

Mental Tests Due For Attorney With *Boston Herald American 3/18/67* JFK Killing 'Proof'

BISMARCK, N. D. (UPI)—An attorney on trial in a \$3 million insurance fraud case told a judge he was forced off a highway at gunpoint yesterday as he drove here with documents that "prove" that President Kennedy was assassinated by killers other than Lee Harvey Oswald.

The judge promptly declared a mistrial and ordered a mental examination for the attorney.

The bizarre story was told by atty. David R. Kroman, 43, who was found partially conscious—a loaded shotgun across his knees—in a rented car on the shoulder of a highway about 30 miles east of Bismarck.

U. S. District Court judge ward ordered a mistrial in the charges against Kroman. The judge said "there is reasonable cause to believe that Kroman may be insane or otherwise so mentally incompetent that he is unable to assist in his own defense."

Devitt revoked Kroman's \$5000 recognizance bond and ordered him comited for 45 days to the federal penal hospital at Springfield, Mo., for mental examination.

NOT FULLY CONSCIOUS

Kroman, once an insurance commission attorney and political candidate in Minnesota, was found in a locked car. Highway patrolman Herbert J. Elter said Kroman was alternately opening and closing his eyes and was not fully conscious.

He was taken to Bismarck Hospital, where Dr. Gerd Fischer, a neurologist, made a preliminary examination and reported that he was suffering from paralysis of the left arm and leg. The paralysis cleared in six hours, the doctor told the court.

Kroman told Devitt he was convinced that the highway incident was connected with his investigation of the Kennedy assassination and not with his trial with four other defendants in an alleged insurance fraud

conspiracy involving American Allied Insurance Co. of St. Paul, Minn.

WON'T STOP PROBE

"Nineteen people have died in connection with the Kennedy investigation," Kroman told the judge. "I don't want to be the 20th but I will not stop it (the investigation)."

Chief federal prosecutor Patrick J. Foley said he considered Kroman's story of the alleged attack a ruse.

The judge's ruling of a mistrial applied only to Kroman. It was resisted by attorneys for defendants Phillip Kitzer Sr., Chicago insurance man, and Minnesota insurance commissioner cyrus Magnusson.

An attorney for another defendant, Phillip Kitzer, Jr., said he would consider press reports of yesterday's incident and might ask today that a mistrial be ordered for all defendants.

Kroman told Devitt that two automobiles began following his car in Minnesota early yesterday as he drove toward Bismarck with documents he intended to unveil at a news conference last night.

IDENTITY UNKNOWN

Kroman told the court he did not know the identity of his alleged assailants but knew "who they represented."

"In the 1950s, the government, in order to ruin a man, called him a Communist," he told the judge. "Now they call him some kind of nut."

Before he went into federal court to fight a prosecution motion to revoke his bond, Kroman told newsmen in a hospital room news conference that he had been in touch with James Garrison, New Orleans

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District Attorney who says he has "solved" the Kennedy assassination.

"Jim Garrison has most of it correct but not the whole story," Kroman said.

Garrison Orders Woman Arrested

NEW ORLEANS (UPI) — Dist. Atty. Jim Garrison's office obtained a court order yesterday for the arrest of a former New Orleans woman who contradicted testimony of Garrison's star witness against businessman Clay L. Shaw.

Bond was set at \$5000 for

Sandra Moffitt, "Alias Lilly Mae McMaines," of Omaha, Neb. She was ordered picked up as a material witness in Garrison's investigation of the Kennedy assassination.

Perry R. Russco, a 25-year-old Baton Rouge, La., insurance salesman, testified in Shaw's preliminary hearing March 14-17 that he attended a party with Miss Moffitt in September of 1963 at which Shaw helped plot Kennedy's death.

Russo said the party was at the apartment of the late David W. Ferrie, the mysterious pilot who died this year of a brain hemorrhage. He said Lee Harvey Oswald, assassin of President Kennedy, and Ferrie were the two co-conspirators.

But the young woman told newsmen in Omaha last week that she did not go to the party and that she never met Ferrie until 1965.