

# Witnesses Zero in Garrison Tapes

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Prosecutors in the federal pinball bribery trial today apparently began laying the groundwork for a critical phase of the government's case—the playing of the so-called Garrison tapes.

Three agents of the Internal Revenue Service testified how they and other agents secretly monitored and taped conversations between government informer Pershing Gervais and Dist. Atty. Jim Garrison and other defendants in the case.

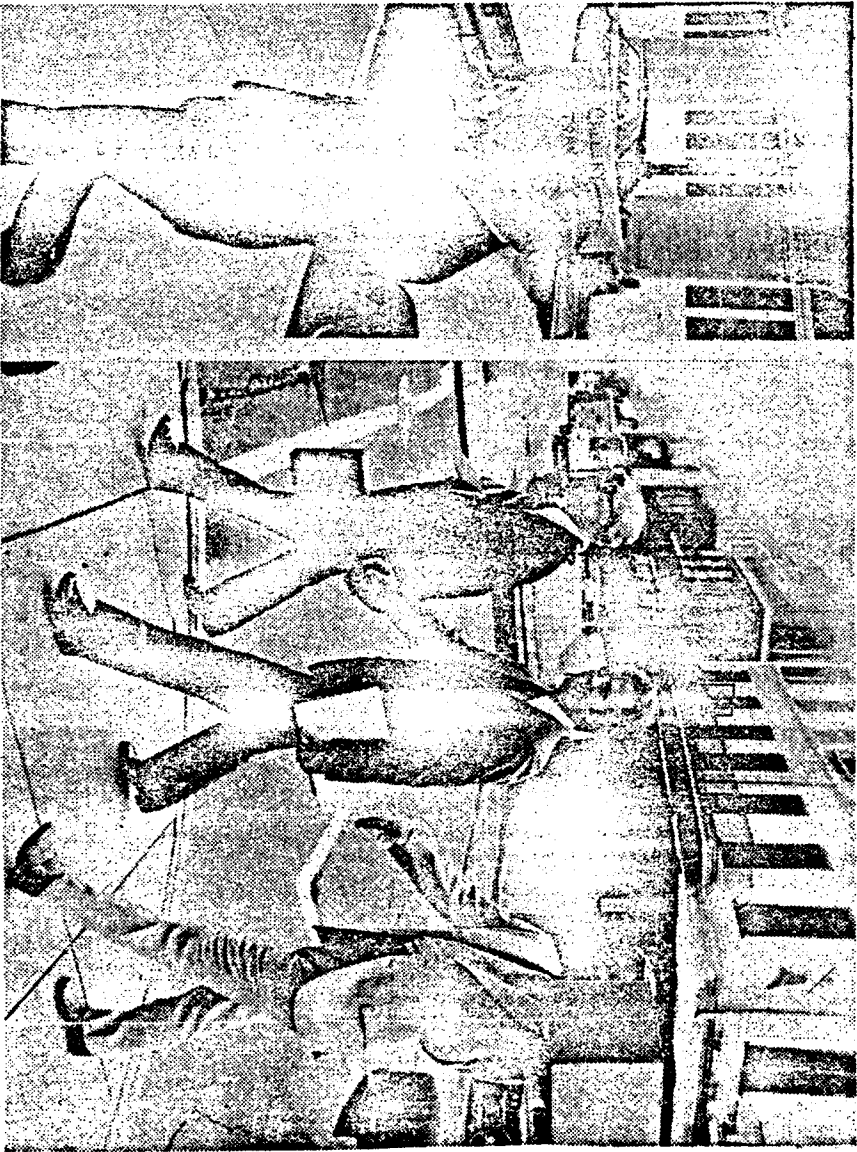
Their testimony came as the trial of Garrison and pinball executives John Aruns Gallery and Robert Nims moved into the third week in U.S. District Court. The three are charged with conspiring to obstruct law enforcement by giving and taking bribes to protect pinball gambling.

The agents—Joel J. Lenoux, James O. Gann and Gene Burtleson—testified about the technicalities involved in bugging rooms, tapping telephones and wiring Gervais for sound.

The jury today for the first time heard a tape-recorded conversation between Gervais and one of those on trial.

Gann, from Dallas, testified he installed telephone-monitoring devices in Gervais' room at the Fontainebleau Motor Hotel and monitored and recorded conversations in an adjoining room.

He said he monitored a Dec. 1, 1970, conversation between Gervais and Gallery. He said he listened to the tape afterwards and the tape was a "true and correct record" of the conversa-



**Boxes of records** are carried into Federal Court as the trial of Dist. Atty. Jim Garrison and two pinball dealers enters its third week. (States-Item photos by James W. Gullio.)

The government then played the tape with IRS agent Gene Burlison on the stand. Burlison said he recorded the conversation.

He said there was a malfunction in the tape and the recording apparatus did not work properly for the first 15 minutes of the conversation. He said a tape of the first 15 minutes of the conversation exists but that portion of the tape is not being used by the government.

In the conversation Callery tells Gervais there was a meeting in Baton Rouge of pinball dealers to decide if they would go back in business after a government crackdown on pinball machine operations.

He said those present at the meeting were John Elms, Louis Boasberg, Nims and Rooney (not further identified).

He also discusses with Gervais the possibilities of his (Callery's) chances of being called before a grand jury.

He said he might have to tell them of political contributions he handled for the pinball machine industry.

"I presume they will ask me a lot of

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that stuff," Callery says. "I would have to say, 'Well, I gave political contributions but I can't remember who'—just like I did with that other thing."

In a conversation between Gervais and Nims, on Dec. 9, 1970, Nims complains about the seizure of pinball machines by the government the previous month. Nims said the government took 201 of his machines and hurt his business badly.

"They destroyed me," Nims told Gervais at one point.

Lenoux testified he recorded the Gervais-Nims conversation.

Earlier Lenoux told the jury how he and other agents monitored and taped the conversations between Gervais and defendants in the case. There originally were 10 men but three have pleaded guilty and four have been granted separate trials.

Most tapes were made in a room at the Fontainebleau Motor Hotel, he said. The room adjoined one occupied by Gervais, he said.

Other tapes were made when Gervais visited Garrison's home, Lenoux said.

Lenoux said agents monitored both telephone and face-to-face conversations. They were monitored and recorded at the same time, he said.

"I also took notes on what I heard," the agent testified.

Lenoux said a device was installed in Gervais' room that transmitted conversations to the agents' room where

they were recorded at the same time they were received.

When Gervais went to Garrison's house, Lenoux said, he wore a transmitter and microphone that transmitted the conversations to a receiver.

**UNDER** cross-examination by Dr. Fred J. Barnette, a Garrison attorney, Lenoux said not all of Gervais' conversations were recorded during the investigation.

He said the sheer volume of Gervais' activities made this a burdensome task. He said agents making recordings worked out a system whereby they recorded only those conversations relevant to the investigation.

When Gervais was having a conversation not connected with the investigation, Lenoux said, he would knock on the wall two or three times and the agent making the recording would confirm the personal nature of it and turn off the recording system.

Lenoux testified that to his knowledge the tapes were made without a court order.

He also said that when Gervais went to Garrison's home to obtain recordings he would have had the power to block part of the conversation by putting his hand over the microphone or by simply ruffling his clothing.

**HE SAID** the microphone Gervais wore was so sensitive even the movement of clothing could affect the quality of the recording.

The trial will recess tomorrow because of a death in the family of a juror. It will resume Thursday.

After nine-plus days of testimony the government has yet to connect Garrison with bribes.

The jury has heard testimony that owners of gambling-type pinball machines gave cash directly and indirectly to Gervais—money they believed was for Garrison. But it has heard no one say the district attorney received bribes.

The government claims Gervais was the go-between who delivered bribe money to Garrison.

One high point of the trial this week may be the playing of taped conversations between Garrison and Gervais.

**IT IS** through these tapes that U.S. Atty. Gerald J. Gallinghouse and his assistants hope to nail down Garrison. A voice identification expert already has told the court voices on the tapes are those of Garrison and Gervais.

The nine-man, three-woman jury has heard 20 to 30 taped conversations of Gervais and other defendants. In those conversations, defendants discussed giving money to Gervais, and Gervais

indicated it was going to Garrison.

The trial took a dramatic turn away from Garrison last week, focusing on former police Supt. Joseph I. Giarrusso.

TAC Amusement Co. owners Lawrence L. Lagarde Sr. and John Elms Jr. testified they paid \$30,000 in bribes to Giarrusso.

Defense attorneys have focused on Gervais' character and are expected to delve into it deeper when they present their arguments.

They already have brought out testimony from Elms that Gervais, once an investigator for Garrison, was known as "Mr. Fix-It," was said to be "no good" and had an "untrustworthy reputation."