

Jurisdictional Dispute *F Post 6-16-72* Brewing In Bremer Case

UPPER MARLBORO, Md. (AP) — The possibility has arisen of a jurisdictional dispute over who will be first to try Arthur H. Bremer on charges of shooting Alabama Gov. George C. Wallace.

Bremer's trial in Prince Georges County on state charges is set for July 12 and the federal trial for July 17.

Prince Georges County State's Atty. Arthur Marshall said the state most likely would cite federal officials for contempt if the trial date conflict is not resolved and federal agents who have custody of Bremer refuse to take him to the county court for trial.

Benjamin Lipsitz, Bremer's court-appointed attorney, filed a motion Wednesday asking the state court to postpone the trial to avoid "a race to the courtroom."

Marshall said he is not trying to go to trial before U.S. Atty. George Beall.

"Mr. Beall and I have had many conversations and we agree that whoever is ready first will get the first crack," Marshall said in an interview.

Lipsitz' motion said to hold to

the July 12 date in view of the federal proceedings which were instituted first "is simply to foster and encourage a race to the courthouse between federal and state prosecuting attorneys with the defendant as stake or prize."

Lipsitz also filed motions asking for dismissal of the 24 charges, a reduction in the number of counts against Bremer, disclosure of the state's evidence against Bremer and a request for a jury trial.

Both attorneys said the respective judges did not deviate from normal procedures in setting the trial dates.

A federal indictment charged Bremer with assault both on a presidential candidate and a federal official and illegal interstate transportation of firearms.

The state charged him with

four counts each of attempted murder, assault with intent to murder, assault with intent to maim, assault and battery and two violations of the state handgun statute.

Marshall said federal and state authorities clashed over who would take custody of Bremer after his arrest at a Laurel shopping center May 15.

He said Prince Georges County Executive William Gullett ordered the county police to turn Bremer over to the FBI.

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