

Deposition - Dr. MALCOLM OLIVER PERRY, March 25, 1964, 6 H 7-18
Questioning by Arlen Specter, Asst. Counsel, Warren Commission

Dr. Perry is assistant professor of ~~pl~~^{si} surgery at Southwestern Medical School of ~~the~~^{si} University of Texas. When he got to the emergency room, Dr. Carrico was already working on President Kennedy. Specter is very vague on time, for example, "shortly after noon time on November 22?" (The times fixed by the various medical people, as already noted in the analysis of the report, do not agree.) Perry can't say who else was in the emergency room. He said the side of the front neck wound was about 5 mm., which he then says was as precise a description as he could give. Perry says he asked Carrico "if this was a wound in his neck or had he begun ~~x~~^{the} tracheotomy ...". Then he anticipates Specter who (p.9) asked him if he had described "everything that you can recollect about your observations of the President before you started to work on him?" by answering, "There was no evidence to that cursory examination of any other wound. I did not move the President. I did not turn him over." Specter and the other counsel invariably asked the medical witnesses whether they had turned the President over, knowing full well that they hadn't and that they had no reason to. The motive was to establish that they hadn't seen the wound on the back. In this way the Commission sought to destroy the opinion of the medical people that the anterior neck wound was one of entrance.

There is an inference here that Dr. Perry ~~is~~ was too well rehearsed. Perhaps too cooperative?

On p.10 Specter returns to the question of time and misrepresents what Perry had said about the time in a transparent effort to place as early a time as possible. Bear in mind the Oswald time reconstruction which ~~could~~^{could} be destroyed by a later hospital time. Remember, also,

the alteration of the records to show the President arriving at 12:38 rather than 12:43. When Perry volunteered that when he had done what he could do - before the work on the President was completed and before he was pronounced dead - he rested for 10 or 15 minutes and then went ~~max~~ to help with Connally, and that this was around 1:15 or 1:20, he is certainly no help to the Commission in its time reconstructions. Because this is at variance with the Commission's attempts, Specter abruptly changes the line of questioning. He gets a long explanation in only medical terms "in detail" of the procedures used on the President. Perry seems to indicate an injury to the lung or pleural space, having seen things that "could be indicative of a wound of the right hemithorax." (p.10) Specter also seems quite willing to accept hearsay.

At the bottom of p.11 Specter says he had earlier asked if Perry had turned the President over. This is not true; Perry had anticipated Specter and had volunteered the answer. Specter asked again, in the prosecution-like manner that has been typical, "why did you not turn him over at the conclusion of these operative procedures?" The apparently well rehearsed Perry replied, "I didn't have a specific reason ... there was nothing further that I could do ..."

The truth, as is clear on p.10 and as Specter clearly knew, is that Perry wasn't even there! This is a loaded question. It is dishonest. Its only possible purpose is deception.

On pp.12-13 Perry admits that at a press conference on November 22, 1963, he said the front neck wound (the only one of which the Dallas doctors knew) could have been an entrance wound. He says this was speculation. The whole thing strikes me as another example of the Commission's straw men ventures and, if possible, the doctor's

testimony should be compared with the TV or radio tapes that should exist. On the more important point of whether the neck wound was one of entrance, if there had been more than one bullet, he seems to be evasive.

He is then asked about a press conference he granted at McAllen, Texas, a few days after the assassination. Again he is evasive in answer to only a general question, and there is a pretty clear hint that he then said something the Commission is now unhappy about because it conflicts with the Commission's preconceptions. Specter is careful to drop this after Perry's single evasive answer.

Then Specter goes into the autopsy report and again uses the language "without violating the pleural cavity", getting the desired answer from Perry, that the description would be "entirely compatible" with what he had seen. The attempt to cover up continues on p.15, with Perry indicating he had said things that the Commission now did not want ^{him} to say. He avoids saying what he did say and addresses himself to what he might have said or could have said. By inference, he had said the neck wound was one of entry. He then falsely states that he had initially described the wound as "between 3 and 5 cm" and "roughly spherical". Actually, the measurement was much smaller and in millimeters, 3 to 5 mm. Either Specter didn't catch this false statement or he was happy to have it because he made no effort to correct it.

On p.16 Perry admits he had two conversations with Dr. James J. Humes, of the Naval Hospital in Bethesda, who had performed the autopsy. Although the Commission rehearsed all of its witnesses, Perry was uncertain at first as to whether these conversations were on Friday, as he thought, or on Saturday, as Specter hinted. The Doctor's McAllen

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press conference was the following Tuesday. The doctor then decides it was Saturday (note in his appearance before the Commission he again changed his identification of the day). He says he also told Dr. Humes the Dallas doctors had not examined the President's back. Between this statement and the Washington Post story, if the Bethesda doctors were looking for a way to eliminate the front as the entrance wound in the neck, they had some help. Had the front of the neck been established as a point of entrance, the case against Oswald, then in custody, would have been seriously shaken. At least, he could not possibly have been the sole ^{sus} ~~sus~~pect.

On the top of p.17, Specter asks Perry about a copyrighted story in the New York Herald-Tribune dealing with the treatment of the President. The story is not described and, as all other references to the press account have been treated, it is handled with great indefiniteness. Specter asks, "Was the content of that story accurate?" and Perry replies, "There were certain inaccuracies--" but doesn't say what they were and isn't asked. Nor did he have any idea of the contents of the story.

Perry was interviewed on "at least three" occasions by the Secret Service. He says he can't remember the names of the agents on the last two occasions. Asked the name of the first agent, he can't remember that, either. Asked if there was "any variation in the information which you ^{have} ~~been~~ given the Federal investigators?" he answered, "No, sir; not in essence" and then says, "There may have been a variation in wording or sequence ... " Taking "essence", "wording or sequence" and the clear tenor of Perry's statements, and it is clear that there must be "variations". The obvious inference has to do with the point of entrance of the neck wound.

Perry also spoke to two FBI men whose names he also doesn't recall. He says that when asked "Essentially the same questions with regard to what I might speculate (my emphasis) as to the origin of the missiles and their trajectory, I replied to them as I have to you that I could not ascertain this of my own knowledge, and described the wounds to the extent I saw them." This is a highly improbable, if not false, representation of the kind of questions asked of him. They should have wanted to get fact, not speculation, unless they were trying to get him to change ~~the~~ the story he had given out. The Commission had the ^{names,} ~~names,~~ dates and what the agents quoted Perry as saying. None of this is here. It is clear Specter is only trying to patch up whatever he can and then immediately drops it.

Specter has also rehearsed Perry (p.18) just before the deposition-taking began. ~~He~~ Perry was told to be in Washington 9 a.m. Monday. Perry also is an amateur hand-loader of ammunition!!!

Perry's Appearance before the Commission March 30, 1964, 3 H 366-90.

Specter again did the questioning. It soon became clear that Perry had learned something from Specter in Dallas. For example, on p.366 he gives a number for the gunshot wounds he has seen, whereas he evaded this on 6 H 18, and on p.367 he gives Specter the 12:30 time for the call to assist the President, which he hadn't done on 6 H 10, even after Specter had there said "... you knew it was 12:30 ...". On p.368 he gives the size of the neck wound as 5 mm. On this page also Dulles didn't know enough about what happened to know that Dr. Carrico, who had just testified, was present. Carrico was, in fact, the first doctor there, and Perry had testified Carrico had been in charge until Perry's arrival.

On p.370, in describing his operation, Perry said, "At that point I was down in the trachea". Does this indicate the trachea was lower in the President's body than the point at which Perry saw the bullet hole and from which he began the tracheotomy? Perry says he "incised the windpipe at the point of the bullet injury." Hence, he had a way of knowing the path of the bullet, even though he was not asked it (which should have been only too obvious), and even though he denied it at the deposition-taking, (6 H 11) where he said he didn't know the "cause" of the injury or the trajectory; and elsewhere in the deposition). Is this perjury? Other doctors testified the wound was below the Adam's apple.

Asked the time of death on p.372, Perry replied, "Approximately 1 o'clock". But on 6H10 he said he had left and had washed up and was resting when the President was pronounced dead. On p.372 Perry says of the neck wound, "its edges were neither ragged nor were they punched out, but rather clean." On 6H10 he had said "... but the blood obscured any details about the edges of the wound exactly."

Asked if he can state whether it was an entrance or exit wound, on p.373, he replied, "No, sir. I was unable to determine that since I did not ascertain the exact trajectory of the missile." Perhaps "exact" keeps this part of the sentence from being false because he had the requirements for knowing the trajectory through the body at two points (see p.70). He had the point of entry or exit and the point of "bullet injury" to the windpipe, which he indicated on that page was, from the front, "down".

Specter then asks Perry to ~~to~~ "assume" certain "facts", and goes on to a similar description to that which he gave Dr. Carrico (6H5), and Perry (6H14), but this time adding something missing from

those two, after the words "without violating the pleural cavity", without anything appearing between, "but bruising the apex of the right pleural cavity and bruising the most apical portion of the right lung ...". Perry reiterates that the front could have been the exit wound, especially on p.374, in the light of the autopsy report, which he had seen.

On the bottom of this page, they begin to discuss the press conferences. When asked what was asked at the first press conference, about 2 p.m., November 22, 1963, Perry is again evasive, saying he doesn't recall them, "with accuracy", but they were "similar to the questions that were asked here". The answers he gave he says were "essentially the same, but in no detail such as I have given here." He is asked several more questions about the questions he was asked and how he answered them. Bear in mind this was begun by Mr. Specter saying "Would you state as specifically as you can the questions which were asked of you at that time and the answers which you gave?" He gave only the vaguest answers and he was at no point asked to become more specific. The important question, the very obvious one, as ^{at} the Dallas deposition where one was crying to be asked, "had he said that the neck wound was one of entry, especially with the head wound a separate wound?" is evaded. It is never asked. This is on p.375.

Cong. Ford asks if any recordings were made, and Perry replies, "That was one of the things I was mad about, Mr. Ford." I can imagine just how mad!!! He admits tape recordings were made - God knows how many ! - and TV sound and "I know there were recordings made, but who made them I don't know". He then gets incoherent. He doesn't once say at this point he tried to find out who had recorded ^{ing}

or if anyone did. The net_works and local stations were, of course, obvious places to look. They do get into this later. Of course, the newspaper and magazine accounts are obvious. They are evaded, but again later there is a strange reason given for not going into these. Cong. Ford ~~Perry~~ specifically asked if the White House or any government agency made an official recording or any other "true recording of everything that was said, the questions asked, and the answers given?" and to both of these Perry replies, "Not to my knowledge." Dulles asks, "Was there any reasonably good account in any of the press of this interview?" and Perry replies, "No, sir."

It is conspicuous that the Commission's staff never answered the question about official recordings. And of course, it is obvious that Dr. Perry says the entire press was wrong and he was right.

At the top of p.376, Cong. Ford asks, "Were those reportings by the news media accurate or inaccurate as to what you and others said?" to which Dr. Perry replied, "In general, they were inaccurate." Perry weasels a little by saying he was out of town and "didn't read a lot of them". He doesn't say how or in what way he was misquoted. He is not asked. Everybody manages to avoid asking any specific questions, especially the obvious ones. But by the bottom of p.376, Perry finally gets specific and complains about the various doctors having the wrong titles assigned to them!

Then McGloy gets to the neck wound and asks if ^Kennedy could have survived it. Perry says he didn't even think Kennedy's speech would have been impaired, for the wound was "below the larynx." On the top of p.377 McGloy asks if Perry ever called it an exit wound, and Perry replied, "No, sir; I did not." But even this close, ^{the} crucial question - of entry - ^{is} not asked by anyone.

Later, in the middle of the page, McCloy asks if he discussed "with any of the other doctors" at the time "whether this was an exit wound or an entrance wound?" Perry says, "Yes, sir; we did at the time." He then evades the answer, without anyone trying to pin him down, even to this, which still is not what he told the press, apparently. Nor is a single newspaper, radio or TV version referred to or even hinted at.

After an off-the-record discussion, Dulles at the bottom of p. 377 suggests to Specter "if you feel it is feasible, you send to the doctor the accounts of his press conference or conferences," and that Perry, "if you are willing, sir, you could send us a letter ... pointing out ... where you are inaccurately quoted ... Is that feasible?" Imagine! He is not told to do it, Specter is not instructed to do it, and so far as my researches at this point show, it was never done.

On p. 378 Perry says, "I can and will do this." Ford asks Specter, "Is this a monumental job?" and Specter says, "No, I think it is one which can be managed, Congressman Ford. I might say we have done that with some of the clippings." Specter then refers to a specific article in a paper identified as "La Presse" saying "And I questioned the doctors quoted therein and developed for the record what was true and what was false on the statements attributed to them, so we have undertaken that in some ^{circles} ~~circles~~ but not as extensively as you suggest as to Dr. Perry, because we have been trying diligently to get the tape records of the television interviews, and we were unsuccessful. I discussed this with Dr. Perry in Dallas last Wednesday, and he expressed an interest in seeing them, and I told him we would make them available to him prior to his appearance, before deposition or before

the Commission, except our efforts at CBS and NBC, ABC and everywhere including New York, Dallas and other cities were to no avail. (Note: This is not reflected in the Dallas deposition where the part of the press interviews begins on 6H12 and the only paper referred to is on 6H17- the New York Herald Tribune, with no reference to anything it said. As of the date of the typing of these notes (12/29/64) I have discovered no evidence that this was done, nor had I expected it.) The problem is they have not yet catalogued all of the footage which they have, and I have been advised by the Secret Service, by Agent John Howlett, that they have an excess of 200 hours of transcripts among all of the events and they just have not catalogued them and could not make them available."

Presumably, the reference of "they" here is to the media but not the Secret Service; however, it might be the other way around. It isn't clear.

Dulles then asks, "Do you intend to catalog them?" and Specter replies, "Yes, they do, Mr. Dulles. They intend to do that eventually in their normal process, and the Secret Service is trying to expedite the news media to give us those, and it was our thought as to the film clips, which would be the most direct or the recordings which would be the most direct, to make comparisons between the reports in the news media and what Dr. Perry said at that time, and the facts which we ^h gave from the doctors through our depositions and transcript today."

Again we have the continuing confusion in reference, Dulles's "you" and Specter's "they". Is Specter saying that the Commission's staff will not do this? If they did do it, I ~~have~~ ^{have} as yet seen no evidence of it.

There should be no question but that the networks at the very

least have a complete set of tapes of everything. It would seem probable that even what was said by tape from Dallas was retaped in New York. The business of "cataloguing" seems like an evasion or a diversion - an excuse to avoid confronting ^{the} doctors with what they had said that was opposed to what the Commission had already decided to try to establish, as best it could. Asked for an estimate of "when this catalogue and comparison might be made", Specter replied, "Only that they are working on it right now, havw been for some time, but it may be a matter of a couple of weeks until they can turn it over."

The date of this was March 30, 1964, over ~~two~~^{four} months following the assassination. Among the most important things, it would seem, would be all of the transcripts of all of the broadcasts by everybody that was available and yet if Specter is to be believed, the Commission staff was after four months only "working on it". Note he doesn't indicate when this work began.

After an off-the-record discussion, McCloy and Dulles launch their own diversions, McCloy saying the doctors could be asked to comment on all the things that have been said all around the world, and Dulles agreeing, saying "We cannot run down all the rumors in all the press." What any of this has to do with the specific answers to the specific questions at an official press conference is not obvious. The doctor is still never asked if he said the neck wound was one of entrance, as Carrico's report did state, as the nurse swore, and as, presumably, the doctors had been quoted as having said at the time of the assassination.

There then follows o more than a page of general discussion of a New York Herald Tribune and a Saturday Evening Post story beginning on p.379 with an interview Dr. Perry granted UPI at McAllen,

Texas, the Tuesday following the assassination. Dr. Perry condemns the Herald-Tribune story as inaccurate, garish, dramatic, etc., but never once says what they said that was inaccurate. Nor is he ever asked to say it. In fact, what they said, accurate or inaccurate, isn't once mentioned or asked by anyone.

While on p.377 Perry said "The only people who saw this (anterior neck) wound for sure were Dr. Carrico and myself," he concedes on p.381, when Specter said that Dr. M. T. Jenkins deposed he had, that Jenkins could have. Both ignore the nurses, at least one of whom had already deposed having seen it and being positive it was one of entry (Henchliffe, 6H141). Specter says Dr. Jones also, and Perry concedes the possibility.

On p.6H48 Jenkins said of his "quick look" that "I was aware later in the day, as I should have put it in the report, that I thought this was a wound of exit, because it was not a clean wound, and by 'clean' clearly demarcated, round, punctuate wound which is the usual wound of an entrance wound, made by a missile and at some speed."

This description is not only at variance with that of the other doctors, but seems to be contradicted by Jenkins himself on p.6H51. Asked by Specter, "Have you ever changed any of your original opinions in connection with the wounds received by President Kennedy?", Jenkins replies, "I guess so. The first day I had thought because of his pneumothorax, that his wound must have gone - that the one bullet must have traversed his pleura, must have gotten into his lung cavity, his chest cavity, I mean, and from what you say now, I know it did not go that way. I thought it did." In short, Jenkins says that on the first day he considered this an entry wound.

On page 382 once again Perry is asked if the President was ever turned over at any time at Parkland, and he replied not to his knowledge. Presumably this was asked in connection with the posterior wound. But the Commission ignores the fact that the President was ~~undressed~~ undressed, and was at least in part lifted for this and other purposes. It has referred to the posterior wound as a "neck" wound which, by inference, should have been seen if he was raised. But it was, in fact, hidden by both his ~~coat~~ shirt and his ^{coat} ~~shirt~~. It was not in his neck but lower on his body.

On page 388 in description of this wound Dr Perry says it was not ragged or pushed out in any way. When asked if there was any indication "that that wound had come from the front" he said, "There is no way to tell, sir, for sure." He is not asked nor does he volunteer what the probabilities were. Nor is he asked what his original opinion was. He does say that if the bullet had not been deformed the wounds of entrance and exit would not be substantially different.

When on page 389 Dulles goes to the "found" bullet Specter interjects to say that he has that all ~~is~~ straightened out, "and, in fact, it came from the stretcher of Governor Connally." He also says it was "found on a stretcher" and they have eliminated the possibility it was Kennedy's stretcher. The first two parts of this statement by Specter are false and the second one is not as material as it seems. They certainly do not have the found bullet all straightened out. It was not "found on a stretcher." But ^{if} it was in any sense found it was found on the floor having reportedly been under the mattress of a stretcher. And if they eliminated the possibility the stretcher was that on which the

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President had been they did not eliminate the possibility that it was another stretcher and a stretcher other than Connally's.

Unless the members of the Commission knew in detail what had been adduced the previous week in Dallas they would have no way of knowing these facts. Inspector clearly is imposing upon them by misrepresenting it. Neither here ~~nor~~ nor in Dallas had there been any questioning to determine how the bullet could have gotten underneath a mattress on a stretcher.

As yet I have seen no reference to the return to the question of the tapes or interviews, the newspapers or other accounts of what Perry said. It is not in the report.

One of the questions that intrigues me is ~~why~~ why was Perry called to Washington before the Commission to duplicate what the Commission already had in deposition form? Most of what the Commission accepted as evidence was in deposition form. Two of the possibilities that occur ~~are~~ ^{are} these: because the Commission had some doubt about whether the anterior neck wound might have been one of entrance, thus destroying its entire "case" the staff of the Commission might have found it expedient to bring Dr. Perry up in an effort to persuade the Commission and in context it does not seem unfair to say to ~~bring~~ brainwash it.; ~~to~~ ^{and} public comment on the nature of the wounds--also opposed to the Commission's position.

Before leaving the question of Perry I want to note the clear contradiction between ~~his~~ ^{3H38v} his testimony on page 6H16 and that of Dr. Kemp Clark on page 6H23 and to point out the perjury ~~and~~ involved and the clear implication of the subornation/^{of}perjury.

Dr. Perry said of the telephone call from Dr. Humes at the

Bethesda Naval Hospital that "he told me, of course, that he could not talk to me about any of it and asked that I keep it in confidence which I did..." On ~~3480~~ ³⁴³⁸⁰ ~~Dr.~~ Dr. Perry testified as follows of his conversation with Dr. Humes, "He advised me that he could not discuss with me the findings of necropsy...".

When Dr. Clark was asked "Did Dr. Perry discuss anything with you prior to that second conference about a telephone call from Washington, D.C.?" he replied "Yes; he did." Specter asked "Would you relate briefly what Dr. Perry told you about that subject?" and Dr. ^{Clark} ~~Perry~~ replied "Yes; Dr. Perry stated that he had talked to the Bethesda Naval Hospital on two occasions that morning and that he knew what the autopsy findings had shown and that he did not wish to be questioned by the press, as he had been asked by Bethesda to confine his remarks to that which he knew from having examined the President, and suggested that the major part of this press conference be conducted by me."