

Section

~~141~~

~~142~~

143

THIS SERIAL HAS BEEN REFERRED TO
ANOTHER AGENCY AND IS IN A PENDING STATUS:

FILE NO. 62-109060

SERIAL NO. 5686

PAGE NO. 1

NO. OF PAGES 1

SECTION NO.

143

CIA

REFERRAL

FBI

Date: 8/16/67

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL AIRMAIL
(Priority)

TO: DIRECTOR, FBI (62-109060)
FROM: SAC, LOS ANGELES (89-75)(P)
RE: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS, 11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

OO: Dallas

Re Dallas airtel 7/28/67

Mr. LAWRENCE SCHILLER, 3064 Elvill Drive, Beverly Hills, California, is out of town and will be unavailable until 8/21/67. Mr. SCHILLER will be contacted on 8/21/67 and information requested in reairtel obtained for information.

- 3 - Bureau
- 2 - Dallas (89-43)
- 1 - Los Angeles

RHW:elc
(6)

EX-113

REC-59

62-109060-5687

11 AUG 18 1967

Special Agent in Charge

Sent _____ M Per _____

Memorandum

DATE: August 29, 1967

Mr. Tolson	_____
Mr. DeLoach	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

MR. DE LOACH

J. H. GALE *JHG*

SUBJECT: CRIMINAL INTELLIGENCE PROGRAM
NEW ORLEANS DIVISION

The New Orleans Office previously submitted information indicating "Life" magazine reporters had information indicating hoodlum Mario Marino had arranged for credit for New Orleans District Attorney Garrison in Las Vegas gambling casinos, as well as admissions from Garrison of his friendship with some New Orleans hoodlums. A decision had not been made as to whether this information would be published in articles to be published in "Life" within the next week or so.

SAC Rightmyer of the New Orleans Office advised today that information had been received "Life" attorneys had now made a decision that the information regarding Garrison could be published. SAC Rightmyer advised that the extent of information to be published by "Life" concerning Garrison is unknown, but possibly will include the Las Vegas credit information and his admitted association with New Orleans hoodlums.

ACTION:

Submitted for information.

- 1 - Mr. DeLoach
- 1 - Mr. Bishop
- 1 - Mr. Rosen
- 1 - Mr. Gale
- 1 - Mr. McAndrews
- 1 - Mr. Emery

CHS:dlb
-7-

62-109060 -

SEP 8 1967

DJH

SEP 8 1967

Memorandum

TO : Mr. DeLoach

FROM : J. H. Gale

SUBJECT: CRIMINAL INTELLIGENCE PROGRAM
NEW ORLEANS DIVISION

DATE: August 28, 1967

Tolson	_____
DeLoach	_____
Casper	_____
Callahan	_____
Conrad	_____
Felt	_____
Gale	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

McAndrews
BRANNIGAN

Pul
file

Bishop

Leach

Rosen

Previous information was received by our New Orleans Office indicating New Orleans District Attorney Garrison had admitted to "Life" reporters that hoodlum Mario Marino had arranged for a line of credit in Las Vegas gambling casinos for Garrison and that Garrison had threatened to sue "Life" if they published this information. On August 28, 1967, Special Agent in Charge Rightmyer of the New Orleans Office furnished the following additional information concerning this matter.

In connection with the admissions made by Garrison to "Life" reporters Sandy Smith and Richard Billings, who have been in New Orleans interviewing various hoodlums as well as District Attorney Garrison, the New Orleans Office has been advised that there is a controversy among the higher-ups at "Life" as to the advisability of publishing the admissions made by Garrison. One faction feels that it would be most inadvisable to publish the information concerning Garrison since to do so would possibly alienate Garrison and prevent "Life" from obtaining any additional data regarding Garrison's alleged investigation of the assassination of President Kennedy. A second faction feels that since Garrison has made the admission himself the information should definitely be publicized and Garrison "blasted." According to a "Life" representative, this question is being studied now and a decision will have to be made soon since the article, which would contain this information, is due to be published within the next week or so.

ACTION:

62-109060-
NOT RECORDED
199 SEP 8 1967

Submitted for information. 18 SEP 6 1967

- 1 - Mr. DeLoach
- 1 - Mr. Bishop
- 1 - Mr. Rosen

- 1 - Mr. Gale
- 1 - Mr. McAndrews
- 1 - Mr. Emery

CHS:dsa dsa

54 SEP 14 1967

DJH

Shurt

MADE

AIRTEL

TO: DIRECTOR, FBI (62-109060)

DATE: 8/11/67

FROM: LEGAT, MEXICO CITY (89-6) RUC

RE: ASSASSINATION OF PRESIDENT JOHN
FITZGERALD KENNEDY, DALLAS, TEXAS,
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING

Enclosed is one copy of article entitled "SEARCH
ON FOR MISSING NEWSMAN" from THE NEWS, Mexico City English
language daily newspaper, 8/11/67, page 1.

Re Mexico City cable dated 8/11/67.

RUC.

- 4 - Bureau (Encl. 1) *INCL. RUC*
- 1 - Liaison Section
- 2 - Mexico City
- 1 - '66-338, Thayer Waldo) *EX 104*

MDC:emh
(6)

REC 53

15 AUG 17 1967

cc Bishop

62 AUG 23 1967

62-109060-5688

[Handwritten signature]

(Mount Clipping in Space Below)

Search On For Missing Newsman

By JALME PLENN

The disappearance of Thayer Waldo, public relations director at the University of the Americas, has become the object of official and private inquiries, it was revealed here yesterday.

Waldo, who also worked as a correspondent for several U.S. newspapers, was understood to have been investigating Mexican links with the assassination of President Kennedy. He left this country unexpectedly early in July. He was last heard from in a letter postmarked Los Angeles with no return address.

Among other things, it said Waldo was being "trailed" here and indicated that pressure had been put on him to leave the country.

The letter was addressed to the university, which also is trying to learn of his current whereabouts.

Officials of the Foreign Correspondents Association here said they were seeking to find out from university and government sources what may have motivated Waldo's departure a month ago.

One version was that he planned to go to Santiago, Chile, but this was not confirmed.

Waldo is a member of the correspondents association, and its directory lists him as correspondent for the Denver Post, San Francisco Chronicle and Tucson Citizen. He also wrote regularly for other newspapers, in the United States, it was reported.

A short while before he left Mexico, Waldo was known to have been investigating activities in Mexico of Lee Harvey Oswald, the alleged assassin, and a reported trip to this city by members of a secret U.S. organization at the time President Kennedy came here on an official visit in 1962.

Friends of Waldo said he told them he had been commissioned by New Orleans District Attorney Jim Garrison to verify reports about certain incidents and conversations during the Kennedy visit here.

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

Page 1

"THE NEWS"

Mexico,

D. F.,

Mexico

Date: 8/11/67

Edition:

Author: By Jalme Plenn

Editor:

Title: "Search On For
Missing Newsman"

Character:
or Bufile 62-109060

Classification:

Submitting Office: Mexico Cit

Being Investigated

62-109060-5688

ENCLOSURE

They added that one of the remarks Waldo sought to verify, reportedly made to a Mexican Secret Service man, was:

"Why are you guarding the life of that Communist? We want him killed."

The identity of the person allegedly making the remark was reportedly given to Waldo by Garrison.

Mexican government immigration officials have denied that Waldo was deported from Mexico, as had been reported.

Other versions current included one that Waldo had been "invited" to leave the country, but this was also unconfirmed.

Waldo had been in Mexico about two years, coming here from Fort Worth, Texas, where he had been hired as public relations man for the University of the Americas.

He had resided in Mexico on several other occasions, and at one time produced a weekly "Letter from Latin America" for several U. S. newspapers. He had also resided in Ecuador and other Latin American countries, including the Dominican Republic where, after the overthrow of dictator Trujillo, he represented a U. S. business organization.

Waldo was in Dallas at the time of the Kennedy assassination, Nov. 22, 1963, and reported the events of that week to U. S. newspapers.

Several months ago he called a press conference in Mexico City at which he outlined for local newsmen his points of view that differed with conclusions of the Warren Report.

D. Ray Lindley, president of the University of the Americas, said that Waldo's departure was "a complete surprise" to him. He confirmed that early in July he had received a telegram from Waldo in the United States, resigning his position at the university. The letter from him arrived later, he added.

Officials at the U. S. Embassy here said they had received inquiries as to Waldo's whereabouts, but had no information to supply. (Special)

U.S. DEPARTMENT OF COMMUNICATION

AUG 17 1967

TELETYPE

REC 54

Mr. Tolson	✓
Mr. DeLoach	✓
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	✓
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

FBI WASH DC

FBI NEW ORLS

522PM URGENT 8-17-67 CDC

TO DIRECTOR 62-109060 AND DALLAS 89-43

FROM NEW ORLEANS 89-69

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY,

DALLAS, TEXAS, NOV. TWENTYTWO, SIXTYTHREE, MISCELLANEOUS -
INFO CONCERNING, OO: DALLAS.

NEW ORLEANS STATES-ITEM, RED FLASH EDITION, AUGUST SEVENTEEN INSTANT, REPORTED THAT CRIMINAL DISTRICT JUDGE FRANK J. SHEA, TODAY DENIED A MOTION FOR A NEW TRIAL FOR CONVICTED PERJURER DEAN ADAMS ANDREWS, JR. AND DELAYED SENTENCING WHILE DOCTORS WERE CONSULTED ON ANDREWS' PHYSICAL CONDITION. THE ARTICLE REPORTED THAT JUDGE SHEA ALSO DENIED A MOTION BY ANDREWS' ATTORNEYS FOR AN ARRESTED JUDGMENT IN THE CASE. THE ARTICLE REPORTED THAT ANDREWS' ATTORNEY RAISED THE QUESTION OF THE DEFENDENT'S HEALTH AFTER THE AFOREMENTIONED MOTIONS WERE DENIED.

THE ARTICLE REPORTED THAT ATTORNEYS FOR CLAY L. SHAW ASKED FOR A OBTAINED PERMISSION FOR SHAW TO LEAVE THE JURISDICTION OF THE COURT FROM THE PRESENT DATE UNTIL SEPT.

FIVE IN ORDER TO VISIT HIS SICK MOTHER IN HAMMOND, LA.
AUG 24 1967
END PAGE ONE

MR. DELOACH FOR THE DIRECTOR

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Handwritten signature

R

REC 54 62-109060-5689

AUG 21 1967

5/01

PAGE TWO

THE ARTICLE REPORTED THAT BURTON KLEIN, ATTORNEY FOR MIGUEL TORRES, FILED A MOTION TO STAY TORRES' APPEARANCE BEFORE THE GRAND JURY NEXT WEEK. KLEIN'S MOTION ARGUED THAT TORRES, NOW SERVING A BURGLARY SENTENCE AT THE LA. STATE PENITENTIARY, FEARS SELF INCRIMINATION BEFORE THE GRAND JURY BECAUSE HE BELIEVES GARRISON PLANS TO FILE CHARGES AGAINST HIM IN CONNECTION WITH HIS APPEARANCE ON A NATIONAL TELEVISION PROGRAM CRITICAL OF GARRISON. KLEIN ASKED THAT THE APPEAL OF TORRES BE STAYED UNTIL A FEDERAL COURT ACTS ON A SIMILAR PROCEEDING FOR NATIONAL BROADCASTING CO. NEWSMAN WALTER SHERIDAN AND LOCAL ANNOUNCER RICHARD TOWNLEY.

THE NEW ORLEANS STATES-ITEM, FINAL EDITION, AUG. SEVENTEEN INSTANT, REPORTED THAT THE PHYSICIAN FROM ORLEANS PARISH PRISON WAS CALLED INTO ORLEANS PARISH CRIMINAL DISTRICT COURT AND TESTIFIED THAT ANDREWS WAS SUBJECT TO THREE MEDICAL CONDITIONS, NAMELY EDEMA, SEPTICEMIC SHOCK AND CARDIAC DECOMPOSITION. THIS ARTICLE REPORTED THAT ANDREWS

END PAGE TWO

PAGE THREE

WAS SUBSEQUENTLY SENTENCED BY CRIMINAL DISTRICT COURT JUDGE
FRANK J. SHEA TO EIGHTEEN MONTHS IN JAIL ON EACH OF THREE
COUNTS OF PERJURY WHICH WILL RUN CONCURRENTLY. THE ARTICLE
REPORTED THAT ANDREWS WAS RELEASED ON TWENTYFIVE HUNDRED
DOLLARS BOND PENDING APPEAL OF THE CONVICTION.

NO LHM BEING SUBMITTED.

END

RJP

FBI WASH DC
TU CLR

CC MR. SULLIVAN

COMMUNICATION SECTION
AUG 13 7
TELETYPE

Mr. Mohr	✓
Mr. Bishop	✓
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	✓
Mr. Sullivan	✓
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

FBI WASH DC

FBI NEW ORLS

555PM URGENT 8/18/67 OLP
TO DIRECTOR AND DALLAS

FROM NEW ORLEANS (89-69) 2P

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY AT
DALLAS, TEXAS, NOVEMBER TWENTYTWO, SIXTYTHREE. MISCELLANEOUS,
INFORMATION CONCERNING.

NEW ORLEANS STATES-ITEM, RED FLASH EDITION, AUGUST
EIGHTEEN, INSTANT, REPORTED THAT CRIMINAL DISTRICT JUDGE OLIVER
P. SCHULINGKAMP TODAY DENIED MOTIONS FOR A PRAYER FOR OYER AND
A MOTION FOR A BILL OF PARTICULARS WHICH HAD BEEN FILED BY
ATTORNEYS FOR LAYTON MARTENS, ACCUSED OF PERJURY IN CONNECTION
WITH DISTRICT ATTORNEY JIM GARRISON'S ASSASSINATION PROBE.
ACCORDING TO THE ARTICLE, MILTON BRENER, MARTENS' ATTORNEY,
FILED A BILL OF EXCEPTIONS FOR A POSSIBLE APPEAL OF THE RULINGS
TO THE STATE SUPREME COURT. BRENER TOLD NEWSMEN HIS NEXT MOVE
WILL BE TO FILE MOTION TO QUASH THE PERJURY INDICTMENT AGAINST
MARTENS.

NEW ORLEANS STATES-ITEM, FINAL EDITION, AUGUST EIGHTEEN,
INSTANT, REPORTED THAT DISTRICT ATTORNEY GARRISON'S OFFICE
TODAY TOLD A CRIMINAL COURT IN NEW ORLEANS THAT AN ALLEGED
MEETING BETWEEN ACCUSED ASSASSINATION CONSPIRATOR CLAY L.
END PAGE ONE.

REC-31 62-109060-5690

11 AUG 22 1967

62 AUG 25 1967

MR DELOACH FOR THE DIRECTOR

[Handwritten signature]

PAGE TWO

SHAW, LEE HARVEY OSWALD AND JACK RUBY OCCURRED ON SEPTEMBER THREE, SIXTYTHREE, FROM TWO TO NINE P.M., AT THE JACK TAR CAPITAL HOUSE, IN BATON ROUGE, LA. GARRISON'S OFFICE TOLD THE COURT THAT SHAW MADE A TRIP DURING NOVEMBER, SIXTYTHREE TO PORTLAND, OREGON, VIA HOUSTON, LOS ANGELES, AND SAN FRANCISCO. THIS INFORMATION FURNISHED AS RESULT OF RULING BY CRIMINAL DISTRICT JUDGE EDWARD A. HAGGERTY ON DEFENSE MOTIONS.

END

BGM

FBI WASH DC

CC MR. SULLIVAN

Domestic Intelligence Division

INFORMATIVE NOTE

Date 8/17/67

Dean A. Andrews is a New Orleans attorney who told the Warren Commission that he received a call from a Clay Bertrand, following the Kennedy assassination, requesting him to represent Lee Harvey Oswald. Andrews, who was under heavy sedation in the hospital at the time, later told Bureau Agents that he must have dreamed this incident.

However, Jim Garrison claims that Clay Bertrand is identical to Clay L. Shaw, whom Garrison has accused of conspiring to assassinate Kennedy. Andrews has told several conflicting stories concerning the existence of Bertrand, and as a result was tried and convicted of giving perjured testimony to a New Orleans grand jury.

Miguel Torres, referred to in attached, is a one-time heroin addict now in the penitentiary who says he was offered his freedom by Garrison in exchange for help in fabricating a case against Shaw.

The attached will not be disseminated since it was taken from news media.

WCS/16

TJS:ts

FBI

Date: 8/18/67

PLAIN TEXT

AIRMAIL

Transmit the following in

(Type in plaintext or code)

Via

AIRTEL

(Priority)

Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, NEW ORLEANS (89-65)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS, 11/22/63
MISCELLANEOUS - INFO CONCERNING
OO: DALLAS

Rosen

Walters

AB

Enclosed herewith for the Bureau are newspaper articles appearing in New Orleans newspapers concerning the assassination of President JOHN FITZGERALD KENNEDY.

Enclosed for Dallas and Miami are one copy each of these newspaper articles.

- 3 - Bureau (Encl. 4)
- 1 - Dallas (89-43) (Encl. 4)
- 1 - Miami (Encl. 4)
- 1 - New Orleans

ECW:jab
(6)

62-109060-5691

REC 30

AUG 22 1967

EX 104

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____

52 AUG 25 1967

ANDREWS IS FREED ON BOND OF \$2,500

18-Month Sentence Is Meted for Perjury

Attorney Dean A. Andrews Jr. went free Thursday on a \$2,500 appeals bond after receiving three 18-month terms in Parish Prison for three perjury convictions in Criminal District Court.

Towards the end of a hearing delayed while information on Andrews' medical condition was being obtained, Judge Frank J. Shea handed down the sentence and specified the terms will run concurrently.

Judge Shea ordered the appeals bond after Andrews' attorneys offered a motion for an appeal of the conviction.

Andrews' maximum sentence would have been 15 years, if he had been sentenced to three five-year consecutive terms. In that case he would not have been permitted to make bond pending appeal.

His conviction was returned Monday morning in Judge Shea's section of court on three of five perjury counts obtained by an indictment by the Orleans Parish Grand Jury. Each count cited testimony before the body concerning District Attorney Jim Garrison's Kennedy assassination probe.

In sentencing Andrews, Judge Shea said perjury is a crime which erodes the foundation of the entire judicial process and "must not be condoned."

"If not suppressed, it will make meaningless the truth and will encourage willful and irresponsible falsehoods among those who now fear the consequences of such a lie," the judge said.

MOTIONS DENIED

Before the sentencing, Judge Shea denied defense motions for a new trial and for an arrest in judgment.

Harry Burglass, an attorney for Andrews, then asked that sentencing be delayed until

questions on his client's medical condition could be answered.

The doctor from Parish Prison, where Andrews has been confined since his conviction, testified that Andrews is suffering from three things: edema (accumulation of body fluids in body tissue); septicemic shock (a bacterial blood infection) and cardiac decomposition (slowing down or decomposition of the heart).

Andrews was hospitalized for pneumonia in 1963 and for septicemic shock and heart failure in 1965.

Judge Shea's remarks in sentencing Andrews continued:

"Perjury is all the more reprehensible in the words of an attorney since it can only lead to contempt for the law and courts. I am also aware in imposing my sentence that the defendant, if the conviction is affirmed, will suffer an additional severe punishment in that he will probably be prohibited from engaging in the practice of law, which has been his means of livelihood for the past 15 years."

Two other motions concerned with the assassination investigation were filed in Criminal District Court Thursday.

PERMISSION GIVEN

Attorneys for conspiracy defendant Clay L. Shaw received permission for Shaw to leave the jurisdiction of the court until Sept. 5 in order to visit his mother, who is ill in Hammond.

Burton Klein, attorney for Miguel Torres, filed a motion to stay Torres' appearance before the Grand Jury next week. The motion argues that Torres, now serving a burglary sentence at the Louisiana State Penitentiary at Angola, fears

self-incrimination before the jury because he believes Garrison plans to file charges against him in connection with his appearance on a national television program critical of Garrison.

Andrews was asked to take a seat in the jury box after being escorted to Judge Shea's court Thursday morning. Burglass entered the court room about 9:34 a. m., and seeing Andrews in the jury box, greeted him with "Deano."

Burglass apparently asked Andrews something about final remarks before sentencing. Andrews, rising from his seat, said, "Leave my kids out of this."

He instructed Burglass just to say he was ready for sentencing. However, Burglass did mention that Andrews has a family to support.

Judge Shea entered the courtroom shortly after and asked the prosecution if it wanted to make oral arguments on motions for arrested judgment and for a new trial.

Assistant District Attorney Richard V. Burnes said the state denied allegations in the motions. The motions argued that Andrew's indictment was defective and that the judge's charge to the jury was open to question.

After the judge denied the motions Burglass said the defense would take bills of exception to the rulings for possible appeal and asked for sentencing.

The defense is expected to appeal to the Louisiana Supreme Court.

FAMILY MENTIONED

In final remarks, Burglass

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

PAGE 1

SECTION 1

TIMES PICAYUNE

NEW ORLEANS, LA.

Date: 8-18-67

Edition:

Author:

Editor:

Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, DALLAS, T.

11-22-63

Character: AFO

Classification: 89-

Submitting Office: N.O., LA

Being Investigated

62-109350-91

said Andrews "has a family solely dependent on him.

"We know, too, that this conviction carries overtones exceeding those that it would have to others. He is a practicing attorney. He could no longer practice law."

Burglass added that his client's health "is not what it ought to be."

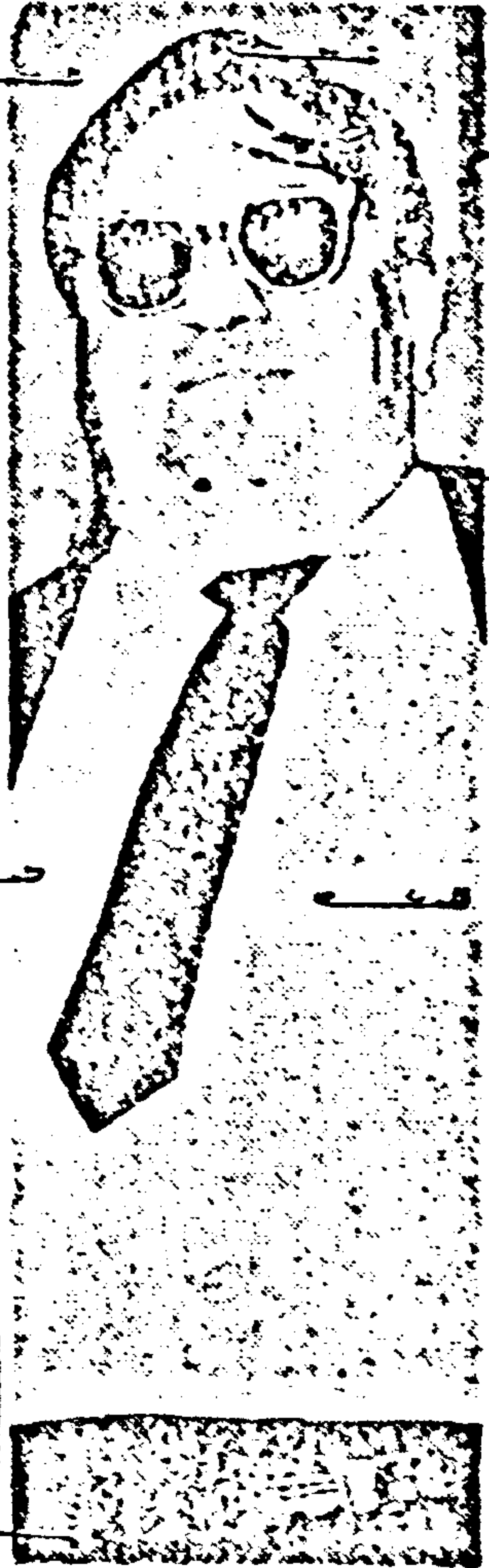
Judge Shea said he wanted to know Andrews' actual condition and asked that the defense contact his physician to get a medical report.

After conferring with Andrews, Burglass said Andrews told him the information could not be obtained in a brief period of time.

"He asked that he be sentenced today," Burglass said.

Saying he wanted all factors concerning the defendant before sentencing him, Judge Shea instructed the defense to contact the doctor by phone.

The report was obtained as the court took up other matters and was stated to the judge after noon, just before sentencing.



DEAN A. ANDREWS JR.

Andrews Appeal for New Trial Rejected

Physicians Consulted On Health

Criminal District Judge Frank J. Shea today turned down a motion for a new trial for convicted perjurer Dean Adams Andrews Jr. and held up sentencing while doctors were consulted on Andrews' physical condition.

The judge also turned down a motion by Andrews' attorneys for an arrest in judgment in the case.

Andrews, a former Jefferson Parish assistant AA, faces jail terms which could total as much as 15 years after his conviction on three counts of perjury Monday.

HARRY BURGLASS, Andrews' attorney, raised the question of the defendant's health after the motions were denied and Judge Shea deferred sentencing until a report could be obtained from Andrews' physician.

The physician from Parish Prison, where Andrews has been confined in the infirmary since Monday, was also called in for a conference.

The judge was expected to reconvene court and impose sentence as soon as the medicals were heard from.

ANDREWS WAS convicted of lying to the Orleans Parish Grand Jury in connection with District Attorney Jim Garrison's investigation of the slaying of President John F. Kennedy.

Two other motions were filed today in matters relating to the Kennedy probe. Attorneys for Clay L. Shaw, charged with criminal conspiracy in the Kennedy slaying, asked for and got permission for Shaw to leave the jurisdiction of the court from now until Sept. 5 in order to visit his sick mother in Hammond.

BURTON KLEIN, attorney for Miguel Torres, filed a motion to stay Torres' appearance before the grand jury next week. Klein's motion argued that Torres, now serving a burglary sentence at the Louisiana State Penitentiary at Angola, fears self-incrimination before the grand jury because he believes Garrison plans to file charges against him in connection with his appearance on a national television program critical of Garrison. Klein asked that the appearance be stayed until a federal court acts on a similar proceeding for National Broadcasting Co. newsman Walter Sheridan and local announcer Richard Townley.

The usually talkative and jovial Andrews avoided newsmen today in his first public appearance since he went to jail.

Andrews was hustled across the corridor on the second floor of the Criminal Courts

Building to the stairs leading to Judge Shea's attic courtroom. Four deputies flanked him as they quickly climbed the steps.

ANDREWS WAS asked to take a seat in the jury box of the all-but-empty courtroom where he waged a five-day losing battle to refute perjury charges against him. His attorneys and representatives of the district attorney's office were already in conference with Shea in the judge's chambers.

Harry Burglass, Andrews' chief attorney during the trial, entered the courtroom about 9:34 a.m., saw Andrews in the jury box and walked over to greet him with "Demo!"

ANDREWS SAT BOLT upright, staring straight ahead through his trade-mark, dark sunglasses, his thumbs characteristically hooked in his trouser pockets.

Today he was unsmiling and apparently all business. When Burglass apparently asked him something about the final remarks to be made to the judge before sentencing, Andrews rose from his seat and said:

"Leave my kids out of this."

HE INSTRUCTED Burglass to just say he was ready for sentencing. (Burglass, however, later did mention Andrews has a family to support.)

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

PAGE 1

STATE-ITEM

NEW ORLEANS, LA.

Date: 8-17-67

Edition: RED FLASH

Author:

Editor:

Title: ASSASSINATION

PRESIDENT JOHN F. KENNEDY, DALLAS, TX

11-22-63

Character: AFO

Classification: 89-

Submitting Office: N.O., LA

Being Investigated

ENCLOSURE

(2) 10/1/67

56:1

At 9:30 a.m. Andrews moved from the jury box to the defense table and minutes later Judge Shea entered the courtroom from his chambers.

"We have two motions," said Judge Shea. "A motion for an arrested judgment and a motion for a new trial."

He then asked the prosecution if it would make oral arguments on the motions. Assistant DA Richard Burnes said the state denied the allegations in the motions. The defense had contended that the indictment against Andrews was defective and that the judge's charge to the jury was open to question.

BURNES SAID ON the motion for a new trial, "the state denies that the motion for a new trial could further justice."

Judge Shea then ruled against both motions and Burglass said the defense would take a bill of exceptions on the two rulings for a possible appeal.

Burglass then asked Judge Shea to sentence Andrews this morning. Andrews has been in jail since his conviction early Monday pending imposition of sentence. He must be sentenced before an appeal can be taken.

THE DEFENSE IS expected to appeal to the Louisiana Supreme Court.

In a final statement to the court Burglass said Andrews has a family solely dependent on him.

"We know, too, that this conviction carries overtones exceeding those that it would have to others. He is a practicing attorney. He could no longer practice law."

Andrews has been convicted on three counts of perjury and Burglass today asked for current sentences if prison terms were to be imposed.

BURGLASS THEN SAID Andrews' health "is not what it ought to be."

He said Andrews had been in the hospital.

Judge Shea then said he would like to know the actual condition of Andrews' health and asked that the defense contact his physician to get a medical report.

Burglass conferred briefly with Andrews, then advised the court that Andrews had told him the information could not be obtained in a brief period of time.

"He asked that he be sentenced today," said Burglass.

JUDGE SHEA THEN instructed the defense to contact Andrews' physician by phone and get a report on his health.

The judge said he wanted to know all of the factors concerning the defendant before he passed sentence.

The court then took up other matters while the defense sought the medical report.

In another aspect of the probe, Judge Haggerty yesterday told the state it must furnish information stating approximately when certain alleged meetings and acts involving Shaw occurred.

Both sides in the case were urged to speed up the preliminary legal machinery and head for a trial in high gear. "These motions have dragged on for four months," Judge Haggerty said.

He said the trial could begin late next month. Yet, the defense still has several moves to make in its strategy.

SHAW'S LAWYERS have until Aug. 30 to file a supplementary motion to quash the grand jury indictment against him. The state has until Sept. 6 to answer. Haggerty said he will rule on Sept. 13.

F. Irving Dymond, one of Shaw's lawyers, hinted yesterday that the defense is pondering a move to seek a change of venue which would shift the trial to another city.

2-Martens Perjury Case Motions Denied

Quash Bid Next Move Attorney

Criminal District Judge Oliver F. Schulingkamp today turned down two motions by Layton Martens, accused of perjury in connection with District Attorney Jim Garrison's probe of the slaying of President John F. Kennedy.

Martens, 24, was indicted April 5 after testifying before the Orleans Parish Grand Jury.

Milton Brener, Martens' attorney, had filed motions including a prayer for over (inspection of evidence) and a request for a bill of particulars.

JUDGE Schulingkamp ruled the state's answers to these motions were "good and sufficient in law" and ruled against Martens.

Brener filed a bill of exceptions for a possible appeal of the ruling to the state Supreme Court. He told the States-Item his next move will be to file a motion to quash the perjury indictment against his client.

The aim of the motions denied today was to get a full transcript of the testimony about which the grand jury accuses Martens of lying, and also transcripts of all written statements made to Garrison's office by Martens.

Also sought was information in detail on certain questions asked Martens before the grand jury. The questions were listed in the indictment.

THEY RELATED to Gordon Novel, a fugitive witness sought by Garrison in the probe, and the mysterious burglary of a munitions bunker in Houma.

No date has been set for Martens' perjury trial. He is a student at the University of Southwestern Louisiana in Lafayette. He at one time was a roommate of the late David William Ferrie, who Garrison says was part of a conspiracy to kill President Kennedy.

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

PAGE 1

STATES-ITEM

NEW ORLEANS, LA.

Date: 8-18-67

Edition: RED FLASH

Author:

Editor:

Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, DALLAS, TX

11-22-63

Character: AFO

Classification: 89-

Submitting Office: N.O., LA.

Being Investigated

ENCLOSURE

Shaw, Ruby, Oswald Data Filed

DA Bares Alleged BR Conspiracy Date

Dist. Atty. Jim Garrison's office today told a Criminal Court here that an alleged meeting between accused assassination conspirator Clay L. Shaw, Lee Harvey Oswald and Jack Ruby occurred on Sept. 3, 1963, from 2 to 9 p. m. at Jack Tar Capitol House in Baton Rouge.

The information was furnished the court on a bill of particulars request by Shaw's defense attorneys and approved by Criminal District Judge Edward A. Harroty in ruling on a number of pre-trial motions earlier this week.

GARRISON has alleged in his investigation that Shaw, Oswald and Ruby met in Baton Rouge in 1963 to plan the assassination of President John F. Kennedy.

In answering the request for information, Assistant DA James L. Alcock told the court that while the DA's office knew the approximate time of the meeting, they did not know the exact room number where the meeting took place.

The Warren Commission said Oswald acted alone as the Kennedy assassin and that the late Dallas night club operator Ruby in turn shot Oswald to death.

Alcock also said in a second request of the bill of particulars, that Shaw made a trip during November, 1963, to Portland, Ore., via Houston, Los Angeles and San Francisco.

GARRISON contends participants in the plot arranged to be in various sections of the country on the day of the assassination. Shaw said he went to the West Coast to speak to a World Trade group and spent the day of the killing in San Francisco.

In other developments concerning the investigation, Criminal District Judge Oliver P. Schulingkamp today turned down two motions by Layton Martens, one-time roommate of plot figure David W. Ferrie and accused of perjury in connection with the probe.

Martens, 24, was indicted April 5 after testifying before the Orleans Parish Grand Jury.

Milton Brener, Martens' attorney, had filed motions including a prayer for oyer (inspection of evidence) and a request for a bill of particulars.

JUDGE Schulingkamp ruled the state's answers to these motions were "good and sufficient in law" and ruled against Martens.

Brener filed a bill of exceptions for a possible appeal of the ruling to the state Supreme Court. He told the States-Item his next move will be to file a motion to quash the perjury indictment against his client.

The aim of the motions denied today was to get a full transcript of the testimony about which the grand jury accuses Martens of lying, and also transcripts of all written statements made to Garrison's office by Martens.

Also sought was information in detail on certain questions asked Martens before the grand jury. The questions were listed in the indictment.

THEY RELATED to Gordon Novel, a fugitive witness sought by Garrison in the probe, and the mysterious burglary of a munitions bunker in Houma.

No date has been set for Martens' perjury trial. He is a student at the University of Southwestern Louisiana in Lafayette.

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STATES-ITEM

NEW ORLEANS, LA.

Date: 8-18-67

Edition: FINAL

Author:

Editor:

Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, DALLAS, TX

Character: 11-22-63 AFO

Classification: 89-

Submitting Office: N.O., LA.

Being Investigated

CONFIDENTIAL

Domestic Intelligence Division

INFORMATIVE NOTE

Date 8/18/67

Layton Martens, referred to in attached, was indicted for perjury after telling New Orleans Grand Jury that he did not know Gordon Novel and did not know the purpose of a trip to a munitions bunker on former military base at Houma, Louisiana, in 1961.

Jim Garrison claims that Novel, Martens and others broke into the munitions bunker in question and took explosives for use of anti-Castro Cuban activities.

Novel is the former associate of Garrison who fled the state when called before the Grand Jury and accused Garrison of being a fraud.

No evidence indicating Lee Harvey Oswald ever met Clay L. Shaw or Jack Ruby at any time in his life. Marina Oswald was advised Lee Harvey Oswald was living with her in New Orleans in September, 1963, and late in September left for Mexico.

The information in attached will not be disseminated inasmuch as it was taken from news media material.

SJS/CJV:ts/jav

wepe

FBI

Date: 8/17/67

REC-57

Mr. Conrad
 Mr. Felt
 Mr. Gale
 Mr. Rosen
 Mr. Sullivan
 Mr. Tavel
 Mr. Trotter
 Tele. Room
 Miss Holmes
 Miss Gandy

PLAIN TEXT

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL AIRMAIL
(Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, NEW ORLEANS (89-69)

SUBJECT: ASSASSINATION OF PRESIDENT
 JOHN FITZGERALD KENNEDY
 DALLAS, TEXAS, 11/22/63
 MISCELLANEOUS - INFO CONCERNING
 OO: DALLAS

Referred to Gandy

[Handwritten initials]

Enclosed herewith for the Bureau are newspaper articles appearing in New Orleans newspapers concerning the above captioned matter.

Also enclosed for Dallas and Miami are one copy each of these newspaper articles.

1 ENCLOSURE

- 3 - Bureau (Encl. 9)
- 1 - Dallas (89-43) (Encl. 9)
- 1 - Miami (Encl. 9)
- 1 - New Orleans

62-109060-5692

REC-57

16 AUG 22 1967

ECW:jab
(6)

5 - [Handwritten signature]

6 - [Handwritten signature]

Approved: 1967 [Signature]
 Special Agent in Charge

Sent _____ M Per _____

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

DA ORDERED TO REVEAL SOME SHAW CASE DATA

The trial of Clay L. Shaw, retired New Orleans businessman accused by Dist. Atty. Jim Garrison of conspiring to murder President John F. Kennedy, could be set for late next month. Criminal District Judge Edward A. Haggerty said today.

Judge Haggerty made this observation after ordering Garrison to tell Shaw's attorneys approximately when the DA contends Shaw met with Lee Harvey Oswald (the accused assassin), the late David W. Ferrie and Jack Ruby in Baton Rouge.

The judge also ordered Garrison to name the state and city on the West Coast in which he claims Shaw committed an overt act relating to the assassination conspiracy alleged by Garrison.

THESE WERE THE ONLY POINTS won by the defense as Judge Haggerty ruled on a set of motions asking the DA to give more information on his charges against Shaw.

The judge gave the defense until Aug. 30 to file a supple-

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

PAGE 1

STATES-ITEM

NEW ORLEANS, LA.

Date: 8-16-67

Edition: FINAL

Author:

Editor:

Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, DALLAS, TEX.

11-22-63
Character: AFO

Classification: 89-

Submitting Office: N.O., LA.

Being Investigated

ENCLOSURE

62-100000-5672

mental motion to quash the indictment against Shaw and the state until Sept. 6 to answer the motion.

Judge Haggerty said he will rule on the motion Sept. 13, then noted that, "barring some unforeseen development," the trial could be set for the latter part of September.

He said all of the pleadings will have been completed by the middle of the month and the state won the right to set a trial date as soon as pre-trial pleadings are over.

The judge ruled today on three defense motions and one state motion. The defense motions were for a bill of particulars which would reveal specific allegations, including dates and places of the charges against Shaw; a prayer foroyer, asking that the defense be allowed to see certain articles of evidence; and a motion for the return of seized property and to suppress evidence.

The state asked for a conference of all parties to set a trial date.

On the prayer foroyer motion, Judge Haggerty said the state has already let the defense see all the evidence it is legally entitled to see. He said he will rule during the trial on the materiality and relevancy of any item or object offered in evidence.

On the motion to return property and suppress evidence, Judge Haggerty said the state has returned \$30,000 worth of Shaw's Homestead stock and all other evidence is in possession of the clerk of Criminal District Court. He repeated that the admissibility of evidence will be ruled on during the trial and not before.

ON THE STATE'S motion for a meeting on the trial date, the judge cited Louisiana law to the effect that the DA has the right to set the date and said Garrison can set the matter for trial "as soon as the pre-trial pleadings have been properly and legally concluded."

The motion for a bill of particulars was a 93-point document which the DA's office had already answered in part. Today's ruling by Judge Haggerty was on points on which the two sides disagreed.

The judge ruled that many of the defense's requests were based on the "fallacy" that ~~alibi~~ is a defense against a conspiracy charge.

7. The criminal responsibility of a co-conspirator 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.

On the alibi matter, Judge Haggerty said:

"The legal error and fallacy that . . . the defense has fallen into . . . is that an alibi is not a defense when a person is charged with a criminal conspiracy."

The judge then took the defense's requests in the bill of particulars by groups.

The first group asked for the exact date when Shaw allegedly entered into the conspiracy. The state has charged that it took place in September, 1963, and Judge Haggerty held that they did not have to be any more specific than that.

The judge said, "This is a peculiar type crime, calling for peculiar type proof, and counsel is not permitted to force the state to present to them their entire evidence prior to the date of trial."

THE SECOND group asked for information on overt acts committed by one or more of the alleged co-conspirators. Judge Haggerty ruled 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 this is evidence, the judge ruled, the defense is not entitled to it

before the trial.

The fourth group related to the place and time of the alleged conspiracy. It was here that the defense won its only favorable rulings.

The judge said the state had already complied with most of the requests in this group, but on two specific requests 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 overt acts alleged by the state in response to a defense request in the bill of particulars. One of the acts, the state said, was "a trip to the West Coast of the United States by Clay L. Shaw during the month of November, 1963."

Another "overt act" charged by Garrison was Clay L. Shaw traveling from New Orleans to Baton Rouge in the fall of 1963 and there meeting Lee Harvey Oswald and Jack Ruby at the Capitol House Hotel and delivering to Oswald and Ruby a sum of money."

THE FIFTH GROUP of requests sought additional information about the alleged overt acts. Judge Haggerty ruled the state was not required to furnish them.

The sixth group, again seeking more information about the alleged overt acts, were already complied with by the state, Judge Haggerty ruled.

A final seventh group of requests sought information about the state's evidence which Judge Haggerty said the state was not required to give.

Defense attorney F. Irvin Dymond told the court he would file exceptions to all of

JUDGE HAGGERTY issued a lengthy legal opinion dealing with the nature of the crime of conspiracy. He made the following key 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 each 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 new 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.

the court's rulings except in terms for questioning by the DA's office. the two cases where Garrison was ordered to supply information

Puling on a motion to select a trial date, Judge Haggerty said he saw no reason for a conference since the state can set the trial date when the pleadings are complete.

SHAW'S ATTORNEYS today also took steps to have testimony taken from Sandra Moffett (Mrs. Lillie Mae McMaines), in Des Moines, Iowa.

Mrs. McMaines, a former girlfriend of the state's star witness Perry Russo, has refused to return to New Or-

Today, Shaw's attorneys filed a motion for deposition by agreement to take her testimony in Des Moines and asked that the DA's office join them for the taking of the deposition.

They pointed out in the motion that the state has been anxious to have her testimony for the Shaw trial and said they, too, are anxious to have her testimony on record.

The motion said that the defense has a copy of a letter to Garrison from Mrs. McMaines' attorney, Lex Hawkins, which offers to have her available in Des Moines Aug. 24.

Judge Haggerty said he would need time to study the motion and said that he had "never heard of such a thing . . . I never heard of taking a deposition like this—like in a civil case." He said there is nothing in the criminal code to allow a deposition to be taken in the manner suggested.

He gave the state until Monday to file an answer to the motion.

Dymond told the court, "It is pretty obvious that both sides want this testimony."

Count Clipping in Space Below)

ANDREWS GETS 18 MONTHS

Attorney Dean A. Andrews Jr. was sentenced to 18 months in jail on each of three counts of perjury today despite the pleas of attorneys that he is in no condition to go to jail.

Criminal District Judge Frank J. Shea handed down the sentence, which will run concurrently, and released Andrews on \$2,500 bond pending appeal of the conviction.

Andrews could have gotten up to five years in prison on each of the three counts for a total of 15 years. Had this happened he would not have been permitted to make bond pending appeal.

Shea had earlier held up sentencing while information on Andrews' physical condition was sought from his doctors.

IN HANDING DOWN HIS verdict Shea said perjury is a crime which erodes the foundation of the entire judicial process and "must not be condoned," adding:

~~It~~ If not suppressed, it will make meaningless the truth and will encourage willful and irresponsible falsehoods among those who now fear the consequences of such a lie."

Andrews was convicted Monday on three counts of perjury in testimony before the grand jury investigating the assassination of President John F. Kennedy.

Following sentencing, Andrews left court thumbs in his pants pockets saying he did not want to make any comments on his sentence.

Asked if he was surprised at the verdict, he said, "I'm never surprised at anything."

ANDREWS POSTED THE \$2,500 bond in the clerk of court's office and left the building accompanied by his attorneys.

Prior to announcing sentence, Shea denied an appeal by Andrews for a new trial. He also turned down a motion by Andrews' attorneys for an arrest in judgment in the case.

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

PAGE 1

STATES-ITEM

NEW ORLEANS, L.

Date: 8-17-67

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Title: ASSASSINATION OF

PRESIDENT JOHN F. KENNEDY, DALLAS, TX

11-22-63

Character: AFO

Classification: 89-

Submitting Office: N.O., LA.

Being Investigated

ENCLOSURE

62-109100-512

Harry Burglass, Andrews' attorney, then asked the court to leave my kids out of sentencing be delayed until questions on the defendant's medical condition be answered. "this."

The physician from Parish Prison, where Andrews has been confined since Monday, was called into court to testify about Andrews' condition.

The doctor told the court Andrews was subject to three medical conditions: edema (accumulation of body fluids in body tissue); septicemic shock (a bacterial blood infection) and cardiac de-composition (slowing down or re-composition of the heart).

Andrews was hospitalized in 1965 for treatment of septicemic shock and heart failure.

In sentencing Andrews Shea added:

"Perjury is all the more reprehensible in the words of an attorney since it can only lead to contempt for the law and courts. I am also aware in imposing my sentence that the defendant, if the conviction is affirmed will suffer an additional severe punishment in that he will probably be prohibited from engaging in the practice of law, which has been his means of livelihood for the past 15 years."

Two other motions were filed today in matters relating to the Kennedy probe. Andrews was hustled across the corridor on the second floor of the Criminal Courts Building to the stairs leading to Judge Shea's attic courtroom.

Attorneys for Clay L. Shaw, charged with criminal conspiracy in the Kennedy slaying, asked for and got permission for Shaw to leave the jurisdiction of the court from now until Sept. 5 in order to visit his sick mother in Hammond. Four deputies flanked him as they quickly climbed the steps.

BURTON KLEIN, attorney for Miguel Torres, filed a motion to stay Torres' appearance before the grand jury next week. Klein's motion argued that Torres, now serving a burglary sentence at the Louisiana State Penitentiary at Angola, fears self-incrimination before the grand jury because he believes Garrison plans to file charges against him in connection with his appearance on a national television program critical of Garrison.

Klein asked that the appearance be stayed until a federal court acts on a similar proceeding for National Broadcasting Co. newsman Walter Sheridan and local announcer Richard Townley.

The usually talkative and jovial Andrews avoided newsmen today in his first public appearance since he went to jail.

ANDREWS WAS asked to take a seat in the jury box of the all-but-empty courtroom where he waged a five-day losing battle to refute perjury charges against him.

His attorneys and representatives of the district attorney's office were already in conference with Shea in the judge's chambers.

Harry Burglass, Andrews' chief attorney during the trial, entered the courtroom about 9:34 a.m., saw Andrews in the jury box and walked over to greet him with "Deano!"

ANDREWS SAT BOLT upright, staring straight ahead through his trade-mark, dark sunglasses, his thumbs characteristically hooked in his trouser pockets.

Today he was unsmiling and apparently all business. When Burglass apparently asked him something about the final remarks to be made to the judge before sentencing, Andrews rose from his seat and said:

HE INSTRUCTED Burglass to just say he was ready for sentencing. (Burglass, however, later did mention Andrews has a family to support.)

At 9:35 a.m. Andrews moved from the jury box to the defense table and minutes later Judge Shea entered the courtroom from his chambers.

"We have two motions," said Judge Shea. "A motion for an arrested judgment and a motion for a new trial."

He then asked the prosecution if it would make oral arguments on the motions. Assistant DA Richard Burnes said the state denied the allegations in the motions. The defense had contended that the indictment against Andrews was defective and that the judge's charge to the jury was open to question.

BURNES SAID ON the motion for a new trial, "the state denies that the motion for a new trial could further justice."

Judge Shea then ruled against both motions and Burglass said the defense would take a bill of exceptions on the two rulings for a possible appeal.

Burglass then asked Judge Shea to sentence Andrews this morning. Andrews has been in jail since his conviction early Monday pending imposition of sentence. He must be sentenced before an appeal can be taken.

THE DEFENSE IS expected to appeal to the Louisiana Supreme Court.

In a final statement to the

court Burglass said Andrews "has a family solely dependent on him."

"We know, too, that this conviction carries overtones exceeding those that it would have to others. He is a practicing attorney. He could no longer practice law."

Andrews has been convicted on three counts of perjury and Burglass today asked for concurrent sentences if prison terms were to be imposed.

BURGLASS THEN SAID Andrews' health "is not what it ought to be."

He said Andrews had been in the hospital.

Judge Shea then said he would like to know the actual condition of Andrews' health and asked that the defense contact his physician to get a medical report.

Burglass conferred briefly with Andrews, then advised the court that Andrews had told him the information could not be obtained in a brief period of time.

He asked that he be sentenced today," said Burglass.

JUDGE SHEA THEN instructed the defense to contact Andrews' physician by phone and get a report on his health.

The judge said he wanted to know all of the factors concerning the defendant before he passed sentence.

The court then took up other matters while the defense sought the medical report.

In another aspect of the probe, Judge Haggerty yesterday told the state it must furnish information stating approximately when certain alleged meetings and acts involving Shaw occurred.

Both sides in the case were urged to speed up the preliminary legal machinery and head for a trial in high gear. "These motions have dragged on for four months," Judge Haggerty said.

He said the trial could begin late next month. Yet, the defense still has several moves to make in its strategy.

SHAW'S LAWYERS have until Aug. 30 to file a supplementary motion to quash the grand jury indictment against him. The state has until Sept. 6 to answer. Haggerty said he will rule on Sept. 13.

F. Irving Dymond, one of Shaw's lawyers, hinted yesterday that the defense is pondering a move to seek a change of venue which would shift the trial to another city.



DEAN A. ANDREWS JR. SIGNS BOND AFTER SENTENCING
Freed pending appeal of perjury conviction.

Mount Clipping in Space Below

DEFENSE WINS ON TWO POINTS

DA Must Give Facts in Shaw Case—Haggerty

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 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. 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 \$30,000 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, according to the judge, to the defense's satisfaction.

The judge ruled that many of the defense's requests were 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 each 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 Shaw 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

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

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

PAGE 1

SECTION 1

TIMES PICAYUNE

NEW ORLEANS, LA.

Date: 8-17-67

Edition:

Author:

Editor:

Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, DALLAS, TX

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ENCLOSURE

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.

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 testi-

mony taken by deposition from Mrs. Lillie Mae McMaines in Des Moines, Iowa.

Mrs. McMaines, known in New Orleans as Sandra Moffett, was a former girl friend of the state's star witness, Perry Raymond Russo, who testified he overheard a plot to kill the President.

Defense Attorney F. Irvin 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.

In another development Tuesday three men subpoenaed by the grand jury appeared for questioning.

They are Byron Chiverton, 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.

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

PAGE 3

SECTION 1

TIMES PICAYUNE

NEW ORLEANS, LA.

Date: 8-17-67

Edition:

Author:

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Being Investigated

ENCLOSURE

Andrews Asks New Trial

Attorneys for Dean A. Andrews Jr., who was ~~convicted~~ ~~of perjury~~ this week in connection with DA Jim Garrison's assassination probe, today filed motions for a new trial and an arrested judgment.

The rotund lawyer with a hip tongue was indicted by the Orleans Parish Grand Jury for lying about the identity of Clay Bertrand and was found guilty early Monday after five days in court.

Garrison claims that retired New Orleans businessman Clay L. Shaw used Bertrand as an alias and participated in a conspiracy to murder President John F. Kennedy. Andrews told the Warren Commission that a man named Clay Bertrand called after the assassination and asked him to defend the accused murderer, Lee Harvey Oswald, but he contends that Shaw "ain't Clay Bertrand."

JUDGE FRANK J. SHEA, who presided over the trial, will rule on the motions tomorrow, according to minute clerk Max Gonzales.

The arrested judgment motion, if accepted, would allow Andrews to be released on bail and his attorneys then could take necessary steps to begin an appeal of the conviction before the State Supreme Court.

Harry and Cecil Burglass, two of Andrews' attorneys, showed up at the Criminal District Courts building today and Harry Burglass spent most of the morning in conference with the DA's staff.

On another front of the Garrison probe today, three men subpoenaed for the Orleans Parish Grand Jury showed up for questioning.

Those appearing were:

BYRON CHIVERTON, WHOSE connection with the case is unexplained; Steve Plotkin, attorney for Gordon Novel, who has evaded Garrison's attempts to get him back to New Orleans for questioning, and Rancier Ehlinger, a former associate of Novel's who has been before the jury once before.

Plotkin, who also represents Ehlinger, said before going into the jury room that he was out of town on business and "I returned in order to give full cooperation to the grand jury." He said that it is "very unusual" for an attorney to be called before the grand jury.

Asked if he thought he was subpoenaed because of his relationship with Novel, Plotkin said, "I don't know, but that appears to be the reason."

Ehlinger said he did not know why he had been subpoenaed again.

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

PAGE 1

STATES-ITEM

NEW ORLEANS, L.A.

Date: 8-16-67

Edition: FINAL

Author:

Editor:

Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, DALLAS, TX

Character: 11-22-63 AFO

Classification: 89-

Submitting Office: N.O., LA.

Being Investigated

ENCLOSURE

12-1-67

Decisions Due On Andrews' Appeal Motions

A decision on two motions filed by attorneys for convicted perjurer Dean A. Andrews Jr. is expected today from Criminal District Judge Frank J. Shea.

One motion, which asks that judgment be suspended, would allow Andrews to be released on bail while his attorneys appeal the conviction. The other motion requests a new trial.

Andrews was found guilty Monday on three of five counts of lying to the Orleans Parish Grand Jury in connection with District Attorney Jim Garrison's investigation into the assassination of President John F. Kennedy.

IF BOTH MOTIONS are denied, Judge Shea may sentence Andrews today.

In another aspect of the probe, Criminal District Judge Edward A. Haggerty Jr. yesterday told the state it must furnish information stating approximately when certain alleged meetings and acts involving Clay L. Shaw occurred.

Shaw, a New Orleans businessman, has been charged by Garrison with conspiring to assassinate Kennedy.

Judge Haggerty told Garrison to supply the approximate date when the DA contends Shaw met in Baton Rouge with Lee Harvey Oswald, whom the Warren Commission says killed Kennedy, and Jack Ruby who shot Oswald to death.

THE JUDGE ALSO instructed the DA to name the specific city and state on the West Coast where Shaw allegedly committed an overt act relating to an assassination conspiracy.

Both sides in the case were urged to speed up the preliminary legal machinery and head for a trial in high gear. "These motions have dragged on for four months," Judge Haggerty said.

He said the trial could begin late next month. Yet, the defense still has several moves to make in its strategy.

SHAW'S LAWYERS have until Aug. 30 to file a supplementary motion to quash the grand jury indictment against him. The state has until Sept. 6 to answer. Haggerty said he will rule on Sept. 13.

F. Irving Dymond, one of Shaw's lawyers, hinted yesterday that the defense is pondering a move to seek a change of venue which would shift the trial to another city.

The grand jury met yesterday and heard more testimony apparently relating to the DA's investigation. Steven R. Plotkin, attorney for Gordon Novel; Rancier Ehlinger, a former associate of Novel, and Byron Chiverton appeared before the grand jury.

Novel is sought by Garrison as a material witness in the probe.

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

PAGE 1

STATES-ITEM

NEW ORLEANS, LA.

Date: 8-17-67

Edition: RED COMET

Author:

Editor:

Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, DALLAS, TX.

11-22-63
Character:

AFO

Classification: 89-

Submitting Office: N.O., LA.

Being Investigated

ENCLOSURE

6) 1091040 - 5112

(Mount Clipping in Space Below)

Order DA Reveal Date Of Alleged Plot Parley

Haggerty Rules on Motions

District Attorney Jim Garrison was ordered today to tell attorneys for Lee Harvey Oswald and Jack Ruby in Baton Rouge.

Criminal District Judge Edward A. Haggerty Jr. also ordered Garrison to name the state and city on the West Coast in which he claims Oswald committed an overt act leading to a conspiracy to kill President John F. Kennedy in November 1963.

These were the only points made by the defense as Judge Haggerty ruled on a set of motions asking that the DA give more information on his charges against Shaw.

THE STATE has the right to set a trial date as soon as pre-trial pleadings are over, the judge ruled.

The judge ruled today on three defense motions and one state motion. The defense motions were for a bill of particulars which would reveal specific allegations, including dates and places of the charges against Shaw; a prayer for oyer, asking that the defense be allowed to see certain articles of evidence; and a motion for the return of seized property and to suppress evidence.

The state asked for a conference of all parties to set a trial date.

STILL PENDING is a defense motion to quash Shaw's indictment which alleges participation in a conspiracy to kill President Kennedy. This ruling will come after a hearing, as yet unscheduled.

On the prayer for oyer motion, Judge Haggerty said the state has already let the defense see all the evidence it is legally entitled to see. He said he will rule during the trial on the materiality and

relevancy of any item or object offered in evidence.

On the motion to return property and suppress evidence, Judge Haggerty said the state has returned \$30,000 worth of Shaw's Homestead stock and all other evidence is in possession of the clerk of Criminal District Court. He repeated that the admissibility of evidence will be ruled on during the trial and not before.

ON THE STATE'S motion for a meeting on the trial date, the judge cited Louisiana law to the effect that the DA has the right to set the date and said Garrison can set the matter for trial "as soon as the pre-trial pleadings have been properly and legally concluded."

The motion for a bill of particulars was a 93-point document which the DA's office had already answered in part. Today's ruling by Judge Haggerty was on points on which the two sides disagreed.

The judge ruled that many of the defense's requests were based on the "fallacy" that alibi is a defense against a conspiracy charge.

JUDGE HAGGERTY issued a lengthy legal opinion dealing with the nature of the crime of conspiracy. He made the following key points:

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

PAGE 1

STATES-ITEM

NEW ORLEANS, LA.

Date: 8-16-67

Edition: RED FLASH

Author:

Editor:

Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, DALLAS, TEX

11-22-63
Character: AFO

Classification: 89-

Submitting Office: N.O., LA.

Being Investigated

12

195

1. When acts are committed within the state in pursuance 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 each 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 new 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 co-conspirator 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.

On the alibi matter, Judge Haggerty said:

"The legal error and fallacy that . . . the defense has fallen into . . . is that an alibi is not a defense when a per-

son is charged with a criminal conspiracy."

The judge then took the defense's requests in the bill of particulars by groups.

The first group asked for the exact date when Shaw allegedly entered into the conspiracy. The state has charged that it took place in September, 1963, and Judge Haggerty held that they did not have to be any more specific than that.

The judge said, "This is a peculiar type crime, calling for peculiar type proof, and

counsel is not permitted to force the state to present to them their entire evidence prior to the date of trial."

THE SECOND group asked for information on overt acts committed by one or more of the alleged co-conspirators. Judge Haggerty ruled 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 this is evidence, the judge ruled, the defense is not entitled to it before the trial.

The fourth group related to the place and time of the alleged conspiracy. It was here that the defense won its only favorable rulings.

The judge said the state had already complied with most of the requests in this group, but on two specific requests 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 overt acts alleged by the state in response to a defense request in the bill of

particulars. One of the acts, the state said, was "a trip to the West Coast of the United States by Clay L. Shaw during the month of November, 1963."

Another "overt act" charged by Garrison was Clay L. Shaw traveling from New Orleans to Baton Rouge in the fall of 1963 and there meeting Lee Harvey Oswald and Jack Ruby at the Capitol House Hotel and delivering to Oswald and Ruby a sum of money."

THE FIFTH GROUP of requests sought additional information about the alleged overt acts. Judge Haggerty ruled the state was not required to furnish them.

The sixth group, again seeking more information about the alleged overt acts, were already complied with by the state, Judge Haggerty ruled.

A final seventh group of requests sought information about the state's evidence which Judge Haggerty said the state was not required to give.

SHAW'S ATTORNEYS today also loop steps to have testimony taken from Sandra Moffett (Mrs. Lillie Mae McMaines, in Des Moines, Iowa.

Mrs. McMaines, a former girlfriend of the state's star witness Perry Russo, has refused to return to New Orleans for questioning by the DA's office.

Today, Shaw's attorneys filed a motion for deposition by agreement to take her testimony in Des Moines and asked the DA's office join them for the taking of the deposition.

They pointed out in the motion that the state has been anxious to have her testimony for the Shaw trial and said they, too, are anxious to have her testimony on record.

The motion said that the defense has a copy of a letter to Garrison from Mrs. McMaines' attorney, Lex Hawkins, which offers to have her available in Des Moines Aug. 24.

Andrews' Appeal Motions Expected

Attorneys for Dean A. Andrews Jr., who was convicted of perjury this week in connection with DA Jim Garrison's assassination probe, were expected to file motions today for a new trial and an arrested judgement.

The round lawyer with a hip tongue was indicted by the Orleans Parish Grand Jury for lying about the identity of Clay Bertrand and was found guilty early Monday after a grueling five days in court.

Garrison claims that retired New Orleans businessman Clay L. Shaw used Bertrand as an alias and participated in a conspiracy to murder President John F. Kennedy. Andrews told the Warren Commission that a man named Clay Bertrand called after the assassination and asked him to defend the accused murderer, Lee Harvey Oswald, but he contends that Shaw "ain't Clay Bertrand."

JUDGE FRANK J. Shea, who presided over the trial, will rule on the motions tomorrow, according to minute clerk Max Gonzales.

The arrested judgement motion, if accepted, would allow Andrews to be released on bail and his attorneys then could take necessary steps to begin an appeal of the conviction before the State Supreme Court.

Harry and Cecil Burglass, two of Andrews' attorneys,

showed up at the Criminal District Courts building today and Harry Burglass spent most of the morning in conference with the DA's staff.

On another front of the Garrison probe today, two of three persons subpoenaed for the Orleans Parish Grand Jury made their appearance before noon. Those subpoenaed included:

Byron Chiverton, whose connection with the case is unexplained; Steve Plotkin, attorney for Gordon Novel, who has evaded Garrison's attempts to get him back to New Orleans for questioning, and Rancier Ehlinger, a former associate of Novel's who has been before the jury once before.

Plotkin, who also represents Ehlinger, said before going into the jury room that he was out of town on business and "I returned in order to give full cooperation to the grand jury." He said that is "very unusual" for an attorney to be called before the grand jury.

Asked if he thought he was subpoenaed because of his relationship with Novel, Plotkin said, "I don't know, but that appears to be the reason."

Ehlinger said he did not know why he had been subpoenaed again.

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Character: 11-22-63 AFO

Classification: 89-

Submitting Office: N.O., LA.

Being Investigated

ENCLOSURE

62-1090-672

Mount Clipping in Space Below

JUDGE TO RULE IN SHAW CASE

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 foroyer, 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 subpoenas 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 Noel'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.

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

PAGE 7

SECTION 1

TIMES PICAYUNE

NEW ORLEANS, LA.

Date: 8-16-67

Edition:

Author:

Editor:

Title: ASSASSINATION OF
PRESIDENT JOHN F.
KENNEDY, DALLAS, TX

11-22-63
Character:

AFO

Classification: 89-

Submitting Office: N.O., LA.

Being Investigated

ENCLOSURE

5672

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATION SECTION

AUG 21 1967

TELETYPE

Mr. Tolson	✓
Mr. DeLoach	✓
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	✓
Mr. Sullivan	✓
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

REC-41

Tracy

FBI WASH DC

FBI NEW ORLS

515PM URGENT 8-20-67 CDC

TO DIRECTOR 62-109060 AND DALLAS 89-43

FROM NEW ORLEANS 89-69

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS, NOV. TWENTYTWO, SIXTYTHREE, MISCELLANEOUS -
INFO CONCERNING, OO: DALLAS.

THE NEW ORLEANS STATES ITEM, RED FLASH EDITION, AUG.
TWENTYONE INSTANT, REPORTED THAT FEDERAL JUDGE ALVIN B. RUBIN,
TODAY, TOOK UNDER ADVISEMENT ARGUMENTS ON THE QUESTION OF
WHETHER NEWSMAN WALTER SHERIDAN MUST TESTIFY BEFORE AN
ORLEANS PARISH GRAND JURY INVESTIGATING THE ASSASSINATION
OF PRESIDENT JOHN F. KENNEDY. ACCORDING TO THE ARTICLE,
ATTORNEYS FOR SHERIDAN ARE ASKING FOR AN INJUNCTION AGAINST
SHERIDAN'S GRAND JURY APPEARANCE.

[Handwritten initials]

REC-41 62-109060-5693

THE ARTICLE REPORTED THAT MILTON E. BRENER, SHERIDAN'S
ATTORNEY, ARGUED THAT SHERIDAN WOULD BE WITHOUT LEGAL COUNSEL
DURING HIS APPEARANCE BEFORE THE GRAND JURY AND, THEREFORE
MIGHT GIVE TESTIMONY THAT WOULD BE HARMFUL TO HIMSELF. AT

AUG 23 1967

END PAGE ONE

5 F. B. [Signature]

AUG 29 1967

MR DELOACH FOR THE DIRECTOR

PSGE TWO

ONE POINT DURING THE HEARING JUDGE RUBIN ASKED BRENER IF HE THOUGHT SHERIDAN WAS THREATENED WITH OTHER CHARGES IF HE MADE AN APPEARANCE BEFORE THE GRAND JURY. BRENER REPLIED THAT SHERIDAN HAS BEEN SUBPOENAED BEFORE THE GRAND JURY AND THEY FELT THERE WILL BE OTHER CHARGES AND THAT THEY FELT STRONGLY THAT MR. GARRISON DOES NOT INTEND TO STOP WITH ONE CHARGE.

ACCORDING TO THE ARTICLE, BRENER CHARGED THAT THE CASE IS UNIQUE IN THAT "MR. GARRISON WAS BENT FOR LEATHER IN STOPPING SHERIDAN". BRENER CHARGED THAT THERE HAS BEEN "PURPOSEFUL DISCRIMINATION" AND "SELECTIVE ENFORCEMENT" OF THE LAW BY GARRISON IN THE CHARGING OF SHERIDAN.

ASSISTANT DISTRICT ATTORNEY JAMES ALCOCK ARGUED THAT THE DEFENSE HAD NOT BEEN ABLE TO CITE ANY LAW TO BOLSTER ITS MOTION FOR FEDERAL COURT INTERVENTION AND SAID THE FEDERAL COURT DID NOT HAVE JURISDICTION TO GRANT THE INJUNCTION. ALCOCK CONTENDED THE FEDERAL COURT WOULD WIND UP DECIDING THE CREDIBILITY OF RUSSO AND WOULD, THEREFORE,

ENB PAGE TWO . -

E O
PAGE THREE

PERFORM THE FUNCTION OF A WITNESS. ALCOCK CONTENDED THAT
SHERIDAN WOULD NOT BE ASKED BY THE GRAND JURY ABOUT THE
BRIBERY CHARGE AGAINST HIM AND CONTENDED THAT SHERIDAN
WOULD BE FULLY PROTECTED BY THE DISTRICT ATTORNEYS ADVISING
HIM OF HIS CONSTITUTIONAL RIGHTS AND COULD LEAVE THE GRAND
JURY ROOM TO CONFER WITH HIS ATTORNEY OUTSIDE THE DOOR.

SEE ATTACHED MEMO
NO LHM BEING SUBMITTED.

END

BGM

FBI WASH DC

TUCLR

700 JJ 8 5:4
FBI
CC- MR. SULLIVAN

FBI WASH DC

FBI NEW ORLS

1107PM URGENT 8/16/67 CLP

TO DIRECTOR (65-7321) AND CHICAGO (62-5001)

FROM NEW ORLEANS (62-3513) 2P

JAMES RIDDLE HOFFA, ETAL: AF: ETC.; OO: CHICAGO.

RE CHICAGO TELETYPE, AUGUST SIXTEEN INSTANT.

A REPRESENTATIVE OF THE NEW ORLEANS PD WHO IS CLOSELY ASSOCIATED WITH ORLEANS PARISH DISTRICT COURT, HAS ADVISED THAT JUDGE MALCOLM O'HARA HAS BEEN ON VACATION SINCE JULY TWENTYEIGHT LAST AND WILL BE ON VACATION UNTIL AUGUST TWENTYEIGHT NEXT. WHEREABOUTS OF JUDGE O'HARA UNKNOWN AT THE PRESENT TIME. REPRESENTATIVE OF NEW ORLEANS PD ADVISED THAT O'HARA HAS NOT ANSWERED HIS TELEPHONE IN THE PAST SEVERAL DAYS. DISCREET INQUIRIES CONTINUING TO DETERMINE PRESENT LOCATION OF JUDGE O'HARA.

PRESBINC O. GERVAIS, FORMER INVESTIGATOR FOR DA JIM GARRISON, ADVISED THAT ON AUGUST ELEVEN, LAST, HE RECEIVED A TELEPHONE CALL FROM GORDON NOVEL FROM COCOA BEACH, FLA., TELEPHONE THREE ZERO FIVE-SEVEN EIGHT THREE-SIX ZERO THREE THREE, AND NOVEL TOLD GERVAIS HE HAD INFORMATION WORTH IN THE "SEVEN".

END PAGE ONE

AUG 21 1967

63-75

62-109060-6

NOT RECORDED
199 AUG 22 1967

cc T...

PAGE TWO

FIGURES WHICH WOULD BE HELPFUL TO HIS FRIEND, ZACHARY A. STRATE, JR. GERVAIS STATED HE WAS NOT INTERESTED IN BECOMING INVOLVED; HOWEVER, HE TOLD STRATE OF THE CALL AND IT WAS HIS UNDERSTANDING THAT STRATE CONTACTED NOVEL. GERVAIS HAS NO INFORMATION AS TO THE TYPE OF INFORMATION NOVEL ALLEGED HE HAD.

GERVAIS VOLUNTEERED THIS INFORMATION TO AN AGENT OF THIS OFFICE, INSTANT DATE, STATING HE FELT SOMEONE SHOULD HAVE THE INFORMATION AND THAT HE DID NOT WANT TO BE INVOLVED.

PERSHING C. GERVAIS IS CURRENTLY IN BUSINESS WITH STRATE OPERATING A RESTAURANT KNOWN AS THE GREENDOOR AND MAY HAVE OTHER BUSINESS CONNECTIONS WITH STRATE. HE ACKNOWLEDGED THAT STRATE IS A CLOSE FRIEND. L.F.

GORDON NOVEL IS AN ALLEGED WITNESS IN THE GARRISON INVESTIGATION INTO THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY AND HAS BEEN CHARGED WITH CONSPIRACY TO COMMIT BURGLARY OF A MUNITIONS DUMP IN HOUMA, LA. NOVEL HAS BEEN CLOSELY ASSOCIATED WITH FORMER DEPARTMENTAL OFFICIAL WALTER SHERIDAN AND HAS APPEARED ON A TELEVISION PROGRAM PRODUCED BY SHERIDAN ATTACKING THE GARRISON PROBE.

END

DEL

FBI WASH DC

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (62-109060)

DATE: 8/14/67

FROM : SAC, TAMPA (62-455) (RUC)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963
(OO: DL)

REC-45
B
Meyland

ReTPtel to Bu dated 8/7/67 and Bu radiogram
8/8/67.

Enclosed for the Bureau are the original and
8 copies of an LHM regarding information furnished by
CORION NOVEL concerning JAMES GARRISON. One copy is
being furnished to both New Orleans and Dallas in view
of their interest in this matter.

No further contact is contemplated with NOVEL
by the Tampa Division at this time.

- 2 - Bureau (Enc. 8)
 - 1 - Dallas (Enc. 1)
 - 1 - New Orleans (Enc. 1)
 - 1 - Tampa
- EJT:bg
(5)

4

4

ST-103

REC 45

62-109060-5694

5-1-67

SEP 10 1967

Meyland

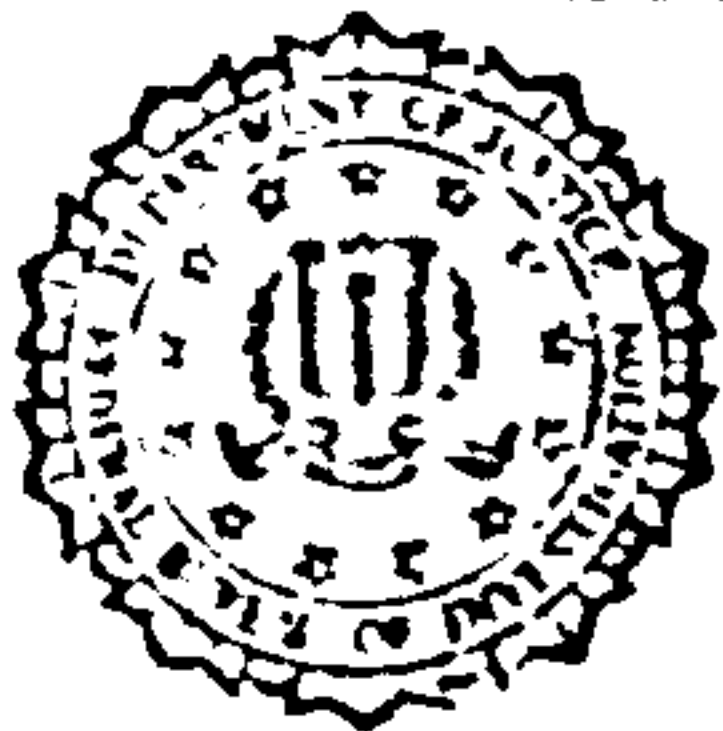
AGENCY
DATE FORW.
HOW FORW.
BY



see lhm received

8/14/67

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Tampa, Florida
August 14, 1967

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963

GORDON D. NOVEL telephonically contacted the Cocoa, Florida Resident Agency of the Federal Bureau of Investigation on August 7, 1967 and advised that he had received information from a representative of the American Civil Liberties Union (ACLU) that he was to turn over any information he had developed regarding JAMES GARRISON, District Attorney, New Orleans, Louisiana to the nearest FBI Office. NOVEL advised that he wished to turn over such information in the near future.

On August 9, 1967 GORDON D. NOVEL advised that he had been employed as Chief of Security by JAMES GARRISON from February 18, 1967 to February 27, 1967, during the course of GARRISON's investigation into the assassination of President KENNEDY. NOVEL advised that he quit his position on GARRISON's staff after he determined that the entire investigation was a sham on the part of GARRISON. Subsequently, GARRISON obtained a warrant for his arrest for being a material witness to the assassination, a warrant for his participation in a burglary of an ammunition dump near New Orleans, and another warrant for fraud against the Franklin Printing Company in New Orleans. NOVEL advised that he was arrested in Columbus, Ohio on the material witness warrant, but was released after GARRISON failed to send the necessary extradition request. No other actions have been taken on the other warrants.

COPIES DESTROYED

- 21 JAN 12 1973

62-109060-5694

ENCLOSURE

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963

NOVEL advised that he had been informed by a representative of the American Civil Liberties Union that there was a slight possibility that GARRISON's actions violated the civil rights of NOVEL. NOVEL advised that the purpose in entertaining the idea of making a civil rights complaint against GARRISON was to bring the United States Government into the investigation of GARRISON that is presently being conducted by himself and the news media. NOVEL advised that after due consideration he did not believe that he had any evidence to support any complaint that GARRISON had violated his civil rights guaranteed by the Constitution of the United States, and therefore, he did not wish to make any such complaint at this time. He advised that if he did develop such information he would promptly furnish the information to the FBI.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

Domestic Intelligence Division

INFORMATIVE NOTE

Date 8/21/67

Walter Sheridan is an NBC news investigator who helped prepare a special program for NBC in which Jim Garrison's so-called Kennedy assassination probe was analyzed. Garrison's star witness against Clay L. Shaw made statements on the program which indicated he was being manipulated by Garrison.

Shortly after the program, Garrison charged Sheridan with bribing and intimidating the witness in question. In addition, Garrison had Sheridan subpoenaed to testify before a New Orleans grand jury.

Sheridan's attorneys have been fighting through the courts to have the grand jury subpoena quashed. Appeals through state courts were in vain and the case was then appealed to U. S. District Court.

The attached will not be disseminated since it was taken from news media material.

55 AUG 22 1967

Wespr

TJS:ts

FBI

Date: 8/26/67

Transmit the following in _____
(Type in plain text or code)

Via AIRTEL AIR MAIL
(Priority)

TO : DIRECTOR, FBI (62-109060)
FROM: SAC, KANSAS CITY (62-8156) RUC

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
DALLAS, TEXAS, 11/22/63
MISCELLANEOUS -
INFORMATION CONCERNING

REC 39

OO: DALLAS

On 8/24/67 [redacted] Southwestern Bell telephone
Company, Kansas City, Missouri, confidentially advised
SA ROY L. TUSSEY as follows:

HARRY JONES, a feature writer for the Kansas City
Star and Times newspapers, contacted [redacted]
concerning the identity of subscribers [redacted] phone numbers
VA 1-9841 and [redacted] JONES told [redacted] that he was
preparing a series of articles on new information relating
to the assassination of President KENNEDY and that the
above two telephone numbers were pertinent relative to
JONES' series of articles.

[redacted] said that he declined to identify the
subscribers to these phone numbers because JONES was not
a duly constituted law enforcement agent, which normally
he would give such information to.

- 3 - Bureau (RM)
- 2 - Dallas (89-43)(RM)
- 1 - New Orleans (Info)(RA)
- 1 - Kansas City

RVH:pe
(7)

REC 39

62-109060 - 5695

EX 106

18 AUG 28 1967

C. C. Bishop

SIX

Approved: [Signature] Sent _____ M Per _____
Special Agent in Charge

KC 62-8156

[REDACTED] said that he subsequently determined the following concerning these numbers.

VA 1-9841 is a non-creating telephone number and the records for the subscribers to this number had been destroyed.

[REDACTED] is subscribed to by [REDACTED],
[REDACTED] Kansas City, Missouri.

[REDACTED] advised that he was furnishing the above information on a confidential basis to the FBI for whatever use it might be to this Bureau

HARRY JONES, the feature writer for the "Kansas City Star", has been co-operative with the Kansas City Office in the past and could be contacted on a confidential basis concerning the source of his information.

No inquiry being made regarding this information
UACB.

1966 Kansas City, Missouri City Directory lists
[REDACTED]
[REDACTED]

Mr. Tolson	✓
Mr. DeLoach	✓
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	✓
Mr. Sullivan	✓
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

REC-24

FBI WASH DC

FBI NEW ORLS

547PM URGENT 8-23-67 CDC

TO DIRECTOR 62-109060 AND DALLAS 89-43

FROM NEW ORLEANS 89-69

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS, NOV TWENTYTWO, SIXTYTHREE, MISCELLANEOUS
INFO CONCERNING, OO: DALLAS.

NEW ORLEANS STATES-ITEM, RED FLASH EDITION, AUG.
TWENTYTHREE, INSTANT, REPORTED THAT THE ORLEANS PARISH GRAND
JURY AND THE TERREBONNE PARISH GRAND JURY WERE CONVENED
TODAY TO TAKE A LOOK AT SEPARATE PHASES OF DISTRICT
ATTORNEY JIM GARRISON'S KENNEDY ASSASSINATION PROBE.

ACCORDING TO THE ARTICLE, TERREBONNE PARISH GRAND JURY WAS
MEETING TO INVESTIGATE CHARGES BY GARRISON THAT PROBE

FIGURES GORDON NOVEL, SERGIO ARGACHA SMITH AND THE LATE
DAVID W. FERRIE AND OTHERS CONSPIRED TO BURGLARIZE A

SCHLUMBERGER WELL SERVICES MUNITIONS BUNKER NEAR HOUMA
DURING THE SUMMER OF SIXTYONE. THE ARTICLE REPORTED THAT

GARRISON HAD BEEN SUBPOENAED TO APPEAR BEFORE THE TERREBONNE
PARISH GRAND JURY BUT WAS EXCUSED BY THE HOUMA CRIMINAL

END PAGE ONE

AUG. 29 1967

59 SEP 1 1967

MR. DELOACH FOR THE DIRECTOR

[Handwritten signatures and initials: "FBI", "DeLoach", "R", "5/2..."]