

Court Studies Plea In Jury Call Case

Federal District Judge James A. Comiskey today took under advisement a request that a three-judge federal court be appointed to determine whether Life magazine reporter David L. Chandler will have to appear before the Orleans Parish Grand Jury.

Chandler, who worked on three Life stories that sparked a statewide crime probe, claims he will be in a "position of peril" if he is forced to testify before the jurors and that he may be illegally and unconstitutionally required to testify against himself.

The Louisiana Supreme Court has denied Chandler's appeal to quash the grand jury subpoena, and Chandler and his attorney, Cicero C. Sessions, are asking that the state high court's ruling be reversed.

PRIOR to a hearing on the matter today before Federal District Judge James A. Comiskey, Sessions filed a supplemental amended complaint on Chandler's behalf, asking that the complaint be heard by a three-judge court.

The supplemental motion also requests that Judge Comiskey issue a temporary restraining order and a preliminary injunction preventing Dist. Atty. Jim Garrison, his chief assistant, Charles Ray

ward, and the grand jury from prosecuting or indicting Chandler for perjury pending the outcome of the three-judge hearing.

CHANDLER claims that Garrison "is trying to block further stories by Life magazine on organized crime and his connections with it by putting reporters in jail."

He said in the motion filed today that the only reason he has been subpoenaed by the grand jury was to "lure and entrap" him into giving testimony against himself which would be used to illegally prosecute him.

CHANDLER claims Garrison has threatened "to get" him because he has been critical of the DA and his staff. He also says the DA's staff has refused to say why he is subpoenaed and whether or not he is under suspicion.

At the hearing, Sessions introduced the transcript of a letter written by Garrison to Richard Billings, associate editor of Life, which Sessions said threatens Chandler.

He also introduced transcripts of statements made by Ward on television broadcasts during which Ward called Chandler a "liar" and said that the Life articles about crime in Orleans were false.

SESSIONS argued that Garrison has said publicly that witnesses before the grand jury have denied the existence of organized crime and that if Chandler verifies the Life

articles, he is in jeopardy of being indicted for perjury.

He noted that Ward has said that the grand jury wants to know Chandler's sources of information and he said that state law protects the right of newsmen not to reveal their sources.

He also said that a man who might be under suspicion should have the right to have legal counsel at his side during grand jury sessions. State law does not permit this.

ASSISTANT DA James L. Alcock, appearing on behalf of the grand jury and Garrison, said that Ward had not threatened Chandler during an interrogating session last Jan. 26 as claimed by Chandler and Sessions.

Alcock said that the letter to Billings had been explicit that Chandler would be treated with courtesy if he tells the truth. He said Chandler would not be charged with perjury by verifying the Life articles if he can back up statements made in the stories.

Ward appeared on his own behalf, saying, "I have never threatened Chandler . . . Mr. Sessions makes untrue statements before this court."

SESSIONS became heated at this point and said, "A lawyer is entitled to believe his client."

Sessions also said that he knows of personal threats on Chandler made by Garrison.

He charged that the grand jury investigation is a farce. "The whole thing is an investigation of Life magazine and

David Chandler—not organized crime," he told the court.

The letter to Billings said in part that "Life magazine has made a number of serious factual errors in its recent statements concerning organized crime in New Orleans. Every fact brought up in our presence . . . turned out to be either completely wrong or badly distorted.

"The Grand Jury inquiry has indicated that there is no basis in fact supporting the allegations of Life concerning systematic racketeering activities in New Orleans."

GARRISON'S letter said the witnesses testified that Life accusations regarding Orleans Parish were "totally untrue and based on false information."

The letter added that if Chandler testified truthfully "he will be treated with complete fairness and courtesy."

The rest of the letter mainly concerned an attack on Chandler for reporting what Garrison calls false information, saying that the district attorney was disappointed in Billings for not exercising "better judgment in your supervision of these articles."

ON ANOTHER front, the Jefferson Parish Grand Jury probing accusations of organized crime recessed until next week after hearing from half a dozen witnesses.

The witnesses included Aaron M. Kohn, managing director of the Metropolitan Crime Commission; Col. Thomas Burbank, commander of the Louisiana State Police; New Orleans Assistant DA Charles Ray Ward; Joe Johnson, a contractor; Sheriff Alwynn J. Cronvich and two unidentified men.

OTHER WITNESSES who were called to testify included

Parish President Thomas F. Donelon and one of his administrative assistants, Merlin Hudson. After waiting throughout the day in the Gretna courthouse to make their appearance, both were told at 4:45 p. m. that they would not be needed until at least next Tuesday, when they were subpoenaed to appear at 11 a. m.

Jefferson DA Frank Langridge, asked about the investigation, replied: "It is in connection with organized crime. Don't ask me anything else."

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Will Name Death Plotters--Partin

BATON ROUGE, La. (AP)— damage suit in which he is a Local Teamster official Edward defendant.

Partin says he will provide He said one plot took place names of persons he claims 10 months ago and another with-plotted his assassination to the in the past two weeks. district attorney here.

Partin mentioned assassina- a concrete products firm of con- tion plots in a motion filed in spiring to put another concrete U.S. District Court here Mon- products company out of busi- lay in a \$3.1 million anti-trust ness. *MA*

Subpena Expected by Partin

Edward G. Partin, the Teamster official whose testimony helped send Teamster boss Jimmy Hoffa to jail, says he "assumes" he will be asked to appear before the East Baton Rouge Parish Grand Jury in its probe of organized crime.

Partin spent about two hours yesterday with the jury in a voluntary appearance. He was not under subpena.

The latest grand jury visit by the controversial business agent for Local No. 5 in Baton Rouge grew out of his allegations earlier this week that two plots were made to assassinate him, one within the past two weeks.

OTHER DEVELOPMENTS yesterday in the statewide crime probe included:

—East Baton Rouge District Attorney Sargent Pitcher revealed that he has conferred with Orleans Parish DA Jim Garrison to exchange information on their twin crime probes.

—The Orleans Parish jury heard two witnesses yesterday, attorneys Ross Scaccia and Lee Leonard. Scaccia is a former assistant DA under Garrison.

—Life magazine reporter David L. Chandler lost a bid in federal court to prevent Garrison from subpoenaing him to appear before the grand jury. Life stories of organized crime activity in Louisiana sparked the crime probes.

Pitcher said in Baton Rouge that he and Garrison wanted to keep each other informed on the progress of the probes. He said he met with Garrison Wednesday.

GARRISON'S OFFICE gave no reasons for subpoenaing Scaccia and Leonard. Scaccia said he was not suspected of any wrongdoing.

He said that in his four years in the DA's office, he was in charge of vice and narcotics investigations, and frequently had been called in to give information about these matters.

Chandler's motion for a restraining order against Garrison was turned down by Federal District Judge James E. Comiskey.

Chandler had charged that Garrison intended to trap him into perjuring himself before the jury.

The judge ordered attorneys for Chandler and Garrison to submit briefs by Nov. 13 on Chandler's request for a three-judge federal panel to hear his

case.

THE EAST BATON Rouge jury also heard more testimony yesterday from Aubrey Young, the former aide to Gov. John J. McKeithen whose testimony led to a public bribery indictment against New Orleans contractor D'Alton Smith. Pitcher said the proposed \$25,000 payoff

was part of a scheme to buy Hoffa's way out of prison.

Partin earlier testified before a federal grand jury in New Orleans concerning his claims that a \$1 million bribe was offered to him to change his testimony in the Hoffa jury-tampering suit.

A motion which his attorneys filed in U. S. District Court in Baton Rouge alleged that James H. Gill, manager of the Baton Rouge Industrial Contractors Association, carried the bribe offer to him. The same motion mentioned the assassination plots against Partin.

Gill has denied the charge. He accused Partin of trying to draw blame away from himself for causing a massive shutdown of industrial and other construction projects in the Baton Rouge area.

Partin is a codefendant in a \$3.1 million antitrust damage suit accusing him of conspiracy to put a concrete products firm out of business. His federal court motion sought to stay a court order that he either answer questions—including some about an auto racetrack built near Baton Rouge—or be cited for contempt.

PITCHER PICKED up copies of the motions in which Partin made the assassination plot allegations. Partin said he would

give information, including names, to Pitcher.

"If I didn't have documented evidence, I wouldn't have said anything about it to start with," Partin said.

Investigators for a state agency conducting a special probe into reports of racketeering in labor and management relations also have questioned Partin in recent weeks.

The agency, the Labor-Management Commission of Inquiry, plans public hearings before the end of the year.