

Garrison and the case of the

MARK LANE

If you read the tabloids, and generically speaking that includes the New York Times and the networks, with special emphasis upon the first two of the three (CBS and NBC), there is no mystery at all about the cancelled banquet. They reported, quite simplistically, that Jim Garrison "angrily locked the National District Attorneys Association (NDAA) out of its convention banquet" when the organization "recoiled aghast at a proposed speech by the volatile New Orleans prosecutor." Garrison's actions were, "completely irrational" the President of the NDAA was widely quoted as saying. All quotes, in-

going to use profane language as well. The press quoted Mr. Raggio as having charged Garrison with having referred to "the xxx-xxx President," or since we oppose censorship, "the fucking President." Surely, argued Mr. Raggio, such suggestions and such language would interfere with "propriety" at the convention banquet and, one might add, perhaps digestion as well.

According to the press, when Garrison was told that he could not abuse the President of the United States and use profane language at the dinner, he "angrily" or "petulantly" (depending upon the edition you read), but most certainly "irrationally" cancelled

quiet—the main event of the week-long convention—and he accepted.

On Wednesday morning when Garrison introduced the Governor of Louisiana to the delegates he made reference to the federal government's interference with local law enforcement efforts and the close relationship between large private corporations and the federal authorities. When the Orleans Parish grand jury sought to question Walter Sheridan (the former head of Bobby Kennedy's "Get Hoffa Squad" and now the head of NBC's "Get Garrison Squad") it found that he was immune from subpoena. Observed Garrison, "Sheridan works for NBC. RCA owns NBC. Most of RCA's contracts are with the federal government."

Garrison offered another example. Life magazine owns the 8mm motion picture film of the assassination taken by Abraham Zapruder. Those few who have seen the rather poor copy of the film at the National Archives agree that it is proof that the fatal shot came from the right front of the presidential car, certainly not from the book depository to the rear. Life has effectively suppressed the original for more than four and one half years, refusing to allow it to be shown to the American people either on television or in theatres, and refusing as well to publish the relevant frames in Life. The film, which both Garrison and I have studied, shows that as the fatal shot strikes President Kennedy in the head he is driven suddenly and with great force into the back of the seat.

David Chandler, a Life reporter living in New Orleans, charged that Garrison permits organized crime to flourish in New Orleans. The Orleans Parish grand jury, at Garrison's request, conducted an investigation into that charge. Garrison subpoenaed every possibly relevant party—from the Governor to the superintendent of the state police to Carlos Marcello. The grand jury called Aaron



• District Attorney Jim Garrison and Author Mark Lane confer. Lane is now a member of Garrison's investigative staff.

cluding "recoiled aghast" (shades of Perils of Pauline), by courtesy of the Associated Press and the New York Times.

According to the repeatedly quoted William J. Raggio, the Reno, Nevada prosecutor (what there is to prosecute there is hard to define since the legislature appears to have made everything legal) who serves as President of the NDAA, Garrison was going to advocate the hanging of Lyndon B. Johnson, some similar punishment for the seven members of the Warren Commission, and was

the entire affair.

Now for the facts.

The largest previous attendance at a convention of the NDAA was approximately 250. When it was decided to hold the convention in New Orleans this year, Garrison, as host, made arrangements for that number. Within a short time 610 delegates made reservations, encouraged, many of them explained, by the hope that they would be able to hear Garrison speak about the investigation. Garrison was invited to address the Saturday evening ban-

cancelled banquet

Kohn as well, since Kohn had been Chandler's source of misinformation. But when Kohn was before the grand jury and thus behind the wall of secrecy imposed by the law (which secrecy we now publicly penetrate for the first time) Kohn admitted that he had "no evidence" at all. He added that he had "heard rumors."

The grand jury then called Chandler, who went directly into the federal court to secure an injunction to prevent his appearance. His basic argument was that Garrison might prosecute him for perjury if he testified. "Not if he tells the truth" was Garrison's

reply.

The district attorneys were startled to learn that the federal court granted the temporary injunction and thus thwarted the duties of a duly authorized grand jury. In fact, the federal court then waited months until the grand jury went out of existence (grand jurors serve for six months in New Orleans and are then replaced by new personnel) and then issued a permanent order preventing Chandler's appearance. This order could not be appealed to a higher court since the matter was rendered moot by the expiration

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Why I am writing for the Free Press

MARK LANE

I am writing for the Los Angeles Free Press because no one else has asked me. I have asked other publications but they have declined to publish my comments from New Orleans. Not long before travelling to New Orleans I offered to write a series of articles for the San Francisco Chronicle but the editorial staff there refused to consider them even though I offered them gratis. I have written articles regarding the assassination investigation for the leading journals and newspapers in England (The Times Literary Supplement), France (Paris Match), Denmark (Ekstra-Bladet) and most of the rest of Europe. Only in the United States is it very difficult to communicate.

Of course, one cannot take such rejections personally. It is, I fear, far worse than that. When I completed writing "Rush to Judgment," it was rejected by almost every leading publisher in the United States. "It will never sell" was the excuse often offered. Yet within weeks of publication it became the number one best seller in the country and when published in paperback became the number one best seller in that form as well. Most publishers would not

print it, yet well over a million people secured it.

When commercial firms, Simon and Schuster or the Chronicle, reject works for reasons other than their intrinsic worth or commercial value we discover that the American business community has moved away from capitalism. Which might not be reprehensible except that the move is toward totalitarianism. Toward a controlled press, a powerful centralized government, an obedient communications industry—in short, toward, and almost at—fascism.

Do I put down the Free Press when I say that I write for it because no one else asked me? No. I honor it. And I am honored to write for it.

In the weeks ahead I will try to keep you informed of the events of New Orleans. I moved to this lovely city when I found out that the only way to know what is taking place in the Garrison investigation is to reside here, attend the courtroom sessions, and spend hours each day with Jim Garrison and his staff. No further comment need be made about the press than that by residing elsewhere you have been cheated of any knowledge of the facts of the most important investigation in the history of our country.

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of the term of the old grand jury. Thus the incredibly bad federal decision was rendered incapable of appeal by the court's exquisite timing.

Garrison observed that Life was kind enough to suppress the basic evidence for the federal authorities and that the government was decent enough to reciprocate by assisting the subpoenaed Life reporter. Garrison added that he believes that "the law must be flexible, it must be permitted, in fact, encouraged to grow" but that it must "retain some stability as well." He added that since he had offered to absent himself and his staff from the grand jury room when Chandler testified, a suggestion that appears to be without precedent, and permit Chandler to answer only those questions which the members of the jury might put to him, the federal court was obviously and entirely without justification in invalidating the subpoena.

Many of the delegates spoke with Garrison after he had completed his brief remarks on Wednesday. Each expressed agreement with him and interest in the questions that he had posed.

Thursday afternoon Garrison called and asked me to meet him at an informal office that he maintains away from his office. He hopes that the telephone at the informal location is more confidential than the direct line to Washington which appears to operate from his formal office. The meeting place was just a short walk from my French Quarter apartment and on the way I purchased a copy of the New Orleans States-Item, less to learn what had happened, a result that almost never follows a careful reading of that publication, more from habit. The headline read that Garrison was being cited for contempt of the federal court. Chandler's attorney (do you detect the long and punitive arm of Life?), was moving to punish Garrison for civil contempt, or in the alternative to have the federal government appoint a prosecutor to punish him for criminal contempt. The charge—Garrison had held the federal courts up to ridicule by suggesting that the federal government had suppressed evidence.

I met Garrison, we ordered a drink each, and I asked him about the contempt citation. He had not heard about it. I showed him the afternoon newspaper, he glanced at it and smiled. When I asked what it was that he found amusing, he read the portion which charged him with charging the federal government with suppressing vital evidence. "Why I

thought that everyone knew about that by now." He dropped the paper onto a chair and said, "I spoke for a couple of minutes yesterday. If they think that those few remarks constitute contempt I wonder what their reaction will be when I speak Saturday night. I'm going to spell out the role of the government in concealing the evidence. I won't just offer a few conclusions, but many of the hard facts."

Almost immediately plans were made by the leadership of the NDAA to disassociate the organization from Garrison and to demonstrate allegiance with or subservience to the federal authorities. It was suggested that Ramsey Clark and J. Edgar Hoover be made honorary members. Gar-

rrison later commented that that would really have embarrassed the members since "one's a numbskull and the other's senile."

Early on Saturday, Raggio told Charles Ward, a New Orleans Assistant District Attorney, that he wanted to see Garrison.

The scene shifts to Raggio's luxurious suite at the fashionable Monteleone Hotel. With Raggio is the association's vice president William Cahn, who is scheduled to be presented with a plaque at the banquet that evening for "distinguished service." Garrison knocks on the door. Raggio opens it.

RAGGIO: Hello Jim. Good of you to come.

GARRISON: Hello Bill (to Raggio). Hello Bill (to Cahn).

RAGGIO: Well, Jim, we've been good friends as you know.

GARRISON: Yes. What's the problem?

RAGGIO: Well, you know the guys didn't want to come down here because they were afraid that you would get us involved in the assassination. A lot of the boys were anxious because they thought that you might mention that subject. I really had a hard time talking the boys into coming here.

GARRISON: You must have been eloquent judging by the attendance. It is the biggest convention in your history isn't it?

RAGGIO: Well, yes. But you know your talk the other day about the federal government was, to put it bluntly, somewhat ticklish.

GARRISON: The subject of federal interference in the lives of the people is an important one. It has to be discussed. The use of the federal courts to interfere with the investigation of the death of the President is a matter of some concern. Judging by the response the other day it is a mat-

ter of real interest to the delegates as well.

RAGGIO: Well, what I want to know, what I am worried about, to put it bluntly is I don't know if you plan to talk about the assassination investigation and the federal government... criticize the federal government, tonight at the banquet.

GARRISON: My God, if that is all that's on your mind I can answer that for you and put your mind at ease. I am not only going to speak about that subject but I am going to speak about it at length. I will discuss the role played by Johnson in suppressing the evidence about the death of the man he succeeded, about the role of the federal police agencies, and I will present evidence to show how the Warren Commission sought to conceal truth. Why, what would you think the delegates would like to hear me speak about — The French and Spanish Influence Upon Contemporary New Orleans Architecture?

RAGGIO: Well, Jim, as President of the association, I must tell you that I am not going to let you speak about that subject.

GARRISON: Then I will not speak at all.

RAGGIO: Fine. Then that is settled.

GARRISON: We have an understanding. I will not speak. But if I don't speak there will be no banquet.

GARRISON (turning to Ward): Charlie, tell the hotel management to lock the banquet room door. Cancel the banquet. Nobody eats.

(Garrison's next order was to the hotel kitchen. He sent the food that had been prepared for 610 district attorneys—shrimp remoulade, roast beef, etc.—to three orphanages in the poorest section of the city.)

RAGGIO: You don't have the authority to do that.

GARRISON: I just did it.

CAHN: (perhaps wondering about when he was going to receive his distinguished service award): Can't something be done?

GARRISON: Goodbye, gentlemen.

Four hours later Raggio addressed the delegates to inform them that Garrison would not speak that evening and that the banquet was off. Almost at once the lobby was filled with district attorneys checking out and muttering angrily. They had come to hear Garrison and were deeply disappointed that he had not been permitted to speak.

A few district attorneys who remained inquired of Garrison

about the dance that was to have followed the banquet. "Oh, that's on," he said. "We're not angry with anyone. There need be no recriminations. The dance goes forward, as far as I'm concerned. Certainly I'll be there." Almost all of the remaining district attorneys were there too. Garrison sang a few contemporary songs, "You're My Weakness Now" and "You're the Cream in My Coffee." The band played until the early hours of the morning. Garrison explained to those who expressed surprise regarding his ability, or at least willingness, to sing that he was "really a poet who, between guerrilla forays, does district attorney work and sings."

The press ran only the Raggio version of the events, with the word "irrational" prominently featured. The Oklahoma City Times also ran the comments of Curtis P. Harris, the District Attorney of Oklahoma City, who had much to say upon his return home. He said that Garrison was "absolutely right" in calling off the banquet. He condemned the association's leadership for trying to "censor or silence Garrison" about a subject of such importance. Harris said that all of the delegates had expected Garrison to speak about his investigation and the efforts to thwart it, and that they were very interested in the subject and anxious to hear him. He said that "more than ninety percent of the delegates attending the convention supported Garrison" and added that "the DA's were mad as hell at this interference with free speech."

A sympathetic bystander read the Oklahoma City Times and rushed into Garrison's office to suggest that he send it to the Associated Press for wider distribution. Garrison replied, "It would be more effective to take it upon the Mississippi River Bridge, make a paper airplane out of it, and float it into the river. At least one human being might see it then."

Later when Garrison was asked to comment upon the affair he said:

"With regard to any matter of the assassination of President Kennedy, I will not submit to any censorship or any kind of limitations on my comments. There are always good excuses to avoid facing the truth, to avoid confronting the illegitimate power which now has control of this country.

"The road which has brought us to our present dilemma, in which the executive power of the government has become virtually absolute, is paved with compromises made by public officials. In the course of my efforts to call attention to the truth, and to the role of the federal government in seeking to suppress it, I will not

make any compromise of any kind."

A few days later Garrison was interviewed as he left the federal

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courthouse. He had never said that he wanted to tell the delegates that Johnson should be hanged. "At most, perhaps, picked up by the ears." He had not used profanity when meeting with Raggio. He has a working knowledge of almost all profane words, he said, but since the meeting was so low key there was no occasion to use them. When a reporter asked him if he thought he had the authority to cancel the banquet he replied that he had thought that he had already adequately demonstrated that.

REPORTER: What do you mean?

GARRISON: There was no banquet, was there?

REPORTER: Oh! What about the \$8.00 each DA paid for the dinner?

GARRISON: It was a wonderful contribution. Why, if they could have seen the faces of those kids when those elaborate dinners came in they would have been very pleased, I am sure.

REPORTER: Well, Raggio has said he might sue you for \$3000. What will you do then?

GARRISON: I'll send him a bill for the lesson that I gave him about the meaning of free expression. The bill will be for about \$3000.

After a few more questions Garrison turned away and left. The national attacks continued; Garrison's comments were not circulated. Later he said to me, "The press has succeeded where the medieval alchemists failed. Those old would-be chemists sought to transmute everything into gold. The press can turn everything into shit."

The AP, having failed to publish any of Garrison's responses, did offer a happy ending to its story. It concluded:

"Cahn, who was to receive the association's distinguished service award at the banquet, was given his plaque at an impromptu ceremony in his hotel room."