

Boswell + Humes ARRB Trans. of their depositions

2

What was it MS

to was kept secret for more than three and a half years. There never was the slightest intention of taking either to court because that could have blown up not on this board but all the earlier official untruths about the assassination. I bought the transcripts when they were first available and we do get to them.

The real reason the board kept those and the other depositions secret is because it was without question that it had, knowingly, fully informed about it, accepted their perjury, the serious felony that had been their practice from the very beginning, when they began desecrating the President and our history by their simply incredible dishonesties in and about their autopsy and their report on and testimony about it.

We will see more than enough example of this. There will be no question about it. It is another national shame, another national outrage, another blind acceptance by the major media.

We see in particular that the tabulation of the officially disclosed assassination information makes them all perjurers.

And, tragically, not them alone.

Whether or not what the Board did makes it guilty of subornation of perjury is a matter of judicial opinion that could be based on a great number of cases. To me, whether or not it is technically guilty of suborning what it knew was and would be perjury is a distinction without any meaning. This is because that is what the Board knowingly did, what it intended doing, and what made it guilty of violating the law by denying any access to those transcripts until nobody could do a thing about them. There is no doubt at all that if those depositions transcripts had been disclosed, should have been, in February, 1996. With or without the reporting of it by the major media there would have been a very loud outcry from coast to coast.

They were not released until the very end of the Board's life, when the Board's report had been written and when there would have been no point in any complaint about what the Board had accomplished by its illegal act of keeping those transcripts secret.

File - SIB -
with JFK's
clothes

The relatively few records that disclosed and related to the investigation of the assassination, that held useful information were lost in the mass. Those disclosures related to the official investigations, not to new records relating to the crime itself. We come to a few and I have used some in earlier writings. While there is no predicting how the major media would have reacted, if it reacted at all to disclosed official improprieties, to Washington's interferences in matters that related to state crimes, the sheer volume of the pages in which a couple of these were disclosed make access to them a practical impossibility.

An example of this is what came out in the deposition of one of the Navy autopsy prosecutors, Dr. J. Thornton Boswell. He testified that the Department of Justice honcho on keeping control of what admitted in re-investigations, Carl Eardley, of the Department's Civil Division, which is not stated in what was disclosed, actually arranged for JFK autopsy prosecutors to help the defense in the Clay Shaw case, the Garrison prosecution in New Orleans, and, as soon as there was word that Martin Luther King, Jr., was shot, Eardley tried to shoehorn Boswell into that autopsy. This came forward toward the end of his deposition of more than two hundred and twenty three pages. It does not relate to any effort by the Board to obtain withheld assassination records as we see in the seven deposition pages (pages 208-214) that followed.

And, of course, there was no howl of indignation over interferences with the rights of the states by the media or by the political figures who claim interest in and in protecting, the rights of the states. Not one was quoted with the outrage they usually profess over alleged violation of the rights of the states.

All that is quoted below is from the Boswell deposition. Gunn asked Boswell not to mention a word about what he was asked and responded to or to say anything at all about this deposition, as was Humes. But bearing on the Board's intent, to suppress until it could suppress no more, Humes' deposition of two hundred and forty-two pages was also classified. That is to say, it was required to be kept secret in the interest of national "security." Under this spurious claim it was withheld from the people in whose supposed interest all of this farce of an inquiry was staged.

If necessary
see
pp. 51-55
with

possible case as extended footnote

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*No to
Check on
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Re:
King
Autopsy*

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In the Civil Division's offices, the reception room was in the middle, at the entrance. On the west side of the reception room was the office of the division's chief. On the the eastern side of that large reception room and on the outside wall of the building was Eardley's office. He shared it with a man named Jaffe. I do not, after more than thirty years, remember the rest of Jaffe's name.

In those days my friends in the Montgomery County, Maryland police department, then the wealthiest of the counties in Maryland and Virginia around Washington, told me repeatedly of the young sons of successful professional men getting turned off by what their fathers did because it was required of them or was the requirement of success in what they were doing. In those days many, of the disenchanted youngsters who turned to dope or to alcohol in the excess were the sons of these successful fathers when, as so many of those sons confessed to the police, they could not abide what their fathers were doing to hold their jobs or to be successful.

The son of Eardley's office mate was turned off by what he heard at home of what Eardley was doing.

What dismayed him is what he said Eardley did when that panel was going to conclude truthfully with what the evidence proved. In this young man's account Eardley rushed up to the Baltimore office of Dr. Russell Fisher, the Maryland chief medical examiner, one of the members of that panel. He leaned on Fisher to whip the rest of the board into line and to conclude as was expected of them, saying they confirmed the Warren Report.

Fisher did keep the panel from concluding otherwise in its stated conclusions. But he could not keep them from including the proof that without any question at all, the Warren Report was not correct.

I brought that panel report to light by printing it in facsimile in 1975, in *Post Mortem* (pages 561-595).

Essential to the Warren Report's "conclusions" is it that the fatal shot the President received entered his head at the level of the bottom of the occiput and that the non-fatal shot which came to be known as "the magic bullet," shed no fragments at all in the President's body. But the fact is, and the

Justice panel members actually state these two disproofs of the Warren Report while saying that the Report was correct!

Instead of stating that the X-rays proved the fatal shot entered low on the back of the head the panel stated the X-rays prove that "it can be seen in profile approximately 100 mm. above the external occipital protuberance" (*Post Mortem*, page 590, panel text, page 11)

If Oswald fired the fatal shot that impacted at the bottom of the occiput, with the subsequent history of that alleged shot, he could not have fired the bullet that hit the President four inches higher, at the top of his head.

So, the Warren Commission was wrong on this essential evidence.

In the last two chapters of the very first book on the Warren Commission and the assassination, my 1965 *Whitewash*, that early is included the official evidence and the and the official testimony that the "magic bullet" is an impossible invention. On that all the doctors questioned about it, including all the autopsy doctors, agreed. But nonetheless, because it was essential to the official preconception, that Oswald was the lone assassin, it became the official conclusion.

All the doctors asked to testify to what they saw on their examination of the alleged magic bullet stated that more metal was removed from the body of Texas Governor John B. Connally than is missing from the bullet. (They were not asked to go into the additional metal remaining in Connally's body, two relatively large fragments -- one in his chest, one in his thigh, and both visible in the X-rays, -- which were disclosed.) That metal which can be measured and its weight approximated (as I did in *Post Mortem*) is enough to disprove the Report, too. So, if there was any metal in the President's body, any at all, no matter how small, from that shot, the presence of that metal alone in the body disproves the Report.

This panel, under extreme pressure "concluded" that the Report was correct when it knew it was not correct. The panel stated that under the heading "The Neck Region" that several small metal fragments are visible in this region! (*Post Mortem*, page 592, panel report page 12)!

Even Humes, Boswell and Finck said that but not when they looked at those X-rays during their autopsy on which the official account of the assassination is based.

As part of the medical and legal hocus-pocus to which, on deposition Boswell testified, he acknowledged that those prosectors had also examined those X-rays in reaction to the pressure the government was feeling from public criticisms. We saw that Gunn said they had no copy of the letter that Boswell had been asked to write, but he did. Boswell's January 26, 1968 letter was, as is customary, not to Eardley but was referred to him. Boswell's letter was to the attorney general. Gunn had it because I printed it in facsimile in *Post Mortem*, on page 574. The text of the report of those three prosectors, also in facsimile, beings on the next page. It is a brief report, only four pages long. But it resorts to the trickiest language, the last sentence in particular.

The brief concluding paragraph is of but six lines:

NO OTHER WOUNDS

The x-ray films established that there small metallic fragments in the head. However, careful examination at the autopsy, and the photographs and x-rays taken during the autopsy, revealed no evidence of a bullet or of a major portion of a bullet in the body of the President and revealed no evidence of any missile wounds other than those described above.

The footnote I added to the bottom of that page, 478, points out that this was tricky language to which those tricky pathologists resorted to perpetuate their earlier lies that were lied to make the report seem to be possible:

Note the careful game with words under "NO OTHER WOUNDS." Dr. Humes' sworn testimony in that the x-rays revealed no evidence or bullet fragments at any point in the President's body except the head. The official solution of the crime cannot stand unless that testimony is true, for the bullet officially alleged to have wounded the neck, 399, is already impossibly burdened by the requirement that it have produced all of Connally's wounds as well. Here the doctors say only that the x-rays reveal "no evidence of a bullet or of a major portion of a bullet in the body of the President" (as distinguished from the head). What this peculiar language must mean, and as the second panel later confirmed,

Fib -
JFK's clothes

At the beginning of Chapter 13 I quoted Mrs. Betsy Neichter, a medical records expert, which Gunn is not, as giving the court-recognized standard from which Gunn remained as far away as he could. This short quotation is from page 133 -- and again, Gunn had it:

"The rule of thumb for all medical records is -- if it isn't written down it wasn't done" and "it is unacceptable to revise originals . . . or to destroy them for any reason."

With Gunn having this in his possession, accomplished a lawyer as he is (he went to the Board from one of the country's most prestigious law firms, Covington, Burling), he asked not a single question that in any way relates to this recognized standard even when this was the center of the problem he pretended to be addressing, the destruction of autopsy records.

One of the reasons he had to spend so much time on *Post Mortem*, without once mentioning it or what it stated -- and proved with the official evidence only -- was to pretend to make the false case, that there was nothing at all wrong with the deliberate destruction of Humes' autopsy report and notes. Humes did that, according to his own quoted testimony, as soon as he was told that Oswald had been killed.

Which is to say he destroyed the autopsy report he had written, which is strictly prohibited, as soon as he knew there would be no trial at which his autopsy report would be examined and cross examined -- would be made public in that trial, too, and subject to public examination -- and criticism.

Of course there is no hint of this in the Gunn whitewashing of the unprecedented scandal of the destruction of the original autopsy records when that autopsy was of a President and when the assassination of any President, under our system, is a de facto coup d'etat whatever the intent of the assassin or assassins may have been.

In omitting this from the almost five hundred pages of these two depositions of Humes, the destroyer, and Boswell, his assistant who knew about it, Gunn besmirches his personal and his professional reputation and that of the Board as no enemy could.

~

might use
in any
discussion of
the
official
autopsy

note - pp. 68-72 Discusses the destruction of
autopsy records after Oswald's death

WVVI

been done by physicians in Dallas," thus destroying entirely the flimsy excuse that they did not know a tracheotomy had been performed, as an FBI report we shall analyze also does;

When the autopsy examination was performed -- but before ~~the autopsy was performed~~ "Oswald was still alive, and it was believed the autopsy information would later be called upon in court proceedings;"

Not until they could not probe the rear, non-fatal wound did the doctors order "complete X-rays of the entire body"! Levine's words are, "At this point", or "when the wound in the back of the neck was discovered and probed, by finger and by metal surgical probe, no bullet could be found."

Although the President's body should have been examined along the possible path of the bullet, there is no reference to any sign of its path, merely to a bruise that could have been caused by the tracheotomy. They did not see a path, and ~~bullets do~~ make them. In fact, bullets cannot go through a body without making a detectable ~~path~~.

The known "foreign substances" in the neck region at the time of the autopsy and at the time of the Warren Commission was enough proof at the very beginning that the official "solution" was not true. Two later official inquiries established that the "foreign objects substances" were or included bullet fragments. Those inquiries are the report of the prosecutors, which Boswell signed, and the report of the "Justice Department panel, as we have seen.

None of the Commission testimony indicates that before the body was at Bethesda the prosecutors had already been told about the wounds. This is what Boswell told Levine. Nor is this in the Boswell deposition. Or Humes'. This Boswell admission refutes the official claim that the prosecutors hit the corpse cold -- knew nothing at all about what had happened or that there had been a tracheotomy.

Other contradictions are ignored but there are more in the foregoing and in what follows. One is Boswell's contradiction by Finck's testimony. Boswell said it was when they could not probe the wound that "complete" X-rays were taken that he order them. The fact is that those X-rays were not "complete." They extended to the knees only.

The next day's telephone call to the Dallas doctors -- he also refers to but one when there had been two -- "confirmed", as Levine put it, "what was already a certainty

to the pathologists -- that there was a bullet wound in the President's neck at the point of the tracheotomy incision."

Then why was the telephone call made to "learn" this, or the second one made at all?

The answer is in WHITEWASH (p.180): The Dallas doctors were tipped off. "Later that day, November 23, Dr. Humes and Dr. Boswell went over the rough draft and completed the protocol in its final form." If this is true, Dr. Humes perjured himself before the Commission (WHITEWASH 180, 163) in swearing that, "In the privacy of my own home, early in the morning of November 24, I made a draft of this report which I later revised and of which this [part of Exhibit 397] represents the revision. That draft I personally burned in the fireplace of my recreation room" (2H373). This, to the Commission and the newspapers ever since, is normal -- burn the President's autopsy and suppress the notes and the pictures and the X-rays and the slides of microscopic examination and the organ examination.

Yet of his interview with Boswell, Levine said that "before this", meaning earlier November 23 -- when Oswald was still alive and there was the absolute certainty that all the autopsy work and findings would be subject to rigorous cross-examination -- "Dr. Humes destroyed" the draft.

Further complicating it is this representation of more drafts of the autopsy than Humes or Boswell acknowledged under oath: "Dr. Boswell said that all the original notes were preserved, as far as he knows, and were turned over to the National Archives." (Of this he can have no knowledge and it is untrue. No such notes are or have been there, nor are they printed where required in the Commission's record.) "He said the things that were burned were copies of the protocol as they were revised."

Although from its own evidence the Commission knew it was not true, it insisted that Humes did not phone Dallas until someone the next day. The first proof that this was not true was in *Whitewash* (page 180). Dr. Kemp Clark, Parkland Hospital, chief of Neurosurgery, testified that Perry told him he had talked to Bethesda several times, "that, he knew what the autopsy findings had show," that he had been told by the Bethesda doctors what they wanted him, not to talk about, and Perry asked him to handle most of that day's scheduled press conference so he could avoid causing embarrassment.

This was known at the outset but the Report says otherwise. By the time of the Board there were quite a few additional confirmations. These ranged from the Manchester book, *Death of a President*, to the House assassins committee testimony of the autopsy radiologist, Dr. John Ebersole (*NEVER AGAIN!*, pages 472ff.). Ebersole, who was there and saw and heard it, testified that Humes phoned Perry from the autopsy room during the autopsy, before he finished it! (The House assassins committee did not report this. They suppressed it until the 1992 Act forced its disclosure.)

NOTE:
If I were
to go
back and
read
Hume's
news
story

Some of this
is confusing
as to who
is
speaking

WVVI

WVVI
Missing Documents
Corruption of the Autopsy Report
Suppression of Evidence

its destruction at some later date, with a copy having by some accident been in papers from the Texas investigation under Carr.

But the authorization is not with any of the federal autopsy papers or files in the Archives. Several years later I saw the original.

This set of the autopsy report is the only one of the many I have seen that has a copy of what, in the original or an original copy, should be in this file and, in photocopy, attached to every copy. It is of a generation so remote, so illegible -- so indistinct where it is not illegible -- that I cannot make out the identification of the government form or be certain of some of the printing on it.

The heading is "AUTHORIZATION FOR POST-MORTEM EXAMINATION".* Whether or not it is even a copy of an original document is uncertain, for two of the three lines specifically calling for "signature" are typed in. These are the names of the Commanding Officer, Captain R. O. CANADA; and "authority to consent", where the word "wife" is typed in, and the name of Mrs. John F. Kennedy" (with the error "JOhn" in the typing), the address, "White House". The one signature appears to be that of Robert Kennedy.

Two other entries on this form dispel any basis for suppression of the autopsy or any parts thereof, such as the pictures and X-rays, and end forever the question of ownership of the documents of the autopsy, which never, legally, really existed, anyway.

Above the "signatures", with generous blank space separating them from the printed words, is this agreement: "Authority is also granted for the preservation and study of all tissue which may be removed. This authority shall be limited only by the conditions expressly stated below." "Below" is blank paper, not "Conditions" or any other reservations. Thereby any conditions or reservations are waived.

If there ever had been any doubt of whose property the autopsy and everything related to it is (and in my mind there never was), the last words of the first printed sentence end that. They refer to the form and any other papers, to be "attached to this form for permanent file". Permanent file! Exactly what I had reported to the government in protest against the illegal handling of the pictures and X-rays --and let us not forget what is more important -- the gutted files, those quintessential autopsy notes!

The Navy's "permanent files"? On November 25, as I have already reported, Admiral Galloway sent the White House the last of the eight original copies of the autopsy and the other records of it not then already turned over. Legally, rightly, these should be a permanent Navy file. According to the available evidence, which must be dug out for the Commission suppressed it, there is no Navy file on the autopsy.

How much concern the Commission had for the actual facts of the crime is reflected by the date: it was four weeks before Rankin had the Secret Service sent him a copy, and then it was a poor copy when it should have had the original or an original copy.

Then there is the utter irrationality of some of the hiding -- and it was official hiding. That this poor and remote copy of the authorization for the autopsy was mis-filed as it tells us much about the commission and the autopsy.

And that only after the Archives had insisted repeatedly that it had no copy of the autopsy authorization!

There has been no contradiction of my statement that no copy of the autopsy authorization was filed where it should have been filed.

Despite later allegations, the authorization Robert Kennedy signed withheld nothing at all. Moreover, and this relates directly to what interests us much, and to what Humes and Boswell testified falsely, what was burned and what has since then suffered needless disappearances not corrected by this Board, all the papers were to have been attached to that form "for permanent filing."

The Humes who said he burned autopsy information had this form for his authority to perform the autopsy. The Board, Gunn, the chief counsel in particular, knew it. He did no questioning about this burning. He asked for no authority for any destruction and he did not do any real questioning about prohibition of it by law or regulation.

With regard to what is especially an issue the Board tried to gloss over, the alleged burning of the original autopsy notes, the receipt in what follows is a signed receipt for them first by the Secret Service and then by Admiral Burkley and dated the day after Humes said he burned them. With nothing omitted as we continue quoting from pages 102, which the Board had, along with the facsimile reproduction of it on page 527.

Admiral Galloway also, separately, sent the "Authorization for post mortem examination signed by Attorney General and dated Nov. 22, 1963". This is the last of 11 items in a receipt to Admiral George G. Burkley, executed November 26, 1963, by Robert I. Bouck, head of the Secret Service "Protective Research service" at the White House.*

Among the interesting, important and suppressed items in this receipt which will again attract our attention are:

One letter -- Certificate of Death of John F. Kennedy -- State of Texas -- dated Nov. 22, 1963;

One carbon copy of letter dated November 26 from Commanding Officer, U.S. Medical School, concerning law and regulations regarding confidential nature of the events;

autopsy authorization
by ARK
Use as Blaming the Kennedy, etc
Why back would NOT dissect etc

One receipt dated Nov. 22, 1963, regarding a carton of photographic film, undeveloped except for X-rays, delivered to PRS for safekeeping;

An original and six pink copies of Certificate of Death (Nov. Med.N);

One copy of autopsy report and notes of the examining doctor which is described in letter-- of transmittal Nov. 25, 1963 by Dr. Gallaway (sic).

That letter from the commanding office of the Navy's medical school described as "concerning law and regulations," which ultimately I got and reproduced in facsimile, elsewhere in *Post Mortem*, was actually a threat to all who had any knowledge of the autopsy: they would be subject to court martial if they uttered a word about it.

Returning to the suppression of what is included in that receipt, nothing in the text omitted:

In this case the suppression is much worse, for this PRS receipt was officially entered into evidence as Exhibit 397 (WHITEWASH 183). In offering the file of which it is part into evidence, Specter said (2H373), "May the record show that Exhibit No. 397 is identical with the document which has been previously identified as Commission No. 371 for our internal purposes."

Exhibit 397 allegedly is printed (17H29-48) Part of it is. But only part. Not one of the items listed above! Nor is this PRS receipt, which I got from File 371 and which in the upper right-hand corner has the identification of "Commission No. 371".

Does the reader believe that in the investigation of the murder of his President such items of evidence as the certificate of death, a letter on the applicable law and regulations, what appears to be an additional Navy certificate of death (it is nowhere described, not mentioned in Humes, testimony), and the heart of the autopsy report, the "notes of the examining doctor", should be included in the evidence? His Commission to investigate this murder deemed otherwise and suppressed each and every one of these most elemental items of evidence that would have been required had the investigation been not that of a President but of an unwanted, friendless derelict. It then went further and suppressed the receipt that itemized them. (This is developed further in Part 3.)

Once the decision was made to suppress, everything indicating what had been suppressed also had to be expunged. So the innocent receipt, too, was kept out of Exhibit 397. I have made repeated searches of duplicate Files 371 and none of this, except the receipt and the letter of transmittal, is in any of them. I asked that an official search be made by the Archives. Their search confirmed mine. The suppression is total. These items, the beginning point of any serious murder investigation, have been denied, even the archive, such is the archive to the murder of this President! (page 102).

The evidence that the essential files were gutted when that could have been done only by government people is clear. Without any question at all. All of what was gutted can be in question but not the fact of it. What did not exist in any of the files in which it should, have existed and, if the Board later got it disclosed in any form, the Board was so hush-hush about it that the media made no mention of it. Nor did Gunn, as we see, demand even a copy of the most important of it when he was told a copy could be had.

The basic information of the autopsy should be in the notes, which all three prosecutors made separately and which Humes had when he left the autopsy room. Those notes are the most basic evidence of the crime.

Had on missing autopsy notes BOES.

There is no doubt that the "notes of the examining doctor" existed after Bouck signed the receipt. Nor is there any doubt about the nature of these notes. They are the entire basis of the autopsy. It is not in those incomplete marginal notes Dr. Boswell kidded the "star" reporter of the Baltimore Sun into believing that Humes used in writing his report, but those notes, made for that purpose. Others have ignored what I immediately concluded was Humes' vital testimony (WHITEWASH 183):

These are various notes in long-hand, or copies, rather, of various notes in long-hand made by myself, in part, during the performance of the examination of the late President, and in part after the examination when I was preparing to have a typewritten report made.

The key words here are "during the performance of the examination" These are the missing autopsy notes. Those Humes made thereafter are in the file and the exhibit, because it served Commission purposes to print them. Thus, what Humes burned -- imagine burning anything historically and legally important in the investigation of the murder of a President! and imagine a Commission that, hearing of this, was silent! -- could not have been in his hand when he testified four months after the burning. This is no reference to the first draft of the autopsy, burned after Oswald was murdered, when there would be no cross-examination of the autopsy surgeons. These are the vital basis of the entire autopsy report that were in Humes' hand, did exist, at least in a Xeroxed copy, are required to have been printed in Exhibit 397 and are not, are required to be in File 371 and are not, that the government suppresses.

This is the way the murder of John F. Kennedy was investigated -- by the suppression and destruction of the most fundamental evidence. And this by the government that succeeded his, by the government that came into power by his murder, the murder it allegedly was investigating!

This is not an isolated suppression. Throughout this book there are numerous similar cases relating to other autopsy evidence.

Harold Weisberg

File - Paraffin Test

WUW

It is the record of this Board too. The Board with the responsibility of producing all withheld records.

The board did know of this Texas "inquest" allegedly prior to the assassination but if it sought any related records I have not heard of it.

If the board sought records relating to the Secret Service's different interpretations than the Commission's, I have not heard of it.

If there was any Board search for records that validate what Hoover wrote the Commission or invalidate it, I have not heard of that, either. One of the tests in which Commission Counsel Melvin Eisenberg was interested was the neutron activation analysis testing of some of the supposedly basic evidence. What I received in that lawsuit (CA 75-226) has one of the tests seeming to confirm that there was no gunpowder residue on Oswald's cheek. This is what the paraffin testing by the Dallas police did show. That would mean he had not fired a rifle. The FBI was careful not to include any interpretation or explanation of those tests, which it did in such secrecy it did not let even the Commission know about it - deceived the Commission. I did report this in *Post Mortem* but if the Board had anything to say about it, it, too, was said in deepest secrecy.

The bitterness expressed in *Post Mortem* applies to this Board, too, because it did not do its assigned job and it, too, deceived and mislead the people.

As the Commission had files labeled with the President's initials, so also did it have files identified with the initials of Texas Governor John B. Connally, "J.B.C."

Some of what the Commission and the federal agencies, which began with the assumption that Oswald was the lone assassin. was omitted from the Report. If there was any questioning for any such records and for the evidence behind them by this Board I have not heard of it:

The Connally files are, similarly, replicas of pieces of other files. They contain repetitive reporting of federal police conclusions, that a separate shot hit Connally. Because these are destructive of the Report, their suppression from that Report and the appended volumes is comprehensible. They contain FBI interviews with close witnesses

*at Councilman and Reagan's own and
suppression of evidence which difference does it
The President can read and writing will bring him
make it
Connally
80*

JFK's clothes -
 more military
 & MISSING notes
 Chapter 7

Board Ignored Reasons To Suspect a Military Conspiracy

The Board knew from the first that the autopsy notes were missing and from its record it decided right off to do nothing about that but make the pretense of searching for and reporting fully on them. It did neither.

Gunn, the Board's questioner knew this in detail from *Post Mortem*. He asked me nothing about them, much as I reported of them, a bit more of which follows. He did ask for a copy of the study Howard Roffman made for me of the sources in the available information of what is stated in the autopsy protocol. Then, when invited up to retrieve them from the files in our basement to which I no longer have safe access, or to send someone to retrieve them for him, or to ask Roffman for his copy, for which I gave him Roffman's address and phone numbers, Gunn made none of these simple efforts to retrieve the details of Roffman's study. He had the summary in *Post Mortem*: almost three-quarters of the factual statements in the protocol have no source in any of the disclosed files of the Warren Commission.

What I recall of what I had written of the notes, far from complete after more than two decades, begins in the following with what Finck testified when he was a defense or an anti-Garrison witness in the Clay Shaw trial. Finck, under the vigorous cross-examination of assistant district attorney Al Oser (son of a judge and later a judge himself), testified at first that what they were not permitted to do was dictated by an Army general. **Finck then changed** that to an admiral. What follows is part of a line at the bottom of **page 236** and all of **page 237** and the **first** line at the top of 238:

Skilled and resourceful as he was in misrepresenting, evading and deceiving, in not answering questions, in arguing with everybody, in refusing to behave as a witness, requiring repeated, patient admonition by the judge, Finck, for all his gall and verbosity, also made other sensational disclosures, besides these.

Those autopsy notes I had traced, the existence of which was repeatedly and in writing denied by the Archives, although my "chain of possession" was from the autopsy table to the Commission witness stand. They did exist made by all three surgeons, Finck included. He is the one who devised the meaningless means of measuring, flexible measurement, from the mastoid. He also did some of the measuring, and he made notes he turned in. In his presence and to his observations, the others also made handwritten

notes that seem to have found their way into the official memory hole for they no longer have official existence. Can there be a better way of assuring the integrity of the investigation, preserving the reputation of the military, then by the destruction of the evidence? Of course not! Therefore, it was destroyed.

References to the making of measurements and taking of notes abound in Finck's testimony, [including pages 69-70, 76, 80-5, 92-6, 123, 129-31, 149-50, 159-60 of the transcript of his New Orleans testimony].

Despite his evasiveness, Finck is specific enough on this point of his own note-taking:

When I walked out of that autopsy room I didn't have notes with me, to the best of my recollection. I remember taking measurements and giving them to Dr. Humes and Dr. Boswell. (p.96)

What immediately precedes this identifies these as written notes he personally made during the autopsy. They used small pieces of paper besides the autopsy descriptive sheet. Twice on this one page alone Finck admits that both the others also took notes:

"I saw both Dr. Humes and Dr. Boswell taking notes at the time of the autopsy" and "both of them made notes during the autopsy."

Among the many impermissible, intolerable facts established beyond doubt by Finck's New Orleans testimony is that, although all the medical men knew that the alleged path of the allegedly nonfatal bullet through the President's body had to be traced, it was not done; all made written notes required to be preserved, and they no longer exist, what he participated in cannot and does not qualify as a full autopsy; top military brass immediately took over the autopsy, severely limiting what the surgeons could do and ordering them not to do what they had to do, what had to be done; the commanding officer of the Navy Medical Center ordered changes in the written autopsy after it was prepared, the most substantive changes; and the autopsy surgeons were threatened with retaliation if they opened their mouths.

This much the reluctant Finck did admit. There was much more he did not. For example, all medical personnel present at the autopsy or who merely passed through the room while it was being conducted received the same threat, in writing.

Aside from the grossest improprieties in taking over a medicolegal function required to be completely independent, especially when that is an inquest into how a President was assassinated, can this threatening, this ordering of what must be left out or altered, do other than feed conspiratorial belief about the involvement of the military in some kind of plot?

Why should any general, any admiral, any officer of any rank, want to interfere in any way with what the autopsy report would say about how the President was killed? Why should anybody order that required examinations not be made and reported?

Is there any reasonable non-conspiratorial explanation that can be made?

Why should anyone in the whole world, assuming there had been no conspiracy of any kind, have wanted anything but the most complete, the most dependable, the most unfettered autopsy examination and report, made with total and complete independence?

Earaley's
A-T of
Concern
about
Finck's
testimony

to probe the wound when they first placed the President's arms above his head and closed off the track of that bullet.

As Gunn knew, if not from any other source, from *Post Mortem*.

If any effort was made to determine whether there were any records made of this or if any outside authority was consulted, it is not reflected in the depositions.

It is not easy to avoid the wonder, based on the fact that the top brass did control the autopsy, as Finck swore to, if they had anything to do with the inadequate, incomplete, and unprofessional pretense of a probe of the path of that allegedly magic bullet. That was essential to the official preconception that Oswald was the lone assassin because it was essential to the pretense that only three shots were fired. It also precluded any evidence from inside the body on the direction in which that bullet allegedly went.

With the essentiality of the official account of that bullet to the official account of that assassination, did not the Board have the responsibility of locating and making public all records relating to the propriety or the impropriety of the failure to track the path of that bullet, to let the people know, in meeting its obligation to force the disclosure of all assassination records, whether or not this was wrongful, even illegal, by means of disclosure of those records, which do exist and some were referred to in Gunn's deposition questioning?

Ten pages later I returned to my determined and long-lasting search for these and related records.

I referred to my

... systematic written effort to gain access to all the "autopsy or medical papers of any kind or description." The file of subsequent correspondence is thicker by far than the manuscript of a large book.

And this is exclusive of court papers. In one suit, Civil Action No. 2569-70, the lower-court papers alone also are much longer than a long book..

Even letters do make a kind of record for history, as some officials came to realize. Court records can and do document, and in this case it is of government falsification of the most incredible kind.

At first I believed the policy of the National Archives was to be helpful, genuinely helpful, and that what its staff could not provide just did not exist. It was a short honeymoon.

Check on this

Koffman's Analysis - We are entitled into JFK'S clothes

or missing evidence

File missing evidence of June go back read Chpt. 8

Howard's factual listing is 15 single-spaced typewritten pages. To make this study and comparison, he isolated every single statement of fact in the typed autopsy report. He then sought for each fact or even an approximation of it in each of the other sources, the so-called notes. This leaning-over-backwards is an effort to be as fair as possible by including all that any carping critic might later complain should have been. However, it is obvious, with only these so-called notes as sources, unless some notes had been destroyed at some point, there could have been no other sources for the holograph than there were for its typed version and no other sources for the two much-later panels to draw upon.

Howard's study shows a statement of a total of 88 facts. Of these, only 24 are in the "notes". Sixty-four statements of facts in the autopsy report are not in any of these "notes."

Because this is the autopsy of a President, because the credibility of the official Report on his assassination, that of all the Commission and its staff, the Department of Justice, all those medico-legal eminences and, indeed, of the military, too, hangs on this alone, let me express these shocking figures in two other ways.

Of the "facts" stated in the autopsy report, almost three out of four have no existing source. The percentage is just under 73 -- 72.7 percent.

Or, putting it the other way, of what is represented as fact in this autopsy report, only one in four exists in any existing written source!

It can, of course, be argued that some of the doctors might have remembered, such as the color of the President's eyes and hair. This cannot be true in most cases, for of these unrecorded 64 facts, 59 include or are solely of physical characteristics. Most of these are of parts of the body and their condition. Often they relate to the bullet wounds.

And of these, the startling number of 15 involve numbers and figures. These are essentials it just cannot be believed the doctors carried in their heads. Many of these are of measurements referring directly to the wounds -- their size, their distance from other parts of the body.

This is complex data, often of minute measurements, and those had to have been the most emotional days in the lives of all the doctors. They simply could not have carried all this in their heads.

And more incredible still, a third of this number is of cases where figures are used that conflict with the final autopsy report! These range from what Howard, more tolerant than I, regards as possible "minor misquoting" -- I regard no error in this autopsy as tolerable -- to the size of the missing piece of scalp. The figure of the report, 13 cm, exists nowhere in any notes and actually appears to be in contradiction to what is recorded in them.

This is but a brief summary of the great labor Howard undertook for me, countless hours of detailed work.

No matter how generously one regards it, no matter how much apologists may prefer to discount, I do not believe that reasonable men conceive that three-quarters of the fact of anything as complicated as the autopsy performed on a human body, especially that of a President, can possibly have been reported except from written notes. They no longer exist.

The destruction of such records of any murder, particularly the assassination of a President, and false swearing about it; or them, are criminal. When the government that has to be the prosecutor and alone can make the charges is itself criminally responsible, neither charging nor prosecution is likely. However, I have repeatedly invited those I accuse to file charges against me and seek judicial determination of fact. None has or will. (pages 255-256).

With the autopsy notes not available, some of the content of the protocol is the opposite of underlying information that is available.

Some of the changes are to the exact opposite

Sixty-four of the eighty-eight statements of fact in the protocol could not be traced or attributed to any official source!

Almost three-fourths of the stated facts – actually 72.7 percent of them had no disclosed official source.

The amount of disagreement between some of the official sources Howard did find and the autopsy protocol is really startling. Extraordinarily troubling.

There should be none.

Gunn read this. He asked for a copy of the underlying work. I invited him up or to send someone to retrieve it from our basement files because before Gunn was here it was not safe for me to use those stairs and I had and have not. When he was here he knew I did not dare use them. So, if it is to wonder why the board did not get this work or go into it on its own.

(Howard went on to clerk for several years for a federal appeals court judge, then he was drafted by a major law firm and from there he went on to become general counsel for a major corporation and then to assumed greater responsibilities in it.)

What would not be acceptable in the death of a wastrel, an unknown, was just fine when the President was assassinated -- and when his autopsy was performed by the military and entirely controlled by the military.

It is not inappropriate to repeat that the President got an autopsy unworthy of a Bowery bum- and that from its depositions this did not trouble the board in any way at all.

File - JAX's copy

There is no longer room for doubt about the intended dishonesty of the Commission's Report as well as of its record. The Report is internally inconsistent. It is in violent disagreement with the testimony upon which It is based. That testimony also contradicts itself, as it does its alleged documentary substantiation. And the most vital documentation, as I soon learned, was missing.

This may seem strong talk to the reader, even at this point, so I refresh his mind on the glaring and irreconcilable conflicts that hit me immediately, as set forth in considerable detail in "The Doctors and The Autopsy", the last chapter of *Whitewash*:

The Report promises to pinpoint and describe the fatal head wound at various places but at no point does.

The Report says that all the doctors swore that its alleged single-bullet basis is possible, but in fact, all swore it was impossible - every single doctor questioned did. Caged, ambitious Arlen Specter, about to make a new career for himself by abandoning Americans for Democratic Action and the Democrats to run (successfully) for Philadelphia District Attorney as a Republican, after adducing this monolithic refutation of his contrived "solution", pulled a pair of quick switches;

- a) he asked each doctor to ignore the reality -- "not this bullet, any bullet" -- and then asked no more than could one bullet wound two men;
- b) he substituted this hypothesis and the meaningless testimony about it for the reality and then had the Report quote all the doctors as agreeing to his theory which all denied and refuted.

The chief prosecutor, Doctor Humes, swore in identifying the papers constituting Exhibit 397 that it included two pages of his own notes, some made during the examination of the President's body in the autopsy room itself, and they are not in that exhibit, in its printed version or any of the numerous others, each, later, with some care and effort, recaptured from the official oblivion so Orwellian in character. Here (2H272-3) are the exact words:

Mr. Specter. Now, Doctor Humes, I hand you a group of documents which have been marked as Commission Exhibit No. 397 and ask you if you can identify what they are?

Commander Humes. Yes, sir; these are various notes in long-hand, or copies rather, of various notes in long-hand made by myself, in part, during the performance of the examination of the late President, and in part after the examination when I was preparing to have a typewritten report made.

* * * * *

Mr. Specter. May the record show that the Exhibit No. 397 is the identical document which has been previously identified as Commission No. 371 for our internal purposes (page 247).

Cite where in WCR

The doctor's Specter

Specter - Rhyme + lyrics - shuffle

More on missing autopsy notes

The thickness of the files referred to reflect the extent of the effort to make public, as this Board was to have made it public, the assassination information relating to the autopsy and the medical evidence that yielded little but did establish the untruthfulness of what was said officially about what was known to have existed and was not produced, when the law required production of it.

Chapter 11
From. *Whitewash Through Post Mortem* into the ARRB's Super-Whitewash

As we have seen, Humes' explanation for his destruction of any of the papers of the autopsy, which is entirely improper if not criminal, and his alleged reasons make no sense at all. He said he did not want any misuse of the President's blood but he was not able to control a greater volume of that blood than his autopsy report and his notes could have held. He also did not dare destroy the official Navy Autopsy Descriptive Sheet, which held some of Boswell's notes. Although they have disappeared, he did not testify to having destroyed the notes that Finck testified he gave Humes at the end of their examination of the body. Humes' explanation collapses when it is recalled that he had no control over the casket, its lining or the shroud. All he had washed was the sheets in which the Dallas nurses wrapped the body in, with an extra protection on its head.

There was the President's blood and more all over the limousine in which he was riding which Humes could do nothing about.

It was all over the clothing and uniforms of the others in the car and the four Dallas motorcycle policemen who were closest to him, two on each side of him when his head was exploded.

An FBI account that was suppressed until the board forced its disclosure places the blood and other body matter even under the visors of the limousine and on its hood, neither reported earlier.

While there is no way of knowing how much of the President's blood remained at the Dallas hospital, the sheets in which he was wrapped were clean when he was wrapped in them after he was washed. It is reasonable to assume that his blood was on the sheet and mattress of the gurney on which he was rushed from the limousine to the emergency room, and it is probable that some of his

Page 150 missing here.

As we saw, initially Humes attested to the destruction of his first draft of his autopsy protocol only. By the time he testified to the Commission and what he held in his hands, when he referred to his notes he referred to "copies" of them. About this, as about much else Arlen Specter had no questions.

Although Humes later started fudging on it, as we also saw in his Commission testimony, he placed the time of his destruction at when he heard that Oswald had been killed. He and all others involved knew then that there would be no trial at which their records could be examined, at which they could be called on to testify and about which they would be questioned with the most determined vigor by defense counsel.

It is impossible to believe that all those who did question Humes in all official proceedings were nincompoops, legal nullities who lacked the knowledge to ask him the very obvious questions he was not asked or who were dopes who really believed the pap he fed them.

What is much more likely is that with Oswald dead and with no trial and no need to produce those records at a trial and no cross-examination by any determined and competent lawyer, the protocol had its content changed. The stuff that Humes had in what he handed in would have led to his being pilloried on the witness stand. What he did and did not do would have been examined closely and the relevant rules, regulations and laws would have been read to him -- and to the jury.

Humes would have been ruined if he had faced examination in a trial in which the autopsy protocol he ended up with, the version he handed in, was the basis for examination of him. Even the changes made in the revision, are substantive. His revised handwritten copy published in *Post Mortem* (pages 509-523) with the substantive changes in fact he testified he was ordered to make, and in his own handwriting, would have been ruinous to him and to any prosecution.

What Humes had originally in his protocol and what was included in those missing notes had to have been what they could have been examined on in the trial that was expected at the time those notes were made and that first protocol was written.

But as any impartial examination of the actual evidence, aside from the medical evidence, leaves without any question at all -- what the evidence means and says rather than the official interpretation of it, of what was not ignored by the Commission -- the actual medical evidence is not what Humes wound up with. He revised his protocol knowing it would not have to withstand close examination into one that

supported the official determination to state the crime was by a single assassin. This official determination, which also began to be formulated as soon as Oswald was dead and those officials knew there would be no trial. The formulation of it that Deputy Attorney General Nicholas Katzenbach put on paper at about the time Humes did his revised protocol had the same purpose as Humes' revised version of the autopsy.

That original version could not be permitted to exist or disaster could result.

It is because this also was true of those notes that Humes originally made no mention of and then testified that he had burned them, too. He did have reason to burn them when he burned the protocol because neither could have supported that lone-assassin, no conspiracy fiction that was made up when it was known there would be no trial. The original was made when it was known it had to withstand close examination at the expected trial.

(The official documentation of the official decision to pin it all on the killed Oswald and to have a Presidential Commission is reported at the beginning of *NEVER AGAIN!* It is fully documented, with even the handwritten draft prepared by Katzenbach when he had no typist available on a Sunday afternoon. That and the retyped version are from the Justice Department file 129-11 and the other copies are from the FBI headquarters main assassination file, 62-109060.)

Secret Service records and the disclosed transcripts of the taping of Johnson's phone conversations, especially with J. Edgar Hoover, confirm this.

So there can be no doubt about the official record on this and about what Gunn knew in his deposing of Humes, the original, the official copies of them, the copies that had been hidden and were not used by the Warren Commission in its Report, are appropriate. I reprint the copies I published in *Post Mortem*. These copies are made from those originally suppressed, which the Commission did not have or use. I added and include the footnotes to them. Each page is reproduced exactly as it was printed in 1975, each page that Gunn had and did not really use in his questioning of Humes. (See figures 1 and 2.)

Humes could not have been more unequivocal in his second certification. He "certified" that the "Autopsy notes and the holograph draft of the final report were handed to Commanding Officer" [sic]. And rather than saying he burned anything at all he certified that all the autopsy "working papers associated with" the autopsy "remained in my custody at all times." Again, Burkley "accepted and approved" this "certification." Humes' commanding officer acknowledged receipt of those "working papers."

Gunn also had this and about this he also asked no real questions. Or, he accepted it, too, for the board.

In another receipt that was in CD 371 and was to have been published in Exhibit 397 and was not, the head of the White House Secret Service acknowledged getting from Burkley the "notes of the examining doctor," Humes. He could not have had what Humes burned but he did get Humes' notes from Burkley. I could not find those notes in an intensive search in the Archives. It was not with this receipt in CD 371.

This series of covering letters and receipts leave it without question that what was believed to be Humes' notes did exist after his conflagration. It is also apparent that all copies were hidden and have ever been made public.

The line in the left margin opposite the item quoted was on the copy I found at the Archives. It attracted some official attention before I resurrected it.

These once-suppressed original forwarding letters and receipt that were also suppressed serve as a background for what little Gunn asked about those notes and what Humes responded, if what he said can be considered a response in all cases.

When Gunn asked Humes "about records that were created during the course of the autopsy through the time that the autopsy protocol was completed" and "did you yourself take any notes during the autopsy." Humes replied:

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experience Navy medical people. To say nothing of massive Walter Reed Army hospital and the Armed Forces Institute of Pathology.

If the receipt of the body was made public I did not see it and I do not recall seeing in all the time I spent in the Archives.

There was not even any kind of record-keeping of "what kinds of tests or sections were made" (page 119).

There was no "record-keeping . . . used to help identify which tests have been sent where and when they've been returned" (page 120).

There were additional admissions of what was usually done at autopsies and was not done in the autopsy of the President (pages 121-124).

Asked to "describe the process you went through in drafting the protocol, Humes launched into his fabrication about his alleged horror of any of the President's blood being commercialized (page 125-129). He ran on and on, for more than four pages of transcript in which he was never once interrupted as he rehashed his fabrication that, as we have seen, had no basis in fact of any kind. It was just made up in an effort to cover the highly improper, if not also illegal destruction of evidence, destruction of the basic evidence of the autopsy -- which was really the basic evidence in what is a do facto coup d'etat, or of the overthrow of the government, which any presidential assassination is.

From one of Humes' long and self-righteous speeches about this obviously false explanation of his wrong-doing, with a little pretended indignation thrown in, Gunn finally got to those notes and their destruction. It was cream-puff questioning, especially when Humes said what is ridiculous, when he testified contrary to what he had already testified and when he was clearly a perjurer. The pages quoted from are 128-42:

And when I noticed that these bloodstains were on this document that I had prepared, I said nobody's going to ever get these documents. I'm not going to keep them, and nobody else is ever going to get them.

Chapter 12
Boswell Contradicts Humes and Both Are Not Truthful

Humes was not without versions, his words, often contradictory versions, and his claimed lapse of memory began long before there was this Board. But there was nothing too preposterous, nothing too outrageous, for Gunn, meaning also the Board, to tolerate – or welcome. By this time there was no consideration of reasonableness in what Humes made up on the spur of the moment, without regard to what he had testified to – sworn to -- earlier. Despite the gentleness with which Gunn questioned him, despite all that Gunn eliminated from it, despite the fact that it had to have been obvious to Humes, it was as he soon complained, getting to him. Whether that was from embarrassment or fear cannot be determined but it is apparent in both the questioning and Humes' responses:

Q Dr. Humes, let me show you part of your testimony to the HSCA. Question by Mr. Cornwell -- I'll read this into the record. It's from page 330, and it is Exhibit 21 to this deposition.

"Mr. Cornwell: And you finally began to write the autopsy report at what time?"

"Dr. Humes: It was decided that three people couldn't write the report simultaneously, so I assumed the responsibility for writing the report, which I began about 11 o'clock in the evening of Saturday November 23rd having wrestled with it for four or five, six hours in the afternoon, and worked on it until 3 or 4 o'clock in the morning of Sunday, the 24th."

"Mr. Cornwell: Did you have any notes or records at that point as to the exact location of the --"

"Dr. Humes: I had the draft notes which we had prepared in the autopsy room, which I copied."

Now, again, the question would be Did you copy the notes so that you would have a version of the notes without the blood on them but still notes rather than a draft report?

A Yes, precisely. Yes. And from that I made a first draft, and then I destroyed the first draft and the notes.

Q So there were, then, two sorts of documents that were burned: one, the draft notes, and, two, a draft report?

A Right.

Q Is that correct?

A That's right. So that the only thing remaining was the one that you have.

Q Why did you burn the draft report as opposed to the draft notes?

A I don't recall. I don't know. There was no reason -- see, we're splitting hairs here, and I'll tell you, it's getting to me a little bit, as you may be able to detect. The only thing I wanted to finish to hand over to whomever, in this case Admiral Burkley, was my completed version. So I burned everything else. Now, why I didn't burn the

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thing that J wrote, I have no way of knowing. But whether it was a draft or whether it was the notes or what, I don't know. There was nothing left when I got finished with it, in any event, but the thing that you now have, period.

Q Well, the concern, of course, is if there is a record related to the autopsy that is destroyed, we're interested in finding out what the exact circumstances –

A I've told you what the circumstances were. I used it only as an aide-memoire to do what I was doing and then destroyed it. Is that hard to understand?

Q When I first asked the question, you explained that the reason that you had destroyed it was that it had the blood of the President on it.

A Right.

Q The draft report, of course, would not have had the blood of –

A Well, it may have had errors in spelling or I don't know what was the matter with it, or whether I even ever did that. I don't know. I can't recall. I absolutely can't recall, and I apologize for that. But that's the way the cookie crumbles. I didn't want anything to remain that some squirrel would grab on and make whatever use that they might. Now, whether you felt that was reasonable or not, I don't know. But it doesn't make any difference because that was my decision and mine alone. Nobody else's.

Q Did you talk to anyone about your decision to --

A No, absolutely not. No. It was my own materials. Why -- I don't feel a need to talk to anybody about it.

Q Did the original notes that you created have any information with respect to the estimated angle in which the bullet struck the President?

A Nothing different than what's in the final version (pages 135-139).

Cornwell also fed Humes lines, as did Gunn. This one, for example: "Did you copy the notes so that you would have a version (sic!) of the notes without the blood on them . . ." Humes grabbed at this: "Yes, precisely."

This is the opposite of what he had just testified.

Only those bloodless notes also do not exist, and there is no hoked-up excuse for burning them! Besides which, Humes contradicted this several times, but it appears that contradiction and just plain lies were the least of Gunn's concerns. In a number of Humes' accounts this copy that had reason to be destroyed was also burned. Humes suggests this in what follows what is quoted above.

The next line Gunn fed Humes is "Why did you burn the draft report as opposed to the draft notes?"

Humes actually testified, "I don't recall. I don't know. There was no reason -- see, we're splitting hairs here.

Gunn was satisfied. He did not even try to give Humes to understand that there was no hair-splitting in the assassination or in any part of the investigation of it, particularly not with the fundamental problems Humes himself created by doing what he knew he was not permitted to in an autopsy.

When Gunn finally tells Humes what was obvious, that "The draft report, of course, would not have had the blood of --" when Humes interrupts him with still another of his preposterous explanations that explain nothing at all: "Well, it may have had errors in spelling or I don't know what was the matter with it. I don't know. I can't recall . . ."

He did not write a new autopsy protocol to correct spelling only after he knew there would be no trial, when he had had several hours or a day for doing that and did not do it in those hours. Besides which, the typists generally correct spelling, if that is necessary, in the finished copy they prepared on their typewriters.

The obvious reason Humes has no explanation is that he does not dare say that he rewrote the protocol into an entirely different protocol after he knew he would not be examined on it at trial and made it into a bit of propaganda for the lone-assassin, no conspiracy "solution" that had already been made up at the highest levels of government. (As the beginning of NEVER AGAIN! documents!.)

Key for my arguments

Humes again make a claim to the autopsy material being his personal property and again Gunn -- has no comment or question about that fabrication.

His preposterous claims were without end, and they are usually brazen lies:

Q Did the original notes that you took identify the location of the posterior thorax entrance wound with respect to which of the vertebra of the President the wound was closest to?

A No. The measurements were taken from bony landmarks. As I recall, one was a mastoid process, the bottom of the -- behind the ear, and the other was a midline of the vertebra column [false], not how many vertebrae down it was. So the up-and-down measurement would be the distance from the mastoid process down. [Gunn does not correct this falsification.]

Q When you recorded it a being from the right mastoid process, was it your understanding that the right mastoid process was a fixed body landmark?

his part, Gunn makes no mention of all the corroboration there is of what Burkley stated. There is no corroboration at all for what Humes made up, using only movable parts of the body to locate it. Humes again gets a bit upset because what Gunn could not avoid showing him, after I rescued it from oblivion and published it. He had no choice but to show it to Humes and at the least pretend to question him about it -- which he really did not do:

THE WITNESS: He's sort of mixing his metaphors. He's mixing the wounds up in here, but I presume when he says the wound was shattering type, it's the wound of the skull.

BY MR. GUNN:

Q You're welcome to read as much as you would prefer.

A Whatever.

Q It's just I have a question for you on the first sentence only.

A Okay.

Q You see that Dr. Burkley identifies the posterior back at about the level of the third thoracic vertebra. Do you see that?

A Yes.

Q Was that correct?

A I don't know. I didn't measure from which vertebra it was. It's sometimes hard to decide which vertebra, to tell you the truth, by palpation. Maybe you can do it accurately because the first and second -- did I say the third? Oh, he says third thoracic. I think that's much lower than it actually was. I think it's much lower than it actually -- you have seven cervical vertebrae. I don't know. I mean, he's got a right to say anything he wants, but I never saw it before, and I don't have an opinion about it.

Q Did you ever discuss which vertebra --

A I never discussed anything about it with George Burkley, period, or anybody else.

I mean, with all due respect, you seem to have come to me from left field. You know, I just -- they're not things of which I'm aware.

The measurements I made, as far as I'm concerned, were accurate. You could debate whether they were wise choices to be made or not, but they were -- accurate (pages 141-2).

Gunn was not playing Perry Mason when he accepted this false representation of a wound in the autopsy of a President and he was overly tolerant when for even the pretense of a real inquiry he says nothing, when Humes accused him of coming "from left field."

Instead, Gunn just dropped it, without a word of mention of all the considerable official confirmation there is of what where Burkley placed the back wound when there was not and could not be

That Humes took all the notes home with him is something Gunn ignored in questioning Humes. Nor did he make any effort to determine which account is true.

Gunn finally asked a question about records:

. . . Who during the course of the autopsy took any records or notes that you recall?

A I think Jim Humes and Bob Karnei, who was our senior resident working with us that night, and myself did all the note-taking. And then Jim took all our collected notes with him to write up the autopsy (page 108).

After several pages of questions about other matters, Gunn returned to the note-taking. Boswell said, "basically, I was taking the notes, for the most part." Gunn said rather than asked about this, telling Boswell that all he was referring to was the notes he made on the Autopsy Descriptive Sheet chart that in the Board's record is Exhibit 1. Boswell's response was, "Right" (page 115). As we saw in the Roffman study, that is completely impossible. From all available official sources, not only that sheet, only a fraction more than a quarter of all the information in the protocol can be traced to any official source, including that chart.

Gunn knew this very well when he put the question in the form of an answer and with that "Right," which Boswell had to know is a very big lie. Then Gunn changed the subject again.

We skip many pages because they are not worth the time it takes to read them and they add little to the board's self indictment and the autopsist's indictment of themselves already a matter of official record. They have been talking about the tissue sections that had come back from the laboratory. The exhibit Gunn refers to is the House assassins committee August 17, 1977 interview of Boswell (which nobody reading the transcript can even guess):

. . . Now, in the paragraph that I showed you a moment ago from page 8 of Exhibit No. 26, it refers to this, the sections being available from around noon on the 23rd; is that correct?

A Right.

Q So that would have been Saturday at approximately noon?

A Yes.

Q Now, previously you mentioned that it was your understanding that Dr. Humes had a draft of the autopsy protocol that was available about 10 o'clock that morning; is that right?

A Yes.

Q And do you remember that the draft was available prior to the time that the sections had been returned from tests?

A Yes.

156 autopsy protocol finished Saturday at 10 o'clock 11/23

If this is true, and Boswell does have a way of dating and timing it, then it took Humes a full day to begin to worry about his spelling, his only reason given for revising that autopsy protocol.

After another large jump, Gunn asks Boswell about the board's Exhibit 14. That exhibit is the report of the autopsists on their examination of what the Board refers to as "the autopsy material." It was hardly that, but this is the little time devoted to it:

Q Could you tell me who drafted the document that is Exhibit 14?

A This is Jim's language, I think.

Q To me as a lay person, it appears as if in November of 1966, View 7 is being described as an entrance wound, and in January of 1967, two months later, it's being described as an exit wound. First, do you have any reason for thinking that my understanding is inaccurate? Is there a switch in how those two photographs are described?

A Yes, I agree, and I have no explanation for that. I think they were both wrong, and I think the reason is that it's just such a terrible photograph (page 175)

*7 Ref. to the Back wound or Neck wound
check on this page in deposition*

Thirty years after those autopsy pictures were examined and when he sees that the official interpretations of them disagree with each other, Boswell's explanation is that both official examinations were wrong.

Still again, Gunn had no questions when Boswell says of the interpretations of that autopsy picture, one referring to it as a wound of entrance and the other as a wound of exit, that both are wrong.

How can that be? Is there other than exit and entrance?

conclude its work on the medical aspect of the case. It's my best estimate that that would be completed probably within this calendar year.

Is that agreeable to you?

A Yes, sure (page 8)

When Gunn got to documents for the record he specialized in the kind of ambiguity which let Humes off the hook and added support to the false history already fabricated. The documents to which he refers are, abnormally, not included in the transcripts of the deposition that the board provided and for which I paid so what Gunn showed Humes, with Humes already established extraordinary definition of what is "notes," is not known. He could be referring to the revised, handwritten autopsy protocol. If he is not, Gunn was criminally negligent in not getting those "notes," if they were real notes, and making them public:

Chronology

A Yes, this is my longhand notes from which the previous document was put together. I did this by myself over the weekend after the assassination, and then on Sunday morning, we three met in the office of the commanding officer of the Naval Medical Center, Admiral Galloway, and made certain editorial changes that we mutually agreed were preferable. Somebody had to do the write-up, and since I was the senior person responsible, I did it. And we revised it by mutual consent (page 17).

Experienced lawyer that Gunn was, he went out of his way no to identify that "previous document" by other than a number that means nothing to anyone reading this transcript because Gunn did not describe it or include it in the transcript. It could well, from the context, have been the retyped version of his handwritten revised protocol. And that, as Humes had testified earlier, was not merely "revised by mutual consent" but was revised, as Humes testified to the Commission and as I published in *Post Mortem*, by order of Admiral Galloway just before he had it retyped Sunday afternoon, November 24, 1963.

In that questioning Specter had been making up his impossible case for the impossible history of the so-called, but impossible, magic bullet, all "hypothesis" or "assumption" in his own words. Then this is what the transcript holds:

handwritten
All Humes Bureau was the autopsy report he had completed about 8 hrs earlier
Mr. SPECTER. Now, Doctor Humes, I hand you a group of documents which have been marked as Commission Exhibit No. 397 and ask you if you can identify what they are?

Commander HUMES. Yes, sir; these are various notes in long-hand, or copies rather, of various notes in long-hand made by myself, in part, during the performance of the examination of the late President, and in part after the examination when I was preparing to have a typewritten report made.

Mr. SPECTER. Are there also included there some notes that you made while you talked to Doctor Perry on the telephone?

Commander HUMES. Yes, Sir; there are.

Mr. SPECTER. Are there any notes which you made at any time which are not included in this group of notes?

Commander HUMES. Yes, sir; there are.

Mr. SPECTER. And what do those consist of?

Commander HUMES. In privacy of my own home, early in the morning of Sunday, November 24th, I made a draft of this report which I later revised. and of which this represents the revision. That draft I personally burned in the fireplace of my recreation room.

Mr. SPECTER. May the record show that the Exhibit No. 397 is the identical document which has been previously identified as Commission No. 371 for our internal purposes.

Is the first sheet then in that group the notes you made when you talked to Doctor Perry?

Commander HUMES. That is correct, sir.

Mr. SPECTER. And do the next 15 sheets represent the rough draft which was later copied into the autopsy report which has been heretofore identified with an exhibit number?

Commander HUMES. That is correct, sir.

Mr. SPECTER. And what do the next two sheets represent?

Commander HUMES. The next two sheets are the notes actually made in the room in which the examination was taking place. I notice now that the handwriting in some instances is not my own, and it is either that of Commander Boswell or Colonel Finck.

Mr. SPECTER. And was that writing made at the same time that the autopsy report was undertaken; that is, did you review all of the markings on those papers and note them to be present when you completed the autopsy report?

Commander HUMES. Yes, sir. From the time of the completion of this examination until the submission of the written report following its preparation, all of the papers pertinent to this case were in my personal custody.

Mr. SPECTER. Have you now described all of the documents which were present in that 397, Exhibit No. 397?

Commander HUMES. Yes, sir; with the exception of the certification to the fact that I, in fact, detailed [sic] them in my custody, and a certification that I had destroyed certain preliminary draft notes.

Mr. SPECTER. And these represent all the notes except those you have already described which you destroyed?

Commander HUMES. That is correct, sir (pages 372-3).

Specter, the experienced prosecutor, would never have dared pull this kind of shysterism in a court of law with opposing counsel to expose him.

Page 106A here

Why? It seems not to belong here, no reference to Perry's name

As we see in this verbatim quotation of Humes' actual testimony, he did not testify that he had destroyed any "notes". He limited his testimony to saying that he burned the draft of the autopsy.

Consistent with his deliberate deception about Humes destroying his notes is Specter's referring to Exhibit 397 as "a group of documents." It appears in Volume XVI on pages 29-48.

The first page is Humes notes of a phone conversation with Perry in Dallas. That page consists of but three brief medical references and of Perry's home and office addresses and phone numbers.

One of those brief medical notes Specter made raises the most substantial doubt about the story he was making up for his magic bullet if in fact it does not disprove it. Perry told Specter that the wound in the front of the President's neck was only three by five millimeters. That is smaller than the diameter of the bullets supposedly fired in the assassination, and it is not usual for an exit wound to be smaller than an on entrance wound. With this bullet allegedly tumbling in the story Specter made up out of need, not out of any evidence at all, the bullet was allegedly tumbling, and that eliminates entirely the possibility that the exit wound was so small because by the time it traveled the short distance not much more than a foot to Governor Connally's back, it made a hole about an inch in his back.

(If the board made any searches in the files of the agencies dealing with ballistics and testing for any relevant records, I recall no mention of it.)

Pages 30-44 are the handwritten revised autopsy protocol, not any "notes."

The utter ignorance and incompetence with which Cornwell asked the few questions he asked is revealed by the ambiguities he made part of the record and the obvious follow-up questions he should have asked and didn't. As when Humes testified that he prepared the autopsy protocol from those notes. But he prepared two autopsy protocols. One was prepared when Humes and others expected to be vigorously questioned at Oswald's trial and the other when he knew there would be no trial and no such questioning. With this the reality, no genuine investigation assumes that with those radically changed circumstances both of those autopsy reports were identical. With them not identical, the notes on which they were allegedly based also could not be identical.

What better reason could Humes have had for his buck-passing on this?

Humes also testified that the only notes he destroyed were those that "were stained with the President's blood." This means that the notes he said he copied, allegedly word for word, he did not destroy.

This being the fact, it is conspicuous that the House assassins committee did not ask him for those existing notes. Two decades later that was Gunn's record.

Gunn also failed to ask Humes for the alleged copies of those original notes that he also told Gunn he had.

That is a rather unusual way of making all records of the assassination public, Gunn's and his Board's responsibility under the law that created that Board.

It was also a rather unusual way in which Gunn greeted Humes when he began the deposition on February 13, 1996. It was unusual, too, that the board kept the contents of the deposition secret until the end of its life, two and a half years later. It was, at the very least, unusual for the board to make an entirely fictitious claim to a law enforcement purpose to withhold the transcript of that deposition from me when I sought it, promptly, under the Freedom of Information Act. "Unusual" hardly describes the praises Gunn heaped on Humes and the other prosecutors as he began that deposition, page after page of it

There is no longer room for doubt about the intended dishonesty of the Commission's Report as well as of its record. The Report is internally inconsistent. It is in violent disagreement with the testimony upon which It is based. That testimony also contradicts itself, as it does its alleged documentary substantiation. And the most vital documentation, as I soon learned, was missing.

This may seem strong talk to the reader, even at this point, so I refresh his mind on the glaring and irreconcilable conflicts that hit me immediately, as set forth in considerable detail in "The Doctors and The Autopsy", the last chapter of *Whitewash*:

The Report promises to pinpoint and describe the fatal head wound at various places but at no point does.

The Report says that all the doctors swore that its alleged single-bullet basis is possible, but in fact, all swore it was impossible – every single doctor questioned did. Caged, ambitious Arlen Specter, about to make a new career for himself by abandoning Americans for Democratic Action and the Democrats to run (successfully) for Philadelphia District Attorney as a Republican, after adducing this monolithic refutation of his contrived "solution", pulled a pair of quick switches;

- a) he asked each doctor to ignore the reality -- "not this bullet, any bullet" -- and then asked no more than could one bullet wound two men;
- b) he substituted this hypothesis and the meaningless testimony about it for the reality and then had the Report quote all the doctors as agreeing to his theory which all denied and refuted.

Specter's fanciful hypothesis

The chief prosecutor, Doctor Humes, swore in identifying the papers constituting Exhibit 397 that it included two pages of his own notes, some made during the examination of the President's body in the autopsy room itself, and they are not in that exhibit, in its printed version or any of the numerous others, each, later, with some care and effort, recaptured from the official oblivion so Orwellian in character. Here (2H272-3) are the exact words:

Mr. Specter. Now, Doctor Humes, I hand you a group of documents which have been marked as Commission Exhibit No. 397 and ask you if you can identify what they are?

Commander Humes. Yes, sir; these are various notes in long-hand, or copies rather, of various notes in long-hand made by myself, in part, during the performance of the examination of the late President, and in part after the examination when I was preparing to have a typewritten report made.

* * * * *

Mr. Specter. May the record show that the Exhibit No. 397 is the identical document which has been previously identified as Commission No. 371 for our internal purposes (page 247).

The thickness of the files referred to reflect the extent of the effort to make public, as this Board was to have made it public, the assassination information relating to the autopsy and the medical evidence that yielded little but did establish the untruthfulness of what was said officially about what was known to have existed and was not produced, when the law required production of it.

CHRONOLOGY

Of what the Archivist told me the Archives did not have, during the long course of diligent digging I found much, including some of the most basic of all evidence. The Board knew about this, too, and it even used some of what I found where it should not have been. But if the Board searched for records to explain this or that after the fact accounted for it, I have not heard a word about it.

The excerpt from *Post Mortem* that follows is shorter than as it was published because it is enough to make the case that Humes was not truthful. That is not resolved by the Board, which should have been making some of this withheld data public:

... To avoid the remote possibility that, in haste and passion, I might not make direct challenge to the autopsy doctors on their integrity, I begin with it.

At the very beginning of their unheeded, undated and, I emphasize, unworthy report, used by the Attorney General as one uses the contemptible, are these statements:

The autopsy began at approximately 8:00 P.M. on Friday, November 22, 1953, and was concluded approximately at 11:00 P.M. The autopsy report, written by Dr. Humes with the assistance of Dr. Boswell and Dr. Finck, was written on November 23 and the morning of November 24, and delivered by Dr. Humes to Admiral Burkley, the President's physician, on November 24 at about 6:30 P.M.

It is a minor complaint that the examination, in a very real sense, began about 25 minutes earlier, when the first of the pictures and X-rays were taken. They are part of the autopsy, suddenly a very real part to Boswell, Clark, Garrison and the court.

In every respect other than time, this statement is in conflict with Humes' testimony (2H373). For example, his testimony on when he wrote the autopsy (and Boswell and Finck had no part of the writing):

Commander Humes. In the privacy of my own home, early in the morning of Sunday, November 24, I made a draft of the report which I later revised and of which represents the revision. That draft personally burned in the fireplace of my recreation room.

The Commission and all the government and press, then and since, have apparently seen nothing ghoulish, nothing at all wrong in the burning of a President's autopsy in a recreation room. Some "recreation"!

The difficulty here is determining whether Humes is a simple liar in his services for Clark or a perjurer in his Commission testimony. Perhaps, as one could be certain with an honest government and a dedicated judicial system, we will know. That, however, is not as important as the deliberate deception and this part of the rewriting of history and recasting of the assassination.

The difference in when Humes burned his evidence -- and his observations in the draft of the autopsy he burned was evidence, for he was the chief expert witness -- is material. It is highly significant. Note that he says the draft that he wrote November 24 -- and he specifies it was a Sunday morning -- is what he burned. There exists a draft that was the revision. It is this he held in his hand. It is part of the Commission's 371 file and of Exhibit 397.

So there can be no doubt of the materiality, I quote his answer to a question by Commissioner John J. McCloy on the next page.

... I was working in an office, and someone had a television on and came in and told me that Mr. Oswald had been shot, and that was around noon on Sunday, November 24th.

The Commission that accepted this false statement is the one that accepted many others it also knew were false. It had to have been later then he said for Oswald was shot later. With Oswald dead, he knew there would be no cross-examination on the autopsy report. The changes he made are not editorial, not with "low" becoming "high", "left" changing to "right", "puncture" -- meaning entrance -- being eliminated, and many, many other such things. These changes might anywhere else be regarded as culpable, but with Arlen Specter, this Commission, this Attorney General and Department of Justice, when a President is murdered, they are normal, essential, natural as breathing. I emphasize he said he was still working on the autopsy after Oswald was shot, and after he know it.

Unless he casts himself in the role of an errand boy and the Navy as employer of the world's fastest typists and those of rarer skill that will earn our attention in coming passages, all signatories of the Clark special autopsy report lied in saying that the autopsy was "delivered by Dr. Humes to Admiral Burkley, the President's physician, on November 24 at about 6:30 P.M." The alternative to calling him other than a liar in to make a more serious charge, for he certified the other version it is his November 24, 1963, "Certificate", countersigned by his superior officer, Captain J. H. Stover:

I, James J. Humes, certify 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 holograph draft of the final report were handed to Commanding Officer, U. S. Naval Medical School, at 1700, 24 November 1963. No papers relating to this case remain in my possession.

/s/

J. J. Humes

Thus, it is clear that Humes gave the autopsy he had written to Captain Stover at 5 p.m. the day he said he gave it to Burkley an hour and a half later. He also said he had not a scrap of paper in any way relating to the autopsy in his possession beginning at 5 P.M. So, what had he to give the admiral at 6:30? What he was also saying, and this has to be read between the lines, is that he worked it over until well after morning, well after he knew of Oswald's murder until about dark the day he said he cleaned it all up in the morning (pages 144-145).

The appended footnote does not, with that limited space, go into all the obvious questions that the Board ignored with as much determination as the Commission ignored those same and obvious questions.

What legal authority did Humes have to dispose of any autopsy records in any way, the burning making it more of an outrage? Any record of this?

In the first, from page 524 Humes certified that he burned his protocol and turned all other papers in. Admiral Burkley "accepted and approved" this.

Figure 1



U. S. NAVAL MEDICAL SCHOOL
NATIONAL NAVAL MEDICAL CENTER
BETHESDA, MARYLAND 20814

In reply refer to

24 November 1963

C-E-R-T-I-F-I-C-A-T-E

I, James J. Humes, certify that I have destroyed by burning certain preliminary draft notes relating to Naval Medical School Autopsy Report A63-272 and have officially transmitted all other papers related to this report to higher authority.

J. J. Humes
J. J. HUMES
CDR, MC, USN

Accepted and approved this date

George A. Burkley
Rear Adm USN

Physician to the President

This is the original of Humes' certificate that he burned a draft of the autopsy report. It is not the same as the copy printed by the Commission, 17H48, which does not include the handwritten approval of Dr. Burkley. Indeed, what can be said when the President's physician certifies that he accepts and approves the burning of evidence in the crime! See p. 261.

This certificate has led to the myth, propagated by Arlen Specter, that Humes burned his autopsy notes. "The record is plain," Specter told U.S. News and World Report, 10/10/66, "that there had been a series of notes taken by Dr. Humes at the time of the actual performance of the autopsy which had been destroyed." Specter knew better, since he put this certificate (absent the Burkley endorsement) into evidence and had it confirmed by Humes (2H373). As the certificate on the next page makes clear, the "autopsy notes" were preserved. What Humes burned he alternately described as "preliminary draft notes" (above) and "that draft" of the autopsy report later revised, (2H373).

Having been assured by Humes that the first draft of the autopsy report had been destroyed forever by burning, Specter asked not a single question, not even the simple, indispensable question: Why? On this the Commission's record is barren. Specter, however, would like the public to believe otherwise. He now claims Humes "explained his reasons (for burning) fully before the Commission"—in his testimony.

Figure 2



U. S. NAVAL MEDICAL SCHOOL
NATIONAL NAVAL MEDICAL CENTER
BETHESDA, MARYLAND 20014

In reply refer to

24 November 1963

C-E-R-T-I-F-I-C-A-T-E

I, James J. Humes, certify 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 holograph draft of the final report were handed to Commanding Officer, U. S. Naval Medical School, at 1700, 24 November 1963. No papers relating to this case remain in my possession.

J. J. Humes
J. J. HUMES
CDR, MC, USN

Received above working papers this date.

J. H. Stover, Jr.
J. H. STOVER, JR.
CAPT, MC, USN
Commanding Officer, U.S. Naval Medical School
National Naval Medical Center

Accepted and approved this date.
George S. Burkley
Rear Adm MC USN
Physician to the President

This, an original copy, also bears the endorsement of Dr. Burkley absent from the copy published by the Commission. Here Humes makes explicit that he never burned any notes made during the autopsy. "Autopsy notes and the holograph draft of the final report" were preserved and given to Capt. Stover on November 24. Stover must have received all autopsy notes because Humes specifies that "all working papers" of the autopsy were in his possession until the transfer to Stover, after which "no papers relating to this case remain in my possession." With this transmittal, the mysterious story of the missing autopsy notes begins. See pp. 145, 261.

Figure 3

NATIONAL NAVAL MEDICAL CENTER
BETHESDA 14, MARYLAND

NOV 25 1963

23 November 1963


To: Commanding Officer, National Naval Medical Center
Re: The White House Physician

Subject: Autopsy protocol in the case of John F. Kennedy, late President of the United States

1. Transmitted herewith by hand is the sole remaining copy (under original) of the completed protocol in the case of John F. Kennedy. Attached are the work papers used by the Prosecutor and his assistants.

2. This command holds no additional documents in connection with this case.

3. Please acknowledge receipt.


C. D. GALLOWAY

This letter and the receipt which follows are from CD 371, although neither appears in the Commission's published evidence. When Specter introduced the autopsy papers, CE 397, into evidence, he stated for the record that CE 397 "is the identical document" marked CD 371 "for our internal purposes." (2H373). However, the two documents are not the same because the printed exhibit omits these two pages. Suppression accomplished many purposes, among them making it impossible to trace the chain of possession of the vital autopsy notes.

Many pages of notes made by all three pathologists during the autopsy were preserved and must have been delivered to Dr. Burkley on November 25. Dr. Humes transmitted all papers in his possession to Admiral Galloway on November 24, and here Galloway claims to transmit all papers he has, retaining none. Burkley in turn gave everything he got from Galloway to the Secret Service on November 26, as the following receipt executed that day reveals. And there the trail ends. The Commission's records include but one sheet (two sides) of notes, none of which were made by Humes. See pp. 102-5, 247-8, 251-6. The one sheet published directly contradicts the autopsy findings on a quintessential point, the location of the back wound. One can only guess what the suppressed notes reveal. And one cannot avoid asking why the Commission, charged with evaluating all facts relating to the assassination, did not obtain or publish the missing autopsy notes, and suppressed the receipts documenting their chain of possession. See p. 50.

*The commit follow 143, which
is confirmed on 145, can it?
perhaps at the end, with a note saying it's hope*

Commission No. 371



TREASURY DEPARTMENT
WASHINGTON 25, D. C.

20-2-34030

Protective Research Section
November 26, 1963

Receipt is acknowledged this date, Nov. 26, 1963, of the following items from Dr. George G. Burkley:

- One piece of bronze colored material inadvertently broken in transit from casket in which body was brought from Dallas.
- One letter - Certificate of Death of John F. Kennedy - State of Texas - dated Nov. 22, 1963.
- One carbon copy of letter dated November 26 from Commanding Officer, U. S. Medical School, concerning law and regulations regarding confidential nature of the events.
- One receipt dated Nov. 22, 1963, for bed sheet, surgical drapes, and shroud used to cover the body in transit.
- One receipt dated Nov. 22, 1963, regarding a carton of photographic film, undeveloped except for X-rays, delivered to PRS for safekeeping.
- An original and six pink copies of Certificate of Death (Nav.Med.N)
- One receipt from FBI for a missile removed during the examination of the body.
- One letter from University of Texas South West Medical School including report from Dr. Clark and summary of their findings of treatment and examination of the President in the Dallas County Hospital. Said letter of transmittal states that three carbon copies have been retained in that area.
- One copy of autopsy report and notes of the examining doctor which is described in letter of transmittal Nov. 25, 1963 by Dr. Galloway.
- Transmitted letter and 7 copies of the above item (autopsy report)
- Authorization for post mortem examination signed by the Attorney General and dated Nov. 22, 1963.

ROBERT I. BOYC

The Commission failed to publish this receipt even though it is supposed to be included as part of a published exhibit, CE 397. The reason is obvious: had it been published, questions would immediately have arisen as to why none of the items included in the list are a part of the Commission's evidence. That the Commission did not obtain these items, readily available to it, is proof that it did not seek the most basic evidence of the crime. The Navy death certificate alone is destructive of the entire official solution to that crime. See pp. 402, 307-B.

*Cited in WJWL
- P 71*

Forensic Panelists Hit Inquiry on Assassination

Medical Tribune—World Wide Report

CHICAGO—A retrospective look at the medico-legal aspects of the assassination of President John F. Kennedy brings into focus a major weakness in the specialty of forensic science, the new president of the American Academy of Forensic Sciences said here.

Those active in the forensic sciences, Jack L. Sachs pointed out, have been "teaching and educating each other" but have neglected to bring to outsiders an understanding of the purposes of this multidisciplinary group of specialists.

Mr. Sachs, a Chicago attorney, urged educational measures to remedy this "burying of our heads in the sand" and to make the public aware that coroner's offices should make use of good medico-legal autopsies performed by pathologists, forensically trained if possible.

Panelists at the academy's annual meeting cited examples of errors in judgment, scope on the part of physicians, that were made because of an apparent lack of understanding of forensic problems from the time President Kennedy was shot to the issuance of the Warren Commission report.

Medical Aspects Criticized

Medical aspects of the Warren Commission report came in for the greatest share of criticism, with other alleged defects including lost documents, incomplete investigation and jurisdictional disputes also pointed out. Commenting from the panel or the audience were members of the academy, which includes pathologists, psychiatrists, toxicologists, coroners, lawyers, and specialists in criminalistics and questioned documents.

Despite the fact that "the acknowledged leaders in the forensic fields in the world" are in the Academy of Forensic Sciences, it was not called into the Lee Harvey Oswald case, Mr. Sachs said. The reason for the omission, he said, might be traced to the academy's lack of identification with "its very reason for existence"—the health, education, and welfare of the public.

The clinicians, who performed well in attempting to save the life of President Kennedy at Parkland Memorial Hospital in Dallas, Tex., erred in not spending two minutes in a cursory examination of the surface of the body after death, said Dr. Cyril H. Wecht of Pittsburgh, who was formerly attached to the coroner's office in that city.

Such brief examination, he said, might have been helpful in view of the tremendous number of questions and speculations that ensued, from the press and the public, regarding the number of shots and the possibility of an organized insurrection. He also suggested that it had been unwise for the attending physicians to immediately make public comment that there was uncertainty regarding the directions from which the bullets had entered the body, since these statements created apprehension.

Dr. Wecht declared that it was surprising that the pathologists at the National Naval Medical Center in Bethesda, Md., did not first get information from the attending physicians at Parkland before making the autopsy. He said that the pathologists were also handicapped in making complete studies by the fact that the bloodstained suit and shirt of Governor John B. Connally of Texas were first cleaned and pressed before reaching them.

He observed that one of the purposes of the examination of the body was to help allay any misapprehensions on the part of the public, yet it was made solely by pathologists from the armed services. The calling in of at least one recognized civilian pathologist, of which there were a number in Washington, would have been wise, he said, in view of the not uncommon suspicion by Americans of opinions exclusively by "governmental officials."

Noting that the attending physicians at Parkland had to type the President's blood, Dr. Wecht said it would have seemed logical that someone close to the President at all times should have had this information.

Subsequent Clinical Support Unnecessary

He declared it his personal opinion that the "quibbling" over the lack of a post-mortem report on the state of President Kennedy's adrenal glands—to disprove or prove earlier claims that he had Addison's disease—was unnecessary. The answers would not have saved the President's life nor aided the investigation, Dr. Wecht said.

"The Warren Commission, a body of outstanding attorneys, appeared to follow that practice—common to a group of intellectuals—of functioning as lay psychiatrists," it was charged by Dr. Maier J. Tuchler of Phoenix, a psychiatric consultant to the Arizona State Health Department.

He said he was "astonished to learn that

of the 522 witnesses interviewed or deposed and over 25,000 reports presented to the commission, no psychiatrist studied any data gathered by the formal and official sources or by the investigators and attorneys for the commission."

The commission, he said, hired two historians but no psychiatrists. It heard only two psychiatrist witnesses, one of whom saw Oswald last what the latter was 13, the other of whom saw only Jack Ruby.

The report is deficient in establishing motive, Dr. Tuchler concluded.

Ray Schwartz, a Kanonka, Wis., attorney formerly attached to that state's Attorney General's Office, noted "the unfortunate conduct" of a spokesman for the Dallas bar, "who pronounced Oswald rational to the world press."

Lawyers Not Psychiatrists

"It must be understood that as many lawyers believe themselves to be psychiatrists as there are doctors who believe themselves to be lawyers," Mr. Schwartz remarked.

The Kanonka attorney also said that the conclusion that Oswald fired all the shots was based "solely on the pathologists at Bethesda..." and is subject to question.

"The commission found that there were between two and six shots fired," Mr. Schwartz said. "The best guess of the commission is three shots, based upon the proposition that there were three spent cartridges found at the Book Depository. It claims that one shot missed and one (the nonfatal) shot ran through the President's shoulder, through his neck, through Governor Connally's back, chest, wrist and thigh. No witness... believes that."

He said that the Parkland Hospital notes are probably the only original notes still in existence, others having been destroyed or not having been made in the first place during the interrogation of Oswald. Corroboration for the pathology reports, he added, might have been possible, but "pictures and x-rays given to the White House physician and Secret Service, many of them undeveloped, were never seen by the commission."

James W. Outerburg, a Bloomington, Ind., criminalistics expert, called the event the "most demanding homicide investigation ever undertaken" and said that there are "some areas in which the basic research necessary for the objective evaluation of evidence has yet to be performed."

...the Entire Wrongful Death

MEDICAL MILELINE

Warren Report Shortcomings Outlined

Shortcomings in the publicly announced portions of the Warren Commission report which dealt with forensic sciences were described by panelists at a session of the 18th Annual Meeting of the American Academy of Forensic Sciences in Chicago.

The panelists made clear that their review of the Warren Commission report on the assassination of President John F. Kennedy was not intended to be overly critical of its purpose and good efforts. They sought specific aspects and unanswered questions where addition of information would have strengthened it.

Autopsy Incomplete: From the viewpoint of a forensic pathologist, Cyril H. Wecht, MD, LL.S. who is associated with the Pittsburgh, Pa., coroner's office, said, "By standards found in most good medicolegal investigative facilities, the autopsy report would not be deemed to be a complete one. Certain essentials are missing, and many questions have been raised and have gone unanswered, at least officially, because of the absence of such information in the official autopsy report and in the subsequent testimony given before the Warren Commission."

Among the questions which might have been publicly revealed through the autopsy findings, Dr. Wecht said, were: (1) if President Kennedy had Addison's disease (an issue raised in the 1960 presidential campaign), and (2) if the first shot which struck the President inflicted a wound of such fatality that he could not have survived.

Lack of Information: Dr. Wecht stressed, however, "In this particular case, all of us are handicapped by not having been involved in the autopsy (with the exception of those few Armed Services pathologists who were called in to perform the autopsy). Consequently, we are limited in our evaluation to those portions of the record that have been made public through official sources."

"The only other medical facts that we have are those that were released by the physicians at Parkland Memorial Hospital in Dallas, where President Kennedy was taken and treated, before being pronounced dead officially. Thus, we must preface any remarks, particularly any that may seem to be critical, with the caveat that we are not in possession of all the facts. Also, we can appreciate the fact that the pathologists who performed the autopsy, being members of the Armed Services, may not have been permitted to publicly release all their findings."

'Conspiracy' Disproved: Psychiatrist Maier I. Tuchler, MD, Phoenix, Ariz., pointed out that the Warren Commission report "pat to root irrational apprehension and anxiety created by the assassination of our President at a critical time in the nation's history." The findings reported, Dr. Tuchler explained, "are sufficiently detailed to negate rumors of a conspiracy," and they point to Lee Harvey Oswald as "a lone assassin."

But in his study of the past history of Oswald as developed in the Warren report, Dr. Tuchler said, he was "astonished to find that, of the 522 witnesses interviewed and of the thousands of reports presented to the Commission, not one psychiatrist studied any portion of the data gathered throughout these otherwise intensive interviews for the purpose of professional psychiatric opinion."

Dr. Tuchler said that the Commission, "a body of outstanding attorneys, appeared to follow that practice common to a group of intellectuals of functioning as 'lay' psychiatrists." He emphasized that he is "reluctant to accept the evaluation of critical and of significant witnesses interviewed by legal or investigative personnel whose training, however extensive, does not qualify them for the important task of evaluation of motivation."

Weaknesses Cited: Attorney Jay Schwartz, Kenosha, Wis., was critical of a number of aspects in the handling of the case. He said, "The government is weak because it cannot establish a decent chain of evidence. It is weak because it spoke before it was ready. It is weak because it failed to maintain original notes. It is weak because all of the volumes of the report are based on assumption which must be taken on faith rather than fact. The [Warren] Commission inherited all of these weaknesses."

Schwartz made these observations:

① "It is with regretting that the Parkland

Hospital notes are probably the only original notes still in existence. Commander Hump, [Bethesda Naval Hospital pathologist] burned his original notes. Police Captain Fritz, who interviewed Oswald, didn't keep his, and [FBI Agents] Malley and Galtsoff as well as Secret Service men who were present didn't make any notes during Oswald's 12 hours of interrogation. One might have expected a stenographic report or tape recording in such a situation, but there were none."

② "The Commission found that there were between two and six shots fired, the best guess of the Commission is three shots based upon the proposition that there were three spent cartridges found at the Depository [building]. It claims that one shot missed and one shot ran from the President's shoulder, through his neck, through Governor Connally's back, chest, wrist and thigh. No witness including Dr. Hume or Gov. Connally believes that. Certainly that the number of shots is determined by belief that all the shots were fired by Oswald. This in turn is based on the uncorroborated autopsy which we find the wounds of entrance and exit."

③ "If in fact, there were four shots, Oswald could not have fired all of them. It is doubtful that he could have hit two out of three as the Commission contends he did. Three normal men had difficulty in so doing, and there is no credible evidence that Oswald, who had released a set-up on General Walker (if that testimony is believed) could compete with them."

④ "If the body and the limousine had remained in Dallas instead of being taken to Washington, D.C., in accordance with the law, Dr. Hume, the FBI and the Secret Service need not bear the responsibility they bear."

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