

SHAW HEARING END IS CLOSER

Last 40 Jury Prospects Take Witness Stand

By CLARENCE DOUCET
The change of venue hearing for Clay L. Shaw moved closer to completion Tuesday as the last 40 of 80 persons whose names were taken from the jury wheel made their trek to the witness stand.

Some 31 said they felt they could give Shaw a fair and impartial trial if they were members of the jury. Eight others said they had fixed opinions, while one witness was excused because of his age.

Of the 80 persons called Monday and Tuesday, 65 said they could give Shaw a fair trial. Thirteen said they had fixed opinions, and in addition to the man excused because of age, another was excused because he did not understand the legal questions.

CONSPIRACY CHARGE

Shaw is facing trial on a charge that he participated in a conspiracy to assassinate President John F. Kennedy.

His attorneys are seeking to have the trial moved from New Orleans, claiming that publicity here in the past year will prevent their client from receiving a fair trial.

It was their hope in calling the prospective jury members to the witness stand to show that pretrial publicity has had a harmful effect on the opinions of prospective jurors.

The 80 persons called represented 10 names from each jury panel of the eight sections of Criminal District Court.

At the conclusion of Tuesday's hearing, Judge Edward A. Haggerty Jr. instructed Shaw's attorneys that they had until Thursday to notify him if they desire to call any more witnesses. He did not set a deadline.

LIST OF EXHIBITS

They will also provide him with a list of news stories, television scripts and films — all

part of the scores and scores of exhibits entered during the hearing — which they want him to read or view before announcing his decision on the plea for a change of venue.

Judge Haggerty indicated that when the hearing is concluded he will submit a written decision.

If Shaw's lawyers subpoena additional witnesses then the office of District Attorney Jim Garrison will also be given an opportunity to call witnesses.

However, sources close to both the defense and the DA's office said they do not expect any more witnesses to be called.

SAME RESULTS

Tuesday's questioning of the prospective jurors followed closely the style used Monday — and in many respects produced the same results.

Witnesses who told Judge Haggerty they had no impressions or opinions about Shaw's guilt or innocence would admit under questioning by the defense that they did have some personal opinions about

the case, only to answer under cross-examination by the state that they had no personal impressions or opinions that would impede their giving Shaw a fair trial.

Because the witnesses' names were taken from the jury wheel, they were witnesses of the court and questioned first by Judge Haggerty.

Generally, he questioned them about the length of time they lived in New Orleans, what they did for work, and then would ask if it was a correct assumption that during the past year they had heard, seen, read, or talked with their friends about the Shaw case.

OPINION ABOUT CASE

They were then asked if what they had heard, seen, read or talked about had resulted in an impression or opinion about the guilt or innocence of Shaw.

They were then asked if they could give Shaw a fair and impartial trial, considering only the evidence that might be brought out in court.

The cross-examination by the defense began generally by asking the witness if he watched

television news programs regularly and read news stories in The Times-Picayune and New Orleans States-Item.

Then, normally, would begin a series of questions that, generally, led to the admission of a personal impression or opinion.

FORM OF QUESTIONS

The form of the questions was similar to this:

You have probably heard your friends and associates express this case, haven't you?

You have probably heard your friends and associates express an opinion as to the guilt or innocence of Mr. Shaw, haven't you?

Is it not a fact that you yourself, at one time or another, have expressed an opinion about this case, about the guilt or innocence of Mr. Shaw?

The state, upon cross examination, would revert to the first questions asked by Judge Haggerty, and ask the witnesses if it was correct that at the present time they have no opinions or impressions that would interfere with their giving Shaw a fair trial, considering only the facts brought out in court.

EIGHT EXCUSED

The eight witnesses who were excused Tuesday by Judge Haggerty because they said they had fixed opinions were: Raymond H. Batey, 4930 Maid Marion; Warren Smith, 4140 Paris ave.; Donald S. Miller, 1230 Harmony; Emmett Hagan, 1434 Flood; Herbert J. Meyer Sr., 2719 St. Peter; Daniel J. Granier, 1411 Kabel; Wilburn L. Abel, 1440 Chartres, and Peter Joseph Miller, 4738 Maid Marion.

Joseph M. Impastata, 83, 500 Chartres, was excused because of his age.

Others who appeared and said they could give Shaw a fair trial were:

William C. Brynes, 4467 Spain; Sam Anthony Ganci, 2423 Hyman pl.; Conrad A. McCartney, 4910 Berkley dr.; Frederick Hotstream, 7118 Perrier; Louis Thomas Aites, 2025 Congress; Albert Joseph Anderson, 3300 Trafalgar; Norman P. Baquie, 500 Andry; Paul E. Bass, no

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SECTION 1

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address given; and Nicholas J.
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Also, Walter Feltman, 4101
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Schoen, 7331 Beryl; Lester B.
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Byron L. Kane, 3611 Herald;
Felix Anthony De Genova, 8075
DeBore; John J. Meyer, 110
Sherwood Forest dr.; Henry
Roland Coebran, Jr., 223 22nd
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And, Willie M. Harrison, 808
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