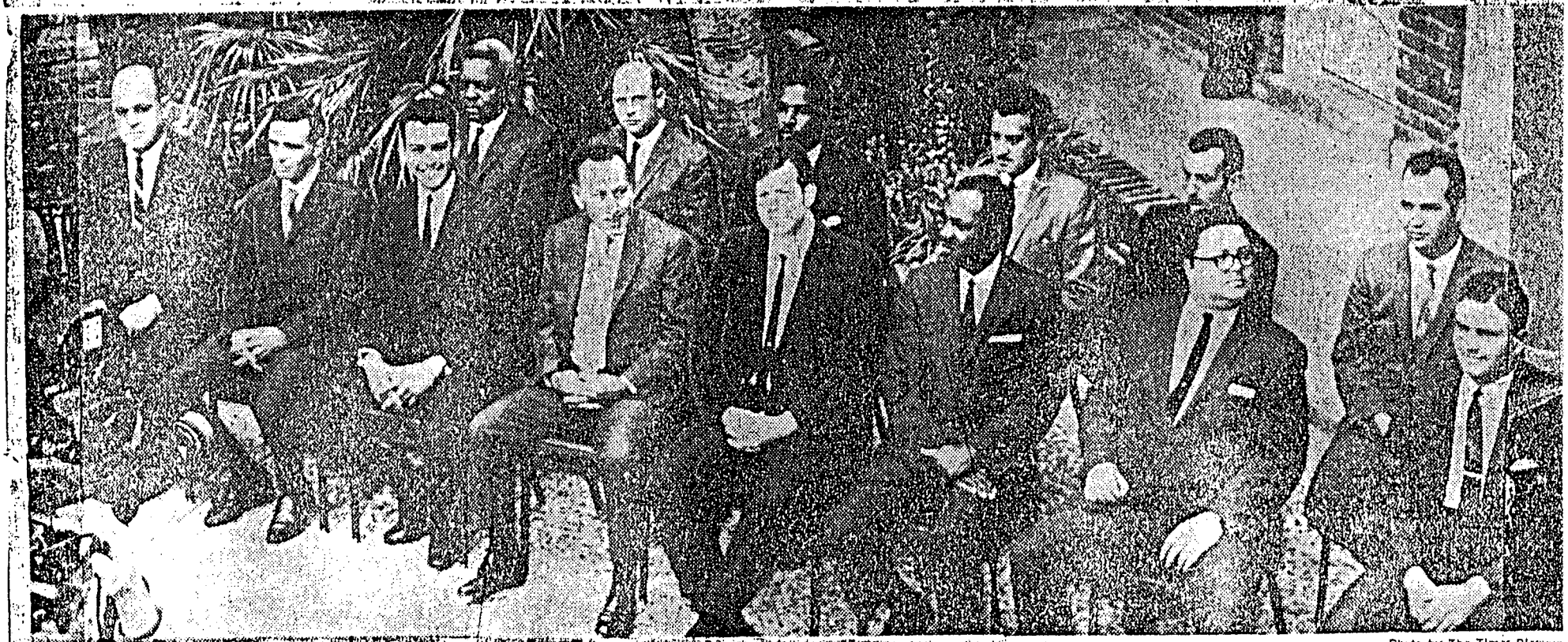
Judge Halleck said he was not holding Garrison to the Wednesday deadline because Shaw's trial had not started. When he set the deadline last week, he said he expected that by Wednesday the trial would have started and Garrison would have already made his opening statement.

The Shaw jury is all male. Seven women, all volunteers, were called as prospective jurors, but six said jury duty would impose an undue hardship and the seventh was excused by a peremptory challenge exercised by the state.

It has been stated that the

Cont. in Sec. 1, Page 2, Col. 1

Jury Panel for Shaw Trial Completed After 14 Days of Selecting



—Photo by The Times-Picayune

FOURTEEN MEN who were chosen on the jury to hear the testimony in the trial of Clay Shaw are pictured as they sat together for the first time Wednesday at the Rowntowner Hotel. From left are (front row) Robert John Burlet, alternate; John Joseph Bellman Jr., alternate; Larry Dean Norgan, Sidney J. Hebert Jr., Harold W. Balnum Jr., Warren E. Humphrey, David I. Powe, Peter M. Tatum; (back row) Irvin Mason, Oliver M. Schultz, William Ricks Jr., Charles D. Ordes, Herbert John Kenison and James Gary O'Quinn.

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Garrison vindicated

Affidavit puts new light on Shaw trial

New Orleans—The long delayed trial of Clay Shaw for conspiracy to assassinate Pres. John F. Kennedy got under way Monday with selection of a jury.

State of Louisiana
Parish of Orleans
AFFIDAVIT

BEFORE ME, the undersigned authority, Notary Public for the Parish of Orleans, personally came and appeared:

FRED H. LEEMANS, SR., who, after being first duly sworn, did depose and say as follows:

That I am the same Fred Leemans who appeared on the NBC nationwide telecast entitled "The J.F.K. Conspiracy: The Case of Jim Garrison" on Monday, June 19, 1967.

That while appearing on this program I stated that a member of Jim Garrison's staff, one Robert E. Lee, had offered me $2,500 for testimony to the effect that Clay Shaw used my turkish bath and that on those occasions he used the name Clay Bertrand. I further related how Mr. Garrison's office attempted to get me to identify a young white male, who accompanied Shaw to the baths, as Lee Harvey Oswald.

I now state freely and voluntarily and without any promises of reward or immunity that the statements I made on the NBC program relative to Garrison's office offering me a bribe for testimony favorable to their case was a lie.

I am making this statement after serious thought and long deliberation principally to clear the name of Robert E. Lee, former Assistant District Attorney, and the office of Jim Garrison from the false accusations that I had made. My conscience would not allow me to defame and impugn the character of Mr. Lee and the office of Jim Garrison any longer.

I would like to state the reasons for which I appeared on the NBC show and lied about my contacts with the District Attorney's office. First, I received numerous anonymous threatening phone calls relative to the information that I had given Mr. Garrison. The gist of these calls was to the effect that if I did not change my statement and state that I had been bribed by Jim Garrison's office, I and my family would be in physical danger.

In addition to the anonymous phone calls, I was visited by a man who exhibited a badge and stated that he was a government agent. This man informed me that the government was presently checking the bar owners in the Slidell area for possible income tax violations. This man then inquired whether I was the Mr. Leemans involved in the Clay Shaw case. When I informed him that I was, he said that it was not smart to be involved because a lot of people that had been got hurt and that people in powerful places would see to it that I was taken care of.

One of the anonymous callers suggested that I change my statement and state that I had been bribed by Garrison's office to give him the information about Clay Shaw. He suggested that I contact Mr. Irvin Dymond, Attorney for Clay L. Shaw, and tell him that I gave Mr. Garrison the statement about Shaw only after Mr. Lee offered me $2,500. After consulting with Mr. Dymond by telephone and in person, I was introduced to Walter Sheridan, Investigative Reporter for NBC, who was then in the process of preparing the NBC show. Mr. Dymond and Mr. Sheridan suggested that I appear on the show and state what I had originally told Mr. Dymond about the bribe offer by the District Attorney's Office.

I was informed by Mr. Dymond that should the District Attorney's office charge me with giving false information as a result of my repudiating the statement I had originally given them, he would see to it that I had an attorney and that a bond would be posted for me. In this connection Mr. Dymond gave me his home and office telephone numbers and advised me that I could contact him at any time of day or night should I be

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My actual appearance on the show was taped in the office of Aaron Kohn, Managing Director of the Metropolitan Crime Commission, in the presence of Walter Sheridan and Irvin Dymond.

FRED H. LEEMANS, SR.

SWORN TO AND SUBSCRIBED BEFORE ME THIS 6th DAY OF January, 1969.

BYRON P. LEGENDRE,
Notary Public

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PROBE

The 2nd Assassin Theory

...s Probed by Garrison

By DANIEL JOHNSON
Staff Writer

In the "New Orleans Connection" story of the plot to kill President John F. Kennedy, it now appears that District Attorney Jim Garrison has left:

1. Lee Harvey Oswald shot and killed Dallas Police Officer J. D. Tippit and then helped John B. Connally and President John F. Kennedy.

2. A second assassin, supposedly a swarthy, heavy-set man, fired on an overpass in Dealey Plaza as the presidential car approached the point that killed the President.

3. A Dallas truck was used as a getaway vehicle for some of the plotters, including David W. Ferrie, the former airline pilot who died last week in Metairie.

4. Oswald was in Washington [illegible] weeks before the assassination.

Garrison, in the meantime, has announced the final arrest in the case, Clay L. Shaw, a retired businessman, and, for the first time the 6-foot-6-inch district attorney has made public official charges naming Oswald, Ferrie, Shaw and "other persons" in a plot to kill Kennedy.

In an affidavit filed for the granting of search warrant in connection with Shaw's apartment, Garrison's office said:

"Affiant has evidence that meetings were held in the apartment of David W. Ferrie at 3330 Louisiana Avenue Parkway and the people present were David W. Ferrie, Clay [illegible]

[illegible] Page A-2

[illegible] Shaw [illegible] in 1963. [illegible] that the FBI had [illegible] Shaw late in 1963. [illegible] that the FBI [illegible]s," he said, "there was no connection found" with the assassination.

Since his release, Shaw has told newsmen that he is "completely innocent." He also said [illegible] never saw Oswald. And he denied using the name of Clay [illegible]. The arrest added, [illegible], one more twist to an [illegible] bizarre story.

[illegible] two weeks since Garrison's investigation became [illegible] attention has focused on [illegible] a cast of characters [illegible] any "underground" novels: narcotics, homosexuals, militant anti-Communists, private detectives, and conspiratorial Cuban refugees involved in an attempt to free their homeland.

Now, more and more of those whose names have been mentioned seem to want to talk publicly. Two personal incidents yesterday were illustrative.

Both Jack S. Martin and David Lewis, two of the principal sources for Garrison's investigation, called this reporter in New Orleans and talked [illegible] about the case.

Martin once worked for [illegible] W. Guy Banister, a [illegible], and with said [illegible] Cubans in Banister's office with David Ferrie on many occasions. Lewis flatly said he had seen Oswald there several times. Martin was less positive, indicating he might have, but was not sure. However, he promised to be able to divulge "hot leads" to hel pthe cause of what he called "sensational journalism."

Martin talked about Jack Ruby and Oswald [illegible] nightspots, "spike-mikes," [illegible] weapons, and, often, about "good friend," Jim Garri[illegible]

He claims, among [illegible] things, that Ferrie had [illegible] tioned Clay Shaw to Ha[illegible] also talked, [illegible] government [illegible] ces, the FBI, [illegible] others.

Secret Service [illegible] tioned him were "[illegible] try—you know, [illegible] agents "twisted around [illegible] said [illegible] because they [illegible] I'm a jerk and a bum [illegible] alcoholic."

Martin also claims that [illegible] haven't told them everything [illegible] but that he has told Garrison.

After considerable verbal fencing, Martin was asked:

"Do you have any knowledge of any plot or any conspiracy to assassinate President Kennedy?"

He answered:

"No sir, only circumstantial."

Lewis said he "may know several who were connected with the plot."

"A lot of strange stuff went on in that office," he said, referring to Banister's office where he died in August, 1963. "But I don't know anything about it."

Both men seemed to enjoy the attention they are receiving.

Lewis said he had just been interviewed by NBC television personnel, and said to be sure to watch him on Huntley-Brinkley.

Martin offered to work on a retainer basis for The Star to provide further "sensational" information.

They both must have been somewhat disappointed. Lewis was not on Huntley-Brinkley last night; The Star decided to retain Jack Martin.

Clay L. Shaw # 117-A
J. Monroe Sullivan # 280207
Guy W. Banister # 222918

Original file
Oswald file
351164

Warren Exhibit
3 Mar 69

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ROBE

The 2nd Assassin Plot

Continued From Page 1A

Harvey Oswald ... and said other men."

After searching the apartment, Garrison's investigators carried off a weird assortment of material including five wigs, pieces of cloth, a black hood and cape, and a machine gun.

Shaw, free on $2,000 bond, apparently was not ... the day of the arrest, Sept. 25, 1963.

J. Monroe Sullivan, executive director of the San Francisco World Trade Center, told the Associated Press that Shaw was touring the center with him and other businessmen that day. At that time, Shaw was the managing director of the International Trade Mart in New Orleans. He is now retired.

Garrison claims that an informant—who since has voluntarily submitted to examination while under the influence of truth serum," sodium pentothal—was present in Ferrie's apartment and "saw the conspirators and heard the plans."

In fact, Shaw, 54, had been questioned extensively by the FBI as one of many suspects in New Orleans acquainted with Ferrie, who had been interrogated after he lost his airline job because of his arrest as a homosexual.

One unconfirmed report had Shaw claiming at one point to have talked with Oswald while he was in a New Orleans hospital. But, the story goes, investigators determined that Shaw was under heavy sedation at the time and could not have taken such a walk. He is said to have later denied the story as a figment of his imagination.

Ramsey Clark, the new U.S. attorney general, told reporters yesterday that the FBI had investigated Shaw late in 1963. ... that the FBI ... ," he said. "There was no connection found" with the assassination.

Since his release, Shaw has told newsmen that he is "completely innocent." He also said ... never saw Oswald. And he ... using the name of Clay ... The arrest, added, ... , with more twist to an already bizarre story.

In the two weeks since Garrison's investigation became public, attention has focused on as strange a cast of characters as ever people any "underground" novels: neurotics, homosexuals, militant anti-Communists, private detectives, and conspiratorial Cuban refugees involved in an attempt to free their homeland.

Now, more and more of those whose names have been mentioned seem to want to talk publicly. Two personal incidents yesterday were illustrative.

Both Jack S. Martin and David Lewis, two of the original sources for Garrison's investigation, called this reporter from New Orleans and talked at great length about the case.

Both men once worked for the late W. Guy Banister, a private detective, and both said they saw anti-Castro Cubans in Banister's office with David Ferrie on many occasions. Lewis flatly said he had seen Oswald there several times; Martin was less positive, indicating he might have, but was not sure. However, he promised to be able to divulge "hot leads" to help solve cause of what he called "sensational journalism."

Martin talked about Jack Ruby and ... nightspots ... "spite-minded," ... weapons, and ... "good friend," Jim ...

He claims, among things, that Ferrie ... tioned Clay ... also talked, ... government ... cies, the ... others.

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#280207 (... 3/14/67

Clay L. Shaw #402577-A
J. Monroe Sullivan - #280207 (P)
Guy W. Banister - #222718

Original is in Oswald file #351164

SECRET

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WASHINGTON STAR
6 JAN 1972

Q and A

By ROBIN ADAMS SLOAN

Q. What was the real reason behind Jim Garrison's accusations of the businessman Clay Shaw in New Orleans?—G. H., Shreveport, La.

A. The social set in New Orleans was delighted when Clay Shaw beat D. A. Garrison's charges of conspiracy in the murder of John F. Kennedy. The aristocratic insiders believe that Garrison, a big, handsome man, was always jealous of Shaw, another, big, handsome man who had easy acceptance into the best New Orleans homes—a social cachet denied to the D.A. Today, though Garrison's legal attacks on Shaw have broken the latter financially, it is the D.A. who now stands accused of income tax evasion and conspiracy to bribe officials. Shaw has just been named by the mayor to head the city's historic French Market renovation and will most likely be wearing his cat-that-ate-the-canary costume at this year's Mardi Gras.

SECRET
(When Filled In)

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Garrison After Shaw in Court

Associated Press

New Orleans District Attorney Jim Garrison asked the Supreme Court yesterday to sweep aside a lower court injunction blocking the prosecution of Clay L. Shaw on a perjury charge.

Garrison filed the charge two days after Shaw was acquitted in 1969 of conspiring to assassinate President John F. Kennedy.

It accused Shaw of lying during his conspiracy trial when he testified he did not know Lee Harvey Oswald, accused slayer of Kennedy, or the late David Ferrie, named by Garrison as a coconspirator.

21 Sept 72
WASH. POST

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Garrison Appeals Shaw Trial Ban

By FRED BARNES
Star-News Staff Writer

New Orleans District Attorney Jim Garrison has asked the Supreme Court to lift an injunction that bars him from prosecuting Clay Shaw on perjury charges.

In a petition filed with the high court yesterday, Garrison argued that a federal judge overstepped his authority when he blocked the Shaw trial in May 1971.

The Supreme Court, currently in summer recess, is not expected to announce for several months whether it will hear the Garrison appeal.

The New Orleans prosecutor attempted to try Shaw for perjury after Shaw was acquitted of charges, also brought by Garrison, that he conspired to assassinate President John F. Kennedy.

Acting In Bad Faith

Garrison contended that Shaw, a New Orleans businessman, lied during the conspiracy trial when he denied having known Lee Harvey Oswald and David Ferrie, the alleged co-conspirators in the plot to kill Kennedy.

But a federal judge, acting at Shaw's request, ruled that Garrison was acting in bad faith in pressing the perjury charge. The judge barred the perjury trial and that ruling was later upheld by the U.S. Court of Appeals in New Orleans.

In his petition to the Supreme Court, Garrison said that the lower court ruling "if allowed to stand, would serve to destroy the well-recognized public policy against federal intervention in state criminal prosecutions."

"It would seem to be appropriate — through the medium of this important case — for this court to put to rest the vexatious problem as to the right of the federal courts to enjoin state-court criminal prosecutions," Garrison said.

Effect Of Advancing Religion

Meanwhile, the Supreme Court was asked yesterday to reinstate a Pennsylvania law that provides for a reimbursement to parents for tuition paid for children in nonpublic schools.

The law, which had been scheduled to go into effect this fall, was ruled unconstitutional last April by a three-judge federal panel in Philadelphia. The panel said the reimbursements would have the primary effect of advancing religion.

The law sets payments of $75 for each child in elementary school and $150 for each one in secondary school.

The request that the law be reinstated was filed by the state of Pennsylvania and a group of parents in the state.

In their petition, they contended that the law "plainly has no primary effect that advances religion." They also argued that parents who are not getting reimbursements have been denied equal protection under the law.

Star-News
9/21/72

NEW YORK TIMES

15 AUG 1971

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BOOK CASTS DOUBT ON JUSTICE IN U.S.

Raises Questions on Trials of Shaw, Ray and Sirhan

WASHINGTON, Aug. 14 (UPI) —Three reporters who covered the trials of men charged in the assassinations of President Kennedy, the Rev. Dr. Martin Luther King Jr. and Senator Robert F. Kennedy here concluded that "American justice works accidentally, if at all."

"The courts are now basically constructed to serve the legal profession, not the people," a book, "A Search for Justice," declares. Each of the reporters, who covered the trials for The Nashville Tennessean, wrote a section of the book. It was edited by John Siegenthaler, the newspaper's editor, who also wrote its conclusions.

Mr. Siegenthaler was an administrative assistant to Robert Kennedy when Mr. Kennedy was Attorney General.

The three reporters are James Squires, now a special assignment reporter for The Tennessean; Frank Ritter, now the paper's city editor, and John Hemphill, now an assistant news editor in the Washington Bureau of The New York Times.

Mr. Ritter covered the trial of Clay Shaw, who was accused of conspiracy to kill the President; Mr. Squires the trial of James Earl Ray for Dr. King's murder, and Mr. Hemphill the trial of Sirhan Bishara Sirhan for the assassination of Robert Kennedy.

Reach Same Conclusion

Afterward, Mr. Siegenthaler writes, the three reporters "each independently reached the conclusion that American justice works accidentally, if at all."

"None of them felt he would have much confidence in his own chance to get a fair verdict were he to be put on trial in those same courts, before the same judges," Mr. Siegenthaler writes.

The authors conclude that Mr. Shaw should never have been tried; that no attempt was made to determine the truth after Ray pleaded guilty in return for a 99-year prison sentence, and that Sirhan's sanity trial was a mockery.

They found the judicial system so lacking long-overdue reform "that the administration of justice is in serious trouble and often, on a day-to-day basis, may actually be more inclined to thwart justice.

"The organized bar, perhaps aware that the courts are ineffectual," Mr. Siegenthaler writes, "has seized on imperfections in the press and has directed its major 'reform' attention to the 'free press vs. fair trial' question."

Mr. Shaw, a New Orleans businessman, was acquitted after a sensational trial highlighted by charges made outside the courtroom by the New Orleans District Attorney, Jim Garrison. The District Attorney was admonished by the bar despite complaints that he had conducted a circus with unreliable, discredited witnesses. The authors conclude that Mr. Shaw "should never have been tried."

Unanswered Question

In the case of Ray, the journalists came away convinced that, despite his guilty plea, on which he received a 99-year prison sentence, the overriding question of a possible conspiracy in the April 4, 1968, murder of Dr. King was never answered.

"The administration of justice succeed in punishing a guilty man," Mr. Siegenthaler writes. "But it made no pretense of initiating a search for truth or putting down what very well may have been a lie by Ray."

Sirhan shot Robert Kennedy in Los Angeles a few minutes past midnight June 5, 1968, in full view of many witnesses. He was convicted of murder and was sentenced to die in the gas chamber.

With his sanity the only issue, the authors contend that the prolonged, million-dollar trial resulted only in "a sentence more severe than one which could have been negotiated before a jury was seated to try the case."

They contend that permitting the tenuous findings of psychiatrists and psychologists to be subjected "to the sort of badgering cross-examination that comes from the hostile adversary environment of a criminal trial, may rob the cause of justice."

Clay Shaw

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Clay Shaw Gets New Orleans Job

NEW ORLEANS, July 19 (AP)—Clay Shaw, who was unsuccessfully prosecuted by New Orleans District Attorney Jim Garrison on a charge of plotting to assassinate President John F. Kennedy, was appointed today to a city post by Mayor Moon Landrieu.

Shaw, acquitted on the conspiracy charge in 1969 and freed recently of a perjury charge stemming from the trial, was appointed to the board of directors of the French Market Corp. The city-owned agency directs the affairs of municipal property in the French Quarter market area.

WASH POST
20 Jul 71

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WASH. DAILY NEWS 5-26-71

NEW ORLEANS- (UPI)— District Attorney Jim Garrison used unreliable witnesses to [illegible] case against Clay Shaw for financial gain during a probe of the Kennedy assassination, a federal court ruled yesterday.

"This court finds that Mr. Garrison undertook his baseless investigation with the specific intent to deprive Mr. Shaw of his rights under the Constitution," said U.S. District Judge Herbert Christenberry.

He barred Mr. Garrison from further prosecution Mr. Shaw on a perjury charge. The order, for awhile at least, ended Mr. Shaw's four-year, 87-day ordeal as a man implicated in the assassination of President Kh.

Mr. Shaw was charged March 1, 1967, with conspiring with Lee Harvey Oswald and others to assassinate Mr. Kennedy. Mr. Garrison declared Oswald was the lone assassin.

On March 1, 1969, a state court jury acquitted Mr. Shaw. Three days later Mr. Garrison charged Mr. Shaw with perjury for testifying he did not know Oswald and the other alleged conconspirators.

"I feel the truth, though crushed to earth, will finally rise," Mr. Shaw said yesterday. "and I think it has my initial reaction is that finally the American jucial system corrects the things that go wrong with it."

Judge Christenberry, a blistering 22-page decision, gave these conclusions:

Mr. Garrison sought publicity for himself. Mr. Garrison used $70,000 in donations from a group of bulnesss plus $25,000 in office fees from "baith faith" prohecution of Mr. Shaw.

"If Mr. Shaw is forced to stand trial for perfury and is acquitted, this court has no dput that Mr. Sahw will be charged and stand, Judge Tesditenberr Class.

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U.S. Judge Orders Garrison to Stop Prosecuting Shaw

25 MAY 1971

NEW YORK TIMES

NEW ORLEANS, May 27 (NUI)—A United States district judge said today that New Orleans District Attorney Jim Garrison had a "significant financial interest" in prosecuting Clay L. Shaw and ordered him to stop all legal proceedings against Mr. Shaw.

Mr. Garrison has said for years that Mr. Shaw had been involved in a conspiracy to assassinate President Kennedy, but a jury in 1969 acquitted Mr. Shaw on conspiracy charges.

Mr. Garrison then charged him with perjury, contending he had lied on the witness stand when he said he knew nothing of a conspiracy.

The order blocking Mr. Garrison from prosecution was handed down by Judge Herbert W. Christenberry, who said he had found Mr. Garrison had a "significant financial interest in the continued prosecution of Clay Shaw."

Judge Christenberry said this financial interest came from Mr. Garrison's book, "Heritage of Stone," which concerns his investigation of the Kennedy assassination.

"Al I can say is that it's wonderful," said Mr. Shaw. "I haven't seen what the judge said. I just don't know what to say."

"This is the first that we've heard about it," said Assistant District Attorney Andrew Sciambra. "We're surprised at it. After Garrison reads the judge's decision I feel he'll have something to say about it."

N.Y.T.
28 May 71

23 MAR 1971

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402897-10

GARRISON NEAR-RECLUSE

Clay Shaw Emerges With New Respect

BY JERRY COHEN
Times Staff Writer

NEW ORLEANS—Clay Shaw is almost 60 now and a widely publicized ordeal that began almost exactly four years ago has taken an incalculable toll of his energies.

Jim Garrison remains a fearsome influence on his life. But time is Clay Shaw's enemy now.

So the former director of this city's world-famous International Trade Mart works hard, both in and outside his French Quarter residence.

He toils almost daily over a play he is writing while contemplating another he hopes to complete—but is not certain he will.

Restores Homes

He also has returned to his lifelong preoccupation: restoring neglected French Quarter homes to their classic splendor.

Shaw does leave the city briefly to lecture. While he loves New Orleans more deeply than ever, he welcomes such calls from his agent to speak. They provide the opportunity to tell still another audience about a subject with which he is more conversant than any man alive: What it is like to have been accused of plotting to murder a President by an ambitious district attorney who—Shaw maintains—knew the charge to be "totally without substance or foundation."

Also Writes

Clay Shaw enjoys life, however. He is not bitter. But he has not forgotten.

Far on another side of this city, in his handsome, two-story brick home out by the lake front, Dist. Atty. Jim Garrison writes, [illegible] his first book, "Heritage of Stone," has just contracted to write three books.

But unlike Clay Shaw, still an imposing man, Jim Garrison works in discomfort. The pain in his back sometimes is excruciating, he says. An operation on his lower spine several months ago apparently was successful but an infection that set in has noticeably wasted his once-commanding frame.

He is almost a recluse and rarely is seen in public.

Other woes beset him:

—The Internal Revenue Service is conducting an extensive investigation into his finances.

—His continuing legal assault on Shaw does not appear to be going well.

—Shaw himself has counterattacked by filing a $6 million damage suit against Garrison and a group of businessmen who financially supported the district's attorney's unsuccessful conspiracy case against Shaw.

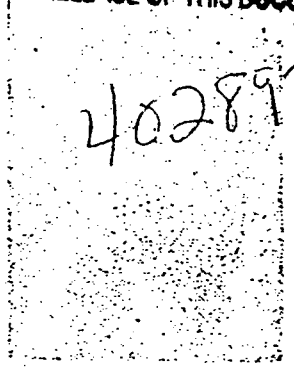
Attorney Optimistic

Shaw's attorney, Edward F. Wegmann, is optimistic about the unusual damage suit and confident that he can prove Garrison "acted outside the jurisdiction of his office" in prosecuting Shaw.

Significantly, Clay Shaw's name does not appear once in the body of Garrison's "Heritage of Stone," nor, he has said, will any of his subsequent books deal with the assassination of John F. Kennedy.

Shaw says, however, the play he hopes to write will deal directly with Garrison and his, Shaw's, personal tribulation.

When Garrison once grabbed headlines with his whirlwind prosecution



Clay Shaw

appears to have survived the real-life drama as the more intact of the two.

A series of decisive turns in the case unquestionably has diminished the Garrison reputation and image, while Shaw commands new respect, at least among many citizens of this old port city.

How did this come to pass?

To begin with, Garrison's prosecution of Shaw two years ago—a prosecution in which he played surprisingly little part, leaving it mostly to assistants—proved a shambles.

After a six-week trial, which was less the prosecution of Clay Shaw than it was an attack on the Warren Commission Report, the jury acquitted the gray-haired defendant in less than an hour—on March 1, 1969, exactly two years to the day after Jim Garrison had ordered Shaw arrested.

Bags Packed

The jurors apparently thought so little of Garrison's case against Shaw that even before beginning deliberations they ordered their bags packed and removed from the rooms in the motel in which they had been sequestered.

But Garrison refused to let go.

On Monday, March 3, 1969, the very first working day after Shaw's acquittal, the unpredictable district attorney charged Shaw with perjury. The basis of the charge, Garrison explained, [illegible] contention that Shaw had when he said during the trial he knew neith[illegible] Lee Harvey Oswald nor David Ferrie, a homosexual former airline pilot who died before Shaw's arrest but whom Garrison insisted was the genius behind the assassination.

Won Reelection

Subsequently, Garrison won reelection in this city which dotes on feisty politicians and which loves racy spectacles.

But Garrison's perjury case against Shaw bogged down immediately in a series of pretrial maneuvers. Now, if portents emanating from federal court are borne out, it appears doomed.

Shaw's attorneys in late January obtained a temporary injunction against prosecution of their client from a U.S. district judge by contending their client could not get a fair trial in Criminal District Court here.

They now are seeking a permanent injunction which, if granted, would kill the perjury charge—and block any further, as client by the district attorney they term it, "harassment and persecution" of their client by the district attorney's office.

The temporary injunction was granted by U.S. Dist. Judge Herbert W. Christenberry after several days of hearing.

Cite Influence

Shaw's lawyers argued, among other things, that because of Garrison's political "force, stature, influence and affluence," Criminal District Court judges here actually had "aided and abetted in this bad-faith prosecution."

In other words, they charged Garrison virtually had the entire criminal bench here in his hip pocket.

Shaw had sought, they added, "protection of his federally guaranteed constitutional rights in the state courts of Louisiana—but to no avail"—because Criminal Court judges did not want to incur the wrath of the district attorney, considered the second

Two Appointed

Shaw's lawyers noted that Garrison had "rewarded" the two assistants who carried the brunt of the conspiracy trial prosecution against Shaw by obtaining appointments for them to the Criminal Court bench.

The two are Alvin Oser and James Alcock. The latter, ironically, replaced Criminal Judge Edward Haggerty Jr., the jurist who presided over Shaw's conspiracy trial.

After Shaw's acquittal Haggerty was arrested in a raid on a stag party in a motel here and accused of providing prostitutes for the participants.

Haggerty was acquitted in a bench trial by a fellow criminal jurist but was ordered removed from the bench by the State Supreme Court for unbecoming conduct.

Wants to Run

Haggerty, by way of quaint footnote to the often sordid affair, has announced he wants to run against Alcock, as he can legally do, in the next judicial election.

In their arguments before U.S. Judge Christenberry, Shaw's lawyers argued that Alcock and Oser were not the only members of the Criminal Court beholden to the district attorney.

They contended that Garrison had "great influence" over the remainder of the Criminal Court judiciary, "having been directly or indirectly responsible for the appointment and/or the election, through his, Garrison's, political affluence and influence, of a number of other judges of that court."

Shaw's attorneys claimed that Garrison's "illegal and useless probe of the assassination of the late John F. Kennedy was for his own personal aggrandizement."

'Instant Replay'

If Garrison were allowed to proceed in state court with his perjury charge against Shaw, the attorneys said, the Warren Report but would constitute an "instant replay" of the conspiracy trial.

The federal court hearing produced two revelations regarding the financing of the Garrison investigation:

—It was disclosed for the first time that Gov. John McKeithen, a sometime political ally of the district attorney, provided $10,000 in state funds for the investigation. The governor explained in Baton Rouge after the disclosure that the grant was made because "at the time we thought he might have something."

IRS Agent

—The bookkeeper in the district attorney's office revealed that Garrison had comingled state, court and private money in expenditures on his investigation, with some of these monies "overlapping" into the district attorney's own election fund.

A particularly interested courtroom spectator during the latter disclosure was an IRS agent who took notes throughout the hearing.

Both Garrison and Shaw appeared as witnesses during the hearing.

Garrison, however, played no other role in the defense of his charge against Shaw as might have been expected of most district attorneys. The explanation for his being content for his deputies to handle the hearing—just as deputies did most of the conspiracy trial—was that his physician had advised he remain upright no more than two hours at a time because of his back ailment.

Shaw's attorneys argued that a real and continuing danger to their client would exist as long as Garrison wields power—even if Shaw were to be found innocent of the perjury charge.

Only the federal court's banning Garrison's pursuit of a perjury charge will protect Shaw against "compulsory self-incrimination" [illegible] Garrison, Perry Russo, Andrew Sciambra, Knew Ferrie and Oswald. Such a denial, said the lawyer, would make his client liable once again to a charge of having perjured himself. "Undoubtedly," Wegmann told Judge Christenberry, Garrison would once more file such a charge.

Believed by Jury

In granting the temporary injunction in January, the judge said he thought Shaw's "credibility" had been thoroughly tested during the conspiracy trial because the jury clearly believed Shaw rather than what he described as "characters" the district attorney's office called to the witness stand.

Christenberry, a veteran of 23 years on the federal bench, also commented that he felt the conspiracy trial had "seemed confused. It didn't seem handled like any other trial."

At another point Judge Christenberry asked how long the jury had deliberated before acquitting Shaw. When he was told, he shook his head and said, in a manner that seemed as if he were chiding Garrison and his assistants:

"Fifty-five minutes (of deliberation) for a 40-day trial?"

Most foresee the ruling in the perjury case coming no earlier than late spring or early summer.

If Shaw wins his injunction on the federal level, as portents now indicate, he presumably will be free of any prospect of future prosecution by Garrison.

[illegible] said outside the federal courtroom that he had "completed" his investigation of the Kennedy assassination, leaving the impression that once the present Shaw matter is disposed of, he will no longer try legally to disprove in court the Warren Report conclusions.

But even if the federal court bans future prosecution of Clay Shaw by Jim Garrison the contest between the two men will not end and fallout from it will reach public print for years to come.

For Clay Shaw waits patiently to assume the offensive.

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CHRISTIAN SCIENCE MONITOR
4 FEB 1971

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Garrison's charge questioned

U.S. District Court judge delays Shaw perjury trial

Special to The Christian Science Monitor
New Orleans

The conspiracy case against Clay L. Shaw has come to a stop again—at least temporarily—after a bizarre three-day federal-court hearing.

United States District Court Judge Herbert W. Christenberry has granted a temporary injunction against prosecution of Mr. Shaw in state court on perjury charges growing out of the 49-day 1969 conspiracy trial which resulted in his acquittal.

Subsequent allegations against Mr. Shaw by New Orleans District Attorney Jim Garrison were that he perjured himself during the trial by denying he had known accused presidential assassin Lee Harvey Oswald and ex-airline pilot David W. Ferrie. Both had been posthumously named by Mr. Garrison as coconspirators with Mr. Shaw in a plot to assassinate President John F. Kennedy.

Forty-five-day delay

The ruling by Judge Christenberry allows 30 days for the filing of briefs and 15 days for rebuttal—a total of 45 days from Jan. 27. In the interval, Garrison is enjoined from prosecuting Shaw on the perjury charge.

Mr. Shaw had gone into federal court to get the perjury charges thrown out. He alleged that District Attorney Garrison was violating his civil rights.

The hearing produced testimony indicating that:

o Gov. John J. McKeithen, a close political ally of Mr. Garrison, had contributed $10,000 to further the assassination probe. A McKeithen aide said later it was paid out of a special Legislature-approved $40,000 fund provided for law enforcement.

o A group of wealthy businessmen styling themselves "Truth and Consequences" had supplied some $80,000 to underwrite Mr. Garrison's far-flung investigation, which reached into many states and localities and touched hundreds of individuals.

Testimony from several of the group established that they had contributed the money without knowing how it would be used and had never sought an accounting.

Garrison defends stand

During two hours of testifying on the stand, Mr. Garrison rejected a defense suggestion that he was using the perjury accusation to remain in the limelight and publicize his book, "Heritage of Stone."

The book, gleaned from his assassination probe, deals with "the transformation of America from a state controlled by its citizens to a state controlled by a warfare machine," asserted Mr. Garrison.

One surprise at the hearing was the refusal [illegible] the conspiracy trial.

Mr. Russo—who told a lurid tale at the trial of having been present when the alleged assassination plot was hatched by Messrs. Shaw, Ferrie, and Oswald—took the Fifth Amendment against self-incrimination at the perjury hearing. He said to answer whether he saw Mr. Shaw in Mr. Ferrie's apartment with Mr. Oswald also present "would be to expose myself to possible prosecution."

Refusal to answer

Mr. Garrison, drawn and somewhat stooped refused to respond to a defense query as to whether Mr. Russo had been the only witness against Mr. Shaw when the latter was charged with conspiracy.

Whereupon Judge Christenberry said he would be compelled to rely on previous testimony upon that point. Earlier in the hearing James A. Alcock, who spearheaded the Shaw prosecution and was later named a state district-court judge, had said that in fact Mr. Russo was the sole witness against Shaw at the time.

In seeking the federal-court injunction, the defense contended that the trial jury, by speedily acquitting Mr. Shaw, had by implication demonstrated its acceptance of his word that he knew neither Mr. Ferrie nor Mr. Oswald. The prosecution held that the jury had not passed on the issue of his acquaintance with the two.

Some inkling of Judge Christenberry's position in the matter—a position that could result in a permanent injunction—was seen in his observation at the hearing's close that Shaw's credibility had been fully tested.

Judge makes point

The judge added pointedly that it was evident the jury believed Mr. Shaw instead of the "characters" the district attorney's office brought to the witness chair in the conspiracy trial.

Taking the stand briefly, Mr. Shaw said he had spent "an agonizing three-and-one-half years" since he was first arrested (on March 1, 1967). He said that he feared if he testified in his own behalf in a perjury trial sought by Mr. Garrison, he would be indicted on perjury charges again, even if he is acquitted.

"The cycle could go on ad infinitum," said the tall ex-businessman, at one time managing director of New Orleans International Trade Mart.

He argued that he had been impoverished by the expense of fighting the charges, and that his ability to earn a living by lecturing [illegible] a subject he knows well.

Official ducks camera

He told wryly of having attended a 1967 consular affair after his arrest and subsequent release on bail. He said he was leaving the event when a newsman photographed him shaking hands with a high city official. "He was so horrified at the prospect of being seen on film with me that he ducked down behind his wife," he said.

Mr. Shaw asked rhetorically from the witness stand if he denied knowing a "Joe Blow" at a perjury trial, could he later be charged and indicted for denying knowing "Joe Blow." Judge Christenberry thereupon turned to Assistant District Attorney John Volz and asked him what would prevent this. Mr. Volz did not answer.

The Internal Revenue Service was an interested spectator at the hearing. "Let's just say we're interested in it," an agent parried when asked if the IRS was checking into the district attorney's financing of the investigation.

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#40-77-A

WASH. POST 1-26-71

Car Dealer Says Garrison Owes $30,000

NEW ORLEANS, Jan. 25 (AP)—A New Orleans businessman testified today that he borrowed $30,000 for District Attorney Jim Garrison's probe of the assassination of President Kennedy. He said Garrison still owes him for it.

It was the first public testimony of the amount of money forwarded Garrison in the controversial trial in which Clay Shaw was acquitted of conspiring to kill the President.

Willard Robertson, a car importer, said he was president of a group that came to be known as Truth or Consequences Inc., an organization of businessmen formed to help finance Garrison's investigation.

Robertson said he has no knowledge of how the money was used and never asked for an accounting. He said he did now know the total amount the group gave Garrison.

The testimony came in a hearing in U.S. District Court on a motion by Shaw to prevent Garrison from taking him to court again, this time on a charge of lying to the jury that acquitted him.

18 DEC 1970

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Perjury Trial Is Set For Clay L. Shaw

NEW ORLEANS (AP)—Trial has been set for Jan. 15 on a perjury charge against Clay L. Shaw, accused of lying under oath in his trial on charges of conspiring to kill President John F. Kennedy.

District Atty. Jim Garrison charged Shaw lied on the witness stand when he testified he never knew Lee Harvey Oswald, the man the Warren Commission says killed Kennedy or David W. Ferrie, an ex-airline pilot who died here in '67.

LOS ANGELES TIMES

30 JUN 1970

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16 MONTHS LATER

The Shaw Trial: Key Men Fade Into Oblivion

BY NICHOLAS C. CHRISS
Times Staff Writer

NEW ORLEANS—Just a few paces from the Evening in Paris Cafe in the French Quarter, a tall gray-haired man steps out from behind a steel grille door each morning to pick up his mail from a postal box.

No one pays any attention to him in the rundown neighborhood, predominantly black.

The man chats with a teen-ager and reenters through the grille door. It is the beginning of another day for Clay L. Shaw, 68.

More than one year after his acquittal of charges that he conspired with Lee Harvey Oswald to assassinate President John F. Kennedy, Shaw still lives under the shadow of Jim Garrison, the Orleans Parish (county) district attorney.

After the acquittal on March 1, 1969, Garrison charged Shaw with perjury. And so the case lingers on, although the investigation is dead.

Motion to Be Heard

Today Shaw's motion to quash the perjury charge is scheduled to be heard.

Shaw has filed a $5 million suit against Garrison alleging that the district attorney violated his civil rights. A hearing is scheduled in September.

But a visitor to New Orleans today seldom hears about Clay Shaw or Jim Garrison. Taxi drivers don't talk about it. It rarely comes up in cocktail conversation.

The myriad of witnesses, defendants, plaintiffs, the piles of legal briefs, the rumors and gossip, the grand jury hearings, the dozen or more lawyers—all have been practically forgotten.

So vast was the scenario, so many the players, that it is almost impossible to retail them all. Still, there are reverberations from the episode. A judge recently postponed the trial of William Gurvich, charged by Garrison with stealing $19 worth of parish property. Gurvich, once a top Garrison aide, later broke with the district attorney and went over to Shaw's side.

Once a Central Figure

Dean A. Andrews Jr., a pudgy colorful lawyer who had met Oswald and who was once a central figure in Garrison's investigation into the Kennedy assassination, was last seen playing in a jazz band.

Shaw's principal defense lawyer, F. Irvin Dymond, today is campaign chairman for interim Judge Alvin Oser, a prosecutor of Shaw, who is now running for a full term on the criminal court.

Relatively few people see Garrison since he won reelection last fall. He is seldom in his office. He has had several back operations. He told a friend recently he can sit up for only 20 minutes.

Edward A. Haggerty, Jr., the judge who presided over the Shaw trial, has been accused of heavy drinking, absenteeism, gambling and consorting with underworld figure by the Louisiana Judiciary Commission. A recommendation for his removal from the bench has been referred to the State Supreme Court. Haggerty was arrested in a December vice raid at a motel and acquitted earlier this year.

And Shaw?

His typical day is spent restoring some French Quarter property he owns, containing a house, two cottages and a parking area. He says he has acquired "an enormous mortgage."

He generally arrives at his apartment several blocks away from the property he is renovating for a light lunch and often in the afternoon works on a play that he started before he was arrested on March 1, 1967. In the evening he comes home to a meal prepared by his maid. He visits with friends occasionally.

Listens to News

"Most of the time I listen to the 10 o'clock news and then I retire," he said.

He describes the street, Burgundy, where he lives as a cross between "Sutton Place and Catfish Row." On one side, Shaw's side, there are a few restored houses. The other side consists mainly of decrepit buildings, including the Evening in Paris Cafe.

Although Shaw's apartment is two-story unit and comfortable, it is a far cry from the spacious and swank carriage house he [illegible] Chine St., also in the quarter. Shaw says most of his retirement money was taken by legal fees, including the carriage house which he sold about a year ago.

Today he is looking for a job. Some persons say that Shaw really isn't as bad off financially as he claims.

"I can get by but it all depends on what you mean by getting by," he said. Shaw's apartment, neat with pictures and books and flowers, runs between $225 and $250 a month.

"I would like a job if anyone has one. The Los Angeles area would be splendid," he said.

Shaw was graduated from high school in New Orleans when he was 15. He is self-educated and spent practically all his life in the city. Would he want to leave it, and the Quarter where he has been responsible for so much of the historical restoration?

"After what I have been through here in the last few years I have a certain ambivalence about New Orleans," he said, adding a smile.

Shaw has lost some of his fondness for the Quarter which he says has been declining for some time because of commercialization.

Still he lives there, where he has lived for the past two decades.

The income he receives from the property he is restoring barely keeps him going, he said.

He is hoping to be employed as a consultant in international trade. For 20 years he headed the International Trade Mart in New Orleans.

Shaw has been giving occasional lectures to supplement his income, but also to tell his story,—in such places as San Diego, Laramie, Memphis and Rochester—for the past year.

"I've talked about the case, about the way justice can miscarry," he said. "I described what happened to me. I explained this not just me," he said.

Shaw says he still finds a "number of people who think the Warren Commission report is wrong, without have a very clear idea of what it is about.

"They distrust it. They have not read it. Or they have just read a brief synopsis.

NEW YORK TIMES
28 Feb 1970

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Clay Shaw Sues Garrison And Others for $5-Million

NEW ORLEANS, Feb. 27 (AP) —Clay L. Shaw, acquitted a year ago of charges that he conspired to kill President Kennedy, filed a $5-million damage suit today against District Attorney Jim Garrison and others involved in the case.

The suit, filed in Federal District Court, contended that the conspiracy charge brought by Mr. Garrison against Mr. Shaw was "in furtherance of his scheme and that of the defendants to conduct an illegal, useless and fraudulent investigation of the assassination of President Kennedy."

Mr. Shaw was acquitted March 1, 1969, by a criminal district court jury.

Others named in the suit were Perry Raymond Russo, the chief prosecution witness at Mr. Shaw's trial; Dr. Esmond A. Fatter, who hypnotized Mr. Russo at Mr. Garrison's request to help him recall events leading up to the alleged conspiracy, and three members of Truth and Consequences of New Orleans, Inc., the private fund that helped Mr. Garrison finance his investigation—Joseph M. Rault Jr., Willard Robertson and Cecil M. Shilstone.

Shaw Judge Arrested at 'Stag Show'

NEW ORLEANS (AP) — Police crashed a "stag show" in a motel room last night and arrested everyone present, including the judge who presided at the Clay Shaw trial.

Newsmen who came on what they thought would be a routine raid saw Judge Edward A. Haggerty Jr. struggling to get away. He was subdued and handcuffed.

Police Maj. Joseph Murry said Haggerty was booked on charges of soliciting for prostitution, obscenity, resisting arrest and four counts of assault on a policeman.

Haggerty, 55, of New Orleans, a judge in the state Criminal District Court, presided at the month-long trial of Shaw, who was cleared of a charge of conspiring to murder President John F. Kennedy.

Murry said three women and 10 other men arrested at the midcity motel were each booked on the obscenity charge.

The newsmen, who included television cameramen, were allowed in the room about a minute after police broke in.

Haggerty's brief struggle with officers was in the full glare of TV cameras. The judge suffered a small cut on the forehead.

Police Sgt. William Nolan said a stag movie was being shown in conjunction with live entertainment.

Haggerty was released from central lockup on his own recognizance.



New Orleans Criminal Dist. Judge Edward Haggerty Jr. covers his face after his arrest.

WASHINGTON STAR

18 DECEMBER 1969

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HOW ONE MAN RUINED ANOTHER AND SUBVERT

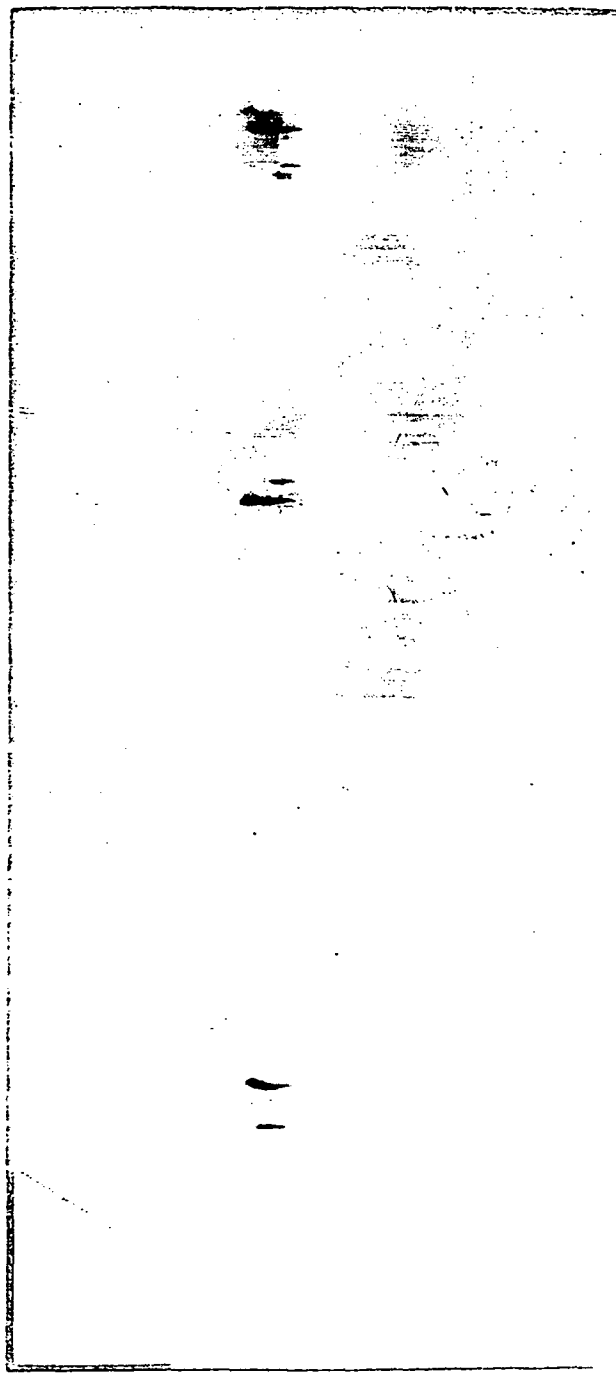
THE PERSECUTION OF CLAY SH

NO OTHER PEOPLE love fantasy more than the people of New Orleans. The storied French Quarter bumps and grinds nightly with silicone sex, and offers make-believe love for a price. The swamps and bayous and mossy woods spawn poltergeists and *loup-garou*, the werewolf of Cajun lore. A mysterious light, they say, glows some nights over the tomb of Marie Laveau, the Queen of Voodoo. And, if you know where to go in that land of Mardi Gras, you can still buy love potions and "come-back" and "go-away" powders to make any and all dreams come true.

Nor do any other people more appreciate an audacious, loquacious, intriguing, slap-around politician—a Huey "Kingfish" Long, an Earl "Ol' Uncle Earl" Long, a Leander "the Jedge" Perez. And now, it is "the Jolly Green Giant"—Earling Carothers (until he legally changed it to just plain Jim) Garrison, the out-size district attorney of Orleans Parish (New Orleans), with his own special brand of Dixieland McCarthyism.

At 47, Big Jim—he stands six-six in his size-14 shoes and weighs 225—has suffered an embarrassment that would undo just about any other prosecutor in the country. For two years, there was the buildup, rife with cliff-hanging hullabaloo and a cavalcade of bizarre "witnesses," and then he finally went to trial with charges that Clay L. Shaw, a prominent, retired New Orleans

OF CLAY S



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The New Orleans newspapers, for two years supinely obedient to the court's demand for no pre-verdict comment, broke silence immediately. In a page one editorial on March 1, the *States-Item* bristled:

"District Attorney Jim Garrison should resign. He has . . . abused the vast powers of his office. He has perverted the law rather than prosecuted it.... Clay L. Shaw has been vindicated, but the damage to his reputation caused by Mr. Garrison's witch hunt may never be repaired. It is all too shameful. ...

"Mr. Garrison himself should now be brought to the bar to answer for his

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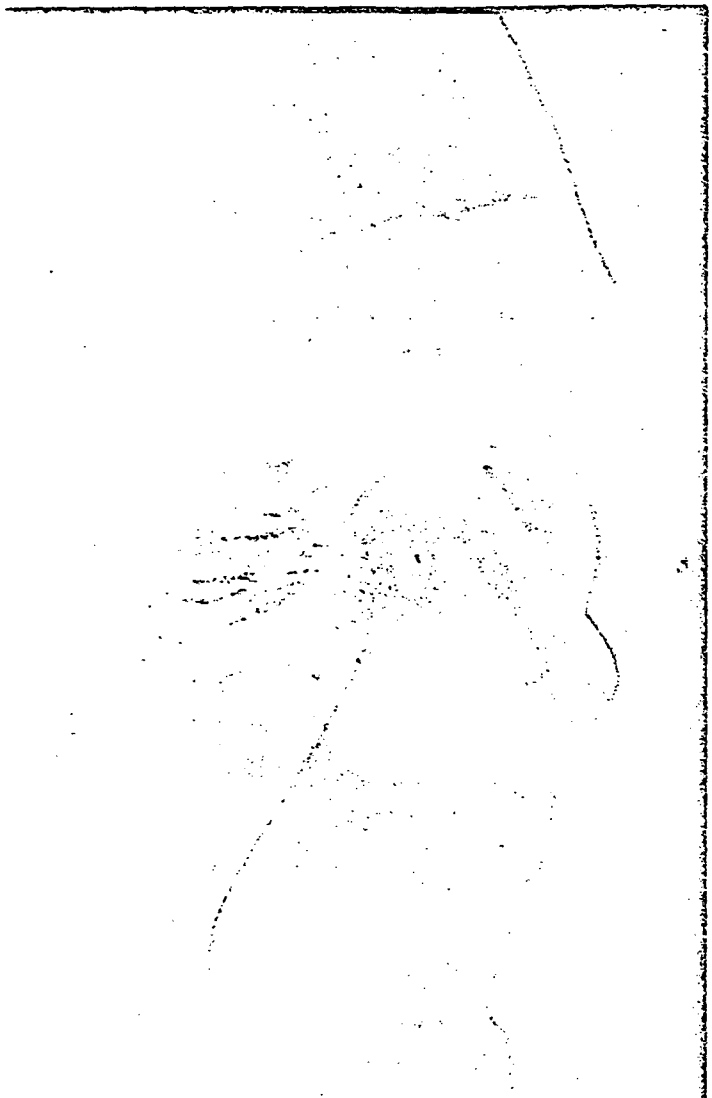
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BY WARREN ROGE
CHIEF, LOOK WASHINGTON BU

Look
26 Aug 1969

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THE PROSECUTION OF CLAY SHAW



conduct. The jury has spoken. Clay Shaw is innocent.

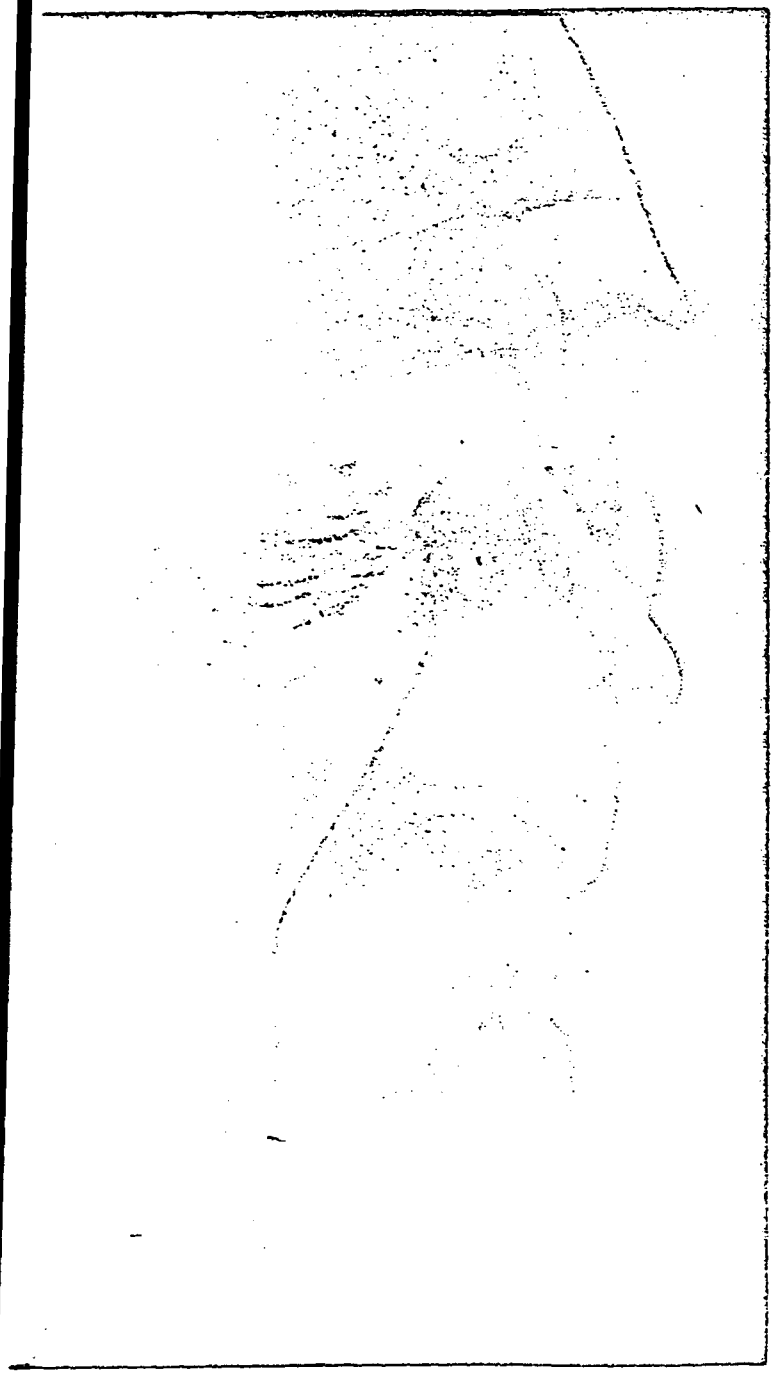
"And Mr. Garrison stands revealed for what he is—a man without principle who would pervert the legal process to his own ends."

Garrison was undismayed. Two days later, he filed a new indictment against Shaw, this time on charges of perjury. And nobody did anything about it. Private polls showed Garrison could easily win nomination for DA, equal to election, in the November 8 Democratic primary, and perhaps even for Mayor. Elsewhere in the world, Garrison may be the Emperor without clothes—exposed as incompetent and irresponsible. But not in New Orleans. In a month of knocking about my old hometown and sifting the embers of the Garrison-Shaw debacle, I kept running into the same, trusting, hopeful phrase—word for word, as if memorized at some Orwellian mass-rally rehearsal:

"Well, I don't know. . . . Big Jim must have something."

That "something" was never produced in court, after two years of talk about secret evidence—most of it cannily put out on Fridays for leisurely weekend consumption. Yet it has wrecked Clay Shaw's life. Once moderately well-off, Shaw at 56 is broke and in debt and has come out of retirement in quest of a job. Once highly respected, he goes about the city still, determinedly cheerful but wincing under the stares, usually from rubbernecking tourists in the French Quarter,

CLAY SHAW



supinely obedient to the
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conduct. The jury has spoken. Clay Shaw is innocent.

"And Mr. Garrison stands revealed for what he is—a man without principle who would pervert the legal process to his own ends."

Garrison was undismayed. Two days later, he filed a new indictment against Shaw, this time on charges of perjury. And nobody did anything about it. Private polls showed Garrison could easily win nomination for DA, equal to election, in the November 8 Democratic primary, and perhaps even for Mayor. Elsewhere in the world, Garrison may be the Emperor without clothes—exposed as incompetent and irresponsible. But not in New Orleans. In a month of knocking about my old hometown and sifting the embers of the Garrison-Shaw debacle, I kept running into the same, trusting, hopeful phrase—word for word, as if memorized at some Orwellian mass-rally rehearsal:

"Well, I don't know. . . . Big Jim must have something."

That "something" was never produced in court, after two years of talk about secret evidence—most of it cannily put out on Fridays for leisurely weekend consumption. Yet it has wrecked Clay Shaw's life. Once moderately well-off, Shaw at 56 is broke and in debt and has come out of retirement in quest of a job. Once highly respected, he goes about the city still, determinedly cheerful but wincing under the stares, usually from rubbernecking tourists in the French Quarter, where he lives, but also from old friends. He is the local two-headed calf, notorious the rest of his days. His reputation as a genteel, discreet homosexual was once accepted with forbearance. Laissez-faire New Orleans cared only that he lived with dignity. Now the gossips snigger.

In an interview, Shaw spoke sadly but without rancor about his ordeal. We talked in his carriage-house home at 1313 Dauphine Street, where he was arrested on March 1, 1967, two years to the day before his acquittal. It is one of 16 houses in the *Vieux Carré* that Shaw, once hailed as a "one-man French Quarter restoration society," has rehabilitated. There is a kitchen and good-size living room downstairs, with a broad staircase winding to a

continued

BY WARREN ROGERS
CHIEF, LOOK WASHINGTON BUREAU



bedroom and bathroom upstairs. The living room has a beamed ceiling, pale-green-silk wall covering, and French doors that open onto a brick-fenced patio with a fountain. There are also a built-in bookcase, a number of large paintings, and, on the polished cork floor, a scattering of Oriental rugs. All in all, it is a warm, friendly place. Shaw was unabashedly proud of it. A few days later, he sold it, to raise cash to pay his bills.

As we talked, it struck me as ludicrous that Garrison's witnesses had been so generally unsure in describing Shaw. His appearance is not easily forgotten. He is six-four, deep-chested and broad-shouldered. His face is square, with a flared nose, and his hair is silver, close-cropped and rather kinky. His eyes are a startlingly pale blue, emphasized by the kind of tan usually kept up by sun in the summer and sun lamp in the winter. He spoke matter-of-factly, deep-voiced, at times almost mumbling. He seemed worn out. I asked him how he felt about Garrison.

"Personally, I think he's quite ill, mentally," Shaw replied. "He was, as you know, discharged from the Army after a diagnosis of 'anxiety' and told to take psychotherapy. I know he has been to a number of analysts. I think, basically, he is getting worse all the time. I think there is a division of his mind. With one half of his mind, he is able to go out and fabricate evidence, and then by some osmosis, he is able to convince the other half that the fabrication is the truth. And then, I think, he believes it implicitly."

Shaw could recall nothing he did that might have gained Garrison's enmity. He knew Garrison prior to his arrest, but "never had a drink with him or a meal or any conversation." Once, he said, he had sat at the next restaurant table from Garrison and his wife, and Garrison "was drunk and got drunker and drunker and more abusive toward his wife and finally threw a glass of wine in her face." Garrison knew he was a witness to that, Shaw said.

I asked him why he seemed so dispassionate about Garrison, why he was not completely bitter.

"If he's really as sick as I believe him to be, then what's the point, you know? But if you ask, 'Shouldn't something be done about it?' then I would say he should be removed from public life. And this I don't see imminent, without any real change in conditions."

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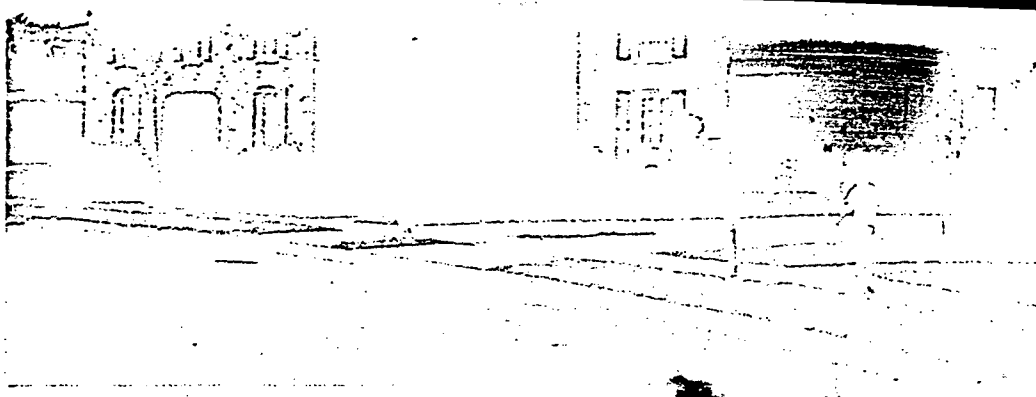
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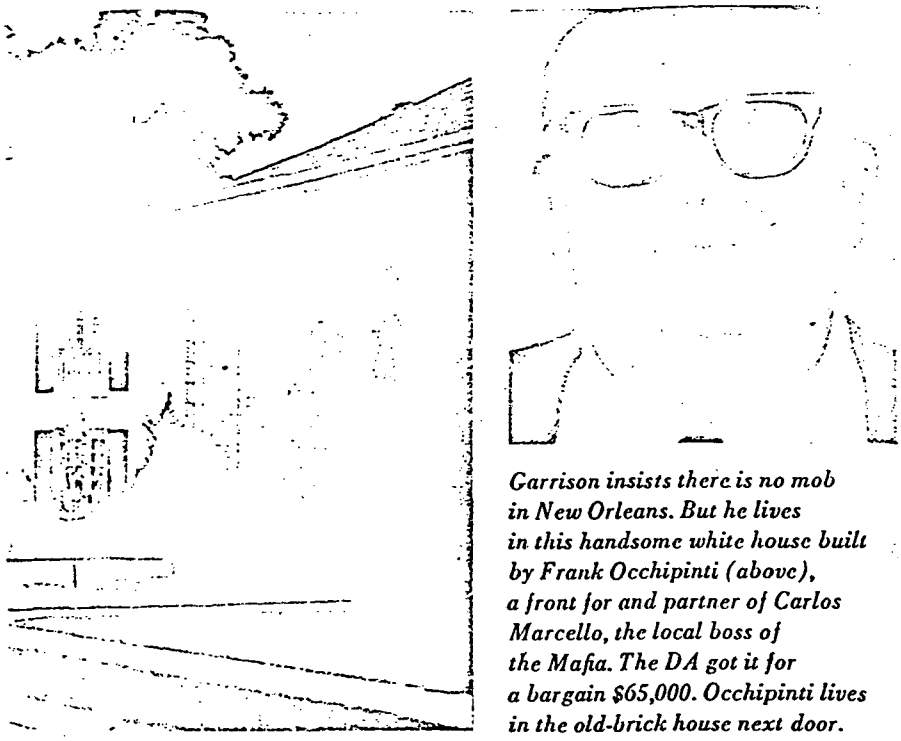
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No change in conditions is forecast. In the current climate of the little fellow's frustration over Federal authority—doubly strong in the South because of civil rights resentments—Big Jim is a giant indeed. For did he not accuse them all, directly or by nuance, of complicity in President Kennedy's murder? The FBI, the CIA, the Justice Department, and even Lyndon B. Johnson? His slashing, quotable rhetoric and his flare for the dramatic have made him a folk hero, much as those qualities sanctified Huey Long in the 1930's, when the Kingfish challenged Franklin D. Roosevelt and published a book smugly entitled, *My First Days in the White House*. Do Garrison's ambitions soar that high? Perhaps. It is known that he accepted a $2,000 campaign contribution, with promises of much more, from young rightists who want him for President. Is he thinking of taking on his old political pal, Gov. John J. McKeithen? Possibly. McKeithen once called him the strongest politician in the state and fears him enough to have coughed up $5,000 for his Kennedy



Garrison insists there is no mob in New Orleans. But he lives in this handsome white house built by Frank Occhipinti (above), a front for and partner of Carlos Marcello, the local boss of the Mafia. The DA got it for a bargain $65,000. Occhipinti lives in the old-brick house next door.

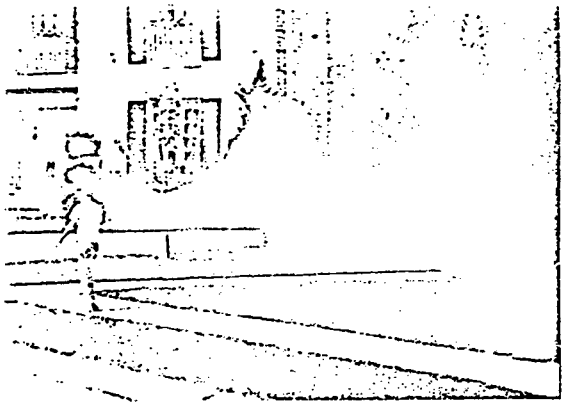
investigation. Has he returned to his old dream of replacing Allen J. Ellender, Louisiana's aging senior U.S. senator? Nobody knows. A big billboard above Canal Street, New Orleans' broad, marble-sidewalked main thoroughfare, says simply: "Vote for Jim Garrison." It omits the office he seeks.

Garrison was born November 20, 1921, in Denison, Iowa. His parents were divorced when he was about two, and his mother took him to Chicago. They moved to New Orleans when he was about ten. After one year at Tulane University, he was called to active duty with the National Guard in January, 1941, serving as an artillery officer and pilot until his discharge in March, 1946. From then until July 24, 1951, when he went back on active duty at his own request, he earned an undergraduate and a law degree at Tulane, practiced law for a while and worked briefly for the FBI.

He was relieved from active duty on October 31, 1951, and discharged, effective January 9, 1952, for "physical disability." Doctors at Brooke Army Hospital in Texas found he was suffering from a chronic, moderate anxiety reaction, manifested by chronic hypochondriasis, exhaustion syndrome, gastrointestinal discomfort and a strange allergy to lint, especially wool lint. He also was found to have a mother dependency. He was diagnosed as totally incapacitated for military service and moderately impaired for civilian life. Long-term psychotherapy was recommended. In 1955, at his request, his medical history was waived and he was reinstated in the National Guard as a captain. He became a major in 1959 and a lieutenant colonel in 1964.

SOON AFTER BECOMING DA seven years ago, Garrison launched a crackdown on French Quarter homosexuals and the "gay" bars they frequented. He followed up with a drive against Bourbon Street striptease joints, padlocking some, forcing others to close, causing still others to curb B-drinking and prostitution. He thus gained national prominence as a fighting DA and, along the way, got into brawls with Orleans Parish's Criminal District Court judges, Mayor Victor H. Schiro, the New Orleans police and the Louisiana legislature. He beat them or fought to a standoff, and thereby won more strength—and more fear—than any of them.

By late 1966, Garrison was ready for bigger game: The Warren Commission and its finding that Lee Harvey Oswald, acting alone, fired the shots



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By late 1966, Garrison was ready for bigger game: The Warren Commission and its finding that Lee Harvey Oswald, acting alone, fired the shots that killed President Kennedy in Dallas on November 22, 1963. Encouraged by Louisiana U.S. Sen. Russell B. Long, and bending an ear to various unsavory informers, he decided the assassination was a conspiracy hatched in New Orleans and involving Cuban refugees, Oswald and others.

One of the first to be fingered was David W. Ferrie. A strange man—he had no hair on his body and wore pasted-on eyebrows and a wispy red wig—Ferrie was a pilot, a student of medicine and religion, a self-styled psychologist and philosopher, a hypnotist, a pianist and a homosexual. It was said he had helped train soldiers for a Cuban invasion and had even fire-bombed Cuba. He made speeches denouncing the Kennedy Administration's disastrous botching of the Bay of Pigs invasion. Garrison kept Ferrie under surveillance but told newsmen he was unimportant. Yet, when Ferrie was found dead on

February 22, 1967, of a cerebral hemorrhage, he suddenly became, in Garrison's words, "one of history's most important individuals."

On March 1, 1967, the day Ferrie was buried, Big Jim made his big arrest: Clay Shaw, former managing director of the International Trade Mart, a much-honored civic leader and pillar of New Orleans society. As they led Shaw away in handcuffs, police confiscated from his home, among other things, whips, rope, pieces of leather, a chain, and a black hood and cape. Shaw said they were from Mardi Gras costumes he had worn over the years, and others later corroborated this. But the explanation never caught up with the implication.

William Gurvich, chief investigator for Garrison until he quit in shock over his methods, like other ex-aides who soured on Big Jim, often pondered how he linked Shaw with the case. The most believable explanation, judging by Garrison's comments to his staff, is this: Dean Andrews, a roly-poly, Runyonesque attorney who once represented Oswald in New Orleans, told the Warren Commission that while ill at Hotel Dieu hospital shortly after President Kennedy's assassination, he received a call. The telephoner, he said, was a Clay Bertrand, who asked if he would represent Oswald in Dallas. Andrews later identified Eugene C. Davis, a tavern keeper, as Bertrand, but Davis denied it, and Andrews finally admitted he had made up the name. Garrison, however, took the name "Clay" and reasoned that, since Shaw's first name was Clay, Shaw was therefore Bertrand. He proceeded on that incredible premise. In Las Vegas, where he is fond of going, he told a reporter, "This won't be the first time I've arrested somebody and then built my case afterward." And he had himself a patsy, a man whose sex life would provoke prejudice against him and who would find it difficult to fight back. It was a perfect setup for fraud and persecution. He went ahead.

LIKE THE LATE Sen. Joseph McCarthy, who believed in guilt by association, Garrison sought to demonstrate that anybody who lived or worked near somebody must have associated with him. To that end, he tinkered with elaborate "propinquity tables." Yet, just as McCarthy never found one Communist in the State Department, Garrison never proved any guilt by propinquity. He failed to produce any evidence that any of the three accused as conspirators knew each other at all—even with Oswald and Ferrie conveniently dead. Nor did he ever come close to his uppermost goal, proving that President Kennedy was shot from the front and not from the rear by Oswald, who, he often said, "did not kill anyone that day in Dallas."

Garrison's case against Shaw boiled down to two main charges:

That, at a meeting in Ferrie's uptown New Orleans apartment in September, 1963, Shaw conspired with Ferrie, Oswald and others to murder John F. Kennedy, with the prosecution's star witness, Perry Raymond Russo, listening in but not taking part in the conspiracy.

That, at a party in a French Quarter apartment in June, 1963, Shaw, Ferrie and others talked about killing President Kennedy.

Day by day, as the trial developed, the case collapsed.

Russo, a 27-year-old insurance and *Great Books of the Western World* salesman, at first testified that he had indeed listened to Kennedy assassination plotting by Shaw, Ferrie and Oswald at Ferrie's apartment. But, under cross-examination, he revealed that Garrison's staff had hypnotized him, given him Sodium Pentothol, "truth serum," and, through posthypnotic suggestion and steady rehearsal, taught him his story. Russo admitted, under questioning by defense counsel F. Irvin Dymond, that the meeting he described at Ferrie's was a harmless "bull session," not a cabalistic conspiracy. At one point, when Dymond kept using the term, Russo objected, "I don't use that word 'bull session'—I would say, 'shooting the breeze.' " Later, he snapped, "I never said anything about a conspiracy—I didn't sit in on any conspiracies."

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Kept secret by Garrison, then and now, was a 1,000-word memorandum—a copy of which went to him before Russo took the stand—from Sgt. Edward O'Donnell, a 17-year veteran of the New Orleans Police Department and operator of its polygraph (lie detector). In the memo, O'Donnell said he tried twice in 1967, on June 16 and June 19, to give Russo a polygraph test. Each time, he said, the results were so erratic that he concluded Russo was either "under general nervous tension" or intended to lie. With the machine disconnected, O'Donnell said, he asked Russo if Shaw was at the purported "plot party" in Ferrie's apartment.

"Do you want to know the truth?" Russo responded. When O'Donnell replied, "Yes," Russo said, "I don't know if he was there or not." O'Donnell, commenting that Shaw was not the type one could easily forget, demanded a "Yes" or "No," and Russo said he would have to say "No." O'Donnell asked why, then, had he positively identified Shaw as having been at the Ferrie

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party. Russo replied that Dymond had "turned me on" by asking if he believed in God—"an area which I am highly sensitive about." Asked about the conversation at Ferrie's, Russo told O'Donnell it sounded like a routine conversation, in which people sit around and talk about the perfect murder or how to defraud insurance companies without ever intending to act, and that it was all very vague in his mind as to who said what.

Russo concluded by saying he would like to meet Shaw, to size him up as to whether he was the kind of person who could participate in such a plot, and suggesting that, if he knew what other evidence Garrison had against Shaw, he might be better able to come to a decision himself. O'Donnell admonished Russo to tell the truth, regardless.

O'Donnell reported all this on June 19, 1967, to Garrison and Assistant District Attorney James Alcock, chief prosecutor at the Shaw trial. Later, in the presence of Garrison, Alcock and Andrew Sciambra, another assistant DA, Russo denied he had said what O'Donnell reported. Pressure was brought on O'Donnell to agree he had misunderstood Russo, but he refused.

Sciambra, a few months out of law school when he made initial contact with Russo in 1967, came a cropper too. He interviewed Russo in Baton Rouge for three hours and wrote a 3,500-word memo to Garrison about it; but never once did he mention any conspiracy meeting at Ferrie's involving Oswald, Shaw or "Clay Bertrand"—the name Garrison tried to pin on Shaw long after he knew it existed only in Dean Andrews' imagination. Sciambra, trying to explain away the omission, has claimed he made more than 30 errors and omissions in the most important memo he ever wrote in his life.

Charles Spiesel, Garrison's big "surprise" witness, impressed the courtroom with his report on a party in June, 1963, at a French Quarter apartment, where, he said, Shaw, Ferrie and others talked about killing President Kennedy. But the good impression evaporated under cross-examination. The defense, aware despite Garrison's secrecy that Spiesel was to testify, spent $4,000 of its meager resources to have a private detective investigate his background in New York City. The results helped explain why Garrison flew Spiesel in, put him on the stand within two hours, and had a ticket ready for his return the same day.

Spiesel readily testified, to Dymond's gentle questioning, that he had been involuntarily hypnotized about 50 times by enemies sometimes posing as relatives, and that his sex life had been adversely affected thereby. He was bothered, he said, by the New York police, private detectives, rival accountants and Communists. If Garrison was not aware of Spiesel's aberrations, he should have been—for Spiesel testified that once, when he sensed somebody following him, he asked Garrison's office for an affadavit that none of the DA's men were on his tail.

When Spiesel, after carefully describing the "plot" apartment, said he thought he could find it again, Judge Edward A. Haggerty, Jr., quickly agreed to let him try. New Orleans thereupon had itself another parade—court, jury, press, spectators and all, bused to the general vicinity of Clay Shaw's home in the French Quarter. Spiesel's search, as all by then expected, went unrequited. Undaunted, Spiesel complained to a reporter: "This isn't the first time *they* have done this to me."

There were other charges, and prosecution witnesses, but they, too, failed to convince the jury. The witnesses included:

A mailman who swore he delivered letters addressed to Clay Shaw and a Clem Bertrand to the same address. But, when fed a fictitious name by the defense, he promptly said yes, he had delivered letters to that one too.

A confessed heroin addict who said that while giving himself an injection, he saw Shaw and Oswald talking on the New Orleans lakefront. However, he never satisfactorily explained why he left the privacy of his dwelling to risk a "fix" in public.

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District Attorney James Alcock, chief prosecutor at the Shaw trial. Later, in the presence of Garrison, Alcock and Andrew Sciambra, another assistant DA, Russo denied he had said what O'Donnell reported. Pressure was brought on O'Donnell to agree he had misunderstood Russo, but he refused.

Sciambra, a few months out of law school when he made initial contact with Russo in 1967, came a cropper too. He interviewed Russo in Baton Rouge for three hours and wrote a 3,500-word memo to Garrison about it; but never once did he mention any conspiracy meeting at Ferrie's involving Oswald, Shaw or "Clay Bertrand"—the name Garrison tried to pin on Shaw long after he knew it existed only in Dean Andrews' imagination. Sciambra, trying to explain away the omission, has claimed he made more than 30 errors and omissions in the most important memo he ever wrote in his life.

Charles Spiesel, Garrison's big "surprise" witness, impressed the courtroom with his report on a party in June, 1963, at a French Quarter apartment, where, he said, Shaw, Ferrie and others talked about killing President Kennedy. But the good impression evaporated under cross-examination. The defense, aware despite Garrison's secrecy that Spiesel was to testify, spent $4,000 of its meager resources to have a private detective investigate his background in New York City. The results helped explain why Garrison flew Spiesel in, put him on the stand within two hours, and had a ticket ready for his return the same day.

Spiesel readily testified, to Dymond's gentle questioning, that he had been involuntarily hypnotized about 50 times by enemies sometimes posing as relatives, and that his sex life had been adversely affected thereby. He was bothered, he said, by the New York police, private detectives, rival accountants and Communists. If Garrison was not aware of Spiesel's aberrations, he should have been—for Spiesel testified that once, when he sensed somebody following him, he asked Garrison's office for an affadavit that none of the DA's men were on his tail.

When Spiesel, after carefully describing the "plot" apartment, said he thought he could find it again, Judge Edward A. Haggerty, Jr., quickly agreed to let him try. New Orleans thereupon had itself another parade—court, jury, press, spectators and all, bused to the general vicinity of Clay Shaw's home in the French Quarter. Spiesel's search, as all by then expected, went unrequited. Undaunted, Spiesel complained to a reporter: "This isn't the first time *they* have done this to me."

There were other charges, and prosecution witnesses, but they, too, failed to convince the jury. The witnesses included:

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The town marshal and others from Clinton, La., who swore they saw or thought they saw Shaw, Ferrie and Oswald together in Clinton in the summer of 1963. They were positioned during the jury-selecting start of the trial so as to get good and frequent looks at Shaw, who, they were prompted, "is the gray-haired man you've told us about."

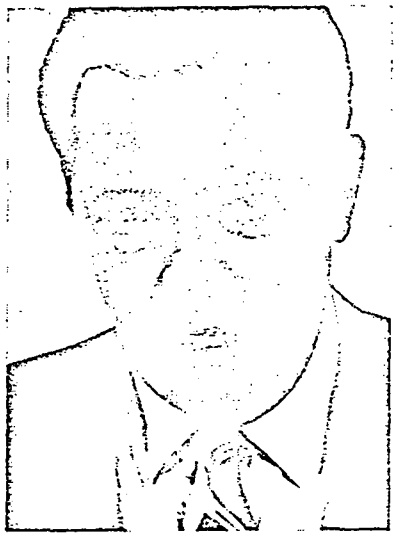
As Garrison built his case, he took to looking over his shoulder for enemies out to trap him or do him in. He talked of possible phone taps by the "Feebees," meaning FBI men, and of potential Cuban assassins. Once, his staff devised a code to thwart eavesdroppers, but Garrison could never master it and it was dropped. He made up one of his own, and it became an office joke. He hired bodyguards, and he asked a sturdy aide to stand between him

continued

Havana after me, but they always sleep late."

At his office, besides having at least one room "bugged," [redacted] also had a "one-way" mirror installed and allowed some photographers to make pictures through it of Shaw and others being questioned.

In dealing with the press, Garrison apparently took the position that



Big Jim Garrison (left) ignored the Mob, accused Shaw and two dead men in his hunt for a JFK plot

those not for him were against him. Unfriendlies were hauled before the grand jury and sometimes indicted for bribery or some-such. On May 17, 1967, he became so enraged at Walter Sheridan of NBC and Richard Townley of WDSU-TV for their nationally televised show exposing prosecution bribery and perjury that he ordered them arrested, handcuffed and beaten. The order was given to William Gurvich, then his chief investigator. Gurvich refused to carry it out. When Assistant DA James Alcock objected that there were no legal grounds for such arrests, Garrison chided, "Don't be so legalistic." Sheridan and Townley later were charged with bribery.

The incident was one of several that led Gurvich, a highly respected private detective, to quit Garrison and help out Shaw's defense. (Another was a Garrison scheme, never executed, to raid the New Orleans FBI office with red-pepper guns.) Gurvich was arrested, of course, and charged with theft of DA records. Alcock and another assistant DA, Charles Ward, had strong doubts but muffled them and stayed on to the bitter end. At one point, Alcock told Gurvich that if the two of them had been in New Orleans when Garrison arrested Shaw, the arrest would not have taken place. And Ward told Gurvich the arrest was based on "raw political power." Ward and Garrison have since fallen out. Passed over for a judgeship, Ward quit Garrison on June 17 to oppose him in the election for DA.

Garrison's most persistent bête noire—at least, the one man who seems to get his goat the most—is tenacious, thick-skinned Aaron Kohn, managing director of the Metropolitan Crime Commission of New Orleans. Garrison often boasts there is no organized crime in the city, and each time, Kohn breaks out evidence from his voluminous files to show there is. Kohn cannot remember how many times he has been hauled before the grand jury—drawn heavily from among Garrison cronies at the New Orleans Athletic Club, the DA's regular hangout. But every time he faces the jury, Kohn feels, Big Jim's staff tries to trap him into perjury or a contempt citation. Last year, he was charged with contempt.

Perhaps it is because he insists the Mob does not operate in New Orleans that Garrison did not look into one other option open to him in his assassination probe. It was clear that Ferrie had connections with Cubans plotting the forcible overthrow of Castro, but it was equally well known that he had strong ties with Carlos Marcello, the local *capo* Mafia.

Ferrie worked as an investigator for G. Wray Gill, Marcello's attorney, knew Marcello and telephoned him several times. There are indications that

and Shaw whenever they talked so as to protect him if Shaw took a swing.

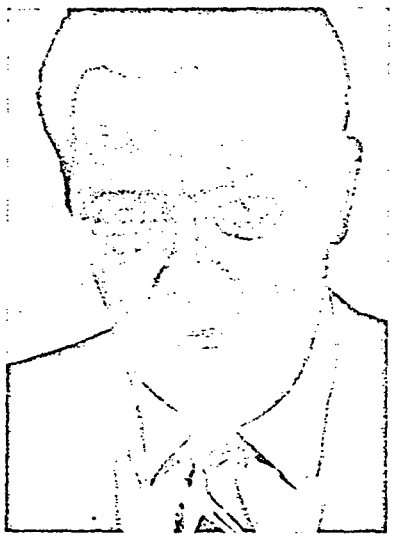
One reporter remembers a call on Garrison at his home this way: "It was like watching the late, late show—people coming and going, the phone ringing every ten minutes. On the phone, Garrison sounded like a Bingo caller—'B-16, N-37'—and so on.

" 'It's the only way I can talk to my people without the Feebees knowing my every step,' Garrison grinned when he sat down with me. 'They'll never break this old Navy code I'm using.'

"His wife asked if it would be all right if she took the children for a walk. He meditated a while and then said, 'Oh, yes, I suppose so—they always sleep late.' I asked him who 'they' were, and he replied, 'There's a torpedo from Havana after me, but they always sleep late.' "

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Marcello helped finance a gasoline station that Ferrie owned for a while. On the day President Kennedy was assassinated, Gill won a Federal court case brought against Marcello. Ferrie said he was in court that day, and, to celebrate the victory, drove on the spur of the moment to Houston and Galveston with two young friends, Alvin Beauboeuf and Layton Martens. When Beauboeuf and Martens were arrested by Garrison's men, they said they would not talk without a lawyer and handed over the business card of Jack Wasserman, a big-time Washington attorney who represents Marcello. And it was all around New Orleans that when Marcello flew back from Guatemala after a deportation, Ferrie piloted the plane.

If it was a conspiracy that killed President Kennedy, as Garrison claims, the Cosa Nostra should have been a prime suspect. The Mafia *is* a conspiracy, and it had the organization, the assassination know-how, the skilled manpower, and a motive: if nothing else, to rid itself of the President's racket-busting brother, Attorney General Robert F. Kennedy. What the unhappy Cuban refugees could gain is unclear, and they were and are about as organized and disciplined as a kindergarten fire drill.

In public records, sometimes only thinly obscured, it is possible to see an association between the big, bluff, moralizing DA and the organized crime he says does not exist. For example:

Garrison, whose salary as DA is $17,500 a year, lives with his wife and five children in a spacious, handsomely furnished, upper-middle-class home at 4600 Owens Blvd. He bought it on November 24, 1965—four years after he had announced he was broke and owed $9,000 in campaign debts—for $65,000. Terms were $13,000 in cash, the balance by promissory note of $52,000, payable in monthly installments of $335.10. The seller, Peter J. Casano, apparently lost $2,500 on the deal. He had bought the land the previous April 5 for $18,500 cash and had borrowed $49,000 to pay the contractor, Frank Occhipinti, for building the house—a total of $67,500.

Despite the bargain he got from Casano, Garrison must have had a financial load for a while. It took him until June 27, 1966, to get rid of his old home, bought in 1962, at 1332 Crescent St., and so, for about seven months, he faced monthly mortgage payments there of $171.95 in addition to the $335.10 for the new house.

Garrison, Casano and Occhipinti are no strangers. Casano is a lawyer, a partner with Frank Occhipinti's brothers in the law firm of Occhipinti, Occhipinti, Casano and Kunz, and is associated with several Occhipinti business enterprises. Frank Occhipinti, besides building houses for Garrison and others, lives next door to Garrison, at 4558 Owens Blvd., and has extensive real estate and other business holdings, including partnerships with Carlos Marcello, who owns considerable real estate as well as heading up the Mafia in the New Orleans area.

Garrison indirectly enjoyed Marcello's hospitality at least once in Las Vegas. In 1967, the DA told reporters his expenses at the gambling spa were picked up by Mario Marino, a devoted "button man" (flunky) and one-time employee of Marcello. Marino, once summoned home by investigators for questioning, was met at New Orleans' airport by Marcello's brother Joseph and driven to Marcello's home in nearby Covington, where the boss presumably told him what to say. The FBI had a tail on them all the way.

Confidential records of the New Orleans police describe Marcello as "one of the most notorious underworld figures in the country," and the U.S. Immigration and Naturalization Service has been trying to deport him for years. Garrison, stoutly maintaining there is no organized crime in New Orleans, described Marcello in a taped NBC interview as "a respectable businessman." Mafia-watchers among lawmen got a howl out of that.

MARCELLO AND HIS BROTHER JOSEPH, together with Occhipinti and his brother Rosario ("Roy"), set up a partnership in late 1952 [illegible] Motel, on leased land along the

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MARCELLO AND HIS BROTHER JOSEPH, together with Occhipinti and his brother Rosario ("Roy"), set up a partnership in late 1952 and built the Town and Country Motel, on leased land along the busy Airline Highway in Jefferson Parish, just outside New Orleans. Parish records show they sold it on February 1, 1964, to Stevie Motel, Inc. The purchase price was $420,694.91 for the 100-unit motel and its adjoining restaurant. The president of Stevie turns out to be Marcello's brother Joseph, and so there was no real change in ownership at all. As late as February 26, 1968, Jefferson Parish tax rolls listed Frank and Roy Occhipinti and Carlos Marcello as taxpayers of record for the Town and Country Motel.

The motel serves as headquarters for another Marcello-Occhipinti enterprise, Southern Tours, Inc. Another brother of Carlos, Anthony Marcello, is a partner in Southern Tours, which operates sight-seeing buses throughout the city from about 30 motels along the Airline Highway. The other partners are Frank and Roy Occhipinti and Basil Ingrassia, also a longtime Marcello

continued

associate. In furtherance of the Occhipintis' reputation as "money handlers" for Marcello, Frank Occhipinti also is a partner with Anthony Marcello in Marcello & Associates, a real estate and building firm.

Frank Occhipinti spends much of his time running the Rowntowner Motor Inn at 3900 Tulane Avenue in New Orleans. Casano, the Occhipinti lawyer, is listed as secretary-treasurer of the company. The Rowntowner's chief claim to fame these days is that while Garrison drops in occasionally, it is the almost nightly wateringhole of Judge Haggerty, who presided over the Shaw trial. Haggerty picked the Rowntowner as the place where the trial's jury would be housed and fed, with an automatic 15 percent tip for service. He bypassed several motels closer to the court.

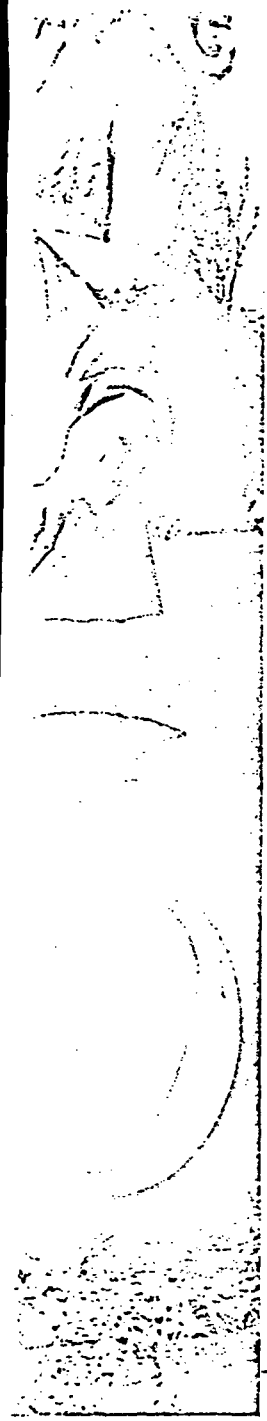
Ed Haggerty is, or was—depending upon how he reacts to this article—an old-time neighborhood buddy of mine. We both grew up by the skin of our teeth in a rough, tough, battling, boozing, gambling neighborhood along the New Orleans waterfront called "The Irish Channel." A Saturday night without a fistfight at Toots Powell's Half-and-Half Saloon (half cash and half uncollectible credit) was not worth remembering. A mostly Negro Federal housing project has just about erased the Channel, but anybody who has read *Studs Lonigan* will know what it was like there in those blustery days before World War II changed everything. And anybody who has read *The Last Hurrah* has come a long way toward understanding Ed Haggerty today.

I waited for him at the Rowntowner bar, acting on a tip that he was there "almost every night from seven to nine." Sure enough, about 7:10 he came in, freshly barbered and in happy spirits. I told him who I was and he exuberantly pumped my hand, pounded my back and introduced me all around—first to Frank Occhipinti, who was sipping tap beer and circling about his place like a restless, friendly bear, and then to others. We reminisced about the late 1930's, when he was a law student and later an assistant district attorney and I was a newspaper copyboy by night and indifferent college student by day, and we congratulated ourselves on our escape from the bleak fate of so many of our old pals, mired for life in the blue-collar hopelessness of jobs with the railroad and on the waterfront. We laughed about how we used to sit in somebody's kitchen Saturday nights, and lay an economical "foundation" before hitting the Half-and-Half and its dime-a-bottle beer. We would sip Coke and drugstore bourbon while listening to *The Hit Parade* of the week's top songs on radio.

At the Rowntowner, the judge bought several rounds until, after a phone call from his wife, he reluctantly left for home. I noticed that he had become, like me, almost entirely gray-haired. I saw, too, that he was exceedingly nervous, rubbing his hand roughly across his mouth, that he talked almost nonstop and that he often gulped air like an emphysema sufferer. At his insistence, I dropped by his chambers the next morning. He had promised to talk about the Shaw case, but the press of his other business prevented that. He did give me three scrolls, making my son and daughter and me honorary citizens of New Orleans, and three little golden "key to the city" charms. We talked about his younger brother Dan, another old friend of mine, and about Dan's chances of winning election as clerk of the Criminal District Court, a job held for many years by their father. And Ed showed me a clipping of a news story about the day when, in open court but with the jury absent, he refused to accept a policeman as a witness against Shaw because he was convinced the officer was lying. The story applauded his ruling, which pleased Ed, but he objected to the reporter's description of him as "hard-drinking." He growled, "I stayed away from the stuff all through the trial, so help me."

It was a warm, nostalgic visit. It did nothing, however, to detract from the demonstrable truth that at the Rowntowner and elsewhere, there was a cozy arrangement among judge, jury and prosecutor, with a front for the Mob as host. And the defense was on the outside looking in.

Garrison had another kind of cozy arrangement: The source of his prosecution funds. Angered that the first disclosure of his investigation came when reporters read public records of his spending, he vowed to keep his



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Garrison had another kind of cozy arrangement: The source of his prosecution funds. Angered that the first disclosure of his investigation came when reporters read public records of his spending, he vowed to keep his operations secret by using borrowed or contributed money. About 50 New Orleans businessmen, many with political connections, obliged. They called themselves Truth And Consequences, Inc., and, between February, 1967, and October, 1968, came up with about $77,000—including $5,000 from Governor McKeithen. Apparently, the heaviest contributor, at between $25,000 and $30,000, was Willard E. Robertson, a Volkswagen dealer. Designated head of T&C was Joseph M. Rault, Jr., president of Rault Petroleum Corp. Garrison's mail also brought in many small contributions.

Even in easygoing New Orleans, some people wondered about the propriety of privately financing a public investigation. Was the next step dictation by the money-providers of what and whom to investigate? One man

WASHINGTON STAR
7 FEB 1969

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Witnesses Link Shaw, Oswald

By HAYNES JOHNSON
Star Staff Writer

NEW ORLEANS — Whatever may come legally of Jim Garrison's Kennedy conspiracy case, it is likely the findings of the Warren Commission will be forever clouded by this trial.

Garrison is challenging the basic conclusions of the commission's report, that only one man, Lee Harvey Oswald, fired the fatal shots that killed John F. Kennedy; that a conspiracy did not exist; that the President was killed by a shot from the rear; that Texas Gov. John Connally was hit by the same bullet that entered Kennedy's body; that Oswald had no contact with others who might have plotted the crime.

While F. Irvin Dymond, chief counsel for Clay Shaw, who is on trial here on a conspiracy charge, maintains that the findings of the Warren Commission are irrelevant ("we are not here to defend the findings of the Warren Commission"), he has been forced to deal with the report and to try and defend or explain what Garrison contends are omissions from it.

Contention Contradicted

One of Dymond's major contentions—that Shaw neither knew nor ever had laid eyes on Oswald or David W. Ferrie, the third alleged conspirator, was contradicted by the testimony of the first witnesses called by the state yesterday.

They were an unlikely group: A Negro civil rights worker who had led a voting registration drive in the small Louisiana town of Clinton; the tall, lean white town marshal whom the Negro regarded then as "the enemy," the white registrar of voters.

The Negro, Corrie Collins, testified that he saw Oswald, Shaw and Ferrie drive into Clinton about 9:30 one morning in late August or early September 1963, in a black Cadillac. Oswald, he said, was in the back seat of the car. He then got out and stood in line waiting to register as a voter. Collins identified Shaw as the driver of the car, and Ferrie as the companion on the passenger side of the front seat.



—Associated Press

JIM GARRISON

Identifies Oswald, Shaw

"This is the man who did get out of the car," he said, when handed a picture.

When asked who that was, he answered:

"He's Lee Harvey Oswald."

Then he was asked:

"Do you see the man who was behind the wheel in this courtroom today?"

"Yes," he said, and pointed to Clay Shaw sitting at the bench in front of him.

A few minutes before, John Manchester, the town marshal, testified he had interrogated the driver of that black Cadillac while the car was parked on the street in Clinton.

"Easy-Talkin' Man"

"I walked over and talked to the man behind the wheel of this car," he said. When asked to describe him, he said: "Yes sir. He was a big man. Gray hair. Ruddy complexion—uh an easy talkin' man."

When he was asked if he saw that man in the courtroom he answered quietly, "Yes, sir." He, too, pointed to Clay Shaw.

The voting registrar, Henry Earl Palmer, testified that Lee Oswald waited in the registration line that day while the car was parked on the street, and finally appeared before him. Oswald, he said, produced a Navy identification card with his name, and gave a New Orleans address. He said he was there because he was seeking a job at the East Louisiana State Hospital and had been told he might have a better chance if he were a registered voter.

None of this kind of eyewitness description of Oswald and companions had appeared in the Warren report, it was quickly brought out by both sides.

Not Quizzed by FBI

Shaw's attorney, Dymond, reacted with some exasperation to the testimony.

"Have you ever been questioned by the FBI in regard to this matter?" Collins, the civil rights worker, was asked.

"No," he replied.

When Dymond asked him whether he ever had reported any of that information to the FBI or the Warren Commission, Collins answered, "no." Under further questioning, he said that "No one asked me."

Manchester the marshal, gave similar testimony. After Dymond asked him if he had reported his contact with Oswald in Clinton, he said, "No, sir. I feel if they wanted it they could come and ask for it."

Dymond's sharp retort ("Could you tell us how they were supposed to know about you if nobody told them?") brought a non-responsive answer.

Palmer, the registrar, also said he had never been questioned by the FBI about his experience with Oswald that day.

Another witness from a nearby town, Reeves Morgan, then a member of the Louisiana state legislature, said he also had talked with Oswald about the hospital job. After the assassination he recognized Oswald's picture and called the FBI. He testified he was never questioned by government agents.

It is precisely that kind of sworn testimony that is bound to confuse further the nature of the government's investigation into Kennedy's murder.

Long after the Shaw trial has taken its place in contemporary history, that type of testimony is certain to surface in the continuing speculation and writing about the death of Kennedy.

THE WASHINGTON POST
7 FEB 1969

Garrison Witnesses Link Shaw, Oswald

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By John P. MacKenzie
Washington Post Staff Writer

NEW ORLEANS, Feb. 6—District Attorney Jim Garrison said today he would prove that Clay L. Shaw plotted with two other men to assassinate President John F. Kennedy. As a first step to back up his contention, he produced five witnesses who placed Shaw in the same town with Lee Harvey Oswald three months before the assassination.

Garrison opened the prosecution's case by stating he would prove that Mr. Kennedy was killed by several gunmen in Dallas—not by one rifleman, acting alone, as the Warren Commission concluded.

The presidential commission, headed by Chief Justice Earl Warren, said that Oswald, acting alone and unaided, murdered President Kennedy.

Garrison said in an opening statement that Shaw conspired with Oswald and a former airlines pilot, the late David Ferrie, to kill the President.

"The plan brought forth," Garrison said, "was that the President would be killed with a triangulation of crossfire with at least two gunmen, but preferably three, shooting at the same time."

Defense attorney F. Irvin Dymond responded to the opening statement by telling the all-male jury that he was "not here to defend the findings of the Warren Commission." He asked the jury not to be confused about who was on trial.

He said the prosecution's chief witness will be former insurance salesman Perry R. Russo, whom Dymond said he will expose as a "liar, a notoriety-seeking liar, whose name does not deserve mention in the same breath with decency, integrity and justice."

According to Garrison, Russo will testify about a meeting in the "cluttered apartment" of Ferrie, where conspiratorial conversations between Shaw, Ferrie and Oswald were overheard.

Dymond said the so-called meeting in the apartment "was never even conceived until Ferrie's death" in February, 1967.

"When Ferrie died, the roaches came out of the woodwork," Dymond told the court.

He also said that he would prove that Shaw "never knew, never laid eyes" on Ferrie or Oswald.

The laws of Louisiana do not require Garrison to prove that Shaw, Oswald, Ferrie, or any other persons actually murdered Mr. Kennedy. All he must prove is that there was a conspiracy among Shaw and and others to kill the President and that there was an overt move on their part to carry out this conspiracy. This could include a seemingly minor action that could be considered part of a series of moves in such a plot.

Garrison's Witnesses

The first witnesses called by Garrison today testified in support of Garrison's contention that Shaw, Oswald and Ferrie drove together to Clinton, La., in late August or early September, 1963, in an effort to help Oswald find a job.

The witnesses were Edwin Lea McGehee, a barber from Jackson, La., near Clinton; former State Rep. Reeves Morgan of Jackson; John Manchester, the town marshal of Clinton; Henry E. Palmer, voting registrar at Jackson, and Corrie C. Collins, chairman of a 1963 CORE drive to register Negroes at Clinton.

McGehee said he cut Oswald's hair and advised him on how to obtain a job at the East Louisiana State Hospital in Clinton, which is 130 miles north of New Orleans.

McGehee said he referred Oswald to Morgan. The former legislator said he told Oswald that if he registered to vote in Clinton, he would improve his prospects of employment.

Manchester said he had noticed a black Cadillac parked outside the registrar's office on the day Oswald was said to be in Clinton. Manchester pointed to Shaw in the courtroom and said he was the driver of the Cadillac.

Registrar Palmer said that he had told Oswald he need not register as a voter to get a job at the hospital and he declined to register him. He also said he saw the Cadillac parked near his office and that the driver looked like Shaw.

Collins said he saw Oswald, Ferrie and Shaw in the Cadillac and that, when Oswald left to register, the two other men remained in the car. He said he identified the two men from a photograph.

'No One Asked Me'

Asked on cross examination why he had waited years to reveal this about Oswald, Collins replied: "Because no one asked me."

In his opening statement, Garrison made it clear that he would try to disprove the findings of the Warren Commission during the trial.

He said he would show by "color motion picture" that President Kennedy was killed by more than one gunman.

"This film, which has not been shown to the public, will clearly show you," Garrison told the jurors, that the President was shot from two directions. He was referring to the eight-milimeter color film taken by Dallas manufacturer Abraham Zapruder of President Kennedy while he was being struck by the assassin's bullets.

Garrison said the films of the assassination were not necessary in theory to convict Shaw but were germane to the trial because they "confirm the existence of a conspiracy and because (they) confirm the significance and the relevance of the planning which occurred in New Orleans.

This brought defense attorney Dymond to his feet. He protested that Judge Edward W. Haggert Jr. had refused to let him ask prospective jurors whether they had an opinion about the Warren Report and its conclusion that Oswald acted alone.

A Right to 'Overprove'

Judge Haggerty overruled Dymond and said the prosecution had the right to "overprove" its case.

Garrison also said he will prove that:

• The meeting, which he says took place in Ferrie's apartment in mid-September 1963, apparently was not the setting for the hatching of the alleged murder plot, but rather the occasion when getaway and alibi plans were discussed and refined.

• Oswald was the unwitting "scapegoat" in the plot after they had discussed the possibility that one person might have to take the rap for the cross-fire ambush of the presidential motorcade.

• Oswald took part in the cross-fire, but the shot that actually killed the President came from another direction.

• Oswald did not escape by cab or bus from the Texas School Book Depository Building, but ran down the grass embankment in front of the building and got away in a station wagon driven by another man.

• Shaw signed the name "Clay Bertrand" at a New Orleans airport lounge in December, 1966, and that letters addressed to "Clem Bertrand" were delivered to a home where Shaw's mail was being forwarded earlier that year. "Bertrand" is the name of a man who is said to have sough legal assistance for Oswald after his arrest.

Garrison also said he would introduce the medical records of former Texas Gov. John B. Connally, who was seriously wounded while he rode next to Mr. Kennedy in the Dallas motorcade.

Garrison apparently dropped his earlier announced intention to prove that Shaw, Oswald and Jack Ruby, the man who shot Oswald to death in the Dallas police station, met in the fall of 1963 in Baton Rouge, La., where Shaw was said to have given money to Ruby.

6 FEB 1969

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JURY SEATED, SHAW TRIAL BEGINS

Burden of Proof Falls on Garrison

By HAYNES JOHNSON
Star Staff Writer

NEW ORLEANS — Now Jim Garrison must prove his case.

He must demonstrate beyond any reasonable doubt in the minds of nine of the 12 jurors that Clay Shaw, a prominent and respected New Orleans businessman, a liberal and admirer of John Fitzgerald Kennedy, a decorated World War II veteran and patron of the arts, conspired to kill the 35th president more than five years ago in Dallas.

Today, nearly two years after he startled the world with his claim that he "solved" the Kennedy assassination, the New Orleans district attorney begins to present his formal legal case. The selection of a second—and final—alternate juror completed the panel yesterday, permitting the formal opening of the case.

Garrison says the Warren Commission appointed by former President Lyndon B. Johnson to investigate the Kennedy assassination was wrong in its central conclusion that Lee Harvey Oswald, acting alone, planned and executed the President's murder.

Garrison charges that Shaw conspired with Lee Harvey Oswald, David W. Ferrie "and others" to kill the President. Since both Oswald and Ferrie are dead, the case rests on secondary testimony.

Warrant Filed

In a warrant filed at the time of Shaw's arrest on March 2, 1967, part of the substance of Garrison's case became public. The warrant read:, in part:

"Affiant has evidence that meetings were held in the apartment of David W. Ferrie at 3330 Louisiana Ave. Parkway (in New Orleans) and the people present were David W. Ferrie, Clay Shaw (alias Clay Bertrant), Lee Harvey Oswald, an informant, and other persons. The meetings were held in September, 1963, and the above individuals were discussing how they would kill John F. Kennedy, president of the United States.

"At these meetings there was an agreement and combination between Clay Shaw (Clay Bertrand), Oswald, Ferrie and others to kill John F. Kennedy. At these meetings there was discussion and agreement to carry out this plan."

One of the many misconceptions surrounding this case involves the criminal code under which Shaw is charged. Shaw is being tried for criminal conspiracy, not for the murder of John F. Kennedy. In fact, whether Shaw, Oswald, Ferrie or others actually committed the murder makes no difference, legally.

Point Explained

"President John F. Kennedy could be alive today and the defendant could still be seated right where he is today," Asst. District Atty. James Alcock pointed out yesterday.

Under Louisiana statutes, a criminal conspiracy consists of two principal parts. First, there must be a meeting of minds, or, as the code puts it, an "agreement or combination of two or more persons for the specific purpose of commiting any crime."

Even if that, alone, is proved, it is not sufficient for conviction. The state must prove further at least one overt act designed to carry out the agreement to commit a crime.

The state has been using this analogy: If three men sat around and decided to kill the president that, alone, is not a crime. But if one of them then went out and bought a rifle with the intention of carrying out the conspiracy agreement, and if that could be proved in a court of law, a crime has been committed.

Terms Outlined

Here, conviction under that statue carries imprisonment at hard labor for not less than one nor more than 20 years.

Shaw has denied the charges. He has said he did not know Oswald, nor anyone who knew him. And, he has stated: "I have not conspired with anyone at any time or any place to murder our late and esteemed President John F. Kennedy, or any other individual. I have always had only the highest and utmost respect and admiration for Mr. Kennedy."

At the time of Kennedy's assassination on Nov. 22, 1963, in Dallas, Shaw was in San Francisco to fulfill a speaking engagement in the San Francisco World Trade Center. That point never has been at issue. Shaw, 6-foot-4-inches tall, with high cheek bones and silver hair, was then the managing director of the International Trade Mart in New Orleans.

His trial brings into the legal arena a lengthening controversy surrounding the facts of Kennedy's murder. The assassination already has taken its place in mythology. Self-appointed critics and investigators have combed the available information for new light on the death. Sensational books and articles have been written, speeches and charges have been made, new theories have been advanced.

But until Jim Garrison entered the picture, the criticism remained out of legal jurisdictions. Garrison's investigation and his subsequent statement of Feb. 22, 1967, that "my staff and I solved the assassination weeks ago" and that he had "the evidence beyond the shadow of a doubt" added an official dimension.

Garrison is no stranger to controversy. The adjective most often to describe him is "flamboyant." Garrison is just that.

Standing 6 feet 6, his hair often rumpled, an intense look on his face, he had been a colorful figure in New Orleans. There had been a time when he could be seen on many nights moving through the night-spots in the French Quarter, often wearing a white dinner jacket.

As his case began to unfold, it seemed to fit peculiarly well into the exotic setting of New Orleans, a place of strip joints, watered drinks, prostituition, and often cheap commercialism, along with its more genuinely gracious atmosphere. Garrison alluded to homosexuality, clandestine meetings with anti-Castro Cubans, and the shadowy figures of the Central Intelligence Agency as being factors in the case.

He has said publicly he first became interested in the Kennedy assassination after talking with Louisiana's Sen. Russell Long in the fall of 1966. Long, Garrison said, "expressed grave doubts about the Warren Commission's conclusion that Lee Harvey Oswald was the lone assassin."

Garrison then began looking into the case, after studying the Warren Commission findings, he said:

"It's impossible for anyone possessed of reasonable objectivity and a fair degree of intelligence to read those 26 volumes and not reach the conclusion that the Warren Commission was wrong in every one of its major conclusions . . ."

For the past two years, he has taken his case to the public, through the press. Now a jury of 12 men — three of them are Negroes, two bachelors, a machine operator, a truck driver, two mechanics, a high school civics teacher, an assembly shift supervisor, a petroleum engineer, a housing inspector, a postal worker, a finance unit company manager — will begin hearing the actual case.

They will decide whether what Jim Garrison has been saying will stand up in a court of law.

WASHINGTON
DAILY NEWS
5 FEB 1969

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Shaw

NEW ORLEANS, Feb. 5 (UPI)—Dist. Atty. Jim Garrison seemed determined today to "overprove" his conspiracy case against Clay L. Shaw to an all-male jury in a courtroom battle to link an alleged New Orleans plot with the John F. Kennedy assassination.

That battle cannot begin until a second alternate juror is chosen, but his selection on this 14th trial day seemed certain because both the state and defense have run out of arbitrary challenges.

THE WASHINGTON POST
1 FEB 1969

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Garrison Receives Conditions For Viewing JFK Autopsy Photos

Judge Charles W. Halleck yesterday set down conditions for New Orleans District Attorney Jim Garrison in Garrison's effort to gain access to the Xrays and photographs of President John F. Kennedy's autopsy.

In a one-hour afternoon hearing at the Court of General Sessions, Halleck set two conditions for Garrison to meet:

1. By Wednesday, Garrison must show that he intends to prove that the conspiracy Clay L. Shaw is accused of actually resulted in the murder of President Kennedy.

Up to now Garrison's men have said they need not prove the conspiracy was linked to actual murder. Shaw, a New Orleans businessman, is on trial in New Orleans for allegedly plotting to kill the President. Judge Halleck said the X-rays and photos would be relevant to the Shaw trial only if the conspiracy resulted in the assassination.

2. Should Garrison do that, Halleck said he would hear testimony Friday on whether the photos and X-rays contain evidence to support Garrison's contention that there was more than one assassin.

The Warren Commission concluded that Mr. Kennedy was killed by a lone assassin, Lee Harvey Oswald, who used one rifle and fired from the rear. Garrison says more than one gunman shot the President.

If Garrison gets this far, Halleck said, he would take up other issues involved.

One of these issues would be whether the Kennedy family had the "right, title and interest" to place conditions on the materials when they were deposited in the Archives Garrison wants the court to order National Archivist James B. Rhoads, to appear at the Shaw trial with the X-rays and pictures.

estate.

Rhoads has contended that he cannot make the materials public until 1971, under the conditions set by the Kennedy estats.

Halleck raised the possibility of having an outside expert examine the materials to determine if there is evidence to support Garrison's claim of more than one assassin.

Meanwhile, Staff Writer John P. MacKenzie reported from New Orleans that the prosecution and defense ran through 141 more jurors in a vain attempt to seat the 12th man to try Shaw.

Already well beyond the local record for jury candidates interviewed, the criminal court jury total reached more than 800 in the tenth day of examination. More than 200 of them have been screened since the 11th juror qualified on Wednesday.

Judge Edward A. Haggerty Jr. ordered another 150 veniremen summoned for Saturday morning. This time prospects were brighter because the prosecution used its last peremptory challenge, as the defense had done a day earlier.

31 JAN 1969

Shaw Case Jury Still Incomplete

[By a Sun Staff Correspondent]

New Orleans, Jan. 30—Attorneys in the conspiracy trial of Clay L. Shaw, accused of plotting with Lee Harvey Oswald to assassinate President Kennedy, failed again today to complete selection of a 12-man jury and 2 alternates.

But they have set a record for the number of prospective jurors questioned, according to Judge Edward A. Haggerty, Jr., the presiding judge.

Judge Haggerty reported that the Orleans parish criminal court jury panel of 677 for January had been completely exhausted in the 9 days of questioning of prospective jurors and that he had ordered a new group of 150 prospects rounded up overnight so that jury selection can be completed by the weekend.

554 Questioned

So far, 554 prospective jurors have actually been questioned. Twelve have been accepted and sworn in, but one became ill later and was excused.

"In no other case in the history of the criminal courts here," Judge Haggerty observed, "Have so many been called but so few chosen."

The last prospective juror questioned today was almost accepted when F. Irvin Dymond, the chief defense counsel, successfully challenged him. The man, a postal employee, testified he had seen a movie, "Rush to Judgment," about the assassination that had left him "as bewildered as before ... but with a lot of mixed impressions." The man had insisted, however, that he still had a completely open mind on the innocence or guilt of Mr. Shaw and about the possibility of President Kennedy being the victim of a conspiracy.

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BALTIMORE SUN
31 JAN 1969

Garrison Plans Fight Today For Kennedy Autopsy Data

By MICHAEL PARKS
[Sun Staff Correspondent]

New Orleans, Jan. 30—The prosecution in the Clay Shaw case plans a hard fight in Washington tomorrow to obtain 69 photographs and X-rays taken at Pre ident Kennedy's autopsy.

The photogrphs and X-rays, along with a score of other exhibits sought from the Archives of the United States, are admitted to be a keystone in the state's attempt to prove that the President was killed in a crossfire of high-powered rifles, the victim of a baroque New Orelans-based conspiracy.

Numa V. Bertel, Jr., an assistant district attorney, said he will ask Judge Charles W. Halleck, of the District of Columbia Court of General Sessions, to order the archivist of the United States, Dr. James B. Rhoades, to deliver the subpoenaed material for the conspiracy trial of Mr. Shaw here.

Plot With Oswald

Mr. Shaw, 55, a retired businessman, is charged with plotting with Lee Harvey Oswald and others to murder the president.

Although the prosecution does not have to prove Mr. Shaw was involved in the actual assassination—for the President's murder is a separate crime in the eyes of the law—the state clearly plans to do so.

On January 17, Judge Halleck ordered the office of Jim Garrison, district attorney, to prove that the exhibits sought from the United States Archives were related to the conspiracy case and set a two-week deadline. His temporary refusal to release them was based in part upon the adamant opposition of the Johnson administration to the Garrison investigation.

Agents To Testify

But John N. Mitchell, the new attorney general, has given indications of some cooperation with the New Orleans district attorney in authorizing suspoenaed FBI and Secret Service agents to testify in the Shaw trial.

"We have no formal indications what to expect tomorrow morning, but we are hopeful that this change of heart extends to the other evidence as well," a spokesman for Mr. Garrison said.

Even if the Justice Department drops its opposition to the subpoena, Judge Halleck has the prerogative of denying it.

"Frankly, we expect a pretty hard fight," the Garrison spokesman said. "And frankly, this evidence is prety important."

Necessary To Plans

Without the X-rays, photographs and the other exhibits, including the President's coat, shirt and tie, movies made during the assassination and the rifle that the Warren commission said Oswald used to kill the President, Mr. Garrison's plans to explore the actual assassination will founder.

Mr. Garrison has subpoenaed nearly 20 out-of-state witnesses to testify on the assassination, including former Gov. and Mrs. John B. Connally of Texas, who were riding in the presidential limousine November 22, 1963, in Dallas.

But their testimony along with that of other witnesses, Dallas policemen, federal agents and physicians who treated the President and Governor Connally, who was also shot, admittedly is to strengthen the theory the prosecution hopes to draw from the autopsy material and other subpoenaed exhibits.

From Three Directions

This theory contends that the President was caught in a carefully planned crossfire from three directions and that the fatal bullet struck him from the front.

It directly contradicts the finding of the special investigating commission under Chief Justice Earl Warren, which concluded that the President was shot from above and behind by Oswald, apparently acting alone.

The prosecution expects the Connallys' testimony to "establish in conjunction with other evidence that shots were fired into the presidential limousine from more than one direction, pursuant to a conspiracy formulated by the defendant, Clay L. Shaw."

Change In Phrasing

This phrasing in the Connally subpoenas represents a subtle change from that in earlier related subpoenas, which noted only that the testimony would deal with the assassination on the Garrison theory of a crossfire but mentioned neither a plot nor the defenadant.

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subpoenaed for questioning sued T&C for interfering with his privacy and constitutional rights, but the suit was withdrawn. As with so many of Big Jim's doings, however, eyebrows but not voices were raised. Out of fear or apathy, nobody did anything. Garrison sailed on. He set up a checking account under the name of J. C. Safi—for "Jim Garrison's Special Aid for Investigation"—and spent the private funds as he saw fit. Sometimes, he got them mixed up with his own, as when he paid Tom Bethell, an aide who later quit in disgust, with a personal check. Bethell, a teacher from England who came to study jazz and wound up doing investigative work for Garrison, was indicted after he resigned. Like Gurvich, he was charged with theft of records from the DA's office.

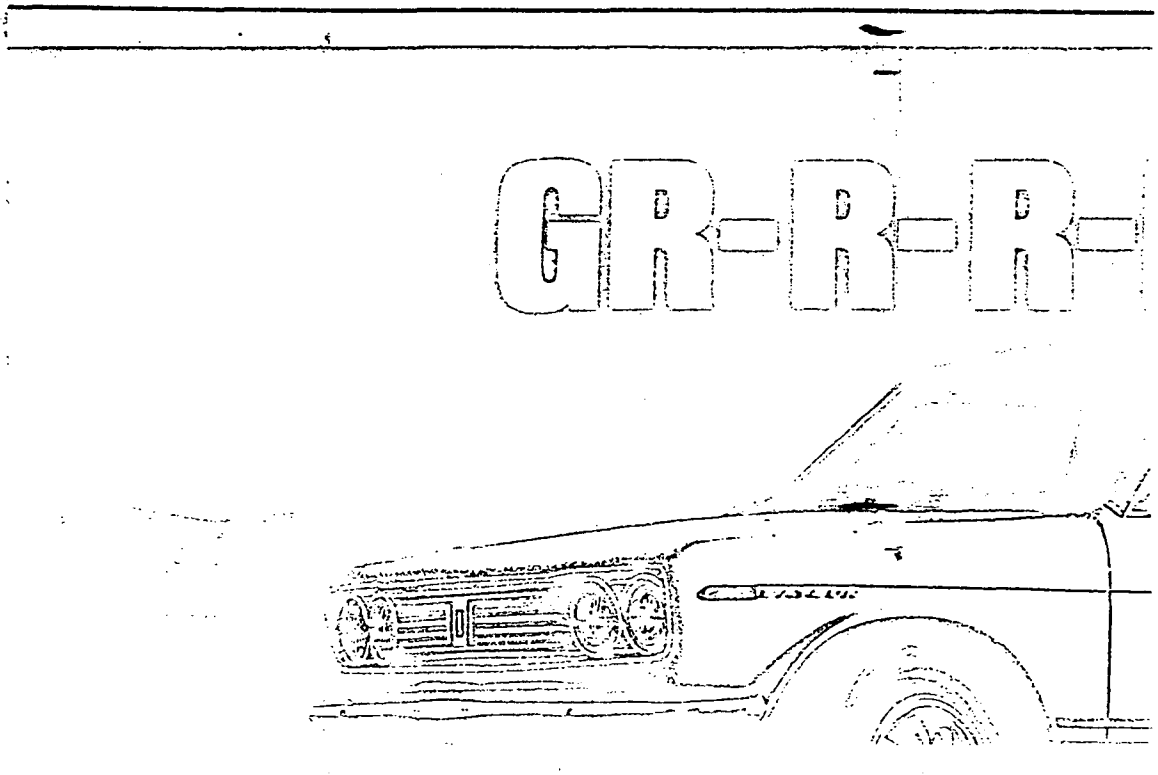
More than a year ago, the Internal Revenue Service grew curious about Garrison's personal finances and associations. Two IRS special agents were dispatched to New Orleans to sniff around.

"There was a pretty strong smell," said a former high-ranking IRS official who asked that his name be withheld. "He was fairly close with a lot of characters, the kind who can operate only if they know the right people. We had a fairly substantial case, and it was still active when I left IRS this year. Garrison was uncooperative. He made a few charges that it was all a vendetta against him."

GARRISON'S VENDETTA LINE—"The Feds are after me," or some variation—has worked out to be a perfect ploy, however sincerely stated. No matter how they may burn privately, the heads of the FBI, CIA and Justice Department, and even Presidents Johnson and Nixon, have consistently presented a stony indifference publicly. President Johnson made a decision to do nothing, in the expectation that, like Senator McCarthy, Garrison would talk himself into oblivion. "The people of New Orleans will take care of him," it was said. Johnson's hands-off policy has been adopted by President Nixon.

The only Federal official to speak out publicly was Ramsey Clark, the Johnson Administration's last Attorney General. Clark, while still in office, told interviewers: "Mr. Garrison took a perfectly fine man, Clay Shaw, and

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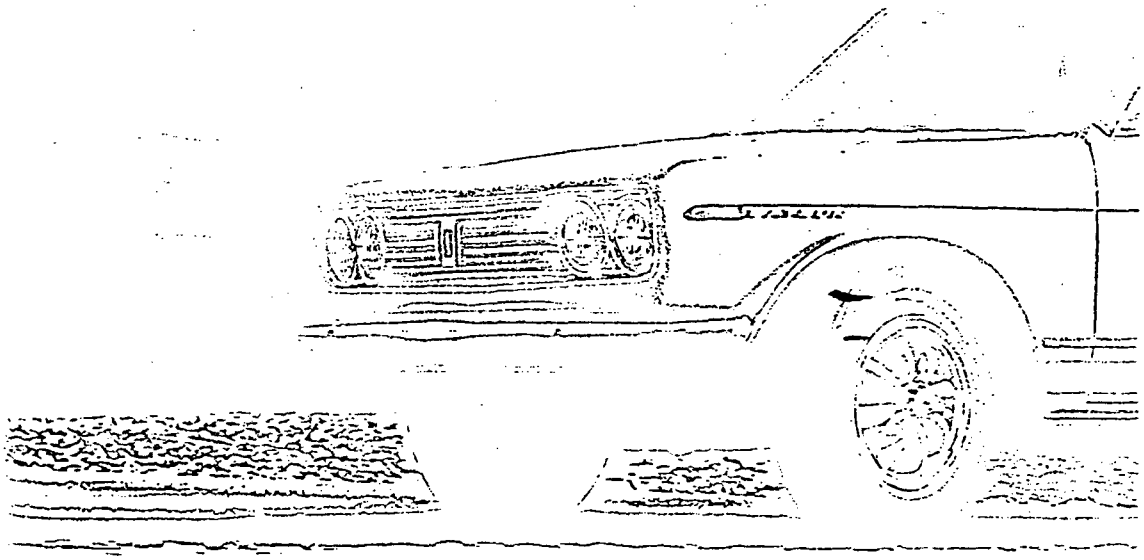
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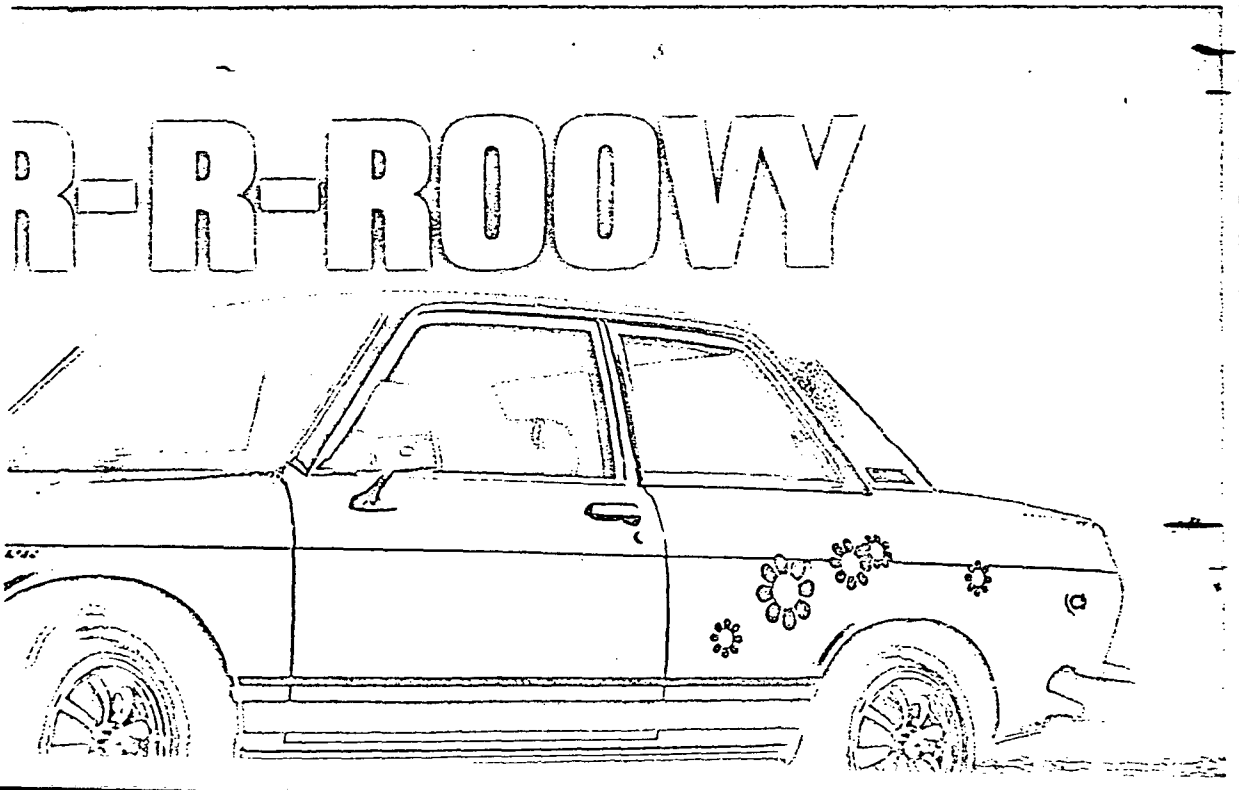
ruined him for personal aggrandizement." That produced an immediate outcry from Garrison that "the Feds" were persecuting him because he had the audacity to challenge the Establishment.

Edward F. Wegmann, Shaw's attorney in civil matters for more than 20 years and caught up in his first criminal suit has tried in vain many times to elicit help from the Federal Government. In a recent effort, Wegmann appealed for aid in fighting the perjury charges brought against Shaw by Garrison. Wegmann corresponded with Deputy Assistant Attorney General D. Robert Owen, of the Justice Department's Civil Rights Division. He sent Owen a batch of material supporting his argument that Garrison's case was fraudulent from the beginning and that Big Jim knew it, that some witnesses lied and were bribed by the DA to do so, and that the whole sorry mess added up to a violation of Clay Shaw's civil rights under the law.

Owen, in a letter to Wegmann last April 16, replied that "we do not believe that at this time there is sufficient basis for Departmental investigation of the charges you have filed." He said the most that could be proved was that Garrison had misjudged the facts. He invited Wegmann, however, to submit any "further information [that might] come to your attention," including anything more on his charge that the DA's staff bribed witnesses to "procure palpably and knowingly false testimony."

Wegmann, an unusually calm and self-disciplined man, let his impatience with Washington's runaround show through in a warm rejoinder: "If any person, black or white, has ever been deprived of his constitutional rights in violation of the law of the land, that person is Clay L. Shaw, and the facts presented as well as those available, manifestly support that conclusion. . . . The prosecution of Mr. Shaw was and still is founded on and encased in fraud, pure and simple. The public prosecutor did not misjudge the facts. Quite to the contrary, he well knew, and so stated to one or more of his associates that there was no basis for the charges brought by him against Mr. Shaw. He well knew, prior to ordering the arrest of Mr. Shaw, that the witnesses whom he relied upon, not only were totally lacking in substance and quality, but that the stories told by them were bold-faced lies. . . . I submit that you and your associates have failed to recognize the thrust of my com-

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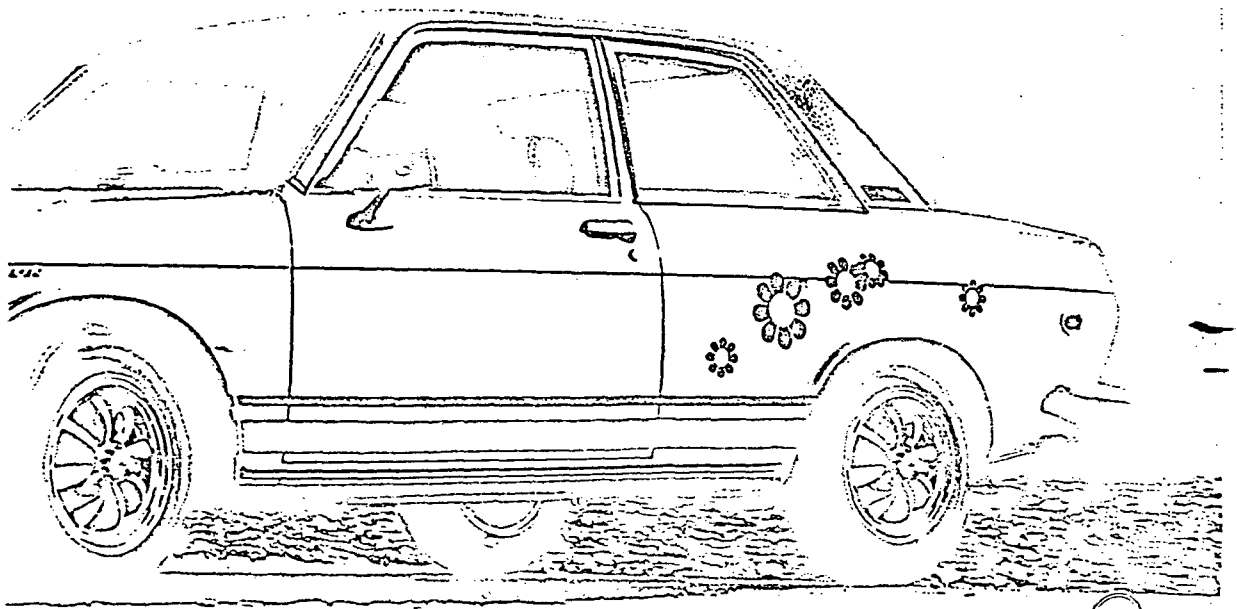
up to a violation of Clay Shaw's civil rights under the law.

Owen, in a letter to Wegmann last April 16, replied that "we do not believe that at this time there is sufficient basis for Departmental investigation of the charges you have filed." He said the most that could be proved was that Garrison had misjudged the facts. He invited Wegmann, however, to submit any "further information [that might] come to your attention," including anything more on his charge that the DA's staff bribed witnesses to "procure palpably and knowingly false testimony."

Wegmann, an unusually calm and self-disciplined man, let his impatience with Washington's runaround show through in a warm rejoinder: "If any person, black or white, has ever been deprived of his constitutional rights in violation of the law of the land, that person is Clay L. Shaw, and the facts presented as well as those available, manifestly support that conclusion. . . . The prosecution of Mr. Shaw was and still is founded on and encased in fraud, pure and simple. The public prosecutor did not misjudge the facts. Quite to the contrary, he well knew, and so stated to one or more of his associates that there was no basis for the charges brought by him against Mr. Shaw. He well knew, prior to ordering the arrest of Mr. Shaw, that the witnesses whom he relied upon, not only were totally lacking in substance and quality, but that the stories told by them were bold-faced lies. . . . I submit that you and your associates have failed to recognize the thrust of my com-

continued

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plaint, or in the alternative, that for reasons you cannot or will not disclose, Jim Garrison is beyond the reach of justice. . . .

"The thrust of the complaint is that the entire prosecution, from the time of arrest on March 1, 1967, to date, and it continues, is based on fraud and not errors of judgment. . . . An innocent man has been the victim of a ruthless, unethical and fraudulent public prosecutor and his staff, who, with premeditation and full knowledge of the falsity of the charges brought against him, have used him for the sole purpose of obtaining a judicial forum for their attacks upon the integrity and credibility of the United States Government and the Warren Commission."

THE VICTIM OF IT ALL, Clay Shaw, is struggling today to put back together the shards of his shattered life. In our interview, he looked ahead: "The District Attorney deliberately arrested someone he knew was innocent and set out to build a case against him by perjury, fraud and intimidation. This is provable. In February, 1967, when Garrison announced he had solved the Kennedy assassination, he did not have a single one of the witnesses he later produced to testify against me. By his own admission, he dreamed it all up and then went out to find the evidence.

"I think part of my job, as I extricate myself from the horror of this two-year nightmare, is to see that this man is removed from office. In public office, he is a dangerous man. And I keep asking myself how many other Garrisons can there be. If it can happen here, it can happen anywhere else in the country. And this is true despite a law that says it is a crime for a prosecutor or any official to deprive a citizen of his constitutionally guaranteed rights under color of the law.

"We had a combination of an overzealous, unscrupulous, megalomaniac, paranoid public official and a paralysis or disinterest on the part of other public officials and institutions that are supposed to protect the rights of the individual. The Mayor, the Governor, the Attorney General of the United States, the President—all of them knew, I think, that an injustice was being done. Yet all our efforts to get any of them to do anything were unavailing. Given that example, other prosecutors of a similar bent are encouraged. If a prosecutor can violate the civil rights of an individual, and Federal officials sworn to protect those rights give him no let or hindrance, then it's open season for anyone who wants to do this kind of thing.

"Two facts are self-evident to me: One, this was a deliberate conspiracy to use me as a scapegoat to provide Garrison with publicity and with a forum for his own criticism of the Warren Commission. Two, he succeeded because various people were afraid or unwilling for one reason or another to do anything about it.

"And he isn't through yet. Now, I'm charged with perjury. He wants to prove that he isn't quitting, I think, and he can keep suspicion alive by hanging on. Second, if I file a suit against him, he has a bargaining counter: he could say, 'I'll drop my suit if you drop yours.' Finally, up for election, he can sidestep questions about the fiasco he made of the case by saying, 'I can't discuss that because it's still under adjudication.'

"What a man like this has going for him is the will to believe. It's very, very strong in many people. It doesn't matter what the evidence is or how many nuts he puts on the stand; people just go on believing. Another thing is that nobody wants to get involved. The best known example of this attitude, I guess, is Kitty Genovese, stabbed to death leisurely over a half-hour while 38 of her neighbors in New York watched and heard her screams.

"Well, we'd better start getting involved. If it can happen to me, it can happen to anybody."

And so there it is. Garrison wanted to try the Warren Report, and he needed a judicial forum. He also needed a patsy, a pawn. He could not just pick a bum off of a tier at Parish Prison. He had to pick a prominent man with a weakness. It had been said that the Warren Commission began with

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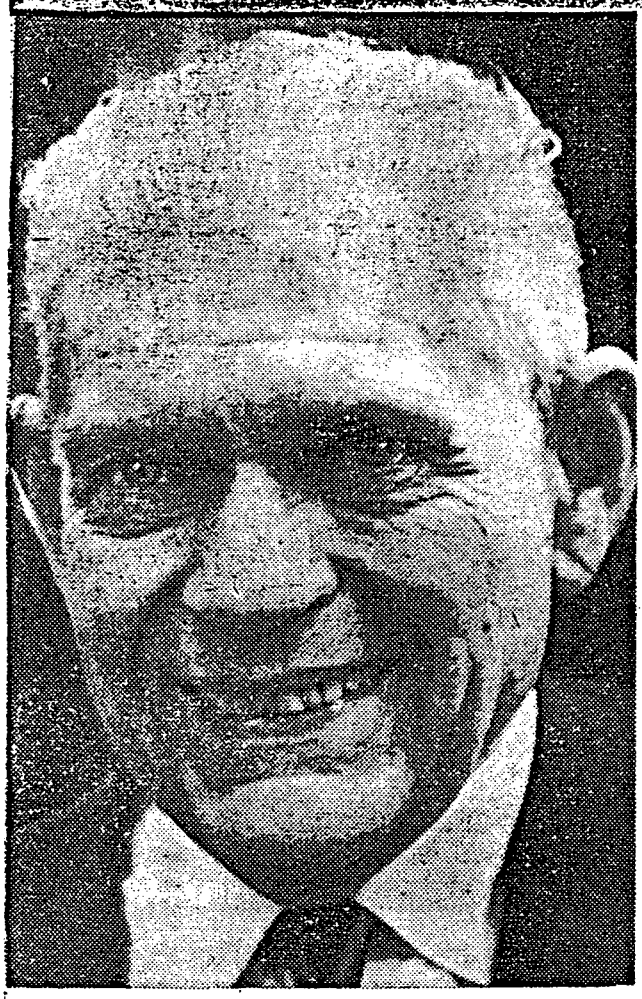
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And so there it is. Garrison wanted to try the Warren Report, and he needed a judicial forum. He also needed a patsy, a pawn. He could not just pick a bum off of a tier at Parish Prison. He had to pick a prominent man with a weakness. It had been said that the Warren Commission began with the premise that Oswald was guilty and then set out to find the evidence to prove it. Why not do the same thing? Why not beat the Warren Commission at its own game?

For two years, Garrison tried. He trotted out the weirdest assortment of witnesses this side of the jury in *The Devil and Daniel Webster*. Each time his jerry-built house of cards collapsed, he tried again. He cajoled, threatened, bribed, drugged and hypnotized witnesses. Ultimately, he lost the case, but it was only a case. What has Shaw lost?

Public apathy and official indifference to the plight of one man have allowed another, armed with enormous power conferred by the ballot, to subvert our legal system. Perhaps more. In a land supposedly governed by laws and not men, what have we all lost?

END



—Associated Press

Clay Shaw's victory smile.

Shaw Cleared in 'Plot', Hints He'll Ask Redress

NEW ORLEANS (AP) — A rested and relaxed Clay Shaw looked back over his long trial yesterday and pledged: "This is by no means the end of the matter."

A few hours earlier, the big, white-haired retired businessman had been acquitted on a charge of conspiring with Lee Harvey Oswald and others to assassinate President John F. Kennedy.

Shaw declined to specify what retaliation he had in mind but was sharply critical of the group of private businessmen who financed Dist. Atty. Jim Garrison's probe.

Shortly after the trial, Garrison's resignation was demanded in a page one editorial by the New Orleans States-Item. "He has shown himself unfit to hold the office," the newspaper said. "He has perverted the law, rather than prosecuted it."

Meanwhile in Detroit the president of the American Bar Association, William T. Gossett, was quoted by the Detroit News as saying the ABA would ask the Louisiana Bar Association to consider disciplinary action against Garrison.

Asked if a damage suit was planned, Shaw's lawyers said one was under consideration.

"News is made when it is made and not by somebody talking about what they are going to do when," Shaw told a news conference.

"We are all aware of the fact that a group of private businessmen contributed money to the public prosecutor to go out and investigate someone," he added.

"I think it is appalling that a public official would accept funds from two or three rich men to investigate anyone or anything . . . you can see the door it opens to the most wild and bizarre abuses of power."

Shaw referred to a group, headed by Joseph M. Rault Jr., president of Rault Petroleum Corp. of New Orleans, and named Truth and Consequences of New Orleans, Inc.

Truth and Consequences was formed in 1967 to underwrite Garrison's investigation of the Kennedy assassination. It opened in late 1966, three years after the president was slain in Dallas.

The unorthodox financing came about partly as a result of news disclosures that Garrison was conducting the investigation.

The district attorney complained that public records of his expenditures tipped off newsmen and impeded his probe. The solution, he said, was to find money that didn't have to be accounted for in public records.

Acquittal came two years to the day from the date Shaw was arrested at Garrison's office. Trial had been delayed by frequent defense appeals and legal maneuvers.

"We had no idea what kind of case Garrison had," said F. Irvin Dymond, the chief defense attorney. "We took every precaution. But if we had known, we would have been hollering for a trial two years ago."

Shaw said the legal fight had changed him from a retired man of comfortable wealth to a man looking for a job.

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Kennedy Death Photos Ordered to New Orleans

By FRED BARNES
Star Staff Writer

Judge Charles W. Halleck formally ordered the U.S. archivist yesterday to take photographs of the autopsy of John F. Kennedy and other assassination exhibits to the Clay L. Shaw trial.

However, the legal victory for New Orleans Dist. Atty. Jim Garrison could be short-lived. Government attorneys said they would appeal the Halleck ruling today in the D.C. Court of Appeals.

They contend Halleck, as a judge in the Court of General Sessions, is not empowered under out-of-state witness regulations to issue orders to government employes. Beyond that, the government will argue that an agreement with the Kennedy family gives the archivist, Dr. James B. Rhoads, the "privilege" of refusing to produce the 45 photos and 22 X rays taken during the autopsy.

Despite repeated pleas from the government lawyers, Halleck steadfastly declined to rule on the privilege question, saying that decision should be left to the judge trying the Shaw case.

Halleck's order came after weeks of legal arguing between Garrison aides and lawyers from the Justice Department and the U.S. attorney's office.

In his order, the judge said the archivist is "a necessary and material witness in the trial" of Shaw, a wealthy New Orleans businessman who is charged with conspiring with Lee Harvey Oswald and David A. Ferrie to kill President Kennedy.

In addition to the autopsy films, Halleck instructed Rhoads to be ready on 48 hours' notice from Garrison to take to the trial the rifle allegedly used by Oswald, one of the bullets that hit Kennedy, two bullet fragments and photos of the wounds suffered by former Texas Governor John Connally.

Garrison subpoenaed the autopsy films early in January and later issued a separate summons for the other exhibits.

On Friday, Halleck told the government he would order the films to New Orleans, along with the other material, if a potential expert witness at the Shaw trial was not allowed to view the films at the National Archives by 4 p.m. yesterday.

His order yesterday was issued quickly after the deadline passed. Government lawyers would not say whether members of the Kennedy family had been contacted about the choice regarding the films.

The autopsy photos and X-rays were taken at Bethesda Naval Hospital on the day of the assassination and later given to the Archives by the Kennedy family on the condition that they be viewed only by government investigators until 1971 and only by scholars after that date.

Used in Warren Probe

The rifle, bullet, bullet fragments and Connally photos were exhibits used by the Warren Commission, which investigated the assassination and decided that Oswald acted alone in the killing. These exhibits also were placed in the Archives.

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NEWSWEEK
17 February 1969

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Mardi Gras Season

For two years, big Jim Garrison has been an extraordinarily imaginative barker in promoting his assassination sideshow in New Orleans. Once the audience got inside the tent, the district attorney promised, it would witness eye-popping proof of a plot to murder John F. Kennedy. Finally last week all the jurors were chosen in the conspiracy trial of Garrison's only legally charged suspect—former businessman Clay L. Shaw, 55. And with that, on the eve of Mardi Gras season in New Orleans, the flamboyant D.A. pulled back the flap of the carnival tent to show what—if anything—he had to reveal.



Associated Press

Garrison lights up: A peek inside the carnival tent

As an added inducement to the curious, the district attorney's office produced a new "mystery witness" to supplement the exotic array of stars who had already been trotted out for public showing. The new witness turned out to be a 50-year-old New York accountant named Charles I. Spiesel, and the mystery was why Big Jim had apparently chosen him as one of the bulwarks of his case against Clay Shaw.

Beard: The hulking prosecutor evidently counted on Spiesel to buttress his central charge that Shaw conspired with Lee Harvey Oswald and a onetime pilot named David Ferrie to kill Kennedy. And, in fact, Spiesel calmly testified that he had heard Shaw, Ferrie (who died in 1967), and a handful of other people, including one man with a beard, talk about murdering the President during a June 1963 party in New Orleans's French Quarter. Oswald was in the New Orleans area from the end of April until late September 1963—and under Louisiana's extremely loose conspiracy law Garrison needs only to convince nine of the jurors that there was a plot among two or more people followed by an act to further the scheme. He assured the court in his opening statement that he would do just that—and would further show that Kennedy was shot by at least two different assassins in Dallas.

But after the D.A.'s mystery witness had presented his opening testimony on the alleged plot, he was—to the wonderment of the courtroom—suddenly telling of a conspiracy against himself. Under the low-key cross-examination of Shaw's attorney, F. Irvin Dymond, Spiesel reported that he had been victimized by a New York psychiatrist, a private detective agency and Communists. Dymond read the petition from a lawsuit filed by Spiesel charging that he had been forced out of business and kept "from having normal sex relations" through "hypnosis and psychological warfare." Spiesel further said he had been hypnotized by as many as 50 or 60 people "without my consent."

It thus appeared that Jim Garrison might, after all, have to rely on Perry Raymond Russo, the former insurance salesman, as his star witness. In March 1967, Russo alleged that he had heard Shaw, Ferrie and Oswald plot to kill Kennedy in September 1963. Already, Dymond had charged last week that Russo was "a notoriety-seeking liar." But before Russo was to take the stand, the entire court went trooping off to see if Charles Spiesel could find the building where he had heard talk of shooting the President. He never definitely located the spot. And the first week of testimony in the Clay Shaw trial ended on that inconclusive note, with judge, jury, witnesses and attorneys flocking through the streets of the French Quarter just ahead of the first big parades of Mardi Gras.

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Shaw Trial Delays Quiz Of Connallys

NEW ORLEANS (AP) — Dist. Atty. Jim Garrison's prosecution team has switched signals and delayed calling former Texas Gov. John B. Connally as a witness at the trial of Clay L. Shaw, charged with conspiring to assassinate President John F. Kennedy.

Connally and his wife had been subpoenaed to appear today. Connally was wounded seriously in the Kennedy assassination Nov. 22, 1963, in Dallas, Tex.

The Connallys were among witnesses summoned by Garrison in an attempt to lay down a line of testimony indicating that more than one gunman shot Kennedy.

"There is really nothing I can tell you," said Assistant Dist. Atty. William Alford when he was asked if the Connallys might not appear at all. "I can't comment on that."

Mrs. Connally said in Houston that she was advised by the prosecution that "they would not be able to question us Monday" because of problems of sickness and "witnesses stacking up."

THE WASHINGTON POST
15 FEB 1969
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Judge Acts to Release JFK Autopsy Data

Judge Charles W. Halleck yesterday ordered the Government to obtain the Kennedy family's permission for a pathologist who questions the Warren Report to examine photographs and X-rays from President John F. Kennedy's autopsy.

If the Justice Department fails to obtain permission from the family by 4 p.m. Monday, Judge Halleck said he would order the National Archivist, Dr. James B. Rhoads, to appear at the Clay L. Shaw conspiracy trial in New Orleans with the autopsy materials.

Judge Halleck also ordered the Archivist to take other pieces of evidence to the trial, pending court assurances they would remain in the archivist's custody. These items—the assassination rifle, a bullet, several bullet fragments and some documents—would go regardless of an examination by the pathologist.

The pathologist, Dr. Cyril H. Wecht, testified yesterday before Halleck in the Court of General Sessions. He appeared for the State of Louisiana in its request to have Judge Halleck order the archivist to go to Louisiana with the autopsy materials.

The Government has sought to block the order on grounds that an agreement with the Kennedy family forbids disclosure and examination of the autopsy materials without the family's permission. It is this permission that Judge Halleck ordered the Justice Department to obtain by Monday afternoon.

Dr. Wecht, who has both medical and law degrees, testified that on the basis of his examination of the Zapruder assassination film there is some evidence the President was shot from the front: The President lurched back upon impact of the bullet that shattered his head.

He also cited conflicting reports on the location of the head wound. The original autopsy report, Dr. Wecht said, places the wound in the back—about ear level. A 1968 review by four pathologists placed the wound some four inches closer to the top of the head—in a spot accessible to a shot from the front.

Throughout the day-long hearing, Judge Halleck hinted at allowing Dr. Wecht examine the materials to make a pathological conclusion on the wound. But the judge said he hesitated to make wholesale disclosure of the pictures and X-rays, fearing they would turn up "on the cover of Life magazine," as he once put it.

Implicit in the judge's action is his questioning of the agreement the Kennedys made with the archivist.

More than once, Judge Halleck has raised the question of whether the Kennedy family had "right, title or interest" in the pictures and X-rays to attach the conditions.

[Assistant U.S. Attorney Joseph Hannon indicated he would appeal Halleck's decision, UPI reported. Hannon also could order the archivist to ignore the order, which would lead to contempt of court proceedings that could delay the matter until after the Shaw trial ends.]

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Garrison in Midstream

It is general journalistic practice to avoid statements of opinion regarding criminal trials in progress—both as a matter of courtesy and from a natural disinclination to stick the editorial neck out unnecessarily. The prudent thing is to await the jury's verdict, and to comment on that.

But there are exceptions. Such as the Clay Shaw trial, now plodding its tawdry way through a courtroom in New Orleans.

Before the trial started, District Attorney Jim Garrison protested — with considerable validity — that the press was doing him wrong. He was, he said, being pictured as an unprincipled, overly ambitious D. A., trying to parlay a nonexistent case into a political future. Wait until the case comes to trial, he pleaded, and I will prove the conspiracy theory with evidence I am prevented by law from disclosing now — evidence that will be backed up by surprise witnesses.

Now Garrison is having his day in court. His key witness, Perry Raymond Russo, has repeated the story — with a few contradictions — he told two years ago in the preliminary hearing. Garrison has produced a corroborating witness, Vernon William Bundy, Jr. And true to Garrison's word, there was a surprise witness, Charles Spiesel, who also testified that the defendant, Clay L. Shaw, had conspired with the late Lee Harvey Oswald and the late David Ferrie to kill the President.

Russo has testified to being under psychiatric care. His first accounts of the conspiracy were told after sessions in which he was hypnotized and given Sodium Pentothal. Bundy has, by his own account, been a heroin addict since the age of 13. Spiesel, under cross-examination, revealed that he has filed two suits, charging a policeman and a psychiatrist with persecuting him through hypnosis. People have been hypnotizing him and conspiring against him off and on for years, he said.

It is still possible that Garrison may have something up his sleeve — some testimony from some semi-reliable source that will indeed provide substance to his charges against Shaw, the Warren Commission and the federal government. If so, it is hard to understand why he has kept it hidden so long and has chosen to undermine and discredit his case by leading off with the likes of Russo, Bundy and Spiesel.

The only surprise Garrison has produced so far is amazement that the district attorney of New Orleans would place any credence in the testimony of such shattered, disoriented and pathetic humans as these — or that he could expect anyone else to do so.

TRIALS

More than a Man in the Dock

For two headline-filled years, New Orleans District Attorney Jim Garrison has made it clear that his assassination-conspiracy case against Businessman Clay Shaw involves another, unnamed defendant: the Warren Commission. To prove his contention that Shaw and others had been part of a plot to shoot President Kennedy, Garrison needed to disprove the commission's findings that Lee Harvey Oswald had acted "alone and unassisted" on November 22, 1963. He also hinted often that elements of the Federal Government itself—particularly the CIA—were somehow involved in the assassination. Last week, as testimony in the case finally started, Garrison won the right to put on trial both of his defendants—the named and the unnamed.

The breakthrough for Garrison came in what will probably be one of his few courtroom appearances, since he leaves most trial work to assistants. While the jury and two alternates were being chosen (an all-male group with eleven whites, three Negroes, only two college graduates among them), Garrison entered the Orleans Parish Criminal courtroom just once, and then only as a spectator. With the jury finally sworn in, Garrison wanted to make certain that the trial started off with all the scope and drama that he deems appropriate. He went to the front of the dimly lit, 38-ft.-high courtroom, drew himself up to all of his 6-ft. 6-in. height and confidently intoned a 42-minute opening statement.

Feel for Pageantry. "We will later offer evidence concerning the assassination in Dealey Plaza in Dallas," said Garrison, "because it confirms the existence of a conspiracy and because it confirms the significance and relevance of the planning which occurred in New Orleans." Defense Attorney F. Irvin Dymond immediately objected that "the actual assassination has no place in this case." He was quickly overruled by Judge Edward Haggerty, a raspy-voiced jurist who has displayed as much feel for sweep and pageantry as Garrison; he had introduced the jurors to the press by parading them around a motel swimming pool. Said Haggerty: "I can't tell the state how to run its case, if they want to overprove it."

The only Garrison eyewitness who bore any relevance to a conspiracy was Perry Russo, who is an insurance agent. In a preliminary hearing, Russo claimed to have overheard Shaw, who is the retired managing director of the New Orleans International Trade Mart—and was named the Outstanding Citizen of New Orleans in 1965—discussing the assassination with Oswald and the late David Ferrie, a former airline pilot who is also accused in Garrison's case. As a star witness, Russo left something to be desired: he did not remember some of the most incriminating details [illegible] had been hypnotized and shot with truth serum by Garrison's investigators.



CHARLES SPIESEL
Trying some unnamed defendants too.

Arresting Testimony. Suddenly, the state had a "mystery witness." He was Charles Spiesel, a New York tax accountant who told of sitting around a kitchen table at a French Quarter apartment in June 1963 and listening to a group of men, including Shaw and Ferrie, talk of shooting Kennedy. Shaw, said Spiesel, "seemed to be amused at the conversation" and at one point speculated that "somebody could probably fly him [the killer] out." It was arresting testimony—or at least it would have been if Spiesel, in more than two hours of withering cross-examination, had not revealed a few erratic episodes in his own past.

They included the filing of lawsuits against the city of New York, a psychiatrist, the Pinkerton detective agency and several policemen for putting him under "hypnotic" spells. In one suit, Spiesel said this harassment had caused him to sell a business under duress and prevented him from engaging in normal sexual relations. At the defense's request, Spiesel led the jury, judge, defendant, attorneys and a mob of 350 newsmen and spectators on a hunt for the apartment where he alleged that he met Shaw. After examining two buildings, he testified in court that one "was similar if not the same."

The state's most convincing performance was an attempt to place Shaw, Ferrie and Oswald together in the small town of Clinton, La. (pop. 1,568) in late August or early September, 1963. Employees of the East Louisiana State Hospital testified that Oswald tried to get a job there. Presumably to better his chances, according to the town registrar, he tried to register as a voter in Clinton, which was then the center of a Negro voting-registration drive. Both Town Marshal John Manchester and Corrie Collins, a Negro who was leading the voter drive, testified that they had seen Oswald in a Cadillac limousine that also carried Shaw and Ferrie. Their neatly corroborative testimony was in absolute conflict with the defense contention that Shaw "never knew nor laid eyes on" either Oswald or Ferrie. It also seems to have cleared some common ground for two men who had little in common in 1963: Marshal Manchester and ex-Civil Rights Leader Collins drove off from court together.

Show Goes On. Still, the evidence from Clinton hardly proves the existence of a conspiracy. Garrison promised to back up his contention that Shaw was part of a plot with "documentary and photographic" evidence—plus testimony from witnesses to the assassination, possibly including Texas' ex-Governor John Connally, who was wounded in the gunfire that killed Kennedy. That kind of drama is precisely what the defense—which needs only to raise doubt about a single man's participation in a plot—tried unsuccessfully to avoid. It may also be what the jury is most interested in hearing. At any rate, as Garrison's show got on, Clay Shaw, chain-smoking and intently taking notes, studied the proceedings with the gaze of a man who has not yet figured out what has happened to him.

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WASHINGTON STAR 11 FEB 1969

Witness Says Shaw 'Plotting' Could Have Been Bull Session

NEW ORLEANS (UPI) — Perry Russo, a key witness in the Clay L. Shaw trial, says the 1963 presidential assassination plotting of which Shaw is accused could as easily have been "an inconsequential bull session" as a serious scheme.

The defense got in that lick late yesterday in the trial of the 55-year-old retired businessman on charges of conspiring to murder President John F. Kennedy.

Russo, 27, a book salesman, sometime cab driver and sports buff, has provided the principal public evidence in the two-year battle of Dist. Atty. Jim Garrison to prove a plot to kill President Kennedy.

Russo testified for the state on his friendship with a bizarre character — the late David W. Ferrie who in the summer of 1963 "became obsessed with the murder" of Kennedy. He said he had heard Ferrie say "we will kill him — it won't be long" several times and wasn't sure if he meant it.

In mid-September of 1963, in Ferrie's apartment, Russo testified, he listened while Ferrie, 49, a flying instructor, did most of the talking in the alleged plot.

Talking with him, Russo testified, were his roommate Lee Harvey Oswald, whom the witness knew as "Leon," and the dignified and culturally inclined Shaw, who was introduced as Clem Bertrand.

He said they discussed a triangulation of crossfire, the necessity of a scapegoat, diversionary shots, escape by air and setting up of alibis by being in cities other than the murder site.

In testimony today, he acknowledged that he never heard them "agree" to try to kill Kennedy.

On cross examination by defense attorney F. Irvin Dymond, Russo said he had not been there all the time in the 3- to 4-hour session.

Under Dymond's questioning, Russo said Ferrie "was screwy but sharp—a paradox of a personality; he spoke 11 languages and claimed to have five degrees, and you'd think he'd be doing something better. He was prone toward the spectacular."

"You mean to infer that Ferrie was a little on the crazy side?" Dymond asked.

"I've always thought so," replied Russo.

Dymond read from a newspaper interview with Russo—made when the latter first became involved in the case nearly two years ago—which said that "Russo said he did not take any of Ferrie's statements seriously until he read" of Garrison's investigation.

"Is it not a fact that the conversation (of the alleged plotters) could just as well have been an inconsequential bull session as it could have been anything serious?" Dymond asked.

"Yes," said Russo.

"Is it not a fact that you have told people that it could well have been?"

"Yes."

Ferrie died on Feb. 22, 1967, and on Feb. 24 Garrison said he and his staff had "solved" the assassination. Dymond brought out that in three television interviews on the latter date Russo never mentioned a conspiratorial meeting, Oswald or Clem Bertrand.

With the consent of both the state and defense, an interview with Russo on Feb. 25, 1967, by Asst. Dist. Atty. Andrew J. Sciambra was read to the jury.

It said that "Busso said . . . it was common knowledge to everyone that Ferrie was a homosexual," that Ferrie had surgical equipment and bones in his attic, was teaching young boys in the Civil Air Patrol jungle warfare in a plan to help "liberate South American countries."

It quoted Russo as saying "Ferrie showed him a drug he had concocted that was very similar to aphrodisiac but even better. He (Ferrie) said it would make a person extremely passionate . . . He had tried it on his roommate and it worked perfectly. . . .

The memorandum said Russo was shown a picture of Shaw and recalled seeing him in 1962 when Kennedy spoke at a wharf dedication here, and "he said he particularly remembers this guy because he was apparently a queer."

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Shaw Trial Hears Russo Tell of 3 Plotting Death

NEW ORLEANS (UPI) — Perry Raymond Russo, Dist. Atty. Jim Garrison's star witness in the case against Clay L. Shaw, testified today he witnessed Shaw discussing how to assassinate President John F. Kennedy with Lee Harvey Oswald and David W. Ferrie.

He said Ferrie told Shaw and Oswald it would be "easy."

Russo, 27, a Baton Rouge, La., insurance man, said he attended a party in New Orleans a few weeks before the Nov. 22, 1963, Kennedy assassination in Dallas and heard the plot discussed in detail.

"Pace Back, Forth"

He said Ferrie was obsessed with the assassination.

"He paced back and forth that night while some kind of Spanish speech was going on, on his record machine, telling how the projected assassination would be done," Russo said.

"He told about a triangulation of cross fire. He said one of the participants would have to be captured as a scapegoat or patsy. He said all three would shoot but the first shot he called the diversionary one. The other two would shoot to kill.

"The diversionary shot would be to attract attention. The last two would be to kill, fired almost simnltaneously," he testified.

Russo was the second witness in Shaw's trial on charges of conspiring to kill Kennedy to say he heard Shaw plotting the murder. But he also said — as he had at Shaw's preliminary hearing in 1967 — that Oswald was also there.

Oswald, the presidential assassin according to the Warren Commission, is named along with Ferrie as a "coconspirator." Both Oswald and Ferrie are now dead.

Russo gave his original testimony on March 14, 1967. The next day he said he had been placed under hypnosis by Garrison's investigators three times before the hearing.

His testimony follows that of Charles I. Spiesel, a New York accountant and tax consultant, took the jury, at the defense's request, on a journey Saturday to the French Quarter in search of the apartment he testified he visited in June 1963.

There, he testified, he heard about 10 men, including Shaw and Ferrie, discussing ways to kill Kennedy.

At the corner of Dauphine and Esplanade streets, Spiesel went into two buildings and said later in court that "the second is similar if not the building" into which he went shortly before midnight and heard the talk.

One of Shaw's attorneys, Edward Wegmann, said Shaw owned the building Spiesel pointed out from 1950 to "around 1954."

SECRET

10 FEB 1993

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Shaw Jury To Weigh 2d Plot--An Alleged Bid To Hide Ist

U.S., FBI, CIA, Warren Panel Are Unofficial Defendants

By MICHAEL PARKS
[Sun Staff Correspondent]

New Orleans, Feb. 9—The jury considering the conspiracy charges against Clay L. Shaw, the retired businessman accused of plotting to murder President Kennedy, is getting a second conspiracy to resolve—the prosecution's allegations of attempts to cover up the first.

The defendants in this second unofficial case, which may affect the verdict in the first, are the FBI, the CIA, the Warren Commission, the eastern establishment, former President Johnson and the federal government as a whole.

Repeated Allegations

In his opening statement last week, Jim Garrison, the district attorney, implicitly repeated his earlier allegations that the federal government has hindered his investigation at almost every turn.

The implication was clear: Where there is smoke, there is fire.

Or, as a Garrison assistant put it today: "Why is the federal government so anxious that this case not be given a full and open examination? Their very opposition is extremely suggestive."

The standard reply has been that the assassination findings of the special presidential commission, headed by Chief Justice Earl Warren, are conclusive and that the Shaw trial here is little more than a legal circus.

But the prosecution has been sowing the nagging question of federal opposition and the motive for it in the jurors' mind at every opportunity.

It started during the selection of jurors, when prospective members of the 12-man panel were asked whether they had any opinions on whether the federal government should release 69 X-rays and photographs taken at President Kennedy's autopsy.

Three of those eventually chosen said they believed they should be released: one was very adamant about it.

While questioning eight witnesses who testified last week that they had seen Lee Harvey Oswald, Mr. Shaw or another of the alleged co-conspirators in Clinton or Jackson, La., three months before the assassination, the prosecution asked each whether he was ever questioned by the FBI about this.

FBI Actions

All but one said no. This one said he volunteered the information to the FBI shortly after the assassination but never heard from them again.

One of the witnesses told of the "mysterious" disappearance of a job application by Oswald from the personnel files of a state hospital in Jackson, but she admitted that old applications are often weeded out.

James L. Alcock, the chief prosecutor, observed last week that "as far as can be determined, the FBI never looked into Lee Harvey Oswald's activities in Clinton and Jackson."

The second conspiracy theme became even more involved with the testimony of Charles I. Spiesel, a 50-year-old New York tax accountant who says he believes he has been followed and hypnotized by Communist spies off and on for 20 years.

Mr. Spiesel, who believes himself the victim of a conspiracy that has forced him out of business and led him into "simply incredible situations," testified that he attended a party given by Mr. Shaw at which the "need for" President Kennedy's assassination and methods to accomplish it were discussed.

Mr. Spiesel, pictured as extremely paranoid during cross examination, went on to say that he is now "being tailed and is probably in danger" because of his testimony here.

A similar theme is expected to run through the testimony of Perry Raymond Russo, another key prosecution witness, scheduled to testify tomorrow.

Mr. Russo, a boyish-faced insurance salesman-cab driver-encyclopedia salesman, testified at a preliminary hearing two years ago that it took several sessions of hypnosis and sodium pentothal, the so-called truth serum, to focus his recollection upon a party he attended where Mr. Shaw, Oswald and others purportedly worked out detailed plans to assassinate the President.

It seems, Mr. Russo said, that memories of this party had been "mysteriously buried deep in my subconscious."

The prosecution has referred several times to the mysterious death of one of the alleged co-conspirators, David W. Ferrie, 48, a local pilot who died two years ago in the midst of Mr. Garrison's investigation. The district attorney called it suicide; the coroner attributed it to natural causes—a burst blood vessel.

The prosecution has also noted the long list now totaling more than 50 of other mysterious and not-so-mysterious deaths of persons connected with the assassination and the Garrison investigation.

A hearing is scheduled in the District of Columbia Court of General Sessions Friday on Mr. Garrison's continuing attempts to secure the autopsy photographs and X-rays and other exhibits sealed in the national archives for the case.

He wants them to prove his contention that the President was killed in a crossfire from high-powered rifles and not by Oswald acting alone.

If his request is not approved, an aide said last week, Mr. Garrison plans to make federal opposition an even more important element in his case against Mr. Shaw.

Always lurking in the background is Mr. Garrison's implied threat to prove his charges that President Kennedy was killed by assassins trained by the CIA and originally ordered to murder Cuban Premier Fidel Castro until something went haywire.

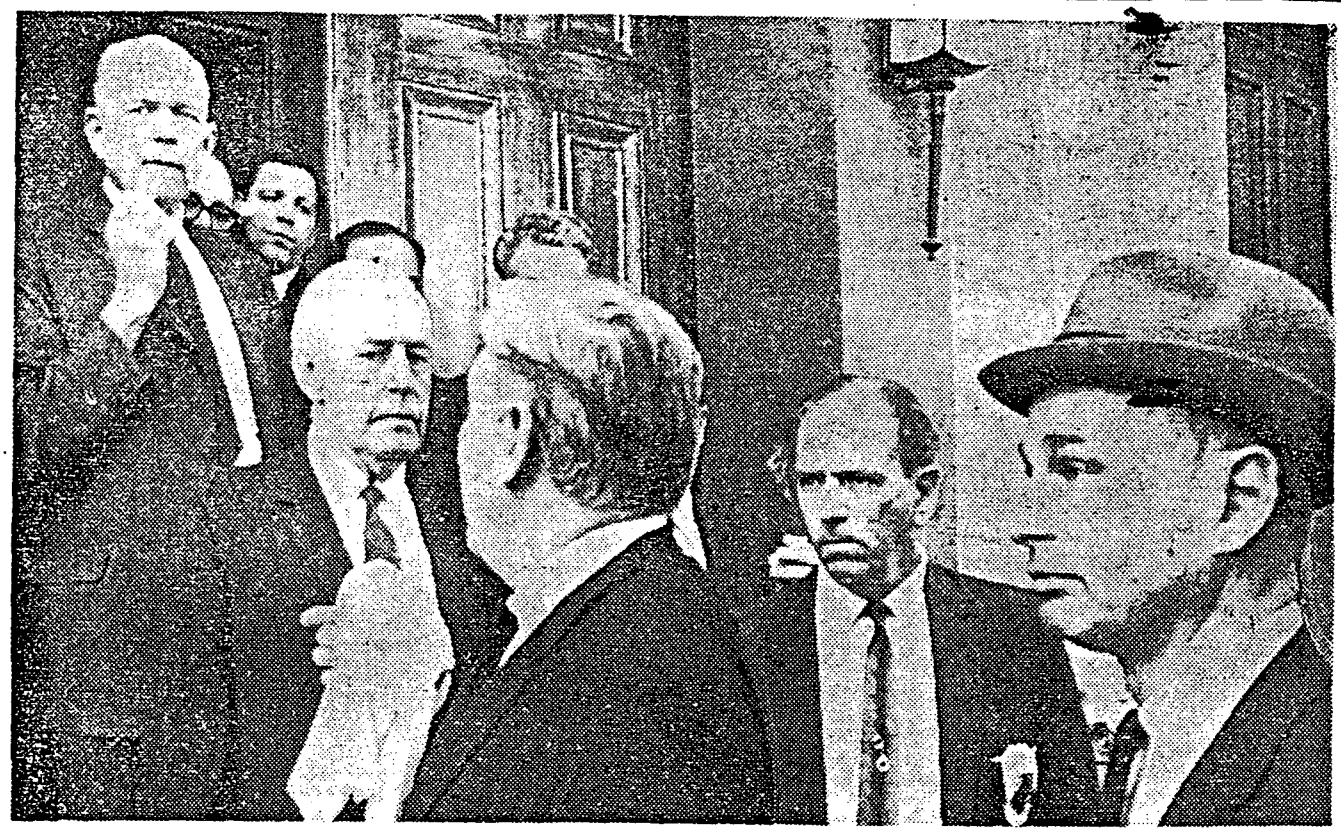
This continual second-conspiracy counterpoint, almost impossible to disprove, has made the defense edgy.

"Any hint of a government cover-up," concedes F. Irvin Dymond, the chief defense counsel, "lends credibility that their case wouldn't have otherwise."

SUNDAY STAR
9 FEB 1969

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—Associated Press

Clay Shaw (upper left), on trial for conspiring to kill President John F. Kennedy, leaves court in New Orleans after Charles Spiesel (far right), a witness for the prosecution, testified yesterday. The judge in the case, Edward Haggerty Jr., holds handkerchief.

INTERPRETIVE REPORT

Garrison's Melodrama Hard to Believe

By HAYNES JOHNSON
Star Staff Writer

NEW ORLEANS — Jim Garrison's conspiracy case against Clay L. Shaw is turning into a melodrama at Mardi Gras. Like the district attorney himself, it is all somewhat gargantuan — and just as hard to believe.

In a bizarre sense, it is living up to its promises. All that is, except the main one: proving that a conspiracy, hatched in New Orleans by at least three conspirators, led to the assassination of John F. Kennedy. What is at issue now in New Orleans is the credibility of the case itself.

Garrison's case so far has given something to everyone. He has introduced surprise witnesses, some of them tell-noticed them, he testified, was because he was afraid they might be policemen. For the edification of his listeners, Bundy gave a lengthy and extraneous account of how he prepared his heroin and then "washed my outfit."

Later, he announced dramatically that he could "prove" that he had seen Shaw if the defense, judge, and prosecution were willing to indulge him in an experiment. They were.

Shaw Asked to Walk

He rose from the witness stand, walked to a chair, sat down facing a far wall, and asked Shaw to go to the courtroom door and walked toward, and behind, him. Shaw did — twice.

he said he believed, among other things, that he had been hypnotized on and off during 1963, 1964, and 1965.

When he left the witness stand, far more than his own credibility had been destroyed. Garrison's own case stood close to being discredited for placing such reliance, and such vital testimony, on such a witness.

In his opening statement, the district attorney had made much of how he would prove that witnesses overheard Shaw, Ferrie and others discussing killing the President at a private party in New Orleans. Spiesel was his witness.

His testimony was crucial in another sense. Garrison's star witness, the one he has count-

In their opening statement, Shaw's defense had called Russo "a liar—a notoriety-seeking liar whose name does not deserve to be mentioned among honest and just people."

Coming back to back with Spiesel, Russo's testimony and credibility raise harsh questions about the type of investigation Garrison has conducted, and the kind of witnesses he believes worthy of decent respect when it comes to adding to the nation's knowledge about the murder of a president.

Motive Awaited

Beyond that, Garrison so far has not established a single motive for Shaw conspiring.

hard to believe.

In a bizarre sense, it is living up to its promises. All that is, except the main one: proving that a conspiracy, hatched in New Orleans by at least three conspirators, led to the assassination of John F. Kennedy. What is at issue now in New Orleans is the credibility of the case itself.

Garrison's case so far has given something to everyone. He has introduced surprise witnesses, some of them telling extraordinary stories; brought forth three people who swear they saw Shaw and Lee Harvey Oswald together, and laid the base for his conspiracy allegations.

After the first day and a half of testimony, Garrison had won the grudging respect of some of his critics. A lawyer who had started out extremely dubious of Garrison's case remarked after listening to some of the early testimony that he would hate to be in Shaw's lawyer's shoes.

Theme Struck Hard

Up to that point, Garrison's staff had struck hard and effectively against a central premise of the defense: that Shaw never knew, nor even laid eyes on, Oswald or the third supposed conspirator, David W. Ferrie, a former pilot who, like Oswald, is dead.

Witnesses were produced who said they had seen the three men in a small, rural Louisiana town in the summer of 1963. Oswald, they testified, had gone to Clinton, La., to register as a voter in the hopes of getting a job in that area. He was accompanied by Shaw and Ferrie.

Just why Oswald would want to do that, or what possible connection it might have had with a later conspiracy plot, was never made clear. But the testimony was damaging to Shaw, for it flatly contradicted his claim that he had had no contact with the men.

Then Garrison's case began to unravel in dramatic fashion.

Bundy Testifies

It began Friday afternoon with the testimony of Vernon William Bundy, Jr., 30, who said he had been a narcotics addict since the age of 13, and only in the last three weeks was attempting to cure himself.

Bundy, in rambling, repetitive, and argumentative testimony, told of seeing Shaw and Oswald at a furtive meeting in late June, 1963. He observed them, he said, while he was sitting on a seawall in a deserted section of New Orleans, preparing to give himself a "fix" of heroin.

[illegible] "prove" that he had seen Shaw if the defense, judge, and prosecution were willing to indulge him in an experiment. They were.

Shaw Asked to Walk

He rose from the witness stand, walked to a chair, sat down facing a far wall, and asked Shaw to go to the courtroom door and walked toward, and behind, him. Shaw did — twice.

Bundy then said he now was certain Shaw was the same man he had seen nearly six years before because of the way "the gentleman moves his foot." Although he already had testified positively that he identified Shaw and pointed him out in the courtroom, he then acknowledged that until the demonstration "I wasn't completely sure."

Under cross-examination, Bundy also admitted that he had, indeed, stolen to get heroin in the past. A few minutes before he said he never had done so. With some confusion, he denied telling two fellow prisoners, on separate occasions, that he knew nothing about Shaw and Oswald.

That set the stage for the testimony of Charles Spiesel, a small, balding New Yorker with a fixed smile. Spiesel was a surprise witness — and a vital one for Garrison.

Meeting Described

While the courtroom spectators grew tense and still, he quietly told of meeting Ferrie in a New Orleans bar, of going to a party with Ferrie, where he said he met Shaw, and other men in a private apartment in the french quarter; of hearing nearly everyone there speak bitterly about John F. Kennedy, of hearing someone say, "somebody ought to kill the son of a bitch", of hearing Shaw and Ferrie discuss a possible airplane escape for a would-be assassin, of the men arriving at a consensus that the best way to kill the president was with a high-powered rifle with a telescopic sight.

When he completed his testimony for the state, Shaw's position looked bleak indeed. Then quickly, under cross-examination, Spiesel's credibility was destroyed.

F. Irvin Dymond, Shaw's chief counsel, brought out that Spiesel had filed a suit claiming New York City policemen hypnotized him, subjected him to mental torture, and forced him out of the city. He also had filed another suit against a psychiatrist and others charging they had hypnotized him to get "confidential information" from him.

Spiesel, by his own words, said he believed he was being placing such reliance, and such vital testimony, on such a witness.

In his opening statement, the district attorney had made much of how he would prove that witnesses overheard Shaw, Ferrie and others discussing killing the President at a private party in New Orleans. Spiesel was his witness.

His testimony was crucial in another sense. Garrison's star witness, the one he has counted on to prove that a conspiracy did take place, is Perry Raymond Russo.

Nearly two years ago, Russo had testified in the preliminary hearing against Shaw. He was present, he said, in a meeting between Oswald, Ferrie and one "Clem Bertrand," a supposed alias Garrison claims was used by Shaw. He said he heard them discuss an assassination plan which called for killing the president by "a triangulation of fire." They also discussed means of escape, he said.

In court then, Russo identified Shaw as the man who used the name "Clem Bertrand."

Russo was the key to Garrison's case. But he is a controversial witness. He testified to being under psychiatric care. And, it was brought out later, he had testified while under the effect of sodium pentothal and hypnosis.

[illegible] credibility raise harsh questions about the type of investigation Garrison has conducted, and the kind of witnesses he believes worthy of decent respect when it comes to adding to the nation's knowledge about the murder of a president.

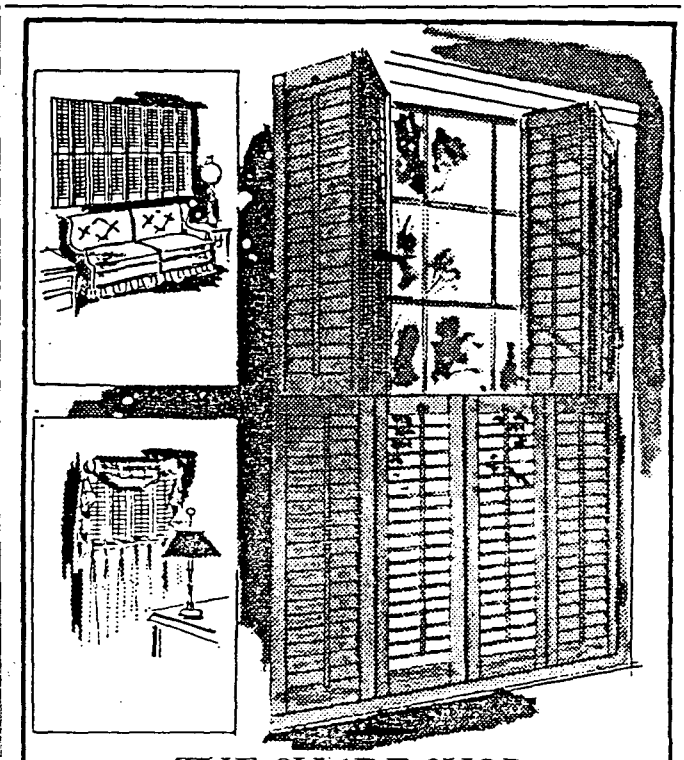
Motive Awaited

Beyond that, Garrison so far has not established a single motive for Shaw conspiring. Neither his statement, nor the testimony to date, give any hint of why he thinks Shaw, a respected businessman and patron of the arts and a self-professed admirer of John F. Kennedy, would want to commit such a crime.

The trial may go on as long as two months, with many more witnesses to be called, films and slides to be shown, and more points made. But at this writing, Garrison's case remains, to say the least, shaky.

When he announced his startling news two years ago that he had "solved" the Kennedy assassination, Jim Garrison was pressed for more facts to back up his claim. He then quoted from Alice in Wonderland to point out the truth is not always what it seems at first glance.

His case today continues to grow, as Alice said, curioser and curioser.



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U.S. Archivist Ordered To New Shaw Hearing

Judge Charles W. Halleck of the D. C. Court of General Sessions has again ordered the U.S. Archivist to appear in court and explain why certain exhibits related to the assassination of President John F. Kennedy shouldn't be turned over to New Orleans District Attorney Jim Garrison.

The articles were examined by the Warren Commission in its investigation of the Nov. 22, 1963, murder and then turned over to the National Archives for storage out of public view.

In a subpoena filed with Halleck yesterday by a Garrison aide, the archivist, Dr. James B. Rhoads, is asked to appear at the current New Orleans conspiracy trial of Clay L. Shaw, producing the following items:

A rifle fired by Lee Harvey Oswald, a bullet and bullet fragments recovered from the President's body, films of the killing taken by an amateur photographer, the clothing worn by Kennedy, and the death certificate.

In response to the subpoena, Halleck issued a "show cause" order to Rhoads, telling him to appear at a hearing next Friday and explain why he shouldn't go to the Shaw trial with the exhibits.

The archivist appeared at a hearing last month on a Garrison request for him to take to New Orleans 45 photos and 22 Xrays taken during Kennedy's autopsy at Bethesda Naval Hospital. These films were not part of the Warren Commission's exhibits.

The new hearing will be held with one Halleck already had scheduled to let three professors tell why the autopsy films are crucial to the Shaw trial. Halleck has yet to make a final ruling on the bid for the films.

File
Clay L. Shaw

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SHAW JURY VISITS FRENCH QUARTER

Witness Shows Court Scene He Links to Assassination

By MARTIN WALDRON
Special to The New York Times

NEW ORLEANS, Feb. 8—A New York tax accountant, Charles Spiesel, followed by 14 jurors, a judge and six lawyers tramped through French Quarter apartment houses this afternoon looking for the apartment where he said he had heard a discussion of the planned assassination of President Kennedy in 1963.

Clay L. Shaw, the retired New Orleans businessman who is accused of plotting the assassination, also strode along with the group.

Mr. Spiesel gave more details of how he had been hypnotized and tortured mentally by his enemies in recent weeks in a morning court session before the trial was adjourned to the French Quarter. On his visit to the French Quarter, Mr. Spiesel apparently found an apartment that he would say was the one where he saw Mr. Shaw in June of 1963.

The apartment is at 906 Esplanade Avenue. Two girls, one of whom was sleeping late after a Friday night party, were awakened so that Criminal District Judge Edward A. Haggerty Jr. could lead the party through the clutter of glasses and plates left over from the party.

Although Mr. Spiesel did not say anything, he indicated that he had found the apartment.

Witness to Testify

Perry Raymond Russo, the state's chief witness against Mr. Shaw, is scheduled to testify soon. Mr. Russo, a 27-year-old former insurance salesman, testified two years ago that he had overheard Mr. Shaw, David W. Ferrie and Lee Harvey Oswald planning the assassination of Mr. Kennedy.

The expidition by the court into the French Quarter this afternoon verged on chaos.

As the jurors alighted from a bus to begin their tour of the apartment houses with Mr. Spiegel, horse-drawn carriages with tourists rolled by, with the tourists almost falling from the buggies, trying to see what was going on.

Across the street from the scene, four carloads of police officers were rounding up a houseful of hippies for smoking marijuana.

A huge German shepherd dog, barking loudly, attempted to bite the tires of more than a score of cars arriving with reporters, photographers and spectators.

Two scantily clad young women created a commotion when they wandered out on their second-floor balcony to see what was happening. One of the girls finally donned a pair of shorts when photographers kept taking her picture from the sidewalk.

A monumental traffic jam developed as the buses and taxies were snarled along Esplanade Avenue.

Photographers Removed

Deputy sheriffs were forced to remove photographers who tried to follow the judge, jurors, witness, defendant and lawyers into the private dwelling.

While the one houseful of 15 hippies were being arrested on the marijuana charge, another houseful of hippies descended on the crowd to sell copies of a New Orleans underground newspaper.

Before going into the French Quarter, Mr. Spiesel spent an uncomfortable morning detailing again how he had been tortured over the years by his enemies. He told his story freely, but it seemed to pain him.

About 50 or 60 enemies had hynotized him over the past few years, he said, planting wild ideas in his mind. One of his competitors in a tax business had sewed the seeds of poor business judgement, which led to his bankruptcy, Mr. Spiesel said.

A certified public accountant he knew had proved to be particularly adept at the use of disguises, Mr. Spiesel said. The accountant would follow him for months, sometimes changing into the uniform of the captain of the Pinkerton Detective Agency to fool him, he said.

Mr. Spiesel testified that on one trip to New Orleans, about three years ago, he took a deposition from Jim Garrison, the New Orleans District Attorney, because he thought that Mr. Larrison mig htbe responsible for the men who were following him in New Orleans trying to hypnotize him, he said.

"Have you been hypnotized while you have been in New Orleans on this trip?" F. Irvin Dymond, the chief defense attorney, asked.

"I'm sorry to say, no," Mr. Spiesel said.

Mr. Spiesel said that before he was called to testify he had told Mr. Garrison and his staff about his long history of being hypnotized by his enemies. He also referred to a $16-million suit, which he has pending in Federal Court against various members of the New York City police department, a psychiatrist, several certified public accountants, and other persons who had hypnotized him over the years and had caused him to lose $1-million a year income.

NEW YORK TIMES
Feb. 1969

7 FEB 1969

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Garrison Tells Shaw Jury He Will Prove Plot in Kennedy's Death, With Fatal Shot Fired From Front

By MARTIN WALDRON

Special to The New York Times

NEW ORLEANS, Feb. 6—District Attorney Jim Garrison said today that he would present documental and eyewitness evidence that President Kennedy's assassination was plotted in New Orleans in the summer of 1963 by Clay L. Shaw and others, including Lee Oswald and David W. Ferrie.

In an opening statement outlining the state's case against Mr. Shaw, Mr. Garrison said that the murder had been planned at two parties, one in the Vieux Carré, or French Quarter, District of New Orleans, the other at Mr. Ferrie's home. He said the evidence would show that the President had been shot from the front, as well as from the back and that a bullet from the front had been the fatal one.

Mr. Shaw, a retired businessman-turned-playwright, pleaded not guilty to the conspiracy charge.

The 200 spectators crowded into the small Criminal District Court room leaned forward to hear Mr. Garrison's words as he gave the first official outline of his theory that the murder had resulted from a conspiracy and that the commission headed by Chief Justice Earl Warren, which investigated the assassination, had deliberately covered up the evidence.

No Conspiracy Found

The Warren Commission reported that after studying interviews with 25,000 witnesses, it found no evidence of a conspiracy and that all indications were that Oswald, an emotionally disturbed ex-marine, acting alone, had slain President Kennedy with two shots from the rear. The report said that Oswald's purpose was to achieve notoriety.

Mr. Garrison said he would disprove this.

"The state will establish that on Nov. 22, 1963, President John F. Kennedy and Gov. John Connally, who was riding in the same limousine, were wounded as a result of gunshots fired by different guns at different locations," he said.

The prosecutor's contention that he would destroy the official theory of the assassination brought a protest from F. Irvin Dymond, leader of Mr. Shaw's panel of attorneys.

But Judge Edward A. Haggerty Jr. disallowed Mr. Dymond's objection that the judge had made it clear during the questioning of prospective jurors that the Warren Commission report would not be in issue in the case.

"I can't help it if the state wants to overprove its case," the judge said.

In addition to witnesses who would testify that Mr. Shaw, Mr. Ferrie, a one-time airline pilot, and Oswald had planned the murder in front of partygoers, Mr. Garrison said he would bring forward other witnesses who had seen Mr. Shaw in the company of Oswald in several parts of Louisiana.

Key Witness Identified

Mr. Garrison said one of his main witnesses would be Perry Raymond Russo, a 27-year-old former life insurance salesman, who has testified that he was present at an assassination planning session at Mr. Ferrie's apartment in September of 1963.

In his opening statement for the defense, Mr. Dymond denounced Mr. Russo as a "liar."

"Our intention is to prove to you that not only did Clay L. Shaw not conspire with Lee Harvey Oswald or David W. Ferrie to kill President Kennedy, he never laid eyes on either one of these individuals," Mr. Dymond told the jury.

"We will prove that the man who said this is a liar, Perry Raymond Russo, a notoriety-seeking liar whose name does not deserve to be mentioned in the same sentences as honesty and integrity."

The first witness called by the state was a short, baldish barber from Jackson, La., 120 miles north of New Orleans.

The barber, Edwin Lee McGee, said he gave Oswald a haircut in late August or early September of 1963 in Jackson and that he had told Oswald, who was seeking a job, that he might get one at the East Louisiana State Hospital.

Mr. Garrison had said in the opening statement that the state would prove that Oswald had tried to register to vote in the parish because he thought it would help him get a job at the hospital, and that witnesses would testify that Mr. Shaw had driven Oswald to the area to register.

Mr. McGee said that Oswald was traveling in a "very old, maybe dark green" automobile the day he got the haircut. There was a woman in the front with him and a basinet on the back seat, he said.

The Oswalds had one small child in September of 1963. But the Warren Commission said that neither Oswald nor his wife, Marina, could drive.

2d Witness Testifies

A former State Representative, Reeves Morgan, the second witness, testified that Oswald, as a result of his visit to Mr. McGee's shop, had asked his help in getting a job at the hospital.

Town Marshall John Manchester of Clinton, La., the parish seat, testified that he had seen Mr. Shaw seated in a black Cadillac near the voter registration office in late August or early September, 1963, and that he had "checked out" the automobile because "outside agitators" had been coming into Clinton to assist in a voter registration drive by Negroes.

Marshall Manchester identified Mr. Shaw as the man in the driver's seat and said that Mr. Shaw had identified himself as an official of the New Orleans Trade Mart.

Mr. Manchester said he did not get a close look at the passenger in the car.

A voter registrar, Henry Earle Palmer, said he had seen Oswald standing in a long line of Negroes waiting to register. He said he had notice the black Cadillac and that he had been able to identify the passenger as Mr. Ferrie. The driver had broad shoulders and hair like Mr. Shaw's, Mr. Palmer said. He said he was unable to identify Mr. Shaw as the driver.

Belli in Courtroom

When the 6-foot-6-inch, 270-pound Mr. Garrison, wearing a dark blue suit with a vest, rose to deliver his 4,000-word opening statement in a hollow tone, his audience included Melvin M. Belli. Mr. Belli, the silver-maned San Francisco lawyer, had defended Jack Ruby in the trial in which Ruby was sentenced to death for murdering Oswald.

Next to Mr. Belli was Mark Lane, the New York author and attorney, who was among the first to decry the Warren Commission's report. Mr. Lane has acted as an unofficial adviser to Mr. Garrison.

The spectators were generally well-dressed. The women wore hats and gloves, the men suits and ties. Mr. Shaw had on a gray suit with a striped tie.

During Mr. Garrison's statement, the defendant peered at a spot somewhere over the district attorney's head. Mr. Garrison read slowly before a

He explained that under Louisiana law the state could not deviate from the case as outlined in the opening statement.

Although much of the statement had not been made publicly previously, little in it was new.

'No Bombshells'

"There were no bombshells," one defense attorney said.

The decision by Mr. Garrison and his advisers not to attempt to ascribe a motive for the alleged conspiracy was a surprise. At almost every opportunity for 18 months, Mr. Garrison said that the murder had been ordered by the "paramilitary right" and munitions makers and had been carried out by members or former members of the Central Intelligence Agency.

"It is the position of the state of Louisiana that, regardless of the power which might bring about the execution of a President of the United States, whether it be initiated by a small group of the highest possible force, neither the planning of his murder nor any part of it will be regarded in Louisiana as being above the law," he said.

Mr. Garrison paused after "by a small group" and raised his voice when he said "on the highest possible force."

Previously, Mr. Garrison charged that former President Lyndon B. Johnson had helped cover up evidence of a conspiracy.

"The evidence will further show that in June, 1963, the defendant, Clay Shaw, was present at a party given in an apartment in the French Quarter of this city," Mr. Garrison said.

"Among the guests at the party was David Ferrie, a man known as an accomplished airplane pilot. During the course of the party the conversation among a small group of those present turned to President John F. Kennedy. The comment was made that President Kennedy should be killed and that the job could best be done by a rifle.

"At this point, the defendant, Clay Shaw, suggested that

the man doing the shooting would probably be killed before he could make his escape. the defendant, after making this observation, turned to Ferrie and asked if it might not be possible to fly the gunman from the scene of the shooting to safety. David Ferrie replied that this would be possible."

Start of the "Plot"

The state will try to prove that this alleged conversation marked the beginning of a epnspiracy that drew into it Oswald and other, possibly Ruby, and that the conspiracy culminated in the murder of President Kennedy at 12: 31 P.M., Nov. 22, 1963.

2/7/69

New York Daily World
28 January 1969

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our readers say--

HARD LUCK FOR JURORS

The door to the court where the Clay L. Shaw case is being tried is roped off and thick with guards: I joined a line headed into the courtroom. It turned out to be the jurors' venire so I got talking to them before I was thrown out.

The jurors are mad as hell because everyone involved in the case is on some kind of payroll except the jurors.

The Louisiana legislature rejected a pay-for-jury-service bill recently. But ten years ago the legislators passed a retirement bill giving each one $1,000 more than present salary.

A juror is subpoenaed and subject to 30 days' service without pay. Only a doctor's certificate will excuse him. One fellow with arthritis in both legs growled "As long as you can walk, they get you."

The whole case was held up, opening day, because one of the fellows subpoenaed for jury had already been subpoenaed in another court. He tried to leave for the Shaw case, but this other judge said, "You stay here; you're under arrest till I release you."

—C. B., New Orleans, La.

27 JAN 1969

Shaw Trial Draws Varied Crowd

CIA HAS NO OBJECTION TO DECLASSIFICATION AND/OR RELEASE OF THIS DOCUMENT

By MICHAEL PARKS
[Sun Staff Correspondent]

New Orleans, Jan. 26—One of the strangest assemblage of characters imaginable is being drawn to New Orleans by the trial of Clay L. Shaw, accused of plotting with Lee Harvey Oswald to murder President Kennedy.

Oswald's wife, Marina, now remarried and living outside Dallas, has volunteered to testify on behalf of the retired New Orleans businessman.

Oswald's Mother Due

Oswald's mother, Mrs. Marguerite Oswald, has made hotel reservations for the length of the trial. She is said to be trying to clear her son.

Earl Ruby, the brother of Jack Ruby, the Dallas nightclub owner who shot Oswald to death two days after the assassination, is also reported to have made plane and hotel reservations for the trial, which is expected to last until the end of February. A spokesman in Detroit for Mr. Ruby has refused comment

Mr. Shaw is accused, among other things, of paying a "sum of money" to Oswald and Jack Ruby at a Baton Rouge hotel before the assassination as part of the alleged plot.

Witnesses Brought In

Jim Garrison, the district attorney, has subpoenaed almost two dozen out-of-state witnesses, including Dallas policemen, residents, photographers and sightseers who witnessed the assassination.

He expects to use their testimony to substantiate his theory that the President actually was caught in a crossfire, rather than being shot from behind by Oswald as concluded by the Warren Commission.

The FBI office here is reported to have almost doubled its staff of special agents in the past month, bringing in men from around the country.

FBI Refuses Comment

FBI spokesmen here and in Washington have refused comment, except to note that agents have been subpoenaed to testify in the trial.

Activity at the office of the Central Intelligence Agency here has also increased with the influx of many new agents, several of whom will attend the Shaw trial as observers.

In pretrial court papers, Mr. Garrison has asserted that Oswald, far from being the Communist-oriented, confused young man driven to kill the President out of a need for publicity—as he was pictured by the Warren Commission—was actually a highly trained agent of the CIA.

Mr. Garrison also has asserted that many of the unidentified persons he says were involved in the conspiracy are also current or former CIA agents.

Also in town, according to police and investigators for the district attorney, are several dozen anti-Castro Cubans, who have come principally from Miami and camps in Florida.

New Orleans police say their undercover detectives have not been able to determine the Cubans' purpose. Mr. Garrison charges that the alleged plot to kill President Kennedy originally was focused upon Premier Fidel Castro of Cuba, but went awry.

These factors "and more" have prompted Judge Edward A. Haggerty, Jr., who is presiding over the trial, to order strict security arrangements.

Jurors Under Guard

The 8 men already chosen for the panel of 12 jurors and 2 alternates are under constant guard by deputy sheriffs and are living in a motel near the courthouse.

Newsmen and spectators entering the courtroom are searched and are required to have special passes. There are 14 deputy sheriffs stationed inside the courtroom, and more than 20 extra armed guards posted elsewhere around the courthouse. The courtroom and outside hall are under continual surveillance by closed-circuit television.

Despite these security arrangements, efforts are being made to strengthen them when the actual trial and testimony gets under way, probably this Thursday. Jury selection is to continue tomorrow and is expected to take three more days.

Tass Present

Once a jury is chosen, more than 100 out-of-town newsmen—including correspondents for Tass, the Soviet news agency—are expected to cover the trial.

In the midst of all this activity, New Orleans is at the height of its convention season. With temperatures in the 60's and even 70's most afternoons, groups as diverse as the American Mathematical Association and the National Swimming Pool Institute have been meeting here.

There is also a convention forming that the local Chamber of Commerce did not anticipate—motorcyclists, in black jackets, heavy boots and iron crosses have been rolling into town since Thursday from as far away as California and Chicago.

"Conspiracy Tour"

Warming up for the Mardi Gras, three tour guides have added "a conspiracy tour" to their repertoire of French Quarter, plantation and bayou tours.

One such "conspiracy tour" takes 2½ hours, costs $10 a person with a minimum of three persons—and is "completely a fraud" according to the district attorney's office.

The tour takes the visitor by Mr. Shaw's French Quarter house, the uptown apartment buildings where he is said to have worked out the alleged assassination plot and the downtown house where Oswald lived.

Stops At CIA

It also stops at the CIA office, an advertising agency said to be a CIA front, a bar that has become a gathering spot for Cuban refugees, the courthouse where Mr. Shaw is on trial, Mr. Garrison's home and concludes with a stop at a mysterious back-street, French Quarter bar, entered through a rear door that is practically impossible to find again.

At Long Last, the Shaw Trial

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NEW ORLEANS — Last Tuesday, Irvin Mason, a 48-year-old employe of the Freeport Sulphur Company of New Orleans, was asked in court if he believed that President Kennedy's assassination in 1963 was planned in New Orleans. Well, said Mr. Mason, he had always thought that New Orleans District Attorney Jim Garrison "had more than he's shown." If Mr. Garrison does not, Mr. Mason added, then he "is out on a very long limb."

After this precise summing up of the situation, Mr. Mason, a Negro, was selected as the first juror in the trial of Clay L. Shaw, accused by Mr. Garrison of plotting Mr. Kennedy's murder. By the end of the week, the jury selection process was still running slowly and only half the panel had been seated.

The charge against Mr. Shaw alleges that he, Lee Harvey Oswald, and David W. Ferrie, now dead, met in Mr. Ferrie's apartment in September, 1963, and agreed that they would murder President Kennedy. In furtherance of this plan, the charge claims, one or more of them committed at least six overt acts:

(1) Mr. Shaw, Mr. Ferrie and Oswald met in Mr. Ferrie's apartment in late September, 1963, and discussed the proposed

(2) At this meeting, there was a specific discussion as to methods of murder, including the use of high-powered rifles, a planning of escape routes by the assassins to refuge outside the continental United States, and the planning of alibis.

(3) In October, 1963, Mr. Shaw went to the Capitol House Hotel in Baton Rouge where he delivered a sum of money to Oswald and Jack Ruby, later convicted of Oswald's murder and now himself dead.

(4) Mr. Shaw took a trip to the West Coast of the United States in late November, 1963. (Mr. Shaw concedes this but says the trip had nothing to do with Oswald, Ruby, Ferrie or an assassination.)

(5) Mr. Ferrie went to Houston, Tex., on Nov. 22, 1963, a matter of public record.

(6) On or before Nov. 22, 1963, Oswald took a rifle from the garage of Mrs. Ruth Paine in Irving, Texas, to the Texas School Book Depository in Dallas. (Something that Warren Report also asserted.)

In questioning prospective jurors, Assistant District Attorneys James L. Alcock and Alvin V. Oser have emphasized that they do not have to prove all six of the "overt" acts to establish a legal case against Mr. Shaw, nor even that the "conspiracy" resulted in the death of President Kennedy.

They have stressed that the state, under Louisiana law, "did not have to connect the conspiracy with the actual death of John F. Kennedy... The state need only prove that one of the conspirators committed an act in furtherance of the conspiracy" to murder the President, even if that conspiracy came to nothing.

The prosecution, further, has maintained to the jurors that an "overt act" could actually be something quite innocent unless it could be connected with the alleged conspiracy. Thus, for example, Mr. Shaw's trip to California only becomes important as an "overt act" and thus something through which he can be convicted if the state proves that the trip had some connection with a plan to kill the President.

If Mr. Garrison and his staff face problems in proving their case, the defense also faces a problem of no less magnitude. It feels that it must establish that a conspiracy involving Mr. Shaw did not exist. "And it is awfully hard sometimes to prove a negative," said one of Mr. Shaw's attorneys.

Mr. Shaw's name first cropped up in the conspiracy investigation in late February, 1967, after Mr. Ferrie was found dead in his apartment. New Orleans attorney, Dean A. Andrews Jr., had testified before the Warren Commission in 1964 that the day after President Kennedy was killed, a Clay Bertrand, whom Andrews knew as a protector of young homosexuals—and who Mr. Garrison says is really Clay Shaw—had called him and asked him to go to Dallas to defend Oswald. Andrews said that he had seen Oswald in the summer of 1963 in the company of several "gay kids" in New Orleans.

Andrews later was convicted of perjury for making conflicting statements as to whether he knew Bertrand's real name and whether he recognized Mr. Shaw as Bertrand.

How—and whether—Mr. Garrison can pull all these lines together and prove that a conspiracy to murder John Kennedy really did take place in New Orleans, and that Clay Shaw was one of the participants, may begin to emerge in the next few days when the jury is complete and the taking of testimony begins.

—MARTIN WALDRON



United Press International

ON TRIAL: New Orleans District Attorney Jim Garrison says that millionaire-businessman Clay Shaw conspired to murder John F. Kennedy with Lee Harvey Oswald and others in 1963. Last week, Mr. Shaw, above, went to court to hear Mr. Garrison present the case against him.

SECRET

25 JAN 1969

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Witness Held Afraid to Appear at Shaw Trial

NEW ORLEANS (AP)— Defense lawyers Friday said one of their most important witnesses was hiding in Iowa, afraid to return to New Orleans to testify for Clay Shaw in his trial on a charge of conspiring to murder President John F. Kennedy.

The witness, Mrs. Harold McMaines of Des Moines, in sworn testimony last year flatly contradicted a key prosecution witness.

In Des Moines, Mrs. McMaines' attorney confirmed she was hiding, afraid to return for the trial. No reason was given for her fear.

A subpoena for her was obtained last Wednesday by the defense. The last four days of the proceedings have been taken up in selecting eight members of the jury. Testimony may begin next week.

"If she doesn't choose to come, I know of no way we can obtain her presence," said defense attorney Edward Wegmann. "Her presence is of considerable importance to the defense."

In a deposition taken by the defense last year for a futile hearing aimed at blocking the trial, Mrs. McMaines contradicted earlier testimony of Perry Raymond Russo.

Russo, now a book salesman here, said after his memory was refreshed by hypnotism that he heard Shaw and two other men plotting to kill the President in September, 1963.

Russo said he took Mrs. McMaines, then Sandra Moffett, to a party. In her deposition, Mrs. McMaines denied going to the party with him.

Trial Judge Edward A. Haggerty Jr., meanwhile, ruled that the prosecution has the burden of proving an assassination plot was hatched in New Orleans, but does not have to show it led to Mr. Kennedy's murder.

"We're not trying the death of President Kennedy," he said.

Two jurors were selected Friday for the trial of the 55-year-old Shaw, who for years was managing director of the International Trade Mart here. Court recessed Friday afternoon and was set to resume this morning.

THE WASHINGTON POST
25 JAN 1969

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Shaw Conspiracy Trial To Hear FBI Witness

By Jared Stout
Washington Post Staff Writer

The Justice Department agreed yesterday to let an FBI agent testify in District Attorney Jim Garrison's prosecution of a New Orleans businessman for allegedly conspiring to assassinate President Kennedy.

The decision late Thursday by Attorney General John Mitchell was embodied in a consent order signed yesterday, which freed FBI agent Lyndal L. Shaneyfelt to appear as a witness in the trial of Clay L. Shaw.

Shaneyfelt's testimony before the Warren Commission supported its finding that one man fired the shots that killed President Kennedy.

Justice Department sources refused to term the decision a change in policy regarding Federal cooperation in the Garrison inquiry.

However, in the two years Garrison has been investigating the alleged conspiracy, and while President Johnson was in the White House, the Department turned aside the prosecutor's informal request for help.

The sources said Mitchell based his decision on Shaneyfelt's having testified before the Warren Commission, noting that all he said is a matter of public record, and "on his (Mitchell's) desire to cooperate with the State."

Mitchell's decision did not offset Garrison's request for assassination evidence held in the National Archives, Department officials said.

A spokesman for Sen. Edward M. Kennedy (D-Mass.) said there would be no comment on the decision. Justice officials said the Kennedy family was not notified of the action.

Shaneyfelt was the agent who determined the speed at which an amateur photographer, Abraham Zapruder, filmed the Kennedy assassination.

The agent's finding that Zapruder's camera ran at an average speed of 19.3 frames per second permitted the thesis that Kennedy's assassin had time to fire three shots.

Garrison has attacked the finding and said in his request for Shaneyfelt's appearance that the film tends "to show President Kennedy was struck by bullets fired by more than one individual."

Justice Department sources declined to say whether the decision on Shaneyfelt, handled in Fairfax County Circuit Court, would apply to two Maryland residents whom Garrison wants to testify.

The two, FBI agent Robert A. Frazier, of Hillcrest Heights, and former Secret Service agent Roy Kellerman, of Bethesda, are to have hearings Tuesday and Wednesday before Circuit Court judges in Prince George's and Montgomery counties respectively.

The order sending Shaneyfelt to New Orleans was signed at 5:45 p.m. by Fairfax County Senior Judge Arthur W. Sinclair after telephone conferences between Justice Department lawyers and Commonwealth's Attorney Robert F. Horan.

At the trial in New Orleans two more jurors qualified for duty, making a total of eight as the prosecution and defense exhausted the initial supply of 169 candidates.

Under terms of the order Shaneyfelt will appear in New Orleans Feb. 3. If his appearance is delayed beyond that date, he will be on 24-hour notice to go to that city.

A total of 12 jurors and two alternates must be chosen before the trial of Shaw can begin.

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TRIALS

Sideshow in New Orleans

New Orleans District Attorney Jim Garrison withdrew a last-minute motion for a postponement and went ahead last week with the trial of Businessman Clay Shaw on charges of conspiring to kill President John F. Kennedy. Despite the sideshow atmosphere surrounding the case, it could not be ignored. What is really on trial is the Warren Commission Report and its conclusion that Lee Harvey Oswald alone was responsible for the assassination. Any real evidence that Garrison produces to the contrary could shake confidence in the officially accepted version of the Kennedy assassination.

So far, the evidence is as insubstantial as a Louisiana bog. Even so, Garrison is not trying to prove that Shaw murdered the President. In order to establish his case under Louisiana's conspiracy statute, which carries a one-to-20-year sentence, Garrison needs only to show that Shaw joined in a plot to murder Kennedy and that at least one of the plotters took a concrete step toward carrying out the plan. Moreover, state law provides that a majority of nine jurors can convict Shaw; a unanimous vote by all twelve jurors is unnecessary.

Six Acts. As the examination of potential jurors began last week, Garrison Aide James Alcock said that the state would prove that six overt acts took place in the autumn of 1963. He described one of the acts as a meeting in a Baton Rouge hotel, at which Shaw gave money to both Oswald and Jack Ruby, who Garrison believes was in on the plot. Another alleged meeting was between Shaw, Oswald, and a former pilot named David Ferrie (who died in 1967) in Ferrie's New Orleans apartment. Insurance Salesman Perry Raymond Russo, 26, a key prosecution witness, claims to have heard the three men planning the assassination during that meeting.

Garrison, nicknamed the "Jolly Green Giant" not only for his size but also for his erratic behavior, has tried to foster the belief that he has something up his sleeve besides Russo's testimony. He has hinted that Shaw, former head of New Orleans' International Trade Mart and the city's outstanding citizen in 1965, operated under the alias "Clay Bertrand," a familiar name among the city's homosexuals. Garrison has intimated that the C.I.A. was behind the conspiracy—and that Lyndon Johnson was at least aware of the plot.

Different Directions. Before the start of the trial, Garrison sought to subpoena 69 photos and X rays from President Kennedy's autopsy. District of Columbia Judge Charles Halleck ruled that Garrison could not have the material unless he could present other evidence for his theory that the President was shot at from different directions, and by more than one sniper. The prosecution has also issued subpoenas for such Warren Commission exhibits as Oswald's rifle and Kennedy's clothing—but is unlikely to get them. They have been withheld by presidential order.

After years of circus tactics, he is obviously the main character in the courtroom drama, but Garrison appeared on the stage only briefly in the first week. He sauntered into the courtroom one afternoon, sat down at the prosecution table, then walked out 18 minutes later without having said a word. Garrison, who has kept out of sight for weeks, has rarely tried a case himself as D.A. Chances are that whatever he has up his sleeve, he will leave the courtroom work to the cool, capable Alcock.

PHILIP GUARISCO



SHAW LEAVING COURTHOUSE
Evidence as mushy as a bog.

23 JAN 1969



AP Wirephoto

Clay Shaw (left) leaves for court with attorney, F. I. Dymond

Two More Jurors Selected In Shaw Conspiracy Case

By MICHAEL PARKS
(Sun Staff Correspondent)

New Orleans, Jan. 22—A second pair of jurors was selected this afternoon in the trial of Clay L. Shaw, the New Orleans businessman accused of plotting President Kennedy's assassination with Lee Harvey Oswald.

This brought to four the number of men accepted as jurors so far in the two-day-old trial: 10 more, including two alternates, must be selected before the trial itself gets under way, probably early next week.

District Attorney Jim Garrison's office, meanwhile began behind-the-scenes efforts to secure 69 photographs and X-rays taken at the President's autopsy and now sealed in the United States archieves.

Judge Edward A. Haggerty, Jr, presiding over the trial, issued a second subpoena ordering Dr. James B. Rhoads, the United States Archivist, to appear here February 3 with the photos, X-rays. President Kennedy's coat, shirt and tie and the gun the Warren Commission said Oswald used to kill the President.

Mr. Garrison contends he has "substantial evidence" that these exhibits will show that the President was struck by bullets from at least two directions and that the fatal head wounds resulted from shots from the front.

The special presidential commission which investigated the case reported the President was shot from above and behind and that there was no evidence of a conspiracy.

A previous bid by Mr. Garrison's office to secure the material from the United States archives failed last week when Judge Charles W. Halleck, of the the District of the District of Columbia Court of General Sessions, ruled that the New Orleans district attorney had not established the material which he said was vital to the prosecution of the case and was pertinent. He was given two week to do so.

Members of the district attorney's staff here indicated today that they contacted incoming officials of the Justice Department in hopes of securing their help.

They also said that evidence developed in the first week of the trial will probably satisfy Judge Halleck's requirement.

The prosecution also subpoenaed an FBI firearms expert, Robert A. Frazier, of Hillcrest Heights, Md., in Prince Georges county, and has contacted the state's attorney's office there for help in securing Mr. Frazier's appearance next Monday.

The interstate agreement giving reciprocal standing to out-of-state witness subpoenas provides that such requests must be approved by the local prosecutor and judge.

Mr. Frazier will be asked to testify about the direction of the bullets that struck the President and Texas Gov. John Connelly.

The two jurors selected today came from 30 men who were questioned, some for up to 45 mcutes, about their backgrounds, opinions about the case and their understanding of Louisiana law.

James L. Alcock, the chief prosecutor, used three of the state's 12 peremptory challenges to excuse prospective jurors without giving a reason.

Mr. Shaw, the eventual object of the slow-moving, often tedious questioning, sat through the second day of his trial, chain-smoking filter-tipped cigarettes and occasionally wiping his hand over his wavy, white hair.

Jurors Shuffled In Sirhan Trial

Los Angeles, Jan. 22 (AP)—Defense and prosecution attorneys went through another day of seating and unseating prospective jurors in the Sirhan Bishara Sirhan murder trial today and Judge Herbert V. Walker talked of a three-month or longer trial.

As additional possible jurors were brogh to the courtroom late in the day for possible questioning tomorrow, Judge Walker advised them to consult their employers about whether their employment would be joepardized if they were absent for "three or more months."

Three woen jorors were removed from the provisional panel today and two men and a woman tentatively seated.

Since the trail entered its thrid week yesterday, half the members of a panel of 12 that both saides had indicated might be the final one have been dismissed.

23 JAN 1969

Shaw Judge Praises 'Mixed' Feelings

By John P. MacKenzie
Washington Post Staff Writer

W ORLEANS, Jan. 22—
judge in the Clay Shaw
piracy trial said today
he expects most truthful
's to have decidedly
ed opinions" about Dis-
Attorney Jim Garrison's
ces of a plot to assassi-
President Kennedy.

e first prospective juror
dmit mixed feelings won
nstant praise of Criminal
t Judge Edward A. Hag-
Jr. for candor.

appreciate your truthful
er," he told Albert V.
er Sr., a 62-year-old mail
iler, during the second
day of jury interrogation.
been waiting a long time
ear that."

ore than three dozen po-
al jurors have undergone
tioning. Most of them ei-
have proclaimed outright
they hold fixed opinions
t Shaw's guilt or inno-
e, or have insisted they
w little and have no opin-
about the internationally
ous controversy.

day's end, two more ju-
—making a total of four—
been approved by both
ecution and defense. The
men will be sequestered
l the full jury is chosen
throughout the trial.

12 Can Convict

udge Haggerty, who sel-
n interrupted the lengthy
rrogation by counsel,
ke in once to announce
he intends to charge the
that it may convict if nine
s 12 members vote guilty.
e overruled the objection
defense attorney F. Irvin
mond, who argued that
isiana's unusual less-than-
nimous guilty verdict is
onstitutional. The U.S. Su-
me Court left the issue
n in a decision last year.

Garrison is attacking the
rren Commission findings
t Mr. Kennedy was slain by
e Harvey Oswald acting
ne. He obtained an indict-
nt two years ago charging
t Shaw, 55-year-old retired
w Orleans businessman,
conspired with Oswald and the late David Ferrie to commit the crime.

Meanwhile, Garrison's charges of Federal interference with his investigation appeared headed for another legal confrontation with Washington and a challenge to the Nixon Administration.

On Monday, Judge Haggerty authorized requests to subpoena an FBI firearms expert and numerous Warren Commission exhibits in the National Archives.

Last week, D.C. Court of General Sessions Judge Charles W. Halleck tentatively rejected a Garrison request for autopsy films and reports, which the Johnson Administration insisted could not be turned over. Judge Halleck said Garrison must first back up his claim that he knows the materials would help his conspiracy case.

New Prosecution Request

The new request embraces the murder rifle, clothing worn by Mr. Kennedy when he was murdered, movies, slides and other data. All of it is covered by a presidential order authorizing Federal agencies to withhold it.

The District Attorney's request claimed "substantial evidence" that the items would show that the fatal shots came from at least two directions. This was the same claim that Judge Halleck said required proof.

There was no indication today that the prosecutor's request had been served at the D.C. Court of General Sessions as required by District law.

Garrison also is seeking the live testimony of FBI agent Robert A. Frazier, a firearms specialist who inspected the Kennedy clothing.

It was learned that a Garrison aide called State Attorney Arthur Marshall of Prince George's County, who in turn talked by telephone Tuesday with agent Frazier at his home in Hillcrest Heights, Md.

Frazier reportedly expressed willingness to cooperate with any law enforcement agency. But an FBI spokesman said that Attorney General John N. Mitchell's approval would be needed before an agent could be permitted to testify in a state trial.

A Justice Department spokesman said tonight that no such request had reached Mitchell.

NEW YORK TIMES
22 JAN 1969

SHAW TRIAL IS ON; ONE JUROR NAMED

Garrison Appears Briefly in Kennedy Conspiracy Case

By MARTIN WALDRON
Special to The New York Times

NEW ORLEANS, Jan. 21—The often-postponed trial of District Attorney Jim Garrison's charge that President Kennedy was the victim of a Louisiana-based conspiracy began today. The trial is expected to feature testimony elicited under hypnosis.

One juror of the 14 to be selected was chosen this afternoon, and 30 witnesses were subpoenaed. Both the state and the defense, however, have unnamed witnesses hidden in hotels here.

Selection of the jury, which will include 12 members and two alternates, began at 10:30 A.M. today and dragged so slowly that court officials said that the trial could last two months or more.

On trial is Clay L. Shaw, a 56-year-old retired New Orleans businessman. He is accused by Mr. Garrison of masterminding the murder of President Kennedy on Nov. 22, 1963.

But also on trial to some extent Mr. Garrison, who has contended that the Central Intelligence Agency concealed the conspiracy that resulted in Mr. Kennedy's death in Dallas.

Brief Garrison Visit

Mr. Garrison, who has been absent from the public's eye for several weeks, strode into the courtroom at 3 o'clock this afternoon, wearing a blue blazer and gray trousers and appearing to be tanned.

He fiddled with papers on the prosecution table for 20 minutes while his chief assistant, James L. Alcock, questioned a prospective juror. Then, the 6-foot 6-inch District Attorney left the small, third-floor courtroom in the 40-year-old Criminal Courts Building.

The 30 witnesses under subpoena—17 by the state and 13 by the defense—include Mrs. Marina Oswald Porter, the widow of Lee Harvey Oswald, who was found by the Warren Commission to be President Kennedy's assassin.



Associated Press

PROSPECTIVE WITNESS FOR SHAW TRIAL: Perry Raymond Russo, left, on the way to court yesterday in New Orleans, where selection of jurors for trial of Clay L. Shaw on charges of conspiracy in the assassination of President Kennedy is now in progress.

Criminal District Judge Edward A. Haggerty Jr. signed the subpoena for Mrs. Porter, who now lives with her husband in a Dallas suburb. The subpoena had attached to it a $170 check to cover Mrs. Porter's expenses to come to New Orleans. She said last week that she would be willing to testify.

ANALYSIS OR CHARGEOUT

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Garrison opens Shaw trial

Daily World (Communist)

NEW ORLEANS, Jan. 21 — Clay L. Shaw, on trial nearly two years after being arrested, sat impassive today as attorneys started selecting a jury to try him on charges of conspiring to assassinate President John F. Kennedy.

It started slowly. And it was expected to take a long time.

The first juror was rejected because he had formed an opinion about the case and the trial was recessed for lunch.

The state seemed on the point of accepting the second veireman, however, when he said he felt the government should turn over to Dist. Atty. Jim Garrison the evidence Garrison wants from the Kennedy autopsy.

Star witness

Shaw did not even turn his head when his principal accuser and state's star witness, Perry Raymond Russo, 27, answered the roll call of witnesses before the jury selection began.

Garrison sprang a surprise yesterday with the announcement that notwithstanding a federal court's turndown of his request of photos in the National Archives showing how Kennedy was shot, the trial would go on as scheduled. This is the first time since the assassination of President Kennedy that one of the many challenges to the Warren committee report on the killing will come before a court.

Never have so many obstacles been placed before a trial. Shaw came to trial only after a Supreme Court decision barred efforts to block it. One of the last acts of Attorney General Ramsey Clark before leaving office was to order the release of a report by experts which had been in his hands for almost a year.

Key photos

On the basis of their examination of the photos in the archives, the experts had concurred in the Warren committee view that Lee Harvey Oswald alone was the slayer. The experts' report provided the basis for a judge turning down Garrison's request for the photos.

Shaw is accused of conspiring with Oswald and the late David L. Ferrie, a pilot, in the assassination of Kennedy. Garrison charges that more than one person was involved in the shooting. He also charges that the Central Intelligence Agency has been putting obstacles in the way of a trial because certain of its former agents were involved in the conspiracy.



United Press International

CLAY SHAW



JAMES GARRISON

SECRET

1-22-69

What do they fear?

Daily World (Communist)

In New Orleans. the federal government is doing everything in its power to block the truth about the assassination of President John F. Kennedy from being aired at the trial of Clay Shaw.

In Memphis. the federal government is dragging its feet in probing the full truth about the assassination of the black martyr. Dr. Martin Luther King Jr.

In both cases. our ruling class is afraid that a conspiracy by the ultra-Rightists may be bared if the full truth is disclosed.

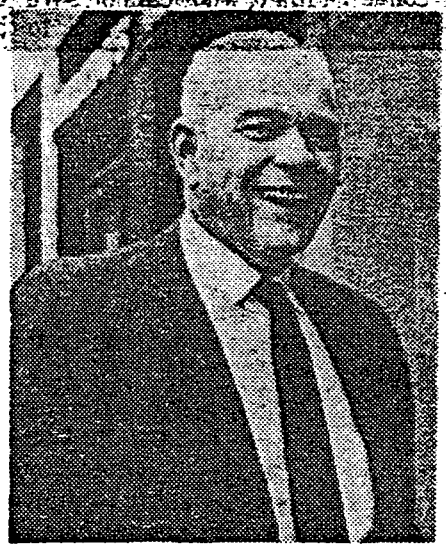
But. in Washington. 15.000 Army troops. secret service men. national guardsmen and police surrounded Richard Nixon as a barrier from the people who had come to see their new President inaugurated.

What an exposure all this is of the kind of democracy U.S. capitalism practices! It is a clear manifestation of ruling class fear of the American people.

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SECRET



—UPI Photo

CONFIDENT — A smiling Clay Shaw, on trial for conspiring to murder President John F. Kennedy, is shown en route to a New Orleans court. Mr. Shaw, a businessman, is free on bond. Meanwhile, the defense and prosecution are selecting jurors.

BALTIMORE SUN
22 JAN 1969

Oswald's Widow To Testify For Defense In Shaw Trial

By MICHAEL PARKS
[Sun Staff Correspondent]

New Orleans, Jan. 21—Clay L. Shaw, the New Orleans businessman accused of plotting to murder President John F. Kennedy, will testify in his own defense, his attorney announced this afternoon during the questioning of prospective jurors.

F. Irvin Dymond, the chief defense counsel, also told the court that he would call Mrs. Marina Oswald Porter, the wife of President Kennedy's identified assassin, Lee Harvey Oswald, as a defense witness.

2 Jurors Selected

Two of the 12 jurors to be selected for the much-delayed trial were chosen today as the trial opened nearly two years after Mr. Shaw's arrest.

Mr. Shaw is charged with plotting President Kennedy's assassination with Oswald; a local pilot, David W. Ferrie, who died in the course of the investigation, and others not identified during September, 1963, in New Orleans.



UPI Telephoto
CLAY SHAW
Laughing on way to court

"The defendant will take the stand in his own defense," Mr. Dymond declared, "and testify completely and thoroughly to refute the charges against him."

The defense attorney would not disclose what Mrs. Porter, now married to a Richmond (Texas) electrical technician, would testify, but defense sources indicated she had volunteered to testify on behalf of Mr. Shaw, 55, former manager of the International Trade Mart here.

"A Fixed Opinion"

The first prospective juror to be questioned today was a 52-year-old city maintenance worker named John Kennedy, who hastened to tell the court: "My middle initial is W, for William." He was excused from jury duty when he said he had formed "a fixed opinion" on the case, whose many sensational aspects have kept it in the news.

Fifteen other prospective jurors were also excused after testifying that they too had formed opinions about Mr. Shaw's guilt or innocence, or that the trial—expected to last from five weeks to two months—would cause an economic or physical hardship. The defense used one of its 12 peremptory challenges to dismiss a prospective juror without

The first juror accepted by both the prosecution and the defense was Irvin Mason, a 48-year-old machine operator for a large sulphur company here. He declared that, while he had formed no opinion on the case, he would very much like to be a juror. "It's a citizen's duty," he said, "and I'm willing to do my duty."

"Not Necessarily"

The second man accepted was Oliver M. Schultz, 39, a truck driver for the power utility here. "Do you want to serve?" asked the chief prosecutor, James L. Alcock, an assistant district attorney.

"Not necessarily," Mr. Schultz replied. He was accepted after testifying that he had no opinion on whether Oswald had killed the President as concluded by the Warren Commission or on whether the commission's findings were accurate.

The prosecution's questions to prospective jurors dwelt on whether they may have been prejudiced by newspaper or magazine articles, books or television programs—many of which have been sharply critical of the investigation by Jim Garrison, the district attorney.

Mr. Alcock also asked the jurors, in questioning that took up to two hours in some cases, whether they had been influenced by the release last week of a secret report by four top pathologists who examined photographs and X-rays taken at President Kennedy's autopsy and later sealed in the United States Archives. Their report gave "unequivocal" support to the Warren Commission's conclusion that Oswald acted alone, shooting the President from above and behind.

Appeal Groundwork

Mr. Dymond, who also pursued the question of prejudice by pretrial publicity, began laying the groundwork for an appeal, should Mr. Shaw be convicted. He took formal exception to several rulings by Criminal Court Judge Edward A. Haggerty, Jr., dealing with the type of questions he could ask of prospective jurors.

Mr. Dymond, who has predicted "a lot of trouble settling on a jury," said he is seeking a jury "of more intelligent, better educated citizens. The hoi-polloi, the man on the street, is less inclined, I'm afraid, to examine how fantastic these charges are," he said.

The first venire of 169 prospective jurors is three-quarters male, heavily Negro and made up of predominantly middle class, blue collar workers.

Mr. Alcock told jurors during his questioning that the state will prove that Mr. Shaw, Oswald and Ferrie held several meetings here in the fall of 1963 to work out the assassination plot, which involved killing the President in the triangulated fire of high-powered rifles; that the plans included get-away and elaborate alibi arrangements, and that Mr. Shaw paid money to Jack Ruby, the Dallas night-club owner who shot Oswald after the assassination, in a clandestine meeting in Baton Rouge.

The Philadelphia Evening Bulletin
22 January 1969

Shaw Trial Begins

By CLAYTON FRITCHEY

Washington—Here in Washington it is presidential inaugural week. In New Orleans it is presidential murder trial week.



Fritchey

After two incredible years of delay, District Attorney Jim Garrison is finally bringing to trial Clay Shaw, the New Orleans businessman he has accused of conspiring to kill John F. Kennedy.

Since he arrested Shaw on March 1, 1967, Garrison has consistently tried the defendant on every front page in the country, and on radio and television and in magazines and books as well. Everywhere, in fact, except in court. Now, strangely, on the very eve of the trial, it was suddenly announced that he himself will not present the case against Shaw as it goes to a judge and jury. He will leave that to an assistant. The chief prosecutor will appear in court only "rarely" and "intermittently."

Why?

Day of Reckoning

If Garrison's case is as airtight as he has repeatedly said it is, he would seem to have nothing to fear. The day of reckoning for him or Shaw had to come sooner or later, although there were those who believed the defendant might crack up or take his own life during the long, severe strain he has been under, with Garrison thereby winning more or less by default.

"In the early days of my arrest," Shaw recently said, "Mr. Garrison said to a reporter that I'd never come to trial. I'd commit suicide first. That gave me very little worry — I'm not the type."

Apparently he isn't.

Garrison Remark

Last year, after calling a press conference to disclose his latest version of the assassination plot, Garrison denied that he was violating the order of Judge Edward Haggerty, who will preside at the trial, against talking publicly about the case. Anyhow, he added, "Judge Haggerty does not run the District Attorney's office."

The charges of Garrison and other detractors of the Warren Commission report, have poisoned the public mind against the official assassination findings to such an extent that the Harris Poll reports that two-thirds of Americans are convinced that President Kennedy was the victim of a "conspiracy." Conspiracy, of course, is what Shaw is accused of.

CIA, FBI Accused

The prosecutor has said, "The case should be evaluated in a courtroom. If it's a fraud, I should be removed from office." Quite so, except that it isn't that simple. The trial may settle Shaw's fate, but not necessarily Garrison's.

The prosecutor, in his pre-trial publicity campaign, virtually made co-defendants out of the CIA, FBI, Department of Justice, Lyndon Johnson, and the "Feds" in general. In charging the CIA with blocking his investigation, Garrison said, "We have a stone wall there."

Shaw's attorneys have tried in vain to get a change of venue on the grounds that the case has been so highly publicized in New Orleans that the defendant cannot get a fair trial there. Whatever the truth of this may be, there is no love lost in Louisiana for the kinds of "Feds" that Garrison has been complaining about. If he ends up needing scapegoats, he already has them at hand.

Clever Prosecutor

Some critics of Garrison also have indicted the press for giving him so much attention, but, as Sir Arthur Goodheart, the legal scholar, has pointed out, it is difficult for the media to defend itself against the sensationalist methods of a clever prosecutor.

"There has been a lot of talk about trial in the newspapers," Sir Arthur says, "but that isn't true in the Garrison case. They must publish what the District Attorney says. This is an example of trial by the District Attorney, which is the most unfortunate fea-

SHAW TRIAL IS ON; ONE JUROR NAMED

Garrison Appears Briefly in Kennedy Conspiracy Case

By MARTIN WALDRON
Special to The New York Times

NEW ORLEANS, Jan. 21—The often-postponed trial of District Attorney Jim Garrison's charge that President Kennedy was the victim of a Louisiana-based conspiracy began today. The trial is expected to feature testimony elicited under hypnosis.

One juror of the 14 to be selected was chosen this afternoon, and 30 witnesses were subpoenaed. Both the state and the defense, however, have unnamed witnesses hidden in hotels here.

Selection of the jury, which will include 12 members and two alternates, began at 10:30 A.M. today, and dragged so slowly that court officials said that the trial could last two months or more.

On trial is Clay L. Shaw, a 56-year-old retired New Orleans businessman. He is accused by Mr. Garrison of masterminding the murder of President Kennedy on Nov. 22, 1963.

But also on trial to some extent Mr. Garrison, who has contended that the Central Intelligence Agency concealed the conspiracy that resulted in Mr. Kennedy's death in Dallas.

Brief Garrison Visit

Mr. Garrison, who has been absent from the public's eye for several weeks, strode into the courtroom at 3 o'clock this afternoon, wearing a blue blazer and gray trousers and appearing to be tanned.

He fiddled with papers on the prosecution table for 20 minutes while his chief assistant, James L. Alcock, questioned a prospective juror. Then, the 6-foot 6-inch District Attorney left the small, third-floor courtroom in the 40-year-old Criminal Courts Building.

The 30 witnesses under subpoena—17 by the state and 13 by the defense—include Mrs. Marina Oswald Porter, the widow of Lee Harvey Oswald, who was found by the Warren Commission to be President Kennedy's assassin.

Criminal District Judge Edward A. Haggerty Jr. signed the subpoena for Mrs. Porter, who now lives with her husband in a Dallas suburb. The subpoena had attached to it a $170 check to cover Mrs.



Associated Press

PROSPECTIVE WITNESS FOR SHAW TRIAL: Perry Raymond Russo, left, on the way to court yesterday in New Orleans, where selection of jurors for trial of Clay L. Shaw on charges of conspiracy in the assassination of President Kennedy is now in progress.

NEW YORK TIMES
21 JAN 1969

Garrison Staff Ready for Shaw Trial

By MARTIN WALDRON
Special to The New York Times

NEW ORLEANS, Jan. 20—District Attorney Jim Garrison's staff withdrew today a request for a delay in the trial of Clay L. Shaw, a retired New Orleans businessman who is accused of conspiring to assassinate President Kennedy.

Apparently stunned by criticism in New Orleans for seeking the delay, Mr. Garrison's assistants reversed themselves and said that they were ready for trial.

The selection of the jury is scheduled to begin at 10 A.M. tomorrow.

There had been criticism and speculation in New Orleans that the delay sought by Mr. Garrison's assistants indicated that there was no solid evidence against Mr. Shaw.

Assistant District Attorney James L. Alcock said "The state will trust the good judgment, common sense and spirit of justice which prevails among the people of Louisiana and will withdraw its motion and announces at this time that the state is ready to go to trial tomorrow."

Both The New Orleans Times-Picayune and The States-Item had called the request for a delay "an 11th hour maneuver." Mr. Alcock spoke slightingly of the papers today.

Wanted X-Rays and Photos

Last Friday, Mr. Alcock said in a statement that the trial could not proceed unless the National Archives released X-rays and photographs made at the autopsy on President Kennedy's body.

Mr. Garrison was not in court today, and was not available for comment.

He has not indicated if he will take part in the trial of Mr. Shaw, the 56-year-old retired director of the New Orleans Trade Mart.

The selection of a jury is expected to take several days, but the trial judge, Edward A. Haggerty Jr., has suggested that he may hold court on Saturdays and Sundays in an effort to speed up the trial. Sunday court sessions have been held in New Orleans previously.

One of the witnesses at the trial may be Mrs. Marina Oswald Porter, the widow of Lee Harvey Oswald. The Warren Commission, appointed by President Johnson to investigate President Kennedy's murder, said that Oswald was the sole assassin.

Defense attorneys have said that they will call Mrs. Porter, now the wife of a Dallas tavern operator.

Mr. Garrison and a New Orleans grand jury have accused Mr. Shaw of conspiring with Oswald and with a former airline pilot, David W. Ferrie, to assassinate President Kennedy.

Mr. Ferrie is now dead, as is Oswald.

The District Attorney has said that the Central Intelligence Agency intended to cover up the conspiracy because some of its agents or former agents were involved in the assassination.



United Press International.
Clay L. Shaw

20 January 1969

CLAYTON FRITCHEY

A Case of Trial by District Attorney

Washington—In Washington it is presidential inaugural week. In New Orleans it is presidential murder trial week. After two incredible years of delay, District Attorney Jim Garrison is finally bringing to trial Clay Shaw, the New Orleans businessman he has accused of conspiring to kill John F. Kennedy.



Clayton Fritchey

Since he arrested Shaw on March 1, 1967, Garrison has continuously tried the defendant on every front page in the country, on radio and television, and in magazines and books as well. Everywhere, in fact, except in court. Now, strangely, on the eve of the trial, it is suddenly announced that he himself will not present the case against Shaw as it goes to a judge and jury. He will leave that to an assistant. The chief prosecutor will appear in court only "rarely" and "intermittently."

Why? If Garrison's case is as air tight as he has repeatedly said it is, he would seem to have nothing to fear. The day of reckoning for him and Shaw had to come sooner or later, although there were those who believed the defendant might crack up or take his own life during the long, severe strain he has been under, with Garrison thereby winning more or less by default.

"In the early days of my arrest," the quiet Shaw recently said, "Mr. Garrison said to a journalist that I'd never come to trial. I'd commit suicide first. That gave me very little worry—I'm not the type." And apparently he isn't.

Last year, after calling a press conference to disclose his latest version of the assassination plot, Garrison denied that he was violating the order of Judge Edward T. Haggerty, who will preside at the trial, against talking publicly about the case. Anyhow, he added, "Judge Haggerty does not run the district attorney's office."

The charges of Garrison and other detractors of the Warren Commission Report have poisoned the public mind against the official assassination findings to such an extent that the Harris Poll reports that two-thirds of Americans are now convinced that President Kennedy was the victime of a "conspiracy," and conspiracy is what Shaw is accused of.

The prosecutor has said, "The case should be evaluated in a courtroom. If it's a fraud, I should be removed from office." Quite so, except that it isn't that simple. The trial may settle Shaw's fate, but not necessarily Garrison's.

The prosecutor, in his pre-trial publicity campaign, virtually made co-defendants of the CIA, FBI, Justice Department, Lyndon Johnson, and the "feds" in general. In charging the CIA with blocking his investigation Garrison said, "We have a stone wall there."

Shaw's attorneys have tried in vain to get him a change of venue on the grounds that the case has been so highly publicized in New Orleans that the defendant could not get a fair trial there. Whatever the truth of that may be there is no love lost in Louisiana for the kind of "feds" that Garrison has been complaining about. If he ends up needing scapegoats, he already has them at hand.

Some critics of Garrison have also indicted the press for giving him so much attention, but, as Sir Arthur Goodhart, the legal scholar, has pointed out, it is difficult for the media to defend itself against the sensationalist methods of a clever prosecutor.

"There has been a lot of talk about trial by the newspapers," Sir Arthur says, "but that isn't true in the Garrison case. They must publish what the district attorney says. This is an example of trial by the district attorney, which is the most unfortunate feature of the American law system."

19 JAN 1969

Speculation Rises That Garrison May Abandon the Investigation of President Kennedy's Assassination

By MARTIN WALDRON
Special to The New York Times

NEW ORLEANS, Jan. 18 — There was speculation in New Orleans this weekend that District Attorney Jim Garrison may be preparing to abandon his 30-month long investigation of the assassination of President Kennedy.

The speculation sprang up after Mr. Garrison's staff had asked for an indefinite delay in the trial of retired New Orleans businessman Clay L. Shaw, who was accused by the district attorney of helping plot the President's murder.

Mr. Garrison remained unavailable for coment. His staff said that he was out of town. For several months, Mr. Garrison has kept almost completely out of public view.

The statement on Friday that Mr. Shaw might not be tried was isued by Mr. Garrison's chiew assistant, James L. Alcock.

The announcement that the not ready for trial caught most of New Orleans by surprise. For more than two years, Mr. Garrison has been clamoring to bring Mr. Shaw to trial.

At one point in recent weks, Mr. Garrison said in a statement that only his "being killed" could stop the Shaw trial. He added that the trial would proceed even if the National Archives continued to shield the X-rays and photographs made during the autopsy of President Kenedy.

But yesterday, Mr. Alcock said that it was "absolutely necessary" to have the X-rays and the photographs that Mr. Garrison had said would show that the President had been struck by bullets fired from at least two directions.

A panel of medical experts who were said to have examined the X-rays and photographs secretly early last year said that the X-rays and photographs showed that the President was struck only by bullets fired from behind and above him. Attorney General Ramsay Clark reported on Thursday night.

The panel that investigated the assassination, headed by Chief Justice Earl Warren, found that Lee Harvey Oswald was the sole assassin, and that Oswald fired the rifle shots from the Texas Schoolbook Depository in Dallas on Nov. 22, 1963.

Judge Charles W. Halleck of the District of Columbia Court General Sessions yesterday gave the New Orleans District Attorney's office two weeks to show that the X-rays and photographs of the autopsy, which have been shielded by the National Archives at the request of the Kennedy family, were needed in a trial.

In charging Mr. Shaw on March 1, 1967, Mr. Garrison said that Mr. Shaw, the former director of the New Orleans Trade Mart, Lee Harvey Oswald and a one-time airline pilot, David W. Ferrie, conspired in New Orleans in September and October of 1963 to assassinate Mr. Kennedy.

Mr. Ferrie died shortly before Mr. Shaw's arrest, leaving what appeared to be a suicide note; but authorities ruled that his death was from natural causes.

In the months after Mr. Shaw's arrest, Mr. Garrison said on several occasions that the conspirators included agents or former agents of the United States Central Intelligence Agency.

The Shaw trial has been subjected to numerous delays as Mr. Shaw's lawyers have sought unsuccessfully to have the charges dismissed or to have the case transferred from New Orleans to another Louisiana city. The charges against Mr. Shaw, who has been free under $10,000 bond, are under Louisiana laws.

NEWS

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JAN 12 1969

WAS THERE A PLOT TO KILL JFK?

ew Orleans District Attorney Jim Garrison insists there wa and he'll try to prove it next week in a bizarre courtroo allenge to the official conclusion that Oswald acted alone

By GEORGE NOBBE

CLAY L. SHAW, the New Orleans businessman accused of conspiracy in a plot to murder President Kennedy, goes on trial next week in one of the most bizarre cases in American legal history.

Quite aside from the enormity of the charge, the trial is expected to ripple with undercurrents of bribery, homosexuality, perjury, narcotics, politics and international intrigue. It may even shed some light on a series of oddly coincidental spin-off deaths.

Scheduled to begin Jan. 21, the long-awaited trial, delayed time and again by Shaw's lawyers, boils down to a showdown between New Orleans District Attorney Jim Garrison and the men who prepared the 26-volume Warren Commission report on the assassination.

The flamboyant and controversial district attorney insists a conspiracy of several men, one of them Shaw, was responsible for the death of Kennedy in Dallas on Nov. 22, 1963. The Warren Commission concluded that Lee Harvey Oswald acted alone in the assassination.

The last of the legal obstacles to the start of the trial was removed Friday with the denial of a fourth motion for a change of venue that would have taken the case at least 100 miles out of New Orleans.

Criminal District Judge Edward A. Haggerty also denied a defense motion to throw out the indictment, which charges Shaw with conspiring in 1963 with Oswald, Jack Ruby, David Ferrie and others to kill Kennedy.

Said Haggerty: "I will conduct the trial even on Mardi Gras, if necessary."

Said Garrison: "There is no way that Clay Shaw can get an acquittal."

Said Edward F. Wegmann, Shaw's lawyer: "Clay Shaw cannot be convicted. He will be absolutely vindicated."

Obviously, someone is wrong. But who?

People in New Orleans are frankly skeptical of Garrison's case, knowing that the district attorney has a reputation for creating a theory to meet any contingency.

Still, they wonder why he would risk his career by trying a prosperous and respected businessman, however vulnerable his private life might be, if he didn't have something with which to substantiate his charges.

And what gnaws at the minds of people everywhere is this: if Garrison, granting his penchant for creating headlines, *is* right, then someone has told the world a lie so monstrous as to be virtually inconceivable.

That would mean someone either lied to or subverted the austere members of the Warren Commission; that the Dallas police department knowingly covered up a murder plot against the President; and that key members of the Central Intelligence Agency masterminded the whole affair.

Preposterous though that sounds, it is precisely what Jim Garrison claims he will prove in a New Orleans court room a week from Tuesday.

WITH theories implicating Cuban exiles, the Bay of Pigs invasion, the paramilitary right wing, Minutemen and double agents, Garrison scoffs openly at the Warren Commission and bluntly accuses the CIA.

"The main function of the Warren Commission," he says, "was to conceal the assassination of the President by an ambush of CIA employes, and they weighted the commission with men who could be counted upon to conceal the truth."

To this he adds, so ~~[illegible]~~ without any proof, this boast:

"My staff and I solved the assassination long ago. I wouldn't say this if we didn't have the evidence beyond a shadow of a doubt. We know the key individuals, the cities involved and how it was done."

Garrison's detractors doubt it. They say the district attorney simply wants a public forum from which to discredit the Warren Commission, a desire they say is born of his political ambitions.

Shaw himself said as much in a federal district court suit that reached the Supreme Court before it was thrown out. It accused Garrison of abusing his powers and sought "sanctuary" for Shaw from the district attorney.

What intrigues the New Orleans legal establishment, as well as the rest of the world, is what led Garrison to connect Shaw with this cast of psychotic characters:

Jack Ruby, an egocentric, smalltime nightclub operator; Ferrie, a convicted child molester, known homosexual and religious cultist, and Lee Harvey Oswald, a discredited Marine, self-proclaimed Marxist, and pro-Cuban agitator who once fled to Russia.

These were hardly the sort of people that Shaw, a man with the public image as a dynamic, intellectual businessman and cultural leader, could be expected to know, much less associate with.

Shaw, 55, has a sort of Stevensonian wit and urbanity that have made him a highly-prized after-dinner speaker. He has been knighted by the King of Belgium and holds high honors from several other European countries, including France.

Continued

Most of these honors have to do with New Orleans' International Trade Mart, a clearing house for trade with Latin American countries, most of which funnels through New Orleans. Shaw founded it after World War II, retiring as managing director two years ago to write and travel. The gleaming skyscraper stands today as almost a monument to the man who built it.

Shaw, with close cropped white hair and a deep tan, is an imposing figure at 6-feet-4 and 215 pounds. A bachelor who lives in a renovated house in the French Quarter, his tastes in everything from food to furniture are sophisticated.

Yet on March 1, 1967, Jim Garrison, the "Jolly Green Giant of Orleans Parish," as he is known to his friends, arrested Shaw, a man who two years before had been named New Orleans' most outstanding citizen.

The charge: conspiracy to murder the President. Bail of $10,000 was set by District Court Judge Thomas M. Brahney. Shaw posted it and went home.

Goaded by highly critical newspaper editorials the next day, Garrison said: "I have no doubts about the case, as I have said before. The arrest will hold up. If you want to bet against me, you will lose."

Said Shaw, in one of his infrequent statements since: "It is still hard to believe this has happened. I think about it 24 hours a day. Often when I go to parties, my friends will try not to talk about it. But, inevitably, before very long the conversation gets around to it. So I usually try to put my friends at ease by talking about it myself."

It was the day after Shaw's arrest that Garrison first revealed some of the details of his charges.

He filed a court affidavit naming Oswald, Ferrie and Shaw as conspirators who met in September of 1963 at Ferrie's apartment to plot the Kennedy assassination. He said he would produce a witness.

At the time, no one knew who that would be. The weakness of this maneuver was obvious: of those at the meeting, only the mystery witness and Shaw, if he was indeed there, were still alive.

Oswald, of course had been gunned down by Ruby, and Ferrie, in a state of paranoia and hypertension over his belief that Garrison thought he was the getaway pilot in the assassination plot, died in his bed a week before Shaw's arrest.

Though he left two suicide notes, the coroner ruled that Ferrie's death was due to natural causes.

Garrison's affidavit contained one other bombshell. It charged that Shaw led a double life under the alias Clay or Clem Bertrand, a name identified with the shadowy queen bee of the city's homosexuals. Shaw denied it.

BUT GARRISON wasn't through. He said his investigators had searched Shaw's home, hauling out cardboard cartons filled with papers and clothing as well as a black cape and hood, whips, tire chains, an Army issue cartridge belt, a shotgun and several account books. Shaw's lawyers said the search was illegal because their client had been under arrest at the time.

For nearly two weeks, New Orleans seethed with curiosity about Garrison's witness while Shaw remained at home.

Why, the city wondered, would Shaw, an open admirer of President Kennedy, take part in an assassination conspiracy? After all, the trade mart had everything to gain from JFK's continued existence. The Alliance for Progress had opened new vistas for the mart in Latin America.

And why, they also asked, would anyone who heard a conversation about a conspiracy wait more than three years to come forward with his information?

Some of the answers came on March 14, when a panel of three judges began to hear testimony in a preliminary hearing to determine if there really was enough evidence against Shaw to try him.

The mystery witness turned out to be one Perry Raymond Russo, a 25-year-old life insurance salesman from Baton Rouge who had once been David Ferrie's roommate in New Orleans.

If Shaw was a pillar of New Orleans society, Russo's character was unblemished. He was the one solid figure among the throng of psychopathic liars, deviates and narcotics addicts that Garrison has waded through since he launched his investigation.

Russo testified that he had gone to Ferrie's apartment in September of 1963 with several friends. A party was in progress.

When it ended, Russo said, his friends left and the only people in the room with him were Ferrie, Oswald (whom he knew as "Leon" Oswald) and Shaw, whom he knew as Clay Bertrand.

In a moment of high drama, Russo left his chair to point out Shaw, who sat tensely in the courtroom. This was his testimony:

"The discussion centered around the fact that an assassination attempt would have to use diversionary tactics. There was talk of triangulation of crossfire as diversionary action.

"Ferrie would put up three fingers to demonstrate. One of the people would shoot a diversionary shot, maybe one or two people would do it and the third person would do the direct hit and be the good shot.

"Thereafter, one of these three would be termed the scapegoat. One of them would have to be sacrificed while the others got away by plane to either Brazil or Cuba."

ANOTHER TIME, Ferrie testified, he saw Oswald, who had originally met Ferrie at a Civil Air Patrol meeting, in Ferrie's apartment with a rifle. He said Oswald was sittin gon the sofa cleaning the weapon, which was equipped with a telescopic sight. He described the gun as an old fashioned bolt-action rifle.

At another meeting of the alleged conspirators, Russo said, there was an argument about where they should fly after the assassination. He said at one point Oswald leaped to his feet and told Shaw: "Shut up!" adding that Ferrie was the pilot and knew what was best.

Russo testified that Shaw's rejoinder was: "Well, he's a washed up pilot as far as I'm concerned."

Russo said he first saw Shaw at wharf dedication ceremonies attended by President Kennedy in New Orleans. He also said that he had identified Shaw as Bertrand when Garrison's investigators took him to Shaw's home and had him pose as a salesman.

There were holes in Russo's testimony. Among other things, hypnotic suggestion had been used in Garrison's office to help the witness reconstruct the events.

Also, Russo was incorrect when he said he had seen Oswald in New Orleans as late as October of the year Kennedy was shot. Oswald was in Dallas at that time.

And, on top of that, there was the damaging fact that Russo had appeared on a local television show three weeks before the hearing and said he had never heard of Oswald until he had seen him on TV after the assassination.

Shaw's lawyers ripped into Russo's testimony in a bitter, blistering but ineffectual cross-examination. Asked why he had waited so long to come forward with his information, Russo explained he was only 22 at the time and hadn't been prepared to buck the conclusions of the Warren Commission and the federal government. Then he added:

"I was just a voice in the wilderness. I left it to the professionals and forgot about it. Then Garrison began his probe and said he could prove there was a conspiracy, so I decided to write to Shaw."

Russo admitted that after the Kennedy assassination he did not definitely connect the man he knew as "Leon" Oswald with Lee Harvey Oswald, although he had seen pictures of Oswald on TV and in the newspapers.

Oswald wore a beard when he met him, Russo said, but was clean shaven after the killing.

Defense lawyers asked Russo if he didn't think it strange that three conspirators would let a witness sit in on the planning sessions if the witness had nothing to do with the plot.

Russo replied:

"Oswald looked up and said: 'What the heil is he doing here?'" to which Shaw added, "It's risky. We shouldn't have anyone hear that sort of stuff.'"

"Am I to understand that you sat there all through the conversation and said not one word?" asked one of Shaw's lawyers.

"Yes, sir," said Russo. "It was their business and I wasn't particularly interested."

Russo testified for three days, closing with the admission that he had been under psychiatric treatment for a year until the middle of 1960.

Following Russo to the stand was a self-confessed heroin addict, a Negro named Vernon Bundy, 29, of New Orleans, who swore that he had seen Oswald and Shaw together on the shores of Lake Pontchartrain the summer before Kennedy was killed.

Bundy said yellow leaflets fell from Oswald's pocket and when he later picked one up it was a Fair Play for Cuba Committee tract that Oswald is known to have passed out in front of the trade mart.

Bundy testified he heard Oswald ask Shaw: "What am I going to tell her?" a presumed reference to Marina, his wife.

He said Shaw replied: "Don't worry about it. I told you I'm going to take care of you."

The defense position was that Garrison was resting his entire case on two questionable witnesses: a man who waited three years to step forward, and an admitted drug addict.

"This man [Shaw]," said William Wegmann, "is entitled to the benefit of the doubt because the state does not have probable cause. It might have suspicions, it might have theories, it might have beliefs, but we are entitled to walk out of this court without any stigma until such time as the state can produce evidence to warrant trial.

"You judges will be in the position to say to this man: 'You are one of the people who might have killed the President of the United States.' We beg for due deliberation."

His plea fell on deaf ears. The judges agreed unanimously that Shaw would have to stand trial. The decision came on March 17, 1967, Shaw's birthday. As the decision was read, he pressed down with his fingers on the defense table as if for support.

UNDER Louisiana law, Garrison could have filed the charge of conspiracy to commit murder with the county clerk and brought Shaw to trial. He chose, instead, to cement the authenticity of his case by submitting it to the Orleans Parish (county) grand jury.

If the blue ribbon panel refused to indict, what the three judges had decided would no longer matter. Clay Shaw would be free. Instead, the jury indicted him.

The name Clay Bertrand figured prominently in its deliberation. One witness, Jefferson Parish assistant district attorney Dean Andrews Jr., was subsequently indicted and convicted of perjury in connection with conflicting statements about whether Shaw and Bertrand were the same man. He is appealing the conviction.

In the months that followed Shaw's indictment—he is still free in $10,000 bail and will remain so throughout the trial—rumor was piled upon rumor as Garrison gathered more and more headlines with a cast of characters who, he said, figured in one way or another in the assassination.

Cuban nationals were prominent among them. Somehow, Garrison weaved the Cubans into his theory that the Kennedy killing was a right-wing plot, fomented by the CIA.

Incredibly, Garrison even charged that President Johnson knowingly concealed information about the death of his predecessor. He complained, too, that vital information had been put under seal for 75 years in the National Archives; he was only half joking when he told a reporter that the solution might come only in the year 2038 when the sealed information will be declassified.

Subpenas, extradition papers and wild accusations came with staccato rapidity after Shaw was indicted.

Word soon leaked that Shaw had made two slips when he was questioned in Garrison's office in December of 1966, more than two months before he was arrested.

Shaw swore that he had never met Oswald, but added that his assistant at the trade mart, J. B. Dauenhauer, had given Oswald permission to distribute pro-Cuban leaflets in front of the building. Dauenhauer denied this.

Then Shaw said he was on a plane to California at the time JFK was shot. In fact, he was already in San Francisco that day.

It developed that Garrison had become interested in Shaw when he learned that an old friend of David Ferrie's lived next door to Shaw on Dauphine St., and that Ferrie had made a trip to Galveston and Houston the day of the assassination. Garrison assumed (whether correctly or not remains to be seen) that Shaw and Ferrie knew each other.

Since it was known that Oswald and Ferrie had met, Garrison concluded that Shaw might have known Oswald, too. He came to a number of other conclusions also, most of them still unproved.

One of the most intriguing was that Oswald, instead of being the assassin, never fired a shot that tragic day in Dallas:

OSWALD, Garrison believes, was the patsy, the fall guy who had to be killed by Ruby to keep him from exposing the whole plot.

Garrison is also fond of theorizing that Oswald had a double on several of his trips the summer before the assassination to further blur the case.

He also believes, disconcertingly, that Ruby was injected with live cancer cells in the Dallas jail to silence him and protect the allegedly CIA-spawned conspiracy. He is not clear as to why the CIA would have wanted Kennedy dead, and talks somewhat disjointedly about CIA "displeasure" with Kennedy's moves toward a lasting peace with both Russia and Cuba.

The cancer-cell theory becomes even more disconcerting when you consider that David Ferrie experimented with white rats in his apartment in New Orleans, trying to inject them with cancer cells. But a good many aspects of the case are disconcerting.

Take, for instance, the extraordinary number of deaths of persons who, directly, indirectly or by the slightest of connections, were involved in the swirl of events around Kennedy's assassination:

1) Patrolman J. D. Tippit, who presumably stopped Oswald after the assassination and was shot to death.

2) Oswald, gunned down by Ruby as the television cameras recorded the scene.

3) William Hunter, a newspaper reporter, who reportedly once attended a meeting in Ruby's apartment, killed when a policeman's gun accidentally discharged in Long Beach, Calif.

4) James Koethe, another reporter at that meeting, attacked by unknown assailants who used a karate chop to murder him in his Dallas apartment.

5) Tom Howard, one of Ruby's lawyers, who died of a heart attack.

6) Thomas H. Killam, husband of a stripper at Ruby's Dallas nightclub, who fell to his death through a plate glass window in Pensacola, Fla.

7) Columnist Dorothy Kilgallen, who was granted a private interview with Ruby, died in her New York apartment of a combination of pills and alcohol.

8) William Whaley, the cab driver who took the fleeing Oswald home after the assassination, died in a car crash.

9) Karen Bennet Carlin, another Ruby nightclub performer and the last person to talk to Ruby before the Oswald murder, killed by gunshot wounds in Houston.

10) Mrs. Earlene Roberts, the landlady at Oswald's Dallas rooming house who died of a heart attack.

11) Nancy Mooney, a former stripper at Ruby's club, who hanged herself in a Dallas jail cell.

12) Lee E. Bowers Jr., a bystander who saw a car speeding from the grassy knoll in Dealey Plaza from which Garrison and several witnesses believe shots were fired the day Kennedy died. He was killed in a car crash.

13) Jack Ruby, who died of cancer at Parkland Hospital.

14) David Ferrie, the accused getaway pilot, who, a coroner said, died of natural causes—and left two suicide notes.

15) CIA agent J. Garret Underhill, who believed there was an assassination conspiracy within his own agency. He committed suicide.

16) Hugh Ward, New Orleans private investigator linked to Oswald, killed in a plane crash in Mexico.

17) Guy Bannister, Ward's partner, who died of a heart attack.

18) Robert Perrin, self-styled gunrunner and acquaintance of Ruby's, who was found dead of arsenic poisoning, a supposed suicide.

19) Rose Cheramie, who said she was thrown from a moving car by Ruby associates, was later killed in hit-and-run accident.

20) Dr. Mary Sherman of New Orleans, who was hacked to death in her apartment with a kitchen knife. She once helped Ferrie with his cancer-cell experiments on mice.

Such a list of deaths, even coincidental deaths, gives pause to even the most determined detractor of Jim Garrison. Are his wild theories really all that wild?

As one New Orleans reporter said of next week's trial of Clay Shaw:

"Jim Garrison may be 90% hot air . . . but watch out for the other 10%."





New Orleans District Attorney Jim Garrison (left) accuses businessman and civic leader Clay L. Shaw (above) of conspiracy in alleged plot to kill President Kennedy. Shaw will go to trial next week in bizarre case which is really a challenge to Warren Report conclusion that Lee Harvey Oswald acted alone in assassination of JFK.



The Warren and Garrison versions of Oswald's activities agree that he was in New Orleans a few months before the assassination. This commission exhibit places him in the city on Aug. 16, 1963. Garrison says Oswald also was in New Orleans the following month, plotting Kennedy's death with Shaw and an eccentric ex-airline pilot.

SECRET

* GPO : 1964 O—721-594

NEW YORK TIMES

Shaw Lawyers File Motion To Move Conspiracy Trial

6 JAN 1969

NEW ORLEANS, Jan. 6 (Reuters) — Lawyers for Clay L. Shaw, accused of conspiring to assassinate President Kennedy, filed today a new motion to have his pending trial moved out of New Orleans.

It was the fourth motion for a change of venue filed by lawyers for the 55-year-old retired New Orleans businessman who was arrested more than a year ago. Criminal District Judge Edward A. Haggerty denied the three other motions.

F. Irvin Dymond, chief defense counsel, contended in the new motion that his client could not receive a fair trial within a 100-mile radius of New Orleans because of publicity given the case by District Attorney Jim Garrison. The trial is scheduled to begin Jan. 21.

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THE WASHINGTON POST
7 JAN 1969

Around the Nation

• Lawyers for Clay Shaw, accused of conspiring to assassinate President Kennedy, filed a motion to have his trial moved out of New Orleans. The trial is scheduled to start Jan. 21.

The Times-Picayune

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TRIAL OF SHAW SET FOR JAN. 21

'Moment of Truth' Has Arrived—Garrison

By CLARENCE DOUCET

Asserting that the long-awaited "moment of truth" has arrived, District Attorney Jim Garrison announced Wednesday that the trial of Clay L. Shaw on the charge that he participated in a conspiracy to assassinate President John F. Kennedy will begin on Tuesday, Jan. 21.

Garrison speculated that the trial may last five weeks.

He made the announcement at a press conference in his office and citing "obstructions" to the trial, he characterized the upcoming jury case as "a test of whether we really have justice in America."

Meanwhile, Criminal District Court Judge Edward A. Haggerty, who will preside over the trial, said he has ordered the names of 250 potential jurors in January in anticipation of the historic case.

HEARING REFUSED

The way for Shaw's trial was cleared on Monday when the United States Supreme Court refused to hear Shaw's plea that he is being unjustly prosecuted on the conspiracy charge.

Referring to the plea to the U.S. Supreme Court, Garrison said it must mark "the first attempt to appeal a case before the trial" was held.

Shaw was arrested on March 1, 1967, about a week after it was disclosed publicly that Garrison was conducting his own investigation of the death of President Kennedy.

Shaw, retired managing direc-

Cont. in Sec. 1, Page 25, Col. 5

The Times-Picayune

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P WIREPHOTO.

NEW ORLEANS, THURSDAY MORNING, DECEMBER 12, 1968

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SHAW TRIAL SET FOR JAN. 21

Continued from Page 1

tor of the International Trade Mart, has maintained his innocence and has attempted to block the trial through legal maneuvers on the local, state and federal level.

Garrison cited the legal pleadings by Shaw as "obstructions" on the legal level, and asserted there have been "even more serious" obstructions "behind the scenes."

TRIAL TO PROCEED

He claimed that he has been contacted to learn if he would be interested in a federal judgeship for dropping the case and he replied: "The Clay Shaw trial is going to go ahead as scheduled and we will oppose every attempt" to block it.

He said other behind-the-scenes activities have included character assassination by claims that he was connected with organized crime, that he was insane, and that he was not competent to hold office. He also cited "an intense investigation" by the intelligence division of the Internal Revenue Service and the "warning that there might be criminal prosecution; for what I would have no idea."

Garrison claimed the federal government did not want the case to go to trial because it "does not want the people to learn that the Warren Commission was a complete fraud."

VOICES CONFIDENCE

He said he expects "more diversionary attempts, more character assassination and more obstructions—escalated to God knows what level" in the future, and added that he is "just as confident as I ever was about the state's case" in the Shaw trial.

Garrison also commented on William Boxley, an investigator he fired on Monday because, Garrison said, he was an operative of the Central Intelligence Agency.

"He was not only a CIA agent," said the DA, "but he was one on a very high level." Asked what proof his office developed, Garrison said it concerned material that Boxley had put in written form.

Boxley, contacted in Austin, Tex., told The Times-Picayune on Wednesday that he has not been involved with the CIA or any federal agency since 1952.

He said he believed Garrison "has been genuinely misled" about his CIA involvement, adding: "I am sure he believes as strongly in this (his alleged CIA involvement) as he once believed in me." Boxley said he would cooperate completely with Garrison's office in returning to it material he still has in his possession.

Boxley said the only written material he ever provided Garrison's office was a description of how various intelligence agencies operate.

Boxley said he was "really sad" over his firing by Garrison, but added that he believed no one could convince Garrison that he was not an agent of the CIA.

WOOS, WILLIAM CLARENS

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AP WIREPHOTO. NEW ORLEANS, THURSDAY MORNING, DECEMBER 12, 1968
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T-P - 13 Dec 68

SECTION THREE—PAGE FOUR

Shaw to Spend Texas Weekend

Clay L. Shaw, whose trial on a charge of conspiring to murder President John F. Kennedy has been set for Jan. 21, was granted permission Thursday to spend the weekend in Houston, Tex.

In a motion requesting permission for Shaw to leave the jurisdiction of criminal district court, defense attorneys said. Shaw will depart Friday and return Monday.

Judge Edward A. Haggerty, to whose section of court the Shaw case has been assigned for almost two years, granted the request.

AUTOMOBILES

The Times-Picayune

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NEW ORLEANS, TUESDAY MORNING, DECEMBER 10, 1968

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GARRISON CASE

Continued from Page 1

conditioning and influencing the minds of the public as to the guilt of Clay Shaw and thus obviating the necessity of having to prove the existence of a conspiracy during the trial of said case on its merits."

RULING UNANIMOUS

Circuit Judge Robert A. Ainsworth Jr. and District Judges Frederick J. R. Heebe and James A. Comiskey, *in ruling* strictly on the legal issues, *unanimously held that* there was no federal jurisdiction involved as the result of the state court indictment. Nevertheless, they held that Shaw was entitled to appeal to the Supreme Court on this issue.

Under this order, the three-judge district tribunal enjoined Garrison and the Criminal District Court of Orleans Parish from further prosecution of the case until the Supreme Court disposed of Shaw's appeal for an injunction to throw the case out of court.

District Attorney Garrison, in his short reply to Shaw's application for an injunction, maintained that it was not true that Shaw was being singled out for prosecution as part of a publicity campaign to discredit the Warren Report.

The Warren Commission, in its inqury, concluded that Oswald, acting alone, assassinated the late President Kennedy in Dallas on Nov. 22, 1963. Oswald was subsequently murdered by Jack Ruby, now deceased.

January Is Earliest Date for Shaw Trial

Shaws' trial date "will be set as soon as possible," Assistant D. A. James L. Alcock said Monday.

"The trial will defintiely not be this month," he said, "because we don't have a jury. The earliest date for the trial would be sometime in January."

Garrison was unavailable for comment.

Alcock said he was not surprised at the Supreme Court's decision. "The only thing that surprised me," he said, "was that it took the Supreme Court this long to make a decision."

CIA Activity Alleged in D.A. Staff Removal

The office of Orleans Parish District Attorney Jim Garrison Monday announced the removal of a member of the staff investigating the assassination of President John F. Kennedy because of alleged involvement with the CIA.

"William Boxley was fired after evidence recently developed by the District Attorney's staff indicated current activity by him as an operative of the Central Intelligence Agency," the office said.

Boxley's initial service with the CIA was in Washington, D. C., where he served for years as an active agent for "what was then termed the Department of Covert Activity," according to the office.

The office said federal intelligence efforts to interfere with the investigation into President Kennedy's assassination "have been occurring since the beginning of the inquiry."

The D.A.'s office said President Kennedy "was assassinated because he was ending the Cold War. . . ."

"He (Kennedy) also made it clear he was going to 'break the CIA up into 10,000 pieces,'" the office added.

"All the power in Washington" will not stop the investigation into Kennedy's death in every case where individuals involved in the alleged conspiracy conducted actions in New Orleans, the office said.

Mitch to Speak

GARRISON WINS ROUND IN COURT

Supreme Tribunal Affirms July Decision

By EDGAR A. POE
(Times-Picayune Staff Correspondent)

WASHINGTON — District Attorney Jim Garrison, who has described the Warren Report on the assassination of President John F. Kennedy as a "fraud on the American people," Monday won a legal round before the U.S. Supreme Court to try Clay L. Shaw for conspiracy to murder the President.

By its action, the Supreme Court affirmed a July 23 decision by a three-judge U.S. District Court in New Orleans, denying Shaw an injunction to stop the prosecution. Shaw, in his 173-page statement of appeal to the nation's highest court, had charged, among other things, that Garrison and associates were conducting a "fraudulent and useless probe."

Shaw, former managing director of the International Trade Mart, is free under a $10,000 bail following grand jury indictment in the Criminal District Court of Orleans Parish on March 22, 1967. Shaw, 55, is charged by Garrison with having conspired with New Orleans-born Lee Harvey Oswald, among others, to kill President Kennedy.

Shaw denies the charges. He appealed to the Supreme Court for relief, in an effort to avoid trial and long, drawn-out criminal court proceedings that could continue for years before the courts.

VALIDITY IS ISSUE

Shaw, in his appeal to the Supreme Court, had asked the tribunal to declare the Warren Report to be valid, accurate and binding. Therefore, he maintained that the lengthy study report should be binding upon the courts of this country.

Chief Justice Earl Warren, at the request of President Johnson, headed the study committee which had used the various investigative resources of the United States Government in conducting the inquiry.

Shaw, who was charged with conspiring with David W. Ferrie, along with Oswald and others, had urged the Supreme Court to hold unconstitutional Louisiana's conspiracy law. He described the state statute as being vague and indefinite, and that "on its face, violates the first and 14th amendment guarantees."

He charged that Garrison "seeks to convince the public that President Kennedy was killed as a result of a conspiracy, and not by a lone assassin, as reported in the Warren Report."

". . . By means of his repeated public attacks on the Warren Report," Shaw's appeal stated, "he seeks to convince the public of the existence of a conspiracy in the death of the President, thus prejudicing,

Cont. in Sec. 1, Page 14, Col. 3

NEW YORK TIMES
10 DEC 1968

LOUISIANA TRIAL OF SHAW ASSURED

High Court Refuses to Block Action in Kennedy's Death

Special to The New York Times

WASHINGTON, Dec. 9—The Supreme Court refused today to bar Jim Garrison, New Orleans District Attorney, from prosecuting Clay L. Shaw on charges of conspiring to assassinate President Kennedy.

In an unsigned order the Cort affirmed a decision by a three-judge Federal District Court that declined to block Mr. Garrison and his assistants from proceeding with the trial.

Today's action thus removes the legal barrier that had delayed for six months the trial in which Mr. Garrison has vowed to prove that the Warren report was wrong in concluding that Lee Harvey Oswald acted alone in killing President Kennedy in Dallas on Nov. 22, 1963.

Chief Justice Earl Warren, chairman of the Presidential commission that reached that conclusion, did not participate in today's decision.

Mr. Shaw, a 55-year-old retired businessman, was arrested on March 1, 1967, on charges of having conspired with David W. Ferrie, Oswald and others to murder President Kennedy. A week before the arrest, Ferrie died of what the city coroner said were natural causes. Mr. Garrison called the death a suicide.

Named by a Witness

At at pretrial hearing a witness, Perry R. Russo, said he had heard Mr. Shaw, using the name Clem Bertrand, discuss the assassination of President Kennedy with Ferrie and a Leon Oswald, whom he identified as Lee Harvey Oswald. This discussion was said to have occurred at Ferrie's apartment about two months before the assassination.

On May 27, 1968, two weeks before the trial was scheduled to begin, Mr. Shaw filed suit in Federal District Court in New Orleans. He accused Mr. Garrison of prosecuting him merely to obtain a judicial forum "to discredit the Warren report and its findings."

A three-judge Federal District Court ruled on Aug. 13 that if Mr. Shaw's Federal constitutional rights were violated at his trial, he could obtain relief by appealing the conviction. It refused to bar the trial.

In his appeal to the Supreme Court, Mr. Shaw accused Mr. Garrison and his assistants of "conducting a reign of terror by the misuse and abuse of the public offices which they hold."

The appeal also called upon the Supreme Court to order the Attorney General to intervene in any case in which the Warren report is being impugned by a public prosecutor.

January Trial Planned

Special to The New York Times

NEW ORLEANS, Dec. 9 — James L. Alcock, Assistant District Attorney said today that he thought the trial of Mr. Shaw would last at least six weeks and would probably begin in January.

Mr. Alcock, commenting for Mr. Garrison, who referred all questions to his assistant, said:

"We are happy and gratified at the ruling of the United States Supreme Court, but it was not really a surprise since the law was on our side all along. Three Federal judges found probable cause and so did the grand jury, so we are not surprised by today's ruling."

A spokesman for the Criminal Court said that selection of the jury could start on Jan. 6, the first Monday of the month. He also said it was up to the District Attorney's office to set the date for trial.

Mr. Shaw's attorneys, the spokesman went on could still ask for a continuance to delay the case's start start in January if they could convince the court they had a legal reason for the delay.

Mr. Alcock said he did not know whether Mr. Shaw's attorneys would ask for a rehearing of the Supreme Court ruling. Edward Wegmann, one of Mr. Shaw's attorneys, said he would not comment on the ruling until he had had a chance to study it.

Mr. Alcock also declined a comment when asked how many witnesses he would call.

SECRET

A Delay in Shaw's Plot Trial Ordered by Federal Court

NEW ORLEANS, Aug. 13 (UPI)—A Federal court Tuesday day ordered District Attorney Jim Garrison to postpone the assassination conspiracy trial of Clay L. Shaw, scheduled for Sept. 10, until the United States Supreme Court could act on Mr. Shaw's countersuit against the District Attorney.

Mr. Shaw was scheduled to be tried on a charge that he conspired with Lee Harvey Oswald and others to assassinate President Kennedy in 1963.

A three-judge panel said Tuesday that the Supreme Court could not possibly act on Mr Shaw's request for an injunction by Sept. 10. The same lower court panel dismissed his suit last month, but that decision is being appealed to the high court.

Mr. Shaw charged in his suit tht Mr. Garrison had conducted a reign of terror against him and deprived him of his constitutional rights. He was arrested March 1, 1967.

8-15-68

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SECRET

NEWSWEEK
5 AUG 1968

INVESTIGATIONS:

Back in Business

A strange and uncommon silence had fallen over Big Jim Garrison's once wildly gyrating investigation into the assassination of John F. Kennedy. The New Orleans District Attorney's quest for conspirators in the murder of the President had all but dropped out of the newspapers. And, for a moment, it seemed that it might drop right out of court as well. Two months ago, 55-year-old retired New Orleans businessman Clay Shaw —one of the alleged "co-conspirators" named by Garrison—obtained a temporary stay of prosecution—and then he asked a three-judge Federal panel to make the order permanent. But the panel ruled last week that Shaw "must first seek vindication of his rights in the state courts"—and with that the DA's prosecution was suddenly very much alive again.

The ruling made it virtually certain that Shaw would, after all, stand trial for conspiracy to kill John Kennedy, probably this September. Shaw, who still regularly turns up in New Orleans's French Quarter, received the news with resignation—even though it inevitably meant an indefinite extension of the nightmare that has plagued him in the seventeen months he has been awaiting trial. "I find the worst time is when I first wake up," Shaw told NEWSWEEK's Hugh Aynesworth last week. "Then as the day progresses, I read, do this and that and my mind gets somewhat diverted from the basic situation." Shaw, who says he has used up most of his savings fighting the case, has developed some fresh nervous habits—a sudden twitch, a jerky way of chain-smoking, and a peculiar nervous laugh.

Conclusion: But neither side was laughing last week. The District Attorney's chief prosecutor, James Alcock, called the Federal panel's ruling "a sound legal opinion." But the normally loquacious D.A. was curiously quiet. Some of 46-year-old Garrison's large band of critics were not long in offering their own reasons for his silence. Big Jim, they speculated, was no happier than Clay Shaw about bringing his bizarre case to its logical—or illogical—conclusion in court.

Newsweek

8/6/68

TIME
August 2 1968

THE LAW

DISTRICT ATTORNEYS

Jolly Green Giant in Wonderland

Until 1966, New Orleans Parish District Attorney Jim Garrison was a square. He was a hawk on Viet Nam. He was satisfied that the Federal Government was made up of relatively honorable men. He even believed the Warren Commission Report. Then one day Louisiana Senator Russell Long suggested that the Warren Report had serious holes in it. Intrigued, Garrison began reading everything he could find on the presidential assassination, including all 26 volumes of the documents and reports that had been sifted by the commission. His thinking on everything changed. Others had reached similar conclusions, but Garrison was different. He was the first conspiracy addict with the power to do more than talk.

Financed by a group of New Orleans businessmen, he set to work. One assistant, Jim Alcock, concentrated on the legalities of the case; a second, Andy ("Moo") Sciambra, handled the field work. After months of investigation, Garrison finally announced that he had "solved the assassination." Lee Harvey Oswald, he said, was only a decoy and a patsy. "The key to the whole case is through the looking glass. Black is white; white is black." A right-wing conspiracy involving some 20 anti-Castroites, ex-CIA agents and members of the Minutemen had killed Jack Kennedy in Dallas' Dealey Plaza area because he was moving towards a *détente* with both Cuba and the U.S.S.R.

Garrison promised to name names, make arrests and get convictions. He did just that—or at least he began. He arrested Clay Shaw, a retired bachelor businessman well known at several levels of New Orleans society, high and low. Shaw, Garrison said, was really one Clay Bertrand, whose name cropped up in the Warren Report. As Bertrand, he said, Shaw had met with three men, including one Leon Oswald, and conspired to kill President Kennedy.

Jury Time. That was 16 months ago, and Garrison's allegations were so sensational and so persuasive that the Louis Harris Poll reported that the number of Americans who questioned the Warren Report rose from 44% to 66%. Garrison, whose size (6 ft. 6 in.) and flamboyance have won him the nickname "Jolly Green Giant," is a district attorney who prides himself on a high conviction rate. Yet little has happened since Shaw's arrest. Even some of his supporters are beginning to ask, just what kind of case does he have against Shaw? Does he have evidence against others? Will he have as much to say in court as he has had to say outside it?

Last week those questions seemed more timely than ever, for a three-judge federal court ruled unanimously that Garrison could proceed with his prosecution. Shaw's lawyers, trying every possibility, had asked the court to issue an injunction barring action by Garrison. Such an injunction was temporarily granted so that the arguments could be heard, but the federal judges ultimately could find no legal basis for stepping in to block what is, after all, a state criminal proceeding. As a result, Shaw must face a jury. Perhaps as important, so must Garrison.

Exceptional Crew. Inevitably, the Jolly Green Giant has become a sort of defendant himself. Critics have beaten a path to his door; TV commentators and magazine writers have accused him of bribing witnesses and threatening them or influencing them under hypnosis. Latest to join the attack has been Edward Jay Epstein, himself a critic of the Warren Report (*Inquest*). In a minutely detailed article in *The New Yorker*, Epstein systematically shredded almost every piece of evidence that Garrison has put forward. Epstein claims that Garrison even told his men at one early point in the investigation to forget about Shaw. Nonsense, reply the Garrison investigators. Epstein and the other critics could not possibly know how good the case against Shaw is, since there is a mass of evidence yet to be revealed.

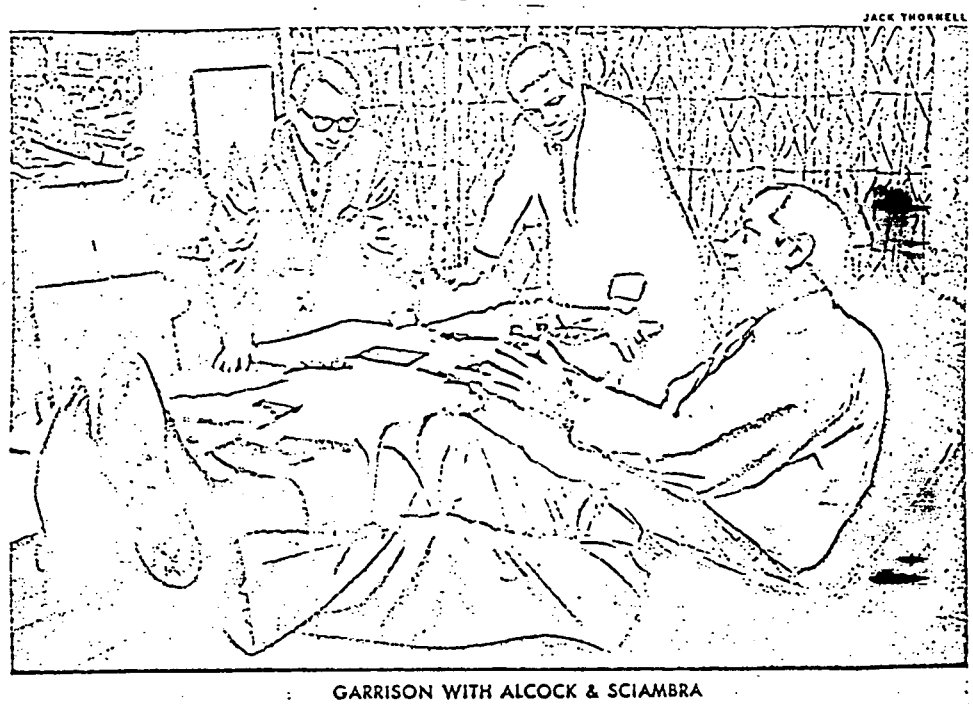
Still, the critics, particularly Epstein, do raise serious questions about Garrison's tactics. Straining the likelihood of coincidence, Garrison has time and again met the publication of a major attack by dropping a bombshell to capture headlines that might otherwise have gone to the critics. On the day one critique was published, for instance, Garrison charged the CIA and the FBI with concealing evidence. When Epstein's piece appeared, Garrison announced the existence of an assassination study made by a foreign intelligence agency that agreed with the findings of his investigators. He frankly admitted that the timing of the news of the report was designed to rebut Epstein.

Insane. If some of Garrison's tactics seem dubious, some of the characters he has gathered around him seem even stranger. He has opened his files to Mark Lane, Harold Weisberg, Mort Sahl and other Warren Commission critics (they call themselves the Dealey Plaza Irregulars). And he has also based many of his verbal charges on the stories of an exceptional crew of weirdos, convicts and homosexuals. They include such well-known members as hairless David Ferrie, the homosexual onetime pilot who died just before Shaw's arrest, and Drug Addict Perry Russo, whose story of having seen Shaw and Oswald together was severely compromised by disputed claims that he was under the influence of hypnosis and a truth serum when he finally remembered the complete details. Others include Donald Norton, who claimed to have delivered $50,000 for the CIA to a "dead ringer for Oswald" in Mexico in 1962; Garrison eventually stopped repeating the story when it turned out that Norton was a convicted embezzler. Richard Case Nagell, an inmate in a hospital for the criminally insane, said he had got himself jailed so that he would not have to carry out his part of the plot, which was to kill Oswald; Garrison repeated the tale until he was finally convinced that Nagell was not credible.

Just as disturbing is Garrison's treatment of those who refuse to help him. He has charged no fewer than eight men with offenses that include petty thievery and bribery. A New Orleans lawyer named Dean Andrews has already been sentenced to 18 months for perjury. Each of these Garrison targets has been accused of having information useful to the investigation, but none has been accused of actually having anything to do with the assassination. Indeed, despite his boast of having solved the case, Garrison has yet to charge anyone but Shaw.

Nonetheless, as Garrison quite properly points out, until the trial takes place the only one who knows the strength of his case is Jim Garrison himself. His friends in New Orleans like to remember that he has won many a tough one before. He cleaned out the well-entrenched B-girls on Bourbon Street and also took on eight local judges, winning the right to criticize them in the U.S. Supreme Court. On the other side, local enemies, of whom he has his share, recall that he was discharged from the Army for mental reasons and that he has a sister who has been hospitalized as a schizophrenic.

Though political gain has been suggested as a motive for his undertaking, almost everyone who takes the time to talk to him comes away with the impression that he is sincere. Charming and forceful, he presses his case with compelling ease. Despite being married and the father of two, he has been working on it seven days a week, for nearly two years. "It should be evaluated in a courtroom," he says. "If it's a fraud, I should be removed from office." No matter what the outcome, a courtroom can only be an improvement on the current wonderland.



GARRISON WITH ALCOCK & SCIAMBRA

The first with the power to do more than talk.

Shaw Loses a Plea to Bar Trial As Plotter in Kennedy Slaying

NEW YORK TIMES 7-24-68

© The New York Times

NEW ORLEANS, July 23—A three-judge Federal court here refused today to bar the scheduled trial of Clay L. Shaw, who is under indictment for conspiring to assassinate President Kennedy.

The court also denied a motion by Mr. Shaw's attorneys for a ruling that the Warren Commission's report on Mr. Kennedy's death be "valid and binding on all courts."

Edward F. Wegmann, an attorney for Mr. Shaw, said that an appeal to the United States Supreme Court would probably be taken.

Today's ruling came in answer to a suit filed by Mr. Shaw seeking injunctive relief against prosecution by District Attorney Jim Garrison and his staff. Mr. Shaw has been scheduled for trial before Criminal District Judge Edward A. Haggerty Jr. No trial date has been set.

At the end of the 26-page decision released by the Court of Appeals for the Fifth Circuit, the judges concluded:

"As a matter of law, plaintiff Shaw's request for relief in the Federal court is premature, for under our system of federalism, in the circumstances presented here, he must first seek vindication of his rights in the state courts as to this pending prosecution."

Two other Shaw motions were also denied. One was a request that United States Attorney General Ramsey Clark be made a party to the suit. The other was a request that assistants of Mr. Garrison be required to answer questions put to them by Mr. Shaw's lawyers.

Irreparable Harm Denied

The unanimous decision was made by Circuit Judge Robert A. Ainsworth and District Judges James A. Comiskey Jr. and Frederick J.R. Heebe, all of New Orleans.

The Warren Commission concluded that Lee Harvey Oswald acted alone in killing President Kennedy. Mr. Garrison contends that Mr. Shaw conspired with Oswald, David W. Ferrie and others in New Orleans to plot the assassination. Mr. Shaw's attorneys had sought to include the entire Warren Report as part of the evidence in the case.

The court disagreed with Mr. Shaw's contention that prosecution of the case in the state court had resulted in irreparable harm to him. The judges concluded that stopping the trial would have serious effects on future law at the state court level.

"We entertain serious doubts about the appropriateness of stopping a pending state court prosecution to consider a request of plaintiff for a declaratory judgment as to the constitutionality of ... the conspiracy statute under which he is being prosecuted," the court said.

Mr. Shaw, a 55-year-old retired New Orleans businessman, was arrested March 1, 1967. A special three-judge state court later ruled that the state had sufficient evidence to bind him over for trial following a preliminary hearing.

Mr. Shaw was indicted on the conspiracy charge by the Orleans Parish grand jury March 22, 1967.

The Federal court suit was filed following rulings denying Mr. Shaw's plea for a change of venue.

New York Times
7/24/68

8/6/68

X

THE NEW REPUBLIC
22 June 1968

Back to the Attack

by Alexander M. Bickel

Mark Lane has written Son of Rush to Judgment. Lane, it had better be noticed lest the issue a third work denouncing the conspiracy of silence that was aimed at his second. For this second book is itself a tale of conspiracies Mr. Lane has known, of his difficulties in finding a publisher for *Rush to Judgment*, and the troubles he has seen ever since. It is a trivial and tedious

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A Citizen's Dissent
by Mark Lane
(Holt, Rinehart & Winston, $6.95)

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volume, ingeniously detailing Lane's ceaseless assaults on the mass media in search of personal publicity, and rehearsing the minutia with which he overwhelmed this or that opponent in debate on a college campus, or filled the night air on some late, late radio show.

Lane is a master of the nitpick, the greatest living purveyor of isolated, inconsequential facts, an unprogrammed computer spitting out perforated index cards in all directions. Facts, of course, little inert facts lying about, are innocent as such, until somebody arranges them in accordance with one or another hypothesis they are quite innocent of meaning and significance. In disarray, they amount to nothing. They are non-truth, and they can easily be untruth. The telling of this sort of non- and untruth is Mr. Lane's art form.

Other people's facts Lane has a way of distorting or omitting. I permit myself to dwell on an illustration that touches me, simply because I know about it. Lane has made a film on the John F. Kennedy assassination, with the same title as his first book, and it had its initial public showing in January 1967 over the BBC in London, on a program on which Lane appeared. Rather separately from Lane, I was on that program also. Together with Lord Devlin, a retired British judge, I was retained to comment on the film and on rebuttals of its proposition offered by two former Warren Commission lawyers, Arlen Specter and David W. Belin. Lane spends some twelve pages entering his objections to this program. Lord Devlin, he complains, "had served as the almost official salesman for the Warren Report in England." As for me, "on a smaller scale," he says, I "had tried to serve the Establishment in [my] own country in much the same way." What sort of impartial commentators were we, then? Well, I had written a rather intended critique in *Commentary* in October 1965 entitled "The Failure of the Warren Report," and just before going over to England I had published in these pages an article calling for a fresh investigation of the Kennedy assassination. Lord Devlin had also expressed in print misgivings about the Warren Report.

But that, if the reader will bear with me, is not the worst of Lane's misrepresentations concerning the BBC's establishmentarian conspiracy against him. It had been agreed that after the film and after the arguments of the Commission lawyers, Lord Devlin and I would have the last word. This annoyed Lane, who wanted time for himself. To show how biased the BBC was against him, he writes that it became plain shortly before the program was due to end that I had a surprise in store, and was going to say that the Commission's single-bullet theory did not satisfy me, and that the Warren Report had not, in my judgment, sufficiently excluded the possibility, however remote, of a second assassin. (I had said as much in print before. But let that pass.) Specter, the Commission lawyer, says Lane, "was livid. The fixed jury was no longer under control." Hence Specter demanded an opportunity to reply. He was allowed to do so. The biased BBC breached in Specter's favor the agreement about who was to have the last word. Yet it made no similar concession to Lane. A telling point, but an unvarnished falsehood. His film spoke for Lane, Specter spoke for the Commission, and I was given a few minutes more, be-

[illegible] the considerations on which I based my judgment had been [illegible] examined ever. After Specter's final statement [illegible] concluded, quite in accordance with the prior agreement. This Lane fails to mention.

One last, trifling point. Lane is not above the cheap kind of innuendo. His film, he writes, did not fare well at the BBC, "about as well there as it would have had it been premiered on the television station [illegible] Dallas." [illegible] much [illegible] [illegible] [illegible]

THE TIMES-PICAYUNE
New Orleans, La.
12 June 1968

Jim Hall

TRIAL OF SHAW SUIT IS JUNE 17

Case Will Be Heard by Federal Tribunal

Trial of the Federal Court suit in which Clay L. Shaw is seeking to block his prosecution in Criminal District Court on a charge of conspiring to murder President John F. Kennedy has been set for June 17 at 10 a.m.

The case is to be heard by a special three-judge federal court composed of Judge Robert A. Ainsworth Jr., of the United States Fifth Circuit Court of Appeals and District Judges Frederick J. R. Heebe and James A. Comiskey.

In his suit Shaw seeks a permanent injunction against District Attorney Jim Garrison's prosecution as well as a ruling that the Warren Commission report on the Kennedy assassination which held that Lee Harvey Oswald acted alone in the killing is "valid and binding."

The special three-judge court was convened because Shaw's attorneys are also attacking the constitutionality of a number of state statutes which have been used in Shaw's prosecution.

Judge Heebe has called a pre-trial conference in the case for Thursday at 10:30 a.m.

His pre-trial conference order directed that all attorneys file any and all motions prior to that time. The conference is to be attended by the attorneys who will try the case and they were told in the order to be prepared "to compromise settlement possibilities."

The order added "no continuance will be granted in this matter except on a showing of good cause. Should good cause be shown, continuance will be granted only upon the filing of a motion and order for same."

All pending motions, including one filed Monday by Shaw's attorneys asking that the court order four Garrison aids to answer questions they refused to answer at depositions last week, will be considered at the conference.

Earlier Monday Judge Heebe had ordered that James L. Alcock, Garrison's executive assistant, Anthony Sciambra, an assistant district attorney, and investigators Lynn Loisel and Louis Ivon, make themselves available to Shaw's attorneys for the taking of depositions in connection with the federal court suit.

Attached to the motion asking the federal court to compel the four aids to answer the questions are copies of the depositions which were taken in the office of one of Shaw's attorneys on June 5 and 6.

The motion asks that the Garrison aids be required to return and answer the questions they refused to answer originally and any additional ones which may be asked.

It also asks that Garrison, Alcock, and first assistant district attorney Charles R. Ward be made to pay Shaw $3000 as reasonable expenses and attorneys' fees incurred in obtaining the order.

An affidavit submitted by Edward F. Wegmann, one of Shaw's attorneys, claims that Garrison's assistants refused to answer questions asked them at the depositions solely because they had been instructed by Garrison in a letter to refuse to recognize "in any way this illegal and unauthorized invasion of the operation of our office by the federal government."

In the letter the DA instructed them to give only their names, office rank, and Social Security numbers.

In his affidavit Wegmann charges that the letter is "contemptuous and despising of the authority, justice and dignity of the court."

He added "it is conduct which serves to bring the authority and the administration of law into disrespect."

The affidavit claims that all of those who appeared for the depositions were represented by counsel and all counsel made it clear that they would follow Garrison's instructions and instructed the witnesses to follow the instructions to the effect that the orders of the federal court were not to be recognized and accepted.

Transcripts of the proceedings taken by the defense attorneys reveal that Alcock, Sciambra, Loisel and Ivon gave their names and addresses, office rank and Social Security numbers, but little other information.

Some of the questions which Alcock refused to answer were these:

"Have you ever instructed these investigators to secure incriminating evidence for use in the Shaw case and to pay for it or to obtain it by means of threats of violence?

"As a result of whatever part or portions of the Warren Report that you have read and your work with Jim Garrison in his Kennedy assassination probe, do you believe that Oswald killed Kennedy?

"Do you believe that President Johnson is an accessory after the fact in the assassination of Kennedy?

"Mr. Alcock, if the United States District Court orders you to answer any or all of the questions which have been previously propounded to you, is it your intention to continue to refuse to answer said questions?"

"Are you willing to ignore the orders of the court simply because Mr. Garrison tells you to to so?

Wegmann questioned Alcock about his attendance at a press conference called by Garrison on May 29 and asked "during the press conference Garrison indicated that someone in Washington, perhaps in the Justice Department, ordered Judge Heebe to sign the temporary restraining order which he signed on May 28. Do you have any evidence of that fact that Judge Heebe acted under oirders from someone higher in authority than him?"

Alcock's deposition is 109 pages in length. Those of Loisel, Ivon and Sciambra are 29, 37 and 30 pages respectively.

NEW YORK TIMES

11 JUN 1968

Shaw Lawyers Ask Contempt Citation Against Garrison

Special to The New York Times

NEW ORLEANS, June 10—Attorneys for Clay L. Shaw charged today that District Attorney Jim Garrison had shown contempt for a Federal Court and should be ordered to obey the court.

Mr. Shaw is charged with participating in a conspiracy to assassinate President Kennedy. His attorneys filed a 300-page document in Federal District Court here seeking to compel Mr. Garrison's legal assistants to answer questions to which they have thus far refused to reply.

A hearing on the motion was set for June 19 at 10 A.M. by Federal District Judge Frederick J. Heebe.

The court action today grew out of Judge Heebe's action of June 4 when he gave Mr. Shaw's attorneys the right to take depositions from four of Mr. Garrison's aides, James L. Alcock, Charles R. Ward, Numa V. Eertel and Anthony Sciambra.

The next day, Mr. Garrison publicly ordered the four aides to tell the attorneys nothing more than their "name, office rank and Social Security number." On June 6 the Shaw attorneys met in private with the four aides to take depositions. Copies of the depositions provided the bulk of the 300-page document filed today.

The depositions showed that the four aides gave little more information than Mr. Garrison had ordered, refusing to answer most questions. Thus the Shaw attorneys, Edward F. Wegmann, F. Irvin Dymond, William J. Wegmann and Salvatore Panzeca, asked Judge Heebe to order the men to answer and to pay $3,000 in court costs for having to seek the order.

Mr. Garrison's order and his aides's action in obeying it, the attorneys charges, "is contemptuous and despising of the authority, justice and dignity of the court."

6/13/68

SHAW

THE STATES-ITEM
New Orleans, La.
4 June 1968

3-Judge Panel Named to Hear Shaw Petition

A three-judge federal panel was appointed today to hear Clay L. Shaw's bid to head off his trial in state court on charges of conspiring to kill President John F. Kennedy.

Named to the panel were Judge Robert A. Ainsworth Jr. of the Fifth Circuit Court of Appeals and District Judges Frederick J. R. Heebe and James A. Comiskey.

JUDGE HEEBE last week granted Shaw a temporary restraining order preventing District Attorney Jim Garrison from prosecuting him until the three-judge panel could hear the case. Shaw had been scheduled to go on trial June 11.

The panel was appointed by John R. Brown of Houston, presiding judge of the Fifth Circuit.

Shaw went into federal court after state courts had turned down all efforts to prevent his going to trial.

SHAW CONTENDS his rights have been violated by Garrison, that several state laws under which he has been prosecuted are unconstitutional, and that the Warren Commission Report on the President's assassination should be declared valid and admissible in evidence in all courts.

The report says Lee Harvey Oswald, acting alone, killed the President in Dallas on Nov. 22, 1963. Garrison charges Shaw conspired with Oswald and others to kill Kennedy.

Tomorrow, Shaw's attorneys will begin taking depositions from several of Garrison's assistants, as ordered by Judge Heebe. The first will be investigator Louis Ivon.

The depositions will be taken in the office of Shaw counsel William J. Wegmann, room 2106 of the American Bank Building.

6/13/68.

DA Has Photo Showing Oswald in CAP Uniform

Garrison Blasts Action by Federal Court

By CLARENCE DOUCET

District Attorney Jim Garrison Wednesday released a photograph of Lee Harvey Oswald in a Civil Air Patrol uniform, a photograph he claimed the federal government "tried to pick up" and suppress.

Garrison circulated copies of the photograph during a press conference in his office at which time he asserted there is no legal basis for the federal courts to prevent him from bringing Clay L. Shaw to trial.

Shaw has been charged by Garrison with participation in a conspiracy to murder President John F. Kennedy.

Garrison called the temporary restraining order of U.S. District Judge Frederick J. R. Heebe, preventing him from trying Shaw, "an outrageous and unprecedented interference by the federal government with the legal processes of the state of Louisiana."

LITTLE KNOWN BOOK

Referring to the photograph of Oswald, Garrison said it was contained in a little known book written shortly after the assassination of President Kennedy. He speculated that it was prob-



a few days after news of Garrison's investigation into the assassination was made public.

Shaw was arrested on March 1, 1967, and after several legal delays Garrison's office finally set the trial for June 11. Shaw recently went to the federal court here asking that Garrison be enjoined from bringing him to trial.

TAKING DEPOSITIONS

Judge Heebe issued the temporary restraining order on Tuesday, and on Wednesday he signed an order allowing attorneys for Shaw to take depositions from the following persons:

—Assistant Dist. Atty. James L. Alcock and Anthony Sciambra.

—Dr. Esmond Fatter, who administered truth serum to Perry Raymond Russo, one of Garrison's main witnesses against Shaw.

—Lynn Loisel and Louis Ivon, investigators for Garrison.

—Sandra Moffett, Des Moines, Iowa, a former friend of Russo who has refused to come to New Orleans to testify.

TWO REASONS

Asserting that his office has received "an excessive amount of trouble from the federal government from the beginning" of his probe, Garrison said there are two primary reasons why the federal courts should not prevent him from trying Shaw.

—"The federal court has no legal justifications whatever for interrupting the scheduled trial at this time."

—"The federal government is a party with special interests in this case."

The DA added: "Our investigation has shown that the federal investigation was faked and the Warren Commission inquiry

Louisiana, where the case belongs."

Referring to Shaw's going to the federal court, Garrison asked:

"Why is there such a sudden loss of confidence in the jury system, and why is there the urgent necessity for the federal government to interpose itself between the accused and the prosecutor."

INTERFERENCE CHARGED

Garrison alleged that the federal government has been interfering "with any honest inquiry in every conceivable way—from the threatening of witnesses at the outset to the monitoring of

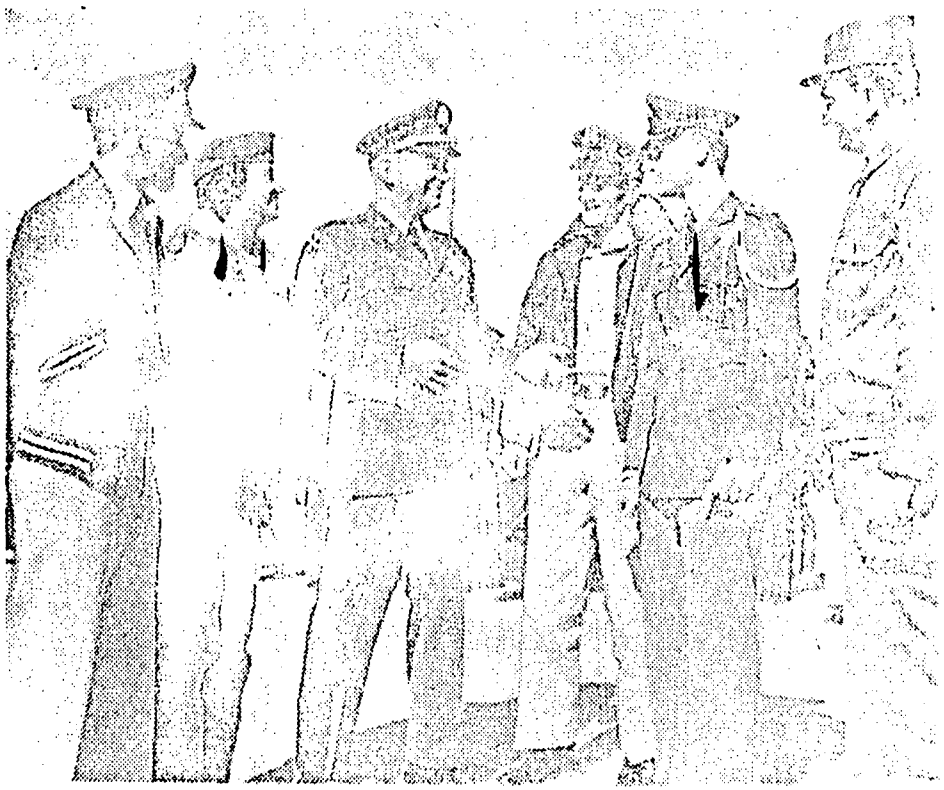
the press of New Orleans will bear witness to the fact that my office has refused to mention his name publicly. Just where is the 'reign of terror' which is supposed to justify this federal intervention?"

Garrison also said that if his case against Shaw is as fraudulent as his attorneys claim, "why not let him go to trial and be acquitted?"

The DA said his office has never had a case reversed "because we used improper methods" and he said the federal government is more interested in "power, not truth and justice."

Garrison said he has "[illegible]

Ferrie in Fatigues at CAP Activity--DA



DISTRICT ATTORNEY JIM GARRISON Wednesday released this photograph which he said shows David L. Ferrie in fatigues (at right) during a Civil Air Patrol function. Garrison also released a photograph of Lee Harvey Oswald in a CAP uniform. He said the federal government has attempted suppress the Oswald picture and he clai that Ferrie initiated Oswald into the Ce Intelligence Agency through the CAP. N of the other persons in this photograph identified.

of Louisiana."

LITTLE KNOWN BOOK

Referring to the photograph of Oswald, Garrison said it was contained in a little known book written shortly after the assassination of President Kennedy. He speculated that it was probably given to the author by a member of the Oswald family.



LEE HARVEY OSWALD
In CAP uniform.

Garrison claimed that the federal government purchased what it believed to be all of the [illegible] the book and then suppressed the picture.

Garrison would not identify the book by name, but he did say he obtained a copy of it which federal authorities apparently missed.

The Warren Report, which Garrison has attacked, mentioned that Oswald "was briefly a member of the Civil Air Patrol," but Garrison said that it was when Oswald joined the CAP that he was initiated into the Central Intelligence Agency by David L. Ferrie, another name that has received prominent play in the Garrison investigation of the Kennedy assassination.

Garrison also released a picture which he said showed Ferrie in fatigues at a CAP inspection or similar function. He did not identify any of the other individuals in the photograph.

LINK WITH FERRIE

The district attorney said the photograph of Oswald in uniform was probably taken sometime between 1955 and 1957 and links him with Ferrie, who was a CAP leader, and "a well-known, literally famous adventurer in the CIA."

Whether Oswald was in the New Orleans squadron or the [illegible] Squadron is unimportant, Garrison said, "because the two groups met together." Garrison claims that Shaw, Oswald and Ferrie conspired New Orleans to testify.

TWO REASONS

Asserting that his office has received "an excessive amount of trouble from the federal government from the beginning" of his probe, Garrison said there are two primary reasons why the federal courts should not prevent him from trying Shaw.

—"The federal court has no legal justifications whatever for interrupting the scheduled trial at this time."

—"The federal government is a party with special interests in this case."

The DA added: "Our investigation has shown that the federal investigation was faked and the Warren Commission inquiry was faked to conceal the fact that President Kennedy was killed in a professionally executed ambush."

Garrison asserted that it is obvious that the federal government does not want it known that it conducted a fradulent inquiry, "using altered evidence and false evidence to fool the people of this country," and he continued: "Therefore, it would be a much more objective inquiry in a court of the state of Louisiana, where the case belongs."

Referring to Shaw's going to the federal court, Garrison asked:

"Why is there such a sudden loss of confidence in the jury system, and why is there the urgent necessity for the federal government to interpose itself between the accused and the prosecutor."

INTERFERENCE CHARGED

Garrison alleged that the federal government has been interfering "with any honest inquiry in every conceivable way—from the threatening of witnesses at the outset to the monitoring of telephones to the use of a constant barrage of propaganda through national media in an attempt to discredit the inquiry."

He continued:

"In contradiction, we have made no critical or derogatory statements concerning Mr. Shaw. From the time he was charged, my office has been fair to him and none of his rights have been violated even inferentially. The members of the press of New Orleans bear witness to the fact that my office has refused to mention his name publicly. Just where is the 'reign of terror' which is supposed to justify this federal intervention?"

Garrison also said that if his case against Shaw is as fraudulent as his attorneys claim, "why not let him go to trial and be acquitted?"

The DA said his office has never had a case reversed "because we used improper methods" and he said the federal government is more interested in "power, not truth and justice."

Garrison said he has "no idea what kind of circus the federal government has in mind" and he added: "I don't think there is anything the federal government will not do to keep the lid on the grave."

1963. Shaw has denied knowing either Oswald or Ferrie. Ferrie died in February, 1967,

THE TIMES-PICAYUNE
New Orleans, La.
2 June 1968

Shaw Case Postponed Again

For the first time the federal courts intervened in the presidential assassination trial of Clay L. Shaw, invalidating the scheduled June 11 commencement. Federal District Judge Frederick J. R. Heebe issued a temporary restraining order against DA Jim Garrison and his two principal assistants. The order was sought in a suit filed by Shaw's attorneys, in which they also asked that a special three-judge federal court be convened and that preliminary and permanent injunctions be issued against further prosecution.

The suit additionally asks that the Warren Commission on the assassination of President Kennedy be declared valid and binding on all courts in the nation. In his restraining order, Judge Heebe held that Shaw's complaint alleging violation of his constitutional rights "raises real issues of alleged deprivations of liberty through the actions of the state."

Under federal procedure, Judge Heebe will ask the chief judge of the Fifth Circuit Court of Appeals to designate two other judges to sit with him to hear the Shaw complaints.

Meanwhile, in a separate ruling, Judge Heebe signed an order allowing attorneys for Shaw to take depositions from members of the DA's staff and others who have been involved in investigation of the case.

Garrison, in a subsequent news conference, attacked the restraining order as "another example of federal interference" with his inquiry, "and a power play by the government to suppress the facts." He released a photograph of accused killer Lee Harvey Oswald in a Civil Air Patrol uniform, and another which the DA said shows the late David L. Ferrie in fatigues, together with a group of unidentified persons assertedly taken at a Civil Air Patrol function. The DA claims that the federal government has attempted to suppress the Oswald picture, and that Ferrie initiated Oswald into the CIA through the CAP.

SHAW

Front Page / Edit Page / Other Page

NEW ORLEANS, LA.
STATES-ITEM
MAY 29 1968
E-137,843

Garrison Rips Court On Shaw

District Attorney Jim Garrison today criticized a temporary restraining order blocking the conspiracy trial of Clay L. Shaw, calling the order outrageous and unprecedented interference by the federal government.

The order, issued yesterday by Federal District Judge Frederick J. R. Heebe, postpones indefinitely the trial of Shaw, accused of conspiring to kill President John F. Kennedy.

GARRISON, in a lengthy prepared statement, charged that the restraining order is just another example of the federal government's interference with his probe of the Kennedy assassination.

The DA said the federal government has a special interest in the outcome of the case because it does not want "it known that it conducted a fraudulent inquiry, using altered evidence and false evidence to fool the people of this country."

He called the conclusions of the Warren Commission fraudulent and said:

"Another reason that the federal government has a special interest in this case—and should therefore keep its large nose out of it — is the very deep involvement of agents of the Central Intelligence Agency.

"The concealment of the involvement of the CIA was the major objective of the false federal investigation and the false inquiry by the Warren Commission. Many people in this country still do not know that the CIA—which is completely uncontrolled by Congress—has been engaged in the assassination business for some years," Garrison said.

Garrison said that the government has interfered with his probe in every conceivable way and that his office has not mentioned Shaw's name in any critical or derogatory way since his arrest.

HE SAID the federal courts have no jurisdiction whatsoever in the case and are part of a power play to interfere in matters before the state courts.

Shaw had been scheduled to go to trial June 11 on the charge which grew out of Garrison's probe.

Judge Heebe's order, handed down yesterday, restrains Garrison and his staff from prosecuting Shaw pending further orders from the court.

The order was sought in a suit filed Monday by Shaw's attorneys. The suit also asked that preliminary and permanent injunctions against Garrison and his staff be issued.

The suit also asked that the findings of the Warren Commission Report on the Kennedy assassination be declared valid and admissable as evidence to all courts in the country.

JUDGE HEEBE said Shaw's complaint raises "real issues of alleged deprivations of liberty through the actions of the state."

The complaint, read as a whole, Judge Heebe said, "presents much more than a recitation of isolated wrongs, but impugns the entire prosecution against the petitioner and attempts to raise the actions of the defendants, prior to and during the criminal proceedings, to the level of a concerted pattern of persecution of the petitioner and the wholesale and willful disregard of the petitioner's constitutional rights."

Judge Heebe said that because there is a likelihood that Shaw "may prevail on the merits" and because Shaw's complaint attacks the constitutionality of various "pertinent Louisiana statutes, a three-judge court is required in this matter . . ."

THE JUDGE said it would not be possible for such a court to be convened and a hearing concluded before the scheduled trial date.

Under federal procedure, Judge Heebe will now ask Chief Judge John R. Brown of the U.S. Fifth Circuit Court of Appeals to designate two other judges to sit with him to hear the Shaw suit.

In his statement Garrison also said:

"After President Kennedy began removing troops from Vietnam, executed the nuclear test ban treaty, began reaching an understanding with Russia, began reaching an understadig with Cuba—all in the interests of ending the Cold War—and began to institute controls on the previously uncontrolled CIA, he was killed in an ambush by men connected with the Department of Convert Activity.

"THIS MAY BE hard to believe—we found it hard to believe at first—but the evidence is unavoidable once you get behind the fake investigation.

"It should be added that the top command of the CIA did not know this was going to happen—but this has not kept the rest of the government from concealing the truth.

"Just where is their 'reign of terror' which is supposed to justify this federal intervention?

"IF THE CASE of the State of Louisiana is as fraudulent as Shaw's attorneys pretend, why not let him go to trial and be acquitted? Why is there suddenly such loss of faith in trial by jury?

"The reasons given by the federal district judge for restraining us from going to trial as scheduled are plainly and merely excuses to support an unauthorized federal intervention in the judicial process of Louisiana.

"Although the words used by the federal court purport to indicate deep concern for the protection of the defendant's rights from persecution by the prosecutor, the fact is that it's well known that my office has never had a case reversed for improper methods.

"EVEN SO, the law of the State of Louisiana has many remedies to protect the defendant.

"We do not need the help of the federal government in leading us from our wicked ways to the paths of righteousness."

Judge Heebe today signed an order allowing attorneys for Shaw to take pre-trial depositions from Assstant District Attorneys Anthony Sciambra and James L. Alcock and Dr. Esmond Fatter, Lynn Loisell, Louis Ivon, Noel Rada and Sandra Moffett McMaines of Des Moines, Iowa.

DR. FATTER was a witness at the preliminary hearing for Shaw. He testified that he placed one of the state's witnesses, Perry Raymond Russo, under hypnosis for questioning.

Loisell and Ivon are investigators for the DA's office. Rada is chairman of the Orleans Parish Jury Commission. Mrs. McMaines, a former girl friend of Russo, has been sought as a witness by the defense and the state. She has refused to come to New Orleans but agreed to give a deposition in Iowa.

THE TIMES-PICAYUNE
New Orleans, La.
29 May 1968

JURD HALL

Judge Heebe Issues Order to Halt Prosecution of Shaw

Special U.S. Court to Hear Suit Asked

District Attorney Jim Garrison's prosecution of 55-year-old businessman Clay L. Shaw on charges of conspiring to murder President John F. Kennedy was halted Tuesday by Federal District Judge Frederick J. R. Heebe.

Judge Heebe issued a temporary restraining order against Garrison and his two principal assistants, James L. Alcock and Charles R. Ward.

The restraining order was sought in a suit filed Monday by Shaw's attorneys in which they also ask that a special three-judge Federal Court be convened and that preliminary and permanent injunctions be issued against further prosecution.

Alcock said he was mystified by the decision, adding that it dampened "my optimism about bringing Shaw to trial."

Referring to the question of jurisdiction, Alcock told newsman: "This is totally unprecedented in federal and state relations."

The suit additionally asks that the Warren Commission Report on the assassination of President Kennedy be declared valid and binding on all courts in the nation.

JUDGE'S RULING

Judge Heebe held Tuesday in his restraining order that Shaw's complaint raises "real issues of alleged deprivations of liberty through the actions of the state."

Under federal procedure Judge Heebe will now ask Chief Judge John R. Brown of the United States Fifth Circuit Court of Appeals to designate two other judges to sit with him to hear the Shaw suit which complains that if Garrison is not enjoined from prosecuting he will be deprived of his constitutional rights.

The special court will be made up of Judge Heebe, another federal district judge, and a judge of the Fifth Circuit.

Judge Heebe issued the temporary order at 2:10 p. m., after conferring with attorneys for Shaw and members of the district attorney's staff.

REASONS FOR ORDER

In his reasons for issuing the order, Judge Heebe said that the Shaw complaint "read as a whole, presents much more than a recitation of isolated wrongs, but impugns the entire prosecution against the petitioner and attempts to raise the actions of the defendants, prior to and during the criminal proceedings, to the level of a concerted pattern of persecution of the petitioner and the wholesale and willful disregard of the petitioner's constitutional rights."

Judge Heebe said that the thrust of the allegations contained in Shaw's suit against Garrison and his assistants raises serious questions concerning the relationship between the Federal District Court and the Louisiana Criminal District Court "and indeed between federal and state courts across the nation."

He added "whenever a federal court stays the hand of a state official, the delicate balance of comity, so necessary and wholesome for our federal system, is likely to be disturbed."

The judge added that at this stage in the development of the law and possible future developmnts indicated by the United States Supreme Court "we are not prepared to rule out the possibility of a remedy for this plaintiff under the state of facts he presents in his petition."

"And because there is a very real likelihood he may prevail on the merits, and because in view of the plaintiff's allegations of the unconstitutionality of various pertinent Louisiana statutes, a three-judge court is required in this matter in the interest of the state of Louisiana . . ."

The judge asserted that it may not be possible for a federal court hearing to be held before the June 11 date which had been set for the Shaw trial in Criminal District Court and in order to prevent possible irreparable injury to Shaw "we grant the motion for temporary restraining order pending a speedy hearing on the motion for preliminary injunction."

SHAW

THE WASHINGTON POST
29 May 1968

Court Stays Clay Shaw's Prosecution

NEW ORLEANS, May 28 (UPI)—A U.S. district judge today granted a temporary restraining order against district attorney Jim Garrison, prohibiting "any further prosecution" of Clay L. Shaw.

Shaw is charged with conspiring to assassinate President John F. Kennedy, and the action taken by Judge Frederick Heebe probably will at least delay Shaw's trial, scheduled to start June 11.

Heebe indicated he would schedule a "speedy hearing" on the merits of Shaw's petition.

In a six-page decision explaining his ruling, Heebe said, "There is a very real likelihood that the plaintiff may prevail on the merits."

Attorneys for Shaw contended Monday that the Louisiana conspiracy statutes are unconstitutional, and that Garrison had conducted a "reign of terror by the misuse and abuse of the powers of the public office . . ."

They called Garrison's assassination investigation "illegal, unwarranted, fraudulent and useless."

"The complaint read as a whole presents much more than a recitation of isolated wrongs, but impugns the entire prosecution against the petitioner," Heebe said.

"The thrust of these allegations raises serious questions concerning the relationship between this Federal district Court and the Louisiana Criminal District Court and indeed between Federal and State courts across the Nation," the judge added.

"Whenever a Federal court stays the hand of a State official, the delicate balance of comity so necessary and wholesome for our Federal system is likely to be distrurbed," he said.

THE WASHINGTON POST

28 MAY 1968

Shaw Trial

NEW ORLEANS—Defense attorneys asked a Federal court to stop "a reign of terror" against Clay L. Shaw, to block Shaw's June 11 assassination conspiracy trial and to uphold the Warren Commission findings into the murder of President Kennedy.

In a 42-page suit filed in U.S. District Court, the attorneys also asked that a three-judge court be convened to bar New Orleans District Attorney Jim Garrison from pursuing his case against Shaw.

The suit asks that the court rule the conclusion of the Warren Commission that Lee Harvey Oswald alone killed Kennedy was "accurate and correct" and "controlling and binding" on all courts.

Front Page | Edit Page | Other Page

TRENTON, N.J.
TIMES MAY 2 1 1968
E-79,269
TIMES-ADVERTISER
S-97,797

Jgh
Mr Hall

he Garrison Inquiry—Part II

Shaw's Arrest In JFK Death Plot Stunned New Orleans

By HOKE MAY
(Second in a Series.)

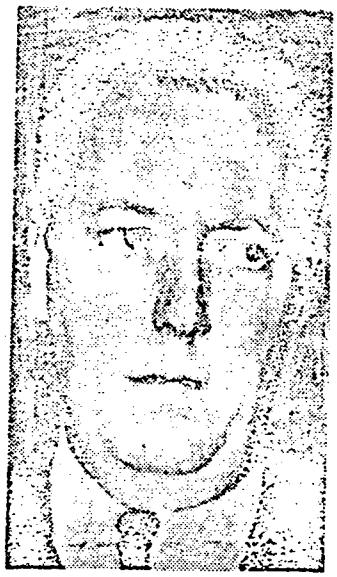
NEW ORLEANS — (NEA) — Physically, 55-year-old Clay L. Shaw is a perfect adversary for the tall, 44-year-old district attorney of New Orleans, Jim Garrison.

Like the man who has charged him with conspiracy to murder President John F. Kennedy, Shaw is six feet, four inches in height. His massive, craggy face is topped by a close-cropped thatch of white hair.

Before his retirement almost two years ago, Shaw was a respected businessman and a leader of the city's international trade community in what, after New York, is the nation's second largest seaport.

Dream Fulfilled

Shaw was managing director of the International Trade Mart, which promotes international commercial relations with New Orleans, especially in Latin American nations. He retired after fulfilling a



JIM GARRISON

dream of 16 years — the construction of a 33-story International Trade Mart Building which towers over the Mississippi River levee at the foot of world-famous Canal Street.

When Shaw was arrested by Garrison's office March 1, 1967, and accused of participating in plotting Kennedy's assassination, the city gasped. Friends of long standing rallied to Shaw, and his arrest threw a blanket of doubt across the town — doubt which extended itself to Garrison's motives and even his sanity.

In his bill of information against Shaw, Garrison accused the Kentwood, La., native of conspiring with Lee Harvey Oswald (the man named by the Warren Commission as Kennedy's lone assassin) and a peculiar, onetime airline pilot, David W. Ferrie, to carry out the killing in Dealey Plaza.

Shaw's response was immediate. As soon as he was released on bond, he held a press conference in the offices of his attorneys and long-time friends, William and Edward Wegmann. He denied ever knowing either Oswald or Ferrie and called the charge against him preposterous.



CLAY L. SHAW

As was Oswald's, the name of David W. Ferrie was well-known to New Orleanians. The strange, hairless pilot, who lost his job with Eastern Air Lines after being accused of homosexuality, had been found dead in his apartment here Feb. 22 — five days after knowledge of the Garrison inquiry became public and six days before Shaw was arrested.

Ferrie, who was 45, was on the verge of arrest by the DA when he died of what the coroner called a massive hemorrhage at the base of the brain and what Garrison implied was either murder or suicide.

Continued

In the light of more recent disclosures by Garrison, Ferrie's past is fascinating. During the Bay of Pigs anti-Castro invasion build-up, Ferrie worked for the Central Intelligence Agency, running guns to Miami and training irregular troops for guerrilla combat.

Part of his work for the anti-Castro Cubans consisted of flying fire bomb raids against Cuban sugar cane fields. The man who flew those raids with him, Eladio del Valle (a former member of the Batista Congress), was murdered in Miami the day Ferrie was found dead. His body was sprawled in the front seat of his Cadillac, his head cleaved open with a machete and, as if for good measure, a bullet through his heart. The murder is unsolved.

Ferrie worked during late 1960 and 1961 with a former chief of the Chicago FBI office, Guy Banister, who retired, returned to New Orleans and established a private detective agency. Garrison says he can prove Banister's office here was a front for the CIA and that in the DA's words, Guy Banister was the "green light man" and liaison officer for all CIA operations in South and Central America. That charge becomes important in light of the main thesis of Garrison's conspiracy case.

As for Banister, he was found dead in his home here in June, 1964. The official verdict was heart failure.

In his charges against Shaw since the accusation was first hurled, Garrison has added the name of Jack Ruby (Oswald's televised assassin) to the list of people with whom he contends the trade mart director conspired. In publicly recorded answers to defense questions, Garrison said Shaw, Oswald and Ferrie met with Ruby on at least two different occasions in other parts of Louisiana.

Code Broken

Further, Garrison announced in official pleadings that his office had broken a code which appears in the notebooks of both Shaw and Oswald. One of the numbers decoded from both notebooks, he said, was the unlisted telephone number of Jack Ruby at Dallas in 1963.



David Ferrie's apartment on Louisiana Avenue Parkway.

To every charge, the Shaw defense has issued a categorical denial and, in recent months, the defense has struggled with the court to have Shaw's trial removed from New Orleans to a jurisdiction at least 100 miles away.

The defense request for a change of venue has delayed any imminent trial. Shaw's lawyers accused Garrison of engaging in a "concentrated barrage of publicity" which has prejudiced their client's case in the eyes of potential New Orleans jurors.

After 68 jurors testified recently they could give Shaw a fair trial (two of them blurted out that they thought him innocent), trial Judge Edward A. Haggerty Jr. disagreed with the pleadings and refused to move the site. The defense appealed to the State Supreme Court, which refused to review Haggerty's decision. However, more legal maneuvers appear imminent.

Much less is known of Edgar Eugene Bradley than of Shaw. In his late 40s, Bradley is the West Coast representative of Dr. Carl McIntyre, a superconservative evangelist whose radio attacks on communism and the federal administration are broadcast nationally under the auspices of a New Jersey-based church organization.

Bradley, too, has denied all of Garrison's charges, including the accusation that he was in Dallas the day Kennedy was killed. Attempts by the DA to extradite Bradley for prosecution have been held up by courts at Los Angeles, where Bradley lives.

(NEXT: The Clay Bertrand Mystery.)

7/1/68

MELBOURNE, FLA.
TIMES

E - 11,017
S - 11,237

MAY 19 1968

Who Is Clay Shaw?

(Second in a Series)
By HOKE MAY
NEA Special Writer

Physically, 55-year-old Clay L. Shaw is a perfect adversary for the tall, 41-year-old district attorney of New Orleans, Jim Garrison.

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NEW YORK TIMES

9 MAY 1968

Mrs. Hall

Garrison Schedules Trial Of Clay Shaw for June 11

NEW ORLEANS, May 8 (Reuters) — District Attorney Jim Garrison set for June 11 the long-delayed trial of Clay L. Shaw, who is accused of conspiring in the assassination of President Kennedy.

At the same time, Mr. Garrison's office issued a statement in response to an announcement by Mr. Shaw's attorneys that thay intended to "seek relief" in the Federal courts.

"The trial of this case has been delayed unduly long," Assistant District Attorney James L. Alcock said. "The state is ready for trial and will oppose any more attempts to postpone the trial."

Mr. Shaw's attorneys, who last week lost a motion to move the trial at least 100 miles from New Orleans, said yesterday they would take their appeal to a Federal court.

NEW YORK
DAILY NEWS
9 MAY 1968

Mrs H A

Trial of Shaw Slated June 11

New Orleans, May 8 (AP)—Clay L. Shaw's trial on charges he conspired to assassinate President John F. Kennedy was set today for June 11.

In fixing a date, District Attorney Jim Garrison's office said: "The state is ready for trial and will oppose any more attempts to postpone the trial."

More than a year has passed since Garrison filed charges against Shaw, a retired New Orleans businessman, as part of his probe into Kennedy's slaying in Dallas on Nov. 22, 1963.

Garrison charged that Shaw conspired with Lee Harvey Oswald and others to plot the assassination. Oswald was named by the Warren Commission as a lone assassin.

CHANL

NEW ORLEANS STATES-ITEM
April 4, 1968

SHAW CHANGE OF VENUE PLEA DENIED

Trial Shift Ruling Will Be Appealed

Criminal District Judge Edward A. Haggerty Jr. today denied a motion to move the trial of Clay L. Shaw outside New Orleans.

Shaw's attorneys were given 15 days to file writs of review with the Louisiana Supreme Court.

ASSISTANT District Attorney James L. Alcock said the case will not be set for trial until the Supreme Court acts on the writs of review.

Shaw, 55, is charged with conspiracy in the assassination of President John F. Kennedy. His attorneys sought to have the trial moved at least 100 miles from New Orleans on grounds the publicity about the case has made it impossible for Shaw to get a fair trial here.

Haggerty read in court his eight-page opinion, or reasons for judgment.

Defense counsel William Wegmann said the defense "respectfully reserves a bill of exceptions to your ruling." He said this would include all exhibits in the case and all testimony of witnesses in the change of venue hearing.

WEGMANN FILED a written motion of intent to apply to the Supreme Court for a writ of review. If the writ is granted, the high court would hear the case and could then order Haggerty to reopen the hearing or simply order the change of venue itself.

If it refuses the writ, District Attorney Jim Garrison's office has the right to set the case for trial.

Wegmann first asked for 30 days to file the writ but the judge objected. A compromise of 15 days was agreed upon.

HAGGERTY SAID, "this case is ready for trial" and suggested to Alcock that he set it for the earliest trial day in May. Alcock said however, the DA's office would wait until the Supreme Court acted.

Wegmann told newsmen no decision will be made on whether an attempt will be made to take the case to the federal court until the state Supreme Court acts.

In his reasons for denying the change of venue, Haggerty said "I am fully aware of the publicity" in this case.

HE SAID HE is trying a conspiracy case, "not the Warren Commission Report or the murder case in Dallas, Tex."

The judge said the state does not have to prove the culmination of a conspiracy, but under Louisiana law a conspiracy can be proved beyond a reasonable doubt if the state shows a meeting of the minds of two or more persons to commit a crime and that one of these persons commits an overt act in furtherance of the conspiracy.

Haggerty said national and international publicity about the assassination and the Warren Report "probably assures that everyone over the age of 7 years has heard of these particular matters."

The legal question involved, he said, is whether or not because of the publicity a prejudice has arisen against the defendant, Clay L. Shaw.

Continued

SHAW

The judge cited federal court decisions to the effect that publicity intrudes on the judicial process in two ways:

1. When the press reports news that does not get into evidence, or that comes to the attention of jurors "unexamined and unchallenged" before the trial.

2. When the amount and intensity of general press coverage becomes so significant and so partisan that the whole community atmosphere is permeated with passion sufficient to preclude a fair trial.

He quoted decisions to the effect that a juror's word must be depended on as to whether he is prejudiced.

Haggerty said the decisions show "a trial cannot be held in a vacuum, hermetically sealed against rumor and report."

He added that if "mere disclosure of the general nature of evidence relied on would vitiate a subsequent trial, few verdicts would stand."

The judge said that in his opinion "the general environment of Orleans Parish would not subvert the processes of justice were this case to be tried within the jurisdiction."

Haggerty said most of the 80 jurors questioned in the hearing said they had heard so much pro and con they did not know what to believe. They said they would have to hear the evidence in open court before rendering a judgment.

"This is what a trial is for," said the judge. "In my opinion there is no wave of public passion existing at this time, if indeed it ever did exist."

HE SAID DEFENSE counsel in their arguments referred to the trial of Billy Sol Estes in Texas and Dr. Samuel Sheppard in Ohio. He cited reasons why he believes the Shaw case is different from these.

He said live television of a preliminary hearing and a circus atmosphere created by newsmen in the Estes case tended to impress the public with "the notorious character" of the defendant.

In the Sheppard case, Haggerty said a "massive barrage of unfavorable publicity" and activity of the newsmen in the courtroom itself led to a reversal.

In the Shaw case, the judge said, the preliminary hearing before Judge Bernard J. Bagert, "was not televised, had no circus atmosphere and the press coverage was like any other case in the public domain."

Testimony of newsmen in the Shaw change of venue hearing, he said, showed that publicity here has "subsided and abated."

Concluding his arguments, Haggerty said:

"I BELIEVE jurors will honestly answer (questions about whether they are biased) and I further believe that witnesses who will be called will testify freely and frankly.

"I do not believe that the state of the public mind of the citizens of New Orleans is against the defendant, and I further believe he can receive a fair trial in this jurisdiction.

"For the above and foregoing reasons, the change of venue is hereby denied."

THE TIMES PICAYUNE
New Orleans, La.
29 March 1968

Ruling in Shaw Case Delayed

Defense Seeks to Reopen Venue Hearing

A ruling on whether or not to move Clay L. Shaw's conspiracy trial out of New Orleans was delayed Thursday after defense attorneys made a bid to reopen the hearing on the subject.

The move by attorneys F. Irvin Dymond and Edward Wegmann hinged on an alleged attempt to hold over the Abraham Zapruder assassination film for possible use in Shaw's trial.

The Orleans Parish Grand Jury was viewing the film the same day in the Criminal Courts Building in connection with District Attorney Jim Garrison's Kennedy assassination probe.

Judge Edward A. Haggerty Jr. set a hearing on the new motion for 10 a. m. Tuesday. He was to have ruled on the change-of-venue motion Friday.

The Zapruder film, taken in Dealey Plaza in Dallas Nov. 22, 1963, by Abraham Zapruder, was subpenaed by the jury from Life Magazine.

COPY VIEWED

The jury spent about 30 minutes watching the film, which is a copy made before four frames of the original film were damaged.

Afterwards, Garrison said he saw the film before and repeated past claims that it shows Kennedy was shot from the front.

He said he will try to arrange for a private showing of the film for New Orleans newsmen.

Wegmann and Dymond, in their new motion, cited a letter written by Assistant District Attorney James L. Alcock to Cicero C. Sessions, attorney for Life Magazine, in connection with the Zapruder film.

Alcock is reported to have said in the letter, "Further, it is my understanding of our conversation that this copy may be kept by our office for possible use in the case of State of Louisiana vs. Clay L. Shaw."

The attorneys called this a "judicial declaration" which is completely opposed to the legal position the state took during the change-of-venue hearing.

During questioning of witnesses the defense was not allowed to assume that Garrison's statements about conspiracies in general, his Kennedy death probe, and the conspiracy in which Shaw is accused of having participated all relate to the same thing.

RIGHT ASSUMED

The defense feels it has the right to reopen the hearing and question all witnesses again since the district attorney indicated that the assassination film may be relevant to Shaw's trial.

Throughout the hearing, the defense was restricted to questions bearing directly on Shaw.

Garrison contended that his public statements about the assassination were not relevant as long as they did not pertain directly to Shaw.

During the hearing, a number of newsmen and executives and 80 members of the jury panel were questioned.

HUMAN EVENTS
March 1968

Garrison's 'Baseless Fraud'

The former chief investigator in the New Orleans assassination "plot" testified last week that District Attorney Jim Garrison's conspiracy theory is a "baseless fraud."

William H. Gurvich, who worked with Garrison for seven months in probing the Kennedy assassination, swore that the entire "plot" was a figment of the D.A.'s imagination. He testified in an Ohio extradiction hearing in which Garrison sought the return for testimony of Gordon Novel, a former New Orleans resident. Gurvich also said that:

- Garrison once predicted the assassination probe would end with the suicide of his chief defendant, Clay Shaw, who is charged with conspiracy.
- Another defendant, Edgar Eugene Bradley, has been confused by Garrison with a second Edgar Bradley, an anti-Castro pilot. But Gurvich said investigation indicated that neither Bradley played any part in the assassination.
- Garrison once ordered Gurvich to arrest, handcuff and assault two NBC newsmen, Walter Sheridan and Richard Townley, who had expressed skepticism of the Garrison probe.

LOS ANGELES TIMES
March 18, 1968

Clay Shaw Trial May Only Raise New Doubts

Court Indicates That Garrison's Evidence Need Only Prove Some Kind of Conspiracy

BY JERRY COHEN
Times Staff Writer

NEW ORLEANS — What Dist. Atty. Jim Garrison is required by law to prove against Clay L. Shaw, it has just become evident, may be totally unrelated to the actual assassination of President John F. Kennedy.

Even if he wins a conviction of Shaw, the distinct possibility exists that the verdict will contribute nothing toward satisfying the national curiosity about what transpired in Dallas on Nov. 22, 1963. A guilty verdict may only add to the public bewilderment.

Shaw's attorneys are engaged in a courtroom struggle which resumes today to move his long-delayed trial from New Orleans. Pretrial publicity, mostly emanating from Garrison, they claim, has prejudiced prospective jurors here.

Now, though sparsely attended and largely ignored by major news media, this change-of-venue hearing—through a single clarification—has provided the best perspective on the Garrison investigation since it came to public attention in early 1967.

For the first time arguments during the hearing have made clear what Garrison must prove in court to convict Shaw. Or, more importantly, what he need not prove to convince a jury that the New Orleans civic leader was a party to an assassination conspiracy.

The clarification also encourages speculation about the future course of Garrison's case against Shaw, until now distinguished chiefly by its unreal texture.

Such speculation, of course, is dependent on the quality of the evidence Garrison submits during the Shaw trial to support his claim of more than a year ago that he had "solved" the assassination.

But it is legal fact that Garrison will not have to convince the Shaw jury that the Dallas gunfire was the culmination of a conspiracy conceived in New Orleans by Shaw and other alleged plotters.

All Garrison will have to show is that, within the boundaries of Louisiana, Shaw participated in some sort of assassination conspiracy and a single overt act was undertaken in furtherance of it.

Whether the so-called plot, conceivably little more than conversation or conversations, ever was extended beyond Louisiana is unimportant under the law.

This became clear as the result of a courtroom exchange between James Alcock, Garrison's chief trial deputy, and Criminal Judge Edward Haggerty Jr., who is hearing the change of venue motion and is scheduled to preside over the Shaw trial.

It came after Shaw's attorneys had argued that Garrison's public statements regarding his belief that the President had died as a result of a conspiracy could not be "separated" from his charge against Shaw — even though, they agreed, the district attorney largely had refrained from use of Shaw's name in speeches, interviews and press releases referring to a plot.

"You could have had 50 conspiracies," Judge Haggerty interrupted testily. "And if you have an overt act you can have a case in court in any of the 50 States—whether or not the act was culminated. You don't have to prove it did culminate."

Today the judge and both defense and prosecution attorneys will examine 80 prospective jurors to determine if they have a fixed opinion concerning Shaw's guilt or innocence.

No matter what today's witnesses say, it is highly unlikely the judge will agree to move the trial from his court.

It also is understood that in making the request for removal of the trial to "a less prejudiced locale," Shaw's attorneys were merely employing a legal gambit.

They reportedly were convinced beforehand that Judge Haggerty would turn them down.

And this, it is understood, is how they preferred it—knowing that a jury in a country parish (county), when confronted with certain facts about Shaw's personal life, might be more easily swayed by Garrison's arguments than one in this tolerant, live-and-let-live city.

What Shaw's attorneys really sought, it is said, was to use the venue hearing to trap the judge in judicial error which might be used in an appeal and to discover some of the evidence amassed against their client.

If that were their intent, as appears likely, they appear to have scored some points in their bid to establish a record for appeal but to have failed in their efforts at discovery.

Judge Haggerty repeatedly has overruled questions which might have forced Garrison, who spent an afternoon on the stand as a defense witness, to show some of his hand. In doing so, some courtroom observers insist, the judge may have overextended himself.

In any event, Alcock's remark was seen as a hint that Garrison may make absolutely no effort during the Shaw trial to track the defendant's preassassination pursuits to Dallas.

The forcefulness with which Alcock spoke could be an indication that during Garrison's year-and-a-half investigation, he has succeeded only in linking Shaw to a coterie of unsavory types who wanted the President dead but had no connection with the actual slaying.

In which case, all the agonizing over the credibility of the Warren Commission Report — which held Lee Harvey Oswald to be the lone assassin— will continue unabated, even if Shaw is convicted.

Front Page / Edit Page / Other Page

NEW ORLEANS, LA.
STATES-ITEM

18 MAR 1968

E-137,943

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Potential Jurors Quizzed in Shaw Venue Hearing

Jury panel members today began parading to the witness stand to tell whether they could give Clay L. Shaw a fair trial. By early afternoon, 10 had said yes, three had said no, and one didn't understand the question.

The testimony came at a hearing before Criminal District Judge Edward A. Haggerty Jr. on a motion by Shaw's attorneys to have his trial moved 100 miles outside New Orleans on grounds that widespread publicity has made it impossible for him to get a fair trial here.

SHAW, A 55-YEAR-OLD retired businessman, is charged with conspiracy in the assassination of President John Kennedy. District Attorney Jim Garrison charges Shaw plotted the Dallas slaying here with Lee Harvey Oswald and David William Ferrie.

Judge Haggerty plans to question 80 jury venire members in all, 10 from each section of Criminal District Court. The defense had asked that all 1,300 persons listed in the jury wheel be questioned but this was rejected by the judge.

THE JUDGE HOPES to finish this process by Wednesday. Then both the defense and the state have the right to call more witnesses if they wish.

If the change of venue is denied, the trial could get under way before Judge Haggerty in April or May when a new jury venire is available. The same prospective jurors cannot take part in both the hearing and the trial.

Members of the jury venire referred to Judge Haggerty's court by his fellow judges began lining up outside of the courtroom long before 10 a. m.

EACH INDIVIDUAL was checked off on a list at a table outside of the courtroom, then allowed to go inside.

Newsmen were kept out of the court until members of the jury venire subpeaned had been seated.

Then only a few reporters entered and sat in the back rows.

Shaw and his attorneys entered the courtroom at 10:10 and Judge Haggerty, who already was on the bench, started proceedings.

"I wish to thank the other judges for cooperating in selecting 10 jurors for this court," said Haggerty.

HE TOLD THOSE subpenaed that they were not called as jurors in the trial of Clay Shaw. Rather, said the judge, they were there for the sole purpose of determining whether Shaw could get a fair trial in New Orleans.

"You will be questioned by myself and by the counsel for the defense and for the state," said the judge.

He said the only question was:

"Would you be able to give Clay L. Shaw a fair and impartial trial?"

He said the case is based only on the bill of information from the Orleans Parish grand jury.

"WE ARE NOT TRYING the Warren Commission. We are not trying the CIA. We are not trying the FBI."

The judge then read the bill of information which states in part that Clay L. Shaw "wilfully conspired" to murder the late President John F. Kennedy.

He said the bill was handed down March 22, 1967.

"I would assume you have heard or seen something about this case involving Clay L. Shaw," said Haggerty to the panel members. He pointed out however that in a jury trial the prosecution is required to prove guilt "beyond a reasonable doubt."

He told the venire that information that appears in the press "may be true but may be irrelevant."

The judge said, "Press information is unsworn, unconfirmed and uncontradicted."

"What we are trying to find out is whether if you were selected, could you put out of your mind what you have heard, seen and read and make the decision on what is presented."

HE THEN OUTLINED a

Those testifying during the morning and early afternoon that they could give Shaw a fair trial included:

Marshall McKinley, 4735 Loyola; Pasquala Polumbo, 2561 Madrid; Guy C. Harris, 6229 Caldwell dr.; Fred J. Schuber Jr., 89 Warbler; Carlos H. Kirby Sr., 136 Danny dr.; Ernest J. Talbot, 3220 Plymouth; August Parker Sr., 2040 Caffin; James P. Cooney, 516 Soniat; Hamilton Neal, 8437 Apricot, and Richard P. Mansfield, 1469 Aphis.

THOSE WHO SAID they had already formed an opinion were excused by Judge Haggerty. Neither the state nor the defense was allowed to question them. The defense objected to this and filed a bill of exceptions.

Those in this category included:

John A. Terranova, 6700 Dorian; Rudolph McCormick, 3433 Benefit, and Oliver T. Williams, 4624 Rhodes dr.

One witness, Freddie Barry, 2707½ First, took the stand and was questioned, but Judge Haggerty decided he did not understand the legal questions involved and excused him.

Williams, the first witness called, was asked whether he could give Shaw a fair trial and said he could. But in response to another question, he said he believes Garrison's theories" on the case.

Garrison did not appear in court today. The state's questioning was handled by Assistant DA James L. Alcock.

Shaw was in court with his battery of attorneys.

CITING RERCE[illegible] U.S. Supreme Court de[illegible]s, Wegmann said con[illegible]ns may chan[illegible] much [illegible]ween now and [illegible]tual beginning of the tria[illegible] that a new motion may be filed.

plan for the questioning of the venire members which called for 30 persons to appear today, 30 more tomorrow and 20 on Wednesday.

Alcock then asked to approach the bench and after a conference involving the judge and defense attorneys, Haggerty announced that he would approve an alternate plan that calls for 40 witnesses to be called today and 40 tomorrow.

He also said there would be a request for sequestration of witnesses.

William Wegmann, one of the attorneys for Shaw, told the judge, "I would like the court to instruct the witnesses what sequestration means."

HE POINTED OUT that the press will report the proceedings and ask Judge Haggerty to instruct the witnesses not to read the press reports.

Haggerty agreed, commenting, "I often wonder what good sequestration is when the witness can read it in the paper."

Nonetheless, Haggerty instructed the witnesses not to read about the case or watch TV reports of it.

The court crier then began calling the names of witnesses who were to be questioned today. The rest were to be released until tomorrow.

Those called included: From Sec. A: Warren L. Carragan, 908 Belleville; Lloyd A. Caruso, 1707 Richland rd.; Cooney; Harold R. Johnson, 147 28th st.; Newman T. Johnson, 3923 Annunciation; George J. Kehoe, 1421 S. Peters; Kirby; Mansfield; McCormick; James A. McLaughlin, 2925 Eads; Schuber.

Section B: Donald S. Miller, 1230 Harmony; Williams; Conrad E. McCarthy, 4910 Berkly dr.; Barry; Bernard H. Farr, 5382 Pasteur blvd.; Roland J. Ayo, 5010 S. Claiborne, Apt. A; Henry L. Diebel, 1319 Dante; Hugh J. Farnet, 4485 St. Roch; Joseph V. Waddell Jr., 2016 Lapeyrouse; Walter E. Keys Jr., 6061 Gen. Diaz; Avie Richard, 407 S. Broad.

Section C: Wilburn L. Abel, 1440 Chartres; Willie Samuel, 3519 Eagle; Lucien Roy Austin Jr., 3129 Frenchmen; Rudolph A. McLeod, 5029 Columbia; Joseph Andrew Massey, 4726 Ramsey dr.; McKinley; Parker; Henry Roland Cocreham Jr., 223 22nd st.; Edouard Menard Ferrier, 1210 Cal- Talbot.

Section D: Louis Thomas Aites, 2025 Congress; Louis P. Dewenter Sr., 5322 Magazine; Walter Feltman, 4101 Norman Mayer; Lawrence Joseph McAllister, 1202 Louisa; Harry Joslin O'Neill, 5617 Marshal Foch; Joseph Daniel Hauer, on Seventh st.; William Hall, 841 Burgundy; Harris; Thomas Harvey, 2115 Peniston; Paul Irby Joffrion, 6103 Laurel; George Sartis, 3210 Somerset dr.

Section E: Emmiett Hagan, 1334 Flood; Willie M. Harrison, 508 Socrates; Herbert J. Meyers Sr., 2719 St. Peter; Charles J. McClelland, 5340 Marigny; Edward W. Fortner, 5011 Piety; Jack Klutz, 823 Hidalgo; Nicholas J. Calico, 823 Franklin; John J. Meyer, 110 Sherwood Forest dr.; Norman P. Baquie, 936 Andry; Charles J. Nait, 1125 Southlawn blvd.

Section F: Douglas Allen, 6406 N. Tonti; Felix Anthony De Genova, 5075 DeBore Circle; Sam Anthony Ganci, 2423 Hyman pl.; David J. Meilleur, 2218 Bartholomew; Peter Joseph Miller, 4738 Maid Marion dr.; Palumbo; Lester B. Shapiro, 449 Audubon; Warren Smith, 4140 Paris; James Taplin, 807 Harmony.

Section G: (No addresses given.) Daniel J. Granier, James Edward Faull, Frederick Hotstream, Warren G. Aicklen Jr., Paul E. Bass, Salvadore J. Uli, William C. Byrnes Jr., Harold Anthony Bourgeois Jr., Milan King Yager, Joseph M. Impastata.

Section H: Gennady K. Babenko, 1226 Camp; Leon L. Landry, 717 Leontine; Raymond H. Batey, 4930 Marion dr.; Terranova; Anthony J. Bartlett, 4005 Delgado; Murphy George Sanchez Sr., 4525 St. Anthony; R. L. Williams, 5627 Pratt dr.; John G. Schoen, 7331 Beryl; Byron L. Kane, 3611 Herald; Albert J. Anderson, 3300 Trafalgar.

After the 40 names had been called, the second 40 were dismissed until tomorrow morning. Of those called, 32 were excused until 1 p. m.

The first witness to be called was McKinley, 70, a Negro. McKinley was asked by Judge Haggerty if he had read anything about the charge against Shaw.

McKinley said, "I've read about it."

Judge Haggerty then asked, "Have you formed a fixed opinion in your mind as to whether Mr. Clay L. Shaw can get a fair trial?"

BEFORE M'KINLEY could answer the question, Defense Attorney William Wegmann objected, saying that the judge was influencing the witness's testimony by the way the question was put.

Wegmann said that whether this man says he has a fixed opinion is not relevant.

Wegmann, citing a number of U.S. Supreme Court decisions, said that the fact that you can get a jury now is not relevant. He said that in a number of cases it had been shown prospective jurors had testified that they could give an impartial hearing when, in fact, they could not.

He also said the fact that the court might be able to get a jury now is not relevant because conditions could change before the case actually comes to trial.

Wegmann said it could be necessary, if the trial is held of until May or April, to file a new change of venue motion later (under the law, the defense has until two days before the trial to file a change of venue motion. If the current change of venue motion is overruled, the defense still cal file another one until two days of the trial date.)

The judge overruled the objection and said he was going to proceed and Wegmann took a bill of exceptions.

THE JUDGE ASKED McKinley, "If you were called to be a juror, could you give a fair trial to Mr. Shaw?"

McKinley answered, "I could."

"Do you understand that the trial must be based on what happens in court?" the judge asked.

McKinley answered, "Yes."

Under questioning, McKinley said he is retired, that he has been on a jury panel but never has served on a jury.

The judge then told the defense they could examine McKinley and Wegmann said, "These are not our witnesses . . . I don't know why we should question the witnesses before the state."

THE JUDGE ORDERED the defense to question the witness first and Wegmann took a bill of exceptions.

F. Irvin Dymond, chief defense attorney, then proceeded to ask McKinley if he were a native of New Orleans.

Under questioning by Dymond, McKinley said he had been in the city since he was 10 years old, that he can read and write, that he listens to television news "most every night" that he never has read a book called, "Rush to Judgment" or seen a movie by that title and that he sometimes reads old magazines but subscribes to none.

ASKED IF HE subscribes to local newspapers, he said, "Yes, I get The Picayune every morning."

Asked if he reads the paper, McKinley replied, "If anything interests me, I read it . . . I don't read everything."

Dymond then asked McKinley if he had formed any opinion as to whether Lee Harvey Oswald acted alone in the shooting of President Kennedy.

At this point Alcock objected and Haggerty sustained him.

DYMOND ASKED THE judge, "Aren't you even going to hear my argument?"

The judge said for him to speak up and Dymond said that if a prospective juror has made up his mind that a conspiracy existed then the state will not have to prove to him that part of its case.

The judge said that he was not interested in any Dallas events, only in a New Orleans conspiracy, and he continued to sustain the objection. Dymond took a bill of exceptions.

Dymond then asked McKinley, "Do you have any fixed opinion as to whether there was a conspiracy between David Ferrie, Lee Harvey Oswald and Clay L. Shaw . . ."

Alcock entered an objection. The objection was overruled by Haggerty and Dymond was allowed to finish his question.

". . . and any other persons?"

"I HAVE NO OPINION about that at all," said McKinley. "I don't believe he did it by himself."

Q. "Have you ever heard Mr. Garrison speak on TV concerning Clay Shaw?"

A. "Yes, I've heard him."

At this point Alcock objected to the line of questioning but William Wegmann contended that there was no time limit on the cross-examination of a witness, that "We're able to pursue the questioning all day . . ."

"YOU'RE NOT ALLOWED to pursue it if it is irrelevant and that is my objection," countered Alcock.

Dymond then asked the question again.

"Have you ever heard Mr. Garrison talking on TV concerning Clay Shaw . . ."

A. "A couple of times I heard him. I didn't even remember what he said now."

Q. "You do believe at this time Garrison's theories on the Clay Shaw case?"

A. "Yeah."

Q. "And you would have to be convinced he is wrong?"

A. "I would have to be convinced."

ALCOCK THEN TOOK up the cross-examination of McKinley. He asked McKinley if he could give Shaw a fair trial.

A. "I think he would get a fair trial."

Asked if he would pass judgment on Shaw, McKinley said "No, I couldn't but I think he could get a fair trial. I couldn't judge him."

Q. "If the court failed to carry the burden of proof, you wouldn't convict him, would you?"

A. "I couldn't."

Q. "Do you have an opinion that Clay Shaw is guilty?"

A. "I couldn't say that."

THE NEXT WITNESS was Polumbo, a 57-year-old native of Brooklyn, N. Y., who has lived in New Orleans since 1945. He answered in the affirmative when Haggerty asked if he had read and discussed the trial and if he had been a juror in a criminal case.

"Having served on juries, I am sure you have been instructed that the burden of proof is on the state," said Haggerty.

A. "Yes sir."

Q. "Tell us whether you have fallen into a fixed opinion as to the guilt or innocence of Clay L. Shaw . . ."

A. "No."

DYMOND THEN OBJECTED to the word "fixed" in the question and Haggerty then rephrased the question.

Q. "Have you formed any opinion fixed or not on the guilt or innocence of Clay L. Shaw?"

A. "No, sir."

Q. "If you were called as a prospective juror, would you try the case like any other case?"

A. "Yes, sir."

Q. "Could you give . . . a fair and impartial trial and require the state to prove its case beyond a reasonable doubt?"

A. "I could."

WEGMANN THEN TOOK OVER the questioning, asking Polumbo if he had read stories in connection with the charges against Shaw.

"You couldn't miss it," said Polumbo.

Polumbo then answered no to questions from Wegmann as to whether he had read a Garrison story in Playboy Magazine, a Garrison story in Ramparts Magazine or the book "Rush to Judgment."

Polumbo testified that he had not seen the movie or attended a lecture by Mark Lane, author of the book.

Dymond asked Polumbo if "as an individual, you have an opinion" concerning the case.

A. "Yes, sir."

Q. "You as an individual have an opinion as to whether Clay Shaw conspired with David Ferrie and Lee Harvey Oswald to assassinate the president?"

A. "I have no such opinion."

After further questioning, Polumbo told Dymond that he had no opinion in the case.

THE NEXT WITNESS was Harris. He said he had served as a juror more than 10 times. Judge Haggerty asked Harris if he had "formed an opinion as to the guilt or innocence of Clay L. Shaw."

"No," was the reply.

Q. "If you were to be called on the trial of Mr. Clay L. Shaw could you give a fair and impartial trial?"

A. "I believe so, yes. Just as I believe I've done in the past."

Dymond then took over the questioning.

Q. "Do you watch TV news broadcasts?"

A. "Yes."

Q. "Have you heard Mr. Garrison speak on the subject on TV?"

A. "Yes, I have."

Q. "Have you heard Mark Lane . . .?"

A. "No."

Q. "Mort Sahl?"

A. "I'm completely unfamiliar . . ."

Q. "Did you read the article on Clay Shaw in Playboy Magazine?"

A. "No, I didn't."

Q. "Has the publicity . . . affected your thinking in any way?"

A. "I don' think so, Mr. Dymond. I don't feel so."

HE WAS THEN asked by Dymond if he as an individual, not as a potential juror, had an opinion in the case.

A. "As an individual right now, I don't think I have any opinion as to the validity . . . I haven't given it any thought myself. I don't anticipate any bridges until I get there."

Q. "Is there any particular opinion you would have to get rid of . . ."

A. "I believe I would have to have some facts of which I have none. I've been on juries before."

He was then asked if any of the publicity on the case had made any impression. Harris concluded that, "Yes, it affects you" but that the juror should be able to put it aside.

Q. "You would be hopeful that you would be able to cast it aside?"

A. "Yes."

Q. "But you admit that you do have an opinion?"

A. "Yes, I don't know how much in depth . . ."

Q. "You believe you could overcome any opinion?"

A. "Yes."

ALCOCK THEN ASKED Harris if he as a juror would require the state to prove its case beyond a reasonable doubt.

"Yes, sir," was the reply.

Schuber, the next witness, also testified that he could give Shaw a fair trial. He told Judge Haggerty that he had served on juries twice in the past.

Q. "From what you have seen and read do you have any opinion or impression on the guilt or innocence of Clay Shaw?"

A. "No, sir."

Judge Haggerty: If you were to be called as a juror, could you, irrespective of what you have read, heard or seen, give this defendant a fair tri[redacted]

Schuber: "Yes."

Judge Haggerty then turned the witness over to the defense for questioning.

Dymond: "Did you read about the case in The Times-Picayune and the New Orleans States-Item?"

Schuber: "Yes."

Dymond: "Do you read Ramparts magazine?"

Schuber: "No, I have seen it but I do not read it."

Dymond: "Did you read a book called 'Rush to Judgment'?"

Schuber: "No."

Dymond: "Did you see the movie?"

Schuber: "No."

Dymond: "Would you say you have been unimpressed or have you formed an opinion?"

Schuber: "I have formed no opinion as to the guilt or innocence at this time."

There then followed an argument between Dymond and Alcock regarding the difference between court opinion and court expression.

Alcock charged that the defense had been using the two words interchangeably. Alcock charged that the two are very different in meaning.

Judge Haggerty interjected that anyone who has reached the "age of reason" can form an opinion.

"ANYONE WHO HAS reached the age of reason," asserted Haggerty, "and who can read forms an impression of what he has read."

Haggerty said that the first impression doesn't remain a lasting impression.

Dymond denied that the defense had used the two words, opinion and impression, interchangeably as Alcock stated.

On the contrary, he said that the defense had used the words discriminately.

The fifth witness called to the stand was Terranova, who said that he is a native of New Orleans, is 43 years old, is employed in the shipping department of American Can Co. and has served on one jury.

TERRANOVA SAID that he has formed "somewhat of an opinion."

Under questioning by Alcock, he said he would require the state to prove its case beyond a reasonable doubt.

The sixth witness called was Barry, who said he is a retired former Veterans' Administration employe, a native of St. Charles Parish and that he had not served on a jury before.

Judge Haggerty asked him some of the same questions he had asked other witnesses and, because Barry apparently did not understand the nature of the questions, he was excused without giving the defense or the state an opportunity to question him.

AFTER TWO MORE witnesses testified, in general, that they felt they could give Shaw a fair trial, the court recessed for lunch.

OVER THE weekend, the convention of the National District Attorneys Association here came to an abrupt end as Garrison canceled the group's banquet. It had been scheduled for Saturday night.

Garrison, who was chairman of local arrangements for the convention, canceled the dinner in a huff when the group told him he could not use the banquet as a public forum for his Kennedy assassination probe.

GARRISON WAS TO have been the principal speaker at the banquet. Association president William J. Raggio of Reno, Nev., said his group, reluctant to be drawn into the Garrison probe in any way, asked him not to make the banquet speech after learning that he planned a sharp attack on federal courts.

Last week, Garrison addressed the group at a regular session and attacked federal district court judges here for their decision to enjoin his office from subpenaing Life magazine reporter David L. Chandler to testify before the Orleans Parish Grand Jury.

Chandler's attorney filed a motion asking that federal district court cite Garrison for contempt. A hearing on this motion is scheduled for Wednesday.

ALLEGEDLY, GARRISON wanted to question Chandler in connection with an organized crime probe. But, in his speech to the DAs, Garrison said the failure to get Chandler was another attempt by the federal government to block his assassination probe.

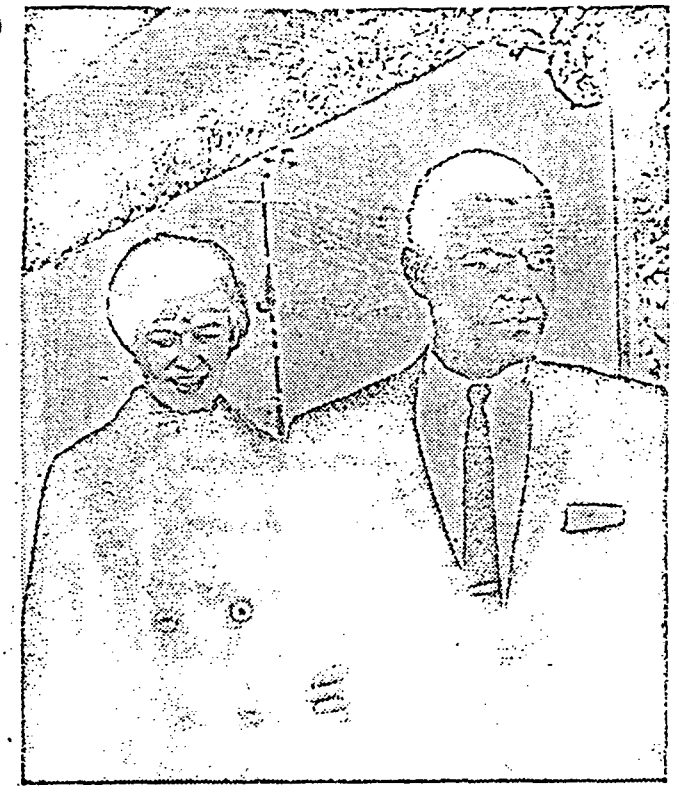
Over the weekend, Garrison accused the DAs association of trying to censor his planned remarks.

Raggio said, "His actions were completely irrational. In the first place, it wasn't his banquet. The banquet was one of the things covered by the $50 registration fee paid by each delegate."

Today, the association figures that Garrison owes each delegate about $8, the price per person for the banquet.

NEW YORK TIMES

FEB 9 1968



Associated Press

APPEARS BEFORE GRAND JURY: Marina Oswald Porter, widow of Lee Harvey Oswald, with her husband, Kenneth, on the way to testify before a New Orleans grand jury. The grand jury, at the request of Jim Garrison, New Orleans District Attorney, is investigating an alleged conspiracy in the assassination of President Kennedy.

Oswald's Widow Tells a Jury Of Poor Times in New Orleans

By MARTIN WALDRON

Special to The New York Times

NEW ORLEANS, Feb. 8—Mrs. Marina Oswald Porter, widow of Lee Harvey Oswald, assassin of President Kennedy, testified today before a New Orleans grand jury about the four months during which she lived in near penury with Oswald in New Orleans in the summer of 1963.

District Attorney Jim Garrison contends Oswald spent the four months helping put together a plot that led to the assassination.

Mrs. Porter, a short and trim 26-year-old blonde with frosty blue eyes, declined to comment as she twice ran a vanguard of television cameras to enter the grand jury room in the ornate old Criminal Courts Building.

Her heel-less black shoes made her appear to be shorter than her 5 feet 2 inches. She was wearing a dark blue semi-mini dress, the hem about three inches above her knees, and a light blue rain coat. The dress had red and yellow piping on the collar and sleeves.

An aide to Mr. Garrison said Mrs. Porter's appearance before the grand jury had no major significance.

"It really is a matter of routine," the assistant said. "After all, when you are investigating the months that Oswald spent in New Orleans in 1963, you certainly are going to try to talk to his wife."

Accompanied by Husband

Mrs. Porter was accompanied to the grand jury by her husband, Kenneth J. Porter, a Dallas tavern operator, and Sheriff Louis A. Heyd Jr.

"They just wandered in the courthouse, asking where to go, and I am showing them," the sheriff said.

Mrs. Porter was before the grand jury for about 10 minutes in the morning, and then left to return for detailed questioning this afternoon.

Before beginning the afternoon session with Mrs. Porter, the grand jury questioned Kerry W. Thornley of Tampa, Fla., who had known Oswald when both served in the Marine Corps in the late 1950's. Mr. Garrison says one or more witnesses saw Mr. Thornley with Oswald during the summer of 1963. Mr. Thornley denies having seen Oswald since 1959.

Mrs. Porter's trip to New Orleans to appear before the grand jury was in marked contrast to her residence here from May 11 to Sept. 23, 1963. At that time, she and Oswald lived in a slum, and she was several months pregnant.

While working as an oiler on a coffee processing machine, Oswald barely made enough salary to buy food and to pay the rent on their tiny apartment. He spent much of his free time that summer handing out leaflets on New Orleans streets urging "fair play" for the Castro regime in Cuba.

On the current trip, Mrs. Porter and her husband were lodged in a tourist motel near the Criminal Courts building.

Ordered By Judge

Mrs. Porter's trip to New Orleans to testify before Mr. Garrison and the grand jury was ordered by a Texas judge under an agreement between states that requires material witnesses to go to another state if needed. Mr. Garrison said Mrs. Porter was a material witness in his investigation of Mr. Kennedy's murder.

Mr. Garrison has charged that Oswald plotted with Clay L. Shaw, 55, retired New Orleans businessman to assassinate President Kennedy. One of Mr. Garrison's assistants said the District Attorney wanted to find out if Mrs. Porter had known Mr. Shaw.

Mr. Shaw, who was indicted last March on a conspiracy charge in the assassination, was scheduled to go on trial Monday. However, his attorneys asked this week that the trial be moved from New Orleans. A hearing on the motion will be held March 5.

Mr. Garrison has also charged Edgar Eugene Bradley, a 49-year-old California conservative, with conspiracy in the assassination, but had not said what part he believes Mr. Bradley played. The Californian has successfully fought extradition to Louisiana.

Mr. Garrison has said that his theory of the assassination is that President Kennedy was murdered by former employes of the Central Intelligence Agency who had been trained to lead an invasion of Cuba. When the invasion was ordered stopped by President Kennedy in the summer of 1963, the C.I.A. employes, many of them Cuban exiles and one of them Oswald, became connected with extreme anti-Communists who had neo-Nazi views, Mr. Garrison has said.

In a recent news conference, Mr. Garrison sharpened his attack on the C.I.A., the Federal Bureau of Investigation and President Johnson. On the day after Christmas, 1967, the District Attorney all but accused Mr. Johnson of being an accessory after the fact. The President, Mr. Garrison said, "has actively concealed evidence of the murder of his predecessor."

WASHINGTON, D. C.
22 January 1968

By Jerrold K. Footlick

'Jim, Do You Really Believe All This Stuff?'

A Talk With Mr. Garrison, A District Attorney Who Traces Vast 'Conspiracy'

NEW ORLEANS.

Jim Garrison, district attorney of New Orleans, says:

"There is no way that Clay Shaw can get an acquittal."

Edward F. Wegmann, Mr. Shaw's lawyer, says:

"Clay Shaw cannot be convicted. He will be absolutely vindicated."

The contradiction will be resolved in a trial now scheduled to begin here Feb. 14. The charge is that Clay Shaw conspired with others to assassinate John F. Kennedy.

Thus a court of law finally will deal directly with the gnawing discontent, in some quarters, with the Warren Report. This splits at least two ways. One is dismay among those who believe or want to believe the report, yet believe that this prominent and well-staffed commission left many loopholes and glossed over many obvious difficulties. The other discontent is stronger, and is felt by those who simply do not believe that Lee Harvey Oswald, a demented Communist, was the lone assassin.



Mr. Garrison

But all of this discontent has become enmeshed, in the year since Mr. Garrison's investigation was made public, in a stupefying maze of accusations and counter-accusations, revelations and denials. So on the eve of the anniversary and the eve of the trial, I came here to confront Mr. Garrison, the much-maligned, much-praised district attorney, and Mr. Shaw, the only man yet indicted for a role in President Kennedy's assassination. And to confront lawyers, investigators, newsmen, some of whom know more about the investigation, or think they do, than a newspaper dares print.

So far, two men have been charged with complicity. One is Mr. Shaw, the 54-year-old former director of the International Trade Mart here and a prominent New Orleanian, who was arrested and indicted last March. The second is Edgar Eugene Bradley, a mysterious public-relations type who works for the right-wing evangelist, Carl McIntire, lives in Los Angeles, and is fighting extradition to Louisiana.

The investigation has also netted a mixed bag of other men who have been



—AP

Mr. Shaw: 'It's hard to believe.'

Continued

THE NATIONAL OBSERVER
WASHINGTON, D.C.
22 January 1968

The New Orleans 'Conspiracy'

A Question for Mr. Garrison: 'Do You Believe All This Stuff?'

Continued From Page One

called by the DA as material witnesses or have volunteered their testimony about the alleged conspiracy. Many of them exist in a shadow world of homosexuality, prostitution and pandering, and petty and major crime.

And the investigation has also attracted other Warren Commission critics. Mr. Garrison, in fact, wrote the introduction for the second of two anticommission books by Harold Weisberg. Perhaps the most prominent of the critics, Mark Lane, the self-styled "defense counsel" for Oswald whose *Rush to Judgment* made the best-seller lists, now lives in a French Quarter apartment here.

Charges of Government Involvement

It has been said by the DA's critics that he makes a new charge every time his investigation seems to bog down. Whatever, the tenor of the charges has been escalating in recent weeks. For example, Mr. Garrison now says, in apparent contradiction to earlier statements, that Oswald was a U.S. Government operative, reporting to the Central Intelligence Agency (CIA), the Federal Bureau of Investigation (FBI), or both. At one point, in his office, I tried to put Mr. Garrison on the defensive with this statement: "Then you agree with Marguerite Oswald (Lee's mother) that he was a CIA agent?" I hadn't thought anyone except Mrs. Oswald and perhaps Mr. Lane believed that.

"You know," Mr. Garrison replied, "when I first heard she said that after the assassination I thought, 'Now that's a hot one.'" Then he paused. "You know, she turned out to be right."

If that seems farfetched, there is this one. The Warren Report states flatly that Oswald and his killer, Jack Ruby, did not know each other. Mr. Garrison states flatly that they not only knew each other, but that they were both co-operating homosexuals. (Mr. Garrison makes the point in considerably more vivid language.)

Still, it remains one thing to assault the Oswalds and the Rubys and quite another to impugn some of the nation's highest officials. More recently, Mr. Garrison has done just that. In a Los Angeles speech in November, he said that he had thought at first the Warren commission was merely incompetent; now he thinks it intentionally hid facts.

Pointing to the Top

He says that Chief Justice Warren was appointed to the commission to silence potential liberal criticism. And he adds that Allen Dulles, former chief of the CIA, and John J. McCloy, who headed its predecessor, the Office of Strategic Services, were there to protect the spy agency. (Mr. McCloy, though active in military intelligence work in World War II, never headed the OSS.) Finally, he says the man at the top has, to the DA's displeasure, closed some of the commission files for 75 years—"the one man who has profited most from the assassination, your friendly President, Lyndon Johnson."

Mr. Garrison quickly continues that he isn't saying the President is involved in the assassination. "But wouldn't it be nice to know?" he asks. And he won't leave the subject without adding that certain Texans who he says are longtime political backers of Mr. Johnson are being protected.

One could continue the samples indefinitely, but suffice. Most people, it seems safe to say, will not believe most of these charges. In fact, a question one hears frequently after returning from a visit to Mr. Garrison is: "Is he a nut?"

Mr. Garrison has heard the question too and he talks casually about it. A few weeks ago a news story reported that Mr. Garrison had received a medical discharge from the Army in 1951 for psychiatric reasons, adding that he was reinstated into the National Guard in 1955 (he retired as a lieutenant colonel last spring because the investigation was taking so much time). But the story caused little ripple here because similar accusations had been made by Judge Malcolm O'Hara in his vain election campaign against Mr. Garrison for district attorney in 1965.

A Plausible Explanation

Mr. Garrison says he will refuse to answer the charges publicly and asked that this lengthy part of our conversation be kept off the record. It can be reported only that he offers a plausible explanation that the incident involves physical, not mental, problems dating back to World War II (when he was a decorated combat officer), and that the matter was cleared up to the satisfaction of a military medical team later. I have not studied the records.

Setting aside that matter, it should be said that Mr. Garrison is a pleasant and bright conversationalist. He sprinkles his views with pertinent literary allusions and his interests seem catholic. He likes good liquor and good food and good music.

He also likes pretty girls. It is hardly surprising that they are attracted to him for he is, at age 46, not only a celebrity but a man of striking physical appearance, 6 feet, 6 inches in height, 225 pounds, with hazel eyes and a full head of chestnut hair. While we chatted one evening in a swinging little French Quarter bar called La Boucherie, young women fairly paraded to our table, mainly to tell him how much they (and their fathers, they added in most cases) admired him. He charmed them all.

Mr. Garrison says that the investigation occupies his entire schedule, seven days a week, so that he has turned over all other matters in his office to an assistant. He has six staffers working on the case, besides whatever help he receives from private investigators. There are several of them working for him on the West Coast, mainly volunteers.

He says that he works so hard because he must solve the assassination mystery, not for any political ambitions of his own. "I never intend to seek any other political office," he says with some vehemence, "not now that I have seen the cynicism of the nation's media."

How far he has progressed toward "solving the mystery" no one (unless it is Mr. Garrison) seems to know. He speaks of right-wing extremists, of Nazis, Cuban emigres, and Texas oil men. He says that he is checking all the leads that the Warren Commission overlooked.

"When I mentioned a few weeks ago that the area under Dealey Plaza [the assassination site] was webbed with a sewer system that men could get around in, I wasn't saying that was how the assassination took place. I'm not assuming any burden of proof I don't have to. All I want to know is why the Warren Commission didn't tell us that."

Mr. Garrison is not troubled by a listener's skepticism. He concedes that all this may be hard to believe, but he insists it is true. At one point I wondered if he thought it logical that the CIA would have hired all the questionable characters he says it did. "Ask the CIA, not me," he replied. "They hired them."

After hearing on tape a seemingly preposterous story told by one of his witnesses, I suggested that the witness, because of his admitted background, would be eminently impeachable. Mr. Garrison's answer: "Pimps are less likely to lie than lawyers."

A Prosecutor's Job

Mr. Garrison maintains that he has done what a district attorney is supposed to do, investigate a case within his jurisdiction—he says the alleged conspiracy was hatched in New Orleans—and bring those he thinks were involved to trial. He has produced one indictment and says he will get others.

There is real doubt, though, about what he expects to prove and what, in law, he has to prove. This is the statute under which Mr. Shaw was indicted:

"Criminal conspiracy is the agreement or combination of two or more persons for the specific purpose of committing any crime; provided that . . . in addition to such agreement or combination one or more of such parties does *an act in furtherance of the object* of the agreement or combination [emphasis added]."

Mr. Garrison's star witness at the preliminary hearing on the Shaw case last spring, Perry Russo, testified that he attended a meeting in the apartment of David Ferrie at which Ferrie, and a young man he identified as Leon (sic) Oswald, and Mr. Shaw discussed an assassination plot. Hypothesizing that this be so, if two of them did no more about it, but Oswald took it upon himself to commit the crime, was there a conspiracy?

Idle chatter is no conspiracy. Thus these events may not amount to a conspiracy. On the other hand, if Oswald shot President Kennedy, an "act in furtherance of the object of the agreement" was committed. The key is: Was there an agreement?

Oswald a 'Patsy'?

But what if, as Mr. Garrison has said, "Oswald didn't shoot anybody that day in Dallas." Does this wipe out that "conspiratorial meeting?" Or does Mr. Garrison expect to prove that the meeting was part of a conspiracy plot, to be executed by others? And that Oswald was a "patsy." But then, did Oswald know he was to be a "patsy?" One can go around and around.

Those who look most favorably on Mr. Garrison's investigation think he may have found evidence of a conspiracy. But it is not clear if what he may have found actually led to the assassination. Also, it is thought by some, even if Mr. Garrison has not found a real assassination conspiracy, he has turned up evidence of some other serious law violations—gunrunning to anti-Castro Cubans, for example. But where does that leave the case against Mr. Shaw, who unequivocally denies any guilt?

Clay Shaw says: "It is still hard to believe this has happened. I think about it 24 hours a day. Often when I go to parties my friends will try not to talk about it. But inevitably before very long the conversation gets around to it. So I usually try to put my friends at ease by talking about it myself."

Mr. Shaw in person is, like the DA, a giant—6 feet, 4 inches, 215 pounds, a few more pounds than he would like. He has silver hair, a deep tan, dresses impeccably. His tastes are sophisticated. He delights in fine sea food and dines frequently at places like Brennan's, Galatoire's, and Antoine's.

Rebuilding the Quarters

Mr. Shaw joined the Trade Mart after World War II and left almost as his own monument its sparkling new skyscraper home, the pivot for the rebirth of the Canal Street water front. But his impact on the city went further: "Years ago the French Quarter was run down. I began to buy houses, restore them, sometimes live in them awhile, then sell them, about one a year for 16 years. I wanted to adapt the old traditions to modern living. I put the first swimming pool in the Quarter and there was a lot of trouble about that with the Vieux Carre Commission. I asked them if they wanted me to put in a nine-foot-deep lily pond; they said they did, so I put it in. Now there are pools all over the Quarter."

Mr. Shaw's own home in the Quarter charms the visitor with reds and whites, silvers and golds, in carpeting, drapes, and accessories; the furniture is antique yet comfortable and remarkably scaled to his size.

Two years ago he retired, to indulge himself in writing and travel. Now, he says, the expense of his defense will force him to go back to work. "I don't know what it will be," he says, "but I'll have to raise money somehow. For one thing, I am keeping a journal of everything that has happened in the last year that I hope will become a book.

"I read a lot now and I am doing some writing. Years ago I wrote two one-act plays that were performed—one still is. I am reading *The Confessions of Nat Turner* and Albee's *A Delicate Balance*. I read everything about the assassination. Before this happened, I had the same reaction most people did—I believed the Warren Report, believed in the people who produced it. Now I read all the 'scavengers,' but they haven't changed my mind."

A Detailed Defense

Mr. Shaw's legal team, headed by Mr. Wegmann and with Irvin Dimond, reputedly New Orleans' best criminal attorney, as chief court strategist, has spent months preparing the defense. It is the defense, rather than the prosecution, that has been largely responsible for the delay in the trial.

To the question [illegible] necessary for a [illegible] innocent, Mr. Wegmann replies: "In most criminal cases the accused knows where he was at the time, how he might have been involved, whether he is guilty or innocent. In this case the charges are so ridiculous that we didn't know how they came about. Civil law provides for discovery procedures so that the parties are not surprised. In our criminal procedure, we do not have that. We have to check every possible lead because we don't know what the district attorney will come up with."

Certain things are clear. One is that the defense has a copy of Mr. Garrison's medical record. Another is that they are prepared to assault the integrity and memory of Perry Russo, whose testimony was largely responsible for the indictment. (Mr. Garrison, when queried about Mr. Russo, snapped: "The country owes him a debt of gratitude." Others hold a contrary view.)

The Homosexuality Issue

Whether Mr. Garrison relies on Mr. Russo or others in the trial, it seems clear that to gain a conviction he must link Mr. Shaw to David Ferrie, an apparently multitalented individualist who was a prominent figure in the world of New Orleans homosexuals. Ferrie died last February of a mysterious brain injury shortly after being named in the investigation. Mr. Shaw's friends fear that the district attorney will attempt to "poison the air" with the homosexuality issue.

Mr. Wegmann says: "Clay Shaw has lived his life with dignity."

Clay Shaw's public record was, until last spring, untainted; in a city like New Orleans, most people don't know what he did or didn't do in private, and don't care. Thus the defense, in weighing the decision about whether to seek a change in venue, as it well might, must balance the dangers of prominent publicity here against the dangers of facing the homosexuality issue at trial in a less cosmopolitan area like the Cajun country of southwest Louisiana or farm country upstate.

After days here, one finds that studying the Shaw case specifically and the whole investigation generally is like grappling with quicksilver. After we had been together for several hours, I risked with Mr. Garrison the question that had been stirring in my mind throughout:

"Jim, do you really believe all this stuff?"

The district attorney smiled at that. This was the answer: "Would I spend all my waking moments working on this thing, would I take all the criticism I'm getting, would I use so much of my staff and so much money on the investigation, and try to put people in jail, if I didn't believe it?"

This may or may not be considered a direct answer. Even if it is construed as a simple "yes," Mr. Garrison may be wrong. But it does seem evident that he intends to pursue—wherever it might lead—his investigation into a possible conspiracy to assassinate John F. Kennedy.

—JERROLD K. FOOTLICK

JAN 22 1968

CLAY SHAW'S TRIAL SET FOR FEBRUARY

N.O. Times-Picayune
17 Oct 67

Defense Attorneys, State Reach Compromise

Criminal Dist. Court Judge Edward A. Haggerty Jr. has officially set the date of the conspiracy trial of Clay L. Shaw for the first jury day in February. He made the ruling Monday after attorneys for Shaw and the state agreed on a compromise.

Defense attorneys had sought a six-month delay and Dist. Atty. Jim Garrison's office was in favor of a speedy trial.

Shaw has been charged by Garrison with conspiracy in the assassination of President John F. Kennedy.

The actual trial date will not be known until the judges finish selecting juries for that month. They begin selecting jurors on the first of the month and the first jury day is the first day the jury sits after the process is completed.

The first jury day always falls after the 10th of the month and usually on the 15th.

During Monday's proceedings, Haggerty denied a defense motion for a supplemental bill of particulars of the charges against Shaw. The defense sought more information on alleged meetings attended by Shaw in New Orleans and Baton Rouge in furtherance of the alleged conspiracy.

Chief defense counsel F. Irvin Dymond, however, reserved a bill of exceptions after Haggerty's denial for a possible appeal.

Much of the discussion on the trial date centered on the climate of public opinion.

From the discussion came an indication that the defense may ask for a change of venue and that the court intends to make contempt citations against those who violated Haggerty's orders not to make public statements about the case.

Haggerty told Dymond that within the law the defense has until two days before the trial to request a change of venue. He asked Dymond to agree to make such a request two weeks before the trial. Dymond refused.

Asst. Dist. Atty. James L. Alcock said that since Shaw was arrested on March 1, the case ought to go to trial within a year of that date.

Dymond said he had no way of knowing what public opinion would be by mid-February and needed as much time as he could get.

Dymond also charged that Garrison had made "a lot of prejudicial and inflammatory statements about the case that would certainly prejudice jurors." He cited a magazine article and a couple of television interviews as examples.

Alcock countered saying that the U.S. attorney general and the Supreme Court had made similar statements on the opposite side.

Haggerty said he had no control over federal officials.

Shaw Motion Could Mean Extra Delay

The trial of accused presidential assassination conspirator Clay L. Shaw has been scheduled in mid-February, but defense attorneys indicated it may be closer to March, if they decide to file motions to change the site of the trial.

Criminal District Judge Edward A. Haggerty Jr. selected the first jury day in February, usually between the 10th and 15th, as a compromise yesterday with the defense, which had asked for a six-month delay; and the state, which had sought a speedy trial.

If Shaw, who has denied any connection with the assassination, goes to trial in February, it will be nearly one year after he was arrested and charged by Dist. Atty. Jim Garrison of conspiring with Lee Harvey Oswald and others to assassinate President John F. Kennedy.

Yesterday F. Irvin Dymond, Shaw's chief defense counsel, said he has until two days prior to the trial to file motions for a change of venue. Hearings on such a motion could delay the trial about two weeks, Judge Haggerty said.

The judge also denied a defense motion for a supplemental bill of particulars which would have outlined the state's charges against Shaw. The defense sought more information about alleged meetings attended by Shaw in New Orleans and Baton Rouge in furtherance of what Garrison calls a conspiracy to murder the president.

States - Clay
16 Oct 67

Shaw Trial Delay Argument Opens

A motion to delay the trial of Clay L. Shaw, accused by District Attorney Jim Garrison of conspiracy in the death of President John F. Kennedy, was to be argued today before Criminal District Court Judge Edward A. Haggerty Jr.

Shaw's attorneys have asked for a continuance in the trial of at least six months, claiming that a fair trial now or in the immediate future here is impossible because of actions by Garrison and publicity he has generated.

If a delay in the trial is denied, the defense is asking for a change of venue.

ORAL ARGUMENTS will be presented on this motion and a supplemental application for a bill of particulars.

In answers to defense motions, the DA's office has said it would be agreeable to a "reasonable" delay of less than six months. They argue that if this is granted, it precludes the possibility of moving the trial to a new location.

Asst. DA James L. Alcock has said he does not believe a trial can begin now until after the Christmas season.

The state has argued that any prejudicial atmosphere that might exist in New Orleans is the fault of Shaw and his attorneys.

MEANWHILE, on another front, an appearance by U.S. Atty. Gen. Ramsey Clark at the University of Virginia in Charlottesville has stirred up a controversy.

Reporter Roy Barry of the Charlottesville Daily Progress quoted remarks he said Clark made during a question and answer period after a legal forum at the school Friday night.

Barry's story quoted Clark as saying, "Much as I hate to do it, I may have to prosecute Jim Garrison. He took a perfectly fine man, Clay Shaw, and ruined him for personal aggrandizement."

THE JUSTICE Department denied that Clark had made the statement.

Yesterday, Barry backed up his report, saying, "Clark's statement struck me immediately. I had never heard Garrison threatened before. It was hardly the kind of state-

See PROBE— Page 4

Probe-- 16 Oct 67

Continued from Page 1

ment a reporter would forget."

He added that he made careful notes of the attorney general's remarks and said that law students were present when he asked Clark a follow-up question. "I then asked Clark what personal aggrandizement Garrison would get from prosecuting Shaw and what Garrison would gain by losing a nationally publicized case," Barry said.

Clark answered, Barry said, "Perhaps he (Garrison) is not as logical as you are."

Student legal forum president Rosewell Page III also refuted Barry's report. Asked about this, Barry said, "Well, in his (Page's) position he would have to say that."

Number of Persons Caught

Storm of Crime Probes

Up in Investigations Soars

Sweeps Across Louisiana

By BILL LYNCH
(States-Item Bureau)

BATON ROUGE — Assassinations, organized crime, bribery, labor racketeering and bombings have stirred a maelstrom of investigations in Louisiana that has no end in sight.

Three grand juries, a new state investigative agency, the state police and a private anti-crime group are expanding the circles of inquiry in all directions.

The scope and number of people caught up in the various probes is beginning to approach the astronomical.

It takes a jigsaw puzzle expert to put the pieces together and a score card to figure out who all is involved in this five-ring drama.

Somehow all of the events and many of the people are interconnected.

The overlapping investigations may be broken down into five categories:

1. The Kennedy assassination probe.
2. Organized crime in Louisiana.
3. The Partin-Hoffa attempted bribery scheme.
4. Labor-management racketeering in Baton Rouge.
5. Unsolved bombings in Baton Rouge.

In the most widely publicized investigation, New Orleans District Attorney Jim Garrison claims President Kennedy was the victim of a plot that had its origins among certain Cuban elements in New Orleans.

Life Magazine claimed that organized crime flourishes in Louisiana in a series of articles on national vice operations by the Cosa Nostra, and Gov. John McKeithen now agrees the charge is true.

Baton Rouge Teamster boss Edward Grady Partin, whose testimony sent International Teamster President James Hoffa to a federal prison, claimed he was offered a million dollars to alter his testimony.

CLAIMS OF shootings, shakedowns and sweetheart contracts culminated in a two-month shutdown of industrial construction in the Baton Rouge area and a labor-management crisis that threatened the state's industrial development program.

A series of unsolved bombings with labor and racial overtones was capped by the attempted dynamiting of the home of State AFL-CIO President Victor Bussie in July.

All of these investigations are intertwined in some degree.

The investigators are:

—The Orleans Parish grand jury, which is investigating the Kennedy assassination plot and organized crime.

—The East Baton Rouge grand jury, which is looking into organized crime, a portion of the Partin-Hoffa bribery affair, and the unsolved bombings.

—A federal grand jury, which is examining the Partin-Hoffa bribery charge.

—The labor-management board of inquiry, created at a special session of the Legislature to deal with mounting labor crisis. The commission was armed with a $250,000 appropriation and an elite investigative staff that also doubles as an intelligence unit for the state police. They are involved in both the labor problems and the bombing case.

—The Metropolitan Crime Commission, the private agency whose information led to part of the Life Magazine series. The MCC also is at odds with Garrison over his methods in the Kennedy probe and over his attitude on organized crime.

Thus far the investigations have resulted in:

1. The indictment of Clay Shaw, New Orleans

(Turn To Page 8, Column 1)

Crime Probes Sweep Across Louisiana

States-Item
11 Oct 67

Continued from Page 1

businessman, on a charge of conspiracy in the assassination.

2. The conviction of Dean Andrews Jr., Jefferson attorney, on perjury in the assassination case.

3. The indictment of Dalton Smith, former New Orleans electrical contractor, on public bribery for allegedly offering $25,000 to ex-governor's aide Aubrey Young to arrange a meeting in the Partin-Hoffa affair.

4. The initiation of removal proceedings against New Orleans Criminal Court Judge Malcolm O'Hara in the Partin-Hoffa case. The MCC, the New Orleans Bar Association, and Gov. McKeithen brought the proceedings following testimony by O'Hara at a hearing for Hoffa that he was the companion and friend of a convicted felon.

5. The arrest of Jules Kimble, self-described former Ku Klux Klan official, who blamed the Bussie bombing on the KKK. Kimble, who says the plot was hatched in his home, is awaiting an appearance before the Baton Rouge grand jury.

6. The suspension of Capt. Roland Coppola by the state police pending an investigation into his relationship with underworld figures.

Although the Kennedy probe has received the most national attention, Gov. McKeithen has been more alarmed over the organized crime and labor racketeering charges. The state's and his image were badly battered by disclosures of gambling and prostitution in Life.

Worse, the industrial development program was threatened by the possibility of industry looking for a more favorable climate elsewhere.

Closed-door hearings are planned later this month on the labor-management situation by the board of inquiry. Open sessions may begin in November.

East Baton Rouge District Attorney Sargent Pitcher is playing his cards close on the probes being conducted by his grand jury. Without being specific, however, he does say many more persons are involved than have been named so far.

POSSIBILITY OF holding the Clay Shaw trial this year have dimmed considerably as attorneys for the defendant apply for a delay or change of venue [illegible]

Baton Rouge officials have a long way to go before bringing Smith to trial on the public bribery charge. He's still free on $1,500 fugitive bond posted in Denton, Tex.

The Bussie bombing case may rest with whatever decision the grand jury in Baton Rouge makes. Kimble already has named names, dates and places to police officials, but they apparently will leave his credibility up to the grand jury.

The cast of characters in the arena of investigations is long and steadily growing longer. Here are a few of some of the other principals and lesser-involved persons:

Carlos Marcello — who (according to Life) was assigned the task of getting Hoffa out of jail.

SEN. ROBERT F. Kennedy — a keen interest in the final outcome of the assassination probe and the man who pursued Hoffa with more than passing interest while he was U. S. attorney general.

Walter Sheridan — television network reporter who provided much of the anti-Garrison information, friend of RFK and who became involved in the Partin-Hoffa case.

Gordon Novel — the elusive former New Orleans bail bondsman who claims Garrison's investigation is a hoax and that he has information of a sensational nature of organized crime. He is wanted by Garrison in the murder plot and also is charged with conspiracy to commit burglary but has managed to avert extradition from Ohio.

Perry Russo — Garrison's star witness against Shaw.

And, of course, there are Lee Harvey Oswald, Jack Ruby and David Ferrie. But they're dead.

NEW ORLEANS STATES ITEM
October 11, 1967

Lagniappe

States-Item 11 Oct 67

By THOMAS GRIFFIN

HAPPENED in the Doubleday bookshop on Canal. A member of the district attorney's office called and asked for "10 copies of Rosemary's book."

The reference, of course, was to the book, "Plot or Politics?", written by States-Item staffers Rosemary James and Jack Wardlaw, regarding District Attorney Jim Garrison's investigation of an alleged conspiracy in the assassination of President John F. Kennedy.

The call was taken by a new clerk in the bookshop who had no knowledge of any tome titled, "Rosemary's Book," but was quite aware of a best-seller titled "Rosemary's Baby," a novel on witchcraft in New York, which is currently being made into a motion picture starring Frank Sinatra's wife Mia Farrow.



TOMMY GRIFFIN

The clerk asked, "Do you mean 'Rosemary's Baby?'"—and the caller, evidently thinking Rosemary labored to bring forth the book, answered "Yes." So the D.A.'s office got 10 copies of "Rosemary's Baby"—which naturally were later exchanged for the proper books.

★ ★ ★

NOBODY KNEW WHETHER it was an anniversary or a birthday, and neither the hostess nor the honorees were telling, but everybody enjoyed the occasion—a black-tie party given by Edith Stern at her palatial home on Garden Lane for her son and daughter-in-law, Edgar Jr. and wife Polly.

The grounds and garden glistened with so many lighted fountains it reminded many worldly guests of the famous Villa d'Este in Tivoli, Italy (about 30 miles from Rome) where fountains play in a hundred different waterfalls.

The music of Rene Loupre floated from an overhead balcony as scores of formally attired gentlemen and sleekly coiffed and gowned ladies sipped champagne and highballs on the terrace (which had been prepared for dancing) or milled starry-eyed on the spacious grounds.

Guests were too numerous to be singled out—but one, looming very large and seemingly completely relaxed in greeting old friends, was Clay Shaw.

SHAW HEARING TO BE MONDAY

Times-Picayune

Motion for Continuance Will Be Argued

10 Oct 67

Criminal District Court Judge Edward A. Haggerty Jr. has set a hearing on a continuance motion in the conspiracy case of Clay L. Shaw for Monday at 10 a.m.

The date resulted from a conference between attorneys for Shaw, members of the district attorney's office and the judge on a defense motion which requests a six-month delay or a change of venue.

Oral arguments only will be presented on this motion and a supplemental application for a bill of particulars.

Defense attorneys claimed that actions by Dist. Atty. Jim Garrison, who has accused Shaw of conspiring to murder President Kennedy, have made a fair trial impossible.

If a continuance is not granted, then a change of venue should be, they have argued.

The state countered that Shaw himself is responsible if there is any prejudical atmosphere in New Orleans.

In answers to defense motions Asst. Dist. Atty. James L. Alcock and Richard V. Burnes said they would be agreeable to a "reasonable" delay of less than six months. However, they argued that if this is granted, it precludes the possibility of a change of venue, which would move the trial to another jurisdiction.

Alcock, one of the participants of the conference, which took place Monday, said later he does not believe a trial can begin until after the Christmas season.

TALK OF SHAW PLEA PLANNED

Times-Picayune

Meeting Monday to Come Before Ruling

7 Oct 67

A meeting Monday between defense attorneys for Clay L. Shaw and members of the district attorney's office will precede any ruling on a Shaw motion for a six-month continuance or change of venue in his criminal conspiracy case, Criminal District Court Judge Edward A. Haggerty Jr. announced Friday.

Assistant District Attorneys James L. Alcock and Richard V. Burnes said a reasonable delay of less than six months would be agreeable when they answered the defense motion Tuesday.

Shaw, charged with conspiring to assassinate President John F. Kennedy, requested the six-month delay, or a change of venue if the delay is not granted, on the ground that acts of District Attorney Jim Garrison make a fair trial impossible.

The state labeled the six-month request "arbitrary, capricous and unreasonable," but said it would acquiesce in a limited continuance in order to "preclude any error which might justify a reversal of the conviction on appeal."

Although Alcock would not define "reasonable delay," he said privately that he does not expect the trial to begin before next year.

The state also accused Shaw of being responsible for any possible prejudicial atmosphere in New Orleans, calling him the "author of his own misfortune."

If a continuance is granted, the state argues, the possibility of a change of venue is precluded.

SHAW FRIEND'S TRIAL STARTED

Times-Picayune

Charged with Striking TV News Cameraman

Scott 67

A friend of the man indicted on a charge of criminal conspiracy in the death of President John F. Kennedy, went on trial Wednesday on a charge of assaulting a television cameraman on the night of Clay L. Shaw's March 1 arrest.

Owen Wright, 45, 4919 Canal, Apt. 10, a friend of Shaw, the man awaiting trial on the conspiracy count, was charged with simple battery on the complaint of WVUE-TV newsman Edby Aucoin.

Criminal District Court Judge Bernard J. Bagert took a defense motion for a directed verdict under advisement after testimony by Aucoin and another newsman.

Phil Johnson of WWL-TV, testified that Wright struck Aucoin after he told Aucoin not to take any pictures of him.

Aucoin said he was sent to Shaw's residence, 1313 Dauphine, because it was expected that investigators from the district attorney's office were going to seize evidence under warrant.

Aucoin said Wright approached a group of newsmen and asked where Shaw was. He said that when the man faced him he began shooting pictures of him.

"He asked me if I was taking his picture. And then he struck me on my shoulder. I tore my shirt," Aucoin said.

The photographer said Wright neither gave him permission for the pictures nor told him not to take them.

However, Wright testified that he told Aucoin not to take his photograph.

Defense attorney Walter Kelly argued that the defendant had a right to protect himself from a forcible invasion of his privacy.

1/53/68

FAVORS LIMITED SHAW DELAY--DA

Times-Picayune

But Office Against Any Change of Venue

4 Oct 67

The District Attorney's office Tuesday acquiesced to a limited continuance but opposed a change of venue in the Clay L. Shaw case when it filed its answer to a previously filed defense motion.

Attorneys last week filed a motion requesting a six-month continuance, or, alternatively, a change of venue, arguing that District Attorney Jim Garrison's actions have made a fair trial in New Orleans impossible.

The state's answer, signed by assistant attorneys James L. Alcock and Richard V. Burnes, maintains that the remedies of continuance and change of venue are mutually exclusive in this case, and that if Shaw were granted a "reasonable and unarbitrary continuance," he would not be entitled to a change of venue.

The answer asked that the unreasonable and capricious" six-month continuance be denied. However, it went on to say that "if a continuance be granted to the defendant, that it be for a reasonable time."

Finally, it asked that the motion for a change of venue be denied because the continuance request "constitutes an election of remedies by the defendant."

SEEMS UNLIKELY

Shaw is charged with having conspired with the late David W. Ferrie, and Lee Harvey Oswald, also deceased, and others in a plot to assassinate President John F. Kennedy.

Garrison's office has been working on the case since the latter part of last year. Some sources believe a continuance is preferable to a change of venue because in the latter case it is likely that prosecution would be taken over by the district attorney's office of the new jurisdiction.

A 1967 trial for Shaw seems unlikely, even though what

Cont. in Sec. 1, Page 2, Col. 5

Continued from Page 1

the state means by a "reasonable" continuance was not explained.

Alcock and Burnes argued in their answer that if, as Shaw's attorneys argued, a prejudicial atmosphere exists, then "he is the author of his own misfortune."

They accused Aaron M. Kohn, managing director of the Metropolitan Crime Commission of New Orleans, of arranging to release a letter to the state attorney general which would prejudice local jurors.

The answer said Kohn consulted with Shaw's attorneys before June National Broadcasting Co. program prejudicial atmosphere was created by:

1. The motorcade and mass meeting with NBC planned to release a letter ask- ing the attorney general to look into NBC's charges to the local- ities of the crime with which Shaw is charged.

2. The natural enthusiasm of packed upon a deliberate course members of the press and news of conduct which affects poten- media to report to the public tially jurors' ability to view this each day each and every item trial with pristine eyes and be they considered newsworthy.

3. The conduct of Shaw, in- cluding public statements at a

in allegedly meeting with NBC representatives and Kohn be- fore the critical program.

"He and his counsel have em- cannot be heard to complain of a situation he created," Alcock and Burnes said.

The state's arguments began

L.A. WEDNESDAY MORNING, OCTOBER 4, 1967

CLAY SHAW CASE

T-P: 4 Oct 67

OCTOBER TRIAL OUT FOR SHAW

State Has Until Tuesday to Answer Motions

The possibility of an October trial for conspiracy defendant Clay L. Shaw was voided Wednesday when Criminal District Court Judge Edward A. Haggerty Jr. gave the district attorney's office until Tuesday to answer defense motions.

Among the motions filed Tuesday was one requesting either a six-month continuance of the case or a change of venue, which would move the trial to another jurisdiction. The defense argued that District Attorney Jim Garrison has made a fair trial impossible.

Monday Judge Haggerty told Assistant District Attorney James L. Alcock he hopes to use the October jury venire in a hearing on the motion.

Judge Haggerty had hoped to have the hearing Wednesday in order to question members of the September venire on the possibility of a fair trial. Then he could have used the following month's venire for the trial itself. However, Wednesday was the last day for the September venire.

He had also hoped to have the defense motions by Tuesday morning so that the state could answer by the afternoon in preparation for a possible Wednesday hearing. However, defense attorneys did not show up with the motions until Tuesday afternoon.

Judge Haggerty asked Alcock when he could file the state's answer to the motions, and Alcock said by Tuesday.

The judge granted the time and said he hopes to use the October jury panel for the hearing.

The judge then asked Alcock if he was aware that the defense asked for a six-month delay, and added:

"It's already been six months since the defendant was indicted. Since then they have filed many pleadings. I can't let defense counsel come in each week with new motions. We have to stop somewhere."

Alcock said he will file his answers at 10 a.m. Tuesday.

"I would like at that time, if the situation allows, to set a date for the hearing on the pleadings and I will listen to any recommendations you may

DELAY OR SHIFT ASKED FOR SHAW

Times-Picayune

DA Hurt Chances of Fair Trial, Claim

27 Sept 67

Attorneys for Clay L. Shaw, claiming that actions by District Attorney Jim Garrison have endangered Shaw's chances for a fair trial, asked Tuesday for a six month continuance in his criminal conspiracy case or a change of venue.

In a motion filed in Criminal District Court the defense asked Judge Edward A. Haggerty Jr. for a delay of at least six months, or, alternatively, that the trial be moved to another jurisdiction.

Claiming that it is impossible for their client to get a fair trial "now or in the near future," the defense said that since Shaw's March 1 arrest, Garrison began a "deliberate and calculated publicity barrage" against him on a "local, nationwide and worldwide basis, which resulted in "almost daily" coverage by news media.

The motion said that Garrison's acts have "destroyed or seriously prejudiced the right" of Shaw to a "fair trial and implanted in the minds of the public and prospective jurors" the district attorney's theories in the case.

ANOTHER MOTION FILED

Another motion filed Tuesday was another application for particulars in the state's case against Shaw. The application noted that under the statute covering criminal conspiracy, two basic elements of proof are "the agreement or combination of two or more persons" and "an act in furtherance" of the crime.

The application cited several state allegations and asked if they are supposed to be an "agreement or combination" or an "act in furtherance."

Among the allegations queried were a supposed meeting between Shaw, Lee Harvey Oswald, and David W. Ferrie in Ferrie's apartment in September, 1963, and another one, in the fall of 1963, between Shaw, Oswald and Jack Ruby in Baton Rouge.

Judge Haggerty had expressed hopes of holding a hearing Wednesday if the motions had been filed earlier Tuesday, but the motion apparently came too late for any action by the judge.

He said he had planned to question the current September jury panel on whether or not Shaw could get a fair trial, and to use the October panel for the trial itself.

However, the last day for the current panel is Wednesday.

JUDGE CONCERNED

"I certainly can't use the October jury to determine if Shaw can get a fair trial and use the same jury for the trial," Judge Haggerty said.

Judge Haggerty, at about

Cont. in Sec. 1, Page 2, Col. 7

SHAW REQUESTS

Continued from Page 1

10:30 a. m., noticed Assistant District Attorney James L. Alcock in the courtroom and commented that he had received a telephone message from chief defense counsel F. Irvin Dymond to return his call.

"I'm not going to call him. I disdain handling court business on the telephone. This court is not here for the sole benefit of Mr. Dymond," he said.

A short time later Salvadore Panzeca, another defense counsel, entered the courtroom and said the defense intended to file its pleadings before the end of the court day.

The court sits until 4 p. m., he said, and added that the state has often filed motions in the afternoon.

"We want the same consideration," Panzeca said.

Judge Haggerty said he wanted the motions filed earlier and that the state might answer in the afternoon, and give him a chance to question the current jury panel.

"I specifically wanted these motions filed while Mr. Alcock was here to look at the pleadings. I wanted him to have his answer ready by this afternoon," the judge said.

"I understand one of the motions is for a change of venue," he added. If so, he explained, he wanted to use the September panel Wednesday for a hearing.

1/23/68

HOUSTON CHRONICLE
SEP 27 1967

October Trial Date Unlikely For Clay Shaw

New Orleans (UPI) — The chances of bringing conspiracy defendant Clay L. Shaw to trial in late October dimmed Tuesday when defense attorneys asked for a six-month delay or a change in location for the trial.

Attorney F. Irvin Dymond said it was impossible for Shaw to get a fair trial "now or in the near future," because of statements made locally and nationally by Dist. Atty. Jim Garrison.

Dymond accused Garrison of conducting a "deliberate and calculated publicity barrage" against their client.

The motion said that Garrison's acts had "destroyed or seriously prejudiced the right" of Shaw to a "fair trial and implanted in the minds of the public and prospective jurors," his theory of the plot.

Shaw, 54, was indicted last March on charges of conspiring with Lee Harvey Oswald and the late David Ferrie to assassinate President John F. Kennedy in 1963.

The defense also asked for another bill of particulars.

Criminal Dist. Judge Edward A. Haggerty Jr. accused defense attorneys of stalling the trial. He said if the motions were filed earlier he could have possibly held hearings on the motions today.

Haggerty said the defense were frustrating his plans to conduct the trial in October.

He said he had planned to use the current jury panel as a sounding board to determine whether Shaw could obtain a fair trial in New Orleans, then select the trial jury from the October panel.

However, today was the last day he could use the September panel as a test.

"I cannot use the October panel to determine if Shaw can get a fair trial and use the same jury for the trial," the judge said.

Haggerty several months ago issued orders for all persons officially involved in the case not to make public statements about Shaw's innocence or guilt. He threatened to issue contempt citations — after the trial — against persons who violated his orders.

Garrison, who says the assassination was plotted in New Orleans, and others connected with the case have issued a series of statements about the probe.

NEW ORLEANS STATES-ITEM

VOL. 91—NO. 93 WEDNESDAY, SEPTEMBER 27, 1967 PRICE 10c

Aim at November Date

Shaw Moves Rule Out October Trial

Criminal District Judge Edward A. Haggerty Jr. today gave the district attorney's office until Tuesday to file answers to a set of motions filed yesterday by attorneys for Clay L. Shaw.

This ended any possibility that Shaw might go to trial in October on charges of conspiracy in the slaying of President John F. Kennedy. The judge gave indications he is now aiming at a November date.

The judge indicated this by telling assistant DA James L. Alcock in court this morning that he hopes to use the October jury venire in a hearing on the defense request for a change of venue.

EARLIER, JUDGE HAGGERTY had hoped to use the September panel, which went out of office today, so that the trial could be held in O[illegible]

Alcock appeared before the judge and was asked when the DA's office could file its answers to the defense motions.

"We will have the answers ready by next Tuesday," said Alcock.

"Very well," said Judge Haggerty, "I'll give you till next Tuesday."

The judge then said he hoped to use the October jury panel for the hearing. He asked Alcock if he was aware the defense had asked for a six-month delay in the case. Alcock said he was.

"It's already been six months since the defendant was indicted. Since then they have filed many pleadings. I can't let defense counsel come in each week with new motions. We have to stop somewhere," Judge Haggerty said.

Alcock said he would come in with his

(Turn to Page 24, Column 1)

Time Given for Shaw Motion Answers; October Trial Is Out

Continued from Front Page

answers at 10 a. m. Tuesday.

"I would like at that time, if the situation allows, to set a date for the hearing on the pleadings and I will listen to any recommendations you may have on a date," the judge said.

In a hectic court day yesterday, the judge's hopes for an early trial were dashed when defense attorneys came in too late with their motions for District Attorney Jim Garrison's office to answer them and set up a hearing for today.

The defense motions asked:

—A six-month delay in the trial, which would push it into next spring.

—Alternatively, if the delay is not granted, a change of venue, meaning Shaw would be tried elsewhere in Louisiana, outside the New Orleans area.

—Another application for particulars in the state's case against Shaw.

THE DEFENSE claims it is impossible for Shaw to receive a fair trial now because of actions by Garrison.

The DA, said the defense, "destroyed or seriously prejudiced the right" of Shaw to a fair trial with a "deliberate and calculated publicity barrage" [illegible] Shaw was arrested March 1.

The application for particulars noted that under the criminal conspiracy statute [illegible] agreement or combination of two or more persons" and "an act in furtherance" of the crime.

THE APPLICATION cited several state allegations and asked if they are supposed to be an "agreement or combination" or an "act in furtherance."

Judge Haggerty was angry that defense attorney F. Irvin Dymond did not file the motions until late yesterday, because today is the last day for the jury panel which the judge planned to use to determine if a change of venue is needed.

"I CERTAINLY can't use the October jury to determine if Shaw can get a fair trial and use the same jury for the trial," said the judge.

"This means this case will be thrown back a whole month due to Mr. Dymond's tardiness," Judge Haggerty said.

The possibility exists that the state might agree to the six-month delay, or even a change of venue, which would make the hearing unnecessary.

Shaw Motions Block Move for October Trial

States-Item
27 Sep 67

Clay L. Shaw will definitely not go on trial in October, Criminal District Judge Edward A. Haggerty Jr. said today.

Exactly when Shaw will face trial on charges of conspiracy in the slaying of President John F. Kennedy will depend on the outcome of a hearing on a set of motions filed yesterday by Shaw's attorneys, the judge indicated.

In a hectic court day yesterday, the judge's hopes for an October trial were dashed as defense attorneys came in with their motions too late for Dist. Atty. Jim Garrison's office to answer them and set up a hearing today. The judge had wanted to dispose of the hearing today and set an October trial date.

JUDGE HAGGERTY said he would ask Asst. DA James L. Alcock today how long it would take the state to file answers to yesterday's defense motions, and a hearing will be set on that basis.

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The application for particulars noted that under the criminal conspiracy statute, two basic elements of proof are "the agreement or combination of two or more persons" and an act in furtherance of the crime.

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"This means this case will be thrown back a whole month due to Mr. Dymond's tardiness," Judge Haggerty said.

The judge declined to speculate on whether the trial will begin in November. Officially, he now has the defense motions under consideration, and the next step is for the state to file answers. Then, a hearing could be held.

The possibility exists that the state might agree to the six-month delay or even a change of venue, which would make the hearing unnecessary.

States-Item
26 Sep 67

Final Day For Shaw to File Motions

Lawyers for Clay L. Shaw were expected to file motions in his behalf today, the final day set for such proceedings by Criminal District Judge Edward A. Haggerty Jr.

Shaw is charged by Dist. Atty. Jim Garrison with conspiring to murder President John F. Kennedy.

Judge Haggerty has said that he will give the state an opportunity to answer motions for the defense.

The judge, who has indicated he is anxious to bring the case to trial, said a trial date will be set after he rules on the final motions.

Shaw Attorneys Ask Trial Delay

Alternative Plea Is New Court Site

Attorneys for Clay L. Shaw, charged with participating in a conspiracy to assassinate President Kennedy, today asked for either a six-month continuance of Shaw's trial or a change of venue, charging that DA Jim Garrison's actions have made a fair trial in New Orleans impossible.

In the motion, filed today before Criminal District Judge Edward A. Haggerty Jr., the new defense asked that the six-mo...continued for at least ... In the event ... Haggerty rules that ... not entitled to the delay, the motion asked that the trial be moved to another jurisdiction. The motion charges that it is impossible at this time for Shaw to get a fair trial here or in immediately adjoining parishes.

ATTORNEYS FOR the 54-year-old retired New Orleans businessman claimed that from the day of Shaw's arrest, March 1, the DA began a "deliberate and calculated publicity barrage" against their client on a "local, nationwide and worldwide basis" which has resulted in "almost daily" coverage by news media.

It is impossible, they claim, to get a fair trial "now or in the near future."

The motion cited 12 acts by

(Turn to Page 6, Column 1)

NEW ORLEANS STATES-ITEM
FINAL SPORTS MARKETS
VOL. 91—NO. 92 TUESDAY, SEPTEMBER 26, 1967 PRICE 10c

THE MATTER hinges on the fact that tomorrow is the last day for the current (September) jury panel. Judge Haggerty explained that he will deal with the change of venue motion by questioning members of his jury panel on whether or not Shaw could get a fair trial in New Orleans.

The judge's plan was to use the current panel for the hearing and the new panel for the trial itself.

"I certainly can't use the October jury to determine if Shaw can get a fair trial and use the same jury for the trial," the judge said angrily.

WHEN THE JUDGE arrived at his chambers about 10 a. m., he took up routine business. At about 10:30, he saw assistant district attorney ficient time."

The judge resumed his regular docket, and at this point Salvadore Panzeca, another defense counsel, entered the court.

Panzeca told the court the defense did intend to file its motions before the end of the court day. He said the court sits until 4 p. m., and said the state has often filed its motions in the afternoon.

"WE WANT THE same consideration," Panzeca said.

The judge retorted that whenever the state filed motions late in the day, they were filed with the clerk of court while the judge was not sitting.

"I specifically wanted these motions filed while Mr. Alcock was here to look at the pleadings. I wanted him to have his answer ready by this afternoon," Judge Haggerty said.

"I understand one of the motions is for a change of venue," he added. If so, the judge explained, he wanted to use the current jury panel tomorrow for the hearing.

PANZECA SAID the defense was not aware of the court's feelings, and denied any delay was intended.

"This means this case will be thrown back a whole month due to Mr. Dymond's tardiness," the judge said.

...to bring in a large number of persons to be questioned on whether a fair trial could be obtained, and the state would have the right to do the same under that method.

"THE ONLY WAY to do it is to use jurors already selected to see if there can be a fair trial," Judge Haggerty said.

Indicating he had previously reached an agreement with defense counsel on that point, the judge said "we agreed to use my jury panel for that very purpose. It looks like I'm legally outmaneuvered."

Panzeca again insisted the defense was ont using delaying tactics.

"I TOLD THEM in chambers there will be no continuance," the judge said. "If Dymond files his motions this afternoon, I'll use the jury tomorrow anyway if Alcock can answer on time."

Alcock gave no indication whether the state could answer the motions immediately.

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FINAL SPORTS MARKETS

VOL. 91—NO. 92 TUESDAY, SEPTEMBER 26, 1967 PRICE 10c

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PANZECA SAID the defense was not aware of the court's feelings, and denied any delay was intended.

"This means this case will be thrown back a whole month due to Mr. Dymond's tardiness," the judge said.

"I don't know if this was on purpose, but I think it was."

Judge Haggerty said he was asked earlier in his chambers by defense counsel to continue the case because the wife of one of them, William Wegmann, was about to have a baby.

"I TOLD THEM to ask me that in open court. They wouldn't do it," the judge said.

Panzeca again denied any delay was intended.

"No matter how you cut the mustard, it all boils down to the fact that the pleadings are not here on time," the judge said.

He said the defense wanted to bring in a large number of persons to be questioned on whether a fair trial could be obtained, and the state would have the right to do the same under that method.

"THE ONLY WAY to do it is to use jurors already selected to see if there can be a fair trial," Judge Haggerty said.

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Shaw is accused by District Attorney Jim Garrison of conspiring with Lee Harvey Oswald and others to kill the President in 1963.

THE TIMES-PICAYUNE, NEW ORLEANS, LA., FRIDAY MORNING, SEPTEMBER 22, 1967

Dallas Policemen Deeply Involved in Plot, Says DA

JFK Murder Ordered by Millionaires, Charge

District Attorney Jim Garrison said in New York Thursday that "elements of the Dallas police force were deeply involved" in the assassination of President John F. Kennedy.

The assassination, Garrison charged, was ordered and paid for by "a handful of oil-rich psychotic millionaires."

Garrison's assertions came during and after a radio interview taped for a New York City program to be broadcast Tuesday.

He said the number of Dallas police involved was small and he refused to say how many "Texas style" millionaires were involved, although he identified them all as extreme conservatives.

He also said "some members of the White Russian community in Dallas" played a part in the plot.

FINISHED IN DALLAS

Garrison said he could reveal the latest developments because his investigators were finished in Dallas and back in New Orleans. He would have jeopardized their lives, he said, if he had mentioned the involvements of the Dallas police while his men were still in Dallas. The investigation there ended some 10 days ago, he said.

The DA repeated that he is ready to bring Clay L. Shaw to trial immediately on a charge of conspiring in the late President's death.

"John F. Kennedy was assassinated by armed ultra-militant para-military elements who were patriotic in a psychotic sense," he asserted.

He said these elements decided to kill Kennedy because they felt he was "selling out to the Communists."

Garrison said there were "considerably more than seven men" involved in the actual assassination in Dallas, adding they were radio-equipped and took virtually no risk of being caught.

"The connecting link at every level of operation from the oil rich sponsors of the assassination down to the Dallas police department through Jack Ruby and including anti-Castro adventurers at the operating level were Minute Men, Nazi-oriented," he claimed, adding: "It was essentially a Nazi operation."

He also promised to reveal during the first week of the Shaw trial his version of what happened in Dealey Plaza on Nov. 22, 1963, the day of the assassination.

Garrison reiterated his claim that Lee Harvey Oswald, named by the Warren Commission as the lone assassin of Kennedy, was merely implicated "to drag a red herring in front of the people really involved."

He said Oswald at the time was an operator for the Central Intelligence Agency playing his part in the assassination thinking he was fulfilling another government's assignment. He called the CIA a "Fascist appendage to our country."

He emphasized that the assassination did not involve most of the Dallas police force or conservative organizations, saying the few Dallas police involved along with others happened to be members of ultra-right wing groups.

SHAW, CLAY L.

'Plot or Politics': Inside On JFK Death Probe

By JOHN M'MILLAN

The bullets that killed President John F. Kennedy that November day in 1963 stimulated a chain of events to which the last link has not yet been added.

The forging of one of those links is going on in New Orleans now. Whether this part of the chain will withstand the strain of strenuous examination or whether it will prove to be the work of poor metallurgy remains to be seen.

The ore was mined in Louisiana and the craftsmanship involved may be put to trial next month.

TWO NEW ORLEANS States-Item reporters, Rosemary James and Jack Wardlaw, have combined their talents and efforts to present in a book a factual, newspaper-like account of the mining and the miner, Dist. Atty. Jim Garrison.

"Plot or Politics? The Garrison Case & Its Cast" is the story of the person and places involved in Louisiana vs Shaw. Shaw is retired New Orleans businessman Clay L. Shaw, charged by Garrison with conspiring to murder President Kennedy.

Both reporters know the case well. They tell the tale many know and reveal sidelights known only to those closest to the case.

YET AS THEY SAY in the foreword: "We have no theories to peddle. We do not sit in judgment of the Warren Commission Report or attempt to prove it right or wrong, nor do we set out to establish whether Garrison's investigation is valid."

What do they do, you ask? They tell, about events, about people, about places and about theories. Often their account, particularly in characterizations, is sparkling. The writing is slick, smooth, straightforward.

Only occasionally is a passage drab. The main problem of the book is a lack of good editing.

None of this hurts the book's substance. It is just something for reviewers to point out and writers to correct in the next edition.

THE BEST THING about the book is the way it has of getting to the point. Here the talent and training of good reporters shine. The book is all meat. The excess fat included in many books by as-

The 167-page book contains nine chapters, six of them about the main characters in Garrison's investigation — the DA himself, Shaw, David William Ferrie, Dean A. Andrews, Perry Russo and Gordon Novel. Here is a thorough appendix listing the persons involved in the DA's probe. Many of the names are known to only the principals and a few insiders.

The "Politics" part of the book weaved carefully through the "Plot" gives the reader, almost as an added attraction, an insight into recent New Orleans and Louisiana political history.

But the main character is the search for a conspiracy. Soon the world will know whether Garrison "has anything." When the trial comes there will be no better program than "Plot or Politics."

The book was produced by the Pelican Publishing House.

1/23/68

SEP 1 9 1967

Shaw Loses Move in JFK 'Plot'

NEW ORLEANS, Sept. 18 (AP)—Clay L. Shaw, accused by District Attorney Jim Garrison of conspiring to assassinate President John F. Kennedy, lost a last-ditch bid today to have the case thrown out of court.

Criminal District Judge Edward Haggerty turned down two motions that would have quashed the indictment against Shaw on grounds the grand jury that indicted him was illegally formed.

At a two-day hearing last week, the lawyers attempted to prove three main points: that women were systematically excluded from grand jury service, that Negroes were systematically included, and that drawings from the jury wheel may have been illegal.

Today's action paved the way for a possible October trial date for Shaw, a 54-year-old retired New Orleans business executive. He is the only man charged so far in Garrison's controversil probe into the Kennedy assassination.

Judge Haggerty, after overruling the two motions, gave the defense until next Thursday to file any additional motions before setting a trial date.

Garrison claims Shaw participated in a New Orleans-based plot in the fall of 1963 to kill Kennedy.

SHAW, CLAY L.

SHAW ATTORNEY MUM ON PLANS

19 September 1967

Won't Air Intentions on Change of Venue

An attorney for Clay L. Shaw refused to say whether or not he intends to file a motion for change of venue for Shaw's conspiracy trial after a Criminal District Court judge refused to throw out Shaw's indictment Monday.

Judge Edward A. Haggerty Jr. denied two separate motions to quash Shaw's conspiracy indictment and gave the defense until Tuesday to file additional pleadings.

Shaw, a 54-year-old retired New Orleans businessman, was indicted earlier this year for criminal conspiracy in the death of President John F. Kennedy. He is the only man to face this charge.

After the judge announced his decision defense attorney F. Irvin Dymond would not comment on the possibility of a move for a change of venue, which would move the trial from New Orleans.

Dymond made no commitments as to what pleadings he may file, but did say:

"We want a trial at the earliest moment, but there are certain mechanics to be worked out prior to the trial, such as obtaining out-of-town witnesses.

"As far as the preparation goes, we are ready, but, as I say, there are some mechanics."

Judge Haggerty said setting of a trial date is legally in his hands as trial judge inasmuch as the state has moved for a speedy trial.

"I am going to set a date for this trial as soon as all the pleadings are filed and have been dispensed with," he said.

In another development in District Attorney Jim Garrison's Kennedy death probe a grand jury subpena was issued for William Dalzell, 528 Dauphine, ordering him to appear at 2 p. m. Thursday.

Garrison's office questioned Dalzell in June. He has been described as a petroleum adviser to the Ethiopian government.

He was an incorporator of an anti-Castro organization in New Orleans early in 1961. The

1/23/68

Ruling Due On Quash Bid by Shaw

Clay L. Shaw, accused by DA Jim Garrison of conspiring to murder President John F. Kennedy, was due to learn today whether he must stand trial on the charge.

Shaw, retired managing director of the International Trade Mart, and his attorneys have pending two motions, both aimed at throwing out the indictment against him.

CRIMINAL DISTRICT Court Judge Edward A. Haggerty Jr. said he would rule on both motions today.

Judge Haggerty promised his decision today after a pretrial hearing last week on an initial motion and a supplemental motion to quash the charge.

During the hearing, defense attorney F. Irvin Dymond hit at the previous Orleans Parish Grand Jury, whose foreman was Albert V. LaBiche, and the way it was selected. The defense charged that members of the grand jury which indicted Shaw were not impartial as some were connected with persons contributing funds to Garrison's assassination probe.

THE DEFENSE also charged that the list from which the grand jury that indicted Shaw was drawn came from a pool of less than 750 names, in violation of state law.

The state has denied the charges.

There have been reports that Shaw's attorneys will ask for a change of venue if the quash motions fail. This would further delay setting a trial date, since a hearing would have to be held on a change of venue motion.

If the motions to quash fail and Shaw's attorneys do not move to change the place of the trial from New Orleans, he could come to trial by early next month.

SHAW DEFENSE CHARGES DENIED

T-P 14 Sept 67

Allegations of Motion to Quash Answered

The District Attorney's office Wednesday denied allegations of a second supplemental motion to quash Clay L. Shaw's conspiracy indictment in Criminal District Court.

The denial was contained in an answer signed by Assistant District Attorney James L. Alcock. Assistant District Attorney Joseph N. Marcal III filed the answer with Judge Edward A. Haggerty Jr.

The second supplementary motion was filed during a two-day hearing on another motion to quash. The hearing was ended Tuesday by Judge Haggerty, who promised to rule on both motions Monday.

The second motion said the Louisiana code of criminal procedure provides that the general venire from which names of prospective grand jurors are drawn shall contain no fewer than 750 names.

It maintained that the general venire from which the names of the jury which indicted Shaw were drawn contained fewer than 750 names. The state denied the allegations.

Shaw Will Get Judge's Trial Ruling Monday

N.O. States-Item
13 Sep 67

Clay L. Shaw will learn Monday whether he must stand trial for conspiracy in the slaying of President John F. Kennedy.

Criminal District Judge Edward A. Haggerty yesterday promised a ruling Monday on two motions to throw out an indictment against Shaw.

THE JUDGE set the decision date as he ended a two-day pretrial hearing for the 54-year-old retired businessman.

District Attorney Jim Garrison contends Shaw plotted with others in New Orleans to murder the President in 1963. If the motions to quash the indictment fail, Shaw will probably go to trial late this month or in October.

Judge Haggerty is considering the original defense motion to quash as well as a supplemental motion filed by defense attorney F. Irvin Dymond after testimony given Monday.

The judge gave the state a chance to object to questions put to all witnesses before they were answered. The objections came often and were usually sustained.

ON THE stand yesterday were Assistant DA James L. Alcock, who had been doing most of the objecting, and Garrison himself. Little information was elicited from either of them.

Another witness, Willard E. Robertson, told the court that no members of the grand jury that indicted Shaw were connected with Truth and Consequences, Inc., the group privately financing Garrison's probe.

Two other members of the group, Joseph M. Ruhl Jr.

See PROBE— Page 4

N.O. States-Item
13 Sep 67

Probe—

Continued from Page 1

and Cecil Shilstone, were also interviewed.

THE STATE has until Friday to file an answer to the supplemental motion to quash the indictment.

There were reports that Shaw's attorneys would ask for a change of venue if the quash motions fail. This would further delay the trial, since a hearing would have to be held on this motion.

At the close of yesterday's hearing, Dymond said he was "not satisfied with the court's response."

Governor Says Probe Halt Would Be Error

It would be a serious mistake if, for some reason, DA Jim Garrison's investigation of the assassination of President John F. Kennedy were halted, Gov. John J. McKeithen reiterated yesterday in Asheville, N.C.

The governor said, however, he has accepted the Warren Commission report that New Orleans-born Lee Harvey Oswald alone shot and killed President Kennedy.

He said that nevertheless, many millions of people in this country and over the world believe that a conspiracy existed in connection with the assassination. If the Garrison probe were ended without running its course, it would result in fresh fuel being set to the conspiracy belief, McKeithen said.

11/23/68

Haggerty to Rule Monday on Motions in Shaw Case

13 Sept 67

To Decide on Two Pleas to Quash Indictment

By PAUL ATKINSON

Criminal District Court Judge Edward A. Haggerty Jr. said early Tuesday afternoon that he will rule simultaneously Monday on two defense motions to ask quash the Orleans Parish Grand Jury indictment of Clay L. Shaw, accused of conspiracy in the death of President John F. Kennedy.

Shaw's defense attorneys, F. Irvin Dymond, Edward F. and William Wegmann and Salvadore Prantera, interjected a supplemental motion to quash the indictment Tuesday morning and the state will answer it by Friday. Haggerty said he will give his decision Monday, possibly clearing the deck for the district attorney's office to set the trial date whenever it wishes.

Haggerty said he had heard what he called "rumblings" around the courthouse that the defense plans to file for a change of venue. But he added he had not been informed of this as a fact.

If there is a request for a change of venue, said Haggerty, it would be incumbent on the defense to prove it could not get a fair trial here. "It simply can't allege this," said Haggerty.

Should the defense take this route, though, it would mean the Shaw trial will not come up in October as Haggerty would be forced to set a hearing on the venue request.

There were over three hours of testimony Tuesday with District Atty. Jim Garrison, his executive assistant, James L. Alcock, Truth and Consequences founders Willard E. Robertson, Joseph M. Rault Jr. and Cecil M. Shilstone, and former district attorney special investigator William R. Gurvich testifying.

When it was all over, Dymond was asked if he was satisfied. "No, we weren't satisfied with the court's reasons," admitted Dymond, "but more than once engaged

Sec. 1, Page 28, Col. 4

—Have code names ever been used by the DA's office, and if so, has Life Magazine been given a key to this code?

Continued from Page 1

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"We expected more," said ymond. "Or I should say, we ped for more."

FEW SPECTATORS

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Garrison also identified as a

gerty one of his points in the supplemental motion to quash centered on whether members of the indicting grand jury were members of Truth and Consequences.

"Mr. Robertson, for one, knows whether those grand jurors were telling the truth Monday," said Dymond.

CHANGES MIND

Haggerty changed his mind and allowed Dymond to reread the names of the grand jurors. Robertson denied any were contributors to Truth and Consequences.

The defense's supplemental motion to quash also mentions provisions in the state's new code of criminal procedure which Dymond said provides

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1/23/68

Shaw Case Ruling Monday

Continued from Page 1

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The hearing didn't draw the crowds of earlier days, and only when the lanky Garrison showed up to testify about 12:30 p. m. did a sprinkling of spectators come into the courtroom. Mostly, the spectators were disappointed, for Alcock and Haggerty were quick to remind Garrison that he need not answer questions until the state had time to protest. And protest it did.

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One question was whether the district attorney's office has received financial aid from an organization known as Truth and Consequences. Garrison replied, "yes."

Immediately, Haggerty in... Garrison to wait to "faithful reproduction" a letter he wrote the Federal Communications Commission protesting the National Broadcasting Company's special that was critical of the Garrison probe.

QUESTIONS BARRED

After continuous questioning by Dymond about Russo, Haggerty ruled Dymond could not ask any questions about Russo. He also made the same stipulation in regard to Mrs. Sandra Moffett McManes, whom Russo testified earlier accompanied him to a party at David W. Ferrie's home where the conspiracy allegedly unfolded.

Among questions asked Garrison, but which he did not answer because of the state's objection, were these:

—Did your office prepare a master file on the Shaw case?

—Was Life Magazine given a copy of this master file?

—Isn't it a fact Russo gave your office three different dates on the conspiracy party?

—Has any accounting been rendered to Truth and Consequences of funds spent by your office?

Alcock's stay was very brief, and he objected to one question himself.

FEW ANSWERED

Alcock was asked if it weren't a fact he protested the use of Vernon Bundy as a witness in the Shaw hearing. Assistant District Atty. Richard Burnes protested.

Gurvich also was not permitted to answer many questions.

Questions posed to Gurvich—but vetoed by the state—were these:

—Has property belonging to Clay Shaw been displayed to representatives of Life Maga...

members or had contributed to Truth and Consequences. He said "no" in every case.

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Dymond won one of his few verbal tiffs with Haggerty in his questioning of Robertson.

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—Has property belonging to Clay Shaw been displayed to representatives of Life Magazine?

—Is there a two-way mirror in the district attorney's office?

—Were representatives of Life Magazine permitted to use this two-way mirror in photographing Shaw as he was being questioned by district attorney's personnel?

—Were lie detector tests given to Regis, Bundy and the Rev. Clyde Johnson and what were the results of these tests?

—Have code names ever been used by the DA's office, and if so, has Life Magazine been given a key to this code?

—Is it a fact that Life Magazine was given a copy of a master file on the Shaw case?

It was at this point that Dymond, Edward Wegmann, Haggerty and Burnes became embroiled over a dispute about whether Life was entitled to something—if indeed it had the master file—while the defense was not. Finally, Haggerty informed Dymond he could not ask any more questions about Life Magazine as they were "immaterial."

CONTRIBUTORS LIST

"Regardless of what questions might be asked?" questioned Dymond.

"Regardless," said Haggerty. [illegible] appeared to be com-

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SHAW CLAY L.

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"Regardless," said Haggerty.

Gurvich appeared to be completely bored and at one time looked as if he might be going to sleep.

Shilstone testified he never had a complete list of contributors to Truth and Consequences. He said he understood a list of contributors was made up and was turned over to the courts.

"Some months ago I was sent a partial list at the inception of the organization," continued Shilstone, "but I looked at the contributors from out of state and then discarded the list."

Shilstone also said he did not know Judge Bernard J. Bagert, who made up the grand jury which indicted Shaw.

STATE OBJECTIONS

Among questions which weren't answered by Shilstone because of state objections were these:

—Who keeps the books for Truth and Consequences?

—In what bank or banks is the money kept?

—Who has authority to sign the checks?

—Is there any accounting required of the district attorney's office for the money he spends?

—What are the qualifications to become a member of the organization?

—Is it specified the money must be spent in prosecuting Clay L. Shaw?

—Was Police Supt. Joseph I. Giarrusso present at the first or subsequent meetings? Was Garrison there? Was Bagert there?

ONLY THREE MEMBERS

Rault said there are only three members of Truth and Consequences—Robertson, Shilstone and himself—while other people are considered contributors.

Dymond read off a list of the names of grand jury members who returned the indictment against Shaw and asked Rault if they were

N.O. States-Item
12 Sept 67

Shaw Attorneys Resume Quash Fight in Court

Attorneys for Clay L. Shaw resume their court fight today in an effort to overturn an indictment charging him with conspiring to murder President John F. Kennedy.

The heavy artillery is expected today with Dist. Atty. Jim Garrison and his former chief investigator William Gurvich scheduled to take the witness stand in a pre-trial hearing on a motion to quash the indictment.

THE DEFENSE paraded a long line of witnesses before the court yesterday, including members of the grand jury which indicted Shaw. One juror said an officer in the firm for which he works contributed to Truth and Consequences, an organization which financially contributes to Garrison's investigation into the death of Kennedy.

J. C. Alvarado, a vice-president of Louisiana & Southern Life Insurance Co., admitted an officer in the insurance firm contributed to Truth and Consequences, but was prevented from naming the person by Criminal District Judge Edward Haggerty.

Alvarado's testimony came near the end of a long day in court in which Shaw's attorneys launched an attack on the grand jury and the system by which grand juries are selected.

The attack on grand juries in general took the fact that women are systematically excluded from grand juries, that Negroes are systematically in-

Turn to Section 1, Page 6

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Keithen Believes

McKeithen said, "and they've just got to run their course."

Garrison, meanwhile, was again expounding his theory that "a precision guerrilla team of at least seven men" killed Kennedy and that Oswald did not fire a shot.

In a copyrighted interview in the October issue of Playboy magazine, Garrison made his often repeated comment that the assassins were former employes of the Central Intelligence Agency.

The killers acted, Garrison told Playboy, because their plans to assassinate Cuban dictator Fidel Castro were thwarted by Kennedy. The President was "working for a reconciliation with the U.S.S.R. and Castro's Cuba." Garrison is quoted as saying

1/23/68

Shaw Attorneys ... Quash Battle in Court

Continued from Page 1

cluded, and that selections from the jury wheel may have been illegal.

The specific attack on the grand jury which indicted Shaw centered on its conduct. Defense attorney F. Irvin Dymond questioned each member of the grand jury as to whether he or anyone with whom he is connected had ever contributed to Truth and Consequences.

HE ALSO ASKED about indictment deliberations and appearances before the jury by persons other than the DA's staff.

Alvarado was the only juror who said he had a connection with a contributor.

The jurors were prevented from answering the other questions by Judge Haggerty. Dymond filed a bill of exception to each decision for the purpose of appeal.

On the matter of selecting grand juries, several contradictions came out of testimony by jury commissioners who are responsible for supplying names of prospective grand jurors.

Phillip J. Myer, a member of the commission which drew the names of the prospective jurors from which the grand jury that indicted Shaw was selected, testified there might have been only 500 to 600 names in the brass wheel from which the names were pulled.

"DON'T YOU know that the law requires you to keep 750 names in there at all times?" Judge Haggerty asked.

"No," replied Myer. However, he later raised his estimate, saying here were always 1,200 to 1,500 names in the wheel at a drawing.

Daniel R. Hughes Sr., a commissioner, told the court the names had not been counted since he took office in 1964. The other commissioners, chairman Noel J. Rada and Mrs. Louise Bistes, gave various guesses as to the number of names in the wheel.

Judge Haggerty ordered a count made of the current names available for grand jury selection. There were 739 names in it.

Rada also testified that he had not followed court orders to obtain additional names of prospective jurors.

Judge Haggerty asked Rada whether he selected the names from voter registration lists, the city directory, Negro organizations, social carnival clubs and large employers.

NO," RADA answered.

"I don't know where you've been all this time; you were there when I requested you do these things," Haggerty replied, apparently peeved.

Rada also testified he doesn't get names from Orleans Parish Registrar of Voters A. P. Gallinghouse.

Mrs. Bistes said Gallinghouse "keeps us constantly supplied with names."

When Rada and Myer completed their testimony, Haggerty explained to Dymond, "you have to remember these are part-time political jobs appointed by the governor; they have a lot of different ideas about how to run the job."

"THAT'S PRETTY obvious," Dymond replied.

In other testimony, which tall, gray-haired Shaw chain-smoked through with no show of emotion, seven criminal district court judges described their method of selecting grand juries.

During this testimony, it was brought out that no women had served on a grand jury since 1954 and that Negroes were usually included on each grand jury.

McKeithen Believes Warren Report Valid

(Special to the States-Item)

ASHEVILLE, N. C. — Gov. John J. McKeithen said here that he believes the Warren Commission Report that one man killed President Kennedy—Lee Harvey Oswald.

The governor, attending a Southern Governors' Conference, broke his long silence on the matter yesterday. But he refused to say whether he considers Orleans Parish Dist. Atty. Jim Garrison's investigation necessary.

McKeithen said, "and they've just got to run their course."

Garrison, meanwhile, was again expounding his theory that "a precision guerrilla team of at least seven men" killed Kennedy and that Oswald did not fire a shot.

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JUROR IN SHAW CASE TELLS OF FUND DONATION

N. Orleans Picayune

...ntifies Associate Gave ... to Garrison Probe

Life 6-7

... member of the Grand Jury ...ch returned a conspiracy in...ment in the assassination of ...esident Kennedy against Clay ... Shaw testified Monday after...oon that one of his business as...sociates had contributed money to a group known as Truth or Consequences.

Truth or Consequences is an organization which financially supported District Attorney Jim Garrison's investigation of an alleged assassination probe against the late President.

The testimony was given the first day of a pretrial hearing by Criminal Dist. Judge Edward Haggerty on a motion by Shaw's defense attorneys to quash the conspiracy indictment.

The other 11 former Orleans Parish grand jurors were also questioned.

The hearing was adjourned at 6:10 p. m. until 10:30 a. m. Tuesday.

The witness and former grand jury member who admitted knowledge of the contribution was J. C. Alvarado, vice-president of Louisiana & Southern Life Insurance Co.

NO IDENTIFICATION

Haggerty ruled, however, that Alvarado could not identify the donor, who is an officer of the insurance company, by name or title.

Defense attorney F. Irvin Dymond said the insurance official should be identified by title, because if his rank is above that of Alvarado it was possible he could've been influenced in his indictment decision.

Haggerty said he made the ruling "because I'm not going to let you (Dymond) obtain indirectly information which I have previously forbade you to obtain directly."

PREVIOUS ATTEMPTS

The judge referred to Dymond's previous attempts to get a list of the members and benefactors of the Truth or Consequences group.

Haggerty told Dymond his actions indicated he thought he was arguing a case before a jury.

"I remind you that you are not before a jury and you don't



—Photo by The Times-Picayune.

CLAY L. SHAW (right), accused by New Orleans Dist. Atty. Jim Garrison of conspiring to murder President John F. Kennedy, chats with his attorney, Edward Wegmann, upon their arrival Monday for a pretrial hearing at the Criminal District Court Bldg.



—Photo by The ...

PERRY RAYMOND RUSSO (right), who is the ...ness against Clay L. Shaw in the President Kenn... nation conspiracy case, arrives in court Monday ... Dist. Atty. Andrew Sciambra. Russo, who testifi... heard Shaw and others plotting to kill Kennedy, ... 30 persons subpoenaed for a pre-trial hearing ... attorneys who are attempting to quash the indic...

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Dymond questioned Bagert, "Have you ever had a woman ...bmitted among the 75 names ... grand jury service?"

"To the best of my recollection, there were none on the grand jury venire list," admitted Bagert.

Dymond asked Bagert that, in ...lecting Negroes on the last ...and jury he made up, if the ...tio of Negroes to whites was ...nsistent with the ratio of the ...y's population. He said it ...sn't.

PROUD OF TWO

Bagert said he was quite ...oud of the two Negroes he ...d on the grand jury. "I se...ted two of the finest citizens ... this community," said Bag... "One is a ward leader and ... other the publisher of a ... weekly paper which serves ... Negro community."

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"I really couldn't say," replied Becker. "I'm not familiar with all the grand juries. I don't recall one, but I can't say for certain."

Judge Oliver P. Schulingkamp was asked if he has ever had a woman on his grand jury.

"No," replied Schulingkamp.

"Has a woman ever appeared on your list?" Dymond asked.

"No," answered Schulingkamp.

"Do you attempt to keep the ratio of Negroes to whites on the grand jury equal to the population ratio?" asked Dymond.

"No," said the judge. "If a Negro meets the requirements, then he may be a grand juror."

RADA QUESTIONED

Questioning of Rada was extensive.

Rada, besides coming in for questioning by Dymond, was also grilled by an apparently irked Judge Haggerty who was miffed when Rada seemed oblivious to requests made earlier by Haggerty for getting addi...

court's office and sign a waiver.

She said the wheel is refilled with names, taken from a cabinet, just before the drawing.

Mrs. Bistes said Gallinghouse "keeps us constantly supplied with names."

But she said no organizations have ever supplied the jury commissioners with names.

Hughes indicated that the last time the wheel was cleared was in 1952.

Dymond asked Hughes if he had ever opened the wheel.

"No," said Hughes.

"Have you ever seen any...

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Hughes said it ... there were 1,600 ... wheel "at all time...

Dymond asked ... had ever seen the ... woman presented to ... his grand jury.

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CHARLES L...

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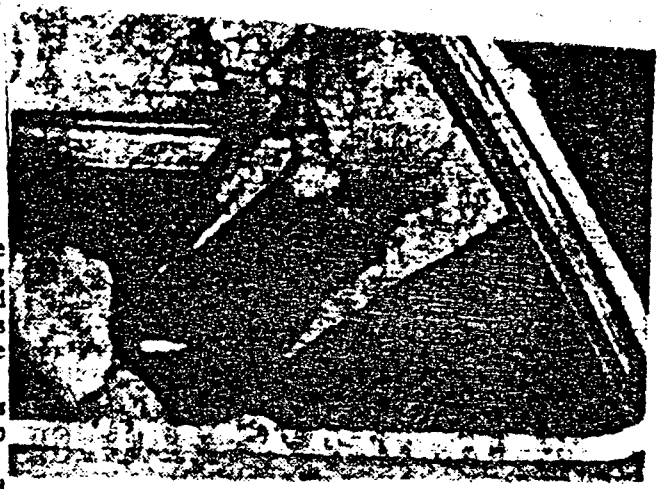
Haggerty told Dymond his actions indicated he thought he was arguing a case before a jury.

"I remind you that you are not before a jury and you don't impress me," the judge said.

Much of the proceedings during the questioning of the former grand jurors seemed to be reduced to legal quibbling over what testimony was allowed from the grand jurors, Judge Haggerty's rulings on objections to such questions by the state and the entering of numerous bills of exceptions by Dymond.

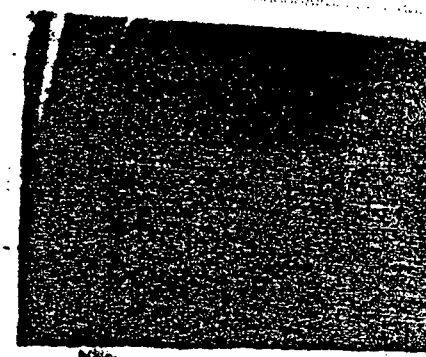
In general, information sought from the former jurors by Dymond dealt with whether they, their business associates and members of their families had donated money to Truth or Consequences or the dis-

Page 10, Col. 1



—Photo by The Times-Picayune.

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JURY MEMB[illegible]

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tr[illegible] attorney's assassination

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OBJECTIONS RAISED

[illegible]he state raised objections [illegible]er each question put to the [illegible]rors, as Haggerty interrupted Dymond and asked if the state had objections. The objections were sustained and Dymond entered a bill of exception to each one.

Mrs. McMaines, presently residing in Kansas, is fighting extradition to Louisiana as a material witness in the case.

It was during the questioning of the first of the 12 ex-grand jurors, Constant C. DeJoie, that the quibbling and entry of bills of exception started. And the entry of such bills came almost as a matter of form with the questioning of the remaining former jurors.

Dymond said he was attempting to perfect his bills in case the entire matter eventually wound up in the Supreme Court.

TESTIMONY RULED OUT

Haggerty said testimony obtained by the Grand Jury or during Shaw's pre-trial hearing couldn't be used in the quash hearing unless a witness was either dead or couldn't be found or unless impeachment proceedings against the district attorney were involved.

He added that such testimony could, however, be included in bills of exception.

Dymond told the court it was important to find out to what extent the Grand Jury or the district attorney had gone to have Mrs. McMaines



—Photo by The Times-Picayune.

CLAY L. SHAW (right), accused by New Orleans Dist. Atty. Jim Garrison of conspiring to murder President John F. Kennedy, chats with his attorney, Edward Wegmann, upon their arrival Monday for a pretrial hearing at the Criminal District Court Bldg.



—Photo by The Times-Picay

PERRY RAYMOND RUSSO (right), who is the chief witness against Clay L. Shaw in the President Kennedy assassination conspiracy case, arrives in court Monday with Asst. Dist. Atty. Andrew Sciambra. Russo, who testified he overheard Shaw and others plotting to kill Kennedy, was one 30 persons subpoenaed for a pre-trial hearing by Shaw attorneys who are attempting to quash the indictment.

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lady to serve on a grand jury?" Dymond asked.

"I really couldn't say," replied Becker. "I'm not familiar with all the grand juries. I don't recall one, but I can't say for certain."

Judge Oliver P. Schulingkamp was asked, if he has ever had a woman on his grand jury?

"No," replied Schulingkamp.

"Has a woman ever appeared on your list?" Dymond asked.

"No," answered Schuling[illegible]

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"No," said Hughes.

Hughes said it was his there were 1,600 names wheel "at all times."

Dymond asked Hughes had ever seen the name woman presented to a grand jury.

"Don't believe I can one," said Hughes.

Shaw sat through the proceedings in his usual manner—looking straight ahead, rarely moving, cigarette lit. He was dressed in a grey business suit, smiled freely as he talked

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Dymond told the court it was important to find out to what extent the Grand Jury or the district attorney had gone to have Mrs. McMahnes returned to Louisiana.

"Because of the harassment," Dymond said, "the state has deprived the defense of what it feels is an essential witness for the defense.

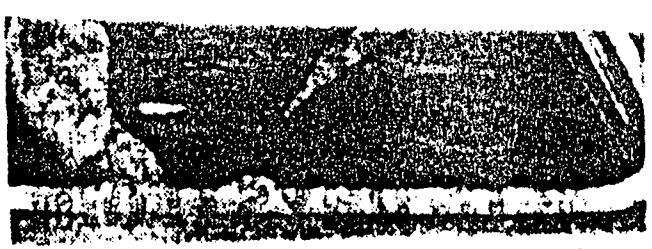
PUBLIC STATEMENTS

"She has publicly made statements which contradict Russo's testimony; and because of the action of the Orleans Parish Grand Jury, she has retained an attorney who has seen fit to keep her from coming here to testify. Therefore, the defense is deprived of a fair trial."

Asst. Dist. Atty. James L. Alcock said, "Mrs. McMahnes told us she didn't have money or clothes to come here. We offered to get her some decent clothes and pay her fare here.

"Then she went on national television and tried to make the district attorney's office look bad."

Garrison has alleged that Shaw conspired with Lee Harvey Oswald and David William Ferrie, both now dead, to assassinate President Kennedy.



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Dymond questioned Bagert, "Have you ever had a woman submitted among the 75 names for grand jury service?"

"To the best of my recollection, there were none on the grand jury venire list," admitted Bagert.

Dymond asked Bagert that, in selecting Negroes on the last grand jury he made up, if the ratio of Negroes to whites was consistent with the ratio of the city's population. He said it wasn't.

PROUD OF TWO

Bagert said he was quite proud of the two Negroes he had on the grand jury. "I selected two of the finest citizens of this community," said Bagert. "One is a ward leader and the other the publisher of a fine weekly paper which serves the Negro community."

Judge Bagert testified that he had several women serve on petit juries for him. He said that Mrs. Milton Adler was selected as foreman for one of his juries.

Judge Frank J. Shea said that he asked for 100 names when he made up his only grand jury — each judge makes up a grand jury about

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"No," answered Schulingkamp.

"Do you attempt to keep the ratio of Negroes to whites on the grand jury equal to the population ratio?" asked Dymond.

"No," said the judge. "If a Negro meets the requirements, then he may be a grand juror."

RADA QUESTIONED

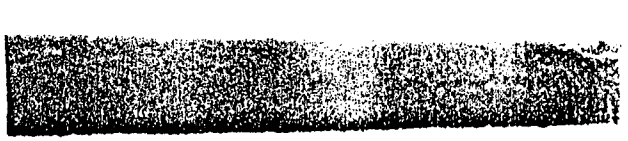
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SHAW, CLAY L.

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Garrison has alleged that Shaw conspired with Lee Harvey Oswald and David William Ferrie, both now dead, to assassinate the President.

Earlier in the day, seven criminal district court judges and four Orleans Parish Jury Commissioners occupied the witness stand.

NO WOMEN'S NAMES

Dymond and Shaw's other attorneys, Edward and William Wegmann and Salvadore Panzeca, hammered away at the fact there were no women's names submitted to Judge Bernard J. Bagert to select the Grand Jury which returned the indictment against Shaw March 28.

But if nothing else could be said for the often-dull and tedious repetition of questions for each of the judges and the jury commissioners, one thing was accomplished. The number of names which are used to select the makeup of petit and grand juries was counted and found to be 739.

Jury commissioner Daniel R. Hughes Sr. testified the names had not been counted since he took office in 1964 and most other commissioners, chairman Noel J. Rada, Mrs. Louise Bistes and Philip J. Meyer, were hazy on the total, though they guessed anywhere from 700 to 1,600 names were in it.

COUNTING OF NAMES

Criminal District Court Judge Edward A. Haggerty Jr. had injected the counting of the names into the regular course of the proceedings, appointing Panzeca for the defense and Asst. District Atty. Joseph N. Marcal III to do the official counting. States-Item reporter Hoke May and a sheriff's deputy looked in on the counting to avoid "any irregularities," as Judge Haggerty lightly stated it.

Judge Bagert was the first witness of the day. He said that two Negroes served on the grand jury, but there were no women.

As the questioning of Judge Bagert opened, Dymond tipped his hand, many courtroom observers felt. He said that a woman's viewpoint might have been advantageous.

Judge Haggerty told Dymond that the question of women serving on grand juries had been settled by the Louisiana Supreme Court in the Lea case. "but I will let you continue this line of questioning, however."

COURT RULING

The case to which Haggerty had several women serve on petit juries for him. He said that Mrs. Milton Adler was elected as foreman for one of his juries.

Judge Frank J. Shea said that he asked for 100 names when he made up his only grand jury — each judge makes up a grand jury about once every four years. He said he couldn't recall a woman's name.

Shea said that he had five Negroes serving on the grand jury. "I don't believe in putting Negroes on the grand jury merely for the sake of having Negroes on the jury," explained Shea. "They happened to be among the first 12 qualified persons."

Asked if he ever knew women to serve as grand jurors, Judge Shea said, "no." Then he added, "But I don't keep up with other grand juries."

O'HARA QUESTIONED

Judge Malcolm V. O'Hara told the pretrial hearing that he asked for "from 75 to 125 names — I can't remember the exact number."

In the questioning of O'Hara, Dymond made the notation that O'Hara's grand jury was the first to be selected after the Bagert grand jury returned the Shaw indictment. He said this was significant because it might show there was a new policy of having women on the grand jury.

O'Hara said there is one woman on his current grand jury, which was sworn in last week.

Judge Thomas M. Bradney Jr. said he had selected two grand juries, and in neither case had there been a woman on the list of prospective jurors submitted to him. There were Negroes, he said.

Dymond asked Judge Matthew S. Braniff, "When is the first time you knew of any Negroes being on a grand jury?"

"I don't recall the year," replied Braniff, "but it seems like it was in the last 10 or 12 years."

DECISION IN 1954

"Would it refresh your memory if I reminded you of Judge William O'Hara's decision on Negroes and women in 1954?" questioned Dymond.

"This is right," said Braniff. "Gee, I think I remember something like that."

"Do you know of any woman except Mrs. Dan Fleming who appeared on a jury?" asked Dymond.

"I can't say," replied Braniff. "Off hand, no."

Judge Rudolph E. Becker said he never had a woman serve on his grand jury.

"Other than Mrs. Dan Fleming, have you ever known a

"Don't you get monthly a list of names from Orleans Parish Registrar of Voters A. P. Gallinghouse?" prompted Judge Haggerty.

"No," said Rada. "I don't remember when we got the last one."

"Don't you get names of Negroes from Negro carnival and civic organizations?" Judge Haggerty asked.

"No, sir," replied Rada.

"Don't you get names of prospective jurors from largest employers?" asked Judge Haggerty.

"No, sir," replied Rada.

Peeved, Haggerty said, "I don't know where you've been all this time; you were there when I requested you do these things."

SOURCES OF NAMES

Rada told Dymond that he gets the list of names from "city directories, voter registration lists and occasionally a few volunteers."

Dymond asked Rada if he had ever counted the number of names in the big brass cage.

"No," replied Rada, but he said he thought there were at least 1,500 in the cage.

Rada testified that women have just recently started coming in to volunteer. The procedure, he said, is that they must first go to the clerk of court's office and sign a waiver before their names become eligible for the grand jury and petit jury list.

'PURELY CHANCE'

As for why there have been no names of women for the grand juries, Rada said, "It's purely chance, sorta like a lottery."

Meyer said that he thought there were "500 to 600 names in the big brass cage."

Dymond asked Meyer if he needed a jury panel of 125 names, "Wouldn't you put 125 names in the cage?"

Meyer replied, "No, more than that, maybe 500."

When Rada and Meyer had finished their testimony, Haggerty explained to Dymond, "You have to remember these are part-time political jobs (jury commissioners) appointed by the governor; they have a lot of different ideas about how to run the job."

"That's pretty obvious," said Dymond.

"It's obvious to me also," said Haggerty.

Mrs. Bistes told Dymond she thought there were about 1,500-1,700 names in the brass cage.

When asked if she could say why women are excluded from the grand jury list, Mrs. Bistes reminded Dymond that women must first go to the clerk of

N.O. States-Item

Shaw Goes To Court in Quash Try

11 Sept 67

Clay L. Shaw, who is accused by District Attorney Jim Garrison of conspiring to murder President John F. Kennedy, goes to court today in an attempt to have the indictment against him thrown out.

Criminal District Court Edward A. Haggerty Jr. will hear arguments on a motion to quash the charge filed by Shaw's attorneys.

Judge Haggerty said earlier he would rule on the motion by Sept. 18.

IF THE MOTION fails, Shaw's trial could get under way late this month or early in October.

The 54-year-old Shaw, who was arrested March 1, is the only man Garrison has charged with conspiracy in his controversial probe of the Kennedy assassination.

Shaw's attorneys have subpenaed more than 30 witnesses for the pre-trial, including Garrison's chief witness, Perry Raymond Russo, and Garrison.

IT WAS LARGELY the testimony of Russo, who sells insurance in Baton Rouge and New Orleans, that a three-judge panel ruled there was sufficient cause to hold Shaw for trial. Shaw has been free under $10,000 bond.

Garrison alleges that Shaw met with the late David W. Ferrie, a free-lance pilot who died here Feb. 22, and the late Lee Harvey Oswald, named as the presidential assassin by the Warren Commission, in mid-September, 1963. The three met at Ferrie's uptown apartment during a party and plotted the assassination, Garrison claims.

Shaw, a retired businessman who once served as managing director of the International Trade Mart, maintains he is innocent.

SHAW CLAY L.

DEFENSE WINS ON TWO POINTS

New Orleans Times-Picayune

DA Must Give Facts in Shaw Case—Haggerty Rules

Criminal District Court Judge Edward A. Haggerty Jr. ruled Wednesday that the state must reveal two important points in the criminal conspiracy case against retired businessman Clay L. Shaw and said the trial of Shaw could begin by late September.

Ruling on points of an application for a bill of particulars that have not been answered to the defense's satisfaction, Judge Haggerty ordered District Attorney Jim Garrison to reveal:

—Approximately when the district attorney contends Shaw met with Lee Harvey

Cont. in Sec. 1, Page 3, Col. 5

fense until Aug. 30 to file a supplementary motion to quash Shaw's grand jury indictment, and the state until Sept. 6 to answer the motion.

He said he will rule on the supplemental motion Sept. 13, and added that, "barring some unforeseen development," the trial could be set for the latter part of September.

Of the state's motion for a conference to select a trial date, Judge Haggerty said that the district attorney has the right to set the trial date under Louisiana law, and that he can set the matter for trial "as soon as the pretrial pleadings have been properly and legally concluded."

PRAYER FOR OYER

On the prayer for oyer, the judge ruled that the defense has already seen all of the state evidence it is legally entitled to. He said he will rule during the trial on the materiality and relevancy of any item or object offered in evidence.

On the motion for the return of property and to suppress evidence, Judge Haggerty noted that the state has returned $38,869 in homestead stock to Shaw, and that all other evidence is in the possession of the clerk of court. He said admissibility of evidence will be ruled on during the trial.

The application for a bill of particulars contained 93 points, some of which have already been answered by the state, ac-

WO POINTS

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EFENSE VICTORIES

defense's victories came fourth group of requests, related to place and time alleged conspiracy, in- g an alleged meeting in Rouge and a trip to the ... coast.

Judge Haggerty said:

"I believe counsel for the defense is entitled to know the approximate time in the fall of 1963 that the meeting took place between Oswald, Ruby and Shaw. I so order the state to particularize further. I further direct that the state's answer to paragraph 22D be more explanatory by explaining where on the West coast, particularly the state and the city, I do order."

Paragraph 22D was in a group of alleged overt acts listed by the state in answer to a defense request in the bill of particulars. One of the acts listed was "a trip to the West coast of the United States by Clay L. Shaw during the month of November, 1963."

The other allegation was that Shaw went from New Orleans to Baton Rouge in the fall of 1963 and met Lee Harvey Oswald and Jack Ruby, delivering a sum of money to them at the Capitol House Hotel.

The fifth group sought additional information about the alleged overt acts. The judge ruled the state is not required to furnish it.

The judge maintained that the sixth group, also seeking information about the alleged overt acts, was already complied with.

The seventh and last group requested information about the state's evidence which Judge Haggerty said the state is not required to give.

The defense also filed a motion Wednesday to have testimony taken by deposition from Mrs. Lillie Mae McMaines in Des Moines, Iowa.

Mrs. McMaines, known in New Orleans as Sandra Moffett, was a former girlfriend of the state's star witness, Perry Raymond Russo, who testified he overheard a plot to kill the President.

Defense Attorney F. [illegible] Dymond said he was willing to waive objections to taking testimony by deposition from the girl, who has refused to return to New Orleans, since both the defense and the state want her testimony.

However, Judge Haggerty said he had "never heard" of such a thing, and that even if both sides waive objections the deposition may not be in accordance with the law.

Later he told newsmen that the motion will not be granted unless the defense showed a "legal authority."

Andrews Motion Ruling Slated

Criminal District Court Judge Frank J. Shea, who presided over the perjury trial in which Dean A. Andrews Jr. was convicted, is expected to rule Thursday on Andrews motions for a new trial and an arrested judgment.

The arrested judgment motion, if granted, will allow Andrews to be released on bail while his attorneys take steps necessary to begin an appeal of the conviction before the state supreme court.

Andrews was found guilty early Monday on three of five perjury counts concerning assassination conspiracy testimony before the Orleans Parish grand jury.

The counts included testimony by Andrews that he could not identify conspiracy defendant Clay L. Shaw as the mysterious "Clay Bertrand," who, Andrews told the Warren Commission, called him about representing Lee Harvey Oswald after the assassination of President John F. Kennedy.

District Attorney Jim Garrison claims that Shaw used the alias "Bertrand" and participated in a conspiracy to murder President Kennedy.

DEFENSE WINS ON TWO POINTS

Continued from Page 1

Oswald and Jack Ruby in Baton Rouge.

—The state and city on the West Coast in which Shaw is alleged to have committed an overt act in relation to an assassination conspiracy.

However, those were the only defense victories as the judge ruled on three defense pleadings and a state motion. Denied were the rest of the points of the application for particulars upon which the state and the defense disagreed, a prayer for oyer which would permit the defense to see certain evidence and a motion for the return of seized property and for the suppression of evidence.

BILL OF PARTICULARS

The defense also filed a supplemental application for a bill of particulars Wednesday, which the judge gave the state until Friday to answer.

The judge also gave the defense until Aug. 28 to file a supplementary motion to quash Shaw's grand jury indictment, and the state until Sept. 6 to answer the motion.

He said he will rule on the supplemental motion Sept 13, and added that "barring some unforeseen development" the trial could be set for the latter part of September

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permitted to force the state to present to them their entire evidence prior to the date of trial," Judge Haggerty said.

The second group asked for information on overt acts committed by one or more of the alleged coconspirators. The ruling was that since alibi is not a defense, the defendant is not entitled to this information.

The third group asked for specific evidence of what were the overt acts and what was the agreement entered into by the conspirators. Since it is evidence, the defense is not entitled to the information before the trial, the judge ruled.

DEFENSE VICTORIES

The defense's victories came in the fourth group of requests, which related to place and time of the alleged conspiracy, including an alleged meeting in Baton Rouge and a trip to the West coast.

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based on the fallacy that alibi is a defense against a conspiracy charge.

LENGTHY OPINION

Issuing a lengthy legal opinion on the nature of the crime of conspiracy, he made the following main points:

1. When acts are committed within the state in performance of the conspiracy's purpose, the fact that other acts are to be performed outside the state does not prevent prosecution in the state for conspiracy in the state.

2. It is not necessary that each conspirator know or see the others. It is also not necessary that sach conspirator know all the details of the plan or operation or the part played by each of the conspirators.

3. When a conspiracy exists, the joining of members thereafter does not create a new conspiracy.

4. It is not necessary that each conspirator commit an overt act . . . The overt act may be committed by any member of the conspiracy. The overt act need not in itself be criminal. Anything done to carry out the conspiracy is a sufficient overt act, even making a phone call or mailing a letter.

5. Criminal responsibility for the conspiracy is not affected by the fact that the purpose of the conspiracy was not accomplished.

6. Each conspirator is liable for any act of every participant in the conspiracy committed in pursuance of the original plan and object.

7. The criminal responsibility of a coconspirator is not affected by the fact that he is absent when the criminal act contemplated is committed. The rule of responsibility includes acts done before the defendant joined the conspiracy.

8. The death of one conspirator does not prevent the conviction of another.

9. A conspirator may clear himself by proving that he withdrew from the conspiracy before the overt act was committed.

RULINGS IN GROUPS

Judge Haggerty ruled on the defense points in the application for particulars in groups.

The first group asked for the exact date Sciambi allegedly entered into the conspiracy. The state has said it happened in September 1963. The judge said that the information need not be more specific than that.

"This is a peculiar type crime, calling for peculiar type proof, and counsel is not

They are Byron Glaverman, whose connection with the case is unexplained, Steven R. Plotkin, attorney for Gordon Novel, sought by Garrison as a material witness, and Rancier Ehlinger, a former associate of Novel.

JUDGE TO RULE IN SHAW CASE

N.O. Times-Picayune
16 Aug 67

Will Decide on Defense, State Motions Today

Criminal District Court Judge Edward A. Haggerty Jr., who will preside at the presidential assassination conspiracy trial of retired businessman Clay L. Shaw, will rule on three defense motions and one state motion Wednesday morning.

Judge Haggerty announced Tuesday that he will rule at 11:30 a. m. Wednesday on the defense's application for a bill of particulars, which would reveal specific allegations, including dates and places, a prayer for oyer, which asks that the defense be allowed to see certain articles of evidence, and a motion for the return of seized property and to suppress evidence.

Also to be ruled upon will be the state's motion for a conference of all concerned to select a trial date.

Still pending will be a defense motion to quash Shaw's Orleans Parish Grand Jury indictment which alleges participation in a conspiracy to kill President John F. Kennedy. This ruling will come after a hearing, as yet unscheduled.

Earlier Tuesday District Attorney Jim Garrison issued subpenas for three persons to appear before the jury in connection with the assassination probe.

The three are:

Steven R. Plotkin, an attorney who represents fugitive witness Gordon Novel.

Rancier B. Ehlinger, 103 Homestead Ave., Metairie, a former associate of Novel's who has appeared before the jury before.

Byron Chiverton, 4209 Fontainebleau Dr., whose connection with the probe is a mystery.

Assistant District Attorney Alvin J. Oser said that Garrison is also filing for a writ of habeas corpus to have Miguel Torres returned to New Orleans from the Louisiana state penitentiary for an appearance before the grand jury next week.

1/23/68
SHAW

D Q 402-6

The ALBERTAN
(CALGARY)
7 Aug 1967

(Alberta Canada)

CIA agent claims link with Oswald

VANCOUVER (Special)—An American who claims he worked in Calgary for the U.S. Central Intelligence Agency has told a Vancouver newspaper he had dealings with Lee Harvey Oswald while his Calgary cover was CIA agent.

#363001-187
(Serial 14)
Info has been withheld per this file

Donald P. Norton, 35, told The Sun in an interview he encountered Oswald, Clay Shaw and David Ferrie while he was on the payroll of the CIA, the U.S. espionage agency.

Norton said he delivered an attache case containing $50,000 from Clay Shaw to a man he later identified as Lee Harvey Oswald, the man named by the Warren Commission as the assassin of President Kennedy.

He said he made the delivery to Monterray, Mexico.

Norton said his instructions were to make his way from Monterray to Calgary, where he made himself known publicly. He was then contacted and turned over documents he had received from Oswald in Monterray.

"My instructions were to get established in Calgary and I did. I was coming very prominent on local television and playing for one of the well-known restaurants in Calgary [illegible]."

W/ decipherable in document copied

The Sun says Norton refused to identify his Calgary contact and referred to him only as "a certain well-known oil company employee."

"Norton's activities in Calgary, apart from his CIA dealings, have been largely confirmed by The Sun," the newspaper said.

These activities were also confirmed by The Albertan.

A spokesman for CHCT television confirmed that Norton appeared on a late night program during the fall of 1962.

A spokesman for the Alberta Piano Co. Ltd. confirmed he was employed by the company for about one year giving piano lessons. He disappeared suddenly, the spokesman said.

Norton had returned to Calgary this summer and had told his story to a personality associated with the station.

However, the story had been discounted and forgotten until it was published in Vancouver Saturday.

Norton first came to see The Sun July 6," says the newspaper. "Since then many details of Norton's story have

The copy from which this was made has sent to

Assistant to Garrison Tells Jury Andrews Lied About 'Bertrand'

By MARTIN WALDRON
Special to The New York Times

NEW ORLEANS, Aug. 11—An assistant to District Attorney Jim Garrison told a trial jury today that Dean A. Andrews [illegible] to a grand jury last [illegible]

The jury was told that Mr. Andrews, a lawyer, committed perjury when he told the grand jury that he could not identify Clay L. Shaw as the man who he said tried to hire him to defend Lee Harvey Oswald on a charge of assassinating President Kennedy.

Mr. Garrison has accused Mr. Shaw, a retired New Orleans businessman, of plotting the assassination with Oswald and others.

After two days of unsuccessful legal maneuvering aimed at stopping his trial, Mr. Andrews went on trial for perjury late this afternoon before a five-man jury. The trial is expected to continue tomorrow.

Attorneys for Mr. Shaw came to the courtroom in the expectation that Mr. Garrison's assistants would try to prove that Mr. Shaw was the mysterious "Clay Bertrand," the man Mr. Andrews said had asked him to defend Oswald.

Attempt Disavowed

However, in an opening statement for the prosecution Assistant District Attorney Richard Burnes indicated that no attempt would be made by the state during the perjury trial to prove that Mr. Shaw was Bertrand.

Mr. Burnes told the jury that the state would rely on evidence that Mr. Andrews, who for several months had worked with Mr. Garrison in the investigation of the assassination, had told inconsistent statements to the grand jury.

Mr. Burns said that the rotund Mr. Andrews, a "jive" talking lawyer with a happy-go-lucky attitude, had told the grand jury that he could not identify Mr. Shaw as Bertrand. "I can't say he is, and I can't say he isn't," Mr. Andrews told the grand jury, Mr. Burnes said.

Later, during the same appearance before the grand jury, Mr. Burnes said Mr. Andrews committed perjury by saying he had seen Mr. Shaw on television and that Mr. Shaw appeared to be taller than Bertrand.

Issue of Parolee

The Assistant District Attorney said that Mr. Andrews had also committed perjury when he said that "not to my knowledge" had he ever released a prisoner on parole to David W. Ferrie. Mr. Garrison has called the late Mr. Ferrie the mastermind of the alleged plot to murder President Kennedy.

Mr. Andrews is a former Assistant District Attorney in Jefferson Parish, next to New Orleans, and Mr. Burnes said records would show that Mr. Andrews had released a prisoner in the custody of Mr. Ferrie.

State District Judge Frank J. Shea refused to dismiss the perjury charges against Mr. Andrews although the defense said they were frivolous and showed nothing more than inconsistencies in immaterial testimony.

In Louisiana, juries of various sizes are picked to hear trials. With a five-man jury, all five members must vote the same way or there is a hung jury.

8/20/68

(CALGARY)
7 Aug. 1967

(Alberta Canada)

Claims Tie With Oswald

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However, the story had been discounted and forgotten until it was published in Vancouver Saturday.

Norton [illegible] The Sun [illegible] paper. [illegible] details of Norton's story have been confirmed, but the authenticity of his contact [illegible] deny verification by normal means [illegible]

Clay Shaw, a New Orleans business man, has been indicted by a special jury on charges of conspiring to kill President

Not declassifiable in document copied

CIA HAS NO OBJECTION TO DECLASSIFICATION AND/OR RELEASE OF THIS DOCUMENT

(The copy from which made was sent to Jim Tigue (It is too poor to obtain a further satisfactory copy.)

CIA HAS NO OBJECTION TO
DECLASSIFICATION AND/OR
RELEASE OF THIS DOCUMENT

aka David FERRIE
as Hugh (NR) PHARRIS

[illegible] with the CIA [illegible] Cuban exiles.

Norton, a musician, is a [illegible] Lee of Columbus, Ga., until [illegible] last year he operate[illegible] record promotion [illegible] Atlanta, Ga.

He told The Sun that Ferrie, a pilot, was not certain [illegible] was on a CIA assignment to carry about $150,000 into Havana.

He said the money was to be used to support the revolutionary activities of Fidel Castro. He knew Ferrie as Hugh Pharris

"This man, known to me as Hugh Pharris, delivered to me the case which contained the money I was to take to the CIA contact in Havana," Norton said in the interview.

Norton said he met Shaw in Alabama in August, 1962, before a CIA assignment in Monterrey.

He said Shaw was with a man who gave him an attache case containing about $6,000 to be delivered to a "Harvey Lee" in Monterray in exchange for another case containing documents.

"During the publicity of the assassination when the man [illegible] was revealed to the public, I almost immediately recognized him as being the same Harvey Lee I had met in September, 1962, in Monterray, to whom I delivered the money.

"I believe this was for a revolutionary-type activity against Castro. This was a CIA assignment."

"This was done July 9, the day after he came into The Sun, and Garrison agreed to send one of his top men to Vancouver to interview Norton," The Sun says.

The newspaper says Norton was interviewed by Charles Ward, chief deputy assistant district attorney July 12 and on July 15 Norton returned to New Orleans for further questioning.

"Officials in Garrison's office later told The Sun by telephone that Norton's evidence con-

Norton said he had worked for the CIA intermittently since 1961.

He said he had the job with the CIA in November, 1962, as a result of the Garrison investigation. "I thought I would be a little more careful."

He said he spent seven months circumventing the U.S. and Canada and finally arrived in Vancouver July 4.

"I came to Canada for one reason—to see if I could find a place to settle down and lead an everyday normal life and get out of this mad race I've been involved in," he said.

He admitted he had been convicted of embezzlement in 1952 and sentenced to six months at Columbus, Ga. He said the Cuban assignment involving Ferrie brought him about $2,000, the Mexico one with Shaw paid about $2,500 in addition to a $500 monthly salary.

The Sun says Norton was given a lie detector test Thursday "by another Vancouver news media agitating for his story."

"He was told the test was inconclusive because of his highly nervous condition," says The Sun. "The media refused to deal with him on the grounds of the test."

The Albertan
7 Aug 1967

10/30/67

T-P 21 June 67

CAYUNE, NEW ORLEANS, LA., FRIDAY MORNING, JU



—Photo by The Times-Picayune.
DANTE A. MAROCHINI

FIGURE IN DA'S PROBE SEIZED

Marochini Arrested on Bad Check Warrant

A figure in District Attorney Jim Garrison's Kennedy assassination investigation appeared again in the Criminal Courts Building Thursday as a result of an arrest Garrison's office denies has any connection with the probe.

Dante Marochini, an employe at the Michoud Assembly Facility who was subpenaed to appear in Garrison's office shortly after the March 1 arrest of conspiracy defendant Clay L. Shaw, was arrested shortly after noon by Criminal Sheriff Louis A. Heyd Jr. and chief assistant deputy Barney Kilbride on a bad check warrant from Shelby, N.C.

The warrant was sent from the sheriff of Cleveland County, N.C., directly to Frank Maloche, an investigator in Garrison's office. Maloche turned it over to Sheriff Heyd.

Marochini said he does not remember the transaction in question, but added that he has the assets to cover it, if it was his fault.

The warrant charges that Marochini wrote out a check for $113 payable to L. P. Mauney, Rt. 3, Lawnsdale, N.C., in 1961. The check, drawn on the Union Trust Co., Shelby, was not backed up by sufficient funds, the warrant charges.

Assistant District Attorney James L. Alcock said the arrest had "absolutely nothing" to do with Garrison's investigation.

Alcock's theory as to why the arrest should occur after six years was that North Carolina authorities spotted Marochini's name and picture in news accounts after his appearance in Garrison's office four months ago.

Marochini said that he had several crews working in the Shelby area in the housing contracting business in November 1961.

Marochini refused to discuss the assassination probe. That



—Photo by The Times-Picayune.
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Marochini said that he had several crews working in the Shelby area in the housing contracting business in November 1961.

Marochini refused to discuss the assassination probe Thursday, saying, "We cannot add gasoline or water or anything that might either excite or cool interest."

His connection with the probe has not been made clear. He was reportedly a friend and neighbor of Shaw.

[illegible]

[illegible]

Criminal District Judge Oliver P. Schulingkamp was [illegible] on which [illegible] Jim Garrison's [illegible] plot probe, should get a new trial on a burglary charge.

Cahcler was convicted in February of simple burglary but asked for a new trial after [illegible] made [illegible] burglary.

[illegible] Layton Martens, [illegible] Cahcler is not the man he had [illegible] entering the house.

[illegible] ruled by [illegible] for burglary overall [illegible]

[illegible] there."

Cahcler [illegible]

[illegible]

[illegible]

[

TIMES - PICAYUNE
NEW ORLEANS, LA.
July 13, 1967

Cancler Silent to Queries; Held Guilty of Contempt

Refuses to Answer Grand Jury in DA Probe

A Negro convicted of burglary who refused to answer a grand jury question Wednesday was found guilty of contempt of court by Criminal District Judge Bernard Bagert in connection with the Garrison probe.

Sentenced to six months imprisonment was John Cancler, an inmate of Parish Prison currently awaiting a decision on a motion for a new trial on a burglary conviction. Additionally, Cancler was fined $500, with the proviso that he serve a year in lieu of payment of the fine, the two prison sentences to run consecutively.

Cancler, who along with William J. Gurvich, until recently a member of District Attorney Jim Garrison's investigating team in the probe of an alleged conspiracy in the assassination of President John F. Kennedy, appeared before the grand jury Wednesday. According to a jury spokesman, Cancler took the Fifth Amendment before the grand jury when asked if a statement on television was true. Cancler was one of several individuals who appeared on a National Broadcasting Company network program highly critical of the Garrison investigation.

(NBC newsman Walter J. Sheridan said he will come to New Orleans to defend himself against District Attorney Jim Garrison's charges. Story in Sec. 1, Page 5.)

GO TO COURTROOM

Early Wednesday afternoon, the grand jury left from its usual chambers and journeyed en masse to the courtroom of Judge Bagert, where grand jury foreman Albert V. Labiche once again asked Cancler the question about his "statement" on television. Once again, Cancler refused to answer, reciting the Fifth Amendment, and was promptly found guilty of contempt of court by Judge Bagert.

Judge Bagert reportedly then asked Cancler, in light of his refusal to answer the grand jury's question, if he would be willing to return to the grand jury room and answer any questions. Cancler reportedly said he would rather not answer any questions and was taken directly from Judge Bagert's courtroom back to Parish Prison.

Although the actual statement referred to in the grand jury questioning was not disclosed, informed sources said that the question concerned dealt with a statement made by Cancler to the effect that the district attorney's office had him break into the residence of Clay Shaw, the only figure thus far actually charged as a conspiracy participant, in order "to plant something in the apartment."

After a two-and-a-half hour session during the afternoon with the grand jury, Gurvich emerged from the grand jury room at 6 p. m. Although bound by law to secrecy as to his actual testimony, he made one remark of interest to a bevy of newsmen waiting for him in the upstairs hallway of the block-long Criminal Courts Building.

LESS FEAR OF ARREST

In reply to a question on his feelings of his possible arrest, Gurvich said, "I don't feel so much that way now as I had earlier this morning." He would not elaborate on the remark, however.

Also, Gurvich declined to answer any questions concerning a recent lie detector test he had taken concerning the probe, classifying such a reply in the field of official grand jury testimony.

Shortly thereafter, the grand jury was dismissed and foreman Albert V. LaBiche stated that he had no comment, adding there was nothing new to report in the grand jury's investigation of the Garrison probe.

Earlier Wednesday, Judge Edward A. Haggerty denied a motion by attorneys for Shaw seeking to block Garrison's scheduled appearance Saturday on a 30-minute NBC network television program in an "equal time" rebuttal-type program.

Attorneys F. Irvin Dymond and William Wegmann, on behalf of their client, sought an injunction to stop the NBC show in which Garrison is expected to answer the network's criticisms of the investigation. The half-hour show, scheduled for 7 p. m. Saturday was arranged following negotiations between the district attorney's office and NBC.

Judge Haggerty, who denied the Shaw motion, will be the presiding judge for the Shaw trial, expected to be held in either late summer or early fall.

DA DENIES CLAIM

In an interview Wednesday night following the address before the National Police Officers Association of America, Garrison denied charges made earlier by Gurvich who quoted Garrison as saying that he wanted a television newsman "handcuffed and beaten."

After his talk before the NPOAA at the Fontainebleau Motor Hotel, Garrison said:

"This is my sixth year in office. What do you think?"

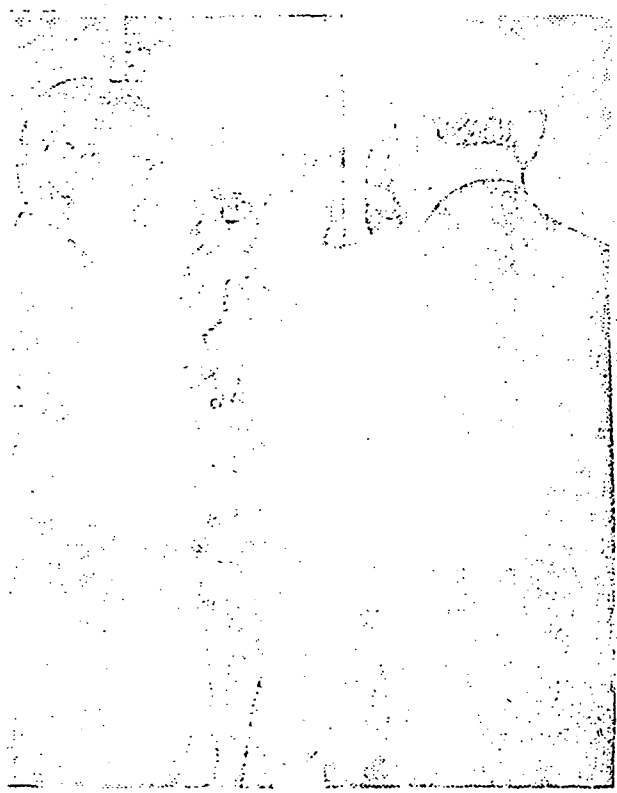
When first posed with the question, he replied, "I would not honor that question with an answer — no comment."

Then asked directly if Gurvich were lying in his claim, Garrison said, "Obviously; there's no question about it."

The question was in reference to an earlier statement made by Gurvich, a New Orleans private detective, who said that Garrison told him that he (Garrison) wanted NBC reporter Walter J. Sheridan "handcuffed and beaten."

STATES - ITEM
New Orleans, La. July 12, 1967

SHAW PLEA DENIED; DA SHOW GOES ON



—States-Item photo.

JUDGE EDWARD A. HAGGERTY JR., left, talks with attorneys for Clay L. Shaw outside his courtroom this morning. The attorneys are, from left, [illegible]OND, WILLIAM WEGMANN and [illegible]MANN, back to camera.

Judge Edward A. Haggerty Jr. today threw out a petition filed by attorneys for Clay L. Shaw aimed at preventing Dist Atty. Jim Garrison from appearing on a nationally televised program to discuss his Kennedy assassination probe.

Haggerty told the defense he had issued four sets of guidelines governing statements made in connection with Shaw's case.

He repeated again today that persons, "including lawyers, have acted at their peril" in discussing the case publicly. But he said he could not anticipate violations of the guidelines.

GARRISON IS scheduled to make the nationwide TV appearance from 7 to 7:30 p. m. Saturday. The time was offered him by NBC to respond to a June 19 network show which was critical of the DA's investigation.

Attorneys for Shaw, charged with conspiring to assassinate the late President John F. Kennedy, formally objected to Garrison's intended appearance.

Judge Haggerty ruled the defense request "would require that I change the position I have consistently taken . . . this court fails to appreciate how it can anticipate a violation of its orders until the violation occurs."

IN THE PAST Judge Haggerty has said he fully intends to cite certain persons for contempt, and he has issued several warnings against violating the public statement guidelines.

If the defense feels its right to a fair trial has been jeopardized in New Orleans, the judge said today, it may ask for a change of venue and move the trial to a different locality.

But he warned Garrison

States Item 12 July 67

Continued

SHAW

... "the strictest rules and regulations of the Louisiana Bar Association and more particularly, the committee ... grievances and ethics."

DEFENSE ATTORNEY ... took exception to Judge Haggerty's ruling. He noted Garrison will ... the show a day after ... said subject.

"If an illegal act ... to be done, and the ... in a position to stop ... before it is done, then ... has a right and a duty ... so."

He said contempt ... ment after ... "does nothing to protect ... rights of the defendant ... trial."

Attorneys for Shaw, the retired businessman accused of conspiring to kill President John F. Kennedy in 1963, argued in the petition that the program would directly affect the constitutional rights of their client to a fair and impartial trial.

FURTHER, THEY argued, the program would be "in direct contravention to, and in violation of, the guidelines heretofore issued by this court."

The petition also argued that it was the duty of the trial judge (Haggerty) to protect the defendant (Shaw) from "inherently prejudicial publicity."

Earlier this week Shaw's attorneys wrote NBC urging it to cancel the program, scheduled to be video-taped Friday night at the studio of WDSU-TV, the local NBC affiliate.

Today, NBC sent a telegram to Garrison informing the DA that it had denied the request by Shaw's attorneys.

"IN OUR OPINION," said NBC, "our responsibilities as a broadcaster and the requirements of the so-called fairness doctrine of the Federal Communications Commission obligate us to give Mr. Garrison this opportunity to appear on our facilities."

Meanwhile, the Orleans Parish Grand Jury was meeting this afternoon to hear two witnesses involved in the Garrison investigation.

vich, former Garrison aide—was back from Chicago, where ... he underwent lie detector tests to back up his contention that Garrison's probe has no substance. The 32-year-old Gurvich said the tests will "prove I'm telling the truth when I say Garrison's investigation is a hoax."

THE SECOND witness ... ordered to appear is John ... "The Baptist" Cancler, who ... starred on last month's NBC program. Cancler is a convicted burglar awaiting a hearing on a motion for a new trial.

He told NBC newsmen in a Parish Prison interview that two of Garrison's investigators had asked him to break into the French Quarter home of Shaw and "put something there."

HE SAID he went to Chicago to have the tests performed by John E. Reid, head of John E. Reid and Associates, whom Gurvich calls the top man in the polygraph field.

The firm announced that Gurvich passed the test.

The investigator defected from Garrison's office June 26 after a lengthy absence from the public eye, charging that the probe should be halted.

Gurvich said he would supply members of the grand jury with copies of the lie detector results.

Garrison yesterday charged WDSU reporter Richard Townley with public bribery and intimidation of two of the state's witnesses as a result of the NBC program.

Townley, who has worked full-time on the probe investigation for several months, showed up at the Clerk of Court's office yesterday to post a $7,500 bond.

The cases against Townley today were allotted to Judge Matthew S. Braniff.

Townley's arrest warrant

space of a week by Garrison's office in the probe.

Last Friday, Walter ... eridan, news investigator for NBC and a former Justice Department investigator, was ordered arrested on similar charges.

Sheridan, one of the producers of the NBC show, was last seen by New Orleans newsmen on June 28, during the last meeting of the grand jury.

SHERIDAN, reportedly in Washington, is expected to arrive in New Orleans some time this week to post his $5,000 bond.

Townley was charged in three bills of information yesterday with attempting to bribe and intimidate Perry Raymond Russo, so far the DA's star witness in the Shaw case, and with intimidating another state witness, Marcene Mancuso.

Miss Mancuso, a one-time beauty queen, is the former wife of Gordon Novel, a fugitive from Louisiana, charged by Garrison with conspiracy to commit burglary. He is also believed wanted by the district attorney for questioning in the assassination probe.

TOWNLEY yesterday called the charges against him "completely false" and "absurd." In a statement to newsmen after he posted his bond, Townley said:

"Mr. Garrison's accusations against me, like those against my colleague from NBC, Walter Sheridan, are completely false. I am honored to find myself in the distinguished company of a man like Mr. Sheridan, who has established a national reputation for integrity as an investigator for the McClellan Rackets Committee, the Justice Department and now NBC news.

"This would be a minor—even a joking—matter if only the freedom of myself or Mr. Sheridan were involved. The stakes, however, are much higher than that.

"The charges against Mr. Sheridan last week and the charges against me here today are obviously part of the campaign to intimidate reporters everywhere who dare to question the methods of Mr. Garrison, his assistants and his investigators.

"The use of this high office for such low purposes makes a mockery of the justice he is supposed to uphold. Our society has survived other attempts by politicians to silence criticism in the news media.

"UNFORTUNATELY, there is a lengthy tradition of that kind in Louisiana politics. I am confident that those who bear the heavy burden of reporting the truth—even if that truth hurts—will not be intimidated by this obvious attempt to silence criticisms.

"I am equally confident that these absurd charges will be proven groundless in any fair, impartial trial."

One of the star "informants" on NBC's show last month, John "The Baptist" Cancler, is also scheduled to appear before the grand jury today.

JUL 12 1967

1/3/68

Justice Dept. Admits Shaw Not Probed

Clay Shaw, a figure in a New Orleans district attorney's investigation of President Kennedy's assassination, has not been investigated by the FBI, the Justice Department announced yesterday in admitting an error on Shaw.

On March 2, Atty. Gen. Ramsey Clark told newsmen here that Shaw was involved in an FBI investigation of the assassination in 1963. At that time, Clark indicated that the FBI had found nothing to connect Shaw with the assassination.

Yesterday, the department issued a statement which, while continuing to insist that Shaw had no connection with the President's murder, conceded that Clark had been wrong in saying that Shaw figured in the FBI probe in New Orleans.

The department's statement was prompted by a request for "clarification" of Clark's statement to newsmen by a lawyer who is representing Shaw.

Shaw, a New Orleans businessman, has been indicted on charges of conspiracy to murder President Kennedy. He has not yet been tried.

Probe Criticized

The charge against him is one result of District Atty. Jim Garrison's highly publicized investigation of the assassination.

Garrison has refused to accept the Warren Commission's conclusion that Lee Harvey Oswald acted alone in killing President Kennedy in Dallas Nov. 22, 1963.

The Garrison investigation has been discredited, publicly and privately, and sharply criticized by high-ranking federal officials.

There was nothing in yesterday's statement by the Justice Department to give any noticeable support to the Garrison investigation of Shaw.

The department's statement in response to the request for clarification said that the supposed investigation of Shaw by the FBI was made by Edward F. Wegmann, a New Orleans lawyer.

Garrison has said that Shaw's role in the assassination was carried out when he was using the name "Clay Bertrand." That name figured in the Department's statement yesterday.

Text of Statement

The department's statement said:

"The FBI investigation in New Orleans following the assassination covered allegations by Dean A. Andrews, which included a reference to 'Clay Bertrand.' 'Clay Bertrand' was not identified as a real person. No evidence was found that Clay Shaw was ever called 'Clay Bertrand.'

"The attorney general's comment on March 2 that Mr. Shaw was involved was based on a briefing that morning. The attorney general has determined that this was erroneous. Nothing arose indicating a need to investigate Mr. Shaw.

"As the attorney general stated, no connection between Shaw and the assassination was found in the thorough investigation by the FBI. The Department of Justice is convinced that Lee Harvey Oswald alone assassinated President Kennedy."

A department spokesman refused to identify the official or officials who had briefed Clark on March 2.

Wash Star
3 June '67

Shaw Enters Plea Of Not Guilty in Kennedy Plot Case

NEW ORLEANS (UPI)—Clay L. Shaw today pleaded not guilty to charges that he conspired to assassinate President John F. Kennedy in 1963.

Judge Edward Haggerty Jr. gave Shaw's attorney's until May 5 to file motions in the case. He said he would give prosecutors another 30 days after that —or until early June—to file answers.

Shaw, former director of the International Trade Mart here, appeared calm during the 10-minute proceedings. He stood silently while the indictment was read.

Shaw was indicted in Dist. Atty. Jim Garrison's investigation of the Kennedy assassination for allegedly meeting with Lee Harvey Oswald and pilot David W. Ferrie in September 1963 to plot the President's death.

Dash Star
5 April 67

Garrison Seeking Two As Arms Theft Plotters

NEW ORLEANS, La. (AP) — Dist. Atty. Jim Garrison has asked Canadian and Texas authorities to arrest two men charged in an incident which Garrison's office says "may or may not be related" to his probe of the Kennedy assassination.

Garrison telegraphed arrest warrants yesterday to Montreal for Gordon Novel and to Dallas, Tex., for Sergio Arcacha Smith, based on charges of conspiring to burglarize a munitions bunker in 1961.

Garrison obtained a warrant for Novel's arrest last week as a material witness in the probe of President John F. Kennedy's assassination.

The new charge accused Novel and Arcacha of conspiring with David W. Ferrie to commit simple burglary of a munitions dump in Houma, about 40 miles southwest of New Orleans.

Garrison has alleged that Ferrie, Lee Harvey Oswald and Clay L. Shaw plotted in mid-September 1963 to kill President Kennedy. Oswald and Ferrie area dead. Shaw, 4, a retired New Orleans executive, has been indicted on a charge of conspiring to kill the president.

The warrants for Novel and Arcacha were signed by Criminal Dist. Court Judge Thomas Brahney, who set bond at $5,000 for each. Novel already had a $50,000 bond awaiting him on the warrant for his arrest as a material witness.

Arcacha, head of the anti-Castro Cuban Revolutionary Council in New Orleans in 1961, said in Dallas he does not know whether he will fight extradition to New Orleans. But he added, "It is a shame that in this country they do this to honest people."

The Shaw case is scheduled for arraignment Wednesday.

Washington Star
12 April '67

Shaw Trial Attorneys Ordered to Keep Quiet

NEW ORLEANS (AP)—Criminal District Court Judge Edward Haggerty Jr. today ordered the prosecution and defense in the Clay L. Shaw's Kennedy assassination conspiracy trial to refrain from pre-trial publicity. He told them to quit discussing evidence.

The judge said at a news conference he would invoke the canons of professional ethics "to prevent the flow of prejudicial pre-trial publicity" from either Shaw's attorneys or from Dist. Atty. Jim Garrison's staff.

He said the arraignment of Shaw, indicted by the grand jury March 17 on charges of conspiring to assassinate President John F. Kennedy, probably will be held next week.

Haggerty said the same security measures in effect at Shaw's preliminary hearing earlier this month would be used at the arraignment. Reporters needed special credentials to cover the hearing and cameras were barred.

(Meanwhile, Gordon Novel issued a telephone challenge to Garrison today to prove by lie detector that the probe is not a fraud, United Press International reported.

(Novel, who left New Orleans shortly before the grand jury was to subpoena him last week, would not say where he was calling from. Novel reportedly took a lie detector test in McLean, Va., over the weekend, to back up his charges that the investigation is a fraud.)

Haggerty has said he does not believe the Warren Commission report on the assassination can be admitted as evidence mainly because the commission's witnesses could not be cross-examined.

FIGURE IN CASE FOUND STRICKEN

BISMARCK, N. D. (UPI)—David R. Kroman, an attorney who had promised to make disclosures about the assassination of President John F. Kennedy at a news conference tonight, was found today partially paralyzed by an apparent epileptic seizure.

Kroman, 43, a onetime lawyer for the Minnesota Insurance Department and an unsuccessful independent Democratic candidate for attorney general in the last Minnesota election, is on trial in U.S. District Court here charged with fraud and conspiracy in the collapse of the American Allied Insurance Co., of St. Paul, Minn.

Kroman had called a news conference for 7 p.m. today when he said he would tell of his private investigation into the assassination of Kennedy.

It was not known what Kroman intended to say. A state highway patrolman found Kroman in his locked car at 4 a.m. 24 miles east of Bismarck. Kroman was paralyzed and incoherent, the policeman said. A loaded shotgun was across the attorney's knees.

Kroman was taken to a Bismarck hospital, where a doctor said Kroman apparently had suffered an epileptic seizure.

Garrison Orders Arrest Of 'Plot' Probe Witness

NEW ORLEANS, La. (AP)—Dist. Atty. Jim Garrison's office today ordered the arrest of Gordon Novel, former owner of a French Quarter bar, as a material witness in the investigation of President John F. Kennedy's assassination.

Novel, 29, was subpoenaed to appear before the Orleans Parish grand jury yesterday in connection with Garrison's probe. He did not appear and could not be found here.

Novel later turned up in Columbus, Ohio. He left there today saying he was going to Chicago.

The arrest order for Novel followed the grand jury's indictment yesterday of Clay L. Shaw, retired business executive, on a charge of "willfully and unlawfully conspiring" to murder Kennedy.

In an affidavit, the district attorney's office alleged that Novel fled New Orleans while under subpoena. It said he severed his business ties and stated publicly that he had no intention of returning.

Afraid of "Harassment"

In Columbus, Novel said he did not want to return to New Orleans, without a guarantee of immunity from "harassment." He was quoted as describing the Garrison investigation as "a fraud" and as saying he first helped the district attorney but that "Garrison double-crossed me."

("What my friend Mr. Garrison is conducting is not a normal investigation but is a political, police state inquisition," United Press International quoted Novel as saying.

(When Novel left Columbus this morning, he left a note behind for reporters. It said: "Gentlemen, due to pressure from New Orleans I had to leave. I will prove my statement in Chicago in due course.")

Novel appeared before the grand jury March 16. Earlier he told newsmen he thought Garrison wanted to question him about activities "during 1962 which are related to Mr. Sergio Arcacha Smith."

Arcacha, now living in Dallas, Tex., said he never heard of Novel. Arcacha headed an anti-Castro group here in 1961.

Big Bond Recommended

In its affidavit, filed with Criminal District Court, the district attorney's office said Novel should be placed under sizable bond or the grand jury will "be deprived of a most important and material witness."

The arrest order was signed by Criminal Dist. Court Judge Matthew S. Braniff.

Novel owned the Jamaican Inn Bar, a lounge on North Rampart Street on the fringe of the French Quarter. He sold the property Sunday.

In another development today, Criminal Dist. Court Judge Edward A. Haggerty Jr. was named to preside at the murder conspiracy trial of Shaw, 54, who will spend the Easter weekend on the Mississippi Gulf Coast with Garrison's approval.

Garrison has said he will prove that the Kennedy assassination resulted from a New Orleans-based conspiracy. He commenced his investigation last October.

Shaw, who retired in October 1965 as managing director of the International Trade Mart here, has been free on $10,000 bond since his arrest March 1.

Shaw was discharged from Southern Baptist Hospital here last night after being treated for fatigue and an old back injury. He entered the hospital Saturday.

Garrison had said earlier he would bypass the grand jury and file a bill of information before bringing Shaw to trial.

Garrison already had won a ruling from a three-judge state court panel that sufficient evidence was presented at a preliminary hearing to warrant holding Shaw for trial.

Russo Appears

Shaw was charged yesterday in a grand jury true bill with "willfully and unlawfully conspiring with David W. Ferrie, Lee Harvey Oswald and unnamed others to murder John F. Kennedy."

(Shaw's attorney said last night his client would plead not guilty to the indictment and would request a bill of particulars in the case, UPI reported. Shaw is to be arraigned next week.)

Perry Raymond Russo, 25, star witness for Garrison in last week's emotional court hearing, made a surprise appearance before the grand jury before the announcement of the indictment.

Russo told the three-judge court last week he heard Shaw, Ferrie and Oswald plotting in mid-September 1963 to kill Kennedy. Shaw is the only one of the conspirators named in the indictment who is still living.

Ferrie, 47, was found dead in bed here Feb. 22. Ferrie was under investigation at that time by Garrison.

The Warren Commission concluded that Oswald was the sole assassin of Kennedy in Dallas on Nov. 22, 1963. No evidence could be found, the commission said, of a conspiracy but it said that it could not categorically establish that there was no conspiracy.

Oswald was shot in the basement of the Dallas police station by Jack Ruby two days after the assassination.

Wash Star
2 2 Jan '67

Ex-Dallas Taxi Driver Links Ferrie to Oswald

DALLAS, Tex. (AP)—A man who used to drive a Dallas taxicab says he once drove Lee Harvey Oswald and David Ferrie to Jack Ruby's Dallas nightclub.

Raymon Cummings, 35, has told this story to New Orleans Dist. Atty. Jim Garrison's office, it was learned.

Garrison, investigating an alleged plot in the assassination of President Kennedy, says Ferrie, Oswald and others conspired to kill the President.

Ferrie, Oswald and Ruby all are dead.

A source said the former cabbie decided to contact Garrison's office after he saw a picture of Ferrie in a Dallas newspaper in February. The picture was accompanied by a story that quoted Ferrie as saying he had never been in Dallas.

Cummings drove a cab part-time in Dallas from Jan. 11, 1963, until March 15, 1963.

While a cabbie, the source said, Cummings once picked up three men and drove them to Ruby's Carousel Club. The three passengers were Ferrie, Oswald and an unidentified man, the source quoted Commings as saying.

Both Ex-Marines

Cummings, according to the source, recognized Oswald as having been a man he had driven a few weeks earlier from the bus station to suburban Irving. Both he and Oswald were ex-marines, Cummings said, and they had talked about the service.

The Warren Commission said Oswald assassinated Kennedy in Dallas Nov. 22, 1963, and that there was no credible evidence of a conspiracy of any kind.

Cummings has been employed with a large Dallas company for the last 11 years. He has worked at various part-time jobs in that period, including cab driving.

In New Orleans, a judicial curtain was lowered today over a phase of Garrison's investigation.

A set of guidelines was issued for newsmen by the three criminal district judges who will preside at Tuesday's preliminary hearing for Clay Shaw, a retired executive, accused of conspiracy in the probe.

The 27-paragraph set of rules specified that witnesses, all lawyers in the case, law officers and many others in official and unofficial capacities "are forbidden from making any extra-judicial statements of any kind concerning this case from this date and until such time as this case is concluded."

Grand Jury Hears Andrews

The Orleans Parish (county) grand jury, taking up the case for the first time, yesterday heard testimony from Dean Andrews Jr., who was consulted by Oswald several times in the summer of 1963, and Mrs. Josephine Hug, who worked for Shaw when he was managing director of the International Trade Mart.

Andrews, now an assistant district attorney in neighboring Jefferson parish, was asked by the Warren commission if he thought Oswald had killed Kennedy.

"I know good and well he did not," Andrews said. "This boy could have connived the deal, but I think he is a patsy. Somebody else pulled the trigger."

Key Witness Tells Court of Kennedy 'Plot'

25-Year-Old Describes Party, Lists Conspirators

BULLETIN

NEW ORLEANS — Perry Raymond Russo, a witness for Dist. Atty. Jim Garrison, testified at a preliminary hearing today that Clay L. Shaw was one of the three men he heard plotting to kill President John F. Kennedy.

Russo, a 25-year-old insurance salesman from Baton Rouge, said he heard the conversation in the apartment of David W. Ferrie in September 1963. Russo's testimony stamped him as the "confidential informant" cited by Garrison as the source who "saw the conspirators and heard the plans."

Russo described the scene in Ferrie's apartment this way: "There seemed to be some sort of party in progress. They were drinking and talking." The party died out, Russo said, and the only ones left were himself, Ferrie, "Leon Oswald" and "Clem Bertrand." Clay Shaw has also been identified as Clay Bertrand.

NEW ORLEANS (AP) — A showdown hearing in Dist. Atty. Jim Garrison's controversial Kennedy assassination probe opened today before an unusual three-judge Criminal District Court panel which will determine if retired executive Clay Shaw should go to trial.

The first witness for the district attorney was Police Det. Frank Hayward, who testified he arrested Lee Harvey Oswald after a brawl on Canal Street on Aug. 9, 1963.

Shaw, well-tailored and rugged-looking at age 54, looked haggard as he pushed past a throng of newsmen to enter the courtroom. He was accompanied by three attorneys.

Purpose of the preliminary hearing was to decide if Shaw, former managing director of the International Trade Mart here, should be held for trial. Garrison has accused Shaw of conspiring with Oswald and others to kill President John F. Kennedy.

Garrison's Arrival

A deeply suntanned Garrison, flanked by seven assistants, entered the courtroom just before the hearing began. It was Garrison's first public appearance in 10 days.

Fifty deputy sheriffs stood guard around the court room and building.

Bill Gurvich, the district attorney's chief investigator, carried a 4-foot-long bundle wrapped in brown paper. Sources in Garrison's office said the package contained a high powered rifle with telescopic sight—presumably evidence in Garrison's case.

Charles Ward, first assistant district attorney, told presiding Judge Bernard Bagert the state had five witnesses ready to testify. Ward named them as

See PROBE, Page A-8

PROBE

Continued From Page A-1

Hayward; Coroner Dr. Nicholas Chetta; Dr. Esmond A. Fatter from the coroner's office; Peter Schuster, a photographer from the coroner's office, and John Reilly, a police photographer.

An officer — with a portable mine detector — inspected all persons entering the courtroom.

Tells of Photos

Schuster was the second witness. He testified that he took pictures of David W. Ferrie's apartment on Feb. 22, 1967 — the day Ferrie was found dead. Garrison has alleged that Shaw, Oswald and Ferrie met in Ferrie's apartment in September 1963 to discuss killing Kennedy.

Reilly took the stand next. A photographer from the Police Department, he testified also about photographing Ferrie's apartment on Feb. 22.

A total of nine photographs were introduced by the state, some of Ferrie's body, some of Ferrie's apartment, and some of Oswald.

An attorney for Shaw, F. Irving Dymond, showed Schuster a picture which he said was a sketch of Ferrie's apartme and asked if he recognized it.

"No sir, I don't," Schust said.

The defense for Shaw intr duced 16 photographs of Fe rie's apartment which we taken last weekend with cou approval. Schuster was ask several questions pertaining details of the apartment and layout.

Schuster identifed 15 of t 16 photos as showing vario locations within Ferrie's apa ment. Of the 16th photo, said: "I don't familiarize m self with that photo."

The Warren Commissi named Oswald, a former Ne Orleans resident, as the m who assassinated Preside John F. Kennedy. The co mission said there was no cre ible evidence that a conspira was involved.

Wash Sta
14 Jan '67

THE EVENING STAR
Washington, D. C., Wednesday, March 15, 1967
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★★

Witness Describes a 'Plot'

Continued From Page A-1

President Kennedy and how it would have to use diversionary tactics. There would be two to three people involved.

One Would Be "Scapegoat"

One person would shoot the diversionary shot and the other would shoot the "good shot." One man would have to be the "scapegoat." Ferrie talked of "triangulation of crossfire."

Bertrand listened during this phase. Ferrie talked about the availability of exits. Ferrie had two proposals—one man sacrificed would give enough time for the the others to escape. Ferrie was the pilot. He said they would go to Mexico and on to Brazil and then on to Cuba. Or they would go direct to Cuba.

Bertrand interrupted to say as soon as the shot was fired the world would know about it and they could not get a plane out of Mexico. Bertrand said he and Ferrie would have to be in the public eye on the day of the assassination.

Ferrie then said he would make a speech at Southeastern Louisiana State College in Hammond. Bertrand said he would go to the West Coast for his company on business.

It was here, after Garrison had built Russo's testimony to a high pitch, that he asked Russo to step down from the stand, walk to the man he knew as Bertrand and place his hand over that man's head.

Russo strode firmly around the defense table, stopped behind Clay Shaw and placed his hand palm downward about eight inches over Shaw's head. Shaw, holding a cigarette, gazed straight at the judges' bench. He was slumped in the chair, but rigid. The court recessed.

After the three-judge panel of Criminal District Court judges reconvened, Russo continued this story, backtracking under Garrisons' questions:

Oswald took part in the conversation about exits. Ferrie was talking about where and what stops would be made on the way to Brazil or Cuba. Bertrand said they couldn't leave the country because the world would know of the assassination.

Oswald said, "Oh, shut up. Leave him (Ferrie) alone. He knows what he's talking about. He's the pilot."

Bertrand answered, "As far as I'm concerned, he's a washed-up pilot."

Tells of "A Solution"

Ferrie offered a solution that the people involved should be in the public eye and be around a lot of people who could testify later they were at such and such a place at such and such a time.

Bertrand said he would be on the West Coast. Oswald said nothing else.

Garrison stopped this testimony to ask whether Russo ever saw Oswald again. Russo said he saw Oswald twice more.

"The first time we met," Russo said, "Oswald made a crack about not wanting me up there (during the conspiracy discussion). He seemed disturbed about the fact I was there.

A Rifle Is Presented

"The first occasion I saw Oswald (after the meeting in Ferrie's apartment), he was wiping or cleaning a rifle—bolt action. It had a sight on it—for hunting it looked like."

Garrison stopped Russo, drew a rifle from beneath the prosecution table, and placed it on the table before Shaw's attorneys, F. Irving Dymond, William Wegmann and Edward Wegmann. The lawyers inspected the weapon.

"Tell us whatever similarities you may or may not see between this rifle and the one Oswald was holding," Garrison asked Russo.

"The difference to my mind," said Russo, "is one end of the sight (on Oswald's gun) was not nearly so bubble-shaped as this gun. It had the same bolt mechanism. This is a polished brown stock and Oswald's gun was a dull brown."

Russo said the last time he saw Oswald, he walked into Ferrie's apartment and Oswald was telling Ferrie about some trouble with Oswald's wife.

"Ferrie was telling Oswald, 'Don't worry, I'll handle it.' And I excused myself and left."

The hearing recessed after the defense filed three motions for writs of subpoena. Those subpoenaed were the registrar at Tulane University, where Russo did some undergraduate study; the registrar at Loyola University, from which Russo received his bachelor's degree and studied law for one year; and the personnel manager for Equitable Life Assurance Co., Russo's employer.



PERRY R. RUSSO NR

CLAY L. SHAW . . . AP and UPI

402-897-A

Shaw Moves to Force Garrison to Bare Case

NEW ORLEANS (UPI)—Attorneys for Clay L. Shaw, the [illegible] Dist. Atty. Jim Garrison says conspired with Lee Harvey Oswald in September 1963 to kill President Kennedy, filed motions today to force Garrison to disclose his case in detail.

The motions also asked that a murder-conspiracy charge against Shaw be quashed and evidence be suppressed. They contended a search of Shaw's apartment March 1—the night he was arrested—was illegal.

Shaw has been charged so far only with "conspiracy to commit murder"—the intended victim has not been named. But in an application for the search warrant, Garrison's office contended Shaw, Oswald, former airline pilot David W. Ferrie and others conspired against Kennedy's life.

Shaw, 54, retired managing director of the International Trade Mart here, is free on $10,000 bond.

He is the only person to be arrested as a result of Garrison's investigation of the Kennedy assassination.

The search warrant application asserted a "confidential informant" attended meetings of the alleged conspirators in the apartment of Ferrie, who died on Feb. 22 while under investigation by Garrison's office.

Garrison's investigators seized five cartons of Shaw's belongings as evidence. Attorneys Edward Wegmann and Guy Johnson contended in the motion this was illegal.

Wash. Star
8 Mar. '67

Garrison Seeks to Connect Oswald to Munitions Cache

(AP) — Garrison was ... between Lee ... the accused ... gent John F. ... group of men ... FBI raid on a ... Lacombe.

... after Dante ... The fourth man ... Garrison's probe ... assassination plot. ... district ... what this darn ... Marochini ... before he entered ... he emerged a crowd of ... pursued him. He ran ... shouting, "What the heck! ... freedom of the press ...

Missile Plant Worker

... works as a "plan- ... operations man" at ... Michoud missile ... here. ... part of Garrison's ... ammunition ... came from WDSU-TV ... had been informed ... sources that he was ... trying to trace the identity of at ... one American — not ... who was believed to ... the group.



DANTE MAROCHINI

Among the items seized in the raid July 31, 1963 at an unoccupied house in Lacombe, about 20 miles north of here, were 20 empty 100 pound bomb casings, 48 cases of dynamite, napalm and firing caps.

The FBI said the explosives were designed for use by persons planning "a military operation against a foreign country with which the United States is at peace."

The FBI identified the owner of the house as William Julius Mclaney of New Orleans. His wife was quoted in an interview as saying the house had been loaned to a Cuban exile friend she knew only as "Jose Juarez." She said she and her husband had lived in Cuba until 1960 and moved to New Orleans "because Castro made things impossible down there."

Mrs. McLaney was asked last night if Garrison's investigators or anyone else had contacted her recently about the incident. She replied "no" to both questions and refused to say anything further.

Marochini and Oswald once were employed here at the same time by the same coffee manufacturer, though in plants a block apart, records show.

Marochini From Brooklyn

Oswald was an employe of the William B. Reily Co. plant in the summer of 1963. Marochini worked that summer at the Standard Coffee Co. Both firms were owned by W. B. Reily.

Marochini lives in a middle class residential area near Lake Pontchartrain. He speaks with a slight accent. He was born in Brooklyn and educated in Italy.

He told newsmen he once operated a bar called Dante's *Inferno* in the French Quarter.

SHAW, CLAY

FBI Cleared Suspect In 'Plot,' Clark Reports

By the Associated Press

Ramsey Clark said today the Federal Bureau of Investigation already has investigated and cleared Clay L. Shaw—a businessman arrested in New Orleans—of any part in the assassination of President John F. Kennedy.

Clark made the statement to reporters moments after the Senate Judiciary Committee approved his nomination to become attorney general.

Shaw, wealthy retired director of the International Trade Mart at New Orleans, has been booked on a charge of "conspiracy to commit murder" in the Kennedy assassination investigation by New Orleans Dist. Atty. Jim Garrison.

Clark said the Justice Department knows what Garrison's case involves, and does not consider it valid.

However, the former chief counsel to the Warren Commission, J. Lee Rankin, said earlier that "as far as I know, we've never heard of this person (Shaw)."

Not in Warren Report

The Warren Commission's report did not mention Shaw.

Clark said Shaw "was included in an investigation in November and December of 1963."

"We have the evidence and we can assume what their conclusions are," Clark said.

"On the evidence that the FBI has, there was no connection found" between Shaw and the assassination of the President in Dallas on Nov. 22, 1963, Clark said.

"He was checked out and found clear?" Clark was asked.

"That's right," Clark replied.

Both the FBI and the Justice Department had previously refused to discuss the arrest of Shaw.

President Johnson told a White House press conference he knows nothing about Garrison's probe

See PROBE, Page A-6

rrests Promised

without a word when he was released after being booked, fingerprinted and photographed.

He was arrested in Garrison's office, where he had appeared for questioning, in response to subpoena.

Garrison has vowed to prove that a conspiracy conceived in New Orleans "culminated in the assassination of President John F. Kennedy" in Dallas Nov. 22, 1963.

The Warren Commission concluded that Lee Harvey Oswald, a former New Orleans resident, shot the President and found no credible evidence that any one else was involved.

(Shaw was described as a "political liberal, very admiring of President Kennedy," by Jesse Core, who worked with Shaw at the Trade Mart in 1963, United Press International said.

(Shaw "talked of voting for Kennedy and wore a Kennedy for President button" in 1960, Core said.

(Shaw said in an interview last week he saw Oswald distributing Fair Play for Cuba committee leaflets near the old Trade Mart in 1963 but never met Oswald and had not talked to him, UPI said.)

The announcement of Shaw's arrest said:

"Mr. Shaw will be charged with participation in a conspiracy to murder John F. Kennedy.

"It should be pointed out, however, that the nature of this case is not conducive to an immediate succession of arrests at this time. However, other arrests will be made at a later date."

The booking and the announcement did not specify whether Shaw was being charged with a conspiracy resulting in Kennedy's death — or with a conspiracy, not carried through, to commit the murder.

Asked about this, Garrison replied: "I don't want to get involved in semantics."

The point was brought up due to the wording of the announcement — "a" conspiracy, not "the" conspiracy — and because of Garrison's previous remark that not one but several conspiracies were involved in his probe.

Garrison said he would file a bill of information against Shaw.

The International Trade Mart, in an impressive 33-story structure at the foot of Canal Street, is a privately supported, nonprofit organization formed to promote trade through the Port of New Orleans.

After 18 years as managing director, Shaw retired Oct. 1, 1965, to pursue his personal interests and manage his real estate holdings.

At the retirement ceremony, Shaw was presented a plaque and the International Order of Merit of the City of New Orleans Medal.

He was awarded the Croix de Guerre by France during World War II, and the Legion of Merit and Bronze Star by the United States.

Before returning here in 1947, Shaw was briefly engaged in advertising and public relations work in New York City. He was born in Kentwood, La. His family moved here when he was 5.

Re Clay Shaw
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Lil A
Original is in Oswald
File # 351164.

Received 9/11/67
U.S.S.

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More Arrests Promised

Continued From Page A-1

except what he reads in the papers and sees no reason to change his previous statements accepting the conclusions of the Warren Commission.

Shaws arrest was the first in Garrison's assassination probe.

"There will be more arrests, a considerable number of them," Garrison said in New Orleans.

Shaw, 54, a decorated Army major in World War II, was released on $10,000 bond after his arrest last night.

Shaw's luxurious French Quarter home was searched for nearly three hours by Garrison's agents. The dozen men who made the search carried away five cardboard boxes filled with various items, including books and a rifle or shotgun in a canvas case.

It wasn't clear whether Shaw is accused of taking part in conspiratorial talk about killing President Kennedy or of taking part in a conspiracy which in fact ended in the actual assassination.

Shaw brushed past newsmen without a word when he was released after being booked, fingerprinted and photographed.

He was arrested in Garrison's office, where he had appeared for questioning, in response to subpoena.

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Enclosure 9/11/67
M-2-5.

Wash Star
C/a 2 Mar 67

5/4/67

2-Clay Shaw
NEW A EE 2897-A
Oswald
(Original is in
Case # 35-1164
Exhibit

'Plot' Figure Hypnotized 3 Times' Coroner Says

NEW ORLEANS, La. (AP) — The coroner of Orleans Parish testified today that Perry R. Russo, the state witness who says he heard Clay L. Shaw conspiring to kill ~~President John~~ F. Kennedy, had been hypnotized in his office two days before the current courtroom proceedings began.

Dr. Nicholas Chetta said Russo, a 25-year-old insurance salesman, underwent hypnosis through the use of sodium pentothal on Feb. 28 at Mercy Hospital, on March 2 in the office of Asst. Dist. Atty. Charles Ward, and on Sunday in the coroner's office.

Russo told the three-judge Criminal District Court Tuesday that he heard Shaw, Lee Harvey Oswald and David W. Ferrie talking in September 1963 of how to kill President Kennedy.

Alvin Oser, an assistant to Dist. Atty. Jim Garrison, began questioning Chetta about details of Russo's comments while under hypnosis. The defense objected.

The Objection

"Your honor, he's getting out of the realm of sanity of this witness and is trying to bolster the credibility of the witness and I object," said F. Irvin Dymond.

The preliminary hearing was called by Garrison to determine if sufficient evidence exists to take Shaw, a 54-year-old retired executive, to trial.

Garrison has stated he will prove that an assassination conspiracy was hatched in New Orleans and that it culminated in the death of Kennedy.

At the start of today's hearing, C. W. Johnson, district director of the U.S. Immigration and Naturalization Service, brought two documents into the court after being subpoenaed by the defense.

Record of a Cuban

He had a record of a Cuban named Manuel Garcia Gonzales who entered this country as a refugee and another of a Manuel Garcia Gonzales who came to the United States as a temporary visitor. It was not clear if the records pertained to the same individual.

Johnson testified that he had no records in his office of a Julio Busnedo or Buxnedo — the other name on which the defense had requested information. The court allowed the records to be made part of the evidence.

Earlier Russo had testified that two Spanish-speaking men were at a party in Ferrie's apartment the night he said he heard the conspiracy talk. He said he thought their first names were Manuel and Julio.

Today is Shaw's 54th birthday. The tall, distinguished-looking former director of the New Orleans International Trade Mart, arrived for the fourth day of the hearing apparently in good spirits.

Russo Story of Kennedy 'Plot' Is Marked by Discrepancies

NEW ORLEANS, La. (AP) — erry Raymond Russo, who estified he heard Lee Harvey)swald and two others plot to ssassinate President John F. ennedy, faces cross-examina-on today by defense lawyers.

Counsel for Clay L. Shaw, a calthy businessman arrested v Dist. Atty. Jim Garrison on a harge of conspiring with Os-ald and David W. Ferrie to urder Kennedy, put off their uestions yesterday until they ould study scholastic and busi-ess records of Russo.

Before court reopened, mys-ery surrounding this "confi-ential informant" thickened.

Tells Newsman Otherwise

There were these discrepan-ies:

Russo, 25, an insurance alesman from Baton Rouge, old the court he was in the partment of Ferrie here in eptember 1963 and listened to he three men conspire to kill he President and escape.

But two weeks ago, shortly fter, Ferrie died of what the oroner termed natural causes nd Garrison maintained was uicide, Russo told a newsman rom New Orleans television tation WDSU that Ferrie never entioned Oswald's name to im, adding, "I had never heard f Oswald until on television. . hh. . .the assassination."

Russo gave detail in court f the meeting in Ferrie's apart-nent, saying the plot involved acrificing one man to allow the thers to make a getaway, a ossible flight to Cuba, diver-sionary shooting and "triangu-lation of crossfire."

But in an interview earlier with a Baton Rouge television station, Russo said he never came forth with his informa-tion before because, "I left it to professionals...when they came out with Oswald was the man. Then I forgot it."

Russo told the court that Ferrie proposed flying the geta-way plane into Mexico to refuel for a flight to Cuba. Russo said Shaw interrupted to say that as soon as the shots were fired "the world would know about it," and there would be no way to get the plane out of Mexico.

Russo quoted Oswald as telling Shaw to "shut up. Leave him (Ferrie) alone. He knows what he's talking about. He's the pi-lot."

But when Russo was asked by a newsman earlier whether he thought Ferrie might have had anything to do with the assassi-nation, he replied: "Well, that I don't know and it would be just speculation.

"It's Only Conjecture"

"Dave Ferrie had the ability because of a keen mind and ability to drive an airplane. Now whether he would have used that is another thing...It's only conjecture."

Russo has said he did not get in touch with Garrison until two days after Ferrie's death—when he saw a newspaper pic-ture of Ferrie. He said he had not then heard from Garrison.

That is the date on which Gar-rison announced he had "solved" the case. And Russo apparently is a major witness in Garrison's case—perhaps he's the "confidential informant" who, according to Garrison's application for a warrant to search Shaw's house, confirmed while under influence of "truth serum" that he overheard the plot to murder Kennedy.

Other ponderables: Russo told a newsman that Ferrie jokingly posed the question of assassinat-ing the president to him, "that if he and I could do it . . . it could be done." In the same in-terview Russo said he first met Ferrie when he broke off Fer-rie's friendship with another boy. Russo added, "At that time Dave made a personal threat against my life."

Kennedy was killed in Dallas Nov. 22, 1963—two months after the alleged meeting in Ferrie's apartment. The Warren Com-mission decided that Oswald was the lone assassin and there was no credible evidence of any conspiracy.

Shaw Denies Charges

Shaw is the only alleged con-spirator still alive. Oswald was shot to death by Jack Ruby two days after the assassination and Ferrie died in bed Feb. 22. The coroner ruled the death due to natural causes.

Shaw, 54, a onetime Army major who was decorated in World War II, has denied taking part in any conspiracy.

Russo's name does not appear in federal records of the in-vestigation of the assassination.

Shaw was investigated and cleared by the FBI late in 1963, according to Atty. Gen. Ramsey Clark, who said Sunday he did not think Garrison would suc-ceed in proving a conspiracy.

Russo was the fourth witness to testify yesterday at the open-ing of the preliminary hearing for Shaw. The hearing is being held to determine whether the district attorney has sufficient cause to hold Shaw for trial.

Speaking so rapidly and indis-tinctly that court reporters asked him to slow down, Russo told his story with his eyes fixed on Garrison.

He identified Shaw as a man he knew as "Clem Bertrand" in 1963.

Under Garrison's questioning, Russo described the meeting this way:

"The party dwindled away . . . Dave Ferrie began the conver-sation, pacing back and forth and talking to Bertrand and Os-wald . . . Ferrie wore baggy pants. Oswald was dirty, as usual, and half shaven. He wore a pullover shirt that was not a T shirt. Bertrand was the only one dressed what I'd call decent. He wore a maroon jacket."

This is Russo's account in court, basically in his own words:

Dave Ferrie began the con-versation, pacing back and forth and talking to Bertrand and Os-wald. The discussion centered around an assassination of

See PROBE, Page A-3

Times-Star
15 June 67

Garrison's Plot

It is hard to know just what to make of Jim Garrison's sleazy legal extravaganza. Will the New Orleans district attorney, in the end, be able to establish a substantial connection between his pathetic cast of emotionally disturbed characters and the national tragedy of November 22, 1963? Or does the plot, in fact, exist only in the overstimulated imaginations of Garrison's strange troupe?

At the moment, certainly, the prospect of a legally presentable "solution" of the Kennedy assassination and a refutation of the Warren Commission findings seems remote at best. The prosecutor's star witness, Perry Raymond Russo, has told a story that contradicts, on several key points, public statements he made less than a month ago. Until prodded by Garrison, he did not recognize the "Leon Oswald," who, he says, plotted the death of Kennedy, as Lee Harvey Oswald who carried it out. And yet he was able, with absolute certainty, to describe minute differences between a rifle Oswald was cleaning three years ago and a rifle produced in court by the district attorney.

It is, of course, possible that Garrison has more to offer in support of his arrest of Clay L. Shaw as a participant in an assassination plot. Indeed it would seem incredible for an experienced lawyer, who must be aware of the possibility of a suit for false arrest, to stick his neck out so far on such slender evidence. One can only assume that there is more to come.

But one conclusion can already be drawn from the strange goings on in New Orleans. This investigation into the assassination of the President is being conducted with the dignity and legal propriety of a smalltime circus sideshow. Regardless of the outcome, it is clear that Garrison's interest in that terrible moment of history lies solely in how it can be used for the personal and political betterment of Jim Garrison. It is a disgraceful performance.

Wash Star
Mar '67

The Washington Daily News, Friday, March 17, 1967

Witness Says He Was Hypnotized

Perjury Charge in La.

NEW ORLEANS March 17 (UPI) — Dean Andrews, a suspended Louisiana prosecutor who told the Warren Commission he had been approached to represent Lee Harvey Oswald shortly after President Kennedy was murdered, has been indicted on perjury charges.

Mr. Andrews, free on $1000 bond today, was the first person connected in any way with the Garrison investigation to be indicted in the case. He was suspended Wednesday from his post as Assistant District Attorney of Jefferson Parish (county) and surrendered to authorities last night.

Meanwhile, a preliminary hearing to determine whether New Orleans Dist. Atty. Jim Garrison had enough evidence to bring businessman Clay L. Shaw to trial for conspiracy to assassinate Mr. Kennedy continued.

Perry R. Russo, 25, a Baton Rouge, La., insurance salesman, ended three days of testimony yesterday. He said he had heard Mr. Shaw Oswald and David Ferrie plot to kill the President. Mr. Russo also said Mr. Garrison had him hypnotized prior to questioning.

Mr. Andrews, in an interview with station WDSU-TV, said he did not know why he had been indicted by the New Orleans grand jury, but added he had expected it.

He had been before the grand jury yesterday and had been subpoenaed before it March 9. The grand jury indicated the alleged false statements were made during these appearances.

"Garrison has an alleged plot under investigation," Mr. Andrews said. "I have no knowledge of such a plot. I did the best to tell the truth."

He said "intuition" as well as family and friends told him he would be indicted. He said he bet money at "8-5 odds" that he would be indicted.

"Someone seems to feel I have knowledge I don't have," he



MR. ANDREWS

He said Mr. Garrison had him hypnotized as late as last Monday, the day before the hearing. He said Dr. Esmond A. Fatter, observed by coroner Nicholas J. Chetta, hypnotized him.

Presumably, he was hypnotized to see if he was telling the truth about the alleged plot he overheard.

Dr. Chetta testified about sodium penthothal, or "truth serum," used in some hypnosis sessions. He said a patient using the drug is "aided in recalling facts and remembers things he ordinarily would have forgotten and say things he ordinarily might hold back."

Before leaving the stand Mr. Russo testified he failed to recognize Oswald as "Leon Oswald" — the name he knew him by — for three years, not until a police artist drew whiskers on the assassin's picture.

Wash Daily News
17 March 67

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"Someone seems to feel I have knowledge I don't have," he said.

Mr. Andrews told Mr. Garrison and the Warren Commission a man who identified himself as "Clay Bertrand" called him shortly after Oswald was arrested and asked that he go to Dallas to defend Oswald. He said he was ill at the time and could not take the case.

Mr. Garrison has claimed Clay Bertrand and Clay Shaw are the same man.

Meanwhile, another figure entered the increasingly complex atmosphere surrounding the probe. Arthur E. Strout, 26, a Boston dishwasher, reportedly flew to New Orleans last night.

The Boston Traveler said yesterday Mr. Strout had a picture of Oswald and Jack Ruby together in Ruby's nightclub a month before Mr. Kennedy's assassination.

Mr. Russo, whose testimony ended at 3:50 p.m. after eight hours yesterday said he had been hypnotized three times



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(NP)

Worth Daily
17 March 67

'Friend' Says Ex-Garrison Co-Operator

Clay Shaw to Stand Trial

NEW ORLEANS, March 23 (UPI) — Business Executive Clay L. Shaw, likely to be the first man tried on charges directly connected with President Kennedy's assassination, is expected to plead innocent next week when he is arraigned on assassination conspiracy charges.

The judge for that trial was expected to be named today in a drawing among the city's eight criminal district judges.

GRAND JURY

Mr. Shaw, the 54-year-old former director of the International Trade Mart here, was indicted yesterday by a 12-man grand jury as a result of the controversial investigation by DA Jim Garrison.

Mr. Shaw's attorney said last night his client would plead innocent to the indictment and would request a bill of particulars in the case.

Gordon Novel, a lounge operator who apparently once co-operated with Mr. Garrison in the investigation, yesterday called the assassination probe a fraud.

Mr. Novel, who was located by United Press International in Columbus, Ohio, after he had been unsuccessfully subpenaed by the New Orleans grand jury, said:

"At the request of Mr. Garrison's chief financial supporter, I helped him (Garrison) all along in this thing and I told him all along I don't believe what he has is real and I don't to this day."

"I don't believe his case and from the methods he's used I think he's a fraud,' Mr. Novel said. "What my friend, Mr. Garrison, is conducting is not a normal investigation but is a political, police state inquisition."

BORROWED THEORY

"His borrowed, 'Rush to Whitewash theory of the assassination puzzle is being solved by his forced hammering, like an egotistical child, of the wrong people and pieces in the right place and visa versa."

"I'll go back to New Orleans when I'm positive what Mr. Garrison has planned for me," he said.



—UPI Photos

Dean Andrews, with his attorney, Monk Zelden, right, leaving court after his arraignment.



CLAY SHAW

The indictment delivere yesterday linked Mr. Shaw wi Lee Harvey Oswald, the la David W. Ferrie "and others They were accused participating in a September October 1963 conspiracy to pl the President's death. M Kennedy was shot Nov. 22, 196 in Dallas.

A spokesman for M Garrison's office said last nig that "There's no way knowing at this time" when M Shaw will be brought to trial.

Mr. Shaw was registered in New Orleans hospital all we but was scheduled to released today or Friday. had court permission to visit t Mississippi Gulf Coast th coming week-end, still under $10,000 bond.

Lawyer Pleads Innocent to Perjury in 'Plot' Probe

NEW ORLEANS (AP)- Dean A. Andrews Jr., a lawyer who says Lee Harvey Oswald consulted him in 1963 on minor legal matters, pleaded not guilty, today to a charge of committing perjury before a grand jury in connection with Dist. Atty. Jim Garrison's Kennedy assassination investigation.

Criminal Dist. Judge Frank Shea granted a motion by Andrews' lawyers for a jury trial and gave them until April 10 to file motions in the case.

The nature of the alleged perjury was not mentioned.

Andrews, 44, was indicted Thursday by the Orleans Parish grand jury, which said he gave answers that he "well knew were false and untrue" when questioned about Garrison's assassination conspiracy probe.

Free Under $1,000 Bond

Andrews has been suspended from his post as assistant district attorney in suburban Jefferson Parish.

In another development today, an attorney for Clay L. Shaw obtained court permission for his client to leave New Orleans tomorrow to spend the Easter weekend on the Mississippi Gulf Coast.

Garrison has charged Shaw, Oswald, airline pilot David W. Ferrie and others with conspiring to murder President John F. Kennedy.

Following a four-day preliminary hearing last week, a three-judge court ruled that Garrison had produced sufficient evidence to hold Shaw for trial. Shaw is free under $10,000 gond

Garriosn's office offered no objections to Shaw's request to leave the city. F. Irvin Dymond, Shaw's lawyer, said his client would return to New Orleans Monday.

Meanwhile, a subpoena was issued for Gordon Novel, a French Quarter bar owner, to appear for a second time before the Orleans Parish grand jury in connection with the probe.

Novel first appeared before the grand jury Thursday. Earlier he told reporters he felt Garrison wanted to question him about activities "during 1961 which are related to Mr. Sergio Arcacha Smith."

Arcacha was head of the anti-Castro Cuban Revolutionary Council here in 1971.

Wash. Star
22 Mar. '67

'Plot' Figure Clay Shaw In Hospital for a Rest

NEW ORLEANS (AP)—Clay L. Shaw, the wealthy retired executive charged with conspiring to murder President John F. Kennedy, entered a hospital yesterday for a rest.

The ruggedly handsome Shaw sat impassively through a four-day preliminary hearing on whether he should stand trial. But his eyes were bloodshot at the end Friday and he obviously had been under a strain.

Edward Wegmann, one of Shaw's defense lawyers, said Shaw is not ill but was admitted to the Southern Baptist Hospital for rest and observation.

At the end of last week's hearing, a three-judge panel ordered a trial for Shaw. The court said it found "sufficient evidence has been presented to establish probable cause that a crime has been committed."

Dist. Atty. Jim Garrison has said that Shaw, Lee Harvey Oswald, airline pilot David W. Ferrie and others conspired to murder Kennedy.

Trial Is Ordered for Shaw As Kennedy Death Plotter

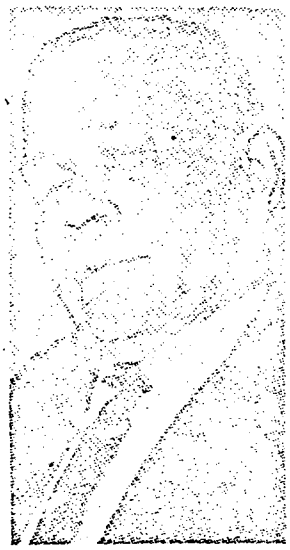
NEW ORLEANS, La. (AP) — A three-judge panel has ruled in a preliminary hearing that wealthy retired business leader Clay L. Shaw should become the first man to stand trial concerning the assassination of President John F. Kennedy.

In ordering the trial for Shaw on a charge of conspiracy to murder the President, Judge Bernard J. Bagert said yesterday at the conclusion of the four-day hearing, "This court finds sufficient evidence has been presented to establish probable cause that a crime has been committed."

The ruling came on Shaw's 54th birthday.

The decision was a first-round victory for gun-toting Jim Garrison, this town's 6-foot-6 district attorney. Garrison startled the world a month ago with a statement that he had "solved" the Kennedy assassination, would make arrests, and would obtain convictions.

Garrison, unorthodox and controversial in his five years as district attorney, took an unusual step in asking for the preliminary hearing — a tactic usually resorted to by defense lawyers.



AP

CLAY SHAW

The next step:

"I will file a bill of information." Garrison drawled to newsmen shortly after the panel announced its unanimous decision. He would not say when the action would be taken.

Arraignment and trial come afterward. No dates were set.

"The district attorney selects the date and time a person will be tried," said Judge Bagert, who had asked two of his fellow Criminal District Court judges to sit with him at the preliminary hearing because of its importance.

"The state has six years to prove this case," said defense attorney William Wegmann, in his impassioned plea to the court to throw out the charges.

After the decision, Bill Gurvich, chief investigator for Garrison's office, told newsmen: "We won. If we had needed more goods we would have brought them in."

Perry Raymond Russo, 25, was Garrison's star witness. Russo, a Baton Rouge insurance salesman, told the court he was present in the New Orleans apartment of David W. Ferrie in mid-September 1963 and heard Lee Harvey Oswald,

See PLOT, Page A-10,

PLOT

Shaw Takes Ruling Ca...

Continued From Page A-1

Shaw and Ferrie plotting to assassinate Kennedy.

The plan, Russo testified, involved "triangulation of crossfire," diversionary shooting, a possible flight to Mexico and Cuba, the sacrificing of one man as a scapegoat to permit the others to escape.

Only One Alive

Of the three alleged conspirators, only Shaw, who stepped down as managing director of the International Trade Mart here 16 months ago, is alive. Oswald was shot fatally by Jack Ruby, in the Dallas police station two days after the Nov. 22, 1963 assassination of Kennedy.

Ferrie, former airlines pilot with a homosexual record, was found dead in bed Feb. 22. The coroner ruled his death resulted from natural causes — an aneurysm of a blood vessel in the brain.

Shaw, a rugged 6-foot-2, gray-haired man with erect military bearing, was calm and stoic when the decision was read. Deepening lines in his face and bloodshot eyes, however, showed the strain he has been under since his arrest March 1.

When arrested, Shaw called Garrison's charge "fantastic." He denied having any part in a conspiracy and said, "I am completely innocent of any such charges.

"I did not know Harvey Lee Oswald (sic) nor to the best of my knowledge do I know anyone who knew him," Shaw said.

The Warren Commission found that Oswald was the assassin of Kennedy, but the New Orleans judges refused to admit the commission's report as evidence in the hearing.

"This report is fraught with hearsay. Hearsay four or five times removed," Judge Bagert said Wednesday in announcing the 2-1 vote on rejecting the commission's findings.

Linked by Witnesses

Garrison produced two witnesses who linked Shaw and Oswald, New Orleans-born ex-Marine who defected to the Soviet Union, then returned after three years.

Oswald, the Warren report documented, was in New Orleans from early April 1963 until Sept. 25, 1963.

Vernon Bundy, 29, an admitted narcotics addict, walked over to Shaw in court yesterday and put his hand over the accused's head, identifying him as the man he saw with Oswald here on the Lake Pontchartrain seawall.

The Warren Commission said it had found no evidence that Oswald was involved with any person or group in a conspiracy, but it noted: "Because of the difficulty of proving negatives to a certainty the possibility of others being involved . . . cannot be established categorically."

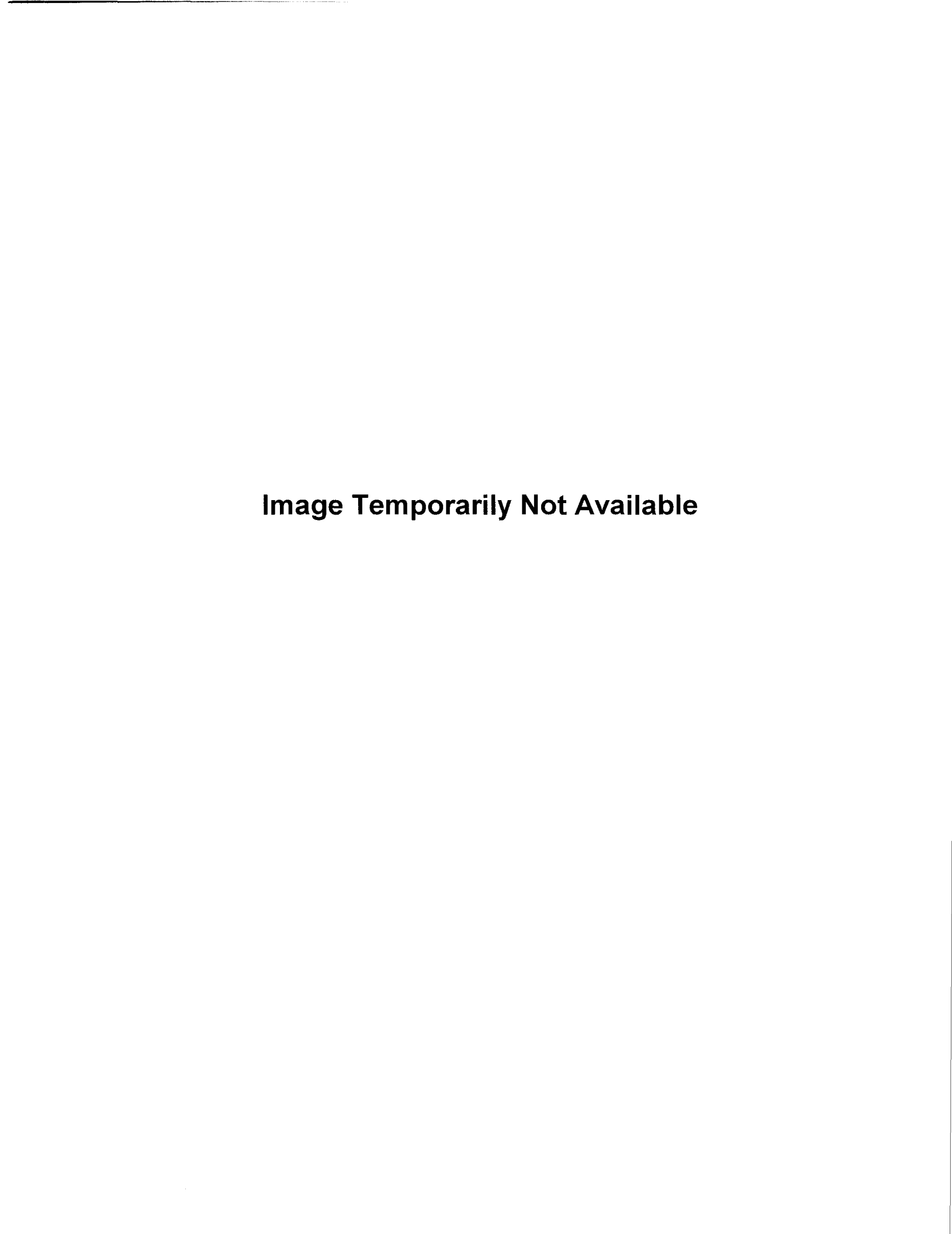
"I say the only worthy thing of Russo's testimony is that he knew David Ferrie and feared his intelligence," said Wegmann in his concluding arguments.

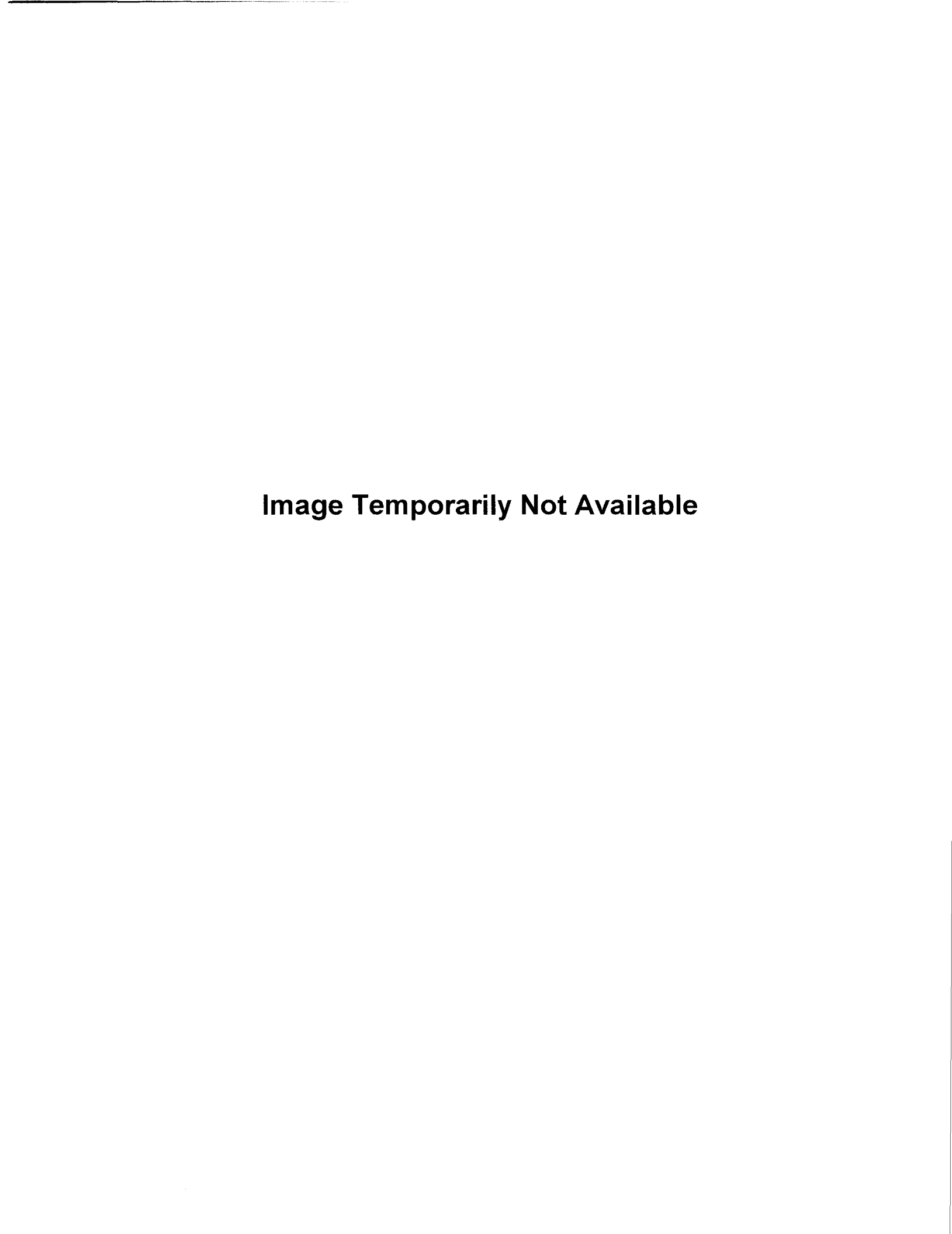
"What they've put in, and they've got at this hearing," he continued, "it might warrant future investigation by competent authorities, but it doesn't warrant holding this man."

The court released Shaw on his present $10,000 bond which Shaw posted several hours after his March 1 arrest by Garrison.

Shaw's attorneys filed more than 50 formal exceptions during the hearing, laying the groundwork for possible appeals.

Bundy testified that he saw the men he later identified as Shaw and Oswald when he took a bus to the lakefront "to get a fix." He said Shaw handed Oswald "a roll of money or it appeared to be."


Image Temporarily Not Available


Image Temporarily Not Available