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NEW ORLEANS, SUNDAY MORNING, MARCH

Shaw Not Guilty; Spectators Yell

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—Photo by The Associated Press.
DIST. ATTY. JIM GARRISON Loses case.

Courtroom Wait Tense; Trial Foes Tired

By PAUL ATKINSON

"Worried . . . scared . . . tired . . . glad."

That was how Clay L. Shaw's chief defense counsel, F. Irvin Dymond, described his feelings early Saturday morning as he waited tensely with the rest of the world for the verdict in the trial. The verdict was a unanimous one for acquittal for Shaw.

His chief foe during 39 days of debating the guilt or innocence of Shaw, prosecutor James L. Alcock, sat slumped on a bench, talking nervously with his wife. Asked how he felt, Alcock said, "Tired."

"Do you feel confident?" he was asked. "I'm too tired to feel that way," said Alcock.

The defendant, Shaw, shuffled uneasily around the cramped and confined area, puffing untiringly on cigarette after cigarette. Once he walked over to the railing to talk with reporters.

"Nervous?" he repeated a question. "No, I'm too tired to be nervous."

Shaw chatted with relatives who came for the final moment. They were Miss Suzanne Day, Baton Rouge; Mrs. Tulip Atkins, Hammond; and Mrs. Jack Cristina, also from Baton Rouge. Criminal Deputy Sheriff Sal Brocato said Shaw specifically asked that the three women be seated near the front because he said he needed all the support he could get.

CHARGE FINISHED

Justice, At Long Last

(An Editorial)

Acquittal early Saturday of Clay Shaw of a charge that he conspired to kill President John F. Kennedy brought a just end to a prolonged and greatly publicized criminal prosecution.

Jim Garrison, Orleans Parish district attorney, it seems to us, prosecuted Shaw to prove that conclusions by the Warren Commission placing responsibility for the president's assassination were incorrect.

The Warren Commission, of course, held that Lee Harvey Oswald, acting alone, was responsible for the killing of President Kennedy. Mr. Garrison many months ago challenged this finding and promised to prove that the assassination was the accomplishment of a conspiracy. He issued many public statements on the subject, some of them in conflict with each other.

Beyond question, in our opinion, the district attorney was entitled to question the Warren Commission's finding. His selection of the Orleans Parish criminal district court as the forum in which to vindicate his own conclusions, we believe, was improper, unjust and an unfair reflection and burden on the community which he was elected to serve.

The background of most of the witnesses placed on the stand by Mr. Garrison's staff in attempts to prove his point has been so well publicized that it is unnecessary to delve here into their records and personalities. That the district attorney brought some of them to New Orleans to testify was almost unbelievable. That they were not believed by the jury is obvious.

Since Mr. Shaw was named a defendant this newspaper has remained editorially silent. To have taken any other course might have prejudiced the case. Now that the matter is behind us, it seems appropriate for us to speak out about it. We don't think that charges ever should have been preferred against Mr. Shaw on the basis of the unreliable verbal statements and flimsy documentary evidence which were available to the district attorney. That these charges were unanimously rejected by the 12-man jury, we believe strongly, should renew and rekindle faith in the Louisiana jury system.

Criminal District Court Judge Edward A. Haggerty finished the charge to the jury at 12:01 a. m., as the courtroom clock showed. It was then March 1—two years to the day since Jim Garrison charged Shaw with conspiring to assassinate President John F. Kennedy.

Garrison came into the courtroom at 9:25 p. m. Friday and remained for three hours, until 12:25 a. m., but he finally gave up tedious waiting in the crowded courtroom and left with Mrs. Garrison. He was not present when the jury verdict was announced.

Judge Haggerty discharged the two alternate jurors as the jury left to go upstairs for the deliberation. The two alternates. John J. Beilman Jr. and Robert J. Burlet, appeared very happy, particularly when Judge Haggerty gave them the gilt-edged certificates from the New Orleans Bar Association.

The judge also promised them he was going to get them and the jurors excused from further jury duty for the rest of their lives.

It may have been an omen of things to come, for as the two alternates stepped across the courtroom area, they shook the hands of Shaw and his attorneys. They walked past the prosecution table without a gesture, possibly through an oversight.

One alternate said as he was leaving: "My mind was made up but at this point I'd rather not say in which direction."

HEBERT FOREMAN

Judge Haggerty retired to his chambers with the jury out, talking with friends and his wife, Yolande. But the judge emerged to talk with newsmen. He predicted that retired fire captain Sidney Hebert would be elected foreman of the jury; and sure enough, Hebert was the one who signed the historic verdict as foreman.

The judge said that a woman

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suffered a weak spell and had to be escorted from the courtroom.

People stood around in little knots talking about what was to come. A quick sampling of newsmen found that most thought Shaw would be found guilty. "I dont believe he is guilty," said one, "but I fear the jury will find him guilty."

Criminal Sheriff Louis A. Heyd and his chief assistant, Warden A. J. Falkenstein, joined the congregation of people about 12:30 a. m. The sheriff said extra security precautions were being set up, no matter what the outcome.

"We are not taking any chances," he said. "We don't know what might happen. Right now I think we can account for just about everybody here in court, but we still don't want to take any chances."

Sheriff Heyd summoned four additional deputies to join the four already assigned as security guards for the defendant.

SHAW HUMS

Minutes ticked on . . . and on . . . and on. Shaw was now humming, but close listening determined it was no particular song—just a nervous humming.

Just before 1 a. m., the courtroom's constant clatter halted abruply. Word was swiftly passed outside the courtroom to many who were milling around that the jury was ready to return. There was a quick move to the courtroom to claim seats.

"Quiet down," bellowed Brocato. "Be seated, everybody."

The jurors came filing back at 1:02 a. m., and spectators looked intently at them to see if there was any tipoff to their verdict. Instead, the spectators found only solemn countenances as the 12 men filed into the jury box.

Judge Haggerty was then on the bench; and he looked at the 12 jurors, all showing strain and fatigue, and asked them, "Gentlemen of the jury, have you reached a verdict?"

Juror Hebert answered, "We have, your honor."

Minute clerk George Sullivan was handed a long sheet of paper containing the most important words in the life of Clay L. Shaw. Shaw seemed haggard and tense as the verdict was handed to Judge Haggerty, who examined it and returned it to Sullivan for reading.

Sullivan stood up. Reporters were poised. Shaw's head picked up.

Judge Haggerty asked Sullivan to read it. "We the jury find the defendant Clay L. Shaw not guilty," read Sullivan.

SHRIEKS HEARD

Pandemonium broke loose. Loud shrieks were heard from both supporters of Shaw and Garrison. "I can't believe it?" exclaimed one pretty young lady.

Some people began weeping. Others jumped from their seats to shout. Yet others, including newsmen, sat stunned in disbelief at the verdict.

Shaw stood, a huge smile wreathing his face. He looked toward the jury and smiled heartily.

One reporter, stationed about six feet from Shaw, asked him how he felt. Words seemed frozen in the throat of Shaw, tall, white-haired, 55 years old. Finally, he blurted out:

"Great, Jack. Simply great!"

All the while, court bailiffs were trying to bring the court to order. After about two or three minutes, order was restored.

Judge Haggerty thanked the jury members for taking "on the onerous duty and burden" and "for your good citizenship." He told them they will not have to serve on juries any more, and he gave each one a gilt-edged certificate from the New Orleans Bar Assn.

Then Judge Haggerty dismissed the jury, which was first assembled Jan. 21. Some jury members were locked away from their families more than six weeks.

SHAW SHAKES HANDS

One by one, jurors stepped down. Suddenly, the huge, hulking figure of Shaw, who now appeared to be a new man with a smile as wide as the Pacific Ocean, was there shaking the hands of the jurors in a spontaneous gesture of appreciation.

Only one or two did not shake his hand. It may have been because they were moving by so swiftly. They were anxious to leave.

Shaw reminded many of a politician standing in a reception line, gingerly, happily, joyously shaking hands of constit-

uents.

But there were losers, and losers are never happy. Chief prosecutor Alcock sat slumped in his chair, shaking his head wearily from side to side. Judge Haggerty asked him if he wanted the jurors polled. Earlier Judge Haggerty cautioned newsmen that there might be a mistake in balloting upstairs. But Alcock shook his head that he did not, while mumbling something inaudible.

Garrison departed long before the verdict was read. He told a newsman: "It certainly has been an interesting case, hasn't it? No matter how this thing ends, I will not hold a press conference. I'm tired of being called flamboyant. Everybody knows I am not flamboyant."

Mark Lane, author of "Rush to Judgment" on which some of the Garrison case was built, was absolutely glum as he left the courtroom.

Garrison's top assistant district attorney, Alvin V. Oser, who handled the state's summation of events at Dealey Plaza in Dallas, Tex., was also despondent. He hardly said a word and left with Mrs. Oser.

Only one juror, David I. Powe, could be contacted about what went on in the upstairs room. "Garrison has a right to his opinion about the government and the Warren Commission," said Powe, "but I just don't feel his opinion is enough to convict a man."

Powe said the verdict was unanimous and reached on the first ballot.

"We were trying Shaw, not the Warren Commission," said 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 . . ."

SHAW TAKEN HOME

Shaw was whisked out of the courtroom and taken home by two Criminal Sheriff's deputies. Shaw sat solemnly on the backseat of the deputies' car as the siren wailed to clear reporters from the Parish Prison door.

It was quite a change for Shaw. Had he been convicted, he would have spent the night in Parish Prison. But with the verdict of 12 men, he got a free ride home.

Miss Day, a cousin to Shaw, told reporters outside the courts building that Shaw's mother said of her son and the trial: "My God, it's got to be a mistake!"

Twelve jurors thought it was.

As they were leaving the courtroom, both Mrs. Dymond and Mrs. Edward F. Wegmann were stunned at the verdict. "I was convinced that the jury was coming back with a not guilty verdict," said Mrs. Wegmann, "but five minutes before they returned people talked me into thinking otherwise."

Mrs. Dymond was absolutely ecstatic. "I didn't know happiness could feel this good," she said.