

Mr. HUBERT. Did he say he didn't drive?

Mr. LEWIS. He didn't make comment. He said he didn't have any license.

Mr. HUBERT. You think it was about a half hour after the first episode that he returned with the other identification?

Mr. LEWIS. Yes, sir.

Mr. HUBERT. Was the Latin American looking person with him on both occasions?

Mr. LEWIS. Both occasions; yes.

Mr. HUBERT. All right, sir, have you anything to add?

Mr. LEWIS. No, sir.

Mr. HUBERT. I think you made reference to the fact that the check from the Western Union, which was the subject of this whole episode, had been purchased by someone and payable to the payee involved at the Cotton Exchange branch?

Mr. LEWIS. Cotton Exchange branch.

Mr. HUBERT. Is that in Dallas?

Mr. LEWIS. Yes, sir; it is in the Cotton Exchange Building. I think it is on North Ervay.*

Mr. HUBERT. All right, sir, I ask you whether you concur with me that since I have met you today, which was the first time we ever met, there has been no conversation between us other than that which has been covered in the deposition in one way or another, is that correct?

Mr. LEWIS. That's correct.

Mr. HUBERT. Thank you very much, sir.

Mr. LEWIS. Thank you, sir.

TESTIMONY OF DEAN ADAMS ANDREWS, JR.

The testimony of Dean Adams Andrews, Jr., was taken on July 21, 1964, at the Old Civil Courts Building, Royal and Conti Streets, New Orleans, La., by Mr. Wesley J. Liebeler, assistant counsel of the President's Commission.

Dean Andrews, having been first duly sworn, was examined and testified as follows:

Mr. LIEBELER. Mr. Andrews, as you know by now, I am an attorney on the staff of the President's Commission. I have been authorized to take your deposition pursuant to authority granted to the Commission by Executive Order No. 11130, dated November 29, 1963, and joint resolution of Congress, No. 137.

I understand that the Secret Service served a subpoena on you last week to be here today, so you have had the requisite notice for the proceeding.

As you are a member of the bar—as you know, of course, you are entitled to counsel, but you can probably forego that if you want to. You also know that you have all the usual privileges not to answer questions on the grounds of incrimination and whatever other privileges you might have and want to exercise.

Mr. LIEBELER. Would you state your full name for the record, please.

Mr. ANDREWS. Dean, and the middle initial is A, A for Adams, Andrews, Jr.

Mr. LIEBELER. I am correct, am I not, that you are a member of the Bar of Louisiana?

Mr. ANDREWS. I am a member of the bar of the State of Louisiana.

Mr. LIEBELER. And you regularly practice law in the city of New Orleans?

Mr. ANDREWS. That's my office; yes.

Mr. LIEBELER. Where do you live?

Mr. ANDREWS. 207 Metairie Lawn Drive. That's in Metairie, La.

Mr. LIEBELER. Metairie Lawn Drive in Metairie?

Mr. ANDREWS. Yes.

Mr. LIEBELER. Where do you maintain your offices?

Mr. ANDREWS. 627 Maison Blanche Building, New Orleans.

*608 North St. Paul, one block from Ervay and YMCA.

Mr. LIEBELER. I am advised by the FBI that you told them that Lee Harvey Oswald came into your office some time during the summer of 1963. Would you tell us in your own words just what happened as far as that is concerned?

Mr. ANDREWS. I don't recall the dates, but briefly, it is this: Oswald came in the office accompanied by some gay kids. They were Mexicanos. He wanted to find out what could be done in connection with a discharge, a yellow paper discharge, so I explained to him he would have to advance the funds to transcribe whatever records they had up in the Adjutant General's office. When he brought the money, I would do the work, and we saw him three or four times subsequent to that, not in the company of the gay kids. He had this Mexicano with him. I assume he is a Mex because the Latins do not wear a butch haircut.

Mr. LIEBELER. The first time he came in he was with these Mexicans, and there were also some gay kids. By that, of course, you mean people that appeared to you to be homosexuals?

Mr. ANDREWS. Well, they swish. What they are, I don't know. We call them gay kids.

Mr. LIEBELER. Had you ever seen any of those kids before?

Mr. ANDREWS. None of them.

Mr. LIEBELER. Have you seen any of them since?

Mr. ANDREWS. Since the first time they came in?

Mr. LIEBELER. Since the first time they came in?

Mr. ANDREWS. Yes.

Mr. LIEBELER. You have?

Mr. ANDREWS. Yes.

Mr. LIEBELER. Did they ever come back with Oswald?

Mr. ANDREWS. No; Mexicanos came back.

Mr. LIEBELER. Where did you see these gay kids after the first time?

Mr. ANDREWS. First district precinct. Police picked them up for wearing clothes of the opposite sex.

Mr. LIEBELER. How many of them were there?

Mr. ANDREWS. About 50.

Mr. LIEBELER. They weren't all with Oswald, were they?

Mr. ANDREWS. No; Oswald—you see, they made what they call a scoop and put them all in the pokey. I went down for the ones I represented. They were in the holding pavilion. I paroled them and got them out.

Mr. LIEBELER. You do represent from time to time some of these gay kids, is that correct?

Mr. ANDREWS. Yes.

Mr. LIEBELER. You say that some of the gay kids that you saw at the time the police arrested this large group of them for wearing clothes of the opposite sex were the ones that had been with Oswald?

Mr. ANDREWS. Yes.

Mr. LIEBELER. Were you able to identify them by name?

Mr. ANDREWS. No; you see, they just—we don't even open up files on them. We don't open a file. We mark what we call a working file. We make a few notes and put it in the general week's work. If you come back and the office is retained, we make a permanent file and—but these kids come and go like—you know.

Mr. LIEBELER. When were these people picked up by the police as you have told us?

Mr. ANDREWS. Let me think. Some time in May. I went and checked the records. I couldn't find nothing on it. I believe it's May of 1963.

Mr. LIEBELER. They were picked up in May of 1963?

Mr. ANDREWS. On Friday.

Mr. LIEBELER. That was after Oswald had been in your office?

Mr. ANDREWS. After Oswald's initial contact. I think he had come back with this Mexicano one more time.

Mr. LIEBELER. Before these people were arrested?

Mr. ANDREWS. Yes; then the second time he came back, we talked about the yellow paper discharge, about his status as a citizen, and about his wife's status.

Mr. LIEBELER. Now before we get into that, let me try and pin down how long

it was after the first time Oswald came in that these kids all got arrested. All 50 of them for wearing these clothes?

Mr. ANDREWS. I don't know it was 50. That I can't remember.

Mr. LIEBELER. Was it a month? Two months? A week?

Mr. ANDREWS. No; it wasn't that. Ten days at the most.

Mr. LIEBELER. I suppose the New Orleans Police Department files would reflect the dates these people were picked up?

Mr. ANDREWS. I checked the first district's blotter and the people are there, but I just can't get their names. You see, they wear names just like you and I wear clothes. Today their name is Candy; tomorrow it is Butsie; next day it is Mary. You never know what they are. Names are a very improbable method of identification. More sight. Like you see a dog. He is black and white. That's your dog. You know them by sight mostly.

Mr. LIEBELER. Do you remember what date it was that that large arrest was made?

Mr. ANDREWS. No; every Friday is arrest day in New Orleans. They clean them all up. The shotgun squad keeps the riots, the mugging, and all the humbug out. They have been doing that very effectively. You can pick just any Friday.

Mr. LIEBELER. This was on a Friday?

Mr. ANDREWS. It had to be a Friday or Saturday.

Mr. LIEBELER. In May of 1963?

Mr. ANDREWS. Yes.

Mr. LIEBELER. After you saw these kids at this big pickup on Friday or Saturday, did you ever see any of them again after that?

Mr. ANDREWS. No; still looking for them. They owe me a fee.

Mr. LIEBELER. They are always the hardest ones to find.

Mr. ANDREWS. They usually pay. They are screwed in.

Mr. LIEBELER. What did Oswald say to you about his own citizenship status? You say that he mentioned that the second time he came back. What did he talk to you about in that regard?

Mr. ANDREWS. They came in usually after hours, about 5, 5:15, and as I recall, he had alleged that he had abandoned his citizenship. He didn't say how; he didn't say where. I assumed that he was one of the people who wanted to join The Free World and—I represented one or two of them. They had belonged to The World Citizenship—I explained to him there are certain steps he had to do, such as taking an oath of loyalty to a foreign power, voting in a foreign country election, or some method that is recognized defectively as loss of citizenship. Then I told him, "Your presence in the United States is proof you are a citizen. Otherwise, you would be an alien with an alien registration with a green card, form 990."

Mr. LIEBELER. Had he told you he had been out of the country?

Mr. ANDREWS. Yes.

Mr. LIEBELER. Did he tell you where he had gone?

Mr. ANDREWS. No.

Mr. LIEBELER. Since he had been out of the country, the fact that he was back and didn't have an alien card was proof he was a citizen?

Mr. ANDREWS. Yes.

Mr. LIEBELER. Do you remember any other part of the conversation?

Mr. ANDREWS. When he asked the questions—I don't know which visit it was—about citizenship of his wife, I asked the birthplace or origin cited for citizenship purposes—that's what counts—and he said Russia, so I just assumed he had met someone somewhere, some place, either in Russia or in Europe, married them, and brought them over here as a GI, a GI bride, and wanted to go through the routine of naturalization, which is 3 years after lawful admission into the United States if you are married, and five years if you are not, maintain the status here in the States cumulatively for 5 years.

Mr. LIEBELER. Did he indicate that he wanted to institute citizenship proceedings for his wife?

Mr. ANDREWS. Yes; I told him to go to Immigration and get the forms. Cost him \$10. All he had to do was execute them. He didn't need a lawyer. That was the end of that.

Mr. LIEBELER. How many times did he come into your office?

Mr. ANDREWS. Minimum of three, maximum of five, counting initial visit.

Mr. LIEBELER. And did you talk about different subjects at different times? As I understand it, the first time he came there, he was primarily concerned about his discharge, is that correct?

Mr. ANDREWS. Well, I may have the subject matter of the visits reversed because with the company he kept and the conversation—he could talk fairly well—I figured that this was another one of what we call in my office free alley clients, so we didn't maintain the normalcy with the file that—might have scratched a few notes on a piece of pad, and 2 days later threw the whole thing away. Didn't pay too much attention to him. Only time I really paid attention to this boy, he was in the front of the Maison Blanche Building giving out these kooky Castro things.

Mr. LIEBELER. When was this, approximately?

Mr. ANDREWS. I don't remember. I was coming from the NBC building, and I walked past him. You know how you see somebody, recognize him. So I turned around, came back, and asked him what he was doing giving that junk out. He said it was a job. I reminded him of the \$25 he owed the office. He said he would come over there, but he never did.

Mr. LIEBELER. Did he tell you that he was getting paid to hand out this literature?

Mr. ANDREWS. Yes.

Mr. LIEBELER. Did he tell you how much?

Mr. ANDREWS. No.

Mr. LIEBELER. Do you remember telling the FBI that he told you that he was being paid \$25 a day for handing out these leaflets?

Mr. ANDREWS. I could have told them that. I know I reminded him of the \$25. I may have it confused, the \$25. What I do recall, he said it was a job. I guess I asked him how much he was making. They were little square chits a little bit smaller than the picture you have of him over there [indicating].

Mr. LIEBELER. He was handing out these leaflets?

Mr. ANDREWS. They were black-and-white pamphlets extolling the virtues of Castro, which around here doesn't do too good. They have a lot of guys, Mexicanos and Cubanos, that will tear your head off if they see you fooling with these things.

Mr. LIEBELER. What were they like?

Mr. ANDREWS. They were pamphlets, single-sheet pamphlets.

Mr. LIEBELER. Just one sheet? It wasn't a booklet?

Mr. ANDREWS. No.

Mr. LIEBELER. What color were the pamphlets? You say it was white paper?

Mr. ANDREWS. White paper offset with black.

Mr. LIEBELER. Could it have been yellow paper?

Mr. ANDREWS. I am totally colorblind. I wouldn't know. But I think it is black and white.

Mr. LIEBELER. You are colorblind?

Mr. ANDREWS. Yes. Most of them wanted it around there. You give it to them, the people look at it and they drop it, right now.

Mr. LIEBELER. Do you remember what day of the week this was that you saw him handing this stuff out?

Mr. ANDREWS. It was in the middle of the week, around Tuesday or Wednesday.

Mr. LIEBELER. Where is the Maison Blanche Building? What street is it on?

Mr. ANDREWS. 921 Canal Street. It is on this side. It is bounded by Dauphine and Burgundy.

Mr. LIEBELER. How far is it from the International Trade Mart?

Mr. ANDREWS. It depends on what route you take. If you come up Camp Street, it would be two blocks to Canal and four blocks toward the cemetery; so it would be about six blocks. It would be six blocks no matter which way you went, but you would walk four blocks on Common Street or Gravier, and then two blocks over the other way.

Mr. LIEBELER [handing picture to witness]. I show you a picture that has

been marked as "Garner Exhibit No. 1," and ask you if you recognize the individual in that picture and the street scene, if you are familiar with it.

Mr. ANDREWS. This is Oswald.

Mr. LIEBELER. That's the fellow who was in your office?

Mr. ANDREWS. Yes.

Mr. LIEBELER. Do you have any doubt about that in your mind?

Mr. ANDREWS. I don't believe; no. This is him. I just can't place it. This isn't where I saw him. This is probably around the vicinity of the International Trade Mart.

Mr. LIEBELER [handing picture to witness]. I show you another picture that has been marked for identification as "Bringuier Exhibit No. 1," and ask you if you recognize anybody in that picture and the street scene.

Mr. ANDREWS. Oswald is marked with an X, and a client of mine is over here on the right-hand side.

Mr. LIEBELER. Is that a paying client or what?

Mr. ANDREWS. No; paying client [indicating]. And this dress belongs to a girl friend.

Mr. LIEBELER. Which one is your client?

Mr. ANDREWS. It should be three. There's two sisters and this young lady [indicating].

Mr. LIEBELER. What's her name?

Mr. ANDREWS. I don't remember.

Mr. LIEBELER. You are referring to the woman that appears on the far right-hand side of the picture with a handbag on her arm?

Mr. ANDREWS. Yes.

Mr. LIEBELER. Now you say Oswald is marked with an X, and you identify that as the man that you saw in your office and the same man you saw passing out pamphlets?

Mr. ANDREWS. Yes.

Mr. LIEBELER. I call your attention specifically to the second man who is standing behind Oswald to his right and facing toward the front wearing a white, short-sleeved shirt and necktie, who also appears to have some leaflets in his hand. Have you ever seen that man before?

Mr. ANDREWS. The Mexicano that I associate Oswald with is approximately the same height, with the exception that he has a pronounced short butch haircut. He is stocky, well built.

Mr. LIEBELER. The fellow that I have indicated to you on "Bringuier Exhibit No. 1" is too slightly built to be associated with Oswald; is that correct?

Mr. ANDREWS. He is stocky. Has what they call an athletic build.

Mr. LIEBELER. Was this other fellow taller than Oswald or shorter than Oswald?

Mr. ANDREWS. Very close. Not taller. Probably same height; maybe a little smaller.

Mr. LIEBELER. How much would you say the Mexican weighed, approximately?

Mr. ANDREWS. About 160, 165.

Mr. LIEBELER. You say he was of medium build or heavy build?

Mr. ANDREWS. Well, stocky. He could go to "Fist City" pretty good if he had to.

Mr. LIEBELER. How old would you say he was?

Mr. ANDREWS. About 26. Hard to tell.

Mr. LIEBELER. Do you remember what he was wearing when he came into the office with Oswald on these different occasions?

Mr. ANDREWS. Normally, different colored silk pongee shirts, which are pretty rare, you know, for the heat, or what appeared to be pongee material.

Mr. LIEBELER. Did you ever talk to this other fellow?

Mr. ANDREWS. Well, he talked Spanish, and all I told him was poco poco. That was it.

Mr. LIEBELER. Do you speak Spanish?

Mr. ANDREWS. I can understand a little. I can if you speak it. I can read it. That's about all.

Mr. LIEBELER [handing picture to witness]. I show you a picture which has been marked "Frank Pizzo Exhibit No. 453-C," and ask you if that is the same

man that was in your office and the same man you say was passing out literature in the street.

Mr. ANDREWS. It appears to be.

Mr. LIEBELER. Would you recognize this Mexican again if you saw him?

Mr. ANDREWS. Yes.

Mr. LIEBELER. Do you remember telling the FBI that you wouldn't be able to recognize him again if you saw him?

Mr. ANDREWS. Probably did. Been a long time. There's three people I am going to find: One of them is the real guy that killed the President; the Mexican; and Clay Bertrand.

Mr. LIEBELER. Do you mean to suggest by that statement that you have considerable doubt in your mind that Oswald killed the President?

Mr. ANDREWS. I know good and well he did not. With that weapon, he couldn't have been capable of making three controlled shots in that short time.

Mr. LIEBELER. You are basing your opinion on reports that you have received over news media as to how many shots were fired in what period of time; is that correct?

Mr. ANDREWS. I am basing my opinion on five years as an ordnanceman in the Navy. You can lean into those things, and with throwing the bolts—if I couldn't do it myself, 8 hours a day, doing this for a living, constantly on the range, I know this civilian couldn't do it. He might have been a sharp marksman at one time, but if you don't lean into that rifle and don't squeeze and control consistently, your brain can tell you how to do it, but you don't have the capability.

Mr. LIEBELER. You have used a pronoun in this last series of statements, the pronoun "it." You are making certain assumptions as to what actually happened, or you have a certain notion in your mind as to what happened based on material you read in the newspaper?

Mr. ANDREWS. It doesn't make any difference. What you have to do is lean into a weapon, and, to fire three shots controlled with accuracy, this boy couldn't do it. Forget the President.

Mr. LIEBELER. You base that judgment on the fact that, in your own experience, it is difficult to do that sort of thing?

Mr. ANDREWS. You have to stay with it. You just don't pick up a rifle or a pistol or whatever weapon you are using and stay proficient with it. You have to know what you are doing. You have to be a conniver. This boy could have connived the deal, but I think he is a patsy. Somebody else pulled the trigger.

Mr. LIEBELER. However, as we have indicated, it is your opinion. You don't have any evidence other than what you have already told us about your surmise and opinions about the rifle on which to base that statement; is that correct? If you do, I want to know what it is.

Mr. ANDREWS. If I did, I would give it to you. It's just taking the 5 years and thinking about it a bit. I have fired as much as 40,000 rounds of ammo a day for 7 days a week. You get pretty good with it as long as you keep firing. Then I have gone back after 2 weeks. I used to be able to take a shotgun, go on a skeet, and pop 100 out of 100. After 2 weeks, I could only pop 60 of them. I would have to start shooting again, same way with the rifle and machineguns. Every other person I knew, same thing happened to them. You just have to stay at it.

Mr. LIEBELER. Now, did you see Oswald at any time subsequent to that time you saw him in the street handing out literature?

Mr. ANDREWS. I have never seen him since.

Mr. LIEBELER. Can you tell us what month that was, approximately?

Mr. ANDREWS. Summertime. Before July. I think the last time would be around—the last could have been, I guess, around the 10th of July.

Mr. LIEBELER. Around the 10th of July?

Mr. ANDREWS. I don't believe it was after that. It could have been before, but not after.

Mr. LIEBELER. Now, you mentioned this Mexican that accompanied Oswald to your office. Have you seen him at any time subsequent to the last time Oswald came into your office?

Mr. ANDREWS. No.

Mr. LIEBELER. Can you tell us approximately how long a period of time elapsed

from the last time Oswald came into your office to the last time you saw him in the street handing out literature?

Mr. ANDREWS. I would say about 6 weeks, just guessing.

Mr. LIEBELER. And you have never seen the Mexican at any other time since then?

Mr. ANDREWS. No. He just couldn't have disappeared because the Mexican community here is pretty small. You can squeeze it pretty good, the Latin community. He is not known around here.

Mr. LIEBELER. Have you made an attempt to find him since the assassination?

Mr. ANDREWS. Yes.

Mr. LIEBELER. And you haven't had any success?

Mr. ANDREWS. No. Not too many places they can go not being noticed.

Mr. LIEBELER. Was there anybody else with Oswald that day you saw him handing out literature?

Mr. ANDREWS. Oh, people standing there with him. Whether they were with him or not, I wouldn't know.

Mr. LIEBELER. Did it appear that there was anybody else helping him hand out literature?

Mr. ANDREWS. There was one person, but they had no literature. They weren't giving anything out. Let me see that picture of that little bitty guy, that weasel before.

Mr. LIEBELER. [handing picture to witness]. This is Bringuier Exhibit No. 1.

Mr. ANDREWS. No; he resembled this boy, but it is not him. It is a pale face instead of a Latin.

Mr. LIEBELER. When you talked to Oswald on the street that day, did he give you any idea who was paying him to hand this stuff out?

Mr. ANDREWS. No; he just said, "It's a job."

Mr. LIEBELER. My understanding is, of course, that you are here under subpoena and subpoena duces tecum, asking you to bring with you any records that you might have in your office indicating or reflecting Oswald's visit, and my understanding is that you indicated that you were unable to find any such records.

Mr. ANDREWS. Right. My office was rifled shortly after I got out of the hospital, and I talked with the FBI people. We couldn't find anything prior to it. Whoever was kind enough to mess my office up, going through it, we haven't found anything since.

Mr. LIEBELER. You have caused a thorough search to be made of your office for these records?

Mr. ANDREWS. Yes.

Mr. LIEBELER. You haven't been able to come up with anything?

Mr. ANDREWS. No.

Mr. LIEBELER. Did there come a time after the assassination when you had some further involvement with Oswald, or at least an apparent involvement with Oswald; as I understand it?

Mr. ANDREWS. No; nothing at all with Oswald. I was in Hotel Dieu, and the phone rang and a voice I recognized as Clay Bertrand asked me if I would go to Dallas and Houston—I think—Dallas, I guess, wherever it was that this boy was being held—and defend him. I told him I was sick in the hospital. If I couldn't go, I would find somebody that could go.

Mr. LIEBELER. You told him you were sick in the hospital and what?

Mr. ANDREWS. That's where I was when the call came through. It came through the hospital switchboard. I said that I wasn't in shape enough to go to Dallas and defend him and I would see what I could do.

Mr. LIEBELER. Now what can you tell us about this Clay Bertrand? You met him prior to that time?

Mr. ANDREWS. I had seen Clay Bertrand once some time ago, probably a couple of years. He's 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, these Mexicanos, to the office because I had never seen those people before at all. They were just walk-ins.

Mr. LIEBELER. You say that you think you saw Clay Bertrand some time about 2 years prior to the time you received this telephone call that you have just told us about?

Mr. ANDREWS. Yes; he is mostly a voice on the phone.

Mr. LIEBELER. What day did you receive the telephone call from Clay Bertrand asking you to defend Oswald?

Mr. ANDREWS. I don't remember. It was a Friday or a Saturday.

Mr. LIEBELER. Immediately following the assassination?

Mr. ANDREWS. I don't know about that. I didn't know. Yes; I did. I guess I did because I was—they told me I was squirrely in the hospital.

Mr. LIEBELER. You had pneumonia; is that right?

Mr. ANDREWS. Yes.

Mr. LIEBELER. And as I understand it, you were under heavy sedation at that time in connection with your treatment for pneumonia?

Mr. ANDREWS. Yes; this is what happened: After I got the call, I called my secretary at her home and asked her if she had remembered Lee Harvey Oswald's file. Of course, she didn't remember, and I had to tell her about all the kooky kids. She thought we had a file in the office. I would assume that he would have called subsequent to this boy's arrest. I am pretty sure it was before the assassination. I don't know.

Mr. LIEBELER. You don't mean before the assassination—don't you mean before Oswald had been shot? After the assassination and before Oswald had been shot?

Mr. ANDREWS. After Oswald's arrest and prior to his——

Mr. LIEBELER. His death?

Mr. ANDREWS. His death.

Mr. LIEBELER. Now my recollection from reviewing reports from the FBI is that you first advised the FBI of this, telling them that you recall that Clay Bertrand had called you at some time between 6 o'clock and 9 o'clock in the evening and spoke to you about this matter. Do you remember telling the FBI about that?

Mr. ANDREWS. I remember speaking with them. The exact words, I do not, but that's probably correct.

Mr. LIEBELER. Do you remember what time approximately that Clay Bertrand did call you?

Mr. ANDREWS. I will tell you: They feed around 4:30. By the time I got fed, it was about 5 o'clock. They picked the tray up. So that's about the right time. It's around that time.

Mr. LIEBELER. Now you said that after Clay Bertrand called you, you called your secretary and asked her if she remembered the Oswald file; is that correct?

Mr. ANDREWS. Yes; she didn't remember Oswald at all. She knows that occasionally these people walk in and out of the office and she had remembered something, but nothing of any value.

Mr. LIEBELER. And do you remember that after you got out of the hospital, you discussed with your secretary the telephone call that you made to her at home?

Mr. ANDREWS. Yes.

Mr. LIEBELER. And do you recall that she said that she remembered that you called her at approximately 4 o'clock on the afternoon of November 23, 1963?

Mr. ANDREWS. Yes.

Mr. LIEBELER. Now have you—let's take it one step further: Do you also recall the fact that your private investigator spent most of that afternoon with you in your hospital room?

Mr. ANDREWS. Yes; he was there.

Mr. LIEBELER. He was there with you?

Mr. ANDREWS. Yes; Preston M. Davis.

Mr. LIEBELER. Do you remember approximately what time he left?

Mr. ANDREWS. No.

Mr. LIEBELER. Would it have been before you called your secretary or afterwards?

Mr. ANDREWS. Yes.

Mr. LIEBELER. Before you called?

Mr. ANDREWS. No; after.

Mr. LIEBELER. After you called your secretary?

Mr. ANDREWS. Let's see. He wasn't there when I made the phone call. He

wasn't there when Clay Bertrand called me, I am pretty sure, because he would have remembered it if I didn't.

Mr. LIEBELER. You discussed it and he doesn't, in fact, remember that you received the telephone call from Clay Bertrand?

Mr. ANDREWS. He wasn't there. While he was there, we received no call from Clay Bertrand or no call concerning the office or business because I would have talked to him about it.

Mr. LIEBELER. You say that he left before you called your secretary?

Mr. ANDREWS. I think he left around chow time, which, I think, is around 4 o'clock. I could be wrong.

Mr. LIEBELER. Now after giving this time sequence that we have talked about here the consideration that I am sure you have after discussing it with the FBI, have you come up with any solution in your own mind to the apparent problems that exist here? That is to say, that your recollection is that you called your secretary after you received the call from Clay Bertrand and you called your secretary at 4 o'clock, which would indicate that you must have received the call from Clay Bertrand prior to 4 o'clock, but you did not receive the call from Mr. Bertrand while Mr. Davis was there, and he left at approximately 4 o'clock or shortly before you called your secretary, in addition to which, you first recall receiving the call from Clay Bertrand some time between 6 o'clock and 9 o'clock in the evening.

Mr. ANDREWS. Well, the time factor I can't help you with. It is impossible. But I feel this: I wouldn't have called my secretary—if I couldn't get her to verify it, I would tell you that I was smoking weed. You know, sailing out on cloud 9.

Mr. LIEBELER. But, in fact, she did verify the fact that you did call her?

Mr. ANDREWS. Yes; I often thought it was a nightmare or a dream, but it isn't. It's just that I can't place—other than what I told Regis Kennedy and John Rice, the exact time I can't help you on. But if it hadn't been for calling her and asking her—

Mr. LIEBELER. To look up the Oswald file or if she remembered the Oswald file?

Mr. ANDREWS. Yes; I would just say I have a pretty vivid imagination and let's just forget it. Anything other than the law practice—I would say that what Regis suspects is that I was full of that dope, but I normally take certain steps, and this is the way I would have done it is what I did. I called her. Had Davis been there when the call came in, Davis would have been told, and he would have left the hospital, went down to the office, and shook the office down for the file, and called me from there before he went home. I know it couldn't have come in while he was there. The only media of time that I can use is either medication or food. Of course, being fat, I like food. I wasn't much interested in food. They weren't feeding me too much, and I am pretty sure it was after medication and food and the tray had been picked up that the call came in.

Mr. LIEBELER. Of course, they fed you more than once up there?

Mr. ANDREWS. They feed three times a day, but they don't feed you enough to keep a sparrow alive.

Mr. LIEBELER. Well, in any event, you are not able to clarify for us the sequence of what happened?

Mr. ANDREWS. Well, the sequence of events had to be this: Davis spent Saturday afternoon with me. He probably left just before chow, and then I ate, and the phone call came in some time after chow. I am positive it wasn't as late as 9 o'clock. I think the latest it could have been is 6, but Miss Springer says I called her some time around 4, 4:30—I don't know which.

Mr. LIEBELER. Miss Springer is your secretary?

Mr. ANDREWS. Yes.

Mr. LIEBELER. Now do you recall talking to an FBI agent, Regis L. Kennedy, and Carl L. Schlaeger on November 25?

Mr. ANDREWS. I don't remember—Kennedy, yes; Schlaeger, no. I don't even know if he was in the same room. I don't think I have even seen him, much less talk to him.

Mr. LIEBELER. Kennedy was; yes?

Mr. ANDREWS. Yes.

Mr. LIEBELER. They usually go around in pairs?

Mr. ANDREWS. Well, they work in teams, so he's got to have been there.

Mr. LIEBELER. Now Kennedy came and visited you at the hospital; is that correct?

Mr. ANDREWS. Right.

Mr. LIEBELER. Now——

Mr. ANDREWS. I remember that pretty good because I called the Feebees, and the guy says to put the phone, you know, and nothing happened.

Mr. LIEBELER. The Feebees?

Mr. ANDREWS. That's what we call the Federal guys. All of a sudden, like a big hurricane, here they come.

Mr. LIEBELER. Do you remember telling him at that time that you thought that Clay Bertrand had come into the office with Oswald when Oswald had been in the office earlier last spring?

Mr. ANDREWS. No; I don't remember.

Mr. LIEBELER. Was Bertrand ever in the office with Oswald?

Mr. ANDREWS. Not that I remember.

Mr. LIEBELER. Do you have a picture in your mind of this Clay Bertrand?

Mr. ANDREWS. Oh, I ran up on that rat about 6 weeks ago and he spooked, ran in the street. I would have beat him with a chain if I had caught him.

Mr. LIEBELER. Let me ask you this: When I was down here in April, before I talked to you about this thing, and I was going to take your deposition at that time, but we didn't make arrangements, in your continuing discussions with the FBI, you finally came to the conclusion that Clay Bertrand was a figment of your imagination?

Mr. ANDREWS. That's what the Feebees put on. I know that the two Feebees are going to put these people on the street looking, and I can't find the guy, and I am not going to tie up all the agents on something that isn't that solid. I told them, "Write what you want, that I am nuts. I don't care." They were running on the time factor, and the hills were shook up plenty to get it, get it, get it. I couldn't give it to them. I have been playing cops and robbers with them. You can tell when the steam is on. They are on you like the plague. They never leave. They are like cancer. Eternal.

Mr. LIEBELER. That was the description of the situation?

Mr. ANDREWS. It was my decision if they were to stay there. If I decide yes, they stay. If I decide no, they go. So I told them, "Close your file and go some place else." That's the real reason why it was done. I don't know what they wrote in the report, but that's the real reason.

Mr. LIEBELER. Now subsequent to that time, however, you actually ran into Clay Bertrand in the street?

Mr. ANDREWS. About 6 weeks ago. I am trying to think of the name of this bar. That's where this rascal hums out. I was trying to get past him so I could get a nickel in the phone and call the Feebees or John Rice, but he saw me and spooked and ran. I haven't seen him since.

Mr. LIEBELER. Did you talk to him that day?

Mr. ANDREWS. No; if I would have got close enough to talk to him. I would have grabbed him.

Mr. LIEBELER. What does this guy look like?

Mr. ANDREWS. He is about 5 feet 8 inches. Got sandy hair, blue eyes, ruddy complexion. Must weigh about 165, 170, 175. He really took off, that rascal.

Mr. LIEBELER. He recognized you?

Mr. ANDREWS. He had to because if he would have let me get to that phone and make the call, he would be in custody.

Mr. LIEBELER. You wanted to get hold of this guy and make him available to the FBI for interview, or Mr. Rice of the Secret Service?

Mr. ANDREWS. What I wanted to do and should have done is crack him in the head with a bottle, but I figured I would be a good, law-abiding citizen and call them and let them grab him, but I made the biggest mistake of the century. I should have grabbed him right there. I probably will never find him again. He has been bugging me ever since this happened.

Mr. LIEBELER. Now before you ran into Clay Bertrand in the street on this day, did you have a notion in your mind what he looked like?

Mr. ANDREWS. I had seen him before one time to recognize him.

Mr. LIEBELER. When you saw him that day, he appeared to you as he had before when you recognized him?

Mr. ANDREWS. He hasn't changed any appearance, I don't think. Maybe a little fatter, maybe a little skinnier.

Mr. LIEBELER. Now I have a rather lengthy report of an interview that Mr. Kennedy had with you on December 5, 1963, in which he reports you as stating that you had a mental picture of Clay Bertrand as being approximately 6 feet 1 inch to 6 feet 2 inches in height, brown hair, and well dressed.

Mr. ANDREWS. Yes.

Mr. LIEBELER. Now this description is different, at least in terms of height of the man, than the one you have just given us of Clay Bertrand.

Mr. ANDREWS. But, you know, I don't play Boy Scouts and measure them. I have only seen this fellow twice in my life. I don't think there is that much in the description. There may be some to some artist, but to me, there isn't that much difference. Might be for you all.

Mr. LIEBELER. I think you said he was 5 feet 8 inches before.

Mr. ANDREWS. Well, I can't give you any better because this time I was looking for the fellow, he was sitting down. I am just estimating. You meet a guy 2 years ago, you meet him, period.

Mr. LIEBELER. Which time was he sitting down?

Mr. ANDREWS. He was standing up first time.

Mr. LIEBELER. I thought you met him on the street the second time when you—

Mr. ANDREWS. No, he was in a barroom.

Mr. LIEBELER. He was sitting in a bar when you saw him 6 weeks ago?

Mr. ANDREWS. A table at the right-hand side. I go there every now and then spooking for him.

Mr. LIEBELER. What's the name of the bar you saw him in that day, do you remember?

Mr. ANDREWS. Cosimo's, used to be. Little freaky joint.

Mr. LIEBELER. Well, now, if you didn't see him standing up on that day—

Mr. ANDREWS. No.

Mr. LIEBELER. So that you didn't have any basis on which to change your mental picture of this man in regard to his height from the first one that you had?

Mr. ANDREWS. No.

Mr. LIEBELER. I am at a loss to understand why you told Agent Kennedy on December 5 that he was 6 feet 1 to 6 feet 2 and now you have told us that he was 5 feet 8 when at no time did you see the man standing up.

Mr. ANDREWS. Because, I guess, the first time—and I am guessing now—

Mr. LIEBELER. Is this fellow a homosexual, do you say?

Mr. ANDREWS. Bisexual. What they call a swinging cat.

Mr. LIEBELER. And you haven't seen him at any time since that day?

Mr. ANDREWS. I haven't seen him since.

Mr. LIEBELER. Now have you had your office searched for any records relating to Clay Bertrand?

Mr. ANDREWS. Yes.

Mr. LIEBELER. Have you found anything?

Mr. ANDREWS. No; nothing.

Mr. LIEBELER. Has this fellow Bertrand sent you business in the past?

Mr. ANDREWS. Prior to—I guess the last time would be February of 1963.

Mr. LIEBELER. And mostly he refers, I think you said, these gay kids, is that right?

Mr. ANDREWS. Right.

Mr. LIEBELER. In discussing this matter with your private detective, Mr. Davis, and Miss Springer, your secretary, have you asked them whether or not they have any recollection of ever having seen Oswald in the office?

Mr. ANDREWS. Davis does; Springer doesn't.

Mr. LIEBELER. Davis does have a recollection?

Mr. ANDREWS. Yes; he recalls. He usually stays with me until about closing time. We review whatever he is doing, and he remembers them as a group.

Mr. LIEBELER. So he was there then the first time they were there? The only time that he was with a group is the first time, is that right?

Mr. ANDREWS. Right.

Mr. LIEBELER. Have you discussed with Miss Springer and Mr. Davis the whereabouts or any recollection they might have about Clay Bertrand?

Mr. ANDREWS. They weren't with me, I believe, at the time I knew Bertrand.

Mr. LIEBELER. Have you discussed it with them?

Mr. ANDREWS. Yes; but they weren't employed by me at the time I knew him.

Mr. LIEBELER. So they have no recollection of Bertrand?

Mr. ANDREWS. No.

Mr. LIEBELER. When Oswald came into your office, of course, he told you what his name was, didn't he?

Mr. ANDREWS. Lee Oswald. I don't know whether that's his name or not.

Mr. LIEBELER. But that's what he told you?

Mr. ANDREWS. That's what he told me.

Mr. LIEBELER. Do you remember discussing or mentioning his name to Davis at any time prior to November 23, 1963?

Mr. ANDREWS. What the procedure is—I am in a different office now than I was then, and it was a very small office, and they would come into it—well, what I would call my office—and they just had the reception room out in the front, and Davis would go out there, and on those matters, it's not a matter that he would be discussing, but probably some words passed as to the swishing and the characteristics that they had, but other than that in the business, unless something is assigned to him, he knows nothing in that office unless it is assigned to him.

Mr. LIEBELER. So you say you probably did not mention Oswald's name to Davis?

Mr. ANDREWS. I probably did not, other than we commented on the group in general, but none of the business that was involved or any names.

Mr. LIEBELER. Is it an extraordinary thing for a bunch of gay kids to come into your office like that, or did they come from time to time?

Mr. ANDREWS. Well, let's see. Last week there were six of them in there. Depends on how bad the police are rousing them. They shoo them in. My best customers are the police. They shoo them into the office. God bless the police.

Mr. LIEBELER. Did you ever know a man by the name of Kerry Thornley as one of these gay kids?

Mr. ANDREWS. No.

Mr. LIEBELER. Have you ever heard of Thornley?

Mr. ANDREWS. No; I represent them and that's about all there is to it. When they owe me money, I know where to go grab them, and that's about as far as it goes. Is he supposed to be down here?

Mr. LIEBELER. Thornley?

Mr. ANDREWS. Yes; I can find out if he ever made the scene here real easy.

Mr. LIEBELER. No; he is not in New Orleans, I don't think, at the moment. When Oswald told you about his discharge, did he tell you what branch of the service he had been in?

Mr. ANDREWS. No.

Mr. LIEBELER. Did he tell you why he got discharged?

Mr. ANDREWS. No.

Mr. LIEBELER. Did he tell you what kind of a discharge he had?

Mr. ANDREWS. He told me he was dishonorably discharged. That's what I call a yellow sheet discharge. I told him I needed his serial number, the service he was in, the approximate time he got discharged, and, I think, \$15 or \$25, I forget which, and to take the service, his rate or rank, the serial number, and to write to the Adjutant General for the transcript of the proceedings that washed him out so that they could be examined and see if there was any method of reopening or reconsideration on the file.

Mr. LIEBELER. But he did not tell you any of those things?

Mr. ANDREWS. No; he said he would come back, and he came back, but I still didn't get his serial number and I still didn't get the money.

Mr. LIEBELER. Do you remember specifically that he stated he had a dishonorable discharge as opposed to some other kind of discharge? Do you have a specific recollection on that?

Mr. ANDREWS. We call them in the Navy, B.C.D.'s and I associated that. He never mentioned the specific type discharge. It was one that was other than honorable, as we would put it in the legal sense. I just assumed it was a B.C.D. if he was in the Marines or Navy. If he was in the Army, it's a yellow discharge.

Mr. LIEBELER. Did he tell you if he was working at that time or if he had a job when he first came into your office?

Mr. ANDREWS. Never asked him.

Mr. LIEBELER. Did he associate his other than honorable discharge with difficulty in obtaining employment?

Mr. ANDREWS. I just don't remember. He had a reason why he wanted it reopened. What, I don't recall. He had a reason. I don't recall. He mentioned a reason, but I don't recall. I was trying to remember where they were seated to see if that would help, but no.

Mr. LIEBELER. Tell me approximately how tall Oswald was.

Mr. ANDREWS. Oh, about 5 feet 6 inches, 5 feet 7 inches, I guess.

Mr. LIEBELER. And about how much did he weigh?

Mr. ANDREWS. About 135, 140.

Mr. LIEBELER. I don't think I have any more questions. Do you have anything else that you would like to add?

Mr. ANDREWS. I wish I could be more specific, that's all. This is my impression, for whatever it is worth, of Clay Bertrand: His connections with Oswald I don't know at all. I think he is a lawyer without a brief case. That's my opinion. He sends the kids different places. Whether this boy is associated with Lee Oswald or not, I don't know, but I would say, when I met him about 6 weeks ago when I ran up on him and he ran away from me, he could be running because he owes me money, or he could be running because they have been squeezing the quarter pretty good looking for him while I was in the hospital, and somebody might have passed the word he was hot and I was looking for him, but I have never been able to figure out the reason why he would call me, and the only other part of this thing that I understand, but apparently I haven't been able to communicate, is I called Monk Zelden on a Sunday at the N.O.A.C. and asked Monk if he would go over—he interested in a retainer and go over to Dallas and see about that boy. I thought I called Monk once. Monk says we talked twice. I don't remember the second. It's all one conversation with me. Only thing I do remember about it, while I was talking with Monk, he said, "Don't worry about it. Your client just got shot." That was the end of the case. Even if he was a bona fide client, I never did get to him; somebody else got to him before I did. Other than that, that's the whole thing, but this boy Bertrand has been bugging me ever since. I will find him sooner or later.

Mr. LIEBELER. Does Bertrand owe you money?

Mr. ANDREWS. Yes; I ain't looking for him for that, I want to find out why he called me on behalf of this boy after the President was assassinated.

Mr. LIEBELER. How come Bertrand owes you money?

Mr. ANDREWS. I have done him some legal work that he has failed to pay the office for.

Mr. LIEBELER. When was that?

Mr. ANDREWS. That's in a period of years that I have—like you are Bertrand. You call up and ask me to go down and get Mr. X out. If Mr. X doesn't pay on those kinds of calls, Bertrand has a guarantee for the payment of appearance. One or two of these kids had skipped. I had to go pay the penalty, which was a lot of trouble.

Mr. LIEBELER. You were going to hold Bertrand for that?

Mr. ANDREWS. Yes.

Mr. LIEBELER. Did Oswald appear to you to be gay?

Mr. ANDREWS. You can't tell. I couldn't say. He swang with the kids. He didn't swish, but birds of a feather flock together. I don't know any squares that run with them. They may go down to look.

Mr. LIEBELER. When you say he didn't swish, what do you mean by that?

Mr. ANDREWS. He is not effeminate; his voice isn't squeaky; he didn't walk like or talk like a girl; he walks and talks like a man.

Mr. LIEBELER. Did you notice anything about the way he walked? Was there anything striking about the way he carried himself?

Mr. ANDREWS. I never paid attention. I never watched him walk other than into and out of the office. There's nothing that would draw my attention to anything out of the ordinary, but I just assumed that he knew these people and was running with them. They had no reason to come. The three gay kids he was with, they were ostentatious. They were what we call swishers. You can just look at them. All they had to do was open their mouth. That was it. Walk, they can swing better than Sammy Kaye. They do real good. With those pronounced ones, you never know what the relationship is with anyone else with them, but I have no way of telling whether he is gay or not, other than he came in with what they call here queens. That's about it.

Mr. LIEBELER. You have never seen any of these people since that first day they came into your office with Oswald, that first day and when you saw them down at the police station?

Mr. ANDREWS. The three queens? The three gay boys? No; I have never seen them.

Mr. LIEBELER. There were just three of them?

Mr. ANDREWS. The Latin type. Mexicanos will crop their hair and a Latin won't, so I assume he is a Mex.

Mr. LIEBELER. So altogether there were five of them that came into the office?

Mr. ANDREWS. Five. The only other thing that shook me to my toes—you have the other part—the Secret Service brought me some things. They don't have the complete photograph. They have another photograph with the two Realpey sisters. They are actually in the office, and that shook me down to my toes pretty good.

Mr. LIEBELER [handing picture to witness]. The picture you refer to might be Pizzo Exhibit No. 453-B. Is that the one?

Mr. ANDREWS. Yes, this is it. Victoria Realpey-Plaza and her sister Marguerite Realpey-Plaza, and I can't recall this young lady's name here at all [indicating].

Mr. LIEBELER. You are pointing to the three women who are standing—

Mr. ANDREWS. The one facing, standing as you look at it.

Mr. LIEBELER. That's the one you can't identify?

Mr. ANDREWS. Yes; I have her file in the office. Uncle is a warden at the Parish Prison here in New Orleans.

Mr. LIEBELER. And you are referring to the three women that are standing at the right side of Pizzo Exhibit No. 453-B?

Mr. ANDREWS. The girl carrying the pocketbook.

Mr. LIEBELER. That's the one whose name you can't remember at the moment?

Mr. ANDREWS. Right.

Mr. LIEBELER. Now this little fellow standing on the far left side of the picture, have you ever seen him before? Is he one of those gay boys who were in the office?

Mr. ANDREWS. No; these were all Americanos, these boys. He may be, but he is Latin looking.

Mr. LIEBELER. He looks like a Latin?

Mr. ANDREWS. Right. This boy should be able to be found. I wanted to look for him, but I didn't have a picture of him.

Mr. LIEBELER. Who is that?

Mr. ANDREWS. The one you just asked me about. If you put some circulars around to have the Latin American people squeezed gently, he has got to be found. They are very clannish. There are only certain places they go. Somebody has to remember him. He can't just come into New Orleans and disappear. As long as he walks the street, he has to eat and he has to have some place to sleep and—but I didn't have a picture of him, and nobody—you just can't do it. But a lot of water has run under the stream. He may or may not be here, but it wouldn't be too hard to locate him, you know, with the proper identification.

Mr. LIEBELER. Well, your friends down the street have been trying to find him and haven't come up with him yet.

Mr. ANDREWS. Debrueys?

Mr. LIEBELER. Yes.

Mr. ANDREWS. Sometimes the stools on that are not too good. They need Latin stools for that boy.

Mr. LIEBELER. Off the record.

(Discussion off the record.)

Mr. LIEBELER. Did you just indicate that you would like to find Mr. Bertrand and he did run off? Did you see him run off?

Mr. ANDREWS. Yes; I chased him, but I couldn't go.

Mr. LIEBELER. This was when you saw him 6 weeks ago?

Mr. ANDREWS. Yes; this barroom is right adjacent to—the street—as you go in, there are two entrances, one on the block side and one on the corner. I had no more idea of finding him than jumping off the bridge. I went in there hoping, and the hope came through. I was so surprised to see him there. I kept working my way there to go to the front when he recognized me and he sprinted out the door on the side of the street and was gone. I had to go past him to go to the phone. I should have conked him with the beer bottle.

Mr. LIEBELER. He took off as soon as he saw you?

Mr. ANDREWS. No; but I was moving to go to the phone. He thought I was moving towards him.

Mr. LIEBELER [handing picture to witness]. I show you Pizzo Exhibit No. 453-A, and ask you if you can recognize anybody in that picture.

Mr. ANDREWS. The one that has a brief case under his arm, full, face towards the looker, appears to be Lee Oswald. This boy back here [indicating] appears to be familiar, but I would have to blow his face up to be sure. He is in between. See, this one here [indicating]? I have never seen this picture before.

Mr. LIEBELER. Between Oswald, who has the cross mark over his head, and the man who has the arrow over his head?

Mr. ANDREWS. He is a local boy here, a face I recall. It would take me a while to place it, but the face appears to be familiar.

Mr. LIEBELER. You haven't seen this picture before, is that correct?

Mr. ANDREWS. I don't believe.

Mr. LIEBELER. The Secret Service and the FBI have shown you various pictures, but you don't recall this one?

Mr. ANDREWS. I don't recall seeing that one. There was one of a series where—one of an attorney in town was there—where we all knew him. They may have shown me this, but I don't remember. We used to have a club back in 1946 called Lock (?) Fraternity, and he resembles a boy that was a member.

Mr. LIEBELER. I don't think I have any more questions, Mr. Andrews. I want to thank you very much for coming in and I appreciate the cooperation you have given us.

Mr. ANDREWS. I only wish I could do better.

TESTIMONY OF EVARISTO RODRIGUEZ

The testimony of Evaristo Rodriguez, was taken on July 21, 1964, at the Old Civil Courts Building, Royal and Conti Streets, New Orleans, La., by Mr. Wesley J. Liebel, assistant counsel of the President's Commission. Special Agent Richard E. Logan, interpreter, Federal Bureau of Investigation, was present.

Evaristo Rodriguez, having been first duly sworn, was examined and testified, through the interpreter, Mr. Logan, as follows:

Mr. LIEBELER. I am an attorney on the staff of the President's Commission investigating the assassination of President Kennedy. I have been authorized to take your testimony by the Commission pursuant to authority granted to it by