

# Testimony of Key Witness Damages Case Against Shaw

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NEW ORLEANS—A key part of Dist. Atty. Jim Garrison's case against Clay L. Shaw appeared to crumble at the core Friday in a day of legal theatrics.

What could become the major turning point in the Garrison investigation of the assassination of President John F. Kennedy came when a wisp of a man named Charles I. Spiesel was subjected to cross-examination.

In his opening statement Thursday, Garrison had alluded to Spiesel, a New York City accountant, as the witness who would prove that Shaw, the late David W. Ferrie and Lee Harvey Oswald conspired to assassinate Mr. Kennedy.

With that established, Garrison vowed to prove at least one of the three carried out an act in furtherance of the conspiracy, all that was necessary to convict Shaw and to discredit the Warren Commission Report in the process.

Under direct examination, Spiesel told a tidy story.

## Invited to Party in 1963

He said he had met Ferrie in June, 1963, in a French Quarter bar here. He said he was invited by the eccentric ex-airline pilot to go with him to a party at which Shaw was the host.

While there, Spiesel said, he heard Ferrie, Shaw and others present discuss ways of killing the President and how the assassin might escape.

But then F. Irvin Dymond, Shaw's chief defense counsel, questioned Spiesel and the witness' credibility was challenged.

Dymond drew from Spiesel the admission that:

—Acting as his own attorney, Spiesel had sued a psychiatrist, a detective agency, a horse-racing association and others for \$16 million in 1965, charging among other things, that they had interfered with his sex life. The suit later was dismissed.

He had initiated it, he claimed, because the defendants had placed him under a "hypnotic spell" during 1962, 1963 and 1964. The defendants, he claimed, had entered into

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a "conspiracy" to convince others that he and his family were Communists.

The motive for the conspiracy against him, he asserted was to get at his father, "an undercover agent" working against the Russians "for the FBI."

He denied that he was the psychiatrist's patient, but implied that he considered the doctor responsible for this three years in a trance.

—He had sued the City of New York in 1964, charging a "conspiracy" by the police of the city to drive him out of business "through hypnosis and mental torture." The suit was dismissed.

—As recently as last December, he had consulted a lawyer in a small Louisiana town because he believed he was the victim of conspirators who were tapping his phone and shadowing him.

## Demanded Cash

—He had "demanded \$2,000" from the Columbia Broadcasting System to tell his story on television about the alleged plot to kill Mr. Kennedy.

The one thing Dymond did not succeed in doing, however, was shattering Spiesel's aplomb, even after Spiesel offered this description of Ferrie:

"He had reddish-brown hair, not too long. Fairly well-groomed. It looked combed. I did not notice anything out of the ordinary."

When Dymond asked Spiesel to describe Ferrie's eyebrows, the witness replied:

"A little thinner than most men's are."

Dymond replied, with a note of incredulity in his voice:

"A little thinner than most men's? Are you sure about that?"

"Yes," Spiesel answered confidently.

Ferrie was noted, even among casual acquaintances, for his practice of concealing his baldness and lack of eyebrows with swatches of what ap-

peared to be floor carpeting.

## Keeps Composure

As Dymond pressed him, Spiesel frequently rolled his eyes toward the courtroom ceiling and held his hands prayerfully in front of him, but never lost his composure.

Prosecution attorneys, however, sat in shocked silence, rising only occasionally to offer feeble objections to Dymond's line of questioning.

Garrison was not in the courtroom, but his chief assistant, James Alcock, conceded afterward that the Garrison staff had not thoroughly investigated the background of Spiesel, a speck of a man who often brushed thinning traces of hair across his shiny scalp.

Earlier, on direct examination, Spiesel testified that the party he attended was held in an apartment which would closely approximate that of Shaw's fashionable French Quarter residence, a renovated slave house.

He said he had traveled

up "two or three flights of stairs" to reach it. Shaw's home is on the ground level.

Once inside, where an all-male group of about 10 had gathered, he said, they "started to criticize the late President."

"Somebody there said somebody ought to kill the son-of-a-bitch," he testified.

Spiesel claimed an unshaven man with dirty blond hair had said: "Yes, I'd like to do it. But how would we do it?"

The "consensus" of those present, said Spiesel, was that the killing could be accomplished with a high-powered rifle with a telescope sight" from "about a mile away."

Earlier in the day, Vernon Bundy, an admitted drug addict, repeated a story he had told at Shaw's preliminary hearing two years ago—then Bundy provided an extra



Charles I. Spiesel

(A) Wirephoto

flourish.

Bundy told of going to sit on the seawall at New Orleans' Lake Pontchartrain in June, 1963, to inject himself with heroin and "goof off for the day."

While there, he said, he saw Shaw get out of a "limousine," talk with Oswald and hand Oswald some money.

#### Five Years Ago

During involved cross-examination about how he was able to recognize the defendant in the courtroom as the man he had seen emerge from the car more than five years ago, Bundy turned to Judge Edward Haggerty Jr. and proposed:

"If a demonstration is allowed by both sides, I can prove this is the man I saw on the lakefront."

The judge, prosecution and defense assented.

Bundy then went to where Shaw was sitting at the defense counsel table

and asked Shaw to go to the rear of the courtroom and approach him from behind.

Shaw, military erect, did.

"Now here I'm sitting here," Bundy said as he perched on the defendant's chair, facing away from Shaw, "with my bag (heroin equipment), and root beer bottle (which addicts use to keep from 'drying out')."

Bundy, dissatisfied with the first demonstration, asked Shaw to repeat it. Shaw did.

As Shaw advanced, Bundy announced to the courtroom: "Now everybody watch this. This is the foot that identified him."

Bundy gestured toward one of Shaw's feet. Shaw walks in a peculiar splayed-out fashion because of a World War II back injury.

Bundy said until he had watched Shaw walk into the courtroom at his preliminary hearing more than two years ago he had not been convinced he was the man he had seen step from the limousine on the lakefront.