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Jury, Acquitting Shaw, Deals Blow to Garrison 'Plot' Theory

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NEW ORLEANS, March 1—

A New Orleans jury, which acquitted Clay L. Shaw early today, also discarded District Attorney Jim Garrison's theory that there was a conspiracy in the murder of President Kennedy.

Mr. Garrison, contending he could show that the Warren commission was wrong in its conclusion that Lee Harvey Oswald was a lone assassin, had said that if the Federal Government ever allowed him to bring Mr. Shaw to trial he would prove that the assassination was carried out by the Central Intelligence Agency and others to benefit the "paramilitary right."

For almost 40 days, Mr. Garrison brought forth his evidence.

Mr. Garrison summoned to the small courtroom in the 40-year-old Criminal Courts building on Tulane Avenue a steady stream of the dissidents to the Warren commission report—those who contended that a fatal shot was fired from in front of the Presidential limousine on Nov. 22, 1963, and not from the Texas School Book Depository and those who contended they had seen the assassins jump into a station wagon and speed away while Dallas policemen stood by and watched.

A motion picture showing President Kennedy being shot in the head and the President's being thrown backward into the rear seat of the automobile was shown 11 times.

So much of Mr. Garrison's evidence was centered on the assassination itself, that for four or five days, Mr. Shaw's name was not mentioned.

Decision at 1:02 A.M.

At 1:02 A.M. today in New Orleans, the all-male jury—a cross-section of middle- and lower-middle class residents of the area—took 50 minutes to reject it all. In Louisiana, only nine members of the 12 on the jury must agree to reach a verdict. This jury was unanimous in its conclusion that Mr. Shaw was not guilty. One juror said there was little discussion and only one ballot.

Late today, District Attorney Garrison still had not made his feelings on the jury's action known. He had said beforehand that he would not comment.

During the presentation of

his case for conspiracy, Mr. Garrison and his staff were surrounded by many of the students of the assassination who had been attacking the Warren commission for the last five years.

On hand for all or part of the trial were Mark Lane, the New York lawyer whose book, "Rush To Judgment", apparently was Mr. Garrison's blueprint, Harold Weisberg of Hagerstown, Md., who has published five books attacking the Warren commission: Penn Jones Jr., a weekly newspaper editor from Midlothian, Tex., who had compiled a list of "mysterious" deaths of persons connected in some way with the assassination or its investigation, and Dr. John M. Nichols, a University of Kansas pathologist, who is suing the Federal Government to see the X-rays and photographs made of Mr. Kennedy's body during the autopsy.

They sat inside the rail of the courtroom close to the prosecution counsel table, and not far from the bench of Judge Edward A. Haggerty, who seemed inclined to allow Mr. Garrison to introduce into evidence everything brought into court.

In his rumming up for the jury last night, Mr. Shaw's chief counsel, F. Iryin Dymond, said that most of the doubt cast on the Warren commission had come from "a bunch of vultures" seeking either fame or fortune.

Motion of Defense Lawyer

Mr. Dymond said that while he himself had a firm opinion that the Warren commission was composed of honorable men who had done a service for the nation, he could not say that the investigation was perfect.

But, he said, there could be no such conspiracy of secrecy as that pictured in the sweeping statements made in the last two years by Mr. Garrison.

Mr. Dymond, one of New Orleans' top criminal lawyers, said that he could not understand how anyone could believe that the Secret Service, the Federal Bureau of Investigation, the Justice Department, the Dallas Police Department, the staff doctors of Parkland Hospital in Dallas, and the Bethesda Naval Hospital near Washington were acting in concert to keep the truth from the people of the United States.

In the more than five years since the assassination in Dal-

las, someone would have come forward with evidence of such a conspiracy, he said.

Mr. Drymond accused Mr. Garrison of bringing Mr. Shaw to trial, knowing there was "not a shred of evidence" against Mr. Shaw, just to have a forum in which to attack the Warren commission.

The District Attorney, who had appeared at the Shaw trial only at intervals, closed the case for the state with a courtroom attack on what he termed the "powerful forces" that had tried to keep him

from bringing the truth to the public.

"Massive power was brought to bear to keep justice from being brought to this courtroom," the six-foot six-inch District Attorney said. He said this power came from a group that included "admirals and generals as well as secret police."

Mr. Garrison said that he was not accusing the entire Federal Government of fraud, only what he called the group that was allowed to do as it would unchecked. He did not elaborate on these remarks.

But he said that if the jury convicted Mr. Shaw, it would prove his theory. He quoted from Tennyson, "Authority begets kings."

"This was never more true than in the murder of John F. Kennedy," he said.

In urging the jury to bring freedom back to the people of the United States, he summed up by saying:

"If the Government can murder truth, it can murder freedom, and if it can murder freedom, it can murder your sons."