

## RULING IN SHAW CASE PROMISED

TP 4-3-68  
Reopening of Hearing to  
Be Decided Today

A decision on whether Clay L. Shaw's change of venue hearing should be reopened will be announced at 10 a. m. Wednesday by Criminal District Judge Edward A. Haggerty Jr.

Then the judge may possibly rule on the change of venue motion itself.

Shaw is accused of conspiracy in the Kennedy assassination probe. His attorneys say he cannot get a fair trial in New Orleans.

Tuesday, attorney William Wegmann, representing Shaw, said that viewing of the Abraham Zapruder film last Thursday by the Orleans Parish Grand Jury attempts to link Shaw with the assassination in Dallas.

The film, made by businessman Zapruder, shows President John F. Kennedy being shot and killed.

### MAY BE USED

Wegmann argued that assistant district attorney James L. Alcock wrote to attorney Cicero C. Sessions, representing Time Inc., the film's owner, that the film may possibly be used in Shaw's trial.

"The Zapruder film is part

Cont. in Sec. 1, Page 2, Col. 1

of the Warren Commission report. They have now brought the Warren Commission in, and they have brought Nov. 22 in Dallas into it," Wegmann argued.

Judge Haggerty was to have ruled last Friday on Shaw's attempt to get the trial removed from New Orleans.

However, after the film was subpoenaed by District Attorney Jim Garrison and was seen by the grand jury, Wegmann and his fellow attorneys filed a new motion asking for the hearing to be reopened.

He reminded Judge Haggerty that the film was to have been seen by the jury this Thursday but instead was screened last Thursday, one day before his expected ruling.

The judge asked Wegmann, "Aren't you trying to put a grand jury proceeding into the Shaw case?"

Wegmann replied. "No. The district attorney made this move. The district attorney has irrevocably tied that case into my case."

After the judge commented that "The Zapruder film is not an exhibit in this case now," Wegmann replied, "I didn't say that. The film itself is not in this case, but the issue is . . . The state has either misrepresented itself to Judge Braniff or is misrepresenting its case to you."

Judge Matthew S. Braniff issued the subpoena directing Time Inc. to produce a copy of the film for the grand jury.

Alcock argued that, "The state has not said it will or will not" bring the Dallas assassination into the Shaw trial.

He emphasized that the Zapruder film may be used as evidence. He stressed the word "may."

Commenting on the Zapruder film entering the Garrison probe, Wegmann said, "If we had this evidence back in March, this court's ruling would have been different."

Wegmann is trying to reopen the hearing in order to cross-examine more witnesses.

At the hearing conducted in Judge Haggerty's courtroom several weeks ago, most prospective jurors said they could give Shaw a fair trial.

Shaw's attorneys claim that publicity surrounding the case since Shaw's arrest 14 months ago precludes a fair trial in New Orleans.

"This is a matter to determine if this man's due process and rights are being violated," Wegmann told the judge.

Shaw himself was not present in court. The judge said it is normally only necessary for him to be there if witnesses testify.

The judge ended Tuesday's session by promising a decision Wednesday morning, adding, "Then we will see where we go from there."