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Labat-Poret Lawyers Hit Jury Selection

Attorneys for two Negroes accused in a 1950 rape today sought to show that the grand jury which indicted the pair was illegally selected.

The efforts came at a hearing on a motion to quash the new rape indictments against Edgar Labat and Clifton A. Poret. The hearing got under way today before Criminal District Judge Edward A. Haggerty Jr.

Labat and Poret, both Negroes, spent more than 14 years on death row at Louisiana State Penitentiary at Angola after conviction in the rape of a white woman in New Orleans.

THEIR CONVICTIONS were overturned last May by a federal court but they were subsequently reindicted.

Lawyers for the pair contend the grand jury in question was not selected at random but was a "blue ribbon" panel.

Bernard J. Bagert, senior judge of the Criminal District Court, testified that he selected the grand jury which served from March through September of 1967.

Rather than have Judge Bagert run through the entire method of selection, it was stipulated that his testimony would be the same as in the case of a similar challenge to the jury by Clay L. Shaw, under indictment for criminal conspiracy in the slaying of President John F. Kennedy.

JUDGE BAGERT testified that the transcript in that case was correct.

Another witness today was Earl L. Mathes, 5721 St. Charles, who said he was one of 75 prospective grand jurors from which 12 were selected for the jury which indicted Labat, Poret and Shaw.

Mathes testified that he is a partner in an architectural firm, makes about \$45,000 a year, owns a home valued at \$60,000, and belongs to several architectural and social clubs.