

'Bertrand' Story False, Shaw Witness Testifies

Convicted Lawyer Now Says Call to Defend Oswald Was 'Figment of My Imagination'

BY JERRY COHEN
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NEW ORLEANS—The lawyer, whose testimony before the Warren Commission provided the spark for Dist. Atty. Jim Garrison's assassination investigation, said Tuesday his story about a mystery man named "Clay Bertrand" was merely a "figment of my imagination."

"There never was such a man, Dean Adams Andrews declared.

What's more, Andrews added, his story about "Bertrand" asking him to defend Lee Harvey Oswald the day after the assassination of President John F. Kennedy was "pages and pages and pages of bull."

Andrews told that story of the request from "Bertrand" both to the Warren Commission and to the Orleans Parish (County) Grand Jury, which indicted Clay L. Shaw, who is on trial here on charges of conspiring to assassinate Mr. Kennedy.

Garrison Case Periled

Andrews' testimony Tuesday in Shaw's trial put a massive puncture in Garrison's case—if the 12-man jury believes the little round man who, by his own admission, wanted to be a big shot.

"I might have overloaded my mouth because of the importance of testifying before the Warren Commission. . . My mouth went ahead of my brain," he said.

"Don't forget I am a lawyer and lawyers like to be famous. . . I'd like to be famous (now) as something other than a perjurer."

A five-man jury convicted Andrews of perjury in August, 1967, after Garrison charged him with changing testimony before the grand jury and altering the story he originally told the Warren Commission.

In 1964, Andrews, under oath, reported to commission counsel Wesley J. Liebler, now a UCLA law professor, that while recovering from pneumonia on Nov. 23, 1963, he had received a telephone call asking him to represent Oswald.

The call, he said, came from a "Clay Bertrand," a man who frequently asked him to represent French Quarter homosexuals in legal troubles.

After Shaw's arrest March 1, 1967, Garrison ordered Andrews before the grand jury. Andrews told grand jurors, when asked if Shaw were "Bertrand": "I can't say he is and I can't say he ain't."

Identified as Bartender

Three months later Andrews appeared voluntarily before the jury again and testified that "Bertrand" actually was a French Quarter bartender named Eugene Davis.

Andrews explained Tuesday that he had gone before the jury to try to set the record "straight," but "I never got a chance because of the way questions were propounded to me."

He added: "There was no way I could get off the hook. I was trying to get off the hook by making conflicting statements."

"You mean by telling lies, don't you?" James

Alcock, Garrison's chief assistant, challenged.

"I mean conflicting statements," Andrews replied.

"Lies."

"Conflicting statements."

"Lies."

"Call them anything you want to, Mr. Alcock. I call them conflicting statements."

Andrews told of telephoning the FBI from his hospital bed, and relating to them the original "Bertrand" story.

He said he did receive, indeed, a phone call while under sedation but that it had been from bartender Davis.

"Two boys were going to sell a car and he wanted me to notarize a bill of sale," Andrews said.

Origin of Story

That, he added, was the take-off point from which he concocted the Oswald story. But, he insisted: "Nobody ever called me in behalf of Oswald. Period."

"You were never called to represent Oswald," Alcock asked. "Per se, my answer is yes."

"It all was a figment of your imagination then?" Alcock asked.

Andrews said, "I have tried to say that consistently but nobody ever gave me a chance."

He said he had used the name "Bertrand" instead of Davis' own name because he didn't want to get an "innocent man in trouble."

"Gene Davis had nothing to do with the Kennedy thing in any shape or form," Andrews said.

"How do you know he had nothing to do with it?" Alcock asked.

"Gene Davis?" Andrews replied with a smile. "Just like I know you are Alcock and didn't have anything to do with it."

"You didn't give my name to the Warren Commission, did you?" Alcock asked, startled.

The courtroom broke into laughter.

No Calls From Shaw

Earlier, Andrews, under direct examination, was asked by Shaw's chief defense counsel, E. Irvin Dymond, if the phone call he received in the hospital was from the defendant.

"No," said Andrews.

"Did you ever receive any telephone calls from Mr. Clay Shaw?"

"No."

"Is it was Clay Shaw the Clay Bertrand to whom you referred (as the man

from whom he received the call)?"

"No," Andrews also said he was unacquainted with Shaw at the time.

Garrison claims Shaw used the alias "Clem Bertrand" and "Clay Bertrand" in plotting the assassination with Oswald and the late David W. Ferrie.

Trial in 6th Week

The trial is in its sixth week. Shaw's attorneys say they hope to complete the defense case by Thursday, with opening arguments to follow soon after.

Dymond said, however, this estimate may prove to be optimistic.

"A defense attorney never can predict what the prosecution will do on cross," he explained. Since the defense began its presentation last week, prosecution cross-examination has been much more protracted than that of the defense—as was the case Tuesday with Andrews.