

NO CLAY BERTRAND, ANDREWS TESTIFIES



—Photo by The Associated Press.

LEAVING COURT are Dean Andrews Jr. (left), an attorney who testified Tuesday that "my mouth ran ahead of my brain" as he claimed he made up the name "Clay Bertrand," and James Phelan of Long Beach, Calif., a freelance writer. Phelan wrote a magazine article critical of Dist. Atty. Jim Garrison's investigation. He is scheduled to take the stand as a defense witness in the Clay Shaw conspiracy case.

T. P. 4/25/69
**Phone Call Story Made
Up, Attorney Says**

Hip-talking attorney Dean A. Andrews Jr. testified Tuesday that no one ever called him to represent Lee Harvey Oswald after the assassination of President John F. Kennedy and that there is no such person as Clay Bertrand.

He characterized his 14 pages of testimony in the Warren Commission report as "page after page of bull" and said the story that he was contacted after the assassination by a man named Clay Bertrand who asked him to defend Oswald "was a figment of my imagination."

Andrews, alternately putting drops in his eyes or wearing sun glasses in the crowded courtroom, said no one gave him a chance to "get out the mess I got myself in."

Concerning the story he told to agents of the Federal Bureau of Investigation about the alleged telephone call and his subsequent testimony to the Warren Commission and the Orleans Parish Grand Jury, Andrews said "my mouth ran ahead of my brain."

He termed his testimony to the Warren Commission as "huffing and puffing" and chief prosecutor James L. Alcock insisted that the "huffing and puffing under oath" was repeated lying.

"You can call it that if you want," said Andrews, "I say I made conflicting statements."

Andrews Says Shaw Not Bertrand

Andrews was called to testify in the Clay L. Shaw conspiracy trial as a witness for the defense, and the highlight of his direct questioning by chief defense attorney F. Irvin Dymond was that Shaw was not Bertrand and that he never saw Shaw prior to his arrest March 1, 1967.

Criminal District Court Judge Edward A. Haggerty recessed the trial shortly before 5 p. m. after the defense

had qualified Charles A. Appel Jr., a retired Federal Bureau of Investigation handwriting expert who since 1948 has had a private practice in Washington, D. C. He was accepted as a handwriting expert without question by the state. Appel is famous for breaking the Lindbergh kidnaping case in his early career with the FBI.

Appel will be on the stand at 9 a. m. Wednesday as the defense begins its direct examination of him. Dymond told Judge Haggerty that he expected Appel would be on the witness stand for quite a while so the judge adjourned to get continuity of testimony for the jury.

After the session was over, Dymond admitted it is unlikely the defense can finish up its side of the case by Wednesday, as he had earlier hoped. "It looks like Thursday," said Dymond, "but you can't tell how long the state will keep our people on the stand."

Dymond said that he still in-
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tends to put Shaw on the stand, but he didn't say when. He had earlier promised that Shaw would take the stand.

The first witness questioned Tuesday was Col. Pierre A. Finck, one of the pathologists who handled the autopsy of President John F. Kennedy. The state finished cross-examination of him, and both sides had sessions with him on re-direct and re-cross-examination. Just before Appel took the stand to qualify, the defense questioned notary public Robert Link, who told of documents that Shaw had signed in his presence last Thursday.

Assistant District Attorney Alvin V. Oser handled the continued questioning of Dr. Finck.

District Attorney Jim Garrison, who alleges that Shaw, David Ferrie and Oswald conspired to kill President Kennedy in 1963, made a brief appearance during the morning session as the Andrews testimony unfolded.

Andrews Refuses to Answer Questions

When Andrews was tendered to the state for cross-examination he began giving the prosecution fits because he repeated-

ly refused to answer questions, claiming his answer might tend to incriminate him.

The reference to incrimination pertains to a charge of perjury pending against him for testimony he gave to the Orleans Parish Grand Jury on June 28, 1967.

Alcock insisted that when Andrews testified that Shaw was not Bertrand he "opened the door" and put himself in a position in which he must answer the state's questions.

Judge Haggerty upheld Andrews' right not to answer for more than an hour as the afternoon session opened, but at 2:15 p. m. agreed to a recess so that the prosecution could research the law and make a presentation in support of its contention.

The trial was resumed at 3:30 p. m. and Judge Haggerty cited a legal book which he had located and a legal book Alcock had located and explained that a person does not need to answer questions that might incriminate him, but when a person answers a question that enters into a subject—in this case the identity of Clay Bertrand—he must answer all questions that are asked and that are related to the subject.

In view of these procedures, said Judge Haggerty, "I will now change my position and I will permit a full cross-examination of all facets he opened when he admitted Mr. Shaw was not Clay Bertrand."

Alcock resumed his cross-examination and this time Andrews answered willingly, telling how the story he termed a "farce" got out of hand and finally "whiplashed."

Andrews Is Asked About Phone Call

"When you received the telephone call on Nov. 23, 1963, did you have an image in your mind of the person who was calling?" Alcock asked Andrews.

"Yes," Andrews replied.

"Who was it?"

"Gene Davis."

"How long did you know Gene Davis?"

"A number of years. . . . I don't recall exactly."

"Did you meet him for the first time at the fag wedding?"

"No. I was introduced to him there as Clay Bertrand. But I knew him as Gene Davis six months to a year before the wedding."

"Did you ever identify

Gene Davis as Clay Bertrand before the Warren Commission?"

"I never identified Gene Davis as Clay Bertrand."

Andrews then explained how he used to represent Davis on legal matters from the time of his graduation from law school in 1951. Andrews said he served Davis on a number of matters, enough so he could

recognize his voice on the telephone.

"Did you every see him (Davis) with Lee Harvey Oswald?" Alcock asked.

"No," Andrews replied.

Alcock then wanted to know why Andrews did not tell the Warren Commission that Davis was the Clay Bertrand who called him about representing Oswald the day after the assassination.

"At the time (of the FBI interrogation) I was under the influence of opium and sedatives. I wasn't aware of it then."

Andrews explained that he was hospitalized at Hotel Dieu when FBI agent Regis Kennedy questioned him about the Clay Bertrand phone call.

Didn't Identify Anybody, He Says

"I never identified anybody as Clay Bertrand. I used it as a cover name for Gene Davis," he testified.

Andrews said he believed he was telling the truth to Regis Kennedy, but added that he did not consider the Warren Commission questioning important.

"It was an informal, rapid fire questioning. I didn't think it was important. I felt I was an insignificant person being questioned about something big. I might have overloaded my mouth—but I didn't deliberately lie. The only explanation I can give you is that my mouth went ahead of my brain."

"You lied then?" Alcock asked.

"You can call it a lie. I call it huffing and puffing . . . a bull session."

Andrews maintained that Regis Kennedy appeared before him "like a myth" while he was still under sedation at Hotel Dieu.

Asked by Alcock why he did

not tell Kennedy his name was Clay Bertrand, Andrews answered:

"I didn't choose to implicate an innocent man—Eugene Davis. I didn't consider it important. It dawned on me that I could involve an innocent man in this (investigation). So while in the hospital, I elected a course I could never get away from. It's been whiplashing ever since."

Pressed by Alcock on what he did tell Kennedy, Andrews replied, "I don't recall what I told Regis Kennedy."

On the alleged phone call by Davis, Andrews testified that it was he, not Davis, who suggested representing Oswald:

"I suggested I'd be famous if I went to Dallas to defend Lee Harvey Oswald. That anybody who defended him would be famous."

Asked by Alcock if Davis, using the alias Bertrand, telephoned him to represent Oswald, Andrews replied: "No one called me to say that."

Andrews Asked About Call to Zelden

"Then why did you call Monk Zelden on Sunday about a trip to Dallas?" asked Alcock, referring to Nov. 24, 1963.

"No explanation," answered Andrews, pointing out that he was under the influence of sedatives at the time.

"Are you trying to say that the phone call asking you to represent Oswald was a figment of your imagination?"

"It was a figment of my imagination. And no one ever gave me a chance to get out of it."

Asked by Alcock if his three appearances before the Orleans

Parish Grand Jury did not offer him the chance to explain, Andrews said:

"All I was trying to do was get out of a mess I didn't belong in. I was walking in a trap."

"Didn't the Warren Commission give you a chance?"

"I don't think they believed anything I said, except that maybe Oswald was in my office."

"Why didn't you name Gene Davis?"

"I wanted to protect him."

"You mean you committed perjury?"

"No. That's what you call it."

"Were you under oath at that time?"

"Yes."

Didn't Want to Name Davis, Andrews Says

Andrews explained that he used the name Clay Bertrand as a cover because he did not want to name Davis. He said he was convinced that Davis had nothing to do with the assassination.

"How do you know that Davis didn't have anything to do with the assassination?" Alcock asked.

"I know. Just like I know you didn't have anything to do with the assassination."

"But you didn't give my name?" Alcock asked.

"No I didn't," replied Andrews.

Andrews then described his Warren Commission testimony as "page after page of bull."

"You mean page after page of lies?" Alcock added.

"If you want to call them that it's your privilege. I didn't want to involve an innocent person."

Judge Haggerty then interrupted the cross-examination to ask Andrews a question.

"Where did you get the name of Clay Bertrand?" he asked.

"I remembered it from the fag wedding when I was introduced to Gene Davis. Of all the names to pick, I picked that one."

"You went back 13 years to get that name?" Alcock then asked.

"It wasn't easy," Andrews replied.

"Did you ever meet anyone with that name?" the judge asked.

"No, only at the wedding."

Alcock then wanted to know how Andrews learned Oswald

had been charged with murdering the President.

"I had a TV in my (hospital) room. I saw Oswald shoot (Jack) Ruby," answered Andrews.

At this point, Judge Haggerty interjected to say to Andrews, "Ruby shot Oswald, not the other way around."

Andrews Questioned About Testimony

Questioned about his testimony before the Grand Jury, Andrews admitted that he made conflicting statements about Clay Bertrand. Alcock wanted to know if these were "lies."

"I made conflicting statements. You call them what you want," Andrews replied.

Andrews then explained that he was forced into making conflicting statements because he "was being hemmed in" by the Warren Commission testimony.

"There was no way to get off the hook. I tried to before the Grand Jury but I couldn't," said Andrews.

"You lied before the Grand Jury?" Alcock asked.

"I made conflicting statements. The jury took my statements from the Warren Commission report and rammed them down my throat. There

was no way I could go. I was hemmed in."

Judge Haggerty interrupted again to ask another question about the Bertrand name: "Where was the name Clay Bertrand created? At the wedding?"

"I was introduced to a person I knew as Eugene Davis. Big Joe introduced me to him as Clay Bertrand. It was done casually. At the Hotel Dieu (when Kennedy was questioning him) I was trying to think of a name. It came to me finally. Clay Bertrand. If I had my life to live over, I'd say John Jones."

Asked by the judge why Davis might have been introduced as Bertrand at the party, Andrews said it was probably done in jest. Said Andrews, "I've been introduced as Algonquin J. Calhoun, but people know I'm Dean Andrews."

Referring again to the al-

leged phone call Andrews received from Bertrand, Alcock asked if any fee had been guaranteed for defending Oswald.

"I never had a commission or retainer for anything. That's bull."

"More bull?" Alcock asked, adding:

"Can we just take your Warren Commission testimony and throw it in the ash can because it was bull?"

"No, parts of it are square, Andrews said, pointing out that Oswald did come to his office seeking legal advice.

Andrews then noted how he was one of the early critics of the Warren Commission, registering his disapproval in 1964. "I didn't wait four or five years. I jumped on the gravy train right away," he stated.

As the final portion of the afternoon session opened, at about 4:30 p.m., Andrews was tight-lipped as the jury filed in.

"I am going to give you testimony that you made before the Orleans Parish Grand Jury March 16, 1967," said Alcock, "and I want you to read it. Then I am going to ask you questions about them."

Alcock handed the material to Andrews, and he read it.

Alcock Reads Part of Testimony

Alcock read the first part of the testimony. It referred to questions asked Andrews to the effect that he couldn't recall how to contact Clay Bertrand, and that he never called him on the telephone.

"Is this the truth or lies?" asked Alcock.

"Let's take the first question first," suggested Andrews.

"Okay, take the first question," agreed Alcock. "Is it true or not?"

Andrews replied, "I never called Gene Davis, who I used the name Clay Bertrand as a cover. I didn't hustle business."

Then Andrews added, "Clay Bertrand is a cover name. It whiplashed on me and I couldn't get out of it."

"Since your client Gene Davis is the person you refer to," suggested Alcock, "this is a lie."

"I don't hustle business," claimed Andrews.

"You never contacted Gene

Davis at all?" asked Alcock.

"Yes," said Andrews, "but it was in regards to business matters and client relationship."

"You said you couldn't get in touch with Clay Bertrand?" asked Alcock. But Andrews replied, "When Gene Davis guarantees something, it's better than money in the bank."

"I didn't ask you that," said Alcock. Judge Haggerty told Andrews to answer the question.

Andrews said that he knew where to get in touch with Davis, but at that time Davis did not have a phone number.

"Got to remember you are asking me something that happened in 1963 in 1967," said Andrews.

"Then everytime you mentioned Clay Bertrand before the grand jury you were talking of Gene Davis?" asked Alcock.

"That's right," said Andrews.

Alcock read more. A question at the grand jury session concerned whether Andrews had ever seen Clay Bertrand. Andrews, according to Alcock, answered, "As best I can recall twice."

"Is this true or false?" pressed Alcock.

"Clay Bertrand is a figment of my imagination," replied Andrews. "It's a cover name. I had continued with this fiasco up until now."

"Is there any explanation for your testimony to the grand jury other than it was a cover story?" asked Alcock.

Dymond Objects to Question

There was a pause and Dymond said he objected. Andrews said, "I can answer that." However, Judge Haggerty stopped him.

Alcock rephrased the question. In explanation, Andrews said, "I went back June 8, 1967, to straighten it out. But I never got a chance to do it because of the way the questions were propounded to me. I was then indicted, because I was hemmed in on one side by my Warren Commission testimony and statements I had made outside of sworn testimony. I did the best I could with what I had."

Andrews told Alcock, "And I told the DA's office that Shaw was not Bertrand, but no one would believe me."

Moments later, Andrews was

given permission to step down. "I can go?" he asked Judge Haggerty. And the judge said he could.

The defense immediately called in Link, who identified 14 exhibits that he said Shaw signed in his presence last Thursday. He said he recognized his own signature on all of them. This was done in William Wegmann's office.

Alcock asked Link if he could identify his handwriting. "Yes," said Link, "no one else can write like I do." And he was excused.

Handwriting Analyst Called to Stand

That brought on Wednesday's star witness, Appel. He told how he was a member of the FBI in the early 1920s was assigned to employ experts in handwriting, but had difficulty finding them. So he was told to learn the trade himself. He went to the Northwestern University Crime Lab and "discovered a skill" in handwriting analysis.

"What training did you have in handwriting analysis?" asked Dymond.

"There are no courses," corrected Appel.

Appel said he has appeared in cases in all states of the United States but Hawaii and some foreign countries. He said he is qualified in the state of Louisiana.

Ironically, he has worked for the state in previous cases in New Orleans. But now he appears as a defense witness.

Appel is expected to testify concerned the alleged signature of Clay Bertrand on an Eastern Airlines lounge book. A witness for the state has identified Shaw as the man who allegedly signed the book, "Clay Bertrand."

As the afternoon session opened Alcock attempted to ask Andrews about contradictory statements he made in his testimony before the Warren Commission.

"I reserve the right to decline to answer for the reason of getting into a matter that may, might, could, would link me up with a chain of circumstances that might incriminate me. I have three articles and an open case in mind. They are articles 123, 124, and 125 of the Louisiana Criminal Code," answered Andrews.

Alcock Refers to Testimony

It marked the start of another series of exchanges in which Alcock would refer to Warren Commission testimony. Of the testimony, Andrews would reply that he did not recall it, but that if it was written, he must have said it.

Alcock would then attempt to ask a question concerning the variance between the two answers and Andrews would repeat the decline statement.

At one point Dymond suggested that Andrews state merely, "I decline on the same grounds," but Andrews said he would prefer to repeat the entire statement each time.

Alcock, obviously perturbed by Andrews' refusal to answer his questions, complained to Judge Haggerty.

Judge Haggerty told Alcock that whenever an attempt is made to impeach a witness with a statement he has made, he must first be asked if he made such a statement and given the time and place.

The judge continued that he may admit or deny making the statement, but the state could challenge him only if he denied making the statement. Otherwise the statement must speak for itself and the jury decide.

Alcock then asked him about his statement to the Warren Commission, taken on July 21, 1964, in the old Civil Courts Building, on Royal St.

Andrews Given Copy of Testimony

Andrews, who was given a copy of his testimony, replied: "This statement is here and I must assume that I made it."

When Alcock attempted another question regarding differences in testimony, Andrews again declined to answer and Judge Haggerty said: "This witness is not an ordinary witness in the customary sense. He is a defendant in a criminal mat-

ter and not an ordinary witness."

Alcock rephrased his earlier question: "Isn't it a fact that you saw the man you identified as Clay Bertrand rather regularly between the time you first met him and the time you testified before the Warren Commission?"

Andrews again declined to answer and Judge Haggerty told Alcock that his question was not from the written testimony, but was one that he originated.

Alcock said this was correct and the judge said in that case, "I sustain the objection."

Alcock began arguing the point and Judge Haggerty ordered the jury out of the courtroom. Out of the presence of the jury Alcock maintained that before the grand jury Andrews had identified the man he knew as Clay Bertrand and that if he was not allowed to ask him questions he could not attack his credibility before the jury. He argued further that when Andrews testified for the defense about Clay Bertrand he "opened the door" to a complete cross-examination by the state.

Questions Don't Open Door—Judge

Judge Haggerty said that Andrews' answers to defense questions did not open the door, and Alcock asked how he could impeach the witness if he was not permitted to ask him questions.

After a few more arguments, Judge Haggerty told Alcock, "If you hadn't indicted him (the DA's office) he would not be in this position today (having to decline to answer questions). You got yourself in a legal bind. You people have caused him to be in this position."

"We didn't cause him to do anything," answered Alcock, his face reddening. "We didn't cause him to lie under oath."

Judge Haggerty said that because of his predicament, with a criminal charge pending, he is a witness who can invoke his constitutional provisions.

"He testified to Clay Bertrand not being the defendant," said Alcock.

Alcock then asked if he could ask Andrews questions about his testimony before the Orleans Parish Grand Jury.

"You can't go into the fact about his being charged," said

Judge Haggerty

Alcock said he would not do this, but would ask him if he did appear and if he did make the following statement, and read a statement from the grand jury testimony.

"I'll permit that," said the judge.

Dvmond objected that if Al-

cock took the court folder of the pending trial, which contained the testimony, he wouldn't have to tell the jury about the pending charge. They would know, he maintained.

Judge Suggests

New Approach

Alcock said he had a copy of the testimony and he would not need the folder. Judge Haggerty said he could read a statement from Warren Commission testimony and ask Andrews if he made it, and then a statement from the grand jury testimony, and attempt to show contradictory statements in this manner.

"You haven't tried this new approach," said Judge Haggerty.

"I'll try it," said Alcock.

The jury returned to the courtroom.

Alcock asked Andrews if he recalled appearing before the grand jury on June 28, 1967, and Andrews said he had appeared three times. He gave Andrews a copy of his testimony and asked if it refreshed his memory.

Andrews said it did not refresh his memory, but conceded, "I can only assume it was one of the days I appeared."

Alcock then asked if he recalled naming anyone as Clay Bertrand before the grand jury.

Andrews immediately went into his long decline statement, and Judge Haggerty told Alcock that the status of the question was that Alcock has not read a contradictory statement from the grand jury testimony.

Alcock then read a statement and Andrews said he did not recall making it. "No, I do not recall it, but if it's in there apparently I made it."

Alcock next asked Andrews if when he was interviewed by the Warren Commission "you had in your mind the true identity of the man you identified as Clay Bertrand."

Again Andrews repeated the long statement of denial.

Alcock Quotes from Testimony

Alcock asked several more questions, quoting from testimony, and Andrews said that



—Photo by The Times-Picayune.

DR. PIERRE FINCK (right), Army pathologist who testified Monday and Tuesday in the Shaw trial, departs from the Criminal Courts building Tuesday after completing his testimony. He is accompanied by Harry Connick, Justice Department counsel.

while he could not recall them, "if they are in there, apparently I made it at that time."

Alcock then asked another question relating to the grand jury, and again Andrews declined to answer.

Again Judge Haggerty upheld Andrews' right not to answer, and Alcock, raising his voice, told Judge Haggerty: "The court has completely cut the state off from impeaching this witness."

Judge Haggerty immediately asked that the jury be removed, and when the jury was gone, Alcock repeated his claim that Andrews opened the door when he answered defense questions about Clay Bertrand.

"I disagree with you 100 per cent," said Judge Haggerty, adding Andrews can waive his right when he wants, and revoke it when he wants.

"Our client, the State of Louisiana, is entitled to confrontation," argued Alcock.

"I feel sorry about your client," replied Judge Haggerty, "but I have to follow your client's law."

After more arguing, Judge

Haggerty called a recess to permit the state to research law books. "If you show me I'm wrong I'll be happy to reconsider my position," said the judge.

The recess came at 2:15 and the trial was resumed at 3:25 p. m. when Judge Haggerty said he had located a law book and Alcock had, too, and both indicated that a witness cannot stop answering questions at will once he has permitted his answers to enter a particular subject matter. Judge Haggerty said he was reversing himself and would direct Andrews to answer the questions asked of him by Alcock.

It was after this that Andrews said he had made up the name Clay Bertrand and the story about a man calling him to defend Oswald.

Dr. Finck on Stand as Trial Resumes

Dr. Finck was on the witness stand again as the trial opened at 9 a. m. Oser was again questioning the Army doctor who participated in the pathological examination of the body of President Kennedy.

Oser opened the questioning by asking Dr. Finck about the autopsy report signed by the Army doctor. He asked Dr. Finck how the doctor in the report could say that verbal descriptions of the fractures and fragments could be better appreciated when seen in photos and X-rays of the President when the doctor said he hadn't seen the photos at the time.

Dymond objected, but Judge Haggerty told him, "Now you are coming to the aid of the witness."

Dr. Finck replied, "A photograph would be more accurate than verbal descriptions. The photos were taken and given to the Secret Service. At the time of the autopsy we didn't know when the photos would be processed. They were taken in our presence, but the Secret Service took charge of them."

"You didn't see the photos until 1967?" asked Oser.

"That is correct," said Dr. Finck.

"You stated on page 4, last paragraph, that the second wound was 'presumably' the one of entry, but now you say in court you are positive," began Oser. "Why?"

"As I recall Admiral Galloway said to put in the word 'presumably,'" answered Dr.

Finck. "This doesn't change my opinion that it was the wound of entry."

"Was Admiral Galloway trained in pathology?" asked Oser.

"He had some training, I believe," said Dr. Finck.

"Did he suggest adding anything else?" pushed Oser.

"Not that I recall," said Dr. Finck.

"Can you give me the name of the general who instructed Dr. Humes not to talk about the autopsy report?" continued Oser.

"It was not a general," said Dr. Finck. "It was an admiral."

"Alright, give me the name of an admiral," said Oser.

Dr. Finck hesitated, then said he thought it was Adm. Kiny.

"Give me the name of the general in charge of the autopsy," said Oser.

Dr. Humes Asked Who Was in Charge

Dr. Finck said there were several people at the autopsy, that he recalled Dr. Humes asking who was in charge there, and a general said he was. "But he may have been in charge of the overall operation, not just the autopsy," said Dr. Finck.

"Which includes your report?" asked Oser.

"No," said Dr. Finck. "I wouldn't say so. It was signed by the two other pathologists and myself and at no time during this did the general

say he was in charge."

"Give me his name," pressed Oser.

"I don't remember," said Dr. Finck.

"Was he in uniform?" asked Oser.

"I don't remember," said Dr. Finck.

Then there was a discussion by Oser and Dr. Finck as to whom was in uniform at the autopsy. Dr. Finck said he recalled Adm. Galloway, Adm. Kiny and a brigadier general in the Air Force was definitely in uniforms. "I don't recall if Adm. (George) Burkley (the President's personal physician) was in uniform," said Dr. Finck.

Oser next moved to a statement by Dr. Finck in Monday's testimony that after viewing the Zapruder film he was able to definitely put down the sequence of shots which hit the Presi-

dent — being wounded in the back area first and the head area second. Oser asked him if that was correct.

"Yes," said Dr. Finck.

"Did you know at this time," countered Oser, "that not one expert in the recreation of the assassination had performed the feat attributed to this man (the assassin)? Were you aware of this?"

Dymond objected, saying that Dr. Finck said he never had been in Dealey Plaza in Dallas.

Judge Haggerty suggested that Oser break down his questions.

Dymond replied, "This would be hearsay."

Oser rejoined, "We've had a lot of hearsay recently."

Haggerty Asks About Reports

Judge Haggerty asked Dr. Finck, "Did you have access to these reports?"

Dr. Finck said, "I had access to reports concerning the examination of bullets and fragments."

"Did you have notes concerning the recreation?" asked Oser.

"I object," said Dymond. "It would be the rankest form of hearsay."

Judge Haggerty overruled the objection, saying Dr. Finck was an expert witness.

"As I recall I found out about the recreation and tests when I read about them in the Warren Report when it was published in September, 1964," said Dr. Finck.

"In regards to the November, 1963, autopsy report, how much time was spent?" asked Oser.

"I can't give an exact figure," said Dr. Finck. "I spent several hours at Bethesda Hospital with Dr. Humes as he read over his report."

"Did you read over his final draft?" asked Oser.

"I did," said Dr. Finck.

"Do you agree with it all at the time?" asked Oser.

"Essentially, I do," said Dr. Finck.

"Tell me, doctor, on Page 2, why is the name of Gov. Connally spelled Connelly?" asked Oser.

"Object," said Dymond. "This man has not qualified as an expert in spelling."

Judge Haggerty quipped, "We had a lot of spelling yesterday." He referred to Dr. Finck's habit of often spelling

out names.

"That's all," said Oser, closing out the cross-examination.

No Orders Given, Says Dr. Finck

Dymond came back on re-direct examination. "Did anyone give you orders as to what your opinions were?" asked Dymond.

"No," said Dr. Finck.

"Would you have accepted them?" asked Dymond.

"No," said Dr. Finck.

"Which in your view is more beneficial, viewing a photo or the actual subject in an autopsy?" asked Dymond.

"They supplement each other," said Dr. Finck. "Photos have an advantage of giving visual results after the body is not available. There are not photos in all autopsies."

"Which is more important, seeing photos or the cadaver?" asked Dymond.

"The cadaver is the most important thing," said Dr. Finck.

"Did you have available at your autopsy X-rays of the President?" asked Dymond.

"Yes," said Dr. Finck, "we did. The X-rays of the head had been taken by the time I arrived at the hospital. They were read by a radiologist."

Dr. Finck said he asked for X-rays of the whole body of the President when he arrived because he found a wound of entry in the neck and no exit wound.

"X-rays would show the presence of a bullet in the body," said Dr. Finck.

Answering a question, Dr. Finck said the X-rays of the head showed metallic fragments. But the radiologist said there was no bullet in the body.

"Was all this available before you wrote the autopsy report?" asked Dymond.

"Yes," said Dr. Finck.

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Dymond asked Dr. Finck if State Exhibits Nos. 69 and 70 concerning the President's head are supposed to be drawn to scale.

"No," said Dr. Finck.

"Under whose supervision were they drawn?" asked Dymond.

"Dr. Humes," replied Dr. Finck. "He was in charge of the autopsy. As far as I know he gave the results of our observations to the Navy enlisted man who drew the sketches."

Dymond Asks About Neck Wound

"I believe you testified Monday that you didn't dissect the track of the bullet in the neck," said Dymond. "Was this necessary?"

"This creates a great deal of mutilation," said Dr. Finck. "It creates unnecessary mutilation of the cadaver. I didn't do any extensive dissecting along the bullet's path."

"Was it necessary to track the bullet to satisfy you?" asked Dymond.

"I didn't consider dissection at the time," said Dr. Finck.

"Was it necessary?" pressed Dymond.

"I don't know what it might have shown," said Dr. Finck.

"You didn't say it was necessary?" asked Dymond.

"I don't know," said Dr. Finck. "I have a firm opinion that the wound in the back was the wound of entry."

Dymond asked Dr. Finck if he ever examined Gov. Connally.

"No, I have never met him," said Dr. Finck.

"Yesterday, Dr. Finck," began Dymond, "you said that Commission Exhibit 399, State Exhibit No. 64, the bullet couldn't have gone through the wrist of Gov. Connally, did you not?"

"I testified before the Warren Commission that this bullet didn't disintegrate and that there were too many fragments in Gov. Connally's wrist. I don't believe such a bullet could have," said Dr. Finck.

Did you examine the X-rays of Gov. Connally's wrist?" asked Dymond.

"I don't recall," said Dr. Finck. "I may have had reports, but don't recall seeing X-rays or photos of Gov. Connally."

Witness Discusses Size of Wounds

"Is it not true that the wound of entrance in a fleshy area can be larger than that of the wound of exit?" asked Dymond.

"It can be," said Dr. Finck.

"Is this the same in the skull?" he asked Dr. Finck.

"Most of the time when a bullet goes through a bone, the wound of exit is larger than the one of entry," said Dr. Finck. "This is because the bullet disintegrates and the fragments produce larger

wounds.

Dymond asked him if it were possible for a bullet to enter skin and then the wound would retract in size.

"It retracts to a certain extent," said Dr. Finck. "The skin is more elastic tissue than bone."

Dymond then drew testimony from Dr. Finck about State Exhibit No. 68 and a red dot the doctor had placed on it at the request of Oser Monday afternoon. Dr. Finck said he was asked to place the dot four inches above the external occipital protuberance by Oser.

"So this measurement refers to a measurement made on X-ray film by the four-man panel and not on photos of the skull itself," said Dr. Finck. "I saw it (at the autopsy) at one inch and it was definitely not four inches. I was asked to put the measurement there from the X-rays."

Dr. Finck said there is distortion between the size of X-ray picture and the actual head size.

"The measure that you made was from the actual cadaver?" asked Dymond.

"It was," said Dr. Finck.

"Did the measurements you took on Mr. (William) Wegmann and me Monday coincide with the actual measurements you took on the cadaver?" asked Dymond.

"They did," said Dr. Finck.

"Would the angle of the bullet be affected by a person leaning forward or backward?" questioned Dymond.

"Yes, to some extent," said Dr. Finck.

President's Brain Not Examined

"I believe you testified Monday that you didn't conduct an examination of the left half of the President's brain, did you not?" asked Dymond.

"The brain was still preserved when the autopsy report was made," said Dr. Finck. "But Dr. Humes put it in a supplemental report. It was dated Dec. 6, 1963."

"What was the purpose of the

autopsy?" asked Dymond.

"The purpose was to examine the nature of the wounds and cause of death," began Dr. Finck. "When it was signed, I was satisfied on the nature of the wounds, their direction and the cause of death. This was the purpose. In my opinion, the autopsy fulfilled that mission."

"What firm opinion do you have now?" asked Dymond.

"That there was a wound of entry in the back of the neck and a wound of exit in the front of the neck," said Dr. Finck. "And there was a wound of entry on the right side of the head and one of exit on the right side of the head. The head wound was the fatal wound."

"Do you have information to change your opinion as of this date?" asked Dymond.

"No," said Dr. Finck.

"Tender the witness," said Dymond.

Oser got into the business about the red dot placed by Dr. Finck Monday and the doctor said, "I saw the wound as one inch above the protuberance. It was definitely not four inches above it."

Finck Is Asked About Panel Report

Oser asked Dr. Finck if the report by the four-man panel finds a hole one inch above external occipital protuberance.

"I haven't seen that," said Dr. Finck.

"Were all the X-rays available to you at the time of the autopsy?" asked Oser.

"I had seen them, they were interpreted," said Dr. Finck.

"Are you sure all X-rays were available?" asked Oser.

"This was the report by the radiologist," said Dr. Finck.

"Do you know for a fact that two rolls of X-ray film did not come out?" asked Oser.

"To my knowledge, it was gross photos," said Dr. Finck.

"And not X-rays. The X-ray film came out all right."

"Can you tell us why no metallic substances in the brain showed up in the report of the X-rays?" asked Oser.

Dr. Finck stopped Oser and asked him to remember that the panel in its review of the

X-rays said there was a rectangular structure in the brain that it (the panel) could not identify. "I don't know what this refers to," said Dr. Finck.

"Did you see such a substance in the brain when you examined the X-rays?" asked Oser.

"I can't recall," said Dr. Finck.

"Did you tell Mr. Dymond that you didn't want to mutilate the body of the President?" asked Oser.

"I didn't consider dissection," said Dr. Finck. But Oser pressed for a more complete answer, and Dr. Finck said, "Definitely I did say that."

Dr. Finck Is Asked to Describe Incisions

Oser asked Dr. Finck to describe the incisions that were made in President Kennedy's body.

"I was called to examine the wounds," explained Dr. Finck. "The two other pathologists made the incisions. My role was to emphasize the wounds."

"Weren't you present there the entire time?" asked Oser.

"I arrived shortly after the autopsy began," said Dr. Finck.

"Did you see a chest cavity made?" asked Oser.

"There was a bruise in the upper chest," said Dr. Finck.

Oser asked him if he saw the scalp wound. He said he did.

"Was there an incision made down the middle of the cadaver?" asked Oser.

"I was not making the incisions," replied Dr. Finck.

"Are you telling me you didn't want to mutilate the body?" asked Oser.

Dymond objected, saying, "He (Dr. Finck) has answered that three times."

"I believe you told Mr. Dymond earlier that you were not taking orders from anyone," continued Oser.

"I believe that was a misquotation," interjected Dymond.

Judge Haggerty asked, "What was the question?"

"Doctor," said Oser, "you did take orders and didn't dissect the throat area?"

"They weren't orders," said Dr. Finck. "They were suggestions."

"Now, doctor, there were admirals and generals present

and you were only a lieutenant colonel," began Oser.

Dymond objected, and Judge Haggerty said, "We have been over this ground before."

Oser abruptly pulled up his questioning and said that was it. Dr. Finck stepped down.

Oser asked that two reports signed by Col. Finck be entered into evidence of the trial and they were accepted.

Dean Andrews Called to Stand

There was a brief recess, and then the jury returned to hear Dymond call Andrews as its next witness.

Alcock, now handling the state's case, asked that the jury be taken out of the courtroom while he approached the bench. Judge Haggerty told the deputy sheriff to take the jury upstairs.

Alcock, when the jury was gone, told Judge Haggerty that in "all fairness to Mr. Andrews" he should have an attorney present to advise him as the questioning went along. Alcock said there is an appeal by Andrews now before the Louisiana State Supreme Court.

Andrews said his attorney was present in the courtroom.

Judge Haggerty told Andrews, "The fact that you have been called as a witness does not take away your constitutional rights. You don't have to incriminate yourself by your answers."

The judge told the state that "in respect to questions on factual matters, there must be decisions made" by the bench.

Judge Haggerty told the state that it could not ask the witness (Andrews) if he had been charged or arrested for perjury.

Under these ground rules, the jury was called back in and Andrews' law partner, Michael Barron, pulled up a chair beside the witness stand to advise Andrews.

Alcock asked, before the jury arrived, "The court isn't making a ruling that we can't go into the subject matter of the conviction?"

Judge Haggerty said he wasn't.

As the jury sat down, Judge Haggerty said, "Let the record show that the witness has been advised of his constitutional

rights and is attended by his attorney, Mr. Michael Barron."

Dymond immediately asked Andrews how long he had been an attorney. "Eighteen years," said Andrews.

"Were you confined to a bed around or about Nov. 22, 1963?" asked Dymond.

Andrews said he was, at Hotel Dieu.

"Did you get a phone call of an unusual nature?" asked Dymond.

"I did," said Andrews.

"Would you tell us who it was from?" inquired Dymond.

Andrews Declines to Identify Client

Andrews declined on two grounds, first the attorney-client relationship privilege and secondly it may incriminate him.

"Was the phone call local or long distance?" asked Dymond.

"It was local," said Andrews.

"When was it received?" asked Dymond.

Andrews said it was the day after the assassination, Nov. 23, 1963.

"Was this call from the defendant, Clay Shaw?" asked Dymond.

"No," said Andrews.



—Photo by The Times-Picayune.
CHARLES A. APPEL JR., retired FBI handwriting expert who broke the Lindbergh kidnaping case, was qualified by the defense in the Shaw trial Tuesday. Appel is pictured as he drove up to the Criminal Courts building Tuesday.

"Did you ever receive any phone calls from Mr. Shaw?" asked Dymond.

"No," said Andrews.

"Do you know Mr. Clay Shaw?" asked Dymond.

"I do not," said Andrews.

"Were you ever introduced to Mr. Clay Shaw?" asked Dymond.

"No, I was not," said Andrews.

"When was the first time you saw Mr. Shaw?" asked Dymond.

"When I saw his picture in the papers in connection with this investigation," said Andrews.

"What did you do as a result of that phone call?" asked Dymond.

As I recall, I called Mrs. Springer, my secretary, at her home, to see if she could locate the file on Lee Harvey Oswald," said Andrews. "He was a walk-in client whom I had seen four or five times."

Andrews said that as a result of the call he believed his office investigator visited him.

"Were there any other calls?" asked Dymond.

"I believe I called (Sam) Monk Zelden at the New Orleans Athletic Club," said Andrews.

"What did you tell him?" asked Dymond.

"I don't recall," said Andrews.

"It was in regards to Oswald. I asked him if he would be interested in going to Dallas to represent Lee Oswald."

Witness Says Agent Came to See Him

Dymond moved into the visit of Federal Bureau of Investigation agent Regis L. Kennedy, an earlier witness in the trial. Andrews said he recalled that Kennedy came to see him at the hospital on a Monday after he called him to tell him that Oswald had been in New Orleans. He said he also called Mr. Reiser of the Secret Service, but he didn't seem too interested.

Andrews said that Kennedy came over to see him about two and one-half hours after he (Andrews) had called him. "He woke me up from sleep," said Andrews. "I was under sedation."

According to Andrews, he saw Kennedy only once.

"Did you furnish him with a

fictitious name of the person who called you on the telephone?" asked Dymond.

Andrews conferred with his attorney and declined to answer. This was upheld by Judge Haggerty.

Andrews looked as if he was giving a sigh of relief, and a smile broke out on his face.

"In the course of your conversation with Agent Kennedy did you ever use the name Clay Bertrand?" asked Dymond.

"Yes," said Andrews.

"Is or was Clay L. Shaw the Clay Bertrand to whom you referred?" asked Dymond.

"No, sir," said Andrews.

"Do you know who Clay Bertrand was or is?" continued Dymond.

"I believe I do," replied Andrews.

Andrews Asked About David Ferrie

"Did you know David W. Ferrie?" Dymond asked.

"Only slightly," said Andrews.

"Did you ever see David Ferrie with Clay Shaw?" continued Dymond.

"I never saw Clay Shaw before," answered Andrews.

"Did you ever see Ferrie with Lee Harvey Oswald?" asked Dymond.

"No, sir," said Andrews.

"Did you ever hear Lee Harvey Oswald mention Clay L. Shaw?" asked Dymond.

"No," said Andrews.

"Did you ever hear David Ferrie mention Lee Harvey Oswald or Lee Oswald?" asked Dymond.

"No, sir," said Andrews.

"Tender the witness," said Dymond.

Alcock took up the cross-examination of Andrews and it was quickly apparent that it was going to be a long cross-examination.

"When was the first time you saw Lee Oswald?" asked Alcock.

Andrews replied that it was in the spring or summer of 1963. "I don't recall the date, but he walked into my office about 5:30 p.m. one afternoon," said Andrews. "He visited my office four or five times."

"Was he accompanied by anyone the first time you saw him?" asked Alcock.

"I assumed he was," said An-

draws. "Three people came in first that afternoon. Then Oswald and a Cuban or Mexican type person came in."

"How long was Oswald in the office before the Mexican came in?" asked Alcock.

"They both came in together," said Andrews.

Alcock asked for a description of Andrews' office area. He said that it is a small office.

Talking with Others, Says Andrews

Then Andrews related that he was in conversation with the

three people before Oswald entered.

Andrews said the three were "swishes" — a term for homosexuals. Alcock asked what Andrews meant by "swishes" and after admonishment from Judge Haggerty, Andrews said, "They appeared to be homosexuals by the way they walked." According to Andrews, the three homosexuals' fees had been set in their conversations and they were finished when Oswald and the Mexican came walking in.

"Then there was no connection between the three homosexuals and Oswald and the Mexican?" asked Alcock.

"I don't know if it was or was not," said Andrews.

"What advice did you give to Oswald on the first visit?" continued Alcock.

"I don't recall," replied Andrews, "but I'll take the attorney-client privilege anyway." He smiled again.

"Did you get any fee from Oswald?" asked Alcock.

"No," said Andrews.

"Did you do any work for him?" Alcock continued.

"No," said Andrews.

Alcock returned to the first visit and asked Andrews how long Oswald and the Mexican stayed.

"About 10 to 20 minutes," said Andrews.

"Who did the talking?" began Alcock. "Did Oswald talk to you?"

"Yes," said Andrews.

"Did the Latin type person talk?" continued Alcock.

"No," said Andrews.

Andrews Describes Other Person

"Give me a description of the Latin type fellow," said Alcock.

"He looked pretty good to me," began Andrews. "I wouldn't want to tangle with him in a fight. He was about 5-8, had a butch hair cut, weighed about 165 or 170. He looked real good."

"Did he have any tattoos?" asked Alcock.

"No," said Andrews.

"How about any scars?" probed Alcock.

"Don't remember," replied Andrews.

"What was the color of his hair?" quizzed Alcock.

"Black," replied Andrews.

"How dark was he?" asked Alcock.

"I couldn't say," answered Andrews. "He was a Latin type, appeared to be one of those people."

"Did he speak at all?" asked Alcock.

"I don't recall — not to me," said Andrews.

"Did he speak Spanish or English?" asked Alcock.

"I don't remember," said Andrews.

In reply to a question, Andrews said the Latin-type fellow was "one or two inches taller than Oswald and weighed about 165 to 170 pounds."

Andrews said the best he can recall on when he saw Oswald the second time was about the first week in May, 1963, at Andrews' office in the Maison-Blanche building.

"Was the Latin type with him?" asked Alcock.

"I never saw Oswald without the Mexican-type man," said Andrews.

Andrews also said the second meeting also lasted about "10 to 20 minutes."

"Was the conversation of the same subject?" quizzed Alcock.

"It was a new subject, I think," said Andrews.

"Were you acting as his attorney then?" asked Alcock.

"I thought I was," said Andrews.

Attorney-Client Relationship Cited

"Do you take the attorney-client relationship on the second visit?" inquired Alcock.

"Yes," said Andrews. Judge Haggerty said he would sustain this.

"Was the Latin type with

Oswald the entire, second time?" asked Alcock.

"Yes," said Andrews.

Concerning the visit, Andrews said the Latin type never spoke to him.

"Did you set a fee then?" asked Alcock.

"No," said Andrews. He explained that he thought he had set the fee at \$25 —on Oswald's first visit. He said it was to transmit a letter to Washington, D. C., for Oswald, but Andrews never got the money so he never sent the letter.

"Was there anyone else present?" asked Alcock.

Andrews said his office investigator may have been in the library on one occasion.

Alcock asked Andrews to describe what Oswald wore.

"The first time he wore black pants and a T-shirt," said Andrews. "The other times he wore a white shirt and slacks."

"When was the next time you saw Oswald?" continued Alcock.

"I don't recall," said Andrews.

"Was it in your office?" quizzed Alcock.

"Yes," said Andrews. "The subject matter was the same. The Latin type fellow was with

him. We talked about 10 to 20 minutes. It was around the middle of May. They came in about the same time on all occasions — around 5 p.m. or 5:30 p.m."

Three Didn't Leave at Same Time

"Did you ever leave your office at the same time they did?" asked Alcock.

"No," said Andrews.

"Then you wouldn't know how they physically got to your office?" asked Alcock.

"No," said Andrews.

Andrews said the next time he saw the pair was "three or four days later."

"Did you ever ask the name of the Latin?" asked Alcock.

"It never came up," testified Andrews. According to Andrews, Oswald "would make promises on the money and it would just be a rehash of the same stuff."

Andrews said as best he can recall the next time he saw Oswald was on the streets. Os-

wald was distributing "Fair Play for Cuba" leaflets—"chits" as Andrews called them—and he (Andrews) picked one up but dropped in "Like a hot potato."

Andrews said he thinks he asked Oswald for his fee when he saw him. This drew laughter from the courtroom audience and order was called for.

"Best I can recall it I asked him what he was giving out the leaflets for," said Andrews. "He said something about he was working and that's when I asked him for the money."

"The Mex was in back of Oswald. I thought it was in front of the Maison Blanche building. I think it was sometime in June, maybe about 1:30 p. m. or 1 p. m. after lunch. Maybe I was on the way back from federal court."

"Was anyone else handing out leaflets?" asked Alcock.

"There were others around," said Andrews. "I do not know if they were handing out leaflets."

"The others were Latin-types?" asked Alcock.

Andrews answered that he recalled thinking to himself, "Me and my shadow," referring to seeing Oswald always with the Mexican-type man. "I never saw Oswald without the Mexican," said Andrews.

"Did the Mexican have the leaflets in his hand?" asked Alcock.

"No," said Andrews.

Andrews said there were some people around at the curb who every now and then would holler something in Spanish.

Andrews Asked About Meeting Dates

"Could these meetings with Oswald have been as late as August?" asked Alcock.

"I don't know," said Andrews.

"I never knew Oswald would get involved in Dallas. He was just another walk-in client. The only thing that drew attention to him was he was always with the Mexican. Otherwise, I probably wouldn't recall him."

"Did you have any reason to believe Oswald was a homosexual?" asked Alcock.

"No," answered Andrews.

"How about the Latin type?" asked Alcock.

"No, not that I recall," said Andrews.

"Did you see Oswald

again?" asked Alcock.

"No," said Andrews.

"How about the Latin type, did you see him again?" asked Alcock.

"I don't recall," said Andrews. "I don't think so."

"Do you feel you might have?" asked Alcock.

"I don't think so," said Andrews.

"Did anyone send Lee Oswald to you?" asked Alcock.

"To my knowledge, no," said Andrews.

"That call you got on Nov. 23, when was it?" asked Alcock.

"I know it was daytime, just about or after chow time," said Andrews.

"Did the person identify himself?" asked Alcock.

Andrews said, "No."

"Did you recognize the voice?" quizzed Alcock.

"I had heard it many times," said Andrews.

Andrews Refuses to Answer Question

"In the course of your legal practice?" asked Alcock.

Andrews refused to answer, saying it was the lawyer-client relationship. Judge Haggerty sustained him.

"But he didn't claim it a moment ago," said Alcock.

"If he didn't do it then," said the judge, "he is doing it now."

"Did you get in your mind that this was a human being?" asked Alcock.

"I believe I did," said Andrews.

"How tall was he?" asked Alcock.

Andrews refused to answer, and Alcock asked that Judge Haggerty send the jury out so he could argue a point. The judge did.

Alcock immediately argued that the state "has every right to show prior contradictory

statements under oath. The state is being unduly handcuffed. We can't show how the witness has vacillated on names, dates, etc."

The judge paused and read the article on client-lawyer relationship. "Mr. Andrews is claiming that," said Judge Haggerty, "and he says that by giving a physical description of the caller he may or may not have this used against

him in pending criminal prosecution."

Andrews volunteered that his answer would relate to three counts of his appeal before the Louisiana State Supreme Court.

Alcock argued that the state "must know the name of the client so it can be determined if he (the client) is willing to waive his rights. Otherwise, we couldn't question him."

Andrews' lawyer told the judge, "This witness is being asked to incriminate himself. I am sure your honor would see this in the bill of information."

Judge Haggerty moments earlier had sent for the bill of information on the perjury indictment.

Alcock said, "When this witness comes into court and says that the defendant is not Clay Bertrand, we have every right to explore the testimony on its reliability."

"This is a two-pronged objection, as I see it," said Judge Haggerty. "We will have to see from the records if it is self-incriminating."

"Your honor," said Alcock, "this witness said the defendant is not Clay Bertrand. The state has every right to know who Clay Bertrand is."

While the arguing was going on, Andrews pulled out his dark glasses and put them on.

Bill of Information Read Into Record

In the legal battle, Judge Haggerty read the bill of information into the record of the court. It was dated June 28, 1967.

In the testimony read by Judge Haggerty the state charged that Andrews perjured himself by telling a previous grand jury that the man he knew as Clay Bertrand was Gene Davis. Judge Haggerty read this question by the state: "What leads you to believe he is Clay Bertrand?" Andrews was alleged to have answered, "I just believe it. This is the man I believe called me."

Alcock argued that the state has a right to prove that Andrews made contradictory statements.

Judge Haggerty ruled that he was not going to make Andrews reveal the size of Clay Bertrand. "It is like giving half his name," said the judge. "It can be used against him. I can't make him make a judicial con-

fession."

With that decision the jury was returned to the courtroom.

"I sustain the witness' objection to the question on the legal grounds of self-incrimination," said Judge Haggerty.

As Alcock moved to questions, Andrews told him, "I know a person who in the 1950s was introduced to me as Clay Bertrand." He said he walked into a wedding reception in the back room at the Le Rendezvous Bar and that is where he met him.

"By whom were you introduced to him?" asked Alcock.

"Big Joe," replied Andrews quickly, but changed it to, "Wait, I respectfully decline to answer on the grounds that the answer would link me to a chain of circumstances involving a pending case."

Witness Is Asked to Identify Big Joe

There was a brief discussion and Alcock asked Andrews, "Who is Big Joe?"

"She's a butch," said Andrews.

Judge Haggerty interjected: "Speak clearly, is Big Joe a he or she?"

"She is a female," said Andrews.

"Who is Big Joe?" asked Alcock again.

"Helen Girt," said Andrews. He explained that Helen Girt was released from Angola in the late 1950s. "I defended her on a charge of narcotics," he said. "She was convicted. I saw her some time when she got back from Angola."

"Where is she now?" asked Alcock.

"I don't know," said Andrews.

"Did you have occasion to have a conversation with this person named Clay Bertrand?" asked Alcock.

"Yes," said Andrews.

"How long was it?" asked Alcock.

"He denied being Clay Bertrand," answered Andrews. "I know who he was. You know him too."

"I know him?" asked Alcock. "Would you mind telling me who he is? The judge read it into the record."

Judge Haggerty said, "I can't offer it into the record. That's up to the state or defense."

Andrews Refuses to Give Name

Alcock asked again for his

name, but Andrews refused on the grounds that it might link him in a chain of circumstances.

Judge Haggerty refused to make Andrews answer the question.

"Did you know this individual before the wedding reception?" asked Alcock.

"Yes," said Andrews.

"Have you seen him since the wedding reception?" questioned Alcock.

Andrews said he had.

"Did the name of the person you know as Clay Bertrand ever come up in conversation with Regis Kennedy?" questioned Alcock.

"This is my best recollection," began Andrews.

"Can you explain that?" probed Alcock.

"When Regis Kennedy was making his examination, it suddenly dawned on me if I revealed the real name," said Andrews, "it would bring a lot of heat on somebody it didn't belong to. I fumbled around for a couple of names. I recalled the name Clay Bertrand as a man I had been introduced to prior to that. And I used it."

"You then lied to the FBI?" shot back Alcock.

"No, sir," corrected Andrews. "I used it as a cover name. It dawned on me that this is something deeper than I thought it was."

Judge Haggerty asked Andrews what he meant by a cover name.

He replied, "Rather than use the man's name, your honor, I used a cover name."

"Did you know the FBI was looking for a man named Clay Bertrand in connection with the assassination?" asked Alcock.

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

"Did you reveal the true name at this time?" asked Alcock.

"I don't recall whether I told him," answered Andrews. "Nobody asked me the true name."

Judge Haggerty asked Andrews if he volunteered the name.

"No," said Andrews.

Andrews said, in response to a question, that he never received a phone call from Clay Bertrand in the hospital.

"When did I say this man was

Clay Bertrand? he continued.
"Didn't you testify before the
Warren Commission?" count-
ered Alcock.

"Yes," said Andrews.

"Didn't you tell the Warren
Commission that it was Clay
Bertrand who called you in the
hospital?" asked Alcock.

"I don't recall," said An-
drews. "If you will give me the
statement in the Warren Com-
mission, I can recall."

Dymond suggested that An-
drews be allowed to read his
testimony before the Warren
Commission. Because of the
length of it, Alcock asked Judge
Haggerty for a recess for lunch
— it was now approximately
11:40 a. m.—and Judge Hag-
gerty thought it was a good
idea.