'Plot' Witness Back on Stand

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New Orleans, March 16—The defense in the Kennedy assassination plot hearing today continued to whittle away at the conspiracy story of the state's mystery witness, Perry Raymond Russo.

Russo yesterday seemed to waiver on several points under cross-examination by F. Irvin Dymond, an attorney for Clay L. Shaw, the only man charged with having been part of the plot which District Attorney Jim Garrison claims resulted in the death of President Kennedy in Dallas Nov. 22, 1963.

One important point which Dymond seemed to gain was when Russo, 25, could not identify one of the photos of Lee Harvey Oswald placed in evidence by the prosecution. He had identified two photos of Oswald—as the man he knew as "Leon" Oswald who had been a roommate of David W. Ferrie, a pilot who died Feb. 22, at a time when he was prominently mentioned in stories of the Garrison investigation.

Another apparent weak spot in his story was developed when Dymond hammered away at the witness trying to pin him down on the period when he claimed to have seen Leon Oswald in Ferrie's home.

When He Saw Oswald

Dymond slowly maneuvered Russo into admitting that the last time he saw Oswald in New Orleans in the Ferrie apartment was in October, 1963. The attorney asked Russo:

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

Dymond had referred to the findings of Oswald's whereabouts prior to the assassination as outlined in the report of the Warren Commission.

The prosecution immediately objected to Dymond's remark, claiming that the Warren report had "never been proven as fact in this court."

With this, Presiding Judge Bagert asked: "You're going to introduce the Warren report?" When Dymond affirmed his intention, Bagert added: "You must be kidding."

Cites U. S. Printing

The quiet in the courtroom was broken and order was called as Bagert and the two other Judges O'Hara and Braniff, also broke into smiles.

Dymond cited the authority for admitting the report showing that the report had been printed by the "U. S. Government Printing office."

"Does that give it authenticity?" Braniff demanded, smilingly.

Bagert raised his voice to Dymond: "You're wrong and you're overruled."

It marked the first time that a court in this country has held the Warren report to be without legal foundation and unacceptable as a matter of fact.

On Russo's inability to identify definitely one of the Oswald photos, the witness said he would not "go out on a limb" to state that the photo was of the same man he knew as Leon Oswald.

He said the man he had seen in Ferrie's apartment had a three- or four-day growth of beard and had always been "dirty like a beatnick" and because of this he never seriously connected him to Lee Harvey Oswald's pictures, which he had seen at least "100 times" following the assassination.

"I'd look at it and I'd say yes and I'd say no," Russo said.

Difficult Identification

He testified that after he had contacted Garrison's office following Ferrie's death, a Garrison aide showed him pictures of Oswald and he had difficulty saying for sure it was the man he had seen in Ferrie's home.

He said one of the photos was changed 10 or 15 times by a police artist before he finally said "that's his roommate, that's Oswald."

Russo said the artist "tried beard after beard after beard and his face was fuller and his hair was messed and it was exactly reversed of the Lee Harvey Oswald I saw."

At one point a recording of an interview with Russo made two days after Ferrie's death was played in court. In the interview Russo had siad he had "never heard of Oswald until the TV assassination."

Asked about this, the Baton Rouge insurance salesman explained he never connected the two Oswalds because of the different first names—Lee as opposed to Leon.

He said he never had volunteered his information to the Warren Commission because he "didn't think I had anything important."