

# Garrison Faces U.S. Trial

By Tom Bethell

Special to The Washington Post

NEW ORLEANS — District Attorney Jim Garrison, who made headlines by bringing a local businessman to trial for allegedly conspiring to assassinate President John F. Kennedy, goes on trial himself today in federal court here.

Garrison is accused, along with three other defendants, of conspiring to obstruct the laws of the state of Louisiana. A part of the indictment alleges that Garrison received "bribe moneys contributed by (other) defendants who would operate illegal gambling businesses, to permit these businesses to operate free of any substantial law enforcement interference."

Originally 10 people, including pinball operators and two New Orleans policemen, were indicted by the federal grand jury.

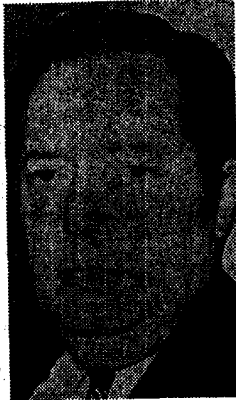
Three of these, Capt. Frederick A. Soule (who was employed as an investigator in the district attorney's office), John Elms Jr. and Louis Boasberg, have pleaded guilty and are expected to testify against the other defendants. Three others will be tried separately.

Those remaining for trial, besides Garrison, are John Aruns Callery, Harby Marks Jr. and Robert Nims, all pinball figures. The trial could last for two months. If convicted, Garrison and others could receive a maximum sentence of five years in prison and a \$20,000 fine.

Garrison, 51, was to have been defended by F. Lee Bailey, but that famous attorney has troubles of his own. He is scheduled to be tried himself in Florida on a federal mail fraud indictment on Sept. 10. Another member of Bailey's Boston law firm and a local attorney will represent Garrison.

The local U.S. attorney, Gerald Gallinghouse, has successfully prosecuted a number of Louisiana officials since his appointment in 1969. He prosecuted Attorney General Jack Gremlion, who is presently in jail convicted of perjury.

Garrison's troubles began in June, 1971, when he was arrested by federal agents in his home, where \$1,000 in \$20 bills was seized. The government



JIM GARRISON  
... in federal court

then revealed that Garrison's former chief investigator, Pershing Jervais, had been accumulating evidence on behalf of the Justice Department with a small tape recorder strapped under his armpit.

In a lengthy affidavit, the government claimed Jervais had been carrying money from the pinball figures to the law enforcement officials and simultaneously tape recording the transactions. The govern-

ment claimed the serial numbers on the notes recovered from Garrison's house correspond to numbers previously copied down by federal agents.

Garrison later responded that Jervais asked him to hold this money for him at his home while Jervais went on a trip.

It is not known if Pershing Jervais will testify at the trial. After his work for the government, he was provided with a job and a new identity in Canada. Soon thereafter he returned to Louisiana, announcing that the government had compelled him to "frame" Garrison.

Several months after his arrest, Garrison in effect arrested himself by ordering the Orleans Parish Grand Jury to charge him with the same crime as the federal government had.

Most observers felt he hoped to win a quick acquittal in state court and then seek immunity from the federal case because of legal provisions against double jeopardy. But the state's charge was unexpectedly dropped by a special prosecutor appointed by a state judge.

Garrison is also charged separately with filing false income tax returns, and Clay L. Shaw, who in 1969 was found not guilty of conspiring to kill President Kennedy, has filed a \$5 million damage suit against Garrison and his financial backers.

This is also an election year for Garrison. If he decides to run, as expected, and is later convicted, his campaign theme is likely to be his oft-repeated one that he is the victim of a corrupt federal government's wrath over his Kennedy investigations.

Garrison easily won re-election in 1969, despite his loss of the Clay Shaw case.

This year, however, his coalition of black voters and blue-collar workers may not prevail, principally because black voters (about 40 per cent of the New Orleans total) are no longer expected to vote in a bloc.

Polls have indicated that blacks here are now even more concerned than whites about law and order and juvenile crime, and Garrison, incumbent since 1962, may be more vulnerable on this score than on the bribery charge.