

SUSPECT IN 'PLOT' LINKED TO OSWALD

Clandestine Meeting Alleged in New Orleans Document

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 assassination 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" agreed 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.

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. Liebeler, 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, 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 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.

The search warrant was requested yesterday, and an application was signed by Louis Ivon, chief staff investigator for Mr. Garrison's office. The reasons given in the application for requesting the search warrant were:

"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 these meetings and saw the conspirators and heard the plans. This confidential informant 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.

"While under the sodium pentothol, the said informant, after giving this statement to the affiant, voluntarily submitted to sodium pentothol, commonly called truth serum, which was administered under the care and control and supervision of the coroner for the Parish of Orleans, a medical doctor. That the said informant totally verified, corroborated and reaffirmed his earlier statements."

Statement by Shaw

All of this was denied in a prepared statement read by Mr. Shaw at the news conference he called today in the offices of his attorneys. The text of Mr. Shaw's statement is as follows:

"I am shocked and dismayed at the charges which have been filed against me. I am completely innocent of any such charges.

"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 Cleared, Says Clark

WASHINGTON, March 2 (AP) — The acting Attorney General, Ramsey Clark said today the Federal Bureau of Investigation had already investigated and cleared Clay L. Shaw of any part in the assassination of President Kennedy.

Mr. Clark made the statements moments after the Senate Judiciary Committee approved his nomination to become Attorney General.

Mr. Clark said the Justice Department knew what District Attorney Jim Garrison's case involved and did not consider it valid.

He said Mr. Shaw "was included in an investigation in November and December of 1963."

"We have the evidence and we can assume what their conclusions are," Mr. Clark said.

"On the evidence that the F.B.I. has, there was no connection found" between Mr. Shaw and the assassination of the President in Dallas Nov. 22, 1963, Mr. Clark said.

The F.B.I. and the Justice Department had previously refused to discuss Mr. Shaw's arrest.

Harold Weisberg (Oswald in New Orleans, p. 213) quotes AP on Clark statement, as carried by Washington Star: "However, the former chief counsel to the Warren Commission, J. Lee Rankin, said earlier that 'as far as I know, we've never heard of this person (Shaw)'. Weisberg says little change was made in the AP story as carried by other morning papers, 'but the one change that was made was deletion of the quote from . . . Rankin.'"