

Testimony Given In Shaw Trial

Court proceedings in the 30th day of the conspiracy trial of Clay L. Shaw:

The state continued to cross-examine Dr. Pierre Finck today, with assistant district attorney Alvin V. Oser doing the questioning.

Q—Colonel, I direct your attention to Page Four of the autopsy report of November, 1963, and to the fourth paragraph. It states that the complexity of fractures taxed satisfactory verbal descrip-

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but turned over undeveloped to the Secret Service. At the time the autopsy was performed, we did not know when they would be processed. The Secret Service took charge of them.

Q—You didn't see them until January of 1967?

A—This is correct.

Q—On the same page, Page four, I direct your attention to the passage which states . . . second wound, presumably of entry. Explain why, in the report, you say presumably of entry and you now state you are positive of entry?

A—Adm. Galloway told us to put that word presumably, but this does not change my opinion that this was the wound of entry.

Q—Was Adm. Galloway a pathology. He was commander of the hospital.

Q—Give us the name of the general who instructed Cmdr. Humes not to talk about the autopsy report?

A—This was not a general, this was an admiral. This was in the autopsy room.

Q—What was his name?

A—There were several people in charge, as I recall. It was Adm. Kiney at that time, as I recall.

Q—What was the name of the general in charge of the autopsy?

A—There was no general in charge. Adm. Humes said "who is in charge here," and a general answered "I am." That doesn't mean he was in

tion and are better appreciated in photographs and X-rays. I ask you how you could better appreciate the fractures in photographs when you never saw the photographs until 1967?

DEFENSE attorney F. Irvin Dymond objected to the question but was overruled.

A—Photographs are more accurate than description . . . the photographs were taken

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charge of the autopsy. He was in charge of the general operation.

Q—Which included your report?

A—No. I don't think so. At no time did any general say he would have anything to say autopsy.

Q—Can you give me his name?

A—I don't remember.

Q—Were any other generals in uniform?

A—I remember a brigadier general Adm. Galloway was in uniform. Adm. Kiney was in uniform.

OSER THEN questioned Finck about the sequence of shots that hit Kennedy and Finck said the first shot hit the President in the back of the neck and the second shot in the back of the head.

Oser asked Finck if he was aware that, during the reconstruction of the assassination, "not one expert" was able to fire the required shots in the required time from the sixth floor window of the Dallas schoolbook depository.

F. Irvin Dymond, chief defensive counsel objected on grounds such knowledge would be hearsay and Judge Haggerty ruled out the question.

OSER THEN asked Finck if he had access to notes by the FBI and Dymond again objected this would also be hearsay evidence.

This time, he was overruled.

A—As I remember, I found out about the reconstruction

and tests when I read the Warren Report when it was published in September, 1964.

Q—Colonel, in regard to the autopsy report of 1963, how much time did you spend on the report?

A—I cannot give an exact figure. I was called by Dr. Humes to Bethesda. I would say I spent several hours with Dr. Humes and Dr. Boswell before I signed it.

Q—Did you read over the final draft?

A—I did.

Q—Do you agree with everything in the autopsy report?

A—Essentially, I do. I read the report and discussed it several hours.

Q—Then why is Gov. Connally spelled C-O-N-N-E-L-L-Y and not C-O-N-N-A-L-L-Y?

DYMOND BROUGHT a roar of laughter from the gallery when he objected to the question on grounds that the witness "is not qualified as an expert in spelling."

Judge Haggerty then brought more laughter when he stated the meticulous Col. Finck "did a lot of spelling yesterday."

Dymond took over the questioning of the defense witness.

Q—Did anyone give an order as to the opinion you were to write?

A—No.

Q—Would you have accepted any order in writing the report?

A—No.

Q—In performing an autopsy, which is more important, viewing photographs or viewing the actual subject?

A—They supplement each other.

Q—In gathering information for arriving at a conclusion, which is more important, seeing photographs of the cadaver or seeing the cadaver itself?

A—The cadaver is the most important thing to see.

Q—Did you have X-rays available?

A—We did.

Q—When were the X-rays taken and when were they made available to you?

A—When I arrived at Bethesda hospital, the X-rays had been taken of the head. After I found the wound at the back of the neck and no corresponding exit, I requested X-rays. My purpose was to see if there was a bullet in the body. An X-ray will

reveal a bullet.

FINCK SAID he found no entire bullet in the cadaver, only fragments. Dymond then referred to drawings showing the entry of the two bullets into the body of the late president and asked Finck if the sketches "purport to be scale drawings?"

A—No.

Q—Under whose supervision were they prepared?

A—Under the direction of Dr. Humes . . . drawn at his direction. As far as I know Dr. Humes gave the results of our findings to a Navy enlisted man who made these drawings for the Warren Commission.

Q—In your opinion, doctor, was mutilation of the remains necessary to gather enough information to satisfy yourself as to the path of the bullet?

A—I don't know what it would have shown.

Q—Would you say it is necessary to mutilate to determine the path of the bullet?

A—I don't know.

Q—Did you form an opinion as to the path of the bullet?

A—The wound at the back of the neck had a regular edge — inverted which is characteristic of a wound of entry and exited through the tracheotomy.

Q—Is this a firm opinion without a bisection?

A—It is a firm opinion.

Q—Doctor, did you examine the wounds of Gov. Connally?

A—No, I never met Gov. Connally.

Q—Yesterday you were asked if you had testified before the Warren Commission that a fragmented bullet could not have gone through the wrist of Gov. Connally. Did you testify to that?

A—I testified before the commission that this bullet did not disintegrate before striking the wrist of Gov. Connally because there were too many fragments in the wrist to be caused by such a bullet. I don't think that such a bullet which has lost such little weight could cause the fragments I could see in the X-ray of the wrist of Gov. Connally.

Q—Did you have occasion to see Gov. Connally?

A—No. I may have had reports on his condition. I don't recall. I did see X-rays and photographs.

Q—Could a wound of en-

trance in a flabby area be larger than the wound of exit?

A—It could be. It would be determined by the angle of the projectile.

Q—Does this apply to a skull wound? Could the wound of exit be smaller?

A—Most of the time when a bullet goes through a bone, through and through, the exit wound is larger. The reason is that the bullet disintegrates going through bone, causing fragments and a larger wound. In a flashy area hit by a high velocity bullet, the skin stretches on the entrance of a bullet and retracts after. It often does this to some extent. It doesn't happen through bone. Skin is more elastic than bone. The position of the bullet in relation to the target will have an effect on the wound.

DYMOND THEN asked about the position of the wound in the back of Kennedy's head—whether it was four inches, or 100 mm, above the external occipital protuberance.

A—On being questioned yesterday by Mr. Oser, I referred to the measurements taken on an X-ray film.

Finck then explained that the size of an X-ray seldom corresponds with the exact size of the head, that the size of the X-ray is based on the distance of the X-ray tube from the subject. "The film is not to scale," he said.

Q—The measurements to which you refer in your autopsy report—are these measurements from the cadaver itself?

A—The location of the wound at the back of the shirt and the back of the head corresponds with the measurements on the cadaver.

Q—Now, doctor, referring to State (Exhibit) 70, the head of the President, would the direction of the President's head, one side or the other, affect the angle?

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A—Yes, it would to some extent.

Q—Did you testify, doctor, that you did not examine the left half of the president's brain?

A—Yes, the brain was still in chemicals. The brain was examined after the autopsy was made and the final examination report was made in the supplemental report?

Q—Did Dr. Humes make the supplemental report?

A—He did.

FINCK REFERRED to the page in the report to the presidential commission as of Dec. 6, 1963, titled "Supplemental Report."

Q—Doctor, what was the purpose of the autopsy performed by you, by Dr. Humes and by Dr. Boswell?

A—To determine the nature of the wound and the cause of death.

Q—At the time you signed the report, were you satisfied as to the cause of the wounds, their direction and effect?

A—In my opinion, this report fulfilled this mission.

Q—Having performed the autopsy, what firm opinion did you reach?

A—It was my firm opinion that the wound of entry was at the back of the neck and the wound of exit in the front at the tracheotomy wound. The second wound was at the back of the head and the exit of this wound the right top side of the head. The head wound was the fatal wound—the cause of death.

Q—As of this date, doctor, is there anything that would change that opinion?

A—No, sir.

AT THIS point Dymond stopped direct questioning and Oser resumed cross-examination. He began questioning Finck as to the part of the autopsy report having to do with the exact location of the entrance wound at the back of the head at the external occipital protuberance.

This particular portion of the report, Finck said, contained measurements taken from the X-ray.

Q—Were the X-rays you viewed all of the X-rays that were taken of the president?

A—The X-rays were made

by a radiologist. He said there was no bullet left in the cadaver.

Q—Colonel, do you know to your knowledge that some of the X-ray film taken of President Kennedy at that time did not come out?

A—To my knowledge there was some film that did not come out. They were bruised photographs.

Q—Now, doctor, if you had the X-rays examined by a radiologist, was there not discovered a 1¼-inch structure?

A—There was evidence of metallic fragments.

Q—If this was in the X-rays, was it there at the time of the autopsy?

A—There was a brown, rectangular structure measuring 13 by 20 millimeters but its identity was not established and I don't know what it referred to.

Q—What was the reason you gave Mr. Dymond that you did not dissect the tract through the throat?

A—I didn't consider dissection.

Q—Didn't you say you did not want any further mutilation of the body of President Kennedy, as a matter of fact?

A—Yes, sir.

Q—Isn't it a fact that you were told not to go through the throat area?

A—Yes, but I don't remember the details.

Q—Who told you not to go through the throat area?

A—I did not do it.

Q—Can you describe the incisions made in the body?

A—I did not make the incisions. I was called to make a study of the wounds. My role was to emphasize and examine the wounds. The incisions were already made when I got there.

Q—What was to prevent you from making these incisions?

A—I arrived a short time after the autopsy began, but I do remember there was a bruise in the upper chest cavity, produced by the bullet that entered the president's back.

Q—Should there have been an open incision?

A—I saw the body open.

Q—Is it not standard operating procedure to make a wide incision to examine the wound?

A—I don't remember mak-

ing the incision. I was not the pathologist making the autopsy.

Q—Did you not say to Mr. Dymond that you didn't want to mutilate the president's body?

DYMOND AT this point objected on the grounds the

witness had already answered that question. The judge sustained the objection.

Q—At that time, is it not a fact, that you were puzzled by the lack of an exit wound?

A—Yes, it is.

Q—Did you say to Mr. Dymond that you weren't taking orders from anybody in the autopsy room?

DYMOND, AT this point, objected, claiming the witness was being misquoted.

Oser then told Judge Haggerty: "I asked whether he had answered Mr. Dymond he wasn't taking any orders during the autopsy."

Dymond interjected, "I asked the witness if he was taking orders on what his professional opinion should be."

Q—Were they ordered not to dissect?

A—There were no direct orders. There were several people in the room and a number of suggestions were made.

Q—Is it not a fact you were a lieutenant colonel in the Army and there were generals and admirals present in the room?

DYMOND OBJECTED on the grounds the witness had gone over this, but Oser contended he was merely attempting to determine who was giving orders during the autopsy. Judge Haggerty sustained Dymond's objection and Oser excused the witness. The judge took a five-minute recess before calling the next witness.

Oser requested that two reports, signed by Finck, marked S-67 and S-71, be filed into evidence. The judge ordered the reports filed.

Dymond then asked for the next witness, Dean A. Andrews, a New Orleans attorney, who was seated outside the courtroom.

ANDREWS entered the courtroom wearing the usual dark glasses, a dark coat and dark tie. He took the oath

and, after sitting down, removed his dark glasses and proceeded to administer some drops to his eyes.

At this point, Assistant District Attorney James L. Alcock requested permission to approach the bench. He was accompanied by Assistant District Attorney Andrew J. Sciambra. Dymond joined them.

After a brief conference, the lawyers returned to their seats. Judge Haggerty instructed the sheriff to remove the jury from the courtroom.

Alcock said he feels that, if the witness had his attorney in court, he should be allowed to confer with his attorney and be advised of his constitutional rights and, if his attorney was not present, the court should instruct him.

ALCOCK SAID the witness has been convicted of perjury in connection with his testimony in the investigation. The conviction, Alcock noted, is under appeal.

Judge Haggerty asked the witness if he had an attorney in the courtroom. Andrews said yes and asked that Michael Barry come forward.

Andrews explained that Barry is associated with him in the practice of law.

JUDGE HAGGERTY ruled Andrews would not be forced to incriminate himself.

Andrews said that his lawyer was there to advise him if he had to answer questions. Andrews' perjury question is now on appeal before the state supreme court and the judge said the conviction is not a "final matter."

Judge Haggerty ruled it would be up to the court to instruct the witness whether to answer questions.

Dymond said defense counsel had no objection to Barry's sitting at the defense table, but the judge allowed Barry to sit by the witness stand at the front of the courtroom.

ALCOCK ASKED for "one minor clarification" before the jury returned to the courtroom. He asked if he could go into the subject matter on which the conviction was obtained.

Judge Haggerty approved

of questioning along this line.

The jury was called back and Dymond began his direct examination of the witness.

Andrews testified he has been an attorney for 18 years.

DYMOND ASKED him if, on Nov. 22, 1963, he was confined in a hospital.

A—Yes, I was. I was confined to Hotel Dieu.

Q—Did you receive a telephone call while you were in the hospital?

A—Yes, I received a telephone call.

Q—From whom did this call come from—if you know?

ANDREWS conferred with

Barry and said he declined to answer the question because of a client-attorney privilege and because of a charge presently pending.

Dymond started to ask another question, but the judge interrupted him and said he had not yet ruled on the witness' objections.

He sustained the objections and told Dymond to rephrase his question.

Q—Regarding this telephone call, was it a long distance call or a local call?

A—It was a local call.

Q—When did you receive the call?

A—I don't remember the time.

Q—Can you give the approximate date?

A—Yes, it was the day after the president was assassinated.

Q—Would that be Nov. 23?

A—It was a Saturday. If that was the date, then that is correct.

Q—Was the call from a Mr. Clay Shaw?

A—No.

Q—Did you ever receive any telephone calls from a Mr. Clay Shaw?

A—No.

Q—Do you know Mr. Clay Shaw?

A—No, I do not.

Q—Were you ever introduced to Mr. Clay Shaw?

A—No, I was not.

Q—When was the first time you saw Clay Shaw?

A—When I saw his picture in the newspaper in connection with the investigation.

Q—What did you do as a result of that telephone call?

A—As I recall, I called Mrs.

Springer, my secretary, to see if she could locate a file on Lee Harvey Oswald. He had been into my office about four or five times during early May or June.

Q—After calling your office . . .

ANDREWS interrupted and said he did not call his office, but called his secretary at home.

Q—Very well . . . as a result of that call did you do anything else?

A—I believe my office investigator visited me.

Q—Were any other calls made by you?

A—On what day?

Q—On the day you received the call, or the next day?

A—Yes, I think it was Sunday. I called attorney Monk Zelden.

Q—What did you tell Mr. Zelden?

(**ZELDEN** WAS in the courtroom at the time. The judge admonished him to have a seat "like everyone else" when the court reconvened after the first morning recess.)

A—The purpose of the call . . . since I was in the hospital and couldn't go, I wanted to ask Monk if he'd be interested in going to Dallas to represent Lee Harvey Oswald.

Q—Did you later have occasion to have a conference with Regis Kennedy of the FBI?

A—I don't recall the time, but I think it was Monday. I called Mr. Kennedy to let him know Lee Harvey Oswald had been in New Orleans in either the summer or spring of 1963. I also called Mr. Reisser, head of the Secret Service, and gave him the same information but he didn't seem to be too interested.

ASKED BY Dymond what his physical condition was when Kennedy visited him at the hospital, Andrews said he had been awakened from a sleep, that he was under sedation.

He said he remembered seeing Kennedy only once.

Asked if he was under sedation when Kennedy visited him, he said he was under sedation "regularly" after that.

Q—Did you furnish him with a fictitious name of the per-

son who called you on the telephone?

ANDREWS conferred with his attorney and declined to answer the question on grounds it could be used as evidence against him in the pending criminal proceeding.

Judge Haggerty sustained the objection. Andrews, smiling broadly, remained silent.

Q—In the course of your conversation with agent Kennedy did you ever use the name Clay Bertrand?

A—Yes.

Q—Is or was Clay L. Shaw the Clay Bertrand to whom you referred?

A—No, sir.

Q—Do you know who Clay Bertrand is or was?

A—Yes, I believe I do.

Q—Did you know David Ferrie?

A—Yes, slightly.

Q—Did you ever see David Ferrie with Clay Shaw?

A—I never saw Clay Shaw before.

Q—Did you ever see Ferrie

with Lee Harvey Oswald?

No, sir.

Q—Did you ever hear Lee Harvey Oswald mention the name of Clay L. Shaw.

A—No, sir. I did not.

Q—Did you ever hear David Ferrie mention Lee Harvey Oswald or Lee Oswald?

A—No, sir.

THE DEFENSE turned Andrews over for cross-examination after less than 10 minutes of questioning.

District Attorney Jim Garrison entered the courtroom shortly before Alcock began cross-examination. Garrison remained in the courtroom until the luncheon recess at 11:45 a. m., but did not take part in any of the questioning.

Under cross examination Alcock sought to destroy the credibility of the witness.

Q—When was the first time you saw Lee Harvey Oswald?

A—I would have to guess the spring or summer of 1963, around 4:45 or 5:30 in the afternoon.

Q—May or June?

A—I think it was the latter part of May when I first saw him. He visited my office four or five times.

Q—Was he accompanied by

anyone?

A—I assumed he was; I didn't know.

Q—How did you assume this?

A—Three persons came in my office at one time. He was second and a Cuban type was third. I would call him a Mex.

Q—How long was Oswald in your office before the Mexican came in?

A—Both came in at about the same time.

Q—How large is your office?

A—It had a reception room which led into my office, my secretary's office and a small library.

Q—Were you talking with anyone at the time Oswald entered?

A—I would be guessing, but I'd say no. Three swishes came into my offices, I mean three people.

Q—What are swishes?

A—They just swished.

JUDGE HAGGERTY said, "I think we can cut the comedy . . . be more precise."

Andrews continued.

A — They appeared to be homosexuals by the way they walked. They came directly in and stood there until I told them to come in.

Q—Did they leave prior to Oswald's coming in?

A—I think so, then Oswald and the Mex walked in.

Q—Do you think there was any connection between those three and Oswald and the Mexican?

A — I don't know whether there was or was not.

Q—What advice did you give to Oswald?

A—I would have to claim an attorney-client exception on that.

HAGGERTY allowed this claim to stand.

Q—Was Oswald a client?

A—At that time.

Q—Did you receive any pay?

A—No.

Q—Did you do any work for him?

A—Other than counsel him, no.

Q—How long did he stay?

A—I'm guessing . . . maybe 10 to 20 minutes.

Q—Did Oswald talk?

A—Yes.

Q—Did the Latin type talk?

A—No.

Q—Did he talk at all?

A—He may have. I don't remember.

Q—Do you remember his name?

A—No.

Q—Do you remember his description?

A—He looked pretty good. I wouldn't tangle with him. He was the athletic type. He had a butch haircut. He looked real good.

Q—Did he have any tattoos or scars?

A—No.

Q—What color was his hair?

A—Black.

Q—How dark was he?

A—I couldn't say. He was a Latin type . . . had the appearance of a Latin type.

Q—Did you ever hear him speak?

A—I could have but I'm not sure.

Q—In English or Spanish?

A—I don't remember.

JUDGE HAGGERTY asked Andrews if he speaks English and Spanish, and Andrews said, "Loco, poco, Judge."

Alcock asked:

Q—How much did this Cuban or Mexican type weigh?

A—165 to 170 pounds, a welterweight.

Q—As a result of this conversation with Oswald, did you know his name?

A—Yes, I asked his name when he came in.

Q—Did you see him any other time?

A—Four or five times, including the initial time.

Q—When was the next time?

A—The first of May, I mean the first week of May.

Q—Your office?

A—Yes.

Q—Where is it located?

A—In the Maison Blanche Building.

Q—Was anyone with him?

A—The Mexican, I never saw him unless he was in the presence of the Mexican.

Q—Was the subject of the conversation the same as on his first visit?

A—Yes.

Q—Were you acting as his attorney?

A—I thought I was when he came back. It was on a consultant basis.

ANDREWS WAS asked the subject of the conversation but the judge allowed him to claim the attorney-client ex-

ception again.

Q—Did you collect any fee?

A—No.

Q—Did you set a fee?

A—Twenty-five bucks.

Q—Do you remember what he (Oswald) wore the first time you saw him?

A—The first time, he wore black pants and a shirt. On his return trips, he wore a white shirt open at the collar, with cuffs and slacks.

Q—When was the next time you saw him?

A—I don't remember but he again came to my office. It was just before closing time . . . he stayed 10 to 20 minutes . . . the Latin type was with him.

Q—Did you ever leave with them?

A—No.

Q—So you don't know how they physically got there?

A—No.

ANDREWS SAID he saw Oswald next three or four days later in his office, but he never asked the companion his name. Oswald and the Mexican returned one more time days later, Andrews testified.

Q—Did you have occasion again to see Oswald?

A—Yes, I don't remember if it was four or five times. I have to start guessing. My best recollection is that the next occasion was on the street. He was handing out chits.

Q—Do you mean leaflets?

A—Yes, he was handing out leaflets to help Cuba.

Q—Did you take one?

A—Yes. I looked at it and dropped it like a hot potato. I'm not interested in helping Cuba.

Q—Did you talk to Lee Harvey Oswald?

A—Yes, I think I asked him for my money.

Q—Was anyone with him?

A—The Mex was there, leaning against the window.

Q—What time did this happen?

A—It was after lunch. I don't remember if the federal court was still on Camp st. I may have been going to the federal court or the Whitney building.

Q—Was anyone else handing out leaflets?

A—There were other people there but I don't recall if they were handing out leaflets.

Q—Do you recall if any of the other persons were Latin

types?

A—Not except for the Mex. I called him "me and my shadow" to myself. He was always with Oswald.

Q—Were there other Latin types around?

A—There were some standing on the curb hollering at him.

Q—Did you determine whether Lee Harvey Oswald was a homosexual?

A—No.

Q—Did you determine whether the Latin was a homosexual?

A—No, not that I recall.

Q—Did you see Oswald again?

A—No.

Q—Did you see the Latin type again?

A—No.

Q—Might you have seen either of them again?

A—Not that I recall.

Q—To your knowledge did anyone send Oswald to you?

A—To my knowledge, no.

Q—Mr. Andrews, getting back to the call you received Nov. 23, can you tell me the approximate time of day or night?

A—I don't remember. I know it was daytime.

Q—Did the person who called identify himself or herself on the telephone?

A—No.

Q—Would you recognize the voice of the person who called you on the telephone?

A—Yes.

Q—From where would you recognize it?

A—My legal practice.

Q—At the time, speaking on the telephone to the caller, did you associate a person with that telephone voice?

A—I believe I did.

Q—What do you mean, you believe you did?

A—I believe I did.

Q—How tall was the person you recognized on the phone?

A—I decline to answer that on two grounds. One, that it violates the attorney-client relationship; second, that it could, would, might tend to link me in a series of circumstances involved in a case now pending.

ALCOCK ASKED the jury be sent out of the courtroom so he could argue the point. Judge Haggerty sent the jury out of the court at 11:05 a. m. Alcock argued that Andrews should have to answer on the

grounds that he had previously made "vacillating" responses to the question of who had called him.

Judge Haggerty ruled Andrews could not be forced to reveal the height of the person who had called him on Nov. 23, but Alcock could proceed to attempt to reveal any contradictions in Andrews' testimony.

DURING THE legal hassle, Garrison sat quietly at the end of the prosecution table, not intervening in the dispute.

Q—Prior to the telephone conversation had you seen the party named Clay Bertrand?

A—Please rephrase the question and I will answer it.

Q—Do you know a person named Clay Bertrand?

A—I know a person, who in the 1950s was introduced to me as Clay Bertrand.

Q—What was the occasion when you were introduced to Clay Bertrand?

A—I walked into the Le Rendezvous Bar. There was a wedding reception in the back room and that is where I met him.

Q—By whom were you introduced to Clay Bertrand?

A—Big Joe—Wait—I respectfully decline to answer on the grounds that the answer would link me to a chain of circumstances involved in a pending case.

AFTER A BRIEF legal discussion, Alcock continued:

Q—Big Joe, who's Big Joe?

A—She's a butcher.

Judge Haggerty: "Speak more clearly. Is Big Joe a he or a she?"

A—She's a she.

Q—How did you happen to be there?

A—I just walked in and the wedding reception was going on.

Q—Who is Big Joe?

A—Helen Girt.

Q—When was the last time you saw Helen Girt?

A—When she was released from Angola.

Q—When was that?

A—Sometime in the late 50s. I defended her on a charge of possession of narcotics. She was convicted. I saw her when she got back from Angola.

Q—Where is she now?

A—I don't know.

Q—Was she charged under

the name of Helen Girt?

A—I don't know, but I assume she was.

Q—Did you have occasion to have a conversation with this person named Clay Bertrand?

A—Yes.

Q—Approximately how long did you talk?

A—He denied being Clay Bertrand. You know who he is.

Q—I know who he is? Would you mind telling me who he is?

The judge read it into the record.

Judge Haggerty: I can't give an exhibit. That's up to the prosecution and the defense.

Q—Would you give me his name?

A—I refuse and respectfully refuse to answer on the grounds that it may lead me to a series of circumstances involved in a pending case.

JUDGE HAGGERTY denied Alcock's contention that Andrews should have to answer the question.

Q—Have you known this person prior to going to the wedding reception?

A—Yes.

Q—Have you seen him since that wedding reception?

A—Yes.

Q—To your knowledge, did he ever call you and ask you to represent anyone after you saw him at the wedding reception?

A—He referred clients to my office.

Q—Did the name of the person you know as Clay Bertrand come up in conversation with agent Regis Kennedy?

A—This is my best recollection.

Q—Can you explain this?

A—When Regis Kennedy was making his examination, it dawned on me that if I revealed the real name, it would bring heat on somebody it didn't belong to. I

reached for a name. Being introduced to a man by the name of Clay Bertrand prior to that, I used it as a cover name of the real person that called me.

JUDGE HAGGERTY then asked Andrews what he meant by "cover name."

A—Rather than use this

man's name, your honor, I used a cover name.

Alcock asked:
Q—Then you lied to the FBI?

A—I don't think so. I just concealed the right name and gave a cover name.

Q—You knew at the time that the FBI was looking for this man by the name of Clay Bertrand, didn't you?

A—Vaguely I recall Mr. Kennedy coming into the hospital. Whether they stayed in the field or got out of the field didn't matter to me, so I decided to use this name.

Q—Did you reveal the real name at this time?

A—No. Nobody asked me his real name.

Judge Haggerty interjected at this time: "I guess the word should be 'volunteer'."

Q—Do you know how many interviews you had with the FBI after the phone call in the hospital?

A—No. I don't. I never received a phone call from Clay Bertrand while I was in the hospital.

Q—You testified before the Warren Commission, didn't you, to say that it was Clay Bertrand who called you at the hospital?

A—I don't recall. If you will get me the statement in the Warren Commission report, I can recall.

DYMOND OBJECTED and said that if Andrews was going to be questioned on his statement to the Warren Commission, the statement ought to be offered in evidence.

Alcock said the testimony to the Warren Commission was quite lengthy and suggested the jury be allowed to go to lunch and that Andrews read the entire testimony during the lunch period. After the lunch period he could read the statement aloud for the benefit of the jury.

Alcock noted the statement is 15 pages long with small print.

JUDGE HAGGERTY then asked Alcock: "I understand that you intend to question the witness at length on his previous contradictory statements?"

Alcock said it was true and the court was then recessed.