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## Garrison Is Conducting a 'Trial by Publicity'

Having spent an entire year trying his Kennedy assassination conspiracy case on all the television and radio networks, as well as in all the newspapers, magazines, and other media, New Orleans Dist. Atty. Jim Garrison this week was finally supposed to try it in court, of all places.

But once more there is a last-minute postponement. The prosecutor week by week thickens the plot so bewilderingly that the defense is never quite up with him. This time the defense lawyers are asking for a change of venue on the grounds that Garrison has created an "atmosphere of prejudice and passion."

Theoretically, the defendant is a prominent New Orleans businessman, Clay Shaw, but in the incredible year since his indictment, he has been reduced almost to an "extra" in the fantastic plot that Garrison has unfolded in the headlines month after month.

Sam Shepherd, the Cleveland doctor who was convicted of murdering his wife, ultimately won his freedom when the Supreme Court ruled that

he had been jeopardized by pre-trial publicity. But the Shepherd publicity was a mere ripple compared to the tidal wave generated by Garrison.

Some weeks ago, after Garrison called a press conference to reveal his latest version of the assassination plot, he denied that he was violating the order of District Judge Edward Haggerty against talking publicly about the case. Anyhow, he added, "Judge Haggerty does not run the District Attorney's office."

The melodramatic charges of Garrison, and other pro-conspiracy promoters, have poisoned the public mind against the Warren Report to such an extent that the Harris Poll now finds that two-thirds of the American people are convinced that President Kennedy was the victim of a "conspiracy," and conspiracy to kill Kennedy is just what Shaw is accused of.

Judge Haggerty has not seen fit to cite Garrison for contempt or otherwise restrain him, but Sir Arthur Goodhart, the distinguished American-born law professor, has said:

"There has been a lot of talk about trial by newspapers, but that isn't true in this case. They must publish what the district attorney says. This is an example of trial by the district attorney, which is the most unfortunate feature of our American criminal law system." He called Garrison "publicity drunk" and said he had discredited the United States abroad.

It is true that as the trial date neared, Garrison has tried to focus public attention on others, and the indications are that he now intends to make the highest officials of the federal government the real defendants. If he fails to make a successful case against Shaw, he has prepared the way for putting the blame on the "Feds" for allegedly suppressing evidence of the great conspiracy.

The chief defendant would then be President Johnson. "Who appointed Ramsey Clark (the Attorney General) who has done his best to torpedo the investigation of the case?" Ask Garrison, "Who controls the CIA? Who controls the FBI? Who controls

the Archives where this evidence is locked up? This is really . . . the property of the people of this country. Who has the arrogance and the brass to prevent the people from seeing that evidence? Who indeed? The one man who has profited most from the assassination — your friendly President, Lyndon Johnson!"

Garrison told Ramparts magazine that he was not accusing Johnson of complicity in the crime, but he said the burden had shifted to the Government to prove that it was not an accessory before or after the act. "I assume the President of the United States is not involved," he said, "but wouldn't it be nice to know it?"

After this kind of talk, it was no great surprise to learn that an Army medical board reported as follows on Garrison in 1951: "This patient has a severe and disabling psychoneurosis of long duration. It has interfered with his social and professional adjustment to a marked degree. He is considered totally disabled from the standpoint of military duty."

### Give Garrison a Chance

SIR: Clayton Fritchey's "Garrison is conducting Trial by Publicity" was too much.

Garrison isn't repeatedly postponing the trial; the defense is, obviously.

Garrison is not discrediting the United States overseas. Most Europeans I know actually appreciate his efforts. They, like us, are not quite convinced by the Warren Commission.

Garrison has raised some excellent questions: Why are the Archives closed to the American people? And, who does control the FBI and CIA — and Mr. Ramsey Clark?

How and why did Mr. Garrison's Army medical records become public information? That material is supposed to be kept confidential. Perhaps another "News Leak" by the government? How do we know it is even the truth?

Let's give Mr. Garrison a chance. If he is right, can we afford not to?

Robert J. Lee.