

# Dismissal Motion Denied By Rousseau

By JULIAN SCHEER  
News Staff Writer

ROCKINGHAM—The emotion-packed Frank Wetzel murder case went to the jury this afternoon.

The fate of the habitual criminal charged with the slaying of State Highway Patrolman W. L. Reece now rests in the hands of ten white men and two women.

The case came to an abrupt end at 8:02 p.m., last night when a motion for dismissal by court-appointed defense attorney John T. Page was denied by Judge J. A. Rousseau.

Page, on his feet and facing the bench, then said, "We offer no evidence."

The state had minutes before rested its case after two days and two nights of testimony against Frank Edward Wetzel.

The state contends that Wetzel killed Pfc. Reece on the night of Nov. 5 near Ellerbe. He is not being tried here for the slaying of Pfc. J. T. Brown of Sanford, who died near that town later that night.

## ARGUMENTS PRESENTED

Solicitor M. G. Boyette presented his argument to the jury at 9:30 a.m., today when Judge Rousseau called the court to order. He was followed by Page. Judge Rousseau was next in line with his scheduled charge to the jury.

The state contends that Wetzel killed Patrolman Reece and offered Robert Terry Jr., a Negro lay preacher, as its chief witness.

On the stand Terry identified Wetzel as the man who picked him up near Asheboro on the night of Nov. 5 and drove him southward on Highway 220 and who pumped a bullet into Reece—who unsuspectingly never removed his gun from its holster—after he stopped the driver for a speed violation.

## FOUR-TIME LOSER

Wetzel, Boyette tried to establish, had broken out of a New York state mental hospital where he had been under observation. Wetzel later confirmed this, FBI agents said. Wetzel admitted in California interviews that he was a four-time loser in New York State on robbery charges.

Boyette attempted to trace Wetzel from Willard State Hospital to Pennsylvania where he allegedly stole a 1957 Oldsmobile, to West Virginia, Virginia and thence into North Carolina—leaving a string of robberies behind. Witness after-witness was called to the stand, several pointing Wetzel out as the man seen on the journey and other witness was called to the stand, taken from their business establishments. The exhibits were taken from the Oldsmobile found abandoned in Chattanooga, Tenn., the night after the shooting in North Carolina.

Included was a small arsenal of guns and ammunition.

The state continued its case by tracing Wetzel to Kentucky and on to California. He was

picked up in Bakersfield, Calif., two weeks after the alleged crime and reportedly told of his flight westward.

## INCIDENTS DENIED

Wetzel, however, steadfastly denied the North Carolina visitation, but the state attempted to link him to the state via a license plate found in the car and Terry. The plate was stolen from a car in Madison prior to the killings.

Solicitor Boyette painstakingly offered 96 pieces of circumstantial evidence. The defense offered no evidence and did not put Wetzel on the stand.

Wetzel reportedly told inmates at Willard that he was heading south to try to free his brother from a Mississippi state prison. William Wetzel faces execution for the murder of a fellow prisoner in Mississippi.

The Reece-Brown murders touched off a nationwide search for the killer. With his identity unknown, state, local and federal officers combed the state for clues and the killer. A nationwide alarm was broadcast. Roadblocks were up and down in North Carolina until the arrest of Wetzel in California.

Widows of Reece and Brown watched some of the proceedings here, along with average session crowds of about a thousand.