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Garrison Has Shaw Indicted

NEW ORLEANS (AP) — Dist. Atty. Jim Garrison, changing his tactics, obtained a grand jury indictment Wednesday of Clay L. Shaw on a charge of "willfully and unlawfully conspiring" to murder President John F. Kennedy.

The surprise indictment came a few hours after Dean A. Andrews Jr., an attorney who says Lee Harvey Oswald consulted him in 1963 on minor legal matters, pleaded innocent to a charge of committing perjury before the grand jury.

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

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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 an actual trial is held.

WEDNESDAY'S indictment was returned to Criminal Dist. 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 assistants, Alvin Oser, told newsmen:

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

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

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 Wednesday in connection with the Kennedy assassination.

Russo, 25, spent 1 hour and 50 minutes with the grand jury.

Emerging between two of Garrison's assistants, Russo told newsmen: "I can't talk right now."

Russo, his memory aided by hypnotism and sodium pentothal — the so-called truth serum, calmly told the three-judge court he heard Shaw, Ferrie and Oswald plotting to kill Kennedy.

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 Feb. 22 while under investigation by Garrison's office. Ferrie's death was due to natural causes, the coroner ruled.

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 Kennedy assassination.

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 capped another hectic day in the crimi-

nal district courts building where earlier Andrews had been arraigned for perjury and Shaw's attorney had won permission for his client to leave the court's jurisdiction to vacation on the Mississippi Gulf Coast during the Easter holidays.

The grand jury indicted Andrews, 44, last Thursday, saying he gave answers that he "well knew were false and untrue" when questioned about the conspiracy probe.