

# PERJURY COUNT BASIS ASKED BY PROBE WITNESS

T.P. 4/24/67  
Martens' Attorney Files  
for Bill of Particulars

Motions seeking the basis of the perjury indictment of a young presidential assassination conspiracy probe witness were filed in Criminal District Court Wednesday by his attorney.

Layton Patrick Martens was indicted April 5 by the Orleans grand jury for alleged perjury in testimony before the body concerning a 1961 munitions bunker burglary.

His attorney, Milton Brener, asked the court to provide a bill of particulars on the indictment.

Previously, the district attorney's office announced that federal authorities have agreed to produce the military records of retired New Orleans businessman Clay L. Shaw, the only man indicted for participation in the alleged assassination conspiracy under investigation.

Assistant District Attorney Andrew J. Sciambra had obtained a subpoena duces tecum ordering William Driver, Administrator of Veterans Affairs in Washington, D. C., to produce the records on April 24 in Judge Edward A. Haggerty's section of court, where Shaw is scheduled to be tried.

## NOVEL NOT HEARD

James L. Alcock, another assistant district attorney, said federal authorities informed his office that they intend to do so.

Also Wednesday, Gordon Novel, in the process of being extradited from Ohio on a charge involving the munitions bunker burglary, failed to testify before the Ohio Senate Judiciary Committee when his invitation to do so was withdrawn at the last minute.

Novel, a 29-year-old former New Orleans bar owner sought by District Attorney Jim Garrison as a material witness, has also been charged with conspir-

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ing to commit the burglary of the Schlumberger Well Service Co. munitions bunker near Houma, La., in August of 1961. The 24-year-old Martens' grand jury testimony apparently concerns this burglary.

Novel had been requested to testify as an expert witness on two anti-wiretapping bills introduced by Ohio Representative Ralph Regula, a Republican House member from Akron.

## EXTRADITION PAPERS

Regula withdrew the invitation shortly before 2 p. m. Wednesday after learning that Novel's extradition papers had been received in the Ohio governor's office.

Martens' attorney went before Judge Oliver P. Schulingkamp to seek a full transcript of allegedly perjurious testimony. Martens' indictment specified several questions with answers which were alleged to be untrue.

Brener asked for a "true and exact copy" of questions asked Martens before the jury on March 29 and a transcript of a lie detector test given to him in December.

In a "prayer for Oyer," Brener sought transcripts of all written statements made to Garrison's office by his client.

Also requested was "information in detail" on questions the grand jury released in its indictment.

The questions mentioned Sergio Arcacha Smith, Gordon Novel, a trip and a bunker.

Arcacha Smith, former anti-Castro leader in New Orleans, was charged jointly with Novel in conspiring to burglarize the Schlumberger munitions bunker.

Judge Schulingkamp gave the district attorney's office until April 26 to show cause why Brener's motions should not be granted.

## DECISION NEXT WEEK

A source close to Ohio Governor James A. Rhodes said a decision on legal steps involving Novel's extradition papers will probably be made next week.

"We'll probably spend the weekend going over Louisiana law," an aide to the governor said.

In a development in Baton Rouge, state officials indicated Garrison may have to publicly

list all private donations used to finance his investigation.

State Treasurer A. P. Tugwell noted that state law requires a public listing of all donations with the treasurer's office. The listing must contain the source, terms and conditions, trustees and persons authorizing expenditures.

Tugwell said the law, known as the "Anti-slush fund law," has never been enforced, to his knowledge.

Garrison, when asked about the possibility, said, "I'll never have any comment on anything like that."

## Novel Undergoes Psychological Tests

COLUMBUS, Ohio (AP) — Gordon Novel, wanted as a material witness in the Kennedy assassination probe in New Orleans, has undergone a series of psychological tests, it was disclosed Wednesday.

Sherm Kaplan, news editor of radio station WTVN here, said Tuesday's tests were administered by Dr. Willis Driscoll, a clinical psychologist. Dr. Driscoll was also present last week when Novel, 29, underwent a sodium amytol (truth serum) test, results which have not been disclosed.

Kaplan quoted Driscoll as saying Tuesday's tests determined that Novel has "a well-developed intellectual ability but a need to make a very fine appearance and expand upon his natural abilities."

However, "there was nothing contradictory between Novel's psychological evaluation and his amytol interview," Kaplan said he was told.