

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum #13

TO : Files

DATE: October 7, 1966

FROM : W. David Slawson WDS  
Office of Legal Counsel

SUBJECT: Warren Commission

Burke Marshall asked Harold Reis whether the Commission had actually considered Kennedy's clothes and the photographs and x-rays in connection with the autopsy. Harold asked me to find out. I called Norman Redlich and he said this was all dealt with in Dr. Hume's testimony and he agreed with me that so far as he knew the Commission had not seen either photos or x-rays.

The relevant testimony is in Volume II, pages 347 et seq. References to x-rays and photos are:

when taken 349

are of value 350

photos not available for purposes of making exhibits 350

disposition of both 372

possible use of photos by doctors 352, 369

use of x-rays by doctors 353 (2 references), 355, 361, 364, 372

Commission itself not see either 371-72

(See also the autopsy reports at 542-43 and 545 of the Report volume.)

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On page 365 the doctor testified that the front shirt rip indicated an exiting bullet. On page 366 he testified why the shirt and jacket holes were lower than the body holes.

The relevant statute, P.L. 89-318, 79 Stat. 1185, reads in part:

"It is hereby declared that the national interest requires that the United States acquire . . . certain items of evidence, to be designated by the Attorney General pursuant to Section 2 of this Act, which were considered by the President's Commission . . . and requires that those items be preserved by the United States."

I would therefore tell Marshall that neither photos nor x-rays were seen by the Commission or its immediate staff, but that the x-rays were an integral part of the doctor's autopsy, i.e., a tool, and the photos, although not a tool, are taken as a matter of course in all autopsies of persons suspected to have died violent deaths and serve as a record of the autopsy, especially a record of appearances that are destroyed by the autopsy itself.

As to the clothes: the jacket, shirt and necktie, all containing bullet holes, were seen by the Commission and given Commission exhibit numbers. The other clothes were given FBI exhibit numbers but not seen by the Commission, because of a staff determination that they were not relevant to anything (except possibly by reason of the fact that they did not contain bullet holes). A number of other FBI numbered exhibits were similarly winnowed out by staff review of the items in the FBI's possession.