

GARRISON LABELS OSWALD A 'DECOY'

Says Real Assassins Hoped
Police Would Kill Suspect

By PETER KIHSS

District Attorney Jim Garrison of New Orleans contends that Lee Harvey Oswald was set up by the real assassins of President Kennedy as a "decoy" with the hope that he would be killed by angry Dallas policemen.

The theory by Mr. Garrison, who challenges the Warren Commission report that Oswald was the lone assassin of the President, was broadcast Tuesday night by the Columbia Broadcasting System. It was part of the third of the network's series of telecasts growing out of a seven-month study of the report by the commission headed by Chief Justice Earl Warren.

The Orleans Parish prosecutor arrested a retired businessman, Clay L. Shaw, last March 1 on grounds that he had conspired with Oswald and a now-dead airline pilot to assassinate the President.

In a telecast on May 21, Mr. Garrison said that Oswald "did not even touch a gun" on Nov. 22, 1963, when the President was killed. Instead the District Attorney contended, the assassins were five anti-Castro Cubans angered over the failure of the Bay of Pigs invasion.

Murder Held Arranged

In the latest C.B.S. interview by Mike Wallace, which the network said was filmed in New York June 15, Mr. Garrison contended that the conspirators arranged the murder of Dallas Patrolman J. D. Tippit in a scheme "to get rid of the decoy in the case, Lee Oswald." The Warren report held that Oswald also killed the policeman.

"So that he [Oswald] would not later describe the people involved in this," Mr. Garrison said, "they had what I think was a rather clever plan. It's well known that police officers react violently to the murder of a police officer."

"All they did," he continued, "was arrange for an officer to be sent out to Tenth Street, and when Officer Tippit arrived there, he was murdered. Oswald was pointed to, sitting in the back of the Texas Theater, where he had been told to wait."

"Notification is gotten to the police of a suspicious man at the back of the theater. And you know the rest. The Dallas police, apparently—at least the arresting police officers—had more humanity in them than the planners had in mind, and this was the first point at which the plan did not work completely."

"So Oswald was not killed

Lawyer Says He Knows the Real 'Clay Bertrand'

By GENE ROBERTS

Special to The New York Times
NEW ORLEANS, June 28—

A New Orleans lawyer said today he knows the true identity of a mystery figure who has played a major role in District Attorney Jim Garrison's investigation of the Kennedy assassination.

Dean A. Andrews, the lawyer, said the real "Clay Bertrand" is the operator of a local bar and not Clay L. Shaw, a businessman arrested after he was accused by Mr. Garrison of participation in an assassination plot. Mr. Shaw is awaiting trial.

"Clay Shaw is not, never has been, never will be and cannot be Clay Bertrand," said Mr. Andrews.

William Gurvich, who resigned early this week as a key investigator for Mr. Garrison, said that Mr. Andrews had told Mr. Garrison "months ago" that Mr. Shaw was not "Bertrand," but that Mr. Garrison had consistently refused to drop conspiracy charges against Mr. Shaw.

The real "Clay Bertrand" was described by Mr. Andrews as a "client and a friend of mine."

there, he was arrested. This left a problem. Because if Lee Oswald stayed alive long enough, obviously he would name names, and talk about this thing that he had been drawn into. It was necessary to kill him."

Enter Jack Ruby

"That's where Jack Ruby comes into the picture?" Mr. Wallace asked, referring to the man who later fatally shot Oswald in the midst of his transfer from the Dallas city jail.

"That's right," Mr. Garrison replied. "It was necessary for one of the people involved to kill him."

As to his own investigation, Mr. Garrison said:

"We have conversations about the assassination of the President of the United States, and it does not include only the conversation brought out at the preliminary hearing. We have money passed, with regard to the assassination of the President of the United States."

Tuesday night's telecast included a contention by William

Mr. Andrews's testimony to the Warren Commission about the mysterious "Mr. Bertrand" was one of the developments that led Mr. Garrison to conclude that President Kennedy's death was the result of a conspiracy.

Mr. Andrews, a rotund man who talks in Damon Runyon style, told Warren Commission lawyers that Clay Bertrand sent Lee Harvey Oswald to his law office in the summer of 1963. Oswald is the man who, according to the commission, killed President Kennedy alone and unaided.

Both Mr. Andrews and Mr. Gurvich came to the Orleans Parish Criminal Courts building today to appear before the Parish grand jury.

While waiting to testify, Mr. Gurvich said he hoped "the grand jury would insist on a more neutral adviser than Garrison" in trying to assess his charges that the Kennedy investigation had involved "misconduct and malfeasance" on the part of the district attorney's office.

Mr. Gurvich told newsmen he was convinced that John Cande

a convicted burglar, was being truthful when he charged recently that a member of Mr. Garrison's staff had asked him to "put something into" Mr. Shaw's apartment.

He said he could not vouch for the story "words for words." But, he said, "somebody in the district attorney's office told me a long time back that Candler had been asked to break into Shaw's apartment."

He also said he was "constantly surprised" at the way in which Mr. Garrison developed "leads" in the assassination inquiry.

Once, he said, Mr. Garrison received a letter from a housewife in Texas who was trying to find her husband in an effort to collect support payments.

She described her husband, Mr. Gurvich said, as having a scar over his left eye and as being a native of British Honduras.

(no continuation -- see story by Jack Nelson, St. Petersburg Times, 29 June 1967.)

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