

T.P.

PICAYUNE, NEW ORLEANS, LA., FRIDAY MORNING, AUGUST 15, 1969 .

SECTION ONE—PAGE NINE

Bribery Case Will Be Heard

Sheridan, Townley Given Right in Ruling

A U.S. Fifth Circuit Court of Appeals reversal of a lower court decision means that U.S. District Judge Alvin B. Rubin will conduct a hearing on whether state prosecution on bribery charges against two men should be dropped.

The appellate court did not rule directly on whether television investigator Walter Sheridan and former New Orleans television newsman Richard Townley had their constitutional right of free speech threatened.

The Times-Picayune Thursday morning incorrectly reported that District Attorney Jim Garrison was legally enjoined from proceeding with the bribery charges.

Earlier, Judge Rubin issued a judgment in favor of the dis-

trict attorney and dismissed a Sheridan and Townley plea for an injunction.

The appeals court said that Sheridan and Townley have a heavy burden of proof.

"Ordinarily," the three-judge panel stated, "the presumption that the state's motive was law enforcement and not

interference with speech or assembly will carry the day.

"In this case, we hold only that appellants are entitled to attempt to prove that the 'presumption of legitimate law enforcement' should not carry the day."

Sheridan is an investigator with the National Broadcasting

Co., and Townley is a former reporter with WDSU-TV.

The two men were accused of bribing a witness by Garrison following a June 19, 1967, television program criticizing Garrison's investigation of the Kennedy assassination.