

11/21/70

# Perjury Charge Involving Mystery Trip Is Dropped

## Action Taken by District Attorney's Office

A perjury charge against a young man who took a mysterious trip to Houma some time after August, 1961, has been dropped without fanfare by District Attorney Jim Garrison's office.

On April 5, 1967, Patrick Layton Martens, then 24, was indicted by the Orleans Parish Grand Jury on a charge of lying to that same body, which was then deep in Garrison's investigation of the assassination

of President John F. Kennedy. The indictment said Martens perjured himself before the jury on March 29, 1967, when he testified he was unable to recall Gordon Novel or Sergio Arcacha Smith, two other figures in Garrison's assassination probe.

It also said Martens, 3622 Constance, lied when he said he did not know the purpose of a trip which involved boxes being removed from a bunker, although he remembered being on the trip.

### 'COMPANION CASE'

The DA's office said the

grand jury was investigating not only an assassination "conspiracy," but also a companion case, which involved a "conspiracy" to commit a burglary of a munitions bunker belonging to the Schlumberger Corp. in Houma.

Novel, a local night club owner and electronics expert, defected from Garrison's investigation some time between Feb. 17, 1967, when the probe received its first publicity, and the time when Martens was indicted.

Garrison quickly billed Novel

as an important material witness in the assassination inquiry, and accused him of taking part in the conspiracy to burglarize the bunker.

An affidavit linked Novel and Arcacha Smith, who had been a leader among Cuban refugees in New Orleans, to David W. Ferrie, who had died on Feb. 22, 1967, in the alleged burglary plot.

They were supposed to have done their conspiring in August, 1961.

### BASIS OF ATTEMPTS

The charges formed the basis

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of many futile attempts to get Novel and Arcacha Smith back to New Orleans to testify.

A district attorney in Houma charged both with five counts of simple burglary of the bunker, which was used to store explosives used in oil exploration.

The firm which owned the bunker, located at a former air base, was also identified as the Schlumberger Well Service Co.

Ferrie, a former pilot, was mentioned as a co-conspirator in the indictment which accused retired businessman Clay L. Shaw of conspiring to murder Kennedy.

A Criminal District Court

jury, after a trial which lasted many days, found Shaw not guilty of the charge on March 1, 1969, exactly two years after Garrison's investigators booked him at the Central Lockup.

Martens, a former roommate of Ferrie's, was represented by Attorney Milton E. Brener.

At the time Martens called the indictment an attempt by Garrison to discredit any and all witnesses who did not bolster his conspiracy investigation.

He also claimed that he had passed a lie detector test concerning the matters at issue.

### NOL PROSSED NOV. 12

Assistant district attorney Harry Hull, who is assigned to

the courtroom of Criminal District Court Judge Oliver P. Schulingkamp, nol prossed the case on Nov. 12.

Hull said that James L. Alcock, Garrison's first assistant, instructed him to dismiss the charge, which had been allotted to Judge Schulingkamp's section of court.

The last indication of any action in the case was an entry in the court record dated Aug. 18, 1967, when Judge Schulingkamp judged the state's answer to certain defense pleadings "good and sufficient."

Here is the testimony, accompanied by questions formulated by Garrison, which resulted in

the perjury charge against Martens:

Q. How often — How well do you know Gordon Novel?

A. I don't recall ever hearing of or meeting Gordon Novel.

Q. Are you telling me that even when the boxes were being removed from the bunker you did not know the purpose of the trip?

A. No, as best as I can remember I was there. Yes, I do remember being there, the purpose of the trip was not revealed to me.

Q. You do not remember Sergio Arcacha Smith being on the trip?

A. No, I don't.