

(Mount Clipping in Space Below)

Trial of Shaw 13th Day; Juror Needed

The trial of Clay L. Shaw moved into its 13th day today with 13 men on the jury panel and Judge Edward A. Haggerty Jr. had hopes his work would change and the jury could be completed today.

Needed before testimony in begin is one more alternate juror. The 12th man on the actual jury was sworn in Saturday, and the first alternate was picked yesterday.

Shaw, 55, is on trial in Criminal District Court on charges of conspiring to kill President John F. Kennedy, who was shot to death in Dallas Nov. 22, 1963.

THE ALTERNATE chosen yesterday is Joseph Beilman Jr., 26, a Kalvar Corp. employee.

Judge Haggerty summoned more potential jurors, called "talent" jurors because they were called after the regular panel was exhausted, into court today and said he expected the final panelist would come from this group.

The judge indicated that if the jury is completed today, testimony will begin tomorrow. Actually, the first step will be the hearing of motions, followed by opening statements by both state and defense. Then the state will begin calling witnesses.

IT WAS REVEALED yesterday that District Attorney Jim Garrison personally will make the state's opening statement, a 15-page document.

Thus far in the trial, Garrison has left the courtroom work to assistant DA James

L. Alcock, whom the named chief prosecutor.

Another reason for believing selection of the second alternate will go quickly is that the state is out of peremptory challenges, by which a juror may be rejected without a reason being given. The sense has one left.

THE MAJOR development in the trial yesterday was a request by the defense that Judge Haggerty grant immunity from prosecution to Mrs. Harold McMaines, 24, of Des Moines, Iowa, if she will come to New Orleans to testify as a defense witness.

Mrs. McMaines, then Sandra Moffett, lived in New Orleans in the early 1960s and was the girl friend of Perry Raymond Russo, the state's star witness at a preliminary hearing for Shaw.

She has refused to return from Iowa, which is not a party to the interstate agreement for return of witnesses, because she says she is afraid of Garrison.

THE DEFENSE motion that the court protect the woman is one of several to be argued after the jury is completed.

Chief Shaw Counsel F. Irvin Dymond said Mrs. McMaines is important because she denies a story told by Russo, 26, at the preliminary hearing. Russo testified he took Sandra to a party in September 1963 at the Louisiana Ave. Parkway apartment of David William Ferrie. While there, Russo said, he heard Shaw, Ferrie and Lee Harvey Oswald plotting to kill Kennedy.

Ferrie, who died here Feb. 22, 1967, has been named by Garrison as a key figure in the alleged assassination plot. Oswald was named by the Warren Commission as Kennedy's assassin.

DETAILS OF the party, Russo testified, remained vague in his memory until he relived the occasion with the aid of a hypnotist provided by Garrison.

In a sworn deposition made in Des Moines, Mrs. McMaines said she attended no such party with Russo in 1963. She said she first met Ferrie in 1965, and it was in that year Russo took her to a party at the Ferrie apartment, not in 1963.

"WE HAVE BEEN trying to get Mrs. McMaines to come here for two years," said William Wegmann, another Shaw attorney, "and we are not about to give up on it."

A key factor in delaying the jury selection has been the fact that jurors are unpaid in New Orleans. Many of the nearly 1,000 potential jurors who have been excused said they simply couldn't afford to be away from their jobs for the expected two-month duration of the trial without pay.

But a meeting of Criminal Court judges and city councilmen called yesterday to discuss the situation made no progress because of a lack of attendance by councilmen. Two made brief appearances, but none sat in on the entire meeting.

COUNCIL PRESIDENT Moon Landrieu said the meeting was called on short notice and he personally was unable to attend, but had hoped some councilmen could. The judges did meet with Chief Administrative Officer Ben Levy, but nothing was decided.

(Indicate page, name of newspaper, city and state.)

PAGE 1

SECTION 1

STATES-ITEM

NEW ORLEANS, LA.

Date: 2-4-69

Edition: RED COMET

Author:

Editor: GEORGE W. HEALY

Title: ASSASSINATION OF

PRESIDENT JOHN F.

KENNEDY, TEXAS

Character:

11-22-63

Classification: 89-

Submitting Office:

N.O., LA.

Being Investigated

ENCLOSURE

6713