

Judges Ponder Question of Chandler Appearance

Life Newsmen Fighting Grand Jury Subpena

The question of whether newsman David L. Chandler will have to testify before the Orleans Parish Grand Jury was taken under submission Monday by a special three-judge federal court.

Attorneys for Chandler and for District Attorney Jim Garrison were given 15 days in which to file briefs with the court.

The Life Magazine reporter is fighting a subpoena for his appearance before the jury which is investigating allegations in the magazine that organized crime is flourishing in the New Orleans area.

Chandler claims that Garrison is harassing him and is trying to have him indicted for perjury if he testifies before the jury.

Studying the matter are Judge Robert A. Ainsworth Jr., of the United States Fifth Circuit Court of Appeals and District Judges Edward J. Boyle Sr., and James A. Comiskey.

As the hearing on Chandler's case was resumed Monday, Charles Ray Ward, chief assistant district attorney, told the court that he harbors a personal animosity towards Chandler but that this would make no difference because he would not handle the matter in the grand jury.

Garrison also took the witness stand and told the court that he has made arrangements in the event Chandler does go before the jury for the newsman to be questioned by the jury members without a member of the district attorney's office being present.

Ward took the stand first when the hearing opened Monday and was questioned by Cicero C. Sessions, Chandler's attorney.

"Do you have any personal animosity towards Mr. Chandler?" Sessions asked.

"At this time, yes," Ward re-

plied.

He said that he harbors this animosity "because Mr. Chandler has lied and impugned my honesty." He charged that on one occasion Chandler telephoned him and used obscene language. He further quoted the newsman as saying "When Sessions gets through with you there will be nothing left."

Ward also claimed that he dislikes Chandler because the reporter went to Judge Andrew Bucaro in municipal court and attempted to have a shoplifting charge against his (Chandler's) wife, fixed.

CHARGE FILED

The prosecutor added that when the charge was filed against Mrs. Chandler, in order to be fair, he refused to handle the matter and had it transferred to municipal court because it involved only \$2.50.

Ward also testified about a meeting in a restaurant in the Warwick Hotel when he refused to have lunch with Sessions and Chandler because he thought it would be improper.

Garrison followed Ward on the stand and was first questioned about an alleged \$52,000 bribe offer from Carlos Marcello. Chandler testified at a prior hearing that he could give the grand jury information about such a bribe being offered to the district attorney.

BRIBE DENIED

The district attorney flatly denied that a bribe was offered and said that investigation of the matter showed that the alleged bribe was a publicity stunt concocted by Pershing Gervais, the former chief investigator for the DA's office.

"It's no secret that a bribe offer was reported to have been made," Garrison testified.

He added that Gervais later admitted that he had made up the story because he thought it would be "good public relations."

"I told him that it was never good public relations to tell anything but the truth," Garri-

son asserted.

The district attorney told the court under questioning by James Alcock, his assistant, that he has arranged for Chandler to appear and answer the jury's questions without any member of his staff being present "to remove any possible fear of harassment."

He also stated that he will not submit any questions for jurors to ask Chandler if he should appear under these circumstances.

REPORTERS CALLED

Two reporters for the New Orleans States-Item, Mrs. Rosemary James and John McMillan, were also called to the stand.

Mrs. James identified a news story concerning the alleged bribe offer and an affidavit attesting to its accuracy.

McMillan testified that he was with Sessions and Chandler in the restaurant when Ward refused the invitation to have lunch with them.

Another witness, Bill David-

son, a writer for the Saturday Evening Post, described a meeting with Garrison in the DA's office which was also attended by Gervais and former first assistant DA Frank Klein when Garrison told him of the alleged bribe offer.

Davidson testified that Garrison told him "all the facts" and Gervais "was making interpolations from time to time."

The witness said that the basic facts were that Gervais had been approached by a man who told him that Carlos Marcello wanted to see him and that Gervais had met with Marcello at his country estate at Churchill Farms in Jefferson Parish.

At this meeting Marcello was supposed to have said that he "wanted to get back into New Orleans," and wanted to put two electronic slot machines in the city, then have Garrison make a raid and seize them.

Davidson said that he was told that if a court declared the machines to be legal and the district attorney did not press an appeal Marcello would pay

Garrison \$3000 a week for 300 machines Marcello would then place in New Orleans.

The Post reporter said that the story was told to him by Garrison "as an absolute specific fact and I printed it as such."

Under cross examination by Alcock, Davidson said that the bribe was never accepted.

Alcock then posed the question "He was going to pay Garrison \$156,000 to do his job?" and the witness gave no answer.

Davidson also said that the name of state Attorney General Jack P. F. Gremillion came into the picture of the bribe offer at a later date.

DECLARE LEGAL

He said that he was told that Gremillion was "to handle the action to have the machines declared legal."

Alcock asked "He was to be fixed?"

"I don't know," the witness replied.

"That was your impression?" Alcock asked.

"That was my impression," Davidson testified.

The witness said that he did not interview Gremillion about the matter because he did not know if it was true and "did not consider it valid enough to pursue." He added that "it was raw, unevaluated information."

Chandler claimed on the stand that on one occasion when he asked Garrison why he did not prosecute Marcello for the alleged bribe offer the district attorney told him that it was because Marcello was a friend of Gervais.

Alcock attempted to bring out that if any such bribe offer had been made it was made in Jefferson Parish and Garrison would have no jurisdiction.

Aaron M. Kohn, managing director of the New Orleans Metropolitan Crime Commission, testified about conversations he had with Gervais in which the former DA's investigator told him of the alleged bribe offer.