

(Mount Clipping in Space Below)

# Clay Shaw Is Indicted By Orleans Grand Jury

## JFK Assassination Conspiracy Cited

By JOHN S. LANG

NEW ORLEANS (AP)—Dist. Atty. Jim Garrison, changing his tactics, obtained a grand jury indictment Wednesday of Clay L. Shaw on a charge of "willfully and unlawfully conspiring" to murder the late President Kennedy.

The surprise indictment came a few hours after Dean A. Andrews Jr., an attorney who says Lee Harvey Oswald consulted him in 1963 on minor legal matters, pleaded innocent to a charge of committing perjury before the grand jury.

Garrison had previously indicated he would bypass the grand jury and file a bill of information to bring Shaw, 54, a decorated World War II Army major and retired New Orleans businessman, to trial.

Three state judges ruled last Friday at the conclusion of a four-day preliminary hearing that Garrison had produced enough evidence to warrant holding Shaw for trial.

With an indictment, Garrison can keep the information not brought out at the preliminary hearing secret until an actual trial is held.

By filing a bill of information, the district attorney would have had to divulge specific details of

his case. In Louisiana, a prosecutor has a choice of bringing a man to trial by either a grand jury indictment or a bill of information.

Wednesday's indictment was returned to Criminal Dist. Judge Matthew Braniff, one of the three judges who heard last week's testimony. Asked why the case was taken to the grand jury instead of a bill of information being filed, the judge told newsmen: "Gee, I don't know."

perhaps because of the seriousness of the situation, it's a public affair. The president of the United States is involved."

DA Is Mute

Garrison would not comment on the move. One of his assistants, Alvin Oser, told newsmen: "This is the way Mr. Garrison wanted it."

The grand jury's true bill charged Shaw with "willfully and unlawfully conspiring with David W. Ferrie, Lee Harvey Oswald and unnamed others to murder John F. Kennedy."

The indictment came after Perry R. Russo, a Baton Rouge insurance salesman who was Garrison's star witness in the

preliminary hearing, made a surprise appearance before the grand jury.

Grand jury foreman Albert V. Labiche, a prominent businessman here, said afterwards that Russo was the only witness the body heard Wednesday in connection with the Kennedy assassination.

Russo, 25, spent an hour and 50 minutes with the grand jury. Emerging between two of Garrison's assistants, Russo told newsmen: "I can't talk right now."

Russo, his memory aided by hypnosis and sodium pentothal—the so-called truth serum—calmly told the three-judge court he heard Shaw, Ferrie and Oswald plotting to kill Kennedy.

Of the three alleged conspirators listed in the indictment, Shaw, a former managing director of the International Trade Mart here, is the only one still alive.

Ferrie, a free-lance pilot with a homosexual record, was found dead in bed Feb. 22 while under investigation by Garrison's office. Ferrie's death was due to natural causes, the coroner ruled.

Oswald, the New Orleans-born ex-Marine who defected to the Soviet Union for three years and then returned to the United States, was killed in Dallas by Jack Ruby two days after the Nov. 22, 1963, Kennedy assassination.

The Warren Commission concluded that Oswald was the assassin and acted alone. No evidence could be found of a conspiracy, the commission said, noting that it could not, however, establish categorically that there was no conspiracy.

OK's Shaw Trip to Miss. The indictment capped another hectic day in the Criminal

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District Courts Building where earlier Andrews had been arraigned for perjury and Shaw's attorney had won permission for his client to leave the court's jurisdiction to vacation on the Mississippi Gulf Coast during the Easter holiday.

Andrews, 44, a rotund, wisecracking lawyer suspended last week as an assistant district attorney in suburban Jefferson Parish, pleaded innocent at his arraignment before Criminal Dist. Judge Frank Shea.

The grand jury indicted Andrews last Thursday, saying he gave answers that he "well knew were false and untrue" when questioned about the conspiracy probe.

Andrews told the Warren Commission that he was contacted by "a voice" he knew as Clay Bertrand after the Kennedy assassination. Andrews said Bertrand asked him to go to Dallas to represent Oswald.

Russo said he was introduced to Shaw in Ferrie's apartment as "Clem Bertrand" and Garrison has charged that Shaw used "Clay Bertrand" as an alias. Shaw has denied all of Garrison's accusations.

Russo's appearance before the grand jury followed the disclosure that a witness subpoenaed to appear Wednesday, Gordon Novel, 29, was in Washington, D.C.

#### Will Return

Novel's attorney, Steven R. Plotkin, said his client left town Saturday and will return in "due course." Plotkin would not comment on why Novel was in Washington, but said: "His absence from the state is not to avoid the subpoena, or not to cooperate with the district attorney's office, but for personal reasons."

Novel appeared before the grand jury last Thursday and was told to return this Thursday. Earlier he had told newsmen he felt Garrison wanted to question him about activities "during 1961 which are related to Mr. Sergio Arcacha Smith."

Arcacha, now a Dallas resident, was head of the anti-Castro Cuban Revolutionary Council here in 1961. The address of that group was the same as that given on some of the pro-Castro "Fair Play for Cuba" leaflets handed out by Oswald here in August, 1963.

The motion for Shaw to leave town for the weekend stipulated he would go to the Gulf Coast on Thursday and return Monday. It said his attorneys would be furnished with his precise address and telephone number.

#### Personal Trip

The trip, defense counsel F. Irvin Dymond said, is a personal one and has nothing to do with the trial. He said no security precautions will be taken either by Shaw or the district attorney's office.

"The district attorney signified no disapproval of the order," Dymond said.

Shaw has been in Southern Baptist Hospital here since last Saturday undergoing treatment for fatigue and an old back injury. Dymond said Shaw would

leave New Orleans only if doctors decide he is to be discharged from the hospital.

Shaw has been free under \$10,000 bond since his arrest March 1. Judge Braniff said Wednesday the bond would be continued but Shaw may have to come to court to re-sign it.

Conviction on a murder conspiracy charge in Louisiana carries a maximum penalty of 20 years.

U.S. Atty. Gen. Ramsey Clark said recently that the FBI had cleared Shaw of any part in the Kennedy assassination in 1963. He declined to say what prompted the FBI to check out Shaw, whose name does not appear in any of the Warren Commission testimony or exhibits released to the public.