

Clay Shaw Innocent — Jury Is Unanimous

Garrison's JFK Plot Case Fails

NEW ORLEANS (AP) — A jury's unanimous verdict of innocent today cleared Clay L. Shaw, 55, of a charge of conspiring to assassinate President John F. Kennedy.

Read to a packed, heavily guarded Criminal District Court at 1:02 a.m., the verdict triggered a moment of bedlam. There was an earsplitting concerted shriek from the women spectators.

The 12-man jury rejected both the state case and Dist.

Atty. Jim Garrison's plea that a conviction would strike a blow at "excessive government power."

"Garrison has a right to his opinion about the government and the Warren Commission," said juror David I. Powe shortly after court adjourned. "But I just don't feel his opinion is enough to convict a man."

Shaw, a 6-foot-4 retired New Orleans businessman with tanned and craggy features, stood in a protective circle of deputies as the verdict was read.

"Do you wish the jury polled?" asked Judge Edward A. Haggerty.

Asst. Dist. Atty. James L. Alcock, who headed Garrison's team of prosecutors, slumped low in his chair. He shook his head wearily, side to side.

Powe, a juror who grew a goatee while sequestered during the 34-day trial, said the verdict was unanimous and was reached on the first ballot taken in the bleak little room behind the courtroom.

Deliberation took about 50 minutes. Under Louisiana law, it took at least a nine-three vote for a decision. Shaw was cleared two years to the day from the date he was arrested.

The state charged Shaw with conspiring with Lee Harvey Oswald and others to murder Kennedy, who was slain in Dallas Nov. 22, 1963. The Warren Commission named Oswald as the assassin.

Much of the prosecution

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case concentrated on attacking the commission's conclusion that Oswald, a former New Orleans resident, was alone and unaided in the assassination.

"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 . . ."

Garrison, up for re-election in six months, was not in the courtroom when the verdict was read. He appeared rarely during the trial, leaving the case to four assistants.

In final arguments, he left the oratory on legal detail and testimony to the assistants—but made an emotional appeal in the final minutes, attacking the Warren Commission.

"The government handling of the investigation of the assassination of President Kennedy was a fraud," he said, "probably the greatest fraud perpetrated in the history of mankind."

The Warren Commission, he said, was a group of "men of high position and prestige sitting on a board and telling you what happened but withholding the evidence . . ."

"You can cause justice to happen in this case for the first time in five years," he concluded, "and if you do that, nothing you have ever done will have been more important."

In summing up, the state said it had proved—with photographs, arithmetic and witnesses—that Kennedy came under fire from three guns, not just one as the Warren Commission said.

Defense lawyer F. Irvin Dy-



CLAY SHAW AT KENNEDY CONSPIRACY TRIAL
When the jury filed out, he shook every hand.—(AP)

mond said Shaw was "a patsy picked . . . to provide a forum for an attack on the Warren Commission."

Nothing had been proven, he said, since the state's entire case rested on the testimony of Perry Raymond Russo, and he said the defense

had shown "Perry Raymond Russo is a liar."

The state put up a parade of unfit witnesses, Dymond added. He named Russo, a New Orleans book salesman, and Charles I. Spiesel of New York, a small, balding accountant.

Russo said he attended a party in September 1963 and overheard Shaw, Oswald and David W. Ferrie, a one-time airline pilot, plotting.

Spiesel, described by Dymond as "the most obvious paranoid case I've ever seen in my life," said he met Ferrie at a bar during a visit here in 1963 and Ferrie took him to a party, introducing the host as Clay Shaw.

"What kind of a good faith prosecution, what kind of a legitimate prosecution would get up here and try to con you gentlemen into accepting the testimony of a man like that?" he said.

Dymond examined the state's case step by step, applying what he called plain logic. "It just doesn't add up," he said.

After the verdict was read, confusion and noise erupted from the spectators and it took a few moments to restore order.

Some members of the crowd screamed, "No! No!"

Haggerty held the court in session until the jurors got out.

Shaw stood, smiling broadly and shook each juror's hand as they filed past.

Shaw was hustled out the back door of the courtroom and left the squat granite building in a car, with a line of deputies pushing newsmen and spectators away from the garage exit.

Garrison had left earlier.

"It certainly has been an interesting case, hasn't it?" he said. "No matter how this thing ends, I will not hold a news conference. I'm tired of being called flamboyant. Everybody knows I am not flamboyant."