

Shaw Judge Praises 'Mixed'

By John P. MacKenzie
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NEW ORLEANS, Jan. 22—

The judge in the Clay Shaw conspiracy trial said today that he expects most truthful jurors to have decidedly "mixed opinions" about District Attorney Jim Garrison's charges of a plot to assassinate President Kennedy.

The first prospective juror to admit mixed feelings won the instant praise of Criminal Court Judge Edward A. Haggerty Jr. for candor.

"I appreciate your truthful answer," he told Albert V. Parker Sr., a 62-year-old mail handler, during the second long day of jury interrogation. "I've been waiting a long time to hear that."

More than three dozen potential jurors have undergone questioning. Most of them either have proclaimed outright that they hold fixed opinions about Shaw's guilt or innocence, or have insisted they know little and have no opinions about the internationally famous controversy.

By day's end, two more jurors—making a total of four—had been approved by both prosecution and defense. The four men will be sequestered until the full jury is chosen and throughout the trial.

9 of 12 Can Convict

Judge Haggerty, who seldom interrupted the lengthy interrogation by counsel, broke in once to announce that he intends to charge the jury that it may convict if nine of its 12 members vote guilty.

He overruled the objection of defense attorney F. Irvin Dymond, who argued that Louisiana's unusual less-than-unanimous guilty verdict is unconstitutional. The U.S. Supreme Court left the issue open in a decision last year.

Garrison is attacking the Warren Commission findings that Mr. Kennedy was slain by Lee Harvey Oswald acting alone. He obtained an indictment two years ago charging that Shaw, 55-year-old retired New Orleans businessman,



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Leaving court in New Orleans with his attorney, F. Irvin Dymond, is Clay Shaw, left, on trial on charges of conspiring to murder President Kennedy.

conspired with Oswald and the late David Ferrie to commit the crime.

Meanwhile, Garrison's charges of Federal interfer-

ence with his investigation appeared headed for another legal confrontation with Washington and a challenge to the Nixon Administration.

On Monday, Judge Haggerty authorized requests to subpoena an FBI firearms expert and numerous Warren Commission exhibits in the National Archives.

Last week, D.C. Court of General Sessions Judge Charles W. Halleck tentatively rejected a Garrison request for autopsy films and reports, which the Johnson Administration insisted could not be turned over. Judge Halleck said Garrison must first back up his claim that he knows the materials would help his conspiracy case.

New Prosecution Request

The new request embraces the murder rifle, clothing worn by Mr. Kennedy when he was murdered, movies, slides and other data. All of it is covered by a presidential order authorizing Federal agencies to withhold it.

The District Attorney's request claimed "substantial evidence" that the items would show that the fatal shots came from at least two directions. This was the same claim that Judge Halleck said required proof.

There was no indication today that the prosecutor's request had been served at the D.C. Court of General Sessions as required by District law.

Garrison also is seeking the

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live testimony of FBI agent Robert A. Frazier, a firearms specialist who inspected the Kennedy clothing.

It was learned that a Garrison aide called State Attorney Arthur Marshall of Prince George's County, who in turn talked by telephone Tuesday with agent Frazier at his home in Hillcrest Heights, Md.

Frazier reportedly ex-

pressed willingness to cooperate with any law enforcement agency. But an FBI spokesman said that Attorney General John N. Mitchell's approval would be needed before an agent could be permitted to testify in a state trial.

A Justice Department spokesman said tonight that no such request had reached Mitchell.