

WITNESS DETAILS 'PLOT' ON KENNEDY

Says He Heard Oswald and
3 Plan Assassination

By GENE ROBERTS

Special to The New York Times

NEW ORLEANS, March 14—A life insurance agent who once denied that he had ever met Lee Harvey Oswald prior to the assassination of President Kennedy testified today that he had heard Oswald and two New Orleans men plot the assassination.

Then the witness, Perry Raymond Russo, an agent for the Equitable Life Assurance Society, left his chair in court and held his hand above the head of Clay L. Shaw to point him out as one of the participants in the alleged conspiracy.

Mr. Shaw, a retired New Orleans business executive, was arrested by District Attorney Jim Harrison on March 1 and accused of—but not formally charged with—helping to plot Mr. Kennedy's assassination.

A third conspirator, according to Mr. Russo, was David W. Ferrie, a former airline pilot who was found dead in bed here on Feb. 22.

Mr. Russo said he saw Mr. Shaw and Oswald together at Mr. Ferrie's apartment in New Orleans on three occasions in September of 1963. He said that on one occasion they carried on a detailed discussion of plans and alternate plans for assassinating President Kennedy.

They talked, he said, of "using diversionary tactics," of an "escape" route by airplane, of "selecting a kind of scapegoat" to draw attention from the real assassins and of "triangulation"—shots from three directions.

Interviewed by TV Man

On Feb. 24 Mr. Russo had said in a recorded interview with Al Crouch, news director of television station WBRZ-TV in Baton Rouge, that he had never met Oswald. The tapes of the interview are in the possession of the television station.

In the interview he said he met Mr. Ferrie in 1962 through a mutual friend, Al Landry.

"Did he [Ferrie] ever say [that] he knew Lee Harvey Oswald?" Mr. Crouch asked.

"No," Mr. Russo replied.

"Had you ever heard of Lee Harvey Oswald before the assassination?"

"No," Mr. Russo said.

In an interview with The Morning Advocate in Baton Rouge on Feb. 24, Mr. Russo did not mention Oswald but said he had once heard Mr. Ferrie

say that "we will get him [President Kennedy] and it won't be long."

He also told the paper, according to its news article, that he first met Mr. Ferrie 18 months before the Kennedy assassination, which would have been in mid-1962.

In court today he said he first met Mr. Ferrie about 1960.

'Some Sort of Party'

District Attorney Garrison making his third official appearance in a courtroom since assuming office five years ago, called Mr. Russo to testify before a three-judge panel today. He questioned the witness for more than three hours.

Mr. Russo gave his age as 25 and said he had graduated from high school and from Loyola University in New Orleans and had completed a year of law school.

Then he told how he visited Mr. Ferrie's apartment on Louisiana Avenue Parkway here one night in September, 1963, and found "some sort of party in progress."

The party, with about eight people, was soon over, he said, and he, Mr. Ferrie, a man he had met previously and knew as "Leon Oswald" and another man who called himself "Clem Bertrand" were left behind in the apartment.

At Mr. Garrison's request, Mr. Russo then identified Lee Harvey Oswald from a photograph as "Leon Oswald" and pointed out Mr. Shaw in the courtroom as the man he said he had known as "Clem Bertrand."

He said the three men began talking over plans and alternate plans for killing President Kennedy.

"Dave Ferrie," he testified, "took the initiative in the conversation. He paced back and forth and was talking.

"He said the assassination would have to use diversionary tactics.

"He said three people, at the very least two, would have to be there and another man would have to be a kind of scapegoat.

"If there were only two people," he continued, "then definitely one would have to be the scapegoat."

"Did he mention the phrase triangulation of cross-fire?" Mr. Garrison asked.

Mr. Russo said he did.

Tells of 2 Proposals

Mr. Russo said Mr. Ferrie had made it clear that he had "worked up two proposals" for escaping soon after the assassination.

One involved flying to Mexico and Brazil and then perhaps to Cuba, he said, and the other involved going directly to Cuba.

According to Mr. Russo, Mr. Ferrie thought there might be danger in both plans—that they could be shot down going directly into Cuba, and that they

might be picked up by Mexican authorities if they stopped in Mexico to refuel.

"Bertrand," Mr. Russo said, "offered an alternate solution on the day of the assassination—making sure they [the conspirators] had been at a certain place at a certain time."

At one point in the discussion, Mr. Russo said, Oswald told Bertrand to "shut up and leave him [Ferrie] alone—he knows what he's talking about, he's been a pilot."

"But Bertrand said as far as he was concerned Dave [Mr. Ferrie] was a washed-up pilot,"

Mr. Russo continued.
Later in the month of Sep-



Associated Press Wirephoto

TELLS OF PLOT: Perry Raymond Russo outside hearing room. He said he heard three men plot to kill President Kennedy.

tember, Mr. Russo said, he visited Mr. Ferrie's apartment again and found him "wearing baggy pants and a general's hat" and Oswald "half-shaved—there was three or four days' growth [of beard]."

He said Oswald was cleaning a rifle, which appeared to have a "bolt action" and a "hunting sight."

At this point, Mr. Garrison introduced a rifle that he identified only as "Exhibit S-14" and asked Mr. Russo to tell him how it differed from the rifle Oswald was cleaning.

Mr. Russo said Oswald's rifle appeared to have a "straight" telescopic sight, whereas the rifle Mr. Garrison exhibited was bulbous at one end.

Near the end of his testimony, Mr. Russo said Mr. Garrison's investigators took him to Mr. Shaw's apartment on Dauphine Street one night in late February and had him wait outside in a car for about two hours to get a look at Mr. Shaw if he came out of the house and determine whether he was "Clem Bertrand."

Mr. Russo testified that Mr. Shaw came out of the house briefly and that he immediately recognized him.

"I said he was the man—I am sure of it," he said.

"I asked," he went on, "if I could go to his [Mr. Shaw's] house and impersonate a Mutual of Omaha [insurance] man, which I did with the help of a member of your [Mr. Garrison's] staff."

"He said he was covered adequately as far as he thought. I was absolutely sure I had seen him before at Dave Ferrie's apartment."

AFTER THREE YEARS

Warren Report Now Has Legal Challenge

BY RONALD J. OSTROW

Times Staff Writer

NEW ORLEANS—More than three years after the assassination of John F. Kennedy, key challenges to the Warren Commission report—for the first time — have become part of the legal record. Until now, criticism of the Warren report has been confined to books and public statements,

many denounced as unsubstantiated and irresponsible.

With the testimony of Perry Raymond Russo, at a pretrial hearing, New Orleans Dist. Atty. Jim Garrison attacked the commission's finding that Lee Harvey Oswald acted alone in Mr. Kennedy's murder.

While Russo's testimony inscribed this crucial criticism on the public record, it was not subjected to cross-examination when the first day of the hearing ended Tuesday.

His story is certain to be challenged today when the court reconvenes to consider whether there is "probable cause" to try Clay L. Shaw, a New Orleans civic leader, for conspiring to kill Mr. Kennedy.

Russo said he overheard Oswald, Shaw and David W. Ferrie planning the assassination.

They talked of catching the President in a "diversionary" cross fire, Russo said.

According to the Warren Commission, the consensus of witnesses was that only three shots were fired at the President and that they all came from the sixth floor of the Texas School Book Depository, where Oswald waited.

But the commission noted that some witnesses testified they heard four

and perhaps as many as five or six shots.

Flurry of Shells

Secret Service Agent Roy H. Kellerman, for one, however, recalled "a flurry of shells" entering the President's car.

Russo testified only that the alleged conspirators considered firing at the President from more than one point—not that they actually did.

Shaw made a speech in San Francisco the day of the assassination. Ferrie, according to records in the National Archives, satisfied Secret Servicemen that he was in New Orleans at the time of the assassination.

While Russo mentioned no other conspirators, Garrison has said several were involved, which—if true—could support the multiple shot theory.

Some of Russo's testimony, while conflicting totally with commission conclusions, could find support in evidence the Commission used in reaching those conclusions.

For example, Russo recalled that the alleged conspirators spoke of having to sacrifice one man to facilitate the escape of the others.

The commission cited the fact that Oswald car-

NEVER HEARD OF OSWALD, WITNESS SAID

NEW ORLEANS (AP)—Perry Raymond Russo, who testified Tuesday he heard Clay L. Shaw, Lee Harvey Oswald and David W. Ferrie plotting to murder President John F. Kennedy, recently told a television interviewer he had never heard of Oswald until he was linked with the assassination.

WDSU-TV of New Orleans broadcast an interview Tuesday night it made with Russo shortly after the death of Ferrie two weeks ago.

"I never heard of Oswald until on television (at the time of) the assassination," Russo said in the interview. He said Ferrie never mentioned Oswald's name.

ried only \$13.87 when he was arrested, to support its view that he planned no escape to Cuba, a possibility that was considered. The fact that he left \$170 in a wallet in his wife's room, the commission said, "raises serious questions as to whether or not he ever expected to escape."

But, to the commission, this lack of an escape plan did not support a conspiracy theory. Instead, it was in tune with Oswald's yearning for "a place in history — a role as the great man who would be recognized as having been in advance of his time."

Russo's testimony that Oswald was introduced to him as "Leon" Oswald also has parallels in the commission's investigation.

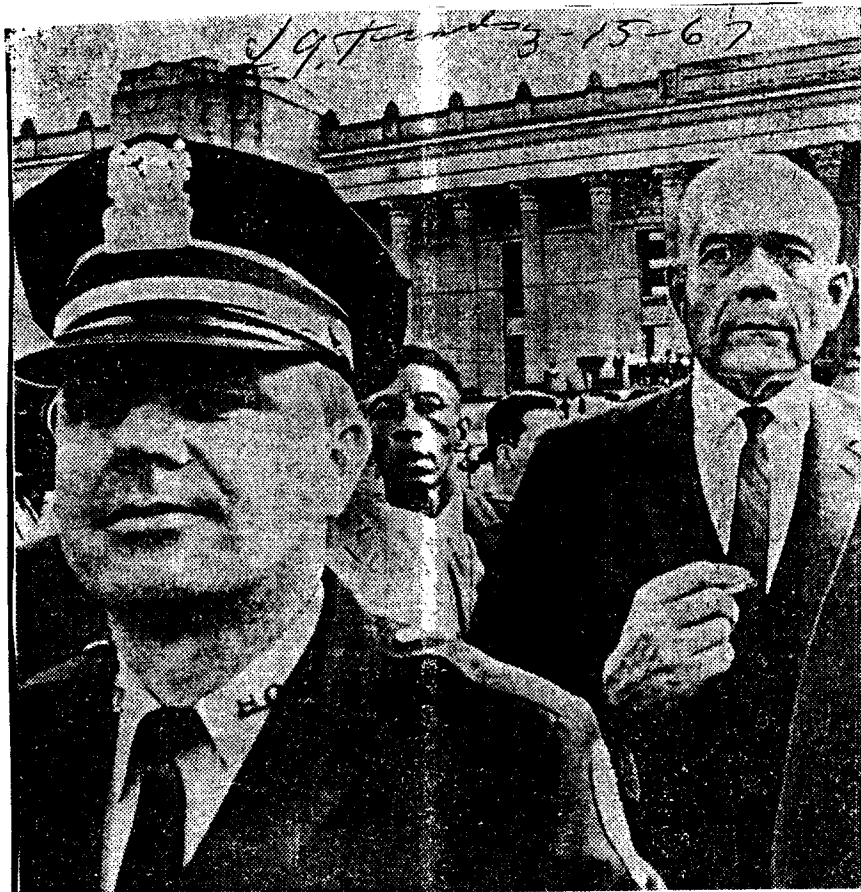
Story Discounted

In one, Mrs. Sylvia Odio, a member of an anti-Castro group in Dallas, told a commission lawyer of being visited by two Cubans and an American introduced as Leon Oswald in late September, 1963. She said she was certain after the assassination that the American was Lee Harvey Oswald.

But the commission discounted her testimony partly because of "persuasive" evidence that Oswald could not have been in Dallas during the time she specified.

Most parts of Russo's testimony, however, directly conflicted with evidence presented to the commission.

If Russo's testimony does hold up, the pressure for reopening the investigation of the assassination will intensify.



KEY FIGURE IN PROBE—Clay L. Shaw, accused of conspiring to murder President John F. Kennedy, is escorted through the crowd as he leaves the New Orleans court building after the first day of hearing.

(AP Wirephoto)

Garrison Witness Links Shaw, Oswald and Ferrie in 'Plot'

Ex-Law Student Claims He Heard Trio Planning to Assassinate Kennedy

BY JERRY COHEN
and NICHOLAS C. CHRISS
Times Staff Writers.

NEW ORLEANS—A former law student testified Tuesday that he sat in an apartment here in September, 1963, and heard Clay L. Shaw, Lee Harvey Oswald and David W. Ferrie plotting to murder President John F. Kennedy.

Perry Raymond Russo, 25, now a Baton Rouge insurance salesman, told a three-judge panel in Criminal District Court that the three men also debated ways of escaping after the assassination. He did not say when or where the assassination was to take place.

Russo said Ferrie led the discus-

sion and suggested that President Kennedy be caught in a "diversionary" cross fire and that one of "two or three" men involved would "have to be sacrificed."

Says Oswald Had Gun

On another visit to Ferrie's apartment, where the alleged plot was hatched, Russo said he saw Oswald "wiping or polishing a rifle . . . a bolt-action rifle with a hunting (telescopic) sight."

Ferrie was found dead in his bed Feb. 22 of natural causes.

Garrison arrested Shaw, retired director of the International Trade Mart, March 1 and accused him of "participating" in a plot to assassinate the President. He charged that Shaw used the alias, Clay Bertrand.

Garrison is personally handling the direct examination in the preliminary hearing, which began Tuesday, to decide if there is probable cause for a jury trial. He completed his interrogation of



STAR WITNESS—Perry Raymond Russo, 25, of Baton Rouge, La., who testified at preliminary hearing in New Orleans assassination probe.

(AP Wirephoto)

Russo late Tuesday afternoon.

The defense had no opportunity to cross-examine the witness. Shaw's attorneys are expected to begin doing so shortly after the hearing resumes at 10 a.m. today.

Russo was the last of four witnesses called by Garrison. The other three identified photographs which paved the way for Russo's testimony.

No attempt was made to elicit from Russo the alleged plotters' motive. The best he offered was:

"Dave Ferrie was obsessed with

Kennedy."

Shaw's attorneys are expected to raise these questions today:

1—Why did Russo decide to come forth now—more than three years after the assassination?

2—Why did three men plotting the assassination of a President permit Russo, a relative stranger, to sit in on their discussions?

3 — How "credible" a witness is Russo?

Russo claims Ferrie introduced Shaw to him as "Clem Bertrand" and

Oswald as "Leon Oswald."

Points to Shaw

When Garrison asked him if the man he knew as Bertrand was in the courtroom, Russo turned toward Shaw, who was sitting with his attorneys, and calmly pointed at him.

He identified photographs of Lee Harvey Oswald, the man the Warren Commission said acted alone in the Presidential slaying, as the same person he knew as Leon Oswald.

Spectators and newsmen from all over the world sat almost transfixed in the sweltering courtroom as Russo, poised and immaculately dressed, unreeled his story.

"Dave Ferrie began the conversation," he said, recalling the discussion he claimed to have heard in mid-September, 1963.

"He paced back and forth. A few things were said about my presence. He talked to Bertrand and Oswald. The discussion centered around an assassination.

"Ferrie said an assassination would have to use diversionary tactics. It was a favorite expression with him. Triangulation of cross fire was a big deal with him.

"He often referred to this triangle—a triangulation of cross fire.

Direct Hit

"Three people would be in on it. Or at least two. One would shoot a diversionary shot, or two shots. The third would make the direct hit.

"One of these people on the scene would have to be the scapegoat. One man had to be sacrificed; that was the point that was made.

"Even if there were only three people, one had to be

sacrificed. He (Ferrie) didn't clear this up."

Many skeptics of the Warren Commission have insisted that more than one person fired at Mr. Kennedy in Dallas Nov. 22, 1963, and that the President was trapped in a cross fire.

Garrison, deep-voiced and tanned from a Las Vegas vacation, asked:

"What did Bertrand say?"

"Well," Russo replied, "Ferrie then went into the second phase. Ferrie talked incessantly about the availability of exits after the act was committed.

Sacrificed Man

"He worked on two proposals. The sacrificed man would give the one or two other men enough time to escape."

Russo, who dropped out of law school at Loyola University of the South in 1965 after one year and was an undergraduate there at the time he claims to have overheard the conversation, said "Ferrie was to be the pilot in the escape."

Ferrie was a former commercial airline pilot who was fired from his job and later continued flying as a free-lance pilot.

Russo testified that Ferrie discussed the possibility of flying to Mexico, refueling, then flying to Brazil. He said Ferrie also suggested an escape plane might set down in Cuba, but expressed fear Cubans might shoot it down without knowing who was in the aircraft.

The man he knew then as Bertrand, Russo said, objected to the Mexican plan.

"Mr. Bertrand argued that as soon as the shot was fired the world would know, and there would be no way to get out (of Mexico)."

Russo said Oswald then snapped: "Shut up and leave him alone—he's the pilot."

Bertrand retorted, the

witness added:

"As far as I'm concerned, he's a washed-up pilot."

Ferrie said nothing, according to Russo, but remarked that "Mr. Bertrand and Mr. Oswald should be in the public eye that day."

Russo claimed that Ferrie said Oswald would be "in such a place" where he would be well-remembered. Bertrand, he declared, said "he would go

on a business trip for his company."

"Did he say where he would go?" Garrison asked.

"He said he would go to the West Coast," Russo responded.

Shaw delivered a speech in San Francisco the day of the assassination.

Russo said Ferrie planned to be at "Southeastern" that day.

"Where is Southeastern?" Garrison asked Russo, believed to be the confidential informer whom the district attorney said took a sodium pentathol (truth serum) test to verify his allegations.

"Southeastern University in Hammond," Russo replied.

Hammond is across Lake Pontchartrain, about 65 miles northeast of New Orleans.

Secret Service

Ferrie told Secret Service investigators, according to the Warren Commission, that he had stayed with a friend at the university on Nov. 24, 1963, two days after the assassination.

However, a student at the university was quoted in a Hammond newspaper as saying he saw a man he believed to be Ferrie in a dormitory there the day after the assassination.

According to statements made previously by Garrison, Ferrie drove with two young men to Galveston and Houston on the day of the assassination and the district attorney has speculated about why Ferrie went to Texas when most of the nation

had its eyes glued to television coverage of the Presidential slaying.

Russo testified he had met Ferrie in 1960 in Jefferson Parish, adjacent to New Orleans, at a Civil Air Patrol meeting. He said he had visited a Jefferson Parish residence in which Ferrie had lived at the time, then was a frequent visitor to the Louisiana Ave. Parkway apartment in New Orleans where the alleged plot was conceived. He said he had an "open book invitation" to visit Ferrie at the apartment.

Polishing Rifle

Russo, in saying he saw Oswald polishing the rifle with the telescopic sight in Ferrie's apartment, testified:

"He was dirty as usual and half-shaven."

Testimony in the Warren Commission report refers to Oswald as a man careful of his appearance.

Russo claimed he overheard the conversation between Shaw, Oswald and Ferrie after a party in the

latter's apartment. He said when he arrived "eight or 10 persons" were in the apartment but that after his arrival the party "dissipated," leaving him alone with Shaw, Oswald and Ferrie. Russo said he stuck around as a fourth because he was waiting for a ride home.

The defense frequently objected to statements made by Russo as "hearsay." Some were sustained, but Garrison was able to lead Russo through his whole story.

It was never developed during Garrison's questioning of Russo if a time or a place for the alleged assassination was discussed.

Russo said he saw both Oswald and Shaw after the conversation he described.

Garrison's Office

No mention was made of how he came to the attention of Garrison's office. His name does not appear

in the Warren Commission report or in more extensive documentation of the commission's investigation in the National Archives in Washington.

But Russo claimed he was driven past Shaw's renovated French Quarter carriage house by Garrison's men and that Shaw "stuck his head out." Russo said he identified the face as that of the man he knew as Bertrand.

Later, Russo testified, he visited the carriage house with a Garrison aide and posed as an insurance man.

"Are you sure it was Bertrand?" Garrison asked Russo.

"I was absolutely sure he was the man I had seen before," Russo replied.

And once again he

pointed to the white-haired defendant.

Shortly before the noon recess, Garrison asked Russo if he would step down from the witness chair and walk over to the man sitting in the courtroom whom he claimed to have known as Bertrand, and raise his hand over the man's head.

Russo strode calmly behind the defendant's attor-

neys until he arrived at Shaw, then he lifted one hand above Shaw's head.

Shaw's back was to the newsmen and spectators, and his reaction could not be seen.

But when he left the courtroom at the noon recess, Shaw, closely guarded by four deputy sheriffs, appeared unruffled.

Russo said he attended Tulane University here for two years before

switching to nearby Loyola of the South, from which he obtained a bachelor of social studies degree in 1964.

He said he was a native of New Orleans and attended secondary and

grade schools here.

Officials of the Equitable Life Assurance Society in Baton Rouge said he is a bachelor and has been a salesman for the firm since September. *EW*