## Garrison Declares Probe Goes on Despite Setback

FBI Agent Ordered Not to Give Testimony

District Attorney Jim Garrison Wednesday brushed off the to fact that a Federal Bureau of Investigation agent was ordered by Attorney General Ramsey Clark not to testify before the te Orleans Parish Grand Jury and ites said it would not stop his assassination probe.

> U.S. Attorney Louis C. Lacour, in moving to quash a subpoena for FBI agent Regis Kennedy, revealed that Kennedy was ordered not to testifv.

Garrison said the development will only slow down his



-Photo by The Times-Picayune.
REGIS KENNEDY Ordered not to testify.

investigation into the death of President John F. Kennedy, not stop it.

The district attorney sought testimony from Kennedy, whose name appears frequently on FBI reports made during the Warren Commission's investigation. Garrison also subpoena-

Cont. in Sec. 1, Page 8, Col. 1

ed former FBI man Warren De-

PARTIALLY EXPLAINED

development, a check by The federal government." Times-Picayune revealed that an alleged "fake" photograph mission hearings reveals that identified once in the Warren none of the affidavits refers to Commission Hearings as "Phothe supposedly substituted photo tograph of an unidentified as purporting to be that of Oswas reproduced twice wald as Garrison had charged. man" and is partially explained in three signed affidavits.

Garrison Wednesday obtained a court order to direct a subpena to the Central Intelligence Agency, demanding what Garrison calls the real picture.

One of the affiants is Richard Helms. CIA director, who Garrison has challenged to produce a photograph allegedly taken of Oswald and a Latin companion as they emerged from the Cuban Embassy in Mexico City.

produce a "true photograph" of the accused presidential as-wald," the agent said. sassin and a burly Cuban which Garrison says was taken by 1963, well before the commis-CIA agents in front of the Cu-sion could have requested the

The photograph, Garrison said, was suppressed when the Warren Commission requested a picture of Oswald and his Cuban companion. The district attorney said the picture was taken with a concealed camera as the two men emerged from the Cuban embassy a few days before the assassination.

He said the CIA produced a 'fake photograph' because "one or both of those men was In connection with another employed by an agency of the

However, a check of the com-

On page 468 of hearings volume XI Federal Bureau of Investigation agent Bardwell D. Odum swore in an affidavit that he received the picture from the CIA the day after the assassination and attempted to show it to Marina Oswald at a Dallas motel the afternoon of the same day.

"I desired to show this photograph to Marina Oswald in an attempt to identify the individual portrayed in the photograph The subpena asks Helms to and to determine if he was an associate of Lee Harvey Os-

This would be on Nov. 23, ban Embassy in Mexico City alleged photo of Oswald and his in November, 1963. supposed companion. Agent Odum said he instead showed the photo to Mrs. Marguerite Oswald, Oswald's mother, when she told him that the accused assassin's wife was too exhausted to be interviewed.

HAD NEVER SEEN HIM Mrs. Oswald, Odum said, stated that she had never seen the individual in the picture. Odum noted that he had

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trimmed the background of the proper federal officials. No inpicture, in view of the source, quiry has been made here. to avoid possibly disclosing the location where the picture was taken.

The copy of the photo Odum presented to the commission with his affidavit on July 10, 1964, appears as Odum Exhibit No. 1 in Hearings Volume XX.

Helms' affidavit, sworn to on Aug. 7, 1964, and which appears on pages 469 and 470 of Volume XI, reveals that "the original photograph was taken outside of the continental United States sometimes during the period July 1, 1963 to November 23, 1963."

photo was submitted by FBI in-contends Ferrie conspired with spector James R. Malley on Oswald and Clay L. Shaw, 54-Feb. 11, 1964, according to his year-old retired businessman. affidavit, on pages 468 and 469 Shaw was indicted in the conof Volume XI.

This copy is reproduced as on \$10,000 bond. Hearings Exhibit 237, the exhibit which some news stories clared that Oswald was not a have suggested was the only Communist, as the Warren reference to the unidentified in-Commission said, but was "condividual.

On the motion to quash the agents. subpoena of Kennedy, Assistant U.S. Attorneys John C. Ciolino the FBI engaged in a massive and Frederick W. Veters coverup to dupe the Warren launched a four-point attack on Commission and mask the asit. ·

Their motion before Criminal District Court Judge Bernard J. Bagert asked for a quash because:

- 1. "Traditionally, FBI agents do not testify before state grand juries with respect to information or material gained by them in the performance of their official duties or by reason of their official status.
- 2. "Department of Justice Order 324-64 (which has the force of law) prohibits any officer or employe of the department a once active anti-Castro leadfrom producing or disclosing information or material contained in the files of the Department of Justice or acquired by him proached in 1961-before the in the performance of his official duties or because of his official status . .

## ORDER CITED

- "Special agent Kennedy has been instructed by the Attorney General pursuant to Order 324-64 that he is not to sources said Lee Harvey Ostestify with respect to informa- wald was still in Russia at the tion and material acquired by time and did not return to New him in the performance of his Orleans until early 1963. official duties . . .

Therefore, it is requested that the subpena be quashed."

Cuban sources here said they remembered both Kennedy and DeBrueys, attending meetings of anti-Castro groups organized to fight the island's Communist regime in

Kennedy questioned the late David W. Ferrie when he was arrested by Garrison's office three days after the assassina-

Garrison charges Ferrie was a pivotal figure in what he says The other copy of the same was a plot to kill Kennedy. He spiracy March 22 and is free

> In recent days Garrison detrolled" by federal undercover

He charged that the CIA and sociation of CIA-employed persons with Oswald.

Author Mark Lane testified before the Grand Jury Wednesday and upon emerging from the jury room identified the CIA as the "powerful domestic force" which he said last month "participated in the original plan which, in fact, culminated in the death" of the president.

Two other witnesses called by the Grand Jury are 30-year-old Carlos Quiroga of New Orleans, er, and a New Orleans truck salesman, Oscar Deslatte

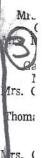
Deslatte said he was Bay of Pigs invasion-by two men who wanted to purchase trucks. He said one of them used the name Oswald and a purchase offer was made in that name.

District attorney's office

A bid sheet from Deslatte's 4. "Customarily, when local firm with Oswald's name on it authorities seek information was taken as evidence by the from a federal investigation of the assassination. It was

not introduced as evidence before the Warren Commission.

Quiroga is a former close as sociate of Sergio Arcacha Smith, 44, former leader of the triot Cuban Democratic Revolution-al c ary Front and a fugitive from it wi Garrison's inquiry.



Mrs.



