

The sensational developments of the trial dealing with fact of the case have not attracted front-page interest at the Post. In fact, when they print the picture of the witness who testified that Clay Shaw used the name Clay Bertrand, they carefully avoid any reference to her testimony, although this was a much longer story than the Post has carried and it appeared in a much larger than usual edition, the one carrying the heavy Washington's Birthday sale ads. Where they have used other such testimony, it was with slight attention. Where they have given attention, it was slanted, biased, angled, as has their coverage been from the first, against Garrison.

## Police Account Barred

# Shaw Trial Shaken By Dispute on Alias

NEW ORLEANS, Feb. 19

(AP)—Judge Edward A. Haggerty Jr. of Criminal District Court outraged District Attorney Jim Garrison's prosecution team in the Clay Shaw trial today by refusing to admit a policeman's testimony about an alleged Shaw alias.

Haggerty's ruling, coming after Shaw took the witness stand to deny being asked about any alias, caused angered objections by Garrison's chief prosecutor, James L. Alcock.

Alcock announced he would at once appeal to the Louisiana Supreme Court to reverse Haggerty before the trial proceeds.

Shaw, 55, is charged with conspiring to assassinate President John F. Kennedy.

Haggerty adjourned court until 9 a.m. Thursday after denying a state motion for a mistrial. He said if no word has been received from the Supreme Court by then, he would telephone the Supreme Court himself in Alcock's presence.

With the jury out of the courtroom, Alcock tried to lay the ground-work for testimony by New Orleans policeman Aloysius Habighorst that Shaw gave the alias "Clay Bertrand" during fingerprinting after his arrest March 1, 1967.

This is the name which a key prosecution witness said Shaw used in plotting with Lee Harvey Oswald, David W. Ferrie and others to murder Kennedy.

Shaw, called by the defense to the stand for testimony limited to this one issue, said he was asked no question by Habighorst. Shaw said no mention was made of an alias and he did not give one.

Haggerty, in remarks leading up to his ruling, said Shaw's constitutional rights were violated in his not being

allowed to have his attorney with him during the fingerprinting and in Habighorst's alleged questioning.

Habighorst, the judge said, violated Shaw's rights if he asked the question about an alias.

"Even if he did, it is not admissible," Haggerty said. "If Officer Habighorst is telling the truth—and I seriously doubt it . . ." Alcock leaped up. "Are you passing on the credibility of a state witness in front of the press and the whole world?"

See SHAW, A9, Col. 1



Associated Press

Shaw trial witness Jessie Parker arrives to testify.

# Judge Bars Testimony On Alleged Shaw Alias

SHAW, From A1

"It's outside the presence of the jury," the judge replied. "I do not care. The whole world can hear that I do not believe Officer Habighorst. I do not believe Officer Habighorst."

Alcock, his face red and his voice trembling, moved for a mistrial. The judge denied it. Then Alcock said he would appeal to the State Supreme Court to reverse Haggerty.

Shaw, in a surprising move, took the stand after several police officers had testified about Shaw's arrest and the fingerprinting routine from which the defendant's attorneys were barred.

Shaw testified he signed blank fingerprint card because he was told that unless he did so and was fingerprinted he would not be allowed bail.

Chief Defense Counsel F. Irvin Dymond asked: "Were you asked at any time by anyone at Central Lockup if you had an alias or name other than Clay Shaw?"

"I certainly was not," he said.

Habighorst testified earlier he had asked Shaw questions in order to complete the fingerprint form which included blanks for aliases. Information on the card, he said, "I obtained from Mr. Shaw himself."

Police Capt. Louis J. Curole testified that two copies of an arrest form normally went to the fingerprint man and this form contained personal data on the prisoner. Haggerty, looking at the form, said, for the record, this first report "said Clay Bertrand was an alias of Mr. Shaw."

Sgt. Jonas J. Butzman testified he was assigned to remain with Shaw at all times between arrest and release.

Q. Did you ever hear the name Clay Bertran mentioned or any alias?

A. No, sir, I did not.

Earlier, Richard Randolph Carr of Dallas testified that he heard shots fired from behind a picket fence when President Kennedy was assassinated. Carr, confined to a wheelchair because of an accident, also

told of seeing four men hurry from the murder scene Nov. 22, 1963, and he said he was ordered by the FBI to keep his mouth shut.

The FBI in Washington said Carr was interviewed on two occasions and the transcripts furnished to the Warren Commission.

Carr's testimony was not included in the Commission report. The FBI spokesman said the transcripts would show whether Carr was told to keep silent. But the transcripts were not immediately available.

Carr was the 43d witness in Garrison's attempt to prove Kennedy died in a conspiratorial crossfire involving Shaw and not at the hands of a lone gunman, Oswald, as the Warren Commission concluded. The Commission said it found no credible evidence of conspiracy.

Garrison, himself, making another of his infrequent courtroom appearances, handled the questioning of Carr, a medium-built man with crew-cut, graying sandy hair. Carr sat in his wheelchair and held a microphone before him.

Carr said he watched the presidential motorcade in Dallas' Dealey Plaza from the seventh floor of a courthouse then under construction. He said he saw a man wearing "a light hat" in the third window of the fifth floor of the Texas School Book Depository.

It was a sixth-floor window in that building, the Warren Commission concluded, from which Oswald fired the fatal shots.

Carr, an Army Ranger veteran of World War II action in Africa and Normandy, testified he heard four shots, not three as most other witnesses said. The first, Carr said, sounded like small arms, but the last three were "a high-powered rifle."

Q. Where did the shots come from?

A. They came from where I was standing at the new courthouse—they came from in this direction here (he pointed to an aerial photo exhibit) behind this picket fence.