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Questioned in Coroner's Office When Hypnotized, Russo Says

Long Delay In Relating 'Plot' Is Hit

Perry R. Russo, District Attorney Jim Garrison's star witness in the probe of the Kennedy assassination, testified today he "had no part" in the alleged New Orleans-based plot to kill the President.

Russo denied he had ever said he wanted to see President Kennedy assassinated.

The star witness in the preliminary hearing for Clay L. Shaw testified today that he was placed under hypnosis three times and then questioned in the coroner's office.

Perry R. Russo underwent close cross-questioning this morning by F. Irvin Dymond, chief defense attorney for Shaw, booked with criminal conspiracy in the death of President John F. Kennedy.

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ENCLOSURE

Dymond struck hard at Russo's failure to come forward after Kennedy was killed on Nov. 22, 1963, and Lee Harvey Oswald was named as the killer.

Russo had testified previously that he heard Oswald, Shaw and David William Ferrie plot to kill Kennedy in September, 1963, at Ferrie's apartment at 3330 Louisiana ave. pkwy.

Dymond also questioned Russo closely on why he told a television interviewer that he had never seen Oswald.

"There were several reasons. I knew the DA was investigating at this time and I didn't want to say to someone who was not legal 'that was the man.' I wanted to get off the hook. I just said, 'I don't know that man.'

"Another big factor, I guess I was scared. At that time I was harried, harassed. I was worried about my job and other things."

Dymond then asked him why he didn't give his information to the Warren Commission. He said:

"You're an intelligent man, Mr. Russo. You knew a long time ago that the FBI and the Warren Commission were investigating and you knew what they had said in their findings. You knew how to get to the Secret Service, the FBI and the Warren Commission to tell them what you knew."

Russo answered:

"I don't know about the Warren Commission . . . The FBI said they arrested Oswald and that he was the man. I was 23 then, a voice in the wilderness. I wasn't going to fight with the government."

He said he came forward after Ferrie became involved because "it's a little closer to home now."

On the hypnosis angle, Dymond asked Russo directly:

"Had you been hypnotized?"

"Yes, sir."

"By whom?"

"Dr. Fatter."

(Dr. Esmond A. Fatter, a private physician, has been subpoenaed by the prosecution.)

Russo said he "didn't think" he had been hypnotized at the time he appeared on television. He said the hypnosis sessions took place in the coroner's office, but was vague about the dates.

"I have lost track of the days . . . I am extremely tired," he said.

He said Dr. Fatter placed him under hypnosis and "all I remember is being asked questions."

He said he was brought out of the hypnosis by being told "to open my eyes at the count of number five" and "I heard only number five."

He indicated he did not remember anything he was asked under hypnosis.

THE HYPNOSIS QUESTIONING CAME AFTER Dymond asked Russo if he had been given any tests by the DA's office. He said he had. Then Dymond asked if he had been hypnotized.

Russo said he was hypnotized by Dr. Fatter, and questioned about the case.

Also subpoenaed to appear today was James Lewallen, 38, of 4406 Paris ave., who has said he roomed with Ferrie in Kenner.

Today was Russo's second day under cross-examination. He had a long dialogue with Dymond yesterday.

Russo took the stand again as the hearing resumed at 10 a. m. The questioning began after an audio tape made by a television reporter was played in the courtroom.

It was an interview in which Russo was asked if he had taken a serum test. Dymond began questioning Russo about the interview.

Russo confirmed that the interview took place near the Criminal District Court building on March 1. Dymond then switched to another line of questioning.

AFTER RUSSO CONFIRMED THAT HE ATTENDED Colton Junior High School in 1955, Dymond asked him if he ever attempted to jump out a window. Oser objected that the question was not relevant, but the objection was overruled.

Asked the question again, Russo replied:

"Absolutely not."

Asked if he had ever attempted suicide, he made the same reply.

Dymond then began questioning Russo about photographs of Lee Harvey Oswald. The attorney said:

"Yesterday, Mr. Russo, you were shown a photograph of Lee Harvey Oswald and could not identify it as Leon Oswald?"

"That's right," said Russo. "He looked different. He didn't have a beard on and his hair wasn't disheveled."

Dymond then showed Russo two new photos.

Russo said the DA's office showed him some pictures which looked like the man he knew as Leon Oswald, Ferrie's roommate in late 1963, except that his hair wasn't mussed and he was clean-shaven.

The witness said the DA's office touched up the photos, adding a beard and messing up the hair. He then recognized the man as Ferrie's roommate. He said unretouched news pictures of Oswald did not look like the man.

RUSSO SAID THIS WAS WHY HE DIDN'T come forward after the assassination and tell his story. He said, however, he told friends "I might know that man."

Dymond said, "You made the dogmatic statement in the March 1 interview that you had never seen that man."

Russo said he made the statement because he knew the DA was investigating and he didn't want to give information to someone "who was not legal."

He added that he was "scared, harried and harassed" and worried about his job.

The hearing, now in its third day, is to determine whether Garrison has enough evidence to hold Shaw for trial on charges of criminal conspiracy in the death of the President.

SHAW, FORMER managing director of the International Trade Mart, was arrested March 1 and booked with the offense. He has stoutly maintained his innocence.

Ferrie, a pilot and private investigator, was found dead here Feb. 22. Oswald is the man the Warren Commission named as the killer of the President. He was shot to death in Dallas shortly after the assassination.

AT 8:49 A.M. Russo and his two attorneys walked into the Criminal Courts Building at Tulane and Broad.

Neither Russo, who wore a light brown blazer, nor his attorneys made any comment to the crowd of newsmen that pressed around them as they walked from a parking lot on the opposite side of Broad.

Before parking the car they drove around the building once, finding reporters and cameramen standing guard at every entrance to the building.

They apparently gave up trying to avoid newsmen and dodged heavy traffic to cross Broad.

In answer to questions from Dymond yesterday, Russo testified that:

1. He last saw Oswald in the company of Ferrie about the beginning of October. The Warren Commission Report says Oswald left New Orleans Sept. 15 and never returned.

2. He underwent psychiatric treatment which "covered a period of one and a half or two years."

3. Russo identified two photos of Oswald as those of the man he had seen plotting with Ferrie and Shaw, but was unable to identify a third picture taken of Oswald at the time he was shot in the basement of the Dallas jail by bar owner Jack Ruby.

SHORTLY AFTER THE adjournment at 4:30 p. m. yesterday Judge Bernard J. Bagert said the hearing would probably wind up today.

Two other witnesses have been subpoenaed and are expected to testify in the preliminary hearing today. They are Orleans Parish Coroner Dr. Nicholas Chetta and private physician Dr. Esmond A. Carter.

Toward the end of yesterday's testimony, Dymond accused Russo of coming forward with information on the

alleged conspiracy for publicity purposes, and asked:

"As a matter of fact, didn't you wait until Ferrie was dead so there would not be a witness to contradict the statement?"

Russo said he "had in mind" to write a letter to the district attorney after the story of the investigation broke in the newspapers. Two days later, he said, Ferrie dropped dead.

ASKED IF HE DIDN'T know that the man who died was the same David Ferrie he had known in 1963, Russo said he wasn't sure.

"I thought about it," said Russo. "I didn't know whether it was the same man or not. Maybe it was and maybe it wasn't."

Russo's testimony ran into direct conflict with the findings of the Warren Commission in connection with the date Oswald left New Orleans.

Dymond quoted Russo as saying in a television interview that Ferrie had made a statement in October, 1963, that, "We will get him (Kennedy) and it won't be very long."

HE THEN ASKED Russo if Oswald was present when the statement was made.

"I don't really recall," said Russo. "The last time I saw Oswald was at the beginning of October." He said "the only place I ever saw Oswald was at Ferrie's apartment."

Dymond then asked, "Are you aware that Oswald left New Orleans Sept. 25, 1963, on his way to Houston and Mexico and that he never returned?"

The obvious reference to the Warren Report brought an immediate objection from the prosecution.

Charles Ray Ward, assistant district attorney, contended that the Warren Report had "never been proven in this court."

WHEN IT BECAME obvious that introduction of the Warren Commission Report was what Dymond had in mind, Judge Bagert leaned forward and said, "You are going to introduce the Warren Report? You are not serious, are you?"

Dymond's reply was to the affirmative.

"You mean it is your interpretation that you can put the whole Warren Report? . . ."

A moment later Bagert, sitting with Judges Matthew S. Braniff and Malcolm V. O'Hara, overruled introduction of the report.

Dymond then began to question Russo again in the statement allegedly made by Ferrie in 1963 pertaining to the assassination of Kennedy.

"You still say that in October you heard this second threat?"

"Yes, sir."
"And Oswald was present?"
"In October, yes, sir."
"Did you take Ferrie seriously?"

"I NEVER KNEW whether to take Ferrie seriously on anything."

Dymond then asked Russo why he had not offered his testimony to the Warren Commission when it was investigating the assassination.

"I really didn't think about it," said Russo.

Although Russo identified Oswald as the man he saw in Ferrie's apartment for the prosecution Tuesday, he was less sure of himself yesterday.

He was shown the same picture, Exhibit 2-C, by Dymond. He identified one of the two pictures making up the exhibit, but said he would

not "go out on a limb" on the other one.

OSWALD WAS NAMED by the Warren Commission as the sole assassin of Kennedy. Two days after the assassination, he was killed by Ruby, who died this January of cancer.

Shaw was arrested March 1 and booked with criminal conspiracy in a plot to slay the president.

Mrs. Marina Oswald Porter, former wife of the accused presidential assassin, said that she had never met nor heard of any of the persons mentioned in the investigation of a conspiracy here.



JAMES LEWALLEN
Walks to court.



DR. NICHOLAS J. CHETTA



DR. ESMOND A. FATTER
Subpenaed