

State Item 3-10-67

# Shaw Gets OK To Photograph Ferrie Home

Attorneys for Clay J. Shaw gained permission today to enter the apartment of David William Ferrie to take photos to help prepare their case for Tuesday's hearing.

Shaw, arrested in Dist. Atty. Jim Garrison's probe of the death of President John F. Kennedy, has been booked

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with criminal conspiracy in the case. A preliminary hearing for him is set for Tuesday in Criminal District Court.

His attorneys today filed two motions with Judges Bernard J. Bagert and Malcolm V. O'Hara, one asking for authority to enter the apartment of Ferrie at 3330 Louisiana ave. pkwy. Ferrie was found dead there Feb. 22.

IN AN APPLICATION for a search warrant, the DA's investigators named this as the place where Shaw allegedly conspired with Ferrie, Lee Harvey Oswald and others to kill the President. Shaw has steadfastly maintained his innocence.

In the motion, Shaw's attorneys said Shaw was not acquainted with the late David Ferrie and is totally unfamiliar with the residence and has no knowledge of the interior, arrangement and structure.

They maintained that in

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order to prepare for the examination Tuesday it is necessary that they have photos of the interior of the residence.

THEY FURTHER stated that the police and the district attorney's office have caused the residence to be locked and sealed, prohibiting entry.

The motion said the attorneys have been informed the building is privately owned, but they feel confident they can obtain consent from the owners to enter for the purpose of taking photos.

Assistant DA Alvin Oser said he had no objection, except that there might be a technicality regarding Ferrie's will. Defense attorneys said they felt this could be worked out.

THE JUDGES granted the motion with the stipulation that representatives of the DA's office be present when the photos are taken. The defense agreed to this.

The second motion filed by the defense asked that F. Irvin Dymond be added to the attorneys of record for Shaw. This also was granted.

The defense asked for a special hearing before the three judge panel handling the case on Monday at 11 a.m. This was granted and the court adjourned until that time.

ON THE PANEL with O'Hara and Bagert is Judge Matthew S. Braniff.

All the activity today was pointed toward the potentially historic Tuesday hearing.

With the grand jury not in session and a judicial curtain lowered on "extrajudicial statements" by participants, everything pointed to Tuesday as the next big step. Garrison's attempt to prove the President was the victim of a New Orleans-based conspiracy.

The Tuesday action is a preliminary hearing for Shaw, former managing director of the International Trade Mart.

SHAW WAS ARRESTED

March 1 and booked with violating the state's criminal conspiracy law. He has denied any connection with any such plot.

At the hearing, the DA's office must show it has enough evidence to justify bringing Shaw to trial.

A set of guidelines was issued yesterday for newsmen by the three criminal district judges who will preside at the hearing.

THE 27-PARAGRAPH set of rules specifies that witnesses, all lawyers in the case, law officers and many others in official and unofficial capacities "are forbidden from making any extra-judicial statements of any kind concerning this case from this date and until such time as this case is concluded."

A 10-paragraph preamble on the commission consider an up-

court proceedings and freedom of the press ranged from the Magna Carta, signed by King John of England in 1215 (out of which the present jury trial system grew) to a Fifth U.S. Circuit Court of Appeals opinion of last Monday.

JUDGE Bagert has said that in his opinion the preliminary hearing will disclose the identity of the confidential informant mentioned by Garrison in an affidavit as part of his case against Shaw.

The Warren Commission named Oswald as the assassin, acting alone. Ferrie, a pilot, was found dead here Feb. 22.

THE GRAND JURY, taking up the case for the first time yesterday, heard testimony from Dean Andrews Jr., who was consulted by Oswald several times in the summer of 1963, and Mrs. Josephine Hug, who worked for Shaw when he was managing director of the ITM.

Andrews, now an assistant DA in Jefferson Parish, was asked by the Warren Commission if he thought Oswald had killed JFK.

"I know good and well he did not," Andrews said. "This boy could have con-

nived in the deal, but I think he is a patsy. Somebody else pulled the trigger."

Assistant DA James L. Alcock, asked if he felt any indictments in the case would be returned before next Tuesday's preliminary hearing, replied that he is "almost 100 per cent sure there will not be."

Garrison, whose investigation into the 1963 assassination began last November, has maintained silence on the probe recently. His whereabouts during the past week have been in question. He has been reported in Miami, Phoenix and at a New Orleans hideaway.

IN DALLAS yesterday, a man who used to drive a taxi there said he once drove Oswald and Ferrie to Jack Ruby's Dallas nightclub.

Raymon Cummings, 35, told this story to Garrison's investigators, it was learned. Ruby, who shot Oswald to death shortly after the assassination of the President, died Jan. 3 of cancer in a Dallas jail cell.

A source said the former cabbie decided to contact Garrison's office after he saw a picture of Ferrie in a Dallas newspaper in February. The picture was accompanied by a story that quoted Ferrie as saying he had never been in Dallas.

Cummings drove a cab part-time in Dallas from Jan. 11, 1963, 'til March 15, 1963.

WHILE A CABBIE, the source said, Cummings once picked up three men and drove them to Ruby's Carousel Club.

The three passengers were Ferrie, Oswald and an unidentified man, the source quoted Cummings as saying.

Cummings, according to the source, recognized Oswald as having been a man he had

driven a few weeks earlier from the bus station to suburban Irving. Both he and Oswald were ex-Marines, Cummings said, and they had talked about the service.

Cummings has been employed with a large Dallas concern for the past 11 years. He has worked at various part-time jobs in that period, including cab driving.