

THE LAW

TRIALS

Sideshow in New Orleans

New Orleans District Attorney Jim Garrison withdrew a last-minute motion for a postponement and went ahead last week with the trial of Businessman Clay Shaw on charges of conspiring to kill President John F. Kennedy. Despite the sideshow atmosphere surrounding the case, it could not be ignored. What is really on trial is the Warren Commission Report and its conclusion that Lee Harvey Oswald alone was responsible for the assassination. Any real evidence that Garrison produces to the contrary could shake confidence in the officially accepted version of the Kennedy assassination.

So far, the evidence is as insubstantial as a Louisiana bog. Even so, Garrison is not trying to prove that Shaw murdered the President. In order to establish his case under Louisiana's conspiracy statute, which carries a one-to-20-year sentence, Garrison needs only to show that Shaw joined in a plot to murder Kennedy and that at least one of the plotters took a concrete step toward carrying out the plan. Moreover, state law provides that a majority of nine jurors can convict Shaw; a unanimous vote by all twelve jurors is unnecessary.

Six Acts. As the examination of potential jurors began last week, Garrison Aide James Alcock said that the state would prove that six overt acts took place in the autumn of 1963. He described one of the acts as a meeting in a Baton Rouge hotel, at which Shaw gave money to both Oswald and Jack Ruby, who Garrison believes was in on the plot. Another alleged meeting was between Shaw, Oswald, and a former pilot named David Ferrie (who died in 1967) in Ferrie's New Orleans apartment. Insurance Salesman Perry Raymond Russo, 26, a key prosecution witness, claims to have heard the three men planning the assassination during that meeting.

Garrison, nicknamed the "Jolly Green Giant" not only for his size but also for his erratic behavior, has tried to foster the belief that he has something up his sleeve besides Russo's testimony. He has hinted that Shaw, former head of New Orleans' International Trade Mart and the city's outstanding citizen in 1965, operated under the alias "Clay Bertrand," a familiar name among the city's homosexuals. Garrison has intimated that the C.I.A. was behind the conspiracy—and that Lyndon Johnson was at least aware of the plot.

Different Directions. Before the start of the trial, Garrison sought to subpoena 69 photos and X rays from President Kennedy's autopsy. District of Columbia Judge Charles Halleck ruled that Garrison could not have the material unless he could present other evidence for his theory that the President was

shot at from different directions, and by more than one sniper. The prosecution has also issued subpoenas for such Warren Commission exhibits as Oswald's rifle and Kennedy's clothing—but is unlikely to get them. They have been withheld by presidential order.

After years of circus tactics, he is obviously the main character in the courtroom drama, but Garrison appeared on the stage only briefly in the first week. He sauntered into the courtroom one afternoon, sat down at the prosecution table, then walked out 18 minutes later without having said a word. Garrison,

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SHAW LEAVING COURTHOUSE
Evidence as mushy as a bog.

who has kept out of sight for weeks, has rarely tried a case himself as D.A. Chances are that whatever he has up his sleeve, he will leave the courtroom work to the cool, capable Alcock.

Selectivity in Los Angeles

In Los Angeles, lawyers completed the selection of a jury of twelve to try Sirhan Bishara Sirhan for the assassination of Senator Robert Kennedy. Technicians are heavily represented among the eight men and four women chosen. The jury includes two computer programmers, three telephone-company workers, a gas-company employee, a mechanic, a plumber, a high school math teacher, two city water-and-power-department workers and a retail businessman. Seven jurors said they were Republicans and five, Democrats. Four appear to be of Spanish-American ancestry, a group for which Senator Kennedy had a particular concern.

Prosecution lawyers, who often tend to favor stable, relatively affluent jurors, shunned anyone they thought likely to feel undue sympathy for the underdog. While examining jury panel members last week, the state exercised peremptory challenges against the only Negro who had been provisionally seated, against a woman who had worked

with psychiatric patients and against another woman suspected of having antiwar views.

Though Sirhan is a Palestinian Arab who is known to be strongly anti-Zionist, Defense Attorney Grant Cooper had made no secret of the fact that he wanted a Jewish juror or two, saying: "I find them a very compassionate people." One Jewish juror was chosen, Benjamin Glick, 60, who runs a clothing business. Like the prosecution, the defense had some definite ideas about who would make an unsatisfactory juror. Sirhan's lawyers admitted that they tend to distrust bankers (they are too used to saying "no"), overly beautiful women (too self-centered) and anybody who seems too eager to serve. Accordingly, they turned down the attractive blonde wife of a mortician.