

DA'S SHAW

CASE OUTLINED

AS TRIAL

COMMENCES

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STATES-ITEM**

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—States-Item photo.

CLAY L. SHAW SMILES as he arrives for the start of his trial on charges of conspiring to kill President John F. Kennedy.

SPORTS-MARKETS

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NEWS BULLETINS



—States-Item photo.

PERRY RAYMOND RUSSO, the state's star witness at the preliminary hearing which resulted in Clay L. Shaw being bound over for trial, sits on the steps of the Criminal Courts Bldg. where the trial began today.

The state and defense this afternoon tentatively agreed upon Irvin Mason, 50-year-old engineer, as the first witness in the trial of Clay L. Shaw on a charge of conspiring to assassinate President John F. Kennedy.

Assistant District Attorney James L. Alcock today outlined the state's case against Clay L. Shaw in the process of questioning a potential juror as the long-awaited trial got under way.

Shaw, a 55-year-old retired businessman, is on trial in Criminal District Court on charges of conspiring to kill President John F. Kennedy.

Alcock spent most of this morning's session before Judge Edward A. Haggerty Jr., questioning potential juror Irvin Mason, 50, 2308 Tennessee. Mason was to be questioned by defense attorneys in the afternoon session.

MASON WAS THE SECOND on the list of potential jurors. The first, ironically, was named John Kennedy. He was excused because, he said, he has already formed an opinion in the case.

Alcock questioned Mason closely as to the circumstances under which he might find Shaw guilty.

Alcock explained that in order to convict, the state must establish that a conspiracy existed and that an overt act was committed in furtherance of the object of the conspiracy.

He said the state will attempt to prove six charges, any of which he said would suffice for a conviction if found to be an act committed in furtherance of a conspiracy. He listed the six:

1. There was a meeting between Shaw, Lee Harvey Oswald and David William Ferrie in Ferrie's New Orleans apartment in September, 1963, at which the assassination of Kennedy was discussed.

Kennedy was shot to death in Dallas Nov. 22, 1963.

(Oswald was named by the Warren Commission investigating the president's death as the lone assassin. Ferrie was a suspect in the assassination investigation of District Attorney Jim Garrison. He died here Feb. 22, 1963, short-

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more can be added if necessary. Garrison was not in the courtroom today.

Also today, a subpoena was issued by the defense for Oswald's widow, Mrs. Marina Oswald Porter of Irving, Tex. The state issued a subpoena for a film taken of the assassination by Abraham Zapruder and bullet fragments found at the scene. These materials are in the National Archives at Washington.

The principals in the case began to gather at the courthouse at Tulane and Broad shortly after 9 a. m. Judge Haggerty was first to appear outside the building.

Perry Raymond Russo, the state's star witness at the preliminary hearing which resulted in Shaw being bound over for trial, showed up about 9:30 with a companion identified as John Bloemer.

RUSSO TOLD NEWSMEN BLOEMER "may be a witness."

Shaw arrived at 9:50 with his attorneys. He smiled at newsmen and said "Hello." He said nothing more.

As court got under way, witnesses answering subpoenas for today were checked. Several were missing, but both sides indicated their witnesses are in fact available and pronounced themselves satisfied.

JUDGE HAGGERTY THEN HAD COURT CRIER Vincent Martell pick 12 names out of a box containing names of all 169 panelists. The first name he picked was Kennedy's.

Martello had to draw 13 names because the judge excused one potential juror, John William Kibler, for medical reasons.

ly after Garrison's probe was made public.)

2. At the meeting at Ferrie's apartment, a discussion took place of the means and weapons used in the murder, particularly the selection of high-powered rifles to be used simultaneously to produce a crossfire.

3. Shaw met Oswald and Jack Ruby in the Capitol House Motel in Baton Rouge and money was exchanged. (Ruby shot Oswald to death the day after the assassination of Kennedy.)

4. Shaw took a trip to the West Coast in November, 1963. (Shaw has said he was in San Francisco the day of the assassination. The state apparently will contend the trip was in connection with the crime.)

5. Ferrie took a trip to Houston in November of 1963. (Ferrie before his death acknowledged taking this trip but said it was a bird-hunting expedition.)

6. Oswald took the alleged murder rifle to the Texas School Book Depository. (The Warren Commission said Oswald shot Kennedy with the rifle from a window of this building, where he worked.)

All six of the state's contentions are either a matter of record or events the state has alleged in the past. Shaw has denied ever knowing Oswald, Ferrie or Ruby and has disavowed any part in the assassination.

Alcock said, "The law does not require that the alleged overt act be criminal in nature but that it was in furtherance of a conspiracy."

Alcock asked Mason if he could vote to convict Shaw on the bases of these allegations if they are proved, and he said he could.

Mason is a machine operator for Freeport Sulphur and has two children.

At this point, a dispute broke out over whether the state should question witnesses first. The judge ruled in the state's favor.

A TOTAL OF 169 POTENTIAL JURORS is available, and

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After the 12 were identified, the rest of the jury panel left the courtroom and the process of calling the first 12 up for questioning was begun.

JUDGE HAGGERTY ANNOUNCED THAT once 12 jurors and two alternates are selected, each will be allowed one telephone call home and then will be sequestered for the duration of the trial. Jurors will not be able to communicate with their families without the sheriff's permission.

The trial, which has been pending since March 1, 1967, finally became a reality when Garrison's office yesterday withdrew its last-minute request for a delay and both sides said they were ready for trial.

BOTH THE DEFENSE AND THE STATE are armed with 12 peremptory challenges, by which they can discharge a juror without giving a reason. After these are exhausted, it will be up to the judge to decide whether a juror is fit to serve.

Security precautions are being placed in effect by Criminal Sheriff Louis A. Heyd Jr. and will be tightened when testimony gets under way.

Admission to the courtroom is by credentials only, and all persons entering will be frisked. A soundless, closed-circuit television camera has been installed in the courtroom with an outlet in the sheriff's office as a security measure.

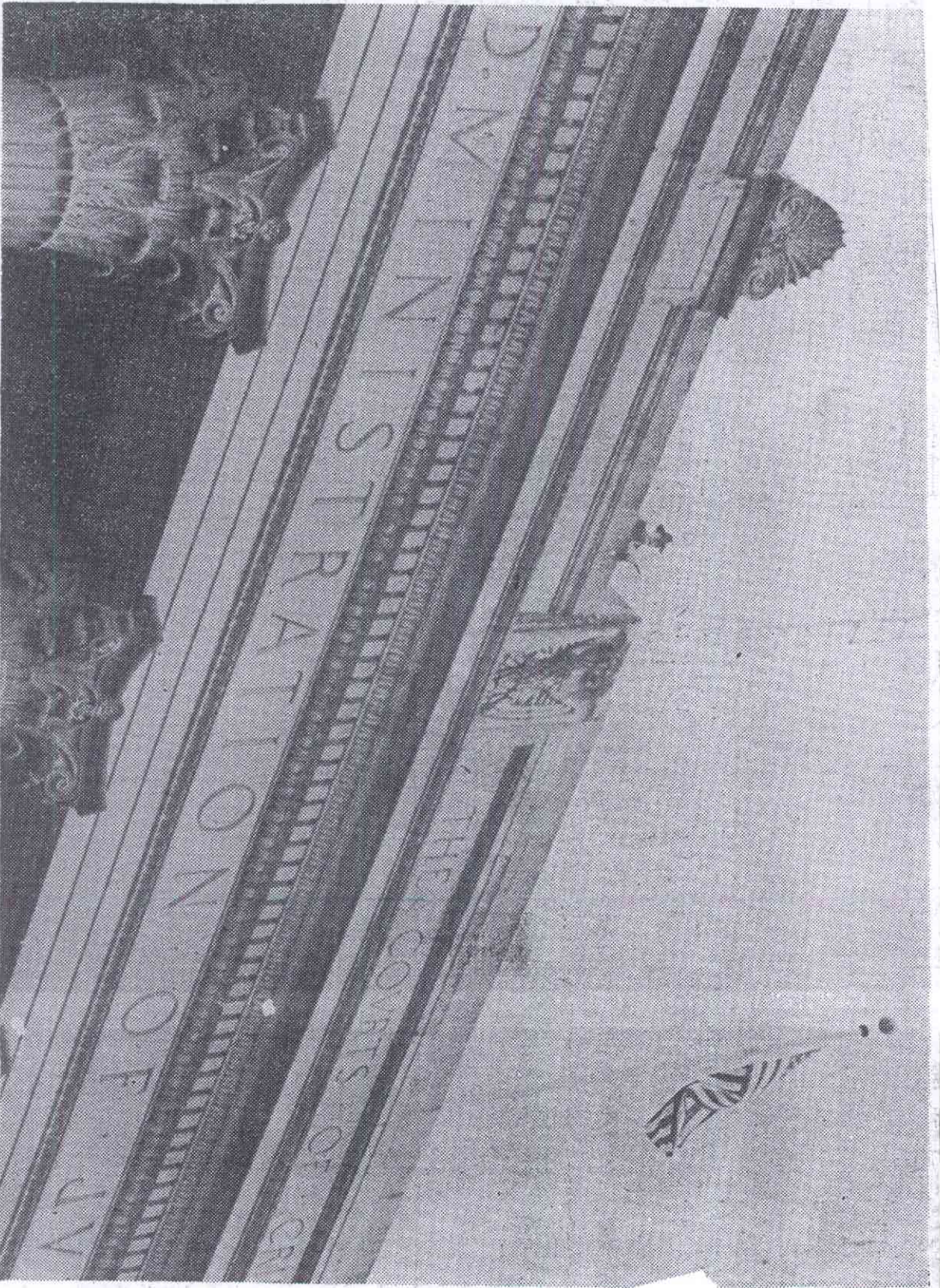
The most prominent defense witness, William Gurvich, a former investigator for Garrison, was reported ill. However, the defense witnesses will not be called until late in the trial.

SHAW, 55, REMAINS FREE on \$10,000 bond while the trial is under way.



—States-Item photo.

JUDGE EDWARD A. HAGGERTY JR.
En route to Shaw trial.



ARMED GUARD STANDS WATCH ATOP CRIMINAL COURTS BLDG. AS SHAW TRIAL OPENS

—States-Item photo.

Armed Police Patrol Rooftop At Showdown

By JACK DEMPSEY

While rifle-toting deputy sheriffs watched cautiously from the rooftop of the Criminal Court building, the long-awaited showdown between District Attorney Jim Garrison and Clay L. Shaw began today.

A surprisingly small crowd—aside from the throng of local and out-of-town newsmen assigned to cover the trial—was outside the Corinthian columned building when the central figures in the conspiracy trial arrived before the 10 o'clock start of the proceedings.

The atmosphere was curiously quiet, considering the publicity the case has generated since the tall, sophisticated Shaw was arrested nearly two years ago and charged with conspiring to kill President John F. Kennedy in Dallas Nov. 23, 1963.

A FEW HIPPIE types and one character dressed in the manner of Buffalo Bill were among the scattered few watching the arrival of the

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judge, attorneys and the man who is the center of all the attention—the white-haired, conservatively dressed Shaw.

Shaw's arrival was a carbon copy of the half-dozen or so appearances he has made in the court building since his arrest.

Chain-smoking as usual, the retired managing director of the International Trade Mart drove up in a big limousine, flanked by his four attorneys, the Wegmann brothers, William and Edward; F. Irvin Dymond and Salvatore Panzeca.

SHAW STOPPED briefly before entering the building and was greeted with the blinding flashes of cameras and a barrage of questions from the reporters.

But he smiled broadly and answered only "hello" to all the questions.

The trial judge, Edward A. Haggerty Jr., also posed briefly for the cameramen and on they came, the prosecution and defense witnesses who had been summoned to court for the opening. Some tried to enter through the Broad st. side of the building, but found they were forced to turn back and get inside the building through the Tulane ave. entrance.

In the courtroom itself, a drab setting, all 172 seats were occupied with prospective jurors, newsmen and a few spectators.

LOOKING FROM the rear, Shaw and his attorneys were seated on the left, the prosecution attorneys—headed by assistant DA James L. Alcock—on the right.

As the names of prospective jurors were called, they were seated in the rarely used jury

box on the right, then as they were questioned, they sat in the jury box on the left. Normally, the right jury box is used by overflow jurors, attorneys and the press.

As the first hour ticked away, Shaw frequently placed a handkerchief to his nose, but one of his attorneys said it was not a cold. It probably was a nervous gesture, though otherwise he remained as outwardly stoic and dignified as he has in all his court appearances.

WEARING A SLATE gray business suit, his coat unbuttoned, Shaw smoked cigarette after cigarette and occasionally wrote on a piece of paper.

If there was any stir in the first hour, it was when the court crier, Deputy Sheriff Joseph Marullo, announced the name of the first juror—John W. Kennedy.

Kennedy was quickly excused by the judge when he admitted he had formed an opinion about the case.

Of the first 12 called for questioning by both the defense and the state, four were Negroes, all were in the middle-age bracket and three were without ties.

JURY SELECTION is normally a pretty dull affair—for the men and women recording the events of a trial. They may have a tedious time for the next week or two, or maybe even three. Those are the various estimates of how long the procedure will take to pick the jury that will decide whether Clay L. Shaw conspired to kill the President of the United States.

Japan grows rice on one of every two acres of land it cultivates.