(Mount Clipping in Space Balaw)

Session ⁻ails Jurors Attorneys in the trial of Clav

L. Shaw today ran through 37 prove. veniremen in a vain quest for new jurors and Judge Edward A. Haggerty Jr. said morosely, "I don't think we'll ever get a jury Ir we continue at this pace."

Having temporarily run out of potential jurors to try Shaw, S5, on charges of conspiring to kill President Ken-Redy, Judge Haggerty re-cessed court until 9 a.m. Monday.

TODAY'S session, the fifth day of the trial, ran less than three hours. It was the first day to go by without a single juror being sworn in. So far, eight have been empaneled.

'We did the best we could," the judge said glumly as he adjourned the trial. On Monday, he will begin calling up members of the jury list of Criminal District Judge Rudolph Becker.

Persons on the jury list of Judge Frank Shea were called

for this morning, but only 35 of them showed up. Attach-ments were sent out for the missing nine and, if they are found, they will be first on the docket Monday morning.

TWO HOLDOVERS from Judge Haggerty's original list were excused first today, then all 35 from Judge Shea's were questioned without a single one qualifying.

Most already had fined opinions in the case. Others said I they couldn't afford to serve two months without pay. Jurors are unpaid in New Orleans.

Judge Haggerty clashed with chief prosecutor James L. Alcock on what constitutes a

fixed opinion during the questioning of potential juror Gerald F. Duplantier, 37, of 2227 Acacia.

DUPLANTIER said he had always felt Oswald did not act alone in killing Kennedy. Al-cock challenged him, although such an opinion on the part of a juror woulld cointide with

what the state is altenipting to

The judge asked Duplantier, "Wouldn't your opinion yield to evidence presented in court?'

Duplantier said he believed he could make a fair judgment.

Alcock insisted on his challenge and the judge then made his remark about fearing he would never get a jury.

WHEN DUPLANIIER indicated he did indeed have a fixed opinion in the case, the judge excused him.

The eight jurors already picked must be locked up over the weekend, but Judge Haggerty said he is trying to arrange to allow them to go to church and perhaps take a sightseeing tour.

Twelve jurors and two alternates must be picked before testimony can begin.

THE DEFENSE exercised one peremptory challenge today, its fourth. The state has also used four. Each side started out with 12, permitting them to reject that many jurors without giving a reason. Otherwise the judge must decide an individual's fitness to serve.

YESTERDAY, the office of District Attorney Jim Garrison won at victory in Fair-vlew, Va., where Circuit Court Judge Arthur W. Sinclair ordered FBI photo expert Lyn-dall L. Shaheyren to testify as a state witness in the Shaw trial.

The state's success in getting Shaneyfelt ordered to testify raised hopes that two other witnesses in the Washington, D. C., area might be returned also. Garrison has frequently had trouble getting out-of-state witnesses extradited.

THE AUSTICE Designed haliented it will make no objording to traditions by the other two witnesses, FBI agent Robert A. Paneter and former Secret Service Agent Roy Kellerman. The 1 wo along with Shoneyfeli, were key witnesses for the Warren Commission, which found Lee Hervey Oswald acted alone in Lilling the President.

Shaveyfelt examined a nevic film taken by Abraham Zaproder the day of the reasonstration in Dallas, Nev. 22, 1533. Frazier testified about Oswald's rifle and Kellerman was riding in the can with Keanedy when he was shel.

The eight jurers seried so far include two Negroes and

10 woiner. The jurors are: Lloyd V. Heints, 45, nr oil company employa, 5218 Confi.

Larry D. Morgan, 24, an alecraft mechanic, 122 Mabo.

Herbert J. Echison, 28, 2 microfilm printer, \$534 Ddenborn.

James G. O'Quina, 20 petroleum crgincer, 6729 Brighton Pi., Algiers. Charles Daulis Ordes, 39, a

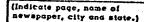
supervisor for American Can Co., 5111 Bacelch.

William Richs Jr., 25, a teocher at Booker T. Wath-ington High School, \$41 Mourepas.

Oliver M. Schultz, 39, a NOPSI cuploye, 7125 Lamb rd. Irvin Mason, 59, a machine

Operator, 2303 Tennessee. Heiniz and Elorgan were

sworn in yesternay.



PAGE 1

SECTION 1

STATES-ITEM

NEW ORLEANS, LA.

Date:1-25-69 Edition: FINAL

Author: Editor: GEORGE W. HEALY THIS ASSISSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS 11-22-63

or Classification:

89-Submitting Office: N.O.,LA.

Being Investigated

objections, but renerally the tedious job of selecting a jury to hear the Shaw case moved along relatively calmly.

The major announcement by the defense was that Shaw would take the witness stand in his take the witness stand in his own behalf. Dymond made a point of emphasizing this to each prospective juror, he questioned and then asking them if they were prepared to accept the assassinated. Friday, Judge Haggerty said

only one, although it may at-

tempt to prove others. Alcock, who will direct the prosecution, has emphasized that the state must prove only the two elements of the crime of conspiracy: First, an agreement or arrangement (a meeting of the minds) to commit a crime, and second, one overt act in furthering the object of the conspiracy.

He has pointed out that law does not require that the state prove motive.

Dymond, on the other hand, has told prospective jurors that there is one other essential element and that is the state must prove theyond reasonable doubt" that Shaw was a party to a conspiracy. He has asserted that if motive is not shown, it should be con-sidered in the favor of the defendant.

He has admonished them that creating the probability is not enough, adding that he doubts the state will be able even to do that.

Judge Haggerly has repeatedly told prospective jurors that neither the Warren Report nor the assassination of President Kennedy is on trial. He has emphasized that conspiracy and murder are two separate crimes. Alcock, on occasion, has said that the state does not have to prove the murder of President Kennedy, but he has added that the state may-eliempt to do this. Meanwhile, many witnesses

the testimony of Shaw as they will be been stated. Friday, Judge Haggerty said In the trial at one point: "I'm not saying that the state will be permitted