

RUSSO SAYS ATTORNEY FORCED HIS ADMISSION



—Photo by The Times-Picayune.
PERRY RUSSO
Testifies.

Defense Questions Shaw Trial Witness

Perry Raymond Russo Monday accused chief defense attorney F. Irvin Dymond of having "forced" him at a preliminary hearing into naming persons who attended a party with him at the apartment of David L. Ferrie in mid-September, 1963.

It was at the party that Russo says he saw and heard Clay L. Shaw, Lee Harvey Oswald and Ferrie plot the assassination of President John F. Kennedy. Shaw is now standing trial, charged with participating in a conspiracy to murder the late President.

Judge Edward A. Haggerty Jr., who is presiding at the trial in Criminal District Court, adjourned Monday's session shortly after Russo made his charge against Dymond and then read excerpts from his preliminary hearing testimony which he claimed proved that Dymond, by his questions, forced him to make the admission.

Russo will undergo more cross-examination when Shaw's trial resumes at 9 a. m. Tuesday.

Dymond confronted Russo with newspaper interviews and transcripts of television interviews Monday, given by Russo in late February, 1967, and early March, 1967, in which Russo said he never heard of Oswald before the assassination nor in which he ever mentioned the name of Clay Shaw or Clem Bertrand. Clem Bertrand is the name Russo claims Ferrie used to introduce Shaw to him at the party.

Under cross examination, Russo admitted that he likened the conversation he allegedly overheard to an "inconsequential bull session," and that he did not take Ferrie's statements about killing the President seriously because he had become "indifferent" to him.

Russo was called by the state as the first witness of the day

and he gave essentially the same testimony he gave during Shaw's preliminary hearing in March, 1967, but Monday he failed to name any persons who attended the party at Ferrie's apartment with him.

During the preliminary hearing he said that Sandra Moffett, now Sandra McMaines, and Nils "Lefty" Petersen attended the party with him.

Defense Bores Down on Inconsistency

Dymond began boring down on this inconsistency late Monday afternoon, questioning Russo first about his present recollection, and then referring to his testimony under cross-examination in the preliminary hearing.

When Russo told Dymond he could not definitely name anyone who attended the party with him, Dymond asked: "You would not be willing to say now that Nils Petersen and

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Sandra Moffett attended the party with you?"

Russo then made his charge.

Dymond replied quickly: "I forced you to say that?"

Russo, obviously well-versed as to what his preliminary hearing testimony consists of, then asked for the transcript and pointed to questions starting on Page 150, and told Dymond that was where he began forcing him. "When I said Sandra Moffett and Lefty Petersen were there, it was, at that time, a probable guess."

"Mr. Russo," said Dymond, "you don't state probable guesses under oath."

Russo told Dymond that at the preliminary hearing, "You asked me questions over and over, and I tried over and over to explain."

Russo said his contention now—and he maintained it was the same during the preliminary hearing—was that he could name the persons with whom he was associating at the time of the party, but he would be unwilling to name any person specifically as having attended the party with him.

Preliminary hearing testi-

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mony quotes Russo as naming Peterson and Sandra Moffett, with the addition: "And that's all I'd be willing to say definitely was there."

Dymond asked why he could not make the same statement now. "You asked me several times, and I said it was probably either of those two, or any of several others I associated with."

It was shortly after Russo's charge that Dymond asked Judge Haggerty if he wanted him to continue the cross-examination or recess until Tuesday morning. Judge Haggerty looked at the clock, said it was after 5:30 p.m., and adjourned the trial.

Earlier, Russo Dymond that he thought Ferrie's philosophy was the most important thing to be related to Assistant District Attorney Andrew J. Sciambra in February, 1963—before Shaw's arrest—and that he thought that was why Sciambra went to Baton Rouge to question him.

According to Russo, Sciambra did little note-taking during their two- to three-hour interview Feb. 25, 1967, and the full text of Sciambra's 3,500-word memorandum on the interview was read into the record by Assistant D. A. James L. Alcock. After Alcock finished reading Sciambra's report to District Attorney Jim Garrison, Russo commented on what he thought were errors.

During the cross-examination, Dymond repeatedly asked Russo if he considered the conspiracy conversation as simply a "bull session."

Russo explained that he did not have an opinion about it.

"Isn't it a fact that you didn't take it seriously?" Dymond asked.

"Initially you couldn't believe Ferrie. He was prone to the spectacular," Russo replied.

"Did Ferrie ever request that you leave the premises before talking about this?" Dymond then asked.

"No," Russo stated, pointing out, however, that he did leave the party from time to time to wander outside.

"Did anyone swear you to secrecy about this?" Dymond

asked.

"No, never did," said Russo.

Dymond also wanted to know if the conspiracy talk started off as a general conversation about assassinating a president, and not Kennedy in particular.

"I'm not sure it started about Kennedy. But there was a lot of anti-Kennedy sentiment," Russo replied.

Dymond then switched to Russo's previous testimony about Lee Harvey Oswald being introduced to Russo as Leon Oswald and as Ferrie's roommate.

Roommate Left Room When Russo Entered

Quoting from Sciambra's memorandum, Dymond asked if it was true that Ferrie's roommate would leave the room every time Russo came to visit Ferrie at his apartment.

Russo replied that he saw the roommate four times, and that on at least three instances, the roommate did leave the room when Russo appeared.

Russo explained that he and the roommate essentially "didn't get along" ever since their first encounter.

At this point, Dymond again asked if Russo felt the assassi-

nation talk was strictly a "bull session." The state objected on the grounds that Russo's feelings were not relevant, and Judge Haggerty sustained the objection.

Dymond then pressed hard on Russo's identification of Ferrie's roommate from a sketch provided by the district attorney's office.

Russo said he was "never really satisfied" with the sketch because a few of the features were not in accordance with what he remembered about Ferrie's roommate. Dymond then handed him the sketch and asked him to point out discrepancies. The key difference, according to Russo, was the beard or whiskers that Ferrie's roommate had at the time Russo knew him.

Russo said a beard was drawn on the sketch by the district attorney's staff artist, but that it did not correspond

to the growth on the roommate's face as he remembered it. Russo said the growth was actually "something between a beard and whiskers" or, as he explained, about a hair's growth of two or three days.

Dymond asked Russo how many times he saw Ferrie's roommate and for how long a period of time in each case. Russo replied there were four meetings with the roommate, the first one lasting "a few minutes, maybe 10," the second lasting a few hours (the party), the third and fourth lasting about five minutes each. Russo said the last time he saw the roommate "he was leaving town."

Dymond then quizzed Russo about a letter he reportedly sent to the district attorney's office here in which Russo said he had information about a conspiracy.

"Did you mention the name of Lee Harvey Oswald, Clay Shaw or Clem Bertrand in this letter?" Dymond asked.

"No, sir," Russo replied.

"Did you keep a copy of the letter?" Dymond asked.

"No, sir," said Russo.

Russo Tells Contents of Letter About Ferrie

Russo then related the contents of the letter as saying that he knew David Ferrie and if the district attorney would like to take a statement from him he would be in New Orleans on Feb. 25 (1967).

Dymond requested that the letter be submitted as evidence, but assistant district attorney Alcock said he had never seen the letter and did not know of anyone in his office who had.

"Was the letter ever returned to you?" Dymond asked Russo.

"No sir," he replied.

Dymond then asked Russo if he considered the talk in Baton Rouge with Sciambra as an "inconsequential bull-session."

"I didn't know whether it was important or not," he replied.

"Did you describe David Ferrie as screwy, but sharp in a crazy way?" Dymond asked.

"Yes," Russo replied, "He was a paradox. The man claimed he could speak 11 languages, but what was he doing for a living? He wore baggy, dirty clothes but he had a mind. He was very sharp. He had five degrees, spoke 11 languages, he said. He was prone to the fantastic.

You couldn't tell what the man would do."

"Do you mean David Ferrie was a little on the crazy side?" Dymond asked.

"I always thought it," Russo said.

Russo said he did not take Ferrie's statement about killing the President seriously because he had become "indifferent" to him. Russo said Ferrie had told him fantastic tales of how he had been in the Bay of Pigs invasion of Cuba; how he was flying people in and out of Cuba and how he was helping to arm persons who would participate in an invasion of Cuba.

Dymond asked Russo if he knew the names of newsmen he had granted interviews to after he was interviewed by Bill Bankston of a Baton Rouge newspaper.

Russo named three more Baton Rouge newsmen, including Jim Kemp.

"In none did you mention a conspiratorial agreement?"

"Right."

"In none did you mention the name Oswald?"

"Right."

"In none did you mention the name Clem or Clay Bertrand?"

"Right."

Dymond then showed Russo a copy of the transcript of a television interview with Kemp which appeared on WAFB-TV in Baton Rouge. The interview took place on Feb. 24, 1967.

Russo said there was nothing in the interview transcript with which he could quarrel.

Attorney Permitted to Read Interview

Judge Haggerty then told Dymond that since the witness has admitted that the transcript

was correct, he could not read it. Dymond insisted that he had "to get the information to the jury," and Alcock said the state had no objection to his reading the interview.

In the interview, Russo told how he came to meet Ferrie, and he was asked if Ferrie ever made any threatening remarks, and he answered that Ferrie was "obsessed with the idea of Kennedy" and quite frequently, on visits to Russo's home on Elysian Fields ave., Ferrie would say "how easy it would

be to kill a President.

"He'd say he and I could do it, just in a joking way," Russo was quoted in the transcript.

Then, the transcript continued, Russo said that "in late September or early October (1963) Dave Ferrie came over and just in passing made the statement, "We will get him and it would be very soon." (Russo said he estimated the time as October).

Russo, in the interview, was asked if Ferrie ever mentioned the named Lee Oswald, and he told the reporter, "No, I never heard of Oswald until the television of the assassination."

The interview also concerned Russo describing Ferrie's political beliefs ("that Castro was getting a bum deal from the papers and the press" and his activities "he had a group of CAP boys, 18, 19 and 20, and they were practicing jungle warfare . . .").

He was also asked if he ever talked to associates of Ferrie; and Russo said he had a roommate with whom he talked on several occasions, "but he was just sterile in regard to politics." In the interview, Russo also mentioned three Spanish-speaking friends of Ferrie's who always wore green battle fatigues, one of whom was bearded.

The TV reporter also asked him if he had been contacted by the District Attorney's office, and Russo replied that he had written a letter, "which they should get Friday and I expect a reply Monday or Tuesday."

Commenting on news stories at the time, Russo said he read where Garrison was saying Ferrie was the getaway pilot in an assassination conspiracy, and "Ferrie made the remark he could do it, but whether he did anything, I don't know."

Russo was also asked why he never said anything previously, and he replied that after the Warren Commission was set up "I left it to the professionals," and when their verdict came out "I forgot it."

Ferrie Name at First 'Didn't Ring a Bell'

The interview also quoted Russo as saying that when Ferrie's name was first mentioned in the stories from New Orleans, "it didn't ring a bell,"

and when Ferrie died, "I thought it was another David Ferrie," but after he saw Ferrie's photograph in the newspapers, he wrote the district attorney.

Dymond next showed Russo the transcript of an interview he gave to two New Orleans television newsmen, John Korbel of WVUE-TV and Doug Ramsey of WDSU-TV. Russo said he remembered the interview but not the names of the newsmen who interviewed him.

The interview was taken as Russo came from the district attorney's office March 1, 1967, the day Garrison announced that he had arrested Shaw.

In that interview, Russo was asked what his connection was with Ferrie and he said, "I just knew him at one time or another down here," and then he explained that except for attending Louisiana State University in Baton Rouge he had lived in New Orleans all his life.

"Do you know Clay Shaw?" he was asked. "No, I don't," he answered.

He was asked if he and Shaw were questioned together. "No we weren't questioned together."

Asked if Garrison had personally questioned him, Russo said, "I would ask that of the district attorney."

He said he didn't know of any plans for him to take a lie detector test.

Next Dymond asked him about his statement that he may have seen Shaw at the New Orleans headquarters of the Republican Party. Russo placed the time as 1958 or 1959; but when asked if he could positively identify Shaw as the man he saw, he replied: "No I wouldn't want to do that."

Dymond then quizzed him about a quote in the Bankston story in the Baton Rouge paper in which Russo quoted Ferrie as saying, "We will get him and it won't be long."

Dymond asked Russo when Ferrie made that statement. Russo said that Ferrie made similar statements two or three times, including once, "I think,

as late as October, but I'm not real sure."

Next Russo was questioned about his allegedly having seen Shaw at the Nashville ave. wharf when President Kennedy was here to dedicate it.

He said he was not certain who went with him, but it could have been a person named Al Saizan. Russo said he spoke with Saizan once since the preliminary hearing, but did not ask him about it.

Russo testified that Shaw drew his attention because he was not looking at the President.

"That's only part of the reason," he said. "I watched Mr. Shaw and he was not watching the President and that's the first thing. Also, he was standing in front of me, and he was big and impressive, physically."

Shaw on Committee to Welcome Kennedy

Dymond asked Russo if he knew that Shaw was on the committee of Mayor Victor H. Schiro to welcome the President. "No," he answered.

"Would you have considered it peculiar had you known that?"

"I would have considered it peculiar that he was not somewhere up front."

Then Dymond began discussing the party at Ferrie's where Russo says he heard the alleged assassination plans discussed.

Russo said he was "inclined" to believe he went to Ferrie's from playing basketball at Tulane or Loyola, although he had no specific recollection of what he was doing that particular night.

He said he did the same thing every week and he believes he had been playing basketball "and because I just remember tennis shoes, being sweaty or dirty, and figure I was probably playing basketball."

He named persons with whom he associated, listing Sandra Moffett, Nils Petersen, Kenny Carter and Kenny Wink.

Under questioning, he said he could not recall what night or the week it was, or the specific date, although "school had not started."

Dymond asked Russo if he could remember "people other than yourself" who went with him to the party.

Russo said he could, noting

that during the preliminary hearing "I stated I wasn't exactly sure." He said he tried to think about it more clearly, but "I'm not sure who I was with."

Dymond asked if when he played basketball "you took girls with you." "Surely, absolutely," answered Russo.

"But you don't remember who went in with you?"

"No, I wouldn't be willing to state exactly who went in."

Dymond then began reading from preliminary hearing testimony in which he stated, "Petersen was with me that night; I'm sure he came inside."

On another occasion, according to the transcript, he said: "Who stepped in with me. I'm sure Lefty (Petersen) did."

Then Dymond asked why he couldn't make a similar statement now.

"You kept pushing me," said Russo.

Dymond then got to Russo's answers about Petersen and Sandra Moffett being the only persons he would be willing to say definitely were there, and Russo made his claim that Dymond "forced" him to answer.

(The defense has subpoenaed Sandra Moffett McMaines, but they said her attorney says the only way she will come here to testify is if she is immune from arrest while here. Judge Haggerty has denied such an order that would provide her immun-

ity. The state said it does not intend to arrest her.)

As the afternoon session opened, Alcock questioned Russo about the statement he had given to assistant district attorney Andrew J. Sciambra Feb. 25, 1967.

"How long did the interview last?" asked Alcock.

"Two hours to two and one-half hours," replied Russo.

"Did he do much note-taking?" asked Alcock.

"A couple little scribbles," answered Russo.

"Did he take down all you told him?" Alcock asked Russo.

"No," replied Russo, "very little."

"Does the statement reflect all you told him?" questioned Alcock.

"No," said Russo.

Some Omissions in Report Alleged

"Does the statement reflect accurately what you said?" asked Alcock.

"There are omissions and some incorrect statements," said Russo.

"Did you tell anyone that the statement is not complete?" Alcock rejoined.

"I pointed out several errors to James Phelan (Saturday Evening Post writer) . . . several glaring errors," said Russo.

Russo told Alcock that he made notations of some of the incorrect statements.

Alcock asked the court's permission to read the statement written by Sciambra to District Attorney Jim Garrison. It was dated, he said, Feb. 27, 1967, from an interview with Russo at 311 State st., in Baton Rouge.

The following are excerpts from the Sciambra statement as read into the court record by Alcock:

Russo knew David Ferrie through Al Landry of Gentilly. He (Russo) said Ferrie was in love with Landry.

Russo said he went to Landry's mother in 1962 to see where Landry was, and she told him Ferrie had taken Landry out of the country.

Russo said it was common knowledge that Ferrie was a homosexual. He said Landry had a strange fascination for Ferrie. Russo was sure Ferrie had Landry under a spell.

Sciambra said Russo told him that Ferrie was a hypnotist. Russo suggested that Landry could give the district attorney's office a lot of information on Ferrie.

Russo said Ferrie once demonstrated his power of hypnosis by sticking pins in Landry and Landry felt no pain. After the demonstration, Ferrie showed them five diplomas he had.

Landry's mother asked Russo to help her alienate her son, Al Landry, from Ferrie, who she said was strange and weird. Russo agreed to help her.

Russo told Landry that Ferrie was a homosexual and that he should quit seeing him. Landry said he would think about it but such a break would be difficult.

Russo related that once he, Landry and Ken Hershenstein,

and others were in a bar when Ferrie said he wanted to talk with Landry privately. Russo told Landry to tell Ferrie to take a walk.

Ferrie said that he would talk to Landry later privately. He then told Russo that he (Ferrie) or one of his men would kill him.

Russo said that Ferrie told him he used hypnosis for sexual purposes.

Russo said that one time he was getting a flat tire and he pulled into a service station. While there, Ferrie came up to

him and asked him where he (Russo) had been. Russo said he (Ferrie) was either the manager or owner of the station. When Ferrie left, he talked with a man in a car.

Statement Contains Reference to Film

According to Russo, Ferrie later brought over some pornographic film which he said he had flown out of Cuba. He said he could get all he wanted, but he wanted Russo to sell it for him, and that he should get \$150 for it because it is risky.

Russo said the film showed one man and one woman playing a game of cards. The woman wins, so the man winds up beating her up and raping her. Russo said he took the film and sold it.

Ferrie told Russo that he was working on chemicals and drugs and how it affected the human body. Ferrie said he could make a person extremely passionate and rid the person of his inhibitions about sex.

Russo said he (Ferrie) also admitted he was homosexual, and asked Russo if he wanted to take this drug.

Ferrie once came in with two Cubans, one with a beard. Ferrie started making remarks about Cuba and criticized the United States. He said the United States was barbaric, and no nation so strong should be so barbaric.

Russo said he remembered seeing a Ferrie roommate who was a typical beatnik type, about two or three times. Ferrie mentioned the name, but he couldn't remember it.

The roommate was not talka-

tive, would go to another room. Russo recalled he asked the roommate where he was from and he answered from everywhere. He looked to be a real punk, said Russo.

Ferrie, according to Russo, once tried a drug on one of his roommates. The roommate became very passionate and made love with Ferrie. After it was over, the roommate remembered nothing about it.

In 1963, Russo said Ferrie became obsessed with how easy it would be to assassinate the President, and how he was the type who could do it. Russo said Ferrie never mentioned John F. Kennedy's name, but always said President (Dwight D.) Eisenhower or the president of Mexico.

Ferrie commented about how slow a limousine goes, maybe 10 miles an hour, and that it would be extremely easy to shoot the President. He said there would have to be an availability of exits and mass confusion.

Ferrie said one person or a group could plan it, and get out.

Ferrie said he was the key. He could jump in a plane and fly it out to some country such as Cuba or Brazil. Ferrie was sure he could plan it easy.

It Would Not Be Easy, Russo Allegedly Said

Russo said he recalled telling Ferrie it wouldn't be so easy.

Ferrie once told Russo he could commit the perfect crime with the use of drugs and medicine. He said no doctor or coroner would be able to find the reason, that they would have to call it death by natural causes.

Russo said Ferrie became worse in September or October, 1963, about assassination talk. He began making direct references to John F. Kennedy.

According to Russo, Ferrie said, "We will get him (meaning John F. Kennedy), and it won't be long."

Sciambra said he showed Rus-

so some pictures, and he identified three of them.

One was Sergio Arcacha Smith, who he (Russo) said looked very close to the man in the pornographic film from Cuba.

At one point, Russo, said Sciambra, asked him if what he was saying would be used against him, and Sciambra told him it wouldn't.

Sciambra said in the statement that Russo recognized Shaw. Russo said he recalled him because he "looked like a queer." Russo said he saw him on the Nashville ave. wharf the day President Kennedy spoke at the dedication. He saw the man looking at young boys, turning away from the President. Russo said the man struck up conversations with the young boys. He also said the man was wearing tight pants that are usually worn by homosexuals.

Sciambra also noted that Russo recognized Lee Harvey Oswald's picture. At first, Russo was hesitant about saying who he thought it was, but said it looked like one of Ferrie's roommates.

Alcock, who read the lengthy statement authored by Sciambra, who sat through it all at Alcock's side, asked for a brief recess to regain his voice. As court resumed, Judge Haggerty made it official he does not plan to hold court Mardi Gras, Feb. 18.

"Were there any errors?" Alcock resumed his questioning of Russo.

"Several," replied Russo.

Alcock asked him to go down his list.

Some Corrections of Importance Made

Many of Russo's corrections were minor, but there were some of importance:

—Russo denied Ferrie ever admitted he was a homosexual.

—Ferrie's roommate did not have dirty blond hair, as Sciambra wrote, but it was more brown or black. Russo said he never called the roommate's beard husky, though that word may have come up in their conversation. He said he is still to this day looking for the right adjective for the beard. Of the roommate, Russo said Ferrie told him that he

wasn't talkative or sociable and that he read a lot.

—The only person he noticed at the Nashville ave. wharf was the defendant (Shaw), and it was only his deduction that there were Federal Bureau of Investigation and Secret Service men surrounding Kennedy.

—Russo said he never mentioned Clay Shaw's name at all to Sciambra.

—Russo said he told Sciambra that he saw the defendant three times at least, and he noted this error to Phelan.

When Russo was finished with his list of corrections, Alcock began questioning him about the corrections.

"You said the name of Clay Shaw was never mentioned?" asked Alcock.

"Yes, that's right," replied Russo.

"Then what name came up?" Alcock asked.

"I told him that I thought I knew the man in the picture as Bertrand. I think it is Clem."

"Did you tell Sciambra of the meeting in the apartment?" quizzed Alcock.

"In the last hour, all this was discussed," replied Russo.

"Was this the meeting you've told of here today?" asked Alcock.

"Essentially, but not in as great detail," answered Russo.

"Did you tell Phelan this?" asked Alcock.

"I had not mentioned the party, but mentioned the meeting where they got together and talked about shooting the President," rejoined Russo.

"Had you heard the name of Clay Shaw before this interview?" asked Alcock.

"I'm not sure," Russo answered.

"Who did you think the picture was?" questioned Alcock.

"Clem Bertrand," answered Russo.

Chief defense counsel Dymond began the cross examination of Russo. After establishing that Russo is now an employe of Great Books of the Western World in sales and training and at one time was a cab driver, Dymond bore in on the Sciambra statement.

"Mr. Russo," he said, "are you sure you were talking with Mr. Sciambra?"

"That's who he said he was," replied Russo, "and I recognize

him here now."

"Well, there were 25 errors in the Sciambra statement; we counted them," said Dymond.

Alcock immediately objected saying that was the defense's count. Judge Haggerty said it is safe to say there were a number of corrections.

Dymond rejoined, "To be exact, there are 26 errors."

Alcock objected again, and Dymond said, "They (the

state) can count them. We know there are 26."

Judge Haggerty interceded, "Let's say approximately."

"That's fine," said Alcock.

"Is it your contention he deliberately distorted your interview or that he made these errors?" resumed Dymond.

Alcock again objected.

"Did you clearly give your statement to Mr. Sciambra?" Dymond questioned.

Russo replied that he talked with Sciambra for two to three hours, and he didn't know if it was clear. He said Sciambra didn't take any notes.

Witness Thought Ferrie Was 'Big Deal'

Russo added that he thought that Ferrie's philosophy was the "big deal" and that was why he (Sciambra) wanted to question him.

Turning to the pivotal meeting of Russo's preliminary hearing testimony, Dymond asked, "Did you not know you had seen three people plan to kill the President?"

"I had heard discussions," admitted Russo, "but I had heard people standing around on street corners saying that Leander Perez, Martin Luther King and President Kennedy should be shot."

"Did you take it seriously?" questioned Dymond.

"I'm not saying," replied Russo, "you didn't know whether to take him (Ferrie) seriously or not."

"Mr. Russo, are you saying that you knew the district attorney was investigating the President's murder?"

"Right," answered Russo.

"And you knew your story about Louisiana ave. pkwy. (Ferrie's home)?" continued Dymond.

"Yes," replied Russo.

"And you knew the President

had been assassinated," said Dymond.

"That's right," said Russo.

"Yet," Mr. Russo, knowing all these things you thought that Ferrie's philosophy was the big thing?" questioned Dymond.

"That's what I thought was important," answered Russo.

Dymond moved into Russo's relationship with Ferrie. Russo said that during the summer months of 1963 he saw Ferrie on the average of twice a week and he agreed that they had a reciprocal agreement whereby each one could come to the other's house at any time without an invitation.

"How old were you at this time?" questioned Dymond.

"About 22," replied Russo.

"And David Ferrie?" asked Dymond.

"Ferrie was about 40," said Russo.

"Approximately how many times did you visit Dave Ferrie's Louisiana ave. pkwy. home?" Dymond asked.

"About 15 to 25 in four to five months," Russo answered.

"During September, 1963, how many times?" questioned Dymond.

"About four or five," answered Russo.

Several Photographs Offered as Evidence

As the morning session opened, Alcock offered into evidence several photographs and pieces of printed material which previously had been used as state exhibits.

Dymond objected to the introduction of some of the exhibits, one a photograph of a black Cadillac and copies of literature which Oswald distributed in New Orleans.

He objected to the photograph, asserting it was not sufficiently connected with the case; but Alcock countered that it was a photograph of a Cadillac similar to the one in which Shaw was allegedly seen in Clinton.

Dymond also objected to some evidence introduced on the grounds that a prima facie case had not been developed, but Judge Haggerty permitted all exhibits presented by Alcock to be introduced.

"Call Perry Raymond Russo, please," was the request by Alcock after the articles of evidence were introduced.

Shaw turned his head around to follow Russo's movements as the witness made his way to the stand. Shaw and Russo appeared to look at each other intently.

Preliminary questions by Alcock covered Russo's address (5807 Elysian Fields ave.), his age (27), his birthplace (New Orleans), and his education (degree in political science, studied at Tulane, Louisiana State University and Loyola).

Alcock then asked him about his first meeting with Ferrie.

"I met him with a friend of mine at his Kenner address," Russo replied. He then identified two pictures of Ferrie, and in answer to another question said the meeting took place "about 1961."

Russo said he did not know

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the address of the location in Kenner, but added that Ferrie "lived out near Moisant Airport." Alcock asked who was present: "Well, he was, and an elderly lady he introduced as his mother . . . and several, quite a few members of the Civil Air Patrol, I guess."

Alcock approached the bench to confer with Judge Haggerty and Russo's gaze strayed to the members of the jury and then to the two people — Alcock and Judge Haggerty — and he wound his wrist watch.

"After this first encounter, did you see him again?" Alcock asked.

"I saw him in 1963 extensively, some in 1962 and a few times in 1964."

"How many times did you have occasion to see him in 1962?"

"Oh, only a few, perhaps, 10, 12 or 15 times."

Alcock asked where Russo had seen him, and he answered that Ferrie "came over to the house on Elysian Fields" where Russo was living.

Photograph of Ferrie Residence Presented

Moving to the year 1963, Russo said that he knew where Ferrie was living, and then Alcock presented a photograph to the witness which he identified as an exterior photograph of Ferrie's apartment at 3330 Louisi-

ana ave. pkwy.

During the first six months of the year, Russo testified, he saw Ferrie perhaps 10 to 15 times, and then during the summer, "almost surely twice a week or better."

"During the course of your encounters with David Ferrie was his appearance always the same?" queried the assistant DA.

Russo replied that it "varied at times," and that Ferrie had "strange-hair or a wig, which was sometimes spotted, sometimes combed." He said that sometimes Ferrie's eyebrows were bushy and at other times, they would appear lighter. His hair, he said, was reddish brown, and he usually wore baggy trousers, "although they were not always dirty."

Exhibits that were presented during Shaw's preliminary hearing in March, 1967, were obtained before Alcock began asking Russo how many times he visited Ferrie's apartment. "I guess about 20 to 30 times," he answered.

Russo was then shown several photographs which Russo identified as interiors of various rooms and sections of Ferrie's apartment. As Russo examined the photographs, Alcock casually lighted his pipe.

As Russo was shown the pictures, he answered, "This is the front room, or what I called the front room," or "Yes, sir, this is the hallway," or "I can see part of the front porch."

The pictures put aside, Alcock asked: "During the month of September, 1963, did you have occasion to go to the apartment?"

"Yes, sir."

"Approximately how many times did you visit the apartment in September, 1963?"

"Perhaps three or four."

Alcock asked Russo if he remembered one occasion in mid-September, 1963, when he visited the apartment and Russo said he did.

"On this occasion was there anyone else present when you arrived?" asked Alcock.

"There was."

"How many?"

"Two."

"Who were they?"

"They were David Ferrie and

a man he introduced to me as his roommate."

Russo said he had never seen the man previously.

"Can you describe his wearing apparel and his outward appearance?"

He was "generally dirty," said Russo, and his hair was messy, and he had light whiskers, "perhaps a three-or four-day growth of beard."

Russo said he could not recall the man's complexion.

Next Alcock showed the witness a photograph of Oswald being shot in Dallas, Tex., by Jack Ruby, and he was asked if he could identify anyone in the photograph. He said he could and placed an "X" over the person.

"And where do you first recognize him from?"

"From Dave Ferrie's apartment on this occasion."

He then said the man was introduced to him as "Leon Oswald."

Alcock asked Russo what the man introduced as Oswald was doing. "When I first entered he was cleaning a rifle or polishing it."

State attorneys then removed a rifle with a telescopic sight from a package they had carried into the courtroom, and after allowing Dymond to examine it, Alcock gave the gun to

Russo and asked if he could identify it.

He then testified that it was the gun, or one similar to the gun, he saw "Leon Oswald" handling.

Alcock asked Russo if he could identify it as the same rifle.

"No, I'm not sure it's the same gun, but it's similar. The stock as well as the barrel and the scope are similar."

Next, Russo was shown a sketch of a bearded Oswald, and asked if he had ever seen it before.

He said he had in the district attorney's office.

"Did you recognize the individual?"

"Yes sir," he replied. He asserted it was the person introduced to him by Ferrie as Ferrie's roommate.

Alcock began to ask, "With reference to the whiskers drawn on, it is an accurate re-

flexion . . ." but Dymond objected, claiming Alcock was leading the witness. Judge Haggerty agreed.

Next Alcock asked if there were similarities between the bearded person in the sketch and the man he was introduced to by Ferrie. Russo said that the person's eyes, chin, general facial structure "and messed up hair and whiskers" were similar.

"Did you have another occasion in September, 1963, to see the man who was introduced to you as Leon Oswald?"

Russo said that he did, and Alcock asked when and where the meeting took place.

"At Ferrie's apartment about the middle of the month."

He then repeated the story in much the same fashion as he testified at Shaw's preliminary hearing, although during his testimony this time he did not list Sandra Moffett as having been at the party and he was not certain about the identification of any of the others present outside of himself, Ferrie, Oswald and Shaw.

He said he went to the party, "probably from Tulane, from playing basketball."

Several people were present, he said, perhaps eight or 10, including "three or four Latins, or Cubans," and "one well-dressed man."

He was asked to describe the "well-dressed man, and he said he wore a maroon jacket, white shirt, and "I'm not real sure about the pants." Alcock asked if the man wore a tie; and Russo said, "Not that I remember.

He continued: "He was big, about 6-foot-4, or 6-foot-5, wide-shouldered and distinguished looking." Asked for the color of the man's hair, he said it was "white."

"Was he there when you arrived?"

"Yes."

"Do you see him in this courtroom?"

"Yes."

"Would you point to him?"

Russo then pointed toward Shaw.

"Is that the defendant before the bar?" asked Alcock.

"Yes, sir," replied Russo.

'Man Introduced

as Clem Bertrand'

Russo was asked what he did. He said he was offered some coffee and probably had some. He said the man was introduced to him as "Bertrand, Clem Bertrand."

He was next questioned about another occasion during which he claims he saw Shaw, at the dedication of the Nashville Ave. Wharf, at which President John F. Kennedy spoke.

Russo explained he was attending Tulane; and never having seen a President, he went to the dedication, but arrived late and had to stand at the rear of the crowd.

He said he was standing about 10 to 15 feet away from the man who was introduced to him at Ferrie's apartment as Bertrand.

Alcock asked Russo if there was any particular reason why his attention was drawn to Shaw, and he said it was because "he was not looking at the President." He said there was a man with him, "who wasn't nearly as tall" as Shaw "but also well-dressed."

Russo continued, "I had never seen a President, it as a big thing to me . . . and it just struck me funny that someone wouldn't be looking at him."

Russo was questioned if there was anyone else with him and he said there was, a classmate of his, who was standing alongside of him.

"On the side between you and the defendant, or on the other side?" asked Alcock.

"I'm not sure," answered Russo, "probably on both sides at one time or another."

Russo said the person he was with would have been in a position to see Shaw, but of his own knowledge he could not testify that the person had seen him.

He then said he may have

seen Shaw on one other occasion, at Republican headquarters, picking up some material. He said the man had the face, look and build of Shaw, but was "much slimmer." He said this might have been in 1962. Pressed for a more definite time, he said it was

"warm weather, baseball time."

Getting back to the alleged meeting at Ferrie's apartment, Russo said Ferrie generally "monopolized the conversation," and in the background was playing a record of "speeches in Spanish."

Ferrie 'Obsessed with Cuban Thing'

"Ferrie was saying, 'We're gonna kill the President,' but he'd said that before. It was during this period he became obsessed with Kennedy and the Cuban thing," testified Russo.

Russo said he did not notice how long the various people at the gathering stayed; but finally there was only "Ferrie, Oswald, the defendant and myself" and there was "no one else in the front room."

He was shown a photograph and identified it was the front room, and he marked out the furniture he thought was there at the time.

Asked about the conversation that took place, Russo said that Ferrie, controlling the conversation, re-emphasized how easy it would be to kill the President. He said Ferrie carried around "a bunch of clippings" and those that Russo could see had "Kennedy's name on them."

Ferrie was pacing back and forth, said Russo, and the speech in Spanish was playing on the record player, and Ferrie "was muttering about Kennedy."

"He was telling how this projected assassination team would pull off the assassination of President Kennedy." Russo said Ferrie spoke of the "training of fire for two of us to escape, and one of us would have to be a patsy." Russo said Ferrie continued, "There should be a diversionary shot," which would attract the attention of people and police in the area "and the other shots would be for the kill." Ferrie said they would be fired almost simultaneously.

Russo continued that Ferrie said as soon as the assassination was completed "the escape would be by flight, either to Brazil or Cuba."

Ferrie said, according to Russo, that if Brazil was selected, there would have to be

a stop in Mexico to refuel.

At this point, testified Russo, Shaw objected, pointing out that a stop in Mexico would require cooperation from persons where the refueling stop was made.

"Oswald told him to shut up," testified Russo. "Shut up," he said, "Ferrie knows what he's doing; he's a pilot."

Then, Russo said, Ferrie discussed an alternate plan. He said the individuals could do something on the day of the assassination to give them alibis.

Russo claimed that Shaw said he could go on a business trip with his company "on the coast." Ferrie said he could speak at a college. Oswald, Russo, said, did not say anything in regard to this point.

Witness Says Two or Three Men Needed

Alcock asked Russo if there was any specific comment as to the number of people who would have to be involved in the assassination and he replied that Ferrie said it had to be two or three. If it was three, one would fire the diversionary shot and the others the shot to kill, and if there were only two, one would fire the diversionary shot, and one would fire the shot to kill.

Russo was asked if he recalled going to the party with anyone.

He named several people with whom he was associating at the time, but he did not say any of them accompanied them to the party.

He was then asked about Sandra Moffett. He said he knew her at that time, and that she was one of several girl friends he had.

Russo said he could not recall anything else said at the meeting, and he said that after he left, he thinks he took a bus home. He said he thinks he probably left after midnight.

After this meeting, said Russo, he saw Oswald and Ferrie together on one other occasion, "a few days later, not very long after."

Again, only Ferrie, Oswald and Russo were present.

Alcock asked Russo what the two said; and Dymond objected, maintaining Russo was being asked to testify about a purported conversation when no prima facie case of conspiracy has been made.

Judge Haggerty overruled the objection.

Russo said the gist of the con-

versation was that Oswald was having trouble with his wife and Ferrie said, "I'll take care of it."

Russo said he knew Oswald was married because he wore a wedding band.

He said he saw him one other time, "a few days later," again at Ferrie's apartment. "Oswald was leaving town," Russo said, "and he had his stuff packed up." Russo said he understood that Oswald was going to Houston.

Dymond objected, saying "for the same reasons." Judge Haggerty overruled the objection, saying "the same ruling."

Russo Says Oswald Appearance Changed

This time, Russo asserted, Oswald's appearance had changed in that he was clean, wore a white shirt and tie; "he was relatively clean compared with before." Russo said on this occasion he was in the apartment five to 10 minutes.

Subsequent to seeing Shaw at Ferrie's apartment, Russo said he saw him and Ferrie together on one other occasion, at a service station on Veterans Hwy., in early 1964.

Russo said he was having automobile trouble; and he pulled into a service station, and it was "either Ferrie's station or he worked there."

Russo said he did not remember the auto trouble he was having, but it was "probably battery trouble." He was directed by the two attendants to pull his car to the side, which he did; and he was sitting in his car with the door open.

Ferrie saw him as he pulled into the station, Russo said, and asked, "What are you doing?"

After Russo pulled to the side, he said, he saw Ferrie sitting in the car next to his talking with Shaw.

Alcock asked how long he observed the two talking; and Russo said, "I'm not sure how long I looked. I looked off and on. I was really just mad about my car and in a rush, maybe three, four, five minutes."

He said Shaw was at the wheel, and Ferrie was on the passenger side. He said he did not recall Shaw wearing a hat at the time.

"Did you engage in conversation with Clay Shaw?"

"No, I was in a rush to get

out."

Russo was then asked when he first wrote to the district attorney's office. He said he wrote a letter to the office Feb. 21, 1967, but probably did not mail it until two days later.

He said that on Feb. 25, 1967, Sciambra went to Baton Rouge to question him. He said he told Sciambra "how I had known people," and said he identified pictures of several persons including Ferrie, Oswald, Bertrand and Sergio Archaca Smith.

He said he told Sciambra about the first time he met "Shaw or Bertrand" at the Nashville Ave. Wharf; told about seeing them at the service station, "and finally at Ferrie's apartment."

Alcock asked Russo if he had given Sciambra a statement about the matters he had related to the jury, and Dymond objected. Judge Haggerty overruled the objection saying he thought the question was proper.

Russo said he discussed the matter with Sciambra "not in as great a detail, but in essence" to what he had related to the jury.

Alcock asked if he remembered identifying a picture of Clay Shaw, and Russo said that at that time he had never heard the name of Shaw, "but I had met this man who gave his name as Bertrand," and "I told him I was sure of it."

Alcock then began questioning Russo about an interview he had with James Phelan, a writer for the Saturday Evening Post, who wrote a story critical of Garrison's star witness and his story.

Russo said Phelan had a a

3,500-word memorandum on the Sciambra interview and "he pointed out certain discrepancies relating to my testimony at the preliminary hearing."

Alcock attempted to ask other questions about the memorandum, but Dymond objected and asked that the memo be produced. During the delay, as the court waited for copies of the memo to be reproduced, Russo was questioned if there were other persons present during his interview with Phelan. He said that no one was present the entire time, but he named several people "who were in and out."

He said the interview lasted about three hours.

When copies of the memo arrived, there was a recess to give Russo, defense attorneys time to read it, but the trial did not resume until 11:55 a.m., at which time Judge Haggerty recessed the proceedings for lunch.