

314107
By George Lardner Jr.
Washington Post Staff Writer

NEW ORLEANS, March 13

A special three-judge panel set up to consider Clay Shaw's arrest for an alleged conspiracy in the assassination of President Kennedy made short shrift today of last-minute defense protests.

Headed by Criminal District Court Judge Bernard J. Bagert, the judges:

- Refused to step down in favor of a single judge.
- Rejected a defense effort to secure daily transcripts of the preliminary hearing on Shaw's arrest starting Tuesday.
- Turned down an attempt by Shaw to regain some of the items seized in a search of his French Quarter apartment.
- Denied a request for transcript of an earlier hearing last week at which other defense motions had been overruled.

Shaw, former director of the International Trade Mart here, was arrested March 1 and accused of plotting with Lee Harvey Oswald and freelance pilot David W. Ferrie to kill the late President.

One of his attorneys, William J. Wegmann, challenged Judge Bagert's decision to call in two of his colleagues—Judges Malcolm V. O'Hara and Matthew S. Braniff—for Tuesday's hearing. Requested by District Attorney Jim Garrison, the hearing was set to determine whether there is probable cause to hold Shaw for trial.

Apparently fearful that a three-judge panel would simply diffuse responsibility for any rulings handed down, Wegmann charged it was unconstitutional. He also complained that the panel was convened without consulting the defense. "We don't know whether the State was consulted," he added.

"The State was not consulted," Judge Bagert replied.

Officials from Garrison's office told newsmen last week that it was they who had suggested the three-judge panel to Judge Bagert.

Decisions of the panel, Judge Bagert announced, will be made by majority vote, but there will be no disclosure of any minority views.

Judge Bagert also rejected defense requests to hire their own court reporter for daily transcripts of the hearing.

In another action, the Judge struck from the order a provision forbidding newsmen to publish any material introduced in open court. But all persons connected with the case remain under order to say nothing about the case to newsmen.



Associated Press

Clay Shaw, left, and his attorney, Edward Wegmann, arrive at court yesterday.

Judges Reject Shaw's Protests At Hearing in Orleans' JFK Probe