

# NEGRO APPOINTED

NEW ORLEANS  
STATES-ITEM

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# FOR

# JUDGE ORLEANS

The first Negro to be appointed a New Orleans judge in modern times was named to Criminal District Court today by Gov. John J. McKeithen as the governor filled two vacancies on the bench.

McKeithen announced in Baton Rouge he is appointing Israel M. Augustine and Alvin V. Oser to fill two newly created judgeships.

Augustine is a Negro attorney who long has been active in civil rights and human relations activities here.

**OSER IS EXECUTIVE** assistant to New Orleans Dist. Atty. Jim Garrison and frequently acted as prosecutor for the DA in key trials.

The two judgeships were created in 1968 by the legislature to be effective when funds were provided.

The funds were made available by the just-completed session of the legislature. The appointments are effective immediately and will terminate Dec. 31, 1970. Both

judgeships will be up for election in November, 1970.

Augustine, who will serve in Section I of Criminal District Court, is a graduate of Lincoln University Law School and now is serving on the faculty of Southern University in New Orleans.

**DURING THE UNREST** on the SUNO campus this spring, Augustine frequently was in touch with the governor. When McKeithen visited SUNO, it was Augustine who introduced him and later helped mediate a temporary truce on the campus.

Oser is a graduate of Tulane University Law School. He will serve in Section J of Criminal District Court.

There currently are eight criminal court judges. Judges are elected for 12-year terms and receive \$21,000 a year. The 1970 elections will be held at the same time as congressional elections.



ALVIN V. OSER

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# Garrison Aide Quits To Run Against Boss

By JACK DEMPSEY

First Asst. Dist. Atty. Charles R. Ward resigned today and announced his intention of running for district attorney against incumbent Jim Garrison.

Ward said he and Garrison have "violently disagreed" on several recent policy decisions.

Ward, who earlier had denied he would be a candidate against his boss because of "loyalty," said today he feels Garrison was not loyal to him. Ward said he believes loyalty should be a two-way proposition.

**HE SAID** Garrison promised to intercede in his behalf with Gov. John J. McKeithen for appointment to one of two newly created Criminal District Court judgeships.

Ward said that Garrison informed him yesterday that he had withdrawn his recommendation. Ward said he learned that Garrison has substituted another name.

Assistant District Attorney Alvin V. Oser has been mentioned as being Garrison's first choice for one of the judgeships.

**WARD REVEALED** that an officer of a bail-bonding company has accused him of accepting bribes. He said Garrison told him he knew the accusation to be false.

Ward made unsuccessful attempts last night and again this morning to have lie detector tests made which he said would prove the accusations are false.

"Garrison," he said, "has

told me he knows they (the accusations) are false. Yet based on this alone, Garrison has withdrawn my nomination for judge of the Criminal District Court—not because he has believed them—but because he feels they are embarrassing to him in his campaign for reelection."

**REGARDING HIS** decision to run against Garrison in the upcoming city election, Ward asserted:

"I feel that a man who does not back his employes when they need support is no longer entitled to my support or loyalty. For this reason I have no hesitation about qualifying against him and seeking the office of district attorney."

Ward said he will seek a grand jury probe of the bribe accusation.

Ward gave this account: Depositions were taken from three persons, all of them bail bonding company officials, in connection with the allegation.

**THE DEPOSITIONS** were made before a public stenotypist in March.

The allegation was to the effect that money was sent by check to a local bail bond firm.

An official of this firm allegedly cashed the checks and turned over cash sums to a

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CHARLES R. WARD

Continued from Front Page

local attorney. This attorney, in turn, allegedly turned the money over to Ward.

**THE MONEY** ostensibly was to be used to influence Ward to hold back the collection of the forfeitures. In the depositions it was admitted by one of the officials that the "desired results" never were obtained.

Ward declined to take an active part in the conspiracy investigation into the death of President John F. Kennedy.

He was not a member of the DA's staff in the case against Clay L. Shaw, who was charged by Garrison with plotting the Kennedy assassination. Shaw was acquitted in trial last winter.

**WARD TOLD** close associates that he could not in "good faith" take part in an

investigation and trial in which he did not believe.

Ward stayed on in the DA's office with the assurance of Garrison that he was Garrison's choice for one of the two new judgeships.

Withdrawal of nomination by Garrison was the straw which broke the camel's back.

**PRIOR TO HIS** balking at the Kennedy investigation Ward enjoyed supreme control of the office, actively handling and spearheading investigations into rackets, such as "loan shark" operations.

He served as chief advisor to the Orleans Parish Grand Jury until recent months.

Prior to becoming first assistant DA he prosecuted cases in several sections of Criminal District Court, including the courts presided over by Judges Edward A. Haggerty Jr., Oliver P. Schulingkamp and Malcolm V.

O'Hara.

He often has been rumored as a potential candidate for councilman at large and for the state Senate.

**HE SAID HE** turned down support for nomination in the Senate race at the insistence of Garrison, who told him he could be assured of getting one of the judgeships.

With Ward's public announcement of his intention of running for the DA's spot it now appears that the race will be a wide-open affair.

Garrison has announced his decision to seek re-election.

**HARRY CONNICK**, an assistant federal district attorney and a former Legal Aid attorney in the Criminal Courts building, is expected to announce his candidacy at the end of this month, when he resigns his federal post.

Ross Scaccia, a former Garrison assistant, has asserted

publicly that he will be a candidate, and William Schuler, former assistant DA and currently an assistant in the state attorney's general's office, also has been mentioned prominently as a political candidate.

Ward issued this statement:

"Today I have submitted my resignation to Jim Garrison. I am resigning the office of chief assistant district attorney to campaign for the office of district attorney. There are many reasons for my decision.

"First, I am better qualified to be district attorney than Jim Garrison or any other person in this city. I have run the office for the past six years while Garrison has investigated and tried only one case — Clay Shaw — which he lost. Garrison's record during the past eight years is won none, lost one.

"SECONDLY, I HAVE recently had very serious policy disagreements with Garrison. We have violently disagreed on several of his recent decisions.

"He has informed me that he will not enforce any obscenity legislation including the recent acts of the legislature. I am for strong law enforcement of those laws against pornography and smut which have been flooding this city.

"Also, Garrison recently overruled my decision to arrest students at Southern University for interfering with the police in resisting arrest. After I advised the police to make arrests of all persons involved in the riot, Garrison met with representatives of the black militants and capitulated to their demands and agreed to charge only six of the 26 persons arrested. He has further promised these six they would never spend one day in jail. I am against capitulation which I feel will only bring anarchy.

GARRISON ALSO re-

cently overruled my orders to arrest members of the Students for a Democratic Society (SDS) for the demonstrations at Fortier High School. He has expressed sympathy for their revolt against the establishment and has recently said, 'No university is being burned which should not be burned.' These are just a few of the many major disagreements we have had.

"Ordinarily I would hesitate to run for any office currently sought by my employer because of my feeling of loyalty. This loyalty may indeed be a fault, but I believe if you work for a man you should be loyal to him. But Garrison has not been loyal to me or other members of his staff. He has not backed me when I needed his support, and loyalty is not a one-way street.

"Recently an officer of a bail bonding company accused me of accepting bribes. I am now making public these depositions which were secured by Garrison's former law partners, Deutsch, Kerrigan and Stiles. These affidavits made by William Hardy Davis, who has been charged in Criminal Court, are demonstrably and obviously false. Garrison has told me he knows they are false. Yet, based on this alone, Garrison has withdrawn my nomination for judge of the Criminal District Court — not because he believes the accusations but because he feels they are embarrassing to him in his campaign for reelection.

"I feel that a man who does not back his employes when they need support is no longer entitled to my support or loyalty. For this reason I have no hesitation about qualifying against him and seeking the office of district attorney."

# DA to Probe Bribe Charge Against Ward

5-16-48/109  
Accusations that former Assistant District Attorney Charles R. Ward accepted bribes will be investigated by the Orleans Parish Grand Jury, an assistant DA said yesterday.

Ward resigned as DA Jim Garrison's first assistant yesterday to run against him.

James L. Alcock, appointed Chief Assistant DA by Garrison yesterday, did not comment on when the bribery allegations might reach the jury or what charges could result.

**WARD'S RESIGNATION** came after Garrison withdrew a recommendation that he be named to one of two Criminal District Court judgeships.

In a written statement, Garrison cited the bribery allegations as the reason he changed his mind about backing Ward. The DA said he did so after he learned "that employes of a bail bonding company had signed affidavits indicating money had been paid to Ward through an attorney for the company."

In the DA's office today, workmen were busy changing locks on all doors and filing cabinets. There was no official explanation for the action.

In his resignation statement yesterday, Ward said

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## Ward--

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Garrison had told him he knew the bribery accusations were false.

Ward claimed his nomination was withdrawn "not because he (Garrison) believes the accusations but because he feels they are embarrassing to him in his campaign for reelection."

**THE JUDGESHIP** appointments announced yesterday by Gov. John J. McKeithen were those of Assistant DA Alvin V. Oser and Negro attorney Israel M. Augustine. Ward claimed Garrison substituted Augustine's name in place of his.

Ward said the bribery allegations were made in part by William Hardy Davis.

Affidavits charged bribe money was sent to an official of the bail company in the form of checks. The official would cash the checks and turn the money over to a local attorney, who allegedly delivered it to Ward, the affidavits stated.

**IT WAS ALLEGED** that the money was to influence Ward to hold back on the collection of bond forfeitures. One of the officials admitted in his affidavit the "desired results" were never obtained.

Garrison said he withdrew his recommendation of Ward Monday after he confirmed the affidavits existed. "Tuesday morning I called the governor once more to emphasize that under no circumstances was I recommending Ward for appointment to judge," he stated.

**WARD SAID** he and Garrison have disagreed violently on a number of issues. Among them, he said, was the prosecution of Clay L. Shaw, who was acquitted March 1 of charges that Shaw conspired in the murder of President John F. Kennedy.

He also claimed Garrison "has not been loyal to me or other members of his staff."



ASST. DIST. ATTY.  
CHARLES R. WARD

T.P. 6/13/64  
**PROBE ON WARD  
BRIBE CASE SET**

**DA's Aide Resigns for  
Race, Is Accused**

An assistant district attorney said the Orleans Parish Grand Jury will investigate accusations that bribes were accepted by former first assistant DA Charles R. Ward, who resigned Tuesday to run against incumbent DA Jim Garrison.

Ward turned in his resignation after Garrison changed his mind about backing Ward for one of two Criminal District Court judgeships.

Ward said he would seek a grand jury probe of the allegations, contained in depositions taken from three officials of a bail bonding company.

Assistant DA James L. Alcock, whom Garrison appointed as first assistant to replace Ward, said the matter will go before the jury.

**LEGAL ADVISER**

However, he declined to speculate on when the matter may reach the jury, or what charges could result. The DA's office acts as the legal adviser to the jury.

Garrison issued a printed statement in which he cited the bribery allegations as his reason for withdrawing Ward as a

candidate for the judgeship.

Assistant DA Alvin V. Oser and Ward were his recommendations for a judgeship until several days ago, Garrison said.

Then, Garrison said, he learned that employes of a bail bonding company had signed affidavits charging that money had been paid to Ward through an attorney.

After confirming that the affidavits existed, Garrison called Gov. John J. McKeithen Monday and withdrew Ward as a candidate.

Ward charged that Garrison knew the accusations were false, but feared the embarrassment they might cause.

Following Ward's resignation

Cont. in Sec. 1, Page 2, Col. 1

SECTION ONE—PAGE TW

**BRIBE CHARGES**

Continued from Page 1

Tuesday, it was announced that the governor will appoint Israel M. Augustine, a Negro attorney, and Oser to the two judgeships.

Garrison was not available for comment, but Alcock said that as far as he knew, Garrison had not recommended Augustine for the other judgeship.

Ward claimed that Garrison substituted Augustine for him as his recommendation.

In announcing his resignation, Ward said that he and Garrison have disagreed violently on a number of issues.

Among them was the prosecution of Clay L. Shaw, who was acquitted on March 1 of a charge of conspiring to murder President Kennedy.

Ward did not participate in the prosecution of Shaw.

Another area of disagreement was obscenity legislation, which Garrison has decided not to enforce, Ward said.

Ward accused Garrison of capitulating to demands of black militants, resulting in the charging of only six of 26 persons arrested during student un-

rest at Southern University.

Garrison promised that the six "would never spend one day in jail," Ward said.

Ward also said Garrison overruled his orders to arrest members of the Students for a Democratic Society during demonstrations at Fortier High School.

Ward has often been mentioned as a possible candidate for councilman at large and for the State Senate.

He said he refused support for nomination in the Senate race on the urging of Garrison, who assured him of one of the judgeships.

Garrison's withdrawal of support for the judgeship was the last straw, he said.

**DEPOSITIONS TAKEN**

Ward said the bribery accusations were made in part by William Hardy Davis. Depositions were taken in March by Garrison's former law partners, Deutsch, Kerrigan and Stiles, he said.

The alleged bribe money was supposedly sent to an official of the bail company in the form of checks. The official would cash the checks and turn the money over to a local attorney, who allegedly delivered it to Ward, the affidavits charge.

The money was to influence Ward to hold back on the collection of bond forfeitures, it was charged.

One of the officials admitted in his affidavit that the "desired results" never were obtained.

Besides Ward and Garrison, there are two other possible candidates for district attorney.

They are Harry Connick, an assistant U.S. attorney, and Ross Scaccia, a former Garrison assistant.

Ward issued the following statement:

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"First, I am better qualified to be district attorney than Jim Garrison or any other person in

this city. I have run the office for the past six years while Garrison has investigated and tried only one case—Clay Shaw—which he lost. Garrison's record during the past eight years is won none, lost one.

"Secondly, I have recently had very serious policy disagreements with Garrison. We have violently disagreed on several of his recent decisions.

"He has informed me that he will not enforce any obscenity legislation including the recent acts of the Legislature. I am for strong law enforcement of those laws against pornography and smut which have been flooding this city.

"Also, Garrison recently overruled my decision to arrest students at Southern University for interfering with the police in resisting arrest. After I advised the police to make arrests of all persons involved in the riot, Garrison met with representatives of the black militants and capitulated to their demands and agreed to charge only six of the 26 persons arrested. He has further promised these six they would never spend one day in jail: I am against capitulation which I feel will only bring anarchy.

"Garrison also recently overruled my orders to arrest members of the Students for a Democratic Society for the demonstrations at Fortier High School. He has expressed sympathy for their revolt against the establishment and has recently said, 'No university is being burned which should not be burned.' These are just a few of the many major disagreements we have had.

"Ordinarily I would hesitate to run for any office currently sought by my employer because of my feeling of loyalty. This loyalty may indeed be a fault, but I believe if you work for a man you should be loyal to him. But Garrison has not been loyal to me or other members of his staff. He has not backed me when I needed his sup-

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# AUGUSTINE, OSER NEW N.O. JUDGES--M'KEITHEN

T.P. 6/15/69  
Negro Rights Leader, DA  
Aide Appointed

Gov. John J. McKeithen named the first Negro to a judgeship in modern times in New Orleans Tuesday.

Israel M. Augustine was named to fill one of two vacancies in Criminal District Court. Alvin V. Oser, executive assistant to Dist. Atty. Jim Garrison, was appointed to fill the second vacancy.

"I would like to express my sincere gratitude to Gov. McKeithen for his expression of confidence in me by this appointment," Augustine said at a press conference.

"The full force of my abilities and strength will be directed toward justifying the confidence placed in me."

## WORKS FOR RIGHTS

Augustine has been active in civil rights and human relations activities in New Orleans. He was one of the organizing attorneys of the Southern Christian Leadership Conference.

Augustine said he hoped his appointment was an indication that future appointments by federal, state and local governments would be made regardless of race.

"I hope, I think, this will open the door," the 41-year-old attorney said.

Augustine and Oser will take

Cont. in Sec. 1, Page 3, Col. 7



ALVIN V. OSER ISRAEL M. AUGUSTINE  
Named Criminal Court judges by McKeithen.

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over their judgeships July 1. Augustine will serve in Section I of Criminal District Court. Oser will serve in Section J.

The two judgeships were created in 1968 during the regular session of the Legislature. They were to become effective when funds were provided.

## MADE AVAILABLE

Funds were made available by the recently completed session of the Legislature.

The appointments terminate Dec. 31, 1970. Both judgeships will be up for election in November, 1970, the same time as congressional elections.

Augustine said that color would not affect his decisions in the court.

"In the court room I will try cases on their merits," he said.

Augustine is a graduate of Lincoln University Law School. They receive \$21,000 a year.

He is a member of the Human Relations Commission and is presently serving on the faculty of Southern University in New Orleans.

Augustine was in frequent touch with Gov. McKeithen during the unrest on the SUNO campus this spring. When the Governor visited SUNO, Augustine introduced him and later helped mediate a temporary truce on the campus.

Oser is a graduate of Tulane University Law School.

There are currently eight criminal court judges. Judges are elected for 12-year terms.