

JFK Plot Case Seen Weakened

By JERRY COHEN

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Jim Garrison, New Orleans district attorney supplied a national magazine writer with documents which tend to discredit his controversial investigation of President Kennedy's assassination.

The documents, records of statements taken from star witness Perry Russo, also appear to undo Garrison's case against Clay Shaw, a New Orleans civic leader, whom Russo testified as having known as "Clay Bertrand."

Largely on the basis of Russo's testimony, Shaw, retired director of the New Orleans National Trade Mart, was indicted last month on charges of conspiring to assassinate the President.

Russo, 25, an insurance salesman, testified at a hearing preceding the indictment, that he overheard Shaw, Lee Harvey Oswald and the late David W. Ferrie plot the assassination at a party in Ferrie's apartment in September 1963.

From the documents given by Garrison to James Phelan, a Saturday Evening Post writer, the stories Russo told from the witness stand and during hypnosis differed vastly from the first one he told Garrison's investigators.

What motivated Garrison to slip Phelan the documents only Garrison knows—and he isn't saying.

"I think he simply never read them," Phelan said. His article on the Garrison investigation appears in the May 6 edition of the magazine which goes on newsstands tomorrow.

"If Perry Russo is the key witness against Clay Shaw, it is not a matter of his being acquitted — he should never even go to trial," Phelan told this writer.

Ferrie died Feb. 22. Two days later, Garrison astounded the

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world with an announcement that he had "solved" the assassination. On March 1 he arrested Shaw. Later that week, he gave the documents to Phelan in Las Vegas.

Each of the documents is a study in contradictions.

The first is a report to Garrison from a 31-year-old assistant. Andrew J. Sciambra, who was assigned to question Russo. The three-hour in-

Absent from the 3,500-word document, which Phelan describes as "a minutely detailed memorandum," was any mention of an "assassination plot" — the very crux of the Garrison investigation.

And as Phelan notes in the Saturday Evening Post:

"It made no reference to the party at Ferrie's apartment, where Russo later said the plot was discussed.

"There was no positive identification of Lee Harvey Oswald as 'Leon' Oswald (the name by which Russo said he knew one of Ferrie's various roommates whom he described as a 'typical beatnik' with 'dirty blonde hair and a husky beard.'")

"Most striking of all, when shown a picture of Clay Shaw, Russo said nothing whatever, according to the memorandum, about having known him as Clay Bertrand.

"The memo specifically said Russo had seen Shaw only twice — once when President Kennedy spoke in New Orleans and once in a car with Ferrie. There was no mention whatever of Shaw's even knowing Oswald."

The latter clashes sharply with Russo's sworn testimony that he overheard Shaw and Oswald plotting head-to-head with Ferrie at the party—an event unmentioned in the memo.