

EX-KLANSMAN GOES BEFORE
BUSSIE BOMB PROBE JURY

2 Crime Quizzes Pressed

Life Magazine reporter David L. Chandler today won from the Louisiana Supreme Court a stay of his scheduled appearance before the Orleans Parish Grand Jury.

Jules Kimble, the professed former leader of the Ku Klux Klan in New Orleans, today went before the East Baton Rouge Parish Grand Jury.

The jury is probing both the bombing last May of the home of state labor leader Victor Bussie and also charges that organized crime is flourishing in Louisiana.

Kimble has said he can identify three

persons who plotted to bomb the Baton Rouge home of Bussie and the Port Allen home of a Negro teacher active in civil rights work.

IN OTHER DEVELOPMENTS in the twin organized crime investigations in Orleans and East Baton Rouge parishes today:

—Governor's aide C. H. "Sammy" Downs was questioned by investigators about a state Capitol telephone which served as a link between rackets figure Carlos Marcello and Aubrey Young.

—Life magazine reporter David L.

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Chandler lost a bid to avoid appearing before the Orleans Parish Grand Jury. It was Life that made the original rackets charges.

Kimble was taken to Baton Rouge from New Orleans, where he had been in Parish Prison under \$5,000 bond on a charge of impersonating a state police officer.

Cecil Evans, an investigator for East Baton Rouge DA Sargent Pitcher, talked with Downs and his secretaries about the telephone used by Young when Young was an aide to Gov. McKeithen.

YOUNG HAS turned state's evidence in the grand jury probe.

The jury has indicted D'Alton Smith, a former New Orleans contractor, for public bribery in what authorities said was an offer of \$25,000 to Young in a scheme to buy freedom for imprisoned Teamster boss Jimmy Hoffa.

Both grand juries returned to work today after a long weekend off from their probes of organized crime.

Downs office is in the suite that served as the governor's office at the time of the alleged phone calls between Young and Marcello. The governor since has moved his offices from the first to the fourth floors of the Capitol.

Young said he received two calls from Marcello, but Life claimed there may have been up to 60 calls on the phone in question.

Evans first went to the governor's office and consulted with William Redmann, legal counsel to the governor, and Thomas Burbank, state police superintendent.

Meanwhile, Gov. McKeithen said his office has reclaimed a colonel's commission issued to Joseph Marcello, brother of Carlos. McKeithen said the commission was issued in error.

IN NEW ORLEANS, Criminal District Judge Matthew S. Braniff overruled the attempt by Chandler's attorneys to stay his jury appearance scheduled for this afternoon.

Chandler's attorneys filed immediate notice of appeal to the state Supreme Court and attempted to get a last-minute stay order from that body.

Asked by newsmen why he did not want Chandler to go before the jury, Time Inc. attorney Cicero Sessions said the reporter could "testify, and even though he's told the truth he could be charged with perjury."

Asked how this could happen, Sessions said, "You can explain the district attorney's actions better than I can."

Asked why District Attorney Jim Garrison would want to persecute Chandler, he said:

"Why have there been so many other indictments?"

Sessions said that when anyone disagrees with Garrison, "he seems to take out after them."

Judge Braniff gave Chandler's attorneys until 11 a. m. Monday to file their appeal, but refused to stay the matter in the meantime.

CHANDLER had also asked that District Attorney Jim Garrison and his staff be recused from matters pertaining to him on the grounds of "personal animosity." The judge denied this along with several other requests.

The grand jury met this morning but did not take up the crime probe before noon.

In a related matter, District Attorney Sargent Pitcher said in Baton Rouge he was unable to reach an attorney for Gordon Novel by telephone in Columbus, Ohio, to make final arrangements for

Novel's testimony before the East Baton Rouge Parish grand jury.

PITCHER said Novel's attorney, Jerry Weiner, had told him he would call at 9:30 a.m. today to arrange for Novel to testify, but he never received the call.

The DA said when he tried to reach Weiner his office reported he was out.

Pitcher said earlier Novel, elusive former New Orleans lounge owner, had agreed to return and testify.

Chandler's motions were filed as court opened today. Judge Braniff handled them because Judge Malcolm V. O'Hara, who is handling the current grand jury, was reported busy on other matters.

A hearing was held on them immediately with Assistant DAs James L. Alcock and Richard V. Burnes representing the state. Chandler was present.

WHEN JUDGE Braniff overruled the motions, Chandler's attorneys immediately filed notice of appeal. The judge originally gave them until 11 a. m. Friday, but the attorney said that was not possible because Chandler is under another subpoena to appear in Vidalia before the Concordia Parish Grand Jury at 9 a. m. Friday.

Judge Braniff then changed the time to 11 a. m. Monday.

Chandler's attorneys filed a new motion that he be allowed to have an attorney present when he goes before the grand jury. Arguments on this were continuing.

Sessions filed the three motion on behalf of Chandler.

The motions were:

1. The motion to recuse Garrison and his staff.
2. A motion to compel Garrison and the foreman of the grand jury to state in open court the crime under investigation and to quash Chandler's grand jury subpoena.

3. A motion for a writ of subpoena duces tecum, asking for a copy of questions and answers elicited from Chandler during questioning by assistant DA Charles Ray Ward last Jan. 26.

The motion to recuse said Life's stories on organized crime and others relating to Garrison's probe of the assassination of President John

F. Kennedy have been publicly denied by the DA or members of his staff.

The motion said this showed "personal animosity" on the part of the DA "which is inconsistent with the impartial administration of justice."

It also charged that the DA had his office illegally misuse the grand jury's subpoena power by having Chandler subpoenaed to appear before the jury on Jan. 26 when he actually was not wanted by the jury.

Chandler, the motion said, was required to make a sworn statement to Ward "who castigated him for his investigation and threatened him with criminal prosecution."

The motion charged that Garrison wants to get Chandler before the grand jury to entrap him and then prosecute him criminally for perjury.

IT ALSO alleges that Garrison is pursuing a scheme to prevent Chandler "from pursuing his privilege under the First Amendment to investigate crime" as a news reporter.

The third motion says Chandler "has been informed by others that the DA has stated he is going to arrest Chandler and prosecute him criminally."

It also says the subpoena violates Chandler's right to remain silent and not give evidence against himself.

Meanwhile in Jefferson Parish, Dist. Atty. Frank Langridge has announced that he will open an investigation into charges of organized crime, using investigators on his office staff.

Langridge said he may call the grand jury into the investigation, depending on evidence developed by his investigators. Several weeks ago Langridge said he was going before the jury with the Life magazine charges. However, he later said he would wait until he learned what evidence was developed by Gov. McKeithen.

"I'm sure there's no organized crime in the parish but I'm going ahead with the investigation anyway," he said yesterday.

ALTHOUGH he said he has not been apprised of the governor's evidence, Langridge said he is willing to cooperate

with the governor and to assist state police in their investigation.