

day. The car shown at right contains the prison

# Novel Charge Surrounded By Confusion

Col Dispatch 4-3-67

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Confusion surrounded the on-again off-again appearance in Municipal Court Monday of Gordon Novel, a central figure in the New Orleans probe of the assassination of President Kennedy.

Novel was arrested by Gahanna police Saturday afternoon, taken to City Prison and held for investigation of being a fugitive from justice from Louisiana.

ALTHOUGH wanted by New Orleans District Atty. Jim Garrison in the assassination probe, Novel is charged in Louisiana with being a fugitive of "conspiracy to commit the simple crime of burglary" of a munitions dump in Houma, La., about 40 miles southwest of New Orleans.

It was more than 40 hours before the fugitive charge was made official in Columbus. This was the cause of the confusion.

Under the Municipal Court routine, defendants appear in court only if charges have been filed against them by 6 a.m. of that date.

Novel's name was scribbled on the docket after Gahanna police filed their affidavit and a new arrest slate was moved, indicating "investigation dropped, reslate, fugitive from justice."

Novel's attorney, Jerry Weiner, did not believe his client would be charged with any offense and appeared in court to represent him only after a Dispatch reporter informed him of the fast-break-

ing developments Monday morning.

PRIOR TO Weiner's arrival, the slim, somewhat pale Novel pleaded his own case

for a low bond before Municipal Court Judge Wilbur Shull. *Right Wing Judge*

Shull allowed a \$10,000 bond set Saturday night to remain.

Gahanna authorities submitted a telegram from the New Orleans district at-

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torney's office requesting a \$50,000 bond.

**CURIOSLY**, when Judge Dean Strausbaugh initially set the \$10,000 bond Saturday night Novel was not technically charged with anything and in the estimation of Police Prosecutor Gordon Sroufe was held in jail illegally.

Columbus police refuse to hold prisoners on investigation charges. However, they contended Gahanna police handled this case and did not object to the exception of the rule.

In pleading for a low bond, Novel told Judge Shull that when he left Louisiana to come to Columbus March 20 he was not charged with any offense and therefore could not be a fugitive from justice.

**NOVEL** contends that it had been four days after he

had left New Orleans when authorities there accused him of the munitions dump "conspiracy."

Weiner examined the hastily-signed affidavit and agreed to have a 30-day continuance of the case while allowing him time to set up an extradition hearing.

High Columbus police officials questioned why the prisoner was not taken to County Jail instead of City Prison after he was taken into custody by suburban Gahanna police.

**ONE COUNTY** official intimated it was the investigative charge which made county authorities reluctant to jail Novel.

Weiner indicated he is still

trying to complete arrangements to have Novel released on bond.

He further pointed out the intent to establish residence in Columbus after he marries Abby Mulligan, of 226 W. Oakland Ave., a playboy club "bunny."

Shull interrupted Novel in mid-sentence when Novel claimed:

**"I USED** to work for (Dist. Atty. Jim) Garrison, in fact, I did some of the investigating in this so-called plot. I've got a lot of charges of my own to make about him." Shull asked Novel if he had an attorney.

Novel complained he has had "difficulty" using a telephone while jailed in City Prison. He told Shull he wanted to contact "business associates" in New Orleans, but was not allowed to.

Still arguing without benefit of counsel, Novel told Shull he understood a preliminary hearing had been held on the charges pending against him, and that an agreement was made that a low bond would be set if he would return voluntarily to New Orleans.

**"I DID** not intend to do that because of this Cuban..."

At his moment, Weiner appeared in court, silenced Novel and the sentence was not completed.

**FOLLOWING** his arrest, Novel, a 29-year-old former New Orleans night club operator, vowed to "fight extradition, if necessary, to the

United States Supreme Court."

Weiner said the first stop in the fight likely would be the filing of an affidavit with Governor Rhodes, stating reasons why Novel does not want to go back.

Rhodes' chief aide, John McElroy said such hearings are "almost never" granted, and when a hearing is granted, extradition is almost never denied. He said the only time extradition would be denied is when there "appears to be absolutely no chance the person sought would receive justice."

**MCELROY** said "the governor himself has never conducted a hearing. Such hearings are held by me or someone else in the office," he said, adding it was a delegated responsibility.

Legal sources at the Statehouse said if Novel chooses to fight the case through the court, "This thing could hang around for awhile."

They said Novel's attorney could seek a writ of habeas corpus, then go through the court of appeals and on to the supreme court. "Maybe they're trying to out-wait Garrison," they added.

**NOVEL**, who quipped with reporters and posed readily for photographers when arrested Saturday, refused to be interviewed by a Dispatch reporter Monday.

Asked what Novel meant in his reference to Cuba, Weiner said:

"You're not going to get me to comment on that."