

5 February 1969

CW-NU

NY GENERAL DESK: ADV FOR EITHER AMS OR PMS OF THURSDAY AT YR DISCRETION.

CLAY SHAW'S TRIAL: THE CAST

EDITOR'S NOTE: THE CLAY SHAW TRIAL IS MOVING TO THE TESTIMONY STAGE AFTER 2 1/2 WEEKS OF JURY SELECTION. NOT SINCE THE CONSPIRACY TRIALS FOLLOWING LINCOLN'S MURDER IN 1865 HAS THERE BEEN A COURTROOM DRAMA INVOLVING THE CHARGE OF CONSPIRACY TO KILL A PRESIDENT. AS THE CURTAIN FALLS BACK IN NEW ORLEANS THE PRINCIPAL CHARACTERS OF THIS STRANGE CASE ARE PRESENTED IN THIS REPORT.

BY DON MCKEE

ASSOCIATED PRESS WRITER

NEW ORLEANS (AP)—CARNIVAL EXCITEMENT IS BUILDING UP IN NEW ORLEANS. THE ANNUAL STRING OF PARADES STARTS THIS WEEKEND, EVOKING ANEW THE FESTIVAL COSTUMES, THE UNREAL MASKS, THE FUN-MAKING IN THE STREETS CLIMAXING WITH MARDI GRAS ON FAT TUESDAY, FEB. 18.

AND A MAN NAMED CLAY LAVERGNE (CAP L V) SHAW IS STANDING TRIAL, CHARGED WITH CONSPIRING TO ASSASSINATE THE 35TH PRESIDENT OF THE UNITED STATES.

IT IS A STRANGE CASE BY ITS VERY NATURE AND BY VIRTUE OF THE GHOSTLY STATUS OF MEN LIKE LEE HARVEY OSWALD AND DAVID FERRIE, NOW DEAD.

THERE ARE THOSE WHO LOOK AT IT LIKE A PROSPECTIVE JUROR--AMONG THE HUNDREDS EXAMINED IN COURT. "AS FAR AS I'M CONCERNED, I DON'T SEE WHERE IT EVEN MAKES SENSE," SAID ANTOINE FAVRE SR., A RETIRED LONGSHOREMAN WHEN HE WAS QUESTIONED LAST WEEK.

THERE ARE OTHERS, LIKE ALMOST ANY CAB DRIVER PICKED AT RANDOM, WHO SAY THEY THINK "JIM GARRIS

SAY THEY THINK "JIM GARRISON IS NO FOOL."

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TO SHAW, AS HE TOLD AN INTERVIEWER ONCE, IT ALL SEEMS UNREAL. "I AM COMPLETELY INNOCENT," HE SAID ALMOST TWO YEARS AGO AFTER HIS ARREST. THE CHARGE, HE SAID, WAS FANTASTIC.

SHAW, 55, IS 6-4 AND WEIGHS 205. HE HAS SHORT, WAVY ALMOST-WHITE HAIR AND A BROAD FACE WITH PROMINENT CHEEKBONES.

A HEAVY SMOKER, SHAW SITS IMPASSIVELY IN THE COURTROOM. HE FOLLOWS EVERYTHING RATHER INTENTLY.

HE WAS BORN IN KENTWOOD, LA., ABOUT 50 MILES NORTH OF NEW ORLEANS AND JUST BELOW THE MISSISSIPPI LINE. AN ONLY CHILD, HE CAME TO NEW ORLEANS AT THE AGE OF FIVE, LEFT 17 YEARS LATER FOR NEW YORK WHERE HE SPENT SEVEN YEARS IN ADVERTISING AND PUBLIC RELATIONS. HE ENTERED THE ARMY MEDICAL CORPS AS A PRIVATE IN WORLD WAR II AND MADE THE RANK OF MAJOR IN THE GENERAL STAFF CORPS IN THREE YEARS.

SHAW WAS AIDE DE CAMP AND LATER DEPUTY CHIEF TO GEN. CHARLES THRASHER WHO HAD COMMAND ASSIGNMENTS IN ENGLAND AND NORTH FRANCE. SHAW'S DECORATIONS INCLUDE THE FRENCH CROIX DE GUERRE, THE U.S. LEGION OF MERIT AND BRONZE STAR.

RETURNING TO NEW ORLEANS IN 1947, HE TOOK ON THE JOB OF ORGANIZING THE INTERNATIONAL TRADE MART WHICH OPENED IN 1948, A PRIVATELY SUPPORTED AND NONPROFIT ORGANIZATION FOR PROMOTING TRADE THROUGH THE PORT OF NEW ORLEANS. AFTER 18 YEARS AS MANAGING DIRECTOR, HE RETIRED OCT. 1, 1965, SAYING HE WOULD DEVOTE HIS TIME TO PERSONAL INTERESTS AND REAL ESTATE HOLDINGS.

SHAW HAS WRITTEN SEVERAL PLAYS. ANOTHER DIVERSION IS TRANSLATING FROM SPANISH. AT THE TIME OF HIS ARREST, HE WAS WORKING ON A PLAY ABOUT THE FIRST SPANISH GOVERNOR OF LOUISIANA.

HE DESCRIBES HIMSELF AS A LIBERAL IN POLITICS.

AND HE HAS SAID HE VOTED FOR JOHN F. KENNEDY FOR PRESIDENT.

SHAW, A BACHELOR, HAS NO IMMEDIATE FAMILY EXCEPT HIS MOTHER WHO LIVES IN HAMMOND, LA. HIS FATHER--A RETIRED FEDERAL MARSHAL--DIED IN NOVEMBER 1966. SHAW LIVES IN A WELL FURNISHED AND REMODELED FRENCH QUARTER HOUSE. ONE OF HIS SPECIALTIES HAS BEEN BUYING AND RESTORING STRUCTURES IN THE QUARTER.

THE TRIAL'S SETTING, REMOTE FROM THE GARISH SCENES OF NEON-DAZZLED CANAL STREET, IS A SECOND-FLOOR COURTROOM IN THE HUGE, SQUAT, GRAY STONE CRIMINAL DISTRICT COURT BUILDING AT TULANE AND BROAD.

COURT OPENS WITH EVERYONE STANDING WHILE THE CRIER, JOSEPH MARULLO, PERFUNCTORILY INTONES: "O YEA, O YEA. THE HONORABLE CRIMINAL DISTRICT COURT, SECTION C, FOR THE PARISH OF ORLEANS IS NOW IN SESSION. SILENCE IS COMMANDED UNDER PENALTY OF FINE AND IMPRISONMENT. GOD SAVE THE STATE AND THE HONORABLE COURT. PLEASE BE SEATED."

MARULLO, WHO HAS BEEN DOING THIS THREE YEARS, ALWAYS SEEMS A LITTLE EMBARRASSED. HE DOESN'T SAY IT VERY LOUDLY. A FEW DAYS AGO HE REPLACED THE BRIGHT FOREST GREEN UNIFORM OF A CRIMINAL SHERIFF'S DEPUTY WITH A TRIM DARK SUIT AFTER SOME ONE TOLD HIM HE DIDN'T LOOK TOO GOOD IN GREEN.

JUDGE EDWARD A. HAGGERTY JR., 55, PRESIDES IMPATIENTLY. NOISE BOTHERS HIM. "SHERIFF, LET'S HAVE ORDER," HE COMMANDS THE DOZEN DEPUTIES STATIONED ABOUT THE HIGH-CEILINGED COURTROOM. ONCE HE ADMONISHED: "IT'S THE DEPUTIES WHO ARE DOING THE TALKING."

HAGGERTY HAS A GAVEL HE NEVER USES. YOU MIGHT SAY HE GAVELS ORALLY.

THE JUDGE IS SELDOM STILL. IN CHAMBERS LAST WEEK, HE TALKED, PUFFED ANXIOUSLY ON A CIGARETTE, ATTACKED A STACK OF PAPERS, SHUFFLED, UNSHUFFLED, STACKED THEM AND SUDDENLY PRODUCED A PILLBOX.

"FOUR DIFFERENT KINDS OF PILLS," HE SAID, DISPLAYING THEM. ONE WAS FOR AN ARTHRITIC PROBLEM, HE SAID. ANOTHER WAS A VITAMIN, ANOTHER WAS FOR CONSTRICTED ESOPHAGUS."

HAGGERTY GOT HIS LAW DEGREE FROM LOYOLA UNIVERSITY IN NEW ORLEANS. HE WAS A PROSECUTOR FOR 11 YEARS BEFORE WINNING ELECTION TO THE JUDGESHIP.

DIST. ATTY. JIM GARRISON, 46, IS AT THE STORM CENTER. HE IS BIG, 6-6 AND 220, AN IMPOSING FIGURE EVEN WITHOUT THE REVOLVER HE WALSY HAS STRAPPED TO HIS BELT.

"THIS IS NO MICKEY MOUSE INVESTIGATION," GARRISON SAID IN FEBRUARY 1967. SINCE THEN HE WAS STUCK TO HIS CLAIM THAT THERE WAS A CONSPIRACY TO ASSASSINATE KENNEDY.

ELECTED AS A REFORMER IN 1961, GARRISON HAS FOUGHT FRENCH QUARTER PROSTITUTION, HOMOSEXUALS AND OTHER ASSORTED VICES. HE ALSO HAS TANGLED WITH THE POLICE DEPARTMENT, THE MAYOR, THE LEGISLATURE, A CITIZENS CRIME COMMISSION AND THE EIGHT CRIMINAL DISTRICT COURT JUDGES.

IN 1963, THE JUDGES CHARGED HIM WITH DEMATION OF CHARACTER AND HE WAS CONVICTED AFTER HE ACCUSED THEM OF TRYING TO CRIPPLE HIS ANTI-VICE DRIVE IN THE FRENCH QUARTER. HE WON A REVERSAL IN THE U.S. SUPREME COURT.

HIS TRIAL WAS IN THE SAME COURTROOM WHERE SHAW'S IS UNDER WAY.

GARRISON, A LIEUTENANT COLONEL IN THE ARMY RESERVE, SERVED IN EUROPE IN WORLD WAR II AND HELD THE RANK OF CAPTAIN WHEN HE WAS DISCHARGED IN 1951. HE TOOK HIS LAW DEGREE FROM TULANE UNIVERSITY. HE IS MARRIED, HAS FIVE CHILDREN AND AN UNLISTED PHONE NUMBER.

TO GARRISON HANDED THE JOB OF CHIEF PROSECUTOR FOR THE SHAW TRIAL

GARRISON HANDED THE JOB OF CHIEF PROSECUTOR FOR THE SHAW TRIAL TO YOUTHFUL JAMES L. ALCOCK, 35, WHO GOT HIS LAW DEGREE FROM LOYOLA AND WENT STRAIGHT TO THE D.A.'S OFFICE FIVE YEARS AGO.

ALCOCK HAS RATHER SANDY HAIR, IS CLEAN CUT, ALWAYS VERY CLEAN SHAVEN. HE HAS A RATHER HIGH, PRECISE VOICE. HE LIKES LONG CIGARS WHICH HE METICULOUSLY SMOKES DOWN TO ALMOST NOTHING. HE IS 5-7, WEIGHS 150.

CHIEF DEFENSE COUNSEL IF F. IRVIN DYMOND--WHO RAN AGAINST GARRISON FOR THE DISTRICT ATTORNEY'S JOB IN 1961 ALONG WITH FOUR OTHER CANDIDATES. DYMOND, 54, HAS GRAYING HAIR THAT HAS THINNED TO BALDNESS ON TOP OF HIS PATE.

HE IS 5-10, WEIGHS 175. AT THE COUNSEL TABLE, DYMOND SMOKES CONSTANTLY. HE HAS A HUSKY, LOW VOICE THAT INURY SELE

CONSTANTLY. HE HAS A HUSKY, LOW VOICE THAT IN JURY SELECTION PROCEEDINGS KEPT MISSING THE MICROPHONE.

DYMOND, A NAVY LIEUTENANT IM WORLD WAR II AND WOUNDED AT IWO JIMA, RECEIVED HIS DEGREE FROM TULANE LAW SCHOOL.

HE HAS BEEN HONING HIS CROSS-EXAMINATION STYLE FOR THE PARADE OF PROSECUTION WITNESSES. A KEY ONE IS PERRY RAYMOND RUSSO, 26, WHO REMEMBERED A PARTY AND AN ASSASSINATION PLOT, HE SAID, AFTER A JOG OF MEMORY UNDER HYPNOSIS.

RUSSO, DARK-HAIRED AND OF MEDIUM BUILD, TESTIFIED AT A PRELIMINARY HEARING FOR SHAW IN 1967 THAT HE HEARD SHAW, LEE HARVEY OSWALD AND DAVID W. FERRIE TALKING ABOUT ASSASSINATING KENNEDY AT A PARTY IN 1963.

A BOOK SALESMAN, RUSSO WAS STUDYING INSURANCE UNDERWRITING AT LOUISIANA STATE UNIVERSITY WHEN HE BECAME INVOLVED IN THE GARRISON INVESTIGATION. RUSSO HAS A POLITICAL SCIENCE DEGREE FROM LOYOLA. HE PLAYED FOR AND MANAGED SEVERAL BASEBALL TEAMS AND HAS BEEN DESCRIBED BY AN EMPLOYER AS "A REAL FINE GUY, A HARD WORKER AND AN INTELLECTUAL."

A COUNSIN HAS SAID OF RUSSO: "POLITICS IS HIS SECOND LOVE AND BASEBALL IS HIS FIRST." RUSSO GREW UP IN NEW ORLEANS. HIS FATHER IS A MACHINIST; HIS MOTHER DIED IN 1962. HE HAS AN OLDER BROTHER WHO TEACHES ENGINEERING AT LSU.

DAVID W. FERRIE, A WEIRD-LOOKING FORMER AIRLINE PILOT, WAS A KEY FIGURE IN THE GARRISON PROBE. FERRIE, WHO HAD NEITHER HAIR NOR EYEBROWS, AFFECTED A SHAGGY TOUPEE AND MASCARA BROWS. HE WAS FOUND DEAD IN BED, NUDE WITH A SHEET DRAWN UP UNDER HIS ARMS, ON FEB. 22, 1967, SOON AFTER GARRISON STARTED HIS INVESTIGATION.

GARRISON CALLED THE DEATH SUICIDE. THE CORONER SAID IT WAS NATURAL, RESULTING FROM A BRAIN HEMORRHAGE. AN UNDATED NOTE FOUND IN THE APARTMENT SAID: "TO LEAVE THIS LIFE IS, FOR ME, A SWEET PROSPECT."

FERRIE, WHOM G

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FERRIE, WHOM ORISON SAID HE PLANNED TO ARREST, WAS NAMED IN THE INDICTMENT WITH SHAW AND OSWALD AS CONSPIRATORS. FERRIE, HOWEVER, DENIED KNOWING OSWALD OR ANYTHING ABOUT A CONSPIRACY.

A KEY DEFENSE WITNESS WILL BE WILLIAM GURVICH, ONCE THE CHIEF INVESTIGATOR FOR GARRISON. GURVICH RESIGNED AND APPEALED TO ROBERT KENNEDY TO HELP STOP THE INVESTIGATION. HE APPEARED BEFORE A GRAND JURY AND SAID THE PROBE HAD NO BASIS IN FACT AND THERE WERE NO GROUNDS FOR THE CHARGES. GURVICH HAS OPERATED A PRIVATE DETECTIVE AGENCY AND PATROL SERVICE WITH HIS BROTHER FOR 20 YEARS.

THERE ARE MANY OTHER WITNESSES UNDER SUBPOENA, INCLUDING A FORMER NEW ORLEANS WOMAN, SANDRA MOFFETT MCMAINES, WHOSE ATTORNEY SAYS SHE IS HIDING IN IOWA. IN A SWORN STATEMENT, SHE HAS DENIED RUSSO'S STATEMENT THAT SHE WENT WITH HIM TO THE 1963 PARTY WHERE THE ASSASSINATION PLOT ALLEGEDLY WAS DISCUSSED.

WHEN ALL THE EVIDENCE IS IN AND ARGUMENTS FINISHED, THESE ARE THE 12 MEN WHO MUST PASS JUDGMENT:

IRVIN MASON, 48, A CHUNKY GRAYING NEGRO WHO IS A MACHINE OPERATOR AT A SULPHUR WORKS.

OLIVER M. SCHULTZ, 39, A BALDING, MEDIUM-BUILT TRUCK DRIVER.

WILLIAM RICKS JR., 31, A NEGRO SCHOOLTEACHER, WHO WEARS A NARROW SHORT BEARD.

CHARLES D. ORDES JR., 39, BLACK-HAIRED WITH A THIN MOUSTACHE, AN ASSEMBLY LINE SUPERVISOR FOR A CAN COMPANY.

JAMES GARY O'QUINN, 30- A SANDY-HAIRED, HEFTY PETROLEUM ENGINEER AND GUN ENTHUSIAST.

HERBERT JOHN KENISON, 28, LANKY WITH THIN FEATURES, A MICROFILM FINISHER.

LARRY DEAN MORGAN, 24, DARK-HAIRED AND YOUTHFUL, AN AIRCRAFT MECHANIC AND NAVY VETERAN.

SIDNEY J. HEBERT JR., 55, RETIRED FIREMAN, BALDING AND RED-FACED.

HAROLD W. BAINUM JR., 24, UNIT MANAGER FOR A CREDIT CORPORATION, DARK-HAIRED, HEFTY, A HIGH SCHOOL GRADUATE.

WARREN E. HUMPHREY, 52, NEGRO POSTAL CLERK, TALL AND VERY NEATLY DRESSED.

DAVID I. POWE, 28, SINGLE, A HIGH SCHOOL GRADUATE AND CREDIT MANAGER FOR A CREDIT COMPANY, ROUND-FACED AND HEAVYSET WITH DARK HAIR.

PETER M. TATUM, 43, A MAINTENANCE MECHANIC FOR AN ALUMINUM COMPANY, A MAN OF MEDIUM BUILD WITH GRAYING TEMPLES.

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