

Blanke Suit Against Life Goes to Jury

The \$300,000 damage suit of Vial J. Blanke Sr. against Time Inc. charging he was libeled in a Life magazine article on organized crime in Louisiana went to a jury in Federal District Court today.

Opposing counsel gave their final summations to the jury this morning and Judge Alvin B. Rubin instructed the jurors on the law in the case. Two days of testimony was completed late yesterday afternoon.

Blanke, a former Jefferson Parish councilman, claimed Life libeled him in a caption under a photograph which showed him seated at a table with Joseph Armenio, alleged to be an associate of Mafia boss Carlos Marcello.

THE PHOTOGRAPH was taken at the Mist Restaurant on Highway 90 a short distance west of the Mississippi River. Armenio was the operator of the restaurant, and it was alleged the two were discussing a fund to back the campaign of Vincent Ebeier for Jefferson Parish sheriff.

New Orleans writer David L. Chandler, a principal witness at the trial, contributed material for the Life article.

During yesterday's afternoon session Robert Winn, counsel for Time, Inc., called a number of witnesses after filing a motion for a directed verdict in favor of the defendant. The motion was taken under advisement by Judge Rubin.

AMONG THE defense witnesses were employes of Life who worked on the story with Chandler; a free lance photographer who accompanied Chandler to the Mist on July 27, 1967, and took pictures of Blanke and Armenio; five persons who testified as to Chandler's reputation as a reporter, and Joseph C. Marcello, son of Carlos Marcello.

The photographer, Arthur Schatz of New York, demonstrated how he made the photographs with a tiny camera concealed in a book. Schatz said he didn't overhear the conversation because at the time he was coughing and making various movements to cover the slight sound of the camera shutter.

Miss Mary Haskell, a Life researcher; Russell Sackett, a senior editor, and Donald Jackson, a staff writer who worked on the article, told how the story was put together and the part each played in its production.

MARCELLO identified himself as president and manager of the Town and Country Motel and produced under subpoena a minute book of the corporation which owns the motel. On objection by Nathan Greenberg, counsel for Blanke, Judge Rubin ruled that testimony from the minutes would be inadmissible. Marcello then testified he had been at the Mist many times and several times with his father.

Those testifying concerning Chandler's ability included William Elder, news editor of WWL-TV; Mrs. Leonard T. Flettrich, a producer at WDSU-TV; Walter G. Cowan, editor of the New Orleans States-Item; William U. Madden, assistant city editor of the States-Item, and Mrs. Rosemary James, a reporter for WWL-TV.

The plaintiff had presented testimony that Blanke visited the Mist Restaurant only in his capacity as a wine and liquor salesman, and yesterday a deposition of Armenio was read to the jury. In it Armenio denied that Blanke ever solicited funds for his own campaign for councilman or for Ebeier in July, August or September, 1967.