# Shaw Indictment Upheld by Judge

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Criminal District Judge Edward A. Haggerty Jr. today refused to throw out the conspiracy indictment against Clay L. Shaw and indicated that he hopes to try Shaw "next month."

Shaw is charged with criminal conspiracy in the slaying of President John F. Kennedy.

The judge acted today on two separate motions to quash the indictment against Shaw, a 54-year-old retired New Orleans businessman, the only person charged so far by District Attorney Jim Garrison with direct participation in the alleged Kennedy plot.

**AFTER RULING,** Judge Haggerty said the trial will be set next month "if it is legally possible."

He gave chief defense counsel F. Irvin Dymond until next Tuesday to file final pleadings in the case, and said he would set a trial date as soon as the final pleadings are disposed of.

Dymond, after the hearing, refused to comment on whether the defense will file a motion for a change of venue; that is to move the trial from New Orleans.

**ASKED WHAT** motions the defense still plans to file, Dymond refused to commit himself.

"We want a trial at the earliest moment," Dymond said, "but there are certain mechanics to be worked out prior to the trial, such as obtaining out-of-town witnesses."

"As far as the preparation

(Turn to Page 8, Column 2)

# Judge Refuses Shaw Case Quash

Continued from Front Page

goes, we are ready, but, as I say, there are some mechanics," he added.

JUDGE HAGGERTY gave no reason for denying the motions to quash. He denied them orally, with no written opinion.

Dymond objected to the ruling, reserving a bill of exceptions for a possible appeal.

Judge Haggerty then noted that the indictment was filed March 22, and remarked that the case is nearly six months old.

"AS OF THIS moment, there are no more pleadings in the case. I'd like to find out if the defense plans additional pleadings," the judge said.

Dymond said he did have more pleadings to file.

"I can't conceive what other pleadings you could file. You have already filed pleadings from A to Z," said Judge Haggerty.

THE JUDGE said he would give the defense a week to file its pleadings, and extended this to a week and a day at Dymond's request.

Judge Haggerty said that inasmuch as the state has moved for a speedy trial, the setting of a trial date is legally in his hands as trial judge.

"I am going to set a date for this trial as soon as all the pleadings are filed and have been dispensed with," he said.

ASSISTANT DA James L. Alcock said the state would like to reserve the right to answer any pleadings the defense might file, and added that he did not know how much time to ask for since he did not know the nature of the defense's pleadings.

The judge asked the defense attorneys if they cared to divulge the nature of their pleadings. The defense declined.

The defense had based one of its motions to quash on its claim that some members of the grand jury which indicted Shaw were connected with persons contributing funds to Garrison's probe.

THE DEFENSE also charged that the list from which the grand jury that indicted Shaw was drawn came from a pool of less than 750 names, in violation of state law.

The state has denied the charges.

On another front of Garrison's probe today, the DA's office issued a subpena for William Dalzell, 528 Dauphine, to appear before the Orleans Parish Grand Jury at 2 p. m. Thursday.

Dalzell, who was questioned by Garrison in June, has been described as a petroleum adviser to the Ethiopian government. Dalzell was an incorporator in early 1961 of an anti-Castro organization here, the Friends of Democratic Cuba.

The organization later was merged into other anti-Castro groups.