

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATION SECTION

FEB 28 1969

TELETYPE

Mr. Tolson	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

FBI WASH DC

FBI NEW ORLS

4-47 PM 2-28-69 URGENT DAO

TO DIRECTOR 62-109060 AND DALLAS 89-43

FROM NEW ORLEANS 89-69 4P

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS, NOVEMBER TWENTYTWO, NINETEEN SIXTYTHREE.
MISC. - INFO CONCERNING. OO:DALLAS.

THERE APPEARED IN THE RED FLASH EDITION OF THE FEBRUARY TWENTYEIGHT INSTANT ISSUE OF THE NEW ORLEANS STATES-ITEM NEWSPAPER AN ARTICLE SETTING FORTH INFO RE THE MORNING SESSION OF THE TRIAL OF CLAY L. SHAW HELD ON FEBRUARY TWENTYEIGHT INSTANT.

ACCORDING TO THIS ARTICLE, THE FIRST REBUTIAL WITNESS CALLED BY THE PROSECUTION WAS IDENTIFIED AS DR. JOHN M. NICHOLS OF KANSAS UNIVERSITY WHO IS THE SAME INDIVIDUAL WHO HAD TESTIFIED ON BEHALF OF THE PROSECUTION DURING THE PRESENTATION OF THEIR CASE.

DR. NICHOLS WAS CALLED TO REBUT TESTIMONY INTRODUCED BY THE DEFENSE TO SHOW THAT THE PRESIDENT WAS SHOT FROM THE BACK. HE TESTIFIED THAT IN HIS OPINION, THE BULLET WHICH STRUCK THE PRESIDENT IN THE BACK OF THE NECK COULD NOT HAVE

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T. M. Taylor
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PASSED THROUGH HIS BODY WITHOUT HITTING BONE UNLESS THE ANGLE OF THE SHOT WAS FROM THE SIDE.

NICHOLS ATTACKED ARMY PATHOLOGIST COL. PIERRE FINCK'S METHOD OF DETERMINING THE DIRECTION OF THE SHOT WHICH HIT KENNEDY'S HEAD SAYING WITH LARGE CALIBER BULLETS COL. FINCK'S EVIDENCE IS NOT CONCLUSIVE. HE TESTIFIED THAT HE DETERMINED FROM EXAMING THE ZAPRUDER FILM THAT GOVERNOR CONNALLY WAS SEATED ALMOST DIRECTLY IN FRONT OF THE PRESIDENT WHEN THE SHOTS WERE FIRED. IN HIS OPINION, FOR A SHOT FIRED FROM THE TEXAS SCHOOL BOOK DEPOSITORY AT THE ANGLE SPECIFIED BY THE WARREN COMMISSION TO HAVE HIT BOTH MEN, GOV. CONNALLY WOULD HAVE HAD TO BE SEATED AT LEAST EIGHTEEN INCHES TO THE PRESIDENT'S LEFT.

UPON CROSS-EXAMINATION BY THE DEFENSE, DR. NICHOLS STATED HE HAD NOT BEEN PERMITTED TO EXAMINE THE PRESIDENTIAL LIMOUSINE AND HE HAD NEVER EXAMINED THE REMAINS OF THE PRESIDENT NOR HAD HE EVER OBSERVED ANY X-RAYS OF THE BODY OR

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PHOTOGRAPHS OF THE AUTOPSY.

UPON BEING QUESTIONED BY THE DEFENSE, IF IT WAS NOT A FACT THAT NICHOLS WAS A STUDENT OF COL. FINCK, NICHOLS REPLIED THAT HE HAD ATTENDED THREE LECTURES WHICH HAD BEEN GIVEN BY COL. FINCK AND TO THAT EXTENT "I AM HIS PROTEGE." HE TESTIFIED THAT HE WENT TO WASHINGTON, D. C. TO TALK TO COL. FINCK ABOUT THE AUTOPSY BUT THAT COL. FINCK HAD REFUSED TO DISCUSS THE MATTER WITH HIM.

THE NEXT REBUTTAL WITNESS FOR THE PROSECUTION WAS IDENTIFIED AS PETER SCHUSTER, A PHOTOGRAPHER FOR THE ORLEANS PARISH CORONER'S OFFICE. SCHUSTER TESTIFIED ABOUT TWO MYSTERIOUS PHOTOS GIVEN HIM ON JANUARY TWENTY, NINETEEN SIXTYNINE, BY THE DISTRICT ATTORNEY'S OFFICE TO EXAMINE. THERE WAS NO TESTIMONY TO INDICATE WHERE OR WHEN THESE PHOTOS WERE TAKEN BUT ACCORDING TO THE PROSECUTION, THESE PHOTOS WERE INTENDED TO REBUT TESTIMONY THAT KENNEDY WAS SHOT FROM BEHIND. ALL DURING THE TESTIMONY OF SCHUSTER, NUMEROUS

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OBJECTIONS WERE RAISED BY THE DEFENSE WHICH WERE OVERRULED AND THE DEFENSE TOOK BILLS OF EXCEPTION.

SCHUSTER TESTIFIED THAT AFTER HE HAD ENLARGED ONE OF THE PHOTOS HE OBSERVED AN OBJECT IN THE RIGHT TOP CORNER WHICH IN HIS OPINION WAS A MAN WHO APPEARED TO BE HOLDING SOMETHING.

UPON CROSS-EXAMINATION BY THE DEFENSE, SCHUSTER TESTIFIED HE COULD NOT BE SURE WHAT THE MAN WAS HOLDING.

THE COURT THEN ALLOWED THE PHOTOS TO BE ADMITTED INTO EVIDENCE AND BE EXAMINED BY THE JURY.

ACCORDING TO THIS ARTICLE, THERE WERE NO OTHER RESUTTAL WITNESSES PRESENTED BY THE PROSECUTION AND THE DEFENSE THEN MOVED FOR A DIRECTED VERDICT BUT IT WAS DENIED.

JUDGE HAGGERTY THEN MADE THE ANNOUNCEMENT THAT HE WOULD HEAR CLOSING ARGUMENTS ON THE MORNING OF MARCH ONE, NEXT AND COURT WAS RECESSED FOR THE DAY.

NO LHM BEING SUBMITTED.

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