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(250) WALKER SUIT

WASHINGTON, NOV. 16 (AP)-THE SUPREME COURT DECLINED TODAY TO REVIEW A DECISION THAT A LIBEL SUIT BY MAJ. GEN. EDWIN A. WALKER (RET.) AGAINST THE ASSOCIATED PRESS AND THE TIMES-PICAYUNE PUBLISHING CORP. OF NEW ORLEANS MUST BE TRIED IN CADDO PARISH (COUNTY) DISTRICT COURT IN LOUISIANA.

THE DECISION WAS GIVEN BY THE COURT OF APPEALS, SECOND LOUISIANA CIRCUIT. IT WAS APPEALED TO THE SUPREME COURT BY AP AND TIMES-PICAYUNE.

THE HIGH TRIBUNAL, IN A BRIEF ORDER, SAID A MOTION BY COUNSEL FOR WALKER THAT THE APPEAL BE DISMISSED WAS GRANTED "FOR WANT OF JURISDICTION" BY THE HIGH COURT.

WALKER ASKED \$3 MILLION DAMAGES IN HIS SUIT FILED IN CADDO PARISH. HE SAID HE WAS LIBELED BY STORIES CONCERNING HIS ACTIVITIES AT THE UNIVERSITY OF MISSISSIPPI AT THE TIME JAMES H. MEREDITH, NEGRO, WAS ENROLLED AS A STUDENT.

AP, A NEW YORK CORPORATION, HAS NO PLACE OF BUSINESS IN CADDO PARISH. LEADS, HAS NEWS BUREAU I



AP, A NEW YORK CORPORATION, HAS NO PLACE OF BUSINESS IN CADDO PARISH. IT HAS A NEWS BUREAU IN NEW ORLEANS, WHICH IS IN ORLEANS PARISH. TIMES-PICAYUNE PUBLISHES TWO NEWSPAPERS IN NEW ORLEANS. THE CADDO PARISH DISTRICT COURT ORDERED THE SUIT TRANSFERRED TO ORLEANS PARISH DISTRICT COURT, BUT WAS OVERRULED BY THE LOUISIANA APPEALS COURT.

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AP AND TIMES-PICAYUNE IN THEIR APPEAL TO THE SUPREME COURT SAID IT WAS PLAIN THAT LOUISIANA COURTS WOULD ADHERE TO AN EARLY COMMON LAW RULE THAT EACH SALE OR DELIVERY OF A NEWSPAPER IS A SEPARATE PUBLICATION OF AN ALLEGED LIBEL, GIVING RISE TO SEPARATE SUITS.

THIS MEANS, THE APPEAL SAID, THAT A PLAINTIFF IN AN ACTION FOR LIBEL DAMAGES COULD FILE SUITS IN EACH OF THE 64 PARISHES IN LOUISIANA TO WHICH A SINGLE COPY OF THE NEWSPAPER WAS SENT.

"THE MENACE WHICH SUCH A THREAT OF A MULTIPLICITY OF ACTIONS CARRIES TO THE PUBLISHER IS OBVIOUS . . . THE DANGER HAS BEEN RECOGNIZED TIME AND AGAIN BY THE HIGHEST COURTS OF OTHER STATES."

THE APPEAL ADDED THAT THE LOUISIANA CASE "CARRIES GRAVE IMPLICATIONS FOR (CONSTITUTIONALLY) PROTECTED FREEDOMS OF SPEECH AND PRESS."

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