

Clay Shaw Is Free; Bizarre Tale

By JACK WARDLAW

"In the past three years, I have learned more about the inhumanity of uncontrolled government power than I cared to learn."

—Jim Garrison.

These words by our enigmatic district attorney could as well have been uttered by the man who has seemingly won final deliverance from an ordeal that has lasted since March, 1967.

Clay L. Shaw is a free man—really free—for the first time since Garrison had him arrested and charged with conspiring to kill President John F. Kennedy, unless the DA can get an unexpected reversal from a higher federal court.

A FEDERAL court yesterday wrote the final chapter to the most bizarre sequence of events put together since Lewis Carroll wrote "Alice in Wonderland."

Garrison penned the above quote in his 1970 book, "A Heritage of Stone" (Putnam), his personal account (or, more accurately, collection of thoughts) on his investigation of the Kennedy assassination.

But Shaw is the man who has lived for more than four years under the shadow of "uncontrolled government power."

Garrison, of course, was referring to his difficulties with the federal government, which he contends mustered its forces to keep the truth about the Kennedy assassination from the public.

But power is power, at whatever level it is executed. And Shaw has learned quite a bit about the meaning of power over the past few years.

Early in the evening of March 1, 1967, Garrison's men, armed with warrants, took Shaw into custody and cleaned his personal possessions out of his French Quarter apartment. Shaw, in handcuffs, was led from Garrison's office into the glare of TV camera lights and his life has never been the same since.

THERE FOLLOVED a sensational preliminary hearing

Brought to End

in which three criminal district judges bound Shaw over for trial on the conspiracy charge. Then there were long months of legal wrangling and delays, but the wheels of justice eventually creaked into action and Shaw went to trial Jan 21, 1969.

At 1:02 a.m. March 1, three years to the day after Shaw's arrest, a criminal court jury returned a verdict of "not guilty." The jury's vote was unanimous.

In "Heritage of Stone," Garrison had this to say about the trial:

"As our legal system would have it, a jury of 12 men heard the evidence and returned a verdict of not guilty. They did this because in their minds the evidence presented by the state did not prove the defendant guilty beyond a reasonable doubt of the crime of conspiracy to murder the President.

"As a district attorney I accept the verdict of the jury. But he didn't.

HOURS AFTER the verdict was in, Shaw again faced charges. This time, Garrison charged Shaw committed perjury when he took the witness stand in his own defense during the trial.

Shaw testified unequivocally that he never knew either accused presidential assassin Lee Harvey Oswald or the late David W. Ferrie, another man Garrison says was involved in the Kennedy slaying plot.

Several prosecution witnesses in the trial had testified that they had seen Shaw in the company of these individuals at various times. Hence, the perjury charge.

Despite the contention of Shaw's attorneys that the jury in effect ruled on Shaw's veracity when it brought in its "not guilty" verdict, Garrison pressed the charges and a new trial was set.

BEFORE IT could begin, U.S. District Judge Herbert W. Christenberry was ordered by a three-judge federal appeals panel to hear Shaw's contention that his rights were being violated. Judge Christenberry

held the hearing and, after another long wait, yesterday's ruling resulted.

It was during the hearing before Judge Christenberry (Jan. 26, 1971) that Garrison himself pronounced the obituary for his Kennedy probe, which began in November, 1966.

Garrison, on the witness stand himself, said his probe "has been completed. We have reached a conclusion that has made further investigation unnecessary."

He didn't say what that conclusion was.

THE PROBE was kept secret by the DA's office until Feb. 17, 1967, when The States-Item, in a copyrighted article by Jack Dempsey, David Snyder and Rosemary James, broke the story.

Garrison was suddenly the center of national and international attention. New Orleans became a mecca for newsmen and would-be authors, most of whom found the tall district attorney a subject that defied rational analysis.

Just how, everybody wondered, did Garrison believe Kennedy was killed? It was not easy to get answers out of the DA. Bit by bit the story leaked out, part of it at the preliminary hearing for Shaw, partly in various publications such as Playboy and Ramparts magazines, partly in The States-Item's continuing coverage.

But up until the trial itself in 1969, people (including newsmen close to the case) were still asking, "What's Garrison got? He must have some sort of a case or he wouldn't go to trial. Would he?"

He did, and observers of all persuasions (pro-Garrison, anti-Garrison and neutral) were there, prepared to be astounded.

Some pretty astounding things happened.

THE STATE put on a witness who testified that unknown persons were attempting to hypnotize him. They put on an admitted dope addict

who said he saw Shaw and Oswald together while he (the witness) was preparing to shoot himself full of heroin. And the state's star witness wavered under cross-examination, changing his story on several points.

But up to the end, everybody was waiting for Garrison to drop the other shoe. Surely, he had some secret weapon, some key unrevealed witness that would sew up his case.

So the most astounding thing of all was when chief prosecutor James L. Alcock looked at Judge Edward A. Haggerty Jr. and said, "Your honor, the state rests its case."

THERE WAS no shoe to drop. There was no case. Once they got the opportunity, it took the jurors only 53 minutes to say so. It usually takes a jury longer than that to decide whether they're going to use paper ballots and who's going to send out for coffee.

Garrison had always contended that the Shaw case, per se, was peripheral to his main interest, the Kennedy investigation itself. While he believed Shaw guilty of conspiracy, his real aim was to discredit the Warren Report, which said Lee Harvey Oswald acted alone in shooting Kennedy to death.

There have been many critics of the Warren Report, and some of them, notably Mark Lane, author of "Rush to Judgment" share Garrison's belief that the government has tried to suppress the facts of the case.

Much of the work of the others who have studied the case found its way into the Shaw trial testimony, which delved into the events in Dallas well as the alleged New Orleans conspiracy.

Just how much Garrison's investigation added to our knowledge about the assassination is open to question, but it certainly served to bring the matter to public attention.

SHAW, OF course, will find small comfort in this for his four years of suffering. Garrison said of his probe, "From the outset I regarded the task as unpleasant but one I had to do."

But were we better served by Garrison's theories about fragile bullets, men firing from sewers, magic telephone number codes, questioning of witnesses under hypnosis, etc.?

Maybe so. This reporter, in an independent study of the Warren Report, found its questioning of witnesses uninspired, its writing execrable, its logic suspect and some of its conclusions untenable.

Ask Clay Shaw.