

EB52

BY W. GAVIN SCOTT
ASSOCIATED PRESS WRITER

NEW ORLEANS (AP)—LAWYERS FOR CLAY L. SHAW RENEW THEIR LEGAL ATTACK TODAY ON THE GRAND JURY INDICTMENT CHARGING HIM WITH CONSPIRING TO MURDER PRESIDENT JOHN F. KENNEDY.

CRIMINAL DIST. COURT JUDGE EDWARD HAGGERTY SAID HE EXPECTS TO RULE BY NEXT MONDAY ON THE DEFENSE MOTION TO QUASH THE INDICTMENT.

SHAW'S FOUR LAWYERS OPENED A BROAD ATTACK ON THE INDICTMENT, CONCENTRATING MAINLY ON THE METHOD OF SELECTING ORLEANS PARISH GRAND JURORS.

SHAW, 54, A TALL, RETIRED BUSINESS EXECUTIVE, CHAIN-SMOKED IMPASSIVELY THROUGH MOST OF THE PROCEEDINGS, FREQUENTLY WHISPERING TO HIS ATTORNEYS.

THE INDICTMENT AGAINST SHAW WAS ISSUED MARCH 22. HE IS THE ONLY MAN CHARGED IN DIST. ATTY. JIM GARRISON'S CONTROVERSIAL PROBE OF AN ALLEGED NEW ORLEANS CONSPIRACY TO MURDER THE PRESIDENT--WHO WAS ASSASSINATED IN DALLAS IN 1963.

WHEN THE PRE-TRIAL HEARING OPENED MONDAY, SHAW'S LAWYERS SET OUT IN AN EFFORT TO PROVE THREE MAIN POINTS: THAT WOMEN ARE SYSTEMATICALLY INCLUDED, AND THAT DRAWINGS FROM THE JURY WHEEL MAY BE ILLEGAL.

SEVERAL VARIATIONS FROM THE LEGALLY PRESCRIBED METHOD OF CHOOSING GRAND JURORS WERE DEVELOPED DURING QUESTIONING OF THE JURY COMMISSIONERS.

PHILIP J. MYER, A MEMBER OF THE COMMISSION WHICH DREW THE NAMES OF 75 PROSPECTIVE JURORS FOR THE GRAND JURY WHICH INDICTED SHAW, TESTIFIED THERE MIGHT HAVE BEEN ONLY 500 TO 600 NAMES IN THE BRASS WHEEL AT THE TIME.

"DON'T YOU KNOW THAT THE LAW REQUIRES YOU TO KEEP 750 NAMES IN THERE AT ALL TIMES?" ASKED JUDGE HAGGERTY.

"NO," REPLIED MYER. BUT HE LATER RAISED HIS ESTIMATE, SAYING THERE ALWAYS WERE 1,200 TO 1,500 NAMES IN THE WHEEL AT A DRAWING.

AFTER THREE OTHER COMMISSIONERS AGREED THEY COULD ONLY ESTIMATE HOW MANY NAMES WERE IN THE CONTAINER, THE JUDGE ORDERED THE WHEEL BROUGHT TO COURT FOR A COUNT. THERE WERE 739 NAMES IN IT AT THE TIME.

THE COMMISSIONERS ALSO TESTIFIED THEY HAD NOT FOLLOWED COURT ORDERS TO ACQUIRE ADDITIONAL NAMES OF PROSPECTIVE JURORS FROM LISTS SOLICITED FROM THE VOTER REGISTRAR, NEGRO CARNIVAL AND CIVIC ORGANIZATIONS AND LARGE EMPLOYERS.

"I DON'T KNOW WHERE YOU'VE BEEN ALL THIS TIME; YOU WERE THERE WHEN I REQUESTED YOU DO THESE THINGS," JUDGE HAGGERTY TOLD NOEL J. RADA, THE COMMISSION CHAIRMAN.

THE 23 WITNESSES CALLED ON THE FIRST DAY OF THE HEARING INCLUDED SEVEN CRIMINAL DISTRICT COURT JUDGES, WHO WERE QUESTIONED AS TO HOW THEY GO ABOUT EMPANELING GRAND JURIES.

IN ADDITION, ALL 12 MEMBERS OF THE GRAND JURY WHICH INDICTED SHAW WERE CALLED FOR QUESTIONING ABOUT WHETHER THEY OR THEIR BUSINESS ASSOCIATES OR FAMILY HAD CONTRIBUTED TO TRUTH OF CONSEQUENCES, INC., THE PRIVATE ORGANIZATION WHICH STEPPED IN TO FINANCE GARRISON'S PROBE.

ONE OF THE 12, J.C. ALBARADO, VICE PRESIDENT OF AN INSURANCE COMPANY, SAID ONE OF HIS BUSINESS ASSOCIATES CONTRIBUTED TO THE FUND.

NN847ACD SEPT.12