

# Kennedy Autopsy Photos Given to U.S. Government

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WASHINGTON—The family of John F. Kennedy has turned over to the government X rays and autopsy photographs of the late President under restrictions that may prevent the general public from viewing them for many years.

The Justice Department said Tuesday night there will be no public display of the material picturing the assassinated President's massive wound at least during the lives of his close family, including his two young children.

However, under conditions laid down by the President's widow and two brothers, the photographic records will be immediately available to any official federal agency.

Unofficial investigators can see the material only with the consent of the Kennedy family's legal representative, Burke Marshall, who served as assistant attorney general when Sen. Robert F. Kennedy (D-N.Y.) was attorney general.

## Infrequent Permission

Justice Department officials said that granting any such consent would be exceptional during the first five years of the agreement. After five years, recognized experts in pathology and related sciences will be given access to the materials at the discretion of the family representative.

The material includes 14 X rays, 25 black-and-white negatives and 26 color, 4-by-5-inch transparencies—65 different pictures in all. They were taken during the three-hour autopsy performed at the Bethesda (Md.) Naval Hospital the night of the assassination, Nov. 22, 1963.

Much of the recent criticism of the Warren Commission's report on the assassination has focused on the fact

that these pictures have not been available. Some critics have contended that the material could shed light on the nature of the President's wounds and provide information fundamental to their challenge of the Warren report.

However, Justice Department officials described the material Tuesday night as "corroborative" of conclusions reached by the Warren Commission. These officials also said the material did not run counter to any of

the commission's findings.

The commission itself decided not to view the X rays and photographs, acting instead on the basis of testimony by the three doctors who performed the autopsy. The doctors took the position, Justice Department officials said, that the material would not add anything to their testimony or change the views they expressed.

## Doctors' Testimony

The doctors testified before the Warren Commission on March 16, 1964. They said then that the X rays and photograph taken the night of the autopsy were not developed at that time but instead were turned over by their superiors to either the FBI or the Secret Service.

Justice Department officials said Tuesday night they could shed no light on how the Kennedy family obtained the X rays and photographs.

The officials did say that two of the doctors, J. J. Humes and J. Thornton Boswell, both Navy commanders at the time of the autopsy, authenticated Tuesday the X rays and photographs turned over to the government by the family. According to the officials, the two doctors also said these X rays and photographs were all that were taken.

The third member of the autopsy team, Army Col. Pierre A. Finck, is now in Vietnam.

## Historical Record

The Justice Department asked the Kennedy family to turn over the X rays and photographs in the interests of "the historical record," and indirectly because of recent books challenging the Warren Commission's findings, department officials said.

They were delivered Monday on behalf of the President's widow, Jacqueline, and his two brothers, Sen. Robert F. and Sen. Edward M. (Ted) Kennedy (D-Mass.) to the National Archives, where they will be stored.

It was in response to reporters' questions that the Justice Department revealed the government had acquired the material.

Earlier Tuesday, acting Atty. Gen. Ramsey Clark announced that the government had taken legal title to the thousands

of the Warren Commission.

"I have determined that the national interest requires the entire body of evidence considered by the President's commission on the assassination of President Kennedy and now in the possession of the United States to be preserved intact," Clark said.

This evidence, which also will be placed in the National Archives, included the Italian-made rifle which the Warren Commission said Lee Harvey Oswald used to kill Mr. Kennedy.

Clark acted under authority of a law passed by Congress a year ago. Parties who claim rights to items of evidence have a

year in which to sue for compensation.

This presumably includes John J. King, a Colorado gun collector who claims that he paid Oswald's widow, Marina, \$10,000 for the rifle and a Smith & Wesson revolver with which the assassin killed Dallas Policeman J. D. Tippitt, according to the commission's findings.

James B. Rhoads, deputy archivist of the National Archives, said the government's legal acquisition of the evidence would have no immediate effect on the general public.

There will be no public exhibit of the items "in the

foreseeable future in the interests of good taste," he said. But the acquisition would benefit individuals doing serious investigative and research work, Rhoads added.

Because of the tight restrictions on availability of the photographs and X rays, it remains questionable whether they will mute recent criticism of the Warren Commission's work.

Under the restrictions the most vocal critics would not be permitted access. A Justice Department official pointed out, however, that nothing bars these critics from naming a qualified patho-

logist to examine the photographs, which could satisfy the Kennedy family's post-1971 restrictions.

The conditions governing availability of this material were spelled out in an Oct. 29 letter from Marshall to Lawson B. Knott Jr., administrator of the General Services Administration, parent organization of the archives. Justice Department officials said the letter culmin-

ated discussions with the family's representative that extended over a period of weeks.

The letter also turned over to the archives the clothing Mr. Kennedy wore when he was killed. Public exhibit of the clothing also is barred, but the other restrictions are less stringent than those covering the photographs.

Authority for the government to accept the

material and the restrictions is contained in a 1949 law relating to Presidential libraries. The law, designed to facilitate Presidents' turning over their papers to the government, allows the donor to specify

restrictions on their use.

In answer to a reporter's question, a Justice Department spokesman said he knew of no consideration being given to reopening the investigation of the Kennedy assassination.