

Epstein: Inquest

Richard C. Groll

Follow this and additional works at: <https://via.library.depaul.edu/law-review>

Recommended Citation

Richard C. Groll, *Epstein: Inquest*, 16 DePaul L. Rev. 272 (1966)

Available at: <https://via.library.depaul.edu/law-review/vol16/iss1/25>

This Book Reviews is brought to you for free and open access by the College of Law at Via Sapientiae. It has been accepted for inclusion in DePaul Law Review by an authorized editor of Via Sapientiae. For more information, please contact digitalservices@depaul.edu.

BOOK REVIEWS

Inquest. BY EDWARD J. EPSTEIN. New York: The Viking Press, 1966. Pp. 156. \$5.00.

On September 28, 1964, a 469-page document, supplemented by 18 appendices, commonly known as the *Warren Report* was made public. This document, the hearings and investigation which preceded its publication are the subject of Edward Jay Epstein's *Inquest*, a book well worth reading.

The *Warren Report*, its 18 appendices and 26 volumes of testimony and exhibits resulted from Executive Order #11130 issued by President Lyndon B. Johnson seven days after the assassination of the late President John F. Kennedy; the order appointed a Commission "to ascertain, evaluate and report on" the facts of the assassination.¹ For some 10 months this Commission, consisting of "six men who had distinguished themselves in public life"² plus a large supporting staff, conducted an investigation and held hearings into all elements of the assassination.

While various purposes were set forth for the creation of the Commission, one purpose appeared to dominate. Allen Dulles stated that a main task for the Commission was to dispel rumors. Senator John Sherman Cooper stated that one of the Commission's most important functions was "to lift the cloud of doubts that had been cast over American institutions."³ In a clear, crisp and logical fashion, Mr. Epstein in *Inquest* points out that while the *Warren Report* may have satisfied many inquiries and accomplished many goals, it certainly did not set adrift the "cloud of doubts" surrounding the assassination; indeed, the Report, upon close examination, fosters doubt and increases speculation that something more serious and complex than reported was involved.

It is clear that most Americans were reasonably convinced in their own minds that Lee Harvey Oswald was responsible, at least in part, for the bloody assassination of John F. Kennedy.⁴ However, doubt, question, and speculation arose as to the full import of the shots fired on Elm Street in Dallas, Texas, on November 22, 1963. Speculation rose in intensity when the news was received that Jack Ruby, a Texas saloon keeper, had shot and killed Oswald. Each of us, at one point in time or another, asked—Did Oswald act alone? Was the assassination part of an unreported conspiracy? Today, more than 3 years after the assassination and more than 2 years after the completion of the Commission's investigation, the same questions remain totally unanswered; in fact, the inadequacies of the *Warren Report*, as pointed out by Mr. Epstein in *Inquest*, enhance speculation.

In the preface to *Inquest*, the author states that the primary object of the book was not the assassination or the Commission, but it attempts to answer the question: "How did the Commission go about searching for such an elusive

¹ EPSTEIN, *INQUEST* 4 (1966).

² *Id.* at 5.

³ *Id.* at 33.

⁴ Harris Survey, as reported in the *Chicago Daily News*, p. 20 (October 3, 1966) reported that 74% of the public believed that Oswald was the assassin. (Poll taken in December 1963.)

and many faced quarry as the truth?"⁵ The author fulfilled his avowed purpose and the reader will be astounded by the case built by Mr. Epstein, which shatters the most fundamental findings of the Commission, and its startling exposure of the total inadequacies of the Commission's investigation.

Since the book deals with the activities of the Commission in chronological order, from its first meeting to the ultimate publication of its report, the nature and character of Mr. Epstein's presentation can only be described by example. The example chosen centers on that element of the Commission's product, which the author calls *The Dilemma*. The problem involves the issue most often questioned by the American public—Was there one or more than one assassin? Early in the investigation, it became clear that it was possible for one and only one gunman to have perpetrated the assassination only if President Kennedy and Governor Connally had been hit by the same bullet.⁶ J. Lee Rankin, general counsel for the Commission, corroborated this assertion by stating: "To say that they were hit by separate bullets is synonymous with saying that there were two assassins."⁷

Investigation, including a motion picture film, established that the maximum time that could have elapsed between the time President Kennedy and Governor Connally were shot was about 1.8 seconds. However, it was equally established that the minimum time in which the involved weapon could have been fired was 2.3 seconds (excluding the time required to aim).⁸ Based on these facts, the *Warren Report* concluded that one shot wounded both men within the 1.8 seconds time element; the shot supposedly hit President Kennedy in the back of the neck and exited from him at the throat, then striking Governor Connally. This conclusion was supposedly substantiated because there was evidence that the President sustained a throat wound, which was the exit of the bullet.

The F.B.I. report indicated that only two bullets struck the President, one in the back of the head and with reference to the other bullet stated:

Medical examination of the President's body revealed that one of the bullets had entered just below his shoulder to the right of the spinal column at an angle of 45 to 60 degrees downward, that there was no point of exit, and that the bullet was not in the body.⁹

In addition, an F.B.I. Supplemental Report including photographs of the President's coat and shirt clearly shows holes in the back about 5½ inches below the collar.¹⁰ It would appear impossible for the bullet to have hit the President in the back (5½ inches below the collar) at an angle of 45 to 60 degrees downward and at the same time exit at the neck, and yet, it was this bullet that the Commission claims struck both President Kennedy and Governor Connally.

A well recognized national poll taker recently reported that a substantial portion of the American public remains unsure as to who was responsible for the assassination of President Kennedy;¹¹ a reading of Mr. Epstein's brilliant book, *Inquest*, will convince you that the position taken by this substantial portion of the public is well founded. It is hoped that while this review is only a taste of

⁵ *Supra* note 1, at xv.

⁷ *Ibid.*

⁹ *Id.* at 48.

⁶ *Supra* note 1, at 43.

⁸ *Id.* at 45.

¹⁰ *Id.* at 56-57.

¹¹ Harris Survey, *supra* note 4, stated: "A majority of the public holds the view that the full story of the assassination was not contained in the Warren Commission report." (Poll taken Sept. 1966.)

the analysis of the Commission's investigation and findings as presented by Mr. Epstein, that this taste will whet the appetite and encourage all to read *Inquest*.

RICHARD C. GROLL*

* Assistant Professor of Law, De Paul University; J.D. cum laude, Loyola University, LL.M., Northwestern University.

In Cold Blood. BY TRUMAN CAPOTE. New York: Random House Publishers, Inc. 1966. Pp. 343. \$5.95.

At this stage of the game, no reviewer of *In Cold Blood* need worry about revealing too much of the plot. After the book was initially serialized in the *New Yorker* last fall, it was published in full-length form and was extensively reviewed. *Newsweek* devoted a cover story to it, as did *Life* a lengthy illustrated article. A paper-back release is planned, fifteen translations are being made, and the movie rights have already been sold. The *New York Times* estimates that the author will glean upwards of \$2,000,000 for his efforts.

The story opens one Saturday in November of 1959, when the Clutter family of Holcomb, Kansas,—a typical family in a typical small farm town—were brutally murdered by two sadistic young parolees. There was no motive for the murders and almost no clues. Shortly thereafter Truman Capote arrived on the scene to cover the story for the *New Yorker* and painstakingly began collecting every scrap of information about the Clutter family that he could elicit from the shocked townspeople. Seven weeks thereafter the killers were apprehended, and Capote extended his in-depth coverage to them and continued taking what would eventually amount to 6,000 pages of notes. By the time the two killers were executed some five years and five months later, he had spent hundreds of hours in their company and had talked to just about every living person who had ever been closely connected with them or their victims.

Capote skillfully draws in-depth character portraits of the main protagonists: Herbert William Clutter, the little loved though most respected citizen, a pious Methodist and prominent Republican who had little regard for those of other beliefs; his wife Bonnie, a semi-invalid subject to nervous depression; their fifteen-year-old son Kenyon, a quiet but intelligent youngster; their seventeen-year-old daughter Nancy, charming, enthusiastic, innocent, everyone's favorite; Richard Hickock, a resentful petty criminal, bright but emotionally twisted and sadistic; and Perry Smith, whose arrest record began when he was only eight, with a deformed body, an almost unbelievably miserable childhood, and a desire to "make somebody pay"—all are unforgettably etched in the reader's memory. Capote also traces the killers' month of aimless wanderings, in stolen cars or hitchhiked rides, to Mexico, Florida, and Las Vegas, a trail of cheap hotels, bad checks, and sexual fantasies. Equally well done are those whom the killers meet—a seventy-year-old blonde in high-heeled gold leather sandals in a rundown Las Vegas motel, a twelve-year-old boy who is walking through the South with his dying grandfather, a traveling salesman whom they casually plan to kill but who is spared by chance. Some scenes are indelible, such as Richard Hickock swerving out of his way to