

Mount Clipping in Space Below

U.S. Judge Ponders Plea By Sheridan

Federal Judge Alvin B. Rubin today took under advisement arguments on the question of whether newsman Walter Sheridan must testify before an Orleans Parish Grand Jury investigating the assassination of President John F. Kennedy.

Sheridan was subpoenaed to appear before the grand jury shortly after Dist. Atty. Jim Garrison charged him with attempting to bribe Perry R. Russo, a top prosecution witness.

The NBC reporter's attorneys are asking Judge Rubin to grant a hearing on their motion asking for an injunction against Sheridan's grand jury appearance.

SHERIDAN'S ATTORNEY, Milton E. Brenner, argued that his client would be without legal counsel during his appearance before the grand jury and therefore might give testimony that would be harmful to himself.

At one point during the hearing this morning, Judge Rubin asked Brenner if he thought Sheridan was threatened with other charges if he made an appearance before the grand jury.

"He's been subpoenaed before the grand jury and we feel there will be other charges. We feel strongly that Mr. Garrison does not intend to stop with one charge."

HE CHARGED THAT the case is unique in that "Mr. Garrison was bent for leather in stopping Mr. Sheridan..."

Brenner charged that there had been "purposeful discrimination" and "selective enforcement" of the law by Garrison in the charging of Sheridan.

He charged that the district attorney's office had been guilty of public bribery in its offer of money and a job to Alvin Beauboeuf, a figure in the Garrison probe of an assassination plot.

Judge Rubin made it clear today that the principal question is whether Sheridan has exhausted his legal rights in the state courts.

He asked Brenner whether a ruling for the injunction might not set a precedent that would be followed by every other defendant in proceedings involving the assassination plot case.

ASSISTANT DIST. Atty. James Alcock argued that the defense has not been able to cite any law to bolster its motion for federal court intervention. He said the federal court did not have the jurisdiction to grant the injunction.

He said the federal court would wind up deciding the credibility of Russo and would therefore perform the function of a witness.

"They are just trying to short-circuit the standard procedure of the state court without availing themselves of the state procedures," he said.

Alcock said Sheridan would absolutely not be ~~coerced~~ by the grand jury about the bribery charge against him; that he is fully protected in this respect.

SHERIDAN'S ATTORNEYS had argued that new civil rights rulings by the U.S. Supreme Court demanded that a defendant be protected by legal counsel at all times and that the defendant would not have counsel before the grand jury.

Alcock contended that Sheridan would be fully protected by the district attorney's advising him of his constitutional rights and could leave the grand jury room to confer with his attorney outside the door. An attorney is not allowed to accompany his client before a grand jury.

The Louisiana State Supreme Court ruled on Aug. 7 that Sheridan must testify before the grand jury. The court ruled that Sheridan's claim of harassment by Garrison is not sufficient "to warrant the exercise of our supervisory jurisdiction at this time."

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STATES-ITEM

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