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Shaw Trial Is Set for February

Clay L. Shaw will go on trial for conspiracy in the assassination of President John F. Kennedy about the middle of February, Criminal District Court Judge Edward A. Haggerty Jr. ruled today.

This decision was the result of a compromise between the defense, which had sought a six-month delay, and the office of District Attorney Jim Garrison, who had sought a speedy trial.

The DA's office agreed to a "reasonable delay," and the judge today set the mid-February date, nearly a year after Shaw was first arrested.

Judge Haggerty officially set the trial for the first jury day in February. This varies from month to month, but is always after the 10th and usually about the 15th. Judges begin selecting the juries on the first of the month and the jury day is the first day the jury sits after this process is completed.

GARRISON CHARGES THAT SHAW, former managing director of the International Trade Mart, conspired with Lee Harvey Oswald and others here in 1963 to plot the President's death. Shaw denies it.

Also today, the judge denied a motion by the defense for a supplemental bill of particulars of the charges against Shaw. Judge Haggerty said he already had ruled on the points raised by the state. They concerned details of alleged meetings attended by Shaw in New Orleans and Baton Rouge in furtherance of the "conspiracy."

F. Irving Dymond, chief defense counsel for Shaw, indicated today he probably would seek a change of venue to move the site of the trial out of New Orleans. The judges said the law gives him until two days before the trial date to do this.

As court opened today, Dymond said he was not satisfied with the state's answer to his motion for the supplemental bill of particulars. The judge ruled the answer was satisfactory, and Dymond reserved a bill of exceptions for a possible appeal.

Judge Haggerty then took up the motion for a trial delay.

THE JUDGE SAID THAT IN view of the agreement by the state to permit a reasonable delay, "the only thing we've got to decide here is what constitutes reasonable time."

Assistant DA James L. Alcock said that since Shaw was arrested March 1, the case ought to go to trial within a year of that date.

"Would that satisfy you?" the judge asked Dymond.

Dymond said no. He said the amount of delay needed depended on the climate of opinion in New Orleans at the time. It was then that he said he probably would seek a change of venue.

"You will admit, Mr. Dymond," Judge Haggerty said, "that if you wait until two days before the trial begins, it will take at least a week of hearings" to settle the site issue.

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Shaw Will Stand Trial in February

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Dymond said he did, but he had no way earlier of knowing what the state of public opinion would be.

JUDGE HAGGERTY said he intended to do something about people who violated his order not to make public statements about the case, but did not want to make any contempt citations before the trial because it would further prejudice the case.

Dymond charged that Garrison had made "a lot of prejudicial and inflammatory statements" about the case "that would certainly prejudice jurors." He cited a lengthy interview in Playboy magazine, television interviews in New York, and said he understood Garrison was to be interviewed in Chicago later this month.

Alcock said there were also public statements on the other side, and cited "the chief justice of the U.S. Supreme Court and the attorney general of the United States."

THE JUDGE SAID it was impossible for his court to control U.S. officials.

This exchange stemmed from a request by the judge that Dymond agree to make his change of venue motion at least two weeks in advance of the trial date.

Dymond refused, saying We're going to take every bit of time the law allows us."

JUDGE HAGGERTY asked Dymond if he didn't agree that a speedy trial was one way to stop the "barrage" of publicity on the case.

"It would be if we don't care what kind of jurors we get," Dymond replied.

After the hearing, defense attorney Edward Wegmann was asked if he were surprised at the rulings.

"We're not surprised at anything. We just take it as it comes," he said.

WEGMANN REFUSED to comment on the statement allegedly made, and later denied during the weekend, by U.S. Attorney General Ramsey Clark. It was to this statement that Alcock had referred.

The incident came in an appearance by Clark at the University of Virginia.

Reporter Roy Barry of the Charlottesville Daily Progress quoted remarks he said Clark made during a question and answer period after a legal forum at the school Friday night.

Barry's story quoted Clark as saying, "Much as I hate to do it, I may have to prosecute Jim Garrison. He took a perfectly fine man, Clay Shaw, and ruined him for personal aggrandizement."

THE JUSTICE Department denied that Clark had made the statement.

Yesterday, Barry backed up his report, saying, "Clark's statement struck me immediately. I had never heard Garrison threatened before. It was hardly the kind of statement a reporter would forget."

He added that he made careful notes of the attorney general's remarks and said that law students were present when he asked Clark a follow-up question. "I then asked Clark what personal aggrandizement Garrison would get from prosecuting Shaw and what Garrison would gain by losing a nationally publicized case," Barry said.

Clark answered, Barry said, "Perhaps he (Garrison) is not as logical as you are."

Student legal forum president Rosewell Page III also refuted Barry's report. Asked about this, Barry said, "Well, in his (Page's) position, he would have to say that."