

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

FEB 12 1969

TELETYPE

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	

FBI WASH DC

FBI NEW ORLS

2:00 PM URGENT

2-12-69

LAN

TO DIRECTOR (62-109060) AND DALLAS (98-43)

FROM NEW ORLEANS (89-69)

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

ACCORDING TO ARTICLES APPEARING IN THE FINAL EDITION OF THE NEW ORLEANS STATES-ITEM NEWSPAPER FOR FEBRUARY ELEVEN INSTANT AND THE TIMES PICAYUNE NEWSPAPER FOR FEBRUARY TWELVE INSTANT, THE AFTERNOON SESSION OF THE TRIAL OF CLAY L. SHAW ON FEBRUARY ELEVEN INSTANT OPENED WITH THE DEFENSE CONTINUING TO CROSS EXAMINE PERRY RAYMOND RUSSO.

RUSSO WAS SHOWN A RIFLE PREVIOUSLY INTRODUCED BY THE PROSECUTION AND TESTIFIED IT WAS SIMILAR TO THE TYPE OF RIFLE HE HAD OBSERVED OSWALD CLEANING IN FERRIE'S APARTMENT WITH THE SIMILARITIES BEING THE SAME TYPE OF BOLT ACTION AND SIGHT. HE TESTIFIED HE DID NOT KNOW IF THIS RIFLE WAS IDENTICAL TO THE ONE HE HAD OBSERVED IN FERRIE'S APARTMENT AND HE DID NOT OBSERVE ANY RIFLE IN EVIDENCE AT THE PARTY WHERE THE ALLEGED CONSPIRACY PLOT WAS DISCUSSED. RUSSO TESTIFIED THAT HE SAW OSWALD IN THE POSSESSION OF WHAT APPEARED TO

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BE A RIFLE CASE AT THE TIME WHEN IT WAS INDICATED OSWALD WAS LEAVING FOR HOUSTON, ALTHOUGH HE DID NOT OBSERVE THE CONTENTS OF THIS CASE.

THE DEFENSE THEN INQUIRED OF THE COURT IF A COPY OF THE INITIAL LETTER WRITTEN TO THE DISTRICT ATTORNEY BY RUSSO IN FEBRUARY, NINETEEN SIXTYSEVEN, HAD BEEN FOUND AND THE PROSECUTION ANSWERED THAT THIS LETTER HAD NOT BEEN LOCATED.

THE DEFENSE THEN BEGAN QUESTIONING RUSSO ABOUT HIS ASSOCIATION WITH SANDRA MOFFETT. RUSSO TESTIFIED HE DATED MOFFETT FROM NINETEEN SIXTY TO NINETEEN SIXTYFIVE BUT COULD NOT RECALL WHERE SHE RESIDED IN NEW ORLEANS AND THAT DURING THIS TIME MOFFETT CAME TO RUSSO'S RESIDENCE.

THE QUESTIONING THEN TURNED TO DAVID FERRIE AND RUSSO TESTIFIED THAT HE SAW FERRIE FOUR OR FIVE TIMES IN SEPTEMBER, NINETEEN SIXTYTHREE, AND THAT IT WAS IN EARLY SEPTEMBER NINETEEN SIXTYTHREE THAT HE FIRST LEARNED THAT FERRIE HAD A ROOMMATE.

RUSSO TESTIFIED HE COULD NOT REMEMBER THE DAY OF THE WEEK OR THE DATE WHEN THE PARTY AT FERRIE'S APARTMENT TOOK PLACE AT WHICH THE ALLEGED CONSPIRACY WAS DISCUSSED. HE TESTIFIED HE COULD NOT

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RECALL THE TIME OF DAY WHEN THIS DISCUSSION TOOK PLACE OTHER THAN THAT IT WAS DURING THE EVENING. HE TESTIFIED THAT HE LEFT THE PARTY AT FERRIE'S APARTMENT ABOUT MIDNIGHT AND THAT LEON OSWALD, CLEM BERTRAND PAREN SHAW END PAREN AND FERRIE WERE STILL IN THE APARTMENT. RUSSO TESTIFIED HE COULD NOT RECALL HIS MODE OF TRANSPORTATION TO HIS RESIDENCE AFTER LEAVING THE PARTY BUT IT WAS, POSSIBLE HE EITHER TOOK A BUS, WAS GIVEN A RIDE IN AN AUTOMOBILE, OR HITCHHIKED.

RUSSO TESTIFIED HE SAW FERRIE MORE THAN ONCE AFTER THE ASSASSINATION BUT NEVER DISCUSSED THE PARTY AND WHAT HAD BEEN DISCUSSED AT THE PARTY WITH FERRIE, RUSSO TESTIFIED THAT FERRIE DID NOT AT ANY TIME EVER ASK RUSSO NOT TO REPEAT WHAT HE HAD HEARD AT THIS PARTY.

RUSSO TESTIFIED THAT NEITHER LEON OSWALD, WHOM HE HAS IDENTIFIED AS LEE HARVEY OSWALD, OR CLEM BERTRAND, WHOM HE HAS IDENTIFIED AS SHAW, EVER AGREED TO KILL THE PRESIDENT IN RUSSO'S PRESENCE.

THE QUESTIONING THEN TURNED TO OSWALD AND RUSSO TESTIFIED HE MET OSWALD ON ABOUT FOUR OCCASIONS AT FERRIE'S APARTMENT. THE FIRST TIME WAS WHEN FERRIE INTRODUCED OSWALD AS LEON OSWALD AND

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OSWALD WAS CLEANING A RIFLE. THE NEXT TIME WAS APPROXIMATELY TWO OR THREE NIGHTS LATER. ANOTHER OCCASION WAS WHEN THE ALLEGED PARTY TOOK PLACE BUT HE NEVER HEARD OSWALD INTRODUCED TO ANYONE AT THIS PARTY. THE FOURTH TIME WAS SEVERAL DAYS AFTER THIS PARTY AT WHICH TIME IT WAS INDICATED OSWALD WAS GOING TO HOUSTON. RUSSO TESTIFIED THAT ON THIS OCCASION OSWALD DID NOT MAKE THE STATEMENT HE WAS GOING TO HOUSTON BUT FERRIE TOLD RUSSO THAT OSWALD WAS GOING TO HOUSTON.

RUSSO TESTIFIED THAT HE TOLD ASSISTANT D. A. SCIAMBRA THAT HE KNEW A LEON OSWALD AND MADE THE IDENTIFICATION OF LEE HARVEY OSWALD AS BEING LEON OSWALD FROM A PHOTOGRAPH SHOWN TO HIM. THAT AFTER THE ASSASSINATION AND UPON SEEING PHOTOGRAPHS OF LEE HARVEY OSWALD HE TOLD A COUPLE OF PEOPLE THAT HE HAD KNOWN OSWALD.

THE QUESTIONING THEN TURNED TO INDIVIDUALS ASSOCIATED WITH FERRIE AND RUSSO ACKNOWLEDGED THAT HE KNEW SOME OF THESE PEOPLE WHILE OTHERS HE DID NOT KNOW. THESE NAMES HAD BEEN PREVIOUSLY BROUGHT UP AT THE PRELIMINARY HEARING.

THE DEFENSE THEN SHOWED A PHOTOGRAPH PURPORTED TO BE JAMES LEWALLYN AND RUSSO SAID HE DID NOT KNOW LEWALLYN. THE DEFENSE
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THEN SHOWED A SECOND PHOTOGRAPH TO RUSSO AND RUSSO REPLIED THAT THIS SECOND PHOTOGRAPH LOOKED LIKE OSWALD, HOWEVER THE DEFENSE CONTENDED THAT THE SECOND PHOTO WAS ALSO JAMES LEWALYN. RUSSO TESTIFIED HE COULD NOT RECALL IF THE DISTRICT ATTORNEY OFFICE HAD EVER SHOWED HIM A PHOTOGRAPH OF LEWALYN. HE TESTIFIED THAT THE ONLY PHOTOGRAPHS THAT THE DISTRICT ATTORNEY SHOWED HIM ON WHICH A BEARD WAS DRAWN WERE PHOTOGRAPHS OF LEE HARVEY OSWALD.

THE DEFENSE THEN SHOWED A PHOTOGRAPH TO RUSSO PURPORTED TO BE W. GUY BANNISTER. RUSSO TESTIFIED THAT HE BELIEVED HE HAD SEEN BANNISTER, POSSIBLY WITH FERRIE, BUT WAS NEVER FORMERLY INTRODUCED TO BANNISTER BUT HE WAS AWARE THAT BANNISTER HAD WHITE HAIR. RUSSO STATED HE WAS NOT FAMILIAR WITH BANNISTER'S PHYSICAL PROPORTIONS.

RUSSO TESTIFIED THAT HE NEVER TOLD LAYTON MARTENS HE WAS TO BE GIVEN TWENTYFIVE THOUSAND DOLLARS BY D. A. GARRISON FOR HELPING GARRISON BUT ACKNOWLEDGED THAT HE TOLD MARTENS THAT THERE WAS A RUMOR TO THIS EFFECT. RUSSO CLAIMED THAT THIS RUMOR WAS SPREAD BY NEWSMEN FROM WDSU-TV, NEW ORLEANS, WHO HAD INDICATED THAT THEY WERE OUT OF GET GARRISON. RUSSO COMPLAINED THAT REPORTERS FROM THIS TELEVISION STATION WHEN REPORTING THE RESULTS OF INTERVIEWS WITH

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RUSSO HAD ALTERED TH^E INFORMATION GIVEN TO THEM BY RUSSO IN ATTEMPTS TO MAKE NEWS.

RUSSO TESTIFIED HE HAD RECEIVED ABOUT THREE HUNDRED AND F^SOURTYFIVE DOLLAR^S FROM THE D. A. 'S OFFICE FOR EXPENSE MONEY.

DURING FURTHER QUESTIONING BY DEFENSE ATTORNEY DYMOND, RUSSO DENIED HE HAD EVER TRIED TO COMMIT SUICIDE BUT ACKNOWLEDGE^DD THAT HE HAD BEEN UNDER PSYCHIATRIC CARE IN NINETEEN FIFTYNINE AND HAD CONTACTS WITH HIS PSYCHIATRIST IN NINETEEN SIXTYTHREE AND AGAIN IN NINETEEN SIXTYFIVE.

RUSSO FURTHER TESTIFIED THAT DURING AN INTERVIEW AT BATON ROUGE, LOUISIANA, WITH JAMES PHELAN OF THE SATURDAY EVENING POST MAGAZINE, HIS RESIDENCE WAS BUGGED WITH HIS CONSENT BY THE DISTRICT ATTORNEY'S OFFICE AND THE TAPES WERE GIVEN TO THE D.A. RUSSO TESTIFIED THAT THIS WAS DONE BECAUSE THE D.A. AND RUSSO WANTED TO SEE HOW FAR PHELAN'S QUESTIONING WOULD GO.

RUSSO TESTIFIED THAT ON THREE OCCASIONS IN NINETEEN SIXTY-SEVEN HE HAD BEEN PLACED UNDER HYPNOSIS AND QUESTIONED WITH REPRESENTATIVES OF THE D.A. 'S OFFICE PRESENT. DURING ONE OF THESE OCCASIONS HE ADMITTED HE TOLD A NEW ORLEANS POLICE SERGEANT HE DID

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NOT KNOW IF SHAW WAS AT THE ALLEGED CONSPIRATORIAL PARTY. DEFENSE ATTORNEY DYMOND ATTEMPTED TO HAVE INTRODUCED AS EVIDENCE THE POLYGRAPH TEST MADE OF RUSSO BUT THIS REQUEST WAS TURNED DOWN BY JUDGE HAGGERTY.

RUSSO TESTIFIED THAT ON MARCH ONE, NINETEEN SIXTYSEVEN, HE OBSERVED CLAY SHAW THROUGH A ONE-WAY MIRROR AT THE D.A.'S OFFICE BUT THAT HE KNEW SHAW ONLY AS CLEM BERTRAND. THEREAFTER THE D.A. WALKED IN AND TOLD RUSSO THAT HE WAS LOOKING AT CLAY SHAW.

DURING THE DEFENSE QUESTIONING OF RUSSO JUDGE HAGGERTY OVERRULED A BID BY DEFENSE ATTORNEY DYMOND TO DECLARE A MISTRIAL. DYMOND OBJECTED TO HAGGERTY'S INTERCEDING DURING DYMOND'S QUESTIONING OF RUSSO.

RUSSO WAS EXCUSED BY BOTH THE PROSECUTION AND DEFENCE AT THE CLOSE OF THE AFTERNOON SESSION. NO LHM BEING SUBMITTED AND THE BUREAU IS AWARE OF THE IDENTITIES OF JAMES LEWALLYN, LAYTON MARTENS, AND W. GUY BANNISTER AS SET FORTH IN PREVIOUS COMMUNICATIONS IN THIS MATTER.

END

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FBI WASH DC

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