

GOVERNOR TESTIFIES BEFORE ORLEANS JURY

T.P. 10/6/67
**Organized Crime Topic
for 90 Minutes**



—AP WIREPHOTO.
BEING QUESTIONED by newsmen in New Orleans Thursday is Gov. John J. McKeithen (left) after he appeared before the Orleans Parish Grand Jury which is investigating reports of organized crime in Louisiana. At right is Col. Thomas Burbank, state police commander, who along with other officers have been guarding the governor since a threat on his life was reported following McKeithen's promise to crack down on any existing organized crime that may be found.

Gov. John J. McKeithen testified before the Orleans Parish Grand Jury for about 90 minutes Thursday afternoon on alleged organized crime in New Orleans.

When it was over, the governor said he made "no startling revelations" to the grand jury.

McKeithen said indirectly he was not questioned by his long-time political friend District Attorney Jim Garrison. Garrison had served a subpoena on McKeithen to testify Thursday after the governor had already volunteered to appear before the grand jury.

At first, McKeithen said he didn't know if he should say who was in the grand jury room when asked if Garrison had interrogated him.

Moments later McKeithen was asked if he had seen Garrison during the day. "No," replied McKeithen.

"Could we then say you did not see Mr. Garrison in the jury room," a reporter questioned the governor.

"You caught me real good," said McKeithen with a smile.

Earlier in the day, Jefferson Parish rackets figure Carlos Marcello appeared before the grand jury for approximately 30 to 40 minutes.

Marcello said nothing of his testimony to newsmen, but Marcello's attorney, G. Wray Gill, said Marcello didn't take the Fifth Amendment and answered all questions.

ANSWERED FREELY

McKeithen said he was treated cordially by the district attorney's personnel and he answered all questions "freely."

The grand jury also heard from three other persons, Louisiana Democratic National Committeeman J. Marshall Brown and two of Carlos Marcello's brothers, Peter and Sammy. Peter and Sammy Marcello appeared before the jury for about 15 minutes each and Brown was in the room only about five min-

utes.
Gill accompanied both Marcello brothers and said neither took the Fifth Amendment and answered all questions put to them about organized crime in New Orleans.

Brown had no lawyer when he finally went up to the attic jury room about 4:30 p. m. As he entered the stairwell to climb to the loft, Brown was asked if he had any idea why he had been subpoenaed. "I have no idea," he answered.

VISIT BRIEF

On emerging from the brief visit, Brown hurried down the stairs, accompanied by onetime first assistant district attorney Frank Klein. Brown's curt reply to the first question fired at him was, "I have been advised I am not supposed to say anything outside the grand jury room. Thank you."

With that, he jauntily skipped out of the building.

JURY ADJOURNS

The jury adjourned at approximately 4:40 p. m. and assistant

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—Photo by The Associated Press.

CARLOS MARCELLO (right) arrives at the Criminal Courts Building Thursday morning with his attorney, G. Wray Gill. Marcello testified for nearly an hour before the Orleans Parish Grand Jury.

McKeithen Testifies Here

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district attorney Numa Bertel said it wouldn't convene again until Thursday at 9 a. m. The jury reported to Criminal District Court Judge Frank J. Shea, said by Bertel to be sitting in for the jury's judicial advisor, Malcolm V. O'Hara.

Asked if O'Hara had recused himself as requested by the Metropolitan Crime Commission, Bertel said, "This is in accord with the stay order issued by the State Supreme Court."

Bertel said no indictments were returned.

McKeithen, master of the quip, alighted from the elevator on the second floor of the old building at Tulane and Broad about 2:10 p.m.

"I didn't know I was that much news," he told reporters and photographers who greeted him at the elevator door.

NO RESENTMENT

Asked if he resented the subpoena by Garrison, McKeithen said, "I don't resent it; it's the prerogative of the grand jury to subpoena me.

"I was advised I didn't have to answer the subpoena. But I think it's the duty of the governor to vounteer to go anywhere when crime is being investigated."

The governor sidestepped a question about his thoughts

on Garrison's comment that he (Garrison) would not cooperate with MCC managing director Aaron M. Kohn. McKeithen had suggested last week he would attempt to get them to work together.

"I've got this grand jury



—Photo by The Times-Picayune.
J. MARSHALL BROWN
With jury five minutes.

here and one in East Baton Rouge Parish going," said McKeithen. "I fear if I say anymore I'll prejudice the investigations."

The governor was asked if he was still a political friend of Garrison.

"I hope so," said McKeithen, "I'm running for reelection in four weeks."

Pressed further if he considered the subpoena a form of harrassment, McKeithen said, "I don't consider it a personal affront, no, sir."

GOING TO TELL

As to whether he could shed any light on organized crime

in New Orleans, McKeithen said, "We are going to tell them all we know under oath."

McKeithen refused to answer any other questions. "I repeat again I've said enough already," said McKeithen. "I want to put all our cards on the table . . . there are no secrets . . . I am anxious to tell the grand jury what I know."

The governor was then whisked up the stairs to what is nothing like his luxurious quarters in the Capitol. Candy wrappers and cigarette butts dotted the stairs and four chairs and a hard bench were outside the jury room.

McKeithen was the first witness during the afternoon session. The grand jury, which was to return at 2 p. m., was about five minutes late. The governor had been at the courthouse for approximately 20 minutes when word was sent down to Criminal Sheriff Louis A. Heyd Jr.'s office that the jury had reconvened. McKeithen was accompanied by state police Supt. Thomas A. Burbank, three policemen and his press aide, Gus Weill.

The entrance of Marcello was marked by an incident that drew a smile from the otherwise tightlipped little man.

As the reporters and photographers rushed to interview him after he got off the elevator about 10:05 a. m., a young woman photographer tripped over a soft drink case and it came down with a loud clatter that could have been mistaken for a shot.

Marcello jumped back. Gill, walking along with him, said: "I don't want anyone to slug him. He's been slugged before. He has scars all over him."

Gill said Marcello intended to be a "cooperative witness" and would not take the Fifth Amendment.

As the press entourage surrounded Marcello and Gill on their departure from the building, Gill described Marcello as a "legitimate businessman — more legitimate than the people



—Photo by The Times-Picayune.
PETER MARCELLO
Testifies 15 minutes.



—Photo by The Times-Picayune.
SAM MARCELLO
Called before Grand Jury.

who work for Life."

Marcello walked swiftly as the traffic bore down on the caravan crossing Broad st. Curious drivers slowed to let the two to three dozen newsmen, Marcello and Gill reach a service station where Marcello was parked.

'PACK OF LIES'

The fall of another cameraman brought another smile to Marcello's face and he finally loosened up to say something. Asked about the truth of Life Magazine's charges that he is the Cosa Nostra king of Louisiana and that he had telephone conversations with McKeithen's one-time aid, Aubrey Young, Marcello snapped, "Lies

—all a pack of lies."

Marcello took the wheel of the expensive-looking car and drove away.

Brown was originally slated to follow Marcello, but the schedule got out of line somewhere. Reportedly, Brown was in the building for over four hours before he made his five-minute trip up the stairs.

Klein appeared to be representing Brown, but denied that he was. "Marshall doesn't need a lawyer, just like the governor doesn't," said Klein.

Klein left the building with both McKeithen and Brown, however. He rode off in the McKeithen car at 4 p. m. and was back when Brown was called about 4:30 p. m.