

Garrison Seeks Attorney's Diary

By MIKE BAXTER
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New Orleans District Attorney Jim Garrison self-proclaimed "prober" of the John F. Kennedy assassination, Wednesday night subpoenaed the 500-page diary of Florida Assistant Attorney General Seymour Gelber.

In Tallahassee, Gelber said the diary primarily covered an investigation of the National States Rights Party initially launched after the 1962 bombing of Miami Herald Editor Don Shoemaker's home.

Gelber, who earlier provided Garrison with excerpts from the diary, said he told Garrison Wednesday that he would "in all likelihood" honor the subpoena. He doesn't know, he said, if he is legally required to do so.

His primary concern, he said, was that the identity of informers being used by the State Attorney's office here and Miami police remain secret.

"I told (Garrison) I wasn't deliberately trying to avoid him," Gelber said. "He's a public official. I don't know he's wrong. I'm not judging him in any sense."

He cited Garrison's "theory now about the national conspiracy to assassinate President Kennedy involved an extreme right wing group under the aegis of the National States Rights Party."

Gelber said about 90 per cent of his diary involved that group.

At the time of the Shoemaker bombing, Gelber was an assistant to State Attorney Richard Gerstein and coordinated an investigation with Gerstein's office and Miami intelligence officers.

Donald Branch was sen-

tenced to 20 years at the State Prison in Raiford for the Shoemaker house bombing. He also received two six-year terms running concurrently with the 20-year sentence for possessing and transporting explosives.

For several years the investigation continued into States Rights Party activities, Gelber said. Undercover men spread throughout the South and Midwest to gather information, he said.

Other information has been collected on a highly-publicized Birmingham church bombing in which several children died and the slaying of Martin Luther King this year.

When King was assassinated, Attorney General Earl Faircloth "sent me down to Miami and I reactivated the investigation then. Again my involvement was as a coordinator. For the last few months we have been receiving information on the King death from these informers."

Gelber did not comment on the relevancy of the investigation to the assassination of President Kennedy. Last year, however, another state attorney did.

Gerstein's office played for newsmen a tape recording of a conversation in which an unidentified man said Kennedy was "a marked man."

Arthur Rutledge, then an assistant state attorney and now chairman of the Miami Crime Commission, discounted any relation between that taped conversation and the actual assassination.

He said the recording was made during the investigation of the activities of Donald Branch and others "who used to sit around and threaten to kill a lot of people."

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