

EB66

PROBE NL 330

NEW ORLEANS (AP)-A LONG-PROCESSION OF WITNESSES PRODUCED FEW ANSWERS TUESDAY IN THE SECOND AND FINAL DAY OF A PRETRIAL HEARING ON A DEFENSE MOTION TO QUASH A CONSPIRACY INDICTMENT AGAINST CLAY SHAW. SHAW, 54, IS A PROMINENT NEW ORLEANS BUSINESSMAN, ACCUSED BY DIST. ATTY. JIM GARRISON OF PLOTTING THE DEATH OF PRESIDENT JOHN F. KENNEDY, WHO WAS ASSASSINATED IN DALLAS IN 1963. THE FROST-HAIRED DEFENDANT WILL PROBABLY BE TRIED BEFORE NOVEMBER IF THE QUASH MOTION FAILS.

CRIMINAL DIST. COURT JUDGE EDWARD A. HAGGERTY PROMISED A RULING MONDAY. HE SAID HE WOULD ALSO RULE AT THAT TIME ON A SUPPLEMENTAL MOTION TO THROW OUT THE CHARGE. THE SECOND MOTION WAS FILED TUESDAY MORNING BY DEFENSE ATTORNEY F. IRVIN DYMOND ON THE BASIS OF MONDAY'S TESTIMONY.

JUDGE HAGGERTY GAVE THE STATE A CHANCE TO OBJECT TO QUESTIONS PUT TO ALL WITNESS BEFORE THE QUESTIONS WERE ANSWERED. THE OBJECTIONS CAME OFTEN AND WERE ALMOST ALWAYS SUSTAINED.

WILLIAM GURVICH, ONCE AN INVESTIGATOR FOR GARRISON, WAS AMONG THOSE BROUGHT TO THE STAND. THE JUDGE ADVISED HIM NOT TO ANSWER ANY QUESTIONS UNTIL THE STATE HAD THE OPPORTUNITY TO OBJECT. ALL THE QUESTIONS PUT TO GURVICH WERE RULED INADMISSABLE AND HE WAS DISMISSED.

A KEY LINE OF QUESTIONING TO THE EX-GARRISON AIDE INVOLVED WHETHER THE DISTRICT ATTORNEY GAVE INSIDE INFORMATION ABOUT THE SHAW CASE TO LIFE MAGAZINE. GURVICH WAS NOT ALLOWED TO ANSWER.

THE NEXT WITNESS WAS GARRISON. HE REPLIED IN THE AFFIRMATIVE TO DYMOND'S FIRST QUESTION -- HAD HE RECEIVED MONEY FROM TRUTH AND CONSEQUENCES, THE GROUP PRIVATELY FINANCING THE PROBE.

AFTER DYMOND'S SECOND QUESTION, WHICH ALSO INVOLVED FINANCES, HAGGERTY SAID THE QUESTIONS THE ATTORNEY WAS GOING TO ASK WERE PROBABLY IRRELEVANT AND IMMATERIAL, AND HE TOLD GARRISON NOT TO ANSWER ANY OF THEM.

THE ONLY QUESTION THE LANKY DA DID ANSWER CONCERNED PERRY RUSSO, A BATON ROUGE INSURANCEMAN WHOSE TESTIMONY FOR THE PROSECUTION WAS INSTRUMENTAL IN GAINING AN INDICTMENT AGAINST SHAW. DYMOND ASKED GARRISON IF RUSSO FAILED SEVERAL LIE DETECTOR TESTS.

"CERTAINLY HE DID NOT," GARRISON REPLIED.

DYMOND THEN INTERROGATED HIM ABOUT OTHER AREAS OF THE INVESTIGATION. NONE OF THE QUESTIONS WERE ANSWERED.

RP938PCD SEPT. 12