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Shaw Lead

By BILL CRIDER

Associated Press Writer

NEW ORLEANS AP - 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 John F. 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."

The defense objected to Dr. Fatter on the grounds that he was called by the prosecution in an attempt to bolster Russo's testimony. It was argued that the earlier testimony had to stand or fall on its own weight.

The judge's ruling caught the prosecution by surprise.

"Your honor, I anticipated a much longer period of questioning and cross-examination for Dr. Fatter," the prosecuting attorney said. "I request a recess until we can bring up our next witnesses." The judge called a recess until 1:30 p.m.

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, a neat, gray-haired man wearing horn rimmed glasses, testified today hypnosis was a medical tool and said he objected to being called a hypnotist. "Using the name hypnotist for a doctor is like calling a lawyer a shyster," he said.

Earlier, post 9c James Hardiman testified under cross-examination that the "Clem Bertrand" letters he remembered were not actually forwarded to Clay Shaw but were addressed directly to 1414 Dauphine St.

Q. In other words the change of address order at the post office for Shaw had nothing to do with it delivery of letters addressed to Clem Bertrand?

A. Not with Bertrand. It was Mr. Shaw's letters that came forward.

Q. They were not sent to 1414 as a result of the change of address.

A. No, they hadn't.

Hardiman, who walks a route in the French Quarter, testified Wednesday he delivered such letters to a temporary forwarding address given for Shaw in 1966.

"I don't know how many there were but I handled enough of them to recognize the name when it broke out in the news," he said.

"Clem Bertrand" is the alias the prosecution contends Shaw used in 1963 while conspiring to kill the President. Shaw denies having used the name.

Did you, 5th graf A047, deleting Perry Russo's first name in 25th graf.

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Shaw 500

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Associated Press Writer

NEW ORLEANS AP - A postman's recollection of delivering "Clem Bertrand" letters had him in the spotlight today at Clay Shaw's trial.

James Hardiman, who walks a route in the French Quarter, testified Wednesday he delivered such letters to a temporary forwarding address for Shaw in 1966.

"I don't know how many there were but I handled enough of them to recognize the name when it broke out in the news," the graying mailman said.

Clem Bertrand is the alias the prosecution contends Shaw used in 1963 while conspiring with Lee Harvey Oswald, David W. Ferrie and others to murder President John F. Kennedy. Ferrie and Oswald are dead.

"Did you note any return address?" asked Asst. Dist. Atty. James L. Walcock, who is handling prosecution of the Criminal District Court case for Dist. Atty. Jim Garrison.

"We hardly ever note return addresses," said Hardiman. "Unless they give a letter back to us."

Q—"Did any of the Clem Bertrand letters you delivered to 1414 Dauphine come back to you?"

A—"I don't recall getting any of them back."

Q—"Was the name handwritten or typed?"

A—"It was handwriting. Very nice, very easy to read. No difficulty."

Q—"Did you ever deliver any other Clem Bertrand or Clay Shaw mail to 1414 except during this period?"

A—"I don't recall any except those this other carrier on Shaw's postal route forwarded on to me."

Hardiman was the 20th witness called by the prosecution.

THE FORWARDING ADDRESS WAS THAT OF Jefferson Biddison, one of Shaw's friends.

The postman's testimony capped a long, routine session. Shaw, 55, a retired New Orleans businessman, stifled yawns, smoked, scribbled a few notes and often turned in his chair to gaze around the heavily guarded courtroom.

Hardiman was preceded to the stand by another post office employe, Richard Jackson. He identified the mail forwarding form with some puzzlement, which the defense noted with interest.

"There's a discrepancy here in some way," he said after studying the form. "But I can't figure it out. The form is not filled out the way they should be."

R. C. Rowland, former manager of an ice skating rink in Houston, Tex., spent about an hour on the stand—testifying about a visit to the rink by Ferris and two other men Nov. 23, 1963, the day after Kennedy was slain in Dallas.

Rowland said he remembered the visit well because Ferris made such a point of "letting us know he was there. In fact, he made something of a pest of himself."

On cross examination he was asked when the district attorney's office contacted him about the incident. Rowland said it was about a year after Ferris's 1963 visit.

"Are you just as certain of this as you are of your other testimony?" asked defense attorney F. Irvin Dymond.

"Yes."

"Would you consider it unusual that you had a phone call on this almost two years before the district attorney started this investigation?"

Rowland, a small, trim man who said he once was a professional skater, shrugged. "So I was off on the time," he replied.

Another witness was Andrew Sciambra, who had listened for two days to criticism of the 3,500-word memorandum he wrote Garrison on his first interview with prosecution witness Perry Raymond Russo.

The memo failed to mention a crucial point—Russo's report of the party where he said he overheard the plot. The matter came up frequently during Russo's cross examination earlier in the trial.

Sciambra said Russo definitely told him about the party and "I went straight from Russo's apartment to Garrison's house where I made a verbal report."

The subsequent memorandum was hasty, and filled with omissions,

he added, but that was due to frequent interruptions to his dictation.

"I was the most surprised man in the world when Russo picked out a photograph of Lee Harvey Oswald and identified him as Ferris's roommate," he said. "I was the most surprised man in the world when he picked out a picture of Shaw and identified him as Clem Bertrand."

Trial resumes at 10 a.m., EST.
AP/2caes Feb. 13