

(Mount Clipping in Space Below)

DA Asks Delay in Shaw Trial Until All Evidence Received BULLETIN

The district attorney's office, in a dramatic 11th-hour move, today filed a motion requesting a continuance of the Clay Shaw trial. The office asked that the case be reset only after the district attorney's office receives all of the evidence called for in their subpoenas, including evidence used in the autopsy report on John F. Kennedy's death and all other evidence the DA's office claims is being secretly held by the federal government.

The office of District Attorney Jim Garrison will have to produce evidence that photos and X-rays of the John F. Kennedy autopsy are material to the case against Clay L. Shaw in order to obtain them, a federal judge ruled today in Washington, D. C.

General Sessions Judge Charles W. Halleck Jr. told Assistant DA Numa Bertel "it is necessary for you to provide testimony to sustain your allegation. If what you are saying is indeed true, then you will have to make a sufficient showing of that in my court."

Garrison's office is seeking

ASSISTANT DA James L. Alcock said the medical panel's report, released by U.S. Attorney General Ramsey Clark, means "We're getting the same old sleight of hand."

Garrison wants the autopsy report and photos for the trial of Shaw, opening Tuesday on charges of conspiring to kill Kennedy.

Judge Halleck heard arguments this morning on Garrison's request. The hearing was to resume this afternoon.

BERTEL WAS OPPOSED in the hearing by Assistant U.S. Attorney Joseph Hannon, who argued the documents should remain in the U.S. archives where they were placed at the request of the Kennedy family. He said the family's wishes should take precedence over Bertel's argument that they are public records.

Bertel drew a parallel with an imaginary incident in which former President Harry S. Truman was stabbed to death. "What would happen

ENCLOSURE

(Indicate page, name of newspaper, city and state.)

PAGE 1

SECTION 1

STATES-1 ITEM

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Being Investigated

It ~~is~~ ~~anybody~~ immediately donated the knife to the U.S. archives?" he asked. "Would it be U.S. government property then?"

BERTEL ARGUED further the documents "were never part of the Kennedy estate.

He was dead at the time."

Judge Halleck told Bertel the question of releasing the documents "depends on their materiality" and he will have to be convinced that they are essential to the allegation of a conspiracy before he will release them.

The judge asked Bertel to produce arguments countering affidavits submitted by the pathologists who made the inspection for Clark alleging the documents show Kennedy was shot only from the back.

Alcock said earlier the release of the records "obviously doesn't satisfy our subpoena."

Alcock said of the panel review, "It seems that they just don't have any confidence in the state" and physicians here who might testify as expert witnesses on the autopsy material.

The pictures were left with the archives by the Kennedy family in 1966 on condition they be shown only to federal investigators until 1971.

Dr. James B. Rhoads, U.S. Archivist, yesterday filed an affidavit in court in which he declined to release the material. He said:

"TO VIOLATE THE confidential restrictions would completely destroy the public confidence in the federal government to honor its commitments to donors of papers, oral history transcripts and other historical material."

In releasing the panel's findings, Clark said U.S. Sen. Edward M. Kennedy, D-Mass., the late president's only surviving brother, and the president's widow, Mrs. Aristotle Onassis, were consulted before the autopsy material was made available to the panel of experts.

Burke Marshall, former assistant attorney general who represents the Kennedys in the matter, said Sen. Kennedy and Mrs. Onassis "both asked me to say that they will have no comment to make on the report or its release."

material and draw up its report. There had been no public announcement of the existence of the panel or the report until Clark released it last night.

Clark did not say why the review was kept secret. The report of the panelists was signed last spring. It says they met to review the autopsy materials last Feb. 26 and 27 in Washington.

Members of the panel were Dr. William H. Carnes, professor of forensic pathology at the University of Maryland; Dr. Russell H. Morgan, professor of radiology and radiological science at Johns Hopkins University, and Dr. Alan R. Moritz, professor of pathology at Case Western Reserve University in Cleveland.

THEIR REPORT SAID, "Examination of the clothing and of the photographs and X-rays taken at the autopsy reveal that President Kennedy was struck by two bullets fired from above and behind him, one of which traversed the base of the neck on the right side without striking bone and the other of which entered the skull from behind and exploded its right side.

"The photographs and X-rays discussed herein support the above-quoted portion of the original autopsy and the above-quoted medical conclusions of the Warren Commission Report."

The original autopsy was performed by a three-man team of naval surgeons headed by Dr. James J. Humes, then commander of the Navy Medical Corps, the night Kennedy was killed.

ONE OF ITS members, Dr. J. Thornton Boswell, wrote Clark a year ago that he and Humes felt that because of the controversy over the Warren Report "an impartial board of experts including pathologists and radiologists should examine the material available." Clark appointed the board a short time later

of the decedent's head above the occipital protuberance (base of the skull). Based upon the observation that he was leaning forward with his head turned obliquely to the left when this bullet struck, the photographs and X-rays indicate that it came from a site above and slightly to his right. This bullet fragmented after entering the cranium, one major piece of it passing forward and laterally to produce an explosive fracture of the right side of the skull as it emerged from the head.

"THE OTHER BULLET," the report continued, "struck the decedent's back at the right side of the base of the neck between the shoulder and spine and emerged from the front of his neck near the midline."

The Warren Commission said this bullet then probably struck Texas Gov. John Connally, who was riding in the front seat of the open-air limousine carrying Kennedy. Connally was seriously injured.

The report said that if this bullet had taken any path other than the one through the wound through Kennedy's neck it "would almost surely have been intercepted by bone, and X-ray film show no bony damage."