

# CRIME UNIT WINS BATTLE AGAINST BARING RECORDS

The Metropolitan Crime Commission today won a major victory in its fight to prevent District Attorney Jim Garrison from requiring it to produce its records.

The Louisiana Supreme Court reversed a Criminal District Court decision upholding a subpoena for the records to be produced before the Orleans Parish grand jury.

The court, in an opinion by Associate Justice E. Howard McCaleb, ruled that the subpoena was unreasonable and oppressive.

the decision was handed down was Mrs. Louise S. Kornis, assistant district attorney, who said a new subpoena would be requested setting out in a more specific fashion the records sought.

**IN THE COURTROOM** when

ords sought.

The case grew out of a series of articles in Life magazine, which said organized crime flourishes in New Orleans and Louisiana. Garrison contends there is no organized crime in the city.

The crime panel, which supplied some of the information used in the Life articles, was called before the jury and questioned. The commission and its president, E. C. Upton Jr., resisted. Criminal District Court sustained issuance of the subpoena, which was set aside today.

**JUSTICE M'CALEB** wrote

that the commission "is required by the order to produce the names and records of every informer it may have employed . . . whether or not such informer has given any information as to the operation of organized crime."

"Thus," said the opinion, "the Grand Jury has in effect thrown out a net in which it seeks without limit to secure private information, even though much of the information sought may not relate in any way to the existence of organized crime."

"We think the data requested is highly unreasonable and oppressive and hold that the issuance of the subpoena be vacated."

**NINE PAGES LONG.** the

court's decree said that Article 732 of the new Code of Criminal Procedure provides for the issuance of such a subpoena to a person to produce at a hearing or trial tangible things in his possession or under his control . . . "if a reasonable, accurate description of is given"

But, said Justice McCaleb, "the court will vacate or modify the subpoena if it is unreasonable or oppressive."

The commission and Upton, said the Supreme Court, were ordered to produce all "documents, papers, records, books, accounts and information . . . which disclose and/or reveal the name and address of any informer . . . including informers being classified as confidential informers, and further all records which disclose the informers who were paid for information supplied to the Metropolitan Crime Commission . . . as well as the amount paid to each."

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## Garrison Says Assassin Killed Kennedy From Sewer Manhole

DALLAS, Dec. 10 (AP)—Jim Garrison, District Attorney of New Orleans, said on a television show last night that President Kennedy was killed with a .45-caliber bullet fired by a man standing in a sewer manhole.

Mr. Garrison spoke on a copyrighted production by WFAA-TV in Dallas.

The district attorney showed an interviewer, Murphy Martin, and the television audience pictures that he said were of a "Federal agent" picking up a .45-caliber bullet that Mr. Garrison said was the "bullet that killed Kennedy."

The Warren Commission that investigated the assassination said the shots involved 6.5-mm bullets from a Mannlicher-Carcano rifle owned and used by Lee Harvey Oswald as the lone assassin.

Standing beside and watching the man picking up the bullet were two men the district attorney identified as a Dallas policeman and a Dallas County sheriff's deputy.

Mr. Garrison said he could not identify by name any of the three men but said the picture was taken less than 10 minutes after President Kennedy was shot.

He said the man whose bullet killed the President had stood in a manhole that connects with a drainage system under Dealey Plaza. He said the assassin, after shooting Mr. Kennedy in the right temple, escaped by going through 18-inch and 30-inch sewer pipes under the plaza.

Mr. Garrison said the man picking up the bullet in the picture "had to be a Federal agent" because the deputy sheriff and the policeman other-

wise would not have allowed him to touch it.

The Federal Government, he said, "had to know 10 minutes after the assassination that Lee Oswald could not have done it." "Lyndon Johnson had to know it," he said.

Saying he was "tired of hearing people talk of there being no new evidence in the assassination," Mr. Garrison showed pictures of manhole covers leading into the drainage system.

"The man who killed President Kennedy fired a .45-caliber pistol" and then fled through the drainage system to another part of the city, he said.

"We went into the sewer one morning in Dallas," he added, "and we found that a man can fit into it very easily."

A man standing in a manhole behind the picket fence on the north side of the plaza can easily see the occupants of a car on Elm Street, Mr. Garrison reported, displaying a photograph he said was taken from that point.

Asked by Mr. Martin about the identity of the man with the pistol, he said, "We now have a number of names of individuals who operated at the top level in the alleged assassination plot. I'd say four, but I'd rather not speculate who was standing where."

Mr. Garrison reiterated earlier accusations that the Warren Commission was a "fraud" and that the Federal Government had concealed evidence "at every opportunity."

He accused President Johnson of deliberately concealing pertinent evidence and called him "the man who had the most to gain from the assassination."

12-18-61  
It was...  
President...  
New Orleans... Jim Garrison...  
son, but a bullet from a .45-caliber  
pistol fired from a sewer opening.  
He made his statement in a copy-  
righted interview on WFAA-TV in  
Dallas. Garrison produced a picture,  
he said was taken 10 minutes after  
the assassination and which, he said,  
showed a federal agent picking up a  
.45-caliber bullet found on the  
ground and

# Exile Rips Lane's Warren Assault

By JOHN M'MILLAN

Mark Lane's two-hour review of his book attacking the Warren Commission came to an unexpected climax last night when Carlos Bringuier, a prominent New Orleans Cuban exile, took to the stage at Tulane University's McAlister Auditorium defending the commission's findings.

Bringuier mounted the stage after saying that Lane had made innuendoes and told the audience "lies and half truths." He asked for equal time and Lane obliged, saying "You can have the stage now."

The Cuban, hindered by his heavily accented English, briefly related his well-known run-in with Lee Harvey Oswald in New Orleans, saying that Oswald was a Marxist and that the Warren Commission report was right in labeling him the murderer of President John F. Kennedy.

HE WAS promised equal time to reply to Lane at a later date.

Lane, a lawyer and author of the widely read and highly critical analysis of the Warren Report, "Rush to Judgment," was favorably received by the audience, consisting mainly of students.

An effective speaker who spiced his points with witticisms appreciated by his collegiate audience, Lane saved his high points until the question and answer period after the speech.

HE SAID that Abraham W. Bolden, a former Secret Service agent assigned to guard President Kennedy, told him, Assistant District Attorney Richard Burnes and another attorney that the agents guarding Kennedy were "hostile to the President" because he was favorable to Negroes.

Bolden, the first Negro assigned to guard a President is now serving time in federal prison on a conviction of conspiring to sell information to counterfeiters.

Lane said that Bolden told him he was often derided by other Secret Service men because of his race. Earlier this week, Lane and Burnes said that Bolden had information of a Chicago plot to assassinate Kennedy and his efforts to tell the Warren Commission about it were repulsed.

HE ALSO told the audience

that a former Dallas deputy sheriff is now working with Orleans Parish Dist. Atty. Jim Garrison and has provided the DA with interesting information concerning the actions of Dallas law enforcement agencies on the day Kennedy was murdered.

In the main, Lane discussed well-publicized aspects of the Warren Commission findings and the reaction of dissenters to its findings.

However, Lane used hyperbole and understatement to good effect: "Although the

Warren Commission didn't look at the X-rays and pictures of the assassinated President, it was not totally disinterested in medical findings; it published a photograph of Jack Ruby's dental impression taken in 1937."

AMONG THOSE present in the audience were Carlos Quiroga, a Cuban exile who has appeared before the Orleans Parish Grand Jury under subpoena in connection with the Garrison investigation and Perry Raymond Russo.

Russo, who was Garrison's star witness in the preliminary hearing which resulted in having Clay Shaw held over for trial on charges of conspiracy to murder Kennedy, attempted to ask Lane a question several times. He apparently went unseen by the speaker.

Although Lane didn't answer the question posed by the title of his address, "Who Killed John Kennedy?" he did criticize the Kennedy family for having "faith in a document (the Warren Report) it has never read." He added that he believes the Kennedys will one day call for another investigation into the assassination.

# Plot Witnesses Told to Hide Truth, DA Says

The federal government has been accused by District Attorney Jim Garrison of encouraging witnesses to conceal the truth in the assassination of President John F. Kennedy.

Garrison claims in a statement released to news media that his own investigation "has caught the lie machine . . . not only by a revealing photograph but by a letter taken from its own records."

THE NEW Orleans district attorney has released a copy of a letter he said was written by Warren Commission Attorney Norman Redlich to another commission attorney, Wesley J. Liebeler, on July 22, 1964, nine months after Kennedy was shot to death at Dallas.

The district attorney's statement underlined a portion concerning Deputy Sheriff Eddie Raymond Walthers. Redlich wrote Liebeler, who was to question Walthers, suggesting that he ask him "exactly what he saw on the day of the assassination with reference to the bullet which he claims splattered on the edge of the curb on Main st."

"One time Walthers was quoted as having found a bullet, but he seems to have backed away from this position," the letter said.

Garrison has photographs in which two men in business suits and a policeman in uniform are standing on the grass at the assassination site. He said one shows a man picking up a bullet.

"OF COURSE," Garrison said Thursday, "Deputy Sheriff Walthers denies that the bullet is a bullet. If he did not, he would not be deputy sheriff any longer."

Garrison said Walthers had been "reduced to the embarrassment of having to pretend that the federal official in the photograph has, in the first photograph, reached down for a piece of the President's head and, in the second photograph, is holding a piece of the President's head firmly clutched in his hand."

"What is more important is

that Deputy Sheriff Walthers initially said that he did find a bullet," Garrison's statement added. "But this was before Lyndon Johnson's administration indicated the official line that it was going to be pretended that there was only one assassin . . ."

The Warren Commission concluded that Lee Harvey Oswald was the lone assassin.

"Many witnesses who have cooperated in the big lie by refusing to tell what they know about the truth have been given jobs in defense plants," Garrison claimed. "Our office has located at least one participant in the assassination of President Kennedy who now works at a military base for the United States government."