

KLANSMAN FREED IN LIUZZO KILLING

All-White Jury Finds Wilkins Not Guilty at 2d Trial for Death of Rights Worker

By **ROY REED**

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HAYNEVILLE, Ala., Oct. 22 — An all-white jury today found Collie Leroy Wilkins Jr., a 22-year-old Ku Klux Klansman, not guilty of the murder of Mrs. Viola Gregg Liuzzo.

The verdict came after 1 hour and 35 minutes of deliberation. Several spectators in the courtroom, which was filled with white people, burst into applause when the verdict was read.

Mr. Wilkins's first trial in May in the same courtroom ended in a mistrial. The all-white jury then deadlocked 10-2 for a conviction on manslaughter, not murder.

The jury, including six self-described white supremacists and eight present or former members of the Citizens Council, heard impassioned pleas from lawyers for both the prosecution and the defense before beginning its deliberations.

State Attorney General Richmond M. Flowers, who had relieved the local prosecutor and taken over the prosecution, told the jury in a fiery summation:

"If you do not convict this man, you might as well lock up the courthouse, open up the jail and throw away the keys. And you can take 'true verdict' and just tear it out of the book and throw it away, because it won't mean a thing."

As he shouted the words, he ripped several pages from Black's Law Dictionary — the section defining "true verdict" — and hurled them to the floor,

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causing a stir in the packed courtroom.

"I want to remind you of one thing," he added. "In 15 months, you will have another attorney general and I will be just history." A low chorus of "amen" came from the audience. Mr. Flowers, a racial moderate, is not popular in Lowndes County.

"But I want to tell you this, gentlemen," he said. "The blood of this man's sin, if you do not find him guilty, will stain the very soul of our county for an eternity."

The courtroom was hushed as the tall, red-haired lawyer sat down.

Arthur Hanes, his opponent, a former Mayor of Birmingham, used his summation to attack the credibility of two key witnesses for the state.

Mr. Haynes said that the jury could not believe Gary Thomas Rowe Jr., the 34-year-old paid informer and undercover agent for the Federal Bureau of Investigation, who testified that he had ridden in a car with Mr. Wilkins and two other members of the Klan and had seen Mrs. Liuzzo shot to death.

"Gary Thomas Rowe sells information for money," Mr. Hanes said, addressing the jury in a sharp but restrained voice. "If there is no information he makes, he fabricates information, and then he goes and peddles it."

Moton's Testimony Questioned

Mr. Hanes noted that Leroy Moton, a 20-year-old Negro who was riding with Mrs. Liuzzo the night she was killed, had testified that he had "passed out" in the car beside the body for 30 minutes.

By Mr. Hanes's calculation, that would have put Mr. Moton in the car at 8:39 P.M. that night, and that was nine minutes after two state troopers had said they arrived at the death scene. The troopers had testified that they saw no one there except the dead Mrs. Liuzzo.

Mrs. Liuzzo, 39, mother of five and wife of a Detroit Teamsters Union official, was slain on United States Highway 80 near here after the Selma-to-Montgomery Freedom March.

Mr. Wilkins, an automobile mechanic, was charged with first-degree murder, along with two other Klansmen, Eugene Thomas, 42, and William Orville Eaton, 41. All three are from the Birmingham area. Mr. Thomas and Mr. Eaton have not yet been tried.

Murphy Exploited Prejudice

The defense lawyer in Mr. Wilkins's first trial was Matt H. Murphy Jr., the Imperial Klonsel of the United Klans of America, Inc., Knights of the Ku Klux Klan. He was killed in an automobile accident Aug. 20.

Mr. Murphy played heavily on racial prejudice in arguing the case. Mr. Hanes's style was much different. He made limited use of racist sentiment, but searched for chinks in the state's case and tried to exploit them.

Two main witnesses were used to cast doubt on the time schedule laid out in Mr. Rowe's account. The state's star witness testified yesterday that the murder had been committed and the carload of Klansmen had arrived at the Veterans of Foreign Wars club in Bessemer by 9:15 or 9:30 P.M.

Mr. Hanes's witnesses said they had seen Mr. Wilkins and his companions in the V.F.W. club at times ranging from 8:45 to 9:15. Mrs. Liuzzo's young companion had testified that they had left Selma at 7:35 P.M.

The question pursued adroitly by Mr. Hanes was whether or not the Klansmen could drive from Selma to Montgomery to Bessemer, and commit a murder along the way, in less than two hours, perhaps much less. The distance is more than 140 miles. Mr. Rowe had said the car was driven more than 100 miles an hour much of the distance.

Mr. Hanes suggested that Mrs. Liuzzo might have been killed by her fellow civil rights workers to provide a cause célèbre and an opportunity to raise money. Somewhere in the nation the real killers may be laughing at Lowndes County and Mr. Wilkins, he said.

Mr. Flowers replied that by holding aloft a .38-caliber pistol taken from Mr. Thomas's car the morning after the shooting. The pistol fired by



United Press International Telephoto

CLEARED: Collier Leroy Wilkins Jr. outside the court in Hayneville, Ala., where murder jury found him innocent.

Mr. Wilkins at the Liuzzo car, according to Mr. Rowe, and the same one that fired the bullet found in Mrs. Liuzzo's head, according to an F.B.I. ballistics expert.

"You've been told that someone may be laughing over this in some other part of the country right now," Mr. Flowers told the jury. "Gentlemen, if they are, they stopped by Eugene Thomas's house and put the pistol off before they left. It is absolutely undisputed that this is the gun that killed that woman."