

Andrews Seeks To Lift Quiz Lid

S-1 5/1/67

Dean Andrews Jr. filed three motions today in Criminal District Court aimed at prying open the lid of secrecy clamped on the Orleans Parish grand jury's investigation into the assassination of President John F. Kennedy.

Andrews, indicted by the jury for perjury, filed a motion for oyer, a motion to inspect his testimony before the jury, and a motion for an order permitting the disclosure of grand jury testimony.

Each of the motions is a different legal maneuver designed to make public Andrews' complete testimony before the jury on March 16.

A **SUSPENDED** Jefferson Parish assistant district attorney, Andrews was indicted two weeks ago in an unprecedented 11-foot-long charge after an earlier indictment was dismissed by the district attorney's office.

In his motions today, Andrews argued that he is unable "to properly prepare his defenses or to assist his counsel."

Andrews told the Warren Commission in its investigation of the Kennedy death that he received a telephone call from a "Clay Bertrand" shortly after the assassination asking him to defend Lee Harvey

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Oswald, whom the commission says killed the President.

GARRISON HAS identified Bertrand and Clay L. Shaw, retired managing director of International Trade Mart, as the same man.

Shaw has been accused by Garrison of conspiring with Oswald and the late David W. Ferrie to kill Kennedy. Shaw has denied the charge and also that he used the name of Clay Bertrand as an alias.

The indictment against Andrews charges he did not tell the truth when questioned about whether Clay Bertrand was actually Clay Shaw.

IN ANOTHER development today, the district attorney's office filed exceptions to a petition by Shaw's attorneys to make magazine writer James Phelan a material witness in the case against Shaw.

Phelan is author of an article which appeared in the Saturday Evening Post that suggested that Perry Russo,

the man who testified he heard Shaw, Ferrie and Oswald plot to kill Kennedy, may have been under a post-hypnotic suggestion when he was questioned.

Assistant Dist. Attys. James Alcock, Andrew Sciambra and Richard Burnes filed a written answer to the defense's petition before Judge Frank Shea. Judge Shea ordered a 10:30 a. m. hearing Wednesday on the matter.

THE STATE argued that there is no provision under Louisiana law to take testimony of a witness in advance of a trial except in a preliminary hearing, which has already been held, or in the case of a witness who is imprisoned.

The assistant district attorney contended that the only way testimony can be taken in advance of the trial is before the grand jury.

They noted that Phelan has said he is willing to testify and the "state is equally interested in obtaining his sworn statement."

LATER THIS morning, Sciambra issued a statement asking Phelan to testify with

him.

In his article, Phelan said that the first time Russo talked with Sciambra, no mention was made of the alleged meeting which Russo attended in which he overheard the plot.

Sciambra has called the article untrue.

In his statement, Sciambra

said that in law the only way at the present time for Phelan to testify under oath "would be a joint appearance by Mr. Phelan and myself before the Orleans Parish Grand Jury."

SCIAMBRA SAID Phelan has stated over radio and television broadcasts his willingness to testify in New Orleans and added that "if Mr. Phelan is sincere in his request, at this time I would like to extend an invitation to him to appear with me voluntarily before the grand jury where we can both tell our stories under oath and subject to cross-examination and the laws of perjury of the state of Louisiana.

"This would give an impartial body of 12 men an opportunity to decide once and for all what is fact and what is fiction," he said.

Sciambra said that the district attorney's office will pay for Phelan's transportation and lodging in New Orleans and added that "I stand by every statement I have ever made concerning Mr. Phelan and his article."