

THREAT AGAINST WRITER ERROR, GOVERNOR SAYS

By DALE CURRY
and ALLAN KATZ

Gov. John J. McKeithen testified today he was in "a highly emotional state" when he threatened to have Life magazine writer David L. Chandler arrested. He later decided he was wrong, he said.

The governor was on the witness stand for two hours and 10 minutes in Federal District Court here, testifying in a hearing on whether Chandler must appear before a legislative committee probing Mafia activities in Louisiana.

CHANDLER WROTE AN article in Life charging widespread Mafia influences on state government which provoked the outburst from the governor and led to the legislative probe of the article's charges.

McKeithen today acknowledged that he threatened to have Chandler subpoenaed before the committee, then charged with perjury and jailed if he repeated the accusations made in the article.

Afterwards, McKeithen testified, he "slept on it" and woke up the next morning and decided he was wrong,

and would serve the interests of the committee better "if I kept my mouth shut."

CHANDLER AND his attorneys have cited the governor's threat, among other things, in their bid to keep Chandler from testifying under oath before the committee. The suit is being heard by Federal District Judge Lansing L. Mitchell.

McKeithen said that what infuriated him and put him into his emotional state was

seeing his picture in Life on the same page as a picture of Jefferson Parish rackets figure Carlos Marcello.

"That's enough to make anyone emotional," he said.

THE GOVERNOR ALSO testified that he at first intended to hand-pick members of the legislative committee but thought better of it and turned the duty over to Speaker of the House John Garrett

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and Lt. Gov. C. C. "Taddy" Aycock.

McKeithen said he believes Chandler could testify without perjuring himself if he simply speaks in general statements, but he said he still feels some statements in the Life article were "malicious lies."

UNDER CROSS - examination by his own attorney, Eugene J. Murret, the governor testified that he has no power over the legislative committee and said he has not attempted to tell the probers what to do.

Asked why Chandler was not paid by the state during the period when he was sworn in as a special investigator for the state police, McKeithen said he felt it would have been unethical for Chandler to work for both the state and Life magazine.

HOWEVER, HE said he regarded Chandler as a state employe at the time.

Earlier in his testimony, the governor said that in 1967 he invited Life to send a reporter to Louisiana "to be privy to everything we were doing" about organized crime.

He said the invitation followed an article in the magazine about Mafia activities in the state.

M'KEITHEN, WHO was accompanied into the courtroom by his wife and several aides, took the stand at 11:15 a. m. and said he agreed that Chandler should be the Life reporter who would cover "from the inside" his administration's efforts to clean up corruption in Louisiana.

"I was shocked by the allegations of corruption in the (1967) Life magazine article," McKeithen said, under questioning by Cicero Sessions, Chandler's attorney, who had publicly challenged the governor to appear today.

"I knew we were not that kind of people in Louisiana," McKeithen said.

McKeithen testified that at the 1967 meeting with Life managing editor George P. Hunt, he requested that Life send one of its investigative reporters, Sandy Smith, to Louisiana.

THE GOVERNOR said he agreed when Hunt countered with an offer to let Chandler do the job. Chandler lives in New Orleans and is a freelance writer under contract to Life.

"I had no reason not to accept Mr. Chandler," McKeithen said of the 1967 meeting. After the 1969 article, the governor arranged for the state to file a \$10 million libel suit against Life.

McKeithen said he was particularly upset at allegations in the 1967 article that members of this staff were making calls to Marcello from the governor's fourth-floor suite in the Capitol.

"An investigation showed that the phone was removed six months before the calls were made," McKeithen said.

He said the phone was reassigned months before and although it still was located in the Capitol it was not in his suite of offices.

THE GOVERNOR and Sessions began a heated — though often joking — exchange over who was trapping whom in the governor and Chandler getting each other under path.

McKeithen, who volunteered to testify under oath today, told Sessions, "So far you have not answered our challenge and we don't think you will."

The governor said the whole court action is "an effort to prevent us from getting on the road."

"WE HAVE BEEN cruelly libeled and if we can ever get you in court we are going to prove it," he added.

Both argued simultaneously and informally until the court reporter threw up his hands and the judge asked both parties to calm down.

Asked what he planned to do on returning from his 1967 visit with Life executives, the governor said, "I assumed I had a lot to clean up but I found that most of the allegations were not factual and there was not a great deal to do at the state level."

M'KEITHEN WAS asked to recall a meeting at the governor's mansion Sept. 28, 1967, when several state officials met to decide what Chandler's role was to be in the crime investigation.

The governor couldn't recall the meeting because, he said, there were numerous occasions when Sessions met with him at the mansion and, he

added, "ate us out of house and home."

McKeithen joked, "We almost had to raise taxes to support Sessions' appetite." Sessions said there were only three occasions when he ate at the mansion and asserted they were all by invitation.

"THE COOKING'S good," he added.

Continuing the exchange, which kept the packed courtroom in laughter, the personal accusations finally caused Sessions to remind the governor he (Sessions) was "one of the minority who pays his state income taxes."

McKeithen apologized for one remark in which he called Chandler's refusal to testify before the legislative committee "smearing and running."

EXPLAINING Chandler's investigative role, McKeithen said the writer was given an official status as a member of his staff to make investigations as a state police officer.

Asked by Sessions if the oath of a state police officer was taken by Chandler for the sole purpose of escaping a grand jury subpoena,

McKeithen answered, "No." Chandler was sought by Orleans Parish District Attorney Jim Garrison.

McKeithen said he personally insisted that Garrison not issue a subpoena for Chandler because it would appear the governor and the DA were planning to get Chandler before the grand jury.

M'KEITHEN SAID after he discovered accusations of calls being made by Marcello to his office were unfounded, he decided he no longer wanted an investigation by Chandler.

Up to that point, he said, "We thought we had Marcello real good."

He said Chandler was given access to everything and was asked to advise the administration on how to proceed with its probe but was given no set instructions on how to conduct his own investigation.

M'KEITHEN SAID Chandler became "practically a member of my family," giving him daily verbal reports of his findings.

"I was doing everything I could in an effort to clean up," McKeithen said. Then, he said, he discovered that information reported by Life was "absolutely false."

Pointing to the fact that his appearance in court was voluntary, McKeithen said, "I am not afraid to get under oath."

M'KEITHEN WAS shown a copy of the April, 1969, Life magazine and commented: "Yes, we used to take Life

magazine but like millions of others we've discontinued the publication."

Asked if he called the article a "pack of unmitigated lies" soon after its publication, McKeithen said he did not.

He said he made the reference only to certain portions of the article, namely mention of his own name.

M'KEITHEN SAID it was a lie that he had attempted to white-wash the issue of crime in Louisiana and that the Mafia dominates Louisiana but he **4 ADD INSERT A MAFIA ...** that he branded the entire ar-said it was an erroneous report ticle a lie.

The governor said since that time, however, an investigation headed by W. W. McDougall "has proved it is a pack of unmitigated lies."

He also charged that Chandler knew they were "malicious lies when he wrote them."

ASKED IF HE had publicly called Chandler a liar, McKeithen said, "I may have." But he said he "didn't remember doing so."

WHEN M'KEITHEN entered the courtroom, state Sen. Claude B. Duval of Houma, vice chairman of the Mafia investigating committee, had just taken the stand. Sen. Duval stepped down to allow McKeithen to testify.

The court also heard a newsman testify that Rep. James L. Dennis of Monroe told him he (Dennis) was approached to serve on the Mafia committee but later was told his appointment had been vetoed by Gov. McKeithen.

Vernon Guidry Jr., capitol correspondent for The Associated Press, testified that Dennis told him House Speaker John Garrett of Haynesville offered Dennis a spot on the committee but later told him the governor vetoed the

appointment.

GUIDRY SAID that at a later date the governor said he would have preferred Rep. Shady Wall of West Monroe if someone from the Ouachita Parish area were to be named.

The reporter noted that in the end neither Dennis nor Wall was named.

The first witness of the day was Bill Elder, managing editor of WWL-TV in New Orleans, who maintained there can be no investigative reporting of corruption in politics if newsmen are not allowed to keep their sources confidential.

Elder said his station has broadcast 64 stories since Jan. 1 that resulted from leads provided by confidential sources.

Chandler's attorneys have maintained throughout the trial that the real aim of the Mafia committee is to force Chandler to divulge his confidential sources of information.



GOV. AND MRS. JOHN J. M'KEITHEN
Arrive at federal court.

—States-Item Photo.