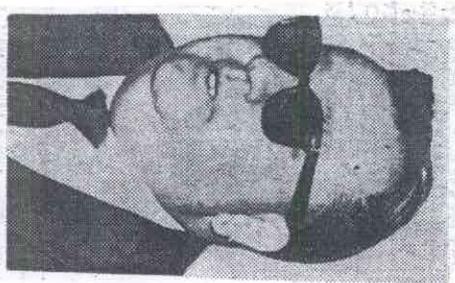


SHAW IS NOT  
ANDREWS TEST

S-1 2/25/69

'BERTRAND'  
FILES



DEAN A. ANDREWS JR.  
Testifies at trial.

Clay L. Shaw is not the man he knew as Clay Bertrand, New Orleans attorney Dean Adams Andrews Jr. testified today.

Andrews, the man who originally introduced the name of Bertrand into the Kennedy assassination case, was called as a defense witness today in

the Shaw trial.

Shaw, 55, is on trial before Criminal District Judge Edward A. Haggerty Jr. on charges of conspiring to kill President John F. Kennedy, shot to death in Dallas Nov. 22, 1963.

**ANDREWS TOLD THE** Warren Commission a mys-

terious "Clay Bertrand" called him the day after the assassination and asked him to come to Dallas and defend Lee Harvey Oswald, then under arrest.

Shaw was not the man who called him about Oswald, Andrews testified today.

In August, 1967, Andrews was convicted of perjury be-

cause of alleged conflicting testimony about the Bertrand affair. His case is still on appeal.

**ANDREWS' CONVICTION** came on the basis of his testimony before the Orleans Parish Grand Jury. District Attorney Jim Garrison accused him of changing his

story under oath.

Andrews has never publicly identified Shaw as Bertrand, but at one time he said, "I can't say he is and I can't say he ain't." Later, he said Shaw was not Bertrand and named a French Quarter bar owner as Bertrand. The bar owner denied it.

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In his Warren Commission testimony, which covered 14½ pages, Andrews told of seeing Bertrand with some "gay kids" and that Bertrand paid for their legal work. He also told of doing some legal work for Oswald.

**ANDREWS FACES AN 18-** month jail term on the perjury charge if his conviction is upheld.

Garrison has long contended Shaw and Bertrand are the same person. The state's star witness, Perry Raymond Russo, testified he was introduced to Shaw as "Clem Bertrand" at a party where Russo says Shaw, Oswald and David W. Ferrie discussed killing Kennedy.

Other state witnesses in the trial have testified that mail addressed to Bertrand was delivered to a mailing address used by Shaw and that Shaw signed the name Bertrand to a guest register at New Orleans International Airport.

**EARLIER TODAY,** Army pathologist Col. Pierre A. Finck continued his testimony on the controversial Kennedy autopsy report he helped prepare. His long cross-examination by assistant DA Alvin V. Oser ended this morning after the witness had spent about nine hours on the stand.

Oser, one of the assistants to whom Garrison has left

most of the courtroom work, sought to discredit the autopsy's findings that Kennedy was shot from behind. Assistant DA James L. Alcock has acted as chief prosecutor in the trial.

Garrison contends Kennedy and Gov. John B. Connally of Texas were caught in a cross-fire in Dealey Plaza. The Warren Commission said Oswald was the lone gunman and all the shots were fired from the sixth-floor window of the Texas School Book Depository to the rear of the presidential motorcade.

This morning's session opened with Dr. Finck back on the stand, under cross-examination by Oser.

**OSER QUOTED** Dr. Finck's November, 1963, autopsy report as saying the Kennedy head wounds "are better appreciated in photographs and X-rays." He asked the colonel how he could better appreciate the fractures in photos when he never saw the photos until 1967.

The witness said the photos were turned over undeveloped to the Secret Service and agreed he didn't see them again for three years.

Oser then tried to determine who told Dr. Finck not to talk about the case. He said it was a uniformed admiral, whose name he recalled as Kiney.

**QUESTIONS** by Oser on the sequence of the shots that hit Kennedy were ruled out as hearsay.

Dymond then took over the witness on redirect examination, and asked him:

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

"No," he answered.

Dr. Finck said he would not

have accepted such an order if it had been issued.

Certain X-rays, the witness said, were available at the time of the autopsy. These revealed no bullets were present in either the head or body, only fragments, he said.

The colonel said he was able to form a firm opinion as to the path of the bullet through Kennedy's back and chest without dissecting the body.

#### DYMOND THEN ASKED

about Dr. Finck's Warren Commission testimony that a bullet could not have caused the injuries to Gov. Connally's wrist and emerged intact.

"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," the colonel said. He added, however, that he never examined the governor.

Dymond asked: "At the time you signed the report, were you satisfied as to the cause of the wounds, their direction and effect?"

"In my opinion this report fulfilled this mission," the witness said.

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

"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."

"AS OF THIS date, doctor,

is there anything that would change that opinion?"

"No, sir."

Oser then took the witness back on recross-examination. Dr. Finck testified that some of the X-ray photos of Kennedy did not come out.

The witness said he could not remember the details of being told not to dissect the area of Kennedy's throat.

Oser attempted again to determine who was giving orders at that point, but Dymond objected and was sustained. The witness was then excused and Andrews called to the stand.

The jury was excused while Alcock pointed out the witness has been convicted of perjury and his case is on appeal.

It was established that Andrews' attorney, Michael Barry, would be on hand to advise him and Judge Haggerty said the witness would not be forced to incriminate himself.

Alcock asked if he would be permitted to go into the subject matter on which Andrews was convicted, and Judge Haggerty agreed. The jury was called back.

Andrews testified that on Nov. 22, 1963, he was hospitalized in Hotel Dieu, and on Nov. 23, he received a telephone call.

"Was the call from a Mr. Clay Shaw?" Dymond asked.

"NO," SAID ANDREWS.

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

"No."

Andrews testified he did not know Shaw and never heard of him until he saw his picture in the newspaper in connection with the Garrison investigation.

After the call, Andrews said, he telephoned his secretary to locate the file on Oswald, who "had been in my office about four or five times during early May or June."

Andrews said he called attorney Sam Monk Zelden and asked him if he would be interested in going to Dallas to represent Oswald.

The following Monday, Andrews said, he called FBI agent Regis Kennedy and told him about Oswald, and also told the Secret Service. The Secret Service, Andrews said, "didn't seem to be too

interested."

When he talked to the FBI agent, Andrews said, he was under sedation.

Dymond asked:

"IN THE COURSE of your conversation with agent Kennedy did you ever use the name Clay Bertrand?"

"Yes," said Andrews.

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

"No, sir."

Asked if he knows who Bertrand is, Andrews said, "Yes, I believe I do."

He said he knew Ferrie "slightly" but never saw him with Shaw. He said he never saw Ferrie with Oswald, and never heard Oswald or Ferrie even mention Shaw. Nor did he ever hear Ferrie mention Oswald.

After less than 10 minutes of questioning by the defense, Andrews was turned over to the state for cross-examination.

Under questioning by Alcock, Andrews said he first met Oswald in late May of 1963 when Oswald came to his office four or five times, apparently accompanied by three men who appeared to be homosexuals and by some Latin-looking people. He said he did not know whether there was any connection between these people and Oswald.

HE SAID HE GAVE Oswald legal advice but received no pay. Later, Oswald returned to his office, always accompanied by a Mexican. This time, he charged Oswald \$25.

Oswald appeared a total of four or five times, at three-day intervals.

Later, Andrews said, he saw Oswald on the street handing out leaflets, still accompanied by the Mexican.

Andrews said he did not know if Oswald was a homosexual. He said to his knowledge, no one had sent Oswald to him.

Turning to the telephone call in Hotel Dieu, Alcock asked Andrews if he recognized the voice. Andrews said he recognized it from his legal practice.

Andrews said he was introduced to Clay Bertrand in the 1950s at a bar while a wedding reception was in progress in the back room. He said they were introduced by

a Helen Girt, to whom Andrews referred as "Big Joe." He said he had defended the Girt woman on a narcotics charge.

Bertrand, he said, was not the man's real name but he refused to identify the person on grounds that it would interfere with his appeal in the perjury case.

"BERTRAND," ANDREWS SAID, referred clients to his office.

Explaining his conversation with Regis Kennedy, Andrews said he gave "Clay Bertrand" as a false name to protect the unidentified person who sent him clients.

Alcock asked him whether he told the Warren Commission that "Bertrand" called him at the hospital. Andrews said he didn't recall, and Alcock said he would have the entire 14½ pages of Andrews' Warren Commission testimony read into the record.

Judge Haggerty then recessed court for lunch.

Col. Finck was one of three military physicians who performed the autopsy on the president shortly after he was shot to death.

HOWEVER, THE Warren Commission never viewed the X-rays and photos taken at the autopsy, and this material has been sealed in the National Archives until 1971 at the request of the Kennedy family.

Col. Finck testified yesterday he didn't see them either, until January, 1967, when he made a supplemental report. He acknowledged that until then, the autopsy report may not have been complete.

Though incomplete, Col. Finck said, "As regards the wounds, what we signed on Nov. 24, 1963, is adequate."

Finck, who came to the United States as a young physician, has a Swiss accent and often spelled words he felt might not be clear. But he made it clear it was no ordinary autopsy.

"When you are suddenly called in to examine the president of the United States, who is dead, you do not look around the room and take notes on who is there," he replied when Oser asked him who attended the autopsy.