

Dallas Police Nab Former N.O. Cuban Exile Leader



—AP WIREPHOTO.
SERGIO ARCACHA SMITH (right) a Cuban exile leader, is shown being taken into the Dallas County jail on Monday after his arrest on a warrant obtained by District Attorney Jim Garrison. Arcacha Smith is charged with conspiring to burglarize a munitions bunker in Houma in 1961. Deputy Sheriff Buddy Walters is shown escorting him to the jail.

Conspiracy to Burglarize Arms Bunker, Charge

Sergio Arcacha Smith, a 44-year-old former New Orleans Cuban exile leader, was arrested in Dallas, Tex., Monday on a New Orleans warrant charging he conspired to commit burglary with two figures in District Attorney Jim Garrison's presidential assassination probe.

Garrison's warrant alleged that Arcacha, Gordon Novel and the late David W. Ferrie conspired to burglarize a munitions bunker in Houma in 1961.

Novel had been arrested Saturday in Gahanna, Ohio, on a fugitive charge involving the same alleged crime. Ferrie, a pilot, died in New Orleans Feb. 22.

PLOT CHARGED

Garrison has alleged Ferrie, Oswald and Clay L. Shaw plotted in mid-September, 1963, to kill President John F. Kennedy. Oswald was named by the Warren Report as the sole assassin.

The warrant for Arcacha said the burglary of the munitions bunker was "in order to obtain explosives and other forms of munitions belonging to Schlumberger Well Services, a corporation authorized to do business in the state of Louisiana." The charge did not say what explosives or munitions were involved.

Arcacha said he left his native Cuba shortly after Fidel Castro came to power and first settled in Miami. He said he then lived in New Orleans, Miami again, Houston and then Dallas.

ARRESTED AT HOME

He was arrested at his home by burglary and theft detectives of the Dallas police, photographed and fingerprinted at the police station then transferred to the county jail.

An employe of a Dallas air-conditioning manufactur-

ing firm, Arcacha has insisted he knows of "nothing pertinent I could tell the New Orleans people," although he said he knew Ferrie.

He said last week, after he learned the warrant for his arrest had been issued, that "It is a shame that in this country they do this to honest people."

The warrants for both Arcacha and Novel were signed by Criminal District Court Judge Thomas Brahney, who set bond at \$5,000 for each.

Meanwhile, Novel appeared in a Columbus, Ohio, court Monday, but remained in jail after he failed to come up with bond money.

Novel showed up before Municipal Judge Wilbur Shull and

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began arguing his own case for a low bond.

"I used to do work for Garrison. In fact, I did some of the investigating in this so-called plot," he said. "I've got a lot of charges of my own to make about him."

Shull interrupted Novel before he could say any more.

Later, Novel said he had heard it said he planned to return to New Orleans voluntarily, "but I did not intend to do so because of this Cuban . . ."

SILENCED BY ATTORNEY

At this point, Novel's attorney, Jerry Weiner, interrupted and silenced him. Weiner appeared in court after Novel began his talk.

Novel argued he is not a fugitive from justice, as charged, because he left New Orleans before any charge was filed against him. He also said he had established intent to take up residence in Columbus, where he plans to marry a Miss Abby Mulligan.

He said he will fight extradition to Louisiana all the way to the Supreme Court if necessary.

Weiner said his next step may be to ask for a formal petition to Ohio Gov. James Rhodes listing the reasons Novel does not want to return to Louisiana and setting the stage for an extradi-

tion hearing.

HEARINGS SELDOM GIVEN

John McElroy, Rhodes' chief assistant, said hearings seldom are granted and extradition only rarely used.

He said Louisiana has not returned to Ohio a man arrested in the New Orleans area on an Ohio charge of larceny. The man, Eugene Woods, has been sought by Ohio for many months, but McElroy said "I don't know that we will trade one for the other."

Weiner said bond money for Novel is being raised by friends. Meanwhile, the Louisiana Supreme Court just before 4 p. m. closing time Monday refused writs of review in the Novel case.

QUESTIONS RAISED

Four questions were raised by attorneys for Novel in the writs: can the district attorney charge an individual as a material witness when he knows the individual is outside the state at the time the motion and affidavit are filed, can the district attorney amend the affidavit in the middle of a hearing on a motion to quash charges, is an affidavit based solely on hearsay, opinions and conclusions of the district attorney sufficient to support issuance of a warrant of arrest, and is the district attorney empowered to proceed against an individual outside the state and obtain a warrant for his arrest?

Associate Justices Walter B. Hamlin, Frank W. Hawthorne, Joe W. Sanders and Frank W. Summers denied the application asking the court to exert its supervisory jurisdiction.

Associate Justice E. Howard McCaleb concurred in the refusal, stating the applicant has offered no proof to show he was not within the jurisdiction of the court when the amended affidavit was filed. Furthermore, he said, the applicant has not shown he sustained any irreparable injury.

Novel, who talked readily with newsmen Saturday, refused to be interviewed Monday. His lawyer, asked about the courtroom reference to Cuba, said "You are not going to get me to comment on that."

PANEL TRUCK

One of the things Garrison reportedly wants to question Novel about is a panel truck which figures significantly in the DA's

Investigation.

Shaw, 54-year-old former managing director of International Trade Mart, will be arraigned at 10:30 a.m. Wednesday before Criminal District Judge Edward A. Haggerty Jr.

Thus far, Shaw is the only person charged with participating in a conspiracy to kill Kennedy. No date has been set for his trial.

In Indiana, the former police chief of Terre Haute said Monday a rifle of the same model named as the gun used in the murder of Kennedy was found in a Terre Haute hotel three days after the assassination.

Frank Riddle, the retired chief, said the rifle, a 6.5 millimeter Italian Mannlicher-Carcano, was traced to a salesman from San Antonio, Tex. He refused to identify the salesman.

COMMISSION INFORMED

Riddle, speaking from Putnamville, Ind., where he is now in charge of the Indiana State Farm, said all of his information about the rifle was turned over to the Warren Commission and that the rifle was taken by secret Service agents.

Riddle said San Antonio authorities told him the salesman had no criminal record, was a member of the Young Communist League and an expert rifle marksman.

He said the salesman regis-

tered at the Terre Haute House Hotel Nov. 25, 1963, and according to the desk clerk was carrying a "long package."

Shortly after noon, Nov. 26, the man checked out without the package, Riddle said. The rifle, found by a maid, bore no fingerprints. Two telephone calls from the salesman's room were made Nov. 25 to a Terre Haute gun shop and to a store that sold rifle ammunition.

Investigators, Riddle said, earned the man was told the weapon would sell for \$5.

He said the man later bought a bus ticket to St. Louis.

Riddle said he had received no word from Garrison and added, "I think Garrison may have something, but I don't plan to contact him with the information I have."

Aggravated Escape Charges Filed

Charges of aggravated escape

were filed Monday against six men who allegedly attempted to escape from the parish prison.

Criminal Sheriff Louis A. Heyd Jr. also filed a charge of conspiring to escape against a seventh inmate who had been questioned in connection with District Attorney Jim Garrison's investigation of the assassination of President Kennedy.

Eugene Sanner, 29, who was questioned twice by Garrison's men, came up with the escape plan before being transported to Illinois and did not participate, according to Sheriff Heyd.

Sanner was taken to Illinois after a hearing before Criminal District Judge Bernard J. Bagert.

The other six prisoners had made their way to the prison roof after the 10 p. m. roll call Saturday and later lowered themselves into a delivery alley where they were cornered by prison deputies.

Heyd credited Dep. Sheriff Avery Alexander, who heard the men climbing onto the roof, with foiling the escape.

Heyd also warned that a shortage of deputies could result in a "tragedy" for the com-



Photo by The Times-Picayune.
JUDGE EDWARD A. HAGGERTY JR. of Criminal District Court is shown in his chambers Monday at a press conference in which he gave orders about conduct of the arraignment and eventual trial of Clay L. Shaw. Shaw, to be arraigned Wednesday, is accused by the district attorney of plotting to assassinate President Kennedy.

community, and said the city administration has failed to provide adequate manpower.