

F. Oakland Tribune
6. Mon., March 27, 1972



EDWARD G. PARTIN
Granted new trial

Conviction Of Partin Set Aside

ATLANTA, Ga. (AP) — A federal judge has set aside the conviction of Louisiana Teamsters' boss Edward Grady Partin on three counts of conspiracy to violate antitrust laws and ordered a new trial on an extortion conspiracy charge.

Partin, 47, of Baton Rouge, was convicted March 2 of all four charges and his lawyers moved for a mistrial or for the judge to set aside the verdicts.

The ruling, disclosed today, was made by U.S. District Court Judge James Battin of Billings, Mont. Battin was the judge for the five-week trial, held in Georgia on a change of venue.

Partin could not be reached for comment.

His lawyer, James Neal of Nashville, Tenn., said, "We're ecstatic."

Battin said a new trial date

would be set for the extortion conspiracy charge, which alleges that Partin used strong-arm tactics to force a contractor into doing business with Baton Rouge cement producer Ted F. Dunham Jr.

Dunham was convicted last year of conspiring with Partin to gain a monopoly over the concrete business in the Louisiana capital through labor stoppages, sabotage and various other illegal means.

Partin is business agent of the Teamsters local in Baton Rouge.

His testimony helped the government convict national Teamsters boss James R. Hoffa of jury tampering in 1964. Hoffa has since been paroled.

Battin said he took his action because he felt that appeals courts were almost certain to overturn the convictions on the three conspiracy charges because he had not been able to erase from the memory of the jurors certain hearsay evidence admitted in support of a fifth charge that was thrown out during the trial.

The evidence consisted of testimony about Partin's reputation for violence.

He said the guilty verdicts convinced him that the jurors had not disregarded the disputed evidence.

Battin said that "compartmentalizing information of this sort is extremely difficult, if not impossible."

"It is the court's opinion that the jury was unable to disregard the information as directed, and either consciously or subconsciously this information affected their deliberations on counts one, two and three," he said.

"Rumor and innuendo of the defendant's bad reputation were before the jury," he said. "To ask the jury to disregard this testimony is to ask them to forget their headache after being hit on the head with a sledge hammer."