

## Kohn, Gurvich Await Call by Grand Jury



AWAITING call to appear before the Orleans Parish Grand Jury Wednesday at the Criminal Courts Building were Aaron Kohn (left), managing director of the Metropolitan Crime Commission, and William Gurvich, former aide to District Attorney Jim Garrison.

—Photo by The Times-Picayune.

## Evidence Does Not Confirm Critics' Charges--LaBiche

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### Andrews Identifies Man He Called Bertrand

By BOB USSERY  
and JOE DARBY

Orleans Parish Grand Jury foreman Albert V. LaBiche said Wednesday night—after presiding over a day-long session of testimony—that no new evidence was produced to confirm charges made by critics of the assassination probe.

Earlier, attorney Dean A. Andrews Jr. said that Clay L. Shaw is not the man he knew as "Clay Bertrand."

"The man who I believed to be . . . Bertrand is Eugene Davis," Andrews said about 5:15 p.m., shortly before he began testifying before the Grand Jury.

In yet another development late Wednesday, attorney G. Wray Gill said he represents Davis and that Davis is not Bertrand. He declined to elab-



orate and said he would release statement on the matter Thursday.

#### SUSPENDED IN JEFF

Andrews, who was suspended as an assistant district attorney



—Photo by The Times-Picayune.  
**ED. PLANER**

Testifies before jury.

for Jefferson Parish after he was indicted for perjury by the Orleans Parish Grand Jury, said "Clay Shaw is not and never has been the Clay Bertrand I identified."

When asked why he had not identified Davis as Bertrand before now, Andrews replied

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with a statement indicating he was afraid to speak out earlier: "How would you like to have your brains knocked out and be busted down to your toes?"

Andrews said later he did not name Bertrand and Davis as one and the same because no one had asked him. He added that he was trying to protect Davis. "He is not involved in this at all," Andrews said.

The man who Andrews now says is Bertrand was identified as Eugene C. Davis, 704 Iberville. Davis testified before the Grand Jury before Andrews returned. After Davis left the Grand Jury room, Assistant District Attorney James L. Alcock asked reporters if Andrews were still around.

Andrews was seen earlier in the day in the Criminal Courts Building, but disappeared, reportedly to make television interviews to announce identification of Bertrand.

#### SUBPENA ISSUED

Assistant District Attorney Richard V. Burnes then hurriedly obtained a subpoena instant for Andrews and presented it to the office of Criminal Sheriff Louis A. Heyd Jr. Heyd's deputies made telephone inquiries and learned that Andrews was returning to the Criminal Courts Building.

Burnes said Andrews was waiting earlier to testify as a voluntary witness.

Andrews entered the jury room about 5:20 and came out after about an hour. When he emerged, the 44-year-old attorney grinned, but had "no comment" to newsmen's questions.

At that point, the grand jury took a short break then began hearing testimony from William Gurvich, a private detective who defected from District Attorney Jim Garrison's assassination probe.

#### INTENDED TO WAIT

Gurvich, who had requested to testify and had also been subpoenaed, had been waiting since 9 a. m., had said earlier in the day he would wait as long as it took.

"I'm not going to give them a chance to cite me for contempt. I know they already have the papers written up," he added.

Gurvich, who resigned from Garrison's staff Monday, said Davis' name "has never been mentioned in the investigation."

LaBiche came out of the jury room about 9:50 p. m. and is-

sued this statement:

"The Grand Jury, in its continuing investigation of the Kennedy conspiracy case and the many charges claimed by various principals in news media, heard testimony and has concluded that as of 9:30 p. m. this date, no new evidence has been produced to confirm any of the allegations that have been made to date."

LaBiche clarified the statement by saying that the allegations were those "pertaining to the critics of Mr. Garrison's office."

Referring to Gurvich, one of Garrison's biggest critics in recent days, LaBiche said he will be called again to testify when the jury meets in two weeks.

"Mr. Gurvich's report wasn't complete today."

LaBiche said no action was planned on the basis of probe testimony received Wednesday.

Gurvich came out of the Grand Jury room shortly after 8:30 p. m. after an hour and a half of testimony and said the jury had been "receptive" to him. Gurvich said he had no way of knowing if he had accomplished anything with the jury.

Garrison was not present during his testimony, he said.

Davis, as he was seen descending the stairs from the third floor Grand Jury room, appeared slight of build and about six feet tall. He bore no noticeable resemblance to Shaw, who is more than six feet tall.

Andrews testified before the Warren Commission that a man he knew as Bertrand telephoned him shortly after the assassination of President John F. Kennedy and requested that he represent accused assassin Lee Harvey Oswald.

Andrews also told the commission that he later saw Bertrand in a barroom, but Bertrand bolted upon seeing him. Andrews would comment neither on whether he identified Davis by his voice nor whether Davis was the man he saw in the barroom.

#### 'VOICE ON PHONE'

In his testimony before the commission, Andrews said of Bertrand, "He's the one who calls in behalf of the gay kids normally, either to obtain bonds or parole for them. I would assume he is the one that originally sent Oswald and the gay kids, these Mexicanos, to the office because I had never seen those people before."

Andrews said Oswald had come to see him about his bad



conduct discharge from the Marine Corps, issued after Oswald was released from active duty and went to the Soviet Union.

Andrews told the Warren Commission "gay kids" were young men who preferred to wear women's clothes.

"This is my impression for whatever it is worth, of Clay Bertrand: His connection with Oswald I don't know at all. I think he is a lawyer without a briefcase. That's my opinion. He sends the kids different places," Andrews testified.

"He is mostly a voice on the phone."

Shaw was indicted for conspiring to kill President Kennedy after Garrison brought his case before the Grand Jury.

One of the main points of Garrison's case has been his claim that Shaw used the alias Clay Bertrand. Garrison's main witness thus far, Baton Rouge insurance man Perry Raymond Russo, identified Shaw as the man who used the name Clem Bertrand at a party at the apartment of the late David W. Ferrie in September, 1963.

Russo said Oswald also attended the party and the three discussed in his presence killing the president.

#### YOCKEY CALLED

New Orleans States-Item reporter Ross Yockey was also subpoenaed Wednesday as he covered events outside the jury room for his newspaper.

Yockey testified after Davis and upon exiting said he was questioned in part by Garrison, but he was unable to discuss his testimony. He said he was asked to testify by Chief Assistant District Attorney Charles Ward.

It is believed that Yockey's testimony may be used in rebuttal to Gurvich's recent charges against Garrison's investigation.

It was conjectured that Yockey's testimony may concern conversations he had with Gurvich in Garrison's office when Gurvich was still a key member of the staff. The Tuesday issue of the States-Item printed an account of Gurvich's having spoken to States-Item reporters and of having discussed points of evidence with them.

Yockey, when asked if he knew beforehand what he would be asked to testify about, replied, "I had an inkling."

Also waiting with William Gurvich was an older brother, Louis Gurvich, who was also subpoenaed. The elder Gurvich



—Photo by The Times-Picayune.  
**LOUIS GURVICH**  
Appears before jury.

has not been officially connected with the investigation. However, he said he has been privy to certain points of it.

Another in the long line of Garrison critics and foes to appear under subpoena was WDSU-TV news director Ed Planer. Garrison singled out WDSU and one of its reporters, Richard Townley, as having attempted to interfere with states witnesses.

The station is an affiliate of the National Broadcasting Co., which has been critical of Garrison's investigation.

An NBC reporter, Walter Sheridan, was on the second floor of the Criminal Courts Building most of the day, but was not subpoenaed.

Garrison had called him a former investigator for the fed-

eral government and accused him of also being a part of a general movement to discredit his investigation.

Earlier in the day, Aaron M. Kohn, managing director of the Metropolitan Crime Commission of New Orleans, Inc., also testified. The MCC has called for a state investigation of charges aired by NBC.

After Kohn had testified, Garrison issued a district attorney's subpoena for the MCC official to appear in his office at noon Thursday. Kohn has said that he hoped he would have the opportunity to face Garrison before the Grand Jury.

After testifying, Kohn told reporters Garrison wasn't present before the jury.

In another development, Sam Monk Zelden, Andrews' attorney, said he would file a new motion to throw out the perjury indictment against his client. Zelden said the basis of the perjury charge was that Andrews refused to identify Shaw as Clay Bertrand.

Davis, 42, is the owner and operator of Wanda's Bar at 704 Iberville.