FBI WASH DC

FEB 25 196

TELETYPE

REC 27

FBI NEW ORLS

8:35PM URGENT 2/24/69 OLP 5PGS

TO DIRECTOR (62-109060) AND DALLAS (89-43)

FROM NEW ORLEANS (89-69)

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

ACCORDING TO THE FEBRUARY TWENTYSIX INSTANT ISSUE OF THE NEW ORLEANS STATES-ITEM NEWSPAPER, THE MORNING SESSION OF THE CLAY L. SHAW TRIAL FOR FEBRUARY TWENTYSIX INSTANT BEGAN WITH THE DEFENSE CALLING AS A WITNESS CHARLES A. APPELL, JR., A RETIRED FBI GRAPHOLOGIST OF WASHINGTON, D.C.

APPELL TESTIFIED THAT HE HAD EXAMINED THE SIGNATURE OF CLAY BERTRAND ON A GUEST REGISTER AT THE EASTERN AIRLINES LOUNGE AT NEW ORLEANS INTERNATIONAL AIRPORT WHICH HAD BEEN INTRODUCED INTO EVIDENCE BY THE PROSECUTION, AND HAD CONCLUDED THAT THE BERTRAND SIGNATURE WAS NOT WRITTEN BY CLAY L. SHAW. HE TESTIFIED THAT THE ENTRY ON THE REGISTER WAS MADE BY SOME OTHER PERSON ENTIRELY. HE TESTIFIED THAT HE HAD COMPARED THE KNOWN HANDWRITING AND SIGNATURES OF SHAW TO THE WRITING APPEARING ON THE REGISTERAND HAD FORMED THESE CONCLUSIONS.

END PAGE ONE

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UPON CROSS-EXAMINATION BY THE PROSECUTION, APPELL TESTIFIED HE RECEIVES A GOVERNMENT PENSION BUT HAD DONE NO WORK FOR THE FBI SINCE HIS RETIREMENT IN NINETEEN FORTYEIGHT. HE TESTIFIED HE MADE HIS COMPARISONS FROM PHOTOGRAPS MADE THAT IT WAS NOT NECESSARY AT ALL TO MAKE COMPARISONS FROM ORIGINAL SIGNATURES. HE TESTIFIED THAT HIS EXAMINATION AND COMPARISON OF THE HANDWRITINGS HAD TAKEN ABOUT TWO HOURS.

UPON REDIRECT EXAMINATION BY THE DEFENSE, APPELL TESTIFIED HE WAS PARTICIPATING IN THIS TRIAL WITHOUT COMPENSATION BECAUSE HE FELT IT "A CIVIC DUTY." HE TESTIFIED THAT AS A RULE, HE DOES NOTWORK FOR DEFENDANTS BECAUSE "I DONOT LIKE TO BREAK DOWN LAW ENFORCEMENT" BUT HE DID IN THIS CASE BECAUSE HE WANTED TO SEE JUSTICE DONE.

UPON RECROSS-EXAMINATION BY THE PROSECUTION, APPELL TESTIFIED THAT HE NORMALLY WAS PAID TWO HUNDRED AND FIFTY DOLLARS A DAY AND HAD BEEN ASKED BY LLOYD J. COBB, PRESIDENT OF THE INTERNATIONAL TRADE MART, NEW ORLEANS, ON FEBRUARY FOURTEEN, NINETEEN SIXTYNINE, TO CONDUCT THE EXAMINATIONS.
END PAGE TWO

HE TESTIFEID THAT HE KNEW NOTHING ABOUT THE CASE AND HAD NOT FORMED ANY OPINIONS.

THE NEXT DEFENSE WITNESS WAS IDENTIFIED AS JEFFERSON BIDDISON OF NEW ORLEANS WHO TESTIFIED HE IS A LONG-TIME FRIEND OF SHAW ADN TO HIS KNOWLEDGE, SHAW NEVER USED THE NAME BERTRAND OR ANY OTHER ALIAS. HE TESTIFIED HE NEVER HEARD SHAW MENTION THE NAMES OF LEE HARVEY OSWALD AND DAVID FERRIE AND UPON BEIGN SHOWN PHOTOGRAPS OF OSWALD AND

FERRIE, HE TESTIFIED THAT DURING THE SUMMER OF NINETEEN SIXTYSIX, HE RECEIVED SHAW'S MAIL AT HIS ADDRESS WHILE SHAW WAS ON ATRIP TO EUROPE, AND NONE OF THE MAIL RECEIVED WAS EVER ADDRESSED TO CLEM OR CLAY BERTRAND.

UPON CROSS- EXAMINATION BY THE PROSECUTION, HE TESTIFIED HE SLEDOM SAW SHAW DURING NINETEEN SIXTYTHREE BU, THAT IN NINETEEN SIXTYSIX WHEN HE RECEIVED SHAW'S MAIL THERE WERE "TONS OF IT."

END PAGE TRHEE

THE NEXT DEFENSE WITNESS WAS IDENTIFIED AS JAMES R. PHELAN, A FREE-LANCE WRITER FROM LONG BEACH, CALIFORNIA, WHO TESTIFIED ABOUT DISCREPANCIES IN A MEMORANUM WRITTEN BY ASSISTANT DA ANDREW J. SCIAMBRA ABOUT SCIAMBRA'S INTERVIEW WITH RUSSO AND AN INTERVIEW WITH RUSSO CONDUCTED BY PHELAN.

PHELAN TESTIFIED THAT HE CAME TO NEW ORLEANS IN FEBRUARY, NINETEEN, ON ANSIXTYSEVEN, ON AN ASSIGNMENT OF THE SATURDAY EVENING POST MAGAZINE TO INTERVIEW DA GARRISON. HE TESTIFIED HE TALKED TO GARRISON IN GARRISON'C OFFICE AND LATER AT GARRISON'S RESIDENCE AND FOUR OR FIVE DAYS LATER, IN LAS VEGAS, NEVADA.

HE TESTIFIED GARRISON WAS REGISTERED AT A LAS VEGAS HOTEL UNDER AN ASSUMED NAME AND DURING THIS OCCASION, GARRISON GAVE HIM SOME MATERIAL WHICH INCLUDED THE SCIAMBRA MEMO ON HIS INTERVIEW WITH RUSSO.

PHELAN TESTIFIED THAT AFTER RUSSO'S TESTIMONY AT THE MARCH, NINETEEN SIXTYSEVEN, PRELIMINARY HEARING FOR SHAW,

HE CALLED GARRISON AND TOLD GARRISON HE WAS DISTRUBED BY RUSSO'S TESTIMONY. HE TESTIFIED HE POINTED OUT THE WIDE DISCREPANCY BETWEEN WHAT RUSSO HAD SAID IN THE SCIAMBRA MEMO AND WHAT RUSSO HAD SAID ON THE STAND.

HE TESTIFIED THAT SUBSEQUENTLY, HE TOLD SCIAMBRA THAT IN SCIAMBRA'S REPORT OF HIS INTERVIEW WITH RUSSO, THERE WAS NO INFO ABOUT AN ASSASSINATION PLOT, AND THAT THE MEMO NEVER SAID SHAW KNEW OSWALD OR THAT RUSSO KNEW SHAW OR THAT RUSSO KNEW SHAW BY THE NAME OF CLAY OR CLEM BERTRAND. THIS ARTICLE REVEALS THAT MANY TIMES DURING PHELAN'S TESTIMONY THE PROSECUTION OBJECTED BUT ON SEVERAL OCCASIONS WERE OVERRULED BY JUDGE HAGGERTY.

THE COURT WAS THEN RECESSED FOR LUNCH.

NO LHM BEING SUBMITTED.

END

SLB

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