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Garrison Inquiry Buoyed by Andrews Conviction

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NEW ORLEANS, Aug. 14—The conviction of Dean A. Andrews Jr. of perjury early today removes an important defense witness in District Attorney Jim Garrison's investigation of an alleged plot in the assassination of President Kennedy.

The District Attorney has accused Clay L. Shaw Jr., 54 years old, retired businessman, of helping plot Mr. Kennedy's murder, using the name Clay Bertrand. Mr. Shaw has not yet been tried.

Mr. Andrews has been the only person to say publicly that he knew Clay Bertrand, and he has testified that Mr. Shaw and Bertrand were not the same person.

"But I won't be able to testify at the Shaw trial," Mr. Andrews said early today. "A person convicted of perjury in Louisiana is deemed to be unworthy of belief and cannot testify."

"With that in mind, you now know why Big Jim brought me to trial on this charge of perjury."

The jury verdict in Mr. Andrews's trial was returned at 2:30 A.M. today after District Judge Frank J. Shea ordered the trial to continue in a rare Sunday session.

Convicted on 3 Counts

The jury convicted Mr. Andrews on three of the five counts on which he had been charged. The indictment had been drafted for the grand jury by two of Mr. Garrison's assistants.

Judge Shea did not set a date for sentencing Mr. Andrews. The penalty for perjury in Louisiana ranges from a fine to five years' imprisonment on each count. Under the state



Associated Press Wirephoto
Dean A. Andrews Jr. after being convicted yesterday.

criminal procedure, Mr. Andrews must remain in jail until he is sentenced, and if he should be sentenced to as much as five years by Judge Shea, he would not be allowed to make bond while his conviction was being appealed.

"We will take every appeal possible," said Mr. Andrews's attorney, Harry Burglass.

Mr. Andrews, widely known in Louisiana politics because of his campaigning for state positions, was indicted in March after he had told Mr. Garrison and the grand jury making the investigation into the assassination that he could not say whether Mr. Shaw was Bertrand.

The 44-year-old lawyer said later that he was not definite in not identifying Mr. Shaw for these reasons:

☞He was trying to protect the

real Clay Bertrand, whom he has since identified as Eugene C. Davis, a New Orleans bar owner. Mr. Davis, who had been Mr. Andrews's client, denied yesterday that he was Bertrand.

☞Mr. Garrison had convinced him that there was independent evidence to show that Mr. Shaw was Bertrand.

Bertrand's name has been linked to possible assassination plots since Nov. 25, 1963, when Mr. Andrews told agents of the Federal Bureau of Investigation that Clay Bertrand had called him the day after Mr. Kennedy was murdered and asked him to go to Dallas and defend Lee Harvey Oswald, the accused assassin. Mr. Andrews told the F.B.I. agents and the Warren Commission that Bertrand had called him previously a number of times to ask him to represent homosexuals in trouble with the law.

Mr. Andrews told the New Orleans grand jury on June 28 that when he had refused to identify Mr. Shaw as Bertrand Mr. Garrison had set out to get Mr. Andrews indicted for perjury to discredit him.

"He was leaning on me like a thousand-pound canary," Mr. Andrews said. "I told the giant that I had heard a rumble on the vine that he intended to put the head on me."

Mr. Andrews explained later that this statement meant that he had told Mr. Garrison he had heard a rumor that the District Attorney planned to have him indicted.

"He said it wasn't so," Mr. Andrews testified.

A reporter for Newsweek magazine testified yesterday, out of the presence of the trial jury that convicted Mr. Andrews, that Mr. Garrison had told him on March 2 that he intended to "get" Mr. Andrews.

Hugh Aynesworth, the Newsweek reporter, said the District Attorney made the statement during a conversation at Mr. Garrison's home. Later that same day, Mr. Andrews was subpoenaed to the District Attorney's office for the first time and questioned for several hours.

Indicted on March 16

Mr. Andrews was indicted on March 16, two weeks after the District Attorney had accused Mr. Shaw, Oswald and a now dead former airline pilot, David W. Ferrie, of masterminding Mr. Kennedy's assassination in the summer of 1963.

The District Attorney, who said that the plot was hatched in New Orleans by persons who were upset at the failure of the Bay of Pigs foray against Cuba, contended that Federal officials would not try to "solve" the assassination of Mr. Kennedy because the truth would be embarrassing to high Federal officials, including the Central Intelligence Agency chiefs.

The March 16 grand jury indictment of Mr. Andrews said that he committed perjury several times during his two hours of testifying before the grand jury.

The indictment, which was so long that it took almost half an hour to read aloud, said that Mr. Andrews had lied under oath when:

☞He said that he could not say whether Mr. Shaw was Bertrand. The grand jury said that he could have been definite because later in his testimony on that same day, he said that judging from television pictures, Mr. Shaw seemed to be taller than Bertrand.

☞He said that the only way he would know Bertrand if he ever saw him again was by "instinct."

☞He said that Mr. Shaw's voice on the telephone seemed

to be deeper than Bertrand's voice. In an appearance before the same grand jury on June 28, Mr. Andrews said that he had never listened to Mr. Shaw's voice on the telephone.

☞He said that Bertrand had not guaranteed him a fee if he would go to Dallas to defend Oswald and that he had not told his investigator that he intended to go to Dallas to defend Oswald.

☞He testified that he had not "to my knowledge" released a man on bond from the Jefferson Parish Jail at the request of David W. Ferrie