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NEW ORLEANS AP - A jury of five was seated Friday for the perjury trial of Dean Andrews, the first man to be tried as a result of Dist. Atty. Jim Garrison's controversial Kennedy assassination probe.

Andrews, a 44-year-old lawyer who figured in the Warren Report, rubbed his palms nervously. "Now for the crunch," he said.

Andrews is charged with lying to the Orleans Parish grand jury investigating an alleged conspiracy to kill President John F. Kennedy, who was assassinated in Dallas Nov. 22, 1963.

The five-man jury, plus one alternate, was chosen in three hours of examinations hustled along by Criminal Dist. Court Judge Frank J. Shea. The judge said the jury would be locked up at night for the duration of the trial.

Five-man juries, under Louisiana law, try non-felony cases. Perjury is a high misdemeanor in Louisiana, punishable by a maximum of five years in prison.

The jury was out of the tiny courtroom for much of the afternoon while lawyers wrangled over the admissibility of evidence.

Selection of the jury came after Judge Shea in rapid fire order overruled Andrews' motions to oust Garrison as prosecutor at the trial, to quash the perjury indictment, suppress evidence and file further evidence designed to show Garrison should not be allowed to try the case.

Almost immediately after the jury was seated, Asst. Dist. Atty. James L. Alcock rose, handed the judge a blue bound folder and said, "I now deliver to you copies of inculpatory incriminating statements made by the defendant."

Andrews, a suspended assistant district attorney in suburban Jefferson Parish, immediately moved for a mistrial. He claimed Alcock's remark was overheard by the jury and that the implication had "planted a seed in their minds which may not be misplanted."

After a brief recess to ponder the matter, Judge Shea told the jury: "If any of you gentlemen heard the remark, I instruct you to disregard that remark as though it were never said." Three jurors said they had heard Alcock.

Andrews is charged with 11 counts of perjury during his testimony before the grand jury. He was questioned about his statements to the Warren Commission that a "Clay Bertrand" telephoned him following Kennedy's death and asked him to fly to Dallas and represent Lee Harvey Oswald. The Warren Commission said Oswald was the assassin.

Garrison claims that Clay Bertrand was an alias used by Clay L. Shaw, retired New Orleans businessman under indictment on charges of conspiring to murder President Kennedy. No date has been set for Shaw's trial.

Andrews has insisted to newsmen that Shaw is not Bertrand.

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