

the emotional feeling came within me that someone owed this debt to our beloved President to save her the ordeal of coming back," Ruby said. "I don't know why that came through my mind."⁵⁹ As for the possibility that Ruby and Oswald knew each other, the Commission categorically ruled it out.

... [T]here have been numerous specific allegations that Oswald was seen in the company of Ruby prior to November 22, often at Ruby's Carousel Club. All such allegations have been investigated, but the Commission has found none which merits credence.

In all but a few instances where the Commission was able to trace the claim to its source, the person responsible for the report either denied making it or admitted that he had no basis for the original allegation. Frequently those responsible for the allegations have proved to be persons of erratic memory or dubious mental stability.⁶⁰

The Commission also gave little credence to suggestions that Ruby might have had ties to organized crime. A short section in the Warren Report was dedicated to the subject. In it, the Commission stated that any links Ruby may have had with the mob were undoubtedly limited to the professional gamblers who frequented his clubs. Law enforcement agencies, the Commission wrote, had thoroughly investigated the matter and were satisfied that Ruby was in no way affiliated with La Cosa Nostra families then operating in the United States.

As he finished reading the Warren Report, Howard Donahue was no more inclined to believe the Commission's critics than before. The Commission's exhaustive account of the events and people in Dallas seemed more than sufficient in his mind to resolve any doubts that may have existed.

Still, fairness required that he examine both sides of the story. He knew that for his *True* article to be credible, he would have to deal with the arguments made by those who did not believe the government's explanation of the killing.

And so, buying a little more time from his editor, Donahue found every book he could on the assassination and started to read.

3

THE CRITICS

FOR ALL OF DONAHUE'S CONFIDENCE IN THE Warren Report, he and others like him were fast becoming a minority by the mid-1960s. A survey conducted by *The Washington Post* in October 1966 found that 60 percent of the American people rejected the "main arguments" of the Warren Commission's findings and had "deep and abiding doubts about the official explanation" of the assassination.¹ This skepticism was driven by, and in turn, driving, a tremendous amount of written material about Kennedy's death. By the time Donahue began his research, dozens of articles and close to twenty books had been written on the murder.² Most were sharply critical of the Warren Report.

In tone and content, the books ranged from the sensationalistic to the scholarly, while their titles often reflected competing conspiracy theories that seemed to mushroom monthly in the dark, uncertain aftermath of the shooting: *Oswald: Assassin or Fall Guy?*, *The Warren Report*, *White Wash I—The Report on the Warren Report*, *White Wash II—The FBI—Secret Service Cover-Up*, *Rush to Judgment*, *The Bastard Bullet*.³ *Not a Word*

Alleged conspirators ranged from disgruntled Cubans to the Russians to the Central Intelligence Agency, organized crime, right-wing fanatics, or any combination of the above. Writers sustained these theories with what they claimed were a host of unanswered questions, bizarre coincidences and outright contradictions in the Warren Commission's findings. The red flags emerged after reporters and writers began scrutinizing the Commission's twenty-six volumes of transcripts and evidence and after they started talking to witnesses the Commission chose not to hear.

One of the areas of greatest doubt centered on what quickly and derisively became known as the Commission's "magic bullet" theory: the claim that both Connally and Kennedy were wounded by the same bullet, probably the first Oswald fired. According to the critics,

investigators a man named Oswald left a rifle to have it mounted with a telescopic sight in the first two weeks of November.¹⁸ Yet the gun Lee Harvey Oswald used to kill the President was purchased with the sight attached.¹⁹

At least six people reported seeing a man resembling Oswald practicing at rifle ranges in the Dallas area through the fall of 1963 with a gun "perhaps identical to Oswald's Mannlicher-Carcano." According to the Commission, however, there was no evidence proving Oswald ever went to the ranges in question that autumn.²⁰ Albert Bogard, a salesman with a Lincoln-Mercury dealer in Dallas, said that on November 9 a man who gave his name as Lee Oswald took a test drive in a new car at seventy miles an hour on a nearby freeway. The problem was the "real" Oswald did not know how to drive. Bogard nonetheless said he recognized the man to be Oswald from photographs that appeared in the newspapers after the assassination.²¹

The Commission eventually decided Oswald could not have been involved in these sightings or encounters.²² But that, critics said, was precisely the point. In any case, the Commission made no effort to find out who this person or persons might have been or why they would want to establish sightings of "Oswald" in the weeks prior to the assassination.

Finally, there was the prolonged and bitter controversy surrounding the President's wounds and his examination by doctors in Dallas and in Bethesda, Maryland, where the Kennedy autopsy was conducted. Doctors in Dallas initially told the press that the frontal wound in Kennedy's neck may have been one of entry.²³ This obviously destroyed the one-gunner scenario, and Commission investigators subsequently suggested the doctors might have been mistaken. Most of them eventually concluded they had been.²⁴

The Bethesda autopsy itself was conducted by a doctor who had virtually no experience with gunshot victims.²⁵ Not surprisingly, the procedure was rife with errors. And what possible reason, critics asked, would the doctor have had for burning his autopsy notes two days after the operation was complete?²⁶

A host of other troubling questions raised by the critics included:

- Why was the gun found at the depository initially described as a 7.65 millimeter German Mauser, when Oswald's gun was clearly stamped "Cal. 6.5—Made Italy"? Were two guns found in the book depository?²⁷
- Why did the Commission discount the testimony of veteran reporter Seth Kantor, who swore he saw and talked to Jack Ruby at Parkland Hospital just after the shooting?²⁸ Did Ruby plant the "magic bullet"?²⁹
- Why did the Commission never mention that the slaying of the Dallas police officer, J. D. Tippit, occurred just two

- blocks from Ruby's apartment? Was Oswald on his way to see Ruby when the policeman stopped him?²⁹
- How was Ruby able to penetrate the basement of the Dallas police station to kill Oswald? It was a fact that Ruby knew a number of police officers. Did they let him in? Were police involved in a plot to kill Kennedy and silence Oswald?³⁰
- Along the same lines, how did Ruby manage to arrive at the police station at the precise moment Oswald was passing through? Oswald's transfer had originally been scheduled for 10:00 A.M. that Sunday morning. Did someone tell Ruby the transfer wouldn't take place until 11:20?³¹ Or was his timely appearance just luck?

One of the broad complaints about the Warren Report centered on the Commission's methodology and apparent preconceived notions about the assassination. Harold Weisberg spoke for many when he wrote the following passage in his 1965 book *Whitewash I—The Report on the Warren Report*:

Did the Commission ever consider that anyone other than Lee Harvey Oswald could have been the assassin? Neither in the Report or anywhere else is there even any indication that the Commission ever seriously considered such a possibility. Oswald himself denied having shot anybody. The Report concludes his denial was not credible because the Commission considered him a liar.

Whether or not Oswald actually was a liar, the fact remains that the Commission ruled out the possibility of anyone else being the assassin of President Kennedy. This was the widely but not officially reported conclusion of the massive FBI report turned over to the Commission. It was the conclusion of the Dallas police. Perhaps it was even the fact. But in determining before it held its hearings that it would not diligently seek out all other possibilities, the Commission conducted an inquiry with a built-in verdict. It converted its function from one which would "uncover all the facts" to one that could have but a single purpose: To validate the conclusion that Oswald was the lone and unassisted assassin. This can scarcely be called the premise for an impartial and unbiased investigation.³²

Of the books critical of the Commission written in the first five years after the shooting, Donahue found *Six Seconds in Dallas* by Jostiah Thompson among the most compelling. The book had just been published in the fall of 1967. Thompson's effort was obviously thoroughly researched and included a wide variety of graphs, photographs, and other visual aids. Much of *Six Seconds* focused on the author's analysis of Abraham Zapruder's home movie of the assassination.

This analysis, Thompson concluded, revealed two essential points

Why would it
why Oswald?

These are why
things that are
most at issue
questions

that proved the shooting was the work of more than one gunman: First, a frame-by-frame study of the film showed that Connally was indeed not hit until between 1/2 and 1 1/2 seconds after Kennedy was. Given that the minimum firing time between Carcano shots was 2.3 seconds, the governor's wound—according to Thompson—came too late to be from the same bullet and too soon to have been a second bullet from the same rifle.³³

Second, the film showed Kennedy's head move slightly forward and then violently backward as the final shot struck. According to Thompson, this motion proved that the President was hit in the head simultaneously with two shots: one from the front and one from the rear.³⁴ "If, as the Commission had said, the [last] shot came from the rear, then the force of the blow could be expected to jolt Kennedy forward, not backward as clearly appeared on the film," Thompson wrote.³⁵

Thompson's final thesis was that

three assassins fired four shots from three different locations. The first and third shots were from the depository—most likely from the sixth-floor, southeast-corner window later identified by the Warren Commission as the sniper's nest. The second shot, wounding the governor, was fired from the east side of Dealey Plaza—most likely from a building rooftop. The fourth and final shot was fired from a point near the corner of the stockade fence [on the grassy knoll] north of Elm Street.³⁶

As he read Thompson's book and others and studied the skeptics' arguments and assertions, Donahue's loyalty to the Warren Commission diminished somewhat. The critics were right: There were too many omissions and seemingly arbitrary conclusions in the Warren Report, and too many questions left begging.

But at the same time, Donahue was struck by the fact that although these authors were writing with ostensible authority about a gunshot murder, few, if any, apparently had any experience with firearms or ballistics. Mark Lane, author of *Rush to Judgment*, was an attorney and former New York State assemblyman.³⁷ Harold Weisburg, the dean of the critics and author of the *Whitewash* series, was a government intelligence analyst-turned-geese farmer.³⁸ Sylvan Fox, who wrote *The Unanswered Questions About President Kennedy's Assassination*, was a Pulitzer Prize-winning reporter.³⁹ And for all his analytical skills, Thompson, author of *Six Seconds in Dallas*, was a philosophy professor.⁴⁰

To Donahue, this lack of firearms training was all too apparent. In none of the books could he find a thoughtful, rigorous analysis of the ballistic evidence. Most of the authors, he believed, instead relied on ballistic generalizations and often outright fallacies to support their

any thing like that, and the critics had said "a factor in my critical study"

arguments. Others played down or ignored evidence that didn't support their particular bent on the killing.

This tendency to misunderstand the evidence or see it as a kind of rolling Rorschach test open to any number of interpretations, in Donahue's view, fostered many widespread misconceptions that seemed only to strengthen with the passage of time.

One example were the terms "master rifleman,"⁴¹ and "superb marksman"⁴² mentioned by incredulous writers in connection with Lee Harvey Oswald's performance in Dallas. Donahue knew Oswald's shooting was mediocre at best: The distance Oswald fired from was not that great and out of the three shots he supposedly got off, one missed the presidential limousine entirely.

Another fallacy, widely accepted as fact once it was reported, was that the Mannlicher-Carcano rifle required a minimum of 2.3 seconds for bolt action between shots. Thomas Buchanan wrote the following in his 1965 book *Who Killed Kennedy?* "It is doubtful if a single man exists who could have fired this weapon with the skill required [in the time required.] But if the feat is possible, it is, in the opinion of the experts, a superlative performance which requires one of the world's best marksmen."⁴³

Donahue wouldn't have minded being known as "one of the world's best marksmen," but he realized Buchanan's phrase and others like it were products of sheer ignorance. In the 1967 CBS reenactment, Donahue had been able to fire his last two shots in about two and a half seconds each. And the time it took him to fire all three was well under 5.6 seconds—the time between the first and third shot as calculated by the Warren Commission.

Yet another misconception that later on enjoyed wide currency was the belief that the 6.5 millimeter cartridge was a low-to-medium-powered military bullet incapable of penetrating both Kennedy and Connally.⁴⁴ In fact, Donahue knew the cartridge was extremely powerful. The Carcano had been produced as Italy's primary infantry weapon in the first half of the twentieth century, and its heavy bullet had been designed for deep penetration in house-to-house fighting or firing from a long distance. The round's muzzle velocity was 2,234 feet per second; more than twice the speed of a common .22 caliber bullet.

In the 1950s, African big-game hunter Koromojo Bell had demonstrated the weapon's lethal punch by using a Carcano-type rifle and cartridge to kill scores of elephants with single head shots. Donahue's confidence in the penetrating power of the Carcano was confirmed in later years by photographs of a 6.5 millimeter round passing through forty-seven inches of pine board.⁴⁵ *gunshots did not even try to penetrate*

no much for Donahue's knowledge
and judgment?
in how many trees? and with how many other
shooters, what was the record?
the best marksmen...
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THE HOUSE SELECT COMMITTEE

11

THE NEWS THAT HICKEY WAS OUT THERE somewhere was encouraging. Presumably he was in the Baltimore-Washington area. Maybe there was a way to get his address. Reppert made a note to check with his police sources on the off chance they could locate the agent's home.

As far as the alleged legal threat went, neither Donahue nor Reppert gave it much thought. If Hickey was serious about setting the record straight, he knew where to find them. Until and unless the evidence surfaced that conclusively destroyed the theory, Donahue and Reppert were in full agreement. Work on the book would continue.

In fact, Donahue had long believed there might just be that kind of evidence—evidence that would instantly wreck his conclusions or, alternatively, prove them beyond a reasonable doubt—if he could only get his hands on it. For years he'd seen references to spectrographic tests conducted by the FBI on the bullet fragments recovered from the scene of the crime.¹ Spectrography is a process that involves incinerating tiny samples of the specimen in question and then comparing the color of the flames produced to those of known chemical/metallic standards.²

Since there were very likely significant differences in the metallic composition of the 6.5 Carcano and .223 AR-15 bullet jackets, Donahue reasoned that spectrographic comparison of the jacket material from Kennedy's brain would show conclusively whether the bullet that had killed the President came from a Carcano or an AR-15.

The curious thing was, the spectrographic results were not included anywhere in the Warren Report or in the Commission's volumes of evidence. And FBI spectrographer John Gallagher, although he testified about tests done on the President's clothes, was never questioned about tests done on the bullet fragments.³ To Donahue, these

THE HOUSE SELECT COMMITTEE

omissions seemed bizarre, given the importance of the information relevant to the Commission's lone-gunner thesis. *Labels: Miller Com. to locate at*

Reppert figured there had to be a way to get at the test data and to contact the investigator Warren Commission critic and assassin author of the *Whitewash* series. Weisberg had some startling news. Beginning in 1967, he said, he'd peppered the Justice Department with requests for a number of assassination-related documents, including the spectrographic analysis results.⁴ Weisberg eventually filed a lawsuit under the newly instituted Freedom of Information Act aimed at recovering the test data. Government attorneys responded by arguing that revelation of the test results was not in the "national interest," though they never explained why.⁵ *Labels: Miller Com. to locate at*

Eventually, though, the Justice Department relented and released several documents that they asserted were responsive to Weisberg's demands. Unfortunately, the only information from the spectrographic tests included in these papers were unidentified, partial, and therefore meaningless numerical notations made during the procedure.⁶

Then in 1973 a bombshell detonated in the form of a previously unknown letter from J. Edgar Hoover to J. Lee Rankin, chief counsel for the Warren Commission.⁷ The letter, dated July 8, 1964, revealed that in addition to spectrographic analysis, another kind of test had been conducted on the bullet fragments. This was an extraordinarily precise and, at the time, relatively new procedure known as neutron activation.⁸ The process involved irradiating organic or inorganic materials—in this case the bullet fragments—with nuclear particles. The specimens would then emit gamma rays, which could be counted, compared, and analyzed to reveal the exact composition of the substance down to parts per billion. The process was and remains vastly superior to spectrographic analysis and is so accurate it is often referred to as "nuclear fingerprinting."

Today, neutron activation has found applications in a wide range of areas. Among other things, it is used in agriculture for detecting pesticide residues on crops, in electronics for measuring impurities in silicon semiconductors, in medicine for tracing metals in metabolism, in geology for analyzing minerals, and in law enforcement for analyzing physical evidence from the scene of a crime.

Using the process, police can identify poisons administered to a victim by analysis of the victim's hair, compare tiny flecks of paint from hit-and-run automobile accidents and contrast minuscule spots of dirt or grease, among a host of other applications. Neutron activation conducted on a strand of Napoleon's hair and on hair removed from the exhumed body of Sweden's King Eric XIV has shown both men were probably poisoned with arsenic.

Hoover's 1964 letter blandly noted that "minor variations" were found in some of the Dealey Plaza bullet fragments, including those

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To Donahue, these*

is not relevant, I've driven on the New York streets writing this.

16 HOPE DIES HARD

DONAHUE WAS THRILLED AT THE PROSPECT OF working with a successful author, and the two men corresponded frequently through the first half of 1985. Davis continued to express a great deal of interest in a collaboration and Donahue obligingly forwarded the writer a steady stream of the assassination material he'd assembled over the years.

Howard and Katie finally met Davis face-to-face that summer in Washington at a three-day convention on the Kennedy assassination. They found him to be charming and urbane and although a contractual relationship was not formalized, the Donahues were confident Davis was in earnest about pursuing the story. But as the weeks went by and letters bounced back and forth, Donahue became increasingly mystified, then exasperated by Davis's seeming inability to focus on or comprehend the ballistic evidence the gunsman had developed. Over and over, Davis would ask the same rudimentary questions. Over and over, Donahue would explain how the trajectory of the bullet, the slug's explosive disintegration, and the diameter of the entrance wound proved, to him anyway, that Hickey had fired the last shot.

To Donahue, it seemed Davis wasn't listening. Admittedly, part of the problem may have been in the way Donahue communicated the information. It was true the gunsman could sometimes deluge the uninitiated with a flood of scientific nuance and detail. Conversely, Davis may have been distracted by the success of his Kennedy book or feeling the strain from the grueling publicity tours he undertook to promote it. For whatever reasons, the connection between the two men began to break down. When Davis finally let it be known that he was under contract to write a new book detailing the apparent connections between organized crime and the Kennedy assassination, Donahue saw the writing

on the wall. Contact between the two become increasingly strained and erratic.

Davis's "mob-hit" book would go on to become the 1988 best-seller *Mafia Kingfish—Carlos Marcello and the Assassination of John F. Kennedy*. The story detailed evidence suggesting that New Orleans mob boss Carlos Marcello had had Kennedy killed in retaliation for the Kennedy brothers' attempts to destroy the Marcello crime organization. Davis presented his scenario in compelling fashion and drew from a wide variety of sources, including evidence assembled by Jim Garrison over the course of his 1967-69 Ferrie-Shaw probe.

But aside from the habitual, vague suggestions of a gunman on the grassy knoll, the author made no attempt to present any ballistic evidence that could conceivably support the idea that more than one gunman had fired on the President. Adding insult to injury, from Donahue's perspective, was the fact that the only mention the gunsman received in the book was in the back-page acknowledgments, where Davis thanked one "Harold Donahue" and a host of others for supplying "important documents and information on an informal, nonremunerative basis."

And yet there was one revealing encounter that emerged as a result of Donahue's involvement with Davis. Early on, Davis had recommended Donahue pay a visit to Harold Weisberg, a fellow Marylander and the well-known shaman of assassination theorists. Davis figured the veteran Warren Commission critic might be able to offer some insight or evidence that could help substantiate Donahue's theory.

But Howard was skeptical. He'd read several of Weisberg's books and had long marveled at the author's lack of knowledge about firearms and ballistics—ignorance that allowed Weisberg to conjure up a hail of bullets from the grassy knoll and elsewhere in Dealey Plaza. Donahue was likewise put off by the shrill, exhorting tone of Weisberg's writings. Weisberg spoke at nearly every turn about the black hand of a government conspiracy, yet he never seemed able to develop any logical arguments about who specifically was behind this treachery or why.

Even so, Donahue in late 1985 had been willing to do whatever he could to advance the book project with Davis. And he had to admit that Weisberg did provide key information to Ralph Reppert back in 1977 concerning the government's neutron activation testing of bullet fragments removed from Kennedy's brain. Just maybe the cantankerous critic had something else of value in his files. With nothing to lose, Donahue dropped Weisberg a note. Weisberg responded several days later and said he'd be happy to have lunch with the gunsman and his wife.

He added that he was aware of Donahue's theory from the *Sun* article but didn't know of any evidence that justified the gunsman's conclusions. Every photograph from Dealey Plaza appeared to disprove the accident scenario, Weisberg said.

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This vote of no confidence notwithstanding, Howard and Katie drove to Weisberg's farm in western Maryland and spent the afternoon with the king of the critics. Through lunch, Weisberg complained bitterly about the University of Maryland's refusal to accept his donation of the thousands of assassination-related documents he'd collected over the years. When the subject of Donahue's theory finally came up, Weisberg dismissed it out of hand. But despite his earlier claim, he could provide no photographs that refuted the thesis. He did point out that in the Algens picture, taken just after the first shot was fired, no crack was visible on the limousine windshield. Ergo, Weisberg said, Donahue's belief that the first shot had missed, ricocheted, and struck the windshield with a fragment was unsupported by the photographic record.

Donahue responded by noting that the bright sunlight that day may have made the crack invisible from the front. As well, a bystander wearing white was visible through the windshield at exactly the place where the crack was later found. This likely further masked the presence of the broken glass in the Algens photo.

Weisberg nonetheless remained adamant in his belief that the head shot came from the front, from the grassy knoll. At one point he leaned forward conspiratorially and told Howard, "I have proof the bullet entered from the front. The wound was surrounded by fragments." Donahue smiled wilyly to himself. Weisberg's understanding of the fragments was exactly backward. An M-16 bullet—or any thin-jacketed, high-velocity round—enters the skull, disintegrates, and then deposits fragments on the side opposite from where it enters.

This was clearly demonstrated by the gelatin block tests the House Select Committee had conducted in 1977-78. Photos showed the M-16 round fired by committee marksmen shattered and tumbled after striking the gelatin and caused enormous "tissue" damage before spraying multiple, minute fragments forward, to the front of the block, opposite from the side the bullet entered on. (See illustration 26.)

In fact, the shattering, fragmenting "wound" in the gelatin nearly replicated exactly the one Kennedy suffered, although this was never acknowledged by the committee. Moreover, Donahue knew the only weapon capable of inflicting a frontal wound as massive as Kennedy's would have been a shotgun fired from a few feet away. No shotgun pellets were found in Kennedy's brain and, obviously, no one was seen with a shotgun along Elm Street.

Of course, the gunsmith mentioned none of these troublesome technicalities to Weisberg as the old man held court that afternoon. Donahue did point out that in his opinion, the bullet's trajectory, explosive disintegration and the size of the entrance wound proved Hickey had fired the last shot. He did not, however, belabor the point. It was obvious Weisberg knew absolutely nothing about firearms and ballistics. And it was equally obvious the critic had no desire to begin learning now.

letter with it? I have never seen it up any more!
HOPE DIES HARD
215

And so the day faded and Howard and Katie bid the venerable critic good-bye. More than anything else, the Donahues felt sorry for Weisberg as they drove home that evening. Here was a man over seventy years old who'd given a good part of his life to studying the Kennedy assassination. Now his health was failing, the state university couldn't care less about his painstakingly amassed collection of assassination documents and, to top it off, his conclusions about how Kennedy died were flat wrong. *Did they mean he asked me to join him?*

Following the encounter with Weisberg, Howard realized he would have to finish the investigation on his own. He knew there was an important subject that needed to be reexamined in greater detail: the Secret Service in general and, in particular, their actions in Dallas. What more could he learn?

Like many twentieth-century American institutions, the Secret Service was forged in the caldron of the Civil War. Originally, the Service was conceived as part of the Treasury Department and charged with investigating and combating currency counterfeiting, which was endemic in the war years. It was not until after the assassination of President William McKinley in 1901 that the agency picked up the additional duty of protecting the President.²

In time the Service would also be responsible for shielding the vice president, the President-elect, major presidential candidates, former Presidents and their wives, widows of former Presidents, presidential children and visiting heads of state.³ The agency also developed a sophisticated research division that today undertakes the daunting task of identifying and monitoring potential assassins. As well, the Service continues to retain authority in cases involving counterfeiting.

But it remains the President's stoic, steadfast bodyguards who dominate the public's perception of the famous organization. The Secret Service agent has emerged as something of an archetypal American hero in recent decades: strong, courageous, and willing to lay down his or her life in the blink of an eye to defend the leader of a free and open society. This image is not exaggerated, for the job is dangerous, difficult and relentlessly stressful. Even in earlier, less violent times, the lot of an agent was a hard one.

Kentuckian Edmund Starling worked on the White House protection detail for thirty years, from 1914 to 1944. His biography, written by Thomas Sigrue in 1946, provides one of the most detailed glimpses of the day-to-day life of an agent. The book captures the atmosphere of grinding pressure agents face as they wrestle with the nearly incompatible goals of protecting the President and allowing the American people a degree of access to their leader.

In one of his many letters home, Starling recounts a typically enervating journey—accompanying President Wilson to Philadelphia for the second game of the World Series in 1915: