

(Mount Clipping in Space Below)

Russo Waits to Testify In Third Day of Hearing

Perry Raymond Russo, the witness District Attorney Jim Garrison hoped would link Clay L. Shaw to a John F. Kennedy murder plot, still was waiting to testify today as a federal court hearing to block further prosecution of the retired New Orleans businessman moved into its third day.

Russo, a principal witness in Shaw's 1969 conspiracy trial, has claimed he was at a party where Garrison contends the plot to murder the president was planned.

Yesterday Garrison spent nearly two hours testifying during the hearing aimed at winning a permanent injunction against the district attorney's efforts to prosecute Shaw on a charge of perjury.

GARRISON WANTS to try Shaw for perjury, contending that Shaw lied when he told the jury that acquitted him of conspiracy that he did not know either Lee Harvey Oswald or David Ferrie, both listed as coconspirators.

Garrison proved somewhat of a reluctant witness yesterday refusing to answer questions pertaining to the number of witnesses he had against Shaw before his arrest in 1967 or other matters of policy.

The DA did say he was considering making a report on his entire Kennedy assassination probe to the citizens of New Orleans.

He also testified that so far as he is concerned the probe of Kennedy's murder is ended. Garrison also said he would rather see Clay Shaw acquitted of the perjury charges than see him convicted in a trial which was tainted by any questions of propriety.

Later, in an interview after he had testified, Garrison was critical of the U.S. role in Vietnam, saying the present generation of Americans may live long enough to see U.S. government officials tried for war crimes.

THE CONTROVERSIAL DA, appearing somewhat drawn and stooped after a recent spinal infection, referred to the assassination of President Kennedy as a coup d'etat carried out by elements of the U.S. government.

Garrison was one of five persons called to the stand yesterday in the hearing being presided over by Federal District Judge Herbert W. Christenberry. Shaw's attorneys also called Joseph M. Rault Jr., a key figure in

the formation of Truth and Consequences, a private group that funded Garrison's investigation; Hugh Aynesworth, a Newsweek magazine reporter who wrote a story calling Garrison's investigation "a farce;" Police Lt. Edward O'Donnell, who administered a lie detector test to key prosecution witness Perry Raymond Russo, and William Gurvich, a private investigator who once worked for Garrison.

However, it was Garrison who dominated the hearing during his two-hour stay in the witness chair. He refused

to answer questions which he said were "a fishing expedition" by defense attorneys and, when a copy of his book, "Heritage of Stone," was offered in evidence by Shaw's counsel, the DA quipped, "Would you like me to autograph it for you?"

EXPECTED TO BE called at today's hearing are Daniel J. Jones, Garrison's bookkeeper who handled the \$99,488 reportedly donated to the DA's investiga-

tion, and Louis Ivon, a policeman assigned to the DA's office who cashed checks worth thousands of dollars turned over to him by officers and key figures in Truth and Consequences.

Rault, a prominent New Orleans businessman, testified yesterday that he turned over large sums of money to Ivon without inquiring as to how the

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SECTION 1

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money would be spent.

Rault also said contributions continued to flow to Garrison after Shaw's arrest, which occurred about a week after the formation of Truth and Consequences.

HOWEVER, RAULT denied that any plot existed, so far as he knew, to "get" Clay Shaw.

In other testimony, Gurvich, a private investigator hired by Garrison to work on the Kennedy assassination probe and later fired by the DA, said:

—He was told by Garrison of plans to "raid the FBI office" with officers using "red pepper guns" and confiscate tapes made from conversations of Garrison and staff members. Gurvich told Volz he believed Garrison was serious about this.

—He flew, at Garrison's instructions, to Las Vegas about March 10, 1967, with "six bullets and a green sports shirt." While there, he went to the Thunderbird Hotel and got tape recordings and pictures of two actors in a show, "Bottoms Up." Gurvich said Garrison told him the actors were in Dallas the day President Kennedy was shot.

—He was ordered to arrest CBS investigator Walter Richard Sheridan and former WDSU-TV reporter Richard Townley, handcuff them and beat them.

HOWEVER, GURVICH testified "it was anticipated that Townley and Sheridan would do something illegal." But he said he talked this over during a period of several days with James L. Alcock, then an assistant DA, and never made an arrest.

Testimony given by Lt. O'Donnell was a repetition of testimony given during the Shaw conspiracy trial.

HE SAID HE QUESTIONED Russo on two occasions and was asked by the Garrison office to give Russo a polygraph (lie detector) test.

But, O'Donnell testified, the polygraph tracings "were too erratic and he continued to move . . . he said he was under a great deal of pressure and was sorry he got involved in this mess."

Russo at first gave a statement that

he was present when Shaw, Ferrie and Lee Harvey Oswald, accused assassin of President Kennedy, discussed how to commit an assassination.

Shaw has insisted he did not know Oswald or Ferrie.

AFTER A NUMBER of questions, Russo finally said of Shaw's alleged presence with Ferrie and Oswald, "If you really want to know, I would have to say no," O'Donnell testified.

Also discussed at yesterday's hearing were two \$5,000 checks apparently sent to Garrison for his investigation by Gov. John J. McKeithen.

Garrison said he could only recall receiving one of the checks which he said was sent to him by McKeithen as a result of a conversation.

The governor has not yet commented on the authenticity of the checks or his role in Garrison's probe.