

Judge for Agnew Plea

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Special to The New York Times

NORFOLK, Va. Sept. 28— as the troubles besetting the Nixon Administration have come before the Federal courts, judges who were virtually unknown outside their own judicial districts have been propelled into national prominence. And on some of the thorniest judicial-constitutional-political issues, there is a wide-spread belief that, so far those judges have shone. Here in Norfolk today, another judge, Walter E. (for Edward) Hoffman, a 66-year-old Republican, began making the historic record in the matter of Agnew v. United States. The assignment came to him by default.

Judge Hoffman's court here, the United States District Court for the Eastern District of Virginia, was considered far enough removed from Baltimore. All nine sitting Federal judges there had disqualified themselves from any involvement in the investigation of Vice President Agnew because of personal friendship with or patronage obligations to the former Maryland Governor.

Yielded Post Early

So, Chief Judge Clement F. Haynsworth Jr. of the United States Court of Appeals for the Fourth Circuit, in Richmond, appointed Judge Hoffman last Aug. 12 to handle all procedural questions involving the Baltimore grand jury now investigating Mr. Agnew. Judge Hoffman, who is nearing retirement, is expected to be a frequent visitor in Baltimore on that assignment in coming weeks.

He prefers California. Judge Hoffman stepped aside early as chief judge of the district court here last June, although he could have waited until the mandatory retirement age of 70. Making room for another, younger judge to assume the administrative direction of the court was regarded by many as a characteristic act.

Played Football at Penn

As chief judge since 1962, for 11 of his 19 years on the Federal bench, Judge Hoffman had assigned himself several tours as a substitute judge in California, whose climate he still occasionally samples on special assignment when vacations or case loads have backed up the dockets in that state.

The son of a wholesale clothier in New York City, he was born in Jersey City, N.J., on July 18, 1907. He played football in the nineteen-twenties at the University of Pennsylvania, where his six-foot 200-pound bulk

earned him the nickname "Beef," still used by his friends here.

Once, when a typographical error in a Norfolk newspaper labeled him "Pudge Hoffman," the judge, a stern and frequently admonishing figure on the bench, told an anxiously apologetic reporter in his chambers not to worry "because truth is the best defense of libel."

A friend here says, "It's not easy to tell whether Judge Hoffman is a gourmet or a gourmand, but he sure likes to eat well." For years, he officiated at college football games in the area, which helped him control his weight.

Named by Eisenhower

His first wife, Evelyn Watkins, mother of his son and daughter, died of cancer on Feb. 20, 1971. Within nine months, Judge Hoffman remarried Mrs. Helen Ballard, the wealthy widow of a longtime friend, William P. Ballard. A former school teacher, she helped establish Virginia Wesleyan College here.

Judge Hoffman is regarded by lawyers here as not a brilliant jurist but as a man of exceptional diligence, hard work, fairness and good humor, mixed with scathing flashes of harshness at those he regards as failing to meet his own standards in the conduct of the law.

Once, when a well-known lawyer-politician for whom he was known to have less than esteem appeared before him with a junior partner of his firm, Judge Hoffman remarked from the bench, "Ah! Mr. Smith. I see you have your lawyer with you."

Before being named a judge in 1954 by President Eisenhower, he ran for the House of Representatives in 1948 and for Virginia Attorney General in 1953, losing both times.

In the late nineteen-fifties, Judge Hoffman found himself in the forefront of Southern judges on the attack against the segregation of Negroes in the public schools.

His decision to order the Norfolk public schools reopened, often they were closed under Virginia's bitter-end strategy of "massive resistance" to desegregation, earned Judge Hoffman a reputation as a liberal in Virginia but produced a barrage of political invective and the estrangement of some friends. Senator James O. Eastland, Democrat of Mississippi, the Judiciary Committee chairman, said that his committee had "made a mistake in confirming him."

To this, Judge Hoffman responded, "I have a duty to perform, and I am going to perform that duty if I lose every last friend I've got."