

Garrison Requests Early Trial For Shaw in Conspiracy Case

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NEW ORLEANS, July 5 — District Attorney Jim Garrison filed a motion today seeking an early trial date for Clay L. Shaw, a retired New Orleans businessman who has been indicted on a charge of participating in a conspiracy to kill President Kennedy.

"We are ready to go to trial," Assistant District Attorney James L. Alcock said. "If we weren't we wouldn't have filed this motion."

Mr. Garrison's motion contended that publicity in two national magazines and a program carried by the National Broadcasting Company had been "intended to hamper the investigation as well as to intimidate . . . witnesses."

"If allowed to continue unchecked," the brief said, such publicity "can only have a harmful effect. Therefore the state is compelled to seek an early trial date in this case."

It also accused Aaron Kohn, the head of the New Orleans Metropolitan Crime Commission, of working "in concert with the N.B.C. representatives."

The document alleged that Mr. Kohn had admitted privately that he had no knowledge of alleged misconduct by Mr. Garrison's office "except through magazines and the television network." Mr. Kohn has asked the Louisiana Attorney General to investigate Mr. Garrison's conduct of the investigation.

The Saturday Evening Post and Newsweek both have criticized the Garrison investigation. In an hour-long program recently, N.B.C. asserted that Mr. Garrison's case against Mr. Shaw was based in part upon faulty testimony.

In the motion filed today, Mr. Garrison said that N.B.C. had tried to persuade Perry R. Russo, a witness who testified against Mr. Shaw at a preliminary hearing, to "alter his testimony."

Mr. Russo, a Baton Rouge insurance salesman, said at the preliminary hearing that he had overheard Mr. Shaw, Lee Harvey Oswald and David W. Ferrie plotting to kill President Kennedy.

Oswald was named by the

Warren Commission as the lone assassin of President Kennedy. Mr. Ferrie, a former airline pilot, died shortly after Mr. Garrison announced that he was being investigated in the case.

The motion also accused Attorney General Ramsey Clark and other Federal officials of making "false charges and statements designed to wreck his [Mr. Garrison's] case."

"Clark falsely stated to the national public within days of the arrest of Clay Shaw that Shaw was investigated by the F.B.I. and that he had been cleared," the motion said. "This false statement has subsequently been retracted by the Justice Department, along with its identification of Clay Shaw as Clay Bertrand."

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

Second Extradition Fails

DALLAS, Tex., July 5 (AP)—Sergio Arcacha Smith, a Cuban exile leader, was officially released today from extradition proceedings started by Mr. Garrison.

Lawyers for Mr. Arcacha threatened after the court action to sue Mr. Garrison and any persons who have helped finance his investigation.

Mr. Garrison had sought to extradite Mr. Arcacha to New Orleans on charges of conspiracy to burglarize an armory in 1961.

But Gov. John R. Connally Jr. refrained from signing the executive warrant of extradition which expired 90 days after the request was made.

Extradition proceedings against Gordon Novel, a 29-year-old former nightclub owner once described by Mr. Garrison as a "most important and material witness," were dropped Monday in Ohio.

Officials there said that Mr. Garrison had not replied to requests for more information within the 60-day period stipulated by Municipal Judge William T. Gillie of Columbus.