

DA Blasts Clark In Subpena Fight

Bid to Usurp Court Power Charged

Dist. Atty. Jim Garrison today accused the U.S. attorney general of attempting to usurp the power of courts to decide who will and will not testify before grand juries.

The charge was made in answer to a U.S. government move to prevent FBI Agent Regis Kennedy from testifying in the DA's presidential death plot investigation.

KENNEDY was subpoenaed to testify last week, but U.S. attorneys filed a motion to dismiss the call for testimony.

They contended Kennedy was prevented from testifying by a Justice Department executive order which forbids agents and employes from disclosing information surrounding their official work.

U.S. Attorney Louis C. LaCour said Kennedy was ordered by Atty. Gen. Ramsey Clark not to testify.

The state answered the motion with a brief filed before Criminal District Court Judge Bernard J. Bagert in which the DA declared:

"The United States attorney general has attempted by executive order . . . to remove from the judiciary its inherent right and power to determine the validity . . . of an asserted privilege."

THERE WERE no oral arguments today. Judge Bagert

set a formal hearing at 10 a.m. tomorrow, and U.S. lawyers said Kennedy would appear and testify if the judge orders him to.

Garrison's original subpoena did not specify what matters the jury might explore with Kennedy. Noting this, the DA's office asserted:

"There being no showing that the U.S. attorney general is clairvoyant and gifted with the power of prophecy, he is without justification or authority to predict the questions to be pronounced to Agent Kennedy by the Orleans Parish Grand Jury."

In an amendment to their motion, the U.S. officials filed clippings from local newspapers which they said alleged that Kennedy would be questioned about "the circumstances of the assassination of President John R. Kennedy."

Earlier, the Civil Liberties Union of Louisiana criticized Garrison and three authors

(Turn to Page 18, Column 3) who have figured in the case.

IN A STATEMENT released today, the CLU said it believes "the situation is again deteriorating to the point where the guilt or innocence of Clay Shaw is becoming secondary consideration, and his right to a fair trial seriously endangered."

Shaw, a 54-year-old retired New Orleans businessman, is the only man charged in the assassination plot case. He is free on \$10,000 bond awaiting trial.

The ACLU said what it called the situation "should, and can, be corrected. It pointed especially to recent Garrison statements in which the DA has accused the Central Intelligence Agency and the FBI of covering up the facts of the assassination.

The ACLU statement named writers James Phelan, Harold Weisberg and Mark Lane, and added:

"We have no desire to see any citizen's freedom of expression suppressed, but we do believe that the first priority in criminal prosecutions should be that the accused receive a fair trial."

ALL THREE authors have written controversial articles or books about the presidential killing.

At Washington, meanwhile, Louisiana Atty. Gen. Jack P. F. Gremillion said he knows nothing about a tape recording of an alleged bribe attempt charged to the DA's office by the attorney for one of the probe principals.

Gremillion said he was attending a gas rate hearing and had not been in touch with his Baton Rouge office since Saturday. No tape had arrived then, he added.

"This is a very nebulous situation as far as I am personally concerned," he said. "I don't know anymore about it that I read in the paper."

BURTON KLEIN, an attorney for Alvin Beauboeuf, one-time roommate of investigation figure David W. Ferrie, accused a Garrison investigator of attempting to bribe his client to give false testimony.

He said he was sending a tape recording of the bribe attempt to Gremillion.

Meanwhile, the Grand Jury tomorrow is scheduled to receive a return of a subpoena delivered last week to CIA Director Richard Helms.

The DA asked Helms to send to New Orleans a photograph taken by the CIA in Mexico City a few days before the assassination.

Garrison contends the picture shows accused assassin Lee Harvey Oswald walking out of the Cuban embassy there with a powerfully built Cuban. He says the photo is vital to his case.