

WITNESS RELATES SHAW DISCUSSION

Says Murder of Kennedy Was Topic at a Party

By MARTIN WALDRON
Special to The New York Times

NEW ORLEANS, Feb. 7—A New York accountant testified today that at a party in the French Quarter in June of 1963 he had heard Clay L. Shaw casually discuss assassinating President Kennedy.

But the impact of the testimony was lessened when the witness, Charles I. Spiesel, also said that he had been hypnotized that year by New York City policemen and others as part of a Communist conspiracy.

Mr. Spiesel, who said his troubles seemed to stem from undercover work his father had been doing for the Federal Bureau of Investigation "against the Russians," said he had also been "hypnotized or tortured" by a psychiatrist and members of the accounting firm he had worked for.

Mr. Spiesel said his meeting with Mr. Shaw took place in the summer of 1963 when he came from New York with the idea of settling in New Orleans.

Meeting With Ferrie

At Lafitte's Blacksmith Shop, a French Quarter bar, Mr. Spiesel met David W. Ferrie, the former airline pilot accused of helping Mr. Shaw plot the Kennedy assassination.

Mr. Ferrie, who is now dead, took him to a party where Mr. Shaw was the host, Mr. Spiesel said.

"One man, sitting across this oval table from Mr. Shaw—he was about 5 feet 9 inches tall, had a beard and dirty blonde hair and one finger in a splint," Mr. Spiesel said. Mr. Spiesel testified that this man had said he would like to kill President Kennedy.

Mr. Spiesel said he had remonstrated that the killer would be killed himself, but that Mr. Shaw had remarked that the assassin could escape by airplane and that "after some hemming and hawing, Dave Ferrie said he probably could."

Under low-key cross-examination from F. Irvin Dymond, Mr. Shaw's chief defense counsel, Mr. Spiesel told of having been hypnotized and tortured until confidential information had been extracted.

"Have you had trouble recently with a Communist conspiracy, with people following you and tapping your phones?" he was asked.

"Not particularly recently," Mr. Spiesel said.

He said he had sued the city of New York, but that the suit had been dismissed under an immunity law. He said he had a \$16-million suit pending against some of the individual policemen alleged to have hypnotized or tortured him.

There was some indication that District Attorney Jim Garrison's staff had not known Mr. Spiesel's background when he was brought forward as a "mystery" witness to bolster the conspiracy case against Mr. Shaw. Mr. Shaw, a 56-year-old retired businessman, has pleaded not guilty to the charge.

Lawyer Seems Stunned

Assistant District Attorney James L. Alcock appeared stunned by Mr. Spiesel's account of torture and hypnotism and refused to answer questions as he hurried from the courtroom.

Judge Edward A. Haggerty Jr. said in the Criminal District Court that he understood the state planned to introduce its other major witness, Perry Raymond Russo, tomorrow. Mr. Russo, 27, a former insurance salesman, testified in March of 1967 at a preliminary hearing for Mr. Shaw that he had heard Mr. Shaw, Mr. Ferrie and Lee Harvey Oswald plan President Kennedy's murder at a party at Mr. Ferrie's New Orleans apartment.

Before Mr. Spiesel took the stand, Vernon W. Bundy Jr. repeated his testimony of two years ago that he had seen Mr. Shaw give Oswald a roll of money in a meeting on the shore of Lake Ponchartrain in the northern outskirts of New Orleans.

During his testimony, in which he yawned frequently, Bundy said he was trying to break his heroin habit.

Bundy said he had been on the sea wall preparing to "give myself a fix" when he saw Mr. Shaw drive up in a large black limousine and meet Oswald, who came from another direction.

Transaction Reported

After a discussion of two or three minutes, Bundy said, Mr. Shaw gave Oswald the money and departed, saying to Bundy as he passed; "It's a hot day."

Under cross-examination, Bundy denied having made up the story in an effort to reduce a year's sentence he was serving in March of 1967. Two men in the courtroom have quoted Bundy as having said the story was untrue.

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Bundy was given permission today to demonstrate how he had recognized Mr. Shaw on the lakefront.

Seating himself in Mr. Shaw's chair, Bundy had Mr. Shaw walk the length of the courtroom twice.

"See," Bundy said, pointing to a slight splayfooted action on Mr. Shaw's part. "I remember the man on the lakefront walked like that. It frightened me."

Yawning and continually volunteering testimony, Bundy was asked what reaction he had after taking heroin.

"I got drowsy and do a lot of talking," he said.

During the morning session, defense attorneys asked for a mistrial.

Mistrial Is Sought

The motion followed Judge Haggerty's comment on a witness's testimony.

The witness, Capt. Francis Martello of the New Orleans police, had said that a yellow "Hands Off Cuba" pamphlet shown to him by Mr. Alcock was either one taken from Oswald on Aug. 9, 1963, or "identical" to it.

When Mr. Dymond asked Captain Martello how he knew it was "identical," the judge interrupted.

"He didn't say it was identical, he said it was similar," the judge said.

Mr. Dymond objected to the judge's "testifying," and after the 12-man jury was removed from the courtroom, he asked for the mistrial, citing a Louisiana criminal code section that prohibits judges from commenting on, assessing or recapitulating the testimony of a witness.

The judge denied the mistrial motion, saying that Mr. Dymond should not use words that the witnesses did not understand. He was apparently alluding to the word "identical." Earlier, Judge Haggerty suggested that a witness had not understood the meaning of the word "familiar."

Testimony Disputed

Another witness, William Dunn Sr., a farmer, said he was helping conduct a voter registration drive in Clinton, La., in late August or early September of 1963 for the Congress of Racial Equality when he saw Mr. Shaw seated in an automobile about 20 feet from the office of the voter registrar. Oswald was standing in a line of persons, most of whom were Negroes, waiting to register, Mr. Dunn said.

ASSASSINATION UP PAGES JOHN F. KENNEDY

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- Mohr _____
- Bishop _____
- Casper _____
- Callahan _____
- Conrad _____
- Felt _____
- Gale _____
- Rosen _____
- Sullivan _____
- Tavel _____
- Trotter _____
- Tele. Room _____
- Holmes _____
- Gandy _____

Mr. Dunn, who disputed another witness's testimony that the man in the black Cadillac was wearing a hat, said he had paid particular attention to Mr. Shaw because he thought he was an agent of the Federal Bureau of Investigation watching the proceedings.
Mrs. Bobbie Dedon and Mrs. Maxine Kemp were called to

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- The Sun (Baltimore) _____
- The Daily World _____
- The New Leader _____
- The Wall Street Journal _____
- The National Observer _____
- People's World _____
- Examiner (Washington) _____

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the stand in an attempt by the state to add corroborative evidence to Oswald's having been in Clinton trying to get a job at a state hospital. But neither offered solid testimony.

Mrs. Dedon said she could not remember whether the man she believed to be Oswald was wearing a beard when she gave him directions to the personnel office of the East Louisiana State Hospital, and Mrs. Kemp said she had seen an application for employment with the name Oswald Harvey on it but that she had been unable to bring it to the trial because she could not find it.

Mr. Alcock also had some words with Judge Haggerty. Yesterday the judge allowed testimony about Oswald and his activities over the protests of Mr. Dymond that they had no relevance to Mr. Shaw or to the charge of conspiracy. He argued that many of the actions were weeks or months before the date of the alleged conspiracy.

Today the judge upheld the defense's objections.

"I don't understand the court's position," Mr. Alcock said. "Yesterday, we introduced this evidence freely, and now all of a sudden we are not allowed to."

"He didn't object yesterday," the judge said.

"He objected to every witness," Mr. Alcock said.

"All right," the judge said. "Go ahead and introduce it."

As Mr. Dymond rose to object, the judge said, "Take a bill of exception."

"We will," Mr. Dymond said.

Then the state introduced evidence about Oswald's handing out pamphlets urging "Hands Off Cuba."

Judge Haggerty said he was allowing the testimony on the assurance of Mr. Alcock that he would ultimately show its relevance to the alleged conspiracy.