

Inmate Critic Of DA Draws New Sentence

A critic of Dist. Atty. Jim Garrison's Kennedy death plot investigation has been sentenced to jail for refusing to repeat his charges against the DA to the Orleans Parish Grand Jury.

In New York, still another Garrison critic who has been charged with public bribery said he will return to New Orleans "shortly" to answer the accusation.

AND IN NEW Orleans, Criminal District Court Judge Edward A. Haggerty Jr. has tossed out a plea by attorneys for Clay L. Shaw aimed at halting Garrison's scheduled appearance on nationwide television Saturday night.

Those were the latest developments today as the DA's controversial inquiry into the death of John F. Kennedy continued.

John (John the Baptist) Cancler, a veteran burglar, refused to repeat under oath a story he told on a National Broadcasting Co. program June 19.

When he appeared on the NBC show, Cancler said two DA's aides had asked him to enter Shaw's French Quarter

home late last year and "put something there."

HE WAS summoned before the grand jury yesterday and asked to tell his story.

Cancler took the Fifth Amendment, and grand jury Foreman Albert V. LaBiche trooped Cancler and the jurors before Judge Bernard J. Bagert, who hastily convened court.

Again, Cancler was asked to tell his story, and again he refused. Bagert found him guilty of contempt and sentenced the man to six months in jail, a \$500 fine, or one year in jail in lieu of the fine. Cancler was already in Par-

ish Prison, awaiting the outcome of his appeal in a burglary case.

At New York, meanwhile, an NBC newsman who helped produce the show which criticized Garrison's investigation said he will return to New Orleans and surrender to authorities here.

GARRISON'S office has charged the TV newsman, Walter Sheridan, with public bribery. Sheridan was accused of offering key state witness Perry Raymond Russo money, legal help and a home in California if he would appear on the program.

Russo is the witness who testified at Shaw's preliminary hearing that he overheard the 54-year-old retired New Orleans businessman plotting Kennedy's death. Shaw is free on \$10,000 bond awaiting trial.

At a news conference yesterday, Sheridan denied the bribery charge and added: "I have no intention of avoiding meeting this issue which involved a basic principle of freedom of the press."

He said he will come to New Orleans "in the next few days" to surrender, at the same time contending the charges against him were made in an attempt to intimidate NBC.

"The real issue is whether Garrison or any district attorney can use the criminal process to try to intimidate reporters," the TV employe said.

SHERIDAN WAS given his first news job by NBC after serving as an investigator for the Senate Rackets Committee and an official of the U.S. Justice Department. He worked for Robert F. Kennedy in both positions.

At New Orleans yesterday, Judge Haggerty told Shaw's attorneys he could not anticipate possible violations of his trial guidelines and halt Garrison's scheduled TV appearance Saturday night.

The DA was offered and accepted 30 minutes of national air time by NBC to reply to

the network's June 19 program.

Shaw's lawyers appealed to Haggerty to stop the DA from appearing, claiming his remarks might prejudice the

case against their client.

Haggerty ruled the request "would require that I change the position I have consistently taken . . . this court fails to appreciate how it can anticipate a violation of its orders until the violation occurs."

THE JUDGE reminded state and defense attorneys that he has repeatedly warned principals in the case that he will cite anyone for contempt who violates his guidelines.

In still another development, former Garrison aide William Gurvich went before the jury presumably to repeat his charge that the DA's investigation is a hoax. Gurvich remained behind the jury's closed doors for two and one-half hours and emerged to comment:

"Garrison was in there during the early part until he chickened . . . until he left."

Gov. John J. McKeithen today received another letter from the Metropolitan Crime Commission, urging him to press for an investigation by the state attorney general's office of Garrison's assassination probe.

The letter, signed by MCC Director Aaron Kohn and acting president William I. Monaghan, cited McKeithen's statements in the press that

for the attorney general to stop the probe would not be good at this time.

The letter stated that, "We did not request the attorney general to stop the probe being directed by Mr. Garrison. We did ask the attorney general to investigate allegations that various crimes have been committed by Mr. Garrison and members of his staff during the past several months, in the course of the probe.

ACCUSATIONS of crime against persons to whom we entrust the administration of justice cannot be ignored without creating an atmosphere of distrust for our justice machinery."

"It is untenable," the letter added, "that in a matter of wide public interest and concern, the attorney general and governor of this state, sworn to uphold its laws, should suggest that accusa-

tions of crime be ignored. Both McKeithen and Atty. Gen. Jack P. F. Gremillion have rejected Kohn's repeated pleas for an investigation of Garrison's office. END

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**Andrews to Speak
At Press Club Here**

Dean Andrews, a central figure in Dist. Atty. Jim Garrison's probe of the 1963 assassination of President John F. Kennedy, will be the speaker at the Newsmaker Luncheon Monday at the Press Club of New Orleans.

Andrews is a former assistant to Jefferson Parish Dist. Atty. Frank H. Langridge. *FA*

CONVICT IS SILENT IN GARRISON CASE

Refuses to Confirm or Deny
Story He Told on TV

By **MARTIN WALDRON**
Special to The New York Times

NEW ORLEANS, July 12—

John Cancler, a convicted burglar, refused today to confirm or deny his nationally publicized statement that investigators for District Attorney Jim Garrison had once asked him to plant evidence in the home of a suspect in an inquiry into the assassination of President Kennedy.

Cancler was immediately held in contempt of court and sentenced to six months in jail and a \$500 fine. At present he is in jail awaiting the outcome of a request for a new trial in his burglary case.

He was brought before Criminal District Judge Bernard J. Dager today by the grand jury that has been investigating the Kennedy assassination for the last four months.

At the judge's request, the jury foreman, Albert V. Labiche Jr., asked Cancler in open court: "Was the story you told on national television, on N.B.C., during the month of June true?"

"I refuse to answer on the ground that my answer might tend to incriminate me," Cancler replied.

Cancler's Statement

Last June 19, on the National Broadcasting Company's documentary about the Garrison investigation, Cancler said that he had been asked to break into the home of Clay L. Shaw, a retired New Orleans businessman who has been indicted on a charge of conspiring to assassinate President Kennedy, and plant evidence there. Cancler said he had refused to do so.

Earlier, he had made the same statement to The New York Times.

While Cancler was being taken back to jail, William Gurvich, former chief investigator for Mr. Garrison, went before the grand jury for questioning.

Mr. Gurvich broke with the district attorney earlier this month, declaring that Mr. Garrison had no evidence to back up his assertion that the assassination was the result of a plot and that the parties in the plot had connections with

the Central Intelligence Agency Tells of Lie Test

Mr. Gurvich said that a lie detector test he took yesterday in Chicago showed that he had been telling the truth when he said that Mr. Garrison's investigation was a "fraud." He said the test had been administered by a private concern.

In another development today, Criminal District Judge Edward A. Haggerty Jr. refused to order Mr. Garrison not to discuss his investigation on a

half-hour television program Saturday night on N.B.C.

F. Irvin Dymond, an attorney for Mr. Shaw, said that if Mr. Garrison should answer the criticism of his investigation aired on the N.B.C. documentary prospective jurors could be prejudiced against Mr. Shaw.

"The proposed program is a part of a continuing attempt on the part of the (prosecution) to influence the Republic of the United States and the State of Louisiana, the City of New Orleans, and prospective jurors as to the merits of the case of the State of Louisiana v. Clay L. Shaw," Mr. Dymond said in a petition to Judge Haggerty.

The judge, who has been chosen to preside at Mr. Shaw's as yet unscheduled trial, refused to enjoin Mr. Garrison from appearing on the television program Saturday.

Pointing out that he had warned all persons connected with the case not to discuss its merits, Judge Haggerty said:

"I cannot in advance anticipate or suspect that a violation will occur. I have not in the past enjoined anyone, including the National Broadcasting Company, the Columbia Broadcasting System or any other person, even though there was reason to believe that a violation could possibly take place. I do not intend to change the court's position at this time.

"Mr. Jim Garrison is a constitutional officer, elected by the people, and moreover is subject to the stringent rules and regulations of the Louisiana State Bar Association and, more particularly, the Committee on Grievances." *7/13 END*

DA Ordered 2 Beaten, Says Gurvich in Test

Onetime DA's investigative aide William Gurvich told a lie detector examiner in Chicago that Dist. Atty. Jim Garrison once ordered the "arrest, handcuffing and physical beating" of two television newsmen. The charge was contained in a list of 15 questions and answers released to the press yesterday by Gurvich and his attorney.

THE QUESTIONS and answers were taken from a polygraph test to which Gurvich, a private detective, submitted himself Monday.

John E. Reid, the polygraph examiner, said there were "no significant emotional disturbances indicative of deception in this subject's polygraph record on" the questions.

"It is the opinion of the examiner, based on this subject's polygraph records, that he is telling the truth on the above listed questions," Reid said in summary.

At one point, Gurvich was asked:

"On May 17 did Garrison order the arrest of Walter Sheridan and Rick Townley in your presence?"

A transcript of the lie detector test quotes Gurvich as answering, "Yes."

Sheridan, a National Broadcasting Co. news staff member, and Townley, a newsman for NBC's New Orleans affiliate, WDSU-TV, have been charged by Garrison during the past several days with public bribery of state witnesses.

TOWNLEY voluntarily posted \$7,500 bond after an arrest warrant was issued for him. Sheridan told a news conference in New York Wednesday he will come to New Orleans shortly to answer the allegation.

The next question asked Gurvich was: "Did Garrison order the arrest, handcuffing and physical beating of Sheridan and Townley?"

Gurvich was quoted as an-

swering, "Yes."

Other questions, together with Gurvich's responses, were listed by the polygraph laboratory this way:

1. Were you a key member of Garrison's staff in the Kennedy assassination probe? Answer: Yes.

2 and 3 concerned Sheridan and Townley.

4. DID JAMES Alcock (assistant DA) in your presence oppose the arrest of Sheridan and Townley on legal grounds? Answer: Yes.

5. Did Garrison respond to Alcock, "Don't be so legalistic"? Answer: Yes.

6. Did Alcock say to you that if you and he had been in New Orleans, Garrison would not have arrested Shaw March 1. Answer: Yes.

(Retired businessman Clay L. Shaw has been indicted for conspiring to murder President Kennedy. Others, according to Garrison, who took part in the alleged conspiracy were accused assassin Lee Harvey Oswald; nightclub owner Jack Ruby, who shot and killed Oswald; and former airline pilot David W. Ferrie. All except Shaw are dead.)

7. Did Charles Ward (chief Asst. DA) say to you that Shaw's arrest was done on raw political power only? Answer: Yes.

8. DID GARRISON discuss with you and others his plan to raid the New Orleans FBI office with red pepper guns? Answer: Yes.

9. Did Sciambra's (Asst. DA Andrew Sciambra) report of the early interview with Russo mention anything of the plot to assassinate Kennedy involving Shaw, Ferrie and Oswald? Answer: No.

10. Did Garrison discuss in your presence the desire to

extend the term of the Orleans Parish Grand Jury for another six months? Answer: Yes.

11. Did Charles Ward tell Garrison that there was no way he could legally extend the grand jury's term? Answer: Yes.

12. WAS GARRISON advised that the conspiracy to commit burglary involving Sergio Arcacha Smith and Gordon Novel took place out-

side his jurisdiction: Answer: Yes.

13. After receiving the polygraph report, did Garrison bring Vernon Bundy into court over the objection of Ward, Alcock and (Asst. DA Alvin) Oser? Answer: Yes.

14. Have you received or been promised anything of value from anyone for telling about Garrison's actions in the Kennedy probe? Answer: No.

15. Did Garrison divulge to members of the news media the names of three prominent New Orleanians as being accessories after the fact in the assassination of President Kennedy? Answer: Yes.

Gurvich defected from Garrison's staff several weeks ago, paid a visit to Sen. Robert F. Kennedy in Washington and later told newsmen Garrison's investigation was a "fraud."

He has appeared twice before the Orleans Parish Grand Jury, and Wednesday handed jurors copies of the lie detector transcript.

In New Orleans today, Garrison's office filed a sheaf of

memoranda in support of its denial of requests by attorneys for Shaw.

LAST MONTH the Shaw side filed motions for a bill of particulars, prayer for oyer and suppression of evidence. Fifteen days ago the defense filed its memoranda in support of the motions and today was the deadline set by Criminal Court Judge Edward A. Haggerty Jr. for the state to file its answering memoranda.

The document, signed by assistant DA's James L. Alcock and Richard V. Burnes, argued that Shaw's indictment sets forth all the information to which Shaw is entitled.

In addition, it stated, the prosecution has further revealed that Jack Ruby was a member of the alleged conspiracy and that a meeting took place in Baton Rouge in furtherance of the plot.

The remainder of the 93 items requested by Shaw's lawyers, the DA's maintained, are "obviously an attempt to obtain knowledge of the evidence relied upon by the state to prove its case, which the law does not require the state to disclose in advance of trial."

Judge Haggerty said he will take both sides' briefs under consideration and later rule on the three motions. **END**