

# Chandler Case Decision Is Due

## Court to Rule Today on Jury Appearance

A federal court ruling is due Thursday on Life Magazine reporter David L. Chandler's effort to avoid a grand jury appearance here.

U.S. District Judge James A. Comiskey heard arguments by Chandler's lawyer that District Attorney Jim Garrison is trying to prosecute Chandler for perjury.

Garrison's first assistant, Charles R. Ward, denied this and said "an honest man has nothing to fear" in giving grand jury testimony.

Chandler filed suit in federal court Monday, seeking a preliminary injunction against issuance of a subpoena because of "immediate hazard and jeopardy of the criminal prosecution with which he has been threatened . . ."

### AMENDED COMPLAINT

On Wednesday, a supplemental and amended complaint was submitted by Chandler's attorney, Cicero C. Sessions, asking for appointment of a three-judge court to prevent Chandler from going before the grand jury.

About two weeks ago, a grand jury subpoena went out to Chandler. He received a court's stay order just before he was due to appear but then lost in his motion last Friday to the Louisiana Supreme Court.

Garrison, Ward and grand jury foreman James O. Sanders are listed as defendants.

"The intent of defendants," Sessions alleges, "is factually to lure or entrap plaintiff into sworn, secret testimony as a basis for prosecuting him for perjury and-or false swearing . . . because (a) such testimony is contradicted by other testimony admitted by defendant Garrison already adduced before the said grand jury or (b) by threat or such compelled testimony to intimidate plaintiff into retracting his investi-

gative portions of the aforesaid crime articles."

### ARTICLES ON CRIME

With information gained by Chandler and other sources, Life magazine published three articles in September, alleging organized crime in Louisiana.

The nationwide attention caused Gov. John J. McKeithen to make a trip to the magazine's New York office and spurred investigations by the grand juries in Orleans and Jefferson Parishes.

Chandler alleges that Garrison's "scheme" would impair his rights "under the First Amendment to the Constitution of the United States both as to plaintiff's freedom of speech and freedom of the press."

Ward told Judge Comiskey that no subpoena will be issued for Chandler for a scheduled meeting of the grand jury next Thursday.

Sessions also asked that no bill of information be filed against Chandler, but the judge said he couldn't do that.

In his argument, Sessions said that the effort is a "back door entry into impairment of freedom of the press. Mr. Ward wants to find out the source of information and who are Mr. Chandler's informants."

### MEETING WITH WARD

He also said that at a Jan. 27 meeting in Ward's office when Chandler gave sworn testimony, "Mr. Chandler was castigated by Mr. Ward and threatened with prosecution for perjury."

Asst. DA James L. Alcock represented the Garrison office Wednesday, but on a matter of personal privilege, Ward defended himself in court.

"I never threatened or castigated Mr. Chandler . . . No one has anything to fear if they tell the truth. If Mr. Chandler lies intentionally before the grand jury, he will be prosecuted for perjury. If he tells the truth, he has nothing to fear."

Sessions also referred to a Monday night appearance on a local television station by Ward,

in which Ward reportedly said, "the Life Magazine article is false. It is a lie."

Sessions told Judge Comiskey this shows "a personal judgment of the guilt of David Chandler."

### ASKED ABOUT BRIBE

At the Jan. 27 meeting with Ward and Chandler and other representatives of the DA's office, Ward asked Chandler about a reported bribe to a former employe or investigator of the DA's office.

This involved a reported extortion of a witness involving the late David W. Ferrie, a suspect in Garrison's Kennedy assassination probe.

According to the transcript, introduced Wednesday into Judge Comiskey's court, Ward told Chandler, "My opinion of you is that you are an unethical practitioner."

Sessions also introduced a letter dated Oct. 13 from Garrison to Richard Bilings, associate editor of Life.

In it, Garrison refers to Chandler's testimony and says that Chandler "did not tell you the truth about the 'rumor' that Pershing Gervais supposedly fixed the case for Wray Gill when Ferrie was arrested by our office after the assassination."

Gervais is a former chief investigator for Garrison and Gill is a local attorney.

Garrison also wrote:

"Naturally, the members of the Orleans Parish Grand Jury now want to hear from Dave Chandler, Life's representative in New Orleans, in order to see if there are any stones unturned and if he has some special information which all of the other witnesses called do not have.

"Needless to say, as long as Dave tells the truth—for that is all that the Grand Jury and my staff are interested in—he will be treated with complete fairness and courtesy."

Garrison started his letter by saying, "By now you are aware that Life Magazine has made a

number of serious factual errors in its recent statements concerning organized crime in New Orleans."

In the letter, Garrison invited Bilings and Life crime reporter Sandy Smith to testify before the Grand Jury.

If Chandler is ordered to obey a Grand Jury subpoena, Sessions asks that Chandler be permitted to have an attorney with him in the jury room.

Sessions argued that he has legal precedence in U.S. District Judge Alvin B. Rubin's recent decision that National Broadcasting Co. newsman Walter Sheridan does not have to testify before the Grand Jury here.

However, Ward pointed out that Sheridan was under a bribery charge here at that time and Chandler is not now charged with any offense.