

# Shaw Witness Concedes '63 Talk Of Plot Had Air of a 'Bull Session'

By John P. MacKenzie  
Washington Post Staff Writer

NEW ORLEANS, Feb. 10—Star witness Perry R. Russo conceded today that what District Attorney Jim Garrison called a plot to kill President Kennedy may have been nothing more than "an inconsequential bull session."

But Russo, holding fast to the testimony that kept Garrison's conspiracy search alive two years ago, insisted that he overheard talk of murdering the President in September 1963, and that retired businessman Clay Shaw and Lee Harvey Oswald were among those who did the talking.

This testimony, unless totally discredited by cross-examination that resumes Tuesday, appeared legally sufficient to make out a prima facie case—one that will go to the jury—of a New Orleans-based conspiracy involving Shaw, Oswald and the late David Ferrie.

More significantly for Garrison, Russo's testimony seemed enough to permit the prosecutor to attempt to "corroborate" his conspiracy charge with evidence about the assassination itself—evidence he claims will shatter the findings that Oswald acted alone.

During a day on the witness stand, Russo, 27, made these points not mentioned or flatly contradicted at Shaw's preliminary hearing two years ago:

• A dirty, unshaven Oswald told the "well-dressed, distinguished looking" Shaw, then director of the International Trade Mart in New Orleans, to "shut up" when Shaw questioned Ferrie's boast that he could fly assassins to safety in South America.

• The girl Russo claimed accompanied him to the gathering in Ferrie's apartment was not with him after all.

• Although the apartment meeting is not mentioned in the 3700-word report to Garrison of an early interview with an Assistant District attorney Russo admitted that the report in addition to mistakenly leaving this out, contained two

Russo's direct examination by Assistant District Attorney James L. Alcock began as a pale rerun of his 1967 testimony. That testimony had stunned the defense and bound Shaw over for trial.

A college-educated former insurance salesman and taxi driver, now a book salesman, Russo volunteered nothing about hypnosis, which he said in 1967 helped him remember Oswald and Shaw.

He turned quickly to a visit to Ferrie's apartment, one of many between April and October of 1963, when he said Ferrie introduced as his "roommate" a man who later turned out to be Oswald.

### Polishes a Rifle

"Leon Oswald," as the roommate was called, was polishing and cleaning a high-powered rifle with telescopic sight and he didn't say much, Russo said.

The next meeting with Oswald, he said, was when he joined the gathering that included Shaw and some Latin American who spoke no English. He said Shaw, whom he had seen once or twice before, was introduced as "Clem Bertrand."

Ferrie, who had become "obsessed with Kennedy and the Cuban thing," declared that the President should be killed. Since Ferrie had been talking of assassination all summer, Russo said he didn't know whether to take his boast seriously.

Without showing concern that Russo was present, Ferrie, Oswald and Shaw got down to discussion of the need for two or three killers, one of whom might fire a "diversionary" shot and might have to be captured "scapegoat" to enable the others to escape, Russo testified.

Then Shaw, calling Ferrie a "washed up pilot," ridiculed Ferrie's suggestion that the murderers could fly to Brazil, Russo said. "That would require cooperation from a neighboring country for refueling, Shaw was quoted as

saying, and "instantly the police would be everywhere."

"Shut up!" Oswald allegedly told Shaw, "Ferrie knows what he's doing, he's a pilot."

The 55-year-old defendant, who denies ever knowing Oswald, Ferrie or Russo, looked steadily at the witness but showed no emotion.

Russo said he saw Oswald twice more at Ferrie's place before the "roommate" announced he was having trouble with his wife and was leaving for Houston.

Cross-examination of Russo was gentle, despite defense attorney S. Irvin Dymond's pledge last week to expose the witness as "a notoriety seeking liar" unfit to testify. More intensive questioning is considered likely before Dymond finishes.

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- DeLoach
- Mohr
- Bishop
- Casper
- Callahan
- Conrad
- Felt
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J. W. F. Kennedy

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- Times Herald
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- New York Post
- The New York Times
- The Sun (Baltimore)
- The Daily World
- The New Leader
- The Wall Street Journal
- The National Observer
- People's World
- Examiner (Washington)

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#### An Assist for the Defense

Russo in turn threw the defense an assist by minimizing the importance of the conversation that forms the heart of the conspiracy charge.

Dymond: "The conversation you heard, couldn't it just as well have been an inconsequential bull session as anything serious?"

Prosecutor Alcock: "Your Honor, I—"

Russo: "Yes."

Dymond: "Isn't it a fact that you've told people it could well have been a bull session?"

Russo, over Alcock's objection: "Yes."

The witness also conceded, without elaboration that he had told newsmen before his appearance at the 1967 preliminary hearing that he had "never heard of Oswald until the assassination."

His most important concession, however, was his new testimony that Sandra Moffitt, McMaines, now a Des Moines housewife, but then one of his girl friends, did not accompany him to Ferrie's apartment.

Russo had testified at the 1967 hearing that she had been with him. Mrs. McMaines then called a press conference to announce that she would totally discredit Russo but would not come to New Orleans for fear of Garrison. Judge Edward A. Haggerty Jr. has refused to issue an order granting Mrs. McMaines' immunity from "false prosecution," without which her lawyer says she won't talk.

As in other areas of contradiction, Russo showed no discomfort at this change in testimony. He told Dymond that he had mentioned "Moffitt," as he called her, because "you kept pushing me" for names.

Russo at one point asked for the 1967 transcript and read several questions and answers back to Dymond. "There," he said, tapping the printed page, that's an abridgment of my first position and I'm maintaining my first position now."

He said he was more likely to remember who was at the apartment than who went there with him, since he was hanging around with the same crowd most of the time.

The witness was equally at ease when queried about testimony that he had seen Shaw on a New Orleans wharf where President Kennedy made a speech on international

#### Distant Vantage Point

Russo said he arrived late with an unidentified school friend and had to settle for a distant vantage point for the speech. He said he especially noticed Shaw standing 15 feet away because only Shaw was looking at the crowd rather than the President.

Dymond asked whether Russo did not think it "peculiar" that Shaw ignored the speaker since Shaw was on the Mayor's committee to greet the President.

Russo said he certainly would find it peculiar and would think it even more peculiar that Shaw was "not up there" with the bigwigs. The same oddity had occurred to trial observers, but Russo seemed to disarm Dymond by anticipating the question.

Confronted by a report of his first interview with Garrison's staff, a report that came to light after the preliminary hearing, Russo maintained that it was an error in omitting references to the apartment meeting.

Assistant District Attorney Andrew Sciambra's report also erred, said Russo, in saying he had identified pictures of Clay Shaw but had never mentioned any such alias as Clem Bertrand in his interview on Feb. 25, 1967.

He told an incredulous Dymond that while he mentioned the apartment meeting, he stressed other factors about Ferrie because he thought Ferrie's "philosophy" and attitude toward Cuba would be more interesting at that point to Garrison, who had announced that Ferrie was "the current target of his investigation."

The report was admitted into evidence as the defense, eager to impeach Russo with it, joined in offering the document. It recited Russo's statement that he considered Shaw a "queer." This was the first trial reference to a delicate issue that most observers think the jury is aware of.

Meanwhile, a subpoena was issued for two new defense witnesses for appearance later in the trial. One was Walter Sheridan, former aid to the late Robert F. Kennedy and an NBC reporter whom Garrison has accused of tampering with his witnesses. The other was Richard Billings of Life magazine.



United Press International

Clay Shaw waves as he arrives for fourth week of his New Orleans conspiracy trial.



Associated Press

Perry Raymond Russo, star witness in Shaw case.