WITNESS SHAW AS

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Insurance Man

MARKETS ★ *FINAL* ★ SPORTS

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IDENTIFIES PLOTTER

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Points to 'Bertrand'

Dist. Atty. Jim Garrison today produced his "mystery informant" who said he heard Clay L. Shaw, Lee Harvey Oswald and David William Ferrie plot the assassination of President John F. Kennedy.

The informer is Perry R. Russo, a Baton Rouge insurance salesman, who told a Criminal District Court hearing today that he heard the trio plotting the slaying in September of 1963. Kennedy was shot to death in Dallas on Nov. 22, 1963.

Detailed accounts of the examination of witnesses in the preliminary hearing for Clay L. Shaw will be found on Pages 14-A and 14-B.

The testimony came in a preliminary hearing for Shaw, who was arrested March 1 and booked with criminal conspiracy in the President's death.

RUSSO SAID HE HEARD THE three talking at a party at Ferrie's apartment at 3330 Louisiana ave. pkwy. He said the two other than Ferrie were introduced to him as Clem Bertrand and Leon Oswald.

Russo said the plot involved "triangulation of crossfire," a diversionary tactic, and called for one man to be a "scapegoat."

Russo identified Leon Oswald from photos of Lee Harvey Oswald, the accused assassin of President Kennedy, and in a dramatic moment, he placed his hand over the head of defendant Clay Shaw, identifying him as the man he knew as Clem Bertrand.

In his testimony before a three-judge court, Russo stated that "somewhere around the middle of September 1963," he walked into Ferrie's apartment and "there seemed to be some sort of party in progress."

He said there were 10 people in the apartment at first, but as the night wore on, the number was reduced to himself and three others, namely Ferrie, Oswald and Bertrand.

Russo said that at first there seemed to be some doubt as to whether a conversation should take place in his (Russo's) presence, but that after a short time, the discussion concerning an assassination attempt began.

"FERRIE TOOK THE INITIATIVE in the conversation," said Russo. "He paced back and forth on the floor."

He said Ferrie talked to both Bertrand and Oswald, stating that "an assassination attempt would have to involve diversionary tactics."

Russo quoted Ferrie as stating that it would be necessary to have at least two, and preferably three, people involved in shooting the President.

He said Ferrie's term for this was "triangulation of crossfire."

Russo said according to the plan, "one or two persons would shoot diversionary shots and one would shoot the good shot . . .

"One person had to be the scapegoat," he said.

According to Russo, the conversation went on to what Ferrie called the "availability of exits," which involved how the assassins would make good their escape.

RUSSO SAID THE PLAN called for the "sacrifice man" to allow time for the other one or two persons to escape.

"They would either go from where they were at that time to Mexico and refuel, or would fly directly to Cuba," Russo testified.

Russo stated at that point that Ferrie had been an airline pilot. Russo said Bertrand took exception to this plan and said that once the shot was fired, "the whole world would know" and if the conspirators landed in Mexico or elsewhere, they would not be able to get out.

PERRY RAYMOND RUSSO
Says he overheard plot.

In the afternoon session, Russo was back on the stand with Garrison doing the questioning. Russo said the first time he saw Oswald in Ferrie's apartment, the latter was polishing a rifle.

Garrison showed him a rifle and asked him if it was the same one. Russo said it looked like it except that the telescopic sight on the gun in the courtroom was larger.

Assistant Dist. Atty. Alvin Oser handled the opening prosecution along with Assistant Dist. Atty. Charles Ray Ward. F. Irving Dymond was assisted in the defense by Edward Wegmann and William Wegmann.

The three-judge panel hearing the case consisted of senior Judge Bernard J. Bagert of Criminal District Court

and Judges Matthew S. Braniff and Malcolm V. O'Hara.

Today's hearing was to decide whether the district attorney has enough evidence to hold Shaw for trial. It was the first major showdown in the case which has drawn worldwide attention since the States-Item revealed on Feb. 17 in a copyrighted story the probe was under way.

William Gurvich, chief investigator for the district attorney's office, was the first to appear in the courtroom.

He arrived at 10:10 a. m. with a long, brown-wrapped object he placed in the clerk's office. Garrison's office said the package contained a high-powered rifle with a telescopic sight.

GURVICH'S BROTHER, Garrison aide Leonard Gurvich, stood outside the clerk's office with a walkie-talkie keeping in contact with the district attorney's office.

The courtroom filled early with newsmen and spectators. Judge Bagert arrived about 10 a. m. wearing a conservative gray suit and carrying a briefcase. Judge Braniff followed shortly thereafter.

Shaw and his attorneys filed into the courtroom at 10:20 a. m.

Shaw, stoic and wearing a conservative brown suit, brown vest and brown tie, immediately sat down at the defense table in a center chair in front of the chair which was later occupied by Judge Bagert.

One of his attorneys handed him a pad of yellow, legal-sized paper and he turned to confer briefly with Edward Wegmann. For a few minutes Shaw sat alone at the table smoking a cigarette and facing the judge's bench.

HE THEN STOOD UP AND turned toward the back of the court, conferring with Dymond and occasionally glancing up at the crowd.

At one point he pulled a white handkerchief from his pocket and wiped his forehead.

A court attache called for an end to smoking. At 10:30 a. m. the prosecutors filed in. Garrison wore a dark blue suit.

The judges filed in at about 10:40 and the crier called for order.

After a slight pause, Judge Bagert asked:

"Is the state ready?"

Ward rose and replied affirmatively. He added:

"The state has five witnesses ready to testify. These witnesses are outside and ready to testify."

He identified the witnesses as:

Orleans Parish Coroner Dr. Nicholas J. Chetta.

Dr. Esmond A. Fatter, a private physician.

Det. Frank Haywood of the city police.

John Rowley, a photographer for the police Bureau of Identification.

Peter Schuster, an investigator-photographer for the coroner's office.

Dymond then rose and told the judge:

"We have no objections to expert witnesses being brought into the courtroom as long as their testimony is confined to expert testimony."

Dr. Chetta, Dr. Fatter and Rowley remained in the courtroom. The others were taken outside after being warned by Judge Bagert not to discuss the case.

Speaking to the three who remained, Judge Bagert said:

"You three gentlemen are placed under the rules of the court."

SCHUSTER TOOK THE STAND and was asked by Oser whether he photographs scenes of violent deaths for the coroner's office. He said, "I do."

Schuster said he also takes pictures inside the coroner's office.

"Were you on duty on Feb. 22, 1967, the day of Ferrie's death?" Oser asked.

Schuster said he took photos at Ferrie's apartment at 3330 Louisiana ave. pkwy. and then identified certain pictures which he said he took at Dr. Chetta's direction, some at the scene and some at the morgue.

SCHUSTER WAS ASKED BY Dymond if he familiarized himself with the inside of the apartment. He said:

"Not very well. I only took the pictures I was instructed to take."

Dymond showed Schuster a picture which he said was a sketch of the Ferrie apartment. Asked if he recognized it, Schuster said "No, sir, I don't. Is this supposed to be the front entrance?"

"No," said Dymond. "This is the rear."

"This way I remember it," said Schuster. "And the rooms appear to be in proper perspective except the bathroom which I didn't enter," said Schuster.

Dymond then showed Schuster pictures of various rooms. A picture marked D-4 was identified by Schuster as "the bedroom where Ferrie was found."

This process went on through a total of 16 pictures.

The courtroom was heavily guarded as the hearing got under way.

Twenty sheriff's deputies were assigned to watch over the room while a packed house of local, national and foreign newsmen watched state and defense lawyers argued whether Shaw should go to trial.

DA JIM GARRISON is leading the prosecution team at today's hearing.

The Warren Commission report named Oswald, a former New Orleans resident, as the killer and said there was no credible evidence that a conspiracy was involved.

SHAW WAS BOOKED—but not formally charged — with violating the state's criminal conspiracy statute. He was freed on $10,000 bond.

The preliminary hearing was then called by Garrison, a rare legal procedure. An equally rare three-judge panel was set up to preside.

Garrison has kept his case secret. But United States

Atty. Gen. Ramsey Clark said he knows what it involves and does not consider the case valid.

Clark said Shaw, during the exhaustive investigation which followed the assassination, was checked out by the Federal Bureau of Investigation and cleared. He did not say why Shaw was investigated in the first place.

SHAW'S THREE defense lawyers first accepted the preliminary hearing. Then they switched tactics and fought it vigorously, losing at every step.

Shaw is the only man named by Russo, besides himself, as attending the meeting in Ferrie's apartment who still lives. Ferrie, 49, an airline pilot fired in 1961 after arrests on morals charges, died in his apartment last Feb. 22.

HE HAD CALLED the investigation "a big joke," scoffing: "They got me pegged as the getaway pilot."

His death was listed as due to natural causes—a massive cerebral hemorrhage caused when high blood pressure broke a weak brain artery.

—States-Item photo.

BOXES OF EVIDENCE CARRIED TO COURT

JUDGE BERNARD J. BAGERT

JUDGE MALCOLM V. O'HARA

JUDGE M. S. BRANIFF

Presiding over preliminary hearing.

—States-Item photo.

CHARLES LONGO, left, and JOSEPH DOYLE, criminal deputy sheriffs, close the doors to the courtroom last Friday morning as the building was cleared of all news media personnel for today's preliminary hearing on charges against Clay L. Shaw.

—States-Item Photo.

RAYMON CUMMINGS, a former Dallas taxi driver, claims he once drove Harvey Oswald and David Ferrie to Jack Ruby's nightclub in 1963.