

Own Voice Disputes Man

By WILLIAM FEDERICI and ANTHONY BURTON

New Orleans, March 15—In an extraordinary court scene, Perry Russo, the star witness who says he heard Lee Harvey Oswald plotting with others to kill President Kennedy, was forced today to listen to a tape recording made a few weeks ago in which he denied ever having known Oswald.

Earlier he testified he had had psychiatric treatment. He heard the tape poker-faced, but in the ensuing cross-examination he appeared badly shaken. He ended the day's hearing, however, still firmly holding to his testimony of a conspiracy.

Just before adjournment, however, the prosecution won a point when the three-judge panel conducting the hearing refused to allow the Warren Commission Report on the Presidential assassination to be introduced as evidence. The defense had wanted to quote the report to show that Oswald could not have been in New Orleans when Russo says he saw him here.

The tape recording, made during a TV interview by a local station, was played by attorneys defending businessman Clay Shaw, 54, accused of taking part in the alleged plot to kill Kennedy.

The hearing is being held to determine whether there is enough evidence to bring Shaw to trial. It will resume at 10 A.M. tomorrow with cross-examination of Russo continuing.

"Not Till I Saw Him on TV"

The packed court heard the interviewer ask Russo, 25, if he had ever met Lee Harvey Oswald. The recorded voice of Russo replied: "No, I had never heard of Oswald until I saw him on TV."

Russo, District Attorney Jim Garrison's mystery witness, told the court yesterday that he was present when Oswald, Shaw and an ex-pilot named David Ferrie discussed slaying Kennedy. He said yesterday that he then knew Oswald as Leon Oswald and only learned later that the man he knew was in fact the assassin.

Also yesterday, Russo, an in-



Jim Garrison
Prosecutor and chief witness

insurance salesman from Baton Rouge, described how Ferrie had discussed in detail how to kill Kennedy and how to make a getaway. But in the recording Russo said that Ferrie had talked "in a joking way" of killing the President. He said Ferrie "used to say" just jokingly that you and I could do it."

Immediately after the nine-minute tape had been played, defense attorney Irvin Dymond began a bitter attack on Russo's credibility. He demanded that the witness explain the apparent discrepancy between his testimony and his taped words.

A Difference in Hair

Russo, who continually asked Dymond to repeat his questions, began to rub his left eye in a nervous gesture. He said that after the assassination he did not definitely connect the man he knew as Leon Oswald with Lee Harvey Oswald although he had seen pictures of the alleged assassin on TV and in newspapers.

"There was a similarity, but I couldn't be sure," he said. "I was

trying to say yes or no to myself. When Oswald was shot, I let it pass, but I believe I said to friends, 'I think I know the guy.'"

He said he didn't recognize Oswald because the man he knew had messed-up hair and was always unshaven and dirty.

Asked if he had ever heard the alleged plotters give a motive, Russo said: "I didn't overhear any motive, and still don't know why."

Russo said yesterday that he had been present when the plot was discussed in Ferrie's home in September, 1963.

Asked why he had not come forward until Garrison started his probe, Russo answered: "I left it to the professionals and I forgot it. Then Garrison began his probe

and said he could prove there was a conspiracy."

He said he wrote to the DA and was interviewed by Garrison's investigators.

Assistant District Attorney Al Oser objected when Dymond tried to introduce the Warren report in evidence. Presiding Judge Bernard J. Bagert stood and looked disbelievingly at Dymond.

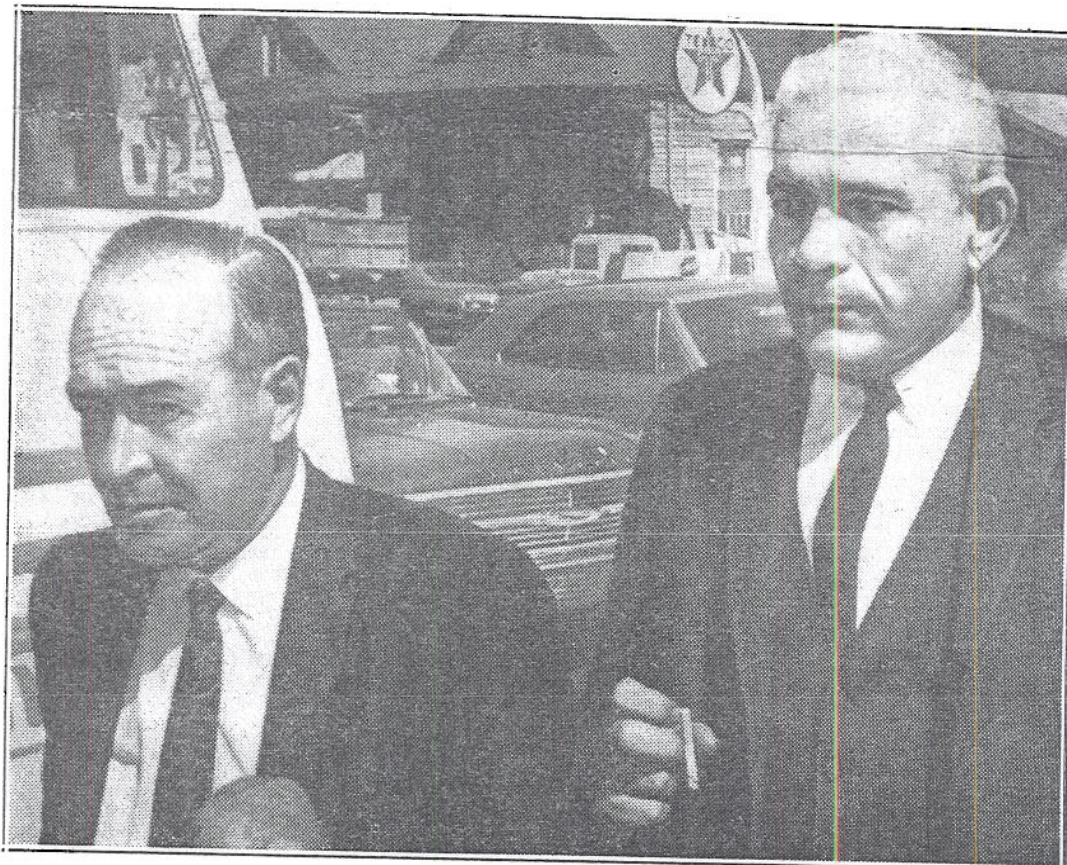
"You've got to be kidding," he said. "Objection sustained!"

Dymond attacked Russo on his inability to remember exactly who was at a party at Ferrie's home which, Russo said yesterday, was followed by the discussion among Shaw, Oswald and Ferrie on how to kill Kennedy.

"How," Dymond asked, "are you able to tell exactly what Oswald, Ferrie and Bertrand (the name, under which Russo says he

'Who Knew Oswald'

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Defense attorney Irvin Dymond (l.) arrives at court with client Clay Shaw yesterday. (UPI Telefoto)

knew Shaw) were wearing and not know so much else?" Russo replied: "Ferrie was always spectacular. You never knew what you were going to find or see. If you didn't get a spectacular by sight, you got it by words."

Police received a tip yesterday that a fully loaded gun was hidden in the area where Shaw had been parking his car. Acting on it, detectives found a loaded 22-caliber pistol underneath an old fire lying on the ground next to a service station.

Russo was asked if he had ever undergone psychiatric treatment and he said he had, between 1959 and the middle of 1960. Since then he had talked with the psychiatrist on the telephone, but had seen the analyst last in October, 1965.