

# Shaw Trial Turns to Texas and Assassination Alibis

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NEW ORLEANS, Feb. 12—The state wound up today its testimony about the alleged conspiracy in New Orleans to kill President Kennedy in 1963.

After a day spent in trying to bolster "ear witness" testimony about the alleged plot, District Attorney Jim Garrison's staff began calling witnesses from Texas.

Among dozens of those subpoenaed are eyewitnesses to the assassination in Dallas.

In addition to proving that the accused, Clay L. Shaw, a retired New Orleans businessman, conspired to murder the President, the state must prove that one or more of the "conspirators" took some step toward accomplishing the murder.

The first Texas witness was R. C. Roland, the dapper president and general manager of the Winterland Ice Skating Rink in Houston.

Mr. Roland testified that he saw the late David W. Ferrie, named by Mr. Garrison as being involved with Mr. Shaw and Lee Harvey Oswald in the conspiracy, at his skating rink on the afternoon of Nov. 23, 1963, the day after the assassination.

Mr. Roland was the first of a series of witnesses the prosecution intends to call to establish the whereabouts of the three men that weekend.

Mr. Roland said that Mr. Ferrie, who had two young men with him, seemed to be trying to call attention to him. "He actually made a little bit

of a pest of himself at times," Mr. Roland said.

The state has charged that one of the "overt" acts taken to further the conspiracy was the establishment of alibis by Mr. Shaw and Mr. Ferrie for the day of the assassination.

The Federal Bureau of Investigation has reported that Mr. Ferrie left New Orleans by automobile on the afternoon that Mr. Kennedy was killed and drove 400 miles to Houston during a violent thunderstorm.

Mr. Roland said that while standing around in the skating rink for a couple of hours on Nov. 23, Mr. Ferrie made three telephone calls and received at least one on the public telephone.

Mr. Ferrie was found dead on Feb. 22, 1967, with a farewell note beside his body that was addressed to a male friend. Mr. Garrison said afterward that Mr. Ferrie had either been killed or committed suicide, but the coroner ruled that he died of a stroke.

During the day, the state tried to connect Mr. Shaw with the name "Clem Bertrand." The state has alleged that he used the name while plotting the assassination.

Another witness, James Hardiman, a letter carrier, testified that in 1966 he delivered two letters to "Clem Bertrand" at 1414 Chartres Street, the address of a friend of Mr. Shaw.

The postman said at about the same time he had delivered letters addressed to Mr. Shaw to the same address. Mr. Shaw had moved into his friend's residence for a time while his apartment was being remodeled.

Mr. Hardiman said he had delivered mail to "quite a few

different names" to the 1414 Chartres Street apartment.

Most of today was consumed by testimony from Andrew J. Sciambra, an assistant district attorney, who tried to restore some of the shattered testimony of Perry Raymond Russo, a key prosecution witness.

Mr. Russo testified that he had heard Mr. Shaw with Mr. Ferrie and Oswald discuss assassinating President Kennedy.

Mr. Russo said he gave this information to Mr. Sciambra on Feb. 25, 1967. But a memorandum report made by Mr. Sciambra of that interview did not mention the overheard conversation.

Mr. Russo, a 27-year-old book salesman, also testified that he had told numerous persons later that he was not sure it was Mr. Shaw he had seen meeting with Mr. Ferrie and Oswald.

Mr. Russo also contended that Mr. Sciambra's memorandum contained omissions, misstatements of fact and other errors. With a somewhat pained look on his face, Mr. Sciambra testified today that Mr. Russo was correct in stating that the memorandum was full of errors.

But later, Mr. Sciambra went through the memorandum point by point and defended it as being correct.

As defense attorneys shouted protests over the proceedings, Mr. Sciambra brought up the 26 "errors" that Mr. Russo said he had found in the memorandum.

Mr. Sciambra read what he had written, repeated what he recalled Mr. Russo had told him and then "interpreted" the

importance of the passage for the jury.

Criminal District Judge Edward A. Haggerty Jr., said he was allowing Mr. Sciambra to introduce hearsay testimony because F. Irvin Dymond, chief defense counsel for Mr. Shaw, "had opened the door" by a vigorous cross-examination of Mr. Russo yesterday.

Earlier today, Judge Haggerty allowed the state to read to the jury testimony from Dr. Nicholas J. Chetta, the late coroner of Orleans Parish.

Since Dr. Chetta is dead, this was the only way to get this testimony before the jury, the judge said.

The testimony dealt with Mr. Russo's reactions and statements while under the influence of sodium pentothal, which is popularly called truth serum, in March, 1967. In his report, Dr. Chetta said he had adjudged Mr. Russo to be sane from these responses.

"Take a bill of exception," the judge told the defense lawyers as they tried to plead that not only was Dr. Chetta's testimony, given originally at a preliminary hearing, illegal, but it was also irrelevant.

The question should be, the defense argued, is Mr. Russo sane now.

Mr. Sciambra said he had burned the notes that he made during his interview with Mr. Russo. Mr. Sciambra said he had burned the notes for security reasons but could not remember when he had done so.

"Ever since his case began, we have had a tremendous problem keeping information from flowing out of the office," Mr. Sciambra said.