

DA Subpenas Witness in

St. Louis
Mo.
3/6/62

New 'Plot'

No Explanation Given on Action

A new subpena was served today by the district attorney's office in its probe of the assassination of President John F. Kennedy.

Subpenaed to appear at 5 p. m. was J. B. Dauenhauer, 908 St. Louis, a bookkeeper for the Cross-Country Development Corp., leasing agent for the International Trade Mart.

Dauenhauer was at one time assistant sales manager of the ITM under Clay L. Shaw, who was arrested last week and booked with criminal conspiracy in the President's death.

THE SUBPENA WAS ISSUED by Criminal District Judge Bernard J. Bagert at the request of assistant district attorney Richard Burnes. There was no explanation as to why Dauenhauer was subpenaed.

A native of Gretna, Dauenhauer is a graduate of Jesuit High School and Loyola University. He formerly was agent for the American Barge Co. During World War II he was liaison officer of the Delta Shipbuilding Co. in Washington, D.C.

He served overseas as a lieutenant of the U.S. Army Transportation Corps and was attached to the Oise Bay section command at Rheims, France, where he was associated with Shaw.

Dauenhauer is the son of the late J. B. Dauenhauer Jr., who was sheriff of Jefferson Parish from 1920 to 1928.

SHAW WAS MANAGING DIRECTOR of ITM for 18 years. After his arrest last week by Garrison's investigators, he denied any connection with any assassination plot. He is free on \$10,000 bond.

Criminal Sheriff Louis A. Heyd Jr. was unable to serve the warrant immediately either at Dauenhauer's office in the ITM or at his French Quarter home.

Dauenhauer's office reported he was out to lunch. The subpena was issued about 1:30 p. m.

In another development today, Judge Bagert said he is considering the appointment of two other judges to sit with him at a preliminary hearing March 14 for Shaw.

JUDGE BAGERT SAID THAT BECAUSE of the importance of the hearing, he would like to have the counsel of two other judges of criminal court.

Criminal Sheriff Louis Heyd said today he will assign 20 deputies to the hearing for security reasons.

Meanwhile, mystery continued to surround the investigation as public developments ground to a halt over the weekend.

Garrison's investigators worked overtime in their offices in the Criminal Courts Building yesterday, but the DA himself did not show up. No results were announced.

One aide confirmed that the assistants were working on the Kennedy assassination probe, but no one was seen entering or leaving for possible interrogation.

The American Civil Liberties Union of Louisiana today sharply criticized Garrison's actions in publicizing details of Shaw's arrest.

The ACLU issued this statement, entitling it "Garrison Goofs again."

"Last August, the ACLU of Louisiana criticized Orleans Parish District Attorney Jim Garrison for attempting to retry Edgar Labat and Clifton Poret in the press rather than in the courtroom.

"The ACLULA pointed out then that, according to Canon 5 of the Louisiana Bar Association's Code of Ethics, "The primary duty of a lawyer engaged in public prosecution is not to convict, but to see that justice is done," and that Canon 20 states that "Newspaper publications by a lawyer as to pending or anticipated litigation may interfere with a fair trial in the Courts" and "generally are to be condemned."

"Since August, the position of the ACLULA has not altered, the LBA has not rescinded its Code of Ethics, and Mr. Garrison has not changed his spots.

"In the Roman circus which has developed around the district attorney's "investigation" into an alleged plot to assassinate President Kennedy, Garrison has committed serious breaches of professional ethics that have jeopardized any convictions that may be obtained.

"The U. S. Supreme Court, at least, has put prosecutors on notice that convictions obtained principally through an excess of prejudicial, pre-trial publicity, or even in an atmosphere of such publicity, will not be allowed to stand. The reversal of one of Billy Sol Estes' convictions, and even more pointedly the recent reversal of Dr

Sam Shepherd's conviction, are clear indicators of how the Supreme Court feels about such shenanigans as Garrison is currently engaged in.

"The actions of the Chicago authorities who are attempting to obtain the conviction of Richard Speck are in sharp contrast to the goings on in New Orleans. In Chicago, there has been no continuous flow of pronouncements from the courthouse steps, nor has an itemized list of "evidence" been released to the news media.

"It should be pointed out in this connection that it is much easier to get 'evidence' before potential jurors than it is to get it introduced into a trial and before actual jurors.

"The citizens of Chicago, and of the rest of the country, have good reason to take pride in the activities of the Chicago authorities. If Speck did commit the heinous crime of which he is accused, he will probably be convicted, and the conviction will probably be a valid one that will stand up on appeal.

CLAIMS OSWALD, RUBY LINK

Orleans Prisoner Taken Before DA

An inmate of Parish Prison, who claims he knew both Lee Harvey Oswald and Jack Ruby in Illinois, has been removed from the prison a second time for questioning by members of District Attorney Jim Garrison's staff.

The man was taken from the prison late yesterday afternoon to the basement of the Criminal Courts building at Tulane and Broad, and then brought back up to Garrison's offices through the basement elevator, avoiding newsmen congregated in the hall outside the office.

HE WAS first questioned by the DA's office early last week.

Asked today if a prisoner had been taken for questioning by the DA's staff, Criminal Sheriff Louis A. Heyd Jr. said he had no comment.

The prisoner has made claims that he knew both Oswald, the man the Warren Commission named as President Kennedy's assassin, and

Oswald's killer, Ruby, while he was in Illinois.

He also claims he has pictures in his possession of both men. No subpoena has been issued for the prisoner, and his name has not been revealed. There never

has been any indication that Ruby and Oswald knew each other before the 1963 assassination.

Clyde Limbaugh, 52, who says he worked as a singer in Jack Ruby's nightclub in Dallas in 1961, 1962 and 1963, went into Garrison's office shortly before noon today and emerged shortly thereafter.

LIMBAUGH told newsmen, in a lengthy statement, he had information that Jack Ruby was part of a conspiracy to assassinate President Kennedy.

The DA's special assistant, William Gurvich, came out while Limbaugh was making his statement and told Limbaugh to move away from the DA's office.

urvich told newsmen, "This man is totally unreliable. He came to use of his own accord."

APPARENTLY concerned that newsmen would attach any weight to Limbaugh, urvich said, "This sort of thing makes a mockery of our investigation."

Limbaugh called newsmen earlier today and told them he had been subpoenaed. A check showed that he had not been.

Prior to the public revelation that an investigation into the Kennedy murder was being conducted here, Garrison and his staff had questioned a number of persons here and in other key cities.

Five men have been subpoenaed in connection with the investigation during the last week.

ONLY ONE, Clay Shaw, has been arrested thus far. Shaw was booked with conspiring to "commit the crime of murder of John F. Kennedy."

Worldwide interest has not had an opportunity to fall off since Garrison's pronouncement that there would be arrests and convictions as a result of his investigation of what he says was a New Orleans conspiracy culminating in the assassination Nov. 22, 1963, in Dallas.

Interest in the case has been unwavering. A subpoena has been issued every weekday since last Wednesday when Shaw, retired managing director of the International Trade Mart, was arrested.

THE TEMPO of the investigation picked up once again yesterday when Garrison subpoenaed J. B. Dauenhauer, a onetime assistant to Shaw at

the old trade mart.

Dauenhauer arrived at Garrison's office with his lawyer, Irving Dymond, who said on leaving an hour and a half later that his client "cooperated to the utmost."

Dymond said, "In my opinion, Mr. Dauenhauer has nothing to do with any conspiracy if one existed."

He said Garrison's staff apparently was of the same opinion.

DAUENHAUER served with Shaw in France during World War II and is a bookkeeper for the Cross-Country Development Corp., which manages the Trade Mart's new 33-story office building at the foot of Canal.

Shaw was managing director of the Trade Mart from 1946 until his retirement in 1965. Dauenhauer was hired as assistant sales manager under Shaw in 1946.

Lee Harvey Oswald, named by the Warren Commission as the President's assassin, handed out "Fair Play for Cuba" leaflets outside the old Trade Mart in the summer of 1963.

SHAW told newsmen he had "never seen or spoken to Oswald" and could not recall knowing anyone who ever knew him.

In an application for a warrant to search Shaw's French Quarter home last week, Garrison alleged that Shaw, Oswald and pilot David W. Ferrie met and discussed "how they would kill John F. Kennedy."

Shaw, who is free under \$10,000 bond pending a preliminary hearing March 14; denied knowing Ferrie. Ferrie died Feb. 22 while under investigation by Garrison's office. His death was attributed to natural causes by the Orleans Parish Coroner's Office.

YESTERDAY, Garrison was charged with "serious breaches of professional ethics" by the American Civil Liberties Union of Louisiana.

Alan E. Helseth, ACLU executive director said a "Roman circus" has developed around the DA's "investigation into an alleged plot to assassinate President Ken-

ney.

He said the U.S. Supreme Court "has put prosecutors on notice that convictions obtained principally through an excess of pre-judicial pre-trial publicity, or even in an atmosphere of such publicity, will not be allowed to stand."

HELSETHE said that "assuming he has a genuine case against conspirators, his present activities could quite possibly serve to protect those guilty."

"Under these circumstances," he added, "it appears that Mr. Garrison should be making every effort to make his case as valid as possible, so that the accused conspirators might be brought to justice, rather than giving his role as publicist first priority."

"Truth and Consequences Inc.", the businessmen's fund formed to allow Garrison to conduct his assassination plot

probe in secrecy, is reported receiving contributions from all over the country.

JOSEPH M. Rault Jr., one of the men responsible for instigating the fund, said today money and mail from everywhere are pouring into his office.

"I can't say how much it amounts to because I just got back into town," Rault said. "But we just can't get through all the mail."

Rault said he has not yet received one critical letter.

"A kid from Michigan University sent \$5," he said, and "A secretary from New York sends \$25 and a nice, long letter. Some letters don't even have any address; they just say 'To Joe Rault, New Orleans.' I don't know how they get to my office."

RAULT said the letters number in the hundreds and he added that the money comes unsolicited.

Rault said a group of businessmen have agreed to finance the investigation for five years if necessary. The fund enables Garrison to send investigators around the country without giving away the locations of clues they seek.

Missing DA Witness Is Back on Job

A Cuban who had been questioned in connection with Dist. Atty. Jim Garrison's assassination probe and who was earlier reported missing showed up for work in Miami today.

Emile Santana, 31, who is on probation for a suspended three-year attempted larceny sentence, was reported missing by his probation officer, Russell W. Buckholt Jr. of the Florida Parole and Probation Commission.

Santana was flown to New Orleans and questioned by Garrison's staff Feb. 14 until Feb. 17. According to Buckholt, he had been missing from his home in Miami since Friday.

Later today, a spokesman for the company which employs Santana, Standard Auto Bumper Corp., said that Santana came to work today.