

SUBPENA ISSUED FOR EX-DA AIDE

T-P 6/28/67
Gurvich, Others Ordered
to Appear Today

An ex-aide of District Attorney Jim Garrison who has said he wants to testify against his former boss' assassination-conspiracy case was officially given that opportunity Tuesday when the Orleans Parish grand jury issued a subpoena for him.

Ordered to appear Wednesday were private detective William Gurvich, the ex-aide who now claims that Garrison's only conspiracy defendant thus far should never have been arrested, and two of his brothers, Louis and Leonard Gurvich.

The Gurvich brothers operate a private detective agency and guard service. William Gurvich resigned from Garrison's investigation Monday after being associated with it closely for a number of months. It was never clear how close the other brothers were to the investigation.

PLANER SUBPENAED

Another jury subpoena was issued for Ed Planer of WDSU-TV, which has been involved in charges between Garrison and the National Broadcasting Co.

Later Tuesday yet another probe subpoena, this for an appearance in Garrison's office Wednesday, was issued for John Cambell, 6202 Curie, Apt. A, who is listed in the city directory as an artist.

The ex-investigative aide has said he wants the grand jury to rescind its conspiracy indictment against retired businessman Clay L. Shaw.

Shaw was indicted by the body after Garrison had Baton Rouge insurance man Perry Raymond Russo testify before it.

Garrison charges that Shaw conspired with Lee Harvey Oswald and David W. Ferrie to kill President John F. Kennedy.

MEMORANDA FILED

Meanwhile Tuesday Shaw's

defense attorneys filed three memoranda backing up previously filed motions which sought to suppress evidence against their client, obtain seized property, and force a clearer statement of the state's case against Shaw.

Criminal District Court Judge Edward A. Haggerty gave the defense until Tuesday to file the memoranda during a hearing on June 11 for the defense attack on the state charge.

The defense contended Tuesday that the district attorney's men had no right to search Shaw's French Quarter home on the night of his March 1 arrest and seize five boxes of personal belongings and papers.

"The evidence seized was not

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seized in connection with a valid arrest," the defense said.

BILL OF PARTICULARS

In its memorandum in support of its application for a bill of particulars the defense said:

"Among the only defenses to a charge of conspiracy are that meetings and agreements did not take place, and that if they did take place the defendant was not there.

"Under these circumstances, the defense or alibi becomes of paramount importance. Counsel for the defendant are at a loss to see how a defense or alibi could possibly be utilized in the face of such a ghostly, evasive and indefinite charge as the one with which the defendant is presently faced."

Judge Haggerty gave the state until July 14 to file an answer to the memoranda.

MCC Again Asks Probe of Garrison

The Metropolitan Crime Commission of New Orleans Inc., unsatisfied with Attorney General Jack P. F. Gremillion's reasons for refusing to intervene in District Attorney Jim Garrison's presidential assassination probe, asked him again Tuesday to launch an investigation which it contends is legally permissible.

Commission president E. C. Upton Jr. and managing director Aaron M. Kohn, in a letter to Gremillion, said the commission was not satisfied with Gremillion's written reasons for rejecting its first request.

It repeatedly asked that Gremillion take steps "in order that serious charges of crime, publicly alleged before the entire nation, may be resolved in an orderly and reliable manner."

The commission asked Gremillion to initiate an investigation on the basis that "nothing within the law prohibits such a procedure."

The commission said its request was based on a National Broadcasting Co. television documentary, nationally televised the night of June 19, in which an NBC commentator and various other persons alleged that Garrison and members of his staff made a number of attempts to induce the giving of false testimony or the withholding of pertinent facts under promise of reward or threat of recrimination.

Gremillion on June 23 wrote the commission that he had "no authority to comply" with the request. He said additionally that he felt the commission had asked him to "supplant or supersede a district attorney."

In Tuesday's request, the commission contended that it did not ask him to supplant or supersede.

"On the contrary, we very specifically limited our request to the authority which you do have, as set forth in Article 7

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of our State Constitution, also restated in the State Code of Criminal Procedure, Article 62. . . ."

Gremillion had said he did not have the authority to comply with the commission's first suggestion that he appoint a professional and non-political committee, nominating three special assistant attorneys general to investigate allegations made against the DA's office.

"We call to your attention that, to our knowledge, nothing within the law prohibits such a procedure," the commission said.

The commission said Gremillion, in his reply to its first request, gave the impression that a district attorney is immune from investigation and prosecution by the state attorney general. It further noted that Gremillion had said that Garrison "has not requested assistance" from his office.

The commission asked Gremillion if Garrison had asked him to prosecute the district attorney in the case in which Garrison was accused of defaming eight judges of Criminal District Court. Garrison was convicted, but the conviction was later reversed by the U.S. Supreme Court.

"Do you expect the people of Louisiana to believe you will not investigate a district attorney accused of crime unless he asks you to do so?" the commission asked.