

DA'S SHAW

CASE OUTLINED

AS TRIAL

COMMENCES

Jan 21, 1963
The state and defense this afternoon tentatively agreed upon Irvin Mason, 50-year-old engineer, as the first juror in the trial of Clay L. Shaw on a charge of conspiring to assassinate President John F. Kennedy.

Assistant District Attorney James L. Alcock today outlined the state's case against Clay L. Shaw in the process of questioning a potential juror as the long-awaited trial got under way.

Shaw, a 55-year-old retired businessman, is on trial in Criminal District Court on charges of conspiring to kill President John F. Kennedy.

Alcock spent most of this morning's session before Judge Edward A. Haggerty Jr., questioning potential juror Irvin Mason, 50, 2308 Tennessee. Mason was to be questioned by defense attorneys in the afternoon session.

MASON WAS THE SECOND on the list of potential jurors. The first, ironically, was named John Kennedy. He was excused because, he said, he has already formed an

opinion in the case.

Alcock questioned Mason closely as to the circumstances under which he might find Shaw guilty.

Alcock explained that in order to convict, the state must establish that a conspiracy existed and that an overt act was committed in furtherance of the object of the conspiracy.

He said the state will attempt to prove six charges, any of which he said would suffice for a conviction if found to be an act committed in furtherance of a conspiracy. He listed the six:

1. There was a meeting between Shaw, Lee Harvey Oswald and David William Ferrie in Ferrie's New Orleans apartment in September, 1963, at which the assassination of Kennedy was discussed.

Kennedy was shot to death in Dallas Nov. 22, 1963.

(Oswald was named by the Warren Commission investigating the president's death as the lone assassin. Ferrie was a suspect in the assassination investigation of District Attorney Jim Garrison. He died here Feb. 22, 1963, short-



—States-Item photo.

CLAY L. SHAW SMILES as he arrives for the start of his trial on charges of conspiring to kill President John F. Kennedy.



—States-Item photo.

PERRY RAYMOND RUSSO, the state's star witness at the preliminary hearing which resulted in Clay L. Shaw being bound over for trial, sits on the steps of the Criminal Courts Bldg. where the trial began today.

ly after Garrison's probe was made public.)

2. At the meeting at Ferrie's apartment, a discussion took place of the means and weapons used in the murder, particularly the selection of high-powered rifles to be used simultaneously to produce a crossfire.

3. Shaw met Oswald and Jack Ruby in the Capitol House Motel in Baton Rouge and money was exchanged. (Ruby shot Oswald to death the day after the assassination of Kennedy.)

4. Shaw took a trip to the West Coast in November, 1963. (Shaw has said he was in San Francisco the day of the assassination. The state apparently will contend the trip was in connection with the crime.)

5. Ferrie took a trip to Houston in November of 1963. (Ferrie before his death acknowledged taking this trip but said it was a bird-hunting expedition.)

6. Oswald took the alleged murder rifle to the Texas School Book Depository. (The Warren Commission said Oswald shot Kennedy with the rifle from a window of this building, where he worked.)

All six of the state's contentions are either a matter of record or events the state has alleged in the past. Shaw has denied ever knowing Oswald, Ferrie or Ruby and has disavowed any part in the assassination.

Alcock said, "The law does not require that the alleged overt act be criminal in nature but that it was in furtherance of a conspiracy."

Alcock asked Mason if he could vote to convict Shaw on the bases of these allegations if they are proved, and he

said he could.

Mason is a machine operator for Freeport Sulphur and has two children.

At this point, a dispute broke out over whether the state should question witnesses first. The judge ruled in the state's favor.

A TOTAL OF 163 POTENTIAL JURORS is available, and

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more can be added if necessary. Garrison was not in the courtroom today.

Also today, a subpoena was issued by the defense for Oswald's widow, Mrs. Marina Oswald Porter of Irving, Tex. The state issued a subpoena for a film taken of the assassination by Abraham Zapruder and bullet fragments found at the scene. These materials are in the National Archives at Washington.

The principals in the case began to gather at the courthouse at Tulane and Broad shortly after 9 a. m. Judge Haggerty was first to appear outside the building.

Perry Raymond Russo, the state's star witness at the preliminary hearing which resulted in Shaw being bound over for trial, showed up about 9:30 with a companion identified as John Bloemer.

RUSSO TOLD NEWSMEN BLOEMER "may be a witness."

Shaw arrived at 9:50 with his attorneys. He smiled at newsmen and said "Hello." He said nothing more.

As court got under way, witnesses answering subpoenas for today were checked. Several were missing, but both sides indicated their witnesses are in fact available and pronounced themselves satisfied.

JUDGE HAGGERTY THEN HAD COURT CRIER Vincent Martell pick 12 names out of a box containing names of all 169 panelists. The first name he picked was Kennedy's.

Martello had to draw 13 names because the judge excused one potential juror, John William Kibler, for medical reasons.

After the 12 were identified, the rest of the jury panel left the courtroom and the process of calling the first 12 up for questioning was begun.

JUDGE HAGGERTY ANNOUNCED THAT once 12 jurors and two alternates are selected, each will be allowed one telephone call home and then will be sequestered for the duration of the trial. Jurors will not be able to communicate with their families without the sheriff's permission.

The trial, which has been pending since March 1, 1967, finally became a reality when Garrison's office yesterday withdrew its last-minute request for a delay and both sides said they were ready for trial.

BOTH THE DEFENSE AND THE STATE are armed with 12 peremptory challenges, by which they can discharge a juror without giving a reason. After these are exhausted, it will be up to the judge to decide whether a juror is fit to serve.

Security precautions are being placed in effect by Criminal Sheriff Louis A. Heyd Jr. and will be tightened when testimony gets under way.

Admission to the courtroom is by credentials only, and all persons entering will be frisked. A soundless, closed-circuit television camera has been installed in the courtroom with an outlet in the sheriff's office as a security measure.

The most prominent defense witness, William Gurvich, a former investigator for Garrison, was reported ill. However, the defense witnesses will not be called until late in the trial.

SHAW, 55, REMAINS FREE on \$10,000 bond while the trial is under way.