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MONDAY PMS
MARCELLO 330

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LAREDO, TEX. (AP)-THE FEDERAL TRIAL OF UNDERWORLD KINGPIN CARLOS MARCELLO WAS TO START AT 9:30 A.M. TODAY IN THIS TEXAS BORDER TOWN WITH THE GOVERNMENT HOPING TO PUT MARCELLO AWAY FOR HIS FIRST PRISON STRETCH IN THREE DECADES.

MARCELLO, 58, IS CHARGING WITH THROWING A PUNCH AT FBI AGENT PATRICK COLLINS JR. ON SEPT. 30, 1966, AS MARCELLO AND HIS BROTHER GOT OFF AN AIRPLANE AT THE NEW ORLEANS INTERNATIONAL AIRPORT.

A CONVICTION WOULD CARRY A MAXIMUM PENALTY OF THREE YEARS IN JAIL AND A \$3,000 FINE.

THE BEEFY MARCELLO, SON OF A FAMILY OF SICILIAN FISHERMEN, CAME TO THE UNITED STATES IN 1910, AND WAS DONE TIME BEHIND BARS TWICE. HE SERVED A FOUR-YEAR JAIL TERM FOR A 1929 BANK HOLDUP AND IN 1938 SPENT A YEAR IN FEDERAL PRISON ON A NARCOTICS CONVICTION.

SINCE THEN, HE HAS BEEN FOUND INNOCENT IN OTHER TRIALS ON VARIOUS CHARGES AND BEAT AN ATTEMPT BY THE GOVERNMENT TO HAVE HIM DEPORTED.

THE TRIAL CAME TO LAREDO ON A CHANGE OF VENUE AND A STRANGE TWIST OF LEGAL EVENTS.

MARCELLO'S LAWYERS ASKED FOR THE CHANGE, THEN PROTESTED WITH VIGOR WHEN IT WAS GRANTED. THEY SAID THEY WEREN'T SERIOUS IN ASKING FOR THE NEW TRIAL SITE.

HIS ATTORNEYS APPARENTLY MADE THE REQUEST FOR THE CHANGE AS A MATTER OF FORM, HOPING THEREBY TO LAY THE GROUNDWORK FOR AN APPEAL.

THE AIRPORT INCIDENT, WHICH MADE NATIONAL NEWS IN WORDS AND PICTURES, CAME AS MARCELLO AND HIS BROTHER, JOSEPH WALKED FROM AN AIRPLANE AFTER TESTIMONY BEFORE THE QUEEN'S COUNTY, NEW YORK, FEDERAL GRAND JURY.

THE GRAND JURY WAS INVESTIGATING THE INFLUENCE OF THE COSA NOSTA IN NEW YORK STATE'S AFFAIRS.

IRRITATED BY THE PRESENCE OF NEWSMEN, MARCELLO, ACCORDING TO TESTIMONY COLLINS GAVE AT AN ARRAIGNMENT, TOLD COLLINS: "I'M THE BOSS AROUND HERE. DO YOU WANT SOME TROUBLE?"

COLLINS SAID HE REPLIED THAT HE COULD HANDLE ANYTHING MARCELLO COULD DISH OUT. THEN, COLLINS SAID, MARCELLO SWUNG A ROUNDHOUSE LEFT THAT GRAZED THE FBI AGENT'S FACE.

MARCELLO MAINTAINED HE DIDN'T KNOW COLLINS WAS A FEDERAL MAN. HE SAID HE THOUGHT COLLINS WAS A NEWS REPORTER.

COLLINS SAID HE CAME TO THE SCENE WHEN IT APPEARED MARCELLO WAS GOING TO ATTACK A GROUP OF NEWSMEN.

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