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Wilkins Freed In Liuzzo Case; 2 Await Action

By BEN CHESTER

HAYNEVILLE, Ala. (AP) — Alabama's Atty. Gen. Richmond Flowers says two other Ku Klux Klansmen will be tried on murder charges despite the acquittal of a third in the civil rights killing of a white Detroit housewife.

Flowers, the state's chief legal officer, commented after Colie Leroy Wilkins Jr., 31, was freed by a Circuit Court jury late Friday. The five-day trial was Wilkins' second for the murder of Viola Gregg Liuzzo, 39. The first ended in a mistrial with a deadlocked jury.

A jury of 12 white men, which included four men challenged by Flowers for prejudice, reported the acquittal verdict after deliberating about an hour and 45 minutes. The defendant, a crew-cut, baby-faced Fairfield, Ala., mechanic, smiled broadly.

VERDICT APPLAUDED

The verdict was greeted with applause by a crowded courtroom in the century-old Lowndes County Courthouse, built with slave labor.

The spectators included the other two Klansmen who Flowers said will be tried, Eugene Thomas, 42, and William Orville Eaton, 41, both of Bessemer, and Wilkins' middle-aged parents. Wilkins, Thomas and Eaton were indicted for murder in the shooting of Mrs. Liuzzo, who was shuttling civil rights marchers back to Selma the night of March 25 following the march on Montgomery.

The next term of Circuit Court is in January, but Judge T. Worth Teagard said he did not expect to try the civil rights slaying case at that time.

Last May jurymen in the first trial said they were split 10-2 for conviction on a manslaughter charge.

Arthur J. Hanes, a former Birmingham mayor who defended Wilkins, commented after the verdict, "Gentlemen, we've had a very fair judge and we've had a good jury. The evidence demanded this verdict."

Hanes said he thought the same verdict would have been rendered "in New York, California or Kansas City."

This was the second trial within a month in which a Lowndes County jury has returned an acquittal verdict in a civil rights slaying.

Thomas L. Coleman, 55, a state highway engineer and parttime deputy sheriff, also was acquitted of a manslaughter charge in the slaying of a Episcopalian seminary student, Jonathan Daniels of Keene, New Hampshire.

JURY GUARDED

The Wilkins trial jurors left the courthouse almost immediately after the verdict under the guard of state troopers.

The stocky Wilkins was hustled through waiting newsmen outside the white, two-story courthouse minutes after the jury's decisions was announced.

A flying wedge of husky white men bulled a path for the youthful Klansman, knocking aside cameras and photographers. Outside, they put Wilkins inside an automobile and shielded the windows with their bodies to prevent pictures.

Flowers, a big, red-haired man, left the courthouse ahead of Hanes, his mouth drawn in a tight line.

FLOWERS' COMMENT

"We prosecuted the best we could," he said. "The case was ably defended. We have no alternative but to abide by the decision of the jury."

In Detroit, Anthony Liuzzo, Mrs. Liuzzo's husband, expressed resentment at the verdict.

"That state of Alabama. Oh well. They're just a little state all to themselves," he said. "I don't think they should be part of the United States."

But he added: "There are good people in Alabama, too. If there were more people like Mr. Flowers it would not be a bad state to live in."

(Indicate page, name of newspaper, city and state.)

Page 1-A
The Mobile Press
Mobile, Alabama

Date: 10/23/65
Edition: Afternoon
Author: Ben Chester
Editor:
Title:

(Mount Clipping in Space Below)

Klansman's Trial Ends In 3 Days

**Verdict Delivered
Short Of 2 Hours;
Spectators Applaud**

By STAN ATKINS
HAYNEVILLE, Ala. (AP) — A young Ku Klux Klansman was acquitted Friday of the slaying of a white civil rights worker. The all-white jury reported after deliberating one hour and 45 minutes.

The Klansman, Colley Leroy Wilkins Jr., 21, a Fairfield, Ala., auto mechanic, left the courtroom without commenting on the verdict. He smiled broadly and puffed rapidly on a cigarette.

Outside the courtroom he climbed into a late-model automobile and drove away after half a dozen of his friends, most of them lanky men, had leaned across the hood and blocked the windshield and the side windows to keep photographers from getting Wilkins' picture.

PARENTS IN CAR
His parents also were in the car. His father, wry, gray-haired Colley Wilkins Sr., held a hat in front of his face to keep from being photographed.

The courtroom crowd applauded noisily when the jury's verdict, acquitting the young crew-cut Klansman of the first degree murder charge in the killing of Viola Gregg Liuzzo, 35, of Detroit last March 25, was read by the circuit clerk, Mrs. Betty Coleman.

Atty. Gen. Richmond Flowers, who prosecuted Wilkins, said two other Klan members, also indicted for the Liuzzo slaying, will be tried despite the acquittal of the first defendant.

The Klansmen still awaiting trial are Eugene Thomas, 42, a Bessemer, Ala., steel company employe, and William Oville Eaton, 41, a retired steel worker also of Bessemer.

Thomas and Eaton were both in the courtroom. Eaton grinned with obvious relief and stopped the defense attorney's young son on the back as they walked out of the courtroom.

Flowers told newsmen: "We prosecuted the best we could. The case was defended ably. We have no alternative but to abide by the decision of the jury."

Wilkins wore a black suit, dark tie and white shirt. At times his joy at the acquittal

broke the smile on his face into a wide grin.

His attorney, former Birmingham Mayor Arthur J. Hanes, told newsmen he was "very grateful to you for your coverage of the trial."

LAWYER COMMENTS

The attorney told the newsmen that he had said from the outset that "I would have no part in having any organization or group or ideology on trial, that I insisted that Wilkins be tried as an individual on the merits of the case."

"We had a fair judge and a good jury. I think that from the evidence, not only was the verdict justifiable but the evidence demanded this verdict in any courtroom in this country, in New York or Boston or Philadelphia or Kansas City."

A car parked in the driveway behind the courthouse blocked Wilkins' path as he tried to drive away. Volunteers in the crowd of spectators pushed the car back far enough for Wilkins to get out.

There was no comment from any of the 12 jurors. They were guarded by sheriff's deputies and state troopers as they walked in single file out of the courtroom. Downstairs they didn't even stop to draw their pay.

Circuit Court Judge T. Wertz Thagard had told the jurors they could consent to photographs outside the courtroom if they wished.

TURNER IN COURT

Among the spectators in the court room at the time of the verdict was a Justice Department attorney, James Turner. He grinned faintly as he greeted a newsmen walking down the back stairway.

Turner has spent much of his time in Selma, Ala., since the civil rights struggle began there early this year.

All three Klan defendants also are under federal indictment on civil rights charges because of the Liuzzo slaying.

Wilkins' trial reached the jury after three days' testimony. Hanes completed his presentation in midmorning after calling 18 witnesses, mainly to impeach the testimony of key prosecution witnesses.

Wilkins was tried for the March 25 night-riding slaying of Viola Gregg Liuzzo, 35, a white civil rights worker from Detroit.

The state completed its case with testimony by an FBI expert who said Mrs. Liuzzo was killed by a bullet from a .38-caliber pistol linked to a Klansman.

The judge told the jury it could return verdicts of murder in the first degree, murder in the second degree, manslaughter or acquittal.

Hanes devoted the major part of his closing statement to what he called inconsistencies in the accounts given by the state's two key witnesses, Rowe and Leroy Moton, a young Negro who was in the car with Mrs. Liuzzo when she was killed.

"I agree with the counsel for the state," Hanes said, "that a horrible murder was committed ... but I will remind this jury that this young man charged with this horrible deed walked into this courtroom with the presumption of innocence."

He said, "Why did Rowe testify?" Then he added, "Rowe was paid some \$12,000 ... information was the main sock in trade of Gary Rowe."

"Maybe the murderer is from the Watts area of Los Angeles or over in Crawfordville, Ga., trying to produce a body to raise money for their nefarious schemes."

Mrs. Liuzzo, mother of five and wife of a Detroit Teamsters Union official, died at the wheel of her car the night of March 25. She had been ferrying civil rights workers back to Selma after the end of a massive 50-mile march to Montgomery.

FBI informer Gary Thomas Rowe, 35, testified Thursday that Klansman Eugene Thomas, 42, handed a .38 caliber pistol to Wilkins while they were pursuing a car on U.S. 80 between Selma and Montgomery the night the march ended.

(Indicate page, name of newspaper, city and state.)

Page 1-A
The Mobile Register
Mobile, Alabama

Date: 10/23/65
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Author: Stan Atkins
Editor:
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(Mount Clipping in Space Below)

Rowe, again the key witness in the second trial of Wilkins, said the Klansman fired into the car driven by Mrs. Luzzo. She was accompanied by a Negro youth, Leroy Moton, 29, a field worker for the Southern Christian Leadership Conference.

Moton escaped injury. Mrs. Luzzo died of a bullet wound in the head.

Rowe, who said he infiltrated the Klan in 1960 at the request of the FBI, said that also in the car with himself, Wilkins and Thomas was another klansman, William Orville Eaton, 41.

The FBI informer said Eaton also fired at Mrs. Luzzo's car.

Wilkins was tried on the same murder charge in May. A deadlocked jury resulted and Thurgood declared a mistrial. Jurors said they were split 10-1 for conviction on a manslaughter charge.

The state's final witness, a



WILKINS

... acquitted

laboratory expert, testified that the .22 caliber pistol found in Thomas' car was the murder weapon.

Previous testimony by FBI agents was that the pistol was recovered from a car at Thomas' home the day after the slaying.

Marion E. Williams of the FBI laboratory in Washington said the shot which killed Mrs. Luzzo was fired from that pistol.

Williams said barrel markings on the lead bullet taken from Mrs. Luzzo's head matched test slugs fired from the pistol. The FBI agent said that expended cartridges found half a mile from the slaying scene also came from the pistol.

Williams said bits of glass on the slug found in her head matched glass in the window of her car.

Hanes completed his case in less than an hour. Attempted to show that Moton was contradictory in his description of the car which overtook Mrs. Luzzo's and that Rowe made statements to other Klansmen which he denied on the witness stand.

Hanes also produced two witnesses who said they saw Wilkins at a club in Bessemer about 8 p.m. on March 25. A state trooper said the distance from the scene of the slaying to Bessemer by way of Montgomery is about 125 miles.

Moton had testified that Mrs. Luzzo was killed about 8 p.m. on March 25.

A defense witness, Adolph Nelson, placed Wilkins in Bessemer, a suburb of Birmingham, less than an hour after the shooting.

"In your best judgment, this young fellow here," Hanes said, pointing at Wilkins, "was in the VFW Club, around a quarter of nine and a quarter after nine."

"Yes, sir," the witness said. Nelson said the defendant drank a beer and stayed only a few minutes.

On cross-examination, he said he had not looked at his watch.

"You guessed at the time?" the prosecution attorney said.

"Yes, sir," Nelson replied.

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Jury Frees Klansman

Liuzzo when she was shot, was called to testify.

Atty. Gen. Richard Flowers said he decided against calling Rowe to the stand this time because he felt he might hurt the state's case more than he would help it. Flowers said jurors in the other trials had remarked they did not believe Rowe's story because he had violated a Klan oath of secrecy.

Both Rowe and Moxon had taken the witness stand at the two murder trials of Collier LeRoy Wilkins Jr. and at the U.S. Dist. Court prosecution of Eugene Thomas and William O. Eaton.

Wilkins' first trial ended with a hung jury; at the second, he was acquitted.

The federal prosecution was for conspiracy to violate Mrs. Liuzzo's civil rights. All were found guilty by a jury in Montgomery and sentenced to ten years. The cases are on appeal.

Eaton, also a Klan member, died after the trial of the federal case.

The state, in the Thomas trial Tuesday, emphasized the "balloons" of the case, attempting to prove the bullet that killed Mrs. Liuzzo came from Thomas' gun.

The defense called two witnesses who said Thomas was at the VFW Club in Brighton around 9 p.m. the night of the murder.

Arthur Haynes of Birmingham, attorney for Thomas, said his client couldn't have committed the crime at the time it apparently happened, driven to Montgomery and back to Bessemer within the time.

Prosecuting attorney Joe Breck Grant suggested the testimony of these witnesses was not reliable.

The jury included eight Negro members: Johnnie James Hayneville laborer; Walter Little, Fort Deposit laborer; Frank D. Patton, Calhoun laborer; Timothy Sanders Jr., Bragg farmer; Johnnie Timmons Hayneville farmer; Clifton Thomas, Calhoun laborer; Willie Williams, Hayneville farmer and James Mallard, Tyler farmer. White jurors were Joe H. Guthrie, Lowndesboro mechanic; William Eldridge McCraney, state employe from Calhoun; Samuel E. Ryals, Sandy Ridge merchant, and Albert Raphael Payne, Sandy Ridge farmer.


Two Star Witnesses Not Called

By JUDITH HELMS
Of The Journal Staff

HAYNEVILLE — Eugene Thomas has been freed in the murder of Mrs. Viola Liuzzo.

A jury of eight Negroes and four white men deliberated one hour and 25 minutes before returning the not-guilty verdict for the 43-year-old steel worker from Bessemer.

He is the second Klan Klansman acquitted in the slaying of the white

 Detroit civil rights worker who came to Alabama in March of last year to participate in the Selma to Montgomery march.

Mrs. Liuzzo was shot in the head with a .38 calibre bullet as she drove down U.S. 80 on the night of March 25, 1965.

The verdict was handed by Circuit Judge T. Worth Thagar. (Please See TRIAL, Page 2)

(Indicate page, name of newspaper, city and state.)

Page 21, Montgomery Advertiser, Montgomery Ala.

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