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Jury Gets Shaw Case After Final Arguments

Garrison's Aides Spend 2½ Hours With Summation; Warren Inquiry Called 'Flop'

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NEW ORLEANS—The Clay Shaw conspiracy trial went to the jury early today after the prosecution and defense completed closing arguments late Friday night.

The case went to the jury at 12:08 a.m. and the jurors began their deliberations.

In the final rebuttal argument, personally handled by Dist. Atty. Jim Garrison, the towering prosecutor termed the federal investigation into the assassination of John F. Kennedy a "fraud, probably the greatest in the history of mankind."

Two of Garrison's assistants, James L. Alcock and Alvin Oser, using more than 2½ hours in their summation, claimed that:

—The prosecution had proved that Shaw, 55, had conspired with Lee Harvey Oswald and the late David W. Ferrie in the summer of 1963 to assassinate President John F. Kennedy.

—The Warren Commission, which ruled Oswald was the lone assassin, was guilty of the "most monumental flop investigation in the history of the world" because "three

guns," not Oswald's alone, slew the President.

After a dinner recess, F. Irvin Dymond, Shaw's chief counsel, opened the defense's closing arguments by meeting the attack against both his client and the Warren Commission head-on.

He said:

"Clay Shaw was brought here for no other purpose than to create a forum for this attack on the Warren Commission . . . If the state is accusing our government of bringing a completely fraudulent investigation, let it come forward and say so."

Dymond added:

"As an American citizen I cannot and will not accept the idea that the Warren Commission was guilty of one giant fraud, and that our government is guilty of one great fraud. I cannot buy that."

Then he addressed himself to his client, contending that Perry Raymond Russo, Garrison's key witness against Shaw, was "a liar" and that defense testimony had proved it.

Garrison spoke for half an hour, making the state's final rebuttal, in a low-key presentation that emphasized the growing

strength of centralized power in Washington. Garrison said power and secrecy in Washington had subverted justice and particularly the details of the late President's assassination in Dallas.

"The investigation of President Kennedy's death was a fraud, the greatest fraud in the history of our country and probably the greatest in the history of mankind," he said.

In a hushed voice, the district attorney leaned slightly forward only a few feet from the jurors and said there are "forces in America today which are not in favor of the truth coming out about John F. Kennedy. As long as they can get away with this our country will no longer be what it should be."

Then Garrison leaned forward a few more inches and told the jurors they should "not ask what your country can do for you but what you can do for your country. You can cause justice to happen . . . show it is still a government of the people. And if you do this, nothing will

ever be more important."

Judge Edward Haggerty Jr. gave the 12-man jury its instructions after closing arguments were completed.

The prosecution's closing argument, as did Garrison's entire trial evidence, fell into two distinct areas, and at times it seemed the district attorney and his staff were trying two separate cases:

—One against Shaw the man, the actual defendant.

—The other against the Warren Commission, which Garrison has insisted botched the assassination investigation.

Alcock argued the case against Shaw for one hour and 35 minutes; Oser argued against the Warren Commission for one hour and 10 minutes.

At the end of his summation, Alcock stood before jurors and said gravely, looking at Shaw as he spoke:

"I think the state has proved beyond a reasonable doubt that the defendant is an absolute liar, unworthy of your belief, and absolutely guilty in this case." *End*