

Garrison Will Deliver Shaw Trial Statement

Outline of Case and Opening Testimony to Be Made Wednesday, Judge Predicts

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NEW ORLEANS—Dist. Atty. Jim Garrison will deliver the critical opening statement outlining his conspiracy case against Clay L. Shaw, Criminal Judge Edward Haggerty Jr. said he was informed Monday.

The judge also predicted that the statement and initial testimony in the long-delayed case would come Wednesday.

He made the forecast after one of the two necessary alternates was accepted for the 12-man jury whose last member was seated Saturday following two weeks of selection.

"I think we'll be able to get the second alternate today," Judge Haggerty said late Monday afternoon after still another panel of 134 especially subpoenaed prospective jurors was exhausted. More than 1,000 prospects had been excused since selection, now in its third week, began Jan. 21.

Long Statement

An independent court reporter, employed especially for the Shaw case, said she had been told to be prepared for an opening prosecution statement that might run as long as five hours.

Garrison claims Lee Harvey Oswald was only a dupe in the assassination. His charge against Shaw, however, alleges that the

55-year-old defendant plotted an assassination of the President with Oswald and a former airline pilot, the late David Ferrie.

In a routine motion filed Monday, counsel for Shaw asked that a witness they want to testify for their client be given immunity from prosecution to return to New Orleans.

The witness is Mrs. Harold McMaines of Des Moines, who claims she is afraid to return lest Garrison attempt to indict her for perjury.

Former Resident

Mrs. McMaines, a former New Orleans resident whose maiden name was Sandra Moffet, was a friend of Perry Raymond Russo, the state's star witness against Shaw in a preliminary hearing held nearly two years ago.

She said in a deposition taken last June that there was no truth to Russo's story that she had attended a party with him at Ferrie's apartment in September, 1963, at which Russo claims to have overheard Ferrie, Oswald and Shaw planning to assassinate the President.