

MARCH 21, 1968

-THREE

## Judge Considers DA Contempt Charge

Federal District Judge James A. Comiskey has taken under advisement a motion by Life magazine reporter David L. Chandler to bring contempt charges against District Attorney Jim Garrison.

Chandler's action stems from a speech Garrison delivered last Thursday before the National District Attorneys Association at the Monteleone Hotel.

The motion quotes Garrison as saying federal court reached an opinion in a case involving his office and that the opinion had no real basis in law. He called the decision part of a federal conspiracy to obstruct his probe of the Kennedy assassination.

**GARRISON REFERRED** to a decision by Judge Comiskey, who ruled that Chandler could not be subpoenaed by the DA to testify before the Orleans Grand Jury about charges of organized crime which appeared in Life. Final judgment had not been signed when Garrison made his speech.

Yesterday, oral arguments were heard on whether Chandler can bring such action, whether the case should be

heard by one judge or a three-judge panel and whether the charge should be a civil or a criminal matter.

Judge Comiskey said he would set "as soon as possible" a hearing on a counter motion by Garrison's office to dismiss Chandler's charges.

**CICERO C. SESSIONS**, Chandler's attorney, contends that Chandler has the right to bring the suit and that the case should be heard by three judges.

Assistant District Attorney James L. Alcock, arguing for Garrison, maintains that if any contempt was committed, it would have to be considered a criminal matter, for which

Chandler cannot initiate action. He said the case should be heard by one judge.

If the proceeding is criminal, Alcock said, the action can be brought only by a judge, the U.S. attorney or an attorney appointed by the court.

Sessions' motion includes an outline of action that should be taken if the court determines that the matter is criminal.

## ORAL ARGUMENTS SET

### Shaw Lawyers Won't Call More Witnesses

Attorneys for Clay L. Shaw said today they plan to call no more witnesses in their plea to have Shaw's trial moved outside New Orleans.

Criminal District Judge Edward A. Haggerty Jr. set oral arguments in the case for next Tuesday but the defense attorneys will appear in his court at 11:30 a. m. tomorrow to present some documents they want him to consider in the case.

The nature of the documents was not disclosed.

Shaw, 55, is charged with conspiring to kill President John F. Kennedy. His attorneys are seeking to have his trial moved at least 100 miles from New Orleans on grounds that publicity about the case has made it impossible for him to get a fair trial here.

The defense had subpoenaed a number of persons, mostly newsmen, and had until today to tell Judge Haggerty whether they wanted to call them. The answer was no.

District Attorney Jim Garrison's office also had the right to call rebuttal witnesses. However, a Garrison aide told Judge Haggerty today he planned to call no witnesses if the defense called none.