

Shaw Indicted in 'Plot' to Assassinate Kennedy

New Orleans District Attorney Changes Tactics to Conceal Evidence Until Trial

NEW ORLEANS (AP)—

Dist. Atty. Jim Garrison, changing his tactics, Wednesday obtained a grand jury indictment of Clay L. Shaw on a charge of "wilfully and unlawfully conspiring" to murder President John F. Kennedy.

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

Garrison had previously indicated he would bypass the grand jury and file a bill of information to bring Shaw, 54, a New Orleans civic leader, to trial.

'Sufficient Evidence'

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

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

By filing a bill of indictment, the district attorney would have had to divulge specific details of his case.

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

The indictment came after Perry Raymond Russo, 25, a Baton Rouge insurance salesman who was a key witness in the

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

Only Witness

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

Russo spent 1 hour and 50 minutes with the grand jury.

Emerging between two of Garrison's assistants, Russo told newsmen:

"I can't talk right now."

Russo told the three-judge court he heard Shaw, Ferrie and Oswald plotting to kill Mr. Kennedy. Ferrie, a freelance pilot with a homosexual record, was found dead in

bed Feb. 22 of natural causes.

The Warren Commission concluded that Oswald was the assassin and acted alone.

The indictment capped another hectic day in the criminal district courts building where earlier Andrews had been arraigned for perjury and Shaw's attorney had won permission for his client to leave the court's jurisdiction to vacation on the Mississippi Gulf Coast during the Easter holidays.

Andrews, 44, suspended last week as an assistant district attorney in suburban Jefferson Parish, asked for a jury trial on the perjury charge. His attorneys were given until April 10 to file motions in the case.

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

In testimony before the Warren Commission, Andrews said that, after the Kennedy assassination, a "Clay Bertrand" contacted him by phone and asked him to go to Dallas to represent Oswald.

Russo said Shaw was

introduced to him in Ferrie's apartment as "Clem Bertrand" and Garrison has charged that Shaw used "Clay Bertrand" as an alias. Shaw has denied all of Garrison's accusations. The FBI could locate no one by the name of Bertrand.

Russo's appearance before the grand jury followed disclosure that a witness subpoenaed to appear Wednesday, Gordon Novel, 29, was out of town.

Novel's attorney, Steven R. Plotkin, said his client left town Saturday and

will return "in due course." Plotkin said he was absent "for personal reasons."

Novel appeared before the grand jury last Thursday and was told to return Wednesday.

The motion for Shaw to

leave town for the weekend stipulated he would go to the Gulf Coast today and return Monday. Shaw has been in a hospital here since Saturday for treatment of fatigue and a back ailment. He was released Wednesday night.

Garrison Subpoenas Man Held in '63 Probe

New Orleans DA Also Orders Arrest of
Ex-Bar Owner in Kennedy Investigation

NEW ORLEANS (AP)—Layton Martens, arrested here three days after the assassination of President John F. Kennedy and held for "investigation of subversive activities," was subpoenaed by Dist. Atty. Jim Garrison Thursday in his investigation of the crime.

The district attorney also ordered the arrest of Gordon Novel, 29, a former bar owner here whom he described as an important material witness for the grand jury considering the case.

Martens, 24, was ordered to appear before the grand jury next Wednesday.

He formerly roomed with the late David W. Ferrie at 3330 Louisiana Ave.

Arrested at FBI Request
Martens, Ferrie and Roland Beauboeuf, then 19, were arrested by Garrison's men at the request of the Secret Service and FBI Nov. 25, 1963. Ferrie was booked for being a fugitive from Texas; Martens and Beauboeuf were booked for vagrancy.

Police records show that Martens was held for the FBI and Secret Service "under investigation of subversive activities."

Garrison said at that time that Ferrie, Beauboeuf and Martens were picked up "in connection with some leads of our own."

All three men were released the next day.

In an interview with New Orleans television station WDSU-TV two weeks ago, Martens said he had been questioned twice by Garrison's investigators recently and underwent a lie detector test on one occasion.

He said he hoped he would not be subpoenaed and his name "dragged through the streets."

Also subpoenaed Thursday was Donald Dooty, a baldish red-bearded man about 35 years old. No background information was available on Dooty, and he declined to answer newsmen's questions when he went to Garrison's office.

The developments followed the grand jury's indictment Wednesday of Clay L. Shaw, New Orleans civic leader, on a charge of "willfully and unlawfully conspiring" to murder Mr. Kennedy. Shaw was arrested March 1 and accused by Garrison of hatching the plot with Lee Harvey Oswald and Ferrie in mid-September, 1963. Ferrie died last Feb. 22.

Oswald was named by the Warren Commission as the lone assassin.

Novel reportedly was in Chicago when the order for his arrest was approved by Criminal Judge Matthew S. Braniff. Former owner of the Jamaican Village lounge on the fringe of the French Quarter, Novel said in Columbus, Ohio, Wednesday that he did not intend to return to New Orleans unless guaranteed freedom from "harassment."

Severs Business Ties

Novel told newsmen he had helped Garrison in the assassination inquiry but now felt he was being double-crossed.

In the affidavit requesting the arrest order, Garrison's office said Novel severed his business ties here and left the city while under subpoena. The affidavit said Novel should be placed under sizable bond or the grand jury "will be deprived of a most important and material witness."



Gordon Novel
(AP Wirephoto)

As an alternative to arrest, Judge Braniff set a bail of \$50,000 for Novel.

Novel's connection with the Kennedy probe has never been disclosed. When he was first subpoenaed to appear before the grand jury March 16, he said he thought Garrison wanted to question him about activities "during 1961 which are related to Mr. Sergio Arcacha Smith."

Arcacha, now living in Dallas, said he never heard of Novel. Arcacha headed an anti-Castro group in New Orleans in 1961.

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Herby in The Louisville Courier-Journal

"But, on the other hand, they just might have something"

Judge in New Orleans Orders Arrest of Plot Inquiry Witness

3-24-67 By MARTIN WALDRON
Special to The New York Times

NEW ORLEANS, March 23 — A New Orleans judge ordered today the arrest of Gordon Novel, a 29-year-old former bar owner in New Orleans French Quarter, as a material witness in the investigation by District Attorney Jim Garrison into the assassination of President Kennedy.

In an affidavit filed with the judge, Mr. Garrison said he had "good reason to believe" that Mr. Novel was a "most important" witness who was material to the grand jury's investigation.

Criminal Court Judge Matthew S. Braniff issued a warrant for Mr. Novel's arrest and set bail at \$50,000.

Mr. Novel, who told reporters in New Orleans last week that the District Attorney wanted to question him about a Cuban refugee organization that operated in New Orleans in 1963, was scheduled to appear before the grand jury yesterday, but he did not show up.

His lawyer said Mr. Novel was in Washington, D. C. The Associated Press reported that a man identified as Mr. Novel was in Columbus, Ohio, last night but departed today, leaving a note at his motel saying that he had gone to Chicago.

A member of Mr. Garrison's staff said that if Mr. Novel was arrested in another state, the District Attorney was prepared to file a request for extradition to Louisiana.

Mr. Novel testified before the grand jury last week and was to have returned for further questioning. He has been questioned on several occasions by assistants to Mr. Garrison.

The District Attorney's office would not answer questions about Mr. Novel. In an affidavit filed with the judge, Mr. Garrison said Mr. Novel had fled the parish (county) while under a grand jury subpoena and had said publicly that he did not plan to return.

In another development today, Mr. Garrison subpoenaed a former roommate of David D. Ferrie to appear before the grand jury next Wednesday.

He is Layton Martens, 23 years old, who was identified by the District Attorney's office as Patrick L. Martens, who accompanied Mr. Ferrie and another man to Texas on the afternoon that President Kennedy was murdered in Dallas.

Mr. Ferrie, a former airline pilot, died Feb. 22. He has since been named by the New Orleans grand jury as a "conspirator" in a plot to assassinate Mr. Kennedy.

Before testifying before the grand jury last Thursday, Mr. Novel told a reporter for The New Orleans States-Item that he had known Mr. Ferrie "indirectly," but he said he thought Mr. Garrison was more interested in a Cuban refugee leader.