

Garrison's Surprise

Way Is Cleared For Shaw Trial

New Orleans

In a stunning reversal of strategy, District Attorney Jim Garrison cleared the way yesterday for the Clay Shaw conspiracy trial to begin today as scheduled.

Garrison's top assistant, James Alcock, withdrew a motion filed Friday asking that the trial be delayed "indefinitely." The motion had claimed that the government, particularly outgoing Attorney General Ramsey Clark, was intent on sabotaging it.

Shaw, long a figure in civic and cultural affairs here, was charged almost two years ago with conspiring to assassinate President John F. Kennedy. An extended succession of legal delays, most of them initiated by Shaw's lawyers seeking to make a record on which to base an appeal, has blocked the trial until now.

EXCUSE

On Friday, it appeared the district attorney, having suddenly experienced second thoughts about this case against Shaw, had decided himself to block the trial, using the government and Clark as his excuse.

The Alcock motion Friday came after Clark released an opinion by four medical experts who studied the Kennedy autopsy report and autopsy photographs of the slain President — material Garrison vainly had sought as evidence for the Shaw prosecution.

The four-doctor panel ruled that the photos supported the Warren Commission's view that Mr. Kennedy was shot from the back. Garrison contends one shot struck from the front, thus giving the lie to the commission's contention that Lee Harvey Oswald was the sole assassin.

PREJUDICE

Clark's action in releasing days before he was to leave office and just before the Shaw trial prejudiced the state's case, Alcock contended.

Without the autopsy report and photos, plus other material sealed in the National Archives, he said, "this case cannot be brought to trial."

Alcock's withdrawal of the motion yesterday clearly caught off balance Shaw's attorneys and District Judge Edward Haggerty Jr., who was about to hear arguments and rule on the motion.

For several seconds, Judge Haggerty sat speechless, pursing his lips, after Alcock rose to declare:

"The state will trust the good judgment, common sense and spirit of justice which the state feels prevails among the people of New Orleans and will withdraw its motion and announce at this time the state is ready to go to trial tomorrow."

CRITICISM

However, he bitterly criticized Clark's release of the four doctors' report, a document which he noted was based on a study made nearly a year ago and kept secret until Thursday.

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