

How Beckwith Was Cleared in Bomb Case

By ROY REED

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NEW ORLEANS, Jan. 20—Byron De La Beckwith's ideal Christian republic would have no Jews, Orientals or Negroes and would place very little trust in Roman Catholics.

Imagine his consternation, then, when he found himself in this polyglot city, 300 miles from his home in the Mississippi Delta, being arraigned by two Federal magistrates—the first a Negro and the second an Oriental—defended by a court-appointed lawyer who was a Roman Catholic, and tried before a jury that included a black man as a regular juror and another as an alternate, on a charge of possessing a time bomb that, according to contentions by the police outside the courtroom, was being carried into the city to blow up the home of a Jew.

If ever a man was delivered into the hands of his enemies, Mr. Beckwith said to his friends, that man was he.

And yet, when his trial ended yesterday afternoon, after five days of solemn testimony and decorous argument in the staid old Federal Courthouse on Royal Street, Mr. Beckwith went free. The jury agreed unanimously that he was not guilty.

2 Similar Trials

This is the same Byron De La Beckwith (his friends in the Ku Klux Klan call him DE-lay) who went through two similar trials 10 years ago in Jackson, Miss.

He was tried then for the murder of Medgar W. Evers, the Mississippi field secretary for the National Association for the Advancement of Colored People, who was shot from ambush in the driveway of his home in Jackson on June 12, 1963. Two separate juries—all white men—heard that charge tried, and both refused to convict him. Mr. Beckwith went free after the second mistrial.

There was not much doubt in the minds of black and white civil rights advocates that he was set free in 1964 mainly because no white Mississippi jury at that time would convict a white man of killing a black civil rights leader.

That attitude changed later as the state changed and as Mississippi juries proved that they could dispense racial justice impartially.

'Caught Red-Handed'

How, then, could a New Orleans jury in 1974 fail to convict



Associated Press
Byron De La Beckwith
after verdict of not guilty.

a man of Mr. Beckwith's well-known proclivities when he was "caught red-handed," as one of the Government's lawyers put it, with seven sticks of dynamite wired to a battery and an alarm clock set to explode in four and a half hours, all sitting in a box and arm's length away from him on the floorboard of his car, with a map on the seat beside him tracing in red the route to the home of a Jewish leader?

There is little reason to be skeptical of these jurors' motives. They included a cross-section of the city's varied population. Besides the black man, three of the 12 were women. At least half appeared to be too young to remember the slaying of Medgar Evers. No New Orleans jury would be likely to have much sympathy for right-wing segregationists.

The only answer seems to be that Mr. Beckwith's Roman Catholic lawyer, appointed by the luck of a draw and inspired by nothing more ideologically compelling than professional challenge, handled the case more

effectively than the Government lawyers did.

Wayne D. Mancuso, Mr. Beckwith's attorney, used several tactics. His main aim was to try to substantiate Mr. Beckwith's contention that someone had planted the bomb in his car, either to kill him (several experts testified that the device might easily have been set off prematurely by static electricity from a two-way radio in the car) or to frame him.

Mr. Mancuso first demonstrated that a "mystery man" would have had several opportunities to hide the bomb inside Mr. Beckwith's car on the way from his home in Greenwood, Miss., to New Orleans.

He then suggested that someone had a motive for doing away with Mr. Beckwith. Mr. Mancuso said several threats had been made on his client's life. Mr. Beckwith testified that that was why he carried the loaded pistol that the police found under his shirt. The concealed pistol accounted for one of the charges against him.

Prosecution Cornered

Finally, Mr. Mancuso skillfully painted the prosecution into a corner. For some reason, the Government was reluctant to tell all it knew about the manufacture of the bomb and who else might have been involved in it. The prosecutors were also reluctant to make any but the most tentative effort to demonstrate Mr. Beckwith's alleged motive.

The price speculation was that the bomb was intended for A. I. Botnick, regional director of the Anti-Defamation League of B'nai B'rith, as the Ku Klux Klan's revenge for an incident that occurred several years ago in Meridian, Miss.

The Klan had bombed several synagogues and Jewish homes in Meridian. To stop it, Mr.

Botnick and other Jewish leaders reportedly raised a large amount of money to help the Federal Bureau of Investigation bribe some Klansmen. A police trap was set. One Klan bomber was killed in the trap and another was captured and sent to prison.

Accused of Entrapment

If the Government had insisted on proving a motive, Mr. Mancuso would have forced it to reopen the Meridian incident, which resulted in the F.B.I.'s being accused of entrapment. The prosecution tried to suggest the motive by indirection, but Mr. Mancuso forced the testimony to be stricken from the record.

And, since the Government would not reveal its informer, who might have shed persuasive light on the case, Mr. Mancuso was able to suggest that the Government might be covering up for a conspirator who was out to destroy Mr. Beckwith.

Mr. Beckwith hinted that the person responsible for getting him in trouble would be death with. He said from the witness stand that he intended to find the person, and after the verdict was announced he said in a television interview: "Well, of course, it was the result of a deep-laid plot—had to be. But as was pointed out, there are people who are in high places who know how this came about. And so, since it has turned out the way it is, well, we just have to let it go now. Those who plotted can suffer the consequences of the plot and they will, I'm sure."

Mr. Beckwith, a 53-year-old farm machinery salesman, also said he would probably run for public office in Mississippi either for Congress or Lieutenant Governor.