JFK 'Plot' Suspect Faces Quick Trial

W.J.T. 3/19/67

NEW ORLEANS, March 18 (UPI)—District Attorney Jim Garrison, fresh from a first round victory, was expected today to begin proceedings to try Clay L. Shaw on charges of conspiring to assassinate President Kennedy.

A three-judge panel ruled yesterday that Garrison has enough evidence to warrant trying Shaw. It was Shaw's 54th birthday.

Associated Press Wirephotos

CLAY SHAW

Garrison can either seek a grand jury indictment against Shaw or file a bill of information against him. Garrison indicated he would file the bill.

Garrison's victory in the four-day preliminary hearing came after he produced two major witnesses:

- Perry R. Russo, a Baton Rouge insurance salesman who testified that Shaw, Lee Harvey Oswald and pilot Dave Ferrie conspired in 1963 to assassinate the president.
- Vernon Bundy, 29, a former narcotics figure, who said he saw Shaw handing Oswald a roll of bills on the New Orleans lakefront in the summer of 1963.

If brough to trial, Shaw, a

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JUDGE BAGERT

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former managing director of the International Trade Mart, would be the first man to stand trial for the Kennedy assassination. Oswald was shot by Jack Ruby two days after the president's death on Nov. 22, 1963.

NOT ALL EVIDENCE

There was much debate whether the testimony of Bundy and Russo would be sufficient to convict Shaw in a jury trial, but a Garrison assistant pointed out last night the state did not have to show all of its evidence in the preliminary hearing before the three judges.

"We tried to make it clear from the outset that the State of Louisiana did not have to put all of its evidence on the stand," said James Alcock. "All we had to do was to put out enough to show probable cause."

Alcock declined to say whether Russo and Bundy were the state's best witnesses.

"I'm not going to comment on that because that essentially would be telling you what we have in reserve," he said.

Alcock said he doubted the Warren Commission report, which held that Oswald acted alone in the assassination, would be admitted as evidence in the Shaw trial. Judges conducting the preliminary hearing refused defense motions to introduce first the entire 26-volume report and later the report summary.

"If they didn't admit it in a preliminary hearing, where the rules of evidence are rather loose, I'd certainly doubt they'd admit it in a trial where the rules are more strictly adhered to," Alcock said.

Judge Matthew Braniff said he understood the Warren report was "loaded with hearsay."

The judges did not by their ruling order a trial for Shaw. They said they found "sufficient evidence has been presented to establish probable cause that a crime has been committed." They ordered him held for "further steps of the criminal process."

Shaw reacted calmly to the reading of the order.

Defense attorney William Wegmann told the court that the state failed to show probable cause in the four days of testimony and presented only uncorroborated evidence.

Wegmann said Russo was dominated by Ferrie, who died last month shortly after the Garrison investigation was confirmed.

"He (Russo) lived under the fear of Ferrie," Wegmann said.

Last night, Russo said the four-day hearing had left him exhausted. He admitted he had been hypnotized three times in recent weeks at the request of the district attorney and that he was formerly under psychiatric treatment.

"I'm tired and I want to get back to work . . . I just had a story to tell and I told it," he said.

but. "If this is a civil rights issue, then Adam has an obligation to follow in the footsteps of the civil rights activists. We have never avoided jail if we believed in the cause."

"It would serve no good purpose to create a dramatic condition here at this time," remarked Cora Walker, an attorney who is active in Harlem Republican affairs. "The trauma of his possible arrest could be tragic."