

SHAW PLEA DENIED, DA SHOW GOES ON

Judge Edward A. Haggerty Jr. today threw out a petition filed by attorneys for Clay L. Shaw aimed at preventing Dist. Atty. Jim Garrison from appearing on a nationally televised program to discuss his Kennedy assassination probe.

Haggerty told the defense he had issued four sets of guidelines governing statements made in connection with Shaw's case.

He repeated again today that persons, "including lawyers, have acted at their peril" in discussing the case publicly. But he said he could not anticipate violations of the guidelines.

GARRISON IS scheduled to make the nationwide TV appearance from 7 to 7:30 p. m. Saturday. The time was offered him by NBC to respond to a June 19 network show which was critical of the DA's investigation.

Attorneys for Shaw, charged with conspiring to assassinate the late President John F. Kennedy, formally objected to Garrison's intended appearance.

Judge Haggerty ruled the defense 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."

IN THE PAST Judge Haggerty has said he fully intends to cite certain persons for contempt, and he has is-

sued several warnings against violating the public statement guidelines.

If the defense feels its right to a fair trial has been jeopardized in New Orleans, the judge said today, it may ask for a change of venue and move the trial to a different locality.

But he warned Garrison that the DA is liable, not only to the judge's guidelines, but

to "the stringent rules and regulations of the Louisiana Bar Association and more particularly, the committee on grievances and ethics."

DEFENSE ATTORNEY Irvin F. Dymond took exception to Judge Haggerty's ruling. He noted Garrison will tape the show a day ahead and added:

"If an illegal act is going to be done, and the court is in a position to stop that act before it is done, then the court has a right and a duty to do so."

He said contempt punishment after the Shaw trial "does nothing to protect the rights of the defendant in the trial."

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Attorneys for Shaw, the retired businessman accused of conspiring to kill President John F. Kennedy in 1963, argued in the petition that the program would directly affect the constitutional rights of their client to a fair and impartial trial.

FURTHER, THEY argued, the program would be "in direct contravention to, and in violation of, the guidelines heretofore issued by this court."

The petition also argued that it was the duty of the trial judge (Haggerty) to protect the defendant (Shaw) from "inherently prejudicial publicity."

Earlier this week Shaw's attorneys wrote NBC urging it to cancel the program, scheduled to be video-taped Friday night at the studio of WDSU-TV, the local NBC affiliate.

Today, NBC sent a telegram to Garrison informing the DA that it had denied the request by Shaw's attorneys.

"IN OUR OPINION," said NBC, "our responsibilities as a broadcaster and the requirements of the so-called fairness doctrine of the Federal Communications Commission obligate us to give Mr. Garrison this opportunity to appear on our facilities."

Meanwhile, the Orleans Parish Grand Jury was meeting this afternoon to hear two witnesses involved in the Garrison investigation.

One of them—William Gurvich, former Garrison aide—was back from Chicago, where he said he underwent lie detector tests to back up his contention that Garrison's probe has no substance. The 42-year-old Gurvich said the tests will "prove I'm telling the truth when I say Garrison's investigation is a hoax."

THE SECOND witness scheduled to appear is John "The Baptist" Cancler, who appeared on last month's NBC program. Cancler is a convicted burglar awaiting a hearing on a motion for a new trial.

He told NBC newsmen in a Parish Prison interview that two of Garrison's investigators had asked him to break into the French Quarter home of Shaw and "put something there."

HE SAID he went to Chicago to have the tests performed by John E. Reid, head of John E. Reid and Associates, whom Gurvich calls the top man in the polygraph field.

The firm announced that Gurvich passed the test.

The investigator defected from Garrison's office June 28 after a lengthy absence from the public eye, charging that the probe should be halted.

Gurvich said he would supply members of the grand jury with copies of the lie detector results.

Shaw Bid to Halt DA Show Fails

Garrison yesterday charged WDSU reporter Richard Townley with public bribery and intimidation of two of the state's witnesses as a result of the NBC program.

Townley, who has worked full-time on the probe investigation for several months, showed up at the Clerk of Court's office yesterday to post a \$7,500 bond.

The cases against Townley today were allotted to Judge Matthew S. Braniff.

Townley's arrest warrant

was the second issued in the space of a week by Garrison's office in the probe.

Last Friday, Walter Sheridan, news investigator for NBC and a former Justice Department investigator, was ordered arrested on similar charges.

Sheridan, one of the producers of the NBC show, was last seen by New Orleans newsmen on June 28, during the last meeting of the grand jury.

SHERIDAN, reportedly in Washington, is expected to arrive in New Orleans some time this week to post his \$5,000 bond.

Townley was charged in three bills of information yesterday with attempting to bribe and intimidate Perry Raymond Russo, so far the DA's star witness in the Shaw case, and with intimidating another state witness, Marlene Mancuso.

Miss Mancuso, a one-time beauty queen, is the former wife of Gordon Novel, a fugitive from Louisiana, charged

by Garrison with conspiracy to commit burglary. He is also believed wanted by the district attorney for questioning in the assassination probe.

TOWNLEY yesterday called the charges against him "completely false" and "absurd." In a statement to newsmen after he posted his bond, Townley said:

"Mr. Garrison's accusations against me, like those against my colleague from NBC, Walter Sheridan, are completely false. I am honored to find myself in the distinguished company of a man like Mr. Sheridan, who has established a national reputation for integrity as an investigator for the McClellan Rackets Committee, the Justice Department and now NBC news.

"This would be a minor—even a joking—matter if only the freedom of myself or Mr. Sheridan were involved. The stakes, however, are much higher than that.

"The charges against Mr. Sheridan last week and the charges against me here to-

day are obviously part of the campaign to intimidate reporters everywhere who dare to question the methods of Mr. Garrison, his assistants and his investigators.

"The use of this high office for such low purposes makes a mockery of the justice he is supposed to uphold. Our society has survived other attempts by politicians to silence criticism in the news media.

"UNFORTUNATELY, there is a lengthy tradition of that kind in Louisiana politics. I am confident that those who bear the heavy burden of reporting the truth—even if that truth hurts—will not be intimidated by this obvious attempt to silence criticisms.

"I am equally confident that these absurd charges will be proven groundless in any fair, impartial trial."

One of the star "informants" on NBC's show last month, John "The Baptist" Cancler, is also scheduled to appear before the grand jury today.



JUDGE EDWARD A. HAGGERTY JR., left, talks with attorneys for Clay L. Shaw outside his courtroom this morning. The attorneys are, from left, F. IRVIN DYMOND, WILLIAM WEGMANN and EDWARD WEGMANN, back to camera.