

Shaw Motion Delays Ruling On Trial Shift

A new move by attorneys for Clay L. Shaw today caused Criminal District Court Judge Edward A. Haggerty to postpone his ruling, scheduled tomorrow, on whether Shaw's trial will be moved out of New Orleans.

Attorneys for Shaw, 55, moved to reopen a hearing on their previous motion to shift Shaw's trial on a charge of conspiracy to kill President John F. Kennedy. Judge Haggerty set a hearing at 10 a.m. Tuesday on the new motion.

THIS ENDED ALL possibility that Shaw's long-delayed trial could begin in April. The earliest possible date now would be the first jury day in May.

An action by the office of District Attorney Jim Garrison to hold for use in the trial a motion picture film of the Kennedy assassination led to a defense motion to reopen the change-of-venue hearing.

The Orleans Parish Grand Jury today saw the color movie film of the Kennedy assassination taken in Dallas on Nov. 22, 1963, by Abraham Zapruder. It was subpoenaed from its owners, Life magazine, for the jury to study in its probe of the assassination.

The film shown was not the original film, but a copy made before several frames were damaged.

The jury spent about 30 minutes watching the film. Afterwards, Garrison said he had seen the film before and "it shows Kennedy was shot from the front."

The DA said he would try to arrange with Life for a private showing of the film for New Orleans newsmen.

ASSISTANT DA James L. Alcock on March 21 wrote Life attorney Cicero Sessions asking that the DA's office be allowed to hold the film "for possible use in the case of the state of Louisiana vs. Clay L. Shaw." Sessions agreed.

Defense attorneys F. Irvin Dymond and Edward Wegmann came into Judge Haggerty's court today with copies of the Alcock-Sessions correspondence attached to their motion to reopen the change-of-venue hearing.



—States-Item photo.

ASSISTANT DA JAMES L. ALCOCK, left, receives a copy of the film taken in Dallas by Abraham Zapruder of the John F. Kennedy slaying from CICERO SESSIONS, attorney for Life magazine.

They argued that Alcock's statement amounts to a "judicial declaration" that the Shaw case and the assassination probe are one and the same, and thus they have the right to reopen the hearing and reexamine all of the witnesses.

IN THE HEARING, several newsmen and 80 members of the jury panel were questioned. Shaw's attorneys sought to show that he could not get a

fair trial here because of "undue" publicity about the case.

But Judge Haggerty restricted all testimony to the Shaw case itself, overruling defense contentions that all aspects of the assassination probe are relevant because they establish in the public mind the existence of a conspiracy.

NOW, THE defense says, since the DA's office has indicated a film of the assassination would be revelant, they have the right to call all the witnesses back and ask them the questions about the assassination previously ruled out.

Garrison had contended, and the judge agreed, that his public statements about the assassination were not relevant as long as they did not pertain directly to Shaw.

Judge Haggerty set the Tuesday date for arguments on the issue on whether to reopen the hearing and reexamine witnesses.

"THIS NECESSARILY defers my ruling due Friday on the change of venue," Judge Haggerty said.

On the Zapruder film itself, Alcock said the DA's office was satisfied with the copy provided. Garrison has claimed in the past that the copy from which the Warren Commission worked was inadequate and the original film would support his contention that Kennedy was shot from the front.

The commission said the President was shot from the back by Lee Harvey Oswald, and it found no evidence of a conspiracy.