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Hypnotized Questioned-When -Russo

Denies Role in 'Plot'

The star witness in the preliminary hearing for Clay L. Shaw testified today that he was placed under hypnosis three times for questioning in the case.

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

Russo says he heard Shaw, Lee Harvey Oswald and David William Ferrie plot to kill Kennedy in September, 1963, at Ferrie's apartment at 3330 Louisiana ave. pkwy.

Under questioning by Dymond, these other high points came out of Russo's testimony:

—The hypnosis sessions were held in the Orleans Parish coroner's office.

—Although Russo was present when the JFK plot was hatched, he himself played no part in the alleged conspiracy.

—Russo mistook Shaw for a Secret Service agent on May 4, 1961, when President Kennedy visited New Orleans to dedicate the Nashville ave. wharf.

—Russo told a television interviewer two weeks ago he had never seen Oswald because "I was scared."

—He kept his knowledge of the plot secret after the assassination actually took place on Nov. 22, 1963. because 'the FBI said they arrested Oswald and that he was the man . . . I wasn't going to fight with the government."

The witness said he was placed under hypnosis on three occasions by a "Dr. Fatter." Dr. Esmond A. Fatter, a private physician, has been subpenaed to testify by the prosecution.

Referring the witness to the September, 1963, meeting at which he said he heard the conspiracy discussed, Dymond asked him:

"What part were you to play in the assassination of the President?"

"I had no part," said Russo.

"You mean you were told not to play a part?"

"Not that I know of."

Dymond asked Russo if he had ever said he wanted to see the President killed. Russo said, "No, sir." He said he had never had any violent feeling toward Kennedy.

"Did you contribute anything toward the planning of

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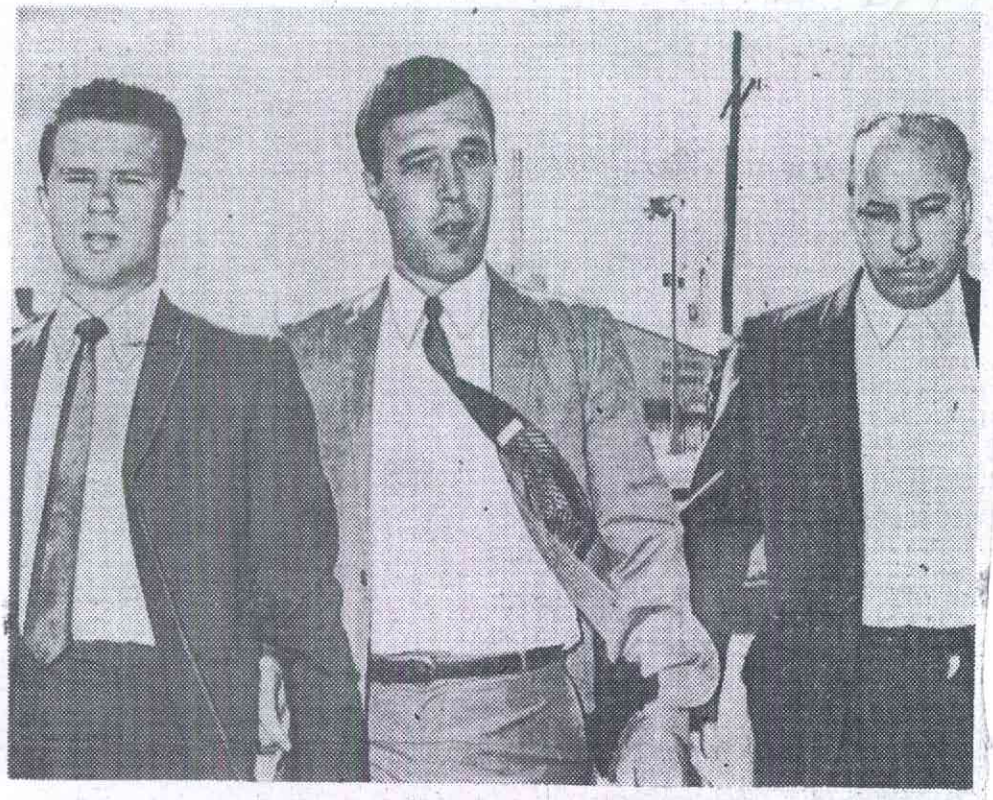

PERRY R. RUSSO, center, the star witness in the preliminary hearing on District Attorney Jim Garrison's assassination probe, arrives for today's session accompanied by GEORGE KERSHENSTINE, identified as a cousin of Russo, and DA investigator FRANCIS MELOUCHE.

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the assassination?" Dymond asked.

"No, sir," said Russo.

Russo had testified that in the plotting of the assassination, it was said that one of the conspirators would have to be a scapegoat. Dymond asked today:

"Who was to be the scapegoat and who was going to do the killing?"

"They never did name names," Russo said.

"Was it your understanding that these three men would take part in the assassination?"

"No, I did not get that impression," Russo said.

RUSSO TESTIFIED THAT THE FIRST TIME he saw Clay Shaw was in a large crowd at the Nashville ave. wharf on the day Kennedy visited New Orleans to dedicate it.

"You saw Shaw and remembered him six years later?"

"I remember him because I thought he was a Secret Service man. He was looking around at the crowd and the exits. I said to my friend that was with me, 'That's got to be a Secret Service man.' "

Russo said he first met Shaw at Ferrie's apartment, where he was introduced as Clem Bertrand. He said he recognized him as the man he had seen on the wharf. Russo added that he told Bertrand:

"I know you. Weren't you at the Napoleon ave. wharf?"

Dymond asked:

"After the party and the discussion of the assassination began, didn't you feel awfully uneasy when you knew one of the men was a Secret Service man?"

"He seemed to me to dispel the relationship," said Russo.

Dymond questioned Russo closely on the television interview in which Russo denied knowing Oswald. Russo gave this explanation:

"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

BOMB SCARE GROUNDLESS

Security measures were tightened today in the courtroom where the preliminary hearing for Clay L. Shaw is under way when a Parish Prison official got a telephone call from a man who told him to be on the lookout for a person carrying a small bomb set to go off at the afternoon session. The courtroom was carefully checked during the noon recess and nothing found. Witnesses and newsmen returned to the courtroom unaware of the threat.

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."

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 subpenaed 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.

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 one reason he didn't come forward after the assassination and tell his story. He said, however, he told friends "I might know that man."

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

MARCH 16, 1967

DR. NICHOLAS J. CHETTA
Coroner

DR. ESMOND A. FATTER
Hypnotist

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 8:40 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.

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.