

U. S. DEPARTMENT OF JUSTICE
COMMUNICATION SECTION

FEB 17 1969

TELETYPE

REC 13

1,3,6

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

7:33PM - URGENT 2/17/69 JDM

TO; DIRECTOR 62-109060 AND DALLAS 89-43
FROM NEW ORLEANS 89-69 9PAGES

Brady

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS, NOVEMBER TWENTYTWO, NINETEEN SIXTYTHREE.

MISC. - INFO - CONCERNING. OO: DALLAS.

ACCORDING TO AN ARTICLE APPEARING IN THE FEBRUARY SEVENTEEN INSTANT ISSUE OF THE RED FLASH EDITION OF THE NEW ORLEANS STATES-ITEM NEWSPAPER, THE MORNING SESSION OF THE CLAY L. SHAW TRIAL COMMENCED ON FEBRUARY SEVENTEEN INSTANT, WITH THE PROSECUTION CALLING AS ITS FIRST WITNESS WILLIAM E. NEWMAN, JR., A DALLAS, TEXAS, ELECTRICAL CONTRACTOR.

ACCORDING TO THIS ARTICLE, AS NEWMAN TOOK THE STAND, THE DEFENSE MADE ITS USUAL OBJECTION THAT THE TESTIMONY ABOUT EVENTS IN DEALEY PLAZA WERE IRRELEVANT TO THE SHAW TRIAL; HOWEVER, THE OBJECTIONS OF THE DEFENSE WERE OVERRULED.

REC 13 62-109060-6760

THE QUESTIONING OF NEWMAN WAS CONDUCTED BY DA JIM GARRISON. NEWMAN TESTIFIED THAT ON NOVEMBER TWENTYTWO, NINETEEN SIXTYTHREE, HE WAS IN DEALEY PLAZA WITH HIS FAMILY TO WATCH THE PRESIDENTIAL MOTORCADE. HE TESTIFIED HE WAS STANDING ABOUT HALF WAY BETWEEN HOUSON STREET AND THE TRIPLE
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*Memo to W.C. Sullivan
TNG:rsz 2/19/69*

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OVERPASS WITH HIS BACK TO THE GRASSY KNOLL AND TO THE RIGHT OF THE MOTORCADE. HE TESTIFIED HE HEARD THREE SHOTS WHICH SOUNDED AS IF THESE SHOTS CAME FROM DIRECTLY BEHIND HIM.

HE TESTIFIED THAT AFTER THE FIRST TWO SHOTS HE OBSERVED THE PRESIDENT THROW HIS HANDS UP IN FRONT OF HIM AND ALSO OBSERVED GOV. CONNALLY PLACE HIS HANDS IN THE AREA OF CONNALLY'S STOMACH. HE SAW BLOOD ON THE GOVERNOR'S SUIT.

HE TESTIFIED THAT AFTER THE PRESIDENT WAS HIT BY THE THIRD SHOT, HE SAW THE PRESIDENT'S RIGHT EAR FLY OFF HIS HEAD, AND THEREAFTER THE PRESIDENT STIFFENED AND FELL IN HIS WIFE'S LAP. HE TESTIFIED THAT HE HAD GIVEN STATEMENTS AS TO WHAT HE SAW TO THE FBI AND THE SHERIFF'S OFFICE BUT WAS NOT INTERVIEWED BY THE WARREN COMMISSION.

UNDER CROSS-EXAMINATION, NEWMAN TESTIFIED HE BELIEVED THE PRESIDENT HAD TURNED HIS HEAD HALF WAY TO THE RIGHT AS IF LOOKING AT THE CROWD WHEN THE FATAL SHOT HIT HIM. UPON QUESTIONING, NEWMAN CONCEDED IT WOULD BE UNLIKELY THAT A BULLET FIRED FROM SOME PARTS OF THE GRASSY KNOLL AREA COULD HAVE HIT

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THE PRESIDENT NEAR HIS RIGHT EAR.

THE PROSECUTION THEN CALLED TO THE STAND REGIS L. KENNEDY WHO WAS ACCOMPANIED INTO THE COURTROOM BY ASSISTANT USA HARRY CONNICK. KENNEDY TESTIFIED THAT HE WAS A RETIRED FBI AGENT AND THAT IN NOVEMBER, NINETEEN SIXTYTHREE HE WAS EMPLOYED BY THE FBI IN NEW ORLEANS. Lo.

ACCORDING TO THIS ARTICLE, KENNEDY TESTIFIED THAT ON NOVEMBER TWENTYFIVE, NINETEEN SIXTYTHREE, HE HAD RECEIVED A TELEPHONE CALL FROM DEAN ANDREWS WHO WAS AT THAT TIME A PATIENT AT THE HOTEL DIEU HOSPITAL IN NEW ORLEANS. KENNEDY TESTIFIED THAT HE WENT TO THE HOSPITAL TO INTERVIEW ANDREWS AND AS A RESULT HE SUBSEQUENTLY ATTEMPTED TO LOCATE AN INDIVIDUAL NAMED CLAY BERTRAND. KENNEDY TESTIFIED THAT THE AREAS ENCOMPASSED IN ATTEMPTS TO LOCATE BERTRAND WERE A CHECK OF THE POLICE DEPARTMENT FILES, THE CITY DIRECTORY, TELEPHONE LISTINGS, TALKING TO VARIOUS PEOPLE WHO HAVE A WORKING KNOWLEDGE OF THE FRENCH QUARTER, AS WELL AS REVIEWING PRACTICALLY EVERY PIECE OF PAPER THAT ANDREWS HAD IN HIS OFFICE

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WITH ANDREWS' ASSISTANCE.

THE PROSECUTION THEN ASKED KENNEDY IF PRIOR TO HIS INTERVIEW HE WAS PERSONALLY ENGAGED IN INVESTIGATING THE ASSASSINATION OF PRESIDENT KENNEDY.

KENNEDY ANSWERED THAT TO ANSWER THIS QUESTION WOULD GO BEYOND HIS AUTHORITY TO SAY UNDER PRIVILEGE OF THE ATTORNEY GENERAL LETTING HIM APPEAR.

KENNEDY STATED THAT BEFORE HE COULD ANSWER THE QUESTION HE WOULD HAVE TO CONFER WITH THE ASSISTANT U. S. ATTORNEY. KENNEDY AND CONNICK ^u THEN LEFT THE COURTROOM AND CONFERRED IN THE JUDGE'S CHAMBERS AND WHEN KENNEDY RETURNED TO THE COURTROOM, KENNEDY STATED HE HAD BEEN DIRECTED TO SAY THAT TO ANSWER THE QUESTION WOULD GO BEYOND THE PRIVILEGE UNDER WHICH HE WAS APPEARING. KENNEDY STATED THAT BEFORE HE COULD ANSWER, THE ATTORNEY GENERAL WOULD HAVE TO GIVE PERMISSION FOR HIM TO ANSWER THE QUESTION.

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THE PROSECUTION STATED THAT THEY WERE ATTEMPTING TO DETERMINE WHETHER OR NOT KENNEDY WAS ENGAGED IN THE INVESTIGATION OF THE ASSASSINATION BETWEEN NOVEMBER TWENTYTWO, NINETEEN SIXTYTHREE AND NOVEMBER TWENTYFIVE, NINETEEN SIXTYTHREE AND WHETHER OR NOT THE SEARCH FOR CLAY BERTRAND WAS PART OF THE GENERAL INVESTIGATION. PROSECUTION STATED THAT KENNEDY HAD TESTIFIED PREVIOUSLY IN ANOTHER CASE AND DID RESPOND AT THAT TIME TO THE SAME QUESTION OR ONE SIMILARLY PHRASED.

AUSA CONNICK TOLD THE COURT THAT KENNEDY HAD THE AUTHORITY TO TESTIFY AS TO HIS INTERVIEW WITH DEAN ANDREWS BUT HAD NO AUTHORITY TO ANSWER OTHER QUESTIONS. CONNICK TOLD THE COURT THAT HE WOULD BE GLAD TO CONTACT THE ATTORNEY GENERAL TO DETERMINE WHETHER KENNEDY COULD ANSWER OTHER SPECIFIC QUESTIONS.

THE COURT THEN ORDERED A RECESS DURING WHICH TIME CONNICK CONFERRED WITH KENNEDY.

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WHEN COURT WAS RECONVENED, THE PROSECUTION INDICATED THAT THEY HAD TWO WRITTEN QUESTIONS TO ASK KENNEDY THAT HAD BEEN CLEARED BY THE ATTORNEY GENERAL.

KENNEDY THEN TESTIFIED THAT PRIOR TO HIS INTERVIEW WITH DEAN ANDREWS, HE WAS ENGAGED IN THE INVESTIGATION OF THE ASSASSINATION AND THAT SUBSEQUENT TO THE INTERVIEW WAS ATTEMPTING TO LOCATE CLAY BERTRAND.

UPON CROSS-EXAMINATION BY THE DEFENSE, KENNEDY TESTIFIED THAT HE WAS NOT ABLE TO LOCATE CLAY BERTRAND.

THE PROSECUTION THEN CALLED AS ITS NEXT WITNESS HERBERT ORTH, IDENTIFIED AS THE DEPUTY PHOTOGRAPHIC LABORATORY CHIEF FOR LIFE MAGAZINE. ORTH TESTIFIED THAT COLOR SLIDES AND BLACK AND WHITE PRINTS WERE MADE FROM THE ORIGINAL ZAPRUDER FILM. ORTH TESTIFIED THAT THE BLACK AND WHITE PRINTS WERE MADE MANY YEARS AGO FOR EDITORIAL PURPOSES; HOWEVER, THE COLOR SLIDES WERE MADE RECENTLY AND THAT HE HAD TWENTYONE OF THESE COLOR PICTURES WITH HIM. HE TESTIFIED THESE COLOR SLIDES WERE MADE FROM FRAMES TWO HUNDRED TO FRAMES THREE

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La

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HUNDRED TWENTY.

THE COLOR SLIDES WERE THEN PRESENTED TO THE DEFENSE FOR EXAMINATION. UPON QUESTIONING BY THE DEFENSE, ORTH STATED SEVEN PEOPLE WERE INVOLVED IN PROCESSING THE SLIDES; HOWEVER, ALL OF THEM WERE MADE UNDER HIS SUPERVISION.

THE COURT THEN RECESSED FOR LUNCH.

AUSA HARRY CONNICK, EDLA, WHO ACCOMPANIED FORMER SA KENNEDY TO COURT TELEPHONICALLY ADVISED TODAY THAT KENNEDY HAD TESTIFIED IN COMPLIANCE WITH THE INSTRUCTIONS OF THE ATTORNEY GENERAL. DURING HIS TESTIMONY, KENNEDY WAS ASKED BY DISTRICT ATTORNEY JIM GARRISON THE QUESTION "PRIOR TO YOUR INTERVIEW WITH DEAN ANDREWS WERE YOU ENGAGED IN THE INVESTIGATION OF THE ASSASSINATION OF PRESIDENT KENNEDY?" FORMER SA REGIS KENNEDY DECLINE TO ANSWER THIS QUESTION FOR THE REASON THAT IT WAS NOT WITH IN THE SCOPE OF THE TESTIMONY AUTHORIZED BY THE ATTORNEY GENERAL OF THE U. S.

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AUSA CONNICK ADVISED THAT THE HEARING WAS HALTED AND THAT ATTORNEYS FOR THE DEFENSE, THE STATE AND AUSA CONNICK RETIRED TO THE CHAMBERS OF JUDGE HAGGERTY WHERE THREE QUESTIONS WERE PROPOUNDED, TWO BY THE STATE AND ONE BY THE DEFENSE WHICH IT WAS DESIRED THAT FORMER SA KENNEDY ANSWER. CONNICK ADVISED THAT THE QUESTIONS FURNISHED BY ASSISTANT DA JIM ALCOCK WERE ONE. "PRIOR TO YOUR INTERVIEW WITH DEAN ANDREWS WERE YOU ENGAGED IN THE INVESTIGATION OF THE ASSASSINATION OF PRESIDENT KENNEDY?" TWO. "WERE YOU SEEKING CLAY BERTRAND IN CONNECTION WITH YOUR OVERALL INVESTIGATION INTO THE ASSASSINATION OF PRESIDENT KENNEDY?" AND THE DEFENSE QUESTION "HAVE YOU IDENTIFIED CLAY BERTRAND AS A RESULT OF YOUR INVESTIGATION INTO THE ASSASSINATION OF PRESIDENT KENNEDY?" CONNICK ADVISED HE TELEPHONICALLY CONTACTED THE DEPARTMENT IN WASHINGTON AND OBTAINED CLEARANCE FOR FORMER SA KENNEDY TO ANSWER ABOVE THREE QUESTIONS. CONNICK ADVISED THAT KENNEDY AGAIN PLACED ON THE STAND AND ANSWERED THE TWO STATE QUESTIONS "YES" AND THE DEFENSE QUESTION "NO". CONNICK ADVISED THAT THIS

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TERMINATED KENNEDY'S TESTIMONY .

NO SESSIONS OF THE TRIAL ARE SCHEDULED FOR FEBRUARY
EIGHTEEN NEXT AS IT IS MARDI GRAS DAY IN NEW ORLEANS,
AND THE TRIAL WILL RECONVENE ON FEBRUARY NINETEEN NEXT.

-- NO LHM BEING SUBMITTED.

END

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