

# The Jaccoud affair

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played in industry and building. The contribution of agriculture and forestry to the gross national product lies between 6 and 7%. As this group employs 8 to 9% of the working population, the added value per person employed remains lower than the general average for the Swiss economy as a whole.

(OSEC)

#### Big increase in bank savings in Switzerland

Bank savings in the form of customers' deposits (savings books, deposit and investment books, middle-term bank bonds) have increased greatly during the last few years. The increase amounted, in 1968, to some 5.8 billion francs (U.S. \$1.3 billion) as opposed to 5.1 billion (U.S. \$1.2 billion) in 1967 and barely 3 billion in 1966 (U.S. \$0.7 billion). Thanks to this increase, the proportion of bank savings in the national product has increased again. In 1968, the growth of bank savings represented 7.8% of Switzerland's gross national product as opposed to 7.3% in 1967 and 4.6% only in 1966. The economic importance of bank savings in the form of customers' deposits can also be seen in the fact that, in 1968, 30.6% of Switzerland's total gross formation of capital consisted of this type of saving.

(OSEC)

#### News in brief

The *Enicar* watch factory recently offered the town of Djakarta a modern time system, symbolising the Swiss watch industry's presence in Indonesia. Installed in a tower overlooking a big square in the town, the new system consists of four giant clocks (size of the dials 170 x 170 cm), commanded by a quartz clock with a regularity better than 1/100th of a second a day.

(OSEC)

*Nestlé-Alimentana Co. Ltd.* in Vevey, has signed a contract with one of the most go-ahead foodstuffs concerns in Yugoslavia, the firm of Podravka. The Yugoslav concern—which already produces soups and canned goods—will manufacture, under licence, the Nestlé products known under the brand name of MAGGI.

(OSEC)

# THE JACCOUD AFFAIR

The Jaccoud affair was one of the most sensational cases ever put forward to the Geneva assizes. Even now, some ten years later, it still troubles many a mind in Geneva. Jaccoud, who has always pleaded not guilty, has recently asked for a reopening of the enquiry with a view to his retrial and rehabilitation. He has been able to bring forward new evidence which might favour his case. Whether this evidence will be good enough to justify a retrial remains to be seen. In the meanwhile, the dossier of the case has been taken out again and Jaccoud's name, never forgotten, might well make headlines again very soon. The following account of the case is far from complete and may have a few inaccuracies. This is due to the fact that our informant, a Genevese lawyer training in London, has told me the story out of memory. Considering that ten years have elapsed, his memory is not bad at all, as the reader will judge.

#### The crime

Mrs. Zumbach was returning home at Plans-les-Ourates late one evening, it was about 11.30 p.m. when a dark and corpulent silhouette rushed past her, jostled her and escaped in the darkness. She entered her home and found her husband lying dead on the floor, three bullet holes in his body, stab wounds on his upper abdomen and marks of concussive blows all over his body.

There was one more case for the Geneva police. The enquiry soon came to a deadlock, and idled for about three months, until the examining magistrate bucked up his courage and had the apartment of Pierre Jaccoud searched. It was then that things took a bad turn for the reputed lawyer and eventually precipitated into his conviction with murder.

#### The beginning of the enquiry

The enquirers had few elements to lead them to the solution of the riddle. Still, they had a very important one: letters found at the Zumbach's home highly compromising for Pierre Jaccoud. More precisely, letters addressed by him to his former mistress which could not only compromise his own

moral reputation if they were published, but which could also bring him into difficulty with the many important Genevese citizens who were mentioned and uncomplimentingly described in the letters. Moreover, the find also comprised lewd and annotated photographs of Jaccoud with his former mistress. The son of Mr. Zumbach (the murdered man) was interrogated and it was discovered that he was now benefiting from the favours of Jaccoud's ex-mistress. It was also established that the Zumbachs were not very recommendable characters, that they had previously harboured burglars and others of this kind and that the son could well have taken Jaccoud's letters with the simple intention of blackmailing him. This, of course, threw a lot of suspicion on Pierre Jaccoud, but the examining judge was not prepared to consider the possibility of Jaccoud's involvement in the crime unless he was absolutely sure not to make a blunder. Think of the scandal! Pierre Jaccoud, the President of the Geneva Bar, Radical representative at the Great Council, member and chairman of innumerable Geneva associations, one of the best known citizens of the town, in a position to attract himself innumerable friends (but enemies as well): a case that had definitely to be handled delicately.

Jaccoud was heard as a witness during the enquiry, but his alibi and explanations were shaky and unconvincing. Following a confrontation with the Zumbach son, the examining judge decided to search his apartment.

#### Shattering evidence

Police had found a stray button among the pebbles of the garden of the Zumbachs' house. Searching in Jaccoud's wardrobe, they found a bundle of used clothes fresh from the cleaners and prepared by Mrs. Jaccoud, who was about to send them to the Red Cross. That bundle contained a gabardine with a missing button. The buttons of the coat were similar to the one found on the scene of the crime. Moreover, the coat bore stains which a Geneva specialist in legal medicine

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(a rather young one, as it turned out) analysed as blood.

Pursuing their search, the police found a bicycle belonging to Jaccoud which had blood stains on the chain guard. As the enquiry had established that the murderer had made off on a bicycle, this was one more incriminating element.

Another thing which struck enquirers was the Moroccan knife decorating the dining room. It had been established that this knife had not been in its usual place for a few days following the crime: the implement was examined and specialists analysed traces of blood and human liver cells on it. Considering that Mr. Zumbach had received stabbings precisely in the liver, this was a rather portentous discovery.

Finally, it was established that the bullets that had gone into Mr. Zumbach's body were of 6mm calibre. Jaccoud was known to possess a 6mm revolver, although he never produced it at the inquest.

By this time, he was clearly feeling the ground slipping from under his feet. He undertook a rather astonishing journey: he flew to Stockholm to have his hair bleached. When he came back, his inquisitors noticed the puzzling change and asked to be enlightened. Jaccoud explained his fantasy as an expression of middle-age coquetry, but this hardly satisfied the enquirers, who could not make out why Jaccoud had chosen to go all the way to Stockholm to perform such a simple capillary operation. They even took the trouble of sending an inspector to check out precisely at what hairdresser's he had gone to. For want of a better explanation, they assumed that Jaccoud had tried to change his outlook in anticipation of a confrontation with Mrs. Zumbach. She said that Jaccoud could well have been the man she had seen in the dark. This man had "dark, thinning hair" and the enquirers assumed that Jaccoud had changed the colour of his hair to put her off. It was at this time that he was formally charged with the murder of Mr. Zumbach.

#### Preparing for the trial

By then the European Press had taken good hold of the Jaccoud case. "Paris Match" had armed high-powered teams of reporters for the occasion and the memoirs of Jaccoud's mistress appeared in "Elle". Geneva society was strongly moved by the whole affair. The long-awaited day of the trial arrived at last and Jaccoud chose the best French barrister, Maître Floriot, for his defence.

At this point, it is well to remember that public opinion was generally biased against Jaccoud and the higher establishment for which he stood. Also, there was a lot of subconscious aversion against the illustrious French counsel. French-Swiss feel superior to the French in many ways but they also tend to resent their undeniable brilliance and frequent jibing of the Swiss.

The appearance of Maître Floriot and his sleek court-room guile automatically put the average Swiss on his guard. Popular opinion was critical of this rich man's choice with the result that the psychological climate in Geneva was very unfavourable to Jaccoud when his trial began.

#### Floriot's defence

However, Maître Floriot performed a brilliant defence and certainly managed to perturb the jury. Pleading for over eight hours, he took up each point one by one. Those who were present in the court remember this as the most brilliant piece of judicial oratory.

Beginning with the blood-stained gabardine, Maître Floriot pointed out that it had been examined by a leading world criminal scientist, Professor Le Breton, who had not only affirmed that it was impossible to decide whether the stains it bore were of animal or human blood, but whether they were blood *at all*. The blood on the bicycle? Jaccoud had wounded himself the day before the murder in attempting to put on the chain. It had been clearly established that he had a plaster on his finger on the following days. Maître Floriot came back to the deposition of a clerk working in Jaccoud's practice at La Corratierie stating that Jaccoud had left at 6.30 p.m. (a statement which was not kept in consideration because the clerk himself had left half an hour beforehand). Floriot cross-checked and pieced together other bits of retained and unretained evidence, reminding his audience that lights were seen in Jaccoud's practice at about 11 o'clock, a quarter of an hour before the crime, and that it was absolutely impossible for even a trained cyclist (an experiment that had been expressly carried out) to make it from Geneva to Plan-les-Ouates in a quarter of an hour. The Moroccan dagger? This too had been carefully examined by French specialists and they had not been in a position to ascertain the presence of blood. As for the liver cells, they had found it ludicrous only to suggest that the smooth blade, in penetrating the victim's liver, could in any way have "fished" individual cells. The correspondence between the bullets and Jaccoud's gun? It proved nothing. There were thousands of 6mm guns and therefore thousands of indictable weapons besides Jaccoud's. The trip to Stockholm and the bleached hair?—The typical behaviour of a seasoned murderer trying to dodge justice? The very ineptness of the "attempt" pointed to Jaccoud's innocence! It was the normal reaction of a harried man, desperately trying to escape from the mould into which the world was pressing him. There was not one valid proof of Jaccoud's guilt: Maître Floriot ended his masterful speech by demanding his acquittal.

#### Where psychology comes in

The jury and the packed audience were undeniably shaken: only the

same morning they were convinced, in the face of all the irrefutable evidence of Jaccoud's guilt set forth before the court, now they had doubts.

It was about eleven in the evening, Floriot had been speaking for eight hours, the jury was a little dazed. The President decided to adjourn the trial, alleging that the prosecution needed more time than was practically available to counter the defence. Ever since that day, Maître Floriot must have had a poor opinion of Swiss justice. Both in Swiss and French justice, the effect of the speeches for the defence and the prosecution are vitally important to the jury's final verdict. A trial must in principle last out until its conclusion, even if it can only be reached at three in the morning. By interrupting the proceedings, the President was neutralising the bewitching influence of Floriot's defence and giving time for the jury to recoup. This is in effect what happened. They came back to their wives that night and were probably goaded for being weak, for succumbing to the spell of devious eloquence. The next day, they were again in control of themselves. The defiance against Jaccoud and his defender had surged back intact, but although they still believed that Jaccoud was guilty, their conviction had markedly weakened, because they condemned him to no more than seven years' imprisonment.

#### Still kicking

Jaccoud, who had been detained almost one and a half years awaiting his trial and who had benefited from the normal two-third reduction of his term only stayed for four and a half years in prison. There he met another illustrious prisoner, Josette Bauer, and some papers could not refrain from hinting that he had managed to have an affair with her.

Today, Jaccoud is back in Geneva and lives in his old flat at the Rue Monnetier. He is no longer a lawyer since he has been crossed off the register, but his practice still exists and he himself is active in legal consultancy. He still persistently clings to his innocence and is actively appealing for a retrial. His most important card is a new witness who has appeared rather late and who affirms having seen Jaccoud looking at the window of the bookshop opposite his study at the time of the crime. Why this witness didn't turn up at the inquest ten years ago is a mystery. Apparently, the man in question was abroad at the time and did not think his presence would be of any use. At this stage, it is impossible to know whether this all-out bid for rehabilitation is a bluff or is really inspired by the strength of innocence. Lawyers in Geneva remain understandably guarded at the new evidence, and although Jaccoud's dossier has been reopened, the general opinion is that he stands little chance of being blanché.

(PMB)