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JUDGE IS MYSTERY WITNESS**Partin Pal Wants to Testify in Probe**

By BILL LYNCH

(States-Item Bureau)

BATON ROUGE — The mystery witness who wants to testify before a special federal grand jury investigating labor racketeering is Baton Rouge City Court Judge William Hawk Daniels, a close friend of indicted Teamster leader Edward Grady Partin.

Daniels, The States-Item has learned, wants to recount what he knows about the delivery of shells from the Texaco refinery project for a road on the farm owned by the wife of East Baton Rouge Parish Dist. Atty. Sargent Pitcher.

U.S. Attorney Gerald J. Gallinghouse is believed to be wary that Daniels' approach may be a last-minute effort to affect the upcoming trial of concrete magnate Ted Dunham, who was indicted with Partin.

THE SPECIAL GRAND jury was to expire Oct. 1, but it received a 10-day extension after an unusual appeal from the foreman directly to U.S. District Court Judge Lansing L. Mitchell.

Mitchell at first deferred the request to Gallinghouse, who turned it down. The U.S. attorney the next day reversed his decision, and the grand jury term was extended after word of the mystery witness was revealed.

In addition to Daniels, a number of other witnesses have been rounded up and reportedly are ready to testify before the grand jury about the shells.

These witnesses were offered by Partin, who contacted former Labor-Management Commission investigator Barry Marionneaux about them. Marionneaux, in turn, advised Gallinghouse and the regular

grand jury of the events.

DANIELS IS A FORMER investigator and assistant district attorney in Pitcher's office. However, the two had a falling out politically and have become bitter foes.

Last week, an attorney representing Daniels contacted Marionneaux, an attorney in Plaquemines Parish, about testifying. Marionneaux was advised that Daniels would not talk with Gallinghouse, whom he also fears.

Marionneaux relayed this information to the grand jury foreman. Spears called Judge Mitchell because he said he had not been able recently to get in touch with Gallinghouse.

The special grand jury, which has considered nothing but the labor racketeering situation, had other witnesses about other aspects it wanted

heard. The jury had been idle for more than a month.

DUNHAM AND PARTIN were indicted on three counts of violating the anti-trust act and two counts of extortion.

Partin, since, has sought to have the indictments quashed,

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claiming immunity because of testimony he gave to a Nashville, Tenn., federal grand jury about labor-management.

That motion has been turned down by U.S. District Court Judge W. D. Murray of Butte, Mont., who has been assigned to the trial. Dunham is to go on trial Nov. 16 in New Orleans.

Although Gallinghouse declined to acknowledge it, there was genuine fear that hearing testimony from Daniels or any other witness linked to Partin might adversely affect the pending trials.

ALSO, PARTIN'S appeal of Murray's decision on the immunity motion still is pending.

The shell road controversy flared last April when former

Teamster Union members related stories of delivering shells to the Flannery Road farm owned by Pitcher's wife, an assistant district attorney.

One of them was Wade McClanahan, one-time Teamster tough guy who turned witness for the federal government. He charged that Pitcher offered him a light sentence on a state charge in exchange for silence about the shells.

Pitcher later called McClanahan a liar.