

# NOT GUILTY



—Associated Press photo.

**CHIEF DEFENSE** attorney **F. IRWIN DYMOND**, right, raises his arm in a victory gesture early Saturday after Clay Shaw is found not guilty of conspiring to kill President Kennedy. Defense attorneys **EDWARD WEGMANN**, left, and **SALVATORE PANZECA** lend support.

## Verdict

By JACK WARDLAW

"We find the defendant not guilty . . ." intoned court clerk George Sullivan early today, ending a two-year nightmare for Clay L. Shaw.

A wild cheer broke out in the courtroom as the unanimous jury verdict freed Shaw two years to the day after his arrest on charges of conspiring to kill President John F. Kennedy.

**THE VERDICT WAS RETURNED** at 1:02 a. m. after the



3-1-69 State I Item

# Is Unanimous

jury deliberated for 53 minutes. Judge Edward A. Haggerty gave each juror a certificate exempting him from jury service for life, and a head start on getting out of the jam-packed courtroom.

Then came a thundering herd of newsmen, racing for telephones to tell the world the outcome of the historic trial.

Left in doubt was the future of Dist. Atty. Jim Garrison's probe of the Kennedy assassination, of which the Shaw trial was the showpiece.

Garrison, in closing remarks, told the jury: "Finally, this case is before a court of law. Finally, justice can be done."

**THE 12-MAN JURY HAD** its own ideas about justice, however.

"Garrison has a right to his opinion about the government and the Warren Commission," said juror David I. Powe shortly after court adjourned. "But I just don't feel his opinion is enough to convict a man."

Shaw, 6-foot-4-inch retired businessman, stood in a protective circle of sheriff's deputies as the verdict was read. He was mobbed by his friends afterwards.

"Do you wish the jury polled?" asked Judge Haggerty, looking at the state table, from which Garrison had departed an hour earlier.

**CHIEF PROSECUTOR JAMES L. Alcock**, slumped low in his chair, shook his head wearily from side to side. But Powe, a juror who grew a goatee while sequestered during the trial, said the verdict was unanimous and was reached on the first ballot.

The trial began Jan. 21, and consumed 34 full days. Yesterday was the longest, beginning at 9 a. m. and ending after 1 a. m. today.

The jurors looked as happy as Shaw at being freed. The

ex-defendant shook hands with each of them as they filed out.

Shaw was hustled out the back door of the courtroom and left in a car, with a line of deputies pushing newsmen and spectators away from the garage exit.

**GARRISON HAD LEFT LONG** before the verdict. He told a newsmen:

"It certainly has been an interesting case, hasn't it? No matter how this thing ends, I will not hold a news conference. I'm tired of being called flamboyant. Everybody knows I am not flamboyant."

There was no comment from anyone on the state side. Shaw and his attorneys scheduled a news conference for this afternoon.

Garrison had charged Shaw with conspiring with Lee Harvey Oswald and David W. Ferrie to kill Kennedy, shot to death in Dallas Nov. 22, 1963. The Warren Commission named Oswald as the lone assassin.

Much of the prosecution's case concentrated on attacking the commission's conclusion Oswald acted alone in killing Kennedy.

"We were trying Shaw, not the Warren Commission," said juror Powe, "But I felt two or three times that I didn't know who we were trying—the FBI, the federal government, the Secret service. . . ."

**THE JURORS WERE OBVIOUSLY ANXIOUS** to finish

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their task. Judge Haggerty gave them their choice, after they heard closing remarks by both sides, of retiring for the night or receiving his charge and beginning deliberations immediately.

Though the hour was late—11:30 p.m.—the panel indicated it was ready to go to work. The judge's charge took until 12:10 a.m. and the jurymen filed upstairs to deliberate.

A low-key but impassioned closing argument by chief defense counsel F. Irvin Dymond obviously outweighed a three-pronged barrage by the state in the minds of the jurors.

Alcock and Assistant DA Alvin V. Oser split up the

state's initial statement, taking about 90 minutes each. Then after Dymond spoke, Oser, Alcock and Garrison himself took turns lambasting Dymond in rebuttal.

**IT WAS THE VERY DIVISION** of the state's case—Alcock taking the accusations against Shaw, Oser concentrating on events in Dealey Plaza in Dallas—that may have doomed it. The jurors, though obviously impressed by some of the Dallas evidence, may have had trouble seeing what it all had to do with Shaw.

After the state put on its last rebuttal witnesses earlier yesterday, Alcock began his closing statement to the jury at 2:24 p. m., once the judge had turned down Dymond's motion for a directed verdict of not guilty.

"We have the parts of a puzzle and we shall try to bring the puzzle together," Alcock said. He said Dymond promised to show that Shaw knew neither Ferrie nor Oswald.

**"THAT PROMISE WAS BROKEN.** It lies shattered in the dust of Clinton. (He referred to Clinton, La., where some state witnesses said they saw the trio together.) That man (Shaw) was proven a liar and unworthy of your belief," Alcock argued.

Turning to state witness Vernon Bundy Jr., a convicted narcotics addict who said he saw Shaw and Oswald on the



**JUDGE EDWARD A. HAGGERTY**, who presided over the trial of Clay L. Shaw, is surrounded by newsmen and microphones after the jury announced it had acquitted Shaw of conspiracy charges. Haggerty had presided since Jan. 21.

takefront, Alcock said.

"I do not apologize for Vernon Bundy Jr., or any other witness. You take your witnesses as you find them. It would be nice to have all bank presidents as witnesses. But that is not possible."

**ALCOCK SAID FURTHER THE STATE** does not apologize for Charles Spiesel, the New York accountant who said he saw Shaw and Ferrie at a French Quarter party in June, 1963, but who also says Communists and others hypnotize him to destroy his sexual potency, among other things.

Spiesel's testimony on certain points was "curious," Alcock said, but added that Spiesel corroborated the story of the state's star witness, Perry Raymond Russo.

Alcock went over Rusos's testimony, the core of which was that he attended a party at Ferrie's apartment in September, 1963, at which the assassination was discussed.

**EVERYTHING SAID IN THE CONVERSATION** at the party, as reported by Russo, was later carried out, including Oswald's presence in the Texas School Book Depository the day of the assassination, Shaw's trip to the West Coast, and Ferrie's trip to Houston, Alcock related.

"I think the state has proven its case . . . that the defendant is an absolute liar . . . that he's absolutely guilty," Alcock said.

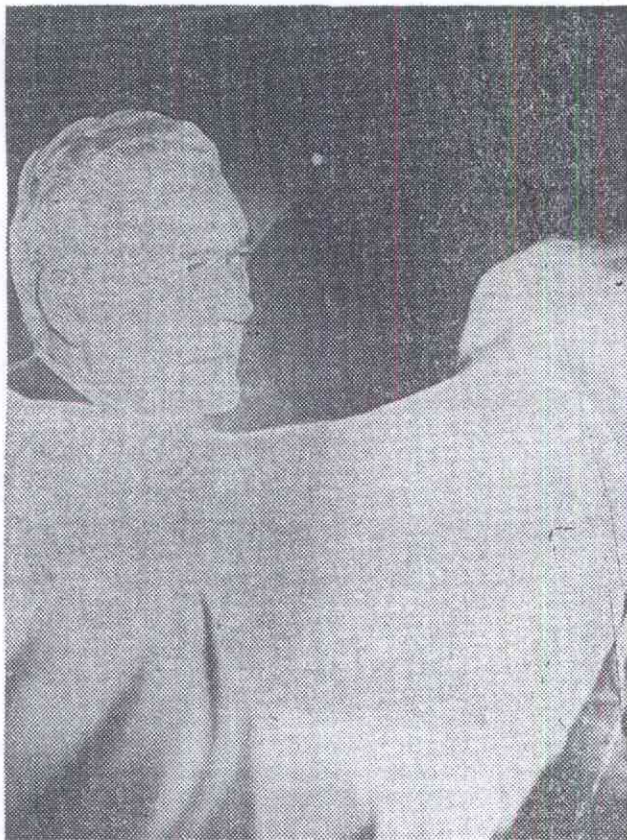
Oser turned to Dealey Plaza, saying he would show what happened there "as a result of the conspiracy involving Clay Shaw."

He said Kennedy was shot twice, once in the back or neck and Gov. John P. Connally of Texas once—circum-



Ralph Vinson  
NEW ORLEANS STATES-ITEM

JURY LISTENS AS JAMES L. ALCOCK GIVES STATE'S CLOSING ARGUMENT  
—Drawing by States-Item cartoonist Ralph Vinson.



—States-Item photo.

A WEARY BUT HAPPY CLAY L. SHAW leaves the Criminal Court building early this morning after the 12-man jury found him not guilty of conspiring to kill President Kennedy. The verdict came two years to the day that he was arrested on the charge.

near, and Gov. JOHN B. CONNALLY of TEXAS cited circumstances on which Oser and the Warren Commission are in agreement—then proceeded to give a quite different version of how it happened.

**OSER LAUNCHED INTO A COMPLICATED** chain of logic involving the film of the assassination taken by Dallas dress manufacturer Abraham Zapruder and testimony by various witnesses.

The time needed to work Oswald's rifle, Oser said, makes it "mathematically and scientifically impossible" for one gun to have fired two shots from the sixth-floor depository window.

Other testimony, Oser argued, showed it is impossible for one bullet to have passed through Kennedy's torso and wounded Connally. And the angle of the shot that wounded Kennedy without hitting any bones in his body indicates it could not have come from the window from which Oswald fired, he said.

"Therefore," Oser said, "there were two gunmen, two guns, in two places."

**HE THEN TURNED TO THE FATAL** shot which hit Kennedy in the head. Again citing the Zapruder film and various witnesses, he said the state proved the shot came from the front.

"Therefore," said Oser, "there were three gunmen, three guns, in three places," setting up a "triangulation of crossfire."

"And where have we heard the word triangulation?" he asked rhetorically. "It seems strange that a triangulation of fire was talked about and discussed in the conspiracy, and agreement was hatched in the presence of the defendant."

In his summation, Dymond said the state's case was built on "innuendoes, veiled accusations and hints of guilt and wrongdoing."

**HE SAID "THE WARREN COMMISSION** is not on trial. The case is against Clay L. Shaw."

Dymond then took what he called the seven elements of the case and listed them one by one. He directed



—States-Item photo.  
**NOT TALKING!** Assistant district attorney **JAMES L. ALCOCK**, who handled the major part of the prosecution of Clay L. Shaw, leaves the courtroom with no comment after the jury voted against him and in favor of Shaw.

the state's case and attacked them one by one in particular fire at Russo, who he said the defense "proved a liar."

"This defendant, Clay L. Shaw, has been brought here for no other reason than to create a forum for an attack on the Warren Commission," Dymond said. "He is a patsy picked for that purpose."

He went through the testimony of various defense witnesses and showed how their stories cast doubt on previous testimony by state witnesses. "It just doesn't add up," he said.

**NOTHING WAS PROVEN BY THE** state, he said, since the entire case rested on the testimony of Russo. He said the state put up a parade of unfit witnesses, including Bundy and Spiesel.

Dymond described Spiesel as "the most obvious paranoid case I've ever seen in my life . . . What kind of a good-faith prosecution, what kind of a legitimate prosecution, would get up here and try to con you gentlemen into accepting the testimony of a man like that?"

In rebuttal, Oser said Dymond offered "not one word" to dispute his version of events in Dealey Plaza.

**ALCOCK GAVE A SHARP REBUTTAL** in strident tones, raising his voice to the jury. He heaped scorn on Dymond's criticism of Spiesel, saying he "was never convicted of perjury" as was a state witness, Dean A. Andrews Jr.

He leveled a personal attack at Shaw, saying it was curious he produced no character witnesses and the two witnesses who knew him best, Lloyd J. Cobb and Mrs. Goldie Moore, "were careful to say they did not associate with the defendant after working hours."

"You have the picture of a man who lived a Dr. Jekyll and Mr. Hyde existence—a respected businessman by day, by night consorting with people like Ferrie and Oswald."

**GARRISON, WHO IS UP FOR REELECTION** this fall, delivered his summation in subdued tones, as compared to the evangelist-style oratory of Oser and Alcock.

"The DA mentioned Shaw only to say that while the jurors might feel sorry for him, "you are also not free to forget the victim."

He then launched into an attack on the Warren Commission in particular and the federal government in general. He termed the Warren Report, "the greatest fraud in the history of our country."

The commission, he said, was a group of "men of high position and prestige sitting on a board and telling you what happened but withholding the evidence . . ."

"**YOU CAN CAUSE JUSTICE TO HAPPEN** in this case for the first time in five years," he concluded, "and if you do that, nothing you have ever done will have been more important."

As things turned out, the defendant couldn't have agreed more.