

SUES FOR KENNEDY AUTOPSY EXHIBITS

**K. U. Med Center Pathologist
Says Findings Really
Are Public Records**

HEARING IN U. S. COURT

**Dr. John M. Nichols Asserts
in Petition That He Has
Been Denied a Look**

By Robert H. Clark
(The Star's Topeka Correspondent)

Topeka—Suit was filed in the federal district court here late yesterday afternoon by Dr. John M. Nichols, pathologist at the University of Kansas Medical Center, to have all autopsy exhibits in the slaying of President John F. Kennedy declared public property and made available for his examination.

The suit brought against the federal archives division and the General Services administration contends the Kennedy exhibits are being illegally withheld from the public.

Dr. Nichols, who in the summer of 1967 wrote an article for the Journal of the American Medical association indicating the former President suffered from Addison's disease, is compiling material to be used in a book about the assassination.

* As a Public Record

Sam A. Crow, a Topeka lawyer, who filed the suit for Dr. Nichols, said the action was brought under the public records act, which holds that all persons are entitled to access to public records that are government-owned. The petition contends that the autopsy exhibits and reports are public property, since they were made and compiled at government expense and time.

Since the agencies involved in the investigation were governmental and tax-supported, the exhibits should be made available, to the public, the petition asserts.

Crow explained that at the time, the autopsy material was ordered held by the archives division through an agreement with Mrs. Kennedy, the slain President's brothers, Sen. Edward Kennedy and the late Sen. Robert Kennedy and the archives division. It was contended that the records were impounded, not through an official government order, but as the result of an agreement between the Kennedys and the archives division that they not be made public.

Issue Not Raised

Crow said that at the time, Robert Kennedy was U. S. attorney general, and the issue never was raised about the propriety of the material's being withheld from public examination.

The petition asked that the reports and exhibits be made available to Dr. Nichols for his examination, but not for him to keep as personal property.

The government, according to court procedure, has 60 days to file an answer, which will be heard by one of the U. S. District court judges for Kansas. Either side would have the opportunity to appeal the ruling.

"I have requested this material about 50 or 60 times," Dr. Nichols said at his office at the medical center.

As a part of his research, the pathologist has been checking into the full file of the Warren commission report on the assassination, and has tested a duplicate rifle of the one used by Lee Harvey Oswald.

Reported a Disease

Since deducing in a July 10, 1967, article that the slain President suffered from Addison's disease of the adrenal glands, Dr. Nichols repeatedly has criticized the released findings of autopsy performed by Naval pathologists after the Dallas assassination.

Noting that no mention was made in the report of the pres-

ence of Addison's disease, the K. U. pathologist questioned publicly how many more admissions might be in the autopsy.

Meanwhile a federal judge in Washington refused yesterday to give Jim Garrison, New Orleans district attorney, access to photographs and X rays of the slain President until he gets evidence proving that the New Orleans assassination probe is not simply attempting "to obtain what surely must be sensational photographs."

Garrison has brought charges of conspiracy to murder Kennedy against Clay L. Shaw. The New Orleans probe has contended that, contrary to the Warren report, Kennedy was shot from both the front and rear.