

KENNEDY NAMED AT A TRIAL HERE

Senator Is Listed Among 5
'Targets of Terrorism'

By JOHN KIFNER

The name of Senator Robert F. Kennedy was introduced yesterday into the conspiracy-to-murder trial of Herman B. Ferguson as having been on a list of persons "who should be assassinated."

Edward Lee Howlette, the police undercover agent who is the prosecution's key witness in the case, testified that Mr. Ferguson had told him that Mr. Kennedy's name was one of five on a list given him by the reputed leader of a revolutionary Negro group.

There had been speculation earlier in the day whether the name of the Senator would come up in the trial of Mr. Ferguson, a suspended assistant school principal, and 22-year-old Arthur Harris. They are accused of conspiring to murder Roy Wilkins and Whitney Young, the civil rights leaders.

Last June, after Mr. Ferguson and Mr. Harris and 14 other Negroes were arrested, Queens District Attorney Thomas J. Mackell and Chief Inspector Sanford D. Garelik said that the alleged plot by members of the Revolutionary Action Movement had extended to other civil rights leaders and government officials as future targets.

Officer Questioned

Shortly after 2:30, Assistant District Attorney Thomas De Makos, concluding his second and final day of examination of Detective Howlette, asked what had happened on May 18, 1967.

Referring to his typewritten notes, the Negro policeman said that he and both defendants had been in Mr. Ferguson's car preparing to drive to a firing range for target practice.

"Was there any discussion?" Mr. De Makos asked.

"Ferguson asked if I remembered a list of names given to him by Max Stanford as targets of terrorism—people who should be assassinated," Detective Howlette said.

Maxwell Stanford, a 34-year-old Philadelphian, was one of the 16 people arrested on the original indictment. He was described by the Federal Bureau of Investigation as the national leader of the Revolutionary Action Movement. His case is still pending.

Spectator in the yellow paneled Queens Supreme Court chamber leaned forward tensely as Mr. De Makos asked what the names were.

"Roy Wilkins, Whitney Young, Robert Kennedy, Larry Neal and Larry Elliott," Detective Howlette replied.

Motion for Mistrial

"I move for a mistrial," said the defense lawyer, Miss Gene AAnn Condon, jumping to her feet. "Bringing in the additional three names is irrelevant to the issue of this case, and when every American is filled with emotion at the terrible events of early this morning, we are asking more than is humanly possible of the jury."

"What does she want me to do," shot back Mr. De Makos, his voice rising, "change the testimony?"

"I want my clients to have a fair trial in an unpoisoned atmosphere," shouted Miss Condon.

Justice Paul Balsam denied the defense motion, and allowed the testimony to be read into the record.

Detective Howlette went on to testify that Mr. Ferguson the said he would accept the first three names on the list, but that he had objected to "Larry Elliott and Larry Neal" because they were "something of a personal problem" for Mr. Stanford.

Mr. Elliott and Mr. Neal were not identified further in the courtroom, but it was learned later that both were Negroes who had reportedly earned the animosity of Mr. Stanford. Mr. Neal was said to have been associated with the Black Panthers, a militant Harlem group, at the same time as was Mr. Stanford.

Earlier, in the absence of the all-white jury, Miss Condon moved to defer the trial until fall, saying that it would take a "superhuman effort" for the jurors to disassociate their deliberations from the Kennedy attack. The motion was denied.

During yesterday's testimony, Detective Howlette identified a .32-caliber Italian-made automatic pistol as one that he said Mr. Ferguson had obtained and kept hidden in a hole in the ceiling of the group's meeting place.