

TWO

SATURDAY

Public Bribery Law Is Upheld By La. Court

Louisiana's public bribery law was upheld yesterday by the State Supreme Court in a decision by Chief Justice John B. Fournet.

The decision remanded for trial the case against New Orleans contractor D'Alton Smith, charged with offering a bribe to an aide to Gov. John McKeithen.

DIST. JUDGE Donovan W. Parker of Baton Rouge had quashed the indictment against Smith on the ground that the law involved was unconstitutional. The state appealed.

Justice Fournet said the district court judge based his decision on precedent "clearly not controlling" because the previous case cited involved jury tampering.

In other opinions, the high court, by a 5-2 vote, refused to rehear the state's suit to impeach Criminal Dist. Court Judge Malcolm V. O'Hara.

A June 4 opinion by the Supreme Court said O'Hara was guilty of misconduct but not of "flagrant and extreme misconduct which would warrant his removal."

THE JUDGE O'Hara case and the D'Alton Smith case are not legally related but involved the same central subject — an alleged attempt to buy a new trial

for Teamster Union President James R. Hoffa.

The state claimed Smith offered a \$25,000 bribe to Aubrey Young, then an aide to McKeithen, to set up a meeting with Edward Grady Partin, head of Teamster Local No. 5 in Baton Rouge.

In another bribery charge, it is claimed that Smith offered Partin \$65,000 to change his testimony against Hoffa — Partin having been the chief government witness in a trial in which Hoffa was convicted of jury tampering.

The ouster suit against Judge O'Hara alleged that he assisted in an effort to subvert Partin's testimony — drawing up an affidavit for him to sign and meeting with him in Baton Rouge. Partin said he refused to sign.