

Denies Ferrie Man Seen with Oswald Here

A New Orleans law officer has told investigators for the district attorney that he picked up Lee Harvey Oswald on the lakefront here in late 1962.

The officer denied to newsmen an earlier report that he picked up David William Ferrie at the same time.

The States-Item learned that the officer was questioned by investigators on an incident in which he found Oswald and another man in a parked car on Breakwater dr.

HE BROUGHT the two to headquarters, where they were released when it was determined there was no evidence on which to base a charge against them.

Several persons who asked that their identities be withheld, said the officer told them the second man picked up was Ferrie, who Dist. Atty. Jim Garrison has said is a key figure in his investigation of a plot to assassinate President John F. Kennedy.

Before Ferrie's death last Wednesday, he had maintained that he never met Oswald.

After the assassination, the officer said, he recognized Oswald's face and name from the pictures when he was accused of killing the President. He said he took no action because it was well-known that Oswald had lived in New Orleans.

Last week when the Ferrie matter arose, he came forward with information and was questioned by the DA's investigators.

HE DENIED A report by the States-Item in earlier editions today that he told the

investigators he picked up Ferrie and Oswald together.

In another development today, Gov. John J. McKeithen said he has instructed Col. Thomas D. Burbank, state safety director, to "cooperate fully" with Garrison in his probe.

Burbank, superintendent of state police, has been told to give Garrison any assistance that may be requested or desired.

TWO QUIZZED IN JFK PROBI

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A.S.T.

Aides to Dist. Atty. Jim Garrison today quizzed two persons who appeared in obedience to subpoenas in connection with the probe of circumstances surrounding the death of President John F. Kennedy.

Questioned were Clay L. Shaw, former managing director of the International Trade Mart, and James R. Lewallen, 38, 4406 Paris ave.

Lewallen appeared about 11 a. m. with his attorney, George Piazza II, and was questioned for more than a half hour. Piazza revealed that Lewallen was a roommate of David William Ferrie several years ago in Kenner.

Ferrie, who was found dead Feb. 22 has been called a key figure in the probe by Garrison, who says he is investigating a New Orleans-based plot to kill the President.

GARRISON HIMSELF WAS REPORTED ILL today, but the probe was handled by his aides.

Shaw appeared about noon and was still huddling with the investigators two hours later.

Also questioned today was Perry Raymond Russo, 25,



—States-Item Photo.
CLAY SHAW

of Baton Rouge. He had said previously that while he was a student at Loyola University, Ferrie had talked with him in relation to the late President. Russo did not come forward until after Ferrie died.

He appeared with a young girl and spent a half-hour in the DA's office. Asked what was said, he said, "I cannot comment on that."

Lewallen was subpoenaed yesterday. Shaw's subpoena was filed today by Criminal District Judge Matthew F. Braniff.

The subpoena called for Shaw, 54, of 1313 Dauphine, to appear at 1 p. m. There was no explanation of why Shaw was subpoenaed. His name had not previously been linked with the case.

LEWALLEN, WHO HAD BEEN subpoenaed for 11 a. m., arrived on schedule and he and Piazza were ushered into Garrison's private office.

On the way in, Lewallen was asked if he knew why



—States-Item Photo.
JAMES LEWALLEN

he had been subpoenaed. He said, "No."

Shortly thereafter, Piazza came out and talked to men. He said:

"Like many other people in New Orleans, James Lewallen knew Dave Ferrie."

Piazza said this is the second time Lewallen has appeared in the DA's office for questioning. He said his was questioned "about the same time the story broke in the newspapers" and at that time he "answered all questions that were asked."

He said the previous session was "very pleasant."

Piazza said all the earlier questioning revolved around Lewallen's acquaintance with Ferrie, but added that the client "has no special knowledge, no more than any other person who knew Ferrie."

He said the subpoena "came as a great surprise."

Asked whether Lewallen had any connection with the JFK assassination, Piazza said:

"He has no knowledge concerning anything to do

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the Bronze Star from the United States.

He returned to New Orleans in 1946 and became managing director of the ITM.

He resigned in August, 1965, saying the erection of the new trade mart building had fulfilled his goals.

The States-Item also learned today that a Parish Prison inmate who says he knew David William Ferrie in Chicago was questioned extensively

last night by the DA's investigators.

Upon his return to the prison, he was placed in the hospital tier instead of being returned to his regular cell. This is normally done for protection.

At a press conference yesterday in New York, the nominee for attorney general, Ramsey Clark, commented briefly on the Garrison

He described the Commission's

assassination as the "most comprehensive investigation of a series of fact ever made" and said its findings "are supported by overwhelming evidence."

HE SAID HE doubted that Garrison had turned up any new evidence of a conspiracy and said he found it difficult to see how anyone with hard evidence would fail to bring it to experienced federal authorities.

Lewallen was served with his subpoena at 7:10 last night in the parking lot of Troop B of the state police. Earlier, he had been reported away

from his home and out of reach.

Criminal District Judge Bernard Bagert, who signed the subpoena, said Lewallen had refused to take a lie detector test.

THE SUBPENA was issued under a new state law which went into effect Jan. 1. It permits the DA's office to issue binding subpoenas with the consent of a district judge.

Previously, the DA issued subpoenas at will, but they had little legal standing. The new subpoenas, when signed by a judge, can result in a con-

tempt citation if disobeyed.

Judge Bagert said the subpoena for Lewallen was the first ever issued under the new state law. It was authorized by a change in the Louisiana Criminal Code adopted by the Legislature last year.

the assassination.

He stressed that at one time Ferrie was highly esteemed and it was then that Lewallen had roomed with him. He said the public "should not hold people guilty by association."

ASKED IF Lewallen had been questioned by the Warren Commission, he replied, "Not that I know of."

Piazza said both he and Ferrie were licensed pilots. He said Ferrie and Lewallen had not worked for an airline together.

Ferrie, who was found dead here Feb. 22, has been described by Garrison as a key figure in the assassination plot probe.

LEWALLEN, WHO is single, is a former Air Force pilot and works for the Boeing Co.

Personnel records at Boeing's Michoud office reveal that James Ronald Lewallen, 38, is an inspector in the quality and reliability division of Boeing.

He has been with Boeing since 1964 and has worked at the Michoud plant except for the past 60 days, when he has been on loan to the Mississippi Test Facility in Hancock County, Miss.

OFFICIALS SAID Lewallen had a security clearance for confidential work.

His role at the MTF was to check out ground support equipment for the test firing of the Saturn V booster ten-

tatively scheduled for Friday.

Lewallen called his car pool this morning and said he wasn't coming to work today.

THE records show Lewallen was born in 1928 in Cleveland, Ohio.

A SUPERVISOR SAID he is a member of the Air National Guard. He said Lewallen has "a relatively good background in aircraft repair," and was almost certain that this experience was gained at the Lakefront Airport here.

Ferrie also was a pilot and operated a flying service at the Lakefront Airport. He and Oswald were known to have been in the Civil Air Patrol here, but there is no evidence that they knew each other in this connection.

The Boeing supervisor said Lewallen is an exceptionally quiet, mild-mannered individual, is amiable and easy to get along with. He said Lewallen is a competent employee.

Lewallen is known as "Jim" to his fellow employees, the supervisor said.

Shaw, a native of Kentwood, came to New Orleans at the age of five. For a while, he lived in New York City, where he was engaged in advertising and public relations work.

During World War II Shaw served in the U.S. Army in Europe, rising to the rank of major. He received the Croix De Guerre of France and the Legion of Merit and

New Code Provides DA Subpena Power

The new Louisiana Code of Criminal Procedure, which went into effect Jan. 1, allows district attorneys to subpoena persons for questioning.

Article 66, Title of Subpena of witness to appear before district attorney, provides:

"Upon written motion of the district attorney setting forth reasonable grounds therefor, the court may order the clerk to issue subpoenas directed to the persons named in the motion, ordering them to appear at a time and place designated in the order, for questioning by the district attorney concerning any offense under investigation by him. The court may also order the issuance of a subpoena duces tecum.

"The contumacious failure or refusal of the person subpoenaed to appear is punishable as a contempt of court.

"The district attorney may determine who shall be present during the examination, and may order all persons excluded except counsel for the person subpoenaed."

The effect of the law is to give the district attorney legal power to order persons to appear in his office as witnesses. Prior to this law, there was a common practice of issuing "d.a. notices," a printed form "ordering" the attendance of a witness at the district attorney's office, but enforce-

able only through the threat of other action, such as a grand jury subpoena.

In the comments to Article 66, the code explains that the former practice of the district attorney's bringing alleged criminals into an open court hearing "is no longer sanctioned."

The notes go on to explain that whatever was accomplished by this open hearing can be better done in a private questioning in the district attorney's office, where the witness is given the right to counsel.

New Grand Jury Sworn In Here

A new Orleans Parish Grand Jury, with Albert V. LaBiche as foreman, was sworn in today by senior Criminal District Court Judge Bernard J. Bagert.

The new jury, which will serve for six months, assumed its duties after the outgoing jury made its final report to Judge Frank J. Shea.

If District Attorney Jim Garrison presents to the jury his investigation of an alleged plot that resulted in the murder of President John F. Kennedy, the new jury presumably will be the group that takes up the probe.

A PREVIOUS jury had been scheduled to hear testimony from David William Ferrie, whom Garrison described as a central figure in his investigation. But Ferrie, who died last week, never made an appearance before the jury.

LaBiche is prominent in the New Orleans business community and active in American Legion affairs. He lives at 6933 Argonne.

Other new jurors are:

J. C. Albarado, 3720 Gen. Pershing.

Lawrence J. Sentola, 1600 Bodenger blvd.

Constant C. Dejoie Jr., 3400 Annette.

Theodore L. Drell, 1336 New York.

Lionel J. Favret, 37 Lark.
Irvin Leonard Fleming, 4300 Annette.

Henry R. Friedberg, 3127 Nashville.

John H. Kramer III, 2126 Pauline.

Daniel Joseph Lyons, 5718 Cartier.

Oliver Joseph Meyer Jr.,

5378 Chamberlain dr.

Merrick W. Swords Jr., 6624 Center.

The new 12-man jury will sit until September when the jury charge will rotate to Judge Malcolm V. O'Hara.

The outgoing grand jury, in its report to Judge Shea, said that a visit to public buildings by the jury Jan. 12 uncovered much evidence of unrepaired Hurricane Betsy damage in many areas and

a general shortage of space and personnel.

The jury complimented Orleans Parish Criminal Sheriff Louis Heyd Jr. for efficient management of Parish Prison under existing circumstances, but found that the prison is badly overcrowded, the toilet conditions "abominable," the hospital facilities "pitifully inadequate" and the kitchen small and inadequate.

THE JURY SAID that because of the space situation it is impossible to segregate first offenders and multiple offenders.

The jury criticized similar