

(Mount Clipping in Space Below)

REC-40

WARREN REPORT OUT, INDICATION

Attorneys Couldn't Quiz Witnesses—Haggerty

By PAUL ATKINSON

Criminal District Court Judge Edward A. Haggerty Jr. said Saturday it is his belief that the Warren Commission Report could not be admitted into the forthcoming trial of Clay L. Shaw.

Judge Haggerty also said in a press conference in his office in the Criminal Courts Building that he will not ask any of his seven fellow judges to aid him in presiding over the Shaw trial. The 53-year-old jurist was allotted the case of Shaw, who is charged by the Orleans Parish Grand Jury with allegedly conspiring to assassinate President John F. Kennedy in 1963.

The judge added that he is not fearful of conducting the case, sure to claim world-wide interest because Shaw, former managing director of the International Trade Mart, would be the first man tried in a conspiracy to kill Kennedy.

Commenting on the Warren Commission Report, Judge Haggerty said the major reason that it couldn't be used is that neither the defense attorneys nor the state (district attorney) would have a chance to cross-examine the witnesses named in the report.

Judge Haggerty said, "I don't have time to read the Warren Commission Report and I think the best that I don't read it possibly, subconsciously, I might prejudice the case because of it."

NO CONSULTING—JUDGE

As for calling in his fellow judges to assist, Judge Haggerty said, "I don't intend to do it. It would be inopportune in a trial to step and go consult with my brother judges."

Criminal District Court Judge Bernard J. Bagert brought in two judges, Malcolm V. O'Hara and Matthew S. Braniff, to aid in the preliminary hearing for Shaw. There was no jury for the hearing, however.

Judge Haggerty was asked how he felt when he learned that he had drawn the case.

"I knew there was a possibility that I would get it," replied Judge Haggerty. "One of the people in the clerk's office called and told me of the draw."

"I can tell you I'm not afraid. I hope to conduct the trial fair and square. Someone has to try it. I am not trifling."

'JURY MAKES DECISION'

"You have to remember, though, that the jury makes the decision. I am just the umpire."

Judge Haggerty would not hazard a guess on how quickly the Shaw trial will actually begin. "That's a good question," he said when asked of the date.

The first thing to be handled, he said, is the arraignment of Shaw. An attache for Judge Haggerty's office told him that Thursday would be the first day he doesn't have jury trials, but Judge Haggerty told newsmen he wanted to check with Dist. Atty. Jim Garrison and Criminal Sheriff Louis A. Heyd Jr. before making any official comment.

After the arraignment, said Judge Haggerty, there will probably be pleadings by the defense. "If they ask for 15 to 30 days," said Judge Haggerty, "I would grant this because of the seriousness of the case. Then the state has to answer the pleadings. After the pleadings, the district attorney sets the date of the case."

WILL ALLOW SKETCHES

Speaking of the ground rules that were laid down by Judge Bagert in the preliminary hearing, Judge Haggerty said he would definitely allow sketches in the courtroom. This was not allowed by Judge Bagert.

Concerning the credentials situation, Judge Haggerty said, "I can say that the individual

passes for the spectators for the hearing won't go. The press may not have to go through the same process."

Judge Haggerty called for the cooperation of the news media. "I think the (Jack) Ruby and (Sam) Sheppard cases underscore the need for cooperation between the press, bar and judiciary," said Judge Haggerty.

"As you know, this is a very serious problem. The freedom of the press is not absolute. A person is entitled to a fair trial, also according to the Constitution."

'FAIR, IMPARTIAL TRIAL'

Judge Haggerty said he is sure that nearly every person in New Orleans—and possibly around the world—has heard or read of the Shaw case. "But I do believe that we can have a fair and impartial trial in New Orleans," added Judge Haggerty.

Reflecting on his judicial career, Judge Haggerty said the longest trial under his gavel he could recall was "four or five days."

TRIAL LENGTH QUESTION

Asked if he felt the Shaw trial would exceed that, Judge Haggerty said, "I have no way of knowing. Neither side has listed its witnesses, and that will be the important factor."

The crime with which the grand jury charged Shaw, said Judge Haggerty, carries a sentence of "from one to 20 years at hard labor." Length of the sentence is left to the discretion of the judge.

While reporters were questioning Judge Haggerty, a call for him was taken by an assistant. The assistant was a school teacher wanting a pass. "Said he was in the case," the

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Page 1

The Times-Picayune
New Orleans, La.

Date: 3-26-67

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PRESIDENT JOHN F.
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Being Investigated

JFK Probe Called 'Circus' by Lawyer

By RON SPEER

ATLANTA, Ga. (AP)—A New Orleans attorney representing the estate of David W. Ferrie charged Saturday that the investigation of an alleged conspiracy of the assassination of President John F. Kennedy has developed into a "Roman circus and a witch hunt."

Hugh B. Exnicios, 34, made the comment at a news conference he called at the Atlanta Airport after spending a day in the Georgia capitol for what he called an "investigation into the charges made by Mr. Garrison."

Jim Garrison, district attorney in New Orleans, touched off an investigation which has resulted in several arrests and a charge of conspiring to murder Kennedy against Clay L. Shaw of New Orleans, accused of discussing the assassination in Ferrie's apartment in New Orleans with the late Lee Oswald, the man named as the assassin by the Warren Commission.

Exnicios, who said he represents the inheritor of Ferrie's estate, Alvin Beauboeuf, as well as the estate, said his main goal is to clear Ferrie's name. He said he held the news conference in Atlanta because "the atmosphere is better here to clear up these things than it is in New Orleans."

'HOUNDED'

Ferrie died of a brain hemorrhage which Exnicios claimed was brought on by his

being "hounded for six months in this case."

"Mr. Garrison is after a personal goal, say politics," Exnicios said. "I object to the tone of the Roman circus."

Exnicios accused Garrison of relying on what Exnicios called "admitted dope addicts" and said that "not since the Salem witch hunts 200 years ago has the American public ever seen such a witch hunt as we now are in."

Exnicios, who declined comment on numerous questions, said he could not elaborate on his charges, but added that "I have a lot more than I am telling. I expect it will all be brought out within 10 days."

Exnicios said he had been Ferrie's attorney for more than two years, and described Ferrie as "a highly intelligent individual" who was not involved in the Kennedy slaying.

Ferrie had business connections in Atlanta, Exnicios said, but refused to elaborate on them.

"I'm personally involved in the case," Exnicios said, "because I resent the way Mr. Garrison is using the ends to justify the means, and because I represented Mr. Ferrie."

"Mr. Garrison's news releases defamed my client, and he died because of the pressure brought upon him by a six-month investigation," Exnicios said.

"I am going to ask the court to rule Mr. Garrison acted improperly," Exnicios said. "I have no quarrel with an elected official acting in a watchdog capacity."

RUNS MAD

"But when the watchdog of our community runs mad and bites people the rest of us must act," he said.

Exnicios, an attorney in New Orleans for four years who said he was the unsuc-

cessful Republican candidate for district attorney in the last election in an adjoining parish, said he is a graduate of the law school at Loyola of New Orleans.

He said he objected to the wide publicity given Garrison's investigation "because the American public has never been given anything to back up this investigation."

"My ambition at this time," said Exnicios, who flew back to New Orleans after the news conference, "is to show that David Ferrie had no connection with conspiring to assassinate the President, the most heinous crime in our century."

Newsman Report Va. Talks with Novel

NEW YORK (AP)—The Hearst Headline Service and the National Broadcasting Co. reported Saturday that they had interviewed Gordon Novel, missing witness in the New Orleans investigation of the Kennedy assassination.

Both organizations interviewed the 23-year-old electronics firm owner in McLean, Va. The Hearst Service said it located Novel "in his hideaway" by telephone, and NBC paid transportation costs.

No effort was made to detain Novel, the Hearst Service said, and no details were given of where he was found. The two news services shared results of the interview.

Novel was summoned before a grand jury 10 days ago in connection with Dist. Atty. Jim Garrison's investigation of a possible conspiracy to assassinate President Kennedy.

He appeared, did not testify, and then left New Orleans. When called again, he could not be found. New Orleans officials seeking Novel as a material witness, asked police in Chicago to help locate him.