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DA ELECTION

PROBE

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SECTION 1

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Perry Raymond Russo, star witness in the prosecution of Clay L. Shaw in the 1969 conspiracy trial, today invoked the Fifth Amendment in federal district court, refusing to say whether he saw Shaw in David Ferrie's apartment with Lee Harvey Oswald in 1963. Russo said to answer the question would be to expose himself to possible prosecution.

By ALLAN KATZ
and GENE BOURG

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District Attorney Jim Garrison spent a tangled mixture of state, court and private money on his Kennedy assassination probe, testimony revealed today, with some overlapping into the DA's own election campaign funds.

This information was elicited from the bookkeeper in the DA's office, Daniel Jones, who held the spotlight in the third day of a federal court hearing in which Clay L. Shaw seeks to have perjury charges against him thrown out.

There were these major revelations:

—JONES TESTIFIED that the records of J. G. Safi fund, a vehicle for handling some of the Kennedy probe money, included "a number of disbursements to and from the Jim Garrison Campaign fund."

—Gov. John J. McKeithen said in Baton Rouge he gave Garrison \$10,000 in state funds for the Kennedy probe.

—Jones confirmed the total amount spent on the Kennedy probe, not counting the Shaw trial itself, was \$99,448.

—This figure, Jones testified, included some \$25,000 from the court's fines and fees fund, money normally available to the district attorney's office. This was in addition to the money from the governor's office and the contributions from Truth and Consequences, a private group set up to finance the investigation.

—SOME OF THE MONEY was spent to hire guards to protect Garrison's home during the investigation, Jones said.

—Investigative expenses included "numerous" trips by star DA's staff members, including James L. Alcock, Andrew "Mum" Szabara and a mysterious category styled "others."

—The DA's office paid at least \$315 in rent on an apartment occupied by David W. Ferrie, a shadowy figure Garrison says was part of the assassination plot. The money was paid in the summer of 1967, several months after Ferrie's death Feb. 22, 1967. Ferrie's landlord, Jones testified, was City Councilman Eddie L. Sapor. The money was paid to Steven R. Plotkin, Sapor's law partner, he said.

JONES' TESTIMONY was the highlight of today's session of the hearing before Federal District Judge Herbert W. Christenberry.

Shaw was charged with perjury by Garrison, who claims he lied in his 1969 trial on charges of conspiring to kill President John F. Kennedy. Shaw was acquitted on that charge but Garrison claims he testified falsely that he never knew Ferrie or accused presidential assassin Lee Harvey Oswald.

Shaw went into federal court to get the perjury charge thrown out on grounds that Garrison is violating his civil rights. In the meantime, Garrison is enjoined from prosecuting him in state court.

THE MATTER OF the \$10,000 contribution from Gov. McKeithen came to light yesterday and Monday in earlier testimony before Judge Christen-

berry and was confirmed again today by Jones.

In Baton Rouge, the governor's chief aide, W. W. McDougall, said the money was paid out of the governor's law enforcement fund at the special request of Garrison for financial aid.

McDougall said one check for \$5,000 was given to Garrison March 22, 1967, one day after Garrison made the request in a written appeal for assistance. The second check also was for \$5,000 and was issued Jan. 30, 1968, he added.

McDougall said such assistance was not unusual and has been made available to other law enforcement agencies and DAs both before and since the Garrison incident.

THE FUND IS A special \$40,000 appropriation by the legislature which the governor uses for special situations.

At the hearing in New Orleans today the judge scheduled to preside over Shaw's perjury trial testified that he refused to throw out the charge without having closely examined the record of the conspiracy trial.

Criminal District Judge Malcolm V. O'Hara was the first witness today.

ON DEC. 14, 1969, Judge O'Hara turned down a plea to throw out the perjury charge. He was questioned closely about this action today by Shaw attorney F. Irvin Dymond.

Judge O'Hara said the long delay between the filing of the motion to quash the perjury charge (May 14, 1969) and his acting on it was due to Garrison's illness. The DA suffers from a back ailment and was unable to appear in court.

Dymond asked the judge if he read the transcript of the conspiracy trial. Judge O'Hara said he did not.

HE SAID FURTHER he did not read the testimony of the state's star witness, Perry Raymond Russo. He said he felt this was unnecessary because he was a member of a three-judge panel before which Russo testified in a preliminary hearing prior to the trial.

Asked if he were aware of changes in Russo's testimony between the 1967 hearing and the 1969 trial, he said he knew of them "through other media" but had no detailed knowledge of them.

Judge O'Hara said he read the opening and closing arguments by Garrison but not the rebuttal argument by chief prosecutor Alcock, now a fellow Criminal District Court judge.

THE JUDGE SAID he felt it was unnecessary to read the entire transcript of the conspiracy trial before ruling in the perjury case.

The second witness, Jones, identified himself as bookkeeper in Garrison's office.

RUSSO, ON WHOSE testimony most of the conspiracy case rested, was still waiting to testify in the current hearing.