

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

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 plotted Kennedy's assassination 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. p.kwy. when he said the assassination was discussed.

Other key points of Russo's testimony this morning:
—The 3,500-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 100 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

"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.

—At the alleged party at Ferrie'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.

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 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 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

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

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 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 Russo said he couldn't quarrel with their contents.

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,

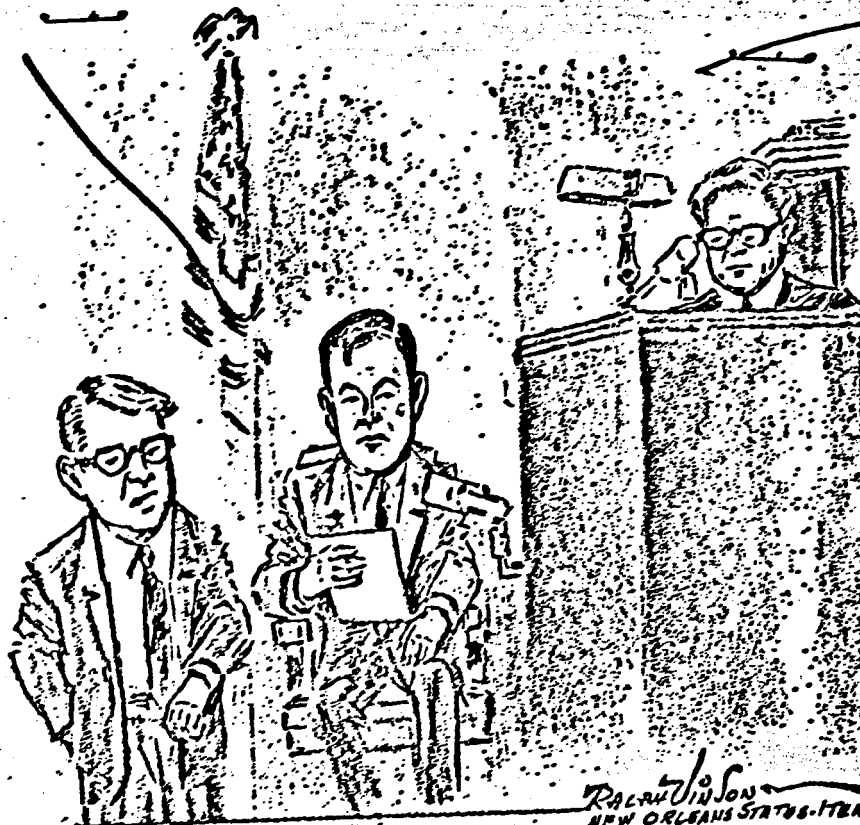
In an interview after Shaw's arrest, Russo was asked:

DO YOU KNOW Clay Law?"

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

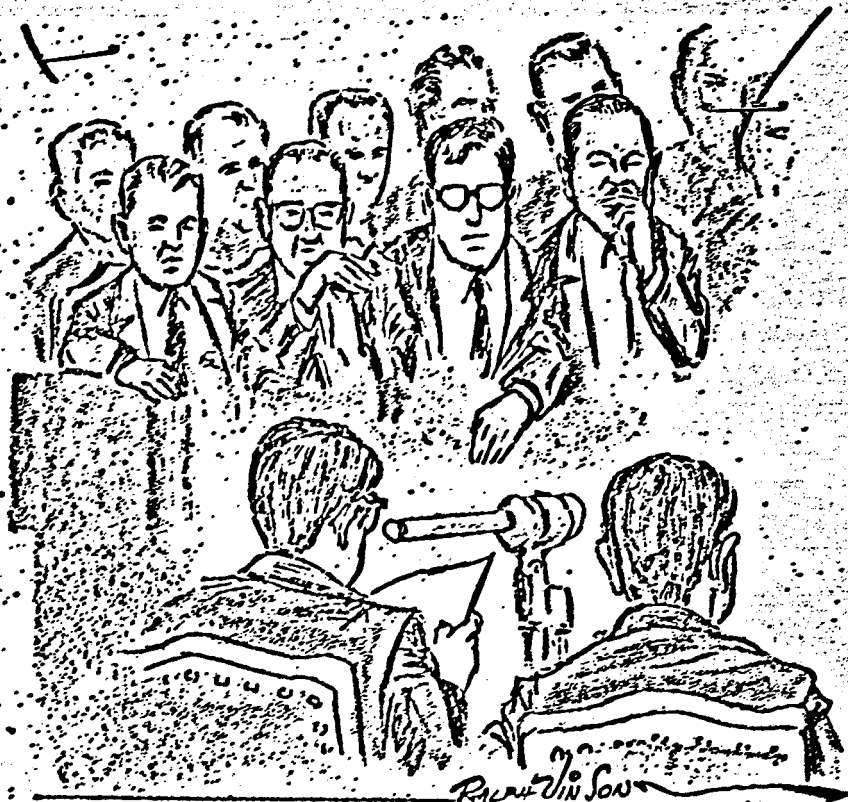
Dymond bore down hard on Russo's inability to remember who went to the alleged party with him. Russo stuck to his position that it could have been any of a number of persons he was closely associated with at the time, including Sandra Moffett, Nils "Lefty" Peterson and others. He told the preliminary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



RALPH WILSON
NEW ORLEANS STATUS-178A

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



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