

House Refuses to Decide Citizen Role in Probe

BATON ROUGE (AP)—The House today refused to decide whether citizens on an advisory committee can ask questions of witnesses before a legislative Mafia probe committee which already is under attack in federal court.

After a series of legislative maneuvers, a House whose membership has dwindled because of the unusual Friday meeting refused to suspend its rules to consider a resolution to give the advisory committee authority to ask questions. The measure already had Senate approval.

Rep. J. Luke LeBlanc of Lafayette said the original reso-

lution creating the legislative committee and its citizens advisors was a "muzzling resolution." This is an anti-muzzling resolution, he said.

THE HOUSE voted 47-25 to suspend the rules, three votes short of the needed two-thirds' majority.

The bill now rests in the House Judiciary "C" Commit-

tee, where a hearing will be held Monday morning.

In related action, attorneys for Life magazine writer David L. Chandler have asked for a special three-judge federal court to rule on the constitutionality of the committee created to probe the Life allegations of Mafia influence in state government.

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In the meantime, Chandler asked the court to nullify a subpoena for him to appear before the committee June 10. His request came despite a decision by Gov. John J. McKeithen to withdraw a vow to arrest the reporter if he defended the accuracy of the Life article in testimony before the committee.

In rapid succession, the McKeithen retreat was followed by Senate passage of a resolution which some say could threaten the whole legislative investigation of the Life charges and an emotional appeal by Sen. Adrian G. Duplantier of New Orleans, chairman of the probe panel, for critics to "quit preaching

ATTORNEYS FOR Chandler filed the petition in New Orleans, but hearings on the request will be in Baton Rouge.

The petition challenged the constitutionality of both the committee and Article III, Section II of the state constitution which delegates powers to the Legislature. The suit said the article was "vague and ambiguous."

McKeithen said the petition "came as no surprise."

"I repeat what I've said from the very beginning—it's going to be extremely difficult indeed to ever get them under oath," he said. "Life magazine lied on the state of Louisiana and they know it."

M'KEITHEN SAID he backed down on the threat to arrest Chandler at the urging of Duplantier.

The governor said in a release that Duplantier "suggested . . . that the determination of whether or not an individual should be charged

with perjury is properly the prerogative of the committee.

"I do not want to interfere with the orderly and efficient and expeditious procedure of the committee and I have advised the chairman that I will abide by his suggestions."

THE SENATE approved 36-2 and sent to the House a resolution endowing a panel of eight citizen-advisors, created to assist the committee of seven legislators, with the right to question witnesses.

The resolution provided that "the advisory committee created for the purpose of advising and offering consultative services to the joint legislative committee to investigate organized crime shall have the right and authority to freely and orally propound questions to all witnesses."

Dean Paul Hebert of the Louisiana State University Law School, chairman of the citizen-half of the probe committee, has said any increased participation by the advisory group would open the entire investigation to constitutional challenge in the courts.

DUPLANTIER TOLD the Senate he had no objection to the advisory panel asking questions. He blasted senators who have charged that the original decision to bar the group from talking would spark the loss of public confidence in the probe.

"If you want public confidence in what we are doing, I wish you would quit telling people that we don't have public confidence," he shouted. "Quit telling everybody there is no public confidence. Quit preaching to us."