

Garrison Tells Shaw Jury He Will Prove Plot in

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NEW ORLEANS, Feb. 6— District Attorney Jim Garrison said today that he would present documental and eye-witness evidence that President Kennedy's assassination was plotted in New Orleans in the summer of 1963 by Clay L. Shaw and others, including Lee Oswald and David W. Ferrie.

In an opening statement outlining the state's case against Mr. Shaw, Mr. Garrison said that the murder had been planned at two parties, one in the Vieux Carré, or French Quarter, District of New Orleans, the other at Mr. Ferrie's home. He said the evidence would show that the President had been shot from the front, as well as from the back and that a bullet from the front had been the fatal one.

Mr. Shaw, a retired businessman-turned-playwright, pleaded not guilty to the conspiracy charge.

The 200 spectators crowded into the small Criminal District Court room leaned forward to hear Mr. Garrison's words as he gave the first official outline of his theory that the murder had resulted from a conspiracy and that the commission headed by Chief Justice Earl Warren, which investigated the assassination, had deliberately covered up the evidence.

No Conspiracy Found

The Warren Commission reported that after studying interviews with 25,000 witnesses, it found no evidence of a conspiracy and that all indications were that Oswald, an emotionally disturbed ex-marine, acting alone, had slain President Kennedy with two shots from the rear. The report said that Oswald's purpose was to achieve notoriety.

Mr. Garrison said he would disprove this.

"The state will establish that on Nov. 22, 1963, President John F. Kennedy and Gov. John Connally, who was riding in the same limousine, were wounded as a result of gunshots fired by different guns

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Fired From Front

at different locations," he said.

The prosecutor's contention that he would destroy the official theory of the assassination brought a protest from F. Irvin Dymond, leader of Mr. Shaw's panel of attorneys.

But Judge Edward A. Haggerty Jr. disallowed Mr. Dymond's objection that the judge had made it clear during the questioning of prospective jurors that the Warren Commission report would not be in issue in the case.

"I can't help it if the state wants to overprove its case," the judge said.

In addition to witnesses who would testify that Mr. Shaw, Mr. Ferrie, a one-time airline pilot, and Oswald had planned the murder in front of partygoers, Mr. Garrison said he would bring forward other witnesses who had seen Mr. Shaw in the company of Oswald in several parts of Louisiana.

Key Witness Identified

Mr. Garrison said one of his main witnesses would be Perry Raymond Russo, a 27-year-old former life insurance salesman, who has testified that he was present at an assassination planning session at Mr. Ferrie's apartment in September of 1963.

In his opening statement for

the defense, Mr. Dymond denounced Mr. Russo as a "liar."

"Our intention is to prove to you that not only did Clay L. Shaw not conspire with Lee Harvey Oswald or David W. Ferrie to kill President Kennedy, he never laid eyes on either one of these individuals," Mr. Dymond told the jury.

"We will prove that the man who said this is a liar, Perry Raymond Russo, a notoriety-seeking liar whose name does not deserve to be mentioned in the same sentences as honesty and integrity."

The first witness called by the state was a short, baldish barber from Jackson, La., 120 miles north of New Orleans.

The barber, Edwin Lee McGee, said he gave Oswald a haircut in late August or early September of 1963 in Jackson and that he had told Oswald, who was seeking a job, that he might get one at the East Louisiana State Hospital.

Mr. Garrison had said in the opening statement that the state would prove that Oswald had tried to register to vote in the parish because he thought it would help him get a job at the hospital, and that witnesses would testify that Mr. Shaw had driven Oswald to the area to register.

Mr. McGee said that Oswald was traveling in a "very old, maybe dark green" automobile the day he got the haircut. There was a woman in the front with him and a basine on the back seat, he said.

The Oswalds had one small child in September of 1963. But the Warren Commission said that neither Oswald nor his wife, Marina, could drive.

2d Witness Testifies

A former State Repre-

sentative, Reeves Morgan, the second witness, testified that Oswald, as a result of his visit to Mr. McGee's shop, had asked his help in getting a job at the hospital.

Town Marshall John Manchester of Clinton, La., the parish seat, testified that he had seen Mr. Shaw seated in a black Cadillac near the voter registration office in late August or early September, 1963, and that he had "checked out" the automobile because "out-

side agitators" had been coming into Clinton to assist in a voter registration drive by Negroes.

Marshall Manchester identified Mr. Shaw as the man in the driver's seat and said that Mr. Shaw had identified himself as an official of the New Orleans Trade Mart.

Mr. Manchester said he did not get a close look at the passenger in the car.

A voter registrar, Henry Earle Palmer, said he had seen Oswald standing in a long line of Negroes waiting to register. He said he had noticed the black Cadillac and that he had been able to identify the passenger as Mr. Ferrie. The driver had

broad shoulders and hair like Mr. Shaw's, Mr. Palmer said. He said he was unable to identify Mr. Shaw as the driver.

Belli in Courtroom

When the 6-foot-6-inch, 270-pound Mr. Garrison, wearing a dark blue suit with a vest, rose to deliver his 4,000-word opening statement in a hollow tone, his audience included Melvin M. Belli. Mr. Belli, the silver-haired San Francisco lawyer, had defended Jack Ruby in the trial in which Ruby was sentenced to death for murdering Oswald.

Next to Mr. Belli was Mark Lane, the New York author and attorney, who was among the

first to decry the Warren Commission's report. Mr. Lane has acted as an unofficial adviser to Mr. Garrison.

The spectators were generally well-dressed. The women wore hats and gloves, the men suits and ties. Mr. Shaw had on a gray suit with a striped tie.

During Mr. Garrison's statement, the defendant peered at a spot somewhere over the district attorney's head. Mr. Garrison read slowly before a microphone.

He explained that under Louisiana law the state could not deviate from the case as outlined in the opening statement.

Although much of the state-

ment had not been made publicly previously, little in it was new.

'No Bombshells'

"There were no bombshells," one defense attorney said.

The decision by Mr. Garrison and his advisers not to attempt to ascribe a motive for the alleged conspiracy was a surprise. At almost every opportunity for 18 months, Mr. Garrison said that the murder had been ordered by the "paramilitary right" and munitions makers and had been carried out by members or former members of the Central Intelligence Agency.

"It is the position of the state

of Louisiana that, regardless of the power which might bring about the execution of a President of the United States, whether it be initiated by a small group of the highest possible force, neither the planning of his murder nor any part of it will be regarded in Louisiana as being above the law," he said.

Mr. Garrison paused after "by a small group" and raised his voice when he said "on the highest possible force."

Previously, Mr. Garrison charged that former President Lynden B. Johnson had helped cover up evidence of a conspiracy.

"The evidence will further

show that in June, 1963, the defendant, Clay Shaw, was present at a party given in an apartment in the French Quarter of this city," Mr. Garrison said.

"Among the guests at the party was David Ferrie, a man known as an accomplished airplane pilot. During the course of the party the conversation among a small group of those present turned to President John F. Kennedy. The comment was made that President Kennedy should be killed and that the job could best be done by a rifle.

"At this point, the defendant, Clay Shaw, suggested that

the man toing the shooting would probably be killed before he could make his escape. the defendant, after making this observation, turned to Ferrie and asked if it might not be possible to fly the gunman from the scene of the shooting to safety. David Ferrie replied that this would be possible."

Start of the "Plot"

The state will try to prove that this alleged conversation marked the beginning of a conspiracy that drew into it Oswald and other, possibly Ruby, and that the conspiracy culminated in the murder of President Kennedy at 12: 31 P.M., Nov. 22, 1963.