

FBI WASH DC

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REC 27

TELETYPE

FBI NEW ORLS

8:35PM URGENT 2/24/69 OLP 5PGS
TO DIRECTOR (62-109060) AND DALLAS (89-43)
FROM NEW ORLEANS (89-69)

- 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

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS, NOVEMBER TWENTYTWO, NINETEEN SIXTYTHREE,
MISC.-INFO CONCERNING. 00:DALLAS.

Sullivan

Taylor

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.

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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 REGISTER AND HAD FORMED THESE CONCLUSIONS.

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UPON CROSS-EXAMINATION BY THE PROSECTURION, 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 ~~AND~~ THAT IT WAS NOT NECESSARY AT ALL TO MAKE COMPAISONS 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 NOT WORK 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.
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HE TESTIFIED 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 AND 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 BEING SHOWN PHOTOGRAPHS 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 A TRIP 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 BUT THAT IN NINETEEN SIXTYSIX WHEN HE RECEIVED SHAW'S MAIL THERE WERE "TONS OF IT."

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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 AN SIXTYSEVEN, ON AN ASSIGNMENT OF THE SATURDAY EVENING POST MAGAZINE TO INTERVIEW DA GARRISON. HE TESTIFIED HE TALKED TO GARRISON IN GARRISON'S 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,
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HE CALLED GARRISON AND TOLD GARRISON HE WAS DISTURBED 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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