

Shaw Judge Muzzles Hypnotist

Examiner News Services
NEW ORLEANS — The judge ruled out any testimony today by the physician who hypnotized star state witness Perry Raymond Russo to "refresh" his memory about an alleged plot to kill President Kennedy.

Dr. Esmond A. Fatter survived a challenge from Clay Shaw's counsel on the issue of Fatter's competency in the field of hypnotism. But as soon as the questioning delved into the hypnotic session in 1967 a defense objection was upheld.

"I am going to rule this objection is good," said Judge Edward A. Haggerty Jr. "The evidence to be sought through Dr. Fatter is irrelevant to this trial."

CALLED BY D.A.

The prosecution called Dr. Fatter at the trial of Shaw, 55, the retired New Orleans businessman charged with conspiring with Lee Harvey Oswald, David W. Ferrie and others to kill Kennedy.

At Shaw's 1967 preliminary hearing, Dr. Fatter testified that through hypnosis he enabled Russo to subconsciously relive a September 1963 party at Ferrie's apartment where Russo allegedly overheard the plotting.

Dr. Fatter testified today hypnosis is a medical tool and said, "Using the name

hypnotist for a doctor is like calling a lawyer a shyster."

Earlier James Hardiman, a postman, testified he delivered "quite a few" letters addressed to the mysterious "Clay Bertrand" in 1966 at a temporary forwarding address for Shaw, and that as soon as Shaw canceled the forwarding address, the Bertrand letters also stopped.

In 1964, a legal secretary told the Warren Commission "Clay Bertrand" is the man who called to try to arrange a lawyer for Oswald after the Kennedy assassination. The commission never found him.

District Attorney Jim Garrison says Bertrand really was Shaw.

The prosecution yesterday came to the end of its testimony designed to show a "meeting of the minds" here in September, 1963, between the three men.

OVERT ACT

Then it introduced testimony to show an overt act by Ferrie — a trip to Houston just after the Kennedy slaying — to further the alleged plot.

That is all that's needed under the law of criminal conspiracy. However, the state will try to prove four more such acts, which District Attorney Jim Garrison listed to the all-male jury in his opening address.

He also said he will prove the actual Kennedy murder in 1963 in Dallas was by conspiracy and not by Oswald acting alone.

He testified Ferrie had phoned him to make a reservation for himself and two other men for a public skating session.