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Shaw's Lawyers Lose Plea for Single Judge

NEW ORLEANS, La. (AP)—A three-judge panel overruled Monday a defense motion asking that only a single judge preside over a preliminary hearing Tuesday for Clay Shaw on murder conspiracy charges.

Shaw, wealthy retired business executive, has been charged by Dist. Atty. Jim Garrison with participating in a plot to kill President John F. Kennedy in Dallas. Shaw termed the charge fantastic.

Shaw's lawyers argued at a special hearing Monday that there was no precedent in state law for setting up a three-judge court. A member of Garrison's staff replied that the panel was created under a rule of the district criminal court.

In overruling the motion, senior criminal Dist. Judge Bernard Bagert said he set up the court without consulting either the prosecution or the defense.

In another development Monday, Raymond Cummings, the Dallas carpenter who claims he once drove Lee Harvey Oswald, David Ferrie and a third man to Jack Ruby's Dallas night club, arrived by plane accompanied by his lawyer. They were met by two uniformed policemen and two men presumed to be from Garrison's office.

Cummings said he received anonymous threats Friday night, Saturday and Saturday night, warning him that if he went to New Orleans "you're definitely going to get it. You

won't return to Dallas. You're going to get it in New Orleans."

Cummings said, "I'm not particularly worried. They're possibly pranks." His lawyer, Frank Wright, said he would ask for police protection here.

The district attorney's office planned to question Cummings about his claim to have driven Oswald, Ferrie and another man to Ruby's night club early in 1963. Oswald was identified by the Warren Report as the man who killed Kennedy. Ruby, who died of cancer in January, shot and killed Oswald. Ruby said he never knew Oswald.

Shaw's lawyers also asked at Monday's hearing that he be

permitted to inspect and reclaim property taken from his home by Garrison's investigations March 1 under a search warrant.

The motion contended that property seized from the apartment was not relevant and should be returned.

No action was taken at once on this motion.