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Decision on RFK Assassination

Los Angeles (UPI) — A decision as to whether further tests will be made to see if more than one gun was fired during the Robert Kennedy assassination seven years ago has been postponed for at least three weeks.

Superior Court Judge Robert Wenke heard nearly three hours of arguments Wednesday by attorneys for Paul Schrade, one of five persons injured in the shooting that killed Kennedy in June, 1968.

Schrade has filed a personal injury suit against Kennedy's killer. He alleged more than one gun could have been used.

A panel of seven experts told Judge Wenke more than two months ago there was no evidence to indicate a second gun was used.

The suit was based on statements by two hotel employees and two Los Angeles policemen who said they saw what appeared to be bullet holes in a door jamb in the Ambassador Hotel pantry.

Seven of the bullets fired from convicted assassin Sirhan Sirhan's eight-round .22-caliber pistol were recovered. The eighth was lost in a ceiling interspace.

Schrade contends, therefore, that statements by hotel employees and officers means more than one gun was fired.

The door jambs were inspected by the

district attorney's office two weeks ago. Only carpentry marks were found.

Wenke said Schrade's attorneys could answer some legal question during the three-week delay and attorneys for the state would have an additional week to reply.

At that time, he said, he will rule whether further ballistics tests are needed and whether he will order a new

investigation by the district attorney's proceed as a civil rather than criminal office, or whether Schrade's suit will matter.

Schrade's attorneys, Vincent Buglioso and Alfred Lowenstein, want Wenke to keep the case because he is familiar with it. But Wenke said the criminal case is over and the personal injury action could be handled in civil courts.

Tests Delayed

Lowenstein argued that Schrade would have to pay large expenses to carry it through civil courts and there was always danger that Sirhan's attorney, Godfrey Isaac, could invoke the statute of limitations to halt the suit.

The statute of limitations is one year on personal injury suits. There is no limitation on homicide cases.

Schrade's suit was filed in August.