

(Mount Clipping in Space Below)

Bethell's Lawyer Assails DA Garrison in Motion

Charges His Client, Shaw Used as Scapegoats

An attorney for a former aide of District Attorney Jim Garrison Wednesday accused Garrison of making scapegoats of his client and of Clay L. Shaw. Attorney Herbert J. Garon made the charge in a motion asking for the recusal of Garrison in the prosecution of Thomas Bethell.

The motion asked Criminal District Court Judge Matthew S. Braniff to recuse Garrison on the grounds that he has a personal interest in the case.

"That Jim Garrison has such a personal interest in the prosecution of Thomas Bethell which is in conflict with fair and impartial administration of justice cannot be denied by the most casual observer," Garon said.

FORMER TEACHER

Bethell is charged with unauthorized use of a movable, namely a trial memorandum containing names of state witnesses and summaries of their statements in connection with the conspiracy trial of Shaw.

Bethell, formerly a London school teacher, was a researcher for Garrison until midway in the trial of Shaw on a charge of conspiring to murder President John F. Kennedy.

After Shaw's acquittal, Bethell, Shaw and attorney Dean A. Andrews Jr. were charged by Garrison.

Shaw was in court Thursday to plead not guilty to his second charge, that he perjured himself during his trial by denying under oath that he knew David W. Ferrie, a deceased pilot, and Lee Harvey Oswald, who, the Warren Commission concluded, was Kennedy's lone assassin.

Shaw was accused of conspiring with Ferrie and Oswald.

APRIL 28 DEADLINE

Criminal district court Judge Malcolm V. O'Hara gave the defense until April 28 to file pleadings.

Assistant District Attorneys James L. Alcock and Andrew J. Sciambra, two of Shaw's prose-

cutors in the case, represented the state.

Garrison accused Bethell of supplying one of Shaw's attorneys with the state's trial memorandum before the conspiracy trial.

"In other words," Garon said, "the district attorney who intends to prosecute Mr. Bethell is the same district attorney who alleges himself to be the victim of Mr. Bethell. Phrased in still another way, Mr. Garrison intends to be the district attorney and the complaining victim at the same time. Not only does the Code of Criminal Procedure prohibit such practice, but fundamental justice and fair play would instantaneously reject and repel such an unholy alliance."

Garrison is in conflict with one of the canons of professional ethics by merely trying to convict rather than trying to see that justice is done, Garon said.

"SHAMEFUL CONDUCT"

"In view of Mr. Garrison's shameful conduct in the Clay L. Shaw case, and the public record which he established as an irresponsible prosecuting attorney, can there be any doubt that his only motive would be to convict Mr. Bethell without regard to the canons of professional ethics or to a standard of justice which has been precious to all responsible lawyers throughout the history of our nation," Garon asked.

Having failed in his prosecution of Shaw, Garrison has found it necessary to his political preservation to place the blame on others, the attorney said.

"Now, not wishing to swallow the bitter pill of defeat, he uses the power of his office to seek a scapegoat or scapegoats to suffer the stings of his own shortcomings," Garon said.

The first intended victim is the same Clay L. Shaw on whom he has heaped insult on top of injury by charging him with perjury, and the second intended victim is Thomas Bethell who he associates as a collaborator with one of Mr.

Shaw's attorneys. Not able to stand up to the fact that he never had a case and presented none to the jury, he finds the personal need to excuse the verdict because, in his mind, Mr. Shaw lied and Mr. Bethell betrayed.

Garon also filed a prayer foroyer and an application for a bill of particulars.

The prayer foroyer asks that the state be required to supply the defense with copies of statements Bethell made on about Jan. 17 and one on about Feb. 5.

The prayer also requests copies of any other statements affidavits, admissions or confessions, oral or written, which the DA's office may have.

The other pleading asked that the state be required to supply more detailed information about the alleged crime, such as times, places, dates etc.

In view of the fact that the charge provides that the defend-

ant did not intend to deprive the DA's office permanently of the memorandum, the application asked also whether it was returned, when it was returned, and by whom.

Judge Braniff set a hearing on the matter for April 7.

(Indicate page, name of newspaper, city and state.)

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SECTION 1

THE TIMES-PIGAYUNE

NEW ORLEANS, LA.

Date: 3-21-69

Edition:

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ENCLOSURE