

NEW HASSLE ERUPTS AT ANDREWS TRIAL

5-1 8/12/67

Hint Case

To Continue On Sunday

An aide of Criminal District Judge Frank J. Shea today quoted the judge as saying he will hold court tomorrow unless the perjury trial of Dean Adams Andrews Jr. can be ended by tonight.

The state continued to unfold its case today

against the chubby former Jefferson Parish assistant DA, and the defense was still awaiting its turn at bat.

Testimony this morning centered around Andrews' statements before the grand jury the 26 in which he said Clay L. Shaw is not the mysterious Clay Bertrand.

Andrews is charged on 11 counts of perjury. Garrison has accused the former Jefferson Parish Assistant DA of lying before the grand jury in connection with his probe of the slaying of President John F. Kennedy.

The June 26 testimony was interrupted today over the objections of defense attorneys through Mrs. Maureen Theil, stenographer for the grand jury, who said she took down Andrews' testimony on

his latest jury appearance. Asst DA Richard Burres began reading excerpts from the transcript and asking Mrs. Theil if they were accurate.

Defense attorney Harry Burglass objected to Burres' picking out selected quotes and skipping around in the transcript, complaining that the remarks were taken out of context.

"THIS IS OUTRAGEOUS. This is disgraceful," said Burglass. He moved for a mistrial.

Judge Shea denied the motion for a mistrial by Burglass, then told the jury that it must consider any statement from the grand jury testimony in the light of the entire testimony.

BURGLASS TOLD the court that the judge's statement to the jury did not correct the

situation and was "inadequate."

Burnes then objected that the defense attorney was trying to imply that the prosecution was trying to hide something by having only part of the Andrews transcript read.

Burglass asked that the entire June 28 testimony of Andrews before the grand jury be read into the record.

MRS. THIEL then began reading the twenty pages of testimony.

Included in the testimony was a statement by Andrews

Turn to Page 2, Column 4

NEW ORLEANS STATES-ITEM

Garrison Ready To Unveil Case

Continued from Page 1

that "if this case is based on the fact that Clay L. Shaw is Clay Bertrand, it's a joke."

He told the grand jury that he was introduced to Davis at a French Quarter bar as Clay Bertrand by Helen Girt.

ANDREWS TOLD the grand jury on the 28th that Helen Girt was also known as "Big Joe, or Butch," and added, "Y'all sent her to gola (Angola State Penitentiary). You put her on the Ponderosa."

At one point he told the grand jury that he had been bothered by experts and others concerning the case.

"They pick you like a chicken and shuck you like corn," he said.

ON SEVERAL occasion he told the grand jury flatly that Clay Bertrand was not Clay Shaw, and said he had told the "Jolly Green Giant" (his name for Garrison) the same thing.

After the reading of the June 28 testimony Burglass asked Mrs. Thiel if she had also been

a stenographer on March 18, the first time that Andrews appeared before the grand jury in connection with the case.

He then asked for a copy of this testimony, and a recess so that he could study it.

SOME OF THE alleged quotes from Andrews read by Burnes included:

"I may have said a thousand times one thing, but the one time I say Clay Shaw ain't Clay Bertrand clears me of all the rest."

"It doesn't make any difference to me if I am convicted."

"Clay Shaw is not Clay Bertrand. Indict me if you want to."

Also included was a reference to a meeting between Garrison and Andrews at Brennan's Restaurant before the June 28 Grand Jury meeting.

Andrews said he told Garrison then that Shaw was not Bertrand.

A few lines later in the testimony, Andrews said:

"I kept my deal with the Giant. I said I can't say he is and I can't say he ain't. And I got indicted for it."

Andrews said, however, that the DA's office had convinced him that Shaw and Bertrand might be the same.

Mrs. Thiel was the first witness to testify today, but not the first one called. The first called was Albert V. LaBiche, foreman of the Orleans Parish Grand Jury, who was nowhere to be found.

Judge Shea had him called a second time, with no result.

"I hate to put the foreman of the grand jury in jail," said the judge. "Let's call another witness."

MRS. THIEL THEN took the stand. (Later, LaBiche appeared and replaced Mrs. Thiel on the stand.)

Selection of the five-man jury to hear the case yesterday ended three days of preliminary legal skirmishing.

In a marathon court session that lasted until 9:15 last night, assistant DAs Burns and James L. Alcock began sketching the foundations of the case.

Before the final witness of the night, the state got into the record portions of Andrews' interrogation by a Warren Commission lawyer, and

seven typed copies of various conversations and television interviews. Defense objections were overruled.

IT WAS ANDREWS' Warren Commission testimony that began his troubles. He told the commission that a man he knew as "Clay Bertrand" called him the day after Kennedy was shot and asked him to go to Dallas and defend Lee Harvey Oswald, then charged with killing the President.

Garrison contends that Bertrand is an alias for Clay L. Shaw, whom he has charged with criminal conspiracy in the President's murder. Shaw denies this, and Andrews, after a long period in which he indicated he did not know whether Shaw was Bertrand, finally named French Quarter bar owner Eugene C. Davis as the man who called him about Oswald. Davis denies this.

When the state offered portions of the Warren Commission report in evidence yesterday, the defense objected that the report constituted hearsay and that no cross-examination was possible.

THE STENOGRAPHER who took down Andrews' testimony on July 21, 1964, was called to the stand but failed to recall most of Andrews' statements.

Mrs. Manya Gray Super

said her "independent memory" could tell her only the portion of the testimony in which Andrews said he saw "Clay Bertrand" run from him when he recognized Andrews in a bar.

Burnes asked the court to take judicial notice of presidential executive orders creating the Warren Commission and cited three cases in which state courts took such notice of federal acts.

JUDGE SHEA permitted the testimony to be introduced, and the defense reserved a bill of exceptions for a possible appeal.

Burnes, in his opening statement, told the jury Andrews lied to the jury several times, primarily in insisting that he could not say whether Shaw and Bertrand were the same.

For instance, Burnes said, Andrews told the jury he saw

Shaw on TV and he seemed taller than the man he knew as Bertrand.

"IF A MAN CAN state one person is taller than another, he can also state he is not the same person," said Burnes.

With the jury ordered out of the room so the judge could hear testimony whether Andrews' grand jury testimony was given voluntarily, Andrews took the stand in his own behalf.

ANDREWS TESTIFIED he was emotionally upset when he appeared before the jury. Only minutes before, he said, he had been handed a subpoena which made him "annoyed and angry."

The chubby attorney said he was walking up the courthouse steps to testify voluntarily when he was served. He said he was so upset about this he was unsure what went on during the grand jury proceedings.

Other troubles—loss of his job and a hungry family — compounded his highly emotional state that day, Andrews said.

ALCOCK AND BURNES took the stand in turn, questioning each other about the circumstances of Andrews' grand jury appearance.

Alcock said he had briefed Andrews on his constitutional rights and warned him that if he lied he would be charged with perjury.

Burnes said Andrews originally said he would appear voluntarily, but later sent word he was backing out. This led to his being subpoenaed, Burnes said.

The jury was closeted for the night at the Fontainebleau Motor Hotel.

Selected for the jury were: William E. Bailey, 520 Pelican ave., Algiers.

Joseph L. LaPierre Jr., Negro, 6435 DeBore dr., New Orleans.

Walter T. Niklaus, 827 Atlantic ave., Algiers.

Henry R. Nuss, 8305 Nelson st., New Orleans.

Leslie J. Russell Jr., 8230 Forshey, New Orleans.

Picked as an alternate juror was James S. Boudreaux Sr., Negro, 1927 Abundance.

Minutes after he was sworn in, Niklaus reported his wallet was missing. It was feared he was the victim of a courtroom pickpocket, but sheriff's deputies said he told them today he later discovered he had left the wallet at home.