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14 MAR 1967
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URGENT

PROBE BJT 1ST LEAD

BY BILL CRIDER

ASSOCIATED PRESS WRITER

NEW ORLEANS, MARCH 14 (AP)--A SHOWDOWN HEARING IN DIST. ATTY. JIM GARRISON'S CONTROVERSIAL KENNEDY ASSASSINATION PROBE OPENED TODAY BEFORE AN UNUSUAL THREE-JUDGE CRIMINAL DISTRICT COURT PANEL WHICH WILL DETERMINE IF RETIRED EXECUTIVE CLAY SHAW SHOULD GO TO TRIAL.

THE FIRST WITNESS FOR THE DISTRICT ATTORNEY WAS POLICE DETECTIVE FRANK HAYWARD WHO TESTIFIED HE ARRESTED LEE HARVEY OSWALD AFTER A BRAWL ON CANAL ST. ON AUG. 9, 1963.

SHAW, WELL-TAILORED AND RUGGED-LOOKING AT AGE 54, LOOKED HAGGARD AS HE PUSHED PAST A THRONG OF NEWSMEN TO ENTER THE COURTROOM. HIS EYES DARTED IN ALL DIRECTIONS AS HE WALKED UP THE STAIRS.

SHAW WAS ACCOMPANIED BY THREE ATTORNEYS. HE WAS SMOKING A CIGARETTE AND CARRIED A LARGE BOOK UNDER ONE ARM.

PURPOSE OF THE PRELIMINARY HEARING WAS TO DECIDE IF SHAW, FORMER MANAGING DIRECTOR OF THE INTERNATIONAL TRADE MART HERE, SHOULD BE HELD FOR TRIAL. GARRISON HAS ACCUSED SHAW OF CONSPIRING WITH OSWALD AND OTHERS TO KILL PRESIDENT JOHN F. KENNEDY.

A DEEPLY SUNTANNED GARRISON, FLANKED BY SEVEN ASSISTANTS, ENTERED THE COURTROOM JUST BEFORE THE HEARING BEGAN. HIS FACE WAS PARTLY BURNED AND HIS NOSE WAS PEELING. IT WAS GARRISON'S FIRST PUBLIC APPEARANCE IN 10 DAYS. FIFTY DEPUTY SHERIFFS STOOD GUARD AROUND THE COURT ROOM AND BUILDING.

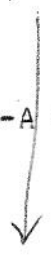
BILL GURVICH, THE DISTRICT ATTORNEY'S CHIEF INVESTIGATOR, CARRIED A 4-FOOT LONG BUNDLE WRAPPED IN BROWN PAPER. SOURCES IN GARRISON'S OFFICE SAID THE PACKAGE CONTAINED A HIGH POWERED RIFLE WITH TELESCOPIC SIGHT.

THE WARREN ETC., 4TH GRAF.

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(EDS: READ 1ST LINE ABOVE: --A SHOWDOWN HEARING X X X (FIXING SHOWDOWN)

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URGENT

NEW ORLEANS 1ST ADD PROBE BJT 1ST LEAD A172: SIGHT.

BEFORE THE HEARING GOT UNDERWAY IN THE STUFFY, SMOKE-FILLED COURTROOM, SHAW WAS SEEN THUMBING THROUGH A COPY OF THE WARREN REPORT.

CHARLES WARD, FIRST ASSISTANT DISTRICT ATTORNEY, TOLD PRESIDING JUDGE BERNARD BAGERT THE STATE HAD FIVE WITNESSES READY TO TESTIFY. WARD NAMED THEM AS HAYWARD; CORONER DR. NICHOLAS CHETTA; DR. ESMOND A. FATTER FROM THE CORONER'S OFFICE; PETER SCHUSTER, A PHOTOGRAPHER FROM THE CORONER'S OFFICE, AND JOHN REILLY, A POLICE PHOTOGRAPHER.

AN OFFICER WITH A PORTABLE MINE DETECTOR, INSPECTED ALL PERSONS ENTERING THE COURTROOM.

SCHUSTER WAS THE SECOND WITNESS. HE TESTIFIED THAT HE TOOK PICTURES OF DAVID W. FERRIE'S APARTMENT ON FEB. 22, 1967--THE DAY FERRIE WAS FOUND DEAD. GARRISON HAS ALLEGED THAT SHAW, OSWALD AND FERRIE MET IN FERRIE'S APARTMENT IN SEPTEMBER, 1963, TO DISCUSS KILLING KENNEDY.

REILLY TOOK THE STAND NEXT. A PHOTOGRAPHER FROM THE POLICE DEPARTMENT, HE TESTIFIED ALSO ABOUT PHOTOGRAPHING FERRIE'S APARTMENT ON FEB. 22.

A TOTAL OF NINE PHOTOGRAPHS WERE INTRODUCED BY THE STATE, SOME OF FERRIE'S BODY, SOME OF FERRIE'S APARTMENT, AND SOME OF OSWALD.

AN ATTORNEY FOR SHAW, F. IRVING DYMOND, SHOWED SCHUSTER A PICTURE WHICH HE SAID WAS A SKETCH OF FERRIE'S APARTMENT AND ASKED IF HE RECOGNIZED IT.

"NO SIR, I DON'T," SCHUSTER SAID.

THE WARREN ETC 4TH GRAF A55 AS BEFORE.

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URGENT

NEW ORLEANS 2ND ADD PROBE BJT 1ST LEAD A172: SCHUSTER SAID.

THE DEFENSE FOR SHAW INTRODUCED 16 PHOTOGRAPHS OF FERRIE'S APARTMENT WHICH WERE TAKEN LAST WEEKEND WITH COURT APPROVAL. SCHUSTER WAS ASKED SEVERAL QUESTIONS PERTAINING TO DETAILS OF THE APARTMENT AND ITS LAYOUT.

SCHUSTER IDENTIFIED 15 OF THE 16 PHOTOS AS SHOWING VARIOUS LOCATIONS WITHIN FERRIE'S APARTMENT. OF THE 16TH PHOTO, HE SAID: "I DON'T FAMILIARIZE MYSELF WITH THAT PHOTO."

THE WARREN COMMISSION NAMED OSWALD, A FORMER NEW ORLEANS RESIDENT, AS THE MAN WHO ASSASSINATED PRESIDENT JOHN F. KENNEDY. THE COMMISSION SAID THERE WAS NO CREDIBLE EVIDENCE THAT A CONSPIRACY WAS INVOLVED.

THE PRESIDENT ETC 5TH GRAF A55.

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GAR

14 MAR 1967
442 AES

PROBE BJT (540)

BY BILL CRIDER

ASSOCIATED PRESS WRITER

NEW ORLEANS, MARCH 14 (AP)-A HEAVY GUARD WAS ORDERED TODAY FOR THE LEGAL SHOWDOWN IN DIST. ATTY. JIM GARRISON'S CONTROVERSIAL KENNEDY ASSASSINATION PROBE.

TWENTY SHERIFF'S DEPUTIES WERE ASSIGNED TO WATCH OVER THE SMALL CRIMINAL DISTRICT COURTROOM WHILE STATE AND DEFENSE LAWYERS ARGUE WHETHER RETIRED EXECUTIVE CLAY L. SHAW SHOULD GO TO TRIAL.

GARRISON ACCUSED SHAW, 54, FORMER MANAGING DIRECTOR OF THE INTERNATIONAL TRADE MART HERE, OF CONSPIRING WITH LEE HARVEY OSWALD AND OTHERS TO KILL PRESIDENT JOHN F. KENNEDY.

THE WARREN COMMISSION REPORT NAMED OSWALD, A FORMER NEW ORLEANS RESIDENT, AS THE KILLER--AND SAID THERE WAS NO CREDIBLE EVIDENCE THAT A CONSPIRACY WAS INVOLVED.

THE PRESIDENT WAS KILLED IN DALLAS NOV. 22, 1963. WHETHER THERE IS ENOUGH EVIDENCE TO WARRANT FORMAL CHARGE AND TRIAL FOR SHAW WAS THE ONLY MATTER BEFORE THE PRELIMINARY HEARING. SHAW CALLED GARRISON'S ACCUSATIONS "FANTASTIC."

UNDER LOUISIANA LAW, SHAW WAS BOOKED--BUT NOT FORMALLY CHARGED--WITH CONSPIRACY TO MURDER THE PRESIDENT. HE WAS FREED ON \$10,000 BOND.

THE PRELIMINARY HEARING WAS THEN CALLED BY GARRISON, A RARE MOVE IN LOUISIANA LEGAL PROCEDURE. AN EQUALLY RARE THREE-JUDGE PANEL

WAS SET UP TO PRESIDE.

THE DISTRICT ATTORNEY HAS KEPT HIS CASE SECRET. BUT U.S. ATTY. GEN. RAMSEY CLARK, IN WASHINGTON, SAID HE KNOWS WHAT IT INVOLVES AND DOES NOT CONSIDER THE CASE VALID.

CLARK SAID SHAW, DURING THE EXHAUSTIVE INVESTIGATION WHICH FOLLOWED THE ASSASSINATION, WAS CHECKED OUT BY THE FBI AND CLEARED. HE DECLINED TO SAY WHY SHAW WAS INVESTIGATED.

SHAW'S THREE DEFENSE LAWYERS FIRST ACCEPTED THE PRELIMINARY HEARING. THEN THEY SWITCHED TACTICS AND FOUGHT IT VIGOROUSLY, LOSING AT EVERY STEP.

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THE THREE-JUDGE PANEL OVERRULED A DEFENSE MOTION YESTERDAY TO HAVE A SINGLE JUDGE PRESIDE OVER THE HEARING--REJECTING THE ARGUMENT THAT THE PANEL WAS TANTAMOUNT TO BEING TRIED BY A JURY, AND THAT IT WAS UNPRECEDENTED IN LAW AND UNAUTHORIZED.

AFTER DISPOSING OF DEFENSE MOTIONS, THE PANEL RESCINDED A WIDELY IGNORED RULE WHICH IT HAD IMPOSED ON PRESS COVERAGE LAST WEEK FORBIDDING THE REPORTING OF ANYTHING EXCEPT WHAT OCCURRED IN OPEN COURT.

GARRISON CONTENDS THAT SHAW, OSWALD, DAVID W. FERRIE AND OTHERS MET IN FERRIE'S APARTMENT HERE IN SEPTEMBER, 1963, AND PLOTTED "HOW THEY WOULD KILL JOHN F. KENNEDY." GARRISON SAID A CONFIDENTIAL INFORMANT WAS PRESENT AT THE MEETING. THE INFORMANT'S STORY, HE ADDED, STOOD UP UNDER QUESTIONING WHILE THE SUBJECT WAS UNDER THE INFLUENCE OF SODIUM PENTOTHAL--OR "TRUTH SERUM."

WHEN SHAW'S LAWYERS, AT A HEARING LAST WEEK, DEMANDED THAT THE UNNAMED INFORMANT BE PRODUCED, JUDGE BERNARD BAGERT SAID HE WOULD HAVE TO RULE ON THAT AT THE PRELIMINARY HEARING.

BUT HE DIRECTED THAT THE DISTRICT ATTORNEY HAVE THE INFORMANT READY TO FACE THE ACCUSED.

SHAW IS THE ONLY MAN NAMED BY GARRISON AS ATTENDING THE MEETING WHO STILL LIVES. FERRIE, 49, AN AIRLINE PILOT FIRED IN 1961 DUE TO ARRESTS ON MORALS CHARGES, DIED IN HIS APARTMENT LAST FEB. 22 WHILE UNDER INVESTIGATION.

HE HAD CALLED THE INVESTIGATION A "BIG JOKE," SCOFFING: "THEY GOT ME PEGGED AS THE GETAWAY PILOT."

HIS DEATH WAS LISTED AS DUE TO NATURAL CAUSES--A MASSIVE CEREBRAL HEMORRHAGE CAUSED WHEN HIGH BLOOD PRESSURE BROKE A WEAK BRAIN ARTERY.

THE DISTRICT ATTORNEY'S STAFF YESTERDAY QUESTIONED RAYMON CUMMINGS, A FORMER DALLAS TAXI DRIVER WHO CLAIMS HE ONCE DROVE OSWALD AND FERRIE TO JACK RUBY'S NIGHTCLUB IN 1963. TO THE DAY OF HIS DEATH, JAN. 3, RUBY, CONTENDED HE NEVER KNEW OSWALD.

CUMMINGS, ACCOMPANIED BY HIS LAWYER, FLEW HERE FROM DALLAS.

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