

Warren Report: The Autopsy

By BERNARD GAVZER
and
SID MOODY
AP NEWSFEATURES
WRITERS

III— AUTOPSY

The Warren Commission did make a mistake. It had compassion.

There was some evidence which could have been made part of the record, but was not: X-rays and photographs taken at the autopsy of President John F. Kennedy.

Had these photographs been introduced as commission exhibits, the commission may have been bound to publish them—as it did with other nonsecret exhibits.

In the heartsick atmosphere after the assassination, there were those who felt this was unnecessary, that the evidence could be placed under lock and key for historians of the future and that the sworn testimony of autopsy surgeons would now be sufficient.

But who could have reckoned there would be the time of the critics? Who could have anticipated the commission findings

would be painted with suspicion?

There were other acts and incidents which the critics could seize upon and emphasize and place out of focus. They did.

There was a pathologist who made an inexact dot on an autopsy sketch representing a bullet entry; there were two FBI agents who reported the speculative conversation of pathologists without knowing the whole story; there were the three pathologists who left a corroborating detail of evidence out of the autopsy report; there was a pathologist who burned a draft of the autopsy in his fireplace; there were harried reporters at a Parkland Memorial Hospital who failed to make clear that doctors were speculating in describing the president's throat wound as an entry wound.

The critics—most notably Mark Lane, Edward Jay Epstein and Harold Weisberg—drew their own meanings from these things to make the autopsy findings suspect or tarnished.

The autopsy report states conclusively that Kennedy was struck by two bullets. One went

through his neck. It was a wound doctors say he would have survived. The second bullet struck his skull. It was fatal.

These findings are central to the single bullet theory. This theory is that a bullet went through the president's neck and went on to wound Gov. Connally. If not, the single bullet theory collapses. And so does the Warren report conclusion that Lee Harvey Oswald alone fired the bullets.

The critics have constructed their machine of destruction by selection of parts of testimony and parts of evidence from the Warren report. Some of it has been clever—and some absurd.

What could be more absurd than the way they see the holes in the president's suit jacket and shirt? Neither Lane, Epstein nor Weisberg challenges the Warren report evidence that there was a hole in the jacket "5 3/8 inches below the top of the collar and 1 3/4 inches to the right of the center back seam of the coat" and a hole in the shirt "5 3/4 inches below the top of the collar and 1 1/2 inches to the right of the middle of the back of the shirt."

"That evidence is compatible with a bullet passing through the president's back, inches below the neck," Lane says in his book.

Weisberg lowers the hole a few inches by describing it in his book as "six inches down from the collar. Not in the neck." He drops the key words "top of."

Epstein, in his book, publishes photographs which show the garments on a hanger. The holes can be seen clearly. "These photographs... were omitted from the Warren report and the 26 volumes of supporting evidence," he says. He got them from the National Archives. But other pictures, not nearly as dramatic, are in the evidence, and the testimony is quite precise.

Seeing the holes through the eyes of Lane, Epstein and Weisberg, it might seem that the bullet which made them could not have hit the president in the base of the neck. But put a jacket and shirt on any grown man with reasonably well-developed shoulders, measure 5 3/8 inches

(Turn To Page A-3)

Warren Report: The Autopsy

(From Page One)

below the top of the collar and a bit to the right of the seam, have him raise his right arm slightly (as the president's was) and mark the spot with a pencil point or chalk. Where does this touch the body? The base of the neck.

The precise location of the President's wounds is described in the autopsy report. But the decision not to introduce the autopsy X-rays and photographs — which would show those wounds — contributed to today's controversy. Who would have known three years ago that they would?

And who made the decision?

There are two major versions, both of which writers of this report have gleaned from members of the commission staff:

1—"The Chief Justice Earl Warren, who was chairman of the commission is a very humane and sensitive man. Out of deference to the Kennedy family, especially to Mrs. Kennedy, Caroline and John-John, he decided it would be awful if they were introduced as evidence and then published. He first determined informally that this evidence was not absolutely necessary because the autopsy pathologists could testify as to details," said one.

2—"There were members of the staff who out of trial experience felt that the X-rays and photos were vital documents in presenting evidence. There was a feeling that the chief recognized the value of this evidence but that the decision to keep them under seal came from Sen. Robert F. Kennedy, who was then the attorney general. It was Bobby's decision," said another.

Neither the chief justice nor the senator will comment about this or any other aspect of the report. The only thing Sen. Kennedy has said publicly was a statement he made in Poland that he was satisfied that Oswald was the assassin.

While most staff members of the disbanded commission have refused to publicly answer the critics or defend the report, at least two—Joseph A. Ball of Long Beach, Calif., and Wesley J. Liebeler of Los Angeles — have said they felt from the beginning that the X-rays and photographs should have been introduced.

In interviews with 11 of the 15 counsel and four of the 10 staff members, the writers have learned that a majority now feel the secret label should be removed because of the doubt created by the critics. None thinks that the commission need be re-established. One suggestion was that some nongovernmental body, such as a group of university presidents or a law society, should select forensic pathologists to view and analyze the evidence.

Several agreed with the idea expressed by one former assistant counsel:

"I think they should be open to any qualified expert who wants to see them whether he is chosen by a college president or Mark Lane himself."

While the autopsy X-rays and photographs were not introduced formally, it does not mean that they were not seen—and that they did not show the wounds as described in the autopsy report. The critics make the point that the photographs were handed undeveloped to the Secret Service and that they were transmitted that way eventually to the care of Robert Kennedy.

Albert Jenner, an assistant counsel now in Chicago, says he saw some of the autopsy photographs. Arlen Specter, currently district attorney of Philadelphia, has stated having seen at least one purported color photograph.

They also were examined and authenticated last Nov. 1 by four men intimately connected with the autopsy:

Cmdr. James J. Humes, senior pathologist at Bethesda Naval Hospital; Cmdr. J. Thornton Boswell, chief pathologist at Bethesda; Capt. John Ebersole, the radiologist who took the X-rays, and John T. Stringer Jr., a medical photographer at the National Naval Medical Center.

"We authenticated each item," says Boswell, who is now in private practice. "As Dr. Humes looked over my shoulder, I initialed each of the color and black and white photographs. Capt. Ebersole initialed each of the X-rays. There are various views of all the wounds, as we described them, and some of the photographs were taken so that the president's face is visible."

The National Archives says there are 26 color and 25 black and white photographs and 14 X-rays.

Mark Lane surrounds the episode regarding the X-rays and photographs with language unsupported by testimony. He says, on Page 60 of the hard-cover edition of his book:

"The X-rays and photographs were taken from Dr. Humes and given to the Secret Service: indeed the photographs were seized before they were developed. Humes testified that not even he had seen the photographs ostensibly taken to assist him and the other doctors."

Then on Page 62, he refers to them again, saying "...federal

police agents confiscated the crucial photographs and X-rays..." Confiscated? Seized?

Humes testified they were "turned over" to the Secret Service, but nowhere does he say they were demanded or that he objected to releasing them.

Lane need not have been so evasive or uncertain as to why the photographs were made—"ostensibly to assist him (Dr. Humes) and the other doctors", as he puts it. By his construction, it would seem the photos were taken to help the doctors that night of the autopsy.

But Humes is clear about it in his testimony on Page 373, Vol. II:

"The X-rays were developed in our X-ray department on the spot that evening, because we had to see those right then as part of our examination, but the photographs were made for the record and for other purposes."

Lane, Epstein and Weisberg see something highly suspicious in the statement of Humes that there was an autopsy "draft I personally burned in the fireplace of my recreation room."

In two of three references to this, Lane drops the word "draft." On Page 66, it becomes "his admission that he destroyed original notes relating to the autopsy." On Page 365, Lane says: "Destroyed evidence included the original notes prepared and then burned by Commander Humes after the autopsy."

Epstein says Humes "destroyed by burning certain preliminary notes relating to" the autopsy. "Draft" was dropped.

Epstein then later raises a question about the original autopsy report.

Weisberg writes: "If the commission had any questions about the burning of any kind of historic papers, especially undeciphered 'preliminary draft notes', the transcript does not reveal it."

The sketch which Lane, Epstein and Weisberg refer to is the "Autopsy Descriptive Sheet," which is part of Commission Exhibit 397, the written draft of the autopsy report. This sheet is a standard form—NMS PATH 8 (1-63)—and has the outlined anatomical form of the male body in front and rear views. It was one of the working papers during the autopsy.

Lane, Epstein and Weisberg each are in error in saying that the marking on the outlines were made by Humes. On what is this based? Humes did not testify he made the marks. In fact, he testified, regarding this sketch and another hand-drawn sketch: "I notice now that the handwriting in some instances is not my own, and it is either that of Cmdr. Boswell or Col. Finck."

Boswell has since cleared up this question. He made the marks. He admits the dot is not precise.

"The dot was just meant to imply where the point of entry was," he explains. "The notes describing the point of entry are near this mark and give precise measurements giving the exact location of the wound."

It is a hallmark of the critic's general scholarship that in zeroing in on this sketch none of them points out that although the dot is wrong, the description is clear: 14 centimeters down from the right mastoid process, which is the bony point behind the right ear, and 14 centimeters in from the right acromium, which is the tip of the shoulder joint. That point, on a man of Kennedy's size, is at the base of the neck.

And so the critics plunge ahead constructing their case against the Warren report.

Here's Epstein, handling the descriptive sheets:

"The face sheet shows front and back diagrams of the president's body." (Wrong. They are outlines of a human male and not specifically the president).

"On the front diagram, the

No one seems to wonder why Humes need have told anyone about it since he did it while he was alone in the privacy of his home. If he wanted to conceal something, would he raise suspicion by certifying that he burned a preliminary draft he had written of the autopsy report?

The critics make this draft seem part of the autopsy notes themselves. Those notes are identified as part of commission's Exhibit 397. And if the commission wanted to hide any revisions in the autopsy report which it published, why then would it have published the autopsy report in Humes' handwriting which shows those revisions?

There apparently was one corroborating piece of evidence which was inexplicably left out of the autopsy report, the writers learned. That was the result of a microscopic examination of tissue removed from the rear neck wound.

"We conducted microscopic examination of tissue removed from the neck wound area and found foreign substances such as fiber particles," says Boswell.

This would further show that the bullet which made the holes in Kennedy's jacket and shirt carried some material with it into the neck.

Why wasn't this in the autopsy report?

"It was an unfortunate oversight. It was not intentional," Boswell says. "I would say that three years ago we didn't presume that it would have been necessary to substantiate our findings."

Boswell contributed to the controversy regarding just what the autopsy sketch shows because it was he who had placed a dot—indicating the entry of a bullet—in an inexact spot. It is below the shoulder and to the right of the spine.

The critics treat this sketch as a star exhibit. And it is on this dot they have stood pat.

They claim it as proof that there was a shallow back wound, and not a neck wound. And that would mean that the throat wound was an entrance wound. And THAT would mean another firing position and another assassin.

throat wound is just below the collar line; on the back diagram the entrance wound is much farther below the collar line. Thus, although Commander Humes testified in March that the entrance wound was above the throat wound, during the autopsy he marked the entrance wound below the throat wound" (Wrong. Humes didn't make the mark. And Humes' testimony conformed exactly with the written descriptive details on the diagram.).

Weisberg refers to this same material as "suppressed." He points out that the sheets were not published in the Warren report, which was a summation of evidence. But they are in Vol. XVII, Page 45 of the supporting volumes. Suppressed?

To Mark Lane that errant dot is proof of a below the shoulder

back wound. He constructs a conclusion that the commission recognized this but had to evade it because it would upset the lone assassin conclusion.

"A back entrance wound was therefore inconvenient, and, though evidently corroborated beyond doubt by the Humes autopsy diagram and corroborated by the holes in the jacket and shirt, it disappeared," Lane contends. But as the report says, it was never there—except to such scrutinizers as Lane.

NEXT:
MORE ON
THE AUTOPSY