

Ricord's Lawyer Calls Him a Sick Man

By PAUL L. MONTGOMERY

The defense lawyer for Auguste Joseph Ricord painted a picture of him yesterday as a sickly man interested only in his motel and restaurant business in Latin America instead of the international heroin trafficker portrayed by the Government.

In the sixth day of Ricord's trial in Federal District Court in Manhattan, his attorney, Herbert I. Handman, called Ricord's niece and 15-year-old daughter to testify. They said Ricord was sick in bed in Asunción, Paraguay or traveling on two occasions in 1970 when other witnesses said he participated in transfers of heroin or money.

Ricord, a grandfatherly-looking 61-year-old Corsican who holds Argentine citizenship, is charged with conspiracy to smuggle narcotics, which carries a maximum prison term of 20 years. He had never been in the United States until he was extradited from Paraguay in September; he is being held here in \$1.5-million bail.

Government Ends Case

Yesterday, two assistant United States attorneys, Walter M. Phillips Jr. and Eugene Bannigan, finished the presentation of the Government's case and Mr. Handman began calling witnesses. He has told the jury that Ricord, also known as Monsieur André, would take the stand in his own defense.

Ricord's 34-year-old niece, Helene Bonsignour, described herself as an equal partner with her uncle in the Paris-Nice motel-restaurant in Asunción and the Andre's pizza parlor in Buenos Aires. She said she had lived with her uncle in Argentina and Paraguay since 1952.

Miss Bonsignour said that in July, 1970, Ricord was in Argentina on a trip. Two other witnesses, both serving prison terms after pleading guilty in the case, have testified that in that month Ricord, from

Asunción, had directed the transfer of a car containing 70 kilograms (about 155 pounds) of heroin from the Montevideo docks in Asunción.

The niece also said that on Oct. 11, 1970, Ricord fell ill about 7 A.M. in the morning and was in bed all day. She said that a biochemist, Carlos A. Paiba, had been called to perform tests but that Ricord's physician was not in attendance.

Key Date in the Case

That Oct. 11 is a key date in the case. One witness has testified that he saw a box containing the \$100,000 proceeds of a 15-kilogram heroin sale in New York handed over to Ricord on that day. Another witness, a pilot who said he smuggled heroin to Miami in a private plane for the Ricord ring, had testified that later on Oct. 11 Ricord had helped put three suitcases containing 42 kilograms of heroin into a car at the Paris-Nice motel.

Miss Bonsignour said she remembered the date so exactly because the next day, Oct. 12, was a holiday marking the discovery of the Americas. She could not recall the exact dates of the other times in 1970 or 1971 she said Ricord had been ill with diabetes, ulcers and bronchitis.

Ricord's daughter, Josefina Brigida, gave testimony matching Miss Bonsignour's about the July trip and the October illness. The niece said that the girl's mother, a German dancer named Ingeborg Gabski, had been separated from Ricord since 1960 and that the couple got a Mexican divorce in 1968.

In cross-examination, Mr. Phillips pressed Miss Bonsignour about three United States bank accounts she and Ricord had opened by mail in 1967, totaling about \$60,000. In one checking account of \$25,000, she acknowledged, there were no deposits or withdrawals for a 43-month period though the money was drawing no interest. The niece said the money in

the accounts was the proceeds of the sale of a house and some restaurants by Ricord. She said that, since his divorce was not recognized in Argentina, he wanted to put aside money for his daughter that could not be attached by his former wife.

Mr. Handman also presented depositions from a bank clerk, Dr. Paiba and two employees of Ricord's about the alleged illness in October, 1970. He also presented a deposition from the janitor of a building in Asunción where Ricord is alleged to have held a meeting to plan heroin smuggling.

The janitor swore that for "every moment" of every day of the week for the three months covered by the indictment, he had been at the door when the building was open—from 7 A.M. to noon, and from 2 P.M. to 11 P.M. He said he had not seen Ricord enter the building in that time.