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at

Prosecution Witness, Shaw, Others Leave Building



CHARLES I. SPIESEL (foreground), prosecution witness; Clay Shaw (white hair, left) and others including jurors and court attaches leave the building at 906 Esplanade ave. Saturday. Judge Edward A. Haggerty ordered the inspection of buildings at the corner of Esplanade and Dauphine

—Photo by The Times-Picayune.
after Spiesel testified he attended a party in one of the structures where Clay Shaw was present. Spiesel testified that Shaw and others plotted the assassination of President Kennedy there.

JURY TREKS TO QUARTER

But Witness Is Uncertain Buildings Visited Are Relevant to Case

The Clay L. Shaw trial jury was dramatically transported Saturday morning to the French Quarter in search of a building that a state witness contends was the site of a party hosted by Shaw in 1963.

But the witness, after returning to the courtroom, testified he was uncertain if he had found the building where the alleged party was staged.

The trial was adjourned until 9 a. m. Monday when another state witness, Perry Raymond Russo, is expected to be the first witness.

Charles I. Spiesel, 50, accountant from New York, took the jury into two buildings at the corner of Dauphine st. and Esplanade ave., under personal direction of Criminal District Court Judge Edward A. Haggerty.

When the trial resumed at 2:30 p. m., Spiesel testified: "I would say the second building we entered is similar, if not the building."

But he added that the apartment he inspected did not have a kitchen-dining room like the one in which he had alleged the party occurred. He said, however, that the building, at 906 Esplanade, did have the same "little vestibule with a glass door."

"We pushed a button to get in and walked up the same type of stairway," he said.

Spiesel said that when he left the 1963 party he turned right, walked a short distance on Esplanade, and "found my way back to Lafitte's just before they closed."

He testified Friday that he met David Ferrie in Lafitte's Blacksmith Shop and went with him to the alleged party.

Before court adjourned Saturday, Spiesel was excused as a witness and was told he could return to New York.

Judge Haggerty said he was calling the adjournment to allow the prosecution to research the past history and ownership of the apartment building at 906 Esplanade.

Judge Haggerty had adjourned the court at 10:30 a. m. and the

whole group — jury, attorneys, Shaw, bailiffs, press and spectators—went to the area where Spiesel testified Friday afternoon that he sat in on a party in which the assassination of the late President John F. Kennedy was discussed.

Spiesel, as the jury, Haggerty and attorneys followed, first led the group into a bricked-over building at 1323 Dauphine st. The press and spectators were kept back from the building by police and court attaches.

Shaw's residence is at 1315 Dauphine.

Judge Haggerty instructed Spiesel before going into the first apartment building, "Lead us wherever you wish, but don't say anything. We will put you on the witness stand later."

The group stayed in the build-
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ing no longer than five minutes. Spiesel, tight-lipped, came down the stairs of the two and one-half story building and led the jury around the corner to 906 Esplanade, the Esplanade Apartments, as press and spectators ran to get good positions. A traffic jam that had existed since about 10:45 a. m. grew worse.

The group stayed in the building longer this time, timed at 13 minutes. Again the press was excluded from listening to what went on inside the building.

The building, a four-story one, has a front of pinkish stucco and a brown entranceway. It has two ornate balconies.

When the jury, Spiesel, Shaw and his attorneys and the prosecution came down the stairs just before noon, Judge Haggerty again instructed Spiesel not to say anything, that he would be questioned on the witness stand. He adjourned court until 2 p. m. at which time he said Spiesel would go back on the stand.

Judge Haggerty told the bailiffs to take the jury to lunch.

Shaw is being tried for allegedly conspiring to kill President John F. Kennedy.

Spiesel arrived in an automobile driven by Judge Haggerty; but as the scene broke with everyone searching for rides, Spiesel was offered a ride by Chief Prosecutor James L. Alcock. Shaw drove off with his attorneys.

In his testimony Friday, Spiesel said he did not know the address of the apartment where the alleged party took place, but he did draw a diagram of the interior of some rooms and he described the furnishings.

According to Spiesel's testimony, he met David Ferrie and Ferrie asked him to go to the party. During the party, said Spiesel, conversation turned to President Kennedy and someone said he ought to be killed.

Spiesel said he became alarmed at the tone of the conversation, but Shaw was "amused" by it.

It appeared that the defense would pass up the visit to the French Quarter. In fact, both

sides had actually excused Spiesel when Chief Defense Counsel F. Irvin Dymond told Judge Haggerty he wanted Spiesel to point out the building in which the alleged party took place.

State Strenuously Objects to Journey

"I most strenuously object," said Alcock. He said it was impossible and improbable that Spiesel could remember the place.

"This man has gone into detailed description of the interior and exterior of the building," said Dymond. "He has told us it was a brownstone apartment building."

Spiesel was already past the defense table and nearly to the gates that separate the court area and the spectators' seats. He stood waiting for a decision.

Judge Haggerty was at first reluctant. "I can see where if this were a murder case the scene would be important," said Judge Haggerty. The judge told Dymond, "It appears your offer is in line with the credibility of the witness."

Dymond pleaded, "Your honor, it is vitally important to our case whether he can find this building and if he does, whether the apartment is there."

Moments later, though, Alcock agreed.

Judge Haggerty said, "We will have to get a New Orleans Public Service bus to take the jury. And we'll have to find out who owns the building and get keys to go inside."

Dymond quipped, "Let's see if we can find it first."

With that, there was a mad dash as the courtroom gallery sought transportation to the Vieux Carre to begin the search.

Earlier, Dymond got testimony from Spiesel on his earlier activities in New Orleans.

Spiesel admitted he attempted to take depositions on suits against the New Orleans Police Department in October-November 1965. But he said the police department didn't show.

"At the time I was being followed around," said Spiesel, "I was alone. I wanted to find out if the police department or the district attorney's office was involved. But it was pretty well determined it was people from

New York. I was puzzled who from New Orleans would be following me, since I knew no one here."

Dymond asked Spiesel if he ever thought that Aaron M. Kohn, managing director of the Metropolitan Crime Commission of New Orleans, might be involved. He said he thought that Kohn was, but that Kohn asked him if he would take a letter from him (Kohn) to the effect that they (the MCC) were not involved. "I say okay," explained Spiesel.

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"Has anyone hypnotized you on this trip to New Orleans?" asked Dymond.

"I'm afraid I would have to say no," answered Spiesel.

Dymond turned over the questioning to the state once more. Alcock sought to bring out Spiesel's past record.

Spiesel related he began as an aviation cadet in World War II, served as a navigator on C-87 transport planes and received an honorable discharge.

His tax business, said Spiesel, rose from 200 to 300 customers to over 2,000 customers in six or seven years. He also said he worked for a New York tax firm from 1954 to 1956, and in that employ was able to set up three separate corporations for an automobile manufacturer.

"Have you ever been convicted of anything in your life?" asked Alcock.

"I have not," said Spiesel.

Dymond again questioned Spiesel. "Is it not a fact that 15 suits were filed against you for bad tax returns?" asked Dymond.

"Yes," answered Spiesel. "But they were part of the conspiracy against me."

"When you conferred with the district attorney's office about testifying in this case, did you tell the DA's office about these lawsuits and your having been under hypnosis?" quizzed Dymond.

"Yes, I mentioned it," answered Spiesel.

"Does your employer know you were coming here?" asked Dymond.

Spiesel replied that he did.

It was at this point that Dymond said he was finished with Spiesel and Alcock said the

same. But before Spiesel got to the swinging gates, Dymond backtracked and asked for the trip to the French Quarter.

During the morning session, Spiesel was on the witness stand for about 80 minutes.

Dymond began his questioning of Spiesel by asking him if he had talked to anyone about the testimony since leaving the court Friday afternoon.

Attorney Asks Names of Persons Contacted

"Only to say I testified here in court," he replied. Dymond pressed Spiesel for the names of persons he talked to, but the witness said they were only casual acquaintances. He said he made mention that he testified to some people at Lucky Pierre's, but didn't know their names and that he also called a person from the Fontainebleau Motor Hotel to let him know that "I was in town and that I had testified."

Dymond then presented Spiesel a copy of a \$16 million suit he has filed in New York City against a group of people including a psychiatrist.

Spiesel, who has a habit of pushing back the hair on the right side of his head and frequently tapping the arm of the witness chair with the palm of his hand, said it was the complaint which he had written.

Dymond then said that he was going to read certain portions of the complaint and ask Spiesel to explain them.

Alcock objected, maintaining that the document speaks for itself, and asked the court to rule on the objection. Dymond countered that the allegations do not speak for themselves.

Judge Haggerty commented on the legal technicality of the point; but Alcock, pressing for a ruling, charged "There's no purpose in this."

Dymond then said he was filing the suit as evidence.

He then read the suit to the jury which asserts that during the period from Jan. 1, 1948, to July 15, 1964, the defendants in the suit "used a new police technique to torture and conspire with various others to torture the plaintiff mentally."

He alleged that the incidents occurred in New York, New Jersey, Washington, D. C., New Orleans and other places.

The suit also charged the de-

fendants used disguises, attempting to appear as relatives of his or friends of relatives, that they were responsible for tapping his telephone and that during the period from Aug. 1, 1962, to July 1964 they hypnotized him in those states mentioned earlier.

Psychological Terror Is Claimed in Suit

It claims their actions prevented the plaintiff from having normal sex relations, caused psychological terror, caused him to make errors in his work due to hypnotic control which he says he was under.

Dymond continued reading and the jury listened intently.

The suit further alleged that the defendants "prevented and conspired to prevent the plaintiff from making various business deals," and in May 1963 conspired to force him to give up his tax return and accounting business.

Under cross-examination Friday, Spiesel said the reason he gave up his business and came

to New Orleans in June 1963 was because business was falling off. It was shortly after he came here that he alleges Ferrie took him to a French Quarter party and introduced him to Shaw.

The suit claims the defendants "surrounded the plaintiff with competition in the tax return business" and this and other action "created chaos in the plaintiff's business." He said "plants" in his office "acted intoxicated and annoyed and frightened" his customers."

It also alleges that one of the "plants" was an employe in the building where his business was located and this "outside plant" was located near the master light switch which he utilized to disrupt the normal operation of his business.

The suit also alleges "psychological warfare," and maintains that all the trouble began after Spiesel's father "did undercover work for the Federal Bureau of Investigation."

After reading the suit, Dymond attempted to ask Spiesel who a doctor was who is named as a defendant in the suit.

Alcock objected, stating Dy-

mond had gone over this point with Spiesel Friday; and Judge Haggerty told the defense attorney, "There's a limit to what your cross-examination can cover."

Defendant Identified as Spiesel Competitor

Dymond then asked who was George Zahn, another defendant. The witness said he was "one of the competitors, and also an employe of the Pinkerton Detective Agency."

"Was he an accountant, too?" asked Dymond.

"I do know he was in the tax business," said Spiesel, "I don't know if he was an accountant."

He claimed he had also seen this man in a Pinkerton captain's uniform on one occasion.

"Who is Leonard Cohen?" asked Dymond.

"He was an employe of the City of New York sales tax department, and at the same time operated in competition with me in the tax business," answered Spiesel.

Judge Haggerty then asked Dymond, "Why are you going into this?"

"Do you want me to tell you before the jury?" asked Dymond, in reply, to which the judge answered "No."

Dymond then asked about others, including one defendant Spiesel said "used hypnosis on me."

Spiesel said the man "did it without my consent," and Dymond asked the witness how he knew the man used hypnosis.

He said the man named admitted to "a witness and to me personally," adding the person "attempted to (hypnotize him) and may have succeeded temporarily."

Spiesel then told Dymond that if his suit ever "goes to trial I'll be in a position to prove every allegation."

Dymond then asked Spiesel how many times he was hypnotized, and Alcock objected saying that Friday, when Spiesel was being cross-examined, the defense asked for an early adjournment because it had new material and Dymond's questions regarded a suit that Spiesel had been questioned about Friday.

The defense attorney, looking at Judge Haggerty, said, "My intent should be fairly obvious to the court."

"You may proceed," said Judge Haggerty.

Spiesel then testified that 50

or 60 people hypnotized him during the 16-year period covered in the suit.

Court Overrules Objection by State

"Were you ever hypnotized in New Orleans?"

"I believe I've been followed down by detectives."

Dymond repeated and then asked: "Do you realize you're being hypnotized?"

"I know when someone is attempting to hypnotize me."

Dymond continued to press for an answer to the question regarding whether Spiesel had been hypnotized in New Orleans.

"The point is, if I say 'yes' you'll want to know the name of the person and I can't give it to you."

"Suppose then," said Dymond, "I tell you I won't ask you for the person's name."

"From time to time someone has tried to hypnotize me," answered the witness.

Dymond asked how a person tries to hypnotize, and Spiesel replied, "They try to catch my attention, my eyes in some fashion, to get my concentration."

"Did it happen to you when you were done here in May and June, 1963?"

"I don't really know if it did happen. I've been coming down here since before that, since 1961. I'd come down twice a year, one time usually to watch LSU play Ole Miss."

Spiesel testified Friday that he made trips to New Orleans because his daughter was a student at Louisiana State University.

Dymond asked what Spiesel meant in his suit by "hypnotic illusions."

The witness said that the word "illusions" might not be the right word, but in essence he meant that certain "thoughts are planted or given to you."

"And when these are given, are you made to believe they are true and correct?"

Witness Says Suit May Not Be Tried

"Possibly yes," answered Spiesel, "but you must understand this case may or may not go to trial in federal court." He said that because his testimony in Shaw's trial would get extensive press coverage, "and because the publicity may get

the case thrown out, I don't want to go into detail unless your honor orders me to."

He then explained to Dymond that the suit was for \$16 million because that is the number of years in which he alleges the harassment has taken place. He said he was aware that the statute of limitations has expired for some of the earlier years, but he, nevertheless, brought suit for \$1 million for each of the years involved.

A recess was called shortly after Dymond announced his intent to enter into evidence a judge's order in another suit which Spiesel filed.

After the trial resumed, the case moved from the courtroom to the street where the search began for the mystery apartment where Spiesel claims he heard 11 men, including Shaw and Ferrie, discussing the possibility of killing President Kennedy.

Criticism of Panel Denied by Haggerty

Criminal District Court Judge Edward A. Haggerty Saturday issued a statement, denying that he was critical of the three-man panel which handled the preliminary hearing in the Clay L. Shaw trial.

Judge Haggerty, hearing the

Shaw trial, said both The Times-Picayune in its Saturday morning editions and the afternoon Red Comet edition of The New Orleans States-Item misinterpreted his remarks.

Following is the full text of Judge Haggerty's statement:

"I read in this morning's edition of The Times-Picayune newspaper and also in the afternoon Red Comet edition of the New Orleans States-Item where in it was stated that I was critical of the three-judge panel who heard the preliminary hearing in this case.

"With respect to the issue this morning and this afternoon, this is another obvious case of the reporter not knowing criminal law or the legal situation that existed before me at the time of my ruling.

"Mr. (F. Irving) Dymond (Shaw's attorney) had a transcript of the preliminary hearing which, among other things, had questions put to (Vernon W.) Bundy, not objected to by the State, which tended to incrimi-

nate him by having him admit that he stole, which means that he committed a crime, in order to supply his drug habit.

"It is true there was no objection in the transcript at the time that Mr. Bundy made this statement. However, Mr. (James L.) Alcock (chief prosecutor) stated in his argument that whether or not, there was an objection at the hearing or not, that an individual citizen's rights to the guarantees of the federal constitution and state constitution that he should not ever lose his basic right of self-incrimination would stand or fall on its own feet during this case irrespective of what occurred in the three-judge court.

"Mr. Dymond countered by stating that he should be permitted to prove prior contradictory statements made by the witness Bundy in the preliminary hearing as compared to what his answers might be today on this trial.

"Such is legally possible and Mr. Dymond was told he certainly could do that and on the other hand I also stated that Mr. Alcock was correct so that is what caused me to explain to Mr. Bundy that even though it did not occur in the three-judge panel court where he was advised of his rights, by the Judge, it was because no objection was made, or anyone intervened at that particular moment.

"It was a question of both Mr. Alcock and Mr. Dymond being right in their firm beliefs of (1) Mr. Bundy being advised not to incriminate himself, and (2) Mr. Dymond's position that he be permitted to attack the credibility of the witness by proving that he made prior contradictory statements.

"In this instance, both counsel were correct in their legal appreciation of the situation.

"The statement I made was that this matter did not come up before the three-judge panel and that the testimony of the three-judge court could not go in as an exhibit in toto cause there may be different objections raised now that were not raised at that time.

"In no way was I critical of the three-judge court because the legal situation which existed before me did not present itself to the three-judge court com-

posed of Judge (Bernard J.) Bagert, Judge (Malcolm V.) O'Hara and Judge (Matthew S.) Braniff.

"The press, apparently not understanding criminal law, used the term critical or criticizing in lieu of stating that it was a different legal situation which

did not arise in the three-judge panel court.

"In no way was I critical nor did I state any criticism of the three-judge court when I ruled on the matter yesterday when Mr. Bundy was on the stand.

"I trust those responsible will make the necessary retraction in this matter."

Judge Instructs Witness Before Inspecting Building



CHARLES I. SPIESEL (with hat, right, center) receives instructions from Judge Edward A. Haggerty (hatless, right) before principals in the Clay Shaw trial, including Shaw (gray hair, left), entered one of two buildings at the corner

of Esplanade ave. and Dauphine Saturday. Haggerty told Spiesel: "Lead us wherever you wish, but don't say anything. We will put you on the witness stand later." The entrance to the building is at upper left.

—Photo by The Times-Picayune.

Shaw Trial's Entourage Draws Quarterite Gawks

Traffic Jams Up While 100 Trail Witness

By PAUL ATKINSON

The attractive redheaded girl leaned out the window Saturday morning to get a better look and then scribbled something on her note pad.

Downstairs at her door, 1323 Dauphine, the Clay L. Shaw trial jury, Judge Edward A. Haggerty, Shaw, his attorneys, state witness Charles I. Spiesel, prosecution attorneys and at least 100 newsmen stood.

Judge Haggerty, out of his robes and dressed dapperly in a red sports coat, instructed Spiesel, "Now, Mr. Spiesel, lead us wherever you wish. I'm going to have you testify later; don't say anything to anyone."

Spiesel, who testified Friday afternoon that he had attended a party in 1963 hosted by Shaw at an apartment house somewhere in the vicinity of Dauphine st. and Esplanade ave., listened intently to Judge Haggerty. He turned and led the way up into the house, but only officials of the trial and jury were permitted inside the house.

The girl scribbled with more frenzy.

PRESS WAITS

Outside the press waited. So did the cars caught in the traffic jam that had grown on Esplanade since 10:45 a.m., when most of the press had secured transportation and arrived at the corner of Dauphine and Esplanade.

The scene was bizarre. A foreign newsman quipped, "This could only happen in New Orleans."

A cute girl walked by, a huge dog straining at its leash. "Is that a wolfhound?" asked one photographer with disbelief.

The girl smiled. "Yes, it is," she said.

The entourage was in the house less than five minutes. Spiesel, still unmoving in expression, and Judge Haggerty led the way out of the house.

Shaw's ever-present cigarette swirled smoke in the spring-like air.

TURN TOWARD LAKE

Spiesel went up Dauphine a little distance, and turned on Esplanade toward the lake. He stopped at 906 Esplanade, the Esplanade Apartments.

During the early part of the long wait for the jury to arrive at the corner, a young girl in a white blouse and flowing pants had walked silently on the second floor balcony at 906 Esplanade and looked as if she were put out that the horde of people had descended in front of her abode.

The official party disappeared inside the four-story building, painted a pinkish color with brown columns at the entranceway.

The crowd spilled over into Esplanade ave. and river-bound traffic sat on their horns. In spite of this, the traditional horse-drawn surrey came clip-pety-clopping past the apartment house and the stunned couple in the surrey looked in amazement at the scene. Buses on Esplanade edged cautiously into Dauphine.

Now the wait was longer. Someone remarked, "They've got four flights of apartments in this building; there were only two and one-half in the other one."

The jury, Spiesel, Judge Hag-

gerty and the others in the party emerged after 13 minutes.

FACE WATCH URGED

A spectator said, "Watch the attorneys' faces to see if they found anything."

As they came down the stairs, Chief Defense Counsel F. Irvin Dymond was smiling. So was Chief Prosecutor James L. Alcock, who even gave a bystander a wink.

Judge Haggerty dismissed the jury for lunch, and said he would resume testimony at 2 p.m. It was then just at noon.

With the announcement by

Judge Haggerty that he was going to allow the trip to the Quarter, reporters hurried from the courtroom to arrange transportation. Many were from out of town and needed rides. Some hailed taxis, others doubled up with local newsmen.

The press was there far ahead of the jury. Judge Haggerty said it was necessary to get a New Orleans Public Service Inc. bus because the Criminal Sheriff's bus was being used for other purposes.

Shaw and his attorneys were the first to arrive from the official court group about 11 a. m. Newsmen descended on Shaw as he got out of the car on Dauphine and he was photographed frequently.

He walked briskly around the corner in front of 906 and 908 Esplanade, still trailed by the newsmen. One out-of-town newsman quipped, "This looks like a Harry Truman walk."

SHIFT TO

NEUTRAL GROUND

Shaw and his attorneys, Dymond, Edward and William Wegmann and Salvaodre Panzica, stood talking in front of the Esplanade address. Suddenly, Shaw said, "Let's go stand on the neutral ground and not in front of these buildings."

The newsmen followed as the Shaw party went over to the neutral ground.

At nearly the same moment, Alcock and assistant district attorney Andrew Sciambra drove up. They also were followed closely by newsmen.

That area of the Quarter is frequented by hippies. Many stood across the street looking at the curious, circus-like spectacle, but after a few minutes they disappeared.

Now Alcock and his little cortege had also crossed to the neutral ground.

There they stood, the prosecution at the corner and the defense and Shaw maybe 10 yards or so away toward the lake.

Cars drove by, and occupants pointed toward Shaw's towering figure. Bus occupants also peered out the window at the scene.

A woman who happened to be in the Quarter at the time was ecstatic over the excitement. "It's a good day to be in the Quarter," she said.

At 11:30 a. m., the NOPSIS

bus — not one of the new air-conditioned models, but the old red and yellow model— was heralded by a police siren. It wheeled up to the corner of Dauphine and Esplanade and after a brief wait, the jury embarked to the street.