

EB5

PROBE NL 460
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NEW ORLEANS (AP)-JUDGE BERNARD J. BAGERT HELD JOHN (THE BAPTIST) CANCLER IN CONTEMPT OF COURT WEDNESDAY FOR REFUSING TO ANSWER A QUESTION PUT TO HIM BY THE GRAND JURY IN THE KENNEDY ASSASSINATION PROBE.

BAGERT, IN A HASTILY SUMMONED CRIMINAL DISTRICT COURT SESSION, SENTENCED CANCLER TO A \$500 FINE AND SIX MONTHS IN JAIL. WITH THE JAIL TERM TO EXTEND ONE YEAR IF THE FINE WERE NOT PAID.

THE QUESTION PUT TO CANCLER BY THE FOREMAN OF THE ORLEANS PARISH GRAND JURY: "WAS THE STATEMENT YOU MADE ON NATIONAL TELEVISION DURING THE MONTH OF JUNE TRUE?"

CANCLER, A NEGRO WHO SAYS BURGLARY IS HIS PROFESSION, THEN TOLD THE JUDGE, "I REFUSE TO ANSWER ON THE GROUNDS THAT IT MIGHT INCRIMINATE ME."

CANCLER WAS ONE OF THE PERSONS WHO APPEARED ON THE JUNE 19 PROGRAM BY THE NATIONAL BROADCASTING CO., WHICH WAS HIGHLY CRITICAL OF DIST. ATTY. JIM GARRISON'S ASSASSINATION PROBE.

AFTER THE BRIEF COURT SESSION THE GRAND JURY FILED BACK TO THE GRAND JURY ROOM AND CALLED WILLIAM GURVICH, THE FORMER CHIEF INVESTIGATOR FOR GARRISON, WHO NOW SAYS THE INVESTIGATION HAS TURNED UP NO SOLID EVIDENCE OF ANY NEW ORLEANS CONSPIRACY TO KILL PRESIDENT JOHN F. KENNEDY.

EARLIER WEDNESDAY, JUDGE EDWARD A. HAGGERTY JR., REFUSED TO FORBID GARRISON TO PARTICIPATE IN A SATURDAY NIGHT NBC TELEVISION OUTLINE OF HIS ASSASSINATION PROBE. AN INJUNCTION TO BLOCK THE PROGRAM, OR AT LEAST BLACK OUT THE NEW ORLEANS AREA, WAS SOUGHT BY LAWYERS FOR CLAY L. SHAW, 54, THE WEALTHY RETIRED BUSINESSMAN CHARGED WITH CONSPIRING TO MURDER PRESIDENT JOHN F. KENNEDY.

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NEW ORLEANS-ADD NL PROBE B5: JOHN F. KENNEDY.

A THE DEFENSE ARGUED THAT GARRISON'S 30-MINUTE PROGRAM OVER THE NATIONAL BROADCASTING CO. NETWORK WOULD PREJUDICE THE CASE AGAINST SHAW.

IN ADDITION, SAID F. IRVIN DYMOND, SUCH A PROGRAM--BILLED AS A REPLY TO NBC'S EXAMINATION OF THE CASE ON JUNE 19-- WOULD VIOLATE CRIMINAL DISTRICT COURT GUIDELINES FOR THE CONDUCT OF LAWYERS OR WITNESSES INVOLVED

JUDGE EDWARD A. HAGGERTY JR., WHO WILL PRESIDE AT THE SHAW TRIAL, SAID HE ALREADY HAD GIVEN CLEAR NOTICE THAT PERSONS VIOLATING HIS GUIDELINES "ACTED AT THEIR PERIL."

THE PROPOSED INJUNCTION, HE ADDED, WANTED THE COURT TO TAKE ACTION AGAINST AN ANTICIPATED VIOLATION OF THE GUIDELINES AND "I CANNOT IN ADVANCE ANTICIPATE OR SUSPECT THAT A VIOLATION WILL OCCUR."

"A REMEDY YET AVAILABLE TO THE COUNSEL FOR THE DEFENSE TO BE FILED AT THEIR DISCRETION IS A MOTION FOR A CHANGE OF VENUE," HE ADDED.

THE COURT'S GUIDELINES FORBODE ANY PERSON CONNECTED WITH THE CASE TO MAKE ANY PUBLIC STATEMENTS, OUTSIDE THE COURT, AS TO THE GUILT, INNOCENCE OR EVIDENCE. THE COURT SAID THE GUIDELINES WERE DESIGNED TO ASSURE A FAIR TRIAL.

SHAW IS ACCUSED OF CONSPIRING WITH LEE HARVEY OSWALD, JACK RUBY AND DAVID W. FERRIE TO KILL KENNEDY.

GARRISON SAID THE PLANNING WAS DONE IN NEW ORLEANS A FEW WEEKS BEFORE KENNEDY WAS ASSINATED IN DALLAS NOV. 22, 1963.

OSWALD, A FORMER NEW ORLEANS RESIDENT, WAS NAMED BY THE WARRN COMMISSION A

OSWALD, A FORMER NEW ORLEANS RESIDENT, WAS NAMED BY THE WARREN COMMISSION AS THE ASSASSIN.

RUBY, A DALLAS STRIPJOINT OWNER, SHOT OSWALD. FERRIE WAS A FREE-LANCE PILOT IN NEW ORLEANS. ALL THREE ARE DEAD.

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