

Will Serve 'Without Fee' Bailey to Defend DA

By JACK DEMPSEY

Famed defense attorney F. Lee Bailey has agreed to serve "without fee" as chief defense counsel for Dist. Atty. Jim Garrison who is accused by the federal government of public bribery, The States-Item learned today.

A letter dated July 16 from the Boston attorney to Garrison ended speculation on whether Bailey would agree to represent the DA.

In the letter, which was sent through Garrison's other counsel, Louis Merhige, Bailey wrote, "Because of our long association and my belief in your integrity, I will serve without fee in these matters."

BAILEY WROTE Garrison that he

felt the matter would be given what he called "special treatment" by the government. He described Garrison as a "target defendant."

Garrison and nine other persons were arrested by federal agents June 30 and charged with illegal gambling, use of bribery to obstruct law enforcement, interstate travel or transportation in aid of racketeering, and conspiracy.

The district attorney has charged that his arrest is a "frameup" by the federal government.

IN THE LETTER to Garrison, Bailey wrote:

"The mere combination of the government's thinly-veiled method of covering the community with prejudicial material by filing its windy and completely unnecessary affidavit in this case, together with the melodramatic manner in which you were arrested and paraded before an obviously well-tipped press corps, establishes the fact that these federal prosecutors have little concern for their ethics or your rights.

"Although I realize that you are quite content to believe that the fact that you were framed will all come out in the wash, I encourage you not to be naive in evaluating the difficulties of defending a case of this magnitude. It is a cancerous case if for no other reason than that the government

seems to be committed headlong to a conviction at any price."

Bailey stressed in the letter that pre-trial preparation be thorough.

"IT SEEMS clear just from an introductory glance at the situation that the expenses and costs of experts and investigators are going to rapidly mount to a very substantial sum," Bailey wrote. "While I am happy to contribute my services, I do not want either of us handicapped in presenting this defense by a lack of pre-trial work."

"I realize that you have no sizeable personal estate of your own as is the case with most honest prosecutors. Nonetheless, I should hope that those who have known you and the caliber of work which your office has delivered for the community during the past 10 years might be willing to render some assistance with this problem."

Garrison was unavailable this morning for comment. Mrs. Garrison told a newsman her husband and Bailey were "casual friends."

Bailey was in New Orleans last week and speculation arose that he may defend Garrison. When questioned, however, Bailey said he came here to "talk about the weather." He held an hour-long meeting with Merhige and with attorney Milton P. Masinter, who is representing two policemen, Capt. Frederick Soule Sr. and Sgt. Robert Frey in the bribery case.