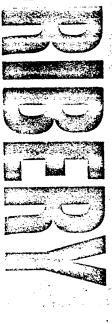
estinony on binba



Testimony on Page B-6

j

ry was gathered and compact by States-Item staffers Ray Lincoln, Lanny Thomas, Ed EDITOR'S NOTE: The following stowas gathered and compiled Lepoma and ρŲ

today he attended a meeting setting up helped collect the payoff money. pinbali gambling protection and later \$50,000-a-year bribery paymonts A coin machine distributor testified

Court cution at the pinball bribery trial of Callery and Robert Nims. The trial Dist. Atty. Jim Garrison and two pin-Amusement Co., testified for the prosehree women. John Elmo Pierce, operator of Pierce company executives, John Aruns and a Judge fourth day before U.S. Dist. jury of nine men and Herbert W. Christen-

were made quarterly, \$12,800 each quarter, and had to be paid three months in advance "because police don't give no credit." Nims testified the bribery payments

separate trial. Pierce was one of 10 men indicted in the case but he has been granted a

up a system whereby Soule would alert mander Frederick A. Soule Jr. to set with former police vice squad com-PIERCE TESTIFIED he worked

pinball machine owners about pending vice squad raids. Soule also was indicted and has pleaded guilty.

Pierce said the meeting arranging for the protection money was held in November 1967 in the office of Robert ty Co., are on trial with Garrison. Nims, owner of Lucky Coin Machine Co. Nims and John Aruns Callery, a former partner in New Orleans Novel

garde Sr., a partner in TAC Amuseed by Nins Callery, Lawrence A. La-Amusement Co., and Pierce. Broadmoor Music Co. ment Co., Pierce said the meeting was attend-He said the Emile Willie, owner of amounts to be and Algiers paid

were: Amusement Co., \$5.000. -Louis M. Boasberg, New Orleans

Novelty Co., Nims, \$1,000.Santo DiFatta, Palace Amusemen **\$**5,000.

Co, \$1.300. tors and because he acted as a contact because ne collected from some opera-Pierce said he received a free ride -Willie, \$500.

U.S. ATTY. Gerald J. Gallinghouse asked Pierce what the money was to be used for.

"To prevent police from picking up

the games," Pierce replied. Continued from Page

the meeting in Nims! office he was called by Callery who told him a meeting had been arranged between Pierce and Soule. They met, Pierce said, at and Soule. They met, Pierce said, at the Howard Johnson's Motor Hotel in Pierce testified that two days after

when a raid was pending Soule would call Pierce and tell Pierce he was estate was located it would be a tip on When Pierce was told where the real going out to look at some real estate. the area selected for the police raids It was agreed, Pierce said, that

gathered from Soule. he was to do with GALLINGHOUSE asked Pierce what the information

ting up the money," Pierce said. "I was to call people who were put

with then-head of the New Orleans 1'o-

lice Department vice squad, Lt. Fred-

erick A. Soule Sr.

would take that money to Callery excollecting the payoff money Nims, Willie and DiFatta. He si He said another role for him was when Callery was out of town, He said he





for the vice squad. pinball gambling testified they were of barroom owners who admitted to for its case yesterday with a parade Bosworth at New Orleans Novelty. warned to "be careful" and to look out The government laid the groundwork

when he would turn it over to Ralph

government in the trial defendanto expected to testify for the Pierce is the first of seven original

have been granted separate trials. have pleaded guilty, and former police Sgt. Robert N. Frey and pinball fig-John Elms Jr. and Boasberg, who ures Lagarde and Harby Marks who Others are Soule and pinball figures

taking bribes to protect pinball struct law enforcement by giving and 1971 on a charge of conspiracy to ob-The 10 were indicted in December of gam-

federal court trial Elms were convicted of shiping pinball when Boasberg, Nims, Pierce was the key witness in a earlier this Lagarde

Turn to A-6, Column 1

machines illegally in interstate commerce.

Pierce said the bribe arrangement was suggested by Callery and the other machine operators went along with the suggestion. He said none of those from whom he collected ever missed a payment.

Pierce testified that Nims' share of the protection money eventually was doubled to \$2,000 quarterly. He said this was done "because I found out he had a great deal more games on the street than I thought he did." He said Nims did not object to increasing his payments.

He said the payoff period extended from Dec. 1, 1967, through September of 1970. During that period Soule was promoted to captain and shifted to Garrison's office as an Investigator. Frey was Soule's successor as vice squad commander.

Pierce testified for 55 minutes and examined for another 50 minutes.

after a 15-minute recess was cross-Under questioning by Nims' attorney, Louis C. Lacour, Pierce admitted

he lied during an appearance before the House Committee on Interstate Commerce.

The committee was considering legislation to ban interstate shipment of pinball machines and he appeared on behalf of New Orleans distributors, Pierce said.

He said he lied when he told the committee he awarded prizes instead of cash on pinball payoffs.

Q. Why did you lie?

A. Sometimes when you are in an illegal business you have to lie to keep going.

Q. You lied to save your business didn't you?

A. I did it for myself and others.

Q. What was your main interest?

A. Myself.

Pierce said he decided to become a government witness on the advice of his attorney. He said going on trial would have cost him \$25,000 and he could not afford it.

"You figured that (testifying for the government) was cheaper than going to trial?" Lacour asked.

A. Yes.

Under questioning by Virgil M. Wheeler, Callery's attorney, Pierce said Callery did not personally tell him to attend the meeting in November of 1967 but he received a message to attend an important meeting at Lucky Coin Co. and he assumed it came from Callery because Callery was in charge of the meeting.

Referring again to Pierce's testimony before the congressional committee, Wheeler asked:

'Would you lie to save your own hide?"

Pierce replied, "No. I lied then but I'm telling the truth now.

Across the courtroom, defense attorneys were not visibly disturbed by the testimony.

Then they were alerted to what could be a crippling blow.

U.S. Dist. Court Judge Herbert W. Christenberry told the defense he has "grave doubts" that tape recordings of television interviews with government informer Pershing O. Gervais will be admissible as evidence.

THE DEFENSE is seeking to bring the taped interviews into court to discredit the controversial tapes gathered by Gervais while he worked as a government investigator.

The television tapes contain statements by Gervais that he was coerced into being a government spy. The government tapes contain conversations of defendants, purporting to link them with bribes and gambling. They are the government's key evidence.

With the testimony of bar operators, U.S. Atty. Gerald J. Gallinghouse will forge ahead in an attempt to prove that Garrison headed a bribery ring that shielded pinball gambling from police.

THE GOVERNMENT is trying to prove that Garrison, former aide Frederick Soule, and former vice squad commander Sgt. Robert Frey provided pinball dealers tips on vice squad activity in return for thousands of dollars in bribes.