

# Denies 'I'm Boss' Talk

# Didn't Hit FBI Man, Marcello Testifies

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(Special to the States-Item)

LAREDO, Tex. — Jefferson Parish rackets figure Carlos Marcello testified in federal court here today he did not strike an FBI agent at the New Orleans International Airport in 1966 and that he "had no intention of doing so."

Marcello is being tried on charges he assaulted FBI agent Patrick J. Collins Jr. Yesterday Collins told the court the 58-year-old Marcello struck him while he was photographing Marcello on his arrival at the airport.

MARCELLO ALSO testified he did not say "I'm the boss in this town and there will be no more pictures taken," as Collins previously told the court.

"Collins is a liar if he says that I said that," Marcello said.

An attorney for Marcello,



—AP WIREPHOTO.  
**CARLOS MARCELLO**  
En route to court.

Mike Maroun of Shreveport, testified Collins told him after the incident that it was an accident.

Maroun said that last February he met Collins in the cocktail lounge of Maroun's Town & Country Motor Hotel in Shreveport after Collins had telephoned and asked to meet with him.

"We talked and he said the whole thing was an accident and that Carlos Marcello should never have been charged."

Maroun also testified he met Collins by chance in late 1967 in Lucky Pierre's, a New Orleans nightclub, and that the FBI agent told him at that time that the incident was accidental.

THE ATTORNEY said Collins told him that the "real instigator" was Marcello's brother, Joseph, and that Joseph should have been charged with the alleged attack.

Marcello told the court that he "gestured" toward Collins with his left hand and that "Joseph caught me and swung

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**Marcello--**

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me around so that he was between Collins and me."

He said the incident occurred when he deplaned at the airport and began walking his car. "The photographers were taking pictures and asking questions. I just wanted to get away," he said.

The son, Joseph Marcello, 26, said his father "made gestures like asking the officer to leave us alone but there was no contact made."

Earlier today a son and a brother of Marcello told the court that no contact was made between Carlos and the officer.

"WE THEN got my father in the car and drove away."

The younger Marcello testified that the officer told his father he was "always looking for trouble."

The trial was moved to Laredo when Marcello's attorneys claimed he could not get a fair trial in New Orleans because of prejudicial atmosphere and publicity.

Joseph also testified that there had not been any contact between Carlos and Collins.

JOSEPH TOLD the court that he grabbed his brother to prevent any trouble.

"I just wanted to get my brother out of the way," he said.

The brother said that reporters "kept going around us, taking pictures and asking questions."

"They kept pushing at us," he said.

Also taking the stand today was Kenner Special Police Officer Thomas McCrossen.

MCCROSSEN said he separated the two groups of men and the Marcellos left the airport.

Mike Kelleher, FBI agent and immediate superior of Collins at the time of the incident at the airport, told the court that Collins' assignment for the day was to go to the airport and observe Carlos' arrival.

The all-male jury trying Marcello for the 1966 scuffle was expected to get the case later today.

CONVICTION could bring a three-year prison term for the 58-year-old Carlos.

Collins testified yesterday before U.S. District Judge Ben Connally that Marcello struck out at him with a "jabbing motion."

COLLINS then testified that Marcello attempted to throw a "right-hand haymaker" but was restrained by his brother Joseph.

The six-foot-one agent said Marcello didn't pack what he would call a "good blow" but that he was apprehensive during the scuffle because his back was to a railing that overlooked a 25- to 30-foot drop to pavement.

Collins said that a group of newsmen were covering Marcello's arrival at the airport and that he became angry when they started taking pictures.

"He (Marcello) started yelling when the group got outside," said Collins, "and he was cursing." Collins said Marcello proclaimed "he was the boss in New Orleans and there weren't going to be any more pictures taken."

ANOTHER FBI agent, Joseph M. Avignone, was taking pictures and Collins said he moved up "to protect" Avignone, who was close to Marcello with a camera.

Collins testified that, "We were face to face and Marcello said, 'Are you looking for trouble?' I told him that I could handle trouble."

Collins then testified that Marcello jabbed at him and attempted to throw the "haymaker."

Collins said the incident

took about 30 seconds and then Marcello, his son and his brother got into waiting autos and left the airport.

THE 39-YEAR-OLD agent then said the blows did no damage but that "there probably was contact."

He was apprehensive of the danger both for "myself and for agent Avignone," he said.

On cross examination, Collins testified that the jabs were "not very good blows . . . if anything, very light blows."

Avignone, now stationed at FBI headquarters in Washington, D. C., testified that Marcello threw a "roundhouse right," but added that Marcello's brother had indeed stopped the blow.

ALSO testifying yesterday were a number of New Orleans newsmen and photographers who witnessed the scuffle.

Jack R. Thornell, photographer for The Associated Press, New Orleans Bureau, testified he recalled seeing Marcello's left arm move toward Collins. Thornell took a picture of the incident, which was entered in evidence.

"I would say there was contact of some sort," Thornell said. "I think he at least brushed the officer."

Bill Elder of WWL-TV said Marcello told reporters outside the airport: "This is my town. Understand?"

Larry Lala, WWL-TV photographer, said he did not see any blows struck, but indicated that "there was a confrontation and remarks" between the men.

The U.S. Immigration and Naturalization Service has tried to deport him without success. If he is convicted, he will serve his third jail sentence. His last stretch in jail was 30 years ago.

MEMBERS of the jury were questioned about their feelings toward persons of Italian descent. The son of a family of Sicilian fishermen, Marcello came to this country as an infant.

The defense has contended that the encounter amounted to Collins' picking a fight with the short, beefy Marcello, who displayed no emotion during the testimony.