DA SEEKS SHAW TRIAL 'EARLY' DATE

S-1 7/5/67

Dist. Atty. Jim Garrison today filed a motion in Criminal District Court aimed, an assistant said, at setting an early trial date for accused Kennedy assassination conspirator Clay L. Shaw.

Asst. DA James L. Alcock, who drew the motion with the aid of Asst. DA Richard Burnes, told the States-Item: "We're ready to go to trial. If we weren't, we wouldn't have filed this motion."

(Arcacha Smith extradition proceedings dropped. See story below.)

THE LEGAL MOVE, filed with the clerk of court, asked for early pretrial conferences with defense attorneys and Judge Edward A. Haggerty Jr.

It said pretrial publicity in two national magazines and a program carried by the National Broadcasting Co. were "intended to hamper the investigation as well as to intimidate its witnesses."

Additionally, the motion accused New Orleans Metropolitan Crime Commission Managing Director Aaron Kohn of working "in concert with the NBC representatives."

THE DOCUMENT SAID Kohn had admitted "privately that he has no knowledge of alleged misconduct" by the DA's office "except through magazines and the television network."

Kohn, who asked the state attorney general to investigate the conduct of Garrison's Kennedy death probe, appeared before the grand jury last week and subsequently met privately with the DA.

Both Saturday Evening Post and Newsweek magazines have carried stories critical of the Garrison Kennedy slaying investigation. NBC recently aired an hour-long program in which the network said Garrison's case against Shaw is based, in part, upon faulty testimony.

SHAW, 54-YEAR-OLD retired managing director of the New Orleans International Trade Mart, is accused of conspiring with Lee Harvey Oswald and the late David W. Ferrie to plan Kennedy's murder. He is free on $10,000 bond pending trial.

The Warren Commission held Oswald solely responsible for the assassination of the president at Dallas Nov. 22, 1963.

Ferrie, a one-time airline pilot, was found dead here Feb. 22—five days after the DA's inquiry became public. The coroner said he died of natural causes.

In his motion today, the DA cited several instances of what the document said were "acts of misconduct" which have occurred "as a part of a plan to intimidate, compromise or abuse potential state witnesses."

THE MOTION POINTED specifically to what it charged were attempts by NBC to make star witness Perry R. Russo "alter his testimony." Russo, a Baton Rouge insurance salesman, told a preliminary hearing he overheard Shaw, Oswald and Ferrie plotting Kennedy's death here in the fall of 1963.

At the same time, the motion accused U.S. Atty. Gen. Ramsey Clark and other government officials of "false charges and statements designed to wreck this case."

CLARK, THE MOTION said, "falsely stated to the national public within days of the arrest of Clay Shaw that

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Clay Shaw was investigated by the FBI and that he had been cleared.

"This false statement has subsequently been retracted by the Justice Department," the motion continued, "along with its identification of Clay Shaw as Clay Bertrand."

There was no immediate indication of when the Shaw case might go to trial. Several lengthy motions by the defense still are pending before Judge Haggerty, and a hearing on them is expected later this month.