

EXPECT NOVEL TO TESTIFY

10-6-67  
S.T.

# Governor Approves Funds For B.R. Jury Crime Probe

East Baton Rouge Parish Dist. Atty. Sargent Pitcher said today Gov. John J. McKeithen has approved his request for state funds in financing his parish grand

jury's investigation of organized crime.

Both the East Baton Rouge and Orleans Parish juries are conducting separate crime probes (Orleans Grand Jury

has not requested funds) in the wake of charges in Life magazine that Costa Nostra operations are rampant in the state. Pitcher did not estimate how much in state funds will be needed.

PITCHER also said he expects elusive witness Gordon Novel to return to Louisiana next week to testify in the crime probe.

He said he had assurances from other officials, including Gov. McKeithen and Orleans DA Jim Garrison, that Novel will be granted immunity from arrest in connection with Garrison's probe of the assassination of President John F. Kennedy.

Novel has promised sensational disclosures in the crime probe if he is protected from Garrison, who has tried without success to extradite him.

Other developments today in the crime probe included:

—Life magazine reporter David L. Chandler was subpoenaed to appear before the Orleans jury at 10 a. m. Oct. 11.

—The East Baton Rouge jury resumed its probe and Pitcher said he expected it to be in session "quite a while." Asked how long this was, he said, "How long is a piece of string?"

—Pitcher said former governor's aide Aubrey Young, a key figure in the probe, has been released from custody of a state mental hospital.

THERE WAS NO explana-

tion for the subpoena of Chandler. Life magazine touched off both crime probes with a series of articles charging that organized crime is rampant in Louisiana.

The Orleans jury had been scheduled to resume its work next Thursday, but the date was moved up to Wednesday because of the Columbus Day holiday.

Pitcher declined to say whether new indictments by the Baton Rouge jury are pending.

Thus far, one person has been indicted by the grand jury. D'Alton Smith, former New Orleans electrical con-

tractor, is accused of public bribery in offering \$25,000 to Aubrey Young to arrange a meeting.

PITCHER ALSO is investigating Young's connections with rackets figure Carlos Marcello. Young had received a number of phone calls from Marcello.

Pitcher said Novel will have immunity from arrest while in Louisiana and freedom to return to Columbus, Ohio, or wherever else he wants to go.

He said he had received approval of his immunity plan from Garrison, Jefferson District Attorney Frank K. Langridge and Terrebonne Attorney Wilmore Broussard.

Pitcher says he also wants to confer with Gov. John J. McKeithen about assuring Novel he will be free from arrest.

OFFICIALLY, NOVEL is charged with conspiracy to commit burglary in Orleans and is wanted in Terrebonne on burglary charges in connection with the removal of munitions from a dump at Houma.

The district attorney said the immunity is limited to arrest on any other charges and does not extend to anything involving his appear-

ance.

Novel claims to have information of a sensational nautre involving organized crime. He also claims he can blow apart Garrison's investigation of the presidential assassination.

Pitcher said he did not want to prejudge any testi-

mony which Novel might give to the grand jury.

The district attorney, accompanied by his first assistant, the foreman of the grand jury, and Young, went to Chicago this week in an evidence-gathering journey.

Pitcher insisted he found substantial information about organized crime and said he will present the information to the grand jury today.

MEANWHILE, YOUNG continued under guard from the East Baton Rouge sheriff's office. Pitcher asked for assistance in guarding Young.

Smith is wanted for questioning about efforts to get Baton Rouge Teamster boss James Edward Partin to change his testimony about International Teamster head James Hoffa. Partin's testimony helped send Hoffa to federal prison.

Smith posted a \$1,500 fugitive bond in Denton, Tex., and is still at large. Bond of \$25,000 has been set for him in Baton Rouge on the bribery charge.

Young had been committed to the state mental hospital at Mandeville on Sept. 18 by his mother. While Gov. McKeithen was in New York conferring with Life editors

about the series of articles on organized crime, he ordered state police guards posted about Young for his protection.

THE ORLEANS PARISH jury recessed its probe yesterday after hearing from the governor and a rackets figure.

Gov. McKeithen said he had

no startling revelations during his 90 minutes before the jury, but "I answered all the questions freely and glad to do it."

The man who Life tabbed as the crime kingpin, Carlos Marcello, also testified yesterday. "Lies, all lies," was all he would say when newsmen asked him about Cosa Nostra

operations.

The jury also heard J. Marshall Brown, state Democratic national committeeman. He was in the jury room about five minutes. He declined comment afterwards.

The governor was accompanied by State Police Superintendent Col. Thomas Burbank and two state troopers. McKeithen has been under special guard following a threat against his life.

# Judge to Call Shaw Lawyers, Garrison Staff

Criminal District Court Judge Edward A. Haggerty today said he will call a conference Monday between defense attorneys for Clay L. Shaw and members of the district attorney's staff before he rules on Shaw's motions for a trial delay or change of venue.

Shaw, charged by DA Jim Garrison with conspiring to assassinate President Kennedy, has asked the court to grant a six-month delay in his trial or, as an alternative, approve a change of venue.

ASSISTANT DIST. Attys. James L. Alcock and Richard Burnes filed the state's answer to the motions Tuesday stating that a "reasonable delay" of less than six months would be agreeable.

However, the state blasted the six-month-delay request as "arbitrary, capricious and unreasonable," but said it would acquiesce in order to "preclude any error which might justify a reversal of the conviction on appeal . . ."

Although the state's acceptance of a "reasonable delay" was general, Alcock said privately that he did not expect the trial to begin until next year.

THE DEFENSE HAD said

the delay or change in the trial site was necessary, claiming that actions by DA Jim Garrison have made selection of an impartial jury impossible at this time.

However, the state countered that if it is not possible to get a fair trial, it is because of actions by Shaw and his attorneys, not the state.

The state opposed the change of venue section of the motion and a request for a bill of particulars, also included in the defense motion.

# O'Hara Ouster Action Spurred By McKeithen

State Attorney General Jack P. F. Gremillion is going ahead with ouster proceedings against Criminal District Judge Malcolm V. O'Hara at the request of Gov. John J. McKeithen.

Gremillion said he hopes to be able next week to file impeachment motions against O'Hara with the Louisiana Supreme Court in New Orleans.

Judge O'Hara has been criticized for taking part in an effort to get a prime witness to reverse testimony which was instrumental in sending Teamster boss Jimmy Hoffa to federal prison on a jury tampering conviction.

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FORTY NEW ORLEANS citizens filed a petition with Gremillion seeking O'Hara's ouster. Groups of attorneys, ministers and others have also called for his removal.

"I would like to go on record as joining in the request," McKeithen said in a letter to Gremillion.

"I have no alternative but to comply," said Gremillion.

JUDGE O'HARA contends he was merely a messenger in the alleged effort to get Edward Grady Partin, Baton Rouge Teamster official, to change his Hoffa trial testimony.

Zachary Strate, New Orleans contractor, told a Chi-

cago federal court that O'Hara tried to get Partin to give him an affidavit that Hoffa was convicted with illegal wiretap evidence.

Meanwhile, the Metropolitan Crime Commission, which has led the way in seeking O'Hara's ouster, filed a legal document supporting its motions that District Attorney Jim Garrison be recused from advising the Orleans Parish Grand Jury and that Judge O'Hara be recused from hearing any proceeding which might develop from the case.

In the same document, filed with the state Supreme Court, the MCC charged Garrison

"has no purpose" in seeking the organization's records except to "harass, scuttle and destroy."

Garrison is attempting to force the group to take its records before the grand jury, and the MCC has appealed to the Supreme Court. *end*

# McKeithen, DA Break Brewing?

By BILL LYNCH  
(States-Item Bureau)

BATON ROUGE—What course the latest tiff between Gov. John J. McKeithen and New Orleans District Attorney Jim Garrison will take is one to be followed with interest.

The two political powers have been on the verge of an open split before, but each has adroitly managed to pull back his horns to avoid a headon collision, maintaining the tenuous alliance which exists between them.

Now comes what on the surface appears a slap at McKeithen by Garrison when the district attorney issued a subpoena for the governor to appear before the grand jury investigating organized crime.

Garrison already had aimed a little sarcasm at the mansion in Baton Rouge over the chief executive's apology to Life magazine, in which he reversed his claim that a series of articles on organized crime was a deliberate smear on Louisiana.

After changing his mind and issuing the subpoena, Garrison said this was not time to rely on protocol. But was a subpoena really necessary?

Garrison at first announced that the grand jury wanted to hear from the governor, and made it expressly clear that he was issuing an "invitation" to the governor.

McKeithen, responding to the word "invitation," readily said he would appear and tell the grand jury anything it wanted to know which he could relate.

Then that afternoon, the district attorney decided to change the invitation to a subpoena. This must have perplexed the chief executive as much as it does political observers.

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IN LOUISIANA, THE governor does not have to honor a subpoena. However, McKeithen has shown no reluctance to avoid subpoenas in the past. He had already accepted Garrison's "invitation," after first ascertaining that it was that, and was not in a position to make a stubborn stand against it.

Besides, McKeithen apparently wanted to testify about what the editors of Life told him about organized crime in the state.

The only other possible reason for issuing the subpoena, if not a gig at the governor, is that Garrison did not want McKeithen to enjoy any immunity which might attend an invitation.



BILL LYNCH

On top of the subpoena for the governor, Garrison also summoned J. Marshall Brown, political crony of the governor, to testify.—Brown is a member of the state Board of Education and Democratic national committeeman from Louisiana.

The significance of Garrison's decision to subpoena—if there is any—may not be made clear for some time. It could be that Garrison, nettled by the governor's apology to Life, simply wanted to needle him a little.

McKeithen disavowed any trouble between them and said publicly that he is running for reelection and does not want a fight. McKeithen regards Garrison as a powerful and brilliant individual, although he does not always agree with him.

He feels that Garrison has the ability to rip an opponent apart and has said several times that he does not want to be that opponent.

★ ★ ★  
WHILE THE INVESTIGATION of organized crime continues to dominate the news in Louisiana's political world, there also is a governor's race going on. Would you believe it?

The election is less than a month away and the lack of campaigning and interest is phenomenal for Louisiana.

U. S. Rep. John Rarick of St. Francisville continues to be the major opponent for Gov. McKeithen in his bid for a second straight term. However, Rarick is providing such light opposition that most observers are guessing that the congressman may poll anywhere from 20 per cent on the vote on down to considerably less than that.

Rarick apparently has been caught in a monetary bind and has been unable to conduct the type of publicity and advertising program necessary for a governor's race. He also has very little publicity savvy—the way publicity agents have of obtaining free advertising for their candidates. This has hurt in getting his message across to the public.

Where it once took a million dollars to conduct a first-primary campaign by one major candidate, it is doubtful if McKeithen will spend \$100,000 on his second try. *md*