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Perjury Case in Kennedy Inquiry Goes to Jury

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NEW ORLEANS, Aug. 13—The first trial in the investigation by New Orleans District Attorney Jim Garrison of the assassination of President Kennedy went to a jury tonight.

The five men on the jury were to decide if Dean A. Andrews Jr., a one-time attorney for accused assassin Lee Harvey Oswald, had committed perjury by not identifying a central figure in the assassination investigation.

Mr. Garrison, who has said that the President's murder was planned in New Orleans, charged Mr. Andrews with perjury when he refused to identify Clay L. Shaw Jr., a 54-year-old New Orleans resident, as a "mystery man" who had wanted Mr. Andrews to defend Oswald after the assassination.

The District Attorney has charged Mr. Shaw with conspiracy to commit murder saying that, using the name Clay Bertrand, he plotted with Oswald and others.

Mr. Andrews had told the Warren Commission that Bertrand had called him the day after Mr. Kennedy was murdered and asked him to go to Dallas and defend Oswald. He told the Warren Commission and the New Orleans grand jury that he did not know Bertrand's real name and refused to identify Mr. Shaw as Bertrand.

Heard by Commission

Mr. Andrews became involved in the controversy over possible plots to murder President Kennedy when he told an agent of the Federal Bureau of Investigation on Nov. 25, 1963, that a mysterious New Orleans figure, Clay Bertrand, had asked him to go to Dallas and defend Oswald.

He said that he had known Bertrand since 1957 but had not seen him for a couple of years.

Mr. Andrews was called to testify before the Warren Com-

5-Man Panel in New Orleans Weighs Fate of Attorney Accused by Garrison

mission. He told the commission that in May and June of 1963 he had done legal work for Oswald, but that he did not know if Oswald had been sent to him by Bertrand.

"I had seen Clay Bertrand once some time ago, probably a couple of years," he told the Warren Commission in July, 1964. "He is the one who calls in behalf of gay kids normally, either to obtain bond or parole for them."

"I would assume that he was the one that originally sent Oswald and the gay kids, those Mexicanos, to the office because I had never seen those people before at all."

Mr. Andrews testified that Oswald had a "Mex" with a "butch haircut" with him the first time that Oswald went to his office. The two were also accompanied by three homosexuals, Mr. Andrews said.

He told the commission and he continued to maintain until June 28, 1967, that he did not know Bertrand's real name.

When the District Attorney had Mr. Shaw, a New Orleans businessman, arrested on March 1, 1967, Mr. Shaw was held under the name "Clay Bertrand" as well as his real name.

During the first few months of the Garrison investigation, which began in November, 1966, Mr. Andrews worked with the District Attorney, supplying him with information.

However, in testimony given to the grand jury last June 28, he said that he had warned Mr. Garrison several times that the investigation was "nonsense" if it was based on the contention that Mr. Shaw and Bertrand

were one and the same man.

Mr. Andrews testified that when Mr. Garrison persisted, he met with him at Brennan's Restaurant, a French cafe in the French Quarter of New Orleans. He said that the District Attorney "convinced me" that there was other evidence that Mr. Shaw was Bertrand, and Mr. Andrews said that he made a "deal" not to say positively that the two men were not the same.

On March 2, the day after Mr. Shaw was arrested, Mr. Andrews was questioned in the District Attorney's office where he told assistants of Mr. Garrison that he could not connect Mr. Shaw with Bertrand.

"I can't say he is, and I can't say he ain't," Mr. Andrews said.

Called by Grand Jury

On March 16, he was subpoenaed by the New Orleans grand jury. He still insisted that he could not testify that Mr. Shaw and Bertrand were the same. He used the same phrase, "I can't say he is, and I can't say he ain't."

The normal secrecy of grand jury testimony was swept aside during Mr. Andrews' trial last week and today, and a tape recording of the appearance by Mr. Andrews before the grand jury on March 16 was played to the trial jury late this afternoon.

After Mr. Andrews's appearance before the grand jury on March 16, he was indicted on five counts of perjury.

On June 28, Mr. Andrews appeared before the grand jury again, this time to identify Bertrand. The testimony of this session was read to the trial jury yesterday.

At the June 28 appearance, Mr. Andrews told the grand jury about his meeting at Brennan's Restaurant with Mr. Garrison and his "deal."