

Col. Dypalats 3-5-68 CPO

Former Garrison Aide Testifies

For Novel in Common Pleas Court

A former chief investigator for New Orleans Dist. Atty. Jim Garrison testified Monday in Franklin County Common Pleas Court that he believes Lee Harvey Oswald

"acted alone" in the assassination of President Kennedy and that the Warren Commission Report is "basically correct."

William Gurvich, an investigative aide to Garrison from December, 1966, to last June, testified at a hearing for Gordon Novel.

NOVEL, who appeared for the hearing, is fighting a summons to appear Thursday and Friday before the New Orleans grand jury investigating an alleged conspiracy to assassinate the late President.

The Monday hearing, continued from Friday after Novel had failed to appear, ended with Judge Henry Holden ordering Novel held by the sheriff's office until he can be turned over to Orleans Parish authorities.

Novel's attorney, Jerry Weiner, immediately filed habeas corpus action in the Court of Appeals of Franklin County to gain Novel's release.

APPELLATE Judge John C. Duffy set a hearing on the action for 2 p.m. Tuesday and set bond for Novel's appearance at \$500. Novel was released on bond soon afterward.

Gurvich, a part owner of the Gurvich Detective Agency of New Orleans, said he conducted numerous investigations for Garrison, including investigations of the assassination and of Novel.

He said he found "some indication" Novel might have been involved in a burglary of an ammunition bunker on a former air base in Louisiana, but that he found nothing to link Novel to any conspiracy to kill the President.

THE INVESTIGATOR indicated that Garrison accepts those investigation reports

that tend to support his conspiracy theory and discounts reports that fail to do so.

Gurvich's testimony indicated he believes Garrison's statements about an involved plot to kill the President are based on rumors, suspicions and few facts.

Garrison once said the investigation would end if Clay Shaw, who has been charged with being a part of the conspiracy, were to commit suicide, Gurvich testified.

NOVEL 30, who now maintains residences at 226 E. Oakland Ave. and in Washington, D.C., testified Garrison's investigation is "A fraud." He said:

"I don't dare go back . . . Truth means absolutely nothing in Louisiana in this matter."

Weiner argued that — if his client is returned to New Orleans — Novel will be charged with conspiracy to assassinate the President if he testifies he knows anything about Kennedy's death, and will be charged with perjury if he testifies he knows nothing.

PROSECUTOR C. Howard Johnson and Assistant Prosecutor John Peck said they were merely presenting the matter before the court as required by law. Johnson made it clear he was not pressing for Novel's return.

Holden, however, said there was no evidence to show Novel would suffer "undue hardship" if returned to

Weiner is running for D.A. Republican - A

New Orleans to testify, and that matters pertaining to the assassination investigation must be determined by the grand jury in New Orleans.

Holden also ordered a copy of the transcript of the Monday hearing be sent to Judge Matthew S. Braniff, of the Criminal District Court of Orleans Parish. Braniff signed a statement that Novel would be granted immunity from arrest if he enters Louisiana to testify.

WEINER argued the immunity is only for charges relating to incidents prior to Novel's possible appearance before the grand jury and not for anything that might happen as a result of his testimony.

Weiner contends in his habeas corpus action that the uniform witness act is unconstitutional because it does not guarantee Novel's return to Ohio following his testifying in Louisiana.

The summons for Novel's appearance before the Orleans Parish Grand Jury was filed under this act, which makes provisions for witnesses to be brought from one state to another to testify. Ohio and Louisiana are among states that have agreed to the act.

Novel wanted the X - Bureau - (Hays say)