

(Name of Office in Space Below)

Will Seek to Quash Charge, Says Shaw's Attorney

Motion to Be Filed in Court Today—Johnson

A defense attorney for Clay Shaw, booked with participating in a conspiracy to murder President John F. Kennedy, said Tuesday night he will seek to quash the charge.

Guy Johnson said a motion will be filed before Criminal District Judge Bernard J. Bagert at 10:30 a. m. Wednesday to quash.

Shaw, arrested by members of District Attorney Jim Garrison's office last Wednesday, is to appear before Judge Bagert next Tuesday for a preliminary hearing.

"We will file motions for particulars — the nature of the crime, the names of the co-conspirators, the name of the unnamed informant," Johnson said.

SHAW MAY ATTEND

Johnson said Shaw may be in court with him when he files the motions before Judge Bagert.

The attorney said some judges consider the filing of motions a major step in criminal proceedings, and if that were the case with Bagert, he would like to have his client present. He added that the possibility that Bagert may rule on the motions Wednesday would add to the desirability of having Shaw present.

Asked by The Associated Press about reports he planned to try moving the case into Federal Courts, Johnson replied: "Right now the case is not in a stage to move anyplace. I don't know if it ever will be; I mean, there isn't a (formal) charge."

Garrison has said Shaw, former managing director of the International Trade Mart, was a member of a conspiracy that plotted the death of the late President. In an application to

search Shaw's French Quarter apartment last week, the DA said Shaw, Lee Harvey Oswald and pilot David W. Ferrie and an "informant" discussed "how they would kill John F. Kennedy."

NEW CODE CITED

The Warren Commission Report had named Oswald as the presidential assassin. Garrison said Ferrie's house was used as a meeting place for the alleged conspiracy.

Ferrie died Feb. 28. The death was attributed to natural causes by Orleans Parish coroner Dr. Nicholas Chetta.

Another of Shaw's attorneys,

Edward Wegmann, said Tuesday night that because of the new Louisiana Criminal Code of Procedure, which went into effect Jan. 1 of this year, there is very little jurisprudence from which to draw in the upcoming hearing.

He said that in the past, hearsay evidence was allowed at preliminary hearings, but he will "make every effort to prohibit" the district attorney from using hearsay evidence at Shaw's hearing.

Wegmann said he will also seek to make the district attorney show probable cause for the charge against Shaw. He made no other comment on his legal strategy.

KNEW PAIR, CLAIM

In another development, a Parish Prison inmate told Garrison's office that he knew both Oswald and Jack Ruby when he was in Illinois and claimed he had pictures of both men.

Ruby shot Oswald two days after the assassination of Kennedy.

The prisoner, who was not identified, was taken from the prison late Monday afternoon to the basement of the Criminal Courts building at Tulane and Broad and brought up to Garrison's offices through a basement elevator, avoiding newsmen congregated in the hall outside the office.

He was first questioned by Garrison's staff last week.

Garrison himself reportedly was out of town over the weekend. A secretary in his office said Tuesday afternoon that he was in town but not in his office.

No subpoena has been issued for the prisoner.

Clyde Limbaugh, 52, who said he worked as a singer in Ruby's nightclub for three years, went into Garrison's office Tuesday morning and emerged shortly thereafter.

'UNRELIABLE'—GURVICH

William Gurvich, Garrison's chief investigator, said Limbaugh is "totally unreliable. He came to us of his own accord."

Limbaugh had earlier told newsmen he had been subpoenaed, but a check showed that he had not been.

Shaw has been one of five persons subpoenaed by Garrison's office, but the only one arrested.

The most recent subpoena issued was to J. B. Dauenhauer Monday. Dauenhauer once was an assistant to Shaw at the ITM and had served with him in France during World War II.

LEAFLET HANDOUTS

Oswald had handed out "Fair Play for Cuba" leaflets outside the old Trade Mart building in the summer of 1963.

Shaw had told newsmen that he had "never seen or spoken to Oswald" and could not recall knowing anyone who ever knew him.

Gurvich said Tuesday that special rules for the press will be set up for the preliminary hearing for Shaw.

He said the hearing will be open to the press, but "no shuttling back and forth will be allowed."

Seven seats at a special table will be reserved for the following news media: The Times-Picayune, The New Orleans States-Item, The Associated Press, United Press International, the Columbia Broadcast-

(Indicate page, name of newspaper, city and state.)

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The Times-Picayune
New Orleans, La.

Date: 3-8-67

Edition:

Author:

Editor:

Title: ASSASSINATION OF
PRESIDENT JOHN F.
KENNEDY 11/22/63

Character:

or

Classification: 89-

Submitting Office: N.O.

Being Investigated

ENCLOSURE

ing System, the National Broadcasting Co. and the American Broadcasting Co.

Judge Bagert said he will also set aside "a certain number of seats for the rest of the press" and will probably have about 50 special cards printed for representatives of news media.

CASH CONTRIBUTIONS

"Truth or Consequences Inc.," a businessman's fund to aid Garrison's probe, reported that contributions are coming in from all over the country.

Joseph M. Rault Jr., one of the men who instigated the fund, said Tuesday that he has not received one critical letter.

Rault said he doesn't know exactly how much money has been received by the fund because he has just returned to the city.

"A kid from Michigan University sent \$5 and a secretary from New York sent \$25 and a nice long letter. Some letters don't even have any address, they just say 'To Joe Rault, New Orleans.' I don't know how they get to my office."

Rault said the letters number in the hundreds and that the money comes unsolicited.

He said a group of businessmen has agreed to finance the investigation for five years if necessary. The fund enables Garrison to send investigators around the country without giving away the locations of clues they seek.

Public Should Know Fund Sources--ACLU

The American Civil Liberties Union of Louisiana said Tuesday that all sources of private funds being used to help District Attorney Jim Garrison's probe into the death of Presi-

dent Kennedy should be made public.

The ACLU issued the following statement:

"The American Civil Liberties Union of Louisiana has no criticism of privately-sponsored efforts to combat crime (e.g. the Metropolitan Crime Commission) but when a public official is financed in his official duties by private sources, the general public is entitled to an immediate and complete detailing of those sources.

"The alternative is to encourage speculation that a public official may be spending his time for private interests and not projects of private citizens, to the detriment of his official duties.

"The Civil Liberties Union weeks."

has criticized the prejudicial pre-trial publicity surrounding the current investigation by the Orleans Parish district attorney's office into an alleged conspiracy to assassinate the late President John F. Kennedy. We reiterate our belief that the investigation itself may be an entirely proper undertaking.

"But widespread speculation by the news media to the effect that a major national magazine is helping finance an investigation carried on by local public officials further indicates the need for a public accounting of all sources funding the investigation. If indeed such a magazine is supplying the district attorney's office with funds, that magazine is open to criticism for having a vested interest in the prejudicial pre-trial publicity of recent