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ADV MON AMS, MARCH 20, 1967

GARRISON

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NEW ORLEANS, MARCH 19 (AP)-A ONE-TIME "JUNKIE," HAUNTED BY A FOUR CAP MONKEY, AND A WITNESS FRESH FROM A TIME TUNNEL GAVE BIG JIM GARRISON VICTORY IN THE FIRST TEST OF HIS KENNEDY ASSASSINATION CASE.

AS A TASTE OF WHAT MAY COME, IT FORESHADOWED A TRIAL AS POTENTIALLY SPECTACULAR AS ANY IN THE ANNALS OF AMERICAN COURTS.

THE 6-FOOT-6 NEW ORLEANS DISTRICT ATTORNEY PRODUCED THE TWO UNUSUAL WITNESSES IN WINNING A THREE-JUDGE CRIMINAL COURT DECISION TO SEND CLAY L. SHAW TO TRIAL, CHARGED WITH CONSPIRACY TO MURDER PRESIDENT JOHN F. KENNEDY.

IT WAS A GLUM 54TH BIRTHDAY PRESENT FOR SHAW BUT HIS FOUR LAWYERS SHOWED MORE EMOTION THAN HE DID--THOUGH HE ENTERED A HOSPITAL THE NEXT DAY FOR A "REST."

THE CHAIN SMOKING RETIRED EXECUTIVE PUFFED HIS WAY THROUGH FOUR DAYS OF PRELIMINARY HEARING. HE MERELY LIT ANOTHER CIGARETTE WHEN THE DECISION WAS ANNOUNCED FRIDAY.

HE WAS FREED ON THE SAME \$10,000 BOND IMPOSED WHEN HE WAS BOOKED.

SHAW'S LAWYERS UNHAPPILY STUFFED THEIR BRIEFCASES, GATHERED UP THE 26-VOLUME WARREN COMMISSION REPORT BARRED FROM EVIDENCE BY THE JUDGES AS "FRAUGHT WITH HEARSAY," AND LEFT TO PONDER THE COMPLEX FUTURE.

IT HAD BEEN A RUGGED FOUR DAYS FOR THE DEFENSE.

THE HEARING OPENED WITH DEFENSE LAWYERS VOICING DARK SUSPICIONS THAT THE DISTRICT ATTORNEY WAS UP TO SOMETHING TRICKY.

UNDER STATE LAW, A PRELIMINARY HEARING ALLOWS MORE LATITUDE THAN A FORMAL TRIAL. PRIMARILY, IT IS FOR DEFENSE LAWYERS WHO THINK THEY CAN GET A WEAK CASE THROWN OUT. BUT THIS HEARING WAS CALLED BY GARRISON.

A154NU

"THE ONLY POSSIBLE PURPOSE IS TO PERPETUATE TESTIMONY," ARGUED F. IRVING DYMOND. "THIS EVIDENCE IS GOING TO BE ADMISSIBLE IN TOTO IN ANY SUBSEQUENT TRIAL AND THERE WILL BE NOTHING THE DEFENSE CAN DO TO BLOCK IT."

HE WAS OVERRULED.

THEN CAME DARKLY INTENSE PERRY RAYMOND RUSSO TO THE WITNESS STAND, HIS TESTIMONY ENRICHED BY HYPNOTIC TRIPS THROUGH A "TIME TUNNEL" THAT HAD ENABLED HIM TO RELIEVE, IN MEMORY, A NIGHT IN SEPTEMBER 1963, AT A PARTY IN THE CLUTTERED DAVID W. FERRIE APARTMENT.

IT WAS AT THE PARTY, HE TESTIFIED, THAT HE SAT IN WHILE SHAW, FERRIE AND LEE HARVEY OSWALD PLOTTED TO KILL PRESIDENT KENNEDY.

AFTER BRINGING OUT RUSSO'S TESTIMONY, GARRISON DEPARTED, LEAVING A BEVY OF ASSISTANTS TO HANDLE THINGS.

THROUGH MORE THAN TWO DAYS OF CROSS-EXAMINATION, DYMOND SLASHED AT RUSSO'S STORY.

TEETERING BACK IN HIS CHAIR AT THE DEFENSE TABLE, DIRECTLY IN FRONT OF RUSSO, DYMOND REGARDED HIM WITH A GRIN OF SUCH UTTER DISBELIEF IT ONCE IMPELLED ASST. DIST. ATTY. ALVIN OSER TO SHOUT ANGRILY:

"I OBJECT TO THE SMIRK ON MR. DYMOND'S FACE, YOUR HONOR!"

BEFORE IT ENDED, DYMOND ESTABLISHED THAT:

--RUSSO, 25, A BATON ROUGE, LA., INSURANCE SALESMAN WHO USED TO LIVE IN NEW ORLEANS, ONCE UNDERWENT PSYCHIATRIC TREATMENT FOR ABOUT TWO YEARS, STARTING WHEN HE WAS 19.

--AT THE PARTY, SHAW HAD BEEN INTRODUCED AS "CLEM BERTRAND." OSWALD, RUSSO SAID, WAS INTRODUCED AS "LEON OSWALD."

--RUSSO DIDN'T GET THE "IMPRESSION," AT THE TIME, THAT THE THREE MEN WERE SERIOUSLY PLANNING TO CARRY THROUGH AN ASSASSINATION.

A155NU

--AFTER THE ASSASSINATION, RUSSO DIDN'T RECOGNIZE OSWALD FROM PICTURES. WHY? AT THE TIME HE KNEW HIM, RUSSO SAID, OSWALD WAS USUALLY DIRTY, "LIKE A BEATNIK." RECOGNITION DIDN'T FLOWER UNTIL LAST FEB. 23 WHEN AN ARTIST FOR THE DISTRICT ATTORNEY DREW A PICTURE DEPICTING OSWALD WITH A COUPLE DAYS GROWTH OF BEARD AND UNRULLY HAIR.

BUT RUSSO DEPARTED FROM THE STAND WITH NO MAJOR HOLES TORN IN HIS TESTIMONY.

THE STATE THEN PRODUCED DR. NICHOLAS CHETTA, THE ORLEANS PARISH CORONER. HE TESTIFIED RUSSO WAS INTERROGATED LAST FEB. 23 WHILE UNDER THE INFLUENCE OF SODIUM PENTOTHAL--COMMONLY KNOWN AS "TRUTH SERUM."

THE DRUG REDUCES INHIBITIONS AND THUS TENDS TO INDUCE THE SUBJECT TO TELL THE TRUTH, SAID DR. CHETTA. UNDER CROSS-EXAMINATION HE AGREED THE METHOD IS NOT INFALLIBLE.

DR. ESMOND A. FATTER, WHITE-HAIRED AND BESPECTACLED, TOLD THE COURT HE HYPNOTIZED RUSSO THREE TIMES AFTER DR. CHETTA'S "NARCOANALYSIS."

FREQUENTLY HALTED BY LEGAL FIGHTS OVER DEFENSE OBJECTIONS, DR. FATTER SAID RUSSO "REGRESSED BEAUTIFULLY" UNDER HYPNOSIS TO RE-LIVE, AS IN A DREAM, THE 1963 PARTY.

HYPNOSIS, ADDED DR. FATTER, GREATLY REFRESHED RUSSO'S MEMORY OF THE 3-YEAR-OLD EVENT.

"I ASKED RUSSO TO VISUALIZE A STAIRWAY GOING DOWN," HE SAID. "I TOLD HIM TO DESCEND THE STAIRWAY AND HE WOULD SEE A DOOR. HE WAS TO OPEN THAT DOOR AND GO INTO A TIME TUNNEL AND HE WOULD BE THROWN OUT IN SEPTEMBER..."

AT THIS POINT, OBJECTIONS CUT OFF THAT LINE OF TESTIMONY.

DURING A RECESS IMMEDIATELY AFTER DR. FATTER'S ALMOST HYPNOTIC TESTIMONY, ONE OF THE JUDGES, DISGRUNTLED ABOUT THE PROCEEDINGS BUT OUTVOTED, CRACKED TO A NEWSMAN:

"IF DYMOND SEEKS A CHANGE OF VENUE, HE OUGHT TO MOVE THIS CASE TO SALEM."

THE HISTORY OF THAT MASSACHUSETTS TOWN INCLUDES A BLEAK EPISODE IN WHICH A WITCHCRAFT SCARE RESULTED IN 19 PERSONS BEING TRIED AND HANGED ON GALLOWES HILL, PLUS ONE PRESSED TO DEATH.

A156NU

GARRISON RETURNED TO THE HEARING ON THE FINAL DAY.

HE CALLED VERNON BUNDY JR., A STOCKY, 29-YEAR-OLD PAROLED ADDICT WHO TURNED HIMSELF IN AT PARISH PRISON BECAUSE OF A FEELING HE WAS ABOUT TO RETURN TO HIS OLD HABIT OF FOUR CAPSULES OF HEROIN PER DAY, INJECTED BY HYPODERMIC NEEDLE.

IN HIS MATTER-OF-FACT, HOARSE VOICE, BUNDY SAID HE SAW SHAW MEET OSWALD AT THE LAKE PONTCHARTRAIN SEAWALL HERE IN THE SUMMER OF 1963 AND PASS OVER "WHAT LOOKED LIKE A WAD OF MONEY."

THEY REMAIN PLAIN IN HIS MEMORY, HE SAID, BECAUSE HE WAS PREPARING "TWO CAPS" (CAPSULES) OF HEROIN AT THE TIME -- HIS MORNING RATION -- AND HAD EYED THE MEN CAREFULLY AS THEY APPROACHED, FEARING THEY WERE POLICE.

UNDER CROSS-EXAMINATION, BUNDY'S REPLIES WERE SO HEAVILY LARDED WITH UNDERWORLD SLANG, DYMOND ONCE HAD TO ASK:

"WILL YOU TRANSLATE THAT INTO ENGLISH FOR ME?"

THAT WAS THE CASE.

IT PROVED TO BE ENOUGH. IT ALSO PROVED THAT PUBLICITY, WHICH GARRISON HEARTILY CONDEMNED WHEN THE STORY OF THE INVESTIGATION BROKE, HAS BEEN USEFUL TO HIM.

FOR RUSSO DIDN'T VOLUNTEER HIS SERVICES UNTIL AFTER HE READ ABOUT FERRIE'S DEATH FEB. 22. BUNDY TESTIFIED HE DIDN'T COME FORWARD UNTIL MARCH 16, AFTER SEEING A PHOTOGRAPH OF SHAW IN A NEWSPAPER.

THIS RAISED A CURIOUS POINT. BEFORE FERRIE'S DEATH -- LISTED AS DUE TO NATURAL CAUSES BY THE CORONER -- GARRISON ALREADY HAD CONFIDENTLY SAID OF HIS INVESTIGATION, WHICH STARTED LAST OCTOBER:

A157NU

"THERE WILL BE ARRESTS, CHARGES AND CONVICTIONS."

HE SOUNDED LIKE A MAN WHO ALREADY HAD A LOT UP HIS SLEEVE.

SO IT SEEMS THAT, LIKE AN ICEBERG, THE GARRISON CASE IS
ADRIFT IN LEGAL SEAS WITH JUST A SMALL PART OF IT ABOVE THE
SURFACE.

"THIS WHOLE CASE IS A VERY INTRICATE THING," SAID GARRISON.

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