

PAGE 9

OF HOUSTON STREET HE HEARD SEVERAL NOISES WHICH SOUNDED LIKE A MOTORCYCLE BACKFIRING. HE OBSERVED PEOPLE IN THE AREA RUNNING AND SCREAMING AND THAT HE RECOGNIZED TWO OF THESE NOISES AS RIFLE SHOTS. FRAZIER TESTIFIED QUOTE THERE SEEMED TO BE A FEW SECONDS BETWEEN THE FIRST AND SECOND SOUNDS AND THEN THE SECOND AND THIRD WERE ALMOST BACK TO BACK UNQUOTE. HE TESTIFIED THAT THESE SOUNDS APPEARED TO HIM TO COME FROM THE TRIPLE UNDERPASS AND THAT HE NOTICED QUITE A FEW OF THE SPECTATORS HEAD IN THE DIRECTION OF THE UNDERPASS. HE SAID HE STOOD AROUND OUTSIDE OF THE BUILDING FOR A WHILE AND THEN WENT INSIDE AND ATE HIS LUNCH AND NEVER DID SEE OSWALD AGAIN.

NO LHM BEING SUBMITTED.

END

PGH

FBI WASH DC

cc - *File*

FEB 14 1969

TELETYPE

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	_____

FBI WASH DC

FBI NEW ORLS

3:43 PM 2-14-69 URGENT GJD
 TO DIRECTOR, FBI 89-109060
 FROM NEW ORLEANS 89-69

Pratt

ASSASSINATION OF PRES. JOHN FITZGERALD KENNEDY, DALLAS,
TEXAS, NOV. TWENTYTWO, SIXTYTHREE; MISC - INFO CONCERNING,

W. J. ...

SA LYNDA L. SHANEYFELT TESTIFIED THIS MORNING IN
 GARRISON'S CASE AGAINST CLAY L. SHAW. HE WAS ON THE STAND
 FROM NINE THIRTY AM TO ELEVEN FORTYFIVE AM AND TESTIFIED
 RE THE DETAILS OF THE REENACTMENT OF THE ASSASSINATION IN
 WHICH HE ASSISTED REPRESENTATIVES OF THE WARREN COMMISSION.

*SHANEYFELT
TAYLOR*

THIS INCLUDED THE TESTS OF THE ZAPRUDER CAMERA, THE ZAPRUDER FILM
 EXAMINATIONS AND ALL DETAILS RELATIVE TO THE REENACTMENT. THE
 TESTIMONY CONFORMED TO THE TESTIMONY PREVIOUSLY GIVEN BY
 SA SHANEYFELT TO THE WARREN COMMISSION RE THESE SAME MATTERS.

K

THERE WAS CONSIDERABLE CROSS EXAMINATION IN WHICH PERTINENT PORTIONS
 OF THE REENACTMENT AND OTHER TESTS WERE AGAIN REVIEWED.

SA SHANEYFELT WAS EXCUSED BY THE COURT FROM THE SUBPOENA
 AND WILL RETURN TO WASHINGTON TONIGHT.

REC-113

6752

AM COPY DALLAS.

END

ERT

FBI WASH DC

FEB 20 1969

5-100

FEB 28 1969

62-109060

cc. ...

10:30 PM

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

FEB 15 1969
TELETYPE

REC-113

FBI WASH DC

FBI NEW ORLS

1107PM URGENT 2/15/69 OLP

TO DIRECTOR (62-109060) AND DALLAS (89-43)
FROM NEW ORLEANS (89-69)

BADW/AN MS

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	

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS, NOVEMBER TWENTYTWO, NINETEEN SIXTYTHREE,
MISC. - INFO CONCERNING. OO: DALLAS.

GABLE

TAYLOR

RE NO TEL FEB. FIFTEEN INSTANT.

ACCORDING TO THE FEB. FIFTEEN INSTANT ISSUE OF THE
NEW ORLEANS STATES-ITEM NEWSPAPER RED FLASH EDITION, THE
MORNING SESSION OF THE CLAY L. SHAW TRIAL COMMENCED ON
FEB. FIFTEEN INSTANT WITH THE PROSECUTION CALLING AS ITS
FIRST WITNESS JAMES L. SIMMONS OF MESQUITE, TEXAS WHO
TESTIFIED THAT AT THE TIME OF THE ASSASSINATION HE WAS EMPLOYED
BY THE UNION TERMINAL RAILWAY, HOWEVER, CURRENTLY WORKS
FOR THE U. S. POST OFFICE.

K

HE TESTIFIED THAT ON NOVEMBER TWENTYTWO NINETEEN SIXTYTHREE
HE WAS STANDING ON THE TRIPLE OVERPASS IN REGENCY PLAZA. SIMMONS
TESTIFIED THAT HE HEARD THREE LOUD SOUNDS WHICH HE BELIEVED WERE
SHOTS AND HE SAW A HALO OF BLOOD AND BRAIN MATTER FLY UP AS THE
PRESIDENT WAS SHOT. SIMMONS TESTIFIED THE PRESIDENT THREW HIS
HANDS UP AND TURNED TO THE LEFT AND THEN FELL TO THE LEFT.

REC-113 6753

10 FEB 20 1969

5-11b

END PAGE ONE

59 MAR 4 1969

PAGE TWO

HE TESTIFIED HE SAW A PUFF OR A WISP OF SMOKE NEAR A FENCE BY THE GRASSY KNOLL.

HE TESTIFIED HE WENT TO THE AREA BEHIND THE PICKET FENCE AND OBSERVED SEVERAL FOOTPRINTS ALONG THE FENCE.

UNDER CROSS EXAMINATION BY THE DEFENSE SIMMONS STATED IT TOOK HIM FIFTEEN OR TWENTY MINUTES TO GET FROM THE OVER PASS WHERE HE WAS STANDING TO THE AREA OF THE GRASSY KNOLL. HE TESTIFIED THAT THERE IS A PARKING LOT LOCATED BEHIND THE GRASSY KNOLL AND THAT THE FOOT PRINTS HE OBSERVED MIGHT HAVE BEEN THE RESULT OF A OWNER OF A CAR STANDING ON THE KNOLL.

HE TESTIFIED THAT FROM WHERE HE WAS STANDING AT THE TIME THE PRESIDENT WAS SHOT IT WAS HARD TO TELL IF THE BRAIN MATTER AND BLOOD HE HAD OBSERVED WERE DIRECTLY OVER THE PRESIDENT'S HEAD OR IN THE FORWARD AREA.

SIMMONS TESTIFIED THAT HE SAW WHAT APPEARED TO BE DUST PARTICLES FLYING FROM EITHER THE GROUND OR THE STREET SURFACE , BUT DID NOT CHECK THIS AREA.

THE NEXT PROSECUTION WITNESS WAS IDENTIFIED AS MRS. FRANCES GAIL NEWMAN OF DALLAS, TEXAS. SHE TESTIFIED THAT SHE WAS IN DEALEY PLAZA ON THE DAY OF THE ASSASSINATION AND HEARD THREE SOUNDS WHICH SOUNDED LIKE FIRE CRACKERS. SHE TESTIFIED THAT AFTER THE FIRST SOUND SHE OBSERVED THE PRESIDENT THROW HIS HANDS UP TO HIS FACE. SHE TESTIFIED THAT WHEN SHE HEARD THE SECOND SOUND SHE OBSERVED GOVERNOR CONNALLY CLUTCH HIS STOMACH AND SLUMP IN HIS SEAT.

END PAGE TWO

PAGE THREE

SHE TESTIFIED THAT WHEN SHE HEARD THE THIRD SOUND THE PRESIDENT'S CAR WAS DIRECTLY IN FRONT OF HER AND SHE OBSERVED THE PRESIDENT BEING SHOT IN THE HEAD. AT THIS TIME SHE TESTIFIED SHE COVERED HER CHILDREN WHO WERE WITH HER BECAUSE SHE THOUGHT THAT SHE WAS IN A CROSS FIRE.

THE DEFENSE OBJECTED TO HER TESTIFYING TO "WHAT SHE THOUGHT" BUT WAS OVERRULED. SHE STATED SHE WAS NOT INTERVIEWED BY THE WARREN COMMISSION.

UPON CROSS EXAMINATION MRS. NEWMAN TESTIFIED THAT IT APPEARED TO HER THAT THE PRESIDENT WAS HIT ABOVE THE EAR. SHE FURTHER TESTIFIED SHE DID NOT OBSERVE ANY RED HALO AT THE TIME THE PRESIDENT WAS HIT, BUT AS TO THE BEST OF HER RECOLLECTION THE WHITE MATTER FROM THE PRESIDENT'S HEAD APPEARED TO FLY STRAIGHT UP.

memo
NO LHM BEING SUBMITTED.

END

ELR

FBI WASH DC

Memorandum

- 1 - Mr. D. DeLoach
- 1 - Mr. A. Rosen
- 1 - Mr. J. Bishop
- 1 - Mr. I.W. Conrad

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

TO : Mr. W. C. Sullivan

DATE: February 17, 1969

FROM : W. A. Branigan

- 1 - Mr. W.C. Sullivan
- 1 - Mr. W.A. Branigan
- 1 - Mr. T.N. Goble

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

Handwritten notes:
 [Signature]
 [Signature]

For information, 2/14 and 15/69 sessions of Clay Shaw trial in New Orleans produced following highlights, according to press reports.

SA Lyndal Shaneyfelt testified to his examination of Zapruder film and pointed to frame where President was shot in head. On cross-examination he stated his opinion as photography expert that shot which killed the President "came from the rear."

Roger D. Craig, former Deputy Sheriff, stated he saw man run from so-called "grassy knoll" to station wagon and vehicle left area. He also said he later heard Lee Harvey Oswald state in Dallas Police Headquarters "that station wagon belongs to Mrs. Paine."

James L. Simmons testified he detected what appeared to be a puff or whiff of smoke under some trees on the "grassy knoll," and in that area where he saw the smoke, found footprints in the mud. Defense brought out that Simmons did not get to area where he saw footprints until about 15-20 minutes after shooting.

OBSERVATIONS:

1. Shaneyfelt's testimony supported conclusions of Warren Commission, and defense.

2. Craig was interviewed by us on 11/22 and 11/25/63 and claimed he saw a man run from Texas School Book Depository Building following assassination and leave area in a station wagon driven by unknown man. He later, same afternoon, observed Oswald in Dallas Police Department and said Oswald was man he saw. His statements were never corroborated. In fact, investigation showed Oswald left the building by bus and later transferred to a taxicab to proceed to his rooming house. Several witnesses corroborated these facts. The Sheriff in Dallas at the time advised he believed Craig was honest in his opinion but made a mistake in identity.

62-109060

TNG:ted
(8)

REC-113 6754

CONTINUED OVER

17 FEB 20 1969

56 MAR 1 1969

Memorandum to Mr. W.C. Sullivan
RE: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
62-109060

When we interviewed Craig on 11/22/63, after he observed Oswald in Dallas Police Department and claimed Oswald was man who got in station wagon, Craig made no mention about hearing Oswald say anything about a station wagon belonging to Mrs. Paine. If he did hear Oswald say this, it is strange he did not tell us then, since it supported his opinion that it was Oswald he saw. This appears to be an embellishment he has added since. It is noted Craig stated on cross-examination that he currently works for one of the New Orleans businessmen who have provided Garrison private funds to carry on his investigation.

3. Simmons told us what he thought he saw was exhaust fumes of smoke. He also told us that it was his opinion the shots came from the direction of the Texas School Book Depository Building.

ACTION:

For information. Case being closely followed.

ms

W.C. Sullivan

✓

h

h 12/13

Memorandum

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

TO : Mr. Conrad *[Signature]*

DATE: 2/17/69

FROM : W. D. Griffith *[Signature]*

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

SA Lyndal L. Shaneyfelt was in New Orleans, Louisiana, and testified in the case against Clay L. Shaw which is being handled by District Attorney Jim Garrison. SA Shaneyfelt was subpoenaed by the District Court to appear for this trial.

SA Shaneyfelt started his testimony at approximately 9:30 A.M. on Friday, February 14, 1969, and testified regarding those matters about which he had testified previously before the Warren Commission. This included the tests made of the Zapruder camera to determine the average speed, the detailed examination of the Zapruder motion picture film of the assassination and the details regarding the re-enactment in which he assisted the Commission. He testified regarding the manner in which he numbered the frames of the motion picture film and determined the length of time between various specific frames of the film based on the speed at which the camera operated. His testimony regarding the re-enactment explained the manner in which it was organized and carried out and how various pertinent frames of the Zapruder motion picture film were reestablished and thereafter used for measurements of distance to the window of the Texas Schoolbook Depository Building and angle to that window from the Presidential limousine. He testified regarding his computation of the average speed of the Presidential limousine based on the distance it traveled between specific frames of the Zapruder film and the time elapsed between those frames based on the speed of the camera.

K

62-109060

cc-30

6755

- 1 - Mr. Mohr
- 1 - Mr. Rosen
- 1 - Mr. Sullivan
- 1 - Mr. Frazier
- 1 - Mr. Shaneyfelt

- 1 - Mr. DeLoach
- 1 - Mr. Bishop
- 1 - Mr. Conrad
- 1 - Mr. W. D. Griffith

12 FEB 20 1969

LLS/eks (10)

"Continued - over"

SEVEN

54 MAR 3 - 1969

Memorandum to Mr. Conrad from W. D. Griffith
ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963
DALLAS, TEXAS
62-109060

During cross-examination by the Attorney representing Clay L. Shaw, SA Shaneyfelt was again asked to outline the details of the re-enactment and furnish information derived from his examination of the Zapruder film.

SA Shaneyfelt's testimony was concluded at 11:45 and he was excused by the prosecution and defense and thereafter by the court. He returned to Washington, D. C. the evening of February 14, 1969.

RECOMMENDATION: None. For information only.

V. *Q/A* *JW* *W* *W*

FBI

Date: 2/12/69

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

Via AIRTEL AIRMAIL
(Priority)

TO: DIRECTOR, FBI (62-109060)

FROM: SAC, NEW ORLEANS (89-69)

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS,
NOVEMBER 22, 1963
MISC. - INFO CONCERNING
(OO: DALLAS)

J. J. [unclear]

Enclosed for the Bureau are seven (7) newspaper articles appearing in New Orleans newspapers concerning above-captioned matter.

Copies of these articles are enclosed for Dallas and Miami.

K

~~ENCLOSURE~~
ENCLOSURE

- 3 - Bureau (Enc. 7)
- 1 - Dallas (89-43) (Enc. 7)
- 1 - Miami (Enc. 7)
- 1 - New Orleans

62-109060-6756

NOT RECORDED
FEB 14 1969

ECW/srl
(6)

5. [unclear] *Rainald*

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

RUSSO SAYS ATTORNEY FORCED HIS ADMISSION

Defense Questions Shaw Trial Witness

Perry Raymond Russo Monday accused chief defense attorney F. Irvin Dymond of having "forced" him at a preliminary hearing into naming persons who attended a party with him at the apartment of David L. Ferrie in mid-September, 1963.

It was at the party that Russo says he saw and heard Clay L. Shaw, Lee Harvey Oswald and Ferrie plot the assassination of President John F. Kennedy. Shaw is now standing trial, charged with participating in a conspiracy to murder the late President.

Judge Edward A. Haggerty Jr., who is presiding at the trial in Criminal District Court, adjourned Monday's session shortly after Russo made his charge against Dymond and then read excerpts from his preliminary hearing testimony which he claimed proved that Dymond, by his questions, forced him to make the admission.

Russo will undergo more cross-examination when Shaw's trial resumes at 9 a. m. Tuesday.

Dymond confronted Russo with newspaper interviews and transcripts of television interviews Monday, given by Russo in late February, 1967, and early March, 1967, in which Russo said he never heard of Oswald before the assassination nor in which he ever mentioned the name of Clay Shaw or Clem Bertrand. Clem Bertrand is the name Russo claims Ferrie used to introduce Shaw to him at the party.

Under cross examination, Russo admitted that he likened the conversation he allegedly overheard to an "inconsequential bull session." And that he did not take Ferrie's statements about killing the President seriously because he had become

"indifferent" to him. Russo was called by the state as the first witness of the day and he gave essentially the same testimony he gave during Shaw's preliminary hearing in March, 1967, but Monday he failed to name any persons who attended the party at Ferrie's apartment with him.

During the preliminary hearing he said that Sandra Moffett, now Sandra McMaines, and Nils "Lefty" Petersen attended the party with him.

Defense Bores Down on Inconsistency

Dymond began boring down on this inconsistency late Monday afternoon, questioning Russo first about his present recollection, and then referring to his testimony under cross-examination in the preliminary hearing.

When Russo told Dymond he could not definitely name anyone who attended the party with him, Dymond asked: "You would not be willing to say now that Nils Petersen and Sandra Moffett attended the party with you?"

Russo then made his charge. Dymond replied quickly: "I forced you to say that?"

Russo, obviously well versed as to what his preliminary hearing testimony consists of, then asked for the transcript and pointed to questions starting on Page 150, and told Dymond that was where he began forcing him. "When I said Sandra Moffett and Lefty Petersen were there, it was, at that time, a probable guess."

"Mr. Russo," said Dymond, "you don't state probable guesses under oath."

Russo told Dymond that at the preliminary hearing, "You asked me questions over and over, and I tried over and over to explain."

Russo said his contention now—and he maintained it was the same during the preliminary hearing—was that he could name the persons with whom he was associating at the time of the party, but he would be unwilling to name any person specifically as having attended the party with him.

Preliminary hearing testimony quotes Russo as naming Peterson and Sandra Moffett, with the addition: "And that's all I'd be willing to say definitely was there."

Dymond asked why he could not make the same statement now. "You asked me several times, and I said it was probably either of those two, or any of several others I associated with."

It was shortly after Russo's charge that Dymond asked Judge Haggerty if he wanted him to continue the cross-examination or recess until Tuesday morning. Judge Haggerty looked at the clock, said it was after 5:30 p.m., and adjourned the trial.

Earlier, Russo told Dymond that he thought Ferrie's philosophy was the most important thing to be related to Assistant District Attorney Andrew J. Sciambra in February, 1963—before Shaw's arrest,—and that he thought that was why Sciambra went to Baton Rouge to question him.

According to Russo, Sciambra did little note-taking during their two- to three-hour interview Feb. 25, 1967, and the full text of Sciambra's 3,500-word memorandum on the interview was read into the record by Assistant D. A. James L. Alcock. After Alcock finished reading Sciambra's report to District Attorney Jim Garrison, Russo commented on what he thought were errors.

During the cross-examination, Dymond repeatedly asked Russo if he considered the conspiracy conversation as simply a

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

PAGE 1

SECTION 1

THE TIMES-PICAYUNE

NEW ORLEANS, LA.

Date: 2-11-69
Edition:

Authors:
Editor: GEORGE W. HEALY
Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, TEXAS

Character: 11-22-63

Classification: 89-
Submitting Office: N.O., J.A.

Being Investigated

"bull session."

Russo explained that he did not have an opinion about it.

"Isn't it a fact that you didn't take it seriously?" Dymond asked.

"Initially you couldn't believe Ferrie. He was prone to the spectacular," Russo replied.

"Did Ferrie ever request that you leave the premises before talking about this?" Dymond then asked.

"No," Russo stated, pointing out, however, that he did leave the party from time to time to wander outside.

"Did anyone swear you to secrecy about this?" Dymond asked.

"No, never did," said Russo.

Dymond also wanted to know if the conspiracy talk started off as a general conversation about assassinating a president, and not Kennedy in particular.

"I'm not sure it started about Kennedy. But there was a lot of anti-Kennedy sentiment," Russo replied.

Dymond then switched to Russo's previous testimony about Lee Harvey Oswald being introduced to Russo as Leon Oswald and as Ferrie's roommate.

Roommate Left Room When Russo Entered

Quoting from Sciambra's memorandum, Dymond asked if it was true that Ferrie's roommate would leave the room every time Russo came to visit Ferrie at his apartment.

Russo replied that he saw the roommate four times, and that on at least three instances, the roommate did leave the room when Russo appeared.

Russo explained that he and the roommate essentially "didn't get along" ever since their first encounter.

At this point, Dymond again asked if Russo felt the assassi-

nation talk was strictly a "bull session." The state objected on the grounds that Russo's feelings were not relevant, and Judge Haggerty sustained the objection.

Dymond then pressed hard on Russo's identification of Ferrie's roommate from a sketch provided by the district attorney's office.

Russo said he was "never really satisfied" with the sketch because a few of the

features were not in accordance with the remembered sketch of Ferrie's roommate. Dymond handed him the sketch and asked him to point out discrepancies. The key difference, according to Russo, was the beard or whiskers that Ferrie's roommate had at the time Russo knew him.

Russo said a beard was drawn on the sketch by the district attorney's staff artist, but that it did not correspond to the growth on the roommate's face as he remembered it. Russo said the growth was actually "something between a beard and whiskers" or, as he explained, about a hair's growth of two or three days.

Dymond asked Russo how many times he saw Ferrie's roommate and for how long a period of time in each case. Russo replied there were four meetings with the roommate, the first one lasting "a few minutes, maybe 10," the second lasting a few hours (the party), the third and fourth lasting about five minutes each. Russo said the last time he saw the roommate "he was leaving town."

Dymond then quizzed Russo about a letter he reportedly sent to the district attorney's office here in which Russo said he had information about a conspiracy.

"Did you mention the name of Lee Harvey Oswald, Clay Shaw or Clem Bertrand in this letter?" Dymond asked.

"No, sir," Russo replied.

"Did you keep a copy of the letter?" Dymond asked.

"No, sir," said Russo.

Russo Tells Contents of Letter About Ferrie

Russo then related the contents of the letter as saying that he knew David Ferrie and if the district attorney would like to take a statement from him he would be in New Orleans on Feb. 25 (1967).

Dymond requested that the letter be submitted as evidence, but assistant district attorney Alcock said he had never seen the letter and did not know of anyone in his office who had.

"Was the letter ever returned to you?" Dymond asked Russo.

"No, sir," he replied.

Dymond then asked Russo if he considered the talk in Baton Rouge with Sciambra as an "inconsequential bull-session."

"I didn't know whether it was important or not," he replied.

"Did you describe David Ferrie as screwy, but sharp in a crazy way?" Dymond asked.

"Yes," Russo replied, "it was a paradox. The man claimed he could speak several languages, but what was he doing for a living? He wore baggy, dirty clothes but he had a mind. He was very sharp. He had five degrees, spoke 11 languages, he said. He was prone to the fantastic. You couldn't tell what the man would do."

"Do you mean David Ferrie was a little on the crazy side?" Dymond asked.

"I always thought it," Russo said.

Russo said he did not take Ferrie's statement about killing the President seriously because he had become "indifferent" to him. Russo said Ferrie had told him fantastic tales of how he had been in the Bay of Pigs invasion of Cuba; how he was flying people in and out of Cuba and how he was helping to arm persons who would participate in an invasion of Cuba.

Dymond asked Russo if he knew the names of newsmen he had granted interviews to after he was interviewed by Bill Bankston of a Baton Rouge newspaper.

Russo named three more Baton Rouge newsmen, including Jim Kemp.

"In none did you mention a conspiratorial agreement?"

"Right."

"In none did you mention the name Oswald?"

"Right."

"In none did you mention the name Clem or Clay Bertrand?"

"Right."

Dymond then showed Russo a copy of the transcript of a television interview with Kemp which appeared on WAFB-TV in Baton Rouge. The interview took place on Feb. 24, 1967.

Russo said there was nothing in the interview transcript with which he could quarrel.

Attorney Permitted to Read Interview

Judge Haggerty then told Dymond that since the witness has admitted that the transcript

was correct, he could not read it. Dymond indicated that he had "to get the information to the jury," and Alcock said the state had no objection to his reading the interview.

In the interview, Russo told how he came to meet Ferrie, and he was asked if Ferrie ever made any threatening remarks, and he answered that Ferrie was "obsessed with the idea of

Kennedy and quite frequently, on visits to Russo's home on Elysian Fields ave., Ferrie would say "how easy it would be to kill a President."

"He'd say he and I could do it, just in a joking way," Russo was quoted in the transcript.

Then, the transcript continued, Russo said that "in late September or early October (1963) Dave Ferrie came over and just in passing made the statement, 'We will get him and it would be very soon.'" (Russo said he estimated the time as October).

Russo, in the interview, was asked if Ferrie ever mentioned the named Lee Oswald, and he told the reporter, "No, I never heard of Oswald until the television of the assassination."

The interview also concerned Russo describing Ferrie's political beliefs ("that Castro was getting a bum deal from the papers and the press" and his activities "he had a group of CAP boys, 18, 19 and 20, and they were practicing jungle warfare . . .").

He was also asked if he ever talked to associates of Ferrie; and Russo said he had a roommate with whom he talked on several occasions, "but he was just sterile in regard to politics." In the interview, Russo also mentioned three Spanish-speaking friends of Ferrie's who always wore green battle fatigues, one of whom was bearded.

The TV reporter also asked him if he had been contacted by the District Attorney's office, and Russo replied that he had written a letter, "which they should get Friday and I expect a reply Monday or Tuesday."

Commenting on news stories at the time, Russo said he read where Garrison was saying Ferrie was the getaway pilot in an assassination conspiracy, and "Ferrie made the remark he could do it, but whether he did anything, I don't know."

Russo was also asked why he never said anything previously, and he replied that after the Warren Commission was set up "I left it to the professionals," and when their verdict came out "I forgot it."

Ferrie Name at First 'Didn't Ring a Bell'

The interview also quoted Russo as saying that when Ferrie's name was first mentioned in the stories from New Orleans, "it didn't ring a bell," and when Ferrie died, "I

...s photograph in the newspaper, he wrote the district attorney.

Dymond next showed Russo the transcript of an interview he gave to two New Orleans television newsmen, John Korzel of WVUE-TV and Doug Ramsey of WDSU-TV. Russo said he remembered the interview but not the names of the newsmen who interviewed him.

The interview was taken as Russo came from the district attorney's office March 1, 1967, the day Garrison announced that he had arrested Shaw.

In that interview, Russo was asked what his connection was with Ferrie and he said, "I just knew him at one time or another down here," and then he explained that except for attending Louisiana State University in Baton Rouge he had lived in New Orleans all his life.

"Do you know Clay Shaw?" he was asked. "No, I don't," he answered.

He was asked if he and Shaw were questioned together. "No we weren't questioned together."

Asked if Garrison had personally questioned him, Russo said, "I would ask that of the district attorney."

He said he didn't know of any plans for him to take a lie detector test.

Next Dymond asked him about his statement that he may have seen Shaw at the New Orleans headquarters of the Republican Party. Russo placed the time as 1953 or 1959, but when asked if he could positively identify Shaw as the man he saw, he replied: "No I wouldn't want to do that."

Dymond then quizzed him about a quote in the Bankston story in the Baton Rouge paper in which Russo quoted Ferrie as saying, "We will get him and it won't be long."

Dymond asked Russo when Ferrie made that statement. Russo said that Ferrie made similar statements two or three times, including once, "I think,

as late as October, but I'm not real sure."

Next Russo was questioned about his allegedly having seen Shaw at the Nashville ave. wharf when President Kennedy was here to dedicate it.

He said he was not certain who went with him, but it could have been a person named Al Saizan. Russo said he spoke with

Russo. "I that Shaw drew his attention because he was not looking at the President. "That's only part of the reason," he said. "I watched Mr. Shaw and he was not watching the President and that's the first thing. Also, he was standing in front of me, and he was big and impressive, physically."

Shaw on Committee to Welcome Kennedy

Dymond asked Russo if he knew that Shaw was on the committee of Mayor Victor H. Schiro to welcome the President. "No," he answered.

"Would you have considered it peculiar had you known that?" "I would have considered it peculiar that he was not somewhere up front."

Then Dymond began discussing the party at Ferrie's where Russo says he heard the alleged assassination plans discussed.

Russo said he was "inclined" to believe he went to Ferrie's from playing basketball at Tulane or Loyola, although he had no specific recollection of what he was doing that particular night.

He said he did the same thing every week and he believes he had been playing basketball "and because I just remember tennis shoes, being sweaty or dirty, and figure I was probably playing basketball."

He named persons with whom he associated, listing Sandra Moffett, Nils Petersen, Kenny Carter and Kenny Wink.

Under questioning, he said he could not recall what night or the week it was, or the specific date, although "school had not started."

Dymond asked Russo if he could remember "people other than yourself" who went with him to the party.

Russo said he could, noting that during the preliminary hearing "I stated I wasn't exactly sure." He said he tried to think about it more clearly, but "I'm not sure who I was with."

Dymond asked if when he played basketball "you took girls with you." "Surely, absolutely," answered Russo.

"But you don't remember who went in with you?"

"No, I wouldn't be willing to state exactly who went in."

Dymond then began reading from preliminary hearing testimony in which he stated, "Petersen was with me that

"Who stepped in with a sure Lefty (Petersen) did." Then Dymond asked why he couldn't make a similar statement now.

"You kept pushing me," said Russo.

Dymond then got to Russo's answers about Petersen and Sandra Moffett being the only persons he would be willing to say definitely were there, and Russo made his claim that Dymond "forced" him to answer.

(The defense has subpoenaed Sandra Moffett McMains, but they said her attorney says the only way she will come here to testify is if she is immune from arrest while here. Judge Haggerty has denied such an order that would provide her immu-

ny. The state said it does not intend to arrest her.)

As the afternoon session opened, Alcock questioned Russo about the statement he had given to assistant district attorney Andrew J. Sciambra Feb. 25, 1967.

"How long did the interview last?" asked Alcock.

"Two hours to two and one-half hours," replied Russo.

"Did he do much note-taking?" asked Alcock.

"A couple little scribbles," answered Russo.

"Did he take down all you told him?" Alcock asked Russo.

"No," replied Russo, "very little."

"Does the statement reflect all you told him?" questioned Alcock.

"No," said Russo.

Some Omissions in Report Alleged

"Does the statement reflect accurately what you said?" asked Alcock.

"There are omissions and some incorrect statements," said Russo.

"Did you tell anyone that the statement is not complete?" Alcock rejoined.

"I pointed out several errors to James Phelan (Saturday Evening Post writer) several glaring errors," said Russo.

Russo told Alcock that he made notations of some of the incorrect statements.

Alcock asked the court's permission to read the statement written by Sciambra to District Attorney Jim Garri-

son in Baton Rouge. The following are excerpts from the Sciambra statement as read into the court record by Alcock:

Russo knew David Ferrie through Al Landry of Gentilly. He (Russo) said Ferrie was in love with Landry.

Russo said he went to Landry's mother in 1962 to see where Landry was, and she told him Ferrie had taken Landry out of the country.

Russo said it was common knowledge that Ferrie was a homosexual. He said Landry had a strange fascination for Ferrie. Russo was sure Ferrie had Landry under a spell.

Sciambra said Russo told him that Ferrie was a hypnotist. Russo suggested that Landry could give the district attorney's office a lot of information on Ferrie.

Russo said Ferrie once demonstrated his power of hypnosis by sticking pins in Landry and Landry felt no pain. After the demonstration, Ferrie showed them five diplomas he had.

Landry's mother asked Russo to help her alienate her son, Al Landry, from Ferrie, who she said was strange and weird. Russo agreed to help her.

Russo told Landry that Ferrie was a homosexual and that he should quit seeing him. Landry said he would think about it but such a break would be difficult.

Russo related that once he, Landry and Ken Hershenstein, and others were in a bar when Ferrie said he wanted to talk with Landry privately. Russo told Landry to tell Ferrie to take a walk.

Ferrie said that he would talk to Landry later privately. He then told Russo that he (Ferrie) or one of his men would kill him.

Russo said that Ferrie told him he used hypnosis for sexual purposes.

Russo said that one time he was getting a flat tire and he pulled into a service station. While there, Ferrie came up to

Russo had been. Russo said (Ferrie) was either the manager or owner of the station. When Ferrie left, he talked with man in a car.

Statement Contains Reference to Film

According to Russo, Ferrie later brought over some pornographic film which he said he had flown out of Cuba. He said he could get all he wanted, but he wanted Russo to sell it for him, and that he should get 150 for it because it is risky.

Russo said the film showed one man and one woman playing a game of cards. The woman wins, so the man winds up beating her up and raping her. Russo said he took the film and sold it.

Ferrie told Russo that he was working on chemicals and drugs and how it affected the human body. Ferrie said he could make a person extremely passionate and rid the person of his inhibitions about sex.

Russo said he (Ferrie) also admitted he was homosexual, and asked Russo if he wanted to take this drug.

Ferrie once came in with two Cubans, one with a beard. Ferrie started making remarks about Cuba and criticized the United States. He said the United States was barbaric, and no nation so strong should be so barbaric.

Russo said he remembered seeing a Ferrie roommate who was a typical beatnik type, about two or three times. Ferrie mentioned the name, but he couldn't remember it.

The roommate was not talkative, would go to another room. Russo recalled he asked the roommate where he was from and he answered from everywhere. He looked to be a real punk, said Russo.

Ferrie, according to Russo, once tried a drug on one of his roommates. The roommate became very passionate and made love with Ferrie. After it was over, the roommate remembered nothing about it.

In 1963, Russo said Ferrie became obsessed with how easy it would be to assassinate the President, and how he was the type who could do it. Russo said Ferrie never mentioned John F. Kennedy's name, but always said President (Dwight D.) Eisenhower or the president of Mexico.

10 milk... and that it would be so easy to shoot the President. He said there would have to be an availability of exits and mass confusion.

Ferrie said one person or a group could plan it and get out.

Ferrie said he was the key. He could jump in a plane and fly it out to some country such as Cuba or Brazil. Ferrie was sure he could plan it easy.

It Would Not Be Easy, Russo Allegedly Said

Russo said he recalled telling Ferrie it wouldn't be so easy.

Ferrie once told Russo he could commit the perfect crime with the use of drugs and medicine. He said no doctor or coroner would be able to find the reason, that they would have to call it death by natural causes.

Russo said Ferrie became worse in September or October, 1963, about assassination talk. He began making direct references to John F. Kennedy.

According to Russo, Ferrie said, "We will get him (meaning John F. Kennedy), and it won't be long."

Sciambra said he showed Russo some pictures, and he identified three of them.

One was Sergio Arcacha Smith, who he (Russo) said looked very close to the man in the pornographic film from Cuba.

At one point, Russo, said Sciambra, asked him if what he was saying would be used against him, and Sciambra told him it wouldn't.

Sciambra said in the statement that Russo recognized Shaw. Russo said he recalled him because he "looked like a queer." Russo said he saw him on the Nashville ave. wharf the day President Kennedy spoke at the dedication. He saw the man looking at young boys, turning away from the President. Russo said the man struck up conversations with the young boys. He also said the man was wearing light pants that are usually worn by homosexuals.

Sciambra also noted that Russo recognized Lee Harvey Oswald's picture. At first, Russo was hesitant about saying who he thought it was, but said it looked like one of Ferrie's roommates.

Alcock's side, asked for recess to regain his voice. After court resumed, Judge Haggerty made it official he does not plan to hold court Mardi Gras, Feb. 18.

"Were there any errors?" Alcock resumed his questioning of Russo.

"Several," replied Russo. Alcock asked him to go down his list.

Some Corrections of Importance Made

Many of Russo's corrections were minor, but there were some of importance:

-Russo denied Ferrie ever admitted he was a homosexual.

-Ferrie's roommate did not have dirty blond hair, as Sciambra wrote, but it was more brown or black. Russo said he never called the roommate's beard husky, though that word may have come up in their conversation. He said he is still to this day looking for the right adjective for the beard. Of the roommate, Russo said Ferrie told him that he wasn't talkative or sociable and that he read a lot.

-The only person he noticed at the Nashville ave. wharf was the defendant (Shaw), and it was only his deduction that there were Federal Bureau of Investigation and Secret Service men surrounding Kennedy.

-Russo said he never mentioned Clay Shaw's name at all to Sciambra.

-Russo said he told Sciambra that he saw the defendant three times at least, and he noted this error to Phelan.

When Russo was finished with his list of corrections, Alcock began questioning him about the corrections.

"You said the name of Clay Shaw was never mentioned?" asked Alcock.

"Yes, that's right," replied Russo.

"Then what name came up?" Alcock asked.

"I told him that I thought I knew the man in the picture as Bertrand. I think it is Clem."

"Did you tell Sciambra of the meeting in the apartment?" quizzed Alcock.

"In the last hour, all this was discussed," replied Russo.

"Was this the meeting you've told of here today?" asked Alcock.

"Essentially, but not in as great detail," answered Russo.

party, but mentioned the meeting where they got together and talked about shooting the President," rejoined Russo.

"Had you heard the name of Clay Shaw before this interview?" asked Alcock.

"I'm not sure," Russo answered.

"Who did you think the picture was?" questioned Alcock.

"Clem Bertrand," answered Russo.

Chief defense counsel Dymond began the cross examination of Russo. After establishing that Russo is now an employe of Great Books of the Western World in sales and training and at one time was a cab driver, Dymond bore in on the Sciambra statement.

"Mr. Russo," he said, "are you sure you were talking with Mr. Sciambra?"

"That's who he said he was," replied Russo, "and I recognize him here now."

"Well, there were 25 errors in the Sciambra statement; we counted them," said Dymond.

Alcock immediately objected saying that was the defense's count. Judge Haggerty said it is safe to say there were a number of corrections.

Dymond rejoined, "To be exact, there are 26 errors."

Alcock objected again, and Dymond said, "They (the

state) can count them. We know there are 26."

Judge Haggerty interceded, "Let's say approximately."

"That's fine," said Alcock.

"Is it your contention he deliberately distorted your interview or that he made these errors?" resumed Dymond.

Alcock again objected.

"Did you clearly give your statement to Mr. Sciambra?" Dymond questioned.

Russo replied that he talked with Sciambra for two to three hours, and he didn't know if it was clear. He said Sciambra didn't take many notes.

Witness Thought Ferrie Was 'Big Deal'

Russo added that he thought that Ferrie's philosophy was the "big deal" and that was why he (Sciambra) wanted to question him.

Turning to the pivotal meeting of Russo's preliminary hearing testimony, Dymond asked, "Did three people plan to kill the

mitted Russo, but I had heard people standing around on street corners saying that Learner Perez, Martin Luther King and President Kennedy should be shot."

"Did you take it seriously?" questioned Dymond.

"I'm not saying," replied Russo, "you didn't know whether to take him (Ferrie) seriously or not."

"Mr. Russo, are you saying that you knew the district attorney was investigating the resident's murder?"

"Right," answered Russo. "And you knew your story about Louisiana ave. pkwy. Ferrie's home?" continued Dymond.

"Yes," replied Russo. "And you knew the President had been assassinated," said Dymond.

"That's right," said Russo. "Yet, Mr. Russo, knowing all these things you thought that Ferrie's philosophy was the big thing?" questioned Dymond.

"That's what I thought was important," answered Russo.

Dymond moved into Russo's relationship with Ferrie. Russo said that during the summer months of 1963 he saw Ferrie on the average of twice a week and he agreed that they had a reciprocal agreement whereby each one could come to the other's house at any time without an invitation.

"How old were you at this time?" questioned Dymond.

"About 22," replied Russo.

"And David Ferrie?" asked Dymond.

"Ferrie was about 40," said Russo.

"Approximately how many times did you visit Dave Ferrie's Louisiana ave. pkwy. home?" Dymond asked.

"About 15 to 25 in four to five months," Russo answered.

"During September, 1963, how many times?" questioned Dymond.

"About four or five," answered Russo.

Several Photographs Offered as Evidence

As the morning session opened, Alcock offered into evidence several photographs and pieces of printed material which previously had been used as state exhibits.

Dymond objected to the introduction of some of the exhibits, one a photograph of a

He pointed to the photograph, asserting it was not sufficiently connected with the case; but Alcock countered that it was a photograph of a Cadillac similar to the one in which Shaw was allegedly seen in Clinton.

Dymond also objected to some evidence introduced on the grounds that a prima facie case had not been developed, but Judge Haggerty permitted all exhibits presented by Alcock to be introduced.

"Call Perry Raymond Russo, please," was the request by Alcock after the articles of evidence were introduced. Shaw turned his head around to follow Russo's movements as the witness made his way to the stand. Shaw and Russo appeared to look at each other intently.

Preliminary questions by Alcock covered Russo's address (5807 Elysian Fields ave.), his birthplace (New Orleans), and his education (degree in political science, studied at Tulane Louisiana State University and Loyola).

Alcock then asked him about his first meeting with Ferrie.

"I met him with a friend mine at his Kenner address," Russo replied. He then identified two pictures of Ferrie, in answer to another question said the meeting took place "about 1961."

Russo said he did not know the address of the location in Kenner, but added that Ferrie "lived out near Moisant Airport." Alcock asked who was present: "Well, he was, and an elderly lady he introduced as his mother . . . and several, quite a few members of the Civil Air Patrol, I guess."

Alcock approached the bench to confer with Judge Haggerty and Russo's gaze strayed to the members of the jury and then to the two people — Alcock and Judge Haggerty — and he wound his wrist watch.

"After this first encounter, did you see him again?" Alcock asked.

"I saw him in 1963 extensively, some in 1962 and a few times in 1964."

"How many times did you have occasion to see him in 1962?"

"Oh, only a few, perhaps, 10, 12 or 15 times."

Alcock asked where Russo had seen him, and he answered

Photograph of Ferrie Residence Presented

Moving to the year 1963, Russo said that he knew where Ferrie was living, and then Alcock presented a photograph to the witness which he identified as an exterior photograph of Ferrie's apartment at 3330 Louisiana ave. pkwy.

During the first six months of the year, Russo testified, he saw Ferrie perhaps 10 to 15 times, and then during the summer, "almost surely twice a week or better."

"During the course of your encounters with David Ferrie was his appearance always the same?" queried the assistant DA.

Russo replied that it "varied at times," and that Ferrie had "strange-hair or a wig, which was sometimes spotted, sometimes combed." He said that sometimes Ferrie's eyebrows were bushy and at other times, they would appear lighter. His hair, he said, was reddish brown, and he usually wore baggy trousers, "although they were not always dirty."

Exhibits that were presented during Shaw's preliminary hearing in March, 1967, were obtained before Alcock began asking Russo how many times he visited Ferrie's apartment. "I guess about 20 to 30 times," he answered.

Russo was then shown several photographs which Russo identified as interiors of various rooms and sections of Ferrie's apartment. As Russo examined the photographs, Alcock casually lit his pipe.

As Russo was shown the pictures, he answered, "This is the front room, or what I called the front room," or "Yes, sir, this is the hallway," or "I can see part of the front porch."

The pictures put aside, Alcock asked: "During the month of September, 1963, did you have occasion to go to the apartment?"

"Yes, sir."

"Approximately how many times did you visit the apartment in September, 1963?"

"Perhaps three or four."

Alcock asked Russo if he remembered one occasion in mid-September 1963, when he vis-

anyone else present when he arrived?" asked Alcock.

"There was."

"How many?"

"Two."

"Who were they?"

"They were David Ferrie and a man he introduced to me as his roommate."

Russo said he had never seen the man previously.

"Can you describe his wearing apparel and his outward appearance?"

He was "generally dirty," said Russo, and his hair was messy, and he had light whiskers, "perhaps a three- or four-day growth of beard."

Russo said he could not recall the man's complexion.

Next Alcock showed the witness a photograph of Oswald being shot in Dallas, Tex., by Jack Ruby, and he was asked if he could identify anyone in the photograph. He said he could and placed an "X" over the person.

"And where do you first recognize him from?"

"From Dave Ferrie's apartment on this occasion."

He then said the man was introduced to him as "Leon Oswald."

Alcock asked Russo what the man introduced as Oswald was doing. "When I first entered he was cleaning a rifle or polishing it."

State attorneys then removed a rifle with a telescopic sight from a package they had carried into the courtroom, and after allowing Dymond to examine it, Alcock gave the gun to

Russo and asked if he could identify it.

He then testified that it was the gun, or one similar to the gun, he saw "Leon Oswald" handling.

Alcock asked Russo if he could identify it as the same rifle.

"No, I'm not sure it's the same gun, but it's similar. The stock as well as the barrel and the scope are similar."

Next, Russo was shown a sketch of a bearded Oswald, and asked if he had ever seen it before.

He said he had in the district attorney's office.

"Did you recognize the individual?"

"Yes sir," he replied. He asserted it was the person introduced to him by Ferrie as Fer-

... on, it is an accurate re-
tion . . ." but Dymond ob-
led, claiming Alcock was
ding the witness. Judge Hag-
ty agreed.

Next Alcock asked if there
re similarities between the
rded person in the sketch
d the man he was introduced
by Ferrie. Russo said that
person's eyes, chin, gen-
al facial structure "and
ressed up hair and whiskers"
re similar.

"Did you have another occa-
in September, 1963, to see
e man who was introduced to
u as Leon Oswald?"

Russo said that he did, and
cock asked when and where
e meeting took place.

"At Ferrie's apartment about
e middle of the month."

He then repeated the story
much the same fashion as
e testified at Shaw's prelimi-
ary hearing, although during
is testimony this time he did
ot list Sandra Moffett as hav-
g been at the party and he
as not certain about the iden-
ification of any of the others
resent outside of himself, Fer-
ie, Oswald and Shaw.

He said he went to the par-
y, "probably from Tulane,
rom playing basketball."

Several people were pres-
ent, he said, perhaps eight
or 10, including "three or
four Latins, or Cubans," and
"one well-dressed man."

He was asked to describe
the "well-dressed man, and
he said he wore a maroon
jacket, white shirt, and "I'm
not real sure about the pants."

Alcock asked if the man wore
a tie; and Russo said, "Not
that I remember."

He continued: "He was big,
about 6-foot-4, or 6-foot-5, wide-
shouldered and distinguished
looking." Asked for the color
of the man's hair, he said it
was "white."

"Was he there when you ar-
rived?"

"Yes."

"Do you see him in this
courtroom?"

"Yes."

"Would you point to him?"

Russo then pointed toward
Shaw.

"Is that the defendant before
the bar?" asked Alcock.

"Yes, sir," replied Russo.

**'Man Introduced
as Clem Bertrand'**

Russo was asked what he
did. He said he was offered
some coffee and probably had

He . . . a questioned
about another occasion during
which he claims he saw Shaw,
at the dedicati of the Nash-
ville Ave. Wharf, at which
President John F. Kennedy
spoke.

Russo explained he was at-
tending Tulane; and never hav-
ing seen a President, he went
to the dedication, but arrived
late and had to stand at the
rear of the crowd.

He said he was standing
about 10 to 15 feet away from
the man who was introduced
to him at Ferrie's apartment
as Bertrand.

Alcock asked Russo if there
was any particular reason why
his attention was drawn to
Shaw, and he said it was be-
cause "he was not looking at
the President." He said there
was a man with him, "who
wasn't nearly as tall" as Shaw
"but also well-dressed."

Russo continued, "I had
never seen a President, it
as a big thing to me . . .
and it just struck me funny
that someone wouldn't be
looking at him."

Russo was questioned if
there was anyone else with
him and he said there was, a
classmate of his, who was
standing alongside of him.

"On the side between you
and the defendant, or on the
other side?" asked Alcock.

"I'm not sure," answered
Russo, "probably on both sides
at one time or another."

Russo said the person he
was with would have been in
a position to see Shaw, but of
his own knowledge he could not
testify that the person had seen
him.

He then said he may have
seen Shaw on one other occa-
sion, at Republican headquar-
ters, picking up some materi-
al. He said the man had the
face, look and build of Shaw,
but was "much slimmer." He
said this might have been in
1962. Pressed for a more def-
inite time, he said it was
"warm weather, basebal
time."

Getting back to the alleged
meeting at Ferrie's apartment,
Russo said Ferrie generally
"monopolized the conversa-
tion," and in the background
was playing a record of
"speeches in Spanish."

"Ferrie was saying, 'We'r-
gonna kill the President,' but
he'd said that before. It was
during this period he became
obsessed with Kennedy and
the Cuban thing," testified
Russo.

Russo said he did not notice
how long the various people at
the gathering stayed; but fi-
nally there was only "Ferrie,
Oswald, the defendant and my-
self" and there was "no one
else in the front room."

He was shown a photograph
and identified it was the front
room, and he marked out the
furniture he thought was there
at the time.

Asked about the conversation
that took place, Russo said
that Ferrie, controlling the
conversation, re-emphasized
how easy it would be to kill
the President. He said Ferrie
carried around "a bunch of
clippings" and those that Rus-
so could see had "Kennedy's
name on them."

Ferrie was pacing back
and forth, said Russo, and
the speech in Spanish was
playing on the record play-
er, and Ferrie "was mutter-
ing about Kennedy."

"He was telling how this pro-
jected assassination team
would pull off the assassination
of President Kennedy." Russo
said Ferrie spoke of the "train-
ing of fire for two of us to
escape; and one of us would
have to be a patsy." Russo
said Ferrie continued, "There
should be a diversionary shot,"
which would attract the atten-
tion of people and police in
the area "and the other shots
would be for the kill." Ferrie
said they would be fired al-
most simultaneously.

Russo continued that Ferrie
said as soon as the assassina-
tion was completed "the es-
cape would be by flight, either
to Brazil or Cuba."

Ferrie said, according to
Russo, that if Brazil was se-
lected, there would have to be
a stop in Mexico to refuel.

At this point, testified Rus-
so, Shaw objected, pointing out
that a stop in Mexico would
require cooperation from per-
sons where the refueling stop
was made.

"Oswald told him to shut
up," testified Russo. "Shut
up," he said, "Ferrie knows
what he's doing; he's a pi-
lot."

Then, Russo said, Ferrie dis-
cussed an alternate plan. He
said the individuals could do

Russo claimed that Shaw
said he could go on a business
trip with his company "on the
." Ferrie said he could
speak at a college. Oswald,
Russo, said, did not say any-
thing in regard to this point.

Witness Says Two or Three Men Needed

Alcock asked Russo if there
was any specific comment as
to the number of people who
would have to be involved in
the assassination and he re-
plied that Ferrie said it had
to be two or three. If it was
three, one would fire the diver-
sionary shot and the others
the shot to kill, and if there
were only two, one would fire
the diversionary shot, and one
would fire the shot to kill.

Russo was asked if he re-
called going to the party with
anyone.

He named several people
with whom he was associating
at the time, but he did not
say any of them accompanied
them to the party.

He was then asked about
Sandra Moffett. He said he
knew her at that time, and
that she was one of several
girl friends he had.

Russo said he could not re-
call anything else said at the
meeting, and he said that af-
ter he left, he thinks he took a
bus home. He said he thinks
he probably left after midnight.

After this meeting, said
Russo, he saw Oswald and
Ferrie together on one other
occasion, "a few days later,
not very long after."

Again, only Ferrie, Oswald
and Russo were present.

Alcock asked Russo what the
two said; and Dymond objected,
maintaining Russo was being
asked to testify about a purport-
ed conversation when no prima
facie case of conspiracy has
been made.

Judge Haggerty overruled the
objection.

Russo said the gist of the con-

Russo said he knew Oswald was married because he wore a wedding band.

He said he saw him one other time, "a few days later," again at Ferrie's apartment. "Oswald was leaving town," Russo said, "and he had his stuff packed up." Russo said he understood that Oswald was going to Houston.

Dymond objected, saying "for the same reasons." Judge Haggerty overruled the objection, saying "the same ruling."

Russo Says Oswald Appearance Changed

This time, Russo asserted, Oswald's appearance had changed in that he was clean, wore a white shirt and tie; "he was relatively clean compared with before." Russo said on this occasion he was in the apartment five to 10 minutes.

Subsequent to seeing Shaw at Ferrie's apartment, Russo said he saw him and Ferrie together on one other occasion, at a service station on Veterans Hwy., in early 1964.

Russo said he was having automobile trouble; and he pulled into a service station, and it was "either Ferrie's station or he worked there."

Russo said he did not remember the auto trouble he was having, but it was "probably battery trouble." He was directed by the two attendants to pull his car to the side, which he did; and he was sitting in his car with the door open.

Ferrie saw him as he pulled into the station, Russo said, and asked, "What are you doing?"

After Russo pulled to the side, he said, he saw Ferrie sitting in the car next to his talking with Shaw.

Alcock asked how long he observed the two talking; and Russo said, "I'm not sure how long I looked. I looked off and on. I was really just mad about my car and in a rush, maybe three, four, five minutes."

He said Shaw was at the wheel, and Ferrie was on the passenger side. He said he did not recall Shaw wearing a hat at the time.

"Did you engage in conversation with Clay Shaw?"

"No, I was in a rush to get out."

Russo was then asked when he first wrote to the district attorney's office. He said he wrote

He J on Feb. 28, 1967, Sciambra went to Baton Rouge to question him. He said he told Sciambra "how I had known people," and said he identified pictures of several persons including Ferrie, Oswald, Bertrand and Sergio Archaca Smith.

He said he told Sciambra about the first time he met "Shaw or Bertrand" at the Nashville Ave. Wharf; told about seeing them at the service station, "and finally at Ferrie's apartment."

Alcock asked Russo if he had given Sciambra a statement about the matters he had related to the jury, and Dymond objected. Judge Haggerty overruled the objection saying he thought the question was proper.

Russo said he discussed the matter with Sciambra "not in as great a detail, but in essence" to what he had related to the jury.

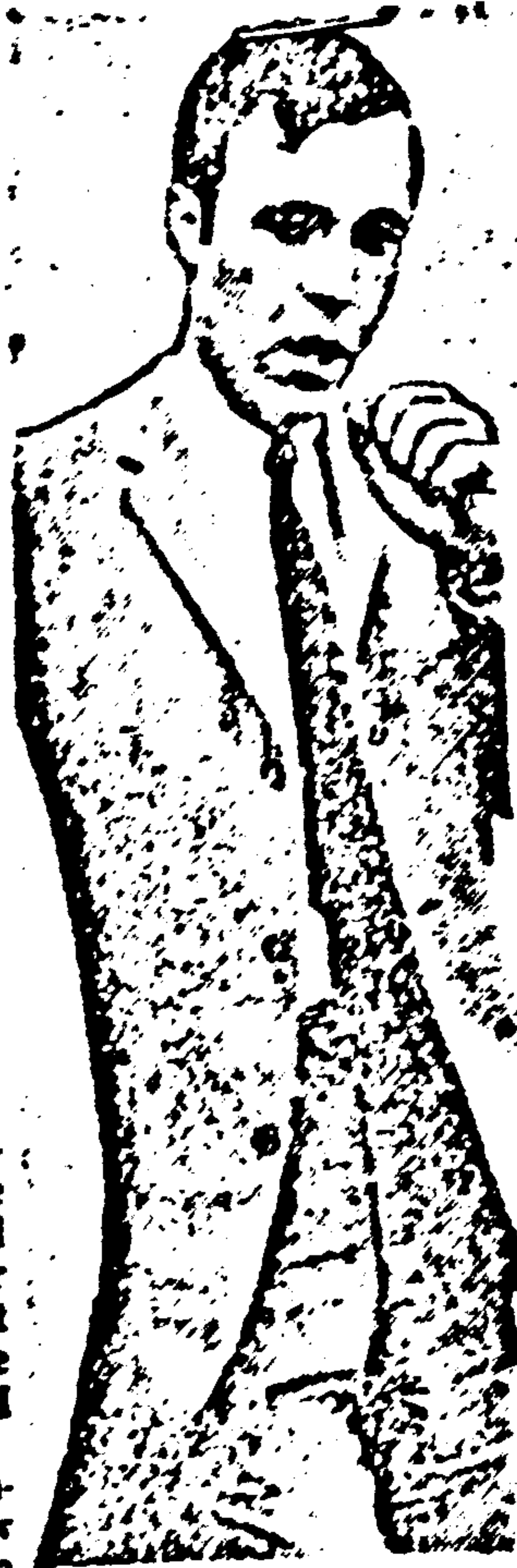
Alcock asked if he remembered identifying a picture of Clay Shaw, and Russo said that at that time he had never heard the name of Shaw, "but I had met this man who gave his name as Bertrand," and "I told him I was sure of it."

Alcock then began questioning Russo about an interview he had with James Phelan, a writer for the Saturday Evening Post, who wrote a story critical of Garrison's star witness and his story.

Russo said Phelan had a 3,500-word memorandum on the Sciambra interview and "he pointed out certain discrepancies relating to my testimony at the preliminary hearing."

Alcock attempted to ask other questions about the memorandum, but Dymond objected and asked that the memo be produced. During the delay, as the court waited for copies of the memo to be reproduced, Russo was questioned if there were other persons present during his interview with Phelan. He said that no one was present the entire time, but he named several people "who were in and out." He said the interview lasted about three hours.

When copies of the memo arrived, there was a recess to give Russo, defense attorneys time to read it, but the trial did not resume until 11:55 a.m., at which time Judge Haggerty recessed the proceedings for lunch.



—Photo by The Times-Picayune.
PERRY RUSSO
Testifies.

Shaw Defense Gets 1967 Hearing Files

The conspiracy trial of Clay L. Shaw resumed today with chief defense counsel F. Irvin Dymond asking the court to make available minutes of the preliminary hearing two years ago which resulted in Shaw being held over for trial.

Trial Judge Edward A. Haggerty Jr. informed the defense that the records would be made available.

Assistant District Attorney James L. Alcock then introduced a series of pictures and leaflets into the record as evidence, marking them S-1 through S-10.

THE DEFENSE agreed to introduction of several pictures of Lee Harvey Oswald, the man named by the Warren Commission as the lone assassin

of the President, and David W. Ferrie, whom District Attorney Jim Garrison claims plotted with Shaw and Oswald to murder Kennedy.

But defense counsel objected to the introduction of a picture of a black Cadillac which prosecution witnesses have said was similar to the one they saw in Clinton occupied by a man they testified was Shaw.

Dymond also objected to the introduction of the leaflets which witnesses have testified they saw being handed out in front of the International Trade Mart and at the Nashville ave. wharf in 1963.

IN EACH CASE the defense was overruled by Judge Haggerty and in each case, Dymond took a bill of exception to the ruling.

Perry Raymond Russo, the state's principal witness, then took the stand. He was wearing a gray suit, blue tie and

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

PAGE 1

SECTION 1

STATES-ITEM

NEW ORLEANS, LA.

Date: 2-10-69

Edition: FINAL

Author:

Editor: GEORGE W. HEALY

Title: ASSASSINATION OF PRESIDENT JOHN F.

KENNEDY, TEXAS

Character: 11-22-63

Classification: 89-

Submitting Office: N.O., LA.

Being Investigated

ALCOCK BEGAN the questioning.

Q—Mr. Russo, where do you reside?

A—5807 Elysian Fields ave.

Q—How old are you, Mr. Russo?

A—27.

Q—Were you born in New Orleans?

A—Yes, sir.

RUSSO THEN testified to an educational background that includes a bachelor of arts degree from Tulane University, one year of law school and other college training.

Q—During 1960, did you have an occasion to meet David Ferrie?

A—I met him with a friend of mine at his Kenner address.

ALCOCK THEN asked Russo to examine a picture.

Q—Who is that ~~person~~?

A—Dave Ferrie.

Q—Could you recall for the court when you first met David Ferrie?

A—I guess about 1961.

Q—Could you recall who was present when you first met him?

A—He was there, a lady introduced as his mother. Al Landry was there and several members of the Civil Air Patrol were there.

Q—Mr. Russo, after your first encounter in 1961, did you have occasion to see him again?

A—I saw him in '63 extensively . . . some in '62, and in '64.

Q—How many times in 1964?

A— . . . 12-15 times.

RUSSO SAID he knew Ferrie in 1963 when he (Ferrie) lived on Louisiana ave. pkwy.

Q—Did you ~~know~~ the address?

A—I know the address now. It was 3330.

RUSSO THEN was asked to examine another photograph.

A—That's Dave Ferrie's house.

Q—Did he live upstairs or downstairs?

A—He lived on the second floor.

Q—Coming to the year 1963, the first six months of 1963, January to June, how many

Q—In the summer of 1963? A—I'm also sure it would be twice a week or better.

Q—In the summer of 1963, during the course of your encounters with David Ferrie, what about his appearance?

A—It varied . . . he had strange hair or a wig. Sometimes it would be spotted. Sometimes it was combed straighter . . . most of the time he wore a white shirt and baggy trousers.

ALCOCK THEN showed Russo a picture apparently of Ferrie and asked:

Q—Would this always be the condition of his eyebrows?

A—No, not always.

Q—How would they differ?

A—These (referring to the picture) are pronounced. They wouldn't always be so pronounced.

Q—What was the color of the hair?

A—Reddish-brown.

AT THIS POINT Alcock asked the court to make available for further questioning all of the exhibits from the preliminary hearing, especially those showing the interior of Ferrie's apartment.

AT THIS point, Russo testified that he met Lee Harvey Oswald at David Ferrie's apartment in September, 1963. He said that Oswald was introduced to him as Leon Oswald.

Alcock asked:

Q—Perry, now referring you to September, 1963, did you have occasion to go to the apartment of David Ferrie?

A—Yes, sir.

Q—Can you approximate how many times?

A—Perhaps three or four.

Q—Can you remember going in the middle of September, 1963?

A—Yes, sir.

Q—Was anyone else present? Who were they?

A—David Ferrie and a man introduced as his roommate.

RUSSO SAID that Oswald, introduced as Leon Oswald, was wearing dirty clothes, had unruly hair and a light beard.

Replying to a specific question by Alcock, he said that the beard appeared to be three or four days growth. He identified Lee Harvey Oswald from pictures as the man he met at Ferrie's apartment.

It was then that Russo said

long were you in the presence of the man introduced as the roommate?

A—Not very long.

Q—What was he doing when you entered the apartment?

A—He was cleaning a rifle or polishing it.

ALCOCK SHOWED Russo a long-barreled rifle and asked if it was similar "to anything you've seen in the past?"

Russo carefully examined it for several minutes before answering that he had seen the rifle before.

Q—Where did you see it before?

A—In Ferrie's apartment.

Q—In whose possession did you see it?

A—In Oswald's.

Q—Are you testifying this is the same rifle or similar?

A—It's similar. The stock is similar and the barrel is similar.

RUSSO ALSO identified various pictures of Ferrie's apartment, indicating the front room, the front porch and a hallway, where he said he had often visited.

Russo also testified that during the period from 1961 to 1963, he visited Ferrie's apartment 20-30 times.

RUSSO WAS shown a picture and asked if he recognized it and he said, "Yes, sir." (This was a photograph of the Ferrie apartment on Louisiana ave. pkwy.)

Q—Did you have another occasion to go to Ferrie's apartment in September of 1963 and see a man you identify as Leon Oswald?

A—Yes, sir.

Q—When was that?

A—Sometime in the middle of the month.

Q—What was the occasion for your going to that apartment?

A—I had come from Tulane or from playing basketball and just dropped in.

Q—Was there anyone there?

A—Several people.

Q—How many?

A—Eight or 10.

Q—Did you know any of them?

A—I had been introduced to Oswald and to Ferrie.

Q—Can you describe any of the others present?

A—There were three or four

A—He wore a deep maroon jacket, white shirt, but I'm sure of the pants.

Q—Did he wear a tie?

A—Not the way I remember.

Q—Can you describe this man?

A—He was big, 6 foot 4 or 6 foot 5, broad shoulders and distinguished looking.

Q—What color was his hair?

A—White.

Q—Was he there when you arrived?

A—Yes, sir.

Q—Do you see him now?

A—I do. (And he pointed out Shaw.)

Q—What, if anything, did you do in the presence of the defendant after you arrived at the apartment?

A—I don't think I did much. I don't think I had anything to drink, although I was offered some coffee.

Q—Were you introduced to the distinguished-looking man?

A—Yes.

Q—What was his name?

A—Bertrand.

Q—What first name did he give?

A—Clem.

Q—Perry, had you seen the defendant, whom you know as Clem Bertrand, before?

A—I had seen the defendant once or twice, I'm not sure.

Q—The one time you are sure you had seen him, where was that?

A—At the Nashville ave. wharf.

Q—Why had you gone to the wharf?

A—President Kennedy was coming to New Orleans to make a speech and I went with a colored friend of mine and we had to almost run to get there.

Q—What made you notice the defendant?

A—He didn't seem to be paying any attention to President Kennedy. He was looking around.

A—I had never seen a president before. I had attempted to see President Eisenhower but didn't get the chance, and it struck me funny that some one would not look at the president.

Q—Was everyone else looking at the president?

A—Yes, sir.

Q—The man that you were with, did he observe the defendant?

AT THIS POINT Dymond objected on the grounds that this testimony would be hearsay. He said the best the witness could do is to describe the position of the second man with reference to where the defendant stood.

Q—Where, physically, did the other man with you stand in relation to you?

A—Right alongside of me.

Q—Would he have been on the side between you and the defendant?

A—He was on both sides of me at one time or another.

Q—How long did you look at the defendant?

A—Eight to 10 minutes.

Q—Other than on that occasion, can you remember seeing the defendant?

A—At one time, I'm not sure, but there was a man resembling him who seemed to have the same type of build, although slimmer, who came into the Republican headquarters and picked up a couple of buttons.

Q—At the apartment, what conversations were there in your presence with the defendant?

A—Ferrie pretty much monopolized the conversation talking about the Cuban thing, just talking.

Q—Do you remember anything specific?

A—Ferrie said "we'll kill the president," but he said that before.

Q—How many times before?

A—Many times he had been obsessed with this Kennedy and Cuba thing.

Q—Did everybody stay at the Ferrie apartment?

A—Do you mean overnight?

Q—Yes.

A—No. I didn't notice how long people stayed.

Q—How long was the conversation in which the defendant participated?

A—Three or four hours.

Q—Who was present?

A—Ferrie, Oswald, the defendant and myself.

Q—What I know at that time did this party or gathering take place?

A—In the first two rooms, mostly in the first room.

AT THAT TIME he was shown a picture of the apartment, which he identified.

Q—In the picture, was the furniture arranged roughly as it was when you were there?

A—The furniture was arranged roughly that way. As I remember there was a sofa along the side of this wall.

Q—Do you recognize any other objects that were present in the room?

A—That sofa was something similar to the one I remember. That coffee table and a lamp. That possibly could be the same lamp that was there, but I'm not sure.

ALCOCK THEN asked the witness to mark an X on the picture of the objects he could recognize, and he did so.

Q—I note that in one of these pictures there is a question mark over a chair.

A—I don't remember those two chairs there. They might have been the ones but there might have been another one.

Q—Who were the guests in the front room?

A—We were in the first two rooms, but especially the front room.

HE THEN identified a dining area as the second room of the apartment.

Q—Do you remember what was in that room?

A—I can remember a dining room table and a cabinet against the wall.

He then was asked to mark an X on the picture of the items he remembered in the room.

Q—What conversation took place then? Between the defendant, Oswald, yourself and Ferrie?

A—On several occasions Ferrie had talked about killing the president.

DYMOND THEN objected to testimony about all conversations except those made in front of the defendant.

Russo said Ferrie carried several newspaper clippings.

Q—You saw them?

A—I saw a couple and I suppose the rest of them were the same ones I saw. Two or three of them had to do with Kennedy.

There was a record of a speech or something someone talking in Spanish. He didn't say much except he was talking about Kennedy.

Q—What did he say?

A—Ferrie walked up and down telling about the projected assassination and how there could be a triangulation of cross-fire.

Russo said Ferrie talked about three persons firing in cross-fire. He said one of these would have to be a scapegoat. We could either have one diversionary shot or we could have all three shoot at one time, Ferrie reportedly said. The diversionary shot would be to draw the attention of the police and after that the other two could shoot for the kill. There would only be a small delay and it would almost be simultaneous, he said.

Q—What else did he (Ferrie) say?

A—There would be no way to escape except by flight. And they discussed Brazil and Cuba, but to go to Brazil would mean stopping to refuel. He (Ferrie) then mentioned Mexico.

Q—Did the defendant say anything?

A—He said that was not possible. There would have to be a stop for refueling and there would have to be some friend to give them assistance to fly out and the police would be everywhere.

Q—What else was said?

A—Oswald told Bertrand to shut up. Ferrie knows what he is doing, he's a pilot.

Q—What else did Ferrie say?

A—He said that we would have to do something to make sure of our alibis and to be in the public eye at the time of the assassination.

Q—What did the defendant say?

A—He said he could go for his company on business to the West Coast and Ferrie said he could speak in Hammond or some place at a college.

Q—What did Oswald say, if anything?

A—He said nothing. The defendant said Ferrie was washed up as a pilot.

Q—When did he make this comment?

A—I'm not sure of his exact words, but it was right before Oswald told him to shut up.

A—Two or three. One firing a diversionary shot and two to kill the President.

Q—Was there any reference to the type of gun to be used?

A—No, except that it was to be a rifle.

Q—Did you see a rifle?

A—No.

Q—Besides a rifle you saw Oswald cleaning, did you ever see another weapon in Ferrie's apartment?

A—I'm not sure.

Q—Perry, do you recall specifically whether or not you went to the apartment with any person?

A—During that period of time, I associated with the same people . . . probably some of them came with me.

Q—Can you name these people?

A—Lefty Peterson was one. There were several people at Loyola.

RUSSO THEN named a number of individuals including a Mike Ogden, Tommy Hopkins and his brother and a Kenny Carter.

Q—At this time, did you know Sandra Moffet?

A—I did.

Q—Could you term her your constant companion?

Russo answered this in the affirmative although he said there were times when he said he would not see her for a week or so.

Q—Was she your girl friend?

A—There were several girls I was going out with at that time.

Q—Was she one of them?

A—She was.

ALCOCK THEN asked Russo if any further conversation went on among Os-

had previously related.

A—No, not that I can recall.

Q—Do you recall who left the apartment first?

A—No.

Q—Do you recall how you got home . . . ?

A—I'm not sure but I think I took a bus home.

Q—Are you specifically telling us you did not drive home in a car of yours?

A—Yes.

Q—Perry, about what time did you leave Ferrie's apartment?

A—It would be after midnight, but the exact time I'm not sure.

RUSSO TESTIFIED that he saw Shaw again at Ferrie's apartment "a few days" later.

Q—Who was present?

A—Again, Dave Ferrie was.

Q—And what, if anything, was Oswald doing?

A—He wasn't doing anything; there was a conversation between Ferrie and Oswald.

At this point, Alcock asked for a recess and Judge Haggerty granted five minutes.

THE TRIAL resumed with Russo continuing his testimony.

Alcock questioned the witness:

Q—Perry, going back to the meeting between Oswald and Ferrie at Ferrie's apartment, who was present?

A—Oswald and Ferrie. They were having what appeared to be a private discussion.

Dymond objected at this point on the grounds that the witness could not discuss a purported conversation between two other parties. He was overruled.

DYMOND RESERVED a bill of exceptions.

The judge rifled through a few law books and said, "I want to cite the laws backing up the ruling I made but I don't want to hold it up now I will do it later. Continue."

Alcock rephrased the question:

Q—What was this private discussion about?

A—Oswald said he was having trouble with his wife and Ferrie said for him not to

of . . . now Oswald his was?

Q—Did you ever see Oswald was married?

A—Yes.

Q—How?

A—He was wearing a wedding ring.

Q—Did you ever see Oswald at any other time?

A—One other time.

Q—When was that?

A—A few days later.

Q—Where?

A—At Ferrie's apartment.

Q—Who was present?

A—Oswald and Ferrie.

ALCOCK ASKED the occasion of this meeting and Russo said Oswald was packed to leave town.

A—I don't remember his exact words, but he said he was going to Houston.

Q—Can you recall anything else being said?

DYMOND OBJECTED and again was overruled by Judge Haggerty, who said he would cite the law later. Once again, Dymond reserved a bill of exceptions.

Q—What was Oswald's physical appearance at that time?

A—I didn't get a good look at him. I remember he was wearing a white shirt, a tie pulled to one side; he appeared clean looking.

Q—Did you notice anything different about his face?

A—I didn't take great notice of his face.

Q—How long were you in his presence?

A—About five to 10 minutes.

Q—Did you see him leave Ferrie's apartment?

A—No.

Q—Did Ferrie leave the apartment and leave you and Oswald in the apartment together?

A—No.

Q—How long did you remain in the apartment?

A—About five to 10 minutes.

Q—Referring you to the first time you saw Oswald in the apartment cleaning the rifle, was there anyone else present?

A—First time, no.

Turning to a new line of questioning, Alcock asked the witness if he had occasion to see Shaw subsequent to mid-September, 1963, and before 1967.

A—Yes.

Q—Where did you see him?

A—In a Gulf station on the Veterans hwy.

Q—You mean a gasoline station?

Q—Do you remember when

A—Approximately the early part of 1964.

Q—What was the occasion?

A—I had some trouble with my car and I drove into this station and found out it was Ferrie's service station or he was working there, either one. I pulled over on the side and it appeared it was the trouble with my battery and two attendants began working on it. Ferrie walked up and said something like "How have you been?" I sat in my car with the door open while the attendants were working on it.

Q—What was Ferrie doing?

A—Ferrie was talking with a man in a car parked next to mine.

Q—Did you see the man?

A—Yes.

Q—Do you see him now?

AT THIS POINT, the witness pointed out Shaw.

Q—How long did you look at this man?

A—I don't know. I looked on and off. I was mad about the car. I just looked up, maybe three or four minutes.

Q—Who was behind the wheel?

A—The defendant was at the wheel; Ferrie was seated next to him on the side nearest to my car.

Q—Was the defendant wearing a hat?

A—No, I don't believe so.

Q—Do you recall having seen this man on any previous occasions?

A—Yes. Once at Ferrie's apartment. Once at the Nashville ave. wharf and once at the Republican headquarters.

Q—Did you talk to him?

A—No, I was in a rush to get out as soon as my car was fixed.

ALCOCK THEN started questioning Russo about how Russo first got in touch with the DA's office.

Q—Do you recall how you first made contact with the DA's office?

A—Yes, I wrote to the district attorney in February from Baton Rouge.

Q—Do you remember the date in February?

A—About Feb. 21, 1967.

Q—Do you recall what date you mailed the letter?

A—Approximately two days

lot of activities and didn't

get around to mailing the letter until about two days later.

Q—Did you have occasion to have a conversation with Assistant DA Andrew Sciambra as a result of this letter?

A—Yes.

Q—Do you recall when that was?

A—Feb. 25, he came up to Baton Rouge.

Q—Without saying what he said, what did you do as a result of your conversation?

A—I identified some photographs he showed me. I told him how and where I knew these people in the photographs.

Q—What photos did you identify?

A—I identified pictures of Ferrie, Oswald, Bertrand, Sergio Arcacha (Smith), Emilio Santana.

Q—What did you tell Sciambra about where you knew Shaw from?

A—The first time I met Shaw or Bertrand at the Nashville ave. wharf, the gas station and finally at Ferrie's apartment.

Q—Did you relate to him what you related to the jury about the meeting in the apartment?

A—Not in great detail; but just a gist.

Q—Did you identify pictures of Clay Shaw?

A—I had never heard the name of Shaw before and I identified him as Bertrand. He asked me what was Bertrand's first name and I said Clem.

Q—You said Clem . . . C-L-E-M?

A—Right, C-L-E-M.

MOVING ON to another line of questioning, Alcock asked Russo:

Q—Perry, directing your attention to the period March 21, 1967, did you ever have occasion on that date to have a conversation with a man named James Phelan?

A—Right.

Q—Did you ever tell this man, Phelan . . .

AT THIS POINT he was interrupted by Dymond who objected to this line of questioning on the ground that it constituted a "self-serving declaration."

Alcock said the witness could testify what he told

usso if he objects on these grounds, Alcock maintained.

DYMOND WAS overruled again and again Dymond reserved a bill of exceptions. Alcock began the questioning again:

Q—Did you tell Mr. Phelan that the judge interrupted,

saying Alcock was "leading the witness."

Alcock rephrased the question:

Q—Can you recall what you told Mr. Phelan regarding your testimony before the three-judge panel hearing.

Dymond objected, was overruled and reserved another bill of exceptions.

Russo said: "I was shown a memorandum of the interview I had with Mr. Sciambra and Mr. Phelan pointed out discrepancies between this interview and my testimony at the trial."

AGAIN DYMOND objected and Alcock told the court that he had copies of the memorandum and said he would send someone to his office for "more legible copies."

Assistant DA Harry Hull was sent for the copies.

Q—Where did this conversation with Mr. Phelan take place?

A—At 311 E. State st. in Baton Rouge, my home at that time; I was going to school.

Q—When did the meeting take place?

A—In the evening.

Q—What do you mean by that?

A—Some time between 6 and midnight.

Q—Who else was present?

A—Matt Herron. He came up with Mr. Phelan. He was a photographer. Also my neighbors, Mr. and Mrs. Kenneth Fisher, who came in for a few moments and left.

Alcock asked Russo:

Q—Was anyone else there?

A—Steve Derby was there for a little while.

Q—Was anyone else there?

A—Phil Neal, for one. And several other friends.

Q—Anyone present for the entire length of time?

A—Matt Herron was taking

photographs.

Q—Anyone there for the entire time Mr. Phelan was there?

A—No.

Q—Approximately how long was Phelan there?

A—Approximately three hours.

Q—Perry, did you know that Phelan was coming?

A—I supposed he was going to be there the day before. When he didn't come, I called the DA's office and found that he was coming. He never showed up that day, but he came the next day.

Q—Perry, when you contacted the DA's office, did you talk to any individual?

A—Andrew Sciambra.

At this point Alcock told the judge that without the original memorandum which Phelan had taken to show to Perry, covering what he had testified to in the preliminary hearing, he couldn't proceed "as I would like."

JUDGE HAGGERTY asked Alcock how long it would take to get the memorandum from his office. Alcock had sent an assistant DA to his office to pick it up.

WHEN THE assistant returned with copies of a memorandum, Judge Haggerty declared a brief recess to give defense attorney Dymond time to read the document.

The judge directed Dymond to let him know when he was ready for the court to resume. The memorandum, Dymond indicated to the court, was six pages long.



—States-Trem photo.
PERRY R. RUSSO, the state's star witness, gestures as he talks with a passerby after testifying at this morning's session of the Clay L. Shaw trial.

(Use Clipping in Space Below)

RUSSO CHANGES TESTIMONY ON EX-GIRL FRIEND SANDRA

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

PAGE 1

SECTION 1

STATES-ITEM

NEW ORLEANS, LA.

Date: 2-11-69

Edition:

Author:

Editor: GEORGE W. HEALY

Title: ASSASSINATION OF

PRESIDENT JOHN F.

KENNEDY, TEXAS

Character:

11-22-63

or

Classification: 89-

Submitting Office:

N.O., LA.

Being Investigated

which the assassination of President Kennedy was discussed.
Russo, the state's star witness in the trial of Clay L. Shaw, took the stand today as the trial went into its third week, and generally repeated the testimony he gave at a preliminary hearing for Shaw in March, 1967.

SHAW, 35, IS ON TRIAL in Criminal District Court on charges of conspiring to kill Kennedy. Russo testified today and at the earlier hearing he heard Shaw plotting the assassination with Lee Harvey Oswald and David William Ferrie here in September, 1963, at a party in Ferrie's apartment.

But at the 1967 hearing, he said he came to the party with Sandra Moffett, a girl friend. Today, he said he "probably" came with some friends from Loyola University, but didn't list Sandra among them.

Sandra Moffett, now Mrs. Harold McMaines of Des Moines, Iowa, says she could destroy Russo's testimony about the alleged party but refuses to come to New Orleans to do so because she says she is afraid of District Attorney Jim Garrison.

IN ANY CASE, RUSSO testified both today and at the earlier hearing that only Shaw, Ferrie, Oswald and Russo himself were still at the party when the assassination was discussed.

Russo also testified today he discussed a man he knew as "Clem Bertrand" with an aide to Garrison in his first contact with the DA's office.

Russo thus contradicted a claim by F. Irvin Dymond, chief counsel for Shaw, that Russo never mentioned Shaw or Bertrand in his Feb. 25, 1967, interview with assistant DA Andrew Sciambra.

GARRISON CLAIMS Bertrand and Shaw are one and the same. Shaw has denied ever using that alias.
Dymond, in his opening statement to the jury Thursday, said Russo met with Sciambra in Baton Rouge on Feb. 25, 1967, for 2½ hours. He said Sciambra then wrote a 3,500 word memo on the conversation and never mentioned either Shaw or Bertrand.

RUSSO SAID HE MADE HIS first contact with the DA's office when he wrote Garrison a letter on Feb. 21, 1967. (This would have been the day before Ferrie's death here.)

The witness said he did not mail the letter until two days later. He said Sciambra came to see him as a result of the letter.

During the Sciambra interview, Russo said, he identified pictures of Ferrie, Oswald, Bertrand, Sergio Arcacha Smith and Emilio Santayna.

Russo said he did not tell Sciambra in detail what he testified to today, but gave him "just a gist."

Asked if he identified pictures of Shaw, Russo said:

"I HAD NEVER HEARD the name Shaw before I identified him as Bertrand. He asked me what was Bertrand's first name and I said Clem."

Chief prosecutor James L. Alcock then called Russo's attention to a conversation with James Phelan, then a writer for the Saturday Evening Post, on March 21, 1967.

Dymond objected and the court recessed to give the defense time to study the memo.

In testifying about the alleged party at Ferrie's apartment at 3330 Louisiana ave. p.m., Russo, a 27-year-old book salesman, pointed out Shaw as the man to whom he was introduced to at the party as Bertrand. In this, he followed his testimony at the earlier hearing. Similarly, he said the man he knew as Leon Oswald was Lee Harvey Oswald.

The Warren Commission named Oswald as Kennedy's lone assassin. Garrison has named Ferrie as a key figure in the assassination plot.

The trial was resumed today before Judge Edward A. Haggerty Jr. after a Sunday recess.

As court opened today, Dymond asked that minutes of the preliminary hearing be on hand. He objected to the introduction by Alcock of the picture of a black Cadillac and of leaflets which witnesses say they saw Oswald handing out on the street here.

THE BLACK LIMOUSINE figured in testimony last week when several state witnesses said they saw Shaw and Oswald in such a car in Clinton.

Judge Haggerty overruled the objection and allowed the material to be introduced. Then Russo took the stand.

After routine identification, Russo said he met Ferrie in 1960 when Ferrie lived in Kenner. He said he saw Ferrie extensively during the periods of 1963 and 1964, "twice a week or better."

RUSSO SAID HE MET Lee Harvey Oswald at Ferrie's apartment in September, 1963. He said Oswald was introduced both as Leon Oswald and as Ferrie's roommate.

Oswald, Russo said, wore dirty clothes, had unruly hair and a light beard. He said the beard appeared to be of three or four days' growth.

When he met Oswald, Russo said, he was cleaning or polishing a rifle. Alcock produced a rifle which Russo identified as the one Oswald had.

Russo then was questioned about the alleged party which was the focal point of his preliminary hearing testimony. He said it took place in the middle of September, 1963.

HE SAID HE "JUST dropped in" and found eight to 10 persons there, including Oswald and Ferrie, "three or four Latins or Cubans, a couple of young guys and one well-dressed man."

(He made no mention here of Sandra Moffett.)
Russo then identified the "well-dressed man" as Shaw, pointing him out in the courtroom.

He said Shaw was introduced as "Clem Bertrand."
Asked if he had ever seen the man before, he related an incident at the Nashville ave. wharf in 1962 when Kennedy visited New Orleans.

RUSSO SAID HE NOTICED Shaw because he "didn't seem to be paying any attention to President Kennedy. He was looking around."

Returning his testimony to the party, Russo said Ferrie "pretty much monopolized the conversation, talking about the Cuba thing, just talking."

He quoted Ferrie as saying "We'll kill the President," but added Ferrie had said that many times before.

The conversation involving Shaw lasted three or four hours, Russo said, with Ferrie, Oswald and Russo present. Asked if anyone else was in the house, Russo said: "Not that I know of."

HE IDENTIFIED PICTURES of the interior of
Ferrie apartment.

Asked to describe the conversation, he said Ferrie carried newspaper clippings dealing with Kennedy and "walked up and down talking about the projected assassination and how there could be a triangulation of crossfire."

Russo said Ferrie talked about three persons firing, and said "one of these would have to be a scapegoat." He went on:

"We could either have one diversionary shot or we could have all three shoot at one time. The diversionary shot would be to draw the attention of the police and after that the other two could shoot for the kill."

RUSSO QUOTED FERRIE as saying there would be no way to escape except by airplane. "They discussed Brazil and Cuba, but to go to Brazil would mean stopping to refuel. He then mentioned Mexico."

Shaw, Russo said, remarked that was not possible. "There would have to be a stop for refueling and it would have to be some friend to give them assistance to fly out and the police would be everywhere."

Oswald, Russo continued, told Bertrand to shut up. "Ferrie knows what he's doing, he's a pilot."

FERRIE SAID ALIBIS would be needed, and Shaw said he could go to the West Coast on business and Ferrie said he could be in Hammond, Russo said. Oswald said nothing.

The gun to be used, Russo testified, was to be a rifle.

Russo said he came "probably" to the party with several people from Loyola University, including Lefty Peterson, Mike Ogden, Tommy Hopkins, Hopkins' brother and Kenny-Carter.

Alcock asked if at the time Russo knew Sandra Moffet.

"I did," Russo said, and agreed he would term her his "constant companion." But he added there were times he would not see her for a week or so.

HE SAID SANDRA WAS ONE of several girls he was going out with at the time.

Russo said there was no further conversation at the party. He said he left about midnight and took a bus home.

The witness said he saw Shaw again at Ferrie's apartment a few days later, with Ferrie and Oswald present. He said Oswald and Ferrie appeared to be having "a private discussion."

He said Oswald said he was having trouble with his wife and Ferrie told him not to worry, that he would take care of it.

RUSSO SAID HE SAW OSWALD at the apartment once more, a few days later, and Oswald then was packing to leave town.

Oswald, Russo said, told them he was going to Houston. He said Oswald looked clean at this time but did not remember whether he had a beard.

Asked if he had seen Shaw again before 1967, Russo said he saw him at a gas station on Veterans Hwy. early in 1964.

He said the gas station was operated by Ferrie and that he, Russo, went there because he had car trouble. He said Ferrie was talking with Shaw, who was sitting in a car.

RUSSO SAID HE DID NOT talk to Shaw at this time.

Alcock then began questioning Russo about how he got in touch with Garrison's office.



PERRY RAYMOND RUSSO MAKES RIFLE IDENTIFICATION

Didn't Hear Shaw, Oswald Agree To Kill Kennedy, Russo Admits 'Ferrie Only 1 of Trio to Declare Self'

Perry Raymond Russo admitted today he never heard Clay L. Shaw and Lee Harvey Oswald actually

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

PAGE 1

SECTION 1

STATES-ITEM

NEW ORLEANS, LA.

Date: 2-11-69

Edition: RED FLASH

Author:

Editor: GEORGE W. HEALY

Title: ASSASSINATION OF
PRESIDENT JOHN F.
KENNEDY, TEXAS

Character: 11-22-63

Classification: 89-

Submitting Office: N.O., LA.

Being Investigated

Oswald and David W. Ferrie plotter. The New York Times in September, 1963, said today... under cross-examination only Ferrie actually vowed to kill the president.

Shaw, 35, is on trial in Criminal District Court on charges of conspiring to assassinate Kennedy. District Attorney Jim Garrison is challenging the Warren Commission's view that Oswald acted alone in shooting the president to death in Dallas Nov. 22, 1963.

RUSSO, a 27-YEAR-OLD BOOK SALESMAN, said today he never heard any "agreement" to carry out the plot. He said he was in and out of the room during the party at Ferrie's apartment at 3330 Louisiana ave. pkwy. when he said the assassination was discussed.

Other key points of Russo's testimony this morning:

—The 2,500-word memorandum of his first official interview in February, 1967, with Assistant DA Andrew J. Sciambra was "incomplete and wrong on many points," he said.

—Russo said he is "not 1,000 per cent sure of his identification of Shaw" as the man he heard plotting with Ferrie but he is "100 per cent sure."

—He admitted he told Layton Martens the Shaw case is "the most blown up thing I've ever seen."

—Russo admitted he saw Ferrie several times after Kennedy was assassinated, a fact left out of the Sciambra memo.

Chief defense counsel R. Irvin Dymond questioned Russo closely on these points. Handling questions for the state was chief prosecutor James L. Alcock. The trial moved into its 15th day today before Judge Edward A. Haggerty Jr.

As today's morning session opened, Alcock examined some Post Office records the state had subpoenaed and pronounced himself satisfied with them. Russo then returned to the stand.

DYMOND ASKED HIM IF HE TOLD the whole story yesterday of the meeting in Ferrie's apartment where the alleged assassination plot was discussed.

Russo said he didn't "apparently" leave out anything. Dymond asked him if he contributed anything to the discussion.

"No, I was down the street a lot of the time. I did not hear a lot of the conversation," Russo said. He said he would not purport to have heard the entire conversation.

Asked if Ferrie, in his presence, ever agreed to kill the president, Russo quoted Ferrie as saying, "We will kill him." He agreed Ferrie had said this many times before.

DYMOND ASKED IF "CLEM BERTRAND" ever agreed to kill the president. Russo said no.

Asked if "Leon Oswald" ever agreed to kill Kennedy, Russo's answer again was no.

"Would I be correct in saying you never heard anyone agree to kill the president of the United States?" Dymond asked.

Russo said he couldn't answer yes or no because he didn't understand what Dymond meant by agreement. But he agreed he never heard anyone say, "Yes, this will be the

DYMOND THEN QUESTIONED RUSSO about his own reactions to Ferrie's statements. Russo said he told Ferrie "it wouldn't be possible . . . I never said it wouldn't be a good idea."

Russo said Ferrie was an emotional, opinionated man, but he had an analytical mind. He said Ferrie's opinion

that JFK should be killed "came as no great shock."

The witness agreed that if he really thought the president was going to be killed, he would have gone to the FBI.

"For approximately four years, you were indifferent to what you heard?" Dymond asked.

"Approximately," Russo agreed.

DYMOND THEN ASKED RUSSO if he could remain indifferent for four years if he thought he knew of a plan to assassinate the president. Russo replied by mentioning the letter he says he wrote to Garrison the day Ferrie died. (Yesterday he testified this letter was written the day BEFORE Ferrie died.)

Russo said he believed the Warren Commission's report that Oswald had killed Kennedy.

"Wouldn't you be concerned if you thought there was a plot to kill the president?" Dymond asked.

Russo said many persons had talked about plots to kill Kennedy during the period when schools were being desegregated. "I just put the remarks on a shelf," Russo said.

HE SAID THAT BECAUSE HE KNEW Ferrie to be unreliable, he was not worried about an assassination.

Dymond asked Russo if he could remember the names of the other "eight or 10" persons he said were at the party.

MORE MORE MORE

"There were two Spanish guys there—a fellow named Julian and one named Emanuel," Russo said. He said he couldn't remember any others.

"Russo, then you know of no one today you can name that could confirm that party?" Dymond asked. Russo said no.

DYMOND THEN QUESTIONED RUSSO closely about his description of "Leon Oswald." Russo said he made a correction yesterday about the color of his hair. He said Oswald's beard looked like a two-or-three-days growth, but he couldn't be sure. He said it could have been a fake beard.

Dymond asked Russo when he first noticed he had made a two-year error in placing Shaw (or Bertrand) at a filling station in Metairie at which Ferrie worked.

Russo said he couldn't remember for certain, but believes it was in a subsequent interview with Sciambra. He said he corrected his error in yesterday's testimony.

DYMOND ASKED RUSSO IF HE pointed out the error to James Phelan, who as a Saturday Evening Post reporter in 1967 wrote an article noting discrepancies in Sciambra's memo. Russo didn't remember.

He said he talked to Phelan several times, but couldn't answer the question specifically.

Russo said when he ~~put~~ the time he saw Shaw (Bertrand) at the filling station on Veterans hwy. as in 1962, "that was a flat error on my part and I readily admit that error."

He said Sciambra took few notes in the interview, and never showed them to Russo. At this point Judge Haggerty called a recess.

ie's apartment in September, 1963, Russo heard Shaw, Ferrie and Oswald plot to kill Kennedy.

—Russo knew Oswald only as "Leon" Oswald and Shaw only as Clem Bertrand.

—Initially, Russo attached little importance to the conversation in Ferrie's apartment, regarding it as only a "bull session."

—The witness feels Dymond "forced" him into giving conflicting testimony on who accompanied him to the party at Ferrie's apartment. In fact, Russo can't remember who went with him or what he was doing before he went.

—In interviews with newsmen prior to the preliminary hearing for Shaw in March, 1967, Russo failed to mention either Shaw, Bertrand, Oswald or the alleged party.

As court opened yesterday, Alcock drew out Russo's story much as it was told in the March, 1967, preliminary hearing.

Russo said he met Ferrie through a mutual friend, Al Landry, in 1961 and saw him extensively during 1963. He identified photos of the interior of Ferrie's apartment.

He identified a picture of Lee Harvey Oswald as the man he knew as "Leon" Oswald, who was identified to him as Ferrie's roommate.

RUSSO THEN GAVE an account of the alleged party at which the assassination was discussed, giving much the same story he did at the preliminary hearing. But he did not mention Sandra Moffett, the girl friend he said in 1967 he brought to the party.

As before, Russo said he had seen Shaw previously at the Nashville Ave. wharf on the occasion of Kennedy's visit here in 1962.

RUSSO SAID he saw Shaw and Ferrie together on one other occasion, at the service station on Veterans Hwy. in early 1964. He said he drove into the station and Shaw was sitting in a car talking to Ferrie, who worked there.

Alcock then turned to Russo's involvement in the Garrison probe. Russo said he wrote a letter to the DA on

On Feb. 2, Sciambra came to Baton Rouge to interview him. He said he identified pictures of Ferrie Oswald, "Bertrand" and Sergio Arcacha Smith.

AT THIS POINT, court recessed for lunch and when it resumed Sciambra's 2,500-word memo on the Russo interview was read to the jury.

Russo said the memo was wrong on many points. "I told Sciambra the first time that I had seen Shaw at the Nashville Wharf, then at a gas station, and that then I had seen him at Ferrie's apartment," Russo said. The memo made no mention of the party at Ferrie's apartment.

The memo quoted Russo as saying he had seen Shaw (Bertrand) twice — not three times — first at the service station, then at the Nashville Wharf.

POINTING OUT the mistakes as detailed by Russo, Dymond asked: "Are you sure it was Sciambra you talked with in Baton Rouge?"

Russo's emphatic "Yes, sir!" was nearly drowned out by a burst of laughter from newsmen and spectators crowding the courtroom.

Alcock, with Sciambra slumped beside him at the prosecution table, questioned Russo about the memo.

"Did you relate to Sciambra what you have told this jury about what happened in Dave Ferrie's apartment?"

"NOT IN GREAT detail, but in essence, yes."

"How long did you talk to him?"

"Two hours, two and a half hours."

In addition to the omission of seeing Shaw, Russo noted other discrepancies. Dymond counted 26 of them.

In the memo, Russo told how he met Ferrie through Al Landry and said it was common knowledge that Ferrie was a homosexual. Ferrie practiced hypnosis, the memo stated.

Russo said he helped set some porographic film which Ferrie said he flew from Cuba. He mentioned a

IN 1963, Russo said, Ferrie became obsessed with how easy it would be to assassinate the president and how he was the type who could do it. In September or October, Russo said, he began making direct references to Kennedy.

Sciambra said in the statement Russo recognized the man whose picture he identified as Bertrand as the same man he saw at the Nashville Ave. wharf. Russo said he recalled him because of his looks.

Sciambra wrote that Russo, after some hesitation, identified Oswald's picture as one of Ferrie's roommates.

AFTER THE statement was read, Russo outlined what he considered his errors. He denied Ferrie ever admitted he was a homosexual and differed with the description of the roommate.

Russo said he never mentioned Shaw's name at all to Sciambra, only Bertrand's. It was only later he identified Shaw as the man he knew as Bertrand. Russo said he was not sure whether he had ever heard of Shaw before the Sciambra interview.

Russo said he did tell Sciambra of the meeting in Ferrie's apartment, "essentially, but not in great detail." He said he thought Sciambra mainly wanted to know about Ferrie's philosophy.

UNDER CROSS-EXAMINATION by Dymond, Russo testified he didn't take the assassination discussion very seriously at the time because Ferrie was "prone to the fantastic" and couldn't always be believed.

Russo said he had difficulty in identifying the Oswald pictures, and various types of beards had to be drawn on it.

Dymond then questioned Russo closely about interviews he gave various newsmen. Transcripts of several interviews were read, and Russo said he couldn't quarrel with their contents.

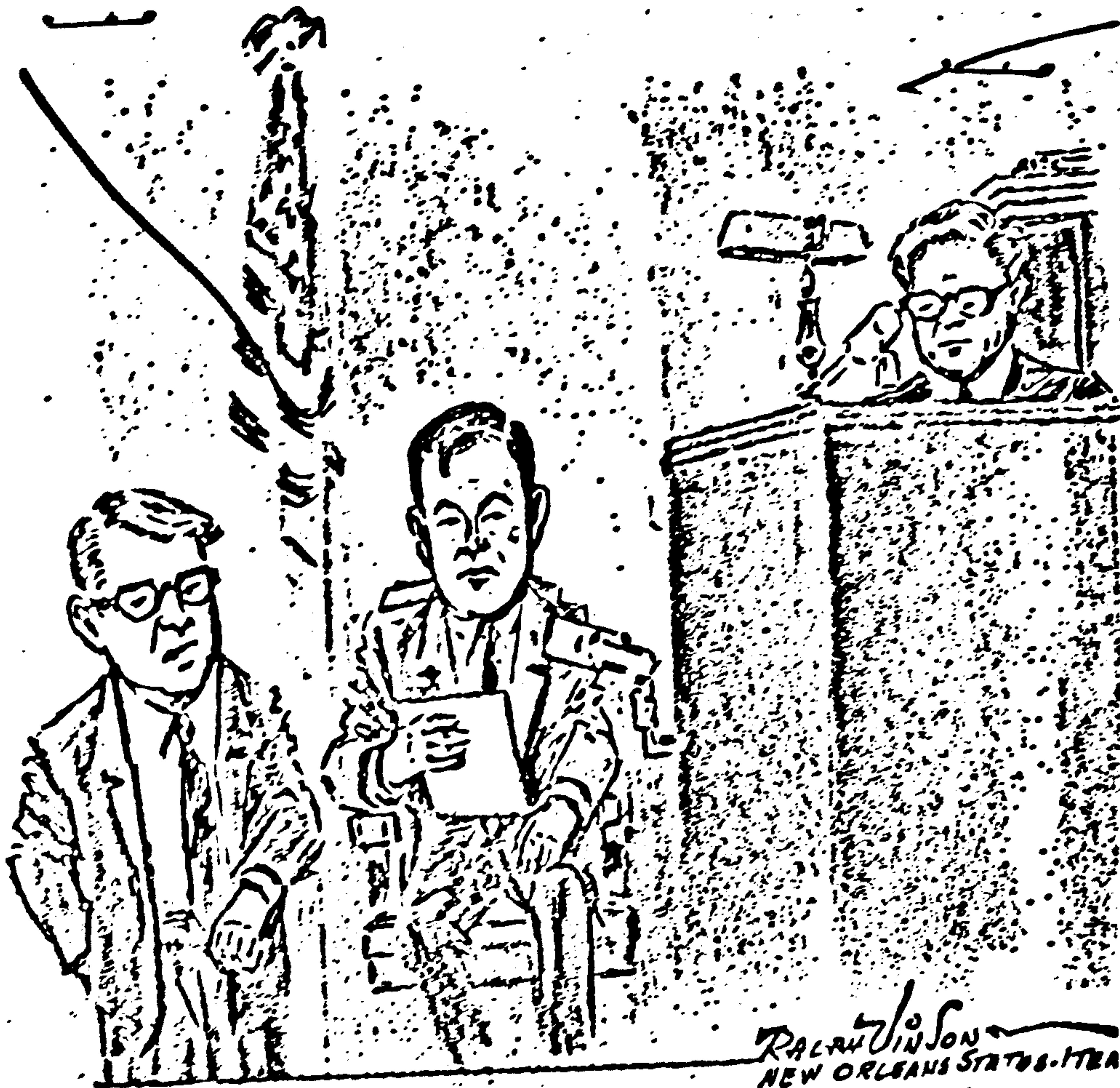
In the interview, Russo was asked if Ferrie ever mentioned the name Lee Oswald,

In an interview after Russo's arrest, Russo was asked:

DO YOU KNOW Clay Shaw?"

"No, I don't," he answered. Dymond bore down hard on Russo's inability to remember who went to the alleged party with him. Russo stuck to his position that it could have been any of a number of persons he was closely associated with at the time, including Sandra Moffett, Nils "Lefty" Peterson and others. He told the preliminary hearing Peterson and Miss Moffett accompanied him to the party.

SANDRA MOFFETT, now Mrs. Harold McMains of Des Moines, Iowa, since has said she went to no such party, but refuses to come here to testify in the trial, saying she is afraid of Garrison.



RALPH VINSON
NEW ORLEANS STATES-ITEM

PERRY R. RUSSO STUDIES PHOTO OF "LEON" OSWALD
... questioned by James L. Alcock, left, at Shaw trial



Palmer Vinson
NEW ORLEANS STATES-ITEM

JAMES L. ALCOCK READS SCIAMBRA MEMO TO JURY
high point in yesterday's session of Shaw trial

Perry Russo Faces New Grilling

DA's 'Star' Quizzed on Plot Story

Perry Raymond Russo was due back on the witness stand today for another grueling session of cross-examination by attorneys for Clay L. Shaw.

Russo, the state's star witness, was questioned closely yesterday about his claim that he heard Shaw plotting the assassination of President John F. Kennedy with Lee Harvey Oswald and David W. Ferrie.

Shaw, 55, is on trial in Criminal District Court on charges of conspiring to kill the president. District Attorney Jim Garrison is challenging the Warren Commission's view that Oswald acted alone in killing Kennedy in Dallas Nov. 22, 1963.

RUSO, A 27-YEAR-OLD book salesman, spent the entire day on the stand yesterday, unfolding his assassination plot story under questioning by chief prosecutor James L. Alcock and defending it against the assaults of Shaw attorney F. Irvin Dymond.

Here are the highlights of Russo's testimony yesterday:

—At a party at Ferrie's apartment at 2230 Louisiana ave. pkwy. in September, 1962, Russo heard Shaw, Ferrie and Oswald plot to kill Kennedy.

—Russo knew Oswald only as "Leon" Oswald and Shaw only as Clem Bertrand.

—Initially, Russo attached little importance to the conversation in Ferrie's apartment, regarding it as only a "bull session."

—The controversial report by assistant DA Andrew Sciambra on his initial interview with Russo in Baton Rouge was incomplete and wrong on many points.

—The witness feels Dymond "forced" him into giving conflicting testimony on who accompanied him to the party at Ferrie's apartment. In fact, Russo can't remember who went with him or what

he was doing before he went.

—In interviews with newsmen prior to the preliminary hearing for Shaw in March, 1967, Russo failed to mention either Shaw, Bertrand, Oswald or the alleged party.

As court opened yesterday, Alcock drew out Russo's story much as it was told in the March, 1967, preliminary hearing.

Russo said he met Ferrie through a mutual friend Al Landry in 1961 and saw him extensively during 1962. He identified photos of the interior of Ferrie's apartment.

He identified a picture of Lee Harvey Oswald as the man he knew as "Leon" Oswald, who was identified to him as Ferrie's roommate.

RUSO THEN GAVE an account of the alleged party at which the assassination was discussed, giving much the same story he did at the preliminary hearing. But he did not mention Sandra Moffett, the girl friend he said in 1967 he brought to the party.

As in the hearing, Russo pointed out Shaw in the courtroom as the "well-dressed man" he saw at the party among eight or 10 persons, some Latins or Cubans. Shaw, he said, was introduced to him as Clem Bertrand.

As before, Russo said he had seen Shaw previously at the Nashville Ave. wharf on the occasion of Kennedy's visit here in 1962.

RUSO SAID he saw Shaw and Ferrie together on one other occasion, at a service station on Veterans hwy. in early 1964. He said he drove into the station and Shaw was sitting in a car talking to Ferrie, who worked there.

Alcock then turned to Russo's involvement in the Garrison probe. Russo said he wrote a letter to the DA on Feb. 21, 1967, (which was the day before Ferrie died) but did not mail it until two days later.

On Feb. 25, Sciambra came to Baton Rouge to interview him. He said he identified pic-

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

PAGE 1

SECTION 1

STATES-ITEM

NEW ORLEANS, LA.

Date: 2-11-69

Edition: RED COLET

Author:

Editor: GEORGE W. HEALY

Title: ASSASSINATION OF

PRESIDENT JOHN F.

KENNEDY, TEXAS

Character:

11-22-63

Classification: 89-

Submitting Office:

N.O., LA.

Being Investigated

AT THIS POINT, court recessed for lunch and when it resumed Sciambra's 3,500-word memo on the Russo interview was read to the jury. Russo said the memo was long on many points. "I told Sciambra the first time that I had seen Shaw at the Nashville Wharf, then at a service station, and that then I had seen him at Ferrie's apartment," Russo said. The memo made no mention of the party at Ferrie's apartment.

The memo quoted Russo as saying he had seen Shaw (Bertrand) twice — not three times — first at the service station, then at the Nashville wharf.

POINTING OUT the mistakes as detailed by Russo, Dymond asked: "Are you sure it was Sciambra you talked with in Baton Rouge?"

Russo's emphatic "Yes, sir!" was nearly drowned out by a burst of laughter from newsmen and spectators crowding Judge Edward A. Haggerty's courtroom.

Alcock, with Sciambra slumped beside him at the prosecution table, questioned Russo about the memo.

"Did you relate to Sciambra what you have told this jury about what happened in Dave Ferrie's apartment?"

"NOT IN GREAT detail, but in essence, yes."

"How long did you talk to him?"

"Two hours, two and a half hours."

"Did he take notes?"

"He had a legal pad and he made a few scribbles but no notes, no."

In addition to the omission of seeing Shaw, Russo noted other discrepancies. Dymond counted 26 of them.

SCIAMBRA'S MEMO fell into the hands of newsmen early in Garrison's two-year-old probe. It was one of the things that triggered reports critical of the investigation.

In the memo, Russo told how he met Ferrie through Al Landry and said it was common knowledge that Ferrie was a homosexual. Ferrie practiced by himself, the memo stated.

"beatnik-type" Ferrie roommate, but couldn't remember his name.

IN 1963, Russo said, Ferrie became obsessed with how easy it would be to assassinate the president and how he was the type who could do it. In September or October, Russo said, he began making direct references to Kennedy.

Sciambra said in the statement Russo recognized the man whose picture he identified as Bertrand as the same man he saw at the Nashville Ave. wharf. Russo said he recalled him because of his looks.

Sciambra wrote that Russo, after some hesitation, identified Oswald's picture as one of Ferrie's roommates.

AFTER THE statement was read, Russo outlined what he considered his errors. He denied Ferrie ever admitted he was a homosexual and differed with the description of the roommate.

Russo said he never mentioned Shaw's name at all to Sciambra, only Bertrand's. It was only later he identified Shaw as the man he knew as Bertrand. Russo said he was not sure whether he had ever heard of Shaw before the Sciambra interview.

Russo said he did tell Sciambra of the meeting in Ferrie's apartment, "essentially, but not in great detail." He said he thought Sciambra mainly wanted to know about Ferrie's philosophy.

UNDER CROSS-EXAMINATION

by Dymond, Russo testified he didn't take the assassination discussion very seriously at the time because Ferrie was "prone to the fantastic" and couldn't always be believed.

Russo said he had difficulty in identifying the Oswald pictures, and various types of beards had to be drawn on it.

Dymond then questioned Russo closely about interviews he gave various newsmen. Transcripts of several interviews were read, and Russo said he couldn't quarrel with their contents.

In the interview, Russo was

the television of the assassination."

In an interview after Shaw's arrest, Russo was asked:

"DO YOU KNOW Clay Shaw?"

"No, I don't," he answered.

Dymond bore down hard on Russo's inability to remember who went to the alleged party with him. Russo stuck to his position that it could have been any of a number of persons he was closely associated with at the time, including Sandra Moffett, Nils "Lefty" Peterson and others. He told the preliminary hearing Peterson and Miss Moffett accompanied him to the party.

SANDRA MOFFETT, now Mrs. Harold McMaines of Des Moines, Iowa, since has said she went to no such party, but refuses to come here to testify in the trial, saying she is afraid of Garrison.

Pinned down on this discrepancy by Dymond, Russo contended Dymond "forced" him in the earlier hearing to say definitely that Miss Moffett and Peterson were with him.

Russo said he meant it only as a "probable guess."

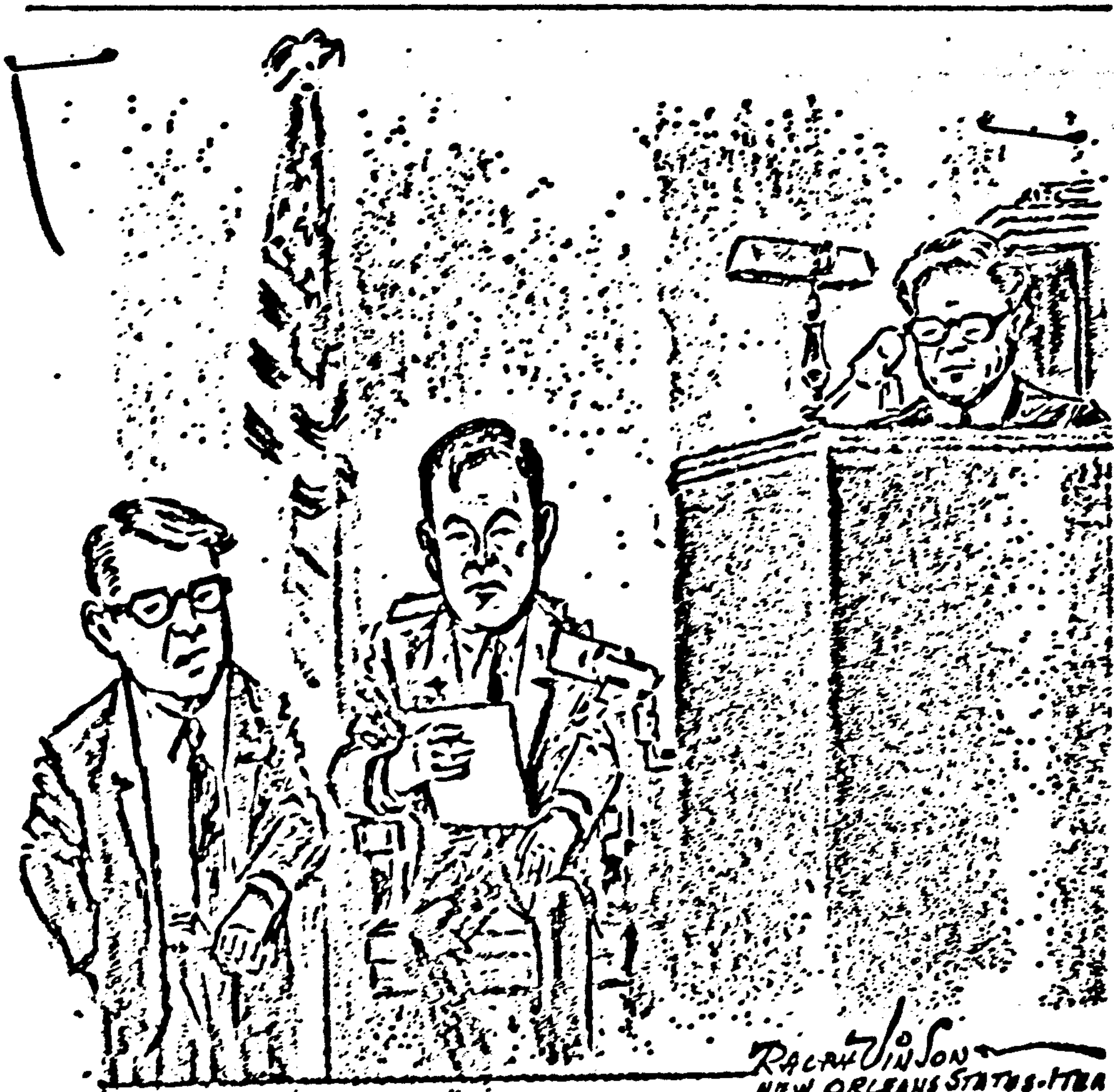
"Mr. Russo," said Dymond, "you don't state probable guesses under oath."

Judge Haggerty had one bit of good news for trial participants yesterday. He announced there will be no court session a week from today, Mardi Gras.



RALPH VINSON
NEW ORLEANS STATES-ITEM

JAMES L. ALCOCK READS SCIAMBRA MEMO TO JURY
... high point in yesterday's session of Shaw trial



PERRY R. RUSSO STUDIES PHOTO OF "LEON" OSWALD
... questioned by James L. Alcock, left, at shaw trial

15TH DAY

Shaw Trial Testimony

Proceedings in the 15th day of the Clay L. Shaw conspiracy trial in Criminal District Court follows:

Assistant District Attorney James L. Alcock started today's proceedings by asking the court if a subpoena for post office records has been satisfactorily returned.

In conjunction with the subpoena, the prosecution put Joseph D. Ryan, director of personnel for the New Orleans post office, on the stand.

RYAN HANDED Alcock some papers and the assistant district attorney asked for a few moments to examine them. He then said the state was "satisfied with the return."

Judge Edward A. Haggerty Jr. then asked the state and defense if they were ready to proceed and Perry Raymond Russo was called to the stand.

Defense Attorney Irvin L. Dymond took up the cross-examination of Russo.

Q—On direct examination, did you tell the entire story as you recollect in connection with the meeting on Louisiana ave. pkwy. (David Ferrie's apartment) in 1963?

A—I don't know exactly what information you mean.

Q—I want to know whether you gave a complete account . . . of the conspiratorial meeting?

A—I tried to answer the questions he (Alcock) asked.

Q— . . . In other words, did you leave out anything?

A—Not apparently.

Q—Now, Mr. Russo, during the meeting did you contribute anything to the discussion?

A—No, I was down the street a lot of the time.

I did not hear a lot of the conversation.

Q—You were in ~~and out~~?

A—Yes.

Q—Would I be correct in saying you heard only portions, fragments of the conversation?

A—Yes, sir.

Q—You would not purport to have heard the entire conversation . . . ?

A—No.

Q—Was there ever any actual agreement to kill John F. Kennedy?

AT THIS POINT Alcock objected and Judge Haggerty said, "I'm going to sustain the objection. That is a matter for the jury to decide."

Q—In your presence, did David Ferrie ever agree to kill the President of the United States?

A—He said "We will kill him."

Q—He had said that many times before?

A—Right.

Q—Did Clem Bertrand ever agree to kill the president?

A—No.

DYMOND ASKED the same question as it pertained to the man identified by Russo as Oswald.

The answer was again "No."

Q—Would I be correct in saying you never heard anyone agree to kill the president of the United States?

Russo declined to answer the question yes or no, contending he did not understand what Dymond meant by "agreement."

RUSSO SAID it was true he never heard anyone say "Yes, this will be the time we will do it. We will do it this way."

Q—Did you ever hear anyone say we will do it?

A—Dave Ferrie.

Q—He had said this many times before?

Russo agreed with this statement by Dymond.

THEN DYMOND questioned Russo about his own reaction to statements by Ferrie that the president should be killed.

Q—Did you ever verbally indicate disagreement with the idea?

A—Well, I told him it wouldn't be possible . . . but I never said it wouldn't be a good idea.

Russo said that when Ferrie talked about the subject, it was more of a lecture than a conversation.

Q—It was quite common for him to lecture?

A—Right.

IN ANSWER to another question from Dymond, Russo said Ferrie talked to Oswald and the defendant about the subject and Dymond then said, "just as he had talked to you on occasion?"

A—On one occasion.

Q—Was it true that Ferrie was an emotional man?

A—No.

Q—He would get excited?

A—No, he had a very analytical mind.

Q—You would call him an opinionated man?

A—Opinionated, yes.

Q—Did he try to convert people to his way of thinking?

A—In some things, yes.

Q—Being an opinionated man, as you say Ferrie was, is it not a fact that he would not be out of character to say that the President should be killed?

A—No, I don't think so.

Q—What you heard that night came as no great shock?

A—No, I agree.

Q—As a matter of fact, if you really thought that the president was really going to be killed, you would have gone to the FBI?

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

PAGE 1

SECTION 1

STATES-ITEM

NEW ORLEANS, LA.

Date: 2-11-69

Edition: RED FLASH

Author:

Editor: GEORGE W. HEALY

Title: ASSASSINATION OF

PRESIDENT JOHN F.

KENNEDY, TEXAS

Character: 11-22-63

Classification: 89-

Submitting Office: N.O., LA.

Being Investigated

RUSSO AGREED that this was so. ~~He~~ he said he never knew when Ferrie could back up what he said.

At one point Russo said, "If I hadn't known Dave Ferrie . . . I wouldn't know whether to take him seriously or not. In several ways he did back up what he said. You couldn't really tell about some of these fantastic things he said.

"I just sat there. I didn't know whether he would back up what he said or not."

At another point, Russo said Ferrie "could envelop, strangle a conversation. He claimed quite a few things to me; he claimed he was in the Bay of Pigs to me. I don't know . . . He was well read in religious matter, he had a medical laboratory. He said he was a doctor or had extensive medical knowledge."

Q—For approximately four years, you were indifferent to what you heard?

A—Approximately.

Q—Mr. Russo, knowing yourself, could you remain indifferent for four years if you thought you knew of a plan to assassinate the President?

A—In and out. The DA's office mentioned the name of Ferrie. The day Ferrie died I wrote a letter. Mailed it two days later. That's when it appeared that other people besides him had been involved.

Q—But before that for four years you were indifferent?

A—Yes.

Q—You didn't worry?

A—No. I didn't worry. I told some friends, I think, when the President was shot and they carried his picture in the paper. Then I heard what the FBI said about it—that Oswald had done it—and I believed it.

Q—As a citizen, Mr. Russo, wouldn't you be concerned if you thought there was a plot to kill the President?

A—Judge (Leander H.) Perez stated about a year ago that there was a plot to kill him. Judge Perez named a

I've heard people say that he'd be better off under the swamps than on top on several occasions. When the schools were being desegregated I heard people say, "If I had a gun, I'd shoot the President. So-and-so ought to be dead." I just put the remarks on a shelf.

Q—Don't you agree, Mr. Russo, that sometime between mid-September and November of 1963 you should have been worried if you thought there was a plan to kill the President?

A—If I was meeting Ferrie for the first time, maybe I would tell someone. But knowing him, I took it for what it was worth.

Q—Because you knew Ferrie you didn't say anything to anyone?

A—That was one of the reasons.

Q—Perry, yesterday on direct examination you said there were 10 or 12 at that party at Ferrie's house that night before the crowd left. Is that correct?

A—There were eight or ten there.

Q—Can you give me the names of any of those persons there besides the names you mentioned—Oswald, Ferrie or Bertrand?

A—There were two Spanish guys there — a fellow named Julian and one named Emanuel.

Q—You mention these are common Latin names, don't you?

A—Emanuel was.

Q—Can't you remember any other names?

A—No. I didn't notice, really. I was watching Dave Ferrie walk up and down lecturing when I was inside.

Q—Were you fascinated?

A—Ferrie always gave directions and explanations to cover anything he was talking about. One night before that I was with Landry on Canal st. and Ferrie came along with some Latin-looking fellows and he began talking and later I asked Landry about it. He said you never know what Ferrie is talking about.

Q—You've heard Ferrie talk many times?

A—Yes. He had a fascinating way of talking, using his hands to emphasize.

Q—Would it be fair for me to say that there is no one

At this point Alcock objected, telling the court that Russo could not know if there is anyone alive or not today to tell about it.

Dymond argued that Russo had answered by giving two names—two prominent Latin names, Emanuel and Julian. Then he offered to rephrase the question.

Q—Russo, then you know of no one today you can name that could confirm that party?

A—No.

Q—In that Sciambra memo you refer to Leon Oswald as having dirty blond hair. Do you now deny that? Do you change that?

A—I made a correction yesterday.

Q—You mean to say you never referred to dirty blond hair?

ALCOCK OBJECTED and discussion between Dymond, Alcock and the judge followed. Then Russo continued:

A—I don't know that I said dirty. I said beatnik. I don't think I referred to it as blond hair. I may have said blond, but dirty blond would make it brown. I don't recall. It could be brownish. Dirty blond and brown as synonymous.

Q—Can you describe him now? Describe his hair?

A—Brown. Just brown.

Q—Did you tell Mr. Sciambra that Oswald had a shaggy beard?

A—I may have. He had a growth of whiskers and I was trying to get a word out of the air.

Q—Would you say he had a bushy beard? A bushy growth of whiskers?

A—No.

Q—Was it neat?

A—No.

Q—Can you use a word to describe the beard?

A—Mr. Dymond I am open to suggestions.

Q—I'm just asking questions.

A—The only way I can describe it now is that he had a growth of beard. Some people have long beards. Sometimes they have beards like Mr. Plotkin (Russo looked at attorney Steve Plotkin behind the DA's table). But that's not right again. He just had a growth of beard and there were spots where it didn't grow. It looked like a two

A—I can't really see how long.

Q—Was it the same color as his hair?

A—Not exactly the same.

Q—How would you describe it?

A—It didn't appear the same color as his hair. It did not look like a fake beard, but it could have been.

Q—Could it have been white?

A—You mean gray? It could have been.

Q—Were the sideburns the same?

A—I can't say. The sideburns may have been messed up.

Dymond and Russo went into an involved discussion of the Sciambra memo and when Russo had first noticed he had made a two-year error in placing Shaw in Ferrie's service station on Veterans Hwy. in Metairie.

Russo finally answered that he could not remember for certain but thought it might have been when Sciambra interviewed him a second time in Baton Rouge. Russo pointed out that, at any rate, he corrected the error in his testimony before the court yesterday.

Q—In other words, your testimony is that you do not know whether you pointed out these errors to Phelan?

A—No, I'm sure I must have pointed it out sometime, perhaps in the preliminary hearing.

Q—Isn't it a fact that you pointed out only minor typographical errors and slight discrepancies?

A—What we were talking about was only a few things that he pointed out. I did not go over it word for word because if I had, I would have found the contradictions you referred to.

Q—You did not go over it word for word?

A—We talked about a half an hour about a lot of things, about the preliminary hearing, about other things I do that have nothing to do with this case and I did not go through it from start to finish. The district attorney's office had notified me he was coming up to Baton Rouge. He had underlined and circled one word that was in the memorandum twice and that seemed to be a big thing for him at the time.

Q—You did not go over it

wrote in a big handwritten
stuff like this (he wrote on the
pad) but he did not copy
everything down.

Q—In other words, his notes
could not have revealed the
contents of what you were
saying to him.

A—That is what I think.

Q—Then there was no need
for him to burn these notes.

ALCOCK OBJECTED and
Dymond withdrew the ques-
tion.

word for word?

A—Absolutely not.

Q—When did you first call
to the district attorney's of-
fice the two-year error on
when you said you saw Clay
Shaw?

A—I'm not exactly sure
when I first saw the mem-
orandum, I'm not really sure.

Q—Do you remember ever
calling the two-year error to
anyone's attention prior to
yesterday?

A—I'm sure I had a discus-
sion with the district attor-
ney's office but I don't re-
member exactly when. We
talked about two hours, but
I don't remember exactly
when that was.

Q—Is it your testimony that
you were sure you called this
to Phelan's attention?

A—In Baton Rouge I talked
to him—he was up there one
night and I talked to him in
New Orleans several times.

Q—When did you have the
discussion with Ferrie on
Bourbon st. concerning Al
Landry?

A—In 1961 or 1962.

Q—Was it early or late
1962?

A—You asked that yester-
day.

Q—In Sciambra's memoran-
dum, you relate seeing Shaw
on Veterans ~~iray~~: about six
months after the incident with
Ferrie on Bourbon. After
that you say you saw Shaw
on Veterans. Is it your intent
to set up a time relationship?

A—When I said '62, that
was a flat error on my part
and I readily admit that er-
ror.

Q—Was the Bourbon st.
meeting in 1962?

A—I have a tendency to say
'61 instead of '62, but I'm not
sure.

Q—How about that date of
yours in the Sciambra mem-
orandum?

some and continuity and
when he wrote that memoran-
dum it was on Monday. He
did not keep a great amount
of notes and that's probably
where the error came in.

Q—How many notes did he
keep?

A—He didn't keep eight or
10 pages, maybe it was a
page or two, or maybe more.
It could have been a page,
a page and a half, two or
maybe even three.

Q—Did you get to see these
notes?

A—No.

Q—Yet you can tell the
amount of pages of notes he
took?

AT THIS POINT Russo pick-
ed up a yellow legal pad and
pencil.

A—He had a briefcase,
about 20 pictures, and some.

Memorandum

- 1 - Mr. C. D. DeLoach
- 1 - Mr. A. [unclear] sen
- 1 - Mr. T. E. Bishop

DATE: February 13, 1969

- 1 - Mr. W. C. Sullivan
- 1 - Mr. W. A. Branigan
- 1 - Mr. T. N. Goble

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 : Mr. W. C. Sullivan

FROM : Mr. W. A. Branigan

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

For information, trial of Clay Shaw in New Orleans continued 2/12/69, per news media, with these pertinent developments.

Former boxer, Andrew J. Sciambra, now one of Garrison's assistants, took stand to explain why his 3700-word report of first interview with Perry Russo omitted most crucial facts, Russo's story of Shaw-Ferrie-Oswald meeting at which assassination was discussed. Defense contends Sciambra's omission indicates Russo did not mention meeting until subsequent interviews, when under hypnosis. Defense suggests story planted in Russo's mind after Sciambra interviewed him and while he was in trance. Sciambra contended Russo mentioned story and he merely forgot to include it in his report. (This is a feeble explanation, to write 3700 words and forget the most important part.)

Another prosecution witness, C. R. Roland, former manager of Houston, Texas, ice skating rink, testified Ferrie visited there 11/23/63. This is true. Ferrie told us on 11/25/63 that he left New Orleans 6:30 p.m., 11/22/63, with two friends, and arrived in Houston about 4:30 a.m., 11/23/63. Later that day they went to the skating rink and Ferrie introduced himself to Chuck Rolland and discussed with him cost of operating such a business. Ferrie explained to us that he was considering opening ice skating rink in New Orleans. Prosecution argues Ferrie made trip to establish alibi. In view of times involved, this doesn't make much sense.

Third witness for prosecution was New Orleans letter carrier who testified he delivered mail addressed to Clem Bertrand (alias of Shaw, according to Garrison) to home which Shaw was using as forwarding address, in 1966. We never investigated Clay Shaw and have no information on the significance of this testimony.

ACTION:

For information. Case being closely followed.

112C 109.

12 FEB 24 1969

6757

62-109060
 TNG:as
 (7)

FEB 28 1969

Handwritten signatures and initials:
 ✓ W.C. Sullivan
 W.A. Branigan
 T.N. Goble
 [Other illegible initials]

FEB 13 1969

CAS

REC 13

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	_____

FBI WASH DC

TELETYPE

FBI NEW ORLS

716PM URGENT 2/13/69 OLP

TO DIRECTOR (62-109060) AND DALLAS (89-43)
FROM NEW ORLEANS (89-69) 8P

[Handwritten signature]

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS, NOVEMBER TWENTYTWO, SIXTYTHREE, MISC.
INFO CONCERNING, OO: DALLAS.

RE NEW ORLEANS TELETYPE FEBRUARY THIRTEEN INSTANT.

ACCORDING TO THE RED FLASH EDITION OF THE NEW ORLEANS STATES-ITEM NEWSPAPER, IN ITS FEBRUARY THIRTEEN INSTANT ISSUED, THE MORNING SESSION OF FEBRUARY THIRTEEN INSTANT OF THE SHAW TRIAL OPENED WITH THE DEFENSE CROSS EXAMINING U. S. POSTAL LETTER CARRIER JAMES HARDIMAN. IN ANSWERS TO QUESTIONS, HARDIMAN TESTIFIED HE DELIVERED "QUITE A FEW" LETTERS ADDRESSED TO CLEM BERTRAND TO FOURTEEN FOURTEEN CHARTRES STREET, AS WELL AS MAIL ADDRESSED TO CLAY L. SHAW.

K

ACCORDING TO THE NEWSPAPER ARTICLE, THE RESIDENT AT FOURTEEN FOURTEEN CHARTRES STREET IS JEFFERSON BIDDISON, A FRIEND OF SHAW'S.

REC 13

HARDIMAN FURTHER TESTIFIED THAT THE NAME BERTRAND WAS EASY TO REMEMBER BECAUSE THIS NAME HAD APPEARED IN MANY NEWS ITEMS. HARDIMAN TESTIFIED THAT THE MAIL ADDRESSED TO BERTRAND WAS CONTAINED IN BROWN ENVELOPES AND THAT THE

62-109060-6758

FEB 24 1969

END PAGE ONE

[Handwritten notes: TNG:1152 2/14/69]

FEB 27 1969 *[Handwritten initials: RGP]*

[Handwritten signature]

PAGE TWO

PAPER CONSTRUCTION OF THE ENVELOPES HAD A WOOD GRAIN. HE FURTHER TESTIFIED HE WAS UNABLE TO PINPOINT EXACTLY HOW MANY SUCH LETTERS HE HAD DELIVERED. HARDIMAN TESTIFIED THAT ALL OF THE BERTRAND MAIL CAME DIRECT TO THE FOURTEEN FOURTEEN CHARTRES STREET ADDRESS AND WAS NEVER CHANGED. HE TESTIFIED THAT THERE WAS NO WRITING ON THESE ENVELOPES TO INDICATE THAT THIS MAIL HAD BEEN FORWARDED FROM SHAW'S DAUPHINE STREET ADDRESS. HARDIMAN AGREED THAT THE CARD FOR THE CHANGE OF ADDRESS HAD NOTHING TO DO WITH BERTRAND.

ACCORDING TO THIS ARTICLE, ANOTHER POSTAL EMPLOYEE HAD PREVIOUSLY TESTIFIED THAT SHAW FILLED OUT A FORM CHANGING HIS ADDRESS FROM DAUPHINE STREET TO THE CHARTRES STREET ADDRESS.

HARDIMAN TESTIFIED HE MAY HAVE DELIVERED MAIL ADDRESSED TO OTHER INDIVIDUALS AT THE CHARTRES STREET ADDRESS, AND THAT HE FIRST HEARD THE NAME BERTRAND WHEN THIS NAME CAME INTO THE NEWS AFTER GARRISON'S INVESTIGATION OF THE ASSASSINATION BECAME PUBLIC KNOWLEDGE. HE TESTIFIED HE COULD NOT REMEMBER EXACTLY WHEN THE DISTRICT ATTORNEY'S OFFICE FIRST TALKED TO HIM ABOUT BERTRAND, BUT AGREED IT WAS LONG AFTER SHAW'S ARREST IN MARCH, NINETEEN SIXTYSEVEN.

END PAGE TWO

2

PAGE THREE

HARDIMAN TESTIFIED THAT HE DID NOT VOLUNTARILY COME FORWARD TO THE DA BUT WAS SUBPOENAED AND THAT TO THE BEST OF HIS RECOLLECTION HE MAY HAVE DELIVERED A LETTER ADDRESSED TO CLEM BERTRAND TO THE CHARTRES STREET ADDRESS "LESS THAN SIX MONTHS AGO."

THE NEXT PROSECUTION WITNESS WAS IDENTIFIED AS LEWIS

X HOPKINS, A TRAVEL CONSULTANT FOR SHAW, WHO TESTIFIED HE SOLD SHAW RAILROAD TICKETS TO THE PACIFIC COAST IN NOVEMBER, NINETEEN SIXTYTHREE. HOPKINS SAID THAT SHAW PREFERENCES TO TRAVEL BY RAIL RATHER THAN BY AIR AND THAT ON THIS TRIP TO CALIFORNIA SHAW WAS ROUTED FROM NEW ORLEANS TO SAN FRANCISCO TO CHICAGO AND BACK TO NEW ORLEANS. HE TESTIFIED THAT HE HAD RECEIVED MONEY FOR SHAW'S TICKETS ON NOVEMBER FIFTEEN NINETEEN SIXTY THREE, BUT THAT HE COULD NOT DETERMINE THE DATE SHAW LEFT BUT IT WOULD HAVE TO BE THAT SAME DAY OR LATER, NOT PRIOR TO THIS DATE.

Lif
7/16
2/10

UPON CROSS EXAMINATION BY THE DEFENSE, HOPKINS TESTIFIED THAT THERE WAS NOTHING UNUSUAL ABOUT THESE TRAVEL ARRANGEMENTS

END PAGE THREE

3

AND THAT
RESEARCH THAT SHAW WAS A REGULAR CUSTOMER OF HIS AGENCY. HE TESTIFIED
THAT THERE WAS NOTHING UNUSUAL IN THE ROUTE THAT THE SHAW
CHOSE TO THE PACIFIC NORTHWEST AS THERE ARE MANY WAYS TO GO.

THE NEXT PROSECUTION WITNESS WAS IDENTIFIED AS DR.
ESMOND FATTER OF NEW ORLEANS, AND THE PROSECUTION ASKED
FATTER SEVERAL QUESTIONS ABOUT HIS MEDICAL BACKGROUND IN
ORDER TO QUALIFY HIM AS AN EXPERT WITNESS IN HYPNOSIS.
THEREAFTER, THE DEFENSE QUESTIONED DR. FATTER TO DETERMINE
HIS EXPERTISE IN HYPNOSIS, AND DR. FATTER ADMITTED THAT HIS
MAIN MEDICAL TRAINING HAS BEEN THAT OF A FAMILY DOCTOR AND
THAT HE HAS NO FORMAL TRAINING IN PSYCHIATRY. UPON FURTHER
QUESTIONING BY THE DEFENSE, DR. FATTER TESTIFIED THAT HIS
FORMAL TRAINING IN HYPNOSIS WAS ONLY TWENTY FOUR TO THIRTY
DAYS. THIS TRAINING COMING FROM ATTENDANCE AT SEMINARS
AND MEETINGS.

THEREAFTER, THE STATE OFFERED DR. FATTER AS AN EXPERT
AND THE DEFENSE OBJECTED, CLAIMING THAT DR. FATTER DID NOT
HAVE SUFFICIENT TRAINING TO QUALIFY HIM. JUDGE HAGGERTY
OVERRULED THE DEFENSE AND THAT DR. FATTER COULD TESTIFY AS
END PAGE FOUR.

✓

AN EXPERT AND THE DEFENSE THEN TOOK A BILL OF EXCEPTION.

DR. FATTER TESTIFIED HE FIRST MET PERRY RAYMOND RUSSO IN MARCH, NINETEEN SIXTYSEVEN, IN THE OFFICE OF THE LATE DR. NICHOLAS CHETTA, THEN ORLEANS PARISH CORONER. PRESENT WERE DR. CHETTA, A SECRETARY, ASSISTANT DA SCIAMBRA, A MALE RELATIVE OF RUSSO'S AND OTHER MEMBERS OF THE DA'S STAFF. DR. FATTER TESTIFIED HE WAS ASKED TO PUT RUSSO IN A TRANCE, "RENDERING IT POSSIBLE FOR HIM TO RECALL A LITTLE MORE ACCURATELY" AND AT THIS POINT THE DEFENSE OBJECTED TO DR. FATTER'S DISCUSSING THE ACCURACY OF RUSSO'S STATEMENTS AND THE TRIAL WAS RECESSED SO THE ATTORNEYS AND JUDGE HAGGERTY COULD HOLD A CONFERENCE TO DISCUSS THE LEGAL QUESTION. AFTER ABOUT TWENTY FIVE MINUTES, COURT WAS RECONVENED AND DR. FATTER RETURNED TO THE WITNESS STAND AND WAS ASKED BY THE PROSECUTION WHAT HE HAD SAID TO RUSSO ON MARCH ONE NINETEEN SIXTYSEVEN. AT THIS POINT, THE PROSECUTION PROMISED THAT FATTER WOULD NOT BE ASKED TO SAY WHAT RUSSO HAD SAID UNDER HYPNOSIS BUT JUDGE HAGGERTY SUSTAINED THE

END PAGE FIVE

PAGE SIX

DEFENSE'S OBJECTION. THEREAFTER DR. FATTER WAS EXCUSED AS A WITNESS BY THE PROSECUTION. THE MORNING SESSION ENDED.

THE FINAL EDITION OF THE NEW ORLEANS "STATES-ITEM" NEWSPAPER REGARDING THE AFTERNOON SESSION OF THE SHAW TRIAL FOR THIS DATE. ACCORDING TO THIS ARTICLE, ABRAHAM ZAPRUDER, THE DALLAS DRESS MANUFACTURER, WHO TOOK A COLORED MOVIE OF THE ASSASSINATION OF PRESIDENT KENNEDY WAS CALLED TO THE WITNESS STAND.

AFTER A HASSLE BETWEEN STATE AND DEFENSE ATTORNEYS OVER THE RELAVANCE OF ZAPRUDER'S TESTIMONY, JUDGE HAGGERTY RULED THAT ZAPRUDER COULD TESTIFY, THUS OPENING THE WAY FOR THE STATE TO GO INTO THE WHOLE QUESTION OF THE ASSASSINATION ITSELF.

ACCORDING TO THIS ARTICLE, UNDER LOUISIANA LAW, ALL THE STATE HAS TO PROVE IS THAT A CONSPIRACY INVOLVING SHAW EXISTED AND THAT AN OVERT ACT (NOT NECESSARILY THE SHOOTING ITSELF) WAS COMMITED IN FURTHERANCE OF THE OBJECT OF THE CONSPIRACY.

END PAGE SIX

PAGE

6

PAGE SEVEN

THE PROSECUTION SAID THAT THEY WILL SHOW THAT THE ACTUAL KILLING OF PRESIDENT KENNEDY RESULTED FROM A CONSPIRACY, AND THE DEFENSE ARGUED UNSUCCESSFULLY THAT THE ZAPRUDER TESTIMONY AND ALL OTHER TESTIMONY RELATING TO THE EVENTS IN DEALY PLAZA IS "BASELESS AS TO WHAT HAPPENED HERE" IN NEW ORLEANS WHERE THE COURT HAS JURISDICTION.

ZAPRUDER TESTIFIED THAT ON THE DAY OF THE ASSASSINATION HE FOUND A SATISFACTORY PLACE ON A FOUR-FOOT TALL CONCRETE ABUTMENT IN DEALY PLAZA TO WATCH AND FILM THE PRESIDENTS PARADE. HE TESTIFIED HE FILMED THE EVENTS WITH AN EIGHT MILLIMETER MOVIE CAMERA WITH A ZOOM LENSES, USING COLOR FILM.

AT THIS POINT, THE PROSECUTION ATTEMPTED TO INTRODUCE NEW EXHIBITS, INCLUDING A MOCKUP OF DEALY PLAZA, WHICH THE PROSECUTION APPARENTLY INTENDS TO USE TO ILLUSTRATE ZAPRUDER'S TESTIMONY. THE DEFENSE OBJECTED AND WAS OVERRULED BY JUDGE HAGGERTY. NEITHER SHANEYFELT NOR FRAZIER FROM LABORATORY TESTIFIED TO DAY.

END PAGE SEVEN.

7

PAGE EIGHT

NO LHM BEING SUBMITTED.

NEW ORLEANS FILES REVEAL RESULTS OF INTERVIEWS WITH LEWIS HOPKINS, MENTIONED ABOVE, WHICH WERE CONDUCTED ON DECEMBER THREE AND FOUR, NINETEEN SIXTYTHREE, AND ARE CONTAINED ON PAGES THREE ZERO TWO AND THREE ZERO THREE OF THE REPORT OF SA WARREN C. DEBRUEYS DATED DECEMBER EIGHT, SIXTYTHREE, AT DALLAS. THESE INTERVIEWS RELATE TO LEE HARVEY OSWALD PURCHASING PASSAGE IN SEPTEMBER NINETEEN FIFTY NINE THROUGH HOPKINS' TRAVEL AGENCY ABOARD A LYKES BROTHERS STEAMSHIP VESSEL FROM NEW ORLEANS TO LEHARVE, FRANCE.

INFORMATION RELATING TO BIDDISON, MENTIONED ABOVE, FURNISHED BUREAU BY NEW ORLEANS TEL JANUARY TEN SIXTYNINE, WHEN NEWSPAPER ARTICLE INDICATED BIDDISON, A CLOSE FRIEND OF SHAW, HAD BEEN CALLED TO TESTIFY BEFORE THE GRAND JURY.
END.

~~CORR PAGE FOUR LINE ONE SHOULD READ~~

~~AND THAT SHAW WAS A ET CET~~

XXX

~~AND THAT SHAW WAS A ETC ETC~~

END

MKA

FBI WASH DC

C

8

Memorandum

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

TO : Mr. W. C. Sullivan

DATE: 2/14/69

FROM : W. A. Branigan

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

Handwritten notes:
1/14/69
J.W.B.

For information, 2/13/69 session of Clay Shaw trial in New Orleans was highlighted, according to news media, by showing to the court the Zapruder film. Abraham Zapruder, amateur photographer, testified to making color film. Defense protested that under Louisiana law all prosecution has to prove is conspiracy and an overt act in furtherance thereof, hence other proof as to events in Dallas is baseless as to what happened in New Orleans. Judge Haggerty, conducting trial, overruled defense. Zapruder's testimony not inconsistent with statements furnished to us and Warren Commission.

It is becoming more and more apparent that Judge Haggerty's rulings on points of law favor prosecution. We have received no information as to why the Judge appears to be taking this position.

The press reports that prosecution is expected to call in coming sessions other witnesses to testify as to events on 11/22/63 in Dallas.

Neither Special Agents Shaneyfelt nor Frazier of our Laboratory testified 2/13/69, according to New Orleans.

ACTION:

For information. Shaw trial being closely followed.

62-109060

TNG:rsz (8)

- 1 - Mr. C. D. DeLoach
- 1 - Mr. A. Rosen
- 1 - Mr. T. E. Bishop
- 1 - Mr. I. W. Conrad
- 1 - Mr. W. C. Sullivan
- 1 - Mr. W. A. Branigan
- 1 - Mr. T. N. Goble

Handwritten: mb. ✓ 6759

REC 13

FEB 24 1969

4 FEB 28 1969