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FATEFUL TWO HOURS WITHOUT A PRESIDENT

STORY OF WHAT HAPPENED BEFORE AND AFTER ASSASSINATION OF KENNEDY

98



"It all began so beautifully"—start of Dallas motorcade



40 minutes later . . . bullets

FATEFUL TWO HOURS WITHOUT A PRESIDENT

Story of What Happened Before And After Assassination of Kennedy

Out of the confusion and uncertainty that began the minute an assassin killed John F. Kennedy, this is now clear—

For two hours, no one with legal authority to act was at the controls of the greatest power in the world. In a time of crisis, the vast, delicate machinery of the Presidency was stalled.

From the voluminous files of the Warren Commission's investigation—the testimony of all the key figures—it is possible to put together the full story of that day in Dallas.

The record tells in graphic detail who did what, and why, before and after the death of one President and the swearing in of another.

In a nuclear age, when minutes and a fast decision by a President can lie between the United States and disaster, this country on Nov. 22, 1963, was for two hours without a President qualified to act in a national emergency.

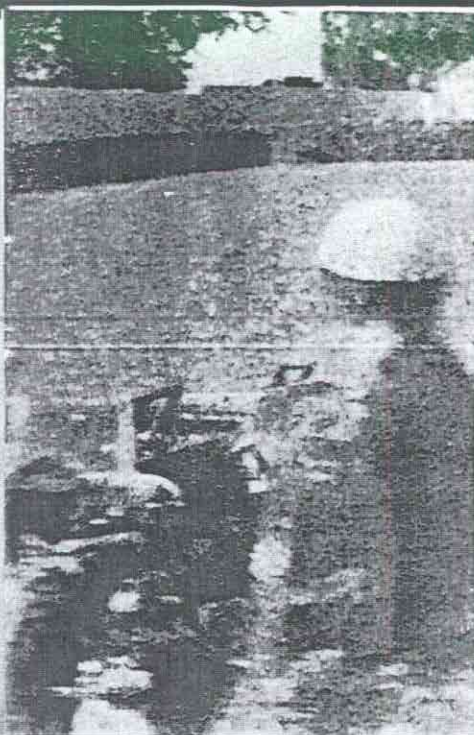
That was the day—three years ago—when President John F. Kennedy was assassinated. At the time, security officers feared there might be a subversive plot to do away with other top officials of the U. S. Government.

The period between the instant when the fatal bullets struck President Kennedy at 12:30 p. m., and the moment when Lyndon B. Johnson took the oath of office as the new President at 2:38 p. m.—thereby becoming empowered to act—covered a span of a little more than two hours, during which there was great confusion and conflict as to who was in command.

This is only one important aspect of the unrecognized story of what went on before and after the assassination, affecting the public interest and national security. Until now, world attention has been focused on the assassination itself—who killed President Kennedy, and why?

The Kennedys' story. The extraordinary situation which developed in Dallas, including a clash of personalities and a power struggle between Kennedy and Johnson factions of the Democratic Party, presumably will be described in a new book commissioned by the Kennedy family, which may be serialized for national distribution.

The project was announced by Robert F. Kennedy while he was still U. S. Attorney General, on March 26, 1964, in a statement saying that William Manchester, a friend and former Baltimore newsman, had been "authorized" to write a



strike President Kennedy



Two more hours, and Lyndon Johnson takes oath as new President

—Photos: UPI, Dallas Morning News

book about the President's death, "in the interests of historical accuracy, and to prevent distortion and sensationalism."

The official record. Actually, a factual account of several disturbing incidents which took place during the transfer of executive power from one President to another is contained in stark outline in the official report of the seven-man Commission, headed by Chief Justice Earl Warren, which was appointed on Nov. 29, 1963, to "evaluate all the facts and circumstances" surrounding the assassination. The report was issued on Sept. 27, 1964, in 27 volumes totaling nearly 6 million words.

The Warren Report consisted of a 912-page summary document, along with 26 volumes of supporting testimony and exhibits. The summary, containing a narrative account of the assassination, with the Commission's conclusions and recommendations, was widely distributed. But the full testimony of key witnesses in the 26 other books was not as readily available to the public. Members of the staff of "U. S. News & World Report" have examined the evidence, and assembled here the pertinent eyewitness accounts.

Mrs. Jacqueline Kennedy, the late President's wife, was one witness. Kennedy aides in the White House—Kenneth P. O'Donnell, Lawrence F. O'Brien, and David F. Powers—also were witnesses. There are a statement by President Johnson and tape recordings made by Mrs. Lyndon B. Johnson. And many other testaments.

This significant episode in American history is best told in the words of the witnesses themselves. It begins with the idea of a political trip to Texas. Who made the decision to visit Dallas, and why? Here is the official record:

THE TRIP TO TEXAS

"President Kennedy's visit to Texas in November, 1963, had been under consideration for almost a year before it occurred," the Warren Commission found.

"As a political leader, the President wished to resolve a factional controversy within the Democratic Party in Texas before the election of 1964. The party itself saw an opportunity to raise funds by having the President speak at a political dinner eventually planned for Austin.

"The basic decision on the November trip to Texas was made at a meeting of President Kennedy, Vice President Johnson, and Governor Connally on June 5, 1963, at the

Cortez Hotel in El Paso, Tex. The President had spoken earlier that day at the Air Force Academy in Colorado Springs, Colo., and had stopped in El Paso to discuss the proposed visit and other matters with the Vice President and Governor.

"When Governor Connally called at the White House on October 4 to discuss details of the visit, it was agreed that the planning of events in Texas would be left largely to the Governor. At the White House, Kenneth O'Donnell, Special Assistant to the President, acted as co-ordinator."

Controversies in Texas. Pierre Salinger, former White House Press Secretary, has written that Mr. O'Donnell was "the most powerful member of the staff" under President Kennedy. Mr. O'Donnell testified on May 18, 1964:

"There were great controversies existing. There was a party problem in Texas that the President and Vice President felt he could be helpful, as both sides of the controversy were supporting President Kennedy, and they felt he could be a bridge between these two groups, and this would be useful in the election of 1964. I think this is the major reason for the trip."

The political caravan was proceeding with great public fanfare to five Texas cities. The President had visited San Antonio and Houston and flown to Fort Worth to spend the night. He was preparing to go to Dallas for a motorcade and luncheon, then to Austin for a big Democratic fund-raising dinner. The President and Mrs. Kennedy planned to stay overnight and part of the next day with the Vice President and Mrs. Johnson at the LBJ Ranch. Mrs. Kennedy was enjoying the trip. Mr. O'Donnell told the Commission:

"She had not been a girl who had loved campaigning. And I thought at the moment, at that very minute, that for the first time—the President and I were discussing a forthcoming trip to the West Coast—and he asked her if she would come, and she said she would be delighted . . . she would like to go from now on. The President was delighted. We were all delighted."

Talking with the President and Mrs. Kennedy in a hotel room before leaving for Dallas, Mr. O'Donnell recalled this about the President:

"He said if anybody really wanted to shoot the President of the United States, it was not a very difficult job—all one had to do was get a high building some day with a
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telescopic rifle, and there was nothing anybody could do to defend against such an attempt on the President's life."

Driving through downtown Dallas, Mr. O'Donnell described the crowd as "one of the heaviest I have seen in any American city. . . . As a politician, I was particularly pleased with it. I thought we had accomplished what we had come to Dallas to do."

THE ASSASSINATION

Then, suddenly, according to the Warren Commission: "At 12:30 p.m., CST, as the President's open limousine proceeded at approximately 11 miles per hour along Elm Street toward the triple underpass, shots fired from a rifle mortally wounded President Kennedy and seriously injured Governor Connally."

Mr. O'Donnell was riding with David F. Powers, another White House aide and Kennedy-family friend, in the Secret Service follow-up car immediately behind the President.

"He [the President] slumped on Mrs. Kennedy," Mr. O'Donnell said. "Well, he slumped on her. She appeared to be immediately aware that something had happened. She turned toward him. And then the third shot hit. Obviously, she then knew what happened. She turned, looking at the backup car. Meanwhile, Agent Hill [Secret Service Agent Clinton J. Hill] had gotten off the car, and started running up. She was clambering toward the back, and reached his hand, and he was on the car."

Mr. Powers added: "Mrs. Kennedy climbed onto the back of the car. Perhaps she may have been looking for help, and perhaps she really didn't know what she was doing. . . ."

Mrs. Kennedy's Testimony

Jacqueline Kennedy told her story in a 10-minute statement to the Commission on June 5, 1964, at her home in Washington. Three other persons were shown to be present—Earl Warren, the Commission chairman; J. Lee Rankin, Commission counsel; and Robert F. Kennedy, then the U. S. Attorney General. Mrs. Kennedy gave this account of events in Dallas:

"We got off the plane. The then Vice President and Mrs.

Johnson were there. They gave us flowers. And then the car was waiting, and there was a big crowd there, all yelling, with banners and everything. And we went to shake hands with them. It was a very hot day. And you went along a long line.

"I tried to stay close to my husband, and lots of times you get pushed away, you know, people leaning over and pulling your hand. They were very friendly.

"And, finally, I don't know how we got back to the car. I think Congressman Thomas somehow was helping me. There was lots of confusion. . . . And in the motorcade . . . it was terribly hot. Just blinding all of us. . . . We could see a tunnel in front of us. Everything was really slow then. And I remember thinking it would be so cool under that tunnel. . . ."

"I guess there was a noise, but it didn't seem like any different noise really, because there is so much noise, motorcycles and things. But then, suddenly, Governor Connally was yelling, 'Oh, no, no, no.'"

"Q: Did he [the President] turn toward you?"

"Mrs. Kennedy: No; I was looking this way, to the left, and I heard these terrible noises. You know. And my husband never made any sound. So I turned to the right. And all I remember is seeing my husband, he had this sort of quizzical look on his face, and his hand was up, it must have been his left hand. And just as I turned and looked at him, I could see a piece of his skull, and I remember it was flesh-colored.

"I remember thinking he just looked as if he had a slight headache. And I just remember seeing that. . . . And then he sort of did this (indicating), put his hand to his forehead, and fell in my lap.

"And then I just remember falling on him, and saying, 'Oh, no, no, no.' I mean, 'Oh, my God, they have shot my husband.' And 'I love you, Jack.' I remember I was shouting. And just being down in the car with his head in my lap. And it just seemed an eternity.

"You know, then, there were pictures later on of me climbing out the back. But I don't remember that at all.

"Q: Do you remember Mr. Hill coming to try to help on the car?"

"Mrs. Kennedy: I don't remember anything. I was just down like that."

The Commission asked Mrs. Kennedy no further questions about subsequent events in Dallas, the plane ride back to Washington, or the decision to send the President's body to Bethesda (Md.) Naval Hospital for autopsy.

THE POWER TO ACT

Legal authorities say that at the moment a President of the United States dies, the Vice President technically becomes President—but he cannot act as President until he takes the oath of office.

This is based on two provisions of the Constitution:

Article 2, Section 1 (5): "In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President . . ."

Article 2, Section 1 (7): "Before he enter on the execution of his office, he shall take the following oath or affirmation: . . ."

Governor and Mrs. Connally

Governor and Mrs. John B. Connally of Texas were riding with the President and Mrs. Kennedy in the rear compartment of the presidential limousine. They testified in Washington on April 21, 1964.

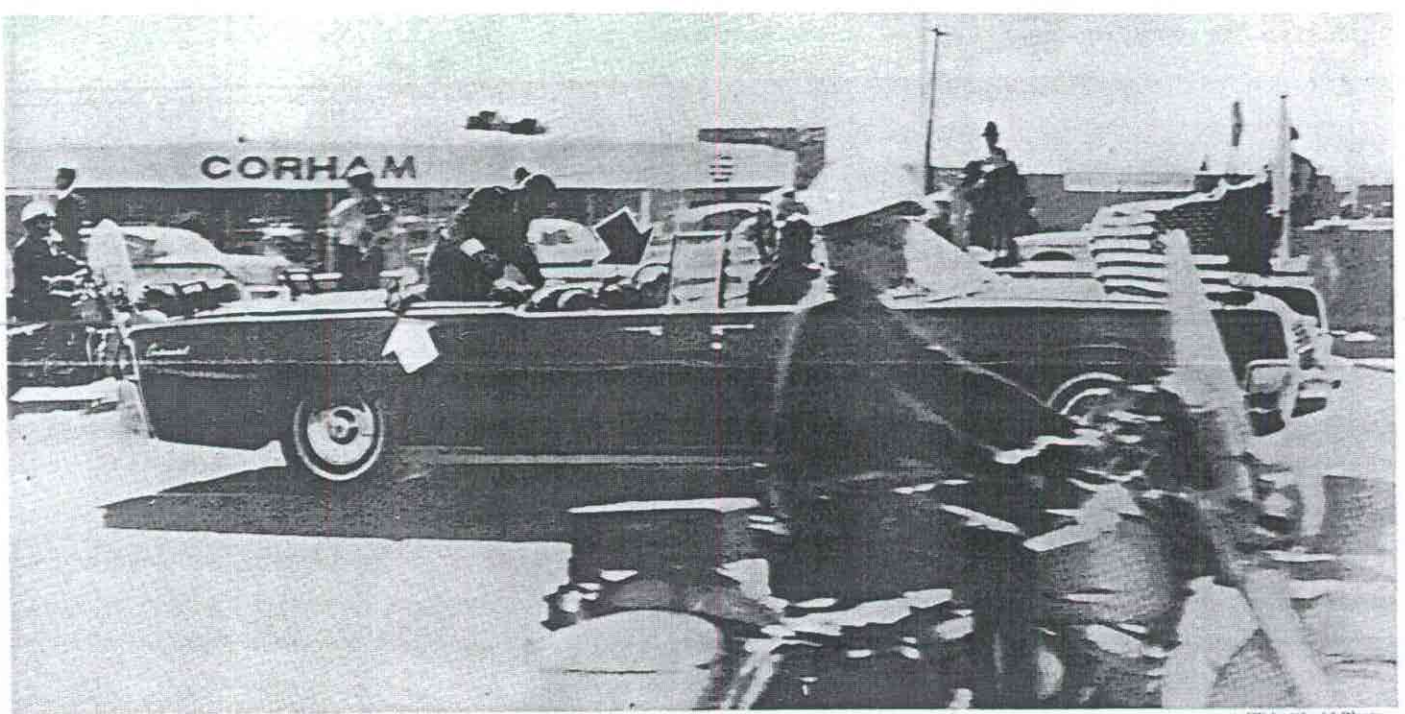
The interrogation went like this:

"Q: Did Mrs. Kennedy state anything at the time?"

"Governor Connally: Yes; I have to—I would say it was after the third shot when she said, 'They have killed my husband.'"

"Q: Did President Kennedy say anything at all . . .?"

"Mrs. Connally: He did not say anything. Mrs. Kennedy said, the first thing I recall her saying was, after the first shot, and I heard her say, 'Jack, they have killed my husband,' and then there was a second shot, and then after



—Wide World Photo

In the final instant of the assassination, the presidential party began a race to the hospital. Photo shows Mr. Kennedy's foot (white arrow), Secret Service man standing, and Mrs. Connally (black arrow) crouching over the Texas Governor.

the third shot she said, "They have killed my husband." . . . She repeated that several times, and that was all the conversation."

Mrs. Connally reacted this way:

"I never looked in the back seat of the car after my husband was shot. My concern was for him, and I remember that he turned to the right and then just slumped down into the seat, so that I reached over to pull him toward me. I was trying to get him down and me down. The jump seats were not very roomy. . . .

"The third shot that I heard I felt, it felt like buckshot falling all over us. . . . I thought John had been killed, and then there was some imperceptible movement, just some little something to let me know that there was still some life, and that is when I started saying to him, 'It's all right. Be still.'"

NATURE OF THE CRIME

"There was no federal criminal jurisdiction over the assassination of President Kennedy," the Warren Commission pointed out. "Murder of the President has never been covered by federal law . . . so that once it became reasonably clear that the killing was the act of a single person, the State of Texas had exclusive jurisdiction."

The crime committed in Dallas that day—legally stated—was: "Murder with malice of John F. Kennedy, Complaint No. F-154, The State of Texas v. Lee Harvey Oswald."

When Dallas night-club operator Jack Ruby shot Oswald fatally two days later, there was no further basis for prosecution, since there is no provision in American law for a posthumous trial.

Since that time, Congress has passed Public Law 89-414, enacted Aug. 28, 1965, making the killing of a President, President-elect, Vice President, or other officer next in succession a federal offense. This gives the Federal Government jurisdiction, in any future case of this kind, paramount to State or local law.

However, the new statute does not deal with the problem of immediate and effective transfer of presidential power in event of the death of a President in a nuclear-space age, when the transit time of intercontinental missiles is said to range from 15 to 30 minutes. Nor does a pending constitutional amendment, prescribing how a Vice President shall

assume the duties of the office in event of presidential inability.

The Commission report noted:

"In the 100 years since 1865, four Presidents of the United States have been assassinated—Abraham Lincoln, James A. Garfield, William McKinley, and John F. Kennedy. During this same period, there were three other attacks on the life of a President, a President-elect, and a candidate for the Presidency, which narrowly failed. . . . One out of every five Presidents since 1865 has been assassinated; there have been attempts on the lives of one out of every three."

The Commission pointed out that the Secret Service has "very limited functions" prescribed by law. "The protection of the President must be thorough but inconspicuous to avoid even the suggestion of a garrison state," the Commission said. "The rights of private individuals must not be infringed."

THE FIGHT FOR SURVIVAL

In the final instant of the assassination, the presidential party began a race to Parkland Memorial Hospital, approximately 4 miles away. The Commission reported:

"The presidential limousine arrived at the emergency entrance of Parkland Hospital about 12:35 p. m. Arriving almost simultaneously were the President's follow-up car, the Vice President's automobile, and the Vice President's follow-up car.

"Adm. George G. Burkley, physician to the President, arrived at the hospital 'between 3 and 5 minutes' following the arrival of the President, since the riders in his car 'were not exactly aware of what had happened,' and the car went on to the Trade Mart first.

"For a moment, Mrs. Kennedy refused to release the President, whom she held in her lap, but then Agents Kellerman, Greer, and Lawson lifted the President onto a stretcher, and pushed it into trauma room 1."

Witnesses described a scene of wild confusion at the hospital. David Powers said that Kenneth O'Donnell, upon arrival, called Attorney General Robert F. Kennedy, to tell him what had happened.

Kenneth O'Donnell testified: "I went into the hospital, and went right to Mrs. Kennedy. She was seated outside

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the room where they had placed the President. I would say she was in a total daze, as yet not knowing whether there was any hope or not."

Mrs. Connally gave this account:

"We got to the hospital and, like I said, John heaved himself over. They still could not seem to get Mrs. Kennedy or the President out of the back of the car, but someone scooped him up in their arms and put him on a stretcher. There were two stretchers there, and they took him off immediately to the emergency room, and they ran down the hall with the stretcher, and I just ran along with them.

"There was much commotion and confusion. There were lots of what I assumed were Secret Service men rushing in with machine guns, I guess, or tommy guns. I am not real sure, they were big arms of some sort. . . .

"There were lots of people across the hall. There was no one with me and, of course, my thoughts then were, I guess like any other woman, I wondered if all the doctors were in the room on the left, and they were not taking too good care of my husband on the right. I shouldn't have worried about that, should I?"

"I knew no one in the hospital, and I was alone. Twice I got up and opened the door into the emergency room, and I could hear John and I could see him moving, and I knew then that he was still alive. . . . I guess the time was short, too. It seemed endless."

Another witness said: "A man came running into the operating room, carrying a gun, and shouting he was from the FBI. But he showed no credentials. A Secret Service man stepped up, and slugged him. He really decked him."

Roy H. Kellerman was the Secret Service agent in charge of protection of the President on the Texas trip. Agent Clinton J. Hill was responsible for Mrs. Kennedy. They told their stories to the Commission on March 9, 1964.

Mr. Hill said he asked for a telephone line to be kept open to Washington: "I talked to the Attorney General, who attempted to reach me, and told him that his brother had been seriously wounded; that we would keep him advised. . . ."

Mr. Kellerman said Vice President Johnson asked to see him, and inquired about President Kennedy's condition. "I told him that President Kennedy is still in the emergency room, his condition is serious," Mr. Kellerman related. "He then said, 'You let me know of any developments.' I returned to the emergency room. . . ."

THE PARKLAND DOCTORS

"As the President's limousine sped toward the hospital, 12 doctors rushed to the emergency area," said the Commission report.

The first physician to see the President on arrival was Dr. Charles J. Carrico, resident in surgery. Then Dr. Malcolm O. Perry, attending surgeon, took over. The Commission said that Admiral Burkley, the White House physician, arrived after emergency treatment was under way, and that he concluded: "My direct services . . . at that moment would have interfered with the action of the team which was in progress."

Doctors Perry and Carrico testified in Washington on March 30, 1964. These medical men said they found the President's back brace—"a white cotton or some sort of fiber

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standard brace with stays and corset, in a corset-type arrangement and buckles"—and an "Ace bandage" on his right thigh below the hip, not further explained.

Since they did not know the President's blood type, they administered "unmatched type O RH negative blood" in "massive blood transfusions." Dr. Carrico ordered 300 milligrams of hydrocortisone, "which is an adrenal hormone," because of "the President's known adrenal insufficiency." None of these matters are dealt with in the subsequent official autopsy report by Government doctors at Bethesda Naval Hospital.

Dr. Perry said: "It is to Dr. Carrico's credit, I think, that he ordered hydrocortisone for the President, having known he suffered from adrenal insufficiency, and in this particular instance being quite busy, he had the presence of mind to recall this, and order what could have been a life-saving measure."

When he entered the emergency room, Dr. Perry said, "The place was filled with people, most of them officers and, apparently, attendants to the presidential procession."

"Q: Did you try to clear the room of unnecessary people?"

"Dr. Perry: This was done, not by me, but by the nurse supervisor, I assume, but several of the people were asked to leave the room. Generally, this is not necessary. In an instance such as this, it is a little more difficult, as you can understand."

"He was dead then." Dr. Carrico testified: "Medically, I suppose you would have to say he [the President] was alive when he came to Parkland. From a practical standpoint, I think he was dead then."

The approximate length of the operation was 45 minutes, Dr. Perry said. The Parkland doctors agreed that the ultimate cause of death was "a severe injury to his brain." The death certificate was signed by Dr. William Kemp Clark as attending neurosurgeon. The time of death was fixed at "approximately 1 o'clock," since "it was impossible to determine the precise moment when life left the President."

VICE PRESIDENT JOHNSON

Meanwhile, the Commission said, "a protective circle of Secret Service agents surrounded Vice President and Mrs. Johnson, and escorted them into Parkland Hospital through the emergency entrance.

"The agents moved a nurse and patient out of a nearby room, lowered the shades, and took emergency security measures to protect the Vice President. . . .

"Concern that the Vice President might also be a target for assassination prompted Secret Service agents to urge him to leave the hospital and return to Washington immediately. The Vice President decided to wait until he received definitive word of the President's condition."

At this point, Lyndon Johnson was having to reckon with the responsibility of assuming the duties of the Presidency, while the Kennedy aides were concerned with protecting Mrs. Kennedy and the interests of the late President.

The Commission report says Vice President Johnson was notified of the President's death by Mr. O'Donnell "at approximately 1:20 p. m.," or around 20 minutes after the time of death officially listed on the death certificate.

President Johnson furnished a statement to the Warren Commission dated July 10, 1964, saying in part:

"It was Ken O'Donnell who, at about 1:20 p. m., told us that the President had died. I think his precise words were,

'He's gone.' O'Donnell said that we should return to Washington, and that we should take the President's plane for this purpose.

"When Mr. O'Donnell told us to get on the plane and go back to Washington, I asked about Mrs. Kennedy. O'Donnell told me that Mrs. Kennedy would not leave the hospital without the President's body, and urged again that we go ahead and take Air Force 1 [the presidential plane] and return to Washington.

"I did not want to go and leave Mrs. Kennedy in this situation. I said so, but I agreed that we would board the airplane, and wait until Mrs. Kennedy and the President's body were brought aboard the plane.

"Despite my awareness of the reasons for Mr. O'Donnell's insistence—in which I think he was joined by one or more of the Secret Service agents—that we board the airplane, leave Dallas, and go to Washington without delay, I was determined that we would not return until Mrs. Kennedy was ready, and that we would carry the President's body back with us if she wanted. . . ."

"**Began so beautifully.**" Mrs. Johnson dictated these recollections into a tape recorder at home, and furnished a transcription to the Commission on July 16, 1964:

"It all began so beautifully. After a drizzle in the morning, the sun came out bright and beautiful. We were going to Dallas. . . ."

"Suddenly, there was a sharp loud report—a shot. . . . Then a moment, and then two more shots in rapid succession. . . . I heard over the radio system, 'Let's get out of here,' and our Secret Service man who was with us, Ruf Youngblood, I believe it was, vaulted over the front seat on top of Lyndon, threw him to the floor, and said, 'Get down.' . . ."

"As we ground to a halt—we were still the third car—Secret Service men began to pull, lead, guide, and hustle us out. I cast one last look over my shoulder and saw, in the President's car, a bundle of pink, just like a drift of blossoms, lying on the back seat. I think it was Mrs. Kennedy lying over the President's body. . . ."

"Through it all, Lyndon was remarkably calm and quiet. Every face that came in, you searched for the answers you must know. I think the face I kept seeing it on was the face of Kenny O'Donnell, who loved him so much. . . ."

"I asked the Secret Service men if I could be taken to them [Mrs. Kennedy and Mrs. Connally]. They began to lead me up one corridor, back stairs, and down another. Suddenly, I found myself face to face with Jackie in a small hall. I think it was right outside the operating room.

"You always think of her—or someone like her—as being insulated, protected; she was quite alone. I don't think I ever saw anyone so much alone in my life. I went up to her, put my arms around her, and said something to her. I'm sure it was something like, 'God, help us all,' because my feelings for her were too tumultuous to put into words.

"Then I turned and went back into the small white room where Lyndon was. Mr. Kilduff [White House Assistant Press Secretary Malcolm Kilduff] and Kenny O'Donnell were coming and going. I think it was from Kenny's face and Kenny's voice that I first heard the words, 'The President is dead.' Mr. Kilduff entered, and said to Lyndon, 'Mr. President.'"

Question of planes. Rufus W. Youngblood, Secret Service agent in charge of protection of the Vice President, testified on March 9, 1964:

"O'Donnell told the Vice President that Mrs. Kennedy would not leave the hospital without the President's body. And O'Donnell suggested that we go to the plane, and that they come on the other plane. And I might add, as a word of explanation, there were two jet planes, Air Force 1, in

NUCLEAR WEAPONS

Who had his finger on the trigger of America's nuclear weapons after an assassin's bullets struck John F. Kennedy and before Lyndon Johnson took the oath as President?

The answer, based on the statements of many authorities: nobody, since a Vice President cannot execute the duties of the Presidency until he is sworn into that office.

Defense Secretary Robert S. McNamara told the 1964 Democratic National Convention in Atlantic City that the President has "sole authority" over the use of nuclear weapons in any emergency.

President Johnson, during the 1964 campaign, said on September 7 in Detroit that use of nuclear weapons is "a political decision of the highest order," and that no President "can divest himself of the responsibility for such a decision."

The Warren Commission observed: "As Chief Executive, the President controls the exercise of the vast, almost incalculable powers of the executive branch of the Federal Government. As Commander in Chief of the armed forces, he must maintain ultimate authority over the development and disposition of military power."

which the President flew, and the other, Air Force 2, in which the Vice President and his party flew. And O'Donnell told us to go ahead and take Air Force 1. I believe this is mainly because Air Force 1 had better communications equipment . . . than the other planes."

When he was questioned on May 18, 1964, Mr. O'Donnell was asked: "Was there any discussion about his taking the presidential plane, AF-1, as opposed to AF-2?" Mr. O'Donnell replied: "There was not."

A former White House official explained that, at the time, the three jet planes in the presidential fleet were being "regeared for communications of a classified nature. Naturally, the first plane to be re-equipped was AF-1. Most of the new gear had been installed in AF-1. The other two jet planes had not been completed. Now they all have the same gear, so it doesn't make any difference any more, whether a President travels in AF-1, 2 or 3."

This official pointed out that it is customary for a security officer to travel with the President at all times. The security officer is custodian of a code case, nicknamed the "football," containing signals for the President to use in ordering a nuclear-defense reaction, in event of any national emergency. The whereabouts of this security officer during the crisis in Dallas is not clearly indicated in the Commission evidence.

Meanwhile, the Warren Report said, "Secret Service agents in charge of security at Love Field started to make arrangements for departure. As soon as one of the agents learned of the shooting, he asked the officer in charge of the police detail at the airport to institute strict security measures for the presidential aircraft, the airport terminal, and the surrounding areas.

"The police were cautioned to prevent picture taking. Secret Service agents, working with police, cleared the areas adjacent to the aircraft, including warehouses, other terminal buildings, and neighboring parking lots, of all people."

In unmarked cars. Mrs. Johnson related: "It was decided that we would go immediately to the airport. Quick plans were made about how to get to the car, who to ride in what. It was Lyndon who said we should go to the plane in unmarked cars. Getting out of the hospital into the cars was

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one of the swiftest walks I ever made. We got in. Lyndon said to stop the sirens. We drove along as fast as we could. I looked up at a building, and there already was a flag at half mast. I think this was when the enormity of what had happened first struck me."

Agent Youngblood testified: "As we started to leave the hospital area, that is, drive away, just as we started away, Congressman Thomas saw us leaving—I imagine he saw Congressman Thornberry, and he said, 'Wait for me.'

"I don't think he saw the Vice President. And I told the driver to continue. I didn't want to stop there in front of the hospital. But by this time, Congressman Thomas was right over at the side of the car, and the Vice President said, 'Stop and let him get in.' So he got in the front seat with Congressman Thornberry.

"We started out again, and the Vice President asked Congressman Thornberry to climb on over and get in the back seat, which he did, while the car was in motion. . . . So we went on to the airport. . . . And just before arriving at the airport, I called on the radio and told Air Force 1 to be ready to receive us, that we would be coming on board immediately. . . ."

Agent Youngblood told the Commission that the Vice President's party went on board 30 to 35 minutes before Mrs. Kennedy and the Kennedy aides arrived with the late President's body.

THE KENNEDY AIDES

At the hospital, the Kennedy aides were running into difficulties. Kenneth O'Donnell said he stayed with Mrs. Kennedy a few minutes, then tried to get a report on the President's condition.

"I had seen the shots so clearly," Mr. O'Donnell said, "the first thing I had done—I asked them to get a priest, which they did immediately."

Lawrence F. O'Brien, then a White House assistant and now the Postmaster General, added it was his recollection that "a second priest arrived, and then a third priest."

Mr. O'Brien said he stayed with Mrs. Kennedy the whole time. During this period, he said, Brig. Gen. Godfrey T. McHugh, Air Force aide to the President; Malcolm Kilduff; Mrs. Evelyn Lincoln, the President's personal secretary, and Adm. George C. Burkley, the White House physician, came in and went out from time to time.

"I went into the room," Mr. O'Donnell continued. "There were four or five doctors there. . . . And I said, 'I think we better get a definite answer one way or another—is there any hope at all?' I was unable to get a conclusive answer. But I think I got the answer I needed. I don't know how Mrs. Kennedy was finally told. I may have told her about at that moment."

Q: What conversation did you have with the Vice President?

Mr. O'Donnell: I told him it looked very, very serious, and in my opinion that it was probably fatal. . . . I don't recollect that he even commented. I left him, and went back to Mrs. Kennedy, and within a very few minutes, they had confirmed the fact that the President was dead."

Vice President informed. "As soon as I was assured that he [the President] was dead, and it was definite," Mr. O'Donnell related, "I went back to the Vice President and

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informed him that the President was dead, and that in my opinion he ought to get out of there as fast as he could. We had a general discussion. . . ."

Mr. O'Donnell added that he got the impression that the Vice President "wanted official—that isn't the proper word—but that his movements should be approved by all concerned."

Q: What did you do next?

Mr. O'Donnell: I then went back to Mrs. Kennedy, who was in a very understandably distraught condition. . . . I tried to in some way imply that she might leave and come with us, at least to get her out of that room. She was covered with blood.

Q: What was her response to you?

Mr. O'Donnell: Her response. . . . was that she would not leave her husband's body. At that point, I realized that she would not. The doctor had continually attempted to get her to take. . . . sedation. And she had consistently refused.



—Wide World Photo

Moments after taking the oath of office, the President and Mrs. Johnson try to console Mrs. Kennedy aboard Air Force 1

"And so, therefore, the only alternative I could see was that we move the President. It is an assumption I probably would have arrived at anyway, but I arrived at it in this manner."

Mr. O'Donnell gave this account of ensuing events:

"So I went out and got hold of Dr. Burkley and General McHugh, and one of the agents, and Andy Berger [Secret Service agent], as I recall, and told them to get a casket, to bring it back, and Dr. Burkley would have the doctors prepare the body for removal, and that we would proceed to the airport, and on to Washington. This was done very rapidly, as I recollect. It seems to me it wasn't more than half an hour before they arrived with the casket. . . ."

"We were then all prepared to go. The agents told us the ambulance was ready, and they were preparing to move. The casket was brought out about halfway, and a gentleman arrived who said that we would not be allowed to remove the body from the hospital until the necessary papers had been signed.

Q: Do you know who he was?

U. S. NEWS & WORLD REPORT, Nov. 14, 1966

"Mr. O'Donnell: I don't recollect. . . . I think he was—maybe from the coroner's office. My assumption is that he would be. But he took this position. We asked—I don't recollect who transmitted the message—that they speed this up. . . . We waited about 10 or 15 minutes. . . .

"Then a gentleman did arrive who has later been identified for me as a Judge Brown, who was on the telephone calling someone. It had been my assumption that upon his arrival, that he had the power to permit us to depart. Dr. Burkley was talking to him in a very agitated manner. And the gentleman was very calm and cool and collected."

"Just a homicide case." "If my recollection is clear," Mr. O'Donnell continued, "he said something to the effect that as of now, this was just a homicide case, and there were certain things that had to be carried out, one of which I interpreted as an autopsy. . . . My recollection is that it was indicated to us that the President is dead, the hospital has to perform certain functions, and the law must be met, no matter who it is. . . ."

Texas law specifies "it shall be the duty" of the county medical examiner to hold an inquest in cases where any person is killed. "The autopsy shall be immediately performed by the medical examiner," the law says, "who shall file a report setting forth the findings in detail" with the office of the district attorney of the county. Violation is punishable by a \$500 fine or imprisonment for not more than 30 days, or both.

The Dallas County medical examiner, Dr. Earl Rose, is a pathologist at Parkland Hospital. However, reference to a "Judge Brown" in Commission testimony apparently is in error. Justice of the Peace Theron Ward of Garland, a Dallas suburb, says he was called to Parkland Hospital; that Secret Service agents prevented him from entering the emergency room; but that he subsequently granted permission for removal of the President's body from the hospital, after first discussing the matter with District Attorney Henry Wade.

"The doctor became enraged." Secret Service Agent Roy Kellerman told the Commission:

"Another gentleman came into this little doctor's room, his name I don't recall, but he represented himself to be from the health department or commission, some form. He said to me, he said, 'There has been a homicide here, and you won't be able to remove the body. We will have to take it down there to the mortuary and have an autopsy.' I said, 'No, we are not.' And he said, 'We have a law here whereby you have to comply with it.'"

"With that Dr. Burkley walked in, and I said, 'Doctor, this man is from some health unit in town. He tells me we can't remove this body.' The doctor became a little enraged; he said, 'We are removing it.' He said, 'This is the President of the United States, and there should be some consideration in an event like this.' And I told the gentleman, I said, 'You are going to have to come up with something a little stronger than you to give me the law that this body can't be removed.'"

"So, he frantically called everybody he could think of, and he hasn't got an answer; nobody is home. Shortly he leaves this little room, and it seems like a few minutes, he is back and he has another gentleman with him, and he said, 'This is—the name escapes me—he said, 'He is a judge here in Dallas,' and he said, 'He will tell you whether you can remove this body or not.' I said, 'It doesn't make any difference. We are going to move it,' and I said, 'Judge, do you know who I am?'"

"And he said, 'Yes,' and I said, 'There must be something in your thinking here that we don't have to go through this agony; the family doesn't have to go through this. We will take care of the matter when we get back to

Washington.' The poor man . . . said, 'I know who you are,' and he said, 'I can't help you out.' I said, 'All right, sir.'"

Mr. O'Donnell then said:

"I in my own mind determined that we had no alternative but to just depart. So I went back in the room. I told Mr. O'Brien, and whoever else was assembled there, that we were going to leave. I notified the Secret Service and General McHugh, and told them to get ready to depart. We went in and took the body out. Mrs. Kennedy stood right behind it, I think totally unaware of any of the problems which were then existing, so perhaps confused as to the speed with which we were attempting to depart."

"We pushed the casket out through the hall. This first gentleman that had come in, who, I presume, was from the coroner's office, shouted very loudly, 'You can't do that. You



—UPI Photo

Kennedy aides carry casket off plane upon arrival in Washington as the Attorney General accompanies Mrs. Kennedy, while President Johnson remains blocked off in front cabin

can't leave here now.' Nobody paid any attention to him. We pushed out through another set of swinging doors."

"I remember a Catholic priest was between this and the doorway, and was praying. It was most disconcerting, because we were concerned at all times that some moment they would say stop. . . . So we brushed them all aside, and came out the same way we had come in, through the same doors."

"There was an ambulance there. Andy Berger was seated in the driver's seat. Several agents were there. The body was put in the ambulance, Mrs. Kennedy got in with it. We climbed in a car alongside of it, and we took off for the air-

(continued on next page)

FATEFUL TWO HOURS WITHOUT A PRESIDENT

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[continued from preceding page]

port. I told the agents if they could signal ahead, that there were agents at the airfield, and that as soon as we came through the gate, they were to close the gate and let nobody else in. . . ."

Agent Kellerman added: "As we are leaving, a gentleman taps on the drivers window and they roll it down, and he says, 'I will meet you at the mortuary.' 'Yes, sir.' We went to the airport, gentlemen."

Q: Was there any further difficulty of any sort—

Mr. Kellerman: No. . . . Whatever happened to the hearse I don't know. We left the hospital; we have a time on that; it is 4 minutes after 2. It is a 10-minute ride to the airplane."

THE SWEARING-IN CEREMONY

The Commission report states:

"At approximately 2:15 p.m., the casket was loaded, with some difficulty because of the narrow airplane door, onto the rear of the presidential plane where seats had been removed to make room.

"Concerned that local officials might try to prevent the plane's departure, O'Donnell asked that the pilot take off immediately. He was informed that takeoff would be delayed until Vice President Johnson was sworn in."

Mr. O'Donnell testified: "We got on the plane. . . . The casket was placed down. I told General McHugh to tell the pilot to take off."

Q: Do you know whether or not President Johnson had been sworn in at that time?

Mr. O'Donnell: At that time, I didn't know President Johnson was on the plane. I did not know whether he had been. Subsequently, I realized that he had not been.

Q: What did you do next?

Mr. O'Donnell: As I say, I told General McHugh to have the plane take off, still all of us under the assumption or apprehension that at some moment we either might not be granted clearance to take off, or that the hospital may have in some way gotten the police to intercept us. . . .

"There was a delay of two or three minutes, and nothing happened. So I headed up for the cockpit myself, and I ran into McHugh in the meantime, who said that President Johnson was aboard, and that he had ordered the pilot to delay, to hold up until he was sworn in. That was the first I knew he was aboard.

"I would like to correct that. I must have known he was aboard, because I am sure he must have greeted Mrs. Kennedy when she came aboard. And he and Mrs. Johnson. But I don't have a clear recollection of that in my own mind."

Mr. O'Donnell continued:

"I went up, and the President and I carried on a conversation, which—again my recollection might be hazy—that it had been brought to his attention that I had asked for the plane to take off, and that there was some difference of opinion between him and me.

"He said to me that he had called the Attorney General, and that the Attorney General had indicated that it was, if not mandatory, at least preferable that he be sworn in prior to the aircraft taking off. I didn't describe what I saw as the problems. I realized it was an inevitable delay. So I don't believe I commented on it. I just listened to him. We sat there.

"I went up and talked to the pilot, to make sure they didn't let anybody on the plane, or put the ramps down for anybody, except the judge [summoned to swear in the new President], under any circumstances. About 10 to 15 minutes later, the judge arrived, and the swearing-in occurred."

President Johnson said in his statement:

"We were ushered into the private quarters of the President's plane. It didn't seem right for John Kennedy not to be there. I told someone that we preferred for Mrs. Kennedy to use these quarters.

"Shortly after we boarded the plane, I called Robert Kennedy, the President's brother and Attorney General. I knew how grief-stricken he was, and I wanted to say something that would comfort him. Despite his shock, he discussed the practical problems at hand—problems of special urgency because we did not at that time have any information as to the motivation of the assassination or its possible implications. The Attorney General said that he would look into the matter of whether the oath of office as President should be administered to me immediately, or after we returned to Washington, and that he would call back.

"I thereafter talked with McGeorge Bundy and Walter Jenkins, both of whom urged that the return to Washington should not be delayed. I told them I was waiting for Mrs. Kennedy, and for the President's body to be placed on the plane, and would not return prior to that time.

"As I remember, our conversation was interrupted to allow the Attorney General to come back on the line. He said that the oath should be administered to me immediately, before taking off for Washington, and that it should be administered by a judicial officer of the United States. Shortly thereafter, the Deputy Attorney General, Mr. [Nicholas De B.] Katzenbach, dictated the form of oath to one of the secretaries aboard the plane.

"I thought of Sarah Hughes, an old friend who is judge of the U. S. District Court in Dallas. We telephoned Judge Hughes' office. She was not there, but she returned the call in a few minutes. I asked that arrangements be made to permit her to have access to the airplane.

"A few minutes later, Mrs. Kennedy and the President's coffin arrived. Mrs. Johnson and I spoke to her. We tried to comfort her, but our words seemed inadequate. She went into the private quarters of the plane. I estimate that Mrs. Kennedy and the coffin arrived about a half hour after we entered the plane—just after 2 o'clock.

"About a half hour later, I asked someone to find out if Mrs. Kennedy would stand with us during the administration of the oath. Mrs. Johnson went back to be with her. Mrs. Kennedy came and stood with us during the moments that the oath was being administered. I shall never forget her bravery, nobility and dignity.

"I'm told the oath was administered at 2:40 p.m. Mrs. Johnson and Mrs. Kennedy were at my side as Judge Hughes administered the oath of office. The plane took off promptly after the swearing-in ceremonies."

Mrs. Lyndon B. Johnson dictated this recollection:

"When we got to the airplane, we entered airplane No. 1 for the first time. There was a TV set on, and the commentator was saying, 'Lyndon B. Johnson, now President of the United States.'

"They were saying they had a suspect. They were not sure he was the assassin. . . . On the plane, all shades were lowered. Lyndon said that we were going to wait for Mrs. Kennedy and the coffin. . . ."

"Mrs. Kennedy had arrived by this time and the coffin, and there—in the very narrow confines of the plane with Jackie on his left with her hair falling in her face, but very composed, and then Lyndon, and I was on his right, Judge Hughes with the Bible in front of her, and a cluster of Secret Service people and Congressmen we had known for a long time—Lyndon took the oath of office. . . .

"We all sat around the plane. We had been ushered into the main private presidential cabin on the plane—but Lyndon quickly said, 'No, no,' and immediately led us out of there; we felt that is where Mrs. Kennedy should be. The casket was in the hall. I went to see Mrs. Kennedy and, though it was a very hard thing to do, she made it as easy as possible. She said things like, 'Oh, Lady Bird, it's good that we've always liked you two so much.' She said, 'Oh, what if I had not been there? I'm so glad I was there.'

"I looked at her. Mrs. Kennedy's dress was stained with blood. Her right glove was caked—that immaculate woman—it was caked with blood, her husband's blood. She always wore gloves like she was used to them. I never could. Somehow that was one of the most poignant sights—exquisitely dressed and caked in blood. . . .

"She said a lot of things, like, 'What if I had not been there? Oh, I'm so glad I was there,' and a lot of other things that made it so much easier for us. 'Oh, Lady Bird, we've always liked you both so much.' I tried to express something of how we felt. I said, 'Oh, Mrs. Kennedy, you know we never even wanted to be Vice President, and now, dear God, it's come to this.'"

Mr. O'Brien said Mr. Johnson discussed with him and Mr. O'Donnell "the first step of the President to insure continuity," and "his desire that we stay, as he put it, shoulder to shoulder with him. . . ."

Mr. O'Brien stated: "I stood beside the judge, and just as the judge was to start the ceremony, a member of the crew handed me a small Bible in a white box. I took the Bible from the box, interrupted the judge just momentarily, and handed her the Bible. She completed the ceremony. . . ."

"Then everyone immediately settled down.

"The judge departed from the plane, the photographer from the plane. Everyone settled down, and we took off without further delay."

"Q: Do you know what happened to the Bible?"

"Mr. O'Brien: I do not know."

The Warren Commission fixed the time as 2:38 p. m., CST, when "Lyndon Baines Johnson took the oath of office as the 36th President of the United States."

THE RETURN TO WASHINGTON

The log of Air Force 1 shows the presidential jet took off at 2:48 p. m., CST, and arrived at Andrews Air Force Base, just outside Washington, at 5:58 p. m., EST—a flight of two hours and 10 minutes elapsed time.

Much of the controversial material which is said to be contained in the forthcoming Manchester book concerns incidents which took place on the plane during the return flight, or upon arrival in Washington.

In the words of one observer who was aboard: "It seemed like all the old wounds of the Kennedy-Johnson battle at the 1960 Democratic Convention were opened afresh.

"One Kennedy aide barked: 'Well, they have gotten in, but we will get back in again.' There were snatches of angry conversation. When General Clifton [Maj. Gen. Chester V. Clifton], the military aide, attempted to help the new President, he was accused of 'deserting' the Kennedys. The hostility was intense toward the new President and the small staff that rallied to his side in Dallas."

Reporters who have tried to get the facts run into fierce

loyalties of two competing presidential staffs. One source, reflecting the Kennedy viewpoint, said that "President Johnson insisted on leaving the plane when it reached Washington with Mrs. Kennedy and the late President's body. The Kennedys looked on this as cheap politics, and were just as insistent that he would not."

Another insider explained: "President Johnson wanted to be as helpful to Mrs. Kennedy as he could. In addition, it was necessary for him to show himself to the nation and the world as quickly as possible, so everybody could see the United States was not without a leader, and that the traditional transfer of power had taken place."

All this, however, is muted in the official record of the Warren Commission.

President Johnson said in his statement: "The plane took off promptly after the swearing-in ceremonies. I then called President Kennedy's mother, Mrs. Rose Kennedy. . . . I then called Nellie Connally, the Governor's wife.

"I then asked General Clifton, the military aide to the President, to call McGeorge Bundy in Washington to instruct him to ask the Cabinet members who were on their way to Japan to return immediately.

"When we landed at Andrews Air Force Base, I made a short statement for the press, radio and television. . . ."

Mrs. Johnson related in her recording:

"The ride to Washington was silent, strained—each with his own thoughts. One of mine was something I had said about Lyndon a long time ago—that he's a good man in a tight spot. . . ."

"Finally, we got to Washington, with a cluster of people watching. Many bright lights. The casket went off first; then Mrs. Kennedy. The family had come to join them, and then we followed.

"Lyndon made a very simple, very brief, and—I think—strong, talk to the folks there. Only about four sentences, I think.

"We got in cars; we dropped him off at the White House, and I came home."

Kenneth O'Donnell testified: "I sat with Mrs. Kennedy almost all the way. We came back—Mr. Powers, Mr. O'Brien, and I stayed in the back compartment. And then Mrs. Kennedy and I—I sat down with her, we sat that way all the way back. The President called me up on one or two occasions and asked me to stay up in the cabin, wanted to talk to me, but I felt I had to stay with Mrs. Kennedy. So I sat with her the whole trip."

"Q: What did you talk about?"

"Mr. O'Donnell: We reminisced.

"Q: Did she have anything to eat on the trip back?"

"Mr. O'Donnell: No; I think we both had a drink. I tried to get her to take a good strong drink. I had not much luck.

"Q: She drank part but not all?"

"Mr. O'Donnell: As I recollect, she just wanted to talk. She talked all the way."

Lawrence O'Brien said: "We consulted, or were consulted by General Clifton and Mr. Moyers [Bill D. Moyers, now the White House Press Secretary] on two or three occasions during the trip, on arrangements for the President's activity upon arrival in Washington.

"One suggestion was made that we—that they call in for a meeting of the White House staff. But that was discarded as impractical at this point. Arrangements were made, however, which Mr. Moyers checked with me, on the calling of the bipartisan leaders to a meeting with the President, and arrangements were put into effect for the President to meet the Under Secretary of State in the absence of the Secretary and other officials here."

"Q: What was her [Mrs. Kennedy's] condition?"

(continued on next page)

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[continued from preceding page]

"Mr. O'Brien: She conversed a great deal with us. The one impression left with me from the entire trip and conversations with Mrs. Kennedy during the trip, participated in by all of us, was her great concern for us, really—her feelings that we had, as she put it, been with him at the beginning, and we were with him at the end. We were all bereft."

During the flight, various conversations took place between the presidential aircraft and officials on the ground in Washington. One radio message requested that a ramp be brought to the rear door of the plane, where Mrs. Kennedy was seated near the coffin. This was countermanded when someone else ordered a fork lift.

An official in the presidential cabin said, "It was our understanding that we would carry the coffin down the ramp, and that President Johnson would accompany Mrs. Kennedy."

President blocked out. Another eyewitness recalled: "Shortly before we arrived, all the Kennedy aides crowded into the back of the plane on orders from O'Donnell, I believe it was. On arrival, Attorney General Robert Kennedy ran up the front steps of the airplane, and raced down the whole length of the aircraft to join Mrs. Kennedy.

"At the rear door, instead of the ramp the President had requested, there was a fork lift and a huge boxlike arrangement for the coffin, and all the Kennedy aides who could crowd around it. It was Robert Kennedy who escorted Mrs. Kennedy.

"When President Johnson tried to work his way to the lift, he was blocked by a mass of Kennedy aides. The President was trapped on the plane for four or five minutes, while the fork lift was lowered with the Kennedys. By the time he got off, the ambulance was ready to go."

In his testimony, Lawrence O'Brien said: "A lift was placed at the rear door of the plane. The honor guard came up the front steps, through the plane, to the back compartment. We concluded that we would take the body off the plane."

Q: You say 'we.' You mean Mr. Powers, Mr. O'Donnell, and yourself?

Mr. O'Brien: And General McHugh. And we proceeded to do just that. We took the—lifted the coffin, with the help of the crew people, and placed it on the lift, and it was taken from there.

"We—the three of us—four of us—McHugh was with us—got into a car. The Attorney General and Mrs. Kennedy went into the ambulance, if that is what it was. And we followed in a car directly behind that, went out to Bethesda Naval Hospital."

Kenneth O'Donnell testified: "We arrived at Andrews [Air Force Base], and meanwhile the Attorney General had been notified, the decision had been made that he [the President's body] would go to Bethesda."

Q: Who made that decision, by the way?

Mr. O'Donnell: Mrs. Kennedy.

Q: That the autopsy should be performed?

Mr. O'Donnell: I don't think she knew anything about an autopsy. The question was where the body went. We didn't tell her there was to be an autopsy. And the choice was Walter Reed or Bethesda. He [President Kennedy] being a Navy man, she picked Bethesda.

Q: Who made the decision there would be an autopsy?

Mr. O'Donnell: I don't know. . . . I just think we all

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agreed—we arrived at Bethesda. The Attorney General was there. I think it was just our assumption that this was a necessary part."

THE AUTOPSY

The autopsy report submitted to the Warren Commission, described as "a complete pathological report," was signed by three medical officers of the armed services:

Comdr. James J. Humes, senior pathologist at the Naval Medical Center, served as chief autopsy surgeon. He was assisted by Comdr. J. Thornton Boswell, chief of pathology at the Naval Medical School, and Lieut. Col. Pierre Finck, of the Armed Forces Institute of Pathology.

All three testified for the Commission March 16, 1964. Commander Humes said he completed the autopsy report from hand-written notes at home within 48 hours after the examination. In addition, Commander Humes submitted a supplementary report signed by himself alone.

The three autopsy surgeons stated: ". . . it is our opinion that the deceased died as a result of two perforating gunshot wounds inflicted by high-velocity projectiles fired by a person or persons unknown. The projectiles were fired from a point behind and somewhat above the level of the deceased. It is our opinion that the wound of the skull produced such extensive damage to the brain as to preclude the possibility of the deceased surviving this injury."

The autopsy, beginning at 8 p.m., required approximately three hours, the doctors said.

Commander Humes testified that 15 to 20 photographs were taken during the course of the examination, and 10 or 12 X-ray films. Commission sources have stated that the Commission never received a complete set of these films or X rays for inspection prior to issuing the Warren Report. Commander Humes gave this testimony:

Q: . . . In what way would the availability of the X rays assist in further specifying the nature of the wounds?

Commander Humes: I do not believe, sir, that the availability of the X rays would materially assist the Commission.

Q: How about the same question as to the pictures?

Commander Humes: The pictures would show more accurately and in more detail the character of the wounds as depicted. . . . They would also perhaps give the Commission a better—better is not the best term, but a more graphic picture of the massive defect. . . .

Q: May I ask what size are the pictures?

Commander Humes: We exposed both black and white and color negatives. . . . They were exposed in the morgue during the examination. They were not developed. . . . They were in film carriers or cassettes, as were the black and white. Of course, they could be magnified.

Q: Have these been examined by the personnel at Bethesda?

Commander Humes: No, sir. We exposed these negatives; we turned them over. Here I must ask counsel or advice—to the Secret Service. . . . They were turned over to the Secret Service in their cassettes unexposed, and I have not seen any of them since. . . .

Q: But they had never been actually developed for viewing?

Commander Humes: I do not know, sir."

More on the disposition of pictures and documents in the case, page 81.

Now U.S. Gets JFK Autopsy Photos

Those controversial X rays and pictures of the Kennedy autopsy are now in Government hands. But they're still under control of the Kennedys, still haven't been seen by the Warren Commission. And it will be years before the public sees them—if ever.

Now, almost three years later, the controversial X rays and photographs taken at the autopsy after the assassination of President John F. Kennedy have gone into the National Archives as a permanent historical record.

The Justice Department disclosed November 1 that, at the Department's request, the photographic evidence of the crime has been turned over to the Government, subject to certain conditions imposed by the Kennedy family.

The Department said the pictorial record has been in possession of the Kennedy family since the autopsy, which was performed at Bethesda, Md., Naval Hospital on Nov. 22, 1963.

An aide to Senator Robert F. Kennedy of New York explained that the family, until now, had withheld the X rays and photographs in an effort to prevent publication, "largely as a matter of taste."

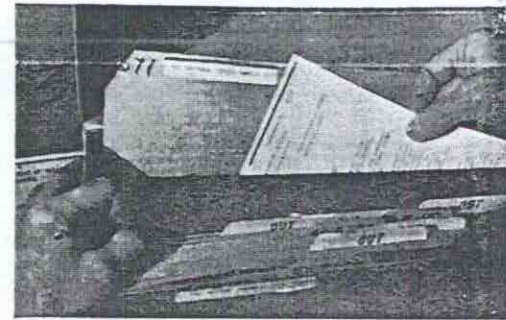
"Corroborative evidence." The Senator's office pointed out that the Commission headed by Chief Justice Earl Warren and appointed by President Johnson to conduct an official inquiry into the assassination had not insisted on viewing the pictures, regarding them as "corroborative evidence" supporting the Commission's finding that Lee Harvey Oswald was the lone assassin.

Arlen Specter, now district attorney of Philadelphia, who was a key member of the legal staff of the Warren Commission, said in an interview in the October 10 issue of "U. S. News & World Report" that "the complete set of pictures taken at the autopsy was not made available to me or to the Commission."

The Justice Department identified the material turned over to the National Archives by the Kennedy family as a set of 65 pictures, including 25 black-and-white negatives; 26 color transparencies, each 4 by 5 inches, and 14 X rays.

The X rays and pictures were made by Government technicians before and during the autopsy performed by three Government doctors between 8 and 11 p.m., a few hours after the assassination.

Comdr. James J. Humes, U. S. Navy,



—USN&WR Photos

Evidence of the official inquiry into the assassination of President Kennedy—now including the autopsy X rays and pictures—is kept in vaults and files such as these

acted as chief autopsy surgeon, assisted by Comdr. J. Thornton Boswell, USN, and Lieut. Col. Pierre A. Finck of the Armed Forces Institute of Pathology. Commander Humes and Commander Boswell are on the staff of the Naval Medical Center.

Commander Humes told the Warren Commission that the photographs were not examined at the time by personnel at Bethesda. He said the negatives were turned over, undeveloped, in film carriers, or cassettes, to the Secret Service. The X rays were used by the three doctors in their examination.

Two of the autopsy doctors—Commanders Humes and Boswell—went to the National Archives on November 1 to identify and authenticate the X rays and photographs received from the Kennedy family.

Afterward, Commander Humes said "the pictures showed just what we testified to" before the Warren Commission—that the assassin's bullets were fired from "above and behind," and that the fatal shot caused a "massive" head wound.

The autopsy doctors found that the other bullet which hit President Kennedy entered through his back, and exited from his throat. The Warren Commission found that, in all probability, this was the same bullet which seriously injured Governor John B. Connally of Texas.

Commander Boswell said the pictures prove that "the drawing we submitted" to the Commission "was identical with

the photographs." The drawing to which he referred was reproduced on page 5 of the October 10 issue of "U. S. News & World Report."

The Justice Department said the photographic evidence was turned over to the Government, after lengthy negotiations, with a letter dated October 28 and signed by Burke Marshall on behalf of the Kennedy family.

Mr. Marshall, who was head of the Civil Rights Division of the Justice Department when Robert Kennedy was U. S. Attorney General, now is general counsel in New York for International Business Machines Corporation.

Only limited access. The agreement permits immediate access to the X rays and photographs by law-enforcement officials of federal agencies, but prohibits any public release. It specifies that access to the evidence for scholars or for "other unofficial investigators" will be granted only with the consent of the Kennedy family.

Mr. Marshall, designated to act for the family on such requests, indicated in New York that news-media representatives will be denied access to the pictures for a long time. Mr. Marshall said he would grant no requests from journalists, historians, biographers or researchers for at least five years.

The Justice Department said the Naval Hospital X rays and pictures were accepted under the Federal Records Act of 1950, as amended in 1955, which permits the Administrator of the National Archives, "whenever he deems it to be in the public interest," to accept for deposit papers, documents, films, and other historical materials of any President or former President, "subject to restrictions agreeable to the Administrator as to their use."

[END]