

Return Conditions Given by Novel (2)

By HOKE MAY

Fugitive witness Gordon Novel today told Dist. Atty. Jim Garrison he will return here and testify in the DA's Kennedy death plot investigation if he is protected against arrest.

The 29-year-old former bar operator made the offer in what he said was his "final legal challenge" to Garrison.

He said he will testify "at my expense . . . on a lie detector and under sodium amytol before your stacked grand jury."

BUT NOVEL MADE an important proviso. He will come only under the terms of the uniform interstate witness compact which would guarantee him against arrest or prosecution in any state through which he travels.

It was the second time this week that the matter of the interstate witness compact was raised in connection with reluctant Garrison witnesses.

The governor of Texas said he is delaying action on Louisiana's request for 44-year-old Sergio Arcacha Smith and suggested the state seek Arcacha's return under the witness compact.

Thus, Arcacha in Texas and Novel in Columbus, Ohio, almost simultaneously sought the same immunity from arrest and prosecution.

BOTH ARE CHARGED by Garrison with conspiracy to burglarize a munitions bunker at Houma in August, 1961. Both also are charged with the actual burglary by Terrebonne Parish authorities.

Novel had admitted making a munitions pickup at Houma, but says it was a routine part of his work as an intelligence agent here before the April, 1961, Bay of Pigs Invasion.

Arcacha was the New Orleans leader of a militant anti-Castro Cuban organization here in 1961 and 1962.

Both Novel and Arcacha are fighting extradition on the burglary conspiracy charges.

REPLYING TO Novel, Garrison said his office "will not negotiate with Novel nor any other fugitive from justice from the state of Louisiana."

The DA said the "phrases used by Novel are almost identical with the phrases used by Gov. Connally with regard to his refusal to cooperate in the extradition of Sergio Arcacha."

"In the last five years," Garrison said, "we have brought back hundreds of defendants and witnesses from other states without any trouble at all in a single instance. Suddenly everything is different, now that there is an independent investigation being conducted into President Kennedy's murder."

HE SAID HIS office has been blocked in every attempt to return out-of-state witnesses for

testimony in the Kennedy inquiry and added:

"Such a coordinated effort to obstruct justice can only come from Washington, D. C. The question arises as to why there are men in Washington who are fearful of a full and honest disclosure of the facts concerning the President's murder."

IN WHAT AMOUNTED to an open telegram to Garrison, Novel promised not to invoke "the fifth amendment, retroactive executive privilege, or this nation's national security act" if he is permitted to come here under the witness compact.

"I will testify on any question you . . . can dream up," he told Garrison in the wire.

Specifically, Novel said he would like to testify on a number of points, namely:

- 1. International fraud;
- 2. public and official bribery;
- 3. intimidation;
- 4. in my opinion the probable murder of David Ferrie;
- 5. seditious treason;
- 6. mysterious intelligence activities from Nov., 1959, to date in the southern quadrant of the USA and certain islands off Florida;
- 7. hot war games and cold munitions transfers;
- 8. ten 1950 model Canadian surplus Vampire jet support

fighter aircraft; 9. certain Cuban-Anglo-French sabotage affairs of early 1961."

SUGGESTING THAT Garrison seek Arcacha under the interstate witness compact — which guarantees immunity — Texas Gov. John Conally wrote Gov. John J. McKeithen Jr.:

"Pending final disposition of your request pursuant to this act, your request for extradition of Sergio Arcacha Smith is being retained on my docket without prejudice."