

# Shaw Pleads Not Guilty to Plotting Kennedy Death

4/6/67-N.Y.T April 6, 1967 N.Y. Times

By GENE ROBERTS

Special to The New York Times

NEW ORLEANS, April 5—Clay L. Shaw pleaded not guilty at his formal arraignment today on charges of having conspired to murder President Kennedy.

The arraignment was over in four minutes. Defense attorneys predicted that the retired New Orleans business executive would go on trial within three to six months.

Meanwhile today, an Orleans Parish (county) grand jury, which is probing the assassination under the direction of District Attorney Jim Garrison, indicted a New Orleans man on perjury charges growing out of the investigation.

He is Layton Martens, a roommate of the late David W. Ferrie, who Mr. Garrison says conspired with Mr. Shaw. Bond was set at \$2,500.

The grand jury said Mr. Martens had lied under oath when he denied to the grand jurors that he knew Gordon Novel and said he did not remember taking a trip with Sergio Arcacha Smith.

## Two Extraditions Sought

As part of his investigation into the assassination, Mr. Garrison is seeking to extradite Mr. Novel from Ohio and Mr. Smith from Texas on charges that they burglarized a munitions cache before the assassination.

Both Mr. Smith, a Cuban refugee, and Mr. Novel, a former New Orleans night club operator, have publicly denied any involvement in the assassination.

At the arraignment proceed-



Clay L. Shaw arriving yesterday at court in New Orleans

United Press International Telephoto

ing today, defense attorneys asked for—and received—assurances that Mr. Shaw's trial would not get under way for at least one month.

This was done, the defense attorneys said, to insure that

they would have enough time to file technical motions.

The grand jury indictment under which Mr. Shaw was arraigned today charged that he had "willfully and unlawfully" entered into a conspiracy with

two other men to murder President Kennedy.

The indictment named the two men as Mr. Ferrie, a one-time airline pilot here, and Lee Harvey Oswald, the man who, the Warren Commission concluded, killed President Kennedy alone and without being a part of any conspiracy.

Mr. Garrison and his staff had the option of arraigning Mr. Shaw on either the grand jury indictment or as the result of a public hearing in which a panel of three judges had ruled there was sufficient evidence to warrant a trial for Mr. Shaw.

But if Mr. Garrison had chosen to proceed on the judges' ruling he would have had to file a detailed bill of information telling why he suspected Mr. Shaw of having committed a crime.

Today's perjury indictment against Mr. Martens was the second issued by the grand jury.

The other was against Dean A. Andrews, a Jefferson Parish attorney, who said—in testimony to a Warren Commission staff member—then denied, then stated again that a homosexual named Clay Bertrand had once sent Lee Oswald to his law office with a legal problem.

Mr. Garrison contends that Mr. Shaw and Clay Bertrand are the same person. But Mr. Andrews said he had been unable to make a connection between Mr. Shaw and the "Bertrand" man.

The Warren Commission checked Mr. Andrews's story shortly after the assassination and concluded that there was no homosexual named Clay Bertrand in the New Orleans area.

NYT - 4/25/67  
**Brainwash Plan Reported**

COLUMBUS, Ohio, April 24 (UPI)—Gordon Novel, a New Orleans night club operator, said today that he had heard District Attorney Jim Garrison outline plans to brainwash the late David W. Ferrie to make him confess to a part in the alleged Kennedy assassination plot.

"The plan to some extent was shooting an atrophine dart into the unsuspecting Ferrie, taking him to a secret place, giving him sodium pentothal, and otherwise abusing him until he confessed," according to a transcript of a lie detector test given to Mr. Novel on March 25.

Mr. Novel and his attorney, Jerry Weiner, held a news conference to release results of the test. Mr. Novel is wanted as a material witness in the investigation.

Mr. Weiner challenged Mr. Garrison to take a similar test.

Mr. Novel, 29 years old, charged that Mr. Garrison's inquiry was a "fraud" motivated by his political ambitions.

## A NEWSPAPER LINKS 'PLOT' FIGURE TO C.I.A.

NEW ORLEANS, April 25 (AP)—The New Orleans States Item said Tuesday in a copyrighted story there was mounting evidence of Central Intelligence Agency links in District Attorney Jim Garrison's investigation of President Kennedy's assassination.

"At least one Garrison probe figure intends to use C.I.A. connections as part of his defense," the newspaper said.

The story said "still others linked to the Garrison investigation have been named as acting for the super-secret espionage organization—as informers, as couriers and munitions carriers."

Gordon Novel, the 29-year-old former bar owner in the French Quarter, who is fighting extradition from Ohio to Louisiana, was named as having the strongest ties to the intelligence agency.

The newspaper said Mr. Novel had told intimates "he was a C.I.A. operative and will use this role to battle Garrison's charges."

Mr. Novel is free on \$10,000 bond in Columbus, Ohio, after his arrest on a Louisiana warrant that he helped plan the burglary of an oilfield explosive bunker near Houma in 1941.

He has referred to the alleged bunker burglary as "the most patriotic burglary in history," according to the paper. He has told associates, the newspaper said, that the munitions burglary was "a war materials pickup made at the direction of his C.I.A. contact."

OMAHA, April 25 (UPI)—A fugitive from justice complaint—filed against Mrs. Lillie McMaines in the New Orleans investigation of the assassination of President Kennedy, was dismissed in Municipal Court Tuesday after she refused to leave Iowa to appear in court.



**LUIS CASTILLO**  
... arrested

*10-1-41-42*

Luis Angel Castillo, an American, has been arrested by the Philippine National Bureau of Investigation (N.B.I.). The N.B.I. charged Friday that Castillo claimed under truth serum that he took part in an alleged assassination plot against President Kennedy. The N.B.I. said Castillo, a native of Puerto Rico, was a Cuba-trained Communist agent sent to the Philippines to contact Huk guerrillas. *EN*

# Tippit Murder Mystery

*Boston Record American 4/10/67*

DALLAS — District Attorney Jim Garrison's New Orleans contentions regarding President Kennedy's assassination are being watched with intense interest by the Federal and local officials in command of the investigating teams that supplied the material here for the Warren Commission Report.

However, I find a fact that is utterly unfathomable to these knowing men.

Straight across the board, they ask a question of themselves obscured in outside comment and books.

Their question is: Why did Lee Harvey Oswald kill patrolman J. D. Tippit?

Oswald's temporary hole-in was at 1026 North Beckley Avenue, a rooming house, under the alias O. H. Lee. He left the book building at 12:33, three minutes after the shots, and reached his rooming house about 12:59, totally unflustered. When he came in housekeeper Earlene Roberts said only, "Oh, you are in a hurry." Oswald did not respond.

He changed his clothes and walked out zipping up a later-discarded jacket.

Some 22 minutes earlier Homocide Bureau Chief J. Will Fritz had radioed a Code 3 (emergency) order directing all downtown patrol cars to the Book Depository. And at 12:45, again at 12:48 and 12:52 he broadcast a suspect's description an amazingly accurate description by Captain Fritz.

At 12:45 the radio dispatcher ordered Car 78—Tippit's plainly emblazoned police car—to "move into Central Oak Cliff area" to strengthen the search there.

APRIL 10, 1967

At 12:54 Tippit radioed that he was in place and cruising. That was the last ever heard from Tippit. This trained veteran of 11 years on the force did not report sighting any suspect, ask for any description clarifications, warn anybody that he was about to confront a possible killer, call other cars to stand by with him or express any suspicions whatever.

Now we come to 1:15. At least 12 witnesses saw what happened about eight blocks from where Tippit checked in at 12:54. Oswald and walking

on the sidewalk, 100 feet beyond an intersection. Tippit had already passed him, pulled to the curb and presumably called the walking man to him.

Oswald sauntered over to the car from the rear, leaned toward the right-side door, put one or both hands on the window sill and was seen to exchange words with Tippit.

Tippit got out on the far side and started to walk around the front of the vehicle toward Oswald.

Now for the moment of action by Tippit and Oswald that utterly baffles investigators here.

Tippit, out of his patrol car and coming to Oswald, had not drawn his gun. In the sea of words written, this fact is a hardly revealed fact—not even made clear in the Warren Report—that astonishes professional police officers.

Oswald pulled out a revolver and four bullets killed Tippit instantly.

Nothing could have more surely defeated Oswald's getaway from the 12:30

crime, and of course it resulted in Oswald's being seen and caught within minutes after he rushed through the bystanders and ran to the Texas Theater.

When Sgt. Gerald Hill brought in his prisoner for the murder of Patrolman Tippit, Captain Fritz told Hill to help pick up for questioning a man named Lee Oswald "not present at the roll call of Book Depository employees."

Said Hill: "Captain, we'll save you the trouble. . . . There Oswald sits."

President Kennedy's assassination investigators, regional FBI chief Gordon Shanklin, Captain Fritz and the rest are used to the many mysteries claimed by outsiders that they know are not mysteries at all. They simply shake their heads in frustration or disgust.

But this is their own inside mystery. They find no answer to what happened at 1:15 that Friday, November 22.

**END**  
Copyr., 1967, United Feat. Synd., Inc.

# PRODDING IN 'PLOT' OF '63 REPORTED

Magazine Says Garrison's  
Office Prompted Witness

NEW ORLEANS, April 24 (UPI)—The Saturday Evening Post said today that the office of District Attorney Jim Garrison had "prompted" a key witness, Perry R. Russo, under hypnosis and drugs to describe a meeting in 1963 at which the assassination of President Kennedy was allegedly plotted.

Mr. Garrison's office denied the statements.

In an article in its issue of May 6 the Post said Mr. Russo never mentioned the 1963 "plot" in his initial interrogation by investigators.

It was only after sessions of sodium pentothal and hypnosis, the article said, that Mr. Russo came up with the story of the meeting, at which he said Clay L. Shaw, a businessman, David W. Ferrie, a pilot, and Lee Harvey Oswald plotted the President's death.

The article by James Phelan quoted a 3,500-word confidential memo to Mr. Garrison from Andrew J. Sciambra, an assistant district attorney, in which, The Post said, Mr. Sciambra said Mr. Russo at first had not mentioned the meeting in 1963 and had failed to link Mr. Shaw with Oswald.

## Russo Testified Later

Mr. Russo, a 25-year-old insurance salesman, later testified about the alleged plot during Mr. Shaw's preliminary hearing. A three-judge panel ordered Mr. Shaw held over for trial. He has been indicted on charges of conspiring to murder Mr. Kennedy.

Mr. Sciambra said The Post was "telling a half-truth." He said that Mr. Phelan had been fully advised of the full Russo testimony before he left Louisiana.

"Mr. Phelan's inference that our office is guilty of post-hypnotic suggestions to Perry Russo in an effort to influence him to tell our story is ridiculous," Mr. Sciambra said.

## A Later Recall Cited

The Sciambra memo made no reference to a party in 1963 at Mr. Ferrie's apartment at which Mr. Shaw, using the alias Clem Bertrand, allegedly discussed with Mr. Ferrie and Oswald the assassination, The Post said.

"There was no positive identification of Lee Harvey Oswald as 'Leon' Oswald," as Mr. Russo subsequently asserted, the article said.

"Most striking of all, when shown a picture of Clay Shaw, Russo had said nothing whatever, according to the memorandum, about having known him as 'Bertrand.'"

The Post article said Mr. Russo had recalled the party only after prompting by Mr.

Sciambra while under the drug, and recalled the plot when "further prodded" under hypnosis.

The article said, the hypnotist, Dr. Esmond Fatter, had told Mr. Russo to picture a television screen in his mind and instructed him:

"Let your mind go completely blank, Perry—see that television screen again, it is very vivid—now notice the picture on the screen.

"There will be Bertrand, Ferrie and Oswald and they are going to discuss a very important matter and there is another man and girl there and they are talking about assassinating somebody."

Mr. Sciambra said:

"Long before Mr. Phelan left New Orleans, the point was made emphatically clear to him that Perry Russo told me during our first interview in Baton Rouge of the party and conspiracy plot involving Shaw, Ferrie and Oswald in Ferrie's apartment on Louisiana Avenue Parkway.

"This in fact was verified to Mr. Phelan by Russo himself, after Mr. Phelan made a special trip to Baton Rouge to talk to Perry Russo personally.

"Mr. Phelan has purposely tried to mislead the American public by telling a half-truth and not showing the full picture."