

Shaw Charged in

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Kennedy Slaying



AP Wirephoto
Clay Shaw (right) leaves parish prison in New Orleans, La., with his attorney, Edward Wegmann, after a three-judge panel ruled that he should be held for trial on charge of conspiracy to kill President John F. Kennedy.

Executive Is Linked to Oswald 'Plot'

3-Judge Panel Finds Sufficient Evidence for Trial

NEW ORLEANS, March 17 (AP).—A special three-judge Criminal District Court panel ruled late Friday that Clay L. Shaw should be held for trial on charges of conspiring to assassinate President John F. Kennedy.

The decision meant the wealthy retired executive will be the first man ever sent to trial in the historic slaying.

District Attorney Jim Garrison did not say when he would file a bill of information against Shaw, which is the next step in the process leading to trial.

VICTORY FOR GARRISON

Presiding Judge Bernard J. Bagert confirmed that the court's conclusion meant that Shaw would stand trial.

The court's decision was a victory for Garrison, who expressed confidence from the start. Garrison has said he will make further arrests and ob-

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the decision was announced. His lined face was haggard.

Shaw remains free on \$10,000 bond. Garrison arrested him on

murder conspiracy charges March 1. A decorated Second World War Army major, Shaw retired in October, 1965, as managing director of the International Trade Mart here.

The decision Friday came exactly one month after the first disclosure that Garrison was probing the Kennedy assassination. The prosecutor said he launched the investigation last October.

Shaw called Garrison's charge "fantastic," and denied having any part in a conspiracy. U. S. Attorney General Ramsay Clark said the FBI cleared Shaw of any link to the Kennedy assassination.

"I did not know Harvey Lee Oswald (sic) nor to the best of my knowledge do I know anyone who knew him," Shaw said March 2. "I am completely innocent of any such charges."

URGES DELAY

Defense attorney William Wegmann asked the judges Friday to take their time in issuing a ruling in the final arguments.

"The reasonable doubt doesn't go to the State, it goes to the defendant," said Wegmann.

"I say the only worthy thing of Russo's testimony is that he knew David Ferrie and feared his intelligence . . . This man (Shaw) is entitled to have the stigma removed from him.

"What they've put in, what they've got at this hearing, it might warrant future investigation by competent authorities," he continued, "but it doesn't warrant holding this man."

ENOUGH EVIDENCE

"The State has six years to prove this case. With a stroke of the pen we can be back in here.

"What's been presented is in-

teresting. It's provoking.

"It is not proof."

In rebuttal, Assistant District Attorney James Alcock said only ". . . the State of Louisiana has put forth before the court enough evidence to tip the scales, enough evidence to hold this man."

Garrison's star witness was Russo, 25, an insurance salesman from Baton Rouge. He told the court that he was present in Ferrie's New Orleans apartment in mid-September, 1963, and heard Oswald, Shaw and Ferrie plotting to assassinate the President.

Russo said the plan involved "triangulation of crossfire," diversionary shooting, a possible flight to Mexico and Cuba, and the sacrificing of one man as a scapegoat to permit the others to escape.

ONLY ONE ALIVE

Shaw is the only one of the three alleged conspirators still alive.

Oswald was killed by Jack Ruby two days after the Nov. 22, 1963, assassination. Ferrie, a former airlines pilot with a homosexual record, was found dead in bed Feb. 22 of this year. The coroner ruled death resulted from natural causes.

Russo said he knew Oswald as "Leon Oswald" and Shaw as "Clem Bertrand." At a dramatic point in Tuesday's session, Russo was asked by Garrison if Bertrand were in the courtroom.

Russo stepped from the witness chair, walked over to Shaw and held his hand over Shaw's head. As he has since the start of the case, Shaw remained impassive.

FORMAL CHARGE

Garrison still must file a bill of information—the form a charge—before an actual trial can be held. Garrison had no

comment after the ruling Friday, but scheduled a news conference to 10 A. M. Saturday.

Bagert had asked the other two judges to sit with him because of the importance of the case.

The final prosecution witness Friday was a man who said he saw two men—whom he now can identify as Oswald and Shaw—in conversation near Lake Pontchartrain here in 1963.

IDENTIFIES SHAW

Vernon Bundy, 29, who said he was a onetime heroin addict, walked over to Shaw in court, put his hand over Shaw's head, and identified him as the man he saw with Oswald at the lakefront.

Bundy said one of the men he saw was young, the other much older. He said he heard the "young guy" ask the older man plaintively, "what am I going to tell her?"

Bundy said the older man replied: "Don't worry about it. I told you I was going to take care of her."

The witness then said the older man handed over "a roll of money or it appeared to be. The young guy put his hand in his right pocket where he has a bunch of pamphlets."

SHOWS 2 PICTURES

When the defense claimed Bundy's testimony was hearsay, Garrison—handling the interrogation of a witness for the first time Tuesday—asked Bundy to identify two pictures.

Bundy said one was of Lee Harvey Oswald, the other of "the Shaw who has been in the papers lately." Bundy said the pictures were of the same men he saw at the lakefront in 1963. Then he pointed out Shaw as one of them.

Under questioning by Garrison, Bundy described the "older man" he saw as "about 6-1 or 6-2 but I'm not sure because I'm squatting down. He was distinguished dressed, gray hair."

He said the younger man was "a junkie or beatnik guy . . . he was nasty. He needed a haircut and a shave. In fact, he needed everything."

LAM CONVICTIONS.

The three judges ruled unanimously that the District Attorney had presented sufficient evidence in the four-day preliminary hearing to warrant holding Shaw for further proceedings.

Their finding meant that Garrison's accusation against Shaw became a formal charge. The maximum penalty would be 20 years in prison.

COURT'S RULING

The court's ruling stated:

"This court finds that sufficient evidence has been presented to establish probable cause that a crime has been committed. And further, that sufficient evidence has been presented to justify bringing into play the further steps of the criminal process against the arrestee, Clay L. Shaw. The defendant is released on his present bond."

TELLS OF 'PLOT'

The highlight of the hearing was Perry R. Russo's testimony that he heard Shaw, Lee Harvey Oswald and David W. Ferrie plotting in September, 1963, to assassinate Mr. Kennedy.

The Warren Commission report, which said Oswald acted alone in the assassination of Mr. Kennedy, was not admitted as evidence after Judge Bagert said it was "fraught with hearsay."

Shaw, rugged and erect at 54, sat smoking impassively when

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