

Clay Called 'Liar' in Summation

Ret to

McCarthy PHOTO

L.H.E.
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NEW ORLEANS (UPI)—Asst. Dist. Atty. James Alcock, calling Clay L. Shaw a "liar" in his final arguments, urged a 12-member all-male jury Friday to return a "just verdict" of guilty on charges the retired New Orleans businessman plotted to kill President John F. Kennedy.

Both the state and defense presented final arguments Friday afternoon, and the case was expected to go to the jury later in the day after more than a month of testimony and argument.

Alcock, in an hour and 30 minute summation, did not even mention the hours of testimony the state presented to dispute the Warren Commission's conclusion that Lee Harvey Oswald acted alone to shoot Kennedy from the Texas School Book Depository building in Dallas Nov. 22, 1963.

But, as if anticipating the later defense summation, Alcock said he had "no apology" for the prosecution witnesses, which included Vernon Bundy, a New Orleans narcotics addict, and a New York accountant who before his involvement in the Shaw case once accused the New York police of hypnotizing him night and day.

The facts of the actual assassination had nothing directly to do with Dist. Atty. J.M. Garrison's charge that Shaw conspired in 1963 to kill Kennedy with Oswald and David W. Ferrie.

But the state had gone deeply into the Kennedy murder to try to prove Garrison's contentions the Warren Commission missed and other government officials suppressed the "real facts" that Kennedy was killed by a "crossfire" and a conspiracy.

"I do not apologize for Vernon Bundy or any other witness the state of Louisiana put on the stand," Alcock said. "You do not find bank presidents in the company of Lee Harvey Oswald or David Ferrie."

Bundy testified for the state he saw Shaw and Oswald meet on a New Orleans waterfront

before the assassination and saw Shaw hand Oswald what appeared to be money. Bundy said he was at the waterfront to take narcotics and had been a narcotics user for some time.

Shaw, the 55-year-old retired director of the New Orleans International Trade Mart, smoked cigarettes and looked past Alcock to the jury. When Alcock turned to point an accusing finger at him, Shaw looked him straight in the eye.

"I think the state has proven its case beyond a reasonable doubt and that this man is a liar," Alcock said. "I will ask the jury after due deliberations to return a just verdict and that verdict will be guilty."

Alcock reviewed the testimony of the state's principal witnesses and insisted that all their testimonies were believable.

Alcock said at the time of the assassination, Shaw was on the West Coast, Ferrie in Houston and Oswald took a gun with him to the depository in Dallas. He did not say that Oswald shot Kennedy.

The state began the 33rd day of the trial with a final attempt to convince the jury the Warren Commission botched its investigation of the assassination.

The Warren Commission, which had available 21,000 FBI and Secret Service interviews and the direct testimony of 381 witnesses, concluded that Oswald assassinated Kennedy Nov.

22, 1963, in Dallas and there was no credible evidence of a conspiracy.

The state put three final rebuttal witnesses on the stand Friday. They were:

—Peter Schuster, the Orleans Parish coroner's photographer, testified he had enlarged part of a photograph taken in Dallas' Dealey Plaza and was convinced he could see a man in the grassy knoll area.

—Dr. John M. Nichols, a Kansas pathology professor, said he calculated Kennedy would have had to be shot at a 23 degree left to right angle for the bullet to go through his neck without hitting bones. Government experts said they lacked the evidence to calculate such an angle.

—Elizabeth McCarthy, a Boston handwriting expert, testified it is "highly probable" that Shaw wrote "Clay Bertrand" Dec. 14, 1966, in a guest register at New Orleans International Airport.

The state contends Shaw conspired under the name of "Clem" or "Clay Bertrand." Shaw denies he ever used such an alias or that he even knew Oswald or Ferrie.

Shaw listened to the state's final rebuttal witnesses with a bored look on his face, chain smoking cigarettes.

Schuster said he studied a blow-up of a photograph taken moments after the assassination for "50 or 60 hours" and detected in the upper right hand corner what he took to be the

figure of a man. He said he greatly enlarged that section of the photograph.

"You can see his hand, his eyes, his nose, his whole face as far as I am concerned," Schuster said.

Chief Defense Atty. F. Irvin Dymond objected to Schuster's testimony but after looking at the enlargements, Dymond joined a state request they be shown to the jury.

Nichols, associate professor of pathology at the University of Kansas medical school, had testified earlier as a regular prosecution witness that he doubted that the same bullet that went through Kennedy also wounded former Texas Gov. John Connally.

Returning to the stand for rebuttal testimony Friday, he said he had made further studies that showed Connally would have had to be sitting 18 inches to the left of Kennedy to have been wounded with the same bullet. Nichols said a film of the assassination showed Connally to be sitting directly in front of Kennedy.

Under cross examination, Nichols admitted he had not seen photographs or X-rays taken at the autopsy and the Secret Service had presented him only with the measurements of the presidential limousine.