SUSPECT IN 'PLOT' LINKED TO OSWALD

Clandestine Meeting Alleged in New Orleans Document

3/3/67

By GENE ROBERTS

NEW ORLEANS, March 2—The District Attorney's office contended today that Lee Harvey Oswald, David W. Ferrie and Clay L. Shaw plotted the assasination of President Kennedy in a clandestine meeting here in September, 1963.

A "categorical" denial was issued almost immediately by Mr. Shaw, a prominent New Orleans businessman who was arrested yesterday and accused by the District Attorney's office of involvement in a Kennedy assassination plot.

In an application for a warrant to search Mr. Shaw's home, the District Attorney's office said that a "confidential informant" had disclosed that he had attended a meeting in which Mr. Shaw, Mr. Ferrie, Oswald and "other persons" agrreed to kill the President.

According to the warrant application, the informant was administered sodium pentothol, commonly called truth serum, and "corroborated and reaffirmed" his story while under the influence of the drug.

Document Released

Although the application was made and the warrant was issued yesterday, the application was not made public until today. It was released through the office of Criminal District Judge Matthew S. Braniff.

After receiving the search warrant investigators went to Mr. Shaw's two-story home at 1313 Dauphine and seized five cardboard boxes of Mr. Shaw's possessions.

In a report filed with Judge Braniff today, the investigators listed some of the possessions as pieces of leather, a black hood and cape, a black gown, a black net-type hat, a shotgun and case, whips, chain, pieces of rope, an Army cartridge belt, photograph albums, a typewriter and several books.

The application contended that the alleged conspiratorial meeting was held in the Louisiana Avenue Parkway apartment of Mr. Ferrie, a former airline pilot who was found dead in bed last week.

District Attorney Jim Garrison of Orleans Parish charged soon after the death that Mr. Ferrie had been "involved in events culminating in the assassination" and would have been arrested if he had not committed "suicide."

However, Dr. Nicholas Chetta, coroner of Orleans Parish, ruled Tuesday that Mr. Ferrie's death was the result of a brain hemorrhage, not suicide.

And Wesley J. Liebelor, a member of the Warren Commission staff, said that a "very substantial" investigation by the Federal Bureau of Investigation had shown that Mr. Ferrie was not a part of any assassination plot.

The Warren Commission, which was headed by Chief Justice Earl Warren, concluded after a 10-month investigation that Oswald assassinated President Kennedy alone and unaided and without being a part of any conspiracy.

'Alias Clay Bertrand'

In the warrant application, Mr. Garrison's office referred again and again to Mr. Ferrie, Oswald and Mr. Shaw and each time referred to Mr. Shaw as "alias Clay Bertrand."

The name "Clay Bertrand" entered into the Warren Commission's investigation in 1964 when Dean Andrews, a lawyer in the New Orleans area, testified that Oswald and several "gay [homosexual] kids—they were Mexicanos" were sent to his law office in the summer of 1963 by a mysterious person called Clay Bertrand. Mr. Andrews said Oswald wanted a "yellow paper" (not honorable) discharge upgraded to an honorable discharge from the military service.

Late this afternoon, Mr. Andrews was subpoenaed by Mr. Garrison's office, apparently as a witness in the District Attorney's investigation.

"Read the Warren Commission report," Mr. Andrews said when asked why he might have been subpoenaed.

Testimony Recalled

In testimony before Mr. Liebeler of the Warren Commission staff on July 24, 1964, Mr. Andrews admitted that he had once told the Federal Bureau of Investigation that "Bertrand" was a "figment of imagination." But then he added that he had said this because the "feebees" (his name for the F.B.I.) were "on me like the plague."

Mr. Andrews, who has since become a part-time District Attorney for Jefferson Parish, which borders Mr. Garrison's district, also asserted that "Bertrand" called him by telephone at a hospital where he was "under medication" on the weekend of the assassination and asked him to rush to Dallas and defend Oswald.

During his testimony before Mr. Liebeler, Mr. Andrews also supplied this description of Bertrand: "He is about 5 feet 8 inches. Got sandy hair, blue eyes, ruddy complexion, must weight about 165, 170, 175."

Descriptions Differ

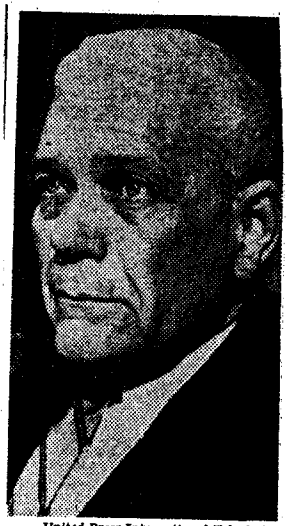
Then under cross-examination by Mr. Liebeler, he conceded that he had once told the F.B.I. that "Bertrand" was "6 foot 1 to 6 foot 2 inches."

The description Mr. Andrews gave to Mr. Liebeler does not fit the description of Mr. Shaw, who appeared today to be about 6 foot 2 inches, to weight about 200 pounds and to have dark complexion.

Asked at a news conference today if he planned any sort of legal action against Mr. Garrison and his staff, Mr. Shaw referred the question to his attorneys. They declined comment.

Mr. Shaw, who rose to the rank of major in the European theater in World War II and won the Croix de Guerre and the Legion of Merit and Bronze Star, has a showplace home and extensive real estate holdings in New Orleans's French Quarter.

From 1946 until 1965, he served as managing director of



United Press International Telephoto

DENIES ACCUSATION: Clay L. Shaw, New Orleans businessman, as he told newsmen yesterday that he was not involved in any plot to slay President Kennedy.

the International Trade Mart here and helped supervise the construction of the Trade Mart Building, a new structure in downtown New Orleans with a revolving observation tower and bar at the top.

In his news conference today, Mr. Shaw said that he had never known Oswald or Mr. Ferrie and had never used the name "Clay Bertrand" or any other alias.

"I have not conspired with anyone at any time or at any place to murder our late and esteemed President, John F. Kennedy, or any other individual," Mr. Shaw went on. "I have always had only the highest and utmost respect and admiration for Mr. Kennedy."

Mr. Shaw repeated again and again that he was "shocked" and "dismayed" by the accusations.

After arresting Mr. Shaw yesterday, Mr. Garrison's staff asked Criminal District Judge Thomas N. Brahney to set bond for Mr. Shaw at $25,000. But Judge Brahney refused and set bond instead at $10,000. The Summit Fidelity Surety Company posted the bond, and Mr. Shaw was released at 9:20 last night.

No Charges Filed

William Gurvich, a private detective who says he is working with Mr. Garrison on the investigation as a $1-a-year assistant, read a statement at the time of the arrest in which he said: "Mr. Shaw will be charged with participating in a conspiracy to murder John F. Kennedy."

But as of late today no formal charges had been filed. Instead, Mr. Garrison asked that a preliminary hearing be set for Mr. Shaw March 14.

A request from a district attorney for a preliminary hearing is unusual in Louisiana, and Mr. Shaw's lawyers said they were "surprised" by the move. In Louisiana, it is customary for the district attorney to file formal charges, and then defense lawyers may, if they wish, request a preliminary hearing in an effort to have the charges dismissed.

The announcement that formal charges would be filed and the subsequent request for a preliminary hearing form one of several inconsistencies that have arisen in Mr. Garrison's investigation.

On Feb. 18, the District Attorney gained international publicity by saying arrests would be made as a result of the investigation. He indicated the arrests might come within weeks, but two days later he said the arrests were "months" away. And then two days after that, he said he had been planning to arrest Mr. Ferrie within a week if Mr. Ferrie had lived.

After his investigation was first disclosed by The New Orleans-Item on Feb. 16, Mr. Garrison assailed the newspaper saying it had retarded progress in the case.

Recently, The States-Item said it had shown the story to Mr. Garrison in advance, that he had read a page of it, had thrown it down, but "did not ask that the story be withheld [and] did not say it would damage his investigation."

"Then why was Garrison so furious when the story appeared?" the paper asked. "One possible explanation is that he planned to break the story himself, in a national magazine under his own byline, thus gaining the maximum national publicity for himself."

Staff members of The States-Item say they have information that the magazine involved was Life.