

Partin Verdicts Are Set Aside

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

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

THE RULING 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.

"It's good to know that justice in the United States can still be depended upon," Partin said.

Asked what his next step will be, he said, "When I get all the matters cleared up, then I intend to get out of the union. I'll give it up. It's a little bit

too much work for the age I'm at, and I've been at it 20-something years."

Partin added: "I still think that a labor leader has to speak for his people regardless of whose feet he has to step on, if he is fair. The theory I have is: a member can be both fair to the union and to the management he works for. He doesn't have to choose sides one way or the other."

Battin said a new trial date would be set for the extortion charge, which alleges that Partin used strongarm 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.

Battin said he took his action because he felt assured that appeals courts were almost certain to overturn the conviction of Partin on the three antitrust conspiracy charges.

THE REASON, he said, was that 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 by Battin in the course of the trial.

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

He said the guilty verdicts returned by the jury 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."

The new trial will be Partin's third on the extortion charge. His first trial, held last summer in Butte, Mont., ended in mistrial on all counts.