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O
 Assassination of President Kennedy

UPI-73

(SHAW)

NEW ORLEANS--THE STATE'S SWARTHY STAR WITNESS TESTIFIED ON CROSS EXAMINATION TODAY THAT HE NEVER HEARD CLAY L. SHAW OR LEE HARVEY OSWALD AGREE TO KILL PRESIDENT JOHN F. KENNEDY.

THE WITNESS, PERRY RAYMOND RUSSO, 27, DID SAY THAT HE HEARD THE ALLEGED CONSPIRATOR, DAVID W. FERRIE, SAY: "WE'LL KILL HIM." BUT RUSSO, A BOOK SALESMAN, TESTIFIED HE HAD HEARD FERRIE SAY THE SAME THING ABOUT ASSASSINATING KENNEDY MORE THAN ONCE AND HE NEVER KNEW HOW MUCH IMPORTANCE TO ATTACH TO FERRIE'S INENT.

SHAW, 55, A RETIRED BUSINESSMAN, IS CHARGED WITH CONSPIRING WITH OSWALD AND FERRIE--BOTH DEAD--TO KILL KENNEDY BUT NOT WITH THE ACTUAL MURDER ON NOV. 22, 1963.

UNDER LOUISIANA CRIMINAL CONSPIRACY LAWS EACH PERSON IS A PARTY TO A CONSPIRACY IF AN AGREEMENT IS REACHED AND HE DOES NOT BACK OUT BEFORE ONE OVERT ACT IS COMMITTED.

IN THE FIFTH DAY OF TESTIMONY OF THE SHAW TRIAL, RUSSO TESTIFIED WITH A MARKED SOUTHERN ACCENT AND A SLIGHT WANG ABOUT A PARTY HE ATTENDED IN MID-SEPTEMBER, 1963, IN FERRIE'S APARTMENT IN WHICH THE ASSASSINATION WAS ALLEGEDLY PLOTTED BY THE THREE.

DEFENSE ATTORNEY F. IRVIN DYMOND WAS BLOCKED FROM GETTING AN ANSWER TO THE QUESTION: "WAS THERE EVER ANY ACTUAL AGREEMENT TO KILL PRESIDENT KENNEDY?" BY A PROSECUTION OBJECTION SUSTAINED BY CRIMINAL DIST. JUDGE EDWARD A. HAGGERTY JR.

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56 FEB 17 1969

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