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THE LINGERING SHADOW

Critics Distort Evidence About Kennedy Autopsy

Give Misleading Reports of Details, Incidents

EDITOR'S NOTE: This is the third installment of an Associated Press survey of book criticisms of the Warren Commission Report on Kennedy's assassination. The actual contents of the reports are given in the text.

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AP Newsfeatures Writers
II—THE AUTOPSY

The Warren Commission did make a mistake. It had compassed.

There was some evidence which could have been made part of the record, but was not: X-rays and photographs taken at the autopsy of President John F. Kennedy.

Had these photographs been introduced as commission exhibits, the commission may have been bound to publish them. It did with other nonsecret exhibits.

In the heartsick atmosphere after the assassination, there were those who felt this was unnecessary, that the evidence could be placed under lock and key for historians of the future and that the sworn testimony of autopsy surgeons would now be sufficient.

But who could have reckoned there would be the time of the critics? Who could have anticipated the commission findings would be painted with suspicion?

Critics Emphasize Other Incidents

There were other acts and incidents which the critics could seize upon and emphasize and place out of focus. They did.

There was a pathologist who made an inexact dot on an autopsy sketch representing a bullet entry; there were two FBI

agents who reported the speculative conversation of pathologists without knowing the whole story; there were the three pathologists who left a corroborating detail of evidence out of the autopsy report; there was a pathologist who burned a draft of the autopsy in his fireplace; there were harried reporters at a Parkland Memorial Hospital who failed to make clear that doctors were speculating in describing the president's throat wound as an entry wound.

The critics—most notably Mark Lane, Edward Jay Epstein and Harold Weisberg—drew their own meanings from these things to make the autopsy findings suspect or tarnished.

The autopsy report states conclusively that Kennedy was struck by two bullets. One went through his neck, the other wound doctors say he would have survived. The second bullet struck his skull. It was fatal.

These findings are central to the single bullet theory. This theory is that a bullet went through the president's neck and went on to wound Gov. Connally. If not, the single bullet theory collapses. And so does the Warren report conclusion that Lee Harvey Oswald alone fired the bullets.

Some Clever, Some Absurd

The critics have constructed their machine of destruction by selection of parts of testimony and parts of evidence from the Warren report. Some of it has been clever—and some absurd—what could be more absurd

than the way they see the holes in the president's jacket and shirt? Neither Lane, Epstein nor Weisberg challenges the Warren report evidence that there was a hole in the jacket "5 1/2 inches below the top of the collar and 1 1/4 inches to the right of the center back seam of the coat" and a hole in the shirt "5 1/2 inches below the top of the collar and 1 1/4 inches to the right of the middle of the back of the shirt."

That evidence is compatible with a bullet passing through the president's back, inches below the neck," Lane says in his book.

Weisberg lowers the hole a few inches by describing it in his book as "six inches down from the collar. Not in the neck." He drops the key words "top of."

Epstein, in his book, publishes photographs which show the garments on a hanger. The holes can be seen clearly. "These photographs . . . were omitted from the Warren report and the 26 volumes of supporting evidence . . . he says. He got them from the National Archives. But other pictures, not nearly as dramatic, are in the evidence, and the testimony is quite precise.

Seeing the holes through the eyes of Lane, Epstein and Weisberg, it might seem that the bullet which made them could not have hit the president in the base of the neck. But put a jacket and shirt on any grown man with reasonably well-developed shoulders, measure 5 1/2 inches below the top of the collar and a bit to the right of the seam, have him raise his right arm slightly (as the president's was and mark the spot with a pencil point or chalk. Where does this touch the body? The base of the neck.

Precise Location of Wounds Described

The precise location of the President's wounds is described in the autopsy report. But the decision not to introduce autopsy X-rays and photographs—which would show those

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SECTION 1
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Title: **ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, DALLAS, TX 11-22-63**
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 Being Investigated

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wounds contributed to today's controversy. Who would have known three years ago that they would?

And who made the decision? There are two major versions, both of which writers of this report have gleaned from members of the commission staff:

1—"The Chief Justice Earl Warren, who was chairman of the commission is a very humane and sensitive man. Out of deference to the Kennedy family, especially to Mrs. Kennedy, Caroline and John-John, he decided it would be awful if they were introduced as evidence and then published. He first determined informally that this evidence was not absolutely necessary because the autopsy pathologists could testify as to details," said one.

2—"There were members of the staff who out of trial experience felt that the X-rays and photos were vital documents in presenting evidence. There was a feeling that the chief recognized the value of this evidence but that the decision to keep them under seal came from Sen. Robert F. Kennedy, who was then the attorney general. It was Bobby's decision," said another.

Neither the chief justice nor the senator will comment about this or any other aspect of the report. The only thing Sen. Kennedy has said publicly was a statement he made in Poland that he was satisfied that Oswald was the assassin.

While most staff members of the disbanded commission have refused to publicly answer the critics or defend the report, at least two—Joseph A. Ball of Long Beach, Calif., and Wesley J. Liebler of Los Angeles—have said they felt from the beginning that the X-rays and photographs should have been introduced.

Most Feel Secrecy Should Be Ended

In interviews with 11 of the 15 counsel and four of the 10 staff members, the writers have learned that a majority now feel the secret label should be removed because of the "doubt

created by the critics." None thinks that the commission needs to be re-established. One suggestion was that some nongovernmental body, such as a group of university presidents or a law society, should select forensic pathologists to view and analyze the evidence.

Several agreed with the idea expressed by one former assistant counsel:

"I think they should be open to any qualified expert who wants to see them whether he is chosen by a college president or Mark Lane himself."

While the autopsy X-rays and photographs were not introduced formally, it does not mean that they were not seen—and that they did not show the wounds as described in the autopsy report. The critics make the point that the photographs were handed undeveloped to the Secret Service and that they were transmitted that way eventually to the care of Robert Kennedy.

Several Men

Viewed Photos

Albert Jenner, an assistant counsel now in Chicago, says he saw some of the autopsy photographs. Arlen Specter, currently district attorney of Philadelphia, has stated having seen at least one purported color photograph.

They also were examined and authenticated last Nov. 1 by four men intimately connected with the autopsy:

Cmdr. James J. Humes, senior pathologist at Bethesda Naval Hospital; Cmdr. J. Thornton Boswell, chief pathologist at Bethesda; Capt. John Ebersole, the radiologist who took the X-rays, and John T. Stringer Jr., a medical photographer at the National Naval Medical Center, who took the photographs.

"We authenticated each item," says Boswell, who is now in private practice. "As Dr. Humes looked over my shoulder, I initialed each of the color and black and white photographs. Capt. Ebersole initialed each of the X-rays. There are various views of

all the wounds, as we described them, and some of the photographs were taken so that the president's face is visible." The National Archives says there are 26 color and 25 black and white photographs and 14 X-rays.

Lane Claims

Pictures Seized

Mark Lane surrounds the episode regarding the X-rays and photographs with language unsupported by testimony. He says, on Page 60 of the hard-cover edition of his book:

"The X-rays and photographs were taken from Dr. Humes and given to the Secret Service; indeed the photographs were seized before they were developed. Humes testified that not even he had seen the photographs ostensibly taken to assist him and the other doctors."

Then on Page 62, he refers to them again, saying "... federal police agents confiscated the crucial photographs and X-rays ... Confiscated? Seized?"

Humes testified they were "turned over" to the Secret Service, but nowhere does he say they were demanded or that he objected to releasing them.

Lane need not have been so evasive or uncertain as to why the photographs were made—"ostensibly to assist him (Dr. Humes) and the other doctors", as he puts it. By his construction, it would seem the photos were taken to help the doctors that night of the autopsy.

But Humes is clear about it in his testimony on Page 373, Vol. 1:

"The X-rays were developed in our X-ray department on the spot that evening, because we had to see those right then as part of our examination, but the photographs were made for the record and for other purposes."

Draft of Autopsy Report Burned

Lane, Epstein and Weisberg see something highly suspicious in the statement of Humes that there was an autopsy "draft I personally burned in the fireplace of my recreation room."

In two of three references to this, Lane drops the word "draft." On Page 68, it becomes "his" admission that he destroyed original notes relating to the autopsy." On Page 385, Lane says: "Destroyed evidence included the original notes prepared and then burned by Commander Humes after the autopsy."

Epstein says Humes "destroyed by burning certain preliminary notes relating to the autopsy." "Draft" was dropped.

Epstein then later raises a question about the original autopsy report.

Weisberg writes: "If the commission had any questions about the burning of any kind of historic papers, especially undeciphered 'preliminary draft notes', the transcript does not reveal it."

No one seems to wonder why Humes need have told anyone about it since he did it while he was alone in the privacy of his home. If he wanted to conceal something, would he raise suspicion by certifying that he burned a preliminary draft he had written of the autopsy report?

The critics make this draft seem part of the autopsy notes themselves. Those notes are identified as part of commission's Exhibit 397. And if the commission wanted to hide any revisions in the autopsy report which it published, why then would it have published the autopsy report in Humes' handwriting which shows those revisions?

Piece of Evidence Was Left Out

There apparently was one corroborating piece of evidence which was inexplicably left out of the autopsy report, the writers learned. That was the result of a microscopic examination of neck wound.

"We conducted microscopic examination of tissue removed corroborating piece of evidence which was inexplicably left out of the autopsy report, the writers learned. That was the result of a microscopic examination of tissue removed from the rear neck wound."

"We conducted microscopic examination of tissue removed from the neck wound area and found foreign substances such as fiber particles," says Boswell.

This would further show that the bullet which made the holes in Kennedy's jacket and shirt carried some material with it into the neck.

"Why wasn't this in the autopsy report?"

"It was an unfortunate oversight. It was not intentional," Boswell says. "I would say that three years ago we didn't presume that it would have been necessary to substantiate our findings."

Boswell contributed to the controversy regarding just what the autopsy sketch shows because it was he who had placed a dot—indicating the entry of a bullet—in an inexact spot. It is below the shoulder and to the right of the spine.

Critics Consider Sketch Vital

The critics treat this sketch as a star exhibit. And it is on this dot they have stood pat.

They claim it as proof that there was a shallow back wound, and not a neck wound. And that would mean that the throat wound was an entrance wound. And THAT would mean another firing position and another assassin.

The sketch which Lane, Epstein and Weisberg refer to is the "Autopsy Descriptive Sheet," which is part of Commission Exhibit 397, the written draft of the autopsy report. This sheet is a standard form—NMS PATH 8 (1-63)—and has the outlined anatomical form of the male body in front and rear views. It was one of the working papers during the autopsy.

Lane, Epstein and Weisberg each are in error in saying that the marking on the outlines were made by Humes. On what is this based? Humes did not testify he made the marks. In fact, he testified, regarding this sketch and another hand-drawn sketch: "I notice now that the handwriting in some instances is not my own, and it is either that of Col. Boswell or Col.

Boswell Admits Error in Sketch

Boswell has since cleared up this question. He made the marks. He admits the dot is not precise.

"The dot was just meant to imply where the point of entry was," he explains. "The notes describing the point of entry are near this mark and give precise measurements giving the exact location of the wound."

It is a hallmark of the critic's general scholarship that in zeroing in on this sketch none of them points out that although the dot is wrong, the description is clear: 14 centimeters down from the right mastoid process, which is the bony point behind the right ear, and 14 centimeters in from the right acromium, which is the tip of the shoulder joint. That point, on a man of Kennedy's size, is at the base of the neck.

And so the critics plunge ahead constructing their case against the Warren report.

Here's Epstein, handling the descriptive sheets:

"The face sheet shows front and back diagrams of the president's body." (Wrong. They are outlines of a human male and not specifically the president).

"On the front diagram, the throat wound is just below the collar line; on the back diagram the entrance wound is much farther below the collar line. Thus, although Commander Humes testified in March that the entrance wound was above the throat wound, during the autopsy he marked the entrance wound below the throat wound."

(Wrong. Humes didn't make the mark. And Humes' testimony conformed exactly with the written descriptive details on the diagram.)

Material Suppressed, Weisberg

Weisberg refers to this same material as "suppressed." He

points out that the sheets were not published in the Warren report, which was a summation of evidence. But they are in Vol. XVII, Page 45 of the supporting volumes. Suppressed?

"To Mark Lane that errant dot is proof of a below the shoulder

back wound. He constructs a conclusion that the commission recognized this but had to evade it because it would upset the lone assassin conclusion.

"A back entrance wound was therefore inconvenient, and, though evidently corroborated beyond doubt by the Humes autopsy diagram and corroborated by the holes in the jacket and shirt, it disappeared," Lane contends. But as the report says, it was never there—except to such scrutinizers as Lane.

Weisberg goes further. Insisting that the error admitted by Boswell is no error at all, he says:

"Unless the commission is prepared to prove that this original working paper of the autopsy is wrong—not just a little wrong but grossly and inexcusably wrong—wrong in a manner that can never be expected from such eminent experts in both pathology and forensic medicine, its entire report is a monstrous lie!"

By the same logic, showing the errors and wrongs of "Whiteyash"—as the writers are doing here—would amount to proving Weisberg is right in his charges.

Arrow Drawn On Back of Head

Lane also saw something else in the autopsy diagrams. There is an arrow on the back of the head, which is very plain. Lane sees it this way:

"The diagrams . . . show that Humes apparently believed a bullet to have exited at the left side of the president's skull, for he placed an arrow pointing to the left upon a mark evidently signifying a bullet entry wound."

How could he know what Humes "apparently believed"? No such stated belief is to be found in Humes' testimony. And Lane has admitted in a published interview that he wrote Humes but received no reply.

Boswell made the arrow. What does it signify?

"The arrow is meant to imply that this wound of entry went from external to internal in an upward and inward slanting direction," says Boswell.

Epstein says there is other evidence that a bullet never went through the president's neck from back to front. For this conclusion, he turns to the autopsy itself.

"The fact that the autopsy surgeons were not able to find a path for the bullet is further evidence that the bullet did not pass completely through the president's body," Epstein says.

One of the things on which he bases this is Humes' testimony that pathologists were unable "to take probes and have them satisfactorily fall through any path at this point." But Epstein leaves out Humes' statement that "attempts to probe in the vicinity of this wound were unsuccessful without fear of making a false passage."

Path Determined During Autopsy

The path was determined during the autopsy through recognized pathological procedure in which it was discovered there was bruising of the apex, or tip of the lung, bruising of the parietal pleura, or membranes lining the lung cage, and bleeding near the strap muscles between which the bullet passed. The hole at the back of the neck was characteristic of an entry wound. The hole at the throat did not then have the characteristics of an exit wound because it had been used in Parkland Hospital for a tracheotomy when doctors were trying to give the mortally wounded president an air passage.

But Lane, Weisberg and Epstein won't buy that, when they have the FBI summary report of Dec. 9, 1963, to play with.

Two FBI agents, James W. Sibert and Francis X. O'Neill, were in the autopsy room. So

were some Secret Service agents.

The FBI summary report, which was not published in the Warren report or its supporting volumes—thereby providing other fodder for the critics—said, in part:

"Medical examination of the president's body revealed that one of the bullets had entered just below his shoulder to the right of the spinal column at an angle of 45-60 degrees downward, that there was no point of exit, and that the bullet was not in the body."

Correct Version,

Lane Claims

Lane says this report had to be the correct version of the autopsy finding.

"Clearly Hoover (FBI Director J. Edgar Hoover) would not presume to summarize the medical examination of the president's body—the autopsy report—in so vital a document unless the autopsy report had been studied carefully. The undated autopsy report prepared by the military physicians and published by the commission, however, does not permit the conclusions offered by the FBI. Indeed it flatly contradicts them."

Was the report updated?

In a certificate dated Nov. 24, 1963, which is part of Commission Exhibit 397, containing the written autopsy report, Humes certifies that "all working papers associated with Naval Medical School Autopsy Report A63-272 have remained in my personal custody at all times. Autopsy notes and the hole-graph draft of the final report were handed to commanding officer, U. S. Naval Medical School, at Nov. 24 November, 1963."

Also, the FBI did not receive the autopsy report until Dec. 23, 1963. So the FBI couldn't have given it careful study, as Lane says.

FBI Doesn't Change Reports

And when the FBI did see it and turned out a supplemental report, Jan. 13, 1964, no change was made because of the FBI practice and tradition of reporting what its agents say.

This Jan. 13 report said, "Medical examination of the president's body revealed that the bullet which entered his back had penetrated to a distance of less than a finger length."

As J. Edgar Hoover was to explain later:

"The FBI reports record oral statements made by autopsy physicians while the examination was being conducted and before all the facts were known. They reported that Dr. James J. Humes, chief autopsy surgeon, located what appeared to be a bullet hole in the back below the shoulder and probed it to the end of the opening with a finger. The examining physicians were unable to explain why they could find no bullet or point of exit. Unknown to agents, the physicians eventually were able to trace the path of the bullet through the body."

One technique which the critics use to discredit the autopsy report is what might be called reverse English.

In a usual medical situation, if a person died during an operation, say for removal of a wart on his finger, the cause of death would be determined by an autopsy. If the autopsy attributed death to heart failure, critics such as Lane, Weisberg and Epstein—if they are judged by their performance—would say ignore the autopsy, look at the wart.

Critics Choose

Part of Evidence

This is what they've done on focusing on what happened when the president was taken to Parkland Memorial Hospital.

Again, they show how they picked and chose to get what they did—an entrance wound at the throat.

Lane needs this to support his argument that there was a shot or shots fired from the grassy knoll—the greensward paralleled to the presidential motorcade—rather than solely from Oswald's perch on the sixth floor of the Texas School Book Depository.

"Although every doctor who had seen the throat wound prior to the tracheotomy and expressed a contemporaneous opinion had said that it was a wound of entrance," Lane says on Page 53 of his book, the commission chose to dismiss these as erroneous conclusions stemming from a doctor's observations to the press. Let's see.

Dr. Charles J. Carrico. Lane doesn't name him as one of the doctors saying there was an entrance wound at the throat. But Carrico was the first doctor to see the president. In a written report dated at 4:20 p.m. on the day of the assassination, Carrico described the wound as a "small penetrating wound of the neck in the lower 1-3." "Penetrating" in medical terminology can mean either entrance or exit. In his testimony, Carrico further said that "not having completely evaluated all the wounds, traced out the course of the bullets, this wound would have been compatible with either entrance or exit wounds depending upon the size, the velocity, the tissue structure and so forth."

Press Conference

Bedlam, Says Perry

Dr. Malcolm Perry. He performed the tracheotomy, so he saw the wound before it had been touched. In a press conference in which he had the burden of trying to answer most of the questions ("It was bedlam," he later testified) he was quoted as saying the throat wound was an

entry wound.

Asked about what questions he was asked and what replies he made, Perry testified:

"Well, there were numerous questions asked, all the questions I cannot remember of course. Specifically, the thing that seemed to be of most interest at that point was actually trying to get me to speculate as to the direction of the bullets, the number of bullets, and the exact cause of death."

"The first two questions I could not answer, and my reply to them was that I did not know, if there were one or two bullets, and I could not categorically state about the nature of the neck wound, whether it was an entrance or an exit wound, not having examined the president further—I could not comment on other injuries."

Dr. Charles R. Baxter. He helped with the tracheotomy. On Page 53 of his book Lane writes: "Dr. Charles R. Baxter told commission counsel that 'it would be unusual for a high velocity missile to cause an exit wound possessing the characteristics of the president's throat wound.'" But Lane left out most of the sentence on Page 42, Vol VI, which was a reply Baxter made to a question. It says: "Although it would be unusual for a high velocity missile of this type to cause a wound as you have described, the passage through tissue planes of this density could have well resulted in the sequence you outlined, namely, that the anterior wound does represent a wound of exit."

Dr. Ronald C. Jones. His report described the wound as an entrance wound. He testified as to his reasons for this belief, and Lane quotes his testimony from Page 55, Vol VI—up to a point, an important point. In Lane's book, Jones says in part: "You would expect more of an explosion type of exit wound, with more tissue destruction than this appeared to have." Three words were then dropped after "have." They were "... on superficial examination."

Lane doesn't mention that none of the doctors knew there was a wound at the back of the neck.

Entrance Hole on Back of Skull

Lane and Weisberg also emphasize that the little entrance hole on the back of the president's skull was not seen by the doctors. Lane's treatment of this deserves a close look.

"These eight physicians examined the right occipital-parietal area; each testified that he did not see a bullet hole which the commission said was there," Lane writes. Then he gives this version of the questioning of Dr. William Kemp Clark, director of neurological surgery at Parkland Memorial Hospital:

"Q: Now you described the massive wound at the top of the President's head, with the brain protruding; did you observe any other hole or wound on the president's head?"

"Dr. Clark: No, sir; I did not."

And that is where Lane stops. But not Clark. His answer was:

"No, sir; I did not. This could have easily been hidden in the blood and hair."

None of the seven other doctors saw such a hole. But none said there was no such hole. And there is good reason—a reason the critics elect to ignore:

The president remained on his back, with great care taken not to move his head, all the time he was at the hospital.

Close Inspection

Wasn't Possible

Why wasn't the president turned over at Parkland?

Carrico testified:

"This man was in obvious extreme distress and any more thorough inspection would have involved several minutes—well, several—considerable time which at this juncture was not available. A thorough inspection would have involved washing and cleansing the back, and this is not practical in treating an acutely injured patient. You have to determine which things, which are immediately life threatening and cope with them, before attempting to evaluate the full extent of the injuries."

"Q: Did you ever have occasion to look at the president's back?"

"Dr. Carrico: No sir. Before—well in trying to treat an adequate ventilation and you have to establish adequate circulation. Before this was accomplished the president's cardiac activity had ceased and closed cardiac massage was instituted, which made it impossible to inspect his back."

Was this done after the president died? No. Not one doctor ever said this was done. Why not. Carrico was asked:

"I suppose nobody really had the heart to do it."