

TWO JURORS ILL, SHAW TRIAL HALTS

Witness Says Kennedy May Have Been Shot in Front

By MARTIN WALDRON
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NEW ORLEANS, Feb. 17—

The trial of Clay L. Shaw was adjourned abruptly this afternoon when a member of the jury asked for a recess. Two jurors were reported to be suffering from a digestive upset, and a doctor was called to treat them.

The adjournment came during the testimony of Dr. John M. Nichols, a pathologist from the University of Kansas, who was testifying that an examination of photographs had indicated to him that President Kennedy could have been shot from in front.

Mr. Shaw, a retired New Orleans businessman, is charged with conspiring to assassinate Mr. Kennedy. The trial began Jan. 21.

Dr. Nichols may be one of the state's final witnesses. One of District Attorney Jim Garrison's assistants said that the state should finish presenting its testimony in a day or so.

The photographs that Dr. Nichols was examining when the juror became ill had been made from a motion picture of the assassination.

Garrison Takes Role

Mr. Garrison took a major part in the prosecution today for the first time since he made the opening statement for the prosecution at the beginning of testimony.

He examined one witness, William E. Newman Jr. of Dallas, who testified that the shots that hit the Presidential limousine appeared to have come from the area of a parking lot in Dealey Plaza in Dallas.

The examination of a witness will enable Mr. Garrison to make one of the closing arguments to the jury during summation of the case.

A retired agent of the Federal Bureau of Investigation, Regis L. Kennedy, invoked "executive privilege" during this morning's testimony.

He said that he had been authorized by Attorney General John N. Mitchell to testify about a limited area of the in-

vestigation of President Kennedy's murder.

The privilege is claimed under the Constitution, which sets up three branches of Government.

The existence of the Attorney General's order became known when Mr. Kennedy declined to answer whether he had helped to investigate the President's assassination.

The photographs being examined by Dr. Nichols when court adjourned this afternoon showed President Kennedy and

former Texas Gov. John B. Connally Jr. about the time that they were struck by bullets on Nov. 22, 1963.

Whether Mr. Connally will testify in the trial remained in doubt this afternoon.

Trial Recess Declared

The trial will be in recess tomorrow because of Mardi Gras, an annual pre-lenten celebration in New Orleans.

Judge Haggerty arranged for the jury to go to a private home on St. Charles Avenue to watch the carnival day parades. Parades have been under way for 10 days, but tomorrow is the climax. Lent begins Wednesday.

Dr. Nichols's testimony was allowed over the scornful objections of Mr. Shaw's attorneys, who protested that his experience as a pathologist did not qualify him to testify why President Kennedy and former Governor Connally were wincing in a photograph.

"I'm going to allow it," Judge Haggerty said. "Take a bill of exception."

A bill of exception provides a basis for possible appeal to a higher court.

Dr. Nichols's testimony came after the prosecution had displayed twice more Abraham Zapruder's picture of President Kennedy's murder. Mr. Zapruder is a Dallas dress manufacturer.

The motion picture has been shown in the courtroom 11 times, nine times before the jury.

Judge Haggerty refused to stop the showing on a defense plea that the movie was being shown repeatedly to inflame the jury.

Photographs Studied

Dr. Nichols's testimony that the bullet that ended President Kennedy's life could have been fired from in front of the President came after he had examined still photographs that showed the President's head exploding.

The 8-by-10-inch color photographs were enlargements of frames of Mr. Zapruder's film and were provided to District Attorney Garrison by Life magazine under a subpoena.

Holding the photographs in his hands, Dr. Nichols said:

"It appears that the President's head and shoulders have moved backward. It appears that half of his head has exploded. I would say this is compatible with a gunshot having been delivered from the front."

The very few questions that were asked of Mr. Kennedy, the retired F.B.I. agent, led to speculation that he had been called solely to impress the jury that Mr. Garrison had not had the cooperation of Federal officials in his two-and-a-half-year investigation of the assassination.