

DEFENSE WINDS

UP CASE

AFTER SHAW

TESTIFIES

French Quarter bar operator Eugene Davis testified today he never used the name "Clay Bertrand," contradicting defense witness Dean A. Andrews Jr., who testified he was introduced to Davis by that name in the 1950s. Davis was called as a rebuttal witness by the state in the trial of Clay L. Shaw.

Clay L. Shaw today denied ever plotting to kill President John F. Kennedy, and the defense rested its case at 11:24 a. m.

The trial was to resume this afternoon with the state presenting rebuttal witnesses, but there was no indication who or how many there would be.

Shaw, 55, is on trial before Criminal District Judge Edward A. Haggerty Jr. on charges of conspiring to kill Kennedy.

HE TOOK THE STAND in his own defense at 9:33 a. m. and was on for almost two hours, half an hour on direct questioning and the rest on cross-examination by the state.

Clad in a conservative gray business suit and looking straight at the jury as he spoke, Shaw methodically denied the whole gamut of the state's accusations against him.

Specifically, Shaw denied:—

—Ever knowing Lee Harvey Oswald or David W. Ferrie, the two District Attorney Jim Garrison named as his co-conspirators.

—Ever attending a party at Ferrie's apartment in September, 1963, at which the state's star witness, Perry Raymond Russo, says the assassination was discussed, or ever knowing Russo at all.

—Ever going to Clinton, La., where some state witnesses said they saw him with Ferrie and Oswald.

—Ever having any ill feelings toward Kennedy, who was shot to death in Dallas Nov. 22, 1963.

—Ever using the alias Clay or Clem Bertrand, the name Garrison says he used in the assassination plot.

—Ever visiting the VIP Room at New Orleans International Airport, where the state charges he signed the guest register as Bertrand.

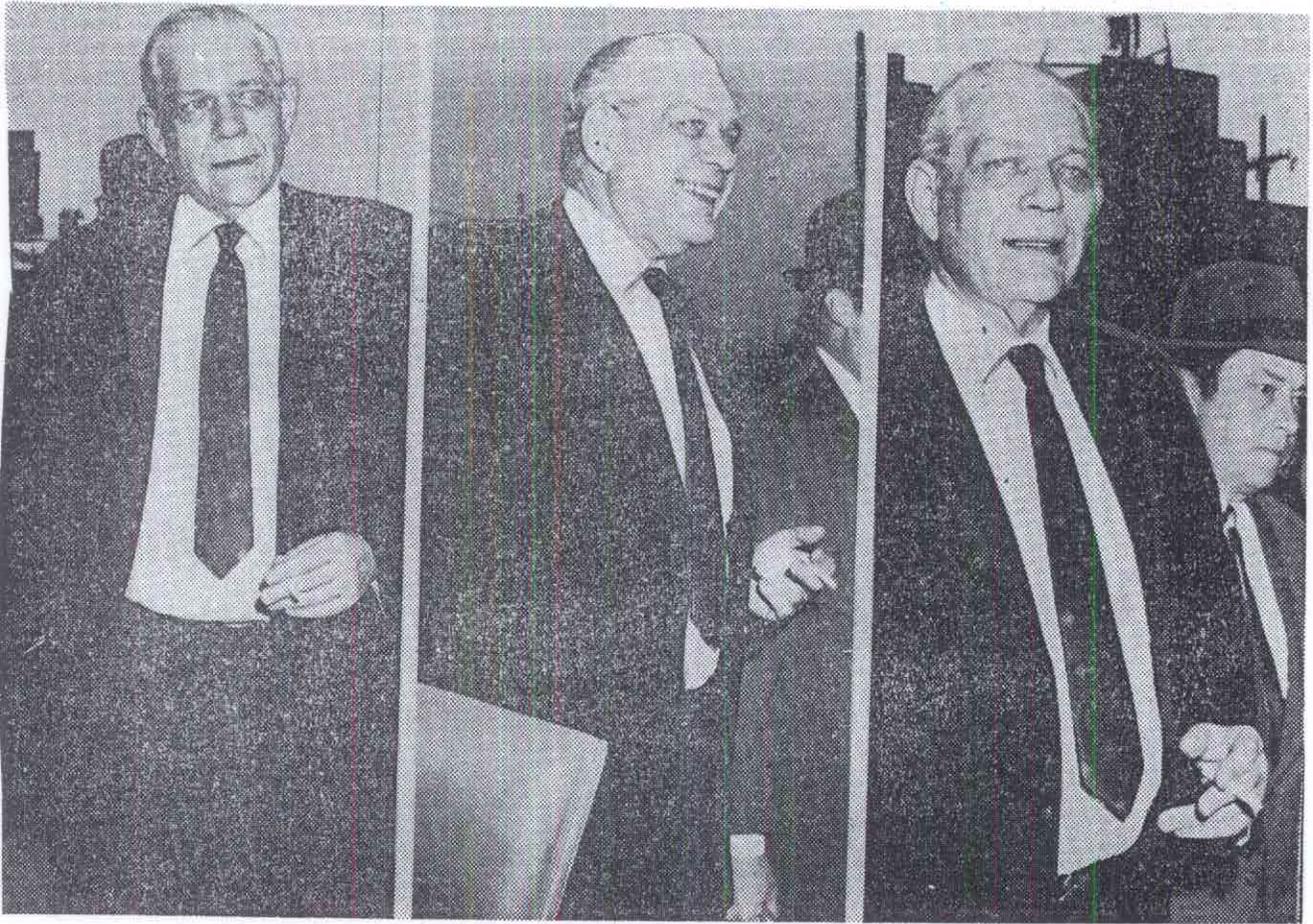
—Ever working for the Central Intelligence Agency or any other federal unit except the U.S. Army.

—Ever seeing state witnesses Charles I. Speisel or Vernon Bundy before the trial.

On cross-examination, Shaw did admit knowing two of Ferrie's onetime roommates, Layton Martens and James Lewallen. But he said he was not aware they knew Ferrie.

Shaw also said he negotiated with Gordon Novel, a fugitive witness, for space in the ITM. Novel has refused to come to New Orleans to testify in Garrison's investigation of the assassination. He said Novel's attorney in the matter "may have been Dean Andrews."

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—States-Item photos by Lee Delaune.

CLAY L. SHAW ON WAY TO TRIAL TO TAKE STAND IN OWN BEHALF

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ANDREWS TESTIFIED earlier this week as a defense witness. He said Shaw is not the man he called Bertrand, and that he made up the Bertrand alias himself to protect a client.

As soon as the state's rebuttal witnesses are disposed of, closing arguments will be made and the case can go to the jury. The trial is now 32 days old.

Also testifying this morning were New Orleans Police Lt. Edward M. O'Donnell, who said yesterday Russo had doubts about his identification of Shaw, and architect Arthur Q. Davis, whose signature was on the airport book above the Bertrand signature.

Chief defense counsel F. Irvin Dymond handled the direct questioning of Shaw, and chief prosecutor James L. Alcock the cross-examination.

Lt. O'Donnell resumed the

stand briefly as court opened this morning. Alcock asked him when he first talked to defense attorneys about the case. He said it was after the trial started. He was excused.

The next witness was Davis, who testified he flies to New York once a week in connection with his business. Dymond showed him the guest register from the VIP Room and asked him to identify his signature.

DAVIS SAID his signature was the second from the bottom of the page, and the name below it was Clay Bertrand.

He said he was at the airport on Dec. 14, 1966, and went into the VIP Room. He said he knows Shaw, and Shaw was not in the room at that time.

Never, Davis said, has he seen Shaw wearing tight trousers. (Russo testified that the first time he saw Shaw he noticed him particularly because of his "tight pants.")

On cross-examination, Davis said he remained in the

room about 20 minutes to a half hour and doesn't remember seeing anyone sign the book after him.

He was excused and Shaw took the stand at 9:33 a.m.

After answering routine identification questions, Shaw said he retired as managing director of the International Trade Mart on Oct. 1, 1965.

DYMOND SHOWED him a photo of Oswald and asked, "Have you ever seen this person?"

"I have never seen him," Shaw said.

Dymond then did the same with a picture of Ferrie, and got the same response.

Shaw was asked if before his arrest he ever knew Russo. He said he had not, and had never attended a party at which Russo was present.

The defendant said he has not worn a hat since he left military service in 1945. Russo identified Shaw as wearing a hat.

SHAW TESTIFIED he has never been in Clinton. He said he has never owned a black Cadillac, the type of vehicle the witnesses said they saw him driving.

Shown a picture of a black Cadillac, he said it looked like a car once owned by his friend Jefferson Biddison, but Shaw said he never drove this car during 1963.

During the late summer of 1963, Shaw said, he was busy with plans for constructing the new International Trade Mart building at the foot of Canal st. His workload was "extremely heavy," he said. "I never worked harder in my life."

SHAW SAID HE made only one trip out of town in this period, to see his sick father in Hammond for one day in September.

The defendant was then asked about Speisel, a state witness who testified he saw Shaw at a party at Shaw's apartment in June, 1963, at



AMONG WITNESSES WHO TESTIFIED yesterday in the trial of Clay Shaw were CHARLES A. APPEL JR., top drawings, a retired FBI handwriting expert; JEFFERSON BIDDISON, bottom left, a French Quarter real estate man, and JAMES PHELAN, a free-lance magazine writer.

which Kennedy was discussed.

Shaw said he never saw Speisel before the trial, and never attended a party with him.

Dymond then turned to Russo's testimony, and Shaw said he never attended a party with Russo or Ferrie, and never went to Ferrie's apartment at 3330 Louisiana ave. pkwy.

SHAW TESTIFIED he served on the reception committee for Kennedy when the president visited the Nashville ave. wharf here in 1962. He said that on that day he was dressed in a conservative business suit, not "tight pants."

The defendant said he first met Kennedy in Washington when the late Chep Morrison was sworn in as ambassador to the Organization of American States.

He said he had no ill feelings toward the president and "I believed in him."

Shaw said he had never seen Bundy, the witness who said he saw Shaw with Oswald on the lakefront, before his arrest.

THE DEFENDANT said he never engaged in any activity relating to Cuban dictator Fidel Castro.

Shaw said he never knew the VIP Room at the airport existed until this trial and said the Bertrand signature in the guest book was not his. He said he habitually travels by train.

"Have you ever been known as Clay Bertrand?" Dymond asked.

"No, I have not," said

Shaw. He gave the same answer to "Clem Bertrand," and said he has never used any alias except Allen White, which he once used as a pen name.

SHAW SAID HE never knew anyone named Clem or Clay Bertrand, or received mail addressed to those names.

The defendant said he is a Democrat and has never visited a Republican headquarters. (Russo said he once saw Shaw at a GOP headquarters here.)

Shaw explained his business trip to the West Coast in No-

vember, 1963, and said it had no connection with any assassination plot.

"Did you ever discuss killing the president . . . even jokingly?" Dymond asked.

"No," said Shaw.

Shaw said Biddison did receive some of his mail while he was in Europe.

NEVER, SAID SHAW, did he ever work for the Central Intelligence Agency or any other branch of the federal government except the Army.

"Did you conspire with David Ferrie and Lee Harvey Oswald to murder President Kennedy?" Dymond asked.

"No, I did not," said Shaw.

Dymond then tendered him to the state for cross-examination. He told Alcock he knew in mid-September of 1963 he was going to the West Coast in November.

ALCOCK ASKED IF Mario Bermudez, a Shaw associate, had solicited the West Coast speaking engagement, Shaw said he may have but did not know.

Alcock produced a letter from Bermudez to J. M. Sullivan, executive director of the San Francisco World Trade Center, saying Shaw was available for talks to local groups.

Shaw said he did not recall asking Bermudez to line up speaking engagements for him. He then gave, upon request, the names of a number of persons he saw in San Francisco. He said he returned to New Orleans Dec. 2 by way of Chicago.

ALCOCK ASKED Shaw if he knew Martens, a former Ferrie roommate who has been indicted for perjury in connection with his testimony before the Orleans Parish Grand Jury.

"Yes, sir, I did," said Shaw.

He gave the same response when asked about James LeWallen, another former Ferrie roommate. He said he was never aware either of them knew Ferrie.

Shaw denied knowing Dante Marachini, who once worked with Oswald. He said he knows a Jack Sauter, whose name has not previously come up in the case.

SHAW SAID HE once owned a building at 906 Esplanade, the site at which Speisel

the last time in 1962.

HE SAID HE recalled the negotiations with Novel, who he said, wanted the rights to the Top of the Mart, a bar atop the ITM.

He said negotiations usually consisted of some plan "that would require the Trade Mart to put up some money."

Shaw said he was at the Trade Mart the day Oswald was distributing leaflets outside. He said he never got around to looking into it.

After Alcock said he was finished with the witness, the defense rested and Judge Haggerty adjourned for lunch.

Here are the highlights of an eventful session yesterday:

—Lt. O'Donnell testified the state's star witness, Perry Raymond Russo, told him he was not sure of his testimony that Shaw was present at a September, 1963, meeting with Ferrie and Oswald in Ferrie's apartment at which the assassination was discussed.

—Mrs. Jesse Garner, Oswald's landlady during his stay in New Orleans in 1963, testified Oswald was always neat and clean-shaven when she saw him. Russo said Oswald was dirty, unkempt and bearded.

—Former Saturday Evening Post writer James R. Phelan of Long Beach, Calif., testified that Russo told him he was not sure of his identification of Shaw, but backed out when Phelan arranged a face-to-face meeting of the two because, Phelan said Russo told him, "I might have to change my story."

—Jefferson Biddison, a long-time friend of Shaw, countered earlier testimony by a postman that he delivered letters addressed to "Clay Bertrand" to Biddison's home at a time when Shaw was getting mail there. Biddison testified he did handle Shaw's mail for a period in 1966 while Shaw was in Europe, but never received any "Bertrand" letters.

—Charles A. Appel Jr., a nationally known handwriting expert, countered earlier testimony by a hostess at New Orleans International Airport that Shaw signed a guest register there as "Clay Bertrand" in December, 1966. Appel compared Shaw's handwriting to the Bertrand signature in the guest book and concluded they were written by two different people.

Shaw said he sold the 908 Esplanade property in 1963 or 1964. He said he has not owned 906 Esplanade since the 1950s.

Alcock asked Shaw if he knows how far it is from Kentwood to Clinton. Shaw said he has never made the trip, but believes it is "60 to a hundred miles."

He said he has visited a farm near Clinton owned by Lloyd J. Cobb, president of the International Trade Mart,