

Witness Links Ferguson to Assassination Talk

By JOHN KIFNER

A police undercover agent testified yesterday that Herman B. Ferguson, the suspended assistant school principal charged with conspiracy to commit murder and anarchy, had mentioned President Johnson as a possible assassination target.

The statement came during more than three hours of testimony by Detective Edward Lee Howlett, the prosecution's major witness in its case against Mr. Ferguson and his co-defendant, Arthur Harris, who are charged with conspiring to kill Roy Wilkins and Whitney Young, the civil rights leaders.

Detective Howlett said that he had joined Mr. Ferguson's organization, the Black Brotherhood Improvement Association, and had eventually become, along with Mr. Ferguson and Mr. Harris, a member of a three-man "terrorist cell" within the group.

Assigned Underground

The policeman, a youthful-looking, light-skinned Negro, said that shortly after he had joined the New York City force on July 9, 1965, he had been assigned to "attend meetings and rallies held by controversial, subversive and radical groups, with the object of infiltrating them and becoming a member."

He showed up at the trial in Queens Supreme Court yesterday with a half dozen bulky envelopes and file folders containing reports, notes and copies of the organization's position papers.

Much of his testimony consisted of brief answers to detailed questions from Assistant District Attorney Thomas De Makos, and several times the proceedings stopped as the detective searched through the envelopes for a document or read his notes to refresh his memory.

He outlined a series of activities — including the formation of a rifle club with target practice and training in judo and karate — along with meetings and discussions that he said led up to the alleged plot to kill Mr. Wilkins and Mr. Young.

On Dec. 27, 1967, Detective Howlett testified, Mr. Ferguson had told him, "After Wilkins, we might want to get Lyndon Johnson."

"Is that what Ferguson said?" Mr. Dakos said, sounding startled.

Mistrial Motion Denied

The defense lawyer, Miss Gene Ann Condon, moved for a mistrial, charging that the detective's testimony was "inflammatory, highly prejudicial and outside the issue of whether there had been an agreement" to kill the civil rights leaders. Justice Paul Balsam denied the motion.

Earlier another mistrial motion, in which Miss Condon contended that the 50-member prospective jury panel had only

Johnson Was Mentioned as a Possible Target, Police Agent Testifies at Trial

three Negroes and was therefore prejudicial to her Negro client, was also denied.

The undercover agent, now assigned to the Bureau of Special Services, said that he had joined Mr. Ferguson's organization in September, 1965, and had

been told a month later that his military training in the electrical field would be useful in making timing devices for bombs and in sabotaging electrical systems.

The group, the witness said also operated under the name of the Jamaica Rifle and Pistol Club, and during marksmanship practice at the Nassau County Rifle Range. Mr. Ferguson asked him to become a member of a cell "organized for acts of terrorism and trained in the art of assassination."