

# Garrison Perjury Case Is Dismissed

Attorney Robert J. Zibilich, acting as Orleans Parish district Attorney for one case only, has dismissed an affidavit by attorney Dean Andrews Jr. charging DA Jim Garrison with two counts of perjury.

Garrison had to recuse himself in the matter after Andrews, a key figure in the conspiracy trial of Clay Shaw, filed the charges against the district attorney.

Zibilich was named by Criminal District Court Judge Thomas M. Brahney to act as district attorney in the case.

**ZIBILICH CLOSED OUT** the unusual proceeding over the weekend when he dismissed Andrews' affidavit. Zibilich's office today said he was out of town for a month.

Andrews charged in his affidavit that Garrison committed perjury while on the stand during the perjury trial of Andrews in August, 1967. Andrews was convicted in that trial of three counts of perjuring himself and was sentenced to 54 months in Parish Prison.

Andrews is out on bond while his case is being appealed.

**ANDREWS** filed his affidavit June 2 in Judge Brahney's court, appearing in "proper person," a legal technicality which permitted him to levy charges against the district attorney.

In his affidavit, Andrews asked that Garrison be forced to recuse himself so he would not be able to dismiss the charges against himself.

Garrison agreed that the DA's office would recuse itself and Judge Brahney named Zibilich to act as DA for the case to rule on Andrews' affidavit.

**ZIBILICH INCLUDED** no explanation for his action in dismissing the affidavit, nor is he required to do so.

Andrews captured international attention after the assassination of President John F. Kennedy when he claimed a man he knew as Clay Bertrand called him and asked him to defend Lee Harvey Oswald, accused slayer of President Kennedy.

Garrison first claimed that Clay Shaw was Bertrand. A 12-man jury March 1 acquitted Shaw of conspiracy charges levied by the DA.

**IN SHAW'S TRIAL**, Andrews testified that he lied about Bertrand and everything that he told the Warren Commission was his invention.

But, in his affidavit dismissed by Zibilich, Andrews

claimed Garrison committed perjury during Andrews' perjury trial.

Andrews alleged that Garrison perjured himself at the perjury trial about his intention to prosecute Andrews and his views on Andrews' truthfulness.

## Truck-Tractor Crash Kills Arkansas Man

**EUDORA, Ark. (AP)**—Kelly McClenon, 60, of Kilbourne, was killed today when the pickup truck he was a passenger in collided with a farm tractor about four miles north of here on U. S. 65.

B. R. Robinson, 45, of Oak Grove, La., driver of the pickup, was taken to Chicot Memorial Hospital at Lake Village. Driver of the tractor, Joan Akins, 56, of Readland was not injured.

## Firing of Negro Aide to Schiro Is Confirmed

Mayor Victor H. Schiro confirmed today he has fired Philip M. Baptiste, his only Negro aide.

"I requested Mr. Baptiste's resignation Friday," the mayor said.

"He refused to submit it and I informed him this morning that he was dismissed."

Schiro said by refusing to resign, Baptiste forfeited the pay for annual leave he has accrued.

**SCHIRO SAID** Baptiste was dismissed because he appeared as a member of the mayor's staff at a political function given last week for district attorney candidate Harry Connick.

Baptiste presented Connick with a certificate of merit signed by the mayor.

"Mr. Baptiste took the action without my knowledge or approval," Schiro said. "By doing so, he gave the impression that I have injected myself in the district attorney's race."

Schiro added:

"This was not the first time that Mr. Baptiste demonstrated extremely poor judgment." The mayor did not explain.

Schiro denied racial motivation and said he would have dismissed any staff member who took the same action.

**THE MAYOR** said a new aide would be named in "the next several days."

Asked whether a Negro would be appointed, Schiro said:

"Several Negroes applied the same time Baptiste did and they along with other applicants will be given consideration."

Baptiste declined comment today, but said:

"I will call the press together Wednesday or Thursday to make a statement. I would rather explain further at that time."

Baptiste was appointed by the mayor on May 5, 1968.