

Hearing on Bid To Delay Shaw Trial Monday

10-9-67 57.

A hearing on a motion to delay the trial of Clay L. Shaw, accused by District Attorney Jim Garrison of participating in a conspiracy to murder the late President Kennedy, was set today for next Monday at 10 a.m.

The hearing was scheduled by Criminal District Court Judge Edward A. Haggerty Jr. following a conference between defense and state attorneys.

JUDGE Haggerty said that both sides agreed to the hearing.

Also to be heard are an alternative motion for a change of venue if the delay is not granted and a supplemental application for a bill of particulars.

The judge Monday will hear oral arguments only.

Shaw's attorneys have asked the court for a six-month delay of the trial, charging that publicity and actions by Garrison and his staff made a fair trial for Shaw impossible here now or in the near future.

If the court denies the delay, the defense asks that the trial be moved to another jurisdiction.

The DA's office has partially acquiesced in the request for a delay, indicating it would go along with a "reasonable delay" but not a six-month delay.

ASSISTANT DA James L. Alcock has said he does not believe the trial can begin until after the Christmas season. The DA's office has not otherwise specified what it means "reasonable delay."

The state is opposing both the change of venue and the request for a supplemental bill of particulars.

Alcock has said that if a fair trial is impossible it is because of actions by Shaw and his attorneys and not because of actions by the state.

Novel's La. Return OK'd by Attorney

By BILL LYNCH
(States-Item Bureau)

BATON ROUGE — East
Baton Rouge Parish District
Attorney Sargent Pitcher to-
day said that an attorney for
elusive Gordon Novel has
agreed to his client's appear-

ance in Louisiana before the
grand jury here.

Pitcher said that he had
met all of the demands of im-
munity from arrest by Novel
who claims he has informa-
tion of sensational nature on
organized crime in the state.
The East Baton Rouge

Grand Jury currently is prob-
ing the influence of organized
crime in the parish and the
relationship between former
governor's aid Aubrey Young
and rackets figure Carlos
Marcello.

Young, who turned state's
witness in the investigation,
made a surprise visit to Gov.
John McKeithen's fourth floor
executive suite this morning.
He was reportedly accom-
panied by two investigators
from the district attorney's
office and apparently was en-
gaged in an evidence-gather-
ing trip.

It was not believed that
McKeithen met with Young,
who he fired last July after
learning of his ties with Mar-
cello, during the visit.

Young earlier had accom-
panied Pitcher and the fore-
man of the grand jury to Chi-
cago in another fact-finding
mission which the district at-
torney termed extremely suc-
cessful.

Pitcher had gone north in
an attempt to interview Novel
in Columbus, Ohio, where he
fled after leaving Louisiana
and the searching grasp of
New Orleans District Attorney
Jim Garrison, who wants him
in connection with his Ken-
edy assassination probe.

Pitcher said the attorney
for Novel, Jerry Weiner, has
accepted all of his efforts and
will recommend that Novel
come to Louisiana.

"We are hoping to have him
here this week," Pitcher said.

The grand jury is scheduled
to reconvene at 10 a. m. to-
morrow to continue its probe.

Garrison May Face Arrest

CHARLOTTESVILLE, Va. (AP)—U.S. Atty. Gen. Ramsey Clark said Friday night he "might have to prosecute Jim Garrison," the controversial district attorney of New Orleans.

In an informal question and answer session after a speech at the University of Virginia, Clark said Garrison "took a perfectly fine man, Clay Shaw, and ruined him just for personal aggrandizement."

Shaw, a prominent New Orleans businessman, is one of several persons being prosecuted by Garrison for alleged participation in a 1963 conspiracy to assassinate President John F. Kennedy.

Clark told several students and a Charlottesville reporter:

"Much as I may hate to do it, I just might have to prosecute Jim Garrison."

Later, however, a spokesman for the Justice Department in Washington said the department has no plans for bringing a case against Garrison at this time.

O'Hara Takes Leave To Protect Dignity

10-12-67 S.I.

Criminal District Judge Malcolm V. O'Hara today said he asked for a leave of absence because he believes "it is in the best interest of the dignified administration" of his office.

Judge O'Hara yesterday was granted an indefinite leave of absence pending outcome of impeachment proceedings under way against him. The Louisiana Supreme Court, which will hear the charges against him, granted the request.

Judge O'Hara said:

"I have been informed that the attorney general, the Honorable Jack P. F. Gremillion, is in receipt of a petition signed by some 40 taxpayers of the Parish of Orleans, calling upon him to institute removal proceedings against me in my capacity as judge of Section 'A' of the Criminal District Court for the Parish of Orleans. Inasmuch as Attorney General Gremillion is compelled by law to file these proceedings, and I know he will do his duty and follow the law, therefore I expect these civil proceedings to be lodged in the immediate future.

"I am fully aware of the publicity that these proceedings will generate if and when filed. Since the integrity, dignity and honesty of this important judicial office is being challenged, I believe that it is in the best interest for the dignified administration of the office that this publicity be removed as far as possible so as not to impede or reflect upon the office or the functions that it performs. Therefore, by a letter dated yesterday, I have tendered to the Supreme Court a request that it grant me a leave of absence until such time as any proceedings that are filed against me are concluded.

"I had previously met with the other judges of the Criminal District Court and informed them that I intended to make such a request for a leave of absence. They agreed to sit as the judge of Section 'A' on a rotating basis, utilizing my personnel, thereby eliminating the necessity of the appointment of a special judge for my court during my

absence.

"I take this action despite the fact that I know that I have done nothing wrong. I sincerely hope that this matter will be disposed of in the immediate future, thus permitting me to return to the discharge of the duties of my office, to which I had been elected by a vast majority of the voting and taxpaying public of this city."

Judge O'Hara's removal has been asked on the ground that he was involved in an alleged

project to buy a new trial for convicted Teamster Union president James R. Hoffa.

A federal grand jury is probing the attempt to free Hoffa, convicted in 1964 of tampering with a jury. A Baton Rouge Teamster official, Edward Grady Partin, was the key government witness in the case. Judge O'Hara has said he was a "messenger" in an attempt to get Partin to change his testimony.

CLARK AIDE DENIES MOVE ON GARRISON

~~NYT~~ 10/15/67
CHARLOTTESVILLE, Va., Oct. 13 (AP)—United States Attorney General Ramsey Clark was quoted as saying here Friday night that he "might have to prosecute Jim Garrison," the District Attorney of New Orleans.

However, a spokesman for the Justice Department in Washington said the department had no plans for bringing a case against Mr. Garrison at this time.

The spokesman further denied that Mr. Clark had accused Mr. Garrison of ruining Clay Shaw, prominent New Orleans businessman.

Mr. Shaw is one of several persons Mr. Garrison is prosecuting for alleged participation in a 1963 conspiracy to assassinate President Kennedy.

Mr. Clark had been quoted tonight by a reporter for The Charlottesville Daily Progress as saying Mr. Garrison "took a perfectly fine man, Clay Shaw, and ruined him just for personal aggrandizement."

The spokesman said the Attorney General had been discussing the matter hypothetically and had stated no conclusion about the Garrison case against Mr. Shaw. **EAD**

'Might Have to Prosecute Garrison,' Clark Quoted

U.S. Atty. Gen. Ramsey Clark was quoted as saying in Charlottesville, Va., he "might have to prosecute (New Orleans Dist. Atty.) Jim Garrison."

However, in Washington, a spokesman for the Justice Department said it has no plans to bring a case against Garrison at this time.

The spokesman also denied

that Clark had accused Garrison of ruining prominent New Orleans businessman Clay L. Shaw.

Last night, in an informal question and answer session after a speech to the University of Virginia's Student Legal Forum, Clark is quoted as saying Garrison "took a perfectly fine man, Clay Shaw, and ruined him just for personal aggrandizement."

Shaw has been charged by Garrison with conspiring to murder President John F. Kennedy.

A reporter for the Charlottesville Daily Progress further quoted Clark with saying, "Much as I may hate to do it, I just might have to prosecute Jim Garrison."

He is not reported as elaborating on his remark, and did not specify what federal charge he contemplated against the DA.

High Court OKs Leave For O'Hara

The Louisiana Supreme Court today granted Criminal District Court Judge Malcolm V. O'Hara's request for a temporary leave of absence, pending outcome of removal proceedings against him.

Judge O'Hara had requested the leave earlier this week, saying that the dignity of the bench would be better served if he refrained from his duties until charges of misconduct against him are settled.

The Metropolitan Crime Commission has filed a petition with State Atty. Gen. Jack P. F. Gremillion which alleges Judge O'Hara has been guilty of misconduct. The judge testified during a Chicago federal court hearing that he had been a "messenger" in an attempt to free convicted Teamster Union president James R. Hoffa.

UNDER THE law, Gremillion must file suit for removal of a judge upon receipt of a petition signed by 25 or more taxpayers. The MCC petition had more than 25 signatures.

In granting the leave of absence today, the Supreme Court directed the other seven judges of Criminal District Court to perform O'Hara's duties while he is on leave.

Judge Matthew S. Braniff was directed to take over

Judge O'Hara's duties as adviser to the Orleans Parish Grand Jury.

EACH of the the judges is to sit in Judge O'Hara's section on a rotating basis.

The order was signed by Chief Justice John B. Fournet and Associate Justices Joe B. Hamiter, E. Howard McCaleb, Frank W. Hawthorne, Walter B. Hamlin, Joe E. Sanders and Frank M. Summers.