

# Garrison trial is on --with reduced cast

By LANNY THOMAS

45-20-73 4-8  
The federal pinball bribery trial opened here today with only Dist. Atty. Jim Garrison and two others left from the original list of defendants.

As the trial opened, U.S. District Court Judge Herbert W. Christenberry granted a separate trial for Harry Marks Jr., 57, a former employe of New Orleans Novelty Co. Three defendants previously pleaded guilty and three others were granted severances.

The opening of the trial was delayed 40 minutes by conferences between Judge Christenberry and lawyers involved in the case.

Judge Christenberry told the special venire of 100 prospective jurors that those picked for the jury can expect a trial of several weeks.

HE SAID the jury will put in "a good work day" but will not work at night and will not be sequestered.

On trial are Garrison, 52; John Aruns Callery, 63, a former partner in New Orleans Novelty, and Robert Nims, 40, president of REN Enterprises Inc.

Those who have pleaded guilty are former police Capt. Frederick A. Soule Sr., Louis M. Boasberg, a partner in

New Orleans Novelty, and Joan Elms Jr., a partner in TAC Amusement Co.

The four who have been granted separate trials are Marks; Robert N. Frey, a former police sergeant; John Elmo Pierce, owner of Pierce Amusement Co., and Lawrence A. Lagarde Sr., a partner in TAC Amusement.

JUDGE Christenberry again today denied a Garrison motion to delay the trial until famed trial lawyer F. Lee Bailey could be available to represent the D.A.

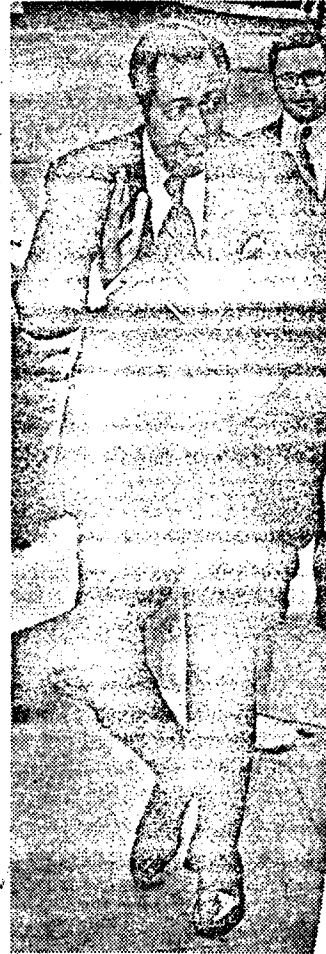
Bailey is to stand trial in Florida next month on a federal mail fraud charge. Judge Christenberry had denied a similar Garrison motion last week.

U.S. Atty. Gerald J. Gallinghouse was expected to tell the jury that Garrison and the pinball machine distributors conspired to obstruct law enforcement by giving and taking bribes to protect pinball gambling.

Twelve jury members and four alternates are to be selected

Whether Garrison and co-defendants were parties to bribery must be decided by the jury. Gallinghouse said all six who pleaded guilty or have

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—States-Item photo.  
DA Jim Garrison  
arrives for trial

## Big Jim pins troubles on federal 'trickery'

By ALLAN KATZ

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He is guilty of nothing and the federal government used "guile and trickery" to bring him to trial, Dist. Atty. Jim Garrison said today.

Garrison arrived at his pinball bribery trial contending that "by the time this trial is over it will be abundantly clear to everyone that there is no case against me and never has been."

Garrison went on trial with three New Orleans pinball figures. They are charged with conspiracy to obstruct state and local law enforcement by giving and accepting bribes to protect pinball gambling. Six others indicted on the charge have pleaded guilty or been granted separate trials.

Garrison said it is "an honor to be prosecuted by the most corrupt nation-

al administration in the history of our nation." He said he believes he will get a "fair jury."

He did not elaborate on his charge the government used "guile and trickery."

He would not comment on the guilty pleas or severances for six of his co-defendants. He said he does not even know most of the others named in the 1971 indictment.

Garrison came to the courtroom about a minute before the trial was to have started, after having coffee at the Royal Orleans Hotel. He looked in good health and good spirits. The trial opening was delayed by conferences between U.S. District Judge Herbert W. Christenberry and lawyers in the case.

# Garrison bribe trial on

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separate trials have agreed to testify for the government.

John Elmo Pierce, the government's key witness in the Bally pinball trial, testified here in March that pinball machine dealers paid more than \$50,000 a year for tips on vice squad raids.

Pierce, a pinball dealer, said the money was collected from dealers to have Frederick Soule, an investigator for Garrison, call him and tell him when and where raids would occur.

IN THE Bally trial, which involved the manufacturer of the machines, Nims and three others were convicted of gambling.

Aside from the testimony of pinball machine dealers, Gallinghouse's key weapon may be taped conversations obtained by one-time government informer Pershing Gervais.

Attorneys have exhausted legal maneuvers to ban the tapes from the courtroom. Judge Christenberry has said they can be introduced into evidence.

Whether the prosecution will place the controversial Gervais on the witness stand remains a mystery.

To give the tapes credibility before a jury, the government needs Gervais to verify that he recorded them. Because of Gervais' controversial nature, how-

ever, the government may not call him.

FOLLOWING THE arrests of Garrison and others, the government hustled Gervais off to Canada. But Gervais, apparently unhappy with the arrangement, returned to New Orleans several months later and announced that the U.S. Justice Department had coerced him into being a spy.

AFTER HEARING both Gervais and Justice Department attorneys argue the issue, Judge Christenberry ruled that Gervais entered into the agreement voluntarily.

Since that ruling—nearly a year ago—Gervais has gone into hiding again.

A conviction on the charge against Garrison and the others carries a five-year prison sentence or a \$20,000 fine or both. It could end the career of a district attorney who has enjoyed voter popularity since 1961.

The district attorney is running for re-election in November, although he never has said so officially. Candidates qualifying is Aug. 3. The deadline is Sept. 7.

Garrison was sworn into office for the first time on May 7, 1962, under the banner of "the man who wears the badge of no political party."