

CW-NU

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PERSONALITY--BAGERT

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NEW ORLEANS, LA., MARCH 12 (AP)-JUDGE BERNARD J. BAGERT, 54, A SHORT, POWERFUL MAN WHO CRUSHES BOTTLE CAPS BETWEEN HIS FINGERS, PRESIDES TUESDAY OVER THE FIRST COURT HEARING IN THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY.

HE HAS THE MAJOR RESPONSIBILITY OF DECIDING WHETHER A JURY SHOULD HEAR DIST. ATTY. JIM GARRISON'S CASE AGAINST CLAY L. SHAW, WHO IS ACCUSED OF CONSPIRACY IN THE MURDER OF KENNEDY.

NORMALLY A GRAND JURY HAS SUCH A RESPONSIBILITY. BECAUSE OF THE UNUSUAL PROCEDURE USED BY GARRISON REQUESTING A PRELIMINARY HEARING RATHER THAN SEEKING A GRAND JURY INDICTMENT, JUDGE BAGERT WILL DETERMINE IF THE STATE'S EVIDENCE IS SUFFICIENT TO WARRANT A TRIAL.

LEE HARVEY OSWALD, NAMED BY THE WARREN COMMISSION AS KENNEDY'S LONE ASSASSIN, WAS KILLED BY JACK RUBY BEFORE ANY LEGAL HEARING INTO THE CRIME COULD TAKE PLACE. RUBY WAS TRIED SOLELY FOR THE SLAYING OF OSWALD.

BAGERT HAS CALLED UPON TWO OTHER CRIMINAL DISTRICT JUDGES, MALCOLM V. O'HARA AND MATTHEW S. BRANIFF, TO SIT WITH HIM DURING THE PRELIMINARY EXAMINATION.

HE ALSO HAS ISSUED A SET OF STRICT GUIDELINES FOR THE HANDLING OF NEWS AND PHOTO COVERAGE OF THE PROCEEDINGS.

"WAIT, LOOK AND LISTEN, THAT'S GOT TO BE MY TENOR, AND THAT'S THE WAY I FEEL," SAYS BAGERT, WHO HAS BEEN A CRIMINAL JUDGE FOR MORE THAN 10 YEARS. HE WAS FIRST APPOINTED IN 1956 AND WON A 12-YEAR TERM IN 1960.

A NATIVE OF NEW ORLEANS AND A GRADUATE OF LOYOLA UNIVERSITY LAW SCHOOL HERE, BAGERT STANDS 5-FOOT-7 AND WEIGHS ABOUT 200 POUNDS. A MAN OF ATHLETIC TENDENCIES, HE STILL TAKES PRIDE IN HIS FITNESS.

"I HAVE STRONG HANDS," HE SAYS. "I CAN HOLD TWO BOTTLE CAPS BETWEEN MY FINGERS AND BEND THEM TOGETHER. I WORK OUT AT THE NEW ORLEANS ATHLETIC CLUB, LIGHT WORKOUTS AND SOME SWIMMING. I USED TO USE SOME WEIGHTS. I USED TO BE AN ARDENT HANDBALL PLAYER.

"I HAVE ONE SON WHO IS A WRESTLING CHAMPION, AND ONE SON WHO IS A BOXING CHAMPION. I AM QUITE PROUD OF MY SON BRODERICK RIGHT NOW. HE IS 5-6 AND WEIGHS 175 POUNDS, AND HE HAS JUST WON THE 190-POUND INTRAMURAL BOXING TITLE AT LOYOLA."

TWO ENLARGED PHOTOGRAPHS HANG ON HIS OFFICE WALLS. IN ONE HE STANDS ON A WORLD WAR II LANDING SHIP ON A EUROPEAN BEACHHEAD. A COAST GUARD LIEUTENANT, BAGERT SERVED AS EXECUTIVE OFFICER OF THE SHIP.

THE OTHER PHOTOGRAPH SHOWS HIM AND TWO OTHER AMERICAN LEGION OFFICIALS IN THE WHITE HOUSE WITH PRESIDENT KENNEDY IN THE SPRING OF 1963. THE LEGIONNAIRES INVITED KENNEDY TO BE THE MAIN SPEAKER AT A NEW ORLEANS NATIONAL CONVENTION, BUT A DISPUTE OVER RACIAL MATTERS RESULTED IN A TRANSFER OF THE EVENT TO MIAMI.

BAGERT, ONCE A MEMBER OF THE DEMOCRATIC STATE CENTRAL COMMITTEE, SAYS HE WAS A BACKER OF KENNEDY.

"FOUR YEARS BEFORE HE GOT THE NOMINATION I WAS PERSONALLY FOR HIM," HE SAYS.

"I WAS IN MY COURTROOM WHEN SOMEONE BROUGHT THE NEWS THAT KENNEDY WAS ASSASSINATED. I DECLARED A RECESS AND WE GOT TRANSISTORS. WE WENT OUT AND LISTENED. I WENT BACK TO MY COURTROOM AND ADJOURNED. WE SPENT THE REST OF THE DAY LISTENING.

BAGERT BUSTLES ABOUT ENERGETICALLY, FREQUENTLY USING THE TELEPHONE. SEVERAL TIMES IN RECENT DAYS HE USED IT TO CONSULT WITH JUDGE HERBERT PASCHEN, WHO IS HEARING THE RICHARD SPECK CASE IN PEORIA, ILL. THE TWO MEN EXCHANGED IDEAS ABOUT PROPER PROCEDURE IN CASES SATURATED WITH PUBLICITY.

BAGERT WAS ASKED IF HE FELT HE WAS SITTING IN THE BIGGEST CRIMINAL CASE IN THE WORLD.

"YES," WAS THE REPLY. "THERE IS NO DOUBT ABOUT IT."

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