ATTACK ON ORLEANS GRAND JURY FUTILE

Judge Denies Andrews' Quash Motion

The second day of court action in the perjury case of Dean A. Andrews Jr. ended Thursday afternoon with testimony from a judge as Andrews began a futile attack on the grand jury which indicted him.

With a motion to have the district attorney's office recused from prosecution still pending, Andrews entered another motion, this one to quash his grand jury indictment, and called as a witness senior Criminal District Court Judge Bernard J. Bagert, who picked the jury.

However, after Judge Bagert testified, Judge Frank J. Shea denied Andrews' latest motion and called a recess until 9 a. m., when more witnesses are scheduled to testify on the recusal motion.

Andrews is charged with perjuring himself in grand jury testimony concerning District Attorney Jim Garrison's investigation of the assassination of President John F. Kennedy.

LAUNCHES ATTACK
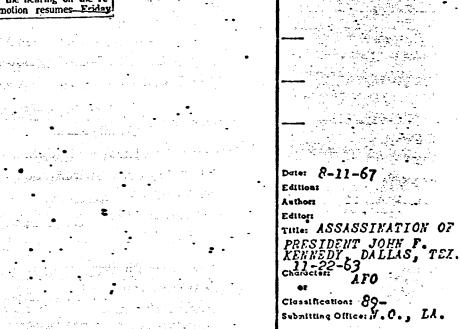
Launching an attack on the method of selecting the jury, Andrews asked Judge Bagert during questioning if he picked the jury after the Labat decision.

A federal court has ruled that Edgar Labat, a New Orleans Negro who has spent more time on death row than any other convict in the United States, did not receive a fair trial because daily wage earners were excluded from the jury venire.

Judge Bagert said the selection was after the decision and that the process was changed to conform to the court ruling.

"I did not exclude anyone as wage earners. The problem was to get 12 men who were not reluctant jurors. I interviewed 60 people," he said.

Judge Bagert said he wanted to avoid the problem of the jury's not having a quorum, and noted that the jury has one wage earner.

"He is a teacher nine months of the year, and the other three months he is a bricklayer. I understand he makes more money laying bricks than he does teaching," he said.

When the hearing on the recusal motion resumes Friday

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