

# Witness Charge <sup>T-P 4/24/67</sup> Against Mrs. McMaines Quashed

## Others Deny Stories in Garrison Probe

Sandra Moffett McMaines has ~~apparently gained safety~~ from District Atty. Jim Garrison's attempts to bring her back to New Orleans, but other principals in the Kennedy assassination plot investigation busied themselves denying stories concerning the bizarre case.

This was the chain of events Tuesday:

—A material witness charge against Mrs. McMaines, former girl friend of star Garrison witness, Perry R. Russo, was pitched out of an Omaha, Neb., court after her attorneys hinted a return here "could endanger her life."

—Gordon Novel, also wanted as a material witness in the probe and charged with other crimes such as conspiring to rob a munitions bunker in Houma in 1961, and his Columbus, Ohio, attorney, Jerry Weiner, both vigorously denied that Novel has ever been a Central Intelligence Agency agent.

—In Dallas, Tex., Sergio Archacha Smith declined comment on Novel's quoted account in a newspaper story of the mysterious munitions incident at Houma. He told a reporter he would not have "anything to say about anything."

—The CIA, meanwhile, also declined comment on the story that hinted there is mounting evidence that links the CIA to the Garrison probe.

—Anthony Sciambra, an assistant district attorney who questioned Russo extensively, denied charges by James Phelan in The Saturday Evening Post that Garrison's office was guilty of using post-hypnotic suggestions to Russo.

### ARMY RECORD

Phelan also commented on what he considered slipshod

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# Witness Charge Thrown Out

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work by Sciambra. Phelan claimed that no mention of the alleged party at which Russo said he saw businessman Clay L. Shaw, David L. Ferrie and Lee Harvey Oswald plot the Kennedy murder was ever mentioned in Sciambra's lengthy notes of his first interrogations of Russo.

—A check of Shaw's Army record, which the Garrison office failed to get but was released to reporters, showed no significant information. Most of it concerned a back injury that Shaw sustained in December, 1942, at Camp Pickett, Va., and which flared up on him again shortly after his preliminary hearing in March.

Mrs. McMaines, meanwhile, has moved to Des Moines, Iowa. Iowa does not honor an interstate legal compact requiring the return of material witnesses. Mrs. McMaines did not attend the Omaha court session.

The Omaha action prompted another assistant district attorney, James L. Alcock, to comment: "We're frustrated on her. There's nothing we can do. Our material witness charge against her will not hold up, apparently."

## 'A LITTLE STRANGE'

According to Alcock, he had sent a letter to police at Des Moines but nothing had come of it.

"It seems a little strange, if you don't know anything, to pick up bag and baggage and move to another state—especially one of the few states in the Union that will be sanctuary," added Alcock.

Here is the text of the statement issued by Sciambra, concerning the probe and his part in it:

"It is Mr. Garrison's policy not to comment to the news media on circumstances surrounding this case. However, inasmuch as Mr. Phelan has seen fit to comment on my activity in this matter, I feel that I have an obligation to answer him. Above all, I want to correct a misapprehension that he

was and apparently still is laboring under.

"Long before Mr. Phelan left New Orleans, the point was made emphatically clear to him that Perry Russo told me during our first interview in Baton Rouge of the party and conspiracy plot involving Shaw, Ferrie and Oswald in Ferrie's apartment on Louisiana ave. pkwy. This, in fact, was verified to Mr. Phelan by Russo himself after Mr. Phelan made a special trip to Baton Rouge to talk to Perry Russo personally.

"The details of this party and conspiracy plot were again reiterated by Mr. Russo in greater detail the following Monday when he was administered sodium pentathol under the direction of Dr. Nicholas Chetta, Orleans Parish coroner. Dr. Chetta has already testified under oath and is ready to do so again, that these details were given to us by Mr. Russo spontaneously and voluntarily without any degree of suggestion on anyone's part.

"Furthermore, Mr. Phelan's inference that our office is guilty of post-hypnotic suggestions to Perry Russo in an effort to influence him to tell our story, is ridiculous.

"The question of post-hypnotic suggestion was argued by the defense attorneys during the preliminary hearing with the same inference as presented in Mr. Phelan's article, and the unanimous answer of the three judges to their arguments was that considering the evidence presented by the district attorney's office there was probable cause to bind Mr. Shaw over for trial. Apparently, Mr. Phelan was not very attentive or did not understand this part of the hearing."

## 'ENDANGER LIFE'

In Omaha, Mrs. McMaines' attorneys said her life would possibly be in danger if she returned here.

"Based upon the history of other persons and witnesses associated with the alleged Kennedy assassination plot who have mysteriously disappeared or died under questionable circumstances, her

personal appearance and public exposure could endanger her life," the motion asserted.

The motion apparently referred to recent magazine articles reciting the deaths of some individuals with alleged connections to Kennedy's murder at Dallas.

# SPACE TREATY

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to use any satellite in space to aid any war," Gruening said.

Sen. Frank Church, D-Idaho, a member of the Foreign Relations Committee and a critic of U. S. policy in Vietnam, opened debate by saying he found it "highly encouraging that a treaty of such significance can be concluded during a period of severe international crises.

"It speaks well of the political maturity of the United States and the Soviet Union that, despite their very serious differences, efforts to find areas of accommodations can be pursued to success," he said.

At a Senate Space Committee hearing considering a request for more than \$5 billion to continue the space program, Sen. Stephen M. Young, D-Ohio, said this "is an ideal time to accelerate efforts" for cooperation with the Soviet Union on space programs.

Young offered his comment as experts from the Atomic Energy Commission and National Aeronautics and Space Administration testified that nuclear energy can be used to propel and power future space missions.

## STUDENTS RISK

### EXEMPTION LOSS

MADRID, (AP) — A government decree warned that students who take part in public disturbances may lose the postponement of compulsory military service.

Spanish and American students in Madrid, Barcelona and other university cities plan a march on the U.S. embassy April 28 to protest the war in Vietnam.