

Hoover Inheritance Figures in Lawsuit

Signature on Tolson Deed Doubted

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The associate director of the FBI, Nicholas P. Callahan, has testified in a legal dispute over the estate of J. Edgar Hoover's close friend and heir, Clyde A. Tolson, that Tolson's signature on a document giving control of his finances to a former FBI official is probably not authentic.

Callahan, the FBI's current No. 2 man, also admitted under oath that he signed as a witness to Tolson's signature on the document — which gave power of attorney for Tolson's finances to John P. Mohr, the former No. 3 man at the FBI — even though he did not actually see Tolson sign the document.

In a deposition he has given in litigation over Tolson's estate, which includes Tolson's \$600,000 inheritance from Hoover, Callahan testified that he was requested to sign the document as a witness to Tolson's purported signature by either Mohr or Dorothy S. Skillman, who was Tolson's secretary.

Callahan acknowledged in the deposition that he signed the document

as a witness even though he did not see Tolson sign it, and in addition, doubted that Tolson had signed it at all.

"I doubt that it is his (Tolson's) signature, but, however, it is similar to signatures of his in the past," Callahan testified. By May 22, 1972, when the power of attorney document was purportedly executed, Tolson's signature had changed as the result of a stroke he had suffered, Callahan explained in the desposition he made Dec. 11, 1975.

"I didn't give it that deliberate thought at the moment inasmuch as, as I say, this was on a power of attorney which it had been indicated he (Tolson) had wanted produced," Callahan said in the deposition. "And having been familiar with Mr. Tolson's signatures in the past, whether or not it was his at the time or not, it was so close I felt that it complied with his wishes."

Callahan testified that he believes either Mohr or Skillman indicated Tolson wanted the document executed. He said that he does not recall discussing it with Tolson.

Hoover left his estate of nearly \$600,000 in cash, real estate and investments to Tolson, who had been Hoover's top aide at the FBI and his nearly inseparable companion outside the office.

Tolson, in his will, disinherited his older brother, Hillory A. Tolson, and his family from what was left of his and Hoover's money after payment of estate taxes.

Tolson named Mohr as the executor of his estate of approximately \$540,000, which was divided in Tolson's will among many former FBI and personal aides and philanthropic organizations. Tolson also left Mohr \$26,000 for himself and \$1,500 for Mohr's daughter, Mrs. Joseph Henry Scott Jr.

Executors of estates normally collect a sizable fee, but the fee in the case of Tolson's estate is now entangled in the legal dispute begun when Hillory Tolson contested his brother's will.

Hillory Tolson's attorney, Rolland G. Lamensdorf, has been attempting to show in pretrial depositions that Clyde

See SIGNATURE, A6, Col. 1



CLYDE A. TOLSON
...estate in dispute



JOHN P. MOHR
...was left \$26,000

SIGNATURE, From A1

Tolson was incompetent at the time he created his will and the power of attorney document and that Mohr exercised substantial influence over his actions.

The power of attorney provided Mohr with authority to handle Tolson's banking and other financial affairs during the rest of Tolson's life. Upon Tolson's death, Mohr

assumed full control of Tolson's holdings as executor of the estate. When Tolson's brother Hillory challenged Tolson's will, the court appointed an outside "collector" to oversee the estate while it was in dispute.

According to FBI spokesman Tom Call, FBI Director Clarence Kelley considers "this is strictly a private matter; has nothing to do with Mr. Callahan's official duties; is still in litigation at this time, and any comment would be inappropriate."

James B. Adams, the current No. 3 man at the FBI, also witnessed the power of attorney document. Adams has appeared recently as the FBI's representative before several congressional committees on allegations of FBI misconduct and abusive practices.

Louise D. Walter, an FBI employee who notarized the

power of attorney document, said in an interview that she never actually saw Tolson sign the document. She said that she had been told by someone in the FBI that "Mr. Tolson would like you to notarize this." She said that she was familiar with Mr. Tolson's signature and went ahead and notarized it although she had not seen it signed.

Mohr, Callahan, Adams and Skillman have all declined to comment on the controversy.

"That whole matter is before the courts," Mohr said. "It would be wholly improper for me to discuss it."

Mohr referred a reporter to attorney Robert Elliot, who also declined comment.

Mohr, Callahan, and Adams worked closely together in FBI headquarters here during Hoover's years as director.

Tolson, Hoover's closest friend, exercised nearly total control over bureau operations. He was considered the only bureau official who could speak on behalf of Hoover.

Mohr served for 32 years in the FBI, including more than 25 years as a Tolson aide. In 1959, Mohr was promoted to assistant to the director, the bureau's No. 3 position. Callahan has served in the FBI since March 4, 1935. He worked under Mohr for 26 years, reporting to him directly for at least 12 years until Mohr's retirement in June, 1972. Kelley appointed him associate director on July 27, 1973.

Adams, a 25-year veteran of the bureau, has served most of his career, except for brief field assignments, at headquarters under Mohr and Callahan. As assistant to the director and deputy associate director, Adams is responsible for FBI investigative operations.

Kelley not only retained the old Hoover-Tolson team, but elevated many to ranking positions in the bureau.

After Callahan was deposed in December, he agreed in a letter to the official court recorder that his testimony was accurate with a few minor corrections listed in the letter. However, since he reserved the right to sign the final deposition and has not yet done so, it is not yet filed in D.C. Superior Court.