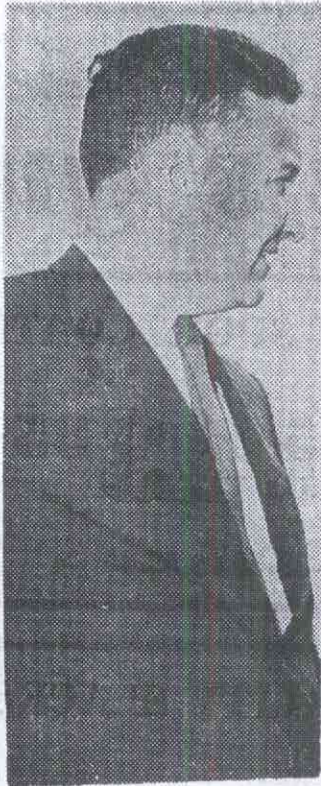


Motion Is Filed to Quash Sheridan's Jury Subpena

Newsman Was to Appear on Wednesday

Charging that District Attorney Jim Garrison "is subverting the historical purpose" of the Orleans Parish grand jury, attorneys for National Broadcasting Co. newsman Walter Sheridan filed a motion in Criminal District Court which precluded Sheridan's scheduled jury appearance Wednesday.

Attorneys Milton Brener and Herbert Miller filed a 12-page motion with Judge Bernard J. Bagert, in charge of the cur-



—Photo by The Times-Picayune.
WALTER SHERIDAN

TV newsman's subpoena stayed.

rent jury. It is designed to quash Sheridan's jury subpoena, which ordered him to appear at 9 a. m. Wednesday, and to remove the district attorney's office as legal adviser to the jury in Sheridan's case.

Assistant District Attorney James L. Alcock said his office will probably file an answer to the motion Thursday.

Sheridan, who was served with the subpoena Tuesday as he posted a \$5,000 cash bond

on a Garrison charge of public bribery of Perry Raymond Russo, will not have to appear until the issue is decided in court. The Grand Jury meets again Wednesday.

FIVE REQUESTS

The motion included five requests:

1. That Sheridan's jury subpoena be quashed.
2. That the foreman of the Grand Jury state, in open court the crime about which Sheridan is subpoenaed to testify.
3. That a hearing be held to determine whether the current Grand Jury is legally constituted.
4. That Brener be allowed to accompany Sheridan before the Grand Jury during his testimony so that his legal rights can be explained to him at all stages of the proceeding.
5. That a contradictory hear-

ing be held to determine whether Garrison and his assistants should be recused from advising the Grand Jury on any matters involving Sheridan.

'OWN PURPOSES'

The motion claims that Garrison is "subverting the historical purpose of the Grand Jury" by using it for his own purposes, and cites a provision of Louisiana law which provides for the recusal of the district attorney as the jury's adviser when his personal interests are affected.

It says that since Garrison became district attorney in 1962 he has used his legal adviser role to "procure spurious and specious indictments against his political enemies."

In this vein it cites indictments against former District Attorney Richard Dowling, his assistant, A. I. Kleinfeldt, and former Criminal District Judge J. Bernard Cocke. The motion also cites charges against Clarence Bielosh and Charles Quarteraro, involved in a football betting cards scandal.

Bielosh was indicted for perjury after reporting a \$600 bribe to Garrison's former chief investigator, Pershing Gervais, and the case has not come to trial in more than two years,

the motion says.

CITES DECISION

The subpoena for Sheridan, the motion says, "can only be an attempt by the district attorney to back up his bill of information with an indictment."

Arguing for representation by counsel before the jury, it cites the recent Escobedo decision of the U.S. Supreme Court, which held that under the Sixth Amendment to the U. S. Constitution, an accused person is entitled to counsel at all stages of the proceedings against him.

The only purpose of Sheridan's subpoena, the motion says, "is to coerce and intimidate" him.

The attorneys said in the motion that over the past three months Sheridan has developed evidence showing "misconduct, intimidation and bribery" by the district attorney's office in the case against Clay L. Shaw, the only man charged with conspiring to kill President John F. Kennedy.

CONVICTED BURGLAR

They cited previously reported charges that Alvin Beauboeuf, John "the Baptist" Candler and Sandra McMaines were improperly induced to testify.

The motion added that a convicted burglar, Miguel Torres, was asked by Garrison's staff to identify Shaw as Clay Bertrand, who supposedly sought legal counsel for Lee Harvey Oswald, and to say that Bertrand made homosexual advances to him (Torres).

The motion charges that Torres was told he would be forced to serve all of his nine-year burglary term if he did not give the testimony.

It also charged that Garrison at one time ordered former aide William Gurvich to "arrest, handcuff and beat" Sheridan and local television newsman Richard Townley.