

Illegal Presence Case

Marcello Arraignment Set

Rackets figure Carlos Marcello will be arraigned in Federal District Court at 2 p. m. Wednesday, July 1, under an indictment returned last week charging him with illegal presence in the United States. He will be arraigned before Judge Lansing L. Mitchell.

The arraignment date was revealed by U.S. Atty. Gerald J. Gallinghouse, discussing the status of the Marcello prosecution.

MARCELLO IS under \$25,000 surety bond posted immediately after his indictment on the illegal presence charge.

Marcello also is under a two-year sentence and a \$5,000 fine for assaulting an agent of the Federal Bureau of Investigation at New Orleans International Airport in 1966, following Marcello's return from a trip to New York.

Last week he asked the United States Supreme Court to reconsider its refusal to review the conviction which resulted from his trial in Houston, Tex.

MARCELLO ALSO has pending a petition to the Houston court for a new trial based on "newly discovered evidence."

Attorneys for Marcello contend that an FBI agent alerted the news media that Marcello was going to appear at the airport and thereby "set up" the situation under which

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the FBI agent allegedly was struck by Marcello.

Under the illegal presence in the U.S. indictment, it is charged that Marcello was arrested and deported on or about April 4, 1961, and that he had never applied for re-admission to the United States, nor did the Attorney General ever consent to his re-entry as required by the Immigration and Nationality Act.

Interim Report Awaited from Mafia Probers

BATON ROUGE (AP) — The chairman of the legislative committee probing alleged Mafia influence in state government says he hopes to have a report to the legislature circulated among committee members today.

"I hope to have it finished today," said Sen. Adrian G. Duplantier of New Orleans.

An interim report from the committee to the legislature was due on Saturday, 20 days prior to the close of the session.

Duplantier said last week he had been too busy to get around to shaping up the report.

The committee has conducted two formal hearings. At the first session, four law enforcement officers testified on the topic and at the second, Gov. John McKeithen offered testimony.

The committee held a brief informal gathering to receive information from David Chandler, the prime author of a Life magazine article which made the allegation the Mafia dominates Louisiana.

McKeithen has called the Life piece a collection of "unmitigated lies."

Life Writer Amends Mafia Probe Suit

Attorneys for Life Magazine writer David Chandler today filed an amended complaint in federal district court in his fight against giving sworn testimony before a legislative committee investigating alleged Mafia influence in Louisiana.

The amended suit filed by Cicero C. Sessions brought in as defendants seven advisers to the legislative investigating committee and seeks to have the court block efforts of the state to force Chandler's appearance before the committee July 14.

Subpoenas have been issued to Chandler, returnable on that date.

The advisors named in the new complaint are Victor H. Bussie, Marcel Garsaud Jr., Paul M. Hebert, Charles C. Hightower, A. A. Lenoir, Jim Levy, and Joseph M. Sweeny.

The new pleading states that Chandler and his attorneys met with the legislative committee in a "bilateral informal conference" June 11. It charges that the conference lasted one hour and 40 minutes and was "abruptly terminated by the legislative committee" over the protests of Chandler and his attorneys.

The session never was resumed "because of the arbitrary unequitable and unjustified refusal of the legislative committee to do so," the suit claims.

Chandler asked for a temporary restraining order against the enforcement of the subpoenas and requested a three-judge hearing to consider his attack on the constitutionality of the statute setting up the committee.

Meanwhile, Judge Lansing L. Mitchell was scheduled to hear at 10:30 a.m. tomorrow the motions by Time Inc. for a dismissal and other relief in the state's \$10 million libel suit against Life Magazine.