

# The Picayune

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## PARTLY CLOUDY

and mild Friday with southeast winds six to 16 miles an hour is the United States Weather Bureau's forecast for New Orleans and vicinity. Highest expected, 72-76.

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## PLOT EVIDENCE IS ALLEGED; SHAW EMPHATIC IN DENIAL

### Warrant Request Gives Basis of Case

By CLARENCE DOUCET  
and BOB USSERY

District Attorney Jim Garrison's office said in a search document Thursday it has evidence linking Clay Shaw, David W. Ferrie and Lee Harvey Oswald in a conspiracy to murder President John F. Kennedy.

Garrison's office, quoting what it called a confidential informant, said those three men and others discussed how they would kill President John F. Kennedy, agreed to carry out the conspiracy, and discussed means and manner of carrying out the agreement.

The report lists Shaw as having the alias "Clay Bertrand."

The meetings allegedly took place in September, 1963, at Ferrie's apartment at 3330 Louisiana ave. pkwy.

Details of the information were contained in an application for a search warrant filed by Garrison's office after the arrest Wednesday night of Shaw for participating in a conspiracy.

In Washington, Atty. Gen. Ramsey Clark said the FBI investigated Shaw and cleared him of any part in the assassination. President Johnson said he sees no reason to reopen the Warren Commission's investigation.

At a press conference Thurs-



CLAY L. SHAW  
Smiles during press conference

—AP WIREPHOTOS.



day, Shaw denied any part in any conspiracy at any time.

### Garrison Alleges

#### There Was Conspiracy

Oswald was named by the Warren Commission as the lone assassin. Garrison has said there was a conspiracy, that the Warren Report was wrong, and that he will make arrests and get convictions. Shaw was the first person arrested as a result of Garrison's probe.

The name "Clay Bertrand" was first mentioned in connection with the assassination by Dean A. Andrews Jr., an assist-



—Photo by The Times-Picayune.  
DEAN A. ANDREWS JR.

ant district attorney in Jefferson Parish who was being questioned by Garrison's office late Thursday afternoon.

Andrews told the Warren Commission that the day following the assassination he was called by a man who identified himself as "Clay Bertrand" and was asked to defend Oswald.

Andrews also claims that Oswald visited him several times during the summer of 1963 to discuss his other-than-honorable discharge from the Armed Forces, the citizenship status of

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## EVIDENCE OF PLOT CLAIMED

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his wife and his own citizenship status.

Of Andrews' testimony, the Warren report said: "Andrews, who believed that he was contacted on Nov. 23 to represent Oswald, testified that Oswald was always accompanied (when he visited Andrews' office) by a Mexican and was at times accompanied by apparent homosexuals. Andrews was able to locate no records of any of Oswald's visits."

The DA's warrant application said that its "confidential informant" was given sodium pentothal (commonly called truth serum); and his information under the treatment "verified, corroborated and reaffirmed his earlier statements."

It said that Dr. Nicholas Chetta, Orleans Parish coroner, administered, controlled and supervised the truth serum test.

The full text of the warrant application follows:

Criminal District Court  
Parish of Orleans  
State of Louisiana  
Application for Search Warrant

Before me, the undersigned judge of the criminal district court, Parish of Orleans, State of Louisiana, personally came and appeared: Louis Ivon, chief investigator for the district attorney's office for the Parish of Orleans living and residing at 10115 Seawood dr. New Orleans, Louisiana.

Who, after being duly sworn by me, deposed and said that a search warrant should issue authorizing the search, during the daytime or the nighttime and on Sunday, of the following described premises:

Municipal number: 1313 Dauphine.

Type of occupancy: Residence.

Structure: Brick 2-story, white masonry building with side of building facing Dauphine street and continuation of building joining wall and enclosing court-

yard. The entrance to 1313 Dauphine street is a red wooden door.

Number of stories: 2 stories.

For the purpose of seizing the following described property: which has been used as a means of committing an offence or which may constitute evidence tending to prove the commission of an offence, to wit: photographs, letters. Political propaganda, leaflets, address book, newspapers, telegrams, telegrams, cancelled checks, maps, diagrams, blueprints, time schedules, telephone bills, copies of manuals and manuscripts, recordings, ledgers, cancelled airplane tickets, telephone vouchers, tools and implements, guns rifles, ammunition, telescopic sights, gun cases, miscellaneous gun parts, gun cleaning kits.

The reasons and facts for the request of this search warrant are: affiant has evidence that meetings were held in the apartment of David W. Ferrie at 3330 Louisiana Avenue Parkway and the people present were David W. Ferrie, Clay Shaw (alias Clay Bertrand), and Lee Harvey Oswald and an informant and other persons. These meetings were held in September, 1963, and the above named individuals, namely David W. Ferrie, Lee Harvey Oswald and Clay Shaw (Alias Clay Bertrand) were discussing how they would kill John F. Kennedy, President of the United States. At these meetings there was an agreement and combination among Clay Shaw (alias Clay Bertrand), Lee Harvey Oswald and David W. Ferrie and others to kill John F. Kennedy. At these meetings there was discussion and agreement to carry out this conspiracy. One of the sources of information of the affiant is a confidential informant who was present at the meetings and saw the conspirators and heard the plans. This confidential inform-

ant saw David W. Ferrie and Clay Shaw (alias Clay Bertrand) and Lee Harvey Oswald and others and this confidential informant heard these subjects agree to kill John F. Kennedy, and heard these subjects discuss the means and manner of carrying out this agreement.

That the said confidential informant after giving this statement to the affiant voluntarily submitted to sodium pentothal commonly called truth serum, which was administered under the care and control and supervision of the coroner for the Parish of Orleans, a medical

## In Court Here Over JFK Probe



ATTORNEYS APPEAR in the court of Criminal District Court Judge Bernard J. Bagert on Thursday as the district attorney's office requests a preliminary hearing for Clay L. Shaw, accused by DA Jim Garrison of con-

spiring in the assassination of President John F. Kennedy. Shown here are Atty. Guy Johnson (left), representing Shaw, and First Asst. D.A. Charles R. Ward.

—Photo by The Times-Picayune.

shot. He stayed at the St. Francis Hotel. According to reports, he went there to deliver an address to trade officials.



doctor. That the said confidential informant while under the sodium pentothal verified, corroborated and reaffirmed his earlier statements.

That Clay Shaw (alias Clay Bertrand) presently resides at 1313 Dauphine street in particularly described above and that he resided at said address at all times mentioned in the affidavit.

Louis Ivon (Signature)  
Affiant

Sworn to and subscribed before me this 1st day of March 1967, at New Orleans, Louisiana.

Matthew S. Braniff  
(Signature)  
Judge of the Criminal  
District Court, Section B

#### CORONER PRESENT WHEN DRUG WAS USED

Chetta was asked if he gave the truth serum to the unnamed informant.

"I was present. that's all," he replied.

Chetta referred all other questions to the district attorney.

In another development Thursday, a preliminary hearing for Shaw was set for March 14. It was requested by Garrison—an unusual step for the prosecution. Guy Johnson, an attorney for Shaw, said: "We do not understand the motivation of Mr. Garrison."

The motion for the preliminary hearing was given to Judge Bernard J. Bagert, who was sitting as committing magistrate Thursday. Judge Bagert allotted the case to himself the next time he sits as committing magistrate, which is Nov. 14. Charles R. Ward of the DA's office presented the motion. Judge Bagert said later that it is "unusual" for the state to request the preliminary hearing.

Shaw's arrest was announced at about 5:45 p. m. Wednesday. He was released on \$10,000 bond some 3½ hours later.

Earlier Thursday, the ne

U.S. Attorney General Clark, said the FBI investigated Shaw late in 1963 and cleared him of any link with the assassination. "On the evidence that the FBI had, there was no connection found," Clark said in Washington.

No formal charge has been filed against Shaw. Garrison's office simply stated the reason for his arrest.

A bachelor, Shaw directed ITM for 18 years before retiring to devote his time to real estate and personal interests.

Ferrie, a free-lance pilot whom Garrison described as "one of history's most important individuals," was found dead in his bed. Dr. Chetta ruled that death resulted from natural causes, but Garrison has continued to maintain that Ferrie committed suicide.

Ferrie was questioned by Garrison's office in November 1963, 72 hours after Kennedy was killed. He was questioned again last November.

Shaw, 54, was in San Francisco the day

## Investigation At-A-Glance

District Attorney's office says it has evidence linking Clay L. Shaw, David W. Ferrie and Lee Harvey Oswald in a conspiracy to murder President Kennedy. (Story in Sec. 1, Page 1.)

Clay L. Shaw denies he "conspired with anyone at any time at any place" to murder President Kennedy. (Story in Sec. 1, Page 1.)

District Attorney's office lists items taken with search warrant from Clay Shaw's residence. (Story in Sec. 1, Page 1.)

President Johnson refers to past statement that he sees no reason to reopen Warren Commission investigation. (Story in Sec. 1, Page 1.)

Atty. Gen. Ramsey Clark says the FBI has cleared Clay Shaw of any part in the President's assassination. (Story in Sec. 1, Page 1.)

## 'Shocked, Dismayed,' Says Public Statement

Addressing a crowded press conference Thursday in a calm and steady voice, Clay Shaw emphatically denied that he "conspired with anyone at any time at any place" to murder President John F. Kennedy.

It was Shaw's first public statement since the office of District Attorney Jim Garrison announced Wednesday night that Shaw, former managing director of International Trade Mart, had been arrested for participating in a conspiracy to murder the late President.

Reading from a prepared statement, the silver-haired Shaw said: "I am shocked and dismayed at the charges which have been filed against me. I am completely innocent of any such charges."

He continued:

"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. I have always had only the highest and utmost respect and admiration for Mr. Kennedy. The charges filed against me have no foundation in fact or in law.

"I have not been apprised of the basis of these fantastic charges and assume that in due course I will be furnished with this information and will be afforded an opportunity to prove my innocence.

"I did not know Harvey Lee Oswald (sic) nor, to the best of my knowledge, do I know anyone who knew him. I have never seen or spoken to Oswald or anyone who I knew was associated with him.

"I have received messages of support from persons in this country and abroad who are dismayed and shocked at the accusations that are made against me. These people know me well and know I am incapable of being involved in a plot of this kind. Their expressions of confidence have been gratifying."

Shaw also told the press conference, in answer to a question, that he never used the name "Clay Bertrand," nor was familiar with anyone named "Clay Bertrand."

## Bertrand Allegedly Was Alias for Shaw

In the district attorney's ap-



plication for a warrant to search Shaw's home following his arrest Wednesday, "Clay Bertrand" is listed as an alias for Shaw.

The name "Clay Bertrand" was first brought into the assassination story by Dean A. Andrews Jr., a Jefferson Parish district attorney.

Andrews told the Warren Commission that the day after the assassination, Nov. 23, 1963, he received a telephone call from a man who identified himself as "Clay Bertrand" and asked Dean to represent Oswald, the accused assassin.

The Warren Commission said it was unable to locate such a person.

Just recently, Andrews told

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The Times-Picayune that Bertrand was "in and out of New Orleans." He did not elaborate and would not comment further.

Shaw's press conference was scheduled to begin at 2 p.m. in the office of Edward F. Wegmann, one of Shaw's attorneys. Also present was Herve Racivitch. Both attorneys are with the firm of Racivitch, Johnson, Wegmann and Mouledoux.

However, the conference got underway a few minutes before 2 p.m.; and after reading his statement, Shaw was asked if he would repeat it for newsmen who arrived after the conference began to take it down on tape. He reread it with the same calm, steady voice.

Shaw then answered questions.

### He Says He Never Overheard Talk

He said he never overheard any conversation concerning a conspiracy; and though he was not aware that he was investigated by the FBI, he was delighted and pleased with the announcement from Washington, D. C., that he was cleared by them during the probe of Kennedy's death.

Asked why he thought he was investigated by the FBI, Shaw said, "Possibly because of the distribution of pro-Castro leaflets outside the International Trade Mart." However, he said later that he never saw Oswald.

the day he distributed leaflets or at any other time.

Asked about information contained in the search warrant application referring to a confidential informant linking him with Oswald and Ferrie in a conspiracy, Shaw said:

"I never met, as far as I know, Mr. Dave Ferrie. I was never in his apartment."

Shaw was also asked if he was worried and if he agreed with some persons who claim that Garrison is on a witch hunt. He said he was not worried. Regarding a witch hunt, he replied: "I think you should ask Mr. Garrison about that."

Asked why he thought Garrison arrested him, Shaw said he had no way of knowing, adding, "I guess he felt he had a duty to perform."

Shaw also said that he was questioned by Garrison's office about Christmastime last year when he was asked to answer questions about Oswald distributing leaflets in front of the old ITM, and Shaw said he told them that he did not actually see Oswald that day.

### Shaw Asked Again About 'Clay Bertrand'

He was asked again about the name "Clay Bertrand," and he said: "I repeat, I never use it. I never heard of it."

Shaw, asked if he knew any reason why he would be

charged as participating in an assassination plot, said: "I don't understand what he's (Garrison) getting at."

At one point Wegmann said he had "every confidence in the world in Mr. Shaw's absolute and complete innocence."

He said Garrison did not question him Wednesday; and when asked what he was questioned about by others in the DA's office, he said, "No comment."

In addition to denying ever knowing Oswald or Ferrie, he said he does not know any anti-Castro Cubans. "No," he said, "I have not known any of them."

Shaw was dressed in a grey suit, and as he moved toward the room where the press conference was to be conducted, he recognized a newsman, said hello and shook hands with him. The conference lasted slightly

more than 10 minutes.

Andrews has said that Bertrand, whom he knew mainly by telephone, was a man who called him from time to time and asked him to represent homosexuals who were picked up by the police.

Andrews would not be interviewed at his apartment Thursday, but referred reporters to testimony in the Warren Report.

There are 14½ pages of testimony by Andrews in which he tells that Oswald came to him for legal advice early in the summer of 1963.

Andrews said that Oswald wanted some advice about his service discharge. He told the commission that Oswald came to his office in the company of some homosexuals, whom he described as "Mexicanos."

He told commission attorney Wesley J. Liebeler that he had no direct contact with Oswald after the assassination but that he received a phone call asking him to go to Dallas to defend Oswald.

"I was in Hotel Dieu, and the telephone rang. A voice I recognized as Clay Bertrand asked me if I would go to Dallas and Houston—I think Dallas, I guess, wherever it was this boy was being held—and defend him. I told him I was sick in the hospital, if I couldn't go, I would find someone who could go."

Andrews said he assumed Bertrand was the one who had sent Oswald to his office. He said he had never seen Oswald or the homosexuals who accompanied him before. "They were just walk-ins," he related.

Andrews was not specific about the time of day he got the phone call from Oswald. He explained to Liebeler that he was in the hospital because he had pneumonia and was under heavy sedation at the time.

The FBI and the Warren Commission were given conflicting descriptions of Bertrand by Andrews. In a statement to the FBI in December of 1963, he described Bertrand

as about six feet, one to two inches tall, brown hair, well dressed. When giving testimony to Liebler, he described Bertrand as follows: "He is about five feet, eight inches. Got sandy hair, blue eyes, ruddy complexion. Must weigh about 165, 170, 175."

When asked about the discrepancy, Andrews said: "But you know, I don't play Boy Scouts and measure them. I have only seen this fellow twice in my life."

Andrews told Liebler: "This is my impression, for whatever it is worth, of Clay Bertrand: His connections with Oswald I don't know at all. I think he is a lawyer without a briefcase. That's my opinion. He sends the kids to different places. Whether this boy is associated with Lee Oswald or not, I don't know, but what I would say, when I met him about six weeks ago when I ran up on him and he ran away from me, he could be running because he owes me money, or he could be running because they have been squeezing The Quarter pretty good looking for him while I was in the hospital, and somebody might have passed the word he was hot and I was looking for him, but I have never been able to figure out the reason why he would call me, and the only other part of this thing that I understand, but apparently I haven't been able to communicate, is I called Monk Zelden on Sunday at the NOAC (New Orleans Athletic Club) and asked Monk if he would go over—be interested in a retainer and go over to Dallas and see about that boy. I thought I called Monk once. Monk says we talked twice. I don't remember the second."

"It's all one conversation to me," said Andrews.

"Only thing I do remember about it, while I was talking to Monk, he said, 'Don't worry about it. Your client just got shot.' That was the end of the case. Even if he was a bona fide client, I never did get to him; somebody else got to him before I did. Other than that, that's the whole thing, but this boy Bertrand has been bugging me ever since."

Andrews said that Bertrand owes him money but "I ain't looking for him for that. I want to find out why he called me on behalf of this boy after the President was assassinated."