

# DALLAS COPS NAB ARCACHA IN PLOT PROBE

Sergio Arcacha Smith, 44, a former anti-Castro leader in New Orleans, was arrested today in Dallas by city police on a warrant issued by District Attorney Jim Garrison. The warrant charges Arcacha with conspiring with David Ferrie and Gordon Novel to commit burglary.

An appearance in a Columbus, Ohio, court today by Gordon Novel, wanted here by Dist. Atty. Jim Garrison in connection with his Kennedy assassination probe, was highlighted by vague references to Cuba and plot investigations.

Novel, 29-year-old former New Orleans nightclub operator, remained in jail in lieu of \$10,000 bond after his appearance in a Columbus municipal court on a fugitive charge formally filed today by police from suburban Gahanna, where Novel was picked up Saturday night.

NOVEL WAS arrested at

the request of Garrison, who wants Novel as a witness in his inquiry into the Kennedy murder. The fugitive charge stemmed, however, from a count of conspiring to commit burglary.

Garrison filed the burglary charge against Novel and former Cuban exile leader Sergio Arcacha Smith late Friday. The case was allotted today to Criminal District Court Judge Thomas M. Brahmey.

Novel showed up before Municipal Judge Wilbur Shull without his lawyer and began arguing his own case for a low bond.

"I used to do work for Garrison. In fact, I did some of the investigating in this so-called plot," Novel said. "I've got a lot of charges of my own to make about him."

SHULL INTERRUPTED Novel before he could say any more.

Later, Novel said that he had heard it said he planned to return to New Orleans voluntarily but, "I did not intend to do that because of this Cuban. . ."

At this point, Novel's at-

torney, Jerry Weiner, interrupted and silenced him. Weiner appeared in the courtroom while Novel was talking.

NOVEL ARGUED he is not a fugitive from justice, as charged, because he left New Orleans before any charge was filed against him. He also said he had established intent to take up residence in Columbus, where he plans to marry Abby Mulligan.

Novel originally was booked at the Columbus City Hall for investigation. Another municipal judge, Dean Strausbaugh, set bond at \$10,000 Saturday night. Garrison had requested \$50,000 bond.

Novel has said he will fight extradition to Louisiana all the way to the United States Supreme Court if necessary.

Weiner said earlier today that his next step might be to ask for a formal petition to Ohio Gov. James A. Rhodes listing the reasons

Novel does not want to return to Louisiana and setting the stage for an extradition hearing.

**JOHN M'ELROY**, Rhodes' chief assistant, said today, however, that hearings seldom are granted and extradition only rarely refused.

He pointed out that Louisiana has not returned to Ohio a man arrested in the New Orleans area on an Ohio charge of larceny by trick. That man, Eugene Woods, has been sought by Ohio for many months, but McElroy said, "I don't know that we will trade one for the other."

Weiner said that bond money for Novel is being collected by friends.

Novel, who talked readily with newsmen Saturday, refused a request today to be interviewed. His lawyer, asked about the courtroom reference to Cuba, said "You are not going to get me to comment on that."

Weiner said later that he silenced Novel because "I never want a client to make a statement that I don't know in advance what he is going to say."

He also said he was not notified of the court appearance. "I just happened to stumble into it."

**TECHNICALLY, THE** municipal court case was continued for 30 days. Weiner said, however, that extradition proceedings probably will supplant any further action in municipal court.

Extradition, he said, "is going to take a lot longer than 30 days."

He said that extradition papers have not yet arrived at the office of Gov. Rhodes.

In another development in the conspiracy probe this week, Clay L. Shaw will be arraigned at 10:30 a.m. Wednesday before Criminal District Judge Edward A. Haggerty Jr.

**THE 54-YEAR-OLD** former International Trade Mart director will be arraigned on charges of criminal conspiracy to murder President Kennedy.

The defendant's attorneys have said a plea of not guilty will be made. Shaw has been free on \$10,000 bond since his

arrest March 1.

**ONE OF THE** things Garrison reportedly wants to talk to Novel about is a panel truck which figures significantly in the DA's investigation.

Novel was arrested as he entered the office of a news service operated by Richard L. Paugh, a local columnist and television newsmen.

Paugh denied any connection with Novel but said he had interviewed him about two weeks ago.

**GAHANNA MAYOR** Paul Van Auken said Novel had his suitcases stored in Paugh's office and "apparently was preparing to leave by plane Saturday night."

Van Auken said he had no idea where Novel might have been planning to go, but noted that his fiancée was out of town, possibly in Chicago.

The fiancée, Miss Mulligan of Columbus, was listed as the most likely reason for Novel's being here. Her brother said Miss Mulligan had been given a ring by Novel.

A business acquaintance said Novel was developing an "anti-bugging" device in conjunction with a local electronics firm.

In Indiana, the former police chief of Terre Haute said today a rifle of the same model as the one named as

the gun used in the slaying of President Kennedy was found in a Terre Haute hotel three days after the assassination.

Frank Riddle, the retired chief, said the rifle, a 6.5 millimeter Italian Mannlicher-Carcano, was traced to a salesman from San Antonio, Tex., whose name he declined to reveal.

**RIDDLE, SPEAKING** from Putnamville, Ind., where he is now in charge of the Indiana State Farm, said that all of his information about the rifle was turned over to the Warren Commission and that the rifle was taken by Secret Service agents.

Riddle said San Antonio authorities told him the salesman had no criminal record, was a member of the Young Communist League and was an expert rifle marksman.

He said the salesman registered at the Terre Haute House Hotel Nov. 25, 1963, and according to the desk clerk, was carrying a "long package."

Shortly after noon Nov. 26, the salesman checked out without the package, Riddle said. The rifle, found by a maid, bore no fingerprints. Two telephone calls from the salesman's room Nov. 25, he said, were to a Terre Haute gun shop and to a store that sold rifle ammunition. Investigators, he said, learned that the salesman was told the weapon would sell for \$5.

Riddle said the salesman later bought a bus ticket to St. Louis.

He said that he had received no word from Garrison and added, "I think Garrison may have something, but I don't plan to contact him with the information I have." **END**

# Don't Discuss Shaw Case, Court Orders

Criminal District Judge Edward A. Haggerty Jr. today ordered all persons connected with the trial of Clay L. Shaw, accused of conspiring to murder President John F. Kennedy, to refrain from making any statements concerning Shaw's guilt or innocence.

He also ordered all persons involved not to make any statements about any evidence in the case.

In a court order quoting a number of legal sources, the judge stated:

"THE KEY FLAW in the system of free press versus fair trial is the unchallenged chatter that hits the print and radio and television media between the time of arrest and the time of trial.

"Elaborate trial rules permit jurors to hear admissible evidence, subject to searching cross-examination; the whole system is subverted when the press, radio and

television media fill jurors' heads with inadmissible evidence.

"I, therefore, am ordering all attorneys, police investigators, witnesses and any public employe officially connected with the processes of this court and the forthcoming trial of Clay L. Shaw, not to discuss the guilt or innocence of the defendant, nor to make any statements concerning any evidence either for or against him."

JUDGE HAGGERTY read the order in his Section C of-

rice today. He also read for the benefit of newsmen letters to Criminal Sheriff Louis A. Heyd Jr. and Police Supt. Joseph I. Giarrusso concerning security measures for Shaw's arraignment Wednesday.

The letter to Sheriff Heyd acknowledged receipt of a communication from the sheriff in which his suggestions for security were outlined.

Judge Haggerty's letter, dated April 3, stated that he concurred in Heyd's suggestions.

The sheriff's first suggestion was that since the arraignment proceeding should be very brief, there be no specific seat assignments in the courtroom on that day.

ONE EXCEPTION to this suggestion, said Judge Haggerty, would be a table inside the bar rail set aside for representatives of local news media.

Judge Haggerty said there would be one seat at the table each for the States-Item, The Times-Picayune, The Associated Press, United Press International, WDSU-TV, WVUE-TV and WWL-TV.

The judge said that he concurred in three other recommendations of the sheriff's, namely:

—No cameras or recording devices will be allowed within the criminal courts building during the arraignment.

—Seats in the courtroom will be made available to bona fide members of the news media after approval at the door by sheriff's deputies.

—The Criminal Sheriff's office will have the sole right to inspect credentials and approve or disapprove admittance to the general public, depending on availability of seats.

"This procedure is being allowed for the arraignment only," the letter concluded,

"but will not necessarily be followed during the course of the trial."

The letter to Giarrusso asked for the Police Department's cooperation "in maintaining maximum security during all preliminary hearings."

THE JUDGE said the same guidelines will probably remain in effect for any other preliminary proceedings in the case before the trial date.

He said, however, he would issue specific guidelines for the trial itself as soon as the date is set.

Shaw, who was arrested March 1, is accused by District Attorney Jim Garrison of participating in a New Orleans-based conspiracy to assassinate the President.

Garrison has alleged that Shaw, 54-year-old former managing director of the International Trade Mart, conspired with the late David W. Ferrie, a free-lance pilot, and Lee Harvey Oswald, named by the Warren Commission as Kennedy's assassin. *F.M.*