

(Mount Clipping in Space Below)

# Excuse 96 in Quest for Last Shaw Juror

## 3 Seated in 13 Days; 10 on Tap

The laborious quest for final alternate juror in the trial of Clay L. Shaw

ground on unsuccessfully his morning as 96 more potential jurors trooped before the judge and were rejected or excused.

Judge Edward A. Haggerty Jr. had expressed hope his luck would change today, the 13th day of the trial with 13 jurors already chosen. One more alternate juror is needed before the trial can proceed.

ABOUT 50 more potential jurors were on tap for this afternoon's session. The first alternate juror was picked yesterday.

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

District Attorney Jim Garrison charges Shaw conspired with Lee Harvey Oswald and others to kill Kennedy.

OF THE 150 jurors subpoenaed for today, 83 quickly were eliminated either fi-

nancial or medical reasons or because they said they had fixed opinions in the case.

Also today, the state issued a subpoena to Time Inc., in New York for the film of the assassination taken by Abraham Zapruder of Dallas.

Zapruder took the film in Dealey Plaza, then sold it to Life Magazine for \$25,000. Copies of it were used extensively by the Warren Commission, and several frames appear in the report's exhibit volume.

LAST YEAR, Garrison subpoenaed the original film, containing the Warren Commission saw only a copy with certain frames missing. Time Inc., produced not the original, but a copy made before the frames were damaged. It was shown to the Orleans Parish Grand Jury on March 28, 1968, and returned.

Today's subpoena for the film was returnable Feb. 25, indicating the state plans to take nearly three weeks to present its case.

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

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 de-

fense. 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 he 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 defense 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 Kuss, the state's

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PAGE 1

SECTION 1

STATES-ITEM

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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 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 lone 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.