

Cancler Asks Sentence Be Set Aside

1-31-67 *scab*

John "the Baptist" Cancler, figure in the Garrison probe of an alleged Kennedy death plot, today appealed to the Louisiana Supreme Court to set aside a six-month sentence and a \$500 fine, imposed for contempt of Criminal District Court.

Cancler was sentenced by Criminal District Judge Bernard J. Bagert, for refusing to repeat before the Orleans Parish Grand Jury a charge that two aides of DA Garrison attempted to get him to break into the apartment of Clay L. Shaw, and "put something there." The sentence carries an additional year in the event of failure to pay the fine.

Shaw is under indictment as a conspirator in a plot to kill President John F. Kennedy. Cancler had made his charge before a nationwide television audience.

The six-month term and fine are in addition to an 18-year sentence imposed Friday by Judge Oliver P. Schulingkamp following Cancler's conviction as a third offender, on a crime of simple burglary. *END*

Andrews Trial Calls Given 18

Eighteen persons have been subpoenaed as state witnesses in the Aug. 9 trial in Criminal District Court of Dean A. Andrews, attorney accused of perjury before the grand jury investigating an alleged conspiracy to kill President John F. Kennedy.

The trial is scheduled before Judge Frank J. Shea beginning Aug. 9.

Among those called by the state are:

Albert V. LaBiche, grand jury foreman.

Andrew Sciambra, assistant district attorney.

William Gurvich, former chief investigator for Dist.

Atty. Jim Garrison.

Regis L. Kennedy and Reed W. Jensen, agents of the Federal Bureau of Investigation.

Three state police officers, Lt. Benny Casso, Sgt. John Buccola, and Trooper Thomas L. Clark.

Gene Davis, 704 Iberville, a French Quarter nightclub operator.

Frank Caracci, operator of the 500 Club in the Quarter.

Mrs. Maureen Thiel, stenographer for the grand jury.

Daniel Haggerty, clerk of Criminal District Court.

Prentiss M. Davis, Chalmette.

Monya Gray Super, care of Margie Witt and Associates, Carondelet Bldg.

Nick Karno, 5230 Camp.

Margaret Tannebaum, 318 Ridgelake dr., Metairie.

Anthony Mardin, Box 2182, Baton Rouge.

Herman Michelas, 1438 St. Mary.

No subpoenas have as yet been issued for defense counsel for Andrews, former Jefferson Parish assistant district attorney. **END**

N.B.C. Newsmen Ldses Plea on 'Plot'

NYT 7/28/63
By MARTIN WALDRON
Special to The New York Times

NEW ORLEANS, July 27 — Criminal District Judge Bernard J. Bagert today ordered a newsman for the National Broadcasting Company to testify before the New Orleans grand jury investigating the assassination of President Kennedy.

Judge Bagert ruled that a prospective witness before a grand jury had no legal standing to attack the make-up of the grand jury or the motives of the district attorney.

The newsman, Walter J. Sheridan of Washington, helped prepare an N.B.C. television program that was critical of District Attorney Jim Garrison's activities in the investigation of the assassination. Mr. Sheridan accused the District Attorney of having political, financial and personal interests in the outcome of the investigation.

Mr. Sheridan also said he might be forced to give testimony against himself before the grand jury. He has been charged by Mr. Garrison with offering a bribe to Perry Raymond Russo, a witness against Clay L. Shaw, a retired New Orleans businessman who was indicted by the grand jury on a charge of conspiring to kill Mr. Kennedy.

The District Attorney charged Mr. Sheridan and

Richard Townley, a New Orleans television newsman, with offering bribes to Mr. Russo while N.B.C. was preparing its program on the assassination investigation.

Milton E. Brener, attorney for Mr. Sheridan, told Judge Bagert that he "feared" Mr. Garrison was trying to get the newsman before the grand jury in an effort to have him indicted for perjury.

Mr. Brener said the District Attorney was "furious" with Mr. Sheridan and had ordered state investigators to "beat" the newsman when he was arrested. Mr. Brener said the state investigators refused to do this.

The judge turned down an offer by Mr. Sheridan to prove that Mr. Garrison was making money through the investigation by collecting funds from private citizens and by selling information to magazines and newspapers, and ordered Mr. Sheridan to go before the grand jury.

However, he stayed the order until noon tomorrow to give Mr. Sheridan's attorneys a chance to ask the Louisiana Supreme Court to enter the case.

Mr. Garrison did not appear at the hearing. James I

Alcock, an Assistant District Attorney, told the judge that Mr. Sheridan would be advised of his rights and given full protection of the law while before the grand jury.

Members of the grand jury were in the courtroom in answer to a subpoena from Mr. Sheridan, but the judge did not allow testimony from any witness.

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N. B. C. NEWSMAN WINS COURT STAY

7/28/64
Grand Jury Appearance in
'Plot' Inquiry Delayed

NEW ORLEANS, July 28 (AP) —The State Supreme Court stepped in hours before the Orleans Parish County Grand jury convened today and stayed a subpoena ordering a television newsman to appear for questioning.

The action came on an appeal filed by Walter J. Sheridan of Washington, an investigative reporter for the National Broadcasting Company. Mr. Sheridan went to the high court last night after a criminal district court judge overruled his motions to quash the subpoena and to bar District Attorney Jim Garrison from any grand jury proceedings against him.

Three judges of the Supreme Court said the exact ruling of the district court had not been received and therefore they were unable to pass on the issue before the grand jury convened at 2 P.M. All proceedings were stayed until further orders of the court.

Mr. Garrison and District Judge Bernard J. Bagert were given until Aug. 8 to file answers to Mr. Sheridan's plea for dismissal of the subpoena.

At the hearing yesterday, Judge Bagert overruled Mr. Sheridan's motions and said he would have to appear at a grand jury session.

The defense contends Mr. Garrison is animated by anger because of Mr. Sheridan's investigation of an alleged conspiracy to assassinate President Kennedy.

Mr. Sheridan is charged with attempted bribery after an N.B.C. program that examined the District Attorney's case in critical detail. He is said to have offered a bribe to Perry Raymond Russo, a Garrison witness who says he overheard plotters in a conspiracy to kill Mr. Kennedy. *EW*

4-21-67 State J. L. 813

DA Seeking to Get Warren Lawyer for Andrews Trial

The District Attorney's office took steps today to have a Warren Commission attorney brought to New Orleans to testify next week at the perjury trial of attorney Dean A. Andrews Jr.

Andrews told commission attorney Wesley J. Liebler when questioned under oath in 1964 that a man named Clay Bertrand had called him after the assassination of President Kennedy and asked him to defend accused assassin Lee Harvey Oswald.

District Attorney Jim Garrison, in his probe of the assassination, has charged retired New Orleans businessman Clay L. Shaw with using the alias Clay Bertrand and participating in a conspiracy to murder the President.

ANDREWS, WHO WAS indicted for perjury by the Orleans Parish Grand Jury, claims that Shaw and Bertrand are not the same man.

Liebeler was asked to come to New Orleans voluntarily and testify Aug. 9 and Aug. 10, and he refused.

Today, assistant DA James L. Alcock filed a request for attendance by Liebler with Criminal District Judge Frank J. Shea, who will preside at

the trial of Andrews. Judge Shea signed an order for Liebler's return and an order for funds to cover Liebler's travel expenses.

The order is being forwarded to the courts in Wyndham County, Vt. Liebler is now living in Newfane, Vt., which is in Wyndham County.

IN REQUESTING Liebler's return to New Orleans, Alcock said that he is necessary as a material witness in the state's case against Andrews.

He said that testimony here by Liebler was necessary to show the materiality and relevance of the grand jury's questioning of Andrews and to show prior inconsistent statements.

ANDREWS WAS questioned here by Liebler July 21, 1964, while the Warren Commission was conducting its investigation of the Kennedy assassination.

Andrews gave commission investigators conflicting descriptions of the man he said he knew as Clay Bertrand.

He first told the local grand jury when asked if Clay Shaw were Clay Bertrand, "I can't say he is and I can't say he ain't." Later, Andrews said that the man he knew as Clay Bertrand was French Quarter bar-owner Eugene Davis. Davis has denied using the name. *END*

Judge Reduces Bond

Novel May Return To Face N.O. Jury

Gordon Novel, the talkative fugitive witness who has thwarted Dist. Atty. Jim Garrison's attempts to return him here for questioning in the Kennedy death plot investigation, may be coming home.

Criminal District Court

Judge Bernard J. Bagert today ordered bond reductions in three cases pending against the 29-year-old one-time New Orleans night club owner.

At the same time, the judge said Novel's attorney indicated that the loquacious electronics expert will return to face the charges and tes-

tify before the Orleans Parish Grand Jury.

GARRISON'S OFFICE has charged Novel with conspiracy to burglarize an oil well service company's munitions bunker at Houma in 1961.

Two other accusations pending against Novel involve what the DA's office charges were failures by Novel to pay outstanding bills owed a local printing firm and commercial artist.

Bail in the three cases amounted to \$10,000. Today, Judge Bagert ordered the bonds lowered to \$5,500.

In addition to the criminal charges, Garrison had a fugitive witness warrant sworn out against Novel. Bagert said the DA's office has agreed to drop this count if Novel returns voluntarily.

THE JUDGE QUOTED Steven Plotkin, Novel's New Orleans lawyer, as saying his client would post bond in the three cases if his bail reduction motion is granted.

Judge Bagert said Plotkin told him Novel would also be willing to face the grand jury and testify in Garrison's inquiry into the murder of the late President John F. Kennedy.

Novel, who admitted serving as an "intermediary" for the Central Intelligence Agency prior to the CIA-sponsored Bay of Pigs invasion, left New Orleans in mid-March.

The DA's office has attempted repeatedly to have him returned from Columbus, Ohio, where Novel sought refuge. However, Ohio Gov. James Rhodes' office several times rejected extradition requests because of what it said were "technical deficiencies." *END*