

'COMMITTED NO PERJURY'

Lawyer Declares Andrews Innocent

By ROSS YOCKEY

The attorney for Dean A. Andrews, accused of perjury in the Kennedy death probe, declared today he finds nothing "contradictory or perjurious" in testimony cited in the indictment of his client and added:

"This new indictment just means I'm going to have to start all over from scratch."

ANDREWS, a suspended Jefferson Parish assistant district attorney, was reindicted yesterday by Orleans grand jurors who charged him with lying under oath on March 16.

The new legal move preempted a perjury indictment handed down against Andrews shortly after Dist. Atty. Jim Garrison's Kennedy assassi-

nation plot investigation first became public.

Andrews' attorney, Sam Monk Zelden, had moved to quash the old charge on the grounds that it contained no specific information on the testimony which the jury says is false.

More information — 2,000 words of it—came out yesterday as the Orleans Grand Jury charged Andrews on

five specific counts and released eleven feet of testimony to back up the accusation.

Interviewed at the Criminal Court Building this morning, Zelden said portions of the testimony which may not have been revealed could hold the key to the case against Andrews.

"IS THAT the complete testimony?" Zelden asked of the transcript released by the jury. "I don't think so."

Zelden said he could not say what additional legal moves will be made now that a second indictment has been issued. He said he would have "to study the indictment and evaluate it first."

Asst. DA Andrew Sciambra

dismissed the earlier indictment shortly after noon today.

A hip-talking lawyer, Andrews added his own oblique comments to the mounting mystery of the Garrison investigation. He talked to a reporter outside the Criminal District Court clerk's office this morning, saying that some new "startling" development will take place in the case soon.

"There's some guys not involved down here," he said, "who've been keeping a clock on the whole thing. And when it comes out, they're going to put the hat on the giant."

THE REFERENCE was to DA Jim Garrison, a six and a half footer who frequently is referred to by Andrews as the "Jolly Green Giant."

Andrews had completed posting \$1,000 bond on the new perjury accusation when he was interviewed. He shied away from saying what the new "startling" development would be.

"I don't have nothing to do with it," he said. "I just meet these two guys in a bar last week, and I ask them what they're doing down here because I know what business they're in."

"They ask me what do I know about. Big Jim, and I say, Ho, Ho, Ho, what can I do for you?"

Andrews told the Warren Commission a mysterious man named Clay Bertrand asked him to defend accused presidential assassin Lee Harvey Oswald before Oswald was shot.

Dist. Atty. Jim Garrison contends Bertrand and Clay L. Shaw, 54-year-old retired businessman charged with plotting the late President's death, are the same man.

BUT ANDREWS told grand jurors he could not link the two with any certainty and added that Shaw seemed to be taller than the man he knew as Bertrand.

In its latest indictment yesterday, the grand jury disclosed what Andrews said was the never-before-told story of his 1963 conversation with the enigmatic telephone caller named "Bertrand."

Andrews, who wears dark glasses day and night and talks in the breezy slang of the hip jet-age, told an assistant DA who was questioning him before the jury:

"YOU'RE THE first one who ever asked me for the whole bit."

He said when he mentioned Bertrand's name to the Warren Commission—"blump . . . they all cut off."

"A voice that I could identify as Clay Bertrand called me at the hospital and asked me if I would represent Lee Oswald in Dallas," Andrews is quoted as saying. "Nobody ever asked me about a fee or anything else. He said I would get real famous and he would get in touch with Oswald so that I could represent him. That's the part nobody ever asked me."

According to the testimony transcript, Asst. DA Richard Burnes questioned Andrews closely on March 16 about Bertrand, Shaw and their possible relationship. It went like this:

Q. Is there anything grossly disproportionate about the general description in regard to

the height of the two men?

A. He is taller.

Q. Who is taller?

A. Clay Shaw.

Q. How much?

A. I DON'T know.

Then, later:

Q. You must have some idea how much taller he would be than Clay Shaw?

A. I see him on TV—he is a tall cat—I don't believe the person I know as Clay Bertrand is as tall as him. I

don't know. I can't say yes, and I can't say no. As God is my judge.

Andrews told the questioning DA's assistant he would "have to go back to the same thing I am telling you," adding:

"I go to a fag wedding re-

ception—and he (Bertrand) is standing up and he is well dressed—I don't measure the guy then, and I don't measure him now. I don't even think about the guy. Just like you go to any wedding reception, you mingle, you drink, you talk. I had no occasion to— to have this guy impress me."

AS QUESTIONING attorneys bored in on the relationship, if any, between Bertrand and Shaw, Andrews is quoted as protesting:

"I get the impression you all want me to identify Clay Shaw as Clay Bertrand—I'll be honest with you, that is the impression I get . . ."

The questioning assistant DA said, "Well?" and Andrews responded:

"And I can't. I can't say he is and I can't say he ain't."

In another development, new charges have been leveled against Gordon Novel, a young man Garrison says is one of the investigation's most important witnesses.

Bills of information filed yesterday by Garrison's chief aide, William Gurchich, charged Novel with two thefts in 1966.

One of the counts accuses Novel of committing a theft of property valued at \$1,074.83 from Albert Bellevue between June 10 and Nov. 15.

THE OTHER charges Novel

with theft of merchandise valued at \$1,356.32 from Franklin Printing Co. of New Orleans between July 22 and Nov. 15.

A spokesman for Franklin said the amount of money comprised a debt owed the printing firm by Novel for a brochure describing a piece of electronics equipment.

Novel was once president of a specialized electronics equipment firm which sold surveillance and antibugging devices. He also is a former New Orleans night club owner.

The 29-year-old fugitive witness is free on \$10,000 bond at Columbus, Ohio.

Novel was arrested in a Columbus suburb on an earlier Garrison warrant charging that he conspired with the late David W. Ferrie and one-time anti-Castro leader Sergio Arcacha Smith, 44, to burglarize an oil-well service company's munitions bunker at Houma in 1961. Smith was arrested on the same charge at Dallas and is free under \$1,500 bond.

AT OMAHA, Neb., meanwhile, an assistant county attorney has filed an application in district court asking Sandra Moffett McMaines to show cause why she should not be returned here as a material witness.

The 22-year-old former New Orleanian has said she was once in love with star Garrison witness Perry R. Russo of Baton Rouge. An order has been issued for her appearance before the Orleans Parish Grand Jury April 18, 19 and 20.

Novel, also wanted as a material witness, said from Columbus he took a truth serum test Monday night to back up his contention he knows nothing about the Kennedy investigation. Results of the test were not released.

E.M.

PROTESTS 'CONFIDANT' CLAIM

Governor Threatens Novel With Jail on La. Return

Gov. John J. McKeithen has warned he will put Gordon Novel in prison if the fugitive witness returns to Louisiana and repeats under oath that he was a confidant of the governor.

McKeithen delivered the warning last night as he faced members of the Louisiana Press Association in an 85-minute news conference here.

He said he is personally eager to extradite the 29-year-old Novel, who is wanted for questioning in Dist. Atty. Jim Garrison's Kennedy death plot investigation.

NOVEL, FREE on \$10,000 bond at Columbus, Ohio, where he was arrested for conspiracy to burglarize a Houma munitions dump in 1961, has irritated the Louisiana chief executive with a series of public statements.

The onetime New Orleans bar owner, whom Garrison says is a "very important witness" in the Kennedy inquiry, displayed a Louisiana brigadier general's commission to reporters at Columbus and said it came from McKeithen.

"He's not going to come

back here and swear he was a confidant of mine or that he helped in my campaign," McKeithen told LPA executives.

"IF HE DOES," the governor asserted, "he's going to wind up in Angola state prison because I'm going to swear he wasn't."

McKeithen said he would like to hear Novel explain under oath how he came by the honorary commission as a brigadier general, an honor usually reserved for high-ranking visitors to the state.

"I know he didn't get it from me," he declared.

AT BATON ROUGE, a spokesman for the governor said extradition papers for Novel have been received there and will be dispatched to Ohio Monday. McKeithen telephoned Ohio Gov. John

Rhodes last week and urged him to expedite Novel's return.

Garrison has accused Novel of conspiring with the late investigation figure David W. Ferrie and erstwhile anti-Castro leader Sergio Arcacha Smith, 44, to steal explosives from the Schlumberger Wells Service Co. bunker.

Arcacha Smith was arrested at Dallas on the charge and freed under \$1,500 bond pending an extradition hearing.

AT OMAHA, Neb., meanwhile, authorities say they have given up attempts to find

another witness wanted for questioning Tuesday before the Orleans Parish Grand Jury.

Arthur O'Leary, a deputy Douglas County attorney at Omaha, said his office has been unable to track down 22-year-old Sandra Moffett McMaines, who has been ordered by Judge Bernard J. Bagert to appear here Tuesday, Wednesday and Thursday.

Key Garrison witness Perry R. Russo of Baton Rouge has said Mrs. McMaines was with him at a party in 1963 shortly before he heard Ferrie, Lee Harvey Oswald and retired businessman Clay L. Shaw, 54, plot President John F. Kennedy's murder. The woman has denied being there.

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see [unclear]

Roommate of Russo Dropped from LSU

(States-Item Bureau)

BATON ROUGE — Steve Derby, 20-year-old roommate of Perry Russo, a central figure in the Jim Garrison probe of President Kennedy's assassination, has been dropped from the rolls at Louisiana State University.

Both Derby and Russo have been moved from their apartment at 311 E. State st., a winding, narrow street adjacent to the LSU campus in Baton Rouge.

A university spokesman declined to give the reason for Derby's departure from the university.

He said it is not the policy of the university to discuss actions by the disciplinary committee as it relates to students.

Derby, a sophomore in the junior division (freshman class), had been removed from the baseball team about a week ago.

He had been attending LSU on a baseball scholarship and with financial help from Russo.

As the holder of an athletic scholarship, Derby was required to live in the athletic dormitory. However, he also lived with Russo in the Tigertown apartment.

Russo, who was unavailable for comment, is still employed by a life insurance firm here, although his new address was not known. *END*