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Shaw Trial Bjt 400

NEW ORLEANS AP — Dist. Atty. Jim Garrison has asked for an indefinite delay of the trial of Clay L. Shaw, 56, charged with conspiring with Lee Harvey Oswald and others to murder President John F. Kennedy. The trial was scheduled to start Tuesday.

Garrison claims that federal secrecy has crippled his case. Asst. Dist. Atty. James L. Alcock filed a motion for postponement Friday with Criminal District Court Judge Edward A. Haggerty Jr. A hearing was set for Monday.

The motion marked an abrupt reversal by the prosecution. A few weeks ago, Garrison said only his death could stop the trial.

Alcock's statement in announcing the new motion carried a strong hint that the Shaw case might never reach the courtroom.

Alcock's action—opposed by the defense—came shortly after a Washington hearing in which Court of General Sessions Judge Charles Halleck rejected Garrison's subpoena of autopsy photographs and X-rays of Kennedy.

Halleck told New Orleans Asst. Dist. Atty. N. V. Bertel Jr. that he would have to show that the autopsy records are necessary to the case and that "this is something more than a fishing expedition."

Saying he wanted to be sure Garrison was not simply trying to "obtain what surely must be sensational photographs," Halleck gave Bertel two weeks to produce evidence.

Garrison contends that Kennedy, slain in Dallas in 1963, was the victim of a conspiracy. The Warren Commission report said it found no evidence of a conspiracy. It said Oswald, acting alone and for reasons unknown, killed the President with rifle shots fired from a window as the presidential car passed by.

The conspiracy case contends that Kennedy was fired upon from at least two directions and that the autopsy material would prove it.

The autopsy photographs and X-rays were placed in the National Archives by the Kennedy family, with the stipulation that they not be made public.

In seeking delay of the trial of Shaw, a retired businessman, Alcock asked that it be postponed until Garrison's office receives "all of the evidence called for in our subpoenas, of the evidence used in the autopsy report and all other evidence secretly held by the federal government."

"In the event the federal government does not honor our subpoenas and blocks our attempts to present all the evidence, this case cannot be brought to trial," he added.

Alcock criticized U.S. Atty. Gen. Ramsey Clark for releasing Thursday night a report by a panel of four medical experts who checked the autopsy materials and backed up the Warren Commission.

The panel report covered "only a small portion of the evidence and only that which favors the defense and the Warren report," Alcock said.

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