

Sunday, August 13, 1964

New Skepticism Confronts Warren Commission Study

WASHINGTON, D. C.—Somewhere in Washington—though no one will say where—a collection of photographs and X-ray plates has laid hidden now for almost three years.

They were taken in the morgue of Bethesda naval hospital on the night of Nov. 22, 1963, the day on which President Kennedy was killed in Dallas, and were immediately handed over to the White House secret service. No one has seen them from that day to this.

What the photographs are known to show is the dead president's body together with detailed X-ray examinations of his heart, his brain and parts of his abdomen.

Now suddenly insistent, and in some cases strident, demands are being made for the photographs and X-rays to be submitted to outside independent examination, if not actually to be shown in public.

Curiously, the clamor comes both from those who uphold the Warren commission findings and from those who have relentlessly attacked them since the day they were published. Only direct, hard evidence, both sides today claim, can now put doubts at rest.

How has it all happened?

Earlier this year, when it became known that a new flood of books on the assassination was due to come on the market, most Americans seemed to feel merely a sense of irritation.

The alleged shots from the overpass, the confusion over whether the president's wounds were in the front or the back, the downward or upward trajectory of one of the bullets—the whole argument had become stale and unappetizing.

For the bulk of American public opinion it was enough that a distinguished seven man commission had deliberated on all the issues at stake for a period of more than eight months and at the end had come up with a clear cut answer rejecting any conspiracy theory and naming Lee Harvey Oswald as the lone assassin.

Commission on Stage

Today, however, it is the majestic Warren commission itself that is in the dock.

The change has come about largely as a result of one book that wastes little time on melodramatic theories (such as the present fashionable one of an Os-

wald double) and instead settles down to a painstaking examination of the way in which the commission worked, the approach its members and legal staff brought to their tasks, together with the confusion over objectives that seems from the beginning to have dogged the whole inquiry's footsteps.

The indictment—and this is what it turns out to be—is made not by any sensational journalist nor even by a committed political campaigner. It comes instead from the pen of a young academic, Edward Jay Epstein, who two years ago started on a master's thesis at Cornell university. His project was the problem of how a government organization functions in an extraordinary situation without rules or precedents to guide it.

The tale that he unfolds in his book, "Inquest," is a terrifying one—not, of

By ANTHONY HOWARD
London Observer News Service

course, of dishonesty or deceit but of superficiality and haste.

That is scarcely the most disturbing charge he makes. Time and again the reader is brought back to the commission's dual purpose. Was the aim to ascertain and publish the facts or was it to protect America's national interest by dispelling rumors?

The commission itself was split down the middle on a central and vital issue. It wavered between the two shot and single bullet theory. One of its own major conclusions drew a 26 page memorandum of protest from one of its staff members. And, finally, the men whose names were more than any other factor responsible for the confidence of the outside world had on an average attended only 45% of the hearings.

These no doubt still have to be treated as mere allegations. But the fact that they have been made has been enough to persuade one close associate of the Kennedy family, Richard Goodwin, a former White House aide, to call for an impartial investigation to discover whether a fresh full scale inquiry may not be necessary.

Probably the most alarming single revelation to have come out is the degree to which the Warren commission—

at least in its crucial writing period—was rounded and harried by the time factor.

Originally the deadline set for various staff members to submit their respective chapters in the report to the commissioners was June 1, 1964. After three senior lawyers had made representations to Chief Justice Warren—and had pointed out that only two out of eight chapters were anything like completed—this was reluctantly extended to June 14. Again there had to be a deputation to the chief justice. This time the absolutely final date set was Aug. 1, which itself gradually got eroded well into September.

One young staff member trying to open up a new line of inquiry was brusquely told by the chief counsel: "At this stage we are trying to close doors, not open them."

Another was ordered to give up study of a particular piece of evidence as it was felt that he was spending altogether too much time on it.

One, or Two Bullets?

It is not, therefore, surprising that among the people who did not join in the chorus of praise for the commission's report were some of those who actually worked on it. Why, then, did they keep silence for so long?

Admittedly it is not an easy question to answer—matters of human motivation rarely are. But what plainly has affected some of those who accept broadly the commission's conclusions—while remaining appalled at its methods—is the belief that the evidence must, in fact, exist to settle the doubts once and for all.

That evidence—which will clearly now be got only by heavy pressure on the

administration—lies in the postdeath photographs of John Kennedy as well as the X-ray plates taken at the autopsy.

To explain this it is necessary to take a brief excursion into the private world inhabited by the growing number of assassination sleuths. The theories purporting to tell what exactly happened in Dallas on Nov. 22, 1963, between 12:30 p.m. and 1 p.m. are, of course, legion. A wealthy California engineer has spent \$50,000 trying to prove that the president was shot from a manhole in

the road. An influential group of Texans still maintains that the sniper's nest was in a papier-mache tree specially imported into Texas for the purpose.

Generally, however, and leaving out the lunatic fringe both on the left and the right, the argument has been reduced to a surprisingly simple issue.

If President Kennedy and Gov. Connally, who was riding in front of Kennedy in the car, were wounded by separate bullets when the shots started, then there must have been two separate assassins.

If, on the other hand, the same bullet that first hit President Kennedy exited through his throat and went on to wound Gov. Connally, then the theory of the lone assassin still stands up.

The reason is that there simply was not time for a bolt action rifle of the type Lee Oswald is alleged to have used to have been fired twice in the maximum period of 1.8 seconds. A movie taken at the time by a bystander shows that no more time could have elapsed between the wounding of the president (the shot to the head that killed him came later) and the hitting of the governor.

The commission did not succeed in gaining possession of the original copy of this film (it had been snapped up for \$25,000 by Life magazine immediately after the assassination) until it was well on with its inquiries.

Opinion Divided

The film caused the one major departure in the commission's conclusions from those suggested in the initial FBI report. Once the film had been analyzed by frames it became clear, at least to the commission staff, that only a new hypothesis of one shot striking both Kennedy and Connally could foreclose the possibility of a second assassin.

...and I think that concludes in the new theory (why, if he was struck by the same bullet, did Connally take well over a second to react? Could a single bullet—especially one that was recovered more or less intact—have done that amount of damage to two men?).

But the commission lawyers decided that they had no alternative but to ride roughshod over obstacles to the theory. The reason was obvious.

"To say that they were hit by separate bullets," one commission lawyer blurted out at the time, "is synonymous with saying that there were two assassins."

Incredibly, it was precisely this issue that the Warren commission failed to confront. Instead, in what was called the "battle of adjectives," it was smoothed over by a compromise in language.

Some commission members, we now know, remained wedded to the simplest impossible FBI theory that there had been three shots—two of which hit the president and one Gov. Connally. Others who saw the significance of the time factor insisted that both men must initially have been hit by the same bullet.

In view of the vital importance of a unanimous report, the question was resolved, apparently in desperation, simply by saying that there was "very persuasive evidence" for the single bullet theory, while at the same time freely admitting a "difference of opinion" on the point.

Nothing in the whole story of the Warren commission seems in retrospect more remarkable than its failure to demand to see the photographic evidence which would have shown not only the full details of the wounds on the president's body, but also presumably the path of the crucial bullet.