

ORDER N.O. OF RUSSO'S

S.T.
4-10-67

RETURN EX-GIRL

Sandra Moffett McMaines was ordered returned to New Orleans today to tell grand jurors what she knows about an alleged plot to assassinate President John F. Kennedy.

Judge Bernard J. Bagert signed a certificate of attendance, asking Nebraska courts to compel the former New Orleans party girl to appear here April 18, 19 and 20.

The judge's order noted that Mrs. McMaines, who lives now in Omaha, has admitted knowing Dist. Atty. Jim Garrison's star witness, Perry Raymond Russo of Baton Rouge.

She was arrested earlier on a material witness warrant issued by Garrison's office and is free under bond. Mrs. McMaines, who told newsmen she was once in love with Russo, has said she would return to testify "because I don't have anything to hide."

HOWEVER, SHE DENIED ATTENDING A PARTY in

1963 when Russo claims Kennedy's death was plotted by retired businessman Clay L. Shaw, Lee Harvey Oswald and the late David W. Ferrie, a New Orleans pilot.

Court attaches here said Judge Bagert's order made Mrs. McMaines' return to New Orleans virtually automatic. Both Louisiana and Nebraska have adopted a uniform code which compels material witnesses to appear before competent courts and other legal bodies.

The certificate of attendance guarantees the woman against arrest in Louisiana or other states through which she may travel. A check for \$246 was ordered drawn to pay her travel and lodging expenses.

In another development today, arraignment proceedings for Layton Patrick Martens were set for Friday by Criminal District Court Judge Oliver P. Schulingkamp. Martens was charged with lying before the grand jury about the mysteri-

ous burglary of a Houma munitions bunker in 1961.

JUDGE SCHULINGKAMP SAID HE WOULD NOT follow the precedent of Judge Edward A. Haggerty and establish formal guidelines of conduct in Martens' case.

"I am willing to rely on the word of counsel that they won't make any extrajudicial pronouncements on the matter of guilt or innocence or other part of the case," the jurist said.

MILTON BRENER, attorney for Martens, said he will plead his client not guilty and ask for 30 days to file special pleadings.

Martens, a former roommate of Ferrie, testified before the grand jury, which later indicted him for perjury. He has denied making any false statements.

Yesterday Novel volunteered to come back to New Orleans if he would be given immunity from prosecution. The DA's office turned down Novel's conditional offer. Novel also offered to come back if the Orleans Parish Grand Jury would guarantee him immunity.

TODAY IT WAS learned that grand jury foreman Albert V. LaBiche's reply to Novel's offer was "Conditions impossible."

Novel, wanted for questioning in connection with the DA's investigation of the assassination of President John F. Kennedy, was arrested after Garrison had a warrant sworn out charging him with conspiracy to commit simple burglary of a munitions bunker near Houma in 1961.

On another front, DA Jim Garrison has a week to reply to a motion to quash a perjury indictment against Dean A. Andrews Jr., accused by Garrison of lying before the grand jury in its look at the assassination probe.

Andrews' defense lawyer, Sam Monk Zelden, filed the motion yesterday and said:

"All the indictment says is that my client committed perjury. They are supposed to set forth in the indictment where he perjured himself."

Andrews, a suspended assistant district attorney for Jefferson Parish, was charged with lying before the jury while testifying March 16.

WHEN ANDREWS ASKED that the indictment be quashed yesterday, the DA's office asked for a week's postponement of the hearing on the motion. Criminal District Judge Frank Shea gave Garrison seven days to answer the motion and took under study another motion by Andrews to extend to May 1 the deadline for filing special pleadings.

Andrews figured in the official Warren Commission investigation of the Kennedy assassination. He told the commission he was asked by a man named Clay Bertrand to

represent Lee Harvey Oswald in Dallas. (Oswald was named the sole assassin by the commission in its report.)

The FBI was unable ever to find a Clay Bertrand. Garrison contends that Bertrand was an alias used by Clay L. Shaw, former director of the International Trade Mart, and has accused Shaw of conspiring to murder the president.

Shaw, 54, pleaded innocent Wednesday to the charge during his arraignment. He will be the first man to go to trial in the Kennedy case.

IN ANOTHER development, Sen. Russell Long said here yesterday that he thinks the FBI probably has information which would prove what Garrison has been saying about a conspiracy.

Long said he does not think the Warren Commission conspired to withhold anything from the public in its report. "They did their duty as the Good Lord showed them the light to do it, but they just signed a report handed them by the FBI," he said.

Garrison contends that Oswald, David W. Ferrie and Shaw met in Ferrie's apartment here in September, 1963, to talk over an assassination attempt.

The Warren Report said there was no credible evidence that a conspiracy was involved.

SENIOR CRIMINAL District Court Judge Bernard J. Bagert said yesterday that Garrison ought to hire more personnel if other cases are taking a backseat because of the assassination probe.

Garrison has not filed bills of information, a step in moving prisoners to trial, on about 300 cases. Of the 300, records show 190 made bond but 110 are still locked up at Parish Prison or central lock-up. Twenty-two of them appeared before a presiding magistrate as far back as January.

Judge Bagert said he would take action, except in aggravated cases, so that the 110 are able to make bond or be released on a small bond on their own recognizance.

First assistant DA Charles Ray Ward said Garrison will make a statement about the cases later.

IN OHIO YESTERDAY, Gordon Novel, wanted by Garrison for questioning in connection with the probe, volunteered to come back to New Orleans if he would be given immunity from prosecution.

The DA's office turned down Novel's conditional offer. An assistant DA said that Novel is in no position to bargain and that "we will get him back here on our own conditions."

Novel, described as an important material witness, is out on bond after being charged with conspiracy to commit simple burglary of a munitions bunker near Houma in 1961.

EVD

Governor Says Found No 'Bugs'

4/8/67 By BILL NEIKIRK

BATON ROUGE (AP)—Once Mrs. John J. McKeithen found a "mysterious" wire in the governor's mansion that led the chief executive to believe there was an electronic listening device around.

"We thought this was it," Gov. John McKeithen said at his news conference yesterday. "It turned out to be some kind of device that former Gov. (Jimmie) Davis had to listen to music at night from one of his record players."

"Bugging" devices and wiretapping equipment have been main topics of conversation in the Capitol since it was disclosed earlier this week that Gordon M. Novel once sold electronic "bug-spotting" equipment to McKeithen's office.

NOVEL, WHO IS WANTED AS a witness in New Orleans Dist. Atty. Jim Garrison's Kennedy assassination investigation, was president of a firm that sold the equipment.

"We got reports up here several times that our phones were tapped or our office was bugged," McKeithen said in explaining the purchases. "We got the same reports about the mansion. Not that it involved the security of the nation or anything like that, but we were concerned."

Though no "bug" was ever found, "perhaps at one time it had been bugged," McKeithen said, referring to his former office on the first floor of the Capitol.

"At one time, we made a raid on slot machines in one part of the state. Before we got there, the slot machines were gone. Very frankly, we couldn't conceive of how anyone could have been tipped off that we were fixing to make that raid."

M'KEITHEN SAID THE INCIDENT happened about two years ago. Shortly afterwards, reports came in that

lines were tapped and listening devices were hidden in the office:

"We've never been greatly alarmed," he said. "But there are certain things that should be an absolute secret."

McKeithen said Novel was never a member of his staff nor possessed a legitimate Louisiana brigadier general's card, as Novel has contended.

"I have never signed any commission for anyone named Mr. Novel and I do not know him," he said.

Novel sold the equipment through members of the governor's staff. His firm was one of several contacted, McKeithen said. *END*

"I can't say now because of our timing. However, you can look for things to happen Wednesday which will make the picture clearer."

Novel said he has "many tape recordings" in his possession which the fugitive witness contends will "prove to be very interesting."

The National Broadcasting Co. has one of the tapes, he said, adding:

"Whenever they decide to use it, Garrison is going down the drain." *END*

Earlier, Gordon Novel, another witness in the case, asserted he was "nowhere near" a Houma munitions bunker he is charged with burglarizing in 1961.

Novel, in Columbus, Ohio, told this to the States-Item by telephone yesterday.

This morning William Gurvich, chief investigator for Garrison, denounced Novel's latest statement and said it contradicted Novel's own earlier remarks.

"MR. NOVEL'S pattern is a very strange one. According to the local newspapers his comments to them have been very conflicting.

"First he said the district attorney probably wanted to talk to him about Sergio Arcacha Smith.

"Second, Mr. Arcacha denied ever hearing of Novel.

"Third, Novel stated to the press that the burglary at Houma was a 'patriotic' one.

"FOURTH, HE wants to return to Louisiana with a guarantee of immunity from prosecution, to which the grand jury and the district attorney have replied 'impossible.'

"Fifth, the latest story given to the press is that he now has witnesses who will testify he was nowhere near the bunk-

er that was burglarized.

"In his press releases Novel refers only to the Orleans Parish charges and makes no reference to the Terrebonne Parish charge."

NOVEL FACES Orleans Parish charges of conspiracy to commit burglary, and Terrebonne charges of simple burglary of the munitions bunker.

The DA's office, however, primarily wants him as a witness in the Kennedy probe. His exact connection with this investigation has never been disclosed.

FROM COLUMBUS, where he is fighting extradition, the 29-year-old former New Orleans tavern owner told the States-Item:

"I have numerous witnesses who will testify I was nowhere near that bunker on the dates Garrison claims I burglarized it."

The DA's office here has accused Novel of conspiring with erstwhile anti-Castro leader Sergio Vincente Arcacha Smith of Dallas to steal munitions from the Schlumberger Wells Service depot.

Houma Dist. Atty. Wilmore Broussard has charged Novel and the 44-year-old Arcacha with participating in the actual burglary of the bunker which was broken open and raided in August, 1961.

BOTH WERE arrested on Garrison's earlier charge, Novel in a Columbus suburb and Arcacha at Dallas. Novel is free on \$10,000 bail, Arcacha on \$1,500 bond.

Novel telephoned a States-Item reporter 24 hours after the Orleans Parish Grand Jury rejected his offer to return voluntarily. Novel wanted protection from Garrison's charges and the right to return to Ohio after testifying.

"Conditions impossible," Grand Jury foreman Albert V. LaBiche wired him in reply.

IN HIS LATEST interview, Novel hinted that "things may begin to break" Wednesday. Asked what he meant, the sometime electronics expert replied:

"I can't say now because of our timing. However, you can look for things to happen Wednesday which will make the picture clearer."

Novel said he has "many tape recordings" in his possession which the fugitive witness contends will "prove to be very interesting."

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"Whenever they decide to use it, Garrison is going down the drain." *FMD*