

Cabbie Links Ruby, Oswald and Ferrie

By TOM JOHNSON

DALLAS (AP)—A former Dallas cab driver has told the New Orleans district attorney's office that he once drove David Ferrie and Lee Harvey Oswald to Jack Ruby's Dallas nightclub, the Associated Press has learned.

Raymond Cummings, 35, said he contacted Dist. Atty. Jim Garrison's office again after he saw a picture of Ferrie in a Dallas newspaper, and an accompanying story that said Ferrie said he had never been in Dallas, a source said.

Cummings, who was a part-time Dallas cabbie from Jan. 11, 1963, till March 15, 1963, would not talk with reporters today.

BUT A QUALIFIED source divulged his sensational story to the AP.

Garrison's office is investigating what he claims is a conspiracy hatched in New Orleans which may have led to the assassination of President John F. Kennedy in Dallas on Nov. 22, 1963.

The Warren Commission said Oswald killed Kennedy and that there was no credible evidence of conspiracy.

RUBY KILLED OSWALD Nov. 24, 1963, in the basement of the Dallas City Hall as Oswald was being transferred to the county jail. Ruby himself died of cancer Jan. 3 of this year while awaiting

a second trial for the Oswald killing.

Ferrie, a New Orleans pilot, was found dead in his bed Feb. 22. The coroner said death was from natural causes but Garrison says it was suicide.

Garrison says Ferrie, Oswald and others plotted the assassination.

Cummings has indicated that he would take a polygraph examination in Louisiana but not in Texas, the source said.

THE SOURCE gave this account of what Cummings told New Orleans investigators, as well as representatives of the Dallas district attorney's office:

Cummings was driving a cab when he took a man from the Dallas bus station to suburban Irving. He said the passenger was Lee Harvey Oswald. He said he remembered this man because both men were ex-Marines and talked about the service. Also, Oswald, he said, said he didn't have enough money for the fare but he took him anyway.

A few weeks later, Cummings said, according to the source, he picked up three men on a Dallas street and was told to take them to Ruby's Carousel Club. He said these three men were Oswald, Ferrie and an unidentified man.

HE SAID HE recognized Oswald, and they talked more about the Marines. He said Ferrie's unusual face caused him to keep glancing at it in the mirror. Ferrie's face was burned once, and he wore a wig and false eyebrows.

Cummings said he used to be a policeman in a small south Texas town.

The Dallas district attorney's office has planned to meet with him again. He has retained a lawyer. *END*

Andrews Testifies In Probe

A witness appeared before the Orleans Parish Grand Jury this afternoon, apparently in connection with District Attorney Jim Garrison's investigation of what he said was a plot in New Orleans to assassinate President John F. Kennedy.

Dean L. Andrews Jr., assistant district attorney in Jefferson Parish, came to the grand jury room in the Criminal Courts Building, Tulane and S. Broad, in answer to a subpoena issued yesterday by Garrison's associates.

An instantan subpoena was served this morning on Mrs. Josephine Hug, 4500 Elysian Fields, instructing her to go before the jury this afternoon. She was not further identified, and there was no official notice that she was called in connection with Garrison's probe.

Clay L. Shaw, former managing director of the International Trade Mart, was arrested March 1 and booked with conspiring to murder Kennedy. A preliminary hearing for him is scheduled Tuesday in the Criminal District Court of Judge Bernard J. Bagert.

Mrs. Hug told a newsman that she formerly was employed by Shaw at the International Trade Mart.

Andrews was subpoenaed by Garrison's staff last week. He told the Warren Commission, which investigated the

slaying, that he was called by a Clay Bertrand the day after the assassination and asked to defend Lee Harvey Oswald, named by the Warren Commission as the slayer.

IN A PETITION for a search warrant, Garrison named Clay Shaw, alias Clay Bertrand. Shaw has denied that he ever used an alias, and has maintained his complete innocence.

Grand jury members still were at lunch, after a morning of considering routine cases, when Andrews appeared in the building with his attorney, Sam Monk Zelden.

Newsmen asked Andrews whether in his opinion Clay Shaw and Clay Bertrand are the same man.

"I HAVE NO comment on that," he replied.

Under questioning, Andrews said he knew Bertrand only casually. He said he had no recollection of the last time he talked by telephone with Bertrand.

Asked whether he believed that Oswald killed Kennedy, Andrews answered:

"In my opinion, the man was not capable, nor was the weapon."

AT ONE POINT he said he did not know Oswald.

But later he admitted that Oswald had been into his office.

Zelden insisted to newsmen that Mrs. Marguerite Oswald, Lee's mother, had asked him to defend her son, an assertion which Mrs. Oswald has denied.

Zelden said he had re-checked with the telephone company the number in Dallas from which he was called, and learned that it was Mrs. Oswald's telephone.

Garrison contends he will prove that a conspiracy was hatched in New Orleans which culminated in the assassination Nov. 22, 1963, in Dallas.

THE FBI said it never could find a Clay Bertrand.

SHAW'S attorneys yesterday lost a bid to have the case against their client dismissed, but Judge Bagert said that Garrison might have to produce his yet unidentified "confidential informant" against Shaw during the hearing Tuesday.

Garrison's staff aide William Gurvich said that the informant would be available Tuesday subject to call.

The informant was first mentioned in Garrison's application to search Shaw's home. The document claimed that Shaw, Oswald, David W. Ferrie and others met at Ferrie's apartment here in September of 1963 and agreed "to kill John F. Kennedy."

Garrison said in the document that "a confidential informant" was present at the meetings, saw the conspirators and heard the plans.

FERRIE, a free-lance pilot and former Civil Air Patrol leader, died at his apartment here Feb. 22 while he was under investigation by the DA's office. The pilot, who scoffed at the investigation, was described by Garrison as one of history's most important men after Ferrie's death.

The death was classified as natural by the coroner's office.

DA ASKS DEAN TAKE LIE DETECTOR ANDREWS OR TEST

By ROSS YOCKEY

The Orleans Parish district attorney's office has asked Dean L. Andrews Jr. to take a lie detector test to determine whether he can identify Clay L. Shaw as Clay Bertrand, the States-Item learned today.

Andrews told the Warren Commission investigating the slaying of President John F. Kennedy that one "Clay Bertrand" contacted him shortly after the assassination and asked him to defend Lee Harvey Oswald, then accused of killing the President.

The DA's office charged in an affidavit last week that Shaw, booked with criminal conspiracy in the slaying of JFK, used the name Clay Bertrand as an alias. Shaw has

denied this and all other connection with such a conspiracy.

Andrews has said he doesn't know whether Shaw is the man who contacted him.

IN ANOTHER DEVELOPMENT today, attorneys for Shaw gained permission to enter the apartment of David William Ferrie to take photos.

In asking Andrews to take the lie test, investigators for Dist. Atty. Jim Garrison reportedly offered him a choice between a polygraph (conventional lie detector), hypnosis or truth serum (sodium pentothal).

Andrews, now an assistant DA in Jef-

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erson Parish, was to reply to the request through his attorney.

Shaw's attorneys said today they need the photos of Ferrie's apartment to help prepare their case for a Tuesday prelim-

inary hearing on the accusation against Shaw.

His attorneys today filed two motions with Judges Bernard J. Bagert and Mal-

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com V. O'Hara, one asking for authority to enter the apartment of Ferrie at 3330 Louisiana ave. pkwy. Ferrie was found dead there Feb. 22.

IN AN APPLICATION for a search warrant, the DA's investigators named this as the place where Shaw allegedly conspired with Ferrie, Lee Harvey Oswald and others to kill the President. Shaw has steadfastly maintained his innocence.

In the motion, Shaw's attorneys said Shaw was not acquainted with Ferrie and is totally unfamiliar with the residence and has no knowledge of the interior, arrangement and structure.

They maintained that in order to prepare for the examination Tuesday it is necessary that they have photos of the interior of the residence.

THEY FURTHER stated that the police and the district attorney's office have caused the residence to be locked and sealed, prohibiting entry.

The motion said the attorneys have been informed the building is privately owned, but they feel confident they can obtain consent from the owners to enter for the purpose of taking photos.

Assistant DA Alvin Oser said he had no objection, except that there might be a technicality regarding Ferrie's will. Defense attorneys said they felt this could be worked out.

THE JUDGES granted the motion with the stipulation that representatives of the DA's office be present when the photos are taken. The defense agreed to this.

The second motion filed by

the defense asked that F. Irvin Dymond be added to the attorneys of record for Shaw. This also was granted.

The defense asked for a special hearing before the three judge panel handling the case on Monday at 11 a.m. This was granted and the court adjourned until that time.

ON THE PANEL with O'Hara and Bagert is Judge Matthew S. Braniff.

All the activity today was pointed toward the potentially historic Tuesday hearing.

With the grand jury not in session and a judicial curtain lowered on "extrajudicial statements" by participants, everything pointed to Tuesday as the next big step in Garrison's attempt to prove the President was the victim of a New Orleans-based conspiracy.

The Tuesday action is a preliminary hearing for Shaw, former managing director of the International Trade Mart.

SHAW WAS ARRESTED March 1 and booked with violating the state's criminal conspiracy law.

At the hearing, the DA's office must show it has enough

evidence to justify bringing Shaw to trial.

A set of guidelines was issued yesterday for newsmen by the three criminal district judges who will preside at the hearing.

THE 27-PARAGRAPH set of rules specifies that witnesses, all lawyers in the case, law officers and many others in official and unofficial capacities "are forbidden from making any extra-judicial statements of any kind concern-

ing this case from this date and until such time as this case is concluded."

A 10-paragraph preamble on the commission consider an up-court proceedings and freedom of the press ranged from the Magna Carta, signed by King John of England in 1215 (out of which the present jury trial system grew) to a Fifth U.S. Circuit Court of Appeals opinion of last Monday.

JUDGE Bagert has said that in his opinion the preliminary hearing will disclose the identity of the confidential informant mentioned by Garrison in an affidavit as part of his case against Shaw.

The Warren Commission named Oswald as the assassin, acting alone.

THE GRAND JURY, taking up the case for the first time yesterday, heard testimony from Andrews, who was consulted by Oswald several times in the summer of 1963, and Mrs. Josephine Hug, who worked for Shaw when he was managing director of the ITM.

Andrews was asked by the Warren Commission if he thought Oswald had killed JFK.

"I know good and well he did not," Andrews said. "This boy could have con-nived in the deal, but I think he is a patsy. Somebody else pulled the trigger."

Assistant DA James L. Alcock, asked if he felt any indictments in the case would be returned before next Tuesday's preliminary hearing, replied that he is "almost 100 per cent sure there will not be."

Garrison, whose investiga-

tion into the 1963 assassination began last November, has maintained silence on the probe recently. His whereabouts during the past week have been in question. He has been reported in Miami, Phoenix and at a New Orleans hideaway.

AN ATTORNEY FOR Raymon Cummings, 35, a former Dallas cab driver who says he has information about Lee Harvey Oswald, David William Ferrie and Jack Ruby, said today his client will come to New Orleans Monday.

The lawyer, Frank Wright, said in Dallas that Charles Ward, chief assistant to Garrison, asked that Cummings come to New Orleans.

Wright said he planned to have Cummings there. Also present may be two other Dallas lawyers, Charles Tessmer and Jim Rudd.

CUMMINGS' ADDITION to the case was his statement that he once drove Oswald and Ferrie to Jack Ruby's night club, a source said.

Ruby, who shot Oswald to death shortly after the Kennedy assassination, died Jan.

3 of cancer in a Dallas jail cell.

A source said the former cabbie decided to contact Garrison's office after he saw a picture of Ferrie in a Dallas newspaper in February. The picture was accompanied by a story that quoted Ferrie as saying he had never been in Dallas.

Cummings drove a cab part-time in Dallas from Jan. 11, 1963, 'til March 15, 1963.

WHILE A CABBIE, the source said, Cummings once picked up three men and drove them to Ruby's Carousel Cub.

The three passengers were Ferrie, Oswald and an unidentified man, the source quoted Cummings as saying.

Cummings, according to the source, recognized Oswald as having been a man he had driven a few weeks earlier from the bus station to suburban Irving. Both he and Oswald were ex-Marines, Cummings said, and they had talked about the service.

Cummings has been employed with a large Dallas concern for the past 11 years. He has worked at various part-time jobs in that period, including cab driving.