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Shaw Trial Is Opened; Defendant to Testify

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NEW ORLEANS, Jan. 21 — The long-awaited trial of Clay L. Shaw began today as the defense announced it will put the retired businessman on the stand to deny plotting the assassination of President Kennedy.

Prosecution and defense attorneys spent the day outlining key elements of the case in the course of questioning potential jurors. After six hours they were able to agree that two jurors were qualified.

It appeared that many more days might be needed to select a panel of 12 New Orleans citizens who had not yet formed strong opinions about District Attorney Jim Garrison's two-year crusade to disprove the Warren Commission account of the Nov. 22, 1963, tragedy in Dallas.

The Warren Commission said Lee Harvey Oswald, a

loner and a misfit, killed Mr. Kennedy without help from anyone. Garrison, who did not appear in the Orleans Parish courtroom today, charges that Shaw, 55, plotted the killing with Oswald and the late David Ferrie, a former pilot.

Assistant District Attorney James L. Alcock told jurors that he will prove a three-way criminal agreement and at least one of six overt acts in furtherance of the conspiracy.

Alcock stressed that under the State's theory it was not necessary to show that the plot succeeded or even that the President was murdered. He listed these specific alleged acts:

- A meeting of Oswald, Ferrie and Shaw in Ferrie's New Orleans apartment two months before the assassination.
- A discussion there of murder weapons, the need for more than one rifle and firing

angle, and the means of escape.

• A meeting of Shaw, Oswald and the late Jack Ruby, the man who shot Oswald to death, in Baton Rouge, at which money was delivered.

• Two trips away from the Dallas murder scene, Shaw to the West Coast and Ferrie to Houston. Alcock said the evidence would definitely show that Shaw was not in Dallas on Nov. 22.

• Oswald's carrying a high powered rifle to the Texas School Book Depository, which Garrison claims was only one of the vantage points for assassins' bullets.

Defense Attorney F. Irvin Dymond indicated that his plan to have Shaw testify was not a concession that the State's opening case can survive a motion to dismiss.

Shaw, gray-haired and gray-suited former managing director of the International Trade Mart here, sat through the day's session showing little emotion. Like many jurors and spectators, he occasionally showed restlessness at the extensive juror interrogation that is countenanced by Louisiana practice.

Judge Edward A. Haggerty Jr. announced a program of daily, nightly and possibly weekend sessions until the jury is chosen but he abandoned the night sessions at the joint request of defense and prosecution.

More than three dozen reporters jammed the courtroom. Like the spectators, all were given credentials and were stopped and frisked before each entrance to the trial chamber.

Jurors were warned that they could be sequestered as long as two months and would see the Mardi Gras parades next month only on closely supervised television. The Judge said jurors would receive newspapers with trial stories excised but they could read "whatever is left."

The best known name on

the prosecution witness list was that of Perry Russo, a 26-year-old insurance salesman from Baton Rouge, who testified at a 1967 preliminary hearing that he overheard Shaw discussing assassination plans.

An important defense witness, former Garrison investigator William Gurvich, was reported ill. Judge Haggerty granted a defense subpoena for Marina Oswald Porter, widow of Oswald who now lives in Irving, Tex.

Jurors were asked if they would be influenced by the much-publicized controversy over Garrison's attempts to compel production of autopsy pictures and reports locked in the National Archives. Irvin Mason, the first juror to be sworn, said he thought the data should be made public but that his opinion would not affect his vote.



Associated Press

Clay Shaw smiles as he arrives at New Orleans court for trial on charge of

conspiracy in 1963 Kennedy assassination. With him is attorney Salvatore Panzeca.