

## Who hired Dean Andrews in New Orleans to be legal counsel for Lee Harvey Oswald in Dallas?

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At about 4 pm on Saturday, November 23, 1963, the day after President Kennedy was assassinated, New Orleans attorney Dean Andrews, Jr. was at the Hotel Dieu Hospital, New Orleans, recovering from pneumonia. An investigator employed by Andrews, Prentiss Davis, was with Andrews. Prentiss Davis later said he had been in Andrews' room talking with Andrews about four hours at that point. Dean Andrews was in the middle of a campaign to be elected judge of Jefferson Parish in New Orleans.

Dean Andrews now made a phone call from his bedside to his secretary, Eva Springer, at her home. He told Eva he had been retained to represent Lee Harvey Oswald in Dallas. He told her they would be going to Dallas to defend Oswald at his trial. Dallas, Texas is about 430 miles west of New Orleans, Louisiana.

Eva, middle-aged and no-nonsense, told her boss nothing doing as far as she was concerned. She was not going to go to Dallas to help defend the accused assassin of President Kennedy, even if it meant losing her job.

*FBI interview of Eva Springer, Dec 5, 1963:* "Eva Springer, secretary to Attorney at Law Dean Andrews ... advised that her employer Dean Andrews, never calls her at home. She stated that on November 23, 1963, he called her at approximately 4:00 PM and **told her that he was representing Lee Harvey Oswald in Dallas, Texas.** She recalled that her only comment was that she

was not going to Dallas with him and wanted nothing to do with the case and asked Andrews who had hired him ...”

(<https://www.maryferrell.org/showDoc.html?docId=1142#relPageId=393>)

Dean Andrews told Prentiss Davis the same thing he told Eva:

*Garrison investigation interview of Prentiss Davis, March 9, 1967:* “He [Prentiss Davis] stated that shortly before Oswald’s death while Andrews was at the Hotel Dieu, he, Davis, had entered Andrews’ room and **Andrews told him that he, Andrews, might be going to Dallas. According to Davis, Andrews was on the phone talking to Eve Springer...**”

*Orleans Parish Grand jury testimony of Dean Andrews, March 16, 1967:* “Let’s see—**called my secretary, right after that, told her we were going to Dallas to defend Oswald**, and she wanted to quit—I don’t remember—no, she didn’t want to quit, I remember now—**Sgt. Davis, my office man, he came in to visit me, I told him, I think I called Monk [Zelden] on Sunday—told Monk could he go cover for me in Dallas ...** I think [Davis] came in shortly after, probably while I received the call, right around that time ... All I told him **we were going to Dallas to defend Oswald ...** All I recall telling was that **we were going to Dallas and defend Oswald.**”

(<https://www.maryferrell.org/showDoc.html?docId=1173#relPageId=56>)

There were also phone calls between Andrews and another attorney the next morning, Sam “Monk” Zelden, discussing Zelden going to Dallas on Andrews’ behalf since Andrews was delayed due to being in the hospital.

These confirm Dean Andrews had been contacted to provide legal counsel for Oswald in Dallas. The point is stressed since Dean Andrews soon tried to claim, and some have believed, that he imagined the whole thing under the influence of his medications. No, it was not imagined that Dean Andrews had been hired to go to Dallas to defend Oswald. Three witnesses had interactions with Dean Andrews that weekend confirming the fact. That part of the saga of Dean Andrews that weekend, that fact, is the starting point of the unusual story that followed.

But who hired Dean Andrews to do that? Eva Springer asked. Andrews answered “Bertrand”, or that is what Eva thought she heard, a name that meant nothing to Eva.

“... She [Eva Springer] stated that on November 23, 1963, he called her at approximately 4:00 PM and told her that **he was representing Lee Harvey**

**Oswald in Dallas, Texas.** She recalled that her only comment was that she was not going to Dallas with him and wanted nothing to do with the case and **asked Andrews who had hired him.** She advised that **Andrews told her it was Bertrand,** no first name given. She advised that this name did not mean anything to her and the conversation was terminated ...” (FBI, 12/5/63)

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The next morning, Sunday morning, November 24, Oswald was shot and killed on nationwide television, in the basement of the Dallas Police station during a transfer to the Sheriff's Department. There would be no trial.

On Monday, November 25, Dean Andrews called the Secret Service and FBI and told of past contacts with Oswald at his law office and of his plan to represent Oswald in Dallas that past weekend. Andrews claimed a “Clay Bertrand” had phoned and hired him over the phone on Sat Nov 23 moments before he called Eva to tell her they would be going to Dallas.

What Dean Andrews told the FBI on Mon Nov 25, after Oswald was killed, was constrained by what he told Eva Springer on Sat Nov 23, before Oswald was killed, which Andrews had to assume would be reported. Eva Springer attested to three things from her personal knowledge, *before* Oswald was killed.

- Her boss had, unusually, called her at home to tell her he had been hired to defend Oswald in Dallas.
- He told her the name of the party who had contacted him to defend Oswald was “Bertrand”.
- The time of the Andrews to Eva Springer phone call was about 4:00 pm Sat Nov 23, 1963. (Andrews put the time a couple of hours later, but Eva's timing and the reason why she remembered it at that time seem more persuasive as to accuracy.)

*After* Oswald was killed, Dean Andrews' story to the FBI on Mon Nov 25 added these:

- Andrews claimed the hiring or contact had been by means of a phone call, moments before he phoned Eva.
- Andrews added the name “Clay”, making the full claimed name, “Clay Bertrand”.

- Andrews claimed Oswald had previously visited his law office in New Orleans several times, in May and June 1963, and that the first time Oswald appeared, shortly after 5:00 pm one day, he was in the company of some gay Cubans (“swishers” as Dean Andrews later called them), who had been sent by “Clay Bertrand”.

Apart from the claim that Dean Andrews had previous interactions with Oswald, which could be true, *everything else* Dean Andrews told *after* Oswald was killed, listed above, is *deeply questionable on the level of fact*. This includes: the name (“Clay Bertrand”); the phone call (as the mechanism of sending Andrews to Dallas to defend Oswald); and the claimed association of Oswald with “Clay Bertrand” and gay guys (Oswald was heterosexual; there is no evidence he was gay or bisexual).

There is cause to question Andrews’ claim, not that he was retained to defend Oswald, but that the contact came about by a phone call from “Clay Bertrand”. No hospital phone records were produced confirming such a phone call or identifying the number or location of origin of such a phone call. No witness verified Andrews received an incoming phone call that afternoon or that Andrews said anything on Sat Nov 23 about an incoming phone call. Prentiss Davis, who was with Andrews in his hospital room several hours that afternoon including when Andrews called Eva Springer, said there had been no incoming phone call when he was there (though some statements of Prentiss Davis have credibility issues as well as statements of Dean Andrews).

The existence of the claimed phone call from “Clay Bertrand” is known solely from Andrews’ sayso *after* Oswald’s death, without corroboration, from *before* Oswald’s death. The claim of a “Clay Bertrand” phone call was first voiced by Andrews on Sun Nov 24 after Oswald’s death according to Prentiss Davis. Then on Mon Nov 25 Dean Andrews informed the Secret Service and the FBI of the same story, first known heard from Andrews by Prentiss Davis on Sun Nov 24, that Andrews had been phoned and hired by “Clay Bertrand”.

Prentiss Davis said he arrived to Andrews’ hospital room again on Sunday Nov 24, after Oswald had been shot, when the shooting of Oswald in Dallas was on the news.

*FBI interview of Prentiss Davis, Dec 5, 1963:* “Sergeant R. M Davis, United States Army, retired, employed by Attorney at Law Dean Andrews ... advised that his employer was positive that a person named Clay Bertrand had called him on the telephone and asked him to represent Lee Harvey Oswald in Dallas, Texas ... Davis advised that he was at the hospital most of the afternoon of

November 23, 1963, leaving sometime between 3:30 PM and 4:00 PM and **Andrews did not receive a call during this time ... The first occasion that Andrews mentioned Clay Bertrand to him was on Sunday, November 24, 1963.**”

(<https://www.maryferrell.org/showDoc.html?docId=57680#relPageId=108>)

To be clear: Andrews’ being hired to defend Oswald in Dallas *could* have involved incoming phone calls or a phone call to his hospital room. It is just that—in terms of known information—there is no *evidence or corroboration* that it came via phone call to Dean Andrews, other than Andrews said that was how it happened, and has become clear to investigators, Andrews had credibility issues.

For all we know someone could have visited Andrews in person, or Prentiss Davis could have delivered a message to Andrews which might be why he was there. Or maybe there were phone calls or a phone call, but not from “Clay Bertrand”. It is uncertain.

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As the story was investigated by the FBI and other investigations, the rotund, jive-talking Dean Andrews, with his hilarious turns of expression, dissembled. He gave contradictory and unbelievable testimony concerning the identity of “Clay Bertrand”, one unconvincing story after another, even telling investigators at one point he had imagined the “Clay Bertrand” phone call and it never happened (Dec 1963 Secret Service summary,

<https://www.maryferrell.org/showDoc.html?docId=10490#relPageId=633>; March 1967 FBI summary,

<https://www.maryferrell.org/showDoc.html?docId=139369#relPageId=93>; news coverage of Dean Andrews testimony at trial,

[https://ia801205.us.archive.org/18/items/nsia-AutopsyJFKNewOrleansTrial/nsia-AutopsyJFKNewOrleansTrial/Autopsy%20JFK%20NO%20Trial%2006\\_text.pdf](https://ia801205.us.archive.org/18/items/nsia-AutopsyJFKNewOrleansTrial/nsia-AutopsyJFKNewOrleansTrial/Autopsy%20JFK%20NO%20Trial%2006_text.pdf)).

For having done business with “Clay Bertrand” for some time, as Dean Andrews claimed, Andrews seemed astonishingly poorly informed concerning his Mr. Bertrand, who, according to Andrews, had retained him to go to Dallas to represent Oswald. Andrews said he had no phone number for him, no home or business mailing address for him, did not know anyone who knew him, had no idea how to contact him. Although Andrews claimed he had seen Mr. Bertrand in person, Andrews gave wildly conflicting physical descriptions at different times. Andrews said he had no written

notes from the alleged phone call retaining him on what promised to be the most famous criminal trial in America.

Dean Andrews was concealing the identity of who asked or hired him. But *why?*

Andrews answered the “why” question. When his old law-school classmate, District Attorney Jim Garrison, asked why, Andrews answered: “they told me if I said anything I would have a hole blown in my head” (quoted in William Turner, “The Inquest”, *Ramparts* 5/12 [June 1967], 24), other times paraphrased as “I like to breathe”.

Who were “they” whom Dean Andrews feared?

Dean Andrews’ son, Dean Andrews III, has said who “they” were: organized crime persons around his father’s longtime close personal friend, mob boss Carlos Marcello of New Orleans, who controlled organized crime in Louisiana and east Texas and more, whose criminal enterprises were said to be the largest single industry in the entire economy of the state of Louisiana, target of racketeering investigations by Congress involving Robert F. Kennedy

([https://crimelibrary.org/gangsters\\_outlaws/family\\_epics/marcello/1.html](https://crimelibrary.org/gangsters_outlaws/family_epics/marcello/1.html)).

*A friend of Dean Andrews III:* “Dean’s son has told me someone did put out a contract on his father’s life, but that Carlos Marcello, according to him a personal friend of his father’s, intervened. Even after the Shaw trial, Dean Andrews grew more paranoid as time went on, and his family clearly understood he was afraid ...” (9/10/2012, <https://educationforum.ipbhost.com/topic/19485-why-did-clay-bertrand-call-dean-andrews/>)

*Dean Andrews III:* “**Carlos Marcello was the guy, the Dixie Mafia boss, who, you know, kept my father alive. I mean, they were friends, very good friends** ... my father had been shot up with cocaine in the hospital ...

Somebody went into Hotel D[ieu] and shot him up with enough cocaine to kill two men or a little horse or something, and nobody knew who did it ... I think me and my father definitely felt that, you know, dead men tell no tales ... But it changed. Somehow he picked up, and Carlos, through the grapevine, let it be known that that wasn’t necessary ... **He couldn’t shake the fact that he felt sooner or later that they were going to get him** ... So, you know, he took it to his grave ... They shot you up with enough cocaine to kill a horse, and somehow you survived. And, you know, the Mafia boss keeps you out of jail,

keeps you out of being killed. It had to be somebody. Somebody put the kibosh on it, and I think it's Carlos, because I asked my dad about it. I said, 'Dad, how come you think they never came after you again?' And he said, 'well, friends in high places, you know, make sure it wasn't going to happen.' But, I don't know ... there was an accident, but on his chart it was said allergic to cocaine. Don't you understand? On his chart, allergic to cocaine, and nobody knows anything. 'No, we don't know anything about it.' We don't know who did it, how they got in, where it was from. 'You know, we're not missing any cocaine' ... his thing was, well, to me at that time, he said there was a big mistake at the hospital. They gave you the wrong medicine and too much of a dose... The nurse isn't liable, the doctor's not liable, the hospital's not liable ... once or twice I said, 'Dad, I mean, it seems to me that somebody was trying to kill you. You said that it was just an accident' ... he never would admit that it was an assassination attempt, you see." ("The Dean Andrews III Interviews", in Donald Jeffries and William Matson Law, *Pipe the Bimbo in Red* [2023], 119-56 at 119-22, 139, 149)

*Dean Andrews, to attorneys of Clay Shaw*: "Andrews said that ... he probably never would identify 'Bertrand' as it would destroy not only him, but the person to whom he revealed the identity" (Donald H. Carpenter, *Man of a Million Fragments: The True Story of Clay Shaw* [2014], 350, citing statement of 4/19/67)

In sum: not later than about 4 pm on Saturday, November 23, someone tasked or hired Dean Andrews to go to Dallas to represent Oswald. Dean Andrews would not tell the truth of how that came about. When Eva Springer asked who had hired him, Andrews gave a name heard by Eva as "Bertrand", expanded by Andrews to "Clay Bertrand", which may not have been the truth.

And in the background: Carlos Marcello of New Orleans, the fearsome organized crime boss, the man for whom Andrews had done legal work since the early 1950s, with whom he had a personal friendship, and to whom Andrews may have answered above any other.

### **Dean Andrews' coverup: "the right ta-ta but the wrong ho-ho"**

The next morning, on Sunday Nov 24, Dean Andrews talked to prominent New Orleans defense attorney Sam "Monk" Zelden. Andrews sought to bring Zelden in on the representation of Oswald in Dallas. They talked by phone early that morning. The outcome of that conversation is not clear. Then Zelden called back later that morning after the news broke that Oswald had been shot and killed on nationwide TV by

Dallas nightclub operator Jack Ruby. The next day, Mon Nov 25, Andrews contacted both the Secret Service and the FBI. Andrews disclosed that his law office had had a relationship with Oswald that past May and June, said by Andrews to have concerned Oswald's military discharge and Marina's residency (FBI, 11/25/63, <https://www.maryferrell.org/showDoc.html?docId=10477#relPageId=307>; FBI, 12/3/63, <https://www.maryferrell.org/showDoc.html?docId=233246#relPageId=50>). Andrews said later that Oswald's visits to his office also involved seeking advice relevant to going to Mexico City or maybe Cuba: "he wanted to know how to get into Mexico", Andrews later testified.

As noted, Andrews claimed to the Secret Service and FBI that his intent to defend Oswald in Dallas that past weekend came about by a phone call from a "Clay Bertrand". Andrews soon tried to backpedal on that. He told the FBI to disregard the part about his having been asked by anyone to represent Oswald in Dallas. He told the FBI he imagined that phone call under the effect of his medications, just forget it please.

Andrews would go on to explain in later interviews that despite his and his staff's best efforts, no record of his client Lee Harvey Oswald could be found at his office. Andrews first claimed to the FBI there never had been a file started for Oswald even though Andrews said Oswald had been to his office several times. Later, to the Warren Commission, Andrews claimed a burglary had removed the Oswald records. However "[Eva Springer] said she did not remember a break-in at Dean Andrews' office while she was working there" (Carpenter, *Man of a Million Fragments*, 346, citing an interview of 4/13/67). Still later, Andrews stated under oath that it was not really a break-in but someone had rifled through and removed the Oswald records without disturbing anything else. In light of Andrews' other prevarications, Andrews' unverified claim of a break-in which had removed his file on Oswald—but none of any other client or valuables taken—is questionable. Perhaps someone at Andrews' direction or known to Andrews caused records of Oswald to disappear (<https://www.maryferrell.org/showDoc.html?docId=10477#relPageId=197>).

In his testimony to the Warren Commission Andrews returned to admitting he *had* been asked to be Oswald's attorney in Dallas but dissembled concerning the identity of "Clay Bertrand".

*Dean Andrews, Warren Commission testimony:* "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 ... this boy Bertrand has been bugging me ever since. I will find him sooner or later."

And here is a YouTube video of Dean Andrews talking colorfully in *non sequiturs* to reporters, cheerfully telling how he purposely gave the FBI fake names of anti-Castro Cubans as Oswald accomplices just to see what the FBI would do with intentionally misleading information that was, as Andrews put it, the "right ta-ta but the wrong ho-ho": <https://www.youtube.com/watch?v=LUmAxZ0ruaM>.

And here is Dean Andrews in New Orleans Grand Jury testimony of March 16, 1967:

*A.* A voice that I identify as Clay Bertrand called me at the hospital and asked me if I would represent Lee Oswald in Dallas—nobody ever asked me about a fee or anything else—he said I would get real famous, and he would get in touch with Lee Oswald so that I could represent him ...

*Q.* Now, what did you tell this subject?

*A.* I told him I was in the hospital and couldn't go.

(...)

*Q.* Did this voice identify himself as Clay Bertrand?

*A.* No.

*Q.* Is there any doubt in your mind as to whether this is Clay Bertrand?

*A.* No.

(...)

*Q.* You said this man called you and wanted you to represent Oswald?

*A.* Yes, but he never said anything about guaranteeing a fee.

(...)

*Q.* Mr. Andrews, didn't you tell us in our office that he said, don't worry about a fee?

A. I don't recall, Dick.

(...)

Q. Mr. Andrews, you made a reference somewhere—perhaps in the Warren Report—that at that time this man owed you money, and at that time you seemed to think money was important.

A. No, that is the conclusion you draw.

Q. That is not a conclusion—that is what you said.

A. Well, exactly where is it at in there? I don't think I said it exactly.

Q. You said if you ever found him, you would hit him with a chain.

A. Sure, I like to collect my money. (<https://jfk-online.com/andrews3162.html>)

Not surprisingly a large number of investigators concluded that nothing Dean Andrews said about the alleged Mr. Bertrand was credible, and that Dean Andrews' claims and descriptions of "Clay Bertrand" have the appearance of being deflection and prevarication.

Who *really* was behind Dean Andrews planning to go to Dallas to be Oswald's legal defense?

### **Dallas, Saturday morning, November 23, 1963: Marguerite Oswald is intent on obtaining legal counsel for her son Lee Harvey Oswald**

On the morning of Saturday, November 23, 1963, Dallas Police Chief Jesse Curry was recorded on camera by WFAA-TV at the Dallas Police station, answering questions from reporters. The reporters wanted to know whether Oswald had a lawyer yet. At the time of Curry's remarks it had been nearly 24 hours since Oswald's arrest and Oswald had undergone hours of interrogation which were continuing, without access to a lawyer or family member. When reporters expressed surprise that Oswald still had no lawyer, Curry revealed something he had been told that morning: that Oswald's mother, Marguerite, intended to get Oswald a lawyer that day, Sat Nov 23:

Q. Chief, will they probably have a lawyer—?

*Curry.* I don't know. They haven't sent one up here but they wanted to know if he has been warned of his rights, and so forth, and we told them that he had.

*Q.* But no lawyer has seen Oswald yet?

*Curry.* No lawyer has seen Oswald.

*Q.* Has Oswald made any request for a lawyer?

*Curry.* He has, but he didn't say who he wanted or anything, so we couldn't just go out and start calling lawyers for him. That's not our responsibility.

*Q.* Will the CLU – him?

*Curry.* I don't know.

*Q.* As of now it would be up to Oswald to hire his own lawyer if he wants one?

***Curry.* Yes. His mother, I understand, at this time has said that she would get him an attorney this morning.**

(<https://www.maryferrell.org/showDoc.html?docId=1140#relPageId=788>)

Lee's mother, Marguerite Oswald of Fort Worth, along with Lee's wife Marina and two-year old June and one-month-old baby Rachel, had spent Friday night, Nov 22-23, at the home of Ruth Paine in Irving where Marina and the children had been living. Earlier that morning, Marguerite had called the Dallas Police station and was put through to Captain Will Fritz conducting the interrogations of Lee. Marguerite asked if she could see Lee for a first time since his arrest. Fritz told her she could, at 12:00 pm noon. It may have been in that phone call that Fritz learned of Marguerite's intention to get a lawyer for Lee, and then Chief Curry was told by Fritz, just as Marguerite had been saying at the Ruth Paine home.

However word got to Chief Curry, the fact is Marguerite talked about getting a lawyer for Lee that morning, and later that morning Police Chief Curry had learned that and told the press. The simplest explanation is Marguerite told Fritz that when she called him.

## How did Marguerite Oswald intend to get a lawyer for her son on Sat Nov 23, 1963?

Marguerite was poor. She had no car. Just in terms of logistics, how was she going to go about getting a lawyer for Lee?

The answer to that question is known: Marguerite reached out to a childhood friend in New Orleans who had become a prominent New Orleans attorney named Clem Sehrt. He had helped Marguerite before.

“Memorandum: October 14, 1968.

“From: Andrew J. Sciambra, Assistant D.A.

“To: Jim Garrison, District Attorney

“Re: Interview of Joseph Cooper, Baton Rouge, La. Relative to Lee Harvey Oswald

“I interviewed Cooper who informed me that he and Marguerite Oswald communicate with each other by telephone from time to time. He said the last time he talked to Marguerite Oswald was about a month ago after he got out of the hospital ...

“In addition to some of the information which he has given us in the past, **Cooper said that Marguerite told him that she called Clem Sehrt after the assassination and asked him to help her son. Sehrt informed her that he no longer practiced law.** She said she had known Sehrt and Victor Schiro when she was living in New Orleans.” (<https://www.jfk-assassination.net/weberman/jcooper.htm>)

And here is Clem Sehrt to the FBI reminiscing of Marguerite in younger years:

“12/23/63. Clem H. Sehrt. “Worked in father’s baker as youth & was acquainted with [Marguerite] Claverie family—beautiful girl who married Eddie Pic.”

(<https://www.maryferrell.org/showDoc.html?docId=10048#relPageId=92>)

## Corroboration that Marguerite reached out to attorney Sehrt of New Orleans

In 1979 the House Select Committee on Assassinations (HSCA) reported independent corroboration that Clem Sehrt in New Orleans had been contacted with a request to provide Oswald with legal counsel the weekend of the assassination. Peter Whitmey:

“Although [Clem] Sehrt recalled [in an FBI interview of Dec 23, 1963] having been in contact with LHO’s mother in connection with a disputed estate involving some property ‘over twenty years ago’ he indicated to [FBI] SA [Regis] Kennedy that he had not had any further contact with Mrs. Oswald since then. He went on to state that ‘it was not until he saw her photograph in a magazine that he recognized her as the person he had known in his youth and as a young, practicing attorney.’ Finally, Sehrt ‘advised’ that he had never ‘seen ... Lee Harvey Oswald’.

“However, much of what Sehrt had stated was contradicted two months later when Marguerite Oswald testified before the Warren Commission, as she described her attempt to help Lee Oswald obtain a false birth certificate in October, 1955, so he could join the Marines before he turned seventeen. Marguerite stated that her son had tried to convince her to ‘falsify his birth certificate’, which she initially refused to do. She did, however, contact ‘...a very good friend, Mr. Clem Sehrt, who is an attorney in New Orleans, La. I called him and told him I had a personal problem. I had not seen Mr. Sehrt since early childhood. I knew the family. That Lee was not of age and he wanted to join the Marines ... **She described visiting Sehrt’s office with five dollars in hand, planning to claim having lost Lee’s birth certificate ... Even though Sehrt had indicated to the FBI two months earlier that he hadn’t seen Marguerite Oswald in over twenty years,** the Warren Commission did not seem to feel it was worth interviewing Sehrt himself, in order to resolve the conflicting accounts. The matter was simply left in limbo.

"When the HSCA investigated Marguerite Oswald’s links to associates of Carlos Marcello, Clem Sehrt’s name came to their attention through Aaron Kohn of the New Orleans Crime Commission. First, one of Sehrt’s law partners had served as an attorney for Carlos Marcello. Second, Sehrt had been **closely associated with a banking official named Louis Russell for many years, particularly in the 1950’s, who, in turn, had been closely linked to Carlos Marcello.** Kohn informed the Committee that both Sehrt and Russell had been ‘...long

involved in a number of highly questionable undertakings, both business and political' ...

“The most intriguing information about Sehrt, provided to the HSCA by the New Orleans Crime Commission, was derived from a ‘former associate of Sehrt’s, a source it regarded as highly reliable.’ **Sehrt had told the unidentified associate prior to his death (no date given) that ‘...some party had contacted him [Sehrt] soon after the assassination to request that he [Sehrt] go to Dallas to represent the accused assassin, Lee Harvey Oswald’**” (Peter Whitmey, “The Curious Connections of Clem H. Sehrt”, *Fourth Decade* 2/1 [Nov 1994], 46-47; <https://www.jfk-assassination.net/whitmeysehrt.htm>)

Three salient facts may be noted from the above. First, Sehrt confirmed he had been contacted in New Orleans and asked to represent Oswald the weekend of the assassination, the same weekend the request for the same came to Dean Andrews. That corresponds to the separate information from Joseph Cooper that Marguerite from Dallas called Sehrt in New Orleans the weekend of the assassination.

Second, Sehrt’s minimizing of his contacts with Marguerite Oswald and her son—not because he was not sympathetic to his old friend Marguerite but because of the connection to the assassination of President Kennedy.

And third, in the background, Marcello.

### **The Oswald family members at the Dallas Police station on Saturday, November 23, 1963**

As noted, Marguerite Oswald had called Captain Fritz and was promised they could see Lee at 12:00 pm, noon. According to Marguerite in her Warren Commission testimony, Captain Fritz seemed reluctant to keep that promise. Before the Oswald women went to Dallas to see Lee, the FBI, in the person of lead FBI agent Bardwell Odum, was at Ruth Paine’s house that morning wanting to get Marina alone and away from the others to question her. But like mama bear protecting her cubs, Marguerite told the FBI nothing doing without a lawyer, and that did not happen.

*Mrs. [Marguerite] Oswald.* I said, ‘It is no good to tell my daughter-in-law, because **my daughter-in-law is not leaving here with you, Mr. Odum [FBI agent], without counsel.**’ And I had been telling Marina, ‘No, no.’ She said, ‘I do, Momma,’ she kept saying. Just then my son, Robert, entered the room, and

Mr. Odum said, ‘Robert, we would like to take Marina and question her.’ **He said, ‘No, I am sorry, we are going to try to get lawyers for both she and Lee.’** So he [Odum] left. We went to the courthouse and we sat and sat, and while at the courthouse my son, Robert, was being interviewed by—I don’t know whether it was Secret Service or FBI agents—in a glass enclosure. We were sitting—an office, a glass enclosed office. We were sitting on the bench right there.

*Mr. Rankin.* Where was this?

*Mrs. Oswald.* In the Dallas courthouse, on Saturday. So we waited quite a while. One of the men came by and said ‘I am sorry that we are going to be **delayed in letting you see Lee**, but we have picked up another suspect.’ I said, to Marina, ‘Oh, Marina, good, another man they think maybe shoot Kennedy.’

*Mr. Rankin.* Did you ask anything about who this suspect was?

*Mrs. Oswald.* No, sir; I did not. He just give the information **why we would be delayed**. We sat out there quite a while. The police were very nice. They helped us about the baby. We went into another room for privacy, for Marina to nurse Rachel. **It was 2 or 3 hours before we got to see Lee**. We went upstairs and were allowed to see Lee. This was in the jail—the same place I had been from the very beginning, and we were taken upstairs. And by the way, they only issued a pass for Marina and myself, **and not Robert. And Robert was very put out, because he thought he was also going to see his brother**. Whether Robert saw his brother or not, I do not know, Mr. Rankin.

After Marguerite and Marina had seen Lee, and Marguerite had been assured Lee was not being physically mistreated, Marguerite and Marina with her toddler and baby were taken to a hotel, the Executive Inn, by Secret Service agents who had been ordered by President Johnson to provide security for them, while Robert remained at the police station.

In Robert’s book, *Lee: A Portrait of Lee Harvey Oswald by his Brother* (1967), 135-48, Robert continues his story of that Saturday. From both Marguerite’s and Robert’s descriptions it sounds as if the police may not have intended to permit Robert to see his brother that afternoon at all. The Dallas Police appear to have been doing their best to prolong having Lee continue talking, alone and without counsel, as questioning continued from Fritz and federal agencies. According to Robert he finally was allowed to see his brother that afternoon—*only* after intervention on his behalf

from Secret Service agents who were with him. Robert's book mentions the names of Secret Service agents Howard, Kunkel, and Kelley as interceding on his behalf so that he was able to see his brother. The impression is the Dallas Police may not have wanted to let Robert see Lee because of concern Robert would cause Lee to stop talking until a lawyer arrived.

It appears that Robert already at that stage, traumatized as he was, was convinced against his will that it looked like his brother had done it, and was willing to cooperate with the Secret Service if there was a chance of getting information from Lee about it. Robert's talk with Lee was listened to by a Secret Service agent around a corner of a wall out of sight of Lee. The Secret Service request to the Dallas Police to allow Robert to see Lee could have been framed as Robert was being helpful and perhaps Robert could get Lee to say something.

(According to Robert's book, when Robert did get to see Lee he started to discuss getting a lawyer for Lee but to his surprise Lee declined, saying he wanted to wait for a particular lawyer in New York, John Abt (whom he had not yet been able to reach), and asked Robert not to get involved in his case, which Robert interpreted as an odd request. Earlier to Marina, Lee had acted even more oddly, telling her not to worry, everything would be alright, as if his arrest had been some unfortunate misunderstanding that would soon be cleared up, and Lee spent time asking Marina whether she had bought their daughter June some new shoes. Lee behaved this way simultaneous with no indication at any point that he was irrational or not of sound mind. Everyone involved in the interrogations of Oswald, for hours alone and without counsel, commented on how Oswald held up and kept in control of himself without yielding, repeating that he was innocent.)

### **Sehrt in New Orleans declines to represent Oswald**

That is what was going on in Dallas that Saturday. But also sometime on Saturday, Marguerite Oswald contacted her old friend Clem Sehrt in New Orleans for help in obtaining a lawyer for Lee.

Sehrt declined to become Lee's legal counsel himself, but the developments with Dean Andrews and Sam Zehrt that weekend indicate Sehrt's response to the appeal from his childhood friend was not simply a cold turn-down or rebuff. The appeal from Marguerite to Sehrt in New Orleans becomes the true background to the request that came to Dean Andrews in his hospital room.



We can know—not just speculate—that the hiring of Dean Andrews in New Orleans was a result of Marguerite’s reaching out to attorney Sehrt in New Orleans, because New Orleans’ premier criminal defense attorney, Sam Zelden, corroborated the Marguerite origin of the request directly.

### **Corroboration that the phone call to Dean Andrews on Saturday Nov 23 originated from Marguerite Oswald**

Because Dean Andrews was in the hospital and not able to go to Dallas immediately, Andrews talked to Sam Zelden, celebrated defense attorney in New Orleans, about Zelden going to Dallas to represent Oswald in advance of Andrews. And according to Andrews’ testimony before the Warren Commission, *Andrews was assuring Zelden he would be paid*. Dean Andrews to the Warren Commission:

“I called Monk Zelden on a Sunday at the N.O.A.C. [New Orleans Athletic Club] and asked Monk if he would go over—**be 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.”

Who was going to pay attorney Zelden? Dean Andrews himself? Who was underwriting Dean Andrews?

Herman Kohlman, assistant district attorney in New Orleans at the time, said Andrews and Zelden talked by phone early Sunday morning when Zelden was at the New Orleans Athletic Club. Then Zelden called Andrews back later to tell Andrews the news that Oswald had been shot (starting at 37:35 in this documentary, <https://www.youtube.com/watch?v=y7aA46PL5w8>).

One wonders if Zelden talked to Andrews early Sunday morning at that location so that the call would not be subject to surveillance at Zelden’s end or show up on phone company records under his name. However that may be, this was not a case of Andrews and Zelden waiting until nearly noon Sunday to discuss the urgent need for legal counsel for Oswald in Dallas. More likely, Andrews acted starting Saturday to get a message through to Zelden to contact Andrews, and Zelden responsive to that message talked to Andrews early Sunday morning from the Athletic Club.

A possible mechanism by which Dean Andrews could have gotten a message to Zelden on Saturday, as an alternative to Andrews phoning direct, is: Andrews's investigator, Prentiss Davis, came to the hospital to see him that afternoon. Prentiss Davis said he was with Andrews when Andrews talked to Eva on the phone.

From there—about the time Dean Andrews called Eva Springer at home, perhaps immediately following—Prentiss Davis left Andrews. He could have gone to the law office to locate and/or remove records of Oswald if that had not already been done. He also could be a possible means for Dean Andrews to get a message to Zelden, by Prentiss Davis making a phone call from a different location or a visit to his home in person, requesting or arranging a contact between Zelden and Dean Andrews, which resulted in Zelden talking to Andrews early Sunday morning from a phone not at his home residence.

As they discussed it, Andrews' idea was Zelden would go immediately to Dallas and take control of Oswald's defense. Andrews would follow as soon as he was discharged from the hospital. But that changed when later that morning Oswald was shot to death by Jack Ruby, a well-known Dallas night-club operator with many contacts with the Dallas Police who was linked to mob boss Marcello of New Orleans. (On the connections of Jack Ruby to organized crime:

<https://historicalmusings.com/2018/12/17/organized-crime-in-dallas-texas-and-the-murder-of-lee-harvey-oswald/>. On the extent of Marcello's influence in Louisiana state and local politics and east Texas and Mississippi see the report of *Life* magazine of April 10, 1970,

<https://www.maryferrell.org/showDoc.html?docId=30022#relPageId=5>.)

Here is the important point. In 1967, Zelden confirmed that Marguerite Oswald was the source of the request to Dean Andrews of what could have become a Zelden-Andrews defense team for Oswald at his trial in Dallas if Zelden had agreed and Oswald had not been killed (and Oswald agreed). From the *Houston Post*, March 3, 1967:

“[Dean] Andrews spent more than two hours in Garrison's office Thursday night [March 2, 1967] along with his attorney, Sam Monk Zelden of New Orleans. When they emerged from the office, Zelden told Andrews not to answer questions.

“‘We have tried to co-operate in an effort to reach the truth,’ Zelden said.

“In Andrews’ Warren Commission testimony he said he called Zelden on the Sunday after the assassination and asked him if he would go to Dallas and represent Oswald. Andrews was hospitalized with pneumonia at the time.

“**Mrs. Marguerite Oswald called me,’ Zelden said** outside Garrison’s office. Zelden gave this same information to the Warren Commission. Mrs. Oswald, Lee’s mother, denies making any such call. Zelden said neither he nor Andrews personally knew Clay Bertrand.” (<https://www.jfk-online.com/jpsmzsmch.html>)

Zelden was revealing the true origin behind the phone call to Dean Andrews. The request had originated from Marguerite Oswald in Dallas and was conveyed via intermediaries.

**The Sam Zelden family knew the truth of the phone call to Dean Andrews—that it came through intermediaries on behalf of Marguerite Oswald in Dallas**

The Zelden family understood the Marguerite origin of the Dean Andrews phone call. From Mark Zelden, grandson of Sam Zelden, in 2013:

“My parents’ bookshelf has always had an original copy of the official Warren Commission Report for as long as I can remember. My grandfather, Sam ‘Monk’ Zelden, had been friendly with the late Congressman Hale Boggs, a member of the Warren Commission, and received a signed original Report.

“Sam Zelden was one of the greatest criminal defense attorneys the City of New Orleans has ever produced. For many years after WWII, he represented a number of colorful characters like ‘Diamond Jim’ Moran and Dean Andrews, and often was the go-to lawyer on criminal defense cases at the time of the Kennedy assassination in New Orleans. Therefore, it should have been no big surprise that **Lee Harvey Oswald’s mother, Marguerite, reached out to my grandfather through Andrews and another intermediary that fateful weekend in 1963.**” (<https://thehayride.com/2013/11/zelden-jfk-the-new-orleans-connection-and-revisionist-history/>)

The last sentence above clears up the apparent contradiction in the earlier reporting that Sam Zelden said Marguerite had called him, whereas Marguerite said she had not called Zelden. The request to Zelden came not via a person-to-person phone call from Marguerite but “*through Andrews and another intermediary.*”

Mark Zelden was saying his grandfather was invited to defend Oswald by means of a request originating from Marguerite Oswald conveyed through Dean Andrews.

The significance of these statements of Zelden and the Zelden family has not been appreciated. This is the truth behind the short-lived attempt by Dean Andrews to organize a legal defense for Oswald in Dallas. It is how that came about and what happened.

### **Marguerite's return phone number in Dallas**

“Mrs. Oswald denied a report that she had contacted New Orleans attorney Sam Monk Zelden to defend her son. She said that her son was killed so quickly that she had no time to contact a lawyer.” -- *Times Picayune*, Feb 21, 1967

(<https://www.maryferrell.org/showDoc.html?docId=60404#relPageId=92>)

“Zelden insisted to newsmen that Mrs. Marguerite Oswald, Lee's mother, had asked him to defend her son, an assertion which Mrs. Oswald denied. Zelden said he had re-checked with the telephone company **the number in Dallas** from which he was called, and learned that it was **Mrs. Oswald's telephone.**” -- *New Orleans States-Item*, March 9, 1967,

(<https://www.maryferrell.org/showDoc.html?docId=62402#relPageId=143>)

Marguerite lived in Fort Worth, about 30 miles west of Dallas. Marguerite could not have called *anyone* from her home phone in Fort Worth after mid-afternoon Friday, Nov 22, because a newsman drove her to Dallas that afternoon and she was in Dallas the rest of that weekend.

From Marguerite's denial it can be concluded Marguerite was not aware of any contact with Zelden. But Zelden stated he had been invited to represent Lee in Dallas at the request of Marguerite.

According to the *New Orleans States-Item* report, Zelden “said he had re-checked with the telephone company *the number in Dallas* from which he was called, and learned that it was Mrs. Oswald's telephone.”

The report does not say Marguerite's phone number *in Fort Worth*, Marguerite's home phone, but rather “*the number in Dallas from which he was called*, and learned that it was Mrs. Oswald's phone.”

This may be a glimpse that Marguerite or someone on Marguerite's behalf called Sehrt in New Orleans on Saturday, and gave a phone number *in Dallas* where Marguerite could be reached, rather than Marguerite's home phone in Fort Worth. The phone call to Sehrt *from Dallas* could have been from the Executive Inn, Dallas, where the Secret Service took the Oswald women from the Dallas Police station Saturday afternoon Nov 23. Or it could have been some other contact number at or in the vicinity of the Dallas Police station if the call had been made before Marguerite arrived to the Executive Inn. (The possibility that Marguerite called Sehrt very early that morning from Ruth Paine's home in Irving, while conceivable, seems less likely; Ruth Paine never said she knew anything of such a phone call, and that was in Irving, not Dallas.)

Let us suppose a phone call to Sehrt in New Orleans happened from the Executive Inn Saturday afternoon. A contact return phone number at the Executive Inn from which the phone call originated by or on behalf of Marguerite might then be passed on. A recheck of that phone number *in Dallas* (not Fort Worth) could be the verification to which Zelden referred, Zelden having received that number (for use in calling Marguerite regarding the case), passed on via Sehrt to somebody to Andrews to Zelden.

That is, the lawyers had and relayed a callback number for Marguerite in Dallas, a callback number never used because Lee was killed before any plans went forward. Then the Zelden grandson says Andrews plus intermediary was how the actual Marguerite request—with a Marguerite callback Dallas phone number—got transmitted to Zelden.

This Marguerite Oswald origin of the request is a very different understanding of the background to Dean Andrews' planning to defend Oswald in Dallas than what has been thought.

### **Garrison wrongly thinks Clay Shaw was Dean Andrews' "Clay Bertrand"**

Three years after the assassination New Orleans District Attorney Jim Garrison went in a completely different direction. He went after someone who had absolutely nothing to do with hiring a legal defense for Oswald in Dallas: Clay Shaw, the socially prominent Director of the New Orleans Trade Mart.

Garrison was convinced "Clay Bertrand" was a name used by Clay Shaw and that Andrews' story of the "Clay Bertrand" phone call was true which made Clay Shaw guilty.

Garrison's original reasoning for fixing upon Clay Shaw as the identification seems to have been that Shaw's first name was "Clay" and Clay Shaw was gay, in agreement with a description Andrews made of "Clay Bertrand" as someone with money and an interest in helping gay young men with legal expenses ([https://www.jfk-online.com/jfk100bertwit.html#N\\_6](https://www.jfk-online.com/jfk100bertwit.html#N_6)).

Clay Shaw denied he had anything to do with asking Dean Andrews to defend Oswald in Dallas but it did no good: Garrison was convinced, and put his investigators to work to find evidence to prove it. Garrison tried to strong-arm Dean Andrews into testifying to the Clay Shaw identification but Andrews refused.

"At their historic lunch [Oct 1966], Jim Garrison thrust a copy of *Whitewash* [by Harold Weisberg] under Andrews' nose. What he wanted, what Andrews would not yield, was the real identity of 'Clay Bertrand.' You're worse than the Feebees, Andrews told Garrison. But Garrison persisted, threatening to summon Andrews to the grand jury and charge him with perjury. Andrews begged to speak 'off the record'. Garrison refused. According to Garrison, Andrews then grew frantic. **It would mean 'a bullet in my head,' he pleaded.**" (Joan Mellen, *A Farewell to Justice* (2007; 1<sup>st</sup> edn 2005), 29-30, from Garrison's account in *On the Trail of the Assassins* [1988])

Mark Lane, one of the earliest critics of the Warren Commission, worked sympathetically with District Attorney Garrison in his investigation of the JFK assassination. But Mark Lane knew Garrison was mistaken in his prosecution of Clay Shaw on charges that Clay Shaw had lied in denying he went by the name of "Clay Bertrand". Mark Lane was critical of filmmaker Oliver Stone's choice to cast Garrison as heroic in pursuing his failed prosecution of Clay Shaw in the 1991 movie *JFK*. Mark Lane:

"Was mysterious Garrison suspect 'Clay Bertrand' really Clay Shaw, Garrison wondered. Shaw consistently denied that he had ever used that pseudonym. I never saw credible evidence which convinced me that he had ever used the alias. Stone, untroubled by evidence, fact or logic, showed Shaw apparently offering to the first police officer who inquired that he had used the name 'Bertrand.' If Shaw had used the false name as part of his CIA cover so that the telephone call [to Dean Andrews] could not be traced back to him, why would he have betrayed himself at the first opportunity?" (Mark Lane, *Rush to Judgment* [1992 edn], xxxii)

No conclusive evidence was ever shown that Clay Shaw went by an alias “Clay Bertrand”. Analyses of the claims set forth purporting to show that “Clay Bertrand” was an alias used by Clay Shaw are available elsewhere and only brief comments will be made here.

### **Clay Shaw and the CIA**

Clay Shaw was asked and denied under oath that he had ever “worked for” the CIA. However, CIA documents show Clay Shaw gave debriefing reports to the CIA from 1948 to 1956 involving overseas travel. A 1967 CIA document says Clay Shaw had been in a relationship with the CIA as a source related to overseas travels that was discontinued in 1956 and “we have never remunerated him” (<https://www.maryferrell.org/showDoc.html?docId=55187#relPageId=9>). In apparent contradiction, a 1992 CIA History Staff summary of CIA records that had been provided to the late-1970s House Select Committee on Assassinations (HSCA) investigation says those files provided to HSCA said Clay Shaw was “a highly paid contract source until 1956”, <https://www.archives.gov/files/research/jfk/releases/104-10337-10006.pdf>. That 1992 description raised the question whether there were CIA records on Clay Shaw shown to the HSCA not known today since no document matching that 1992 description has been found. Fred Litwin suggests that statement may be a mistaken description of one of the known documents in the collection summarized, dated Aug 8, 1955, which refers to Clay Shaw having been a “valued source” and refers to CIA paying travel expenses for Shaw to attend an exhibition in Czechoslovakia as a covert CIA observer under a cover pretext for information-gathering purposes. Litwin suggested the 1992 summary document, which contains mistakes in description of other documents, was perhaps carelessly prepared by unknown History Staff persons, then signed by the official whose name is on the summary (<https://www.onthetrailofdelusion.com/post/was-clay-shaw-a-contract-agent-for-the-cia>).

A CIA document from 1956 refers to an offer by Clay Shaw to write, on Shaw’s World Trade Development Department letterhead, letters of inquiry to makers of mercury in Spain and Italy to try to find how much Spanish and Italian stocks of mercury were on hand, which CIA wanted to know (<https://www.maryferrell.org/showDoc.html?docId=55052#relPageId=31>). That is operative work, which appears to go beyond debriefings of business travellers.

Victor Marchetti, the whistle-blowing former executive assistant to a deputy director of the CIA, in a 1975 interview said he had been told when he was inside the CIA that



Clay Shaw had been in a relationship with the CIA which sounded like it may have involved surveilling or assisting in recruitment of other US travellers.

“[Shaw’s] job, Marchetti was told, was to monitor businessmen going behind the Iron Curtain—‘you know,’ Marchetti said, ‘to try to find out if so-and-so was going to a denied-access area.’ The businessmen would then be debriefed by the CIA and questioned about what they had seen and done. Often this was very useful in gaining information about activity in Communist countries. But Marchetti and the others were told that the CIA’s connection with Shaw was to be top secret. The agency did not want ‘even a remote connection with Shaw’ to leak out, Marchetti said.” (*True*, April 1975, <https://www.jfk-assassination.net/shawcia.htm>)

It could be speculated that the biggest reason the Agency was dead-set against exposure of Clay Shaw’s relationship in the Garrison trial could be because it could destroy ongoing relationships requiring Shaw’s covert status to remain intact.

A 1967 memo may indicate in present tense—in 1967—that Clay Shaw “has” a covert security approval, though the wording is cryptic (<https://www.maryferrell.org/showDoc.html?docId=42764#relPageId=5>). A present tense clearance in 1967, if so, could suggest that although Shaw’s Domestic Contact Service reports (business traveller debriefings) may have ended in 1956, a different relationship with the CIA could have continued after 1956.

Clay Shaw was not the founder and director of the International Trade Mart in New Orleans from 1947 to 1965 in a vacuum. Many of the projects and persons with whom Clay Shaw interacted in those years had Agency connections, part of networks of international business interests, trade, and intelligence.

But whatever the nature of Clay Shaw’s relationship with the CIA, there was no credible evidence Clay Shaw had anything to do with the JFK assassination, which is what Garrison charged Clay Shaw.

### **Garrison charges Clay Shaw with conspiring to assassinate President Kennedy**

On the sole basis of a single very questionable witness who claimed he had seen Clay Shaw at a party three years earlier at which there had been talk of killing JFK, on March 1, 1967 Garrison charged Clay Shaw with conspiracy to assassinate President Kennedy.



There was no truth to the charge. Clay Shaw had nothing to do with the assassination of President Kennedy. Garrison produced no credible evidence whatever for the charge, but that is what Garrison charged and prosecuted Clay Shaw in a high-profile case for months in the glare of national publicity.

Garrison's sole witness—and sole claimed evidence in support of that horrible and untrue charge, at the time he filed the charge—was Perry Russo of Baton Rouge. He claimed he had seen Clay Shaw present at what Russo described as a bull session at a party in Sept 1963 at which the host, David Ferrie, after most people had gone, according to Russo, had talked about how JFK ought to be killed and how it could be done. Russo failed two polygraph examinations and told his second polygraph examiner after the examination that the truth was he was not sure Clay Shaw was there, and that his honest answer would be no (he could not be sure it was Clay Shaw there). Russo's Clay Shaw identification itself appears to have been produced by leading questions when Russo was under the influence of sodium Pentothal and hypnotism. Clay Shaw denied he was there and no one else at that party identified Clay Shaw as present. The allegation of Clay Shaw's presence at that "bull session" voiced the first time over three years later by this questionable witness, without any corroboration, was the sole claim of evidence upon which Garrison had Clay Shaw arrested and formally charged with having been part of a conspiracy to assassinate President Kennedy, and tagging Clay Shaw, a public figure, with that charge for the rest of his life, despite his acquittal at trial, in the minds of some who believed forever after that where there was prosecutorial smoke (Garrison's charges) there must have been some fire.

From descriptions of those close to Garrison at the time, Garrison's method in filing or threatening to arrest or file criminal charges upon targets weakly supported in actual evidence seemed not really to be about whether the person had actually done something. Rather, it was a means of pressure to get those charged or threatened, it was hoped, to "flip" and tell what they might know of others' actions enabling further charges to be brought. That was how Garrison was going to develop evidence for a conspiracy in the assassination of JFK. That seems to be the basic explanation for what otherwise might strike a rational observer as puzzling: why Garrison would file charges with such a weak case. For real-time insight into the Garrison investigation and prosecutions as they happened, in which this method of Garrison is made clear, see the journals of Dick Billings and of Tom Bethell, here, [https://www.onthetrailofdelusion.com/\\_files/ugd/325b1c\\_b7d210533be645b1ae21f005ef6390f3.docx?dn=complete%20bethell%20billings%20diaries.docx](https://www.onthetrailofdelusion.com/_files/ugd/325b1c_b7d210533be645b1ae21f005ef6390f3.docx?dn=complete%20bethell%20billings%20diaries.docx), and the 90-

minute documentary, “He Must Have Something” (1992),  
<https://www.youtube.com/watch?v=y7aA46PL5w8>.

Clay Shaw was charged with conspiring to kill President Kennedy on March 1, 1967. The trial took place from January 29, 1969 to March 1, 1969 when it was handed over to the jury.

The jury took less than 60 minutes deliberation to unanimously acquit Clay Shaw of all of Garrison’s charges.

It was widely understood in New Orleans that Garrison’s prosecution of Clay Shaw was a miscarriage of justice.

### **Claimed sightings in Clinton and Jackson, Louisiana**

Oswald was claimed by some witnesses in the 1966-1969 period to have been in Clinton and Jackson, Louisiana for two days in September 1963. According to the claims, Oswald rode in a black Cadillac driven by Clay Shaw to Clinton, attempted to register to vote, and attempted to obtain employment at a hospital in Jackson. Clinton was a town of about 1600 people about 110 miles west of New Orleans.

If the claims were true it would look like a short-lived attempt on Oswald’s part to move to that location, quickly abandoned for some reason. But was Oswald there at all?

After researching the matter this study believes neither Clay Shaw nor David Ferrie were there in Clinton, Louisiana, and that it is doubtful Oswald was. Against Oswald having been in Clinton/Jackson is the lengthy delay in time (two or three years) before any Clinton/Jackson witnesses are known to have begun speaking of Oswald having been in town, and the lack of any awareness or knowledge of Marina that Lee went to Clinton/Jackson or had any intent to move there.

Yet at Clay Shaw’s trial in 1969, the Garrison prosecution produced witnesses who claimed they had seen Clay Shaw driving the black Cadillac in Clinton in Sept 1963, with David Ferrie and Oswald in the car. Although there was never a claim that any of the persons in the black Cadillac did anything illegal or had anything to do with assassinating anyone, this claim of association played a major role in Garrison’s charge that Clay Shaw was guilty of conspiracy to kill President Kennedy, because, according to Garrison, those witnesses proved Clay Shaw was associated with the other two, Ferrie and Oswald, whom Garrison claimed were conspiring with each other to kill

JFK, and therefore Clay Shaw by being seen in the same car with the other two proved he too was incriminated in the assassination of JFK.

Fresh evidence emerged in 1998 that indicated that, although there had been a black Cadillac, the witnesses' claims of identifications of persons of that black Cadillac were not correct, in the form of discovery of original stenographic notebooks by an early investigator for Garrison, Anne Dischler.. This was set forth by Patricia Lambert in chapter 13 of *False Witness* (1998), 185-200. Lambert:

“No one heard about Oswald being in Clinton (or at the hospital) until after Garrison began his investigation. Yet once the assassination rocked the country, the local citizenry should have been buzzing about Oswald’s visit. In this small community, people know each other and talking is a way of life. Four years passed, though, before the word ‘got out’ ... Assigned to the Garrison probe in late February [1967], [Louisiana State officer Francis] Frugé invited [Anne] Dischler to assist him ... At Shaw’s trial, Corrie Collins [African-American activist for voter registration] described one man, Lee Harvey Oswald, stepping out of the black Cadillac. That isn’t what he said to Frugé and Dischler. According to Dischler’s notes, Collins told them that ‘two casually dressed men got out of [the black] car’ and went to the registrar’s office. Collins believed they ‘got in line’. One of them, he said, was possibly wearing ‘blue jeans,’ the other was ‘in white’ ... Collins told Frugé and Dischler that he knew one of them, and his name may have been ‘Morgan’ ... The man Collins described as wearing ‘white’ Dischler managed to definitely identify. He was ‘Winslow Foster,’ an employee at the hospital. Shortly after Dischler recorded that in her steno pad, Garrison took her and Frugé off the case, in effect burying the Foster-Morgan lead for twenty-seven years, until I began pursuing it in 1994 ... In light of the new information we now have, it seems virtually certain that those two white men waiting in line were actually Estus Morgan and Winslow Foster.” (Lambert, *False Witness*, 188-95)

For critical analysis of the Clinton/Jackson witness testimonies see articles by Litwin presenting fuller documents and information, e.g. “A Summary of the Clinton/Jackson Witnesses”, <https://www.onthetrailofdelusion.com/post/a-summary-of-the-clinton-jackson-witnesses>; “The Origin of the Clinton/Jackson Stories”, <https://www.onthetrailofdelusion.com/post/the-origin-of-the-clinton-jackson-stories>; “Was Jim Garrison interested in the truth about Clinton?”, <https://www.onthetrailofdelusion.com/post/was-jim-garrison-interested-in-the-truth-about-clinton>; “What ever happened to Estus Morgan and Winslow Foster?”, <https://www.onthetrailofdelusion.com/post/what-ever-happened-to-estus-morgan>

[and-winslow-foster](https://www.onthetrailofdelusion.com/post/the-hsca-and-the-clinton-jackson-witnesses-part-one); “The HSCA and the Clinton witnesses, Part I”, <https://www.onthetrailofdelusion.com/post/the-hsca-and-the-clinton-jackson-witnesses-part-one>; and “The HSCA and the Clinton witnesses, Part II”, <https://www.onthetrailofdelusion.com/post/the-hsca-and-the-clinton-jackson-witnesses-part-two>.

But however these matters are judged, there is no credible basis to suppose Clay Shaw contacted Dean Andrews to have Andrews go to Dallas to represent Oswald.

### **Rundown of claims that Clay Shaw went by the name “Clay Bertrand”**

Following are comments on some items relevant to the Garrison prosecution’s claim that Dean Andrews’ “Clay Bertrand” was a name used by Clay Shaw.

*Claim: Garrison wrote in his book that “everyone” in the French Quarter of New Orleans knew Clay Shaw was “Clay Bertrand” (Garrison, On the Trail of the Assassins [1988], 98-99).*

Despite making this sweeping claim, Garrison never produced or subpoenaed a single French Quarter witness to testify in court that Clay Shaw used such an alias. Garrison’s lead investigator tasked with that question reported the opposite:

“[On February 25, 1967, the same day that Perry Russo was being interviewed by Andrew Sciambra in Baton Rouge, Louisiana, Lou Ivon, one of Jim Garrison’s main investigators, wrote a memo to Garrison regarding the general subject of ‘Clay Bertrand.’ ... Ivon wrote that of all of his sources in the French Quarter, none had ever known anyone who used the name of ‘Clay Bertrand.’” (Carpenter, *Man of a Million Fragments*, 299)

*Claim: In 1967 Perry Russo claimed he witnessed Clay Shaw in Sept 1963 at a party at David Ferrie’s apartment conspiring with Ferrie and others to assassinate President Kennedy. Russo claimed Clay Shaw was introduced to him as “Clem Bertrand”.*

No other witness confirmed Clay Shaw’s presence there, Shaw denied it, and Russo failed two polygraph examinations (references at <https://www.jfk-assassination.net/Reality.htm>). Russo’s claim to remember a name “Clem Bertrand” at that party first voiced three years after the fact was produced under sodium Pentothal and hypnosis with leading questions and Russo’s reading of the news. As a parallel example, after initially denying to Baton Rouge reporters in Feb 1967 that he had ever seen Oswald personally, Russo changed to claim Oswald was present at the Sept 1963 party as an unkempt bearded man and roommate of David Ferrie whom Russo

remembered had gone by the name “Leon” (not “Oswald”, and not “Lee”). Russo claimed he saw his bearded Oswald at Ferrie’s apartment on four separate occasions, i.e. his “Oswald” appeared to be living there. Russo’s claim that that man was Oswald was clearly not correct (Oswald was no gay roommate of Ferrie’s, nor did Oswald have a beard). It has been suggested Russo’s “Oswald” was a Ferrie companion named James Lewallen, with the last name misremembered by Russo as the similar-sounding “Leon”. (“Many who knew Ferrie thought that if Russo had seen anyone, it must have been James Lewallen instead of Oswald” [Carpenter, *Man of a Million Fragments*, 295].) Perry Russo’s claim of remembering a name “Clem Bertrand” is no more reliable.

*Claim: A booking card signed by Clay Shaw in the presence of New Orleans police officer Aloysius Habighorst said Clay Shaw used the alias “Clay Bertrand”.*

A claim that Clay Shaw told an officer that he used the alias “Clay Bertrand”, then signed a card saying so, collapsed in court when testimony showed that the “Clay Bertrand” alias had been written on the police card after Clay Shaw had been compelled to sign the form only partially filled out at the time of his signing. The officers would fill in the rest of the card after it was signed, which in Clay Shaw’s case included the officer writing that Clay Shaw used an alias “Clay Bertrand”. Testimony from another officer present, Sergeant Jonas Butzman, who was “about five or ten feet” from Clay Shaw the entire time Shaw was booked, contradicted Habighorst’s testimony.

“Sergeant Butzman ... had been within five or ten feet of Clay Shaw all the time the defendant was in the B[ureau] of I[dentification] room. Butzman testified he had heard Habighorst ask Clay Shaw only one question and that was about the spelling of a name. Dymond’s next question was ‘Did you ever hear the name Clay Bertrand mentioned?’ ‘No,’ was the reply.” (James Kirkwood, *American Grotesque* [1992 edn, 1<sup>st</sup> edn 1968], 356)

At that booking of his arrest Clay Shaw was under the strictest of instructions from his attorneys—who were present except for not being permitted to be with Clay Shaw in the room where he signed the card—not to say or volunteer *anything*. It defies belief that Clay Shaw would have volunteered his use of that alias in those circumstances. Instead “Clay Bertrand” was written after Clay Shaw signed it. See <https://www.onthetrailofdelusion.com/post/did-clay-shaw-admit-to-aloysius-habighorst-that-he-was-clay-bertrand>.

*Claim: A mail carrier, James Hardiman, testified in 1969 that three years earlier, in 1966, he had delivered several items of mail addressed to “Clem Bertrand” in a several-month period to the home address of a neighbor and friend of Clay Shaw.*

The neighbor and friend, James Biddison, denied receiving any mail addressed to Clem or Clay Bertrand. Clay Shaw denied receiving any mail addressed to Clem or Clay Bertrand. Under cross-examination mail carrier Hardiman was asked if he remembered delivering mail addressed to a “Cliff Bordreaux” to that address. Hardiman answered yes, whereupon the attorney said, “Mr. Hardiman, would it make any difference in your testimony if I told you I made up that name?” In his closing argument, the defense attorney for Clay Shaw, Dymond, “suggested that the key to the postman’s testimony was the fictitious name he’d made up when he asked if Hardiman had delivered mail to a ‘Cliff Boudreaux’ and the postman replied that he had and recently” (Kirkwood, *American Grotesque*, 443-44).

Kirkwood also found that mail carrier Hardiman’s son, then 20 years old, had been arrested in April 1968 on a theft charge. Hardiman’s testimony favorable to what the Garrison prosecution wanted occurred Feb 13, 1969, at which time no charges had been filed on the son. Kirkwood reported that as of March 1970, over a year later, still no action had been taken by the District Attorney’s office on charging the son (*American Grotesque*, 308).

*Claim: A New Orleans library card, made out in the name of and signed “Clem Bertrand”, lists the International Trade Mart as Clem Bertrand’s place of business. (Garrison did not use this one.)*

“[There was] a library card under the name Clem Bertrand, with the business listed ‘International Trade Mart’ and the home address given as 3100 Louisiana Avenue Parkway (two blocks or so from Ferrie’s apartment). Garrison received it anonymously and wrote it off as a (bad) forgery. The signature was nothing like Shaw’s and the address in question (at least presently) does not exist. It is likely someone meant to put Ferrie’s 3330 address.” (Joe Biles, “The VIP Room Revisited”, endnote 1;  
<https://web.archive.org/web/20160318112426/http://www.wf.net/~biles/jfk>  
 △)

The library card can be seen at <https://www.onthetrailofdelusion.com/post/clem-bertrand-s-library-card>. This was a forgery from someone with intent to frame Clay Shaw.



However it may not be accurate to call it a “bad” forgery. It may have been a forgery done by a professional.

In 2022 Paul Bleau reported having a handwriting expert recheck a comparison of the signature on that library card with signatures of Clay Shaw. The expert was Graziella Pettinati of Quebec. Though her assessment was inconclusive and she noted third-generation photocopies were not ideal for analysis, nevertheless “I can tell you that there are several similarities between these signatures on several levels ... This makes it possible to retain the hypothesis that they were executed by the same hand” (<https://www.kennedysandking.com/john-f-kennedy-articles/bleau-article-pt-3>).

Who would have wanted to see Clay Shaw incriminated sufficiently to attempt to fabricate physical evidence involving what may be a serious forgery attempt?

*Claim: Harold Weisberg said Dean Andrews told him Clay Bertrand was Clay Shaw.*

Author Harold Weisberg wrote of Dean Andrews, “He did tell me that Shaw and Bertrand were one.” As brought out by Litwin, that seems not to have been literally correct. Another author, Joan Mellen, wrote Weisberg in 2001 and asked, “I recall last summer when I visited: one of the things you told me, quickly, was th[at] Dean Andrews had told you—in your talk with him—that Clay Bertrand was Clay Shaw...Do you remember your question, and his exact answer...?” Weisberg replied:

“Andrews told me that Shaw was Bertrand without putting it that way. We were in his office discussing some of the evidence, what I do not recall, when Andrews said, approximately these words, ‘If the Green Giant [Garrison] gets past that, he is home clear.’” (Letter, Weisberg to Mellen, emphasis added, 5/7/2001, <https://www.onthetrailofdelusion.com/post/did-dean-andrews-admit-that-clay-shaw-was-clay-bertrand>)

By Weisberg’s own account Dean Andrews seemed to stop short of saying exactly what Weisberg took him to mean. But if Andrews was creating an impression that the identification was Clay Shaw (“without putting it that way”), what is the basis for knowing or assuming Dean Andrews was being truthful in that?

*Claim: Dean Andrews, Jr., told his son, Dean Andrews III, that Clay Bertrand was Clay Shaw*

The authors of *Pipe the Bimbo in Red* (2023), one of whom was a friend of Dean III over the years, wrote, “The foundation of Jim Garrison’s case against Clay Shaw ...

was the Clay Bertrand alias. As Dean Andrews III told us in no uncertain terms, Clay Shaw *was* Clay Bertrand” (p. 180). However, just as with the claim of Weisberg, although Dean III may have believed that, it is not clear that is exactly what Dean Andrews said. From the interviews of Dean Andrews III in Jeffrey and Law, *Pipe the Bimbo in Red* (emphasis added):

“I said, you know, ‘Dad, what about Clay Shaw and Clem Bertrand?’ And he just said, ‘well, you know, son, blah, blah, you know, that’s a mystery...’ ... one time, you know, he kind of let it slip that they were the same guy. But, I mean, who knows? His mental health wasn’t very good by that time ... I would ask him from time to time. I said, ‘Dad, the reason you got convicted of perjury is because you gave all these different descriptions of Clem Bertrand’ ... It seems like Garrison had a strong belief that you’re lying. So, you know, what’s the deal?’ And he basically just, you know, but he was, his mental illness was real bad then. And he goes, ‘well, you know, sometimes Clay Shaw used an alias, which, you know, might have been Clay Bertrand.’ I mean, you know, it’s all just a bunch of crap, really, you know, I mean, you can’t use it. But, I mean, he did kind of say it. That’s what I mean ...”

It could be that Dean Andrews all along let people think the Clay Shaw identification could be true without directly saying so, as deflection in lieu of the truth of who was sending him to Dallas to defend Oswald, a truth which remained so sensitive that Dean Andrews would not tell family members. Andrews told Clay Shaw’s defense counsels in 1967: “he probably never would identify ‘Bertrand’ as it would destroy not only him, but the person to whom he revealed the identity” (Carpenter, *Man of a Million Fragments*, 350). “[Andrews] said ... that to reveal the truth about his caller would endanger his life, and my own brief contact with Andrews suggested that the fear stayed with him years afterwards” (Summers, *The Kennedy Conspiracy* [1998 edn], 241).

***Claim: A guestbook in the VIP Room of Eastern Airlines at New Orleans International Airport, New Orleans, has a signature “Clay Bertrand” at the bottom of the page for Dec 14, 1966. An employee in the VIP Room identified Clay Shaw as having been there that day, accompanying a party of four visiting dignitaries from Venezuela.***

“The story starts with Deuce Parent, a Sergeant on the Kenner, Louisiana police force, who told his friend Ronald Raymond that ‘an employee of Eastern Airlines had shown him the guest register’ of the VIP Room at the New Orleans International Airport. It had been signed by several people on



December 14, 1966 and included the signatures of four Latins, and ‘Clay Bertrand.’ Raymond reported this to Jim Garrison's office in August of 1967.” (Fred Litwin, “Did Clay Shaw sign the VIP Room guestbook as Clay Bertrand?”, <https://www.onthetrailofdelusion.com/post/did-clay-shaw-sign-the-guestbook-as-clay-bertrand-at-the-vip-room>)

Mrs. Jessie Parker, hostess at the VIP Room, is the employee who testified to the identification of Clay Shaw in the VIP Room that day. She wrote in a sworn affidavit of Sept 12, 1967:

“I identified the picture marked “S-1” which is of the person [Clay Shaw] who has an identification plate with New Orleans, Louisiana and numbers 125388 and dated 3/1/67 across his chest as **a man who used to come into the V.I.P. Room quite often. He was always bringing in people** who were leaving town or meeting people who were coming in. **I remember him well** because every time he would come into the V.I.P. Room he would be with 2 or 3 people and I would fix him a Bloody Mary. **He was also able to speak a foreign language as I have heard him talk to other people in a language other than English.** I can remember that one day [Dec 14, 1966] while I was working this man whom I have identified as “S-1” **came into the V.I.P. Room with 4 persons from Caracas [Venezuela]** and accompanied by one person who was dressed in London-type clothes. **I got the impression that this person was some kind of interpreter ...** The people from Caracas did not speak any English. I can remember **when they came in I asked them to sign the book. The person whom I have identified as ‘S-1’ signed the book** using the blue pen. He signed it 12/14/66 Clay Bertrand, New Orleans, Louisiana. The other 4 from Caracas signed the book using the black pen signing their names and that they were from Caracas, Venezuela. I have been shown the book by Mr. Sciambra and I can remember the people on that day quite well. After they signed the book the person whom I have identified as ‘S-1’ and who signed his name as Clay Bertrand **introduced me to the people from Caracas and I asked them what did they like to drink. Mr. Bertrand [sic] told me after giving me the order for the others that he would have his old regular and I fixed him a Bloody Mary as usual. These people waited down in the front part of the room** while the person in the London-type clothes kept running in and out of the V.I.P. Room to see if the party that they were waiting for had arrived yet. At 2:00 P.M. I left work and Cecilia Fagan replaced me. When I left **at 2:00 P.M. ‘S-1’ and his party were still in the V.I.P. Room.**” (This document can be seen at the Litwin link above.)

Here I present original research and a solution to this one. The man Mrs. Parker saw was not Clay Shaw but was a mistaken identification based on physical resemblance. There is no mystery who the man with the Venezuelans was that Mrs. Parker saw. He is easily identified. The man Mrs. Parker thought had been Clay Shaw actually was Theodore Enrique “Ted” Herrera, the U.S. State Department person who escorted and interpreted for those four visiting Venezuelans that day while waiting with them in the VIP Lounge for their homeward-bound connecting flight to Miami. Theodore Herrera bore a physical resemblance to Clay Shaw. Below, Theodore Enrique Herrera is to the left, from a photo from his obituary. Clay Shaw is to the right.



No wonder Mrs. Parker thought the man she remembered had been Clay Shaw. Theodore Herrera and the four Venezuelans signed their names in that VIP Room guestbook that day.

The Garrison office found the names of the State Department persons who accompanied the delegation of the four Venezuelans—Herrera in charge; an assistant and the assistant’s wife; and a military escort officer—and sent two representatives to Washington, D.C., to interview Herrera and the others (<https://www.onthetrailofdelusion.com/post/did-clay-shaw-sign-the-guestbook-as-clay-bertrand-at-the-vip-room>).

Mrs. Parker said in her affidavit of the man in charge whom she thought had been Clay Shaw:

“He was also able to speak a foreign language as I have heard him talk to other people in a language other than English ... *I got the impression that this person was some kind of interpreter.*”

From Theodore Herrera’s obituary in 2016:

“Ted enjoyed a successful career *as a diplomatic interpreter* and retired from the US Department of State after 42 years of government service.”  
[\(https://www.moneyandking.com/obits/theodore-e-herrera/\)](https://www.moneyandking.com/obits/theodore-e-herrera/)

Mrs. Parker in her affidavit said the man she thought was Clay Shaw was familiar to her as having escorted parties in the VIP Lounge on other occasions:

“*He was always bringing in people* who were leaving town or meeting people who were coming in. *I remember him well* because every time he would come into the V.I.P. Room he would be with 2 or 3 people and I would fix him a Bloody Mary.”

The frequent presence in the VIP Room escorting delegations describes the State Department’s Theodore Herrera. On the other hand, Clay Shaw testified he had never been in the Eastern Airlines VIP Room (Carpenter, *Man of a Million Fragments*, 433), which would risk easily being shown false if Shaw’s statement was not true, for a public figure so well-recognized as Clay Shaw.

No one else in the VIP room that day said they saw Clay Shaw there other than Mrs. Parker.\* That includes Theodore Herrera who knew Clay Shaw from having met him before. Theodore Herrera the lead person accompanying the Venezuelans would have noticed if Clay Shaw had been there when he was, also escorting and interpreting for the same four Venezuelans, but Herrera never saw Clay Shaw there because there was no Clay Shaw there; that was *Theodore Herrera* Mrs. Parker was mistakenly remembering as having looked like Clay Shaw.

(\* New Orleans CIA office chief Hunter Leake reported to his superiors that on Nov 15, 1967, Alfred Moran, who was in the VIP Room and one of the signers of the guestbook on Dec 14 1966, had told him, Hunter Leake, that he, Moran, who knew Clay Shaw, had positively identified Clay Shaw in the VIP Room when interviewed by Garrison investigators the day before. CIA headquarters requested Hunter Leake

conduct a followup clarification interview with Moran, which occurred on Dec 11, 1967 and was reported in a second internal CIA memo. Moran explained at that time that the earlier report written by Leake had been a misunderstanding; he had actually told Leake on that earlier occasion what the *Garrison investigators* had told *him*, on Nov 14, 1967, that Clay Shaw was positively identified in the VIP Room that day by the Garrison investigation via handwriting verification, but that he, Moran, had not personally seen Clay Shaw himself. Alcock's report of the Nov 14, 1967 interview of Moran shows Moran told the Garrison investigators he had not seen Clay Shaw in the VIP Room. The documents can be seen at <https://www.onthetrailofdelusion.com/post/did-clay-shaw-sign-the-guestbook-as-clay-bertrand-at-the-vip-room>.)

Mrs. Parker described the man she thought had been Clay Shaw as hosting or directing the four Venezuelans:

“I can remember that one day while I was working this man whom I have identified as “S-1” *came into the V.I.P. Room with 4 persons from Caracas.*”

Mrs. Parker said that man signed the guestbook, then the four Venezuelans signed, in that order. Mrs. Parker:

“*[W]hen they came in I asked them to sign the book. The person whom I have identified as ‘S-1’ signed the book ... The other 4 from Caracas signed the book ... I have been shown the book by Mr. Sciambra and I can remember the people on that day quite well. After they signed the book the person whom I have identified as ‘S-1’ ... introduced me to the people from Caracas and I asked them what did they like to drink ... These people waited down in the front part of the room ... At 2:00 P.M. I left work and Cecilia Fagan replaced me. When I left at 2:00 P.M. ‘S-1’ and his party were still in the V.I.P. Room.*”

Theodore Herrera was in charge of those four visiting Venezuelan dignitaries—of attending to their needs and comfort and seeing them off on their flight. He was the man Mrs. Parker thought had been Clay Shaw.

“*[Mrs. Parker] told the defense lawyer [in testimony at Clay Shaw’s trial in 1969] that when she’d seen Clay Shaw’s picture on television she’d said to her son, ‘I’ve seen that man before—at the V.I.P. room, Eastern Airlines.’*” (Kirkwood, *American Grottesque*, 349)

That man who was with the four Venezuelans that day, accompanied them, functioned as their interpreter, introduced them, led them in signing the guestbook of the VIP Room, ordered drinks for them from Mrs. Parker, and sat with them as they waited for their outbound flight to Miami ... was known to the Garrison investigation. Sciambra and Weisburg from Garrison's office flew to Washington, D.C. and interviewed the State Department's Theodore Herrera. From Sciambra's report to Garrison of April 2, 1968:

“Weisberg and I interviewed Herrera in the State Department in Washington, D.C. He seemed to be terribly pressed for time, and talked to us at the entrance to the building and not in his office.”

*Comment:* It could be he knew who they were and wanted little to do with the Garrison investigation—possible interpretation of the above.

“He said he did not recall any details about the trip that we were interested in. The only thing that comes to his mind was that he had locked his tickets in his luggage and they were trying to get the bags so that he could get the tickets in time to catch their plane to Miami.”

*Comment:* That could account for Mrs. Parker remembering another man than the lead man accompanying the Venezuelans repeatedly leaving the room and returning as if he was checking on something (<https://www.onthetrailofdelusion.com/post/did-clay-shaw-sign-the-guestbook-as-clay-bertrand-at-the-vip-room>).

“[Theodore Herrera] said that he did not see Shaw at the airport when he was there. Herrera said he knows Shaw from meeting him in New Orleans on other visits, but that he didn't see him on that trip.”

Mrs. Parker was given a polygraph examination and the examiner judged Mrs. Parker was truthful in the sense of not being intentionally deceptive. But the polygraph examination tests for sincerity of belief or statements, not for being correct in what one believes. Mrs. Parker was sincere but mistaken in her memory of the Clay Shaw identification. The mistake was caused by the physical resemblance in facial appearance, height, and hair, which Mrs. Parker, when asked in her testimony, explained was her basis for her Clay Shaw identification.

(Captain Henry Spicer of the New Orleans International House was not the man Mrs. Jessie Parker saw with the four Venezuelans in the VIP Room, which has occasionally been suggested. That misunderstanding came about because there is a newspaper

photo of the four Venezuelans seated with Captain Henry Spicer of the International House in New Orleans. However that photo was taken at the International House, not at the VIP Lounge, and Captain Spicer said he was not in the VIP Room that day. “There was a suggestion that the Venezuelans had used the Eastern Airlines VIP Lounge on their departure from New Orleans but, *inasmuch as Captain Spicer had not seen them off*, he suggested that the District Attorney’s office contact the New Orleans Reception Center of the US State Department for more information in this connection” [<https://www.onthetrailofdelusion.com/post/did-clay-shaw-sign-the-guestbook-as-clay-bertrand-at-the-vip-room>]. Also, I checked and photos show Captain Spicer was not tall, was bald on the entire front half of the top of his head, and did not look like Clay Shaw. He would not have been confused with Clay Shaw from physical appearance. But that is irrelevant since Capt. Spicer was never in the VIP Room that day to begin with.)

*The guestbook signatures sequencing and timings*

The VIP Room article of Litwin has a photo of the pages in the guestbook with the signatures for Dec 14, 1966 (<https://www.onthetrailofdelusion.com/post/did-clay-shaw-sign-the-guestbook-as-clay-bertrand-at-the-vip-room>). The guestbook had pages in which signatures with dates and home city locations were handwritten by the guests, one after the other, calendar dates but no time of day. The pages themselves are not dated. The guests write their own date for their own signature, each guest writing their own date, name, and city of origin on the next line below the preceding names.

The photograph shows the guestbook open to two facing pages, left (L) and right (R). Each page has lines for 16 signatures. The L page has 16 names, in this order:

12/12/66 -- three names

12/13/66 -- seven names

12/14/66 -- two names

12/14/66 -- Alfred T. Moran, New Orleans (the CIA connected guy taking a flight alone to NYC)

12/14/66 -- Theodore E. Herrera, Washington, D.C. (State Department host/interpreter of the Venezuelans; Mrs. Parker’s “Clay Shaw”)

12/14/66 -- Arthur Q. Davis, New Orleans (famous New Orleans architect, taking a flight alone to NYC)

12/14/66 -- Clay Bertrand, New Orleans

The R page has 16 names, in this order:

12/14/66 -- four signatures of Venezuelans from Caracas, Venezuela

12/14/66 -- five more names

12/15/66 -- four names

12/16/66 -- one name

12/17/66 -- two names

Mrs. Parker's shift was 8 am to 2 pm. Mrs. Parker witnessed her "Clay Shaw" accompanying the four Venezuelans sign the guestbook, then her "Clay Shaw" had the four Venezuelans sign, then her "Clay Shaw" introduced the four Venezuelans to her. Mrs. Parker's "Clay Shaw" and the four Venezuelans then were seated together in the VIP Room and she took their drink orders and they were still there when she left for the day at 2 pm.

Theodore Herrera, the State Department person hosting those four Venezuelans, and the four Venezuelans signed at the same time, some time before 2:00 pm. Theodore Herrera signed at line L 14. Then the four Venezuelans with him did not sign starting with lines L 15-16 but all signed on the first four lines of the right page, lines R 1-4, perhaps because suggested or gestured to do so by either Herrera or Mrs. Parker, starting at the top of the new R page because there was not room for four names remaining on the L page. But the four Venezuelans signed at the same time as Herrera which means they signed before Arthur Davis signed at L 15 and "Clay Bertrand" at L 16.

*The Arthur Q Davis document of Nov 6, 1967*

With this background, consider the significance of a document giving the time of departure of Arthur Davis's flight from New Orleans to New York City that day: 5:25 pm. Litwin found this report of an interview of Arthur Davis of Nov 3, 1967 in the National Archives and it can be seen at the end of Litwin's VIP Room article. In his



testimony, Arthur Davis said although he did not remember how much earlier before his flight departure time he had arrived to the VIP Room that day, based on his usual practice it might have been maybe a half-hour or so earlier. This puts Arthur Davis's *arrival* in the VIP Room *after Mrs. Parker's shift ended* at 2:00 pm.

The significance of this is that the time of signing of Arthur Davis (L 15) is a *terminus a quo* (no earlier than) for the time of signing of "Clay Bertrand" (L 16), since it is on the line below that of Arthur Davis. *That means "Clay Bertrand" was signed after Mrs. Parker's shift*, and that means the person who signed "Clay Bertrand" *could not have been Mrs. Parker's "Clay Shaw"* (whom she saw sign during her shift). Below is the document in full (bold is added).

"Memorandum. November 6, 1967

"To: Jim Garrison, District Attorney

"From: Jim Alcock, Executive Assistant District Attorney.

"Re: Mr. Arthur Q. Davis. Office—2475 Canal Street

"Louis Ivon and I interviewed Mr. Arthur Q. Davis at 4:30 P.M. on Friday, November 3, 1967, in his office located at 2475 Canal Street in this city. Mr. Davis was shown the Airline book in an attempt to refresh his memory and to verify that it was his signature on it. Mr. Davis positively identified his signature. However, he could not recall the events surrounding that particular day.

"Mr. Davis then got his **memorandum book** for that particular period and was able to recall the particular date more clearly. He said that he had taken **flight #64 for New York** and that he was traveling alone. **The flight left New Orleans at 5:25 P.M.** and was due to arrive in New York at 8:50 P.M. He remembers this flight because his wife had left the day before for Detroit, Michigan, and that they later met in New York. They returned some six days later with an English couple who were to be domestics in their home. This couple is still with them.

"Mr. Davis does not remember anyone at the location where he signed the Airline book. He knows Alfred Moran, whose name also appears in the book, but does not recall seeing him on that date. Mr. Davis also knows Clay Shaw



and has seen him at the airport on several occasions. However, he does not recall seeing Clay Shaw on the day he signed the book.”

Arthur Davis in this interview of Nov 3, 1967 confirmed his signature in the guestbook but could not remember the time of day he signed. But his memorandum book showed he had taken Eastern Airlines flight #64 to New York City leaving New Orleans at 5:25 pm. Davis said he knew Alfred Moran but had not seen him. Moran said he was on an earlier 3-3:30 pm flight to NYC. If Arthur Davis had taken the earlier flight to NYC leaving at 3-3:30 pm the same as Moran, there is a good chance the two would have recognized each other, whether in the VIP Room or on the flight, but there was no such recognition because Davis’s flight was later than Moran’s and their paths did not cross that day.

Since the signature of Alfred Moran at line L 13 precedes that of Theodore Herrera and the four Venezuelans who signed before 2 pm, Alfred Moran will have entered the VIP Room before 2 pm, prior to his flight leaving for NYC at 3-3:30. Moran was there *before* Mrs. Parker’s “Clay Shaw” signed and remained there *after* her shift ended at 2 pm. Yet Moran said he did not see Clay Shaw whom he would have recognized if he had seen him. That is because *Clay Shaw* was *never there*. Of all the people in the VIP Room that day, both flight travellers and staff, it was only Mrs. Jessie Parker, who did not have prior knowledge or recognition of Clay Shaw, who later thought Theodore Herrera of her memory had been Clay Shaw.

There is a wrinkle in this however. Arthur Davis testified in the Clay Shaw trial on Feb 27, 1969, fifteen months after that interview of Nov 6, 1967. When asked at that later time when he was at the airport on Dec 14, 1966, he answered, “My records don’t indicate that. To the best of my knowledge, it was sometime mid-day. I know it wasn’t the evening flight.” On cross-examination, Alcock for the prosecution asked, “... midday is that correct?” Davis answered, “Yes, but I am not sure of the time.”

Unless Davis had learned of some error in his records in the interim, Davis’s memorandum book information told in the Nov 3, 1967 interview appears to remain the accurate information for his flight number and departure time, whether or not Davis remembered it fourteen months later in Feb 1969 when he gave his testimony in the Clay Shaw trial. The Nov 3, 1967 interview information appears not to have been known to the Clay Shaw defense since it was not introduced in court.

(I found a record of Eastern Airlines flight times out of New Orleans to New York City in 1972 shows a daily regularly scheduled flight 68 departing 5:30 pm, and arriving 9:06 pm, as the latest of three nonstop flights to New York City, the other

two daily nonstops departing at 8:25 am and 11:45 am [<http://www.departedflights.com/EA090672p42.html>]. I was unable to locate information for Eastern Airlines flight times out of New Orleans to NYC earlier than 1972.)

Someone signed “Clay Bertrand” in that guestbook *after* Arthur Davis signed, and that signature could have been added any time later, written on that last remaining blank line 16 of the L page, even months later. The signature of “Clay Bertrand” was written *after* that of Arthur Davis and therefore was written by a different person than Mrs. Parker’s earlier “Clay Shaw”. Mrs. Parker’s identification was simply a mistaken identification of a person she remembered from months earlier (Theodore Herrera).

This resolves everything except for accounting for the signature of “Clay Bertrand” in the guestbook, and the solution to that is, quite simply, it was forged, written at the bottom of that page by someone after the events of that day.

### *Handwriting analysis*

The handwriting of the “Clay Bertrand” signature was found positively not to match Clay Shaw’s handwriting by an expert handwriting analyst, Charles Appel, Jr. (Side-by-side signatures of Clay Shaw and the guestbook “Clay Bertrand” can be seen in the VIP Room article of Litwin.)

However, the Garrison prosecution produced a hired expert, Elizabeth McCarthy, who gave conflicting testimony. Elizabeth McCarthy’s entrance into the case was unusual in its timing. She apparently had been contacted and retained by Garrison’s office only the day before her testimony (“yesterday” [Lambert, *False Witness*, 156]), a last-minute substitution for another expert the Garrison prosecution had planned to testify. The expert for the prosecution who either resigned or was pulled at the last minute was Gilbert Fortier, the usual and respected expert used in court cases in Louisiana. Why Fortier was replaced by the Garrison prosecution at the last minute is not known. Could it be it had something to do with Fortier informing the Garrison prosecution he could not testify to what the prosecution wanted, and was replaced for that reason?

Whatever the circumstances by which Elizabeth McCarthy came to be hired by the prosecution hours before her testimony in court—her examination carried out in her hotel room in New Orleans the evening before, *after* she was arranged and scheduled to testify for the prosecution’s case—Elizabeth McCarthy testified, in opposition to

Appel, that in her opinion it was “highly probable” the “Clay Bertrand” signature had been written by Clay Shaw.

McCarthy’s language did not claim positive identification or certainty, whereas expert Appel’s opposing finding was unequivocal (certain) that Clay Shaw had not written it. There is no known record of further expert opinions. The lack of unanimity in the two on-the-record expert findings means, minimally: that there is no verification the handwriting was Clay Shaw’s, and that there are substantial grounds to doubt the signature was written by Clay Shaw.

However on the basis of further research I do not believe this is a case of two conflicting expert opinions of equal weight or a case of genuine ambiguity. I found in an online search at least two other legal cases in which Elizabeth McCarthy gave conflicting expert testimony *opposed* to other expert testimony in which, on the basis of a preponderance of *other* evidence in those cases, it *appears to me* that she testified on the wrong side of the truth in those cases (<https://law.justia.com/cases/federal/district-courts/FSupp/615/633/1515018/>; and <https://casetext.com/case/united-states-v-chamorro>). From examination of these two other cases plus the Garrison prosecution of Clay Shaw as a third, it is difficult to avoid the suspicion that as an expert witness for hire, Elizabeth McCarthy’s being paid by one side to testify affected her testimony in agreement with the side paying her in those cases. That is the appearance to me in those two other cases, such that McCarthy’s testimony concerning the “Clay Bertrand” signature in the VIP Room appears to me to be a third such case, as concerns this particular expert witness for hire.

With this background, and also in consideration of the unlikelihood that any actual person bearing or using the name “Clay Bertrand” was in the VIP Room that day, the very clear and unequivocal finding of expert Appel that the “Clay Bertrand” signature was *not* written by Clay Shaw appears correct, and Elizabeth McCarthy’s opposing finding of “probably” going in the other direction is to be dismissed.

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Clay Shaw was a well-known and easily-recognized public figure. Mrs. Jessie Parker who had no prior knowledge of Clay Shaw at the time she saw Herrera with the four Venezuelans may have been almost an exception in elite circles in New Orleans. For Clay Shaw to be using the Eastern Airlines VIP Room he would already have had to use his true name and identification to have a membership, if so. What would be the point of signing an alias? Mrs. Parker said she saw her “Clay Shaw” (actually Herrera)

on a number of occasions in the VIP Room, always escorting other people, exactly what Herrera of the State Department did. Was Mrs. Parker's "Clay Shaw" using an alias all those other times also right out in the open where he would be seen and easily recognized? It does not make sense. If he was doing so, the alias could hardly have been intended to be a secret, right? But if not for secrecy or disguise, what would be the point of use of an alias at all? With all the prominent people passing through the VIP Room and staff, a good number of whom would recognize Clay Shaw by sight ... why would he use a fictitious name in such circumstances if he wanted to keep that fictitious name a secret?

Compare that with Dean Andrews, Jr. He openly gives an alleged name of his alleged phone caller, "Clay Bertrand", to his secretary, the FBI, and the Warren Commission. He makes no secret of the name. But nobody can find "Clay Bertrand", Dean Andrews is seen to be fabricating everything else about "Clay Bertrand" from A to Z and it is not clear Andrews did not make up the name out of thin air, or where he got the name. The one thing that *is* clear is he *isn't* going to reveal who hired him to defend Oswald, if he knows—and he has to know because how can a lawyer be hired as legal counsel without the lawyer knowing who will pay the bill?

The point is Dean Andrews is terrified. *Not* of telling the name "Clay Bertrand". He already did that, wide open. He is afraid of telling who the hirer *really* was. Terrified of the "bullet in the head" if he tells. Dean Andrews III, in his interviews in *Pipe the Bimbo in Red*, tells of how devastating and lifelong was the terror experienced by his father which Dean III said was fear of a mob contract on him.

Dean Andrews, Jr., was a Marcello man, close friend of Marcello for decades, according to Dean III. Who could it possibly be who might ask a Marcello lawyer in New Orleans—Dean Andrews, Jr.—to represent Oswald the next state over in Dallas?

Clay Shaw? Why would he call a Marcello lawyer in New Orleans in a hospital to do that?

But here is the point: Why would it be a deadly secret, from Dean Andrews' point of view—what would be the problem with Andrews simply *saying* "Clay Bertrand" was Clay Shaw, if it were so?

*Clay Shaw was going all over town saying so himself*, if the Garrison prosecution was to be believed. How could it be a deadly secret for Dean Andrews to reveal such an identity, if the identification was so cavalierly regarded by Clay Shaw as not secret?

Connect the dots: Dean Andrews is a Marcello man. Dean Andrews is terrified of identifying who asked or told him to go to Dallas to defend Oswald, and the terror was real. Marguerite Oswald in Dallas was the origin of the attempted lawyer hire that day, according to Sam Zelden. But Marguerite Oswald was not the direct contact with Andrews and Zelden which happened via an intermediary or intermediaries. Marguerite Oswald and her New Orleans brother-in-law, part of the Marcello crime organization, had historic long-term connections with Marcello people in New Orleans. Dean III says people in Marcello's circles were the source of his father's fear.

It does not fit a Clay Shaw scenario.

It must be considered very carefully whether it is truly believable that a 6'3", well-known and easily-recognized figure such as Clay Shaw, who stood out as distinctive and commanding in appearance and could not hide in a crowd due to his height, could have been using a "Clay Bertrand" alias with intent to conceal his true identity—does that make sense?

Was the notion that Clay Shaw used an alias "Clay Bertrand" a combination of urban legend, an out-of-control prosecutor, and conscious framing of Clay Shaw by somebody?

~ ~ ~

The "Clay Bertrand" signature in the VIP Room guestbook appears on the last line of the page in that guestbook, which means it could have been added any time after the other signatures, even months later, written below the genuine names.

When photos of Clay Shaw and the Garrison investigation came to public notice in the news, Mrs. Parker thought she recognized Clay Shaw as the man with the Venezuelans that day in the VIP Room. It was Theodore Herrera of the U.S. Department of State, but Mrs. Parker wrongly thought it had been Clay Shaw. Then Mrs. Parker reconstructed her memory of which signature she attached to that man months after the fact.

Mrs. Parker sincerely thought Theodore Herrera had been Clay Shaw. She told a few people of that belief, and somebody told somebody who told somebody ... and it came to the attention of some wrong person with a malevolent interest in the case. Someone with that information then either had or gained access to that Eastern Airlines VIP Room and the guestbook there. That person flipped back to the page in that guestbook for the correct date—perhaps at first simply to check what was

there—and fortuitously found the last line of that left page, line L 16, had never been filled in. Then that person—or perhaps a different person on a return date after practicing imitating Clay Shaw’s handwriting—signed “Clay Bertrand” on the last line of that page for the purpose of incriminating Clay Shaw. Once the existence of the “Clay Bertrand” signature on that page came to the attention of the Garrison investigation the rest followed. The Garrison investigators interviewed Mrs. Jessie Parker and had her place Clay Shaw in the VIP Room on that date by her testimony, and now they had the physical evidence of a “Clay Bertrand” signature supposedly from that same date as well, and there was an attempt to railroad Clay Shaw on those grounds.

The “Clem Bertrand” library card noted earlier, and the “Clay Bertrand” signature in the Eastern Airlines VIP Room guestbook—both forgeries—reflect apparent involvement of professional expertise in forgery in attempts to falsely incriminate Clay Shaw.

### **Why would someone want to frame Clay Shaw? *Who would do that?***

Although it is unknown who was behind those two forgery attempts, motive to see Clay Shaw falsely implicated in the retaining of Dean Andrews as Oswald’s legal counsel, could go back to the Marcello crime organization, as deflection from themselves.

In the end, once it becomes realized that Clay Shaw was nothing more than a distraction all along, Clay Shaw disappears from relevance to the identity of the hirer of Dean Andrews. It wasn’t him; Clay Shaw had nothing to do with it. Garrison sought to deprive Clay Shaw of his liberty through false and untrue charges. Dean Andrews’ refusal to disclose the true identity was not because Andrews was terrified of confirming it was Clay Shaw. Rather, Andrews was concealing some different, deadly knowledge, and all Dean Andrews’ colorful talk suggesting in the direction of Clay Shaw and then Eugene Davis deflected attention from what otherwise would have been a more obvious direction to look.

(For further concerning Garrison and Clay Shaw issues, see the 90-minute documentary, “He Must Have Something” [1992], <https://www.youtube.com/watch?v=y7aA46PL5w8>; and articles by Fred Litwin starting here, <https://www.onthetrailofdelusion.com/post/jfk-revisited-was-clay-shaw-the-elusive-clay-bertrand>. Compare author Anthony Summers: “I looked into the Clay Shaw trial while working on my book *Not in Your Lifetime*. My interviewees included former New Orleans DA Jim Garrison, whom I judged a dubious character.

I concluded, too, that the Clay Shaw trial was a travesty of justice” [Nov 2023, <https://www.newsweek.com/jfk-assassination-clay-shaw-suspect-jim-garrison-oliver-stone-1843809>].)

### **Possible origins of the name “Clay Bertrand”**

Either the name “Bertrand” heard by Eva Springer from Dean Andrews was a name of a real person, or Andrews made up the name, or reused one which was. Garrison’s case was based on the first premise.

Following are some possibilities for the origin of Dean Andrews’ “Clay Bertrand” with assessments.

#### ***Was “Clay Bertrand” taken from the name of an anesthesiologist at the Hotel Dieu Hospital named Carol Bertrand?***

The FBI found there was an anesthesiologist employed at the Hotel Dieu hospital named Carol A. Bertrand (<https://www.maryferrell.org/showDoc.html?docId=62428#relPageId=90>). The idea is that when Eva Springer asked Dean Andrews who hired him, Andrews answered with a false name drawn from a random name of an anesthesiologist at the hospital which Andrews had seen or heard.

*Conclusion:* Doubtful; appears to be coincidence.

#### ***Could “Clay Bertrand” have been Clay Bertrand?***

There was a real Clay Bertrand, originally from Lafayette, Louisiana but reported to have been in New Orleans in 1963. This from 1967:

“Bill Elder, newsman, WWL-TV, Channel 4, New Orleans, stopped an agent of this Office [New Orleans FBI] on the street, and advised that Claybourn Bertrand, who had supposedly called an attorney to defend Oswald, was currently being sought by the District Attorney’s office. Elder said he had information that Clay Bertrand was located in Lafayette, La., working as a real estate agent. Elder stated Bertrand supposedly has a ‘violent temper and is radical.’ Bertrand, according to Elder, punched the Sheriff of St. Tammany Parish. Elder said Bertrand was supposedly in New Orleans during the ‘critical period.’” (FBI, 2/4/67, <https://www.maryferrell.org/showDoc.html?docId=9986#relPageId=204>)

Confirmation of this Clay Bertrand's existence: a background reference to him by the name Clay Bertrand as a school-age boxing champion in 1953 (<https://www.theadvertiser.com/story/sports/2014/06/28/former-prep-boxing-stars-inducted-hall-fame/11661713/>); a contemporary 1953 newspaper story telling of him as a boxer by the name Claiborne Bertrand (<https://www.newspapers.com/article/daily-world/17775538>); an obituary notice naming him Clay Bertrand (<https://www.legacy.com/us/obituaries/dailyworld/name/clay-bertrand-obituary?pid=193240801>); and a fuller obituary giving his full name as Claiborne Roy Bertrand (1938-2019) (<https://www.echovita.com/us/obituaries/la/opelousas/claiborne-roy-bertrand-9361999>).

There is no record Garrison's office checked with Clay Bertrand to see if he knew anything about uses of his name. However, although one wishes Clay Bertrand would have been asked, there is nothing known to connect this real Clay Bertrand with anything in the Dean Andrews case, apart from the same name.

*Conclusion:* Appears to be random coincidence; no known connection.

***Was the name "Bertrand" pulled out of the air and meant no one at all?***

Note that Dean Andrews did *not* at first give a full proper name, "Clay Bertrand", to Eva Springer. According to Eva Springer, Andrews gave only a single name, "Bertrand", which could be a first name as easily as a surname. A practice on Andrews' part of giving "Bertrand" as a fictitious, meaningless name was claimed by Andrews' investigator, Prentiss Davis. From the New Orleans *Times-Picayune* August 13, 1967:

"He [Andrews] said he had got a call from Dallas to represent Oswald ... Davis then volunteered the information that Andrews frequently used the name Bertrand to mask the identity of whomever he might be referring to. The judge told the jury to disregard the remark."

(<http://jfk.hood.edu/Collection/Weisberg%20Subject%20Index%20Files%20Original/A%20Disk/Andrews%20Dean%20Jr%20Trial/Item%2009.pdf>)

If "Bertrand" was a fiction, the name could have been "James" or "Charles" or any other arbitrary choice as easily as "Bertrand". Andrews' secretary, Eva Springer, said she knew of no such practice of Dean Andrews (to use a meaningless first name



“Bertrand”), but Prentiss Davis said “the secretary [Eva Springer] only knew about 20% of what Dean was doing” (FBI, 3/9/67).

(Note that Prentiss Davis says Dean Andrews told him the request from “Bertrand” came from a phone call “*from Dallas*”, just as Sam Zelden independently said the request to him and Andrews had come from Marguerite Oswald *from Dallas*.)

*Conclusion:* Possible, but weak corroboration of the Prentiss Davis claim.

### ***Was “Clay Bertrand” Eugene Davis?***

Eugene Davis was a night manager at a New Orleans restaurant called the Court of the Two Sisters who knew Dean Andrews well. Andrews said Eugene Davis would send gay clients to his law office when they got into legal troubles. Ultimately Dean Andrews came to claim directly that his “Clay Bertrand” *was* Eugene Davis. Davis denied he used the name.

A William Livesay, writing in December 2000, said Eugene Davis had once sent him, Livesay, to Dean Andrews when Livesay needed a lawyer. Livesay said Eugene Davis told him:

*“tell Andrews that Mr. Bertrand sent me. I remember this as though it were yesterday, and it meant absolutely nothing to me at the time. Only after seeing nearly 40 years later, how crucial the Clem Bertrand thing was to the Garrison case, does it have any meaning to me.”* (<https://jfk-online.com/livesaypost.html>)

The weakness here, despite this witness sounding credible, is this is first attested four decades later. A lot can happen in human memory in forty years. If Livesay’s story were correct, it would not mean Eugene Davis asked Andrews to represent Oswald in Dallas, but it could support use by Dean Andrews and Eugene Davis of the name “Bertrand”.

The Eugene Davis identification of “Clay Bertrand” has become the default interpretation among those who believe Clay Shaw was wrongly prosecuted by Garrison. Since all sides agree that Eugene Davis did not hire Dean Andrews to defend Oswald in Dallas, embracing the Eugene Davis identification has the effect of supporting the claim that the request to Andrews to defend Oswald never happened.

But a hiring of Dean Andrews to go to Dallas to defend Oswald *did* happen. That is based on the Andrews phone call to Eva Springer, what Andrews told Prentiss Davis,

Andrews' phone calls with Sam Zelden, and Zelden's explicit corroboration that it was a request which had come from Marguerite Oswald in Dallas.

*Conclusion:* Doubtful that "Bertrand" referred to Eugene Davis.

***Was "Clay Bertrand" an alias used by an innocent Clay Shaw?***

Clay Shaw denied he used the alias "Clay Bertrand", and Garrison failed to prove in court that Clay Shaw had used that name. Nevertheless, there are additional claims that Clay Shaw used the name "Clay Bertrand", not entered at trial. None of these were ever verified in the form of an on-the-record firsthand sworn testimony or statement from a named witness.

- Investigator Lawrence Schiller from Los Angeles, part of a *Life* magazine investigation of the JFK assassination, claimed knowledge of five gay sources, three in Dallas and two in San Francisco, who said Clay Shaw was "known by other names including the name of Clay Bertrand". Schiller said none were willing to go on the record or be identified. None of those claimed five were ever identified to this study's knowledge (<https://www.maryferrell.org/showDoc.html?docId=62407#relPageId=166>). As worded, the claim is not clear that the number claiming Clay Shaw used "Clay Bertrand" was all five or some lesser number among those five.
- Joan Mellen in the early 2000s found two women who had been employed in French Quarter businesses in 1963, Barbara Bennett and Rickey Planche. These women claimed, forty years after the fact, that they had known Clay Shaw then by the name "Clay Bertrand", not Clay Shaw (Mellen, *Farewell to Justice*, 121, citing interviews in 2001 and 2005). But forty years is a long time; could those women have gotten names mixed up in their long-ago memories of Clay Shaw, under the influence of the news reporting? Also, Mellen produced no tape recordings or interview transcripts for these claims, and unfortunately Mellen's accuracy in some other reporting is not 100% reliable.
- There is record that in February 1967 the FBI received information from two sources that Clay Shaw was "Clay Bertrand" (<https://www.maryferrell.org/showDoc.html?docId=60405#relPageId=31>). One of those sources was Aaron Kohn of the New Orleans Metropolitan Crime Commission. Kohl said he learned it from unspecified news sources. The other FBI source was a confidential informant, identified by research of Litwin as Joseph Oster, a former partner with Guy Banister when Banister started his private investigation firm in 1956. In 1958 Oster started his own

private investigation firm, Southern Research Company. (Litwin shows the identification of the confidential FBI source as Oster at <https://www.onthetrailofdelusion.com/post/did-the-fbi-know-that-shaw-was-bertrand>.) Oster actively spread this claim. From an FBI document, Feb 25, 1967, “Informant [= Oster] stated he called Louis Ivon, investigator for Garrison, and told Ivon that *he had heard* that Clay Shaw and Clay Bertrand were one and the same”. However Oster did not speak from firsthand knowledge. Another document on March 3, 1967 (at the previous link above) has informant Oster claiming he heard it from unspecified “news sources”. Such “new sources” have never been identified.

The argument here would be that Clay Shaw was set up or framed involving use of a perhaps actual secret of Clay Shaw related to being gay and closeted—analogous to blackmail works better when the secret is real—and that could explain why an innocent Clay Shaw (innocent of hiring Dean Andrews to defend Oswald; innocent of conspiring to assassinate President Kennedy) might deny use of the alias even if he did use the alias.

The idea with this explanation is it could fall within a larger pattern of attempts to frame Clay Shaw, emanating from the Marcello organization behind Dean Andrews, to deflect attention from Marcello.

One major objection: a wilful planting by Dean Andrews of a decoy name going to Clay Shaw, if so, would only make sense after Oswald was killed. But the call to Eva Springer and the “Bertrand” name occurred Sat Nov 23, before it was known a defense of Oswald in Dallas was not going to happen.

That objection is in addition to the already-discussed weak positive evidence that Clay Shaw used an alias “Clay Bertrand”.

*Memo from Louis Ivon to Garrison, Feb 25, 1967: “To ascertain the location of one Clay Bertrand, I put out numerous inquiries and made contact with several sources in the French Quarter area. From the information we have obtained concerning this subject, I’m almost positive from my contacts that they would have known or heard of a Clay Bertrand. The information I received was negative results. On February 22, 1967, I was approached by ‘Bubbie’ Pettingill in the Fountainbleu Motor Hotel, located on Tulane Avenue, whom I had earlier contacted about Clay Bertrand. He stated that Dean Andrews admitted to him that Clay Bertrand never existed.”*

(<https://www.onthetrailofdelusion.com/post/jfk-revisited-was-clay-shaw-the-elusive-clay-bertrand>).

*David Reitzes*: “In his memoirs, Jim Garrison claimed that one day in late 1966, at the very beginning of Garrison’s investigation, at ‘Cosimo’s, a small, crowded tavern deep in the Quarter’—‘we had our first break.’ (Garrison, 1991 ed., p. 98.) Cosimo’s was the bar where Dean Andrews told the Warren Commission’s Wesley Liebeler he believed he’d once seen ‘Bertrand.’ According to Garrison, the bartender ‘could not understand what the mystery was’ about ‘Bertrand’—that as ‘far as he was concerned, everyone in that part of the Quarter knew Bertrand.’ Yet the bartender, for some reason, refused to sign a statement to this effect, or to the effect that ‘Bertrand’ was Clay Shaw—and Jim Garrison did not deem it important enough to insist, or to subpoena the man before the Grand Jury or at the trial of Clay Shaw. Richard Billings’ NODA [New Orleans District Attorney] journal tells a different story. It demonstrates that the NODA had no witnesses who had confirmed that Shaw was ‘Bertrand,’ or even that ‘Bertrand’ existed. Billings’ entry of April 15-16, 1967, notes that Garrison’s ‘interest in [Dean] Andrews [is] higher than ever,’ and that Pershing Gervais is checking [Andrews’] hangouts . . . put Cosimo’s on list . . .’ . . . So a month and a half after the arrest of Clay Shaw, Garrison is sending his favorite renegade investigator to Cosimo’s, as an apparent afterthought. If any witnesses turned up, no record was ever made of it—not even with the informant’s name kept confidential.” (<https://www.jfk-online.com/lookclay.html>).

*Conclusion*: The notion that an innocent Clay Shaw was framed making use of a real association with a “Clay Bertrand” name depends on prior judgments concerning the evidence for associating Clay Shaw with the “Clay Bertrand” name.

***Did the name “Clay Bertrand” come from a legal defense fund of Theodore Brent?***

This proposal is that the name derives from a combination of the *last* name of Theodore Brent (→ “Bertrand”) and the *first* name of Clay Shaw, i.e. “Clay Bertrand” (or “Clem Bertrand”) and that the name started in the 1950s as a fictitious name for a fund or legal purpose, not as a personal alias and not for the purpose of concealing identity, perhaps involved in disbursements for legal expenses for gay men out of a fund Brent had set up. Theodore Brent, who died in 1953, was Clay Shaw’s mentor. The wealthy Brent had a reputation for “providing bail and legal representation to members of the gay community” who were in legal trouble.

“Author John Wilds once noted that ‘Ted Brent was ‘one of New Orleans principal movers and shakers of his time.’ When Clay Shaw returned to New Orleans after the war, he was taken under Brent’s wing. A self-made millionaire, Brent was the founder and president of the Mississippi Shipping Company, the president of the Louisiana Shipyards, and a director of the Hibernia National Bank. He was also the ‘Queen Bee’ of the New Orleans homosexual underground providing bail and legal representation to members of the gay community who were caught *en flagrante delicto* ... If this pattern sounds familiar, it is because Shaw inherited this mantle after Brent’s death in 1953. Recall New Orleans attorney Dean Andrews’ Warren Commission testimony that a Clay Bertrand would refer young gay men, in need of legal representation, to his office.” (William Davy, *Let Justice Be Done* [1999], 75-76, citing “Notes of Hoke May [reporter for the New Orleans *States-Item*], undated but circa 1967”)

Investigator Schiller reported that the FBI had “documents *signed by Clay Bertrand*”, supposedly “checks or contracts”, and that the Clay Bertrand name had been used by Clay Shaw “*not as an alias, but as a legal name*”.

*Richard Billings Journal*. “March 28 [1967] . . . Schiller . . . says he has information that *Shaw has used Bertrand name, not as alias, but as a legal name* . . . Bureau reportedly has documents signed by Clay Bertrand and handwriting checks with Shaw’s . . . These are supposed to be checks or contracts . . .”  
[https://www.onthetrailofdelusion.com/files/ugd/325b1c\\_b7d210533be645b1ae21f005ef6390f3.docx?dn=complete%20bethell%20billings%20diaries.docx](https://www.onthetrailofdelusion.com/files/ugd/325b1c_b7d210533be645b1ae21f005ef6390f3.docx?dn=complete%20bethell%20billings%20diaries.docx)  
 )

*Comment:* This study knows of no followup, verification, or further information concerning this March 1967 claim that the FBI had “documents signed by Clay Bertrand”.

The following 1967 tape recording was discovered by author Jeffrey Caufield in an archived papers collection and has received little notice. Caufield:

“The author [Caufield] uncovered a tape recording—among the personal papers of [pro-segregationist] Kent Courtney—of a private conversation Courtney had with Carlos Bringuier after Jim Garrison questioned Bringuier on February 17, 1967, before the district attorney’s case became public . . . [t]he two discussed the fight between Oswald and Bringuier [in Aug 1963], and how, afterward, Bringuier sought Courtney’s help in finding an attorney, but the

name of the suggested attorney was not audible on the tape. *Bringuier then stated that he had heard that Theodore Brent, Clay Shaw's predecessor as director of the International Trade Center—and also a homosexual—had left Shaw, upon his death, a \$100,000 legal defense fund to aid homosexuals with legal problems. Courtney stated that he had heard the same thing.*” (Caufield, *General Walker* [2015], 211, citing endnote, “Courtney Papers, Special Collections, Northwestern State University of Louisiana”)

However, Donald Carpenter, *Man of a Million Fragments*, 107, says Clay Shaw got only \$2,000 in the Brent will as a “friend”, not an unusual amount. Other friends of Brent received similarly in the Brent will. Brent left the bulk of his fortune to the Ochsner Medical Center. There is no record of a bequest for a distinct legal defense fund for gays in that will (according to Carpenter’s description). But Bringuier and Courtney in the 1967 conversation had heard there was such a fund. Either that was unfounded hearsay, or if there was such a fund, it was laundered through one of the stated bequests of Theodore Brent or outside the reported bequests altogether.

(Joan Mellen has written: “Years later [Banister investigator] Joseph Newbrough would talk about how when David Ferrie was arrested on one of his ‘crimes against nature’ charges, bail bondsman Hardy Davis had been *paid by the ‘Clement Bertrand Society’* [*Farewell to Justice*, 122]. But Mellen gives no document or source, without which a claim such as this, not known anywhere else, is worthless because it cannot be verified.)

*Conclusion:* Intriguing, possible. If there is anything to this story it could put in a different light Clay Shaw’s denials of use of “Clay Bertrand” as an alias for himself personally, which could technically be denied truthfully if he was administering a fund which made use of that name as a fictitious legal name associated with that fund. (The suggestion that the name “Clay Bertrand” could have originated from a combination of an anagram of the last name of Theodore Brent and the first name of Clay Shaw is from me.)

However, a problem remains if this were so. It would only work in explaining Dean Andrew’s uses of the name “Clay Bertrand” after Sun Mon 24, after Oswald was killed, and a choice had been made to frame Clay Shaw as an alternative to disclosing Marcello’s role in the hiring of Dean Andrews. What would still remain unexplained is why Dean Andrews would use the name “*Bertrand*” to Eva Springer on Nov 23, 1963.

There may be a solution to that question however from an unexpected direction.



***Was Dean Andrews’ “Bertrand” to Eva Springer the name of Secret Service Agent Lane Bertram of Houston?***

The final suggestion and, although short of certainty, believed by this study to make the best sense of the facts, is that the name told by Dean Andrews to Eva Springer originated in a mishearing of the last name of the Secret Service agent in charge of the Secret Service office in Houston, Lane Bertram.

In a website post of 2012 Vince Palamara noted a phonetic similarity between the two names and the existence of an unexplained Secret Service/Dean Andrews relationship, as a passing curiosity without offering any interpretation. Palamara:

“[W]hen New Orleans lawyer Dean Andrews (a man known to the Secret Service for his assistance in legal matters) testified to the Warren Commission that a ‘Clay Bertrand’ called him on 11/23/63 and asked him to defend Oswald (Andrews had previously seen Oswald in the summer of 1963 on various legal matters), no one realized that ‘Clay Bertrand’ was phonetically close to Lane Bertram. (Andrews interview with Fred Newcomb) (CD No. 75, page 305; 11 H 327; 26 H 704; 11 H 332 – 333; 26 H 357). In fact, the SAIC of the New Orleans office, J. Calvin Rice, stated that Andrews was ‘well known to this office!’ (CD No. 87) However, when the FBI attempted to find out who the man really was, they stated: ‘...locate any record identifiable with Clay Bertrand or Bertram!’ (26 H 356)...”

<https://vincepalamara.com/2012/04/09/lane-bertram-and-the-day-before-dallas/>

I tracked down Palamara’s citation. Fred Newcomb and Perry Adams, in their coauthored unpublished manuscript written in 1974, *Murder from Within*, only first published in 2011 by Newcomb’s son, originated the suggestion that Dean Andrews’ Clay Bertrand was Lane Bertram.

The reference was a *déjà vu* to me. For in the early months of 1977 I was living in Santa Barbara, California, and happened to read a feature article in a local weekly newspaper about a JFK assassination theory developed by what I thought at the time was a professor—actually he was staff—at the University of California at Santa Barbara, Perry Adams. I called Adams out of the phone book and Adams generously invited me over, and in his living room allowed me to read the manuscript, double-spaced on typed pages, which I did, read the whole thing in a couple of hours. Adams did other things until I finished reading, then talked with me about it. I had no expertise on the JFK assassination beyond the general public’s interest. One of my

questions toward the end was what Adams thought of the Garrison investigation in Louisiana. Adams responded negatively, saying that Garrison had gotten some things wrong and had hurt some innocent people. He did not elaborate and I did not ask a followup but that was his answer.

I soon moved away from Santa Barbara and had no further contact with Perry Adams. Now, as if in a Rip Van Winkle time-warp, over four decades later, here was this Lane Bertram = Clay Bertrand identification which I must have read in those pages long ago in Perry Adams' living room, come back to life. The Newcomb & Adams passage concerning "Clay Bertrand" follows their discussion of the role of Lane Bertram, Secret Service agent in charge of the Houston office, in having conveyed a report to the Texas Attorney General that Oswald had been an FBI informant, a report which had thrown the Warren Commission into turmoil. Then this:

*"[Houston Secret Service agent Lane] Bertram may also have tried to get an attorney to defend Oswald. The lawyer was Dean A. Andrews, Jr., of New Orleans, who had done some work for the Secret Service in the past. The agent in charge of the New Orleans field office noted Andrews was 'well known to this office' ... Andrews testified to the Commission Bertrand phoned on Nov. 23, 1963, and asked him to defend Oswald. Andrews' secretary confirmed Bertrand had hired him. The possibility exists that Secret Service agent Lane Bertram and Andrews' Clay Bertrand are the same person . . ."* (Newcomb & Adams, *Murder From Within* [2011], 230-31)

The allusion to Dean Andrews having "done some work for the Secret Service in the past" and "well known" to the New Orleans Secret Service goes to a footnote, "Interview with Dean A. Andrews, Jr.". Newcomb & Adams did a number of interviews, and I hope a tape or transcript of that Dean Andrews interview and others may survive somewhere. But it is not known available today to check to my knowledge.

Newcomb and Adams did not speculate on why a Secret Service agent in Houston would try to find a lawyer in New Orleans for Oswald in Dallas. But could it be Lane Bertram of Houston was an intermediary in a conveyance of a message from Marguerite Oswald in Dallas to attorney Sehrt in New Orleans, and Lane Bertram's name entered the picture that way?

A phone call from Marguerite Oswald or on Marguerite's behalf *from Dallas*, and then a further phone call from someone to Dean Andrews in New Orleans, happened according to Sam Zelden (also from Dallas according to what Prentiss Davis said



Andrews told him on Nov 24). Such a phone call would likely have originated from some place either in proximity to the Dallas Police station or else at the Executive Inn in Dallas, the two places in Dallas where Marguerite spent most of that Saturday, in both places under protective custody of the Secret Service.

But instead of imagining Marguerite looking for a phone and trying to locate and dial Clem Sehr in New Orleans on her own—and this on a Saturday when Sehr might not be at his office or easy to find—perhaps Marguerite, either before or after seeing Lee that day, might have asked a Secret Service person nearby for assistance, or a solicitous Secret Service person on his own offered to help Marguerite in the mechanics of placing the long-distance call.

The Secret Service agents tasked with ensuring the personal security of the Oswald women were the most personally supportive and considerate law enforcement persons to the Oswalds at that moment in time. Secret Service agents quietly intervened with the Dallas Police to allow Robert access to his brother in custody that afternoon. On Sunday and Monday, Nov 24 and 25, Secret Service agents assisted Robert Oswald through some stressful interactions in making funeral arrangements for Lee.

In the days following the assassination, the FBI in New Orleans tried hard to identify “Clay Bertrand” of Dean Andrews’ claim (<https://www.onthetrailofdelusion.com/post/the-search-for-clay-bertrand>). As part of that attempt, the FBI sought credit bureau information in New Orleans for Clay Bertrand or *Bertram* (<https://www.maryferrell.org/showDoc.html?docId=1142#relPageId=392>). That second name of that FBI inquiry is the curious point and red flag. Why “*Bertram*”? That was not the name Dean Andrews told the FBI, according to any written report. The “*Bertram*” alternative seems like it had to have been obtained by the FBI as an alternative possibility from one of its sources, whether Dean Andrews, Eva Springer, Prentiss Davis, or the Secret Service, one of those four. One among those suggested to the FBI that there was some uncertainty that the name necessarily was “Bertrand”, that the name might have been “Bertram”.

By Nov 25 (after Oswald was dead), Andrews seemed happy to have the FBI focus on the name “Clay *Bertrand*” which he had given them. But that early FBI credit bureau request may contain a hint or trace of some unknown source of early knowledge that the true original name could have been “*Bertram*” (such as Lane Bertram), not “Bertrand” at all. After Oswald was killed, Dean Andrews may have decided to go with Eva Springer’s mistake in hearing, and turned that which Eva

heard as “Bertrand” into a local New Orleans gay person named “Clay Bertrand”, perhaps knowing that would go to suspicion of Clay Shaw. That is, Eva Springer’s “Bertrand” was a mishearing of “*Bertram*”, Dean Andrews’ *earliest* original answer to Eva on Nov 23

(<https://www.maryferrell.org/showDoc.html?docId=1142#relPageId=392>). The *fictional gay figure “Clay Bertrand” of New Orleans* entered the picture secondarily from Dean Andrews on Mon Nov 25, after Oswald had been killed.

All that needs to be supposed is that some sympathetic Secret Service agent with the Oswald women in Dallas did one more deed in keeping with their pattern of small kindnesses: helped Marguerite make her desired phone contact to New Orleans. Perhaps an agent told Marguerite he would see what he could do to get a message from her through to her old friend Clem Sehart in New Orleans.

But although it was nothing more than an innocent attempt to help, it could be misinterpreted. Perhaps as a way of having a layer of deniability if asked, the hypothesized helpful Secret Service agent in Dallas did not call direct himself to New Orleans, but instead phoned a friendly Secret Service fellow agent in a different city, and asked if *he* would, as a favor, get a message through to Sehart in New Orleans on behalf of Marguerite, i.e. the head of the Houston Secret Service office, Lane Bertram.

Then, it might be imagined, Lane Bertram, calling from Houston, did so and succeeded in reaching attorney Sehart in New Orleans. Bertram would identify himself to Sehart and pass along the message from Marguerite Oswald who was in Dallas, that her son needed a lawyer, and that Marguerite wanted Sehart to contact her. Bertram would give a number for Marguerite in Dallas where Marguerite could be reached, while also giving his own (Lane Bertram’s) name and number in Houston too.

We might imagine attorney Sehart, perhaps caught be surprise, answering something along this line: he might express reservations why he doubts he will be able to do what Marguerite wants. But, he says, he will do some checking and see if he can find something to help Marguerite regarding representation for Lee, and will get back to Mr. Bertram. Sehart takes down Bertram’s name and phone number as well as Marguerite’s contact number in Dallas.

Then Sehart either himself or through his law partner checks in with Carlos Marcello, to see if there is anything they should know before proceeding, in light of Oswald’s family history with the Marcello crime organization. As brought out in the HSCA final report in 1979, not only did Marguerite in her younger years move among and date men in Marcello’s circle in New Orleans, and Lee as a child had grown up among

such circles, but Marguerite's brother-in-law, who was at the same time a beloved uncle and surrogate father-figure for Lee, Charles "Dutz" Murret of New Orleans, was a bookmaker directly employed in the Marcello crime organization under one of Marcello's underlings, Sam Saia.

That is, from Sehrt in New Orleans, the appeal from Marguerite would be brought to the attention of someone close to Marcello who would bring it to the attention of Marcello. After the first matter was settled, probably by Sehrt, that Sehrt himself was not going to defend Oswald, the call or contact was referred by decision of Marcello to Dean Andrews, and Dean Andrews was hired by Marcello to defend Oswald in Dallas. However the contacts worked exactly, either Sehrt or Marcello or a representative thereof contacted Dean Andrews and explained the situation, passing on the name and contact information of Marguerite Oswald in Dallas and Secret Service agent Lane Bertram in Houston, who had transmitted the message on Marguerite's behalf. In this scenario, all of this happens on Saturday Nov 23, one phone call following another, from Dallas to Houston to New Orleans.

Then, when Eva Springer asked Dean Andrews who had hired him, Andrews gave the last name of Lane Bertram. Eva misheard it as "Bertrand". That was followed by Oswald's death the next day, and then the next day, Mon Nov 25, Andrews decided to run with Eva's misheard form to the FBI. Andrews did not correct the error but let stand Eva's error in sound and spelling, filling it out to become a fictional gay figure set now in New Orleans, "Clay Bertrand".

No Secret Service agent revealed then or later in a written report or media interview a Secret Service role in conveying a phone message on behalf of Marguerite to New Orleans. But a lack of disclosure on the part of the Secret Service of a role of one or two of their own in a Marguerite contact with Sehrt in New Orleans would not be surprising in terms of agency self-interest. The Secret Service already was vulnerable to criticisms for having lost a president. There could be questions of propriety in the Secret Service assisting the Oswald family in obtaining legal counsel for Lee, even though, at the time, the phone call assistance was simply intended as a small act of kindness to a bereft family. If the story had later come out, the Secret Service might have responded by saying it had not been an approved action, though the agent meant no harm.

Now, consider this *odd*, incongruous mention of "*Houston*"—*the city of Lane Bertram*—by Dean Andrews when testifying of his hiring phone call to the Warren Commission.

Mr. ANDREWS. 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.

Everybody knew Oswald was in Dallas, not Houston. Where did “Houston” come from? Was that an unconscious slip of an actual routing of the phone call through Houston (Marguerite in Dallas through Lane Bertram of Houston to New Orleans), part of the *actual* contact information received by Dean Andrews? Was Dean Andrews’ “slip of the tongue” mention of “Houston” analogous to what in law is called an “excited utterance” in which truth can be spoken unintentionally?

*Conclusion:* This study believes the name of Secret Service agent Lane Bertram of Houston was the true origin of the name told by Dean Andrews to Eva Springer on Nov 23. “Bertrand” started out as Eva Springer mishearing the last name of Lane Bertram of Houston, who had forwarded Marguerite Oswald’s message that ended up with Dean Andrews.

*After* Oswald was killed and Dean Andrews was on the spot to account to the FBI for who had hired him, *to cover up the role of Carlos Marcello* Andrews took Eva Springer’s misheard “Bertrand” and ran with it, filling the name out into the gay fictitious figure “Clay Bertrand” of New Orleans which was misdirection to deflect from Marcello. Andrews knew that his “Clay Bertrand” would go to Clay Shaw, not as an alias used by Clay Shaw but as a fictitious legal name associated with a fund administered by Clay Shaw for legal expenses for gays in legal trouble in 1950’s/early 1960’s New Orleans.

Dean Andrews kept Garrison and all of New Orleans entertained and regaled with his “Clay Bertrand” story antics. Although it looked like Andrews got Clay Shaw and himself in a lot of trouble at the hands of Garrison, it served successfully to deflect attention from Marcello who had hired Andrews. The progression of the name in Dean Andrews’ discourse:

*Lane Bertram* (Nov 23, misheard: “Bertrand”) → Oswald death (Nov 24)

→ “*Clay Bertrand*” (Nov 25, fictitious figure invented by Andrews, deflection/framing of *Clay Shaw*)

Clay Shaw was set up by Marcello, Dean Andrews, and Garrison. Clay Shaw was an innocent “patsy” in a Garrison prosecution that was an intentional framing of Clay Shaw in the interests of deflection from Marcello.

### **Dean Andrews’ terror of Marcello in the background**

Dean Andrews, Jr. lived in lifelong fear of being killed by men around Marcello, according to his son, Dean Andrews III (see below). What accounts for the terror of Dean Andrews, Jr., that caused him to refuse to identify who had hired him that weekend to go to Dallas to defend Oswald? What caused Dean Andrews to perjure himself every which way rather than tell the truth on that simple matter?

It seems like overkill if attorneys Clem Sehrt or Dean Andrews were simply deciding whether to take a case or not. If that was all there was to it, that could easily have been explained as a simple attorney to attorney referral, responsive to an understandable request from Marguerite Oswald in Dallas. What would be the need for a big secret about that?

Obviously there was more to it than simple attorney referrals. The extraordinary lengths Andrews went to not disclose the identity, and trauma over it, becomes explained in that the never-named hirer of Andrews was none other than Marcello—Andrews had been hired by Marcello—whether by someone speaking with the authority of Marcello or Marcello himself. Following is a glimpse from the inside of the harrowing impact the case had on Dean Andrews, as told by his son, Dean Andrews III, revealed in interviews published in 2023 in *Pipe the Bimbo in Red* by William Law and William Jeffries. Here are some excerpts. Dean III:

“Carlos Marcello was the guy, the Dixie Mafia boss, who, you know, kept my father alive. I mean, they were friends, very good friends ... Marcello and my dad [knew] each other from the ’50s. My father was an architect of his defense that kept him in the country ... He [Dean Andrews] would make things go away, you know. I mean, back in those days, literally, working with Carlos, my father could get people out of prison ...”

*Comment:* The closeness of the relationship between Dean Andrews and Marcello was not previously appreciated.

“[I]n the mid-’70’s, he [Dean Andrews, Jr.] really was crazy ... totally paranoid. I mean ... he was so bad off that he wanted to, he didn’t want to be alone. My

mother went, he went everywhere with my mother, you know, so I knew he was messed up. He totally lost it ...

“He would give me articles and read this paragraph. He’d go through books and, you know, read that. You know, draw your own conclusions ... I mean, he was cryptic, so he never came out and said anything, basically. Other than, the big thing I remember was something about Clay Shaw and Clay Bertrand. He said, well, if you read the case, if you get the file on the grand jury, essentially what I got convicted for was describing Clay Shaw [*sic*] differently for three times in a row. Different descriptions, different ideas and everything. And he said I did it deliberately ...

*Comment: “did it deliberately”?? Andrews gave conflicting descriptions of “Clay Bertrand” deliberately? Why? Perhaps to keep suspicions going in directions other than Marcello, in the interests of Marcello. Dean III:*

“And before Garrison went public, he was talking, my father was talking on the phone and meetings, having meetings, you know, at his office. You know, personally, I think my father ... wanted to find out what kind of stuff he [Garrison] had. I mean, I think my father was part of a disinformation campaign, to tell you the truth ...

*Comment: Dean III thinks his father was “part of a disinformation campaign” related to the JFK assassination, and in contact with Garrison. Disinformation on behalf of whom? Well, the obvious: Marcello. Was Dean Andrews gaining information for Marcello, or conceivably feeding leads to Garrison Marcello wanted Garrison to have? (Leads in directions other than Marcello, it hardly needs to be said.) Dean III:*

“You know, my father spoke in riddles, you see ... You know, like trying to just protect me. And so, I don’t know. I mean, I just hope he, you know, I hope he, I don’t know, I hope he found some peace ... he just said that Garrison was having an investigation, and that he was talking to him about it because, you know, he knew some of the people that he was interested in. I don’t think anything of it. I thought, oh, God, I wonder if it’s Carlos Marcello, you know ...

*Comment: Dean III tells of wondering what some New Orleaners probably wondered at the time: was it possible Marcello was involved in the JFK assassination? With the way Robert Kennedy had had Marcello deported into the jungle in Guatemala, Marcello’s white-hot hatred for the Kennedys could hardly have been any secret. The*

sheer audacity of imagining a mobster pulling off a hit on a U.S. president and getting away with it, combined with no knowledge of actual evidence linking Marcello to it, might have deterred such questions from gaining more immediate traction. Still, for those dissatisfied that Oswald as a lone nut was a satisfactory explanation for the assassination, Marcello of New Orleans would be on the short list of suspects with a motive. Continuing with Dean III:

“They spent so much time alone together, you know. (*You mean him and Carlos Marcello?*) Yeah ... Yeah, I met Carlos. **My father was in the hospital and Carlos was in the hospital. And Carlos got there a couple of days, a day or two before my father left.** So we walked down the hall and I met the guy, and he’s real short. I mean, Carlos Marcello, I mean, he could [not] have been no more than 5’6”, you know. And he had a very gentle voice. He didn’t talk loud ... you know, he was pleasant. He said, ‘how you doing, boy? You making some grades?’ Blah, Blah, blah, you know ...”

*Comment:* Dean Andrews was in the Hotel Dieu Hospital from Wed Nov 20 to Fri Nov 29, 1963. If Dean III’s time reference is interpreted literally, ‘a day or two before my father left’, that would place Marcello’s visit ca Wed or Thu Nov 27-28. To my knowledge, this visit of Marcello to Dean Andrews at the Hotel Dieu has not previously been known. It is only known now because, as a child, Dean III happened to be there when it happened by accident.

Dean III repeatedly speaks of what Dean III believed was an attempt on his father’s life in the hospital by someone intentionally giving him an overdose in his medication, of what Dean III thought was “cocaine”, which Dean III says nearly killed his father. Dean III says his father told him it was an error on the part of the hospital, though Dean III was skeptical of that and says the hospital denied any error on their part. Was Andrews’ expected discharge from the hospital delayed due to the medication overdose which Dean III believed was an attempt on his father’s life? If so the sequence could be:

- *Wednesday (Nov 20, 1963).* Andrews admitted to the Hotel Dieu Hospital.
- *Friday (Nov 22).* President Kennedy assassinated in Dallas; arrest of Oswald.
- *Saturday (Nov 23).* Marguerite Oswald in Dallas reaches out to attorney Clem Sehrt in New Orleans, seeking a lawyer for her son. Marcello asks Andrews to go to Dallas to represent Oswald. Andrews prepares to do so, notifies his staff.
- *Sunday (Nov 24).* Andrews talks to prominent New Orleans criminal defense attorney Sam Zelden about joining the Oswald defense. But unexpected news

from Dallas intrudes: Oswald is shot to death that morning on national television.

- *Monday (Nov 25)*. Andrews contacts the FBI and Secret Service from his hospital bed, tells his fictitious “gay Clay Bertrand in New Orleans” story in lieu of saying Marcello hired him. Perhaps it was on this day that Andrews received the serious medication overdose that nearly killed him. Mistake? Foul play? But Andrews survives.
- *Wednesday or Thursday (Nov 26 or 27)*. Marcello visits Andrews in his hospital room, seen by Dean III.
- *Friday (Nov 29)*. Andrews discharged from the Hotel Dieu.
- *After*. Andrews’ communications and actions are in Marcello’s interests.

Returning to Dean Andrews III:

“And let’s see, so basically what I know about them is that before, one time we went to dinner at, what’s the name, Benicia’s. You know, it was owned by, you know, a made guy. I can’t remember his name ... And they had an upper tier, which was for private parties. And you know, on one table there was Carlos Marcello and two of his henchmen and my Dad. And then there was another table further away, all this top brass of the New Orleans Police Department, you know. And my father would have papers and envelopes, you know, in the newspaper. And, you know he’d go over there and talk for a while and come back ... And obviously there was some sort of payola going on. But I didn’t ask him any questions, you know ...”

*Comment:* Marcello and Dean Andrews had a history. Dean III thinks it included some good old-fashioned graft and corruption. Dean III:

“I said, Dad, he [Marcello] had such a weak handshake, and he talked so low. I could barely hear him. He says, ‘well, that’s a lesson in power, son. You know, when you’re that powerful, you don’t have to talk loud ... And if you’re going to talk to him, you got to talk to him on his terms, which is he speaks low’ ...

“And when he came down to testify, my father wasn’t going to testify to anything, because he almost killed him. And if it wasn’t for Carlos Marcello, he would have been killed. (*So you think Carlos protected your Dad?*) I do, I do. I don’t know anybody else who would have the juice. Since when do they try to kill somebody, and then they go, oh well, it didn’t work out, let’s forget about it. They go back and they do it ... the effect on him was bad ... Looking back on



it, I can tell he was under tremendous stress. As a child I just believed what he said. He says, well, this is going to blow over. Don't worry about it. But he had lots of stress on him looking back, and that's what brought him down. He couldn't shake the fact that he felt sooner or later that they were going to get him ... So you know, he took it to his grave ...”

*Comment:* Marcello, head of the mob, was protecting Andrews' life from a mob hit? (*Hub?*) What was the *quid pro quo* in that arrangement? Maybe Dean Andrews spinning the false leads he did in directions toward Clay Shaw or Eugene Davis, in directions other than toward Marcello? Did Dean Andrews in reflective moments know his life was preserved and would continue only so long as he continued to be useful to his friend Carlos Marcello? Imagine the fear, the looking over the shoulder the rest of his life, with the sinking awareness that he was expendable, his life continued at the goodwill of Marcello who had always been friendly to him but one never knows.  
Dean III:

“I mean, obviously, I mean, there were no heroes in this bunch ... They shot you up with enough cocaine to kill a horse, and somehow you survived. And, you know, the Mafia boss keeps you out of jail, keeps you out of being killed. It had to be somebody. Somebody put the kibosh on it and I think its Carlos, because I asked my Dad about it. I said, ‘Dad, how come you think they never came after you again?’ And he said, ‘Well, friends in high places, you know make sure it wasn't going to happen ...’ But, I don't know. To this day, I think he might have been killed [in 1981]. He was alone in the house, and they know how to cause strokes and heart attacks, and all of a sudden, boom, he's all alone in the house. Something happens ...”

*Comment:* Dean III wonders if his father's death in 1981 at age 58 was suspicious.  
Dean III:

“I think his stuff was because of figuring out a good defense for Carlos Marcello, he got hooked up with being a go-between, a field guy. As a result, he and Carlos became friends. My father saved him [Marcello] from getting deported, and they became friends rather than business associates ...

“All I know is as he got older, you know, the people kept on calling him and knocking on the door and eventually began to get spooked by it. In the back of his mind, he always thought, he just thought somebody was trying to kill him again ...

“It just destroyed him mentally. He held on for a long time, but it just. You know, he’s always waiting for somebody. You know, he thought these people, they could have, I don’t know. Were they trying to kill him? Were they trying to scare him? Were they just checking, gauging him? For whatever reason, he got it built up in his head ... He died in ’81 ... my father almost got killed, and so he wasn’t going to get involved in anything except disinformation, you know? ...

“[H]e wanted to be a judge, and it was feasible. You know, he would have been backed by certain individuals that you need to get elected, and under the table you had Marcello ... (*Did he remain friends with Marcello after this?*) Oh, yeah, absolutely. Up until he died, yeah. So ... wait a minute. No, my father died first. My father died in 1981, up until my father’s death ...”

*Comment:* Dean Andrews, Jr., died in 1981 at age 58. Carlos Marcello died in 1993 at age 83.

### ***The setup of Clay Shaw***

Andrews’ “Bertrand” originally was identified as a caller *from Dallas*. The notion that “Bertrand” was *local to New Orleans* and called Andrews *locally* is only first attested on Mon Nov 25 when Dean Andrews told the FBI and Secret Service that.

A day earlier, on Sunday Nov 24, just after Oswald was killed, Dean Andrews told Prentiss Davis that “Bertrand” was a caller from *Dallas*, according to Prentiss Davis.

“Prentiss Davis, a retired Army sergeant who worked for Andrews as an investigator, then testified about an incident which occurred Nov. 24, 1963, two days after the President was killed and the day Oswald was shot in Dallas by Jack Ruby. ‘I drove to the hospital in 1963 to see Andrews (where he was confined) and got there just after the television showed Oswald being shot. He (Andrews) told me we had just lost a client. **He said he had got a call from Dallas to represent Oswald,**’ Davis stated. Asked if Andrews said **the call came from Clay Bertrand,** Davis replied, ‘Yes.’”

<http://jfk.hood.edu/Collection/Weisberg%20Subject%20Index%20Files%20Original/A%20Disk/Andrews%20Dean%20Jr%20Trial/Item%2009.pdf>

Here Andrews tells Prentiss Davis the “Bertrand” call came from *Dallas*, the same as Zelden later said (the call came from Marguerite Oswald from Dallas). This could

reflect Lane *Bertram* of Houston making a call on behalf of Marguerite Oswald *from Dallas*.

And on Monday Nov 25, someone who had knowledge of the true name of Lane Bertram may have told the FBI that the correct true name might have been "*Bertram*", and so the FBI had the name "Bertram" checked as well as "Bertrand" with New Orleans credit agencies.

However, by that time the FBI was looking in the wrong place for "Bertrand" or "Bertram", in New Orleans, instead of in Dallas or en route from Dallas.

On Monday Nov 25, Andrews told the Secret Service, "he believed that Bertrand was a homosexual", on the basis of allegedly hearing a voice on one phone call! Andrews was not asked in that interview to explain how he deduced on the basis of one phone call that his caller was "a homosexual". But the homosexual detail is what set Garrison on to Clay Shaw. On that same day, Nov 25, Andrews told the FBI Clay Bertrand may have been with some gay Cubans Andrews said had earlier accompanied Oswald to his law office.

Maybe there was some kind of mechanism in which Clay Shaw, with access to a fund for legal defense of gays in trouble, had referred young men in legal trouble to Davis who sent them to Andrews. Davis might be only a middleman in giving street directions to Andrews' office, a cutout. Andrews refused to confirm Garrison's Clay Shaw conclusion but that may have been partly theater: Andrews, under duress of Marcello, had set up Clay Shaw. There was a framing of Clay Shaw, and Andrews had a role in it. Andrews would have known Clay Shaw was innocent, and in the end Andrews pulled away from and did his best to see Clay Shaw not actually convicted. From the picture given by his son, Dean Andrews, Jr. is perhaps best interpreted as a figure pulled in different directions by forces bigger than himself.

#### *Prentiss Davis*

If Dean Andrews was close to Marcello, it may be asked whether Andrews' right-hand aide and investigator, Prentiss Davis, was too. Prentiss Davis's presence in and out of Andrews' hospital room that weekend could be a mechanism for message conveyances. An example of Prentiss Davis involved in what can well be interpreted as a Marcello disinformation story, a fabricated lead intended to mislead investigators, could be this from an FBI report of March 23, 1967:

“Prentiss Davis ... New Orleans, Louisiana, advised that he received information from a source, which he did not disclose, that there was a conspiracy in Dallas, Texas, to assassinate President John Fitzgerald Kennedy. Davis advised that he did not believe that his source was the original source of the information. Davis advised that a man by the name of C.A. Lawson or C.A. Lewis was the ‘big fellow in the conspiracy.’ This individual was suppose[d] to be in the investment and securities business and also owned oil properties, and in 1963, the office number 304 in a new office building in Dallas, this individual’s office, was supposed to be located where he could see the Dallas Trade Mart Building. This individual is supposed to be described as being 55 years of age in 1963, approximately six feet tall, chunky build, clean shaving [*sic*], and slightly bald. Davis advised that the name Clay Bertrand, which was used when Dean Andrews was contacted and asked to defend Lee Harvey Oswald, was a non-existent name and, actually, C.A. Lawson or C.A. Lewis is the individual who called Andrews. Davis advised that the reason Andrews was contacted was because it was known that Andrews had defended Cuban refugees and was trusted by these refugees.” (FBI, 3/23/67, <http://www.maryferrell.org/showDoc.html?docId=139369#relPageId=222>)

*Comment:* No doubt this lead would have gone to some unfortunate person in Dallas if the FBI had pursued the lead (I can find no record of an FBI followup). But that person in Dallas, if found, would have had no more to do with the JFK assassination or hiring Andrews to defend Oswald than did Clay Shaw, which is to say, nothing. Like Clay Shaw, this story of Prentiss Davis appears to be a distraction, for purposes of deflection.

### **Marguerite Oswald may have been financially supported by the Marcello crime organization following the assassination**

A glimpse that Marguerite Oswald received financial support from New Orleans came to the attention of the FBI in 1989:

“Referenced New Orleans teletype advised that New Orleans City Councilman Joseph Giarruso had received a phone call from an unidentified phone caller providing a phone number in Sussex Country, England ... unidentified female caller related that she had worked for an unidentified attorney of Italian extraction *between 1966 and 1968*. The unidentified female caller claims to have *typed a letter which contained money and was addressed to the mother of Lee Harvey Oswald* ... subscriber to the above telephone number is listed as Mr. B.J. Millington. Police inquiry shows these premises are occupied by Bradley J and Deborah A.

Millington.” (4/17/89,  
<https://www.maryferrell.org/showDoc.html?docId=167361#relPageId=4>)

An FBI document of Feb 6, 1990, confirms that Deborah Millington from England said she had typed a letter in a lawyer’s office in the French Quarter of New Orleans sending money to Marguerite Oswald at some point between 1966 and 1968 (<https://www.maryferrell.org/showDoc.html?docId=167552#relPageId=3>).

Deborah Millington was never identified in New Orleans, most likely because “Millington” was her married name in England. Her maiden name, or former name by which she would have been known in New Orleans, is not known. Nor is there any known record that the FBI identified the lawyer described by Deborah Millington.

(That lawyer was not Mark Mancini discussed in the FBI documents. Mancini was a Washington, D.C.-based immigration attorney who never had an office in New Orleans and received his law degree and license to practice law in 1973, after the time of Deborah Millington’s experience in the French Quarter of New Orleans between 1966 and 1968.)

The identity of the Italian lawyer in the French Quarter who sent money to Marguerite Oswald in the mid-1960s remains unidentified and of interest. However, the FBI New Orleans office reported making a decision to not try to identify that lawyer (see the 2/6/90 document of the preceding link for the FBI’s explanation).

Deborah Millington’s brief work in a law office which included typing up a letter transmitting funds to Marguerite Oswald could be a glimpse of regular payments to Marguerite Oswald coming from the Marcello crime organization. Who else in New Orleans would set up regular payments to Marguerite Oswald? Deborah Millington happened by random accident to have done clerical work in sending out one of those payments.

This could explain why Marguerite Oswald did not talk publicly about her contacts with Clem Sehrt or other attorneys in New Orleans on the weekend of the assassination, before her son was killed. The explanation would be simple enough: Marguerite was asked not to talk about it. If Marguerite, otherwise poor and destitute, was receiving financial support in the form of regular checks from a New Orleans law office, she might comply with a request from the source of those checks asking that she not speak of her New Orleans contacts on the weekend of the assassination. Marguerite’s denial to the press that she had called or talked to attorney Sam Zelden

in New Orleans, even though Zelden said she had, could be part of her cooperation in such a financial arrangement.

The HSCA discussed a relationship between a Marcello hoodlum, Sam Termine of Waco, Texas, and Marguerite Oswald ca. 1970. A witness's description reads as if they were old flames meeting. Termine had been a personal chauffeur and bodyguard for Marcello in New Orleans in earlier years  
<https://www.maryferrell.org/showDoc.html?docId=955#relPageId=123>).

It may be that Marcello, after ordering a hit on Oswald by Ruby in Dallas, like an honorable mob boss saw to it that the innocent mother was taken care of in her old age. Marcello had his family values.

### **The Garrison investigation of the JFK assassination understood as a Marcello operation**

*Tom Bethell, June 1, 1967:* “Garrison has evidently come round to the point of view that the CIA engineered the assassination, with the help of certain Cuban exiles, Minutemen, right-wingers, with paramilitary types like Hall, Howard and Seymour thrown in. He is more or less vague about the whole thing ... What is much more unsettling, however, is that I cannot see any connection between what he was talking about and Clay Shaw. Shaw hardly figured in it at all. Somewhat edgily, I brought up the subject of Clay Shaw. Garrison said that he wasn't particularly interested in convicting Shaw, and that he had really only played a minor role in the assassination. Garrison said he would willingly drop the charges on Shaw, if Shaw would admit his involvement and tell Garrison who the really important people were. I'm afraid that this indicates that Garrison has nowhere near 'solved the case'. Later that evening I called Sylvia Meagher. I told her I had met Garrison—for only the second time—and continued to have a good impression of him. Sylvia was up in arms about Garrison, and told me so in no uncertain terms. She referred to Garrison as 'a charlatan'. The main thing that is bothering her is the 'code' which came out in the papers a few weeks ago. Sylvia dismisses the code as a transparent ploy by Garrison to implicate Clay Shaw with Lee Harvey Oswald using completely untenable methods.”

[https://www.onthetrailofdelusion.com/files/ugd/325b1c\\_b7d210533be645b1ae21f005ef6390f3.docx?dn=complete%20bethell%20billings%20diaries.docx](https://www.onthetrailofdelusion.com/files/ugd/325b1c_b7d210533be645b1ae21f005ef6390f3.docx?dn=complete%20bethell%20billings%20diaries.docx)

*Edward Epstein:* “In [Clay] Shaw's address book was a Dallas post office box number that partially—but only partially—matched a phone number in

Oswald's address book. When apprised of this coincidence, Garrison immediately announced to the press that now he had unambiguous evidence that linked Shaw to Oswald. He explained that not only did both men have the exact 'encoded' number in their address book but also he had decoded it, and it was Jack Ruby's unlisted phone number. But that stunning announcement turned out to be nonsense: The Dallas post office in Shaw's book not only existed, but also it had been assigned to the person who had left it with Shaw one year after both Oswald and Ruby were dead. What concerned me more than that Garrison had made a mistake was that, after learning that his accusation could not possibly be true, he nevertheless continued to repeat it in his press interviews ...” (Epstein, *The Assassination Chronicles* [1992], 15-16)

*David Scheim:* “[C]ritical review of the Kennedy case was put on hold in February 1967, following the dramatic announcement of New Orleans District Attorney Jim Garrison that he had uncovered an assassination conspiracy. In the wake of Garrison's sensational allegations, Congressional calls for a new investigation were soon forgotten. And thinking the D.A. had a genuine lead, many leading assassination probers rushed down to New Orleans to jump on his bandwagon ... Yet as Garrison's case unfolded, his specific accusations became increasingly outlandish and the thrust of his effort increasingly questionable. Especially bizarre was Garrison's prosecution of Clay Shaw ... as summarized by Walter Sheridan, a former aide to Robert Kennedy who investigated the New Orleans probe for NBC, Garrison's effort was 'an enormous fraud,' involving 'bribery and intimidation of witnesses.' The particulars were reported by *Newsweek*, the *New York Times*, *Look* magazine, the *Saturday Evening Post*, an NBC News special, and the book *Counterplot* by Edward J. Epstein ... Although Garrison made extravagant charges against an assortment of Cuban exiles, CIA agents, Minutemen, White Russians and Nazis, he conspicuously avoided any reference to one prime assassination suspect: the Mafia ... Garrison described Ruby as a 'CIA bagman' and an 'employee of the CIA.' But Garrison said nothing about Ruby's organized crime involvement. The cited testimony, in contrast, contains not one allusion to the CIA. Yet it is replete with references to the 'Mafia' and the 'syndicate' in connection with both Ruby's Cuban activities and his night club operations. Amazingly, Garrison also refrained from mentioning the close and portentous ties of his key suspect, David Ferrie, to Mafia boss Carlos Marcello. But such ties were of little concern to Garrison, who declared on national television that Marcello was a 'respectable businessman' and who stated that there was no organized crime in New Orleans ... From 1965 through 1969, Garrison won

just seven cases against Marcello gangsters. Yet he dismissed 84 such cases, including one charge of attempted murder, three of kidnapping and one of manslaughter. In 1971, Garrison was on the receiving end of an indictment--- on the federal charge of accepting \$50,000 a year in payoffs to protect illegal gambling. The tax evasion case against Garrison became ‘airtight,’ as evaluated by U.S. Attorney G. Gallinghouse, when six of Garrison’s codefendants turned state’s evidence against him. The jury was presented with first-hand testimony corroborated by IRS agents describing four \$1,000 bribes to Garrison and with actual tape recordings of the bribe transactions. But Garrison was acquitted ... Given Garrison’s coziness with the Marcello organization and his strange blindness toward Mob leads in his Kennedy assassination probe, it is reasonable to question his motive in pursuing it ...” (Schein, *Contract on America: The Mafia Murders of John and Robert Kennedy* [1983], 70-73)

*Fred Westenberger*, associate at the Wegmann law firm (defended Clay Shaw): “We knew that prior to becoming district attorney Garrison had worked for Marcello, and that he had done legal work for some of his illegitimate businesses ... In hindsight I can see that Garrison was probably still on Marcello’s payroll. But at the time I, along with many in New Orleans, saw Garrison as a kook with crazy ideas.” (quoted in Stefano Vaccara, *Carlos Marcello: The Man Behind the JFK Assassination* [2013], 179)

*Mob attorney Frank Ragano*: “Seated next to me at dinner [in New Orleans, January 1969] Garrison was exceptionally candid about his outlook on the trial and the international publicity he was getting because of his claim to have uncovered the conspiracy behind the murder of the president with the obscure Clay Shaw as a central figure in the plot. After downing several martinis, Garrison admitted that the evidence against Shaw was weak and it would take a miracle for the prosecution to prevail. ‘I’m hoping the jury will return a guilty verdict because of all the attention the case is receiving,’ he said ... Garrison’s recklessness and unconscionable misuse of his prosecutorial powers were frightening. In the midst of this showpiece, historical case with grave implications for the defendant and the entire nation, he was drinking the night away and unguardedly confessing to a near stranger that, in effect, he had no faith in a theory and prosecution he had developed. He treated the trial as if it were a sporting event ...” (Ragano, *Mob Lawyer* [1994], 245)

*Vincent Teresa*: “They’re all in deathly fear of Carlos Marcello because he’s got the law, all the politicians in the state, right in his hip pocket” (Teresa, *My Life in the Mafia* [1973], 357)



*John H. Davis:* “In June 1992 I was a guest on a live syndicated television special produced by George Paige Associates in Los Angeles entitled “The Kennedy Assassinations—Coincidence or Conspiracy?” which was principally concerned with the allegation of Frank Ragano that Hoffa, Trafficante, and Marcello had conspired to assassinate President Kennedy. Other guests on the show were Frank Ragano, Dan Moldea, author of *The Hoffa Wars*, Philip Melanson, author of books on Lee Harvey Oswald and the Robert Kennedy assassination case, James Spada, author of *Peter Lanford—The Man Who Kept the Secrets*, and Victor Marchetti, author *The CIA and the Cult of Intelligence*. When asked at the end of the two-hour show the guests were asked by the host what the ultimate purpose of the Garrison investigation was, the vote was unanimous: to protect Carlos Marcello from being named a suspect in the Kennedy assassination.” (Davis, *The Kennedy Contract* [1993], 186-87)

*(Postscript: In January 1979 the House Select Committee on Assassinations (HSCA) Final Report found that Carlos Marcello of New Orleans had “motive, means and opportunity to have President John F. Kennedy assassinated, though the Committee said it was unable to establish direct evidence of Marcello’s complicity”. In December 1985 Carlos Marcello was reported by an FBI informant to have confessed to having carried out the JFK assassination.*

*“On 12/15/85, Confidential Source DL 137A-5467 was in the company of Carlos Marcello and another inmate at FCI, Texarkana, Texas. Marcello discussed dislike for JFK and stated, ‘Yeah I had the son-of-a-bitch killed. I’m glad I did. I’m sorry I couldn’t have done it myself.’” [FBI, 1/28/92, <https://www.maryferrell.org/showDoc.html?docId=166501#relPageId=38>]*

*The FBI did not disclose this. The FBI documents concerning this reported confession of Marcello were first brought to public light thirty years later in the 2015 book, Hidden History of the JFK Assassination, by Lamar Waldron.)*

## **Conclusion**

To return to the beginning, the question was: “Who hired Dean Andrews in New Orleans to be legal counsel for Lee Harvey Oswald in Dallas?”

There need be no doubt that the hiring of Dean Andrews to go to Dallas to be Oswald’s legal defense originated in an appeal of Marguerite Oswald from Dallas on

Saturday, November 23, 1963, conveyed by intermediaries which included the involvement of Carlos Marcello.

Those who carried out the JFK assassination may have expected Oswald not to have survived the day of the assassination. With Oswald still alive and in custody as of Saturday Nov 23, Marcello in New Orleans asked his trusted friend and attorney, Dean Andrews, to go to Dallas to be Lee's lawyer, responsive to Marguerite's request—even as, unknown to Dean Andrews, another Marcello-related operative, loaded revolver in his pocket, was stalking Oswald at the Dallas Police station, looking for a way to get to Oswald to kill him.

After Oswald was killed in police custody on Sunday Nov 24, the planning of Dean Andrews in New Orleans to go to Dallas to defend Oswald required explanation. The Marcello/Andrews response was a framing of Clay Shaw. The purpose of the framing of Clay Shaw was deflection from Marcello. Clay Shaw became the center of attention of the press and the nation. Whether Garrison won or lost in court was secondary.

To review: it is known Marguerite Oswald on Saturday Nov 23, 1963 was planning to contact a lawyer on behalf of her son Lee. Dallas Police Chief Curry told the press that that morning. It is known whom Marguerite contacted: her childhood friend, now New Orleans attorney, Clem Sehrt, who had an association and contacts with the Marcello crime organization.

It is confirmed from someone knowledgeable of Sehrt that Sehrt said he had been contacted about representing Oswald the weekend of the assassination but had declined. It is confirmed that Sehrt dissembled to investigators when questioned about his contacts with Marguerite.

Whatever name Andrews told Eva Springer originally as to who hired him, or later the FBI or the FBI, Warren Commission, or the Garrison investigation, does not affect these facts: that the request to Andrews *originated from Dallas, from Marguerite Oswald* in Dallas; that it did not come to Dean Andrews from Marguerite personally but through intermediaries. The Marguerite origin of the request that ended up with Dean Andrews and Sam Zelden that weekend is confirmed by New Orleans defense attorney Sam Zelden and the family of Sam Zelden.

In light of the extraordinary importance and sensitivity of the crime with which Marguerite Oswald's son was accused, Carlos Marcello would have been briefed immediately as soon as there was awareness of Marguerite's contact with Sehrt. Marcello then had Dean Andrews prepare go to Dallas to defend Oswald.

At the same time Marcello in a soft voice or whisper expressed a preference that his name and those of his people not be involved. (Cue a Marlon Brando “Godfather” cinematic touch here.)

And it was done.

[END]