

SHAW MOTIONS WILL BE HEARD

Change of Venue, Voiding of Charge, Topics

A Criminal District Court hearing will be conducted Friday on one motion for a change of venue in the trial of Clay L. Shaw and on another seeking to have the conspiracy charge against Shaw thrown out of court.

Judge Edward A. Haggerty Jr. set the hearing for 10 a.m. after granting a third motion that will permit Shaw to remain free on his current \$10,000 bond during his trial, which has been scheduled for Jan. 21.

Shaw is accused of conspiring with Lee Harvey Oswald and others to kill President John F. Kennedy. The district attorney's office booked him on that charge on March 1, 1967, and he was later indicted by the Orleans Parish Grand Jury.

Judge Haggerty gave an outline of court sessions for the trial.

Court will be in session from 9 a.m. to noon and from 1:30 p.m. to 5:30 p.m. Mondays through Saturdays, and from 1:30 p.m. to 5:30 p.m. Sundays.

He ruled out night sessions as too taxing. The jury will be lodged at a nearby hotel. Women jurors, if any, will be accompanied by a police matron.

A lengthy trial is expected. DA Jim Garrison estimates it will take about five weeks.

"I'll hold court on Mardi Gras (Feb. 18) if necessary, and it looks like it will be necessary," Judge Haggerty said.

In his attack on Shaw's con

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spiracy indictment, attorney F. Irvin Dymond attacked the state conspiracy statute itself on several grounds.

ATTACKS STATE LAW

It denies freedom of speech to the defendant, he charged, it violates the due process clauses of the state and federal constitutions, and violates the right of the accused to be informed of the accusation against him.

He also attacked the state law embodying the "nine of 12 rule," which holds that only nine of 12 jurors need vote guilty to produce a guilty verdict.

Dymond argued that a guilty verdict must be unanimous.

The motion for a change of venue was the fourth filed since Shaw's case has been before the court. The other three were overruled by Judge Haggerty.

The latest motion said the actions of Garrison and-or his assistants "are designed to prejudice and the rights of the defendant and his ability to secure a fair trial in an atmosphere free of prejudice, passion, bias and political tyranny," the latest motion says in part.

Such actions constitute an "extra-judicial attempt" to persuade prospective jurors that Garrison's theories about the assassination are correct, and that there was a conspiracy, the defense alleged.

PRESS CONFERENCE

Cited were a one-hour press conference by Garrison on Dec. 11, a television show in which Asst. DA James L. Alcock appeared on Dec. 9, and a TV interview with Alcock on Dec. 31.

ALCOCK QUOTE

The following quote, in which Alcock supposedly discussed Shaw, was cited by the motion:

"We can and will try him without the autopsy report and X-rays." (Garrison sought original records of the autopsy and X-rays of President Kennedy's body as evidence.)

Alcock was further quoted: "We feel that this (the autopsy report) is vital evidence and the jury is entitled to see it and to have experts tell them what is reflected by these reports.

"We feel sure they will show that President Kennedy was shot from at least two directions and especially from the

front, which is in the area of the grassy knoll."

Many critics of the Warren Commission contend that shots were fired from the grassy knoll, on Kennedy's right, instead of or in addition to the shots the commission said were fired by Oswald from the book depository to Kennedy's rear.

Dymond asked for an immediate hearing that would cause no further delay in the trial. Alcock said he would have his answers by Thursday.

ADDITIONAL BENCHES

Judge Haggerty said additional benches will be placed in his courtroom for the trial. This will increase the seating capacity to 172.

A pool of 25 newsmen will be admitted during jury selection, when most seats will be occupied by potential jurors.

Later, 100 newsmen will be admitted.

The judge said he is asking

for a panel of 250 jurors and will call on persons from panels of other sections of court if the original 250 is used up before 12 jurors are picked.

Bribe Story Lie, Leemans Quoted

The district attorney's office Monday released a statement attributed to a Slidell man who claimed he lied about being bribed by the DA's office in connection with a statement about Clay L. Shaw in 1967.

In the summer of that year Erad H. Leemans Sr. appeared on a National Broadcasting Co. documentary about DA Jim Garrison's probe into the assassination of President John F. Kennedy.

Leemans claimed that a member of Garrison's staff at that time, Robert E. Lee, offered him \$2,500 for testimony to the effect that Shaw used a Turkish bath run by Leemans, using the name Clay Bertrand.

Garrison has claimed that Shaw used the alias Clay Bertrand.

However, in the statement released Monday, Leemans is quoted as saying that he lied on the NBC program.

"I now state freely and voluntarily and without any promises of reward or immunity that the statements I made on the NBC program relative to Garrison's

office offering me a bribe for testimony favorable to their case was a lie," the statement said.

The statement said Leemans wanted to clear Lee and Garrison's office from "the false accusations that I had made."

On the television show Leemans also claimed that Garrison's office tried to get him to identify a young man who allegedly accompanied Shaw to the baths as Lee Harvey Oswald.

Part of the reason he participated in the show was threatening phone calls "relative to the information that I had given Mr. Garrison," Leemans is supposed to have said.

Leemans also described a visit from a man with a badge who stated that he was a government agent.

The man supposedly told Leemans that the government was checking bar owners in the Slidell area for possible income tax violations.

The man also warned him that "it was not smart" to be involved in the Clay Shaw case, "because a lot of people that had been involved got hurt."

An anonymous caller told Leemans to change his statement and claim he had been bribed, Leemans' statement said.

The caller also suggested that Leemans contact Irvin Dymond, one of Shaw's attorneys, Leemans said.

After contacting Dymond, Leemans said, he was introduced to Walter Sheridan, investigative reporter for NBC.

Leemans claims Dymond offered him an attorney and bond in the event he were charged with giving false information to the DA's office.

Leemans said his appearance on the show was taped in the office of Aaron Kohn, managing director of the Metropolitan Crime Commission, in the presence of Sheridan and Dymond.