

"U.S. Grand Jury Being Pressured"

DA UNVEILS HIS OWN INDICTMENT

By RAY LINCOLN

Dist. Atty. Jim Garrison today unveiled an advance copy of an indictment charging him with obstructing the enforcement of state pinball gambling laws, which he says the federal grand jury is being pressured into returning tomorrow.

Garrison said U.S. Atty. Gerald J. Gallinghouse released the unsigned copy of the indictment to a member of the news media in advance of its return by the grand jury.

THIS PLACES UNDUE pressure on the grand jury to return an indictment against him, Garrison said.

"I believe in our system, but to pervert it as the U.S. Attorney is doing is something else," Garrison charged. "It puts the grand jury in the position of having to indict."

Gallinghouse said today that Garrison's possession of the document was "unauthorized and improper."

"We regret that Mr. Garrison has come into possession of a copy of an official document that belongs to the U.S. grand jury and our U.S. attorney's office," he said. "Certainly this document, which I have now seen, is not an indictment, but is a copy of a proposed indictment that has resulted from the investigation conducted by the special grand jury during the past four months."

GALLINGHOUSE SAID all publicity about the document originated with Garrison and no publication or public announcement was made by any news medium.

"Certainly no one, neither I nor anyone associated with this case, would intentionally release a copy of a proposed indictment," Gallinghouse said.

The U.S. attorney said his office will not allow anything to happen that might prevent a fair trial, no matter what provocation may result from the action of others.

"Certainly this action by Mr. Garrison does not apply any undue influence or pressure to the grand jury or ourselves in the faithful discharge of our official duties," Gallinghouse said.

The indictment, which Garrison said he received through his attorney from an unidentified member of the news media, charges Garrison, two former high ranking police officers and seven persons linked with the pinball industry in New Orleans.

THESE ARE THE SAME defendants who were arrested on charges by a

federal agent on June 3, accusing the defendants of a series of federal violations including public bribery, conspiracy to commit public bribery and conspiracy to protect illegal gambling interests in New Orleans.

A special grand jury looking into organized crime here has been studying the Garrison case, but to date has returned no indictments against him. Yesterday one of the world's largest pinball manufacturing firms and 12

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Louisiana men were indicted by that jury for gambling.

There were indications that more indictments would be forthcoming.

ON NOV. 15, when the federal grand jury had not acted in his case, Garrison asked for and got an indictment from a state grand jury charging the identical violations that the federal agents had alleged.

A special prosecutor, unable to immediately get the federal government's evidence, dropped the indictments and attempted to press a malfeasance charge, claiming Garrison had taken the action to avoid federal prosecution.

The malfeasance charge was ordered dismissed by Criminal District Judge Malcolm V. O'Hara and the special prosecutor Benjamin E. Smith, is challenging that ruling in the state supreme court.

Today Garrison told a news conference that Gallinghouse's action means that the federal grand jury will not have its normal freedom to view the indictment with detachment.

WHILE IT IS NORMAL practice to draw up an indictment before grand jury action, Garrison said, that document should have been kept under lock and key and "not spread all over town."

"The grand jury members are not rubber stamps, but it will be necessary for the U.S. Attorney to try to make rubber stamps out of them. The jury is being jammed into a position of having to come through with an indictment," Garrison said.

"I'll bet you 10 to one the indictment was written in Washington or by representatives of Washington," Garrison added.

The district attorney has consistently argued that the federal government is trying to prosecute him for the role he played in the investigation of the assassination of the late President Kennedy.

GARRISON SAID HE wouldn't be surprised if he is also indicted for tax fraud, claiming the government has been looking into his tax record for years.

"I have never taken a cent with regard to bribery of any kind and I never will," the district attorney said.

Arrested with Garrison in June and named on the unsigned indictment were former Police Capt. Frederick A. Soule Sr., assigned as an investigator to the district attorney's office; former Sgt. Robert Frey, head of the police vice-squad, and Louis M. Boasberg, Harby S. Marks Jr., John J. Elms Jr., Lawrence L. Lagarde Sr., Robert Mims, Elmo Pierce and John Aruns Callerry.

All but Marks, Frey and Soule were named in the indictments returned yesterday.

JUDGE O'HARA, who threw out the malfeasance charge against Garrison, today filed a statement in opposition of the review of his decision by the state supreme court.

In that argument, the judge contends that Smith exceeded his authority on the grounds that the new malfeasance charge has the effect of enlarging on the duties of an ad hoc district attorney.

The judge's argument counteracts Smith's contention that the malfeasance case was merely a part of the original case against Garrison.

The supreme court has not decided whether it will review the O'Hara decision.