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Shaw Trial Opens with Hassle On Questioning of Jury Panel First Chance For Queries Given State

The trial of Clay L. Shaw opened today with a legal hassle over whether the state or the defense has the first crack at questioning potential jurors.

The first morning session ended with no jurors agreed upon. The debate ended with Judge Edward A. Haggerty Jr. ruling that the state will question jurors first.

One juror took up most of the morning session as he was questioned by Assistant District Attorney James L. Alcock for more than an hour on the circumstances under which he might find Shaw guilty. He was to return this afternoon to be questioned by defense attorneys.

(Indicate page, name of newspaper, city and state.)

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SECTION 1

STATES-ITEM

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PRESIDENT JOHN F.

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Being Investigated

The quizzing of Irvin Mason, 30, on charges of conspiring to kill President John F. Kennedy before Judge Haggerty.

Mason was the second on the list of potential jurors. The first, ironically, was named John Kennedy. He was excused because, he said, he has already formed an opinion in the case.

MASON WAS QUESTIONED CLOSELY by Alcock on what he has read and heard about the case. Mason said he has read about it in the newspapers, but has formed no opinion as to Shaw's guilt or innocence.

He testified that he is a machine operator for the Freeport Sulphur Co. is married and has two children.

Alcock went deeply into the legal meaning of a conspiracy, and said the state will seek to prove that Shaw met with Lee Harvey Oswald and David William Ferrie, both now dead, at 3330 Louisiana Ave. Parkway in September of 1963 and plotted the assassination.

HE SAID THE STATE WILL SHOW further that Oswald was in Dallas on Nov. 22, 1963, the day the president was shot to death, and that he had a rifle at the scene. He said the state needs only to prove that there was a conspiracy and that an overt act was committed in furtherance of it.

Alcock said the state will show Shaw met with Oswald and Jack Ruby, the man who killed Oswald, in Baton Rouge.

Alcock asked Mason if he could find Shaw guilty under these circumstances. He said he could.

At this point, the dispute broke out over whether the state should question witnesses first. The judge ruled in the state's favor.

A TOTAL OF 169 POTENTIAL JURORS is available, and more can be added if necessary. District Attorney Jim Garrison was not in the courtroom today.

Also today, a subpoena was issued by the defense for Oswald's widow, Mrs. Marina Oswald Porter of Irving, Tex. The state issued a subpoena for a film taken of the assassination by Abraham Zapruder and bullet fragments found at the scene. These materials are in the National Archives at Washington.

The principals in the case began to gather at the courthouse at Tulane and Broad shortly after 9 a. m. Judge Haggerty was first to appear outside the building.

Perry Raymond Russo, the state's star witness at the preliminary hearing which resulted in Shaw being bound over for trial, showed up about 9:30 with a companion identified as John Bloemer.

RUSSO TOLD NEWSMEN BLOEMER "may be a witness."

Shaw arrived at 9:50 with his attorneys. He smiled at newsmen and said "Hello." He said nothing more.

As court got under way, witnesses answering subpoenas for today were checked. Several were missing, but both sides indicated their witnesses are in fact available and pronounced themselves satisfied.

JUDGE HAGGERTY THEN HAD COURT CRIER Vincent Martello pick 12 names out of a box containing names of all 169 panelists. The first name he picked was Kennedy's.

Martello had to draw 13 names because the judge excused one potential juror, John William Kibler, for medical reasons.

After the 12 were identified, the rest of the jury panel

JUDGE HAGGERTY ANNOUNCED THAT once 12 jurors and two alternates are selected each will be allowed one telephone call home and they will be sequestered for the duration of the trial. Jurors will not be able to communicate with their families without the sheriff's permission.

The trial, which has been pending since March 1, 1967, finally became a reality when Garrison's office yesterday withdrew its last-minute request for a delay and both sides said they were ready for trial.

BOTH THE DEFENSE AND THE STATE are armed with 12 peremptory challenges, by which they can discharge a juror without giving a reason. After these are exhausted, it will be up to the judge to decide whether a juror is fit to serve.

Security precautions are being placed in effect by Criminal Sheriff Louis A. Heyd Jr. and will be tightened when testimony gets under way.

Admission to the courtroom is by credentials only, and all persons entering will be frisked. A soundless, closed-circuit television camera has been installed in the courtroom with an outlet in the sheriff's office as a security measure.

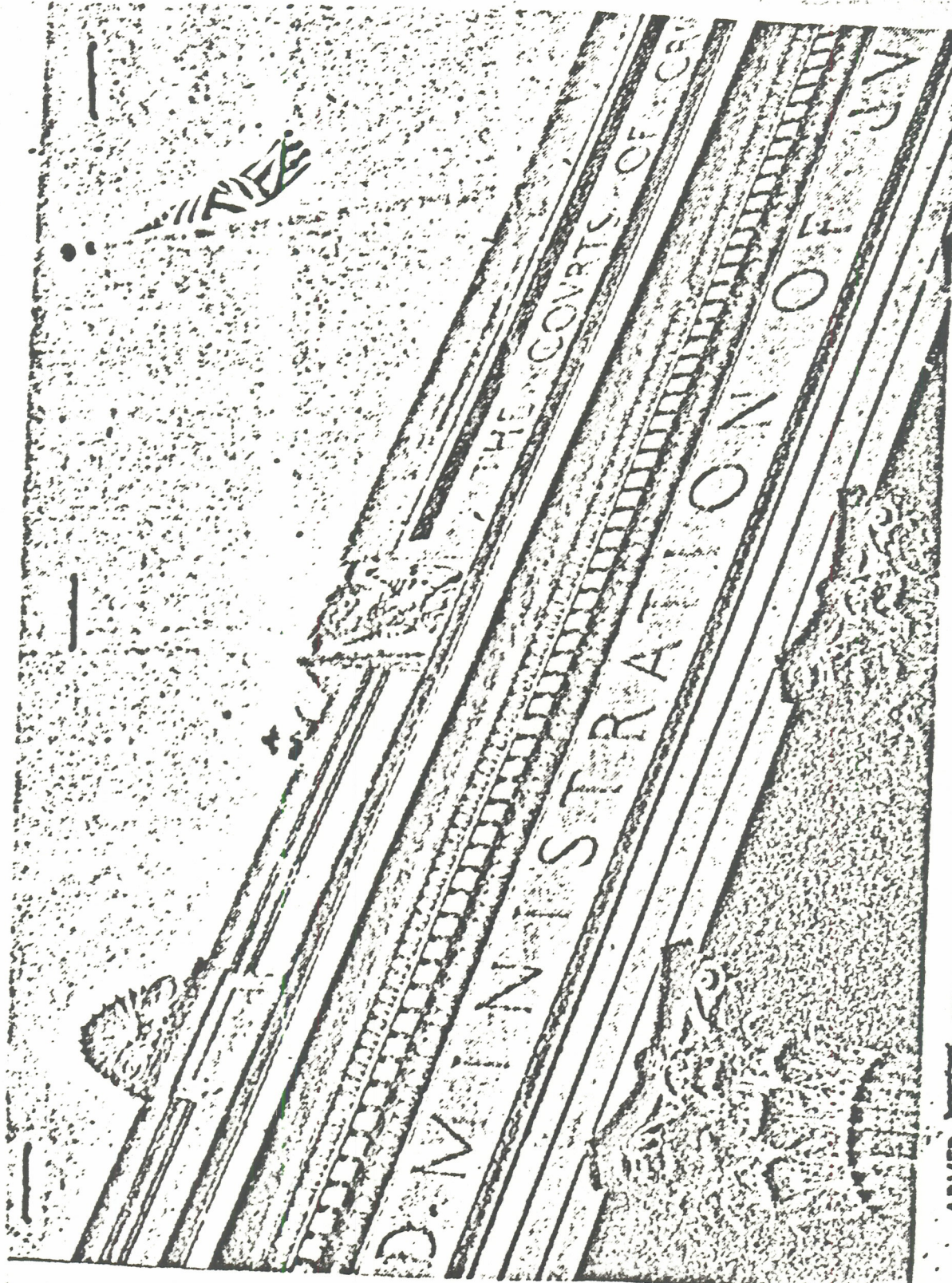
JUDGE HAGGERTY has laid down strict guidelines for news coverage. Cameras and electronic equipment have been barred from the courthouse, and principals have been ordered not to discuss the case out of court.

The most prominent defense witness, William Gurvich, a former investigator for Garrison, was reported ill. However, the defense witnesses will not be called until late in the trial.

SHAW, 45, REMAINS FREE on \$10,000 bond while the trial is under way.



CLAY L. SHAW SMILES as he arrives for the start of his trial on charges of conspiring to kill President John F. Kennedy.



ARMED GUARD STANDS ATOP CRIMINAL COURTS BLDG. AS SHAW TRIAL OPENS

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JUDGE EDWARD A. HAGGERTY JR. —Stiles-Horn photo.
En route to Shaw trial.