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Andrews 1st Lead AO35 340
By BILL CRIDER
Associated Press Writer

NEW ORLEANS, AP - Dean Andrews told a grand jury if Dist. Atty. Jim Garrison's Kennedy assassination probe "is based on the fact that Clay Shaw is Clay Bertrand-then it's a joke."

"Now the joke is on me," Andrews added.

The questions and answers at Andrews' second grand jury appearance last June 27, were read today to the jury hearing his trial on a charge of perjury. He is accused of lying to the grand jury.

"When you testified before the grand jury March 16, you knew Bertrand was Eugene Davis?"

"So I lied. I committed perjury. I don't know what I said. The man is Eugene Davis and if you ask him he will call me a crocker-sack of lies."

The full text of the sharp interrogation of Andrews at the second grand jury session was read into the record with the five-man jury listening intently.

First the state introduced excerpts of the transcript, skipping back and forth from page to page to emphasize points in its case.

Harry Burglass, Andrews' attorney, called the selective editing outrageous and disgraceful. He moved for a mistrial on the ground that even when the full transcript was read-with the excerpts in context-the impression on the jury would not be erased.

Criminal Dist. Judge Frank J. Shea overruled the mistrial motion and instructed the jury that when it considered its verdict it must ponder Andrews' testimony in the context of full transcript.

Dist. Atty. Jim Garrison claims that Andrews, 44, lied to the grand jury several times by insisting that he could not say whether Clay Shaw and Clay Bertrand are the same person.

Shaw, retired New Orleans businessman, is awaiting trial on a charge of conspiracy to murder President John F. Kennedy. Garrison contends Shaw used the alias Bertrand in conspiring with Lee Harvey Oswald, Jack Ruby and others. Shaw has denied any knowledge of a conspiracy and said he never used an alias.

"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 others," Andrews said in his grand jury testimony.

As this was read to the jurors, two of Shaw's lawyers were in the courtroom listening closely.

Richard Burnes and James Alcock, two of Garrison's assistants, sketched the foundation of the state's case in a long session Friday. The session wound up at 9:15 p.m. Before the 4th graf ao35.

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NEW ORLEANS AP - Having won the trial preliminaries, the state settles down today to try to convince the jury that Dean Andrews lied to a grand jury in a Kennedy assassination probe.

Richard Burnes and James Alcock, assistants to Dist. Atty. Jim Garrison, sketched the foundation of the case in a long session Friday.

Criminal Dist. Court Judge Frank J. Shea, determined to wind up the trial as soon as possible, opened court at 9 a.m. and adjourned at 3:15 p.m., keeping recesses few and short.

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.

At the very start of the trial, Alcock precipitated a crisis by handing the judge a blue folder and saying: "I herewith deliver to you copies of inculpatory Kincriminating statements made by the defendants."

Andrews, a 44-year-old lawyer who refers to himself as "fat man," immediately moved for a mistrial on the grounds that the remark was heard by the jury.

After a recess to ponder the matter, Judge Shea overruled the motion-instructing the jury to "disregard that remark as though it were never said."

The jury was locked up overnight. Under Louisiana law perjury carries a maximum punishment of five years in prison.

Burnes, in his opening statement, told the five-man jury that Andrews lied to the Orleans Parish grand jury several times-primarily in insisting that he could not say whether Clay Shaw and Clay Bertrand are the same man.

For instance, he said, Andrews told the grand jury he saw Shaw on television 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.

Shaw, 54, a wealthy retired New Orleans businessman, was charged with conspiracy to murder President John F. Kennedy-assassinated in Dallas in 1963.

Garrison contends Shaw used the alias Bertrand in conspiring with Lee Harvey Oswald, Jack Ruby and others. Shaw says he never used an alias in his life and knows nothing about any conspiracy.

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