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# Dew, Hicks Acquitted

## Crash Due To Unavoidable 'Illusions'

Two Civil Air Transport (CAT) pilots, Captains Stuart E. Dew and Hugh H. Hicks, were both acquitted by the Taipei District Court yesterday of manslaughter charges in connection with the crash-landing at Linkou last February 16, in which 21 of the 63 persons aboard, along with a farmer on the ground were killed.

Presiding Judge Tang Chin-yin announced the acquittal at 4:02 p.m.

Neither Dew, 45, of Hamburg, Arkansas, nor Hicks, 50, of Hanibal, Ohio, was present at the courtroom when the verdict was announced.

Tang and two other judges, who made up the three-man panel to try the two American pilots, entered the courtroom at 4:01 p.m. One minute later, the presiding judge announced: "Dew and Hicks are not guilty."

He also ruled that neither American pilot was responsible for any civil charges in connection with the accident, in which Hicks' wife was also killed.

### No Comment

When contacted by the CHINA POST, Taipei District Prosecutor Hsu Cheng-chih, who indicted Dew and Hicks last March 5, refused to comment on the acquittal. Nor did he say whether he is going to appeal to the Taiwan High Court against the acquittal.

Under the Chinese law, the prosecutor in charge can make an appeal within 10 days after receiving the written verdict. He must also appeal, if requested by a victim or the bereaved family of a victim, also within 10 days after the receipt of the written verdict.

The two CAT pilots were acquitted on grounds that the accident occurred because of "illusions" pilots develop while flying on instruments. Such "illusions" may occur to any pilot, no matter how well he has been trained, and cannot be prevented.

The three-judge panel found Dew not guilty because he gave Hicks proper warning that the plane was not maintaining a proper altitude. Hicks was at the controls when the accident occurred.

### 'Illusions'

The judges considered Hicks innocent because he developed "illusions" which might cause him to misjudge.

The three judges based their verdict on the findings of an investigation team organized by the Chinese Air Force.

The two pilots issued a joint statement saying, "We are gratified at the court's verdict of not guilty."

Though neither of them was placed under arrest, they have been forbidden to leave Taipei before the case is closed.

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Dew was charged with "committing an offense by neglecting the degree of care required by his occupation which has resulted in the human death." Hicks was accused of "killing another (man) negligently." If convicted, they might be sentenced to five and two years in prison.

The trial began last March 25 and was closed once May 27. It was restarted July 11.

Both of them were the first commercial pilots tried on criminal charges.

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