

Decision to name agent was publisher's dilemma

Book contains note explaining process

By Tim Warren
Book Editor

As chairman and chief executive officer of St. Martin's Press, Thomas McCormack was well aware of the ramifications of naming the Secret Service agent who Howard Donahue says accidentally shot the third bullet at John F. Kennedy on Nov. 22, 1963.

So when, after several months of researching Mr. Donahue's thesis, Mr. McCormack was considering publishing "Mortal Error," he drafted a letter in November to the agent.

"I figured the allegation was very distressing to the man," Mr. McCormack told *The Sun*. "Basically, I said [in the letter] that if he could have talked us out of it, we wouldn't have published the book. But we never heard back from him.

"For that matter, if anybody else could come up with material that would have invalidated the theory, it wouldn't have been published. I waited until the end of December before giving the go-ahead."

He said that between eight to 10 people at St. Martin's worked on the manuscript for several months, and read "thousands of pages" of material related to the assassination, including other books on the killing and the report of the Warren Commission. At the end of "Mortal Error," Mr. McCormack adds an unusual "note from the publisher" that details the editing process "to convey the kind of decision that we went through."

Edited in secrecy — the book was not mentioned in St. Martin's winter or spring catalogs — "Mortal Error" is scheduled to be in bookstores nationwide Wednesday, joining an already crowded field of Kennedy-assassination books (there are five, either in hard cover or paperback, on the *New York Times*' most recent best-seller list, including "High Treason," co-written by Harrison Livingston of Baltimore).

St. Martin's spokesman John J. Murphy said advance orders for "Mortal Error" exceed 100,000. He said the book already has gone through three printings; Mr. McCormack said the first printing is 125,000, an unusually high number for a first-time author with no national name recognition.

Mr. McCormack said the decision to name the Secret Service agent

1977) was a difficult one. And he said the book emphasizes that the agent was not negligent, but in fact acted courageously.

"In looking at what was said in the manuscript, and what Donahue has said in conversation, I was struck by how much Donahue expressed sympathy for [the agent]," Mr. McCormack said. "He even made statements about what a brave man he was, that he picked up the gun to get the bad guys, and the gun accidentally went off."

Thus, he went on, since "Mortal Error" does not say the former agent acted out of negligence or malice, the assertion that he accidentally fired a shot that hit Kennedy is not libelous.

But J. Hamilton Brown, executive director of the Former Agents of the Secret Service Association, based in Alexandria, Va., said the former agent talked to him about seeking legal action against Mr. Donahue when "Mortal Error" author Bonar Menninger was trying to interview him for the book last spring.

"The man's extremely upset, and would you blame him? How would you like to be known as the person who was accused of shooting the president of the United States when you know in your heart that it isn't true?" Mr. Brown said angrily. "I think [the former agent] thinks it's bull---, and so do I."

Mr. Brown says he has not talked recently to the former agent, who he says left the Secret Service in the early 1970s. Citing confidentiality, he would not give out any other information on the former agent.

But referring to a conversation he had last spring with Mr. Menninger, Mr. Brown said, "When I was talking to this twerp, I told him that [the former agent] was very much prepared to bring suit against him and was in the process of finding an attorney — and that we would be talking about damages in substantial numbers."

If the former agent does sue, Mr. Brown said, members of his organization and other former agents who were in the motorcade with Kennedy in Dallas would testify on his behalf. "There are a number of people who are alive and well who were standing next to [the former agent]."

As for why the former agent has not responded to inquiries by St. Martin's or Mr. Menninger, Mr. Brown said, "Why should he — why make a response to a theory that is totally incorrect? What you would be doing is giving credence to a ridiculous allegation."

Mr. McCormack said the former agent's name will not be used in any

of the width of the entrance wound in the president's skull as measured at the autopsy and from X-rays, which was 6mm, highly unlikely for a 6.5mm shell.

□ The odor of gunpowder as reported by several street-level witnesses immediately after the shooting, a highly unlikely consequence to a rifle fired five floors up and 88 yards away.

□ Testimony placing the AR-15 rifle in the agent's hand in the immediate time frame of the third shot.

□ Testimony from several witnesses that the sound of the shots came from the cars.

□ Testimony from Gov. John Connally that the third shot was the loudest.

□ Initial testimony — later recanted — from witnesses within the Texas Book Depository that they only heard Oswald fire two shots.

□ Two spent shells recovered from the fifth floor of the Texas Book Depository in clean, fireable condition, and one severely dented and beat up, suggesting that it was a "practice" shell that Oswald had used in his chamber to protect his firing pin when dry-firing, a common shooter's trick.

□ Oswald's own befuddlement and declaration that he was a "patsy" at the time of his arrest and interrogation.

Mr. Donahue maintains that there are two further tests that could instantly prove or disprove his thesis, and he is surprised that if they have been made, no public acknowledgment of them has ever been announced.

For one thing, the composition of the jacket of the AR-15 bullet is slightly different than the composition of a 6.5 Carcano bullet jacket. It is 90 percent copper, 9 percent zinc and 1 percent impurities. The Carcano jacket contains only copper. Thus any examination of the recovered ballistic copper bits that can be shown to contain zinc can only have come from a .223 bullet.

Additionally, the thicknesses of the copper jackets on the two bullets are profoundly different. The jacket on the .223 bullet is only 1/21,000 of an inch thick, whereas the Carcano jacket is 1/32,000 of an inch thick.

Under microscopic examination, these differences would be readily visible; an examination of the copper remnants in the ballistic residue has never been made either.

"I hate the word 'cover-up,'" he says. "It sounds so sinister. But the government was between a rock and a hard place. They did not want to admit that Kennedy was shot in the head by their own man. They tried to cover it up with the Warren Commission. And the Warren Commission was so inept that it led to much more widespread distrust of the government and its investigating agencies. Nobody really profited from it. The Warren Commission simply covered

*1977-78
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