

(Mount Clipping in Space Below)

ANDREWS SEEKS RECUSAL

Bid to Oust DA Stalls 'Lie' Trial

A surprise defense move to oust District Attorney Jim Garrison as prosecutor has temporarily stalled the perjury trial of Dean A. Andrews Jr., while the pudgy, hip-talking lawyer argues the recusal motion.

The 44-year-old Andrews, charged with lying to the Orleans Parish Grand Jury in Garrison's Kennedy assassination probe, questioned more than a dozen witnesses yesterday, including Garrison, and as three on tap for the criminal District Court session today.

Judge Frank J. Shea, after some sharp criticism of the delays, also ruled Andrews could have until Friday at 9 p.m. to produce three more witnesses to testify.

ANDREWS SPRANG his motion asking for the removal of Garrison at the start of the trial yesterday, just as Judge Shea was preparing to initiate the jury selection process.

The former assistant district attorney of Jefferson Parish asked that Garrison be removed from the case because of what Andrews called Garrison's personal interest in it, which "is in conflict with the fair and impartial administration of justice."

He also asked that the trial be stayed while he perfected his arguments on the motion and rounded up witnesses. Judge Shea said no.

ANDREWS DISCHARGED his defense attorney Sam Monk Zelden at the opening of the trial and took over his own defense, reportedly because of irreconcilable differences over strategy.

After he rejected Andrews' plea for a delay of the trial, Judge Shea called Zelden, who was preparing to leave the building, back to the court and appointed him to handle an immediate appeal to the State Supreme Court for Andrews, then ordered the hearing.

ANDREWS WENT through a grueling 12 hours of questioning witnesses yesterday, probing for support of his motion and seeking information on the state case. Among the witnesses questioned was assistant DA Richard V. Burnes, who testified that Andrews once said he knew Lee Harvey Oswald did not kill

Kennedy and that he was looking for three persons: The "Mex" who accompanied Oswald to Andrews' office during early summer, 1963, a man named Clay Bertrand, and the person who actually killed the president.

Burnes then said he heard a tape recording on which Andrews said he located two of the persons he was trying to find.

Andrews also called Garrison, who answered the questions put to him with little hesitation, frequently calling Andrews by his first name, Dean. Between questions, Garrison twisted his hands together, looked down at them or out in space, as though his thoughts were elsewhere.

ANDREWS, FOR THE most part, avoided his "jazz" vocabulary and stuck to the legal terminology during the day, periodically adjusting his dark glasses.

However, Andrews reverted to his hip talk in asking Garrison about a meeting between the two of them in Garrison's office.

Asking Garrison if he recalled the meeting, he said, "Do you remember me asking you if you was gonna put the hat on me because there was a rumble on the vine?"

Judge Shea asked Andrews to interpret and Andrews said he meant that he asked Garrison if he was going to be indicted for perjury; according to Andrews, Garrison at the time answered "positively not."

Andrews did not follow through on this line of questioning.

ANDREWS ALSO asked Garrison if he recalled a party of Garrison and his assistants on March 14 at the Royal Orleans Hotel. The DA said he remembered attending a dinner there and under questioning also recalled that newsmen were present at the meeting.

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(Indicate page, name of newspaper, city and state.)

PAGE 1

STATES-ITEM

NEW ORLEANS, LA.

Date: 8-10-67

Edition: RED COMET

Author:

Editor:

Title: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, DALLAS, TEX.

Character: 11-22-63 AFO

or

Classification: 89-

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Being Investigated

10
ENCLOSURE

1-5668

that he was going to call Jean Andrews' lawyer and see if he could get a positive answer, one way or another, about the identity of Clay Bertrand.

Pressed by Andrews, Garrison said there was no such conversation with Zelden, an Andrews' attorney. Garrison, when asked if he had given Andrews any reasons to believe Clay Shaw and Clay Bertrand were the same, said he was confident he had spelled out his reasons to Andrews.

ANDREWS ASKED if Garrison recalled a conversation about Bertrand and Shaw that the DA had with Life magazine reporter David L. Chandler in December of 1966. Chandler, Andrews' first press secretary yesterday, quoted Garrison in reference to a conversation about Andrews as follows:

"Andrews is lying because his conflicting statements to the Warren Commission

and the FBI. Why is Andrews lying? Obviously to protect a client. Who are his clients? Homosexuals. Therefore, he's lying to protect a prominent homosexual. Who would that be? Clay Bertrand — Clay Shaw. Furthermore, Shaw has a house in Hammond. Chandler said Garrison thought that was significant since he believed Oswald was trained in a guerrilla camp in Hammond. Lastly, Clay Shaw speaks Spanish."

Andrews appeared throughout the afternoon session to have trouble separating his two identities—defendant and defense lawyer.

Judge Shea warned him on a number of occasions that he could not testify and question at the same time.

THERE WERE frequent objections by the state that Andrews' questions were irrelevant to the motion to recuse Garrison, most of which were sustained by Judge Shea and after most of which Andrews announced he was filing a bill of exceptions.

The constant objections and filing of exceptions filled the courtroom with the monotonous drone of legal jargon, causing a number of spectators to fall sound asleep and leading others to read newspapers for diversion.

Andrews, whose questions were frequently worded in awkward and confusing fashion, seemed to have trouble sometimes remembering what he had just asked.

Andrews on several occasions asked the court reporter to read back his questions. At one point, Judge Shea, apparently weary of repetition, instructed Andrews to repeat the question himself and Andrews confessed he no longer could recall what his question was and Judge Shea told him to rephrase.

Andrews did so, but filed another bill of exception to Judge Shea's action.

BURNES, WHO questioned Andrews during one of his appearances before the grand jury, was recalled late in the session and testified that Andrews had told the DA's office that there were 15 or 20 people who knew the identity of Clay Bertrand.

"You were going to help us locate these persons so we could locate Bertrand," Burnes said. "You were going to listen to Clay Shaw's voice on a telephone ... a number of things," Burnes said.

Burnes also said that he had not told the grand jury the substance of what Andrews had said in the DA's office.

Andrews also questioned a number of other assistant DAs, other newsmen, some police officers, former investigative aide to Garrison William Gurvich and one grand jury member.

ONE NAME which popped up during the afternoon was that of Morris Brownlee, whom Andrews described as a godson of the late David W. Ferrie, the free-lance pilot Garrison claims was a key figure in his probe.

Brownlee is one of the witnesses Andrews was expected to question today, along with two policemen who are reported to have arrested a Manuel Garcia Gonzales.

Gonzales, Andrews said in his motion, is a name he made up. He said Garrison has named a Manuel Garcia Gonzales as one of the Kennedy assassins.

Andrews will have a chance Friday to question Perry Raymond Russo, Dr. Nicholas Chetla and Dr. Esmund S. Falter. Russo was questioned by Falter under hypnosis. Chetla witnessed the session.

When the session ended last night at 9:30, Andrews' breathed a sigh of weariness and said, "Fat man's had a busy day."

Andrews' probe, has been ordered to show cause here Tuesday why he should not be held in contempt of court for not appearing before the Parish Grand Jury.

The order for Sheridan to appear in court was issued yesterday by Civil District Court Judge Bernard J. Bagert, after the NBC investigator failed to show up before the grand jury.

Sheridan had been ordered earlier in the week to appear before the grand jury to testify in connection with Garrison's probe.

Attorneys for Sheridan said that he had been given permission to leave the court's jurisdiction and was on assignment in Detroit. They added that Sheridan would probably not appear at the hearing Tuesday because of an order requiring him to appear in federal court in Chicago Tuesday on a matter involving Teamsters Union boss James A. Hoffa.