

DA Renews Bid for JFK Autopsy Info

Starts 1 hour - 30 - 69

District Attorney Jim Garrison today ordered renewed legal efforts to obtain from Washington secret autopsy data for use in the trial of Clay L. Shaw.

Assistant DA Numa V. Bertel Jr. said pleadings will be filed in Washington tomorrow in the stalled move to subpoena autopsy data on President John F. Kennedy.

Shaw, 55, is on trial in Criminal District Court here for conspiring to kill the President, who was shot to death in Dallas Nov. 22, 1963.

The trial hit a snag as it entered its ninth day today, still short one juror and two alternates.

JUDGE EDWARD A. Haggerty Jr. had ordered the 66 members of the jury panel from Section H, Judge Bernard J. Bagert's section of court, to appear at 10 a. m. for possible use in the Shaw trial.

But Judge Bagert was picking a jury himself in an armed robbery case, so his jurors were unavailable and no others were on hand. The court resumed the jury selection process this afternoon.

Meanwhile, Judge Haggerty ordered the names of 150 new prospective jurors drawn from

the jury wheel. These persons were to be subpoenaed by this afternoon and should be in court tomorrow morning.

COURTHOUSE SOURCES said that if the jury is completed by the end of tomorrow's session, the judge probably will set aside Saturday to hear motions, and opening statements to the jury will be made Monday.

The 11th juror, picked late yesterday, is David I. Powe,

417 Pacific, Algiers, a credit manager.

On the matter of the Kennedy autopsy data, Bertel declined to say what tack would be taken in the renewed court arguments.

THE DATA includes 45 photographs and 24 X-rays. Garrison says they are vital evidence in his effort to show the President was shot from more than one direction.

This would contradict the Warren Commission's conclusion that Lee Harvey Oswald acted alone in killing Kennedy. Garrison charges Shaw conspired with Oswald and others to slay the President.

On Jan. 17, Judge Charles E. Halleck Jr. of General Sessions Court in Washington, D. C., gave Bertel two weeks to show the autopsy records are relevant to the Shaw case.

THAT DEADLINE expires tomorrow.

The autopsy reports have been sealed in the National Archives until 1971 at the request of the Kennedy family.

In court yesterday, 318 persons paraded through the jury box before the single juror was agreed upon. In all, 508 persons have been questioned in the eight days, out of which 11 jurors have been seated.

Both the state and defense are down to their last peremptory challenge, by which a juror may be rejected without giving a reason. Each side started out with 12.

In the selection of alternate jurors, each side will get two more peremptory challenges.

Most of the potential jurors were excused yesterday for one of two reasons, the same ones that have snagged the process since the trial opened. Either they already had a

fixed opinion in the case, or they could not afford to serve two months without pay. Jurors are unpaid in New Orleans.

THERE WERE fewer clashes yesterday between chief prosecutor James L. Alcock and chief defense counsel F. Irving Dymond than in recent days, but Dymond was stressing to jurors the key points the state must prove in order to convict.

Dymond said Garrison's whole case hinges upon whether it can prove Shaw met with Oswald and David William Ferrie in New Orleans to plot the assassination.

"There is no way in the law that Shaw can be held responsible for the state's other contentions unless the state proves a conspiracy meeting was held," Dymond told a prospective juror.

"AND IF THERE is a doubt in your mind that such a meeting was held, then you must return a verdict of not guilty," Dymond said.

Perry Raymond Russo, the state's star witness at a preliminary hearing for Shaw, testified he heard Shaw, Ferrie and Oswald plotting the assassination at Ferrie's uptown apartment in September of 1963. Ferrie died here Feb. 22, 1967.

The conspiracy statute requires the state to establish that a conspiracy existed and that an overt act was committed in furtherance of the conspiracy.

SHAW, SINCE his arrest March 1, 1967, has denied consistently any connection with Oswald or Ferrie, or that he had any knowledge of any assassination plot.