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Pal 'Never Saw Oswald After 1959'

Kerry Thornley, Marine Corps companion of Lee Harvey Oswald, said today he never saw the accused presidential assassin again after July, 1959, when he was mustered out of the service.

Thornley, in a telephone conversation from South Tampa, Fla., said he declined to cooperate in District Attorney Jim Garrison's probe of the slaying of President John F. Kennedy because he "lacks confidence" in the DA.

Garrison has subpoenaed Thornley to appear before the Orleans Parish Grand Jury Feb. 8 and 9, but Thornley says he will fight extradition.

A spokesman for the district attorney's office, told of Thornley's statement that he never saw Oswald in New Orleans, said:

"We have at least six witnesses who saw Thornley and Oswald together in New Orleans during the summer of 1963."

The DA contends that Thornley was associated with Oswald in New Orleans during the summer of 1963 when Thornley was working as a waiter in the French Quarter and Oswald was living on Magazine st. Thornley today denied this.

GARRISON'S subpoena for Thornley was the fifth issued with his probe of the Kennedy assassination.

Garrison's request for the subpoena of Thornley said Thornley was questioned by the Warren Commission "for

33 pages" concerning his Marine Corps life with Oswald.

Garrison said Thornley told an interviewer from the commission that he never saw Oswald after their duty with the Marines.

However, Garrison said he had information that Thornley was one of Oswald's "more consistent companions" in New Orleans prior to Oswald's departure from New Orleans in late September, 1963.

Garrison added that "the frequency" of Oswald's contacts with Thornley here indicated the latter might have specific information about other associations Oswald had in 1963.

GARRISON'S subpoena asks that Thornley be granted immunity from arrest for any past offenses during his stay in New Orleans, and also asks authorization to pay Thornley \$148 to cover his expenses in coming to New Orleans.

Thornley told newsmen that he knew Oswald about three months when both were stationed at El Toro, Calif., with Marine Air Patrol Squadron No. 9.

But, he said, the friendship ended when they had a short argument one day over a parade starting time.

Thornley said Oswald at that time was the target constantly of his political and religious beliefs.

"Everybody in the outfit put him down as a Communist and an atheist," Thornley said of

Oswald.

THORNLEY, 29, who calls himself a freelance writer, said he wrote an unpublished book prior to the assassination of President Kennedy titled "Idle Warriors," in which he mentioned Oswald as one of a number of disenchanted military men who had fled the U. S.