

Whether Garrison Wins or Not, the U.S. Will Lose

BY CARL T. ROWAN

The New Orleans investigation into the assassination of President John F. Kennedy is surely one of the most bizarre exercises in American history. It may also be among the most irresponsible.

District Attorney Jim Garrison has been poking around for months among a weird collection of queers, oddballs, no-goodniks and publicity hounds, trying to tie together the case for an assassination plot that he claimed he had solved months ago.

A few strange coincidences, including the death of his "key character," have given Garrison some front-page headlines. And the D.A. has produced an "eyewitness" to the conspiracy whose veracity is made questionable by the fact that he contradicted himself.

But Garrison has not produced one solid fact to disprove the Warren Commission's conclusion that Lee Harvey Oswald alone murdered President Kennedy.

The dismaying thing about the New Orleans spectacle is that Garrison can roll along for months more without producing any facts. Millions of people seize eagerly every ugly rumor of some nefarious plot to kill John F. Kennedy. And the more prominent the names linked to the alleged plot, the more wide-eyed and gullible the suckers become.

Garrison seems to have become acutely aware in recent days that his collection of New Orleans small-fry just wasn't adding up to the bombshell that he had promised. But the loquacious D.A. has been reading the newspapers, so he knew what the public would buy as a scapegoat.

★

With the run of luck the Central Intelligence Agency has had lately, you could accuse the CIA of originating LSD and the miniskirt, and a lot of people would believe it.

So how can Garrison lose when he charges the CIA and the Federal Bureau of Investigation with covering up the evidence that he needs?

He managed to take the headlines away from Alvin R. Beauboeuf, who had charged that one of Garrison's investigators tried both to bribe and

blackmail him into testifying that he had heard a New Orleans group conspiring to kill Kennedy.

Garrison boasted weeks ago that anyone who bets against him "will lose." It seems pretty clear that no matter which way his investigation goes, the United States will lose.

If, to this reporter's surprise, he proves the existence of a plot that the FBI and CIA tried to cover up, the damage to this nation is obvious.

We would have, and deserve, the contempt of the entire civilized world.

But even if Garrison's investigation fizzles out as just another grandiose publicity gimmick by an overly-ambitious politician, the seeds of doubt and suspicion will remain firmly rooted in the dirt-rich recesses of minds prepared always to believe the worst.

★

Some Americans and millions of foreigners will go on believing that the sinister CIA and the ruthless old FBI blocked Garrison from the truth to keep him from exposing the depths of America's decadence.

Garrison has subpoenaed certain FBI agents. He reportedly has also subpoenaed CIA Director Richard Helms, who is asked to produce what Garrison claims is a photograph of Oswald and a burly Cuban in front of the Cuban Embassy in Mexico City in the fall of 1953.

Garrison presumably needs the photograph (which CIA sources



"Just a minute, folks—I'm going to call another witness."

Engelhardt in St. Louis Post-Dispatch

swear is non-existent) to prove his contention that Oswald really was a CIA agent.

The likelihood is that the New Orleans Grand Jury will never hear a word of testimony from Helms or the FBI agents. The Justice Department surely will hold that national security interests will not permit them to expose themselves to quizzing before this panel.

But one wishes, somehow, that the CIA and FBI could put enough cards before the public and destroy Garrison's prime asset: public gullibility born of long-nourished doubts

108

Agent Refuses to Testify for Grand Jurors

L.A.T. - 5/11/67

NEW ORLEANS (AP)—
An FBI agent Wednesday refused to answer questions from a grand jury about his role in the investigation of President John F. Kennedy's assassination.

Agent Regis Kennedy invoked executive privilege during the one hour he met with the secret body, according to Dist. Atty. Jim Garrison.

Asst. U.S. Atty. Jack Ciolino said agent Kennedy was ordered by U.S. Atty. Gen. Ramsey Clark to invoke executive privilege, which means he would not answer questions.

Alvin Oser, one of Garrison's aides, said the agent then was dismissed from the subpoena.

Kennedy's appearance was ordered during the morning when Criminal Dist. Judge Bernard J. Bagert ruled the Justice Department lacks authority to block its agents from testifying before the grand jury.

The FBI agent, who is based in New Orleans, had been subpoenaed last week. Government attorneys had asked Bagert to dismiss the subpoena on grounds Clark had ordered Kennedy not to testify.

The federal attorneys said a Justice Department executive order forbade FBI agents from disclosing information surrounding their official work.

CIA Report

In ruling for the state, the judge said the question of privilege must be determined by the courts and not by arbitrary decisions of executives of federal agencies. Government attorneys filed a notice of objection to the

ruling.

A report from the Central Intelligence Agency was turned over to the grand jury foreman by Bagert before he ruled on the subpoena. Contents of the report were kept confidential.

The grand jury issued a subpoena last week for the CIA to supply a picture of Lee Harvey Oswald and another man standing before the Cuban Embassy in Mexico City a few days before the President's assassination.

Garrison claims such a picture exists and that it was suppressed by the CIA when the Warren Commission, which identified Oswald as the lone assassin, requested it.

AP
**GARRISON UPHELD
ON F.B.I. SUBPOENA**

**Judge Rules Agent Must
Testify at Plot Inquiry**

NEW ORLEANS, May 17 (AP)—Criminal District Judge Bernard Bagert ruled today that the Justice Department does not have the authority to prohibit its agents from testifying before a grand jury investigating the Kennedy assassination.

Judge Bagert ordered Regis Kennedy, an agent of the Federal Bureau of Investigation, to appear before the Orleans Parish grand jury. When the New Orleans-based agent was subpoenaed last week, Federal lawyers cited a Justice Department order forbidding F.B.I. agents to disclose information about official work unless the Attorney General approved.

In his ruling today, Judge Bagert said: "The serious question presented herein is whether the Executive branch of our Government has the general and unlimited authority to instruct its many employes and subordinates not to give testimony in cases pending in court." This question of privilege, he said, must be determined by the courts, not by Federal agencies. *END*

U.S. Declines Comment

Special to The New York Times

WASHINGTON, May 17—Spokesmen for the Justice Department declined to comment on the ruling today when situations of this nature have occurred before, the department has moved immediately in Federal court for an order countermanding the state judge's order. *END*

Explanation for "Code"

DALLAS Tex., May 17—
"code" that New Orleans District Attorney Jim Garrison says connects Clay Shaw with Lee Harvey Oswald and Jack Ruby in an assassination conspiracy may be nothing more than the postoffice box number of a bullfight promoter, The Dallas Times Herald said in a copyrighted article today.

It reported that Lee Odom, a year-old promoter, says he is the "Lee Odom, Post office box 19106, Dallas, Tex.," that Mr. Garrison cited from Mr. Shaw's address book.

Mr. Shaw, 54, a retired New Orleans businessman, has been indicted on a conspiracy charge and is awaiting trial.

Using a complex decoding system, Mr. Garrison has said the Dallas postoffice box num-

ber translates into Ruby's 1963 Dallas telephone number — Whitehall 1-5601. The number "19106" was found in Oswald's notebook.

Mr. Odom said "19106" was the number of a postoffice box he rented in the summer of 1966.

Recalling a trip to New Orleans last November, Mr. Odom said:

"I asked the manager of the Roosevelt Hotel in New Orleans about who would be a good man to see about finding a place for my bullfight." He suggested Mr. Shaw, so the manager called him. He (Shaw) came over to the hotel, as I recall, and we talked for 15 or 20 minutes. He gave me his business card and I gave him my address in Dallas. The bullfight didn't come off and we never communicated again. That's all there was to it."

Itek Lab Discredits Photo but . . . On

2d JFK Gunman Debate Go

United Press International

WASHINGTON — A member of the Warren Commission says United Press International and the Itek Corp. have performed a "valuable public service" in demolishing a widely circulated theory that a second gunman was involved in the Kennedy assassination.

Sen. John Sherman Cooper (R-Ky.), said Thursday "history would maintain the posi-

tion" of the Warren Commission that President Kennedy was slain by Lee Harvey Oswald.

The Itek Corp., which has one of the nation's top photographic laboratories, revealed Thursday that a study of an amateur movie of the actual shooting had disproved the theory that a rifleman was pointing his weapon at the Kennedy car from a grassy knoll.

The film, shot by Orville Nix, a Federal employee, is

no white property of United Press International Newsfilm.

A leading critic of the Warren Commission, Mark Lane, said Thursday night that he felt the UPI-Itek study did not prove anything.

"The fact is that Itek cannot say that no shots came from behind the wooden fence because 58 out of 90 witnesses to the assassination who were able to make an estimate as to the origin of the shots said they came from behind the wooden fence," Lane said in Palo Alto, Calif.

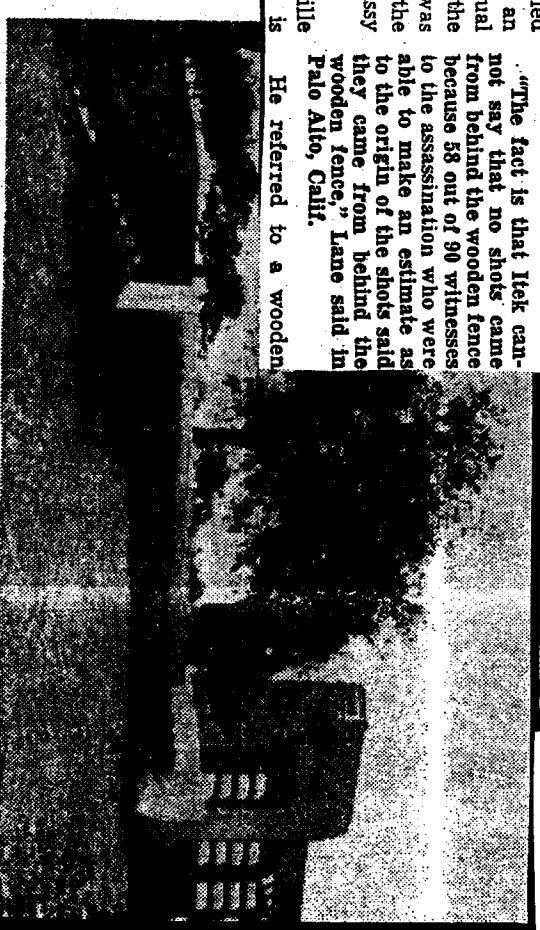
He referred to a wooden

picket fence on top of the knoll.

Lane, author of the best-seller "Rush to Judgment," which attacked the Warren Commission thesis that Oswald acted alone in killing Pres. Kennedy, said he has been to Dallas more than 10 times and "on that scene 20 or 30 times."

"Anyone standing behind the wooden fence, which is landscaped heavily with bushes and trees, would just be invisible to anyone in the Dealey Plaza area where Mr. Nix was standing when he took the film, or any other area."

NO RIFLEMAN was on grassy knoll (above) when President Kennedy was shot, detailed study of photos by the Itek Corporation show. (UPI)



Study of Dallas Film Disputes Theory of an Assassin on Knoll

C. 1967, United Press International

LEXINGTON, Mass., May 18

—An analysis by one of the nation's top photographic laboratories has demolished a widely circulated theory that a second gunman was involved in the assassination of President Kennedy.

The Itek Corporation disclosed today that a months-long study of an amateur movie of the shooting had disproved the existence of a rifleman pointing a weapon from a grassy knoll at the Kennedy car in Dallas on Nov. 22, 1963. Itek made the study as a public service.

The 8-mm. color motion picture was shot that day by Orville Nix, a Government employe who was standing among the parade spectators in Dealey Plaza. It shows the President hit by the fatal bullet and Mrs. Kennedy climbing onto the back of the convertible.

In the background is the knoll and atop it a wooden picket fence and a white concrete pavilion with a low wall. Enlargement of certain frames brings out what to the unaided eye bears a resemblance to a man with one elbow resting on the roof of a station wagon behind the wall and squinting down a gun barrel at Elm Street

where Mr. Kennedy was shot.

Itek photographic scientists improved the quality of the film content by utilizing advanced image enhancement methods. "The man with the rifle" was found to be shadows of tree branches and leaves on the side of the white pavilion.

Itek said the analysis showed that the object that apparently was a station wagon or some vehicle was in a parking lot behind a wooden picket fence and 20 feet behind the "shadow gunman." A rifleman at that location would have had to fire from nine feet above the ground for his trajectory to clear existing vertical obstructions, it said.

The independent Itek conclusions on the Nix film were in keeping with the Warren Commission report with one exception. The Itek study indicated that at the moment of the impact of the fatal bullet, the Kennedy automobile was about three feet farther back than the spot where the Warren investigation placed it.

That finding, however, would make it even more unlikely—if not impossible—for a second gunman to have hit Mr. Kennedy from the aperture between the picket fence and the pavilion on the knoll.