

States Item 3-29-67

No DA Suspect, Martens Claims

A former roommate of David William Ferrie testified before the Orleans Parish Grand Jury today after telling newsmen he personally is under no suspicion of any criminal activity.

Layton Martens showed up at the district attorney's office at 1:15 p. m. in response to a subpoena to appear before the grand jury in the investigation of the slaying of President John F. Kennedy.

He was accompanied by his attorney, Milton Brener. They gave newsmen this statement:

"I am here in response to a subpoena to appear before the grand jury. I am cooperating now as I have consistently cooperated in the past.

"In my presence, my attorney was advised by the district attorney's office that I am not suspected of any criminal activity whatever. As far as we have been informed, the DA is interested only in my knowledge of certain individuals in this case.

"On the advice of my attorney, however, at the present time I will make no public statement about the matter under investigation by the district attorney's office."

In another court action in the case today, an attorney for Gordon Novel, another witness subpoenaed by the grand jury, appeared before Criminal District Judge Edward A. Haggerty Jr. and asked dismissal of a warrant for Novel's arrest as a material witness.

Novel was subpoenaed for last Wednesday but officials have been unable to locate him. Steve Plotkin is his attorney.

Dist. Atty. Jim Garrison appeared at his office shortly before Martens, and was met by Willard E. Robertson, an officer of Truth & Consequences, Inc., a private body which is financing Garrison's probe of the Kennedy death.

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Garrison and Robertson chatted briefly and then parted laughing.

Newsmen asked Garrison about a statement that he, as DA, was not bound by the ground rules laid down by Judge Haggerty, who is handling the case. These included a ban on out-of-court statements.

Garrison said today in his opinion "the judge was just making a suggestion when he handed out the guidelines. The district attorney can make any statements he wishes."

ASKED ABOUT recent comments on the case by Novel, Garrison said, "That's unworthy of a comment. What difference does it make what he said?"

Garrison confirmed today there have been threats on his life during the probe. This had been revealed earlier by the FBI.

In Omaha, Mrs. Lillie Mae McMaines said she has decided not to waive extradition immediately to testify in the case.

Mrs. McMaines said that although she wants to "get the thing over with" as soon as possible, she had decided she needs legal advice before taking any further action.

SHE WAS FREED on \$1,000 bond on a fugitive from justice charge, placed by Omaha authorities after they received a warrant from New Orleans asking her arrest as a material witness in the Kennedy case.

Authorities emphasized the warrant is simply a legal procedure and does not imply Mrs. McMaines was "running."

A hearing has been scheduled for April 25, but Mrs. McMaines can waive the hearing at any time and return to New Orleans.

THE 22-YEAR-OLD Omaha woman was linked to the investigation when Perry Russo, the key witness for Garrison, said she had attended a party in September, 1963, which pre-

ceded discussion of the alleged plot to kill Kennedy.

Russo said others at the party included Lee Harvey Oswald, named by the Warden Commission as the slayer of the President; Ferrie, who died here Feb. 22; and Clay L. Shaw, who faces trial before Judge Haggerty on charges of criminal conspiracy in the Kennedy death.

Shaw has been indicted by the grand jury and is free on a \$10,000 bond.

Mrs. McMaines said she did not go to the party and did not meet Ferrie until 1965. She is now the wife of Harold McMaines, 48-year-old part-time minister.

NOVEL, 29, who until recently owned a French Quarter bar, was ordered to appear before the grand jury two weeks ago. He showed up with his lawyer, but was not questioned. When another subpoena was issued for Novel last week, he had left town.

Novel has called Garrison's probe a fraud and has challenged Garrison to take a lie detector test.

Garrison issued a warrant for his arrest as a material witness and asked that \$50,000 bond be set. Plotkin wants Judge Haggerty to reduce the bond if he doesn't throw out the warrant.

MARTENS, FERRIE and Alvin R. Beauboeuf were arrested by Garrison two days after the Nov. 22, 1963, assassination.

They were questioned by the DA's office and they made statements to federal authorities and then were released.

Beauboeuf has inherited the estate of Ferrie, Beauboeuf's attorney, Hugh B. Exnocios, says that he intends "to show that David Ferrie had no connection with conspiring to assassinate the President."

A Garrison aide said yesterday that the trial of Shaw "and others" is at least three to six months away.