

Indictment In 'Kennedy Plot' Case

Associated Press

New Orleans

District Attorney Jim Garrison yesterday obtained a grand jury indictment of Clay L. Shaw on a charge of "willfully and unlawfully conspiring" to murder President Kennedy.

Garrison had previously indicated he would bypass the grand jury and file a bill of information to bring Shaw, 54, a decorated World War II Army major and retired New Orleans businessman, to trial.

Three state judges ruled last Friday at the conclusion of a four-day preliminary hearing that Garrison had produced enough evidence to warrant holding Shaw for trial.

With an indictment, Garrison can keep the information not brought out at the preliminary hearing secret until a trial is held.

By filing a bill of indictment, the district attorney would have had to divulge specific details of his case. In Louisiana, a prosecutor

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has a choice of bringing a man to trial by either a grand jury indictment or a bill of information.

The indictment was returned to Criminal district Judge Matthew Braniff, one of the three judges who heard last week's testimony. Asked why the case was taken to the grand jury instead of a bill of information being filed, the judge told newsmen:

"Gee, I don't know, perhaps because of the seriousness of the situation. It's a public affair. The President of the United States is involved."

Garrison would not comment on the move. One of his

assistant attorneys Aliv Oser, told newsmen:

"This is the way Mr. Garrison wanted it."

The grand jury's true bill charged Shaw with "wilfully and unlawfully conspiring with David W. Ferrie, Lee Harvey Oswald and unnamed others to murder John F. Kennedy."

DEATH

Later Shaw's attorney won permission for his client to leave the court's jurisdiction to vacation on the Mississippi gulf coast during the Easter holidays.

Of the three alleged conspirators listed in the indictment, Shaw, a former managing director of the International Trade Mart here, is the only one still alive.

Ferrie, a freelance pilot with a homosexual record, was found dead in bed February 22 while under investigation by Garrison's office. Ferrie's death was due to natural causes, the coroner said, although Garrison said it was a suicide.

Oswald, the New Orleans-born ex-Marine who defected to the Soviet Union for three years and then returned to the United States, was killed in Dallas by Jack Ruby two days after the Nov. 22, 1963, assassination of Mr. Kennedy.

WITNESS

The report of the Warren Commission concluded that Oswald was the assassin and acted alone. No evidence could be found of a conspiracy, the Commission said, noting that it could not, however, establish categorically that there was no conspiracy.

The indictment came after Perry R. Russo, a Baton Rouge insurance salesman who was Garrison's star witness in the preliminary hearing, made a surprise appearance before the grand jury.

Grand jury foreman Albert V. Labiche, a prominent businessman here, said afterward that Russo was the only witness the body heard yesterday in connection with the Kennedy assassination.

Russo, 25, spent one hour and 50 minutes with the grand jury.

Emerging between two of Garrison's assistants, Russo told newsmen:

"I can't talk right now."



UPI Telephoto

DEAN ANDREWS Perjury charge

Russo, his memory aided by hypnotism and sodium pentothal — the so-called truth serum — had calmly told the three judge court that he heard Shaw, Ferrie and Oswald plotting to kill Kennedy at a meeting in Ferrie's apartment in September, 1963.

ALIAS

Russo said Shaw was introduced to him as "Clem Bertrand" and Garrison has charged that Shaw used "Clay Bertrand" as an alias. Shaw has denied all of these accusations.

Before the surprise indictment was handed down Dean A. Andrews Jr., an ousted county attorney who says Oswald consulted him in 1963 on minor legal matters, pleaded innocent to a charge of committing perjury before the grand jury.

Andrews, 44, a rotund lawyer suspended last week as an Assistant District Attorney in suburban Jefferson parish, pleaded innocent at his arraignment before criminal district judge Frank Shea.

The grand jury indicted Andrews last Thursday, saying he gave answers that he "well knew were false and untrue" when questioned about the conspiracy probe.

'VOICE'

Andrews once told the Warren Commission that he was contacted by "a voice" he knew as Clay Bertrand after the Kennedy assassination. Andrews said that Bertrand asked him to go to Dallas to represent Oswald.

The motion for Shaw to leave town for the weekend stipulated he would go to the Gulf Coast today and return Monday.

Shaw has been in Southern Baptist hospital here since last Saturday undergoing treatment for fatigue and an old back injury.

Late last night Shaw was released from the hospital.

Shaw has been free under \$10,000 bond since his arrest March 1.

Conviction on a murder conspiracy charge in Louisiana carries a maximum penalty of 20 years.

U.S. Attorney General Ramsay Clark said recently that the FBI had cleared Shaw of any part in the Kennedy assassination. He declined to say what prompted the FBI to check out Shaw, whose name does not appear in any of the Warren Commission testimony or exhibits released to the public.