

(Mount Clipping in Space Below)

Andrews Asks Court Void Charge

Attorneys for Dean A. Andrews Jr. went back into court today in an attempt to have the perjury indictment against him dismissed.

A hearing was scheduled before Criminal District Judge Frank Shea on a motion to quash the indictment.

In the motion, defense attorney Sam Monk Zelden argued that the indictment was defective on the grounds that it does not specify the alleged falsehood in Andrews' testimony before the grand jury which would make him guilty of perjury.

ANDREWS, UNDER suspension as an assistant district attorney in Jefferson Parish, was indicted on a perjury charge March 16 after testifying in connection with Dist. Atty. Jim Garrison's probe of the assassination of John F. Kennedy.

At his arraignment March 22, Andrews pleaded not guilty to the perjury charge.

The nature of Andrews' testimony before the grand jury was not revealed. His connection with the Kennedy probe is that he testified before the Warren Commission that a man named "Clay Bertrand" approached him after the President was shot in Dallas Nov. 22, 1963, and asked him to defend Lee Harvey Oswald, then accused of the killing.

GARRISON HAS charged that Bertrand is an alias for Clay L. Shaw, who is under indictment for criminal conspiracy in the Kennedy murder. Shaw denies this, and Andrews says he is unable to say whether they are the same.

In a major development in the probe yesterday, a subpoena was issued for the military records of Shaw.

A Garrison spokesman said the subpoena was sent by registered mail to William J. Driver, administrator of Veterans Affairs, to have Shaw's file ready to be produced in Criminal District Court April 24. Shaw was an Army major in World War II.

AN AFFIDAVIT filed by Assistant DA Andrew J. Sciambra said, "The district attorney is conducting an investigation into the background of the defendant, including, but not limited to, his affiliation with the United States armed forces, his duties at that time, his whereabouts during that time, his family connections, his date of birth and his general service and medical record."

Sciambra said the office is interested only in the records, and Driver does not have to appear personally. He said the April 24 date was set to allow "reasonable time" for finding the records.

EARLIER YESTERDAY, Layton Patrick Martens, 24, a student at the University of Southwestern Louisiana in Lafayette, posted a \$2,500 bond on another perjury indictment in the case, this one against himself.

Testimony cited by the grand jury in making the perjury charge against Martens apparently did not directly involve the Kennedy probe, but centered mainly on a 1961 burglary.

However, Martens looks as an important figure in Shaw's trial. He told newsmen he lived at the apartment of David William Ferrie for a period in 1963 and never saw Oswald or Shaw in the apartment.

Garrison contends that Shaw and Oswald met with Ferrie in September, 1963, and discussed assassination plans.

SHAW SAYS he never knew Oswald or Ferrie, who was found dead here Feb. 22.

Martens denied yesterday that he perjured himself in his testimony before the grand jury March 29.

The indictment charges he perjured himself in testimony concerning Gordon Novel and Sergio Archaca Smith, which was in answer to questions put by Garrison.

He said he took a lie detector test in Garrison's office in December and that the investigators told him they were satisfied he was telling the truth.

THE SURETY FOR Martens' bond was provided by his 81-year-old grandfather, James Smith, 908 Joseph. The case was allotted to Criminal District Court Judge Oliver P. Schulingkamp.

The questions put to Martens concerned Novel, until recently a night club owner here, and Archaca, an anti-Castro leader here during 1961.

The DA's office has had both arrested on an affidavit charging that they conspired with Ferrie in August, 1961, to burglarize a munitions bunker in Houma.

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STATES-ITEM

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