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Hearing slated Friday on Oswald exhumation

Fort Worth Bureau of The News

FORT WORTH — A Tarrant County judge must decide Friday whether he will let lawyers inquire into the reasons Marina Oswald Porter consented to the exhumation of the body in the Lee Harvey Oswald grave in Rose Hill Burial Park.

Dist. Judge James E. Wright has scheduled a hearing Friday in his Fort Worth courtroom to determine whether he will block exhumation of the body.

Mrs. Porter, Oswald's wife, consented to a medical examination to determine whether her husband was buried in the grave after he was accused of assassinating President Kennedy in Dallas Nov. 22, 1963. But Robert Oswald, a brother, asked Wright to block the exhumation.

If Wright rules that lawyers cannot inquire into Mrs. Porter's motives, the hearing could end quickly.

The Texas Code of Criminal Procedure states:

"Consent for a licensed physician to conduct an autopsy shall be deemed sufficient when given by the following: in the case of a

married person, the surviving spouse."

Attorneys also can point to a 1964 court decision that states: "The widow has primary and paramount right to possession of the body of her deceased husband above the right of any other person."

Robert Oswald contends Wright should inquire into motives for exhumation of the body and determine whether there are sufficient grounds for reopening the grave.

The brother charged that Michael Eddowes, a British author and lawyer, wants the body disinterred "solely for publicity."

Eddowes, who has written a book outlining his theory, says the grave actually holds the corpse of a Soviet agent who posed as Oswald.

Relatives of Oswald, who was shot to death by nightclub owner Jack Ruby in Dallas two days after the assassination, have scoffed at the theory.

Mrs. Porter said she consented to the exhumation of the body because she "wants to put to rest the speculation."