

# Shaw Trial Hearing Is Continuing

Newsmen were cast in the unaccustomed role of newsmakers today as a hearing on moving Clay L. Shaw's trial outside New Orleans entered its second day.

Lawyers for Shaw, 54, who is charged with conspiracy in the assassination of President John F. Kennedy, spent most of yesterday questioning District Attorney Jim Garrison—admittedly without much success.

DURING a long series of instances in which Judge Edward A. Haggerty Jr. ruled the defense's line of questioning irrelevant, the judge remarked to chief defense counsel F. Irvin Dymond.

"I hope you're going on a smooth course—it didn't go too well this morning."

Loudly, Dymond replied:

"No, we haven't done too well."

Shaw's attorneys are asking that his trial be moved at least 100 miles from New Orleans, because, they contend, publicity about the case has made it impossible to get an impartial jury here.

Witnesses scheduled to appear today include George W. Healy Jr., executive editor of the States-Item and The Times-Picayune; Mrs. Rosemary James, a States-Item reporter; William Reed, news director of WWL-TV; Ed Planer, news director of WDSU-TV; and Alec Gifford, news director of WVUE-TV.

Yesterday, both sides swapped charges. The defense accused Garrison of trying to "poison" the public mind about Shaw.

MEANWHILE, the DA's office released a statement charging the defense asked for a change of venue only as "one more maneuver to confuse the public and to attempt to harass the prosecution."

Dymond claimed Garrison violated guidelines set up by Haggerty restricting publicity about the case. He cited the press release and urged that it be admitted as evidence that Garrison continually tries to give the case undue publicity.

But Judge Haggerty said: "I'm not here to rule on a contempt citation today. I have said before I will take that up at the conclusion of the trial against Shaw."

Garrison's statement said defense attorneys "well know that they would receive a fair trial in New Orleans and are obviously hoping the judge will overrule them so that they will have something else to complain about if they have to appeal."

THESE attorneys also well know that since the day Mr. Shaw was charged I have refrained—unlike these same attorneys—from making any statements reflecting on his guilt or innocence."

Dymond contended that to win its case against Shaw, the state first has to prove that a conspiracy to kill the President in fact existed, and that the DA's public statements were intended to establish in the public mind that there was a plot. The Warren Commission report on the slaying said the commission could find no credible evidence of a conspiracy.

But Judge Haggerty said "You could have had 50 conspiracies throughout the United States that had nothing to do with what happened in Dallas."

Thus, the judge generally disallowed questions concerning the assassination per se, admitting only those relating directly to Shaw.

Dymond asked Garrison on the witness stand:

"Did you ever give an in-

terview to the National Observer and say there is no way that Shaw can get an acquittal?"

GARRISON answered:

"I made that statement off the record and when I discovered he had printed it, I immediately wrote to the National Observer and complained."

At one point, Dymond asked Garrison if he allowed Life magazine to take pictures of property taken from Shaw's apartment. The DA said he had brought some items to his home and showed it to two reporters and other people.

"I certainly don't recall if any of them were prospective jurors," Garrison said. "We brought some of the whips out to my house and some of Mr. Shaw's executioner's outfit. Some of the confiscated items included whips, chains, capes and masks."

Many times the judge sustained objections called out by assistant DA's before defense lawyers could complete their questions.

Garrison was on the stand for 3½ hours. He was not expected to return today. Shaw was present in the courtroom.

THE DA, yawning once or twice, sometimes tapping his fingers on the witness chair or resting his chin in his hand, sometimes appeared bored with the questioning.

Meanwhile, a court hearing is scheduled tomorrow in Columbus, Ohio, of Gordon Novel's appeal of an order that he return to New Orleans for questioning in the probe. He has been subpoenaed before the Orleans Parish Grand Jury, and a judge in Columbus ruled yesterday there was no evidence to show Novel would suffer "undue hardship" if he returned to testify.

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

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STATES-ITEM

NEW ORLEANS, LA.

Date: 3-6-68

Edition: RED COMET

Author:

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Editor:

ASSASSINATION OF

PRESIDENT JOHN F.

KENNEDY, DALLAS, TX

11-22-63

Character:

AFO

Classification: 89-

Submitting Office: N.O., LA.

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