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# Defense Grills Russo To Destroy Credibility Ferrie Roommate Subpoena Sought

By GERALD MOSES  
Advocate Staff Writer

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

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

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

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

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

establish the credibility of Russo's testimony.

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

Dymond, after establishing contradictions between Russo's testimony Tuesday and earlier

news interviews, hammered away at some points late Wednesday:

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

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

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

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

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

Undergoes Treatment

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

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

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

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

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

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Page 1

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

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

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

"You claim you were at a meeting where the assassination was planned, and that you thought you ~~did~~ have anything to tell the Warren Commission?" Dymond asked.

Said No Dallas Mention

"That was because it happened in Dallas, and they hadn't said anything about Dallas," Russo replied.

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

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

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

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

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

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

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

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

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

"Didn't you think it was your duty as an American to go to the Warren Commission with

(this information?) Dymond insisted.

Russo again insisted he became "involved" in other things, like completing his studies at Loyola University, and explained later on this point that "it looked like every screwball in the country was going to the Warren Commission, and I didn't want to be associated with that type of person."

Answer Is No

Dymond asked if a man named Leyton Martens was Ferrie's roommate at that time. No, sir," Russo replied.

Q. Were you aware that Ferrie had an apartment-mate, or roommate at his apartment?

A. I saw a man who was introduced as a roommate.

Q. What was the name of the roommate?

A. The roommate at the Louisiana Avenue Parkway apartment was Leon Oswald.

Russo said he saw Oswald at the apartment three or four times, the last time "in the middle of October or late September.

"Are you aware," Dymond asked, "it is a documented fact that Oswald left New Orleans Sept. 25, 1963, and is fact never returned?"

Asst. Dist. Atty. Charles Ward shouted, "that has never been proved in this court, your honor."

Dymond stood up with a book in his hand.

"If the court please," he began, "at this time I . . ."

"You're not going to introduce the Warren Commission report, are you," asked Judge Bagert, leaning over the bench to peer at Dymond.

"You're not serious, are you?" the judge asked.

"That's right, I am," Dymond replied.

"You are wrong," Bagert said. "Motion denied."

Dymond pressed the point, contending that Louisiana law requires the introduction of proceedings of federal courts and commissions as "prima facie" evidence in state courts.

Overrules Finely

"You're overruled," said Judge Bagert, with finality, and his fierce gaze swept from the one volume of the report in Dymond's hand to the two cardboard boxes of succeeding volumes of testimony and supporting documents of the Warren Commission's report on its investigation of President Kennedy's assassination.

Earlier, Judge Bagert and Judges Malcolm O'Hara and Matthew Braniff displayed an impatience with Dymond's exhaustive questioning of Russo's employment records, and Bagert sustained an objection by Garrison's staff that it was irrelevant.

Dymond protested, and Bagert cut him short, saying, "You're overruled. Now take your bill."

Dymond, unruffled, calmly dictated a formal exception, then proceeded with another line of questions.

The courtroom was again jammed with newsmen and spectators. Security precautions were tightened. All men entering were searched from shoe top to shoulder by sheriff's deputies. Women were only required to open their pocket-books.

Shaw sat erect during the proceedings. He wore the same dark brown suit he had on Tuesday when the hearing opened.

Dymond asked Russo if he was a student at Tulane at the time he met Ferrie.

A. I don't remember. It was either the first or second year, about 1960.

Q. How did you meet him?

A. Through Al Landry. Russo explained that Landry had left home. Russo said he talked to Landry's parents and told them that if there was "anyone who can alienate Dave and Al, I felt I could."

Ferrie was found dead in his apartment Feb. 22. He had been under investigation by Garrison's office and told newsmen that the district attorney "supposedly had me pegged as the get-away pilot."

Ferrie's death was due to natural causes, said coroner Nicholas Chetta. Garrison maintains it was suicide.

Russo testified that he drove to Ferrie's home in Kenner, a New Orleans suburb, in a car with some friends.

Q. When you arrived at Ferrie's house, who was there?

A. David Ferrie and a bunch of boys.

Q. How many?

A. Oh . . . about 10 or 12.

Recalls To Names

Under continued questioning, however, Russo could recall the names of only two persons — "Lefty" Peterson and Adele Laporte Marquard — who was with him when he first met Ferrie, at Ferrie's apartment, then located in Kenner.

At one time, he added that "possibly one of my cousins" also was in the group.

Russo also could recall the names of only two persons who went with him to Ferrie's apartment on Louisiana Parkway Avenue on the night he allegedly overheard Ferrie, Oswald and Shaw, or "Bertrand" plotting to kill Kennedy.

These persons were Peterson and Sandra Moffett. He said they left him there, without a ride home.

(Russo said he later met Peterson in the district attorney's office.) Russo said the party took place in mid-September but he

couldn't remember the exact date.

In his testimony Tuesday, Russo had described what Ferrie, Shaw and Oswald were wearing. Dymond asked Wednesday:

"You were able to remember how they dressed. Can you explain why you can describe the dress people at the party and can not even tell us who went there with you or at what time?"

A. Because of the very nature of Dave Ferrie.

Q. Please explain.

A. Dave Ferrie, to say the least, was a very interesting personality, prone to the spectacular. When I met his friends they were not normally dressed.

Q. Do you consider a white shirt and a maroon sports jacket spectacular?

(When Russo was questioned by Garrison on Tuesday, he said Shaw — whom he said he knew as Clem Bertrand — wore a white shirt and a maroon jacket.)

A. Dave Ferrie's apartment was in shambles, ashtrays cluttered with cigarettes. The scene was of chaos. This man (Shaw) dressed differently. He just didn't belong there by dress.

Russo was quizzed at the start of Wednesday's session at length about his belief in God before Judge Bagert cut off the questioning.

As Russo took the stand Wednesday, Dymond asked him:

"Do you believe in God?"

"It would depend on definition," Russo replied.

"How do you define God?" Dymond asked.

"I define God as the entity of the universe," Russo said.

Dymond asked him what was the significance of his oath to tell the truth, "so help me God," and Russo replied:

"It would be to tell the truth . . ."

Russo also testified in the opening phase of the cross-examination that his mother and father did not get along well and that he underwent psychiatric treatment in 1959 and 1960 and had discussed problems with psychiatrists at times since then.

Bagert and Judge Matthew Braniff frequently broke in before the noon recess to tell Dymond to "get on with it."

Dymond replied he was trying to shake the credibility of the witness but Braniff said, "you have not contradicted him on any major point of his testimony."

Russo testified that he had consulted a psychiatrist for about two years, starting in 1959, when he was 18 years old.

"Whenever you were under great stress . . . you went to a psychiatrist, is that correct," Dymond asked.

"No sir, I wouldn't evaluate it that way."

"How would you evaluate it then?"

"Well, whenever I felt I wanted to talk about my past life," Russo explained. He added that he returned to the psychiatrist again in 1963, following his mother's death.

#### New Subpoena

The new subpoena issued for Dist. Atty. Garrison is for a former roommate of Ferrie's, who underwent questioning by Garrison's staff following Ferrie's death. Like Ferrie, James Lewallen is a former pilot, and is now employed by the Boeing Co. at the Michoud plant in New Orleans.

Russo's brother, Edwin Russo, may have explained two other subpoenas announced by Garrison at the beginning of the hearing Tuesday.

The older brother, on the faculty of LSU, said Russo mentioned being subjected to "truth serum," or sodium pentathol, and to hypnosis while undergoing questioning by Garrison's staff.

The two other subpoenas are for Dr. Nicholas Chetta, Orleans Parish Coroner, who would have administered any truth serum to Russo, and Dr. Esmond Fatter, a member of Chetta's staff.

#### Discover Pistol

Police tightened security at the New Orleans Criminal Court Building Wednesday, following the discovery of a loaded pistol, hidden across the street from the courthouse, and the arrest of a man for disturbing the peace.

The pistol was discovered hidden on a truck parked at a service station, where Shaw and his attorneys parked their car.

The man arrested was identified as James R. Liscombe, 20. Officers said he was seen pushing newsmen and talking about making "national headlines."

There was no apparent connection between the two incidents, police said.

Security was tightened in the courtroom. Instead of merely walking past a portable metal detector, newsmen attending the hearing were searched by deputies at the entrance to the courtroom.



FORMER DALLAS POLICE AT HEARING—Jesso Curry, former police chief of Dallas, is shown as he left the Criminal Courts Building in New Orleans Wednesday. Curry was a spectator at the preliminary hearing for Clay Shaw. Curry was chief of police at the time of the Kennedy assassination. —AT Wirephoto