

11TH MAN PICKED FOR SHAW JURY

138 Questioned, Bringing
Total to 508

By CLARENCE DOUCET

An 11th juror was seated at 5:32 p. m. Wednesday at the close of what was the most exhaustive and exhausting day thus far in the jury selection for the conspiracy trial of Clay L. Shaw.

Some 138 persons paraded to the witness box in the Criminal District Court of Judge Edward A. Haggerty, bringing the eight day total of prospective jurors questioned to 508.

The latest juror agreed upon by both state and defense is 28-year-old David I. Powe, 417 Pacific Ave., Algiers, a credit manager.

The end of jury selection may come Thursday as both state and defense have used 11 of their 12 peremptory challenges.

RESUMES AT 10 A. M.

Questioning of prospective jurors will resume at 10 a. m. Thursday.

Judge Haggerty commented from the bench Wednesday afternoon that a record may have already been set for a Louisiana court regarding the number of prospective jurors questioned in selecting a jury of 12.

After the 12 jury members are selected all that will remain for the trial to begin will be the selection of two alternates, persons who will attend the trial on stand-by in event one of the jurors becomes ill. The state and the defense will each be allowed two peremptory challenges in connection with the selection of alternates.

The defense exercised three peremptory challenges during the day and the state two. This is a legal action by which either side may excuse prospective jurors without giving a reason. Once each side has exhausted its challenges, only Judge Haggerty may excuse prospective jurors, and then for cause.

JURORS DOZE

To stifle the apparent boredom, some jurors were observed

"dozing" momentarily and deputy sheriffs assigned to the court had to caution some persons in the press section about napping in court.

The favorite position seemed to be bending the body forward, lowering the head as though examining the floor and resting the eyelids lightly against one another.

In contrast to Tuesday, when there were several arguments between the state and defense attorneys, Wednesday's session was marked by peaceful calm. The defense did object once to a question asked by the state, but Judge Haggerty sustained the objection and that was all there was to it.

Loss of earnings continued to be a major factor in the excusing of prospective jurors. At one point, when the jury panel from the court of Judge Malcolm V. O'Hara arrived—there were 47 in the group—26 of them were excused almost immediately by consent of both sides for this reason.

CHARGE DENIED

Those persons who were excused by peremptory challenge by the defense were: Frank B. Payette Sr., the man who was being questioned Tuesday night when the trial was adjourned; Edward Fisher Jr., and Howard V. Plaeger. Payette and Plaeger are bus operators for New Orleans Public Service Inc., and Fisher is a letter carrier for the United States Post Office.

Excused by the state's peremptory challenges were Robert J. Ridley, a production engineer for Humble Oil & Refining Co., and Louis G. Durio, a geophysicist for Pan American Petroleum Co.

Shaw is charged with having participated in a conspiracy with Lee H. Oswald and David W. Ferrie to murder President John F. Kennedy. He has denied the charge as well as denied ever knowing either man named as his co-conspirators.

FRIDAY DEADLINE

Assistant district attorney James L. Alcock, Garrison's chief prosecutor in the case, said Wednesday after court adjourned he plans to push his fight for secret autopsy data on President Kennedy.

A judge in Washington has set

a Friday deadline for the state to put up evidence supporting its claim that the autopsy reports, photographs and X-rays are necessary for the trial.

Garrison's subpoena of the records was rejected Jan. 17 by Judge Charles Halleck of General Sessions Court in Washington. Garrison, the judge said, has to show some evidence that that shots were fired from more than one direction.

The Justice Department released a secret report by a panel of medical experts who supported the Warren Commission's findings that Kennedy was shot twice from behind.

In another development Wednesday, former Gov. John Connally of Texas, subpoenaed by the state as a witness, said will come to New Orleans and testify in Shaw's trial only if a Texas court says he must.

"I don't intend to go voluntarily but if a Texas District Court allows the subpoena to be served, we'll have to go."

CONNALLY WOUNDED

He referred to his wife who has also been subpoenaed. Connally and his wife were in the same car with President Kennedy when he was assassinated in Dallas, Tex., on Nov. 22, 1963. Connally was wounded.

The Warren Report, which investigated the assassination, said Oswald, acting alone, committed the crime.

Those prospective jurors excused Wednesday morning were: Because they would suffer a loss in earnings: Raymond J. Duroncellet, Normand E. Morris, Edward A. Molizone, John F. Miller Jr., Chris Joseph Grant, Robert C. Henderson, Willie King Jr., John M. Hart Jr., Ronald J. Marrero, Felton A. Johnson, Alvin Joseph Petit, Albert Jay Sholes, Vaurice Ned, Frank J. Pellenz, Warren J. Norton Jr., James N. Metoyer, William Anthony Fothe, Lester Harper Jr., Eugene I. Domanque, William G. Kenekey Jr., Milton J. LeBlanc, John S. Viola, Aldin Johnson, Eddie Phillips and Serge Gjurcio.

Also, Smith Collins, Alvin A. Hebert, Raymond Hansell, Robert Charles Heimstead, Eugene A. Mohrmann, Alvin George Lehmann, Cleveland M. Ponthieux, Herbert Weaver Simmons, Freddie S. Morton Jr., Melvin P. Hyman, and Edward

Parker.

Others included: John Barney Davis, illness in the family; Payette, peremptory challenge; Fisher, peremptory challenge; Noah Jean Decoteau, excused by consent; Louis J. Ferbos, concern for family; Alexander Blakes, concern; Norris LaDew Fant, concern; John Terence Fisk, concern; Henry Edward DeLuzain, interfere with work; Fred J. Hagstette, undue hardship; William F. Rehage Jr., fixed opinion; Samuel J. Dabon, concern.

Also, Raymond F. Chagnard, concern for family; Ivory Harris, concern; Ralph C. Anderegg, fixed opinion; Georgia Lucien Hartdegen, fixed opinion; Frederick H. Beter Jr., concern; Joseph L. Montreuil Jr., concern; Raymond Claude Bergeron, fixed opinion; L. C. Smith, disabled; Lawrence Willie Bentz Jr., by consent; William James Nelson, concern; Gerald J. Jacquot, concern; and Odus Joseph Lynd, concern.

OTHERS EXCUSED

Excused during the afternoon were: Joseph Ed Cieutat Seidel, by consent; Herman T. Schmitt, an acquaintance since childhood of one of the defense attorneys; August H. Smith, medical reasons; William M. Hebert III, concern; Robert L. Cowart, by consent; Ridley, peremptory challenge; Lester B. Koski, concern; Joseph George Simmons, concern; Odie Dampeer, concern; Henry F. Oleaga, concern; Emanuel Davis, concern; Ray Carlton Young, concern; James Edward Barlow, business; Henry L. Dreyfus, by consent; Joseph Felix, fixed opinion; and James N. Smith, concern.

LOSS OF EARNINGS

These are the 26 jurors from Judge O'Hara's section excused because they would suffer a loss of earnings:

Saverio J. Nicolosi, Sidney V. Opotowsky, George D. Gibson, Kenneth E. Marcell, John C. Davis, Robert Geason, Daniel C. Olsen, Nathan E. Pierre, Ernest Morris, Herbert Baker, Manuel Scott, Frank Morgan, Clyde B. Price, Minel J. Tastet Sr., John N. Kramer, Louis Batt, Carl J. Oertel III, Andrew O. Johnson, William N. Sayer, Robert E. Cole, James H. Parker, Joachim N. Daige, Theophile J. Jones, Samuel A. Banks, Elmore McDowell, and

Lawrence A. Smith.

Others excused included Howard V. Plaeger, peremptory challenge, Richard Louis Mocklin Sr., concern; Walter Francis Garvey, heads a business; Charles Donald Fisher, concern; James William Parker, concern; Ronald James Waguespack, concern; Louis G. Durio, peremptory challenge; Conrad A. Dussel Jr., because of occupation; Robert Hebert, no pay; John Percy McCollum, concern and August H. Metoyer Jr., concern.

Excused late in the afternoon were the following:

William Valentine, concern; Warren A. Hepler, concern; Calvin Harris Jr., concern; Clifford J. Campos, fixed opinion; Joseph W. Jones, concern; Herbert W. Muller, concern; Samuel C. Santa Marina, fixed opinion; Jean B. R. Zeringue, concern; Ronald J. Mulligan, financial hardship; Samuel L. Gilbert Jr., excused by consent because daughter once attended same school as witness Perry Russo; Joseph R. Genovese,

concern; Fleet S. Ginn, financial hardship; Ronald A. King, financial loss; Hugh M. Murnan, financial hardship; Harris Pentes, dock, excused for cause; Harris by consent; Emerson L. Picouland B. Herleikson, concern, Jr., concern; James L. Rike, and Thomas G. Barnes, concern; Washington Mason, concern.