

# Dismissal Denied In 'JFK Plot'

NEW ORLEANS—(UPI)—Dist. Judge Edward J. Bagert refused today to dismiss a charge of conspiracy to kill President Kennedy filed against a prominent New Orleans man.

Bagert also denied six of seven points in a motion to force Dist. Atty. Jim Garrison to file a bill of particulars on the charge against Clay L. Shaw and what Garrison said was a New Orleans conspiracy to assassinate the President.

The judge deferred ruling on the seventh point—forcing Garrison to reveal the identity of a "confidential informant" who allegedly attended meetings of conspirators.

The judge also deferred action on a motion to suppress evidence taken from Shaw's French Quarter apartment on grounds the search and seizure was illegal.

## TO COMPLY

Bagert said he will rule on both points at a March 14 preliminary hearing requested by Garrison. The judge said he would decide at that time whether the informant is reliable and whether his testimony is admissible.

After the brief session in Judge Bagert's courtroom, Assistant District Attorney James Alcock said his office would provide "more than

enough" evidence Tuesday to hold Shaw for trial.

The motion had asked that a murder-conspiracy charge against Shaw be quashed and evidence be suppressed.

Shaw's attorneys contended a search of Shaw's apartment March 1—the night he was arrested—was illegal.

Shaw has been charged so far only with "conspiracy to commit murder" without the intended victim named.

## HELD ILLEGAL

But in an application for the search warrant, Garrison's office contended Shaw, Oswald and others conspired against Kennedy's life.

Shaw, 54 year old retiree managing director of the New Orleans International Trade Mart, is free on \$10,000 bond.

He was the first person arrested as a result of Garri-

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son's investigation of the Kennedy assassination.

The search warrant application alleged a "confidential informant" attended meetings of the alleged conspirators in the apartment of former airline pilot David W. Ferrie.

Garrison's investigators seized five paper cartons of Shaw's belongings as evidence. Attorneys Edward Wegmann and Guy Johnson contended in the motion they did so illegally.

Wegmann also said:

"It is our position that he

(Garrison) must present testimony from witnesses who have personal knowledge of the events involved in his allegations."

This would mean that Garrison's confidential informant would have to testify he personally heard the plotting.

Shaw is the only one of the alleged conspirators still alive.

Oswald was shot to death by Jack Ruby shortly after the Nov. 22, 1963, assassination in Dallas.

Ferrie, a weirdly disfigured man who had neither hair nor eyebrows, died Feb. 22 of natural causes in New Orleans.

Bagert was working today on ground rules for news media coverage of Tuesday's hearing. He is studying the Sam Sheppard murder case, in which pre-trial publicity contributed enormously to the successful appeal of the Cleveland osteopath.

Bagert said he also has talked with Judge Herbert C. Paschen, who is trying accused mass murderer Richard Speck in Peoria, Ill.

Speck's trial was moved on a change of venue from Chicago, where the eight nurses were stabbed and strangled in a hospital dormitory.