

Hon. John L. Hill

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however, that such Act would not suit the purposes of Mr. Garrison, since under such Act the witness would be immune from the filing of criminal charges by Garrison in an effort to coerce the witness to testify favorably. Further, in order to comply with the Act, it would have been necessary for Garrison to obtain the certification of a Louisiana Judge as to the materiality of Smith as a witness, the number of days required for his appearance before the Grand Jury, inter alia. In other words, the freedom to exercise coercion bribery, and physical force is not encompassed in the Act and, thus, not compatible with Garrison's method of oppression. Having been unable to induce Smith into his lair in Louisiana, and refusing to proceed normally under the aforesaid Act to obtain witnesses, Garrison in this proceeding seized upon a charge of conspiracy entered into in the Parish of Orleans in Louisiana although the burglary, if any, was committed in Houma, Louisiana, Jefferson Parish. This is particularly significant in that by such criminal charge Garrison could fix venue in his jurisdiction.

4. While, as indicated above, this extradition represents merely a device to acquire the person of Smith in connection with an investigation into the assassination of President John F. Kennedy, the polygraph of Smith (Exhibit E) reflects no guilt or knowledge as to such event on the part of Smith. Further, a polygraph taken of Beubeouf (Exhibit D) indicates the types of pressures to which Smith would be subjected to should the Governor of Texas grant this extradition.

5. It is submitted that this extradition proceeding has been instigated by Jim Garrison and others for private ends and not for legitimate purposes. It is further noted that one of the agents nominated to receive Smith is one William Gurvich, who is not an agent or employee of the State of Louisiana in any respect, and is, in fact, employed by unknown private individuals persuing a private investigation with private funds of the assassination of the former President of the United States.

In light of the above, it is strongly urged that extradition should be denied in that a granting thereof would endanger the life of Smith, now a resident of the State of Texas, and that the Governor of Louisiana's attention should be directed to the availability to the use of the "Uniform Act to Secure the Attendance of Witnesses from Without the State in Criminal Proceedings", under which Smith may be more properly and legitimately questioned in connection with any matter pertaining to the investigation of the assassination, should a Louisiana Judge determine the materiality of his testimony, if it is material.

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