

13 July 1967

# CONVICT IS SILENT IN GARRISON CASE

Refuses to Confirm or Deny  
Story He Told on TV

By MARTIN WALDRON  
Special to The New York Times

NEW ORLEANS, July 12—John Cancler, a convicted burglar, refused today to confirm or deny his nationally publicized statement that investigators for District Attorney Jim Garrison had once asked him to plant evidence in the home of a suspect in an inquiry into the assassination of President Kennedy.

Cancler was immediately held in contempt of court and sentenced to six months in jail and a \$500 fine. At present he is in jail awaiting the outcome of a request for a new trial in his burglary case.

He was brought before Criminal District Judge Bernard J. Dager today by the grand jury that has been investigating the Kennedy assassination for the last four months.

At the judge's request, the jury foreman, Albert V. Labiche Jr., asked Cancler in open court: "Was the story you told on national television, on N.B.C., during the month of June true?"

"I refuse to answer on the ground that my answer might tend to incriminate me," Cancler replied.

### Cancler's Statement

Last June 19, on the National Broadcasting Company's documentary about the Garrison investigation, Cancler said that he had been asked to break into the home of Clay L. Shaw, a retired New Orleans businessman who has been indicted on a charge of conspiring to assassinate President Kennedy, and plant evidence there. Cancler said he had refused to do so.

Earlier, he had made the same statement to The New York Times.

While Cancler was being taken back to jail, William Gurvich, former chief investigator for Mr. Garrison, went before the grand jury for questioning.

Mr. Gurvich broke with the district attorney earlier this month, declaring that Mr. Garrison had no evidence to back up his assertion that the assassination was the result of a plot and that the parties in the plot had connections with the Central Intelligence Agency.

### Tells of Lie Test

Mr. Gurvich said that a lie detector test he took yesterday in Chicago showed that he had been telling the truth when he said that Mr. Garrison's investigation was a "fraud." He said the test had been administered by a private concern.

In another development today, Criminal District Judge Edward A. Haggerty Jr. refused to order Mr. Garrison not to discuss his investigation on a half-hour television program Saturday night on N.B.C.

F. Irvin Dymond, an attorney for Mr. Shaw, said that if Mr. Garrison should answer the criticism of his investigation aired on the N.B.C. documentary prospective jurors could be prejudiced against Mr. Shaw.

"The proposed program is a part of a continuing attempt on the part of the (prosecution) to influence the republic of the United States and the State of Louisiana, the City of New Orleans, and prospective jurors as to the merits of the case of the State of Louisiana v. Clay L. Shaw," Mr. Dymond said in a petition to Judge Haggerty.

The judge, who has been chosen to preside at Mr. Shaw's as yet unscheduled trial, refused to enjoin Mr. Garrison from appearing on the television program Saturday.

Pointing out that he had warned all persons connected with the case not to discuss its merits, Judge Haggerty said:

"I cannot in advance anticipate or suspect that a violation will occur. I have not in the past enjoined anyone, including the National Broadcasting Company, the Columbia Broadcasting System or any other person, even though there was reason to believe that a violation could possibly take place. I do not intend to change the court's position at this time.

"Mr. Jim Garrison is a constitutional officer, elected by the people, and moreover is subject to the stringent rules and regulations of the Louisiana State Bar Association and, more particularly, the Committee on Grievances."

### Newsman to Fight Charges

Special to The New York Times

WASHINGTON, July 12—

Walter J. Sheridan, an investigator for the National Broadcasting Company, said today that he would surrender to New Orleans authorities "in the next few days" in order to contest bribery charges brought by Mr. Garrison.

"I did not bribe or attempt to bribe Perry Russo," Mr. Sheridan said at a news conference in the studio of Station WRC-TV, N.B.C.'s affiliate here.

He was referring to Perry Raymond Russo, a key witness in Mr. Garrison's case against Mr. Shaw.

Mr. Sheridan called the bribery charge an attempt by Mr. Garrison to intimidate newsmen who have published critical reports of the Garrison investigation.