

In Reply, Please Refer to
File No.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Seattle, Washington
March 16, 1967

RE: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963
DALLAS, TEXAS

Attached is a machine copy of a communication received at the Seattle Office of the FBI in an envelope postmarked March 14, 1967, at Tacoma, Washington, but carrying no return address or other information to identify its sender.

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21 JAN 11 1973

ENCLOSURE

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Wanna Washot.

[Redacted]

Sending you to find out
[Redacted] another Asseserater of Kentucky
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[Redacted] his Mother [Redacted] son,

[Redacted] Berlin, ches Sister of [Redacted]
East Berlin Communist.

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(2)



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Files of the Seattle Office of the Federal Bureau of Investigation contain no information identifiable with K. L. LUPIN, EMMA LOWE, EMMA ULLRICH, or WALTER ULLRICH.

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Tolson
 DeLoach
 Mohr
 Wick
 Casper _____
 Callahan _____
 Conrad _____
 Felt
 Gale
 Rosen
 Sullivan
 Tavel _____
 Trotter _____
 Tele. Room
 Holmes
 Gandy

Big Wind *N/A*

The country has been waiting for some time, largely with unbated breath, for the District Attorney of New Orleans, Big Jim Garrison, to reveal the details of an asserted conspiracy to assassinate President Kennedy which he says he has solved. So far he has identified one alleged conspirator, who died in his bed last week under circumstances which seemed suspicious only to the D.A., and has arrested another, who emphatically denies any complicity and who was investigated and cleared by the FBI in 1963.

Like the redoubtable Muhammad Ali, known to his nonworshippers as Cassius Clay, Mr. Garrison has been predicting prosecutorial knockouts pretty loudly and brashly. In Muhammad Ali's case, it must be acknowledged that his predictions have pretty regularly come to pass. When Muhammad says that a challenger is going to go down in the fourth round, it is not at all a bad bet that that particular challenger's rounds are numbered.

The large and loquacious lawman from Louisiana has no such record, however.

Out of innuendo, conjecture, extrapolation, clairvoyance and assorted fluff, Mr. Garrison has contrived a "plot" in regard to the assassination which might, if the details could be made to hang together, be worth a small amount of space in one of the less exacting detective fiction pulp magazines. Maybe this is paying off for him in headlines and local notoriety. But unless he can speedily back it up with something of substance he will have to stand convicted of just another sleazy exploitation of one of the most tragic events in American history. There has already been far too much of this empty-headed and empty-hearted nonsense.

Staff
The Post surprises me!

- The Washington Post N/A
- Times Herald _____
- The Washington Daily News _____
- The Evening Star (Washington)
- The Sunday Star (Washington) _____
- Daily News (New York) _____
- Sunday News (New York) _____
- New York Post _____
- The New York Times _____
- World Journal Tribune _____
- (New York) _____
- The Sun (Baltimore) _____
- The Worker _____
- The New Leader _____
- The Wall Street Journal _____
- The National Observer _____
- People's World _____

REC 20

Date MAR 4 1967

4820

MAR 20 1967

21

79 MAR 23 1967

UNRECORDED COPY

FBI

Date: 3/17/67

PLAIN TEXT

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL AIRMAIL
(Priority)

~~REC-64~~

Mr. Tolson	✓
Mr. DeLoach	✓
Mr. Mohr	✓
Mr. Bishop	✓
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, NEW ORLEANS (89-69)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS, 11/22/63
MISCELLANEOUS - INFO CONCERNING

Rampach
S. J. Bell

Enclosed herewith for the Bureau are articles appearing in New Orleans newspapers concerning the assassination of President KENNEDY.

Also enclosed for Dallas and Miami are one copy each of these articles.

- ③ - Bureau (Encl. 15)
- 1 - Dallas (89-43) (Encl. 15)
- 1 - Miami (Encl. 15)
- 1 - New Orleans

ECW:jab
(6)

EX-107

REC-64

62-109060-4821

MAR 21 1967

SIX

CC: *P & R*
Approved: _____
MAR 2 1967
Special Agent in Charge

Sent _____ M Per _____

(Mount Clipping in Space Below)

Doctor Fatter Testifies on Qualifications

Dr. Esmond A. Fatter, a private practitioner, followed Orleans Parish coroner Nicholas J. Chetta to the witness stand in the Clay L. Shaw preliminary hearing in Criminal Court.

The questioning was begun by assistant district attorney Alvin V. Oser:

DR. FATTER identified himself as a medical doctor, a family doctor in general practice with offices at 3330 Canal.

Oser asked him if he used hypnosis in the course of his practice. He answered yes.

Q. Have you been qualified as an expert?

The witness said yes, that he had lectured in hypnosis in seminars in Chicago and had been a faculty member of a Chicago institution, The Educational and Research Foundation of Clinical Hypnosis.

He said he took his formal training in 1958 and has been

using hypnosis as a medical adjunct since that time.

Dr. Fatter said he had hypnotized hundreds of persons, had been a guest lecturer at Loyola Dental School, at Louisiana State University Medical School and at state medical society meetings in Louisiana and Texas and before medical societies in several parishes in the state.

DR. FATTER said he had also lectured on hypnosis in medicine at Mercy and de Paul Hospitals.

Q. Have you ever written anything?

A. Two papers of mine have been published in Louisiana Medical Society and Southern Journals.

Q. Have you ever had any referrals from other doctors?

A. Yes, many.

Dr. Fatter said he was a member of the American Medical Association, the Louisiana Medical Society and the Orleans Parish Medical Society.

He said that he was a member of the American Academy of General Practitioners, the Louisiana chapter, of which he was president in 1959, and the American Society of Clinical Hypnosis.

Asked if he had had any training in psychiatry. He said, "yes—nine years."

HE SAID HE was recently written up in the States-Item in a series on Hypnosis.

Dr. Fatter was asked if hypnosis was a specialty of medicine.

A. No, it is part of practicing medicine.

Q. Are any medical schools teaching hypnosis in Louisiana?

A. None in Louisiana. There are several in the country. I think the University of Tennessee offers it and Washington University in Chicago.

The court qualified Dr. Fatter as an expert witness. Under direct examination by Asst. Dist. Atty. Alcock, Dr. Fatter testified that he had met Perry R. Russo in the coroner's office March 1.

Q. Do you remember the time of day or night that it might have been?

A. Approximately 7 p. m. or thereabouts.

Q. Who was present?

A. Russo; his cousin; a man whom I thought at first was his brother; Dr. Chetta; Mr. Sciambra and a stenographer or secretary.

ALCOCK ASKED DR. Fatter to briefly define hypnosis.

Dr. Fatter responded by defining hypnosis as a "trained trance; a state of relaxation; altered awareness."

He further defined it as a state in which the individual is more concerned with his internal feelings and less with those of his immediate enviro-

Dr. Fatter offered two terms to clear up the meaning of hypnosis. One, he said, was the trance state. He explained that everyone has "constitutional endowments" and explained them as "those attributes all of us possess, given to us by our creator."

THESE ARE THE abilities, he said, the senses, the ability to see, feel, hear, etc.

He described another of these "endowments" as the ability to attain a state of dormancy.

He explained that bacteria go to spore to sustain themselves. Fish, he said, do the same when their streams dry up. When springtime arrives, he said, water comes back and the fish come out of their state of dormancy. Plants do the same thing. Dr. Fatter added. Their sap dies out but it returns in the spring.

In lower animals, he said, this is known as hibernation.

MAN ALSO POSSESSES the ability to attain the state of dormancy, he said.

Man, he said, is a spiritual and intellectual being. Education is the utilization of man's intelligence, he said. Hypnosis is man's ability to enter a trance state.

"It is much like amnesia," he asserted, "another of man's constitutional endowments. Thank the Lord we have it."

Dr. Fatter said, "If you ever go to introduce a very dear friend of yours to another dear friend and suddenly forget his name, that is what is known as amnesia, and we should be glad that we have it."

Alcock asked, "What is regression, Dr. Fatter?"

"BY REGRESSION it is meant that one goes back in his mind and relives in his mind some experience . . . like dreams," Dr. Fatter replied. "One can recall memories such as hearing or seeing or olfactory.

(Indicate page, name of newspaper, city and state.)

Page 1

New Orleans
States-Item

3-17-67

Date: Final

Edition:

Author:

Editor:

Title: ASSASSINATION OF
PRESIDENT JOHN F.
KENNEDY 11/22/63

Character:

or

Classification: 89-

Submitting Office: N.O.

Being Investigated

109360-4824

"Regression is to recall or relive the experience," he said.

Q. Under hypnosis, how can an individual recall by questions?

A. May I cite an example? I were to ask an individual, age 40, what he had for breakfast on his fifth birthday it might sound alarming. However, if I were to place that individual under hypnosis and present ideas — incidentally, this is another definition of hypnosis, that is to say hypnosis is a presentation of ideas or you might say a salesmanship of ideas — that individual immediately thinks in terms of his fifth birthday.

HE REMEMBERS, for example, that was the first time he received a gift of a two-wheeled bicycle. He remembers further that two-wheeled bicycle had two stabilizer wheels on the back. He remembers that he got into the car with his father and rode to his grandmother's house and his grandmother made him his favorite breakfast — pancakes and syrup and milk.

This is what is known as thought process.

Q. What is meant by fixation of attitude?

A. That means the narrowing down to one particular thing. For example, while I'm talking to you, you've forgotten about your glasses. Your glasses are on your head but you haven't thought about that.

Q. Did you put him (Russo) in an hypnotic trance?

A. Yes, I did.

Q. PRIOR TO THAT, did you have the occasion to talk to him about his background?

A. Yes.

Q. Did you learn about his background from him or other persons?

A. From him. I will not take information from others.

Q. What procedure did you use?

A. Immediately at first, I asked Mr. Russo if he had ever been hypnotized before. And he answered, yes he had. I asked him in what way. He told me a silver coin was used.

AT THIS POINT, there was an objection by defense attorney Irvin Dymond, who contended this was hearsay.

Judge Bagert overruled the objection and Dymond reserved a bill of exceptions.

Dr. Fatter was allowed to continue his testimony and he said, "I was told that a coin was used, so I took a coin from my pocket and placed it in front of him like this (and here Dr. Fatter held his hand out in front of his face) and he said 'the last time I was hypnotized I saw two coins.' I held the coin closer to his face. Russo told me that he might resist me. I told him that was his privilege, that he had a right to.

ONCE AGAIN THERE was an objection raised on the claim this was hearsay, outside of the presence of the defendant.

Alcock changed his question and asked: "Did you arrive at a technique?"

A. Yes I did. I used the trans-induction technique. I used the doctor-patient relationship. This began, incidentally, with my first meeting with Russo. I cannot make anybody do anything. I can only help him use his constitutional endowments. Who does it benefit? It benefits Mr. Russo.

Dr. Fatter described this as a "teacher-pupil relationship," explaining that he was teaching Russo to use his (Russo's) trance-state and he said this was done for Russo's benefit, "not mine."

Q. What kind of trance-state would you say Mr. Russo attained?

A. I would say he reached a moderately deep trance-state.

Q. What were the signs?

A. THE TONE OF THE muscles of his face. The condition of his arms, as though they were inanimate, just like the arms of a doll. You picked them up and they dropped to his side. His eyelids were closed. The levitation of movement was elicited. You lift up one finger on one hand or any other part of the body. (Dr. Fatter indicated the limb would just drop if lifted.)

Q. Was he able to regress?

A. Mr. Russo regressed very beautifully.

Q. Was he able to verbalize?

A. Yes, like talking in his sleep.

Q. DID YOU HAVE occasion to ask questions about the month of September of 1963?

At this point, Dymond objected again.

There followed an exchange of words between Dymond and Alcock. Alcock cited the newspapers, claiming that they made the hearing appear like a "lot of mumbo-jumbo," the district attorney's investigation of Russo and the use of hypnosis in particular.

Judge Braniff said that the state had a perfect right to clear up any misunderstanding, which Alcock claimed Dymond caused yesterday when he asked Russo, "Are you hypnotized right now?" and Russo answered, "No sir."

EACH JUDGE THEN cited his feelings about the objection.

Judge O'Hara said he felt he would limit his evaluation to whatever Russo testified to at the hearing himself.

Judge Bagert said he was convinced that Dr. Fatter is an expert in his field, and that if he relates any statements made by Russo, he would have to stop him.

Judge Braniff drew a round of laughter from the courtroom when he asserted, "And now the junior member of this firm would like to put

through implication convinced some people that Russo was under hypnosis while on the stand yesterday.

Judge Braniff said he felt the state has a perfect right to question Dr. Fatter to overcome that idea.

Defense attorney William Wegmann entered the debate, saying, "I'm not objecting to the question, but to the manner of questioning. The manner in which the question is asked. I feel that they can ask him (Fatter) if he had asked Russo about certain times and dates, but I do object to him testifying to the exact dates.

"Unfortunately, this testimony can go before the jury. If it were not for that fact, I would not be concerned.

"If we were going to try our case before a judge, I would have perfect confidence in the abilities of the three judges to understand and rule accordingly. However, in dealing with juries, it's a more difficult matter."

THE THREE JUDGES huddled and then Judge Bagert asserted, "After that nice piece of rhetoric, we're going to have to agree with the defense counsel."

Alcock appeared perplexed and asked for an explanation of the ruling. Judge Bagert said they had ruled to sustain the defense objection.

Dr. Fatter, speaking into a microphone, asked at this point if he had a right to make an objection, which broke up the courtroom.

Judge Bagert, still smiling, said after order was restored, "No. You happen to be the patient in this case, not the doctor."

DR. FATTER then pushed the microphone away and leaned up toward Judge O'Hara and conferred out of earshot. Judge O'Hara passed on the words and then Judge Bagert allowed Dr. Fatter to make his objection.

"I would like to make it clear that I am not a hypnotist. I am a doctor," he said.

He said he didn't think the attorney intentionally referred to him as a hypnotist, but that he wanted to clear up that point.

Judge Bagert put a post-script on the matter by saying, "You can look at his shingle and see that it has M.D. on it and not hypnotist."

ALCOCK THEN RESUMED his questions.

Q. Without saying what was said, Dr. Fatter, did you have occasion to consult with members of the district attorney's staff to obtain certain questions?

At this point, another objection was raised by Dymond on grounds that it was "an obvious attempt to get around the court's ruling."

Judge Bagert announced that court would recess before ruling on this objection.

Alcock asked Dr. Fatter:

Q. Were you successful in getting Perry Russo to regress while under a hypnotic trance?

Q. I WAS.

Q. Were these regressions brought about by questions?

A. The regressions were brought about by suggestions and ideas.

Q. How long was he in a trance?

A. I had him in a trance for approximately an hour and a half. To him it appeared to be only five minutes.

Q. HOW LONG did it take you to bring him out of a trance?

A. I usually ask the subject to count from three to five.

Q. Did you converse with him after the trance?

A. Yes.

Q. Did you feel his memory was refreshed by the trance?

A. He subjectively experienced feelings of sight, sound and touch much like you would experience in a dream.

Q. HOW MANY times was Russo hypnotized?

A. Three times.

Q. Where was he hypnotized the second time?

A. In the district attorney's office.

Q. When?

A. March 9.

At this point Alcock showed Fatter a calendar and Dr. Fatter said it was Thursday.

Q. When was the first time he was hypnotized?

A. First date was March 1.

Q. WHEN WAS the last time?

A. The last occasion was Sunday, March 12.

Q. Did you use the same techniques on all occasions?

A. No, I used different techniques. The second time

I asked him to envision himself at the top of a staircase looking down and to indicate to me with his finger when he had visioned it.

He moved his finger much as I am now. (At this point Fatter indicated how Russo had moved his right index finger rapidly back and forth.)

THERE WERE 21 steps or the staircase and he was told to walk down the staircase and with each step he would go deeper and deeper into a trance. This was to induce a deep trance. Then he would walk down a hall to a door. He would indicate to me with his finger when he got to the door. I told him to open the door and enter into a time tunnel and envision himself in September.

Dymond objected here to the detail of testimony and Judge O'Hara sustained the objection, saying, "I for one am not interested," in the details.

ALCOCK CONTINUED:

Q. Do you feel you induced a deep hypnotic trance?

A. It was sufficient enough for the purpose.

Q. Would you say it increased memory?

A. Yes, because it is a learning process and each time it is used it is more effective.

Q. Would you say a trance state increases memory about certain events?

Here Dymond objected but was overruled. He filed a bill of exceptions.

A. I DON'T know that I can answer that yes or no. Mr. Russo was put into a trance. Mr. Russo was regressed. It is possible for a subject to recall what went on in a trance and also possible for him to recall in a wakeful state but his recollection is more profound in a trance state.

Q. You had occasion to confer with the witness and you know whether his memory had been refreshed to certain events?

Dymond objected saying the witness was asked to testify about the truthfulness of another witness . . . Russo.

AFTER SOME discussion, Dymond said the witness (Fatter) would have to be telling whether the witness recollected something that actually happened.

The objection was sustained.

Q. Was he faking that he had been in a trance state?

A. Mr. Russo was in an authentic trance state.

Q. WHAT IS meant by a hypnotic suggestion?

A. It is the transferring of ideas while in a trance state. Referring to it at a later time. You can put a man into a post-hypnotic state and he will do in the future that which he was told while in the deep hypnotic state. He would not do any thing against his moral principles.

Q. On March 9, 1967, Dr. Fatter, or the last time you saw him, did you give Mr. Russo a post-hypnotic suggestion?

A. I DID.

Q. Will you tell this court about that?

A. I would like to read from by notes the exact suggestion given to Russo on March 12, 1967.

There had been numerous objections to the line of testimony with Judge O'Hara agreeing with the defense, but Judge Bagert and Judge Braniff ruling that they felt that the questioning and the answers by the doctor were not objectionable.

DR. FATTER then unfolded a piece of paper which he had taken from his pocket and began to read. This, he told the court, was the post-hypnotic suggestion he made to Russo on March 12:

"That's right. Go deeper. Relax. Anytime you want to you may permit yourself to be cool, calm and collected.

"This is a task you have voluntarily entered into. Let yourself do this task well. You'll be amazed how acute your mind will be in the next few weeks.

"YOU WILL be telling only the truth without fear or remorsefulness. All you are doing is telling the truth, nothing more, nothing less.

"Count to five, let your eyes spring open. Remember, you have a task you elected to perform. You can do it well. You will do it well.

"Remember, the truth always rings out."

Dr. Fatter said, "At the count of five, you will open your eyes" and Russo did.

(3)

(Mount Clipping in Space Below)

SAW OSWALD

REC-64

(Indicate page, name of newspaper, city and state.)

Page 1

New Orleans
States-Item

WITH SHAW, SAYS WITNESS

A 29-year-old Negro, Vernon Bundy, testified today that he had seen Clay Shaw and Lee Harvey Oswald together on the Lake Pontchartrain seawall during the summer of 1963. Bundy identified photos of both Shaw and Oswald. He said, during the preliminary hearing for Shaw that he saw Shaw pass a roll of bills, to the man he identified as Oswald.

A physician-hypnotist testified today that he left Perry R. Russo in a post-hypnotic state Sunday and told him, "You will be amazed how acute your mind will be in the next few weeks."

Date: 3-17-67

Edition: Final

Author:

Editor:

Title: ASSASSINATION OF
PRESIDENT JOHN F.
KENNEDY 11/22/63

Character:

or

Classification: 89-

Submitting Office: N.O.

 Being Investigated62-109060-4821
ENCLOSURE

Dr. Esmond A. Fatter, a private physician who qualified as an expert on hypnosis, testified this afternoon in the preliminary hearing for Clay L. Shaw, booked with criminal conspiracy in the death of President John F. Kennedy.

Russo is the key state witness who Tuesday testified that Shaw conspired with Lee Harvey Oswald and David William Ferrie to kill the President.

There were these other major developments as the hear-

ing wore through its fourth day today, Shaw's 54th birthday:

—Presiding Judge Bernard J. Bagert said today's testimony would continue into the evening hours in an effort to end the hearing. Otherwise, he said, it will extend into the weekend.

—The DA's office was apparently giving a lie detector test to a new mystery witness.

About noon today Assistant DA Charles Ray Ward and other officers were seen escorting a husky Negro man into the polygraph room at police headquarters. They were still in the room at 2 p. m.

Ward refused to identify the man but the States-Item learned he is Vernon Bundy Jr., a narcotics offender who is in jail on a parole violation.

Bundy reportedly told prison officials he had something important to tell Judge Bagert about the Shaw case.

In testimony at the hearing itself, Dr. Fatter and Orleans Parish Coroner Dr. Nicholas J. Chetta were on the stand most of the day, testifying about the sodium pentothal (truth serum) questioning of Russo.

At one point, Dr. Fatter was asked:

"On March 12, Dr. Fatter, or the last time you saw him, did you give Mr. Russo a post-hypnotic suggestion?"

"I did.

"Will you tell this court about that?"

"I would like to read from my notes the exact suggestion give to Russo on March 12, 1967."

There were objections by the defense to this line of testimony, and Judge Malcolm V. O'Hara agreed with them. But he was overruled by Judge Bagert and Judge Matthew S. Braniff. The three-judge panel is hearing the case, which will determine whether Shaw is held for trial.

Dr. Fatter then read from a piece of paper the suggestion he made to Russo:

"That's right. Go deeper. Relax. Anytime you want to you may permit yourself to be cool, and calm and collected.

"This is a task you have voluntarily entered into. Let yourself do this task well. You'll amazed how acute your mind will be in the next few weeks.

"You will be telling only the truth without fear or remorsefulness. All you are doing is telling the truth, nothing more, nothing less.

"Count to five, yet your eyes spring open. Remember, you have a task you elected to perform. You can do it well. You will do it well.

"Remember, the truth always rings out."

Dr. Fatter said he told Russo, "At the count of five, you will open your eyes" and Russo did.

It was also reported that an East Baton Rouge Deputy Sheriff named Nick Ross appeared at the courthouse today saying he had some information for Garrison's office. He said he once knew David William Ferrie.

Ferrie, a key figure in the alleged plot, was found dead here Feb. 22.

Dr. Chetta was closely cross-examined on the credibility of questioning done with sodium pentothal and hypnosis.

Dr. Chetta testified that Russo was hypnotized in his office last Sunday two days before the current hearing began.

The coroner admitted that he spent only an hour with Russo before the witness underwent hypnosis through the use of sodium pentothal. He had testified earlier that the quality of results of such questioning depends on the knowledge of the person administering the drug.

But he added that "I have had 17 years' experience dealing with this kind of work and I can acquire the fine points in a short time."

DR. CHETTA SAID RUSSO, A 25-YEAR-OLD insurance salesman, underwent hypnosis on Feb. 28 at Mercy Hospital, on March 2 in the office of Ward, and on March 12 at the coroner's office.

Russo told the court Tuesday that he heard Show, Oswald and Ferrie plot the assassination in September, 1963, in Ferrie's apartment at 3330 Louisiana ave. pkwy.

Kennedy was shot to death in Dallas Nov. 22, 1963. The Warren Commission reported Oswald did the killing alone.

Assistant DA Alvin Oser began questioning Dr. Chetta about details of Russo's comments while under hypnosis.

Defense Attorney F. Irvin Dymond objected:

"Your Honor, he is getting out of the realm of sanity of this witness and is trying to bolster the credibility of the witness and I object."

After some discussion, Judge Bagert overruled the objection.

Dr. Chetta was cross-examined by defense attorney William Wegmann. He asked the coroner whether fantasies appear in the mind of persons placed under sodium pentothal.

"Yes. It is up to the man doing the test to tell whether the person is lying or speaking in fantasy," said Dr. Chetta.

"ACCORDING TO MY NOTES, YOU GAVE RUSSO the drug the same day you questioned him. How long did you talk with him?"

"About an hour."

"Is this the only time that you saw Russo?"

"Yes, sir."

"Doctor, you said before that results depend upon the dependability or knowledge of the person administering the drug."

"It is true," said Dr. Chetta. "I spent only an hour with the patient before administering the drug, but I have had 17 years experience dealing with this kind of work and I can acquire the fine points in a short time."

Shaw arrived at 9:50 a. m., apparently in good spirits. He shook hands and said "good morning" to one of the deputy sheriffs who has been in the courtroom every day of the hearing.

He then conferred with Dymond, sometimes smiling during the conversation.

THE FIRST WITNESS on the stand today was C. W. Johnson, district director of the Immigration and Naturalization Service in New Orleans.

He appeared in response to a subpoena by defense attorneys for records on Manuel Garcia Gonzales and Junio Buzenero.

In yesterday's testimony, Russo had mentioned two persons as having attended a party at Ferrie's house where the plot to kill Kennedy was allegedly hatched. Their names sounded like Julio and Manuel.

Johnson was asked by Dymond what records he brought to the hearing. He said he had two files relating to the same man, Gonzales.

He said it was a record of a Cuban who entered the United States as a refugee, containing an alien registration card, pictures and a small registration card.

DYMOND THEN MOVED TO HAVE THE records submitted as a part of the evidence. Judge Bagert then said, "I understand there are two folders. What is the other folder?"

"The other folder relates to a Manuel Garcia Gonzales who entered the United States as a temporary visitor," Johnson replied.

Dymond then asked, "Do you have any records on Julio Buzenero?"

"No, sir, no records at all."

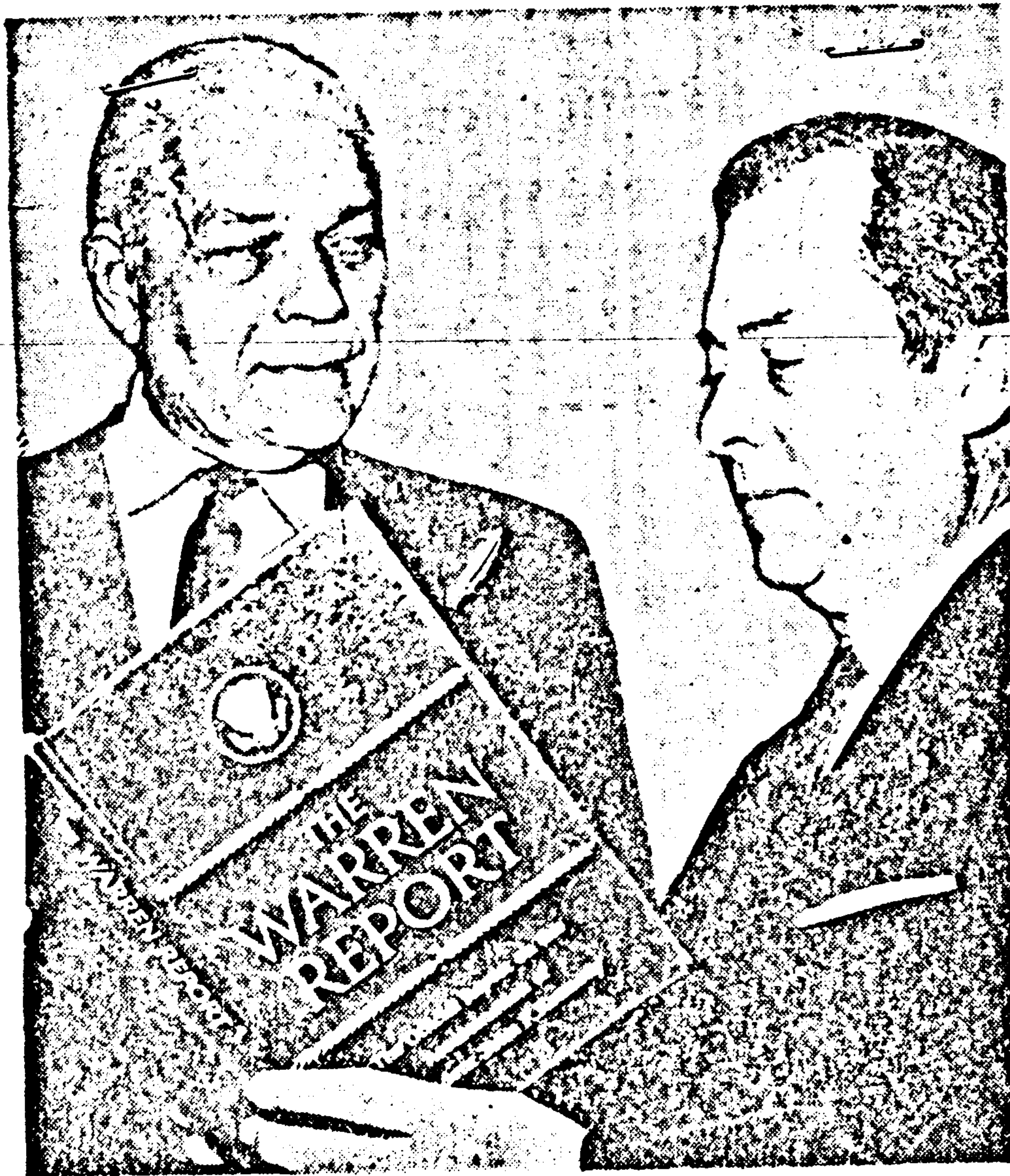
Johnson stepped down and Dr. Chetta returned to the stand. He had been testifying when the hearing recessed yesterday.

The two persons whose immigration records were brought by Johnson were themselves subpoenaed earlier by defense attorneys.

SHAW SHOWED signs of weariness as the hearing moved through its third day yesterday. His eyes were bloodshot, his suit rumpled.

"How would you like to swap places with me?" he asked a newsman, with a glum smile.

The two new witnesses were apparently a pair referred to by Russo as having attended a party at which he says a plot was hatched in September, 1963, to kill the President.



—Associated Press photo by Jack Thernell

CLAY L. SHAW watches as his attorney, **EDWARD WEGMANN**, looks over a copy of **The Warren Report** prior to the fourth day of testimony in the preliminary hearing for Shaw, accused of conspiring to murder President **John F. Kennedy**. Judge **Bernard Bagert** has refused to allow the defense to enter the 26 volumes of the report as evidence in the hearing.

(Mount Clipping in Space Below)

Dr. Chetta Questioned Closely On Reliability of Truth Serum

Russo Last Hypnotized On Sunday

Orleans Parish Coroner Dr. Nicholas J. Chetta was cross-examined closely today in the preliminary hearing for Clay L. Shaw on the credibility of questions gone with sodium pentothal, or truth serum.

(Indicate page, name of newspaper, city and state.)

Page 1

New Orleans
States-Item

Date: 3-17-67
Edition: Red Flash

Author:

Editor:

Title: ASSASSINATION OF
PRESIDENT JOHN F.
KENNEDY 11/22/63

Character:

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Being Investigated

ENCLOSURE

-4821

Dr. Chetta testified that Perry R. Russo, the state witness who says he heard Shaw conspiring to ~~kill~~ President John F. Kennedy, was hypnotized in his office last Sunday two days before the current hearing began.

The coroner admitted that he spent only an hour with Russo before the witness underwent hypnosis through the use of sodium pentothal. He had testified earlier that the quality of results of such questioning depends on the knowledge of the person administering the drug.

But he added that "I have had 17 years' experience dealing with this kind of work and I can acquire the fine points in a short time."

DR. CHETTA SAID RUSSO, A 25-YEAR-OLD insurance salesman, underwent hypnosis on Feb. 28 at Mercy Hospital, on March 2 in the office of Asst. Dist. Atty. Charles Ray Ward, and on March 12 at the coroner's office.

Russo told the three-judge Criminal District Court panel Tuesday that he heard Shaw, Lee Harvey Oswald and David William Ferrie plot the assassination in September, 1963, in Ferrie's apartment at 3330 Louisiana ave. pkwy.

Kennedy was shot to death in Dallas Nov. 22, 1963. The Warren Commission reported Oswald did the killing alone.

Assistant DA Alvin Oser began questioning Dr. Chetta about details of Russo's comments while under hypnosis.

Defense Attorney F. Irvin Dymond objected:

"Your Honor, he is getting out of the realm of sanity of this witness and is trying to bolster the credibility of the witness and I object."

After ~~some~~ discussion, Judge Bernard J. Bagert overruled the objection. He is hearing the case along with Judges Malcolm V. O'Hara and Matthew S. Braniff. They must decide whether there is enough evidence to hold Shaw for trial.

Dr. Chetta was cross-examined by defense attorney William Wegmann. He asked the coroner whether fantasies appear in the mind of persons placed under sodium pentothal.

"Yes. It is up to the man doing the test to tell whether the person is lying or speaking in fantasy," said Dr. Chetta.

"ACCORDING TO MY NOTES, YOU GAVE RUSSO the drug the same day you questioned him. How long did you talk with him?"

"About an hour."

"Is this the only time that you saw Russo?"

"Yes, sir."

"Doctor, you said before that results depend upon the dependability or knowledge of the person administering the drug."

"It is true," said Dr. Chetta. "I spent only an hour with the patient before administering the drug, but I have had 17 year experience dealing with this kind of work and I can acquire the fine points in a short time."

After Dr. Chetta stepped down, he was succeeded on the stand by Dr. Esmond A. Fatter, a private physician who qualified as an expert on hypnosis.

The hearing moved into its fourth day today, Shaw's 54th birthday.

Shaw arrived at 9:50 a. m., apparently in good spirits.

He shook hands and said "good morning" to one of the deputy sheriffs who has been in the courtroom every day of the hearing.

He then conferred with Dymond, sometimes smiling during the conversation.

THE FIRST WITNESS on the stand today was C. W. Johnson, district director of the Immigration and Naturalization Service in New Orleans.

He appeared in response to a subpoena by defense attorneys for records on Manuel Garcia Gonzales and Junio Buzenero.

In yesterday's testimony, Russo had mentioned two persons as having attended a party at Ferrie's house where the plot to kill Kennedy was allegedly hatched. Their names sounded like Julio and Manuel.

Johnson was asked by Dymond what records he brought to the hearing. He said he had two files relating to the same man, Gonzales.

He said it was a record of a Cuban who entered the United States as a refugee, containing an alien registration card, pictures and a small registration card.

DYMOND THEN MOVED TO HAVE THE records submitted as a part of the evidence. Judge Bagert then said, "I understand there are two folders. What is the other folder?"

"The other folder relates to a Manuel Garcia Gonzales who entered the United States as a temporary visitor," Johnson replied.

Dymond then asked, "Do you have any records on Julio Buzenero?"

"No, sir, no records at all."

Johnson stepped down and Dr. Chetta returned to the stand. He had been testifying when the hearing recessed yesterday.

The two persons whose immigration records were brought by Johnson were themselves subpoenaed earlier by defense attorneys.

SHAW SHOWED signs of weariness as the hearing moved through its third day yesterday. His eyes were bloodshot, his suit ruffled.

"How would you like to swap places with me?" he asked a newsman, with a glum smile.

The two new witnesses were apparently a pair referred to by Russo as having attended a party at which he says a plot was hatched in September, 1963, to kill the President.

Russo, the witness who identified Shaw as the same "Clem Bertrand" who plotted with David Ferrie and Lee Harvey Oswald to kill the President, had mentioned the names Manuel and Julio during testimony yesterday.

IN HIS TESTIMONY yesterday, Dr. Chetta, an expert witness for the state, called Russo sane.

"I feel that Perry Russo fulfilled all of the requirements of legal sanity," the coroner testified.

Dr. Chetta said he based his conclusion "on talking to him, observing him, listening to his past history."

The appearance of Dr. Chetta followed two days of cross-examination of Russo by Shaw's attorneys.

SHAW'S ATTORNEYS fought yesterday to stop the testimony of Dr. Chetta, but were unsuccessful.

Dymond objected to the testimony of Dr. Chetta concerning the use of sodium pentothal.

Braniff told Dymond he had "opened the door" to the line of questioning when he interrogated Russo earlier about being hypnotized during the course of questioning by the DA's office.

Judge Braniff told Dymond he should not object to the line of questioning by Oser.

He said Dymond had insinuated "that the witness was crazy or that he was hypnotized before he came on the witness stand."

Bagert, the presiding member of the three judge panel, asked Dymond, "Did you or did you not ask the witness if he tried to jump out a window?"

DYMOND HAD contended that the "truth serum test is not admissible as evidence."

Oser contended, however, that "at 10:25 a. m. Mr. Dymond asked the witness if he ever attempted to commit suicide. He introduced the question of sanity."

The coroner was then asked, "What is your opinion of the sanity of Perry Russo?"

Oser then described a "hypothetical case" of a man fitting Russo's actions in 1963 and asked Dr. Chetta, "What is your opinion of his sanity?"

"I would say he was not insane. That he was sane."

"What would you say of his sanity as of today and yesterday?"

"THE BEHAVIOR of the hypothetical person is that of a rational, controlled, intelligent individual," said Dr. Chetta.

"What were your observations as to whether he was faking under sodium pentothal," Oser then asked.

Following an objection from the defense, the coroner replied, "I would say it was definitely not a fake on the part of Perry Russo. I tested him while he was under the

effects by having him touch his nose. He went beyond and couldn't find his nose, which showed . . . he was not coordinated at all. He had a slurring speech and his respiration was deep, slow and regular."

The doctor also testified that there was another sign that Russo was not faking.

He said that after the pentothol was discontinued and Russo had recovered, he told the coroner, "I forgot to tell you something . . ."

Dr. Chetta said that, actually, Russo had made the statement while under the influence of sodium pentothol and did not know it.

OSER THEN ASKED Dr. Chetta if the statements made by Russo under the effects of sodium pentothol and those made without it were "substantially the same."

The defense again objected, and the question was tried again several different ways.

Finally, Judges Bagert and Braniff decided to overrule the objection, although Judge O'Hara contended that the state questioning was a "very subtle disguise to get hearsay into the record."

Finally, Chetta answered in the affirmative and said that the test was a factor in his conclusion that Russo was sane.

"In the use of sodium pentothol, does it aid a person to recall in a clearer fashion than without?" Dr. Chetta was asked.

"The effect of sodium pentothol is that it removes any mental blocks the person may have," was the reply.

"IN THE USE of hypnosis . . . does this aid the person to recall more clearly?"

"There is a similarity between the two. The ultimate end is the same—to get them to recall."

Earlier, in the closing cross-examination by Dymond, Russo denied that he took any part in the assassination plot.

"You weren't part of it?" Dymond asked.

"No, sir."

"WAS IT UNDERSTOOD that these three men (Oswald, Shaw and Ferrie) would actually participate in the assassination?"

"I didn't get that impression, no."

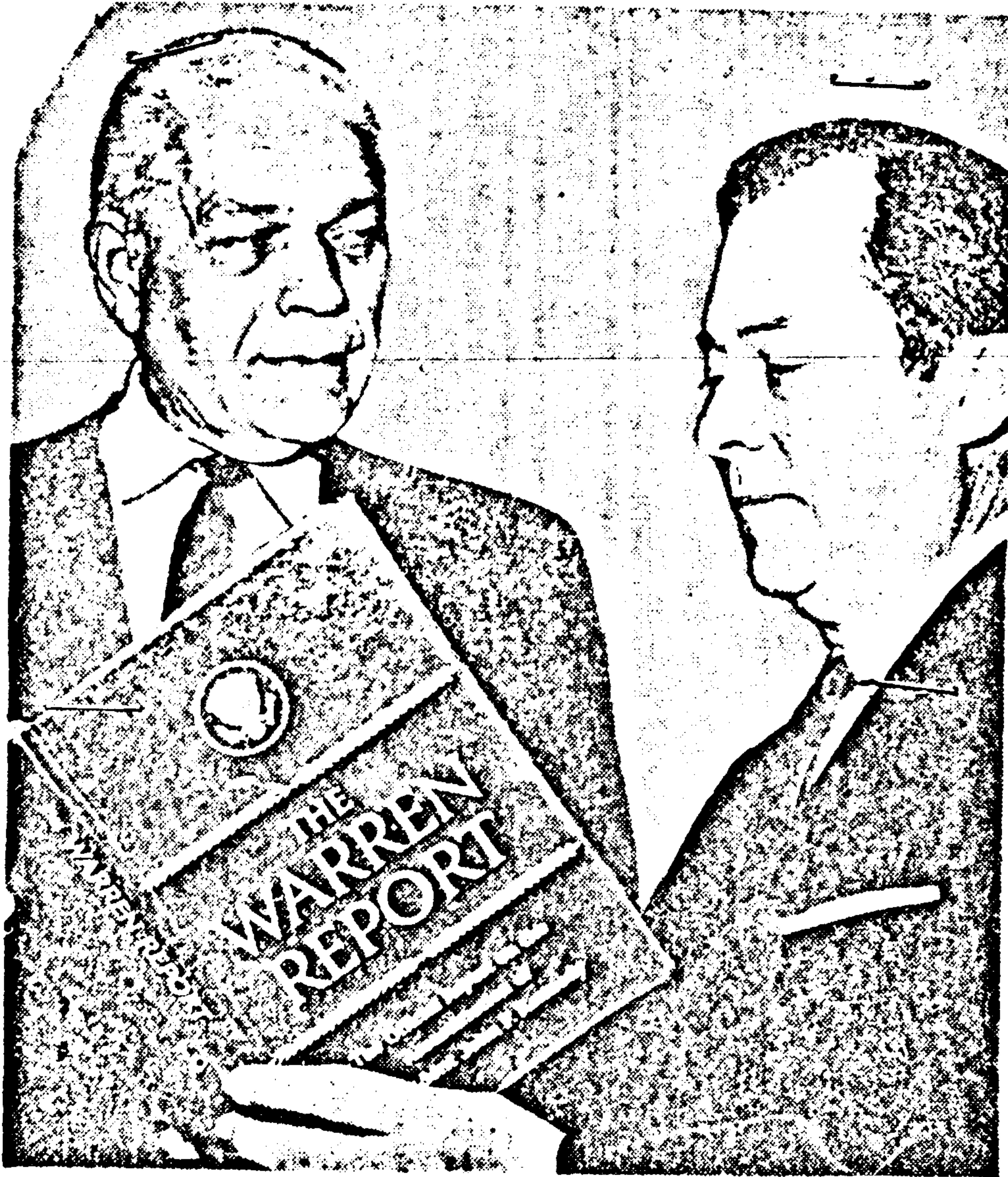
"Was Dallas mentioned?"

"No," said Russo.

"That's all," Dymond concluded.

SHAW WAS arrested March 1 and is free on \$10,000 bond.

He has denied knowing either Oswald or Ferrie and has said he was never involved in a conspiracy of any kind.



CLAY L. SHAW watches as his attorney, EDWARD WEGMANN, looks over a copy of The Warren Report prior to the fourth day of testimony in the preliminary hearing for Shaw, accused of conspiring to murder President John F. Kennedy. Judge Bernard Bagert has refused to allow the defense to enter the 26 volumes of the report as evidence in the hearing. —Associated Press photo.

(Mount Clipping in Space Below)

RECOLLECTION GREATER'

Chetta Quizzed About Hypnosis

Dr. Nicholas J. Chetta, Orleans Parish coroner, was called back to the witness stand this morning in the third day of the preliminary hearing for Clay L. Shaw, accused of participating in a plot to kill President John F. Kennedy in 1963.

Dr. Chetta was questioned by assistant district attorney Alvin V. Oser.

Q. Doctor, in speaking of the use of hypnosis as a diagnostic tool . . . can you state as an expert whether after a person undergoes hypnosis he can recall more?

A. YES, SIR, this is quite true. The time interval will vary also after the subject comes out of an hypnotic state he may have recall of very important names or places. It may happen after two weeks or a month . . .

Q. Why is that, doctor?

A. It probably has taken the person this length of time to remove the block or log jam he has because of inhibitions.

Q. Is it possible for a subject to be placed under hypnosis and not recall what hap-

pened under hypnosis?

A. That's quite true.

OSER THEN described a 'hypothetic' individual 25 years old with a high school education and college degree who was in attendance when an assassination plot to kill the President of the U.S. was discussed and then was placed in a hypnotic trance.

The description obviously fit Perry Russo, the prosecution's star witness.

Oser then asked if it were not possible for the person under hypnosis to count to

five before coming out of the trance and "yet not remember counting."

"That is quite true," said Dr. Chetta. "The number five is the trigger number."

Oser then asked Dr. Chetta

to relate the dates on which Russo was hypnotized.

A. THE FIRST date was the 25th.

Q. Oh what month, doctor?

A. February, Feb. 25. The next time was on Thursday. This was the time in Mr. Ward's office, and the last time was Sunday and this was in my office, the coroner's office.

Oser then asked Dr. Chetta if a subject were questioned about a specific month while under hypnosis, he would remember more about that month of the year after coming out of the trance than about another month of the year.

Dymond objected to this question, contending that the prosecution was "getting completely out of the realm of sanity."

"HE'S ONLY asking for an opinion here," said Judge Matthew S. Braniff.

Dymond disagreed. "He is trying to bolster the credibility of this witness . . ."

Dymond contended that there was no authority in law for this line of questioning and he cited a case, Lindsay vs. the United States.

JUDGE BAGERT contended the witness could not repeat what was said under the influence of sodium pentothal but "he can give a diagnostic report."

Oser contended that "the question is not about Perry Russo. I'm talking about the subject, not the witness."

Judge Malcolm O'Hara wondered aloud "If you're not getting out of the field of the expert witness."

Oser said Dr. Chetta had been qualified as an expert witness in the field of psychiatry. Judge O'Hara then asked Dr. Chetta if he had ever hypnotized anyone, and the coroner replied in the affirmative.

AT THIS POINT Judge Bagert overruled the objection of the defense.

Oser then asked again if a person who had been questioned on a specific month under hypnosis would be able to remember more about that month than another month after he was brought out of the trance.

"The answer is yes," Dr. Chetta said.

OSER THEN took the same hypothetical person under the same circumstances, who had been asked questions about September of 1963 while he was under hypnosis.

Q. Would or would not this hypothetical person recall more of what happened to him in September of 1963 than in another month of 1963.

At this point the defense again objected, but the objection was overruled.

Chetta then answered again in the affirmative.

Q. AS AN expert, Dr. Chetta, am I correct in this? Does not a person placed more than once under hypnosis not recall more than if he were merely under hypnosis once?

A. The answer is yes.

Dr. Chetta said that he would like to explain. "With increased hypnotic trances

(Indicate page, name of newspaper, city and state.)

Page 1

New Orleans States-Item

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ENCLOSURE

4821

dealing specifically with events, this person would certainly have a better recall of the events or the questions while under the hypnotic trance."

DEFENSE attorney William Wegmann then took up the questioning of Dr. Chetta on cross-examination.

Q. Dr. Chetta, what is the rule of sanity?

A. The rule on legal sanity, or the McNaughton Rule, is that the person knows right from wrong and can choose between the two, can know the consequences of his act and can assist in his defense.

Q. UNDER sodium pentothal, isn't it true that not only are the inhibitions as to expression of fact existing, but don't there appear fantasies as well?

A. Yes. It is up to the man doing the test to tell whether the person is lying or speaking in fantasy.

He said there has been some talk about sodium pentothal by the layman who gave it the name "truth serum."

Q. YOU ARE NOT a psychiatrist, are you Dr. Chetta?

A. No.

Q. Hasn't there been some question as to the reliability as to facts gotten under sodium pentothal?

A. IT IS NOT a fact. Sodium pentothal has been used quite often by psychiatrists. Some psychiatrists like the electric shock treatment and others use phenobarbital or barbiturates.

Doctors, like lawyers, have different choices—the one they think fits.

Q. According to my notes, you gave Russo the drug the same day that you questioned him. How long did you talk with him?

A. ABOUT AN HOUR.

Q. Is this the only time that you saw Russo?

A. Yes, sir.

Q. Doctor, you said before that results depend upon the dependability or knowledge of the person administering the drug.

A. IT IS TRUE. I spent only an hour with the patient before administering the drug, but I have had 17 years' experience dealing with this kind of work and I can acquire the fine points in a short time.

Q. You have not known Mr. Russo for 17 years, have you, doctor?

A. That's right. Only since Feb. 27. I saw him between Feb. 27 and March 12.

Q. I think you said the first hypnosis occurred on Sunday. How long a time was spent with him at that time?

A. WE MET in my office in the coroner's office at 10 a. m. It was after 3 p. m. when we left. I remember because I missed my lunch. I was to go to Jesuit and they had closed the doors when I arrived.

Q. Are you a qualified psychiatrist, doctor?

A. I've been qualified in this and other cases as a psychiatrist.

Q. Is Dr. Fatter the only one using psychiatry by this process of hypnosis?

A. THAT'S RIGHT.

Q. Isn't it up to the doctor to separate truth from fantasy?

A. Yes, when an attorney interviews a client, he can tell quickly the background and veracity of the client quicker than someone else because he has had a lot of experience in this field.

At this point Asst. Dist. Atty. Oser sought to ask Dr. Chetta if he thought that Russo at this time was dealing in fantasy or was he faking.

The defense objected and Judge Bagert said that Dr. Chetta in previous testimony had already answered this question.

(Yesterday Dr. Chetta testified that Russo had reacted very well under the hypnotic treatment.)

(Mount Clipping in Space Below)

RUSSO DOUBTS TRIO HAD INTENT OF ACTUAL ROLE

Witness Says He Took No Part in JFK Assassination Plot

Perry Raymond Russo, the state's star witness in its Kennedy assassination conspiracy, told the special three-judge preliminary hearing Thursday that he did not think Lee Harvey Oswald, Clay Shaw and David W. Ferrie intended to participate actively in a murder attempt.

Russo, beginning to show signs of the strain of 2½ days on the witness stand, denied under cross examination that he took any part in the assassination plot.

"You weren't part of it?" asked defense attorney F. Irvin Dymond.

"No, sir," came Russo's reply.

"Was it understood that these three men would actively participate in the assassination?"

"I didn't get that impression, no."

"Was Dallas mentioned?"

"No," answered Russo.

"That's all," Dymond said, bringing to an end his cross examination which started Wednesday morning.

Shaw sat erect and smoked almost continuously. He will observe his 54th birthday Friday, the day the preliminary hearing goes into its fourth day.

Following Russo to the witness stand was Dr. Nicholas P. Chetta, Orleans Parish coroner, the fourth witness the state called in the court session to determine if there is probable cause to hold Shaw for trial.

CONSIDERED SANE

Chetta told the court he considers Russo sane.

Defense attempted to challenge his stability, and asked Russo if he ever attempted to take his own life, or if he ever jumped from a school window. Getting the court to permit

Dr. Chetta to testify was an important point for the state. Dymond objected strenuously to Chetta's testimony and at one point Judge Matthew S. Braniff snapped at Dymond:

"You made the implication that this witness (Russo) was crazy. You inferred that he was testifying under hypnosis and also that he tried to kill himself. Where do you get off objecting now?"

Judge Bernard J. Bagert is the presiding member of the court. The third judge on the panel is Malcolm V. O'Hara.

Other defense attorneys are Edward F. Wegmann, William Wegmann and Salvatore Panzeca.

Arguing the case for the state Thursday were First Asst. District Attorney Charles Ward, and Assistant District Attorneys James Alcock and Alvin V. Oser.

The hearing will resume at 10 a. m. Friday.

Other key developments in testimony Thursday included:

—Russo's admission that he was questioned under hypnosis.

—That he did not remember the exact dates that he was hypnotized.

—He gave the first names of two other persons attending a party at Ferrie's home prior to the meeting to plot the assassination.

Russo claims that at a meet-

ing at Ferrie's apartment at 3330 Louisiana ave. pkwy., he heard Oswald, Shaw and Ferrie plot to assassinate President Kennedy.

Oswald was named by the Warren Commission as the lone assassin.

Ferrie, who denied ever having known Oswald, died last Feb. 22, a few days after his name was mentioned in published reports about District Attorney Jim Garrison's probe.

Shaw Denied Being Involved in Plot

Shaw was arrested March 1 and is free on a \$10,000 bond.

He denied knowing either Oswald or Ferrie and said he never was involved in a conspiracy of any kind.

Thursday, James Lewallen, who was subpoenaed late Wednesday by the state, was not called as a witness. Lewallen was identified as a former roommate of Ferrie's when the two lived in Kenner. Russo said that he first met Ferrie at his home in Kenner.

Defense, meanwhile, asked for subpoenas for Manuel Garcia Gonzales and Julio Buzerno, believed to be the two Spanish-speaking men Russo testified were at Ferrie's the night of, but prior to, the plot meeting.

(Indicate page, name of newspaper, city and state.)

Page 1

The Times-Picayune
New Orleans, La.

Date:

3-17-67

Edition:

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4821
ENCLOSURE

He referred to them only by the first names of Manuel and a name sounding like Fulian or Julian.

Judge Bagert said at the close of Thursday's session, "The hearing has all the earmarks of concluding tomorrow, hopefully early."

Dr. Chetta, on resumption of the questioning, told the court that sodium pentathol was administered to Russo in the "operating room suite" at Mercy Hospital. The doctor said a saline solution was injected first, then the sodium pentathol. Present for the administering, he said, were Russo, assistant district attorneys Oser and Andrew Sciambra and Drs. (Richard G. Zepernick and James A. Wall.

Oser showed Dr. Chetta a document that Oser said was a release form used by Mercy Hospital.

The questioning picks up here:

Q.: Prior to administering the sodium pentathol, did you explain the release form to Russo?

A.: Yes, I told him of it. Russo said he would consent. I told him to read it carefully.

Q.: How many occasions did you see Russo before giving him sodium pentathol?

A.: One.

Q.: How many after giving him the sodium pentathol?

A.: Approximately six times.

Dr. Chetta said he was present when Russo was put under hypnosis three times. He said the first time was in his coroner's office. The second time was in First Assistant

District Atty. Ward's office and the third time was again in the coroner's office.

Dr. Chetta said the administering of sodium pentathol to Russo was given under accepted medical procedures.

It was here that Oser asked Dr. Chetta if he felt Perry Russo were sane.

"I feel Perry Russo fulfilled all the legal requirements of sanity," replied Dr. Chetta. "This was decided from talking with him, observing him, listening to his conversations, his past history, his knowledge of current events; his answers were readily given and correct."

Taking a hypothetical person who fit Russo's description, Oser asked Dr. Chetta if he felt the person were sane in 1963 during the alleged plotting to kill President Kennedy.

"He was not insane in 1963," said Dr. Chetta. "He was sane."

Continuing on the hypothetical person, Oser asked Dr. Chetta if he felt this person Tuesday and Wednesday on the witness stand, referring to Russo, were sane.

"His behavior was that of a rational, controlled, well-disciplined person," answered Dr. Chetta.

'Definitely Not Fake by Russo'—Dr. Chetta

"Was he faking the sodium pentathol test?" asked Oser.

"It was definitely not a fake by Russo," replied Dr. Chetta. "It was a good resulting examination. The convincer to me was that after discontinuing the sodium pentathol and being placed on oxygen, Russo called out, 'I forgot to tell you something, Mr. Sciambra.'"

Thereupon, said Dr. Chetta, Russo recited an incident that he had related while under the influence of the drug.

Oser asked Dr. Chetta if Russo made statements to him before administering sodium pentathol and after administering that were substantially the same. This drew a vigorous objection from the defense, because it tended, Dymond said, to inject the results of sodium pentathol tests as evidence.

you based your opinion of Russo's sanity?" he asked.

Again Dymond objected. "Your honor," he told Judge Bagert, "the reliability of sodium pentathol in court has not been established."

Judge Bagert said it had in cases of determining sanity, citing the cases of the State vs. Esposito and the State vs. Modesto.

Finally, Dr. Chetta replied, "Yes, these conversations or statements played a factor in determining the sanity."

After Dr. Chetta said the use of hypnosis and sodium pentathol achieved the same objective—removing any mental blocks—the state asked for a recess until Friday at 10 a. m.

After a recess for lunch, Dymond told the bench that the defense learned of another tape-recorded interview that was made with Russo—by Charles E. Ray, news director of WTIK radio. Dymond motioned that Ray, who was present in the court, be subpoenaed to testify on the recorded interview. Judge Bagert put Ray under a verbal subpoena, and it was indicated that the defense will call him to testify later in the hearing.

After Russo was returned to the stand for further cross-examination, Dymond asked him if he was ever hypnotized other than instances he mentioned earlier. He said he was not.

Russo told of seeing Ferrie practice hypnotism, and added that he (Russo) attempted unsuccessfully to hypnotize someone. He told the court that he never took any courses or other training in hypnotism.

Returning to the subject of the alleged four-man meeting in Ferrie's apartment during September of 1963, Dymond asked Russo to explain his interpretation of "triangulation," and what Ferrie meant by the term.

Russo quoted Ferrie as once telling of a woman who ran up to a car bearing former President Dwight D. Eisenhower

and opening her purse before authorities could reach her. If someone can get this close and ~~not care~~ for his own life, then that person can easily kill the President, said Russo, still quoting Ferrie.

Ferrie then added, the witness continued, that if two people were in the act, the man in the rear could fire a shot to divert the public's attention and the front man "could fire the shot that would do the job."

Russo said Ferrie was in the habit of gesturing wildly to illustrate his conversation, and he thrust three fingers into the air when referring to triangulation. Working under this plan, either two of three in the assassination plot would have to be sacrificed. The third person would go free; or one of the trio would be the scapegoat, and the other two would go free.

He quoted Ferrie as saying that, under this plan, all three men would be firing at the President.

"What was to determine which one would be sacrificed," questioned Dymond.

Russo testified that this

point was not mentioned during the meeting.

It was at this time that Dymond asked Russo if he was under the impression that the three men in question—Oswald, Ferrie and Shaw—were actually to participate in the assassination.

"I didn't get that impression, no," replied Russo.

The conversation in the apartment, Russo said, then turned to how assassins would leave the country after the murder.

Russo said the man going by the name Clem Bertrand, whom he later identified as Shaw, argued with Ferrie about the thought of flying to Mexico. He said Bertrand maintained that persons involved would immediately be caught and held there.

Dymond then asked if it was understood that either Ferrie, Oswald or Bertrand was to be the person leaving the country. Russo replied "no."

Dymond then fired a series of questions, seemingly unrelated, at Russo, including, "Did you know that Ferrie was a part owner of the filling station?" (where Russo earlier claimed having seen Bertrand); "was Dallas ever mentioned?" and "did you ever know or meet Oswald's wife?"

Russo answered "no" to all three questions. He said, however, that he knew Oswald was married because Ferrie had mentioned it.

Returning to the apartment scene, Russo testified that Oswald was sitting in Ferrie's living room polishing a rifle at one time and he made no attempt to hide the rifle when Russo entered. Asked if he meant to identify the rifle presented as an exhibit earlier in the hearing as the one he saw Oswald polishing, Russo said he did not.

Dymond then asked Russo questions concerning a visit Russo made to Shaw's home at 1313 Dauphine last month, in the company of a number of district attorney's assistants and investigators. Russo said they parked outside the home at about noon and waited for some 90 minutes until Shaw appeared for about 30 seconds. Russo then identified Shaw to district attorney officials as the man he knew as Clem Bertrand.

Russo said they waited for another two hours hoping that Shaw would again come out so that a more positive identification could be made. When he did not, it was decided that Russo, accompanied by one of the district attorney's men, would knock on Shaw's door and pose as insurance salesman.

An amusing moment then came as Dymond complained that he could not hear Russo's testimony because the witness was chewing candy while speaking. Judge Bagert ordered the candy removed.

"Whose idea was it to go up and pose as an insurance salesman," asked Dymond.

Russo said he did not remember. He said he did not want

to use his own name should Shaw himself come to the door, so he removed a business card of a friend from his wallet and decided to use the name "Addon Williams," a representative of Mutual of Omaha.

"Who suggested Mutual of Omaha?" asked Dymond.

Russo said he did not recall. He said that, since his picture was in the newspaper the week before and since Bertrand may have seen it, he did not use his own name and company for fear of being recognized. Russo is a salesman with the Equitable Life Assurance Corporation.

Dymond then asked Russo if he did not think Bertrand would recognize him since both of them were present at the 1963 meeting and saw each other at the service station. Russo answered merely that he was afraid of being hurt if he used his own name, but that he was certain that Shaw recognized him. He said that before returning inside, Shaw asked, "What did you say your name was?"

"Did you have any trouble identifying the defendant," Dymond asked.

"Absolutely not," answered Russo.

Following a brief recess, the state called Dr. Chetta to the witness stand.

Oser asked Dr. Chetta a number of questions aimed at establishing his qualification in the fields of medicine and psychiatry. Dr. Chetta testified that he received his medical degree from Louisiana State University Medical School in 1941, has been Orleans Parish coroner since 1950, and that he is called upon to testify in court some six times each month in relation to cases relating to the field of psychiatry.

Oser then asked the coroner

for a definition of narcoanalysis. Dr. Chetta explained that

narcoanalysis is a drug-induced state of hypnosis in which the

subject is semi-conscious but is able to hear and answer questions.

"It helps him to remember things he has forgotten and reveal things he does not care to reveal," the coroner added. "It is sort of a twilight zone."

Dr. Chetta said two drugs commonly used in narcoanalysis are sodium pentathol, commonly known as truth serum, and sodium amytal.

"But it has certain limitations," Dr. Chetta added. He said a physician administering these drugs must have knowledge of the patient's physical background, or the danger can be great.

A person under these drugs can still lie, he explained; but if the physician administering them is experienced in their use, he can "pick up the fallacies the person has."

Dr. Chetta said he first met Russo Feb. 27 in his Bienville st. office. In the company of several district attorney's officials, they went to Mercy Hospital where Dr. Chetta ex-

amined Russo's blood pressure, heart, lungs and respiratory rate, prior to giving one of the truth drugs to him.

At this time, Dymond objected to the state's line of questioning. There followed a lengthy debate on the legal aspects of the questioning. Judge Bagert called a recess to allow time to refer to law books giving examples of similar situations and how they were decided.

Highlights of Morning Cross Examination

Highlights of the morning cross examination of Russo Thursday included:

—Russo's admission that he was hypnotized three times "between Feb. 24 and March 13" although he could not remember exact dates.

—That he saw "Leon" Oswald once when he was freshly shaven and clean appearing. Wednesday he said he was unable to identify pictures of Oswald because he always saw him when he needed a shave,

was dirty, and his hair was messed.

—That after the assassination Russo never asked Ferrie about the alleged assassination plotting meeting in Ferrie's apartment in mid-September 1963.

—That, though, most of his life has been as a resident of New Orleans he never remembers seeing Shaw's picture in the newspapers nor on television until after Shaw's arrest March 1.

—Russo denied that he contributed anything to the assassination plans and denied he wanted to see President Kennedy killed.

Dymond, once again, conducted the entire cross examination. He occasionally consulted with the two Wegmanns.

Garrison did not appear in the courtroom during the Thursday morning session, nor did he appear Wednesday afternoon. Cross examination of

Russo started Wednesday morning. Garrison, his face blistered and peeling from a sunburn, left during the recess for lunch Wednesday and did not return.

Harold J. Lidden, news director for WVUE-TV, was the first witness to testify Thursday morning. He appeared on a subpoena filed by the defense.

Lidden presented an audio tape of an interview given by Russo March 1, a day he was being interrogated by the District Attorney's office and the day Shaw was arrested.

Lidden said he did not know if the tape was edited. He added that control of the tape was his responsibility "only in a general way."

The tape was played, and Russo was asked if it was a faithful recording of the interview between him and a WVUE reporter taken in front of the Civil Court Bldg., on Tulane.

Russo said he could not attest to who was asking him questions from WVUE, and he added that the interview was not conducted in front of the courts building, but rather at the Broad st. entrance.

Dymond asked him if he gave any other interviews at that entrance, and Russo replied, "Not that I can remember."

Russo then said that he had a "conversation" with the television reporter, that it was not an interview, as such.

Dymond then asked Russo if he had ever jumped or threatened to jump out of a window while he was attending Colton Junior High.

The state objected, and Dymond argued that he was raising the question to check on the mental stability of the witness.

"The mental stability is certainly an issue here when you have the veracity of a witness at stake," Dymond told the court.

The objection overruled, Russo answered:

"Absolutely not."

"At any time did you attempt suicide or attempt to take your own life?"

"Absolutely not," answered Russo.

Questions Returned to Oswald Picture

Dymond then returned to Russo's inability to identify an untouched photo of Oswald. He asked if before, when Russo was shown a photograph of Oswald, "you could not identify it as the Leon Oswald you knew until the photograph was touched up to add whiskers and ruffled hair."

Russo replied, "Not exactly, no sir."

He then said that, when he looked at the untouched photo, it looked like Ferrie's roommate. This took place in Baton Rouge where he was first questioned by the district attorney's staff.

After he came to New Orleans, he said, he allowed the district attorney's staff member to make alterations to the photograph; and he then told them that this was Ferrie's roommate.

Dymond asked again if he had not been able to identify a photograph in Baton Rouge as the

Leon Oswald Russo knew as Ferrie's roommate and he answered affirmatively.

Russo said ~~that he saw~~ only about three or four different pictures of Oswald, and he saw these maybe 100 times.

He recalled pictures he saw as one of Oswald standing and holding a rifle and gun, a baby picture, and another of him distributing pamphlets in New Orleans.

"Are those the only pictures you saw?"

"That I can recall, yes, sir." And then he added, "The face was always familiar."

"SLIPPED . . . MIND"

Dymond asked why he did not contact federal authorities, and Russo, replied, "The FBI said that he was the man that did it, I was at school, and it slipped out of my mind."

"You admit there were some questions on your mind?"

"I made some remarks to my friends that 'I think I might know that man'" Russo answered.

Dymond asked if, when he told his friends this, he was referring to having known him as "Leon Oswald."

Russo said he did not mean as a name, "but as a face."

Dymond asked why, then, in a Baton Rouge television interview, he told a reporter that he never heard of Oswald until the assassination.

Russo said there were several reasons: He knew that the DA's office was trying to contact him; he did not want to just say yes to something in an interview; he did not know Lee Oswald, and finally, "maybe I was scared."

Russo continued that "all of a sudden people tried to knock my house down," referring to reporters trying to interview him.

Dymond asked him if he thought he could have gotten in touch with the FBI, the Secret Service or the Warren Commission. Russo said he did not

know about the Warren Commission, "but the other two I could have gotten hold of."

He Did Not Want to Fight Government

Dymond then asked why he did not contact them between November 1963 and March 1, 1967. Russo said he was concentrating on getting through school. He also said he did not want to fight the federal government.

"How do you consider you would be fighting the federal government?"

Russo replied that on TV, radio and in the newspapers the FBI said that only one man was involved. Then he said that "when it got a little closer home," he saw Garrison was saying Ferrie was involved, he thought "maybe I could help him."

"Where you aware that David Ferrie was arrested very shortly after the assassination?"

"No, sir."

Russo said then he saw Ferrie in New Orleans between October and November, 1963, and after the assassination.

Dymond asked if he talked to Ferrie about the assassination.

"No, sir."

Russo then repeated what he said earlier, that some seven or eight months after the assassination he was having car trouble. He drove into a service station on Veterans hwy. which Ferrie owned or operated. There, he saw Ferrie and Shaw together, he said.

Russo said he saw Ferrie about four or six times after the assassination, but the encounter at the service station was the only specific meeting he could remember.

He said the others probably occurred during the summer; and during those meetings, Ferrie "talked about the DA's office, but only general remarks. He didn't like what was going on. He was a broken man."

Dymond asked what he meant.

"He was no longer a spectacular man, a party man."

Russo said he would ask, "What's wrong, Dave?" and Ferrie would talk about the FBI, or Garrison's office or authority in general.

"Did he say he was being hounded by the DA?"

"No, sir, not as I recall."

Dymond asked if, in spite of Ferrie's resentment, Russo did not know he had been picked up, or if Russo was not naturally curious in view of his attending the plot meeting.

"No, sir," answered Russo, "Dave Ferrie talked about so many things."

A little later, Russo said Ferrie had a habit of "filling in

all the answers, so why question him, he would do all the talking."

"Was he inclined to brag?"

"At first I thought so, but I changed my mind because he would cite the chapter and verse to back up what he said."

Dymond continued to ask Russo if he ever questioned Ferrie about the success of his assassination plans; and each time Russo answered, "No, sir." Dymond asked why, and Russo replied: "After being around Dave, you knew never to ask questions. I didn't ask."

"Are you telling me it was impossible to ask?"

"No, sir."

"Your testimony is that you were present when Dave Ferrie entered into a plan to kill the President and you never saw fit to ask him about it?"

"Yes, sir."

Attorney Questions About Hypnosis Use

Next Dymond moved to questions about hypnosis.

Russo said he was hypnotized by Dr. Esmond Fatter, a private physician.

When Dymond asked if he was hypnotized March 1, Russo said he was not sure of the exact date. In answer to other questions, Russo said: He was hypnotized in the office of the

Orleans Parish coroner; that he was hypnotized three times "between Feb. 24 and March 13."

Asked to be specific, Russo said he was not willing to say a specific date.

At one point, Dymond asked if he was under hypnosis at the trial, and Russo said so.

Asked why he said "between Feb. 24 and March 13," since he did not come to New Orleans until Feb. 27, Russo answered that the period between Feb. 24 and March 13 "had been a trying ordeal for me, and Feb. 24 is where I considered I got involved."

"You're not willing to pinpoint closer?"

"I'm not willing to say a date because I might be wrong. I'm only willing to tell what I'm absolutely sure of."

Dymond asked Russo how the doctor hypnotized him.

Russo said he asked questions and he talked to him about general things.

'WHAT INSTRUCTIONS?'

"What instructions did he give you?"

"No specific instructions. He didn't order me. He talked. He questioned me."

Russo said that in the process of being hypnotized, the doctor said "nice, soothing, relaxing things."

He said he was told to be very relaxed and to come out of the

trance with a smile on his face.

Dymond also questioned Russo about his questioning by the DA's office.

He said he arrived at the DA's office Monday, Feb. 27, at 9 a.m. He said he was interviewed in several offices.

Russo said he was shown several photographs including those of Oswald and Ferrie.

"Do you remember any of the others?"

"The defendant's."

"Could you identify it?"

"Yes, sir."

"After you identified it, were you told who it was?"

"No, sir."

Dymond then moved to a series of questions attempting

to learn if Russo could have seen Shaw's picture in New Orleans newspapers, or on television, or as a speaker while he was at Loyola University.

TELLS OF ROUTINE

He was asked about his newspaper reading habits, and he said it "runs in cycles," indicating that while at school when he had tests he did not read newspapers regularly, but at other times he usually read the front page, the editorial page and then sports.

"That was my routine."

Asked if during this time he ever saw Shaw's picture, he replied, "Not to my recollection."

He repeated that the first time he saw him was when President Kennedy was here to dedicate the Nashville ave. wharf (May, 1962).

Russo said he may have seen

him one other time when Russo was at a Republican party headquarters for a small local election. The headquarters, he said, was on Camp st., although he indicated he was not sure, nor did he give any details.

He said that, when he saw Shaw at the wharf and because Shaw was not looking at the President but at exits and the crowd he, Russo, told someone nearby, "That's got to be a Secret Service man."

Russo also said that, when he was introduced to Clem Bertrand at Ferrie's apartment in mid-September 1963, when the plot was allegedly hatched, he said to Bertrand, "I know you. Weren't you at Nashville ave. wharf when the President was there." He said he did not recall what Bertrand answered.

"Did you think there would be a Secret Service man at Ferrie's home?"

"I'm not sure if I said that then."

"Wouldn't you have felt awfully uneasy in a group of four men plotting the assassination if you thought one of the four was a secret agent?"

"He seemed to dispel to me that relationship," Russo said.

"Don't you think men in the

Secret Service operate separate?"

"I'm sure they do."

Russo was later asked when he first, after he identified Clem Bertrand, learned he was Clay Shaw.

"I don't recall when I was told, maybe after he was arrested I heard it on television."

Russo Observed Shaw Via One-Way Mirror

He said he saw Shaw in the district attorney's office March 1, and in answer to questions, said he did not speak to him, but saw him through a one-way mirror.

Russo said he was placed in a room which had a one-way mirror. He was told to watch people entering the other room and, if he saw someone he recognized, he was to let officials know. He said he could not hear any conversation in the other room.

"Did they tell you who was in there?"

"No, sir. They said to tell them if I saw anyone familiar walk in."

The remainder of the morning session was devoted to asking Russo to mark on defense photographs of Ferrie's apartment approximate locations occupied by Shaw, Ferrie and Oswald during the alleged mid-September, 1963, meeting at which the assassination was plotted.

Russo was asked if he observed any Spanish-speaking individuals at the September party in Ferrie's place preceding the meeting.

He said there were two: one named Manuel and another named Fulian or Julian. He was asked which wore a beard, and he said he did not believe either did.

When Russo said Oswald was unshaven, Dymond asked if he ever saw him cleaned and shaved.

"Once."

"When?"

"When he was leaving for Houston during the first week of October."

"He was cleanly shaven?"

"Yes, sir."

"Just before he left either in late September or early October he was neatly dressed?"

"Yes, sir."

"Why, after having seen him cleanly shaven, couldn't you identify him in a picture?"

"I was only there eight to 10 minutes and I didn't take great notice of him."

After these questions Russo answered questions denying he wanted to see Kennedy killed, or that he indicated violent feelings for the President.

He said neither Bertrand nor Oswald wanted him at the meeting. Bertrand, Russo said, asked, "Who gave him the all right?" and Oswald asked:

"What in hell is he doing here?"

He said Ferrie told them: "Forget him, he's all right. He doesn't know anything."

Cardinal Believes Others Involved

BOSTON (AP)—Richard Cardinal Cushing said Thursday "I never believed" that the assassination of President John F. Kennedy "was the work of one man."

The Roman Catholic archbishop of Boston said he doesn't think the Warren Commission report on the assassination is complete. He said of the New Orleans probe, "I think they should follow it through."

Cardinal Cushing made his remarks to newsmen at a press conference on plans for the Boston archdiocese.

The cardinal implied that there are portions of the Warren report that have not been made

public. He noted that interviews and statements from world leaders about the late president for the Kennedy Memorial Library will not be made public until the death of such individuals.



LEE HARVEY OSWALD
"Touched Up" Photo Identified
by Russo As Leon Oswald



JAMES LEWALLEN (right), subpoenaed by the Orleans Parish Grand Jury, was seen at the Criminal Courts Bldg. Thursday morning in the Piazza. Lewallen was one of the men who shot W. Ferrie, mentioned in the report that he killed President Kennedy.



NUMBER ONE WITNESS Perry R. Russo is shown in an auto as he arrives at the Criminal Courts building Thursday morning to again be cross-examined on his testimony in the preliminary hearing involving Clay L. Shaw. Russo said Thursday he was put under hypnosis for questioning in the case.

(Mount Clipping in Space Below)

U.S. District Attorneys Divided About N.O. Probe

**But All Want Case to
Be Continued**

LOS ANGELES (AP) — New Orleans District Attorney Jim Garrison's investigation of President John F. Kennedy's assassination produced divided reaction Thursday from members of the National District Attorneys Association.

Several delegates to the group's Los Angeles convention said they were skeptical of the evidence presented by Garrison, and some were privately critical of the manner in which Garrison handled the case.

Others, including Richard E. Gerstein, state's attorney of Dade County, Fla., praised Garrison.

"He contacted me several months ago when he believed he had uncovered a conspiracy and asked my help," said Gerstein.

"I interviewed several persons in the Greater Miami area on his behalf including some American citizens and some persons of Cuban background.

"I know Jim Garrison and I have complete confidence in his integrity and ability. I do not

feel he would embark on such an investigation unless he had good cause," he added.

Joseph Murray, prosecuting attorney of Ashland County, Ohio, said Garrison was trying his case "too much on the outside."

He said, "I hesitate to say Garrison has been a publicity hound since I hope he had evidence before he made such charges."

Murray said Garrison's prime witness, Perry Russo, has changed his story several times. "I hope Garrison has more evidence than that," he said. Robert T. Rennie, assistant district attorney of Gavin County, Okla., said he has been "skeptical."

Robert Russell, district attorney of El Paso County, Colo., criticized the way the New Orleans newspapers leaked the story.

"I think Garrison has handled the situation very well. Once the story leaked in the newspapers it put him in a bad position," he said.

A Los Angeles Times reporter said the public prosecutors all agreed that they want to see Garrison's case continued.

(Indicate page, name of newspaper, city and state.)

Page 9

The Times-Picayune
New Orleans, La.

Date: 3-17-67

Edition:

Author:

Editor:

Title: ASSASSINATION OF
PRESIDENT JOHN F.
KENNEDY 11/22/63

Character:

or

Classification: 89-

Submitting Office: N.O.

Being Investigated

ENCLOSURE

67-1-482

(Mount Clipping in Space Below)

2 NEW WITNESSES FACE QUIZ BY SHAW LAWYERS

(Indicate page, name of paper, city and state.)

Page 1

New Orleans States-Item

Dr. Chetta Is Due Back On Stand

Two new witnesses with Latin names were subpoenaed to testify today as the preliminary hearing for Clay L. Shaw moved into its fourth day.

First due on the stand was Dr. Nicholas Chetta, Orleans Parish coroner, to answer more questions about Dist. Atty. Jim Garrison's star witness in the hearing, Perry R. Russo.

The hearing is to determine whether Garrison has sufficient evidence to bring Shaw, former director of the International Trade Mart, to trial on charges of conspiracy to assassinate President John F. Kennedy.

SHAW, 54, SHOWED signs of weariness as the hearing moved through its third day yesterday. His eyes were bloodshot, his suit ruffled.

"How would you like to swap places with me?" he asked a newsman, with a glum smile.

The two new witnesses were apparently a pair referred to by Russo as having attended a party at which he says a plot was hatched in September, 1963, to kill the President.

The new witnesses subpoenaed by Shaw's attorney were Manuel G. Gonzales and Julio Buzenero.

Russo, the witness who identified Shaw as the same "Clem Bertrand" who plotted with David Ferrie and Lee Harvey Oswald to kill the President, had mentioned the names Manuel and Julio during testimony yesterday.

IN HIS TESTIMONY yesterday, Dr. Chetta, an expert witness for the state, called Russo sane.

"I feel that Perry Russo fulfilled all of the requirements of legal sanity," the coroner testified.

Dr. Chetta said he based his conclusion "on talking to him, observing him, listening to his past history . . ."

The appearance of Dr. Chetta followed two days of cross-examination of Russo by Shaw's attorneys.

Among other things, the cross-examination brought ought the fact that Russo had been hypnotized on three different occasions under the supervision of the district attorney's office and that he had undergone psychiatric treatment.

SHAW'S ATTORNEYS fought yesterday to stop the testimony of Dr. Chetta, but were unsuccessful.

Defense attorney F. Irvin Dymond objected to the testimony of Dr. Chetta concerning the use of sodium pentothal, sometimes called a "truth serum."

Judge Matthew S. Braniff, one of three judges sitting in the hearing, told Dymond he

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4821

had "opened the door" to the line of questioning when he interrogated Russo earlier about being hypnotized during the course of questioning by the DA's office.

Judge Braniff told Dymond he should not object to the line of questioning by Asst. Dist. Atty. Alvin Oser.

He said Dymond has insinuated "that the witness was crazy or that he was hypnotized before he came on the witness stand."

Judge Bernard J. Bagert, the presiding member of the three judge panel that also includes Judge Malcolm V. O'Hara, asked Dymond, "Did you or did you not ask the witness if he tried to jump out a window?"

DYMOND HAD contended that the "truth serum test is not admissible as evidence."

Oser contended, however, that "at 10:25 a. m. Mr. Dymond asked the witness if he ever attempted to commit suicide. He introduced the question of sanity."

Dr. Chetta testified that he first met Russo in his private office on Feb. 27 at 3:30 p. m.

He said he went with Russo to Mercy Hospital and to No. 1 surgical suite.

HE TOLD OF preparations prior to the injection of sodium pentothal into the right arm of Russo and of the patient's agreement in writing to take the test.

Dr. Chetta was then asked how many times he saw Russo before giving him the so-

dium pentothal. The answer was one.

Q. How many after giving the sodium pentothal?

A. Approximately six times.

Q. How many times did you see him placed under hypnosis?

A. Three times.

HE SAID THE first time was in the coroner's office, the second time in the district attorney's suite and the third time in the coroner's office again.

The coroner was then asked, "What is your opinion of the sanity of Perry Russo?"

Oser then described a "hypothetical case" of a man fitting Russo's actions in 1963 and asked Dr. Chetta, "What is your opinion of his sanity?"

"I could say he was not insane. That he was sane."

"What would you say of his sanity as of today and yesterday?"

"THE BEHAVIOR of the hypothetical person is that of a rational, controlled . . . intelligent individual," said Dr. Chetta.

"What were your observations as to whether he was faking under sodium pentothal," Oser then asked.

Following an objection from the defense, the coroner replied, "I would say it was definitely not a fake on the part of Perry Russo. I tested him while he was under the effects by having him touch his nose. He went beyond and couldn't find his nose, which showed . . . he was not coordinated at all. He had a slurring speech and his respiration was deep, slow and regular."

The doctor also testified that there was another sign that Russo was not faking.

He said that after the pentothal was discontinued and Russo had recovered, he told the coroner, "I forgot to tell you something . . ."

Dr. Chetta said that, actually, Russo had made the statement while under the influence of sodium pentothal and did not know it.

OSER THEN ASKED Dr. Chetta if the statements made by Russo under the effects of sodium pentothal and those made without it

were "substantially the same."

The defense again objected, and the question was tried again several different ways.

Finally, Judges Bagert and Braniff decided to overrule the objection, although Judge O'Hara contended that the state questioning was a "very subtle disguise to get hearsay into the record."

Finally, Chetta answered in the affirmative and said that the test was a factor in his conclusion that Russo was sane.

"In the use of sodium pentothol, does it aid a person to recall in a clearer fashion than without?" Dr. Chetta was asked.

"The effect of sodium pentothol is that it removes any mental blocks the person may have," was the reply.

"IN THE USE of hypnosis . . . does this aid the person to recall more clearly?"

"There is a similarity between the two. The ultimate end is the same—to get them to recall."

Earlier, in the closing cross-examination by Dymond, Russo denied that he took any part in the assassination plot.

"You weren't part of it?" Dymond asked.

"No, sir."

"WAS IT UNDERSTOOD

that these three men (Oswald, Skew and Ferrie) would actually participate in the assassination?"

"I didn't get that impression, no."

"Was Dallas mentioned?"

"No," said Russo.

"That's all," Dymond concluded.

SHAW WAS arrested March 1 and is free on \$10,000 bond.

He has denied knowing either Oswald or Ferrie and has said he was never involved in a conspiracy of any kind.

James Lewallen, a former roommate of Ferrie's, has also been subpoenaed by the district attorney's office to appear at the hearing.



—Photo by The Times-Picayune.
DEAN A. ANDREWS JR.

ANDREWS FACES PERJURY COUNT

Indicted in Garrison Inquiry in Murder Plot

Dean A. Andrews Jr. suspended from his position as an assistant Jefferson Parish district attorney Thursday morning, was later indicted by the Orleans Parish Grand Jury for perjury.

He arrived at Parish Prison at 9:40 p. m. accompanied by a bondsman, and was booked under a perjury charge. At 9:45 p. m. he signed a \$1,000 bond, furnished through Summit Fidelity and Surety Company, and was then released to await trial.

Andrews, 44, who appeared under subpoena to testify Thursday morning before the Grand Jury for the second time in connection with an alleged plot to assassinate President John F. Kennedy, "did testify falsely under oath," according to the indictment.

The Grand Jury returned the indictment to Criminal District Court Judge Thomas M. Brahney Jr. at about 6 p. m. Judge Brahney set Andrews' bond at \$1,000.

Earlier Thursday, Andrews, who has also been questioned by District Attorney Jim Garrison's aides in relation

to the alleged assassination conspiracy here, was suspended as an assistant to District Attorney Frank H. Langridge in Jefferson.

Langridge said the suspension was not an indication that Andrews had done any wrong, but that he had brought notoriety to the DA's office in Jefferson.

Andrews has told Garrison's office that he had formerly handled minor legal matters for Lee Harvey Oswald, named by the Warren Commission as President Kennedy's slayer.

TEXT OF INDICTMENT

The text of the indictment returned by the jury said:

"The grand jurors of the state of Louisiana, duly impaneled and sworn in and for the body of the Parish of Orleans, in the name and by the authority of the said state, upon this oath present that one Dean A. Andrews Jr., late of the Parish of Orleans on the sixteenth day of March in the year of our Lord, one thousand, nine hundred sixty-seven, with force and arms in the Parish of Orleans aforesaid, and within the jurisdiction of the Criminal District Court for the Parish of Orleans appeared as a witness before the grand jury of the Parish of

Orleans and then and there did willfully and unlawfully commit perjury in that the said Dean A. Andrews Jr., did testify falsely under oath which testimony and statements the said Dean A. Andrews Jr., then and there well knew were false and untrue and all of which were related to matters material to the issue and question under investigation, to wit: a conspiracy to murder John F. Kennedy.

Before entering the Grand Jury room Thursday, Andrews told reporters that Gordon Novel, another man summoned before the jury, was a "good friend" and "client" of his.

NOVEL FACES QUESTIONS

Novel, 29, owner of the Jamaican Village Bar at 800 N. Rampart, said as he was entering the jury room that Garrison wanted to question him about

1961 events involving Cuban exile leader Sergio Arcacha Smith.

Novel and his attorneys, Eddie L. Sapir and Steve Plotkin, entered the building shortly after the Grand Jury returned from lunch but did not go before the body immediately.

When Andrews appeared at 9 a. m. he was alone. This was in contrast to his previous grand jury appearance when

he was accompanied by his attorney, Sam-Monk Zelden.

Asked why he was subpoenaed this time, he answered tersely, "I wish I knew." He appeared before the Grand Jury when it first took up the case a week ago.

Novel said, "I think Mr. Garrison wants to know something about activities during 1961 which are related to Mr. Sergio Arcacha Smith."

Arcacha lived in New Orleans during 1961 and was leader of an anti-Castro Cuban organization known as the Cuban Democratic Revolutionary Front. He reportedly was training men here to participate in an invasion of Cuba.

MOVED TO HOUSTON

Arcacha moved to Houston in 1962 and was living there at the time of the Dallas assassination. He moved to Dallas some time later and has been living there for three years.

Members of Garrison's staff sought to question Arcacha in Dallas but he would not agree to be questioned except in presence of Dallas authorities. Garrison's men refused to question Arcacha under those conditions.

Novel said of Clay L. Shaw, who has been accused by Garrison of conspiring to murder the President, that "I know him, but not as related to this thing."

He said he never knew Lee Harvey Oswald, and does not know Perry Raymond Russo, who testified he overheard David W. Ferrie, Oswald and Shaw plotting to kill Kennedy.

Novel said he knew Ferrie "indirectly."

REC-64

(Indicate page, name of newspaper, city and state.)

Page 1

The Times-Picayune
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4:21

A free-lance pilot, Ferrie died Feb. 22 while under investigation in connection with the Garrison probe.

MAKES EQUIPMENT

Novel said he also owns an electronics company and manufactures "anti-surveillance equipment."

Novel aroused the curiosity of Metairie residents in 1962 when he was making a flight test of an 18-foot helium-filled balloon. Neighbors saw a mysterious lighted object in the air over Metairie and began telephoning the newspaper to find out what it was. Novel was testing a balloon which employed a flickering fluorescent light system.

In September, 1963, Novel was mentioned in the news when he was a robbery victim. He was beaten unconscious and robbed as he prepared to enter his car in a Chartres st. parking lot. He was attacked by five men.

A third person appearing before the grand jury Thursday morning was a young man who identified himself as Tommy Clark. He said he was not under subpoena but was asked to appear by assistant DA John Volz.

Andrews' connection with the case stems from an occurrence a few days after Kennedy was killed in Dallas on Nov. 22, 1963.

Andrews told the Warren Commission investigating the case that he was contacted by a "Clay Bertrand" who asked him to defend Oswald.

Garrison contends that Bertrand is an alias used by Shaw, former managing director of the International Trade Mart, who faces conspiracy charges in the President's death. Shaw denies the charges.

Andrews says he does not know whether Bertrand and Shaw are one and the same. He has refused to take a lie detector test.

When the grand jury took up



—Photo by The Times-Picayune.
GORDON NOVEL

the investigation last week, the only other witness subpoenaed was Mrs. Josephine Hug, who worked for Shaw when he headed the International Trade Mart staff.

After Andrews entered the jury room, a secretary from Garrison's office walked up to the deputy sheriff guarding the door and asked if assistant DA Richard V. Burns was in the room. She added, "Give him these when the door opens, please. He wanted them as soon as possible."

She handed over a dozen or so copies of a mimeographed sheet of papers. The documents were headed, "Testimony of Dean Andrews Jr." Each copy appeared to be about 15 pages thick.

Andrews was questioned until 11:30 a.m. and was rushed by reporters as he left the building. Andrews was evasive in his answers to all questions, however.

(Mount Clipping in Space Below)



—States-Item Photo.
DEAN ANDREWS

Andrews Free On Bond After Indictment

Dean Andrews, the jive-talking lawyer who told the Warren Commission Lee Harvey Oswald visited his office several times in 1963, was free under \$1,000 bond today after being indicted for alleged perjury.

The Orleans Parish Grand Jury returned the indictment yesterday, charging that Andrews testified "falsely under oath" in the probe of an alleged conspiracy to murder President John F. Kennedy.

The indictment came as a three-judge criminal district court panel wound up the third day of a preliminary hearing which will decide if District Attorney Jim Garrison has enough evidence to hold Clay Shaw for trial on a conspiracy charge.

A FEW HOURS before his indictment, Andrews was suspended from his post as an assistant Jefferson Parish district attorney. Frank Lan-bridge, the district attorney, said Andrews had brought notoriety to the DA's office.

The indictment said Andrews committed perjury "willfully and unlawfully" by testifying under oath to statements he "well knew were false and untrue and all of which were related to matters . . . under investigation, to wit: a conspiracy to murder John F. Kennedy."

ANDREWS SAID HE wasn't surprised by the indictment. "I laid 8 to 5 on it and I will pick the money up," he told a newsman.

The rolypoly attorney — wearing dark glasses as he constantly does — appeared before the grand jury for the second time yesterday morning to testify in the assassination probe.

The grand jury returned the indictment to Criminal Judge Thomas M. Brahney Jr. about 6 p.m. Andrews, accompanied by a bondsman, arrived at

Parish Prison at 9:40 p.m. and was booked on the perjury charge. Bond was furnished by Summit Fidelity and Surety Co.

ASKED IF HE had made any false statements, Andrews replied: "Absolutely not. I testified as I could to the best of my knowledge. Apparently there is a conflict of opinion as to what I testified about."

He said he had "no knowledge" of an alleged plot hatched in New Orleans to assassinate the President.

"Why were you brought into the investigation?" an interviewer asked.

"THAT'S A GOOD question," he said. "Apparently they seem to feel that I have a key that can unlock certain locks. I don't even know where the locks are."

Besides telling the Warren Commission that Oswald came to his New Orleans law office several times, Andrews testified that right after the assassination he received a telephone call "and a voice I recognized as Clay Bertrand

(Indicate page, name of newspaper, city and state.)

Page 1

New Orleans
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ENCLOSURE

62 10 1060-4821

asked me if I would go . . .
wherever it ~~was~~ that this boy
(Oswald) was being held and
defend him."

Garrison has charged that
Clay Bertrand is an alias used
by Shaw and that Shaw, Os-
wald and David W. Ferrie, who
died last month, conspired to
kill the President.

Andrews told the Warren
Commission he didn't believe
Oswald shot Kennedy.

"I KNOW good and well
he did not," he testified.
"With that weapon, he could
not have been capable of
making three controlled shots
in that short time. . . . This
boy could have connived the
deal, but I think he is a patsy.
Somebody else pulled the trig-
ger."

Andrews served as an ord-
nanceman in the Navy. He re-
ceived his law degree from
Loyola University and is mar-
ried and the father of several
children.

He had been an assistant
DA in Jefferson about three
years.

BEFORE ENTERING the
Grand Jury room yesterday,
Andrews told reporters that
Gordon Novel, another wit-
ness summoned to testify, was
a "good friend" and "client"
of his.

Novel, 29-year-old owner of
the Jamaican Village Bar at
800 N. Rampart, said Garri-
son wanted to question him
about Cuban exile leader Ser-
gio Arcacha Smith.

"I think Mr. Garrison wants
to know something about ac-
tivities during 1961 which are
related to Mr. Sergio Arcacha
Smith," he said.

ARCACHA LIVED in New
Orleans during 1961 and was
leader of an anti-Castro Cu-
ban organization known as the
Cuban Democratic Revolu-
tionary Front. He reportedly
was training men here for an
invasion of Cuba.

Arcacha moved to Houston
in 1962 and was living there
when the President was killed.
He has been in Dallas the
past three years.

Garrison's investigators
tried to question the Cuban,
but Arcacha refused to coop-
erate unless Dallas authorities
sat in. Garrison's men would
not stand for this.

Novel said he knows Shaw,
"but not as related to this
thing (the current probe)."
He added that he only knew
Ferrie "indirectly" and did
not know Oswald at all.

(Mount Clipping in Space Below)

Hermann Deutsch

'Comediens Francais' Opens Here Tonight

ROME MAY BE consuming itself in fierce flames that leave only a horrible scar among the seven hills from which the once Eternal City had made herself mistress of all the known world . . . or the administration of Loh Grawnd Shawrl may be teetering on the razor's edge of ultimate disintegration . . . Mother Africa may spawn yet another school of emergent nations to struggle in futility with the unlooked-for woes of an independence with the complexities of which no prior training has equipped a ruling class to cope . . . A Corsican corporal, the Golden Horde of a Genghis Khan, or an emotionally crack-brained paperhanger may emerge from his frustrations to lunge for dominance over "Europe today, tomorrow the World!"



HERMANN DEUTSCH

monolithic purpose of the Soviet international power apparatus—

AND CURIOUSLY ENOUGH, the uncontrolled and uncontrollable force of public opinion, ruffled by what at the moment appears to be deciding the course of centuries of empire may cloak from sight almost as though it never had strained for permanence, all signs of a titanic turbulence.

What says history?

No three men were individually and jointly more influential over the course of their world than Franklin Roosevelt, Winston Churchill and Iosip Djugashvili who called himself Stalin.

Roosevelt was the first and only president of this Union to break the unwritten precedent set by George Washington who refused to serve more than two consecutive terms as our nation's chief executive, lest this lead once again to the dynastic imperialism of one family's unearned royalty.

Churchill was recalled to serve as the actual head of the British Empire on which "no sun had ever set," when

(Indicate page, name of newspaper, city and state.)

Page 47

New Orleans States-Item

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defeat by the Axis seemed inevitable. He led his people back to the light of victorious freedom with the simple assertion that he had not once more become the chief of state to "preside over the liquidation of the British empire."

Stalin's rule was absolute. He could abolish his political foes at home physically as well as metaphysically, and continued to rule the Soviet Union from the inner recesses of the Kremlin, and from the more sinister darkness of a diseased mind. Yet he was toppled from the exalted role he had assigned to himself for perpetuity when his corpse was unceremoniously banished from its place in Lenin's tomb to the obscurity of a grave outside the Kremlin walls.

Each of these three mighty ones dropped out of sight and out of mind abruptly and totally; while the imperturbable world wagged on its way, perhaps to another and more dreadful Armageddon.

★ ★ ★

EVEN THE SCIENTISTS who, basically, ignored national boundaries as momentary and perishable artifacts, disappear when their time runs out, with no heir apparent based upon masculine primogeniture to carry on the task. But it is carried on, for all that. Sir Issac Newton, Aristotle, Galileo, Da Vinci, Harvey, Metchnikoff, Pasteur, Roentgen, the Wright brothers, the Duponts with their slogan, passed on from each generation to the next, of "better living through chemistry," Einstein, Milliken—the roll of these illustrious leaders could be interminable.

Yet an even greater future looms for others of their ilk as the heretofore impregnable barriers of time and space are breached, wall after wall, by mankind's newest and most daring breed, the astronauts.

Even today the "epic" challenge of Garrison against the accepted dicta of a Chief Justice and the FBI can not cloak from popular interest the fact that Les Comediens Francais of New Orleans open tonight a three-day run of one of Moliere's lesser known farce comedies, "Les Fourberies de Scapin," to be presented on the Players' Stage of Le Petit Theatre du Vieux Carre, with Louis Le Mire in the title role and Leo Zinser as director.

★ ★ ★

AND SINCE ALL THE foregoing was written in the early morning of Thursday—St. Patrick's eve—with the Garrison investigation and the Powell affair still in a state of flux, it illustrates specifically what I meant when in yesterday's column I spoke of saying nothing at great length and with pontifical profundity.

(Mount Clipping in Space Below)

Acquaintances Tell Of Garrison Witness

By BILL BANKSTON

A Baton Rouge man who approached the State-Times before talking with Orleans Dist. Atty. Jim Garrison has emerged as a star witness in the district attorney's probe of the Kennedy assassination.

Perry Raymond Russo, 25, of 311 E. State St., appeared in court yesterday and named Lee Harvey Oswald, Clay Shaw and David W. Ferrie as plotters in the death of President John F. Kennedy.

The young insurance salesman is described as a baseball buff with a burning interest in politics.

He also has a keen interest in hypnotism and music.

Steve E. Derby, a sophomore at LSU who knows Russo well, said the witness, "can do anything he puts his mind to."

Derby further described Russo as "quite a salesman" and said, "He likes to get up in front of people and speak."

"We usually go under identities of stepbrothers, but actually we are third cousins," Derby said.

It is easier to tell people they are stepbrothers than to go into an explanation of their relationship as third cousins, Derby said.

Brother at LSU

Russo's true brother, Edwin Russo, an engineering instructor at LSU, described the witness as "extremely popular."

Russo, 28, said his younger brother always had plenty of friends and was elected vice president of his class at McDonogh High School in New Orleans one year "with something like a 400 to 70 vote."

The elder brother lives here with his wife and three children, including a 14-month-old twins.

They do not see each other very often, according to the brother.

"We get along but we're not close," the brother said.

The older brother also said that Derby was not related to the family.

"A real fine guy, a hard worker, an intellectual," is the

way Russo's supervisor at the Equitable Life Assurance Co. described the witness.

Mrs. Elinore Durand, who lives next to Russo in a white frame duplex near the LSU campus, said he was a "nice young kid. He told us he's helping his younger brother through high school."

Athletic Scholarship

Derby lives in Broussard Hall at LSU and has a partial athletic scholarship. He has been pegged as the possible starting second baseman with the Tiger baseball team this season. The criminology major told reporters that Russo is helping him through school. He listed his home address as Russo's.

Derby said he was present last week at the district attorney's office in New Orleans during questioning.

He said he saw a physician "hypnotize" Russo — explaining he meant Russo received sodium pentothal, called truth serum.

Questioning under the drug lasted about an hour and a half, he said.

Russo has stated he is interested in hypnotism and that Ferrie could hypnotize people.

Asked how the investigation had affected Russo, Derby said: "After it began to develop, it seemed to upset him a bit. He's the type of guy who doesn't like to hurt anybody."

"He's the sole man that's condemning this man (Shaw)," Derby said.

Derby said Russo had been provided with a bodyguard the last two days.

Baseball Is First Love

"He is a real smart and has a lot of interests — baseball, music and politics. Politics is his second love," Derby said. Baseball is his first love, according to the student.

Russo did not have much confidence in himself in sports, according to Derby. He usually coached rather than played.

Russo organized and coached several teams with the New Orleans Baseball Academy and the Metropolitan League in New Orleans.

In 1964 Russo coached the Goldwater team in the Metropolitan League. It was sponsored by the Young Republican Club of which Russo was a member.

Derby said he played short-stop on the team and that it came in second in the league.

The student said he got to know Russo about five years ago when his family moved to New Orleans. Derby's father was in the army and worked at the New Orleans airport before retiring.

Derby said he had seen Ferrie a few times but that he never really talked to him. "He sort of scared you a little bit," Derby said.

Grew Up in Gentilly

Russo grew up in the Gentilly section of New Orleans. He attended Our Lady Star of the Sea elementary school and then McDonogh.

He entered Tulane University and transferred to Loyola University of the South, receiving a degree in political science in 1964.

Russo then attended Loyola Law School. Before going to work for Equitable, he was employed by General Electric in one of its finance divisions.

His father is Francis Russo, a machinist. His mother died in 1962, and a sister, Frances, died of polio when she was 12.

Russo's brother said he thought the witness is now attending two courses at LSU, paid for by the insurance company.

The brother said Derby and Russo "probably go together

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Page 1

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7-10/11/67 - 4821

because of their mutual interest in baseball."

Russo was reared as a Catholic but couldn't be called a practicing member of the church now, his brother said.

The brother said he learned of Russo's involvement in the Garrison probe through the newspapers.

The instructor said he believes his brother's story. "It sounds like Perry. I believe he's telling the truth."

Moved in Last Fall

Russo moved into his present residence last fall. Mrs. Durand said, "Lots of young folks come in there and have a party once in a while."

A young boy who lives on the other side of Russo said Russo and Derby seemed like "nice guys." He said Russo had bought a motorcycle for Derby. It was parked in front of the residence yesterday.

Russo told the State-Times he became acquainted with Ferrie through a friend who was a member of the Civil Air Patrol.

Ferrie, a pilot, was active in the CAP.

The friend's family asked him, Russo said, to try to "break Ferrie's hold" on their son.

Russo said he succeeded and that Ferrie threatened him, but on a later date appeared friendly again. Russo said he had known Ferrie about 18 months when in the fall of 1963, the pilot said, "We will get him (Kennedy), and it won't be long."

He told reporters that he thought nothing about the statement until he saw Ferrie's picture in connection with the Garrison probe.

Russo wrote a letter to Garrison on Feb. 23 stating he might have some information about the case. Ferrie was found dead in his apartment Feb. 22.

Russo again talked to a State-Times reporter March 3 at the East Baton Rouge Parish Courthouse.

He was inquiring at the sheriff's office about obtaining a permit to carry a gun.

Russo had little to say, but indicated he had become more deeply involved in the case. He said he had been in Garrison's office most of the previous week looking at photographs.

(Mount Clipping in Space Below)

BR Star Witness Returns to Stand

Lawyers for Shaw Quiz P. R. Russo

By F. E. SHEPHERD
Staff Representative

NEW ORLEANS — Attorneys for Clay Shaw, accused of conspiracy in the death of President Kennedy, today set out to attack the credibility of star witness Perry R. Russo, Baton Rouge. However, they did not come to grips with the main issue.

Yesterday, Russo spelled out for the court a New Orleans-hatched plot to murder President John F. Kennedy in 1963. Today, Russo was placed under cross examination, but Shaw's attorneys, up to the noon recess, chose to question the Baton Rouge insurance salesman about his childhood, school days and his employment with the Equitable Life Assurance Society in Baton Rouge.

Yesterday, Russo testified he was present when Shaw, former director of the International Trade Mart here, Lee Harvey Oswald, and David Ferrie met in September of 1963 to murder President Kennedy.

Irvin Dymond, chief counsel for Shaw, spent almost two hours this morning digging into Russo's background. He was restrained on several occasions by the court from pursuing lines of questioning which Dist. Atty. Jim Garrison said were not relevant to the three-judge district court hearing on whether Shaw should be held for a full scale trial for criminal conspiracy in the death of President Kennedy on Nov. 22, 1963.

On one occasion, Dymond sought to elicit from Russo that he had run into difficulties with McDonogh High School officials because of alleged statements he made that he did not believe in God. However, Russo denied any recollection of making such statements, and Dymond abandoned that line of questioning.

Dymond received this morning from officials of Tulane and Loyola Universities files on Russo's attendance at the two schools, and the Baton Rougean's personnel file at the Equitable Life Assurance Society in Baton Rouge. The records were not introduced in evidence today, but may be placed in the court registry for future reference.

Urged by Judges

Shortly before a noon recess, Dymond, at the urging of two of the three judges, began leading up to cross examination of Russo on his relationship with David Ferrie, Shaw and Oswald.

Russo testified today that he was introduced to Ferrie by Al Landry, a New Orleans resident. He was describing how he was taken to Ferrie's home in Kenner by Landry in 1962 for his first meeting with the late

pilot, when the court decided to call a noon recess.

Dymond asked Russo if he had ever been under psychiatric treatment. "Late in 1959 or 1960," Russo replied.

Q. How long?

A. Two years, the last time I saw the doctor was in 1960 or early 1961.

Q. Under what circumstances did you visit the psychiatrist?

A. When my mother died. Instances like that. Not on a regular basis.

Q. When you were under stress?

A. No. When I needed to talk to someone. This doctor knew my background.

Dymond then asked if Russo had seen a psychiatrist in 1967.

"I've talked to many doctors at LSU," Russo said. He is studying insurance underwriting at the Baton Rouge school.

Q. You did not talk professionally with a psychiatrist?

A. No sir.

Meanwhile, tighter security precautions were taken today after police booked and arrested a man they identified as James R. Liscombe, 30, on a charge of making threatening telephone calls.

Police said Liscombe, who listed a French Quarter address as his home and was identified as a musician in a Bourbon Street nightclub, telephoned Orleans Parish prison officials and said he "intended to make national headlines in New Orleans."

Sheriff Louis Heyd said there were other phone calls and he has taken extra security precautions because of "anticipated trouble."

Liscombe, police said, was seen yesterday in the crowd on the court house steps, pushing newsmen around and jostling bystanders.

(City and state.)

Page 1

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Today, deputies shifted to a physical search of newsmen and others entering the courtroom. Yesterday, they had relied upon a heavy metal detection device.

Heyd said another reason for tighter security precautions is that a loaded 22-caliber revolver was found yesterday near Shaw's car in the parking lot.

Heyd told reporters all principals in the case will be brought into the courtroom through the sheriff's office in the basement of the Criminal Courts building on Tulane Avenue.

About 30 deputies are stationed around the courtroom to keep an eye on spectators and the scores of newsmen.

Russo, the mystery witness Dist. Atty. Jim Garrison promised when he arrested Shaw (now free on \$10,000 bond), said yesterday the assassination plot was perfected by Shaw, Lee Harvey Oswald and David Ferrie, who died of natural causes under mysterious circumstances a week after the district attorney had linked him to the murder conspiracy.

State-Times Interview

Russo, who did not mention Oswald in a State-Times interview on Feb. 24 of this year, yesterday said he knew him as "Leon" Oswald and Shaw as "Clem Bertrand."

Russo said he met the pair while visiting in Ferrie's New Orleans apartment in September, 1963. He explained he and Ferrie were good friends and visited each other often between 1960 and 1964, when he moved to Baton Rouge.

Russo volunteered information on the alleged assassination plot to the State-Times on Feb. 24, just a few hours after he had mailed a letter to Dist. Atty. Garrison. Russo was not called to give the district attorney information about Ferrie and other persons involved in an assassination plot until two days after his voluntary interview appeared in the State-Times.

About three score newsmen, many from foreign countries, heard Garrison lead his key witness through a series of objections from Dymond and Edward Weigmann, attorneys for Shaw. But, Garrison did not

ask the key question—whether Russo had knowledge that the trio actually put into operation their presidential murder plans.

Garrison apparently is basing his whole case on Russo's testimony. However, it is a strong point of speculation here that Garrison had contended he had the case wrapped up long

before talking to Russo for the first time the last week in February.

Yesterday, Garrison announced at 3 p.m. he had concluded the presentation of prosecution testimony and turned Russo over to the attorneys for Shaw for cross examination. Garrison did not call for testimony from prosecution witnesses Dr. Nicholas Chetta, Orleans Parish coroner, and Dr. Esmond Fatter, a private physician.

However, it is believed he may ask them to be witnesses during rebuttal testimony.

Denied Knowing Oswald

Russo denied late in February that he knew Lee Harvey Oswald, the Dallas resident who has been named by the Warren Commission as the lone killer of the President in Dallas on Nov. 22, 1963.

However, he testified yesterday he knew Oswald as "Leon" Oswald and Shaw as "Clem Bertrand."

In a dramatic moment of the hearing yesterday, Russo pointed out Shaw as the man he knew as Bertrand, then walked behind Shaw's chair in the courtroom and put his hand above Shaw's head to again positively identify him as one of the three co-conspirators.

The hearing, which may end today, was requested by Garrison to determine whether a three-judge district court, composed of Judges Bernard Ragert, Malcolm O'Hara and Matthew Braniff, should hold Shaw for trial on conspiracy charges.

Russo yesterday said assassination plot was hatched late one night after guests at a party in Ferrie's apartment had dispersed.

He said Ferrie initiated the conversation about the Kennedy assassination plot. "He just kept pacing up and down," Russo said.

He said Ferrie stressed a need for diversionary tactics in an assassination attempt, showing how Ferrie held up three fingers of one hand to emphasize that there would have to be a minimum of three people involved.

The Baton Rouge insurance salesman said Ferrie outlined how two of the three persons would fire diversionary shot and the third would get "the good shot" at the President.

Would Need 'Scapgoat'

He said Ferrie said several times that one of the three would have to be the "scapgoat." Asked for clarification on this point by Garrison, the 25-year-old Baton Rouge man said Ferrie meant that one of the three would have to be "sacrificed."

Oswald was arrested shortly after the assassination of the President and charged not only with killing President Kennedy, but with the murder of Dallas City Policeman J. D. Tippett.

Russo said the plot hatched in Ferrie's apartment was to sacrifice one of the three conspirators so that the other two could escape during the confusion. He says the plan decided upon was for Ferrie to fly the escapees to Mexico, refuel, and then fly on to Brazil.

He said the trio discarded a plan to fly directly to Cuba from Dallas because they feared the Cubans would shoot down the plane without asking questions.

Russo explained that the trio spoke freely in front of him in making their assassination plans, because Ferrie vouched for him as a friend who did not know anything about their ultimate aims. Garrison did not ask Russo if he heard additional planning by the trio prior to the day of the assassination.

Yesterday afternoon, Garrison introduced in evidence a bolt action rifle with a large telescopic sight. He asked Russo whether the rifle was similar to one he saw Oswald oiling in Ferrie's apartment on one occasion.

Russo replied he had only a brief glimpse of the weapon, but it looked similar. However, he said the sight of the rifle produced yesterday was much larger than the one Oswald was handling.

Garrison at this point dropped the questioning about the rifle and Shaw's attorneys did not ask any questions.

Russo's name does not appear in the National Archives in Washington among the hundreds of persons questioned by the Warren Commission which concluded that Oswald was the lone assassin of Kennedy. The FBI declined comment on whether it had ever questioned Russo.

(Mount Clipping in Space Below)

Russo's Testimony Puzzles Interviewers

Perry Raymond Russo's naming yesterday of three plotters in the assassination of President Kennedy has puzzled a number of Baton Rouge newsmen with whom the witness talked before being questioned by Orleans Dist. Atty. Jim Garrison.

He told a television interviewer he had never heard of Lee Harvey Oswald until he was linked with the assassination.

"I never heard of Oswald until on television (after) the assassination," Russo said. He said David W. Ferrie never mentioned Oswald's name.

When Russo approached the State-Times on Feb. 24, the insurance salesman's remarks dealt almost entirely with Ferrie.

Russo said Ferrie told him about a month before the assassination: "We will get him (Kennedy), and it won't be long."

Russo said he had thought nothing about the statement or other discussions of the case with which a president could be assassinated until he saw Ferrie's picture in the paper about Feb. 22.

Ferrie, described as a key figure in Garrison's probe, was found dead on that date in his New Orleans apartment.

Russo's identification of "Leon Oswald" yesterday seemingly contradicts his remarks in interviews here.

Russo told the State-Times he wrote a letter to Garrison on the night of Feb. 23, stating he might have information valuable in the probe.

At the time, Russo talked to reporters in Baton Rouge he had not received a reply from Garrison's office.

While Russo was being interviewed here, Garrison announced that he had solved the Kennedy assassination case.

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Page 14-A

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(Mount Clipping in Space Below)

Defense Grills Russo To Destroy Credibility Ferrie Roommate Subpoena Sought

By GERALD MOSES
Advocate Staff Writer

NEW ORLEANS—Attorneys for Clay Shaw, accused of plotting the murder of President Kennedy, Wednesday grilled a top witness presented by Dist. Atty. Jim Garrison, trying without too much success to destroy his credibility.

Whether they succeeded—or to what degree they succeeded—is a matter of conjecture, but late Wednesday Garrison's staff asked the three-judge panel to subpoena a former roommate of David W. Ferrie to testify in the preliminary hearing on the charge lodged against Shaw.

Most of the testimony in the first two days of the hearing was about events and people at Ferrie's apartment at 3313 Louisiana Parkway Ave. in New Orleans during the summer and particularly "the middle of September" of 1963.

James Lewallen, reportedly a former roommate of Ferrie's, may be called to back up testimony presented Tuesday and Wednesday by Perry Raymond Russo, 25-year-old Baton Rouge insurance salesman.

Extensive Cross Examination
Wednesday, Russo was subjected to an exhaustive grilling by F. Irving Dymond, one of Shaw's attorneys. Dymond told the three judges it is "vital" to

establish the credibility of Russo's testimony.

When the preliminary hearing resumes at 10 a.m. Thursday, Dymond will have still another crack at Russo. Presiding Criminal Dist. Judge Bernard J. Bagert said at the close of the hearing Wednesday that he expects the hearing to end with Thursday's session.

Dymond, after establishing contradictions between Russo's testimony Tuesday and earlier news interviews, hammered away at some points late Wednesday:

—Why didn't Russo come forward immediately after the assassination of President Kennedy in late November, 1963, with history about the meeting of "Leon" Oswald, "Clem Bertrand" and Ferrie?

—Why can't Russo remember more than two or three other people who allegedly attended a party at Ferrie's apartment the night the trio allegedly plotted Kennedy's death?

—Why did Russo state in the news interviews Feb. 24 that he had never heard Ferrie mention Oswald?

— Why didn't Russo connect the Lee Harvey Oswald, accused assassin of President Kennedy, with the "Leon" Oswald he met in Ferrie's apartment scarcely two months before the murder of President Kennedy?

— Why didn't Russo go to the Warren Commission, or some responsible authority, with his tale of the alleged plotting to kill President Kennedy immediately after the assassination?

Undergoes Treatment

Dymond also established through cross-examination of Russo that the witness had undergone psychiatric treatment in 1960 and 1961, that Russo had a rather unique conception of God, and that Ferrie once told Russo, "I'm going to get you" for interfering with a relationship with a mutual friend.

Replying to questions by Dymond, Russo denied that he was nearly expelled from high school for statements "that you didn't believe in God," and that he had ever been "accused of giving false testimony while a student at Tulane University."

Russo told Dymond he became convinced that Lee Harvey Oswald and "Leon" Oswald were the same person after a member of Garrison's staff pencilled a beard and shaggy hair over a picture of the President's accused assassin.

Russo said he was puzzled about whether the two Oswalds were the same man, but insisted that the Oswald he met in Ferrie's apartment was always "dirty, unkempt, and needing a shave."

"I wasn't sure," Russo said, "and then I got involved in other things. . . I'd look at the picture, and I'd say yes, and then I'd say no."

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Page 1

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Being Investigated

4821

After the Warren Commission report was issued, Russo said he read that the report concluded "that Oswald was the only man involved, that they had the gun, and that was all right by me . . . I figured they knew what they were doing."

"Why is it," Dymond asked, "that you are quoted in this interview (by Jim Kemp of WDSU-TV) that Ferrie talked 'in a joking way' about shooting the President?" Dymond reminded the young insurance salesman that his testimony about the conspiracy between Shaw, Ferrie and Oswald on Tuesday was quite a different story.

Russo insisted it never occurred to him that the "Dave" Ferrie he knew was involved until he saw Ferrie's picture and newspaper articles that Garrison was questioning Ferrie in connection with the alleged plot to kill President Kennedy.

"You claim you were at a meeting where the assassination was planned, and that you thought you ~~didn't~~ have anything to tell the Warren Commission?" Dymond asked.

Said No Dallas Mention
"That was because it happened in Dallas, and they hadn't said anything about Dallas," Russo replied.

The plotting took place, he said, in Ferrie's New Orleans apartment in September 1963. President Kennedy was killed in Dallas Nov. 22, 1963, and Oswald was named as the assassin.

Russo's testimony did not state when or where the alleged assassination attempt would take place. The Warren Commission noted that a Dallas newspaper announced on Sept. 13, 1963, that Kennedy planned to visit four Texas cities, including Dallas, on November 21-22.

Russo is the main state witness called thus far in the preliminary hearing before a three-judge criminal district court panel.

Shaw, 54, a wealthy retired executive, was arrested March 1 and booked by Garrison on murder conspiracy charges. No formal charge has been filed,

pending the preliminary hearing. Shaw was freed on a \$10,000 bond.

The cross-examination brought several sharp exchanges between Dymond and the judges.

"Am I restricted in my examination of this witness as to credibility?" Dymond once exclaimed.

At another point, Dymond said: "We're entitled to know all about this man. We didn't even know he was going to be a witness until he was called into court. We have a right to find out about him."

Dymond entered legal exceptions when overruled by the court, laying the groundwork for a possible appeal at a later date.

"Didn't you think it was your duty as an American to go to the Warren Commission with

this information?" Dymond insisted.

Russo again insisted he became "involved" in other things, like completing his studies at Loyola University, and explained later on this point that "it looked like every screwball in the country was going to the Warren Commission, and I didn't want to be associated with that type of person."

Answer Is No
Dymond asked if a man named Leyton Martens was Ferrie's roommate at that time.

No, sir," Russo replied.
Q. Were you aware that Ferrie had an apartment-mate, or roommate at his apartment?

A. I saw a man who was introduced as a roommate.

Q. What was the name of the roommate?

A. The roommate at the Louisiana Avenue Parkway apartment was Leon Oswald.

Russo said he saw Oswald at the apartment three or four times, the last time "in the middle of October or late September.

"Are you aware," Dymond asked, "it is a documented fact that Oswald left New Orleans Sept. 25, 1963, and in fact never returned?"

Asst. Dist. Atty. Charles Ward shouted, "that has never been proved in this court, your honor."

Dymond stood up with a book in his hand.

"If the court please," he began, "at this time I . . ."

"You're not going to introduce the Warren Commission report, are you," asked Judge Bagert, leaning over the bench to peer at Dymond.

"You're not serious, are you?" the judge asked.

"That's right, I am," Dymond replied.

"You are wrong," Bagert said. "Motion denied."

Dymond pressed the point, contending that Louisiana law requires the introduction of proceedings of federal courts and commissions as "prima facie" evidence in state courts.

Overrules Finally
"You're overruled," said Judge Bagert, with finality, and his fierce gaze swept from the one volume of the report in Dymond's hand to the two cardboard boxes of succeeding volumes of testimony and supporting documents of the Warren Commission's report on its investigation of President Kennedy's assassination.

Earlier, Judge Bagert and Judges Malcolm O'Hara and Matthew Braniff displayed an impatience with Dymond's exhaustive questioning of Russo's employment records, and Bagert sustained an objection by Garrison's staff that it was irrelevant.

Dymond protested, and Bagert cut him short, saying, "You're overruled. Now take your bill."

Dymond, unruffled, calmly dictated a formal exception, then proceeded with another line of questions.

The courtroom was again jammed with newsmen and spectators. Security precautions were tightened. All men entering were searched from shoe top to shoulder by sheriff's deputies. Women were only required to open their pocket-books.

Shaw sat erect during the proceedings. He wore the same dark brown suit he had on Tuesday when the hearing opened.

Dymond asked Russo if he was a student at Tulane at the time he met Ferrie.

A. I don't remember. It was either the first or second year, about 1960.

Q. How did you meet him?

A. Through Al Landry. Russo explained that Landry had left home. Russo said he talked to Landry's parents and told them that if there was "anyone who can alienate Dave and Al, I felt I could."

Ferrie was found dead in his apartment Feb. 22. He had been under investigation by Garrison's office and told newsmen that the district attorney "supposedly had me pegged as the get-away pilot."

Ferrie's death was due to natural causes, said coroner Nicholas Chetta. Garrison maintains it was suicide.

Russo testified that he drove to Ferrie's home in Kenner, a New Orleans suburb, in a car with some friends.

Q. When you arrived at Ferrie's house, who was there?

A. David Ferrie and a bunch of boys.

Q. How many?

A. Oh . . . about 10 or 12.

Recalls To Names

Under continued questioning, however, Russo could recall the names of only two persons — "Lefty" Peterson and Adele Laporte Marquard — who was with him when he first met Ferrie, at Ferrie's apartment, then located in Kenner.

At one time, he added that "possibly one of my cousins" also was in the group.

Russo also could recall the names of only two persons who went with him to Ferrie's apartment on Louisiana Parkway Avenue on the night he allegedly overheard Ferrie, Oswald and Shaw, or "Bertrand" plotting to kill Kennedy.

These persons were Peterson and Sandra Moffett. He said they left him there, without a ride home.

(Russo said he later met Peterson in the district attorney's office.)

Russo said the plot took place in mid-September but he

couldn't remember the exact date.

In his testimony Tuesday, Russo had described what Ferrie, Shaw and Oswald were wearing. Dymond asked Wednesday:

"You were able to remember how they dressed. Can you explain why you can describe the dress people at the party and can not even tell us who went there with you or at what time?"

A. Because of the very nature of Dave Ferrie.

Q. Please explain.

A. Dave Ferrie, to say the least, was a very interesting personality, prone to the spectacular. When I met his friends they were not normally dressed.

Q. Do you consider a white shirt and a maroon sports jacket spectacular?

(When Russo was questioned by Garrison on Tuesday, he said Shaw — whom he said he knew as Clem Bertrand — wore a white shirt and a maroon jacket.)

A. Dave Ferrie's apartment was in shambles, ashtrays cluttered with cigarettes. The scene was of chaos. This man (Shaw) dressed differently. He just didn't belong there by dress.

Russo was quizzed at the start of Wednesday's session at length about his belief in God before Judge Bagert cut off the questioning.

As Russo took the stand Wednesday, Dymond asked him:

"Do you believe in God?"

"It would depend on definition," Russo replied.

"How do you define God?"

Dymond asked.

"I define God as the entity of the universe," Russo said.

Dymond asked him what was the significance of his oath to tell the truth, "so help me God," and Russo replied:

"It would be to tell the truth . . ."

Russo also testified in the opening phases of the cross-examination that his mother and father did not get along well and that he underwent psychiatric treatment in 1959 and 1960 and had discussed problems with psychiatrists at times since then.

Bagert and Judge Matthew Braniff frequently broke in before the witness to tell Dymond to "get on with it."

Dymond replied he was trying to shake the credibility of the witness but Braniff said, "you have not contradicted him on any major point of his testimony."

Russo testified that he had consulted a psychiatrist for about two years, starting in 1959, when he was 18 years old.

"Whenever you were under great stress . . . you went to a psychiatrist, is that correct," Dymond asked.

"No sir. I wouldn't evaluate it that way."

"How would you evaluate it then?"

"Well, whenever I felt I wanted to talk about my past life," Russo explained. He added that he returned to the psychiatrist again in 1963, following his mother's death.

New Subpoena

The new subpoena issued for Dist. Atty. Garrison is for a former roommate of Ferrie's, who underwent questioning by Garrison's staff following Ferrie's death. Like Ferrie, James Lewallen is a former pilot, and is now employed by the Boeing Co. at the Michoud plant in New Orleans.

Russo's brother, Edwin Russo, may have explained two other subpoenas announced by Garrison at the beginning of the hearing Tuesday.

The older brother, on the faculty of LSU, said Russo mentioned being subjected to "truth serum," or sodium pentathol, and to hypnosis while undergoing questioning by Garrison's staff.

The two other subpoenas are for Dr. Nicholas Chetta, Orleans Parish Coroner, who would have administered any truth serum to Russo, and Dr. Esmond Fatter, a member of Chetta's staff.

Discover Pistol

Police tightened security at the New Orleans Criminal Court Building Wednesday, following the discovery of a loaded pistol, hidden across the street from the courthouse, and the arrest of a man for disturbing the peace.

The pistol was discovered hidden on a truck parked at a service station, where Shaw and his attorneys parked their car.

The man arrested was identified as James R. Liscombe, 20. Officers said he was seen pushing newsmen and talking about making "national headlines."

There was no apparent connection between the two incidents, police said.

Security was tightened in the courtroom. Instead of merely walking past a portable metal detector, newsmen attending the hearing were searched by deputies at the entrance to the courtroom.



FORMER DALLAS POLICE AT HEARING—Jesso Curry, former police chief of Dallas, is shown as he left the Criminal Courts Building in New Orleans Wednesday. Curry was a spectator at the preliminary hearing for Clay Shaw. Curry was chief of police at the time of the Kennedy assassination.

—AP Wirephoto

(Mount Clipping in Space Below)

Defense Weakens Russo Testimony In N.O. Hearing

Admits Once Saw Oswald Beardless

By F. E. SHEPHERD
Staff Representative

NEW ORLEANS — Dist. Atty. Jim Garrison's star witness in a Kennedy assassination conspiracy plot hearing here today slipped for the first time in testimony which linked Lee Harvey Oswald, New Orleans civic leader Clay Shaw and the late David Ferrie in a conspiracy to murder President John Kennedy.

Baton Rouge insurance salesman Perry Raymond Russo has maintained for two days, as the prosecution witness, that he did not know Oswald was the same person he overheard discussing the assassination of the president in Ferrie's New Orleans apartment in September, 1963, because he had never seen Oswald without a three or four-day growth of beard.

However, today under cross-examination by defense attorney Irvin Dymond, Russo said he did see Oswald clean-shaven, neatly-dressed and with his hair combed as the accused killer of President Kennedy prepared to leave New Orleans for Houston early in October, 1963.

However, Russo recovered

somewhat and explained he meant that the pictures he saw of Oswald immediately after the assassination of Kennedy showed him to be beaten about the face, thereby distorting his features. He said apparently this could have added to his inability to recognize him as the man he knew in New Orleans as Leon Oswald.

Dymond point blank asked Russo "What part did you play in the assassination plot?" Russo replied he had no part in it, and that he did not take part in any attempt on the president's life and did not discuss the matter with Ferrie when he saw him several times some eight months following Nov. 22, 1963, the date of the assassination of the president.

Admits Being Hypnotized
Russo admitted today he had been hypnotized three times between Feb. 27 and March 13 by Dr. Esmond Fatter, a private physician in New Orleans. He said that on each occasion he was in the office of Orleans Parish Coroner Nicholas Chetla, preparatory to undergoing additional questioning by Dist. Atty. Garrison and members of his staff.

Dymond attempted at length to make Russo admit that he was testifying under post-hypnotic suggestion and intimated on several occasions that perhaps the salesman for Equitable Life Assurance Co. was under hypnosis as he was being questioned this morning.

Russo said he could not pinpoint a date when he was hypnotized and did not know how Dr. Fatter placed him under hypnosis, except that he was a willing subject and came out of hypnosis at the count of five.

Russo, who has been very composed in the past two days while testifying that he sat in on a discussion of plans to assassinate President Kennedy by Ferrie, Oswald and a man he knew as Clem Bertrand, today appeared tired and drawn and highly nervous.

However, the 25-year-old Baton Rougean, in the estimation of the more than 150 members of the domestic and foreign press covering the hearing on whether to hold Shaw on formal conspiracy charges, is still holding his own in his battle of words with Shaw's attorneys.

The discrepancy in his testimony about seeing Oswald clean-shaven prior to the assassination was the first miscue by Russo in two days of testimony in the hearing, which may end late tonight if a three-judge district court decides that another whole day will not be required to complete testimony.

Dymond asked the young insurance salesman if he had been aware that Ferrie was arrested shortly after the Kennedy assassination.

A. No sir.
Q. Did David Ferrie ever mention the assassination of President Kennedy?

A. No sir. After the assassination there was a blank spot. I didn't see Ferrie for a while. For about seven or eight months I didn't see Dave Ferrie.

Q. How many times did you see Ferrie between the assassination of President Kennedy and the death of Ferrie?

A. Four, five, six times or so. He seemed to me a broken man after that. I don't know why. But he seemed like a broken man. He talked about the district attorney's office a few times. He

(Indicate page, name of newspaper, city and state.)

Page 1

State Times
Baton Rouge, La.

Date: 3-16-67
Edition:
Author:
Editor:
Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY 11/22/63
Character:
or
Classification: 89-
Submitting Office: N.O.
 Being Investigated

4821

was starting to build up antagonism to the police. He was no longer a party-guest, a spectacular man.

Asked About Quizzing Ferrie

Dymond asked Russo why he didn't question Ferrie about the alleged assassination plot.

A. It was typical of Dave as a walking encyclopedia. You did not ask questions. He knew it all.

Dymond quizzed Russo on why he gave earlier statements to newsmen that differed from his testimony.

A. I knew Garrison was doing something about it. I didn't want to make statements to someone not legal.

Q. What about your statement to newsmen that you didn't know Oswald?

A. That remark was blown out of proportion.

Q. But you didn't fit to divulge that fact that there was a possibility that the Oswald you knew was Lee Harvey Oswald?

A. They said he acted alone. I was just a voice in the wilderness.

Shaw, 54, a wealthy retired executive, chain-smoked and watched impassively as his lawyers tried Wednesday to destroy Russo's credibility.

Why did Russo wait three years to tell authorities about an alleged conspiracy to kill President John F. Kennedy? The defense attorney, F. Irvin Dymond, asked.

Why didn't Russo recognize Lee Harvey Oswald, the one-time New Orleans resident named as the assassin, from television and newspaper photographs shown at the time? Dymond asked.

Russo, of Baton Rouge, had told the three-judge criminal district court panel he was present in mid-September 1963 when Shaw, Oswald and David W. Ferrie plotted to kill the President.

Kennedy was shot about two months later in Dallas.

Shaw, booked but not formally charged with conspiracy to murder, has said he never knew Oswald or Ferrie. Free under \$10,000 bond, he is the only man of the three named by Russo still living.

Ferrie, 49, a free-lance pilot with a record of morals offenses, died last Feb. 22 while under investigation by Dist. Atty. Jim Garrison. The death was officially listed as due to natural causes.

Cites Whiskers

Oswald was killed in Dallas after the assassination.

Russo stolid under Dymond's questioning, said Oswald had seemed vaguely familiar when he saw photographs of him in 1963, but it wasn't until "they put whiskers on him" that he knew Oswald was the same man he had seen in Ferrie's apartment.

"Who put whiskers on him?" said Dymond.

"One of the artists," replied Russo. He pointed out a man seated with a cluster of assistant district attorney's at the prosecution table. Garrison was not present.

Asst. Dist. Atty. James L. Alcock arose and handed over a picture of a rather shaggy Oswald. "Perhaps this will help the court." At this point, the hearing adjourned, ending its second day.

Russo, a darkly intense man, agreed under cross-examination that he must have seen photographs of Oswald many times since the assassination.

"What finally succeeded in making you sure that Lee Harvey Oswald and Ferrie's roommate were one and the same?" demanded Dymond.

Russo said the pictures he had seen were of a neat Oswald, whereas the "Leon Oswald" he had seen at Ferrie's cluttered apartment "was half shaven, his hair mussed. He was a beatnik."

After contacting Garrison by letter last month, he added, an agent arrived and began showing him various photographs of Oswald.

Russo said he stopped the process, after being shown a picture of Oswald disheveled, and told the agent: "That's not Oswald. That's Ferrie's roommate."

It was after this that Russo came under full interrogation by Garrison's staff including

(the use of sodium pentothal — the so-called "truth serum," a controversial term among some psychologists who say it often does not really guarantee true statements.

As to why he didn't come forward with his report of a conspiracy in 1963, Russo said he was involved in school work at the time — a reply that left Dymond apparently aghast.

Besides, said Russo, Oswald was shot to death by Jack Ruby in a Dallas police station, two days after the assassination — and the Warren commission said no one else was involved in the assassination.

"I didn't know Ferrie was being investigated until I saw a story on the Garrison investigation in the newspaper," said Russo.

This statement made some observers wonder whether Russo really was Garrison's legal ace in the hole.

After the first reports of the investigation were disclosed, Garrison said he was certain of arrests and convictions in his probe — which started last October.

During cross-examination, Russo said he last saw Oswald at Ferrie's apartment in early October 1963.

Quizzed on Oswald Departure
"Are you aware that Oswald left New Orleans on the 25th of September to go to Mexico and never returned here?" said Dy-

mond.

Asst. Dist. Atty. Charles R. Ward promptly objected. Oswald's departure had never been proven in this court, he said.

Dymond signaled and assistants began producing cardboard boxes.

"You are not going to introduce the Warren commission report are you?" asked Judge Bernard Bagert.

"Yes," said Dymond.

"You're not serious are you?" the judge said, raising his voice.

Dymond said he was.

"You're wrong! You're overruled!"

The Warren commission report documents in great detail Oswald's departure from New Orleans and subsequent relocation in Dallas, where his wife and child were living.

In Dallas, Oswald's widow said Wednesday she never heard of Ferrie or Shaw while she lived in New Orleans.

Security was intensified at the courtroom, on the second floor of the gray stone Criminal Courts Building. Men who entered were frisked thoroughly. Women police examined female spectators and newswomen.



EXPECTS HEARING TO END — Criminal Judge Bernard Bagert is shown as he left the Criminal Courts Building in New Orleans yesterday. Judge Bagert told newsmen that he expected the preliminary hear-

ing for Clay Shaw's to end today. Shaw has been accused by Dist. Attorney Jim Garrison to be involved in a plot to murder President Kennedy.

—AP wirephoto

GARRISON CHIDED BY RAMSEY CLARK

29

New Orleans Inquiry Called Disturbing and Saddening

Special to The New York Times

WASHINGTON, March 12—

Attorney General Ramsey Clark said today that he was disturbed that District Attorney Jim Garrison of New Orleans had persisted in his investigation of the Kennedy assassination without turning over new evidence to the Federal Government.

"I find it curious and I find it disturbing and I find it saddening," Mr. Clark said.

The new Attorney General, who was sworn into office Friday, was interviewed on the Columbia Broadcasting System television program "Face the Nation."

He reiterated his earlier skepticism about the value of the Garrison investigation, in which the Louisiana lawyer is pursuing a theory of conspiracy in the assassination.

Mr. Clark said he knew of no new evidence turned up by Mr. Garrison and, he added, "I will be very much surprised if any exists."

Asked if he had asked Mr. Garrison for his evidence, he said he had not been in "direct communication" with the District Attorney "in view of the attitude that he has taken."

Mr. Garrison has told reporters that he was not inclined to share his information with the Federal Government.

Found No Conspiracy

Asked about speculative reports that Premier Fidel Castro of Cuba had sent a team to kill President Kennedy, Mr. Clark said:

"There have been studies of these matters. We have nothing that indicates any evidence of a conspiracy, and we stand on that on the basis of our investigation."

He described the Warren Commission's investigation of the assassination as "the most comprehensive and definitive investigation of a series of facts ever undertaken."

The commission concluded that Lee Harvey Oswald acted alone in the murder of John F. Kennedy.

"I am disturbed and saddened that so much publicity, so much agitation, so much doubt is created," Mr. Clark said. "I think that is unfortunate for this country because this is a matter that affects us all, so that the assassination of President Kennedy has left a deep mark on the lives of all of us and is something we should be highly sensitive about, and we should seek the truth in the most circumspect and cautious methods."

Asked About Powell

Mr. Clark was asked if he had thought what his position would be if the Supreme Court should rule that Adam Clayton Powell should be seated by the House of Representatives and the executive branch should be called on to enforce the decision in the Harlem Democrat's case.

"I don't think there is going to be such a serious conflict between the judiciary and the legislative branches," Mr. Clark said. "I think we will support the law as it developed at the time."

He renewed his opposition to wiretapping and electronic eavesdropping except in national security cases. He said the Justice Department had tightened its control over the use of such devices by the Federal Bureau of Investigation and that a new procedure included a regular inventory.

At the moment, he disclosed, the Bureau is using 38 wiretaps and no electronic surveillance. All the wiretaps are in national security cases, he said.

Charles L. Weltner, the former Georgia Representative who is now deputy chairman of the Democratic National Committee, said on another television program, the National Broadcasting Company's "Meet the Press," that he thought President Johnson had more support from young people than was generally thought.

Mr. Weltner said that on the Vietnam issue Mr. Johnson "enjoys a far wider, though not quite so vocal a range of support on the campuses, far wider than most people seem to indicate."

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- Casper _____
- Callahan _____
- Conrad _____
- Felt _____
- Gale _____
- Rosen _____
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- Tele. Room _____
- Holmes _____
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- The Washington Post _____
- Times Herald _____
- The Washington Daily News _____
- The Evening Star (Washington) _____
- The Sunday Star (Washington) _____
- Daily News (New York) _____
- Sunday News (New York) _____
- New York Post _____
- The New York Times 29
- World Journal Tribune _____
- (New York) _____
- The Sun (Baltimore) _____
- The Worker _____
- The New Leader _____
- The Wall Street Journal _____
- The National Observer _____
- People's World _____

Date MAR 13 1967

ENCLOSURE 62-104100-29

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DOUBTS EVIDENCE EXISTS

Clark Disturbed by Assassination Probe

Atty. Gen. Ramsey Clark says he is "disturbed and saddened" by the way New Orleans Dist. Atty. Jim Garrison is investigating the Kennedy assassination.

Mr. Clark said yesterday he would be "very much surprised" if Mr. Garrison has any evidence of a conspiracy in the death of President Kennedy.

"I am disturbed and saddened that so much publicity, so much agitation, so much doubt is created," he said on TV (Face the Nation - CBS).

A New Orleans businessman, Clay Shaw, has been booked but not formally charged as part of what Mr. Garrison alleges was a "conspiracy to murder John F. Kennedy."

NOT ASKED

Mr. Clark said Federal authorities have not asked Mr. Garrison for the evidence he may have in the case "in view of the attitude he has taken.

"But as of this time, and without real doubt, I would stand by (FBI Director J. Edgar) Hoover's remarks in November of 1966, that not one shred of evidence links any other conspirator to (Lee Harvey) Oswald in the assassination," Mr. Clark said.

"We certainly have no knowledge of new evidence and I will be very much surprised if any exists," he said.

Mr. Clark said he found it "curious" that Mr. Garrison has refused to turn over new evidence to the Justice Department.

"The assassination of President Kennedy has left a deep mark on the lives of all of us and is something we should be highly sensitive about and we should seek the truth in the most circumspect and cautious methods," he said.

HEARING

In New Orleans - attorneys for Mr. Shaw, 54, planned final legal maneuvers in a hearing

today on the eve of their showdown with Mr. Garrison.

Purpose of today's hearing before a three-judge criminal district court panel was to permit Mr. Shaw's attorneys to present additional motions.

Tomorrow the same three judges will hear from both Mr. Shaw and Mr. Garrison at a preliminary hearing to decide if Mr. Garrison has enough evidence to bring Mr. Shaw to trial.

Mr. Garrison's office said, in an affidavit issued to obtain a search warrant for Mr. Shaw's home, that Mr. Shaw, Oswald and the late David W. Ferrie met at Mr. Ferrie's New Orleans apartment to conspire to murder Mr. Kennedy. (UPI)

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 The Washington Daily News 7
 The Evening Star (Washington) _____
 The Sunday Star (Washington) _____
 Daily News (New York) _____
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 New York Post _____
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 (New York) _____
 The Sun (Baltimore) _____
 The Worker _____
 The New Leader _____
 The Wall Street Journal _____
 The National Observer _____
 People's World _____

Date MAR 13 1967

62-109060 - 4

ENCLOSURE

UNITED STATES GOVERNMENT

Memorandum

Tolson	_____
DeLoach	_____
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Casper	_____
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Holmes	_____
Gandy	_____

TO : Mr. Wick *Wick*

DATE: 3-13-67

FROM : M. A. Jones *M. A. Jones*

S/ SUBJECT: INTERVIEW OF ATTORNEY GENERAL
 RAMSEY CLARK
 ON "FACE THE NATION," CBS, WTOP-TV
 SUNDAY, 12:30 P.M., MARCH 12, 1967

Captioned program was moderated by CBS newscaster Martin Agronsky, who was also assisted in the interview by CBS correspondent George Herman and "Washington Post" correspondent James Clayton.

The principal topics of discussion during this interview of the Attorney General were: 1) The Warren Commission Report on the assassination of former President John F. Kennedy; 2) wiretapping; 3) The Supreme Court "Miranda" decision; 4) Congressman Adam Clayton Powell; and 5) the death penalty.

Several references were made to the Director and the FBI during this interview and all were favorable.

In response to questioning concerning allegations made by New Orleans' District Attorney James Garrison that the Kennedy assassination was the result of a plot, Clark replied that he was satisfied with the Warren Commission's conclusions based on FBI investigation that assassin Lee Harvey Oswald acted alone. When asked to comment concerning the results of FBI investigation concerning a mysterious New Orleans figure known as "Bertrand," the Attorney General declined since Louisiana State proceedings were then in progress concerning the identity of this individual. However, Clark noted that the FBI investigation into the assassination had identified most - if not all - of the individuals mentioned in the current New Orleans investigation into a possible assassination conspiracy.

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ENCLOSURE

- 1 - Mr. DeLoach
- 1 - Mr. Wick
- 1 - Mr. Gale

REC-11

- 1 - Mr. Rosen
- 1 - Mr. Sullivan

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CONTINUED - OVER

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[Handwritten signature]

M. A. Jones to Wick Memo

RE: INTERVIEW OF ATTORNEY GENERAL RAMSEY CLARK

The Attorney General commented, in response to questioning, that there were now 38 wire taps authorized by his office, and that all of these were in national security-type cases. He reiterated his position that all other electronic listening devices were unnecessary to effective investigation by police agencies and that they are incompatible with our national concepts for the privacy of our citizens. He emphasized that procedures for his approval for utilization of wiretapping devices had been improved, and he is satisfied that no use of these devices would be made without his approval.

Clark was questioned regarding the effects of the Supreme Court "Miranda" decision. He replied that it is too early to determine the net results, but that it has had no appreciable influence in the effectiveness of FBI investigations where all suspects have, as a matter of strict routine policy, been informed of their constitutional rights prior to any interrogation.

With regard to Congressman Adam Clayton Powell, the Attorney General replied to questioning that the Department of Justice had made no final determination as to any Federal laws violated by Powell, and that he preferred that their decision await the conclusion of any action against Powell by the United States Congress.

The Attorney General was asked for his views concerning the death penalty. Clark did not reveal whether or not he favored complete abolishment of this penalty, but did say he would recommend that it be abolished in some Federal violations.

RECOMMENDATION:

For information.

Domestic Intelligence Division

INFORMATIVE NOTE

Date 3/16/67

Gordon Novel, described in attached, [redacted] he has previously told us of his involvement with David W. Ferrie [redacted]

[redacted] He has previously said that he did not know Lee Harvey Oswald and that Oswald was not involved in anti-Castro activities [redacted]

Subsequent to the attached, New Orleans advised that C. W. Johnson, District Director, Immigration and Naturalization Service, New Orleans, was subpoenaed by the defense to produce records concerning Manuel Garcia Gonzalez and Julio Bacedo (phonetic) which would supposedly discredit Perry Russo, who has testified concerning a conspiracy to assassinate President Kennedy. [redacted]

New Orleans also later advised that the presiding judges ruled that Dr. Chetta, mentioned in attached, could testify concerning the use of "truth serum" in hypnotizing Russo.

TJS:chs

Wes!

Q

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

MAR 16 1967

TELETYPE

FBI WASH DC

FBI NEW ORLS

552PM URGENT 3/16/67 OLP

TO DIRECTOR (62-109060) AND DALLAS

FROM NEW ORLEANS (89-69) 4P

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY, DALLAS,
TEXAS, NOVEMBER TWENTYTHREE, NINETEEN SIXTYTHREE.

MISCELLANEOUS INFORMATION CONCERNING.

REFERENCING TELETYPE
RE-NEW ORLEANS TEL MARCH SIXTEEN, NEW ORLEANS AIRTEL AND
LETTERHEAD MEMO FEBRUARY TWENTYONE AND NEW ORLEANS AIRTEL FEBRUARY
TWENTYTHREE, SIXTYSEVEN.

RE: ACTION BY ORLEANS PARISH GRAND JURY

THE RED FLASH EDITION, NEW ORLEANS STATES ITEM, OF MARCH 1967
SIXTEEN, SIXTYSEVEN, REPORTED THAT GORDON NOVEL, AGE TWENTY NINE,
WHO HAD BEEN ORDERED TO APPEAR BEFORE THE ORLEANS PARISH GRAND JURY
AT ONE P.M. IN REGARD TO GARRISON/S BID TO PROVE A NEW ORLEANS
CONSPIRACY IN THE DEATH OF PRESIDENT JOHN FITZGERALD KENNEDY, WAS

INTERVIEWED PRIOR TO HIS APPEARANCE BEFORE THE JURY.
NOVEL, WHO OWNS THE JAMAICAN VILLAGE BAR, EIGHT ZERO ZERO
ORTH RAMPART ST., SAID HE KNOWS WHY HE IS BEING SUBPOENAED, BUT
STATED "BUT I'D RATHER NOT SAY NOW". NOVEL SAID, "I THINK MR.

GARRISON WANTS TO KNOW SOMETHING ABOUT ACTIVITIES DURING NINETEEN

62 MAR 24 1967

Get 1 A G
3/17/67 re Novel.
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MR. DELOACH FOR THE DIRECTOR

REC 48

Handwritten routing slip with names and checkmarks.

Handwritten signature and initials.

REC 48 EX-103 62-109060-4823

18 MAR 20 1967

Handwritten signature.