

MONDAY

'CAN GET FAIR TRIAL HERE'**DA Attacks Shaw
Venue Shift Plea**

The district attorney's office today said Clay L. Shaw can get a fair trial in New Orleans and filed an attack on a motion to transfer the trial.

Assistant DAs James L. Alcock and Richard V. Burnes filed an answer to Shaw's change of venue motion in the court of Criminal District Judge Edward A. Haggerty Jr.

SHAW, 54, IS under indictment for conspiracy in the slaying of President John F. Kennedy.

Haggerty today set for March 5 a hearing on the change of venue motion, and in the discussion the shape the hearing will take was outlined.

Shaw's attorneys will call a list of witnesses, some from out of town. A list probably will be filed Wednesday. The state will have a chance to call witnesses in rebuttal.

Haggerty indicated he will then put several persons from the March jury venire on the stand to determine whether they could be impartial. The judge said he would take three or four persons from each section of court's panel.

IN THE MOTION filed today by Alcock and Burnes, they held the allegations cited by defense counsel in seeking a change of venue are "totally irrelevant and unrelated to any valid reason for a change of venue."

Some parts of the motion, which contends Shaw cannot get a fair trial because of publicity about the case, are "patently false," the DA's aides said.

The answer denied that any of the grounds for a change of venue set up in the Louisiana Criminal Code exist in this case.

"To hold otherwise would be to rule that there are not 12 fair and impartial jurors in the thousands that make up the venire," the motion said.

THE ORLEANS Parish Grand Jury will meet at 9 a. m. Thurs-

day to resume its part in District Attorney Jim Garrison's probe of Kennedy's slaying, but Alcock said it is still uncertain who will testify.

One witness sought by the DA said over the week end he will voluntarily come to New Orleans to testify even though he successfully fought extradition from California.

Lawrence Howard Jr. of El Monte, Calif., left Los Angeles Saturday for New Orleans. There was no word on whether he would show up at the DA's office today.

Howard, an unemployed welder, was subpoenaed by Garrison. He first said he would come here to testify, then later changed his mind. Superior Court Judge Richard Schauer denied Garrison's extradition request after a short hearing Jan. 27.

In his subpoena, Garrison said Howard was registered at the Young Men's Christian Association in Dallas Nov. 22, 1963, the day President John F. Kennedy was killed.

Howard said he was in Los Angeles that day.

Howard said over the weekend: "I am hoping that if Mr. Garrison is on the right track, and I assume he does have something, that I can perhaps enlighten him or help out in some way . . . bring certain facts to light.

"I am not saying I have anything I can help with, but in any way I can, I will."

He did not say what day he is to appear before the jury.