

# GARRISON SEEKS TO REBUT MEDIA

7-16-67-NYT  
Hopes to Prove He Showed  
Responsibility in Inquiry

Special to The New York Times

NEW ORLEANS, July 15—

District Attorney Jim Garrison taped a television yesterday and said he hoped it would dispel any notion that he had acted "irresponsibly" in his investigation of the assassination of President Kennedy.

An associate of the 6-foot 6-inch prosecutor said that Mr. Garrison believed the national news media had tried to present his investigation as the work of a "madman."

Through a reasonable presentation on television, Mr. Garrison was said to expect that he could combat suggestions by the National Broadcasting Company and other news outlets that he had used unreliable evidence in getting a grand jury indictment against Clay L. Shaw, a retired New Orleans business man.

## Shaw is Charged

Mr. Shaw has been charged with conspiring with Lee Harvey Oswald and others to assassinate the President. The Warren Commission found that Oswald, acting alone, killed Mr. Kennedy.

The 30-minute television show was scheduled for prime time tonight by N.B.C. Mr. Garrison had demanded equal time to "answer" a program of June 19 that had criticized the methods he used in his eighth-month investigation of the assassination.

Two newsmen who helped put together the June 19 program for N.B.C. have been charged by Mr. Garrison with attempting to bribe or to intimidate witnesses in the investigation.

Richard Townley of television station WDSU, the N.B.C. affiliate in New Orleans, and Walter J. Sheridan, an investigator for N.B.C., were accused in warrants sworn out by the district attorney with offering "bribes" to Perry Raymond Russo.

Mr. Russo is a Baton Rouge insurance salesman who testified at a preliminary hearing in March that he had heard Mr. Shaw, Oswald and David W. Ferrie, a former airline pilot, plotting to murder President

Kenney.

Mr. Townley was arrested on Tuesday and released on \$7,500 bond. A spokesman for N.B.C. said that Mr. Sheridan probably would surrender himself in New Orleans "in a few days."

A burglar, John Cancler, known in New Orleans as John the Baptist, was sentenced to six months in jail and fined \$500 on Wednesday after refusing to tell a New Orleans grand jury about statements he had made on the N.B.C. show June 19.

Cancler had said on the program that two investigators from Mr. Garrison's office had asked him to break into Mr.

Shaw's home and plant evidence.

When the grand jury foreman asked Cancler if this was true, he said:

"I refuse to answer on the grounds that my answer might incriminate me."

## Cancler in Contempt

Criminal District Judge Bernard J. Bagert found Cancler in contempt of court when he refused to answer the same question in open court.

Mr. Shaw's attorneys tried to block tonight's program. F. Irvin Dymond, an attorney for Mr. Shaw, said the show "will make it impossible for Clay L. Shaw to obtain a fair trial in the continental United States and the city of New Orleans."

However, Criminal District Judge Edward A. Haggerty Jr., who had been assigned to preside at the Shaw trial, refused to order Mr. Garrison not to appear on the program.

"There are basic legal and constitutional safeguards concerning a citizen's right to free speech," Judge Haggerty said.

He noted that he had already ordered newsmen, witnesses, lawyers and others to refrain from commenting on the evidence in the Shaw trial.

"Persons, including lawyers, have acted at their peril," the judge said.

Judge Haggerty said several weeks ago that he would cite some persons for contempt of court after the trial because of statements they had made.

The trial is expected to begin in September. END

7-17-1967  
**GARRISON, ON TV,  
ANSWERS CRITICS**

**Warren Report 'Fairy Tale,'  
Prosecutor Declares**

Special to The New York Times

NEW ORLEANS, July 15—District Attorney Jim Garrison said in a nationwide television program Saturday night that the Warren Commission's conclusion that Lee Harvey Oswald was the sole assassin of President Kennedy was a "fairy tale."

"President Kennedy was assassinated by men who sought to obtain a radical change in our foreign policy, particularly in regard to Cuba," Mr. Garrison said.

The New Orleans prosecutor said that he intended to pursue his investigation until the "truth" has become known.

The 6-foot-6-inch New Orleans attorney was granted 30 minutes of air time by the National Broadcasting Company to answer an N.B.C. program of June 19 that had criticized methods used by Mr. Garrison in his eight-month-long investigation.

Before the program was put on the air Saturday, an associate of Mr. Garrison said that the district attorney hoped the program would dispel any belief that he had acted "irresponsibly."

During the television program, which was taped in a three-hour session in New Or-

leans Friday, Mr. Garrison did not comment on the arrest and indictment of Clay L. Shaw, a retired New Orleans businessman who has been charged with conspiring with Oswald and others to murder President Kennedy.

Mr. Garrison has said that the conspiracy took place in New Orleans in the fall of 1963.

**Hits 'Eastern News Agencies'**

Much of Saturday's program was devoted to an attack on what the district attorney referred to as "Eastern news agencies." He said that the national news media had joined together to keep the truth of the assassination from the public. Mr. Garrison did not say what motive he ascribed to the news media. Previously, he had said that newspapers, magazines, and radio and television networks were getting orders from "powerful" Government

officials in Washington.

Using a chart from the Warren Commission report showing the commission's theory of how Gov. John B. Connally Jr. of Texas had been wounded three times by one rifle bullet, Mr. Garrison said the bullet would have had to be "magic" to have wounded President Kennedy as the commission had concluded. The bullet would have had to go up and then down, Mr. Garrison said.

The truth, Mr. Garrison said, is that there were at least three assassins in Dallas on Nov. 22, 1963. Two were firing from the rear and one from the right front in Dealey Plaza in Dallas as President Kennedy and Governor Connally and their wives drove along in a parade, Mr. Garrison said.

Mr. Kennedy and Governor Connally were struck almost simultaneously by bullets from the rear and the President was hit by a bullet from the front, he went on.

"That's why the idea that Lee Harvey Oswald was a lone assassin was a fairy tale," he said.

Mr. Garrison said that "hundreds" of documents that could help prove that a conspiracy existed have been withheld. Others have been burned, he said.

"This case has more accidental fires, more burning of papers, than any murder case in history," he said.

In his attack on the news media, Mr. Garrison mentioned only N.B.C. and Newsweek magazine by name. "Their aim is to fool you," he said. "These people want the investigation stopped."

Mr. Garrison said that a Newsweek story that a witness, Alvin Beaubouef, had been offered money to testify as Mr. Garrison wanted him to, had been proved to be wrong. N.B.C., he said, "already has had a trial" of Mr. Shaw. "The defendant has been acquitted and the district attorney convicted," he said.

Mr. Garrison said that he believed the attacks by news media on him and his investigation were attempts to influence the outcome of the trial. No date has been set for Mr. Shaw's trial.

Two newsmen who helped prepare the June 19 N.B.C. program have been charged by

Mr. Garrison with attempting to bribe or to intimidate witnesses. One, Richard Townley of New Orleans, has been released on \$7,500 bond. The other, Walter J. Sheridan, an investigator for N.B.C., has not yet been arrested.

**STATEMENT BY N.B.C.**

The National Broadcasting Company issued the following statement last night:

"District Attorney Jim Garrison said nothing in his program tonight that alters the information developed by N.B.C. News about the methods he has used in pressing his theory of the Kennedy assassination. During most of his appearance, Mr. Garrison did not deal with the specific criticisms N.B.C. News had made. Instead, he repeated his version of the assassination of President Kennedy.

Mr. Garrison, at his request, was given time by

N.B.C. to respond to the N.B.C. News Program, 'The J.F.K. Conspiracy: The Case of Jim Garrison.'

Mr. Garrison made two references to the N.B.C. Program:

1. N.B.C. News had reported that it had located the true Clay Bertrand and that his name had been given to the United States Department of Justice. Mr. Garrison claimed this man has denied he is Bertrand. N.B.C. News stands by the statements made on its program.
2. Mr. Garrison said that John Cancler, who had appeared on the N.B.C. Program, had been called before the grand jury and had been asked about the truth of his statements on the program. Mr. Cancler refused to answer, invoking the Fifth Amendment. The fact that he availed himself of his constitutional rights does not affect the truth of his statements.

Mr. Garrison claims N.B.C. has been silent on these two points. This is untrue. N.B.C. News has reported on the N.B.C. television network that counsel for the man identified as Clay Bertrand has denied that identity and that Mr. Cancler has invoked the Fifth Amendment before the Grand Jury.

Mr. Garrison's contention that N.B.C. News has conspired with government agencies and other news media to discredit his activities also is untrue. N.B.C. News presented 'The J.F.K. Conspiracy: The Case of Jim Garrison' on its own initiative in a spirit of journalistic enterprise. *END*

# Clay Bertrand Never Existed, Says Andrews

By ROSEMARY JAMES

Dean Adams Andrews Jr., the New Orleans attorney charged with perjury in Dist. Atty. Jim Garrison's Kennedy assassination probe, said today that the mysterious Clay Bertrand "never existed".

Farrison has charged that retired businessman Clay L. Shaw, using the name Bertrand as an alias participated in a conspiracy to murder the President.

The name Clay Bertrand was first mentioned by Andrews, who told the Warren Commission that a man by that name called him to defend Lee Harvey Oswald, accused assassin of President Kennedy, after the murder in Dallas Nov. 22, 1963.

TODAY, ANDREWS, speaking at the Press Club of New Orleans, said there is only one important point about Bertrand and that point is:

"Clay Shaw ain't Clay Bertrand. Amen."

Andrews was indicted for perjury after he refused to identify Shaw as Bertrand for the Orleans Parish Grand Jury.

The hip-talking lawyer, wearing his ever-present dark glasses and a fresh sun tan, said: "Years ago I was introduced to a fellow at a gay wedding reception. The boy never used the name Clay Bertrand. I was just introduced to him as Clay Bertrand."

Andrews said that he had "ducked the Warren Commission" as long as he could. The heavy-set lawyer, speaking in the jazzman's jargon, said he told commission investigators:

"Look, man, I don't want to talk. I'm going to tell you a bunch of lies. 'Will you tell them under oath?' they say, and I say, 'Be my guest.'"

ANDREWS outlined his circumstances as a man indicted in an investigation which has drawn national attention.

He said that you have to get used to attention like, "the old lady in the elevator who sticks you in the back and says 'Why don't you tell Big Jim the truth?'"

Andrews said that anyone who gets charged with a crime

who gets charged with a crime has several courses of action. "In some instances you hustle a fix . . . Me, though, I'm a harpooned whale dragged up on the beach, I got nowhere to go."

HE SAID THAT trying "to duck the press" is a waste of time and you can "no comment . . . no comment . . . no comment" or you can "open up your mouth and put your foot in it," he said. *END*

# Court Denies Cancler's Bid For New Trial

Criminal Dist. Judge Oliver P. Schulingkamp today overruled a motion by John "The Baptist" Cancler, a figure in Dist. Atty. Jim Garrison's Kennedy death probe, for a new trial on a burglary charge. The judge also refused to set

aside a multiple offender bill filed against Cancler. Cancler pleaded innocent through his attorney, Milton Brener, to the multiple offender count.

HOWEVER, HE agreed by stipulation with the district attorney's office, represented by

Richard Burnes, that he is the person mentioned in the multiple offender bill.

After finding Cancler guilty as a multiple offender, Judge Schulingkamp said to Brener:

"I understand you intend to make an appeal." Brener said he did and asked 10 days within which to prepare exceptions taken to rulings by the court. He was given until July 28.

Burnes charged Cancler as a fourth offender, a count carrying imprisonment of from 20 years to life.

Last week Cancler received a six-month sentence, plus a \$500 fine and a year in prison if he fails to pay the fine. He was cited for contempt of court for refusing to testify concerning televised statements he made in connection with the Garrison investigation. The sentence was imposed by Judge Bernard J. Bagert.

Brener said he would appeal today to the state Supreme Court for writs which would order a review of the contempt proceedings.

Cancler was convicted in February of simple burglary but asked for a new trial after producing a Parish Prison inmate who confessed to the burglary.

LAST MONTH, Cancler, a Negro, told a nationwide television audience that he was asked by two of Garrison's assistants to break into the home of accused conspirator Clay L. Shaw and "put something there."

Cancler said he refused to go through with the alleged scheme.

**IN THE BURGLARY CASE,** Brener has asked for a new trial on the basis of significant new evidence, the confession by Donnell Carroll, who said he had burglarized the house with a friend, known to him only as "Wolf."

At the hearing on the new trial motion May 2, however, an eyewitness to the burglary, Dr. Morris Kloor, 7107 Maple, said

Carroll was not the man he had seen entering the house.

**JUDGE SCHULINGKAMP** indicated he might also rule this week on a set of motions in the perjury trial of Layton Martens,

another figure in the Garrison probe.

Martens was indicted by the grand jury for perjury several months ago.

Martens, whose attorney is also Brener, is a music student at the University of Southwestern Louisiana and a former roommate of the late David W. Ferrie, a one-time airline pilot accused by Garrison of taking part in the alleged conspiracy.

# New Perjury Count Against Andrews Filed

Attorney Dean A. Andrews Jr. again has been charged with perjury in connection with his testimony before the Orleans Parish Grand Jury on the mysterious Clay Bertrand, Kennedy assassination probe figure.

Andrews was already under indictment and faces an Aug. 9 trial on perjury charge in connection with earlier grand jury testimony.

THE CHARGES filed today relate to testimony by Andrews June 28 in which he said a French Quarter bar owner named Eugene Davis is the Clay Bertrand who called Andrews after the slaying of President John F. Kennedy in 1963 to ask him to defend Lee Harvey Oswald, the accused assassin.

District Attorney Jim Garrison has charged that the real Bertrand is retired businessman Clay L. Shaw, who is charged with criminal conspiracy in the death of the President. The Warren Commission investigating JFK's

death said it was unable to locate Bertrand.

Before the June 28 testimony, Andrews maintained that he was unable to say whether Shaw and Bertrand were one and the same. He came forward and identified Davis as Bertrand after the National Broadcasting Co. reported that it had located Bertrand and he was not Shaw.

DAVIS SUBSEQUENTLY denied that he ever used the name Bertrand and denied ever knowing Oswald.

A bill of information charging Andrews with perjury on the basis of the June 28 testimony was filed today by Assistant DA Robert E. Lee in the clerk of court's office. A bond of \$5,000 was recommended, but later reduced to \$1,500, according to Andrews' attorney, Sam Monk Zelden.

The bill charges that Andrews lied to the jury when he identified Davis as Bertrand. The bill lists the following series of questions and answers it says is taken from Andrews' June 28 testimony:

(Questioning by assistant DA James L. Alcock.)

Q. Dean, do you know the real Clay . . .

A. The man, I believe, is Gene Davis, and if you ask him he'll call me a "Crocus sack of lies . . ."

Q. Now, what leads you to believe that this is Clay Bertrand?

A. Because I believe it. I am the only one who has to account for myself.

Q. What basis do you have?

A. Helen Gert (who Andrews explained worked with Davis in his bar years ago) back in the '50s, at the fag wedding reception I was telling you all about, introduced me to Davis as Clay Bertrand.

(In earlier testimony, Andrews said he originally met Bertrand at a "fag" wedding reception.)

Q. And this was the man that was introduced to you as Clay Bertrand?

A. Right.

Q. Have you talked to this man on the phone recently?

A. I talk to him almost every day. I have known him a long time.

Q. Your testimony now is that this is the man who sent the clients to your office? Talked to you on behalf of homosexuals?

A. This is the man who sent clients to my office; sometimes they were fags, sometimes they weren't.

Q. Is this the man who called you in the hospital and asked you to represent Lee Harvey Oswald?

A. This is the man I believe called me. I believe . . . what you all believe is your affair . . . (OVER)

(Question by a grand juror.)

In your mind, this is Clay Bertrand? The man who called you down through the years representing homosexuals?

A. No, he didn't do it that way. That's the way I said it, put it into the Warren Commission report — everybody pick it up from there and goes with it. I never said it other than in the Warren Report.

(Questioning by Assistant DA Richard V. Burnes.)

Q. I asked you if you ever heard from Clay Bertrand after the time you were called about representing Lee Oswald in the assassination and the answer was "I ain't seen nor heard of him since."

A. Not from Clay Bertrand, 'cause I call him Gene Davis. You are right. I told you that, and I ain't seen hide nor hair of him nor heard from Clay Bertrand—other than one time I remember when I was with Regis (apparently a reference to FBI man Regis Kennedy) up there. I call him Gene. I was introduced to the man one time.

Q. Did this man change appearance and change personality with the name change?

A. No.

Q. He still looked the same?

A. No, he has changed, he is fat like me. He has aged. Time has gone by. This has been 10 . . .

The bill of information charged that the "statements enumerated above are willfully false and untrue."

In another development in the broad investigation of the Kennedy slaying, Attorney Milton Brener filed a motion today before Criminal District Judge Thomas Brahney requesting that Walter Sheridan, investigator for the National Broadcasting Company charged with public bribery, be allowed to leave the juris-

Brener told the judge that Sheridan will come to New Orleans to post bond in the case. Garrison has accused Sheridan and WDSU-TV newsman Richard Townley with

attempting to bribe witnesses in the investigation.

Townley, who is additionally charged with intimidation of witnesses, appeared today before Criminal District Judge Matthew S. Braniff for arraignment. END