

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : Mr. Belcher

DATE: March 29, 1967

FROM : Ed Molenof

EM:lh

SUBJECT: Dave Ferrie
In connection with U.S. v. Marcello
Conspiracy, New Orleans.

129-11

Reference is made to the attached copy of a letter dated October 24, 1963 from David W. Ferrie to the Consul General of Italy, resident in New Orleans; to the covering letter by Mr. Miller transmitting the above to Mr. Sanders, and to your routing slip requesting my thoughts in the matter.

Mr. Gill was an associate counsel with Jack Wasserman in the New Orleans case in which Marcello was defendant, charges: violation of Sec. 371, Title 18, U.S.C. (conspiracy to defraud the United States).

We do know that Ferrie was an "investigator" for Marcello in the case, working "closely" with Wasserman, and did use Gill's office as a base.

The indictment charged Marcello with the obtaining of a false and fraudulent birth certificate in Guatemala (bribing local public officials) and presenting same in person to the Italian Consul in New Orleans for the purpose of thwarting his then immediate deportation to Italy. Italy had consented to, and had issued travel papers for said deportation on the strength of its records, reflecting Italian citizenship of his parents. The presentation by Marcello of the fraudulent Guatemala birth certificate to Consul in New Orleans caused the Italian officials to withdraw its consent, and travel orders.

Prior to the letter of Oct. 24, 1963 our records fail to reflect activity by Ferrie in Marcello's behalf, and he did not actively enter the picture to our knowledge (the first time I heard of the name Ferrie), until Saturday, November 9, 1963, a few days prior to Marcello's trial which commenced on Monday, Nov. 11, in the manner reflected in my memorandum to you dated March 17, 1967, captioned "Dave Ferrie - In connection with U. S. v. Marcello, Conspiracy, New Orleans."

FILE-J.R.R.

At the time Ferrie's letter of Oct. 24 was written, Wasserman was endeavoring to secure an interview with the Italian consulate in New Orleans, and securing of documentary examination of the Consulate's files re: the filing of the false birth certificate. Consul consistently refused to grant such interview and Ferrie's letter was part of the effort. A subsequent appeal by Wasserman to the court requiring Consul to submit to an interview and production of records failed.

I hope this satisfactorily explains the matter and I will be happy to assist you at any time in any further inquiry.

LAW OFFICES
MILLER, MCCARTHY, EVANS & CASSIDY
1701 K STREET, N.W.
WASHINGTON, D.C. 20008

HERBERT JOHN MILLER, JR.
JOSEPH S. MCCARTHY
COURTNEY A. EVANS
JOHN JOSEPH CASSIDY

AREA CODE 202
TELEPHONE 737-8929

March 20, 1967

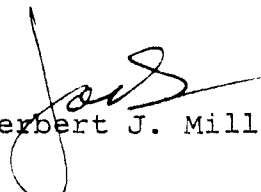
The Honorable Barefoot Sanders
Assistant Attorney General
Room 3143
Department of Justice
Washington, D. C.

Dear Barefoot:

Enclosed is a copy of the letter which Ferrie wrote just in case you have not run across one in your files. It probably doesn't mean anything, but it is an interesting footnote.

Best personal regards,

Sincerely,


Herbert J. Miller, Jr.

RECEIVED

MAR 22 1967

Assistant Attorney General
Civil Division

LAW OFFICES
GILL, BERNSTEIN & GILL
1707 PEARL MARQUETTE BUILDING
NEW ORLEANS 12

J. WAXY GILL
GREGORY BERNSTEIN
GEORGE W. GILL, JR.

TELEPHONE 524-0147

October 21, 1963

Mr. F. Quadranda San Severino,
Consul General of Italy
St. Charles Avenue,
New Orleans, Louisiana.

Dear Sir:

Could you kindly furnish the following information,
either in writing or orally:

- (1) Is there a record, or reliable notation in your office which shows the precise date when a photostatic copy of a birth certificate of Carlos Marcello (Minacore, Calogero) was received in 1956, or any other time?
- (2) Is there a copy in your office of a letter written by the Consul addressed to Washington wherein the copy of this birth certificate was transmitted to Washington?

Your cooperation in providing this information would be greatly appreciated.

Together with Jack Wasserman, this office represents Carlos Marcello.

Yours truly,

David W. Ferric
David W. Ferric