

Witness says Hanigan told of 'fixing those wetbacks'

PHOENIX (AP) — A Douglas waitress testified yesterday that she overheard Patrick Hanigan say in 1976, "We fixed those . . . wetbacks," but that she didn't tell authorities until recently because she didn't want to be involved.

The defense opened its case later in the day, with a witness who said Patrick's brother and co-defendant, Thomas, 23, had not been present at a meeting where he was alleged to have made an incriminating statement.

Another defense witness said Patrick was at her ranch on the day he was alleged to have been robbing and torturing three Mexicans.

The waitress, Connie Wright of Elfrida, said she was working at the Gadsden Hotel restaurant in Douglas when she heard overheard Patrick, 26.

The brothers are being tried simultaneously in front of two juries on federal charges of interfering with interstate

commerce by robbing and torturing the Mexicans in August 1976. The three said that at the time they were attacked, they were seeking work at a southeastern Arizona farm engaging in interstate commerce.

The first federal trial of the Hanigans on the charges ended in a deadlocked jury last summer. The brothers were acquitted earlier of state charges.

Wright said a Border Patrol agent had told her that three Mexicans had been hurt, and that the Hanigans were charged in connection with the Aug. 18, 1976, incident. Later — she isn't sure how long, she said — she overheard the Hanigan remark. A hotel employee had told her earlier that the speaker was Patrick Hanigan, she testified.

Hanigan had been in the hotel bar for several hours before she overheard his remark, she said.

The defense case got under way by mid-morning.

James Ditton, who directs the federal Agricultural

Stabilization Conservation Service for the Douglas area, told the Thomas Hanigan jury that he was present with George Fairchild, the Hanigans' late father, George, and Paul Hicks when legal papers were signed Aug. 31, 1976.

Thomas was not present, Ditton said. Ditton's testimony contradicted that of Hicks, who testified earlier that Thomas had been present and had talked outside the meeting of having chased several Mexicans from the Hanigan home.

Another defense witness, Elona Panzer of Double Adobe, near Douglas, took the stand yesterday afternoon and testified that Patrick Hanigan had arrived at "close to 10:30" to purchase a cow from her on August 18, 1976. The cow was spooked, she said, and gored his forearm.

He left her house for the hospital in Douglas between 12:30 and 12:40, she said.