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NEW ORLEANS

FORTY-FIVE

Mistrial Denied In Partin Trial

BUTTE, Mont. (AP) — U.S. Judge W. D. Murray today denied a defense motion for a mistrial in the conspiracy trial of Teamster official Edward Grady Partin.

The motion was made late yesterday, alleging inference and innuendo in a headline of a local paper.

C. R. "Red" Williams, New Orleans, told the three-man, nine-woman jury hearing the case about fluctuating concrete prices during the building of a Gulf Oil Co. chemical complex in the Baton Rouge, La., area.

WILLIAMS, a construction superintendent for Raymond International of Baton Rouge, told the jury that although the Dunham Co. raised concrete prices \$4 per yard, he was told by Gulf to continue to use Dunham concrete and Gulf would absorb the difference.

An assistant to Williams on the job, William Cunningham, verified Williams' remarks.

Earlier it had been reported that the prosecution may end its testimony today, but a spokesman for the government said its case could run for another two weeks.

Partin is charged with four counts of criminal conspiracy in connection with the alleged violation of federal antitrust laws.

In the late 1960s, the 46-year-old Partin's testimony helped send Teamster boss James "Jimmy" Hoffa to prison.

The government has been trying to show that Partin

was involved in harassing some businesses in Baton Rouge, La., to limit and eliminate competition in the ready-mix and concrete products industry.

Before yesterday's recess the defense attorney, Robert T. O'Leary, moved for a mistrial, saying "inference and innuendo" in local news reports of Wednesday's proceedings.

Judge W. D. Murray took the motion under advisement after remarking that jurors have been admonished not to read newspaper accounts or listen to broadcasts of trial proceedings.

Also yesterday, the government called another witness to testify against Partin, business agent of Teamster Local 5 in Baton Rouge.

Rudolph Ward, 36, vice president and sales manager of Altex, Inc., a Baton Rouge concrete company, testified he was harassed and threatened May 24, 1967, by Teamsters Union members who, Ward said, were urged on by Partin.

Ward said drivers of two pickup trucks hemmed him in along a road near the Teamster hall, forced him to stop and, according to Ward, placed him in fear. That happened, Ward said, after Partin had yelled "get him!"

One of the persons, described by the witness as a "neat-looking fellow," allegedly told Ward "If you want to live a long time and live well, stay away from here."

Partin Associations Eyed As Trial Enters 2nd Week

BUTTE, Mont. (AP)—The conspiracy trial of Edward Grady Partin enters its second week today in Butte with the government attempting to connect Partin with convicted conspirator, Ted F. Dunham.

The government is trying to prove Partin as a Teamster business agent conspired with Dunham and others to limit and eliminate competition in the readymix concrete business in the Baton Rouge, La. area in 1966-67.

Partin, 46, is also charged with extortion and with using or threatening violence.

THE BULK of government testimony during the first week was admitted on a limited basis by Judge W. D. Murray.

Murray repeatedly told the jury testimony of some witnesses, especially in the conspiracy charges, cannot be considered until and unless the government has established that Partin is a co-conspirator.

Partin's attorney, Robert T. O'Leary of Butte, moved for a mistrial charging that the headline of a Butte newspaper prejudiced the case, but Mur-

ray denied the motion.

GOVERNMENT witnesses during the first week included a parade of concrete producers who testified that Partin was involved in racketeering and extortion in Baton Rouge labor activities.

William G. Kast, a Baton Rouge construction firm manager, said not buying concrete from one certain firm—Louisiana Readymix Co. — resulted in labor troubles.

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