

EB22

NEW ORLEANS (AP)--A CRIMINAL DISTRICT COURT JUDGE HAS PROMISED A RULING MONDAY ON TWO MOTIONS TO THROW OUT AN INDICTMENT AGAINST CLAY L. SHAW FOR CONSPIRACY TO KILL PRESIDENT JOHN F. KENNEDY.

JUDGE EDWARD A. HAGGERTY SET THE DECISION DATE TUESDAY AS HE ENDED A TWO-DAY PRETRIAL HEARING FOR THE 54-YEAR-OLD WEALTHY NEW ORLEANS EX-BUSINESSMAN.

DIST. ATTY. JIM GARRISON CONTENDS SHAW PLOTTED WITH OTHERS IN NEW ORLEANS TO MURDER THE PRESIDENT, WHO WAS ASSASSINATED IN DALLAS IN 1963. IF THE MOTIONS TO QUASH FAIL, SHAW WILL PROBABLY GO TO TRIAL LATE THIS MONTH OR IN OCTOBER.

HAGGERTY IS CONSIDERING THE ORIGINAL DEFENSE MOTION TO QUASH, AS WELL AS A SUPPLEMENTAL MOTION FILED BY DEFENSE ATTORNEY F. IRVIN DYMOND AFTER TESTIMONY GIVEN MONDAY.

DURING THE TRIAL, JUDGE HAGGERTY GAVE THE STATE A CHANCE TO OBJECT TO QUESTIONS PUT TO ALL WITNESSES BEFORE THE QUESTIONS WERE ANSWERED. THE OBJECTIONS CAME OFTEN AND WERE ALMOST ALWAYS SUSTAINED.

Asst. DIST. ATTY. JAMES ALCOCK, WHO MADE MOST OF THE STATE'S OBJECTIONS, WAS HIMSELF AMONG THE WITNESSES WHO YIELDED LITTLE INFORMATION.

"IF YOU SEE FIT NOT TO ANSWER ANY QUESTION, YOU OBJECT AND I'M GOING TO SUSTAIN IT," JUDGE HAGGERTY TOLD HOM. "I OBJECT," SAID ALCOCK TO EVERY QUESTION, AND HE WAS DISMISSED.

GARRISON WAS CALLED TO THE STAND AND AFTER DEFENSE ATTORNEY IRVING F. DYMOND ASKED HOM QUESTIONS ABOUT OFFICE FINANCES, JUDGE HAGGERTY SAID THE QUESTIONS THE ATTORNEY WAS GOING TO ASK WERE PROBABLY IRREVELANT AND IMMATERIAL AND HE TOLD GARRISON NOT TO ANSWER ANY OF THEM.

WHEN GARRISON WAS ASKED IF STAR PROSECUTION WITNESS PERRY RAYMOND RUSSO HAD FAILED SEVERAL LIE DETECTOR TESTS, THE DISTRICT ATTORNEY REPLIED: "CERTAINLY HE DID NOT."

NO OTHER QUESTIONS WERE ANSWERED.

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