

The Government's Case: XVII

Bribery Affidavit Text

(Editor's Note: The States-Item continues today with the 17th installment of the text of the affidavit charging pinball bribery filed against Dist. Atty. Jim Garrison and others by Floyd D. Moore, special agent for the Internal Revenue Service.

The affidavit will be quoted verbatim, except that obscene terms will be deleted.

(Another installment will be printed tomorrow.)

(57) On May 28, 1971, in Room 118 of the Fontainebleau Motor Hotel in New Orleans, La., Pershing Gervais delivered to Dist. Atty. Jim Garrison, United States currency in the amount of \$1,000 which had been furnished to him (Gervais) by Special Agents of the Intelligence Division, Internal Revenue Service, and which had been previously substituted for the one thousand dollars (\$1000) delivered to Gervais for Garrison by Harby Marks on May 3, 1971 (see paragraph 53 above). The currency consisted of (20) fifty dollar bills with the following serial numbers:

- H 00373987A, F 00060986A, G 06135106A, F 00426364A, G 02918734A, B 02830944A, L 04874107A, E 01444184A, K 00507463A, K00638805A, C 07040717A, B 02567998A, B 04625704A, G 00104035A, E 03263847A, L 10974320A, F 00273270A, G 03999802A, H 00008963A, G 03378585A

Part of the conversation that took place at this meeting was as follows:

GERVAIS: I got a whole lot to say, not much time to say it, man, I been trying to get to you ever since Boasberg come to see me —

GARRISON: Well, you don't know that, you don't know the trouble I've had, boy.

GERVAIS: I know, you had trouble, I've had, too.

GARRISON: ( )

GERVAIS: I'm so long carrying this :: ( ) thousand its driving me nuts. I'm scare to death I'm going to lose it.

GARRISON: Huh, Well, that's ( )

GERVAIS: First, no listen

GARRISON: You got, at least you got something started, huh?

GERVAIS: Yeah. Now, wait, I got a couple of things

I got to get out my mind. Now, let's see, Boasberg . . . no Boasberg, okay.

GARRISON: I had a four-page letter from him about my book.

GERVAIS: From who, from Boasberg?

GARRISON: Boasberg. Send fifty bucks to the library, he did.

GERVAIS: Sent fifty dollars to the library?

GARRISON: To the library and wrote me four pages about the book. I mean, it affected him that much.

GERVAIS: I be damned. . . Listen, uh, got a little problem with Soule, Soule wants to up the ante.

GARRISON: Oh ( ) uh, cut that ( ) out, man, we—uh, leave well enough alone.

GERVAIS: Well, okay, but I'll I'll have to handle that, but he's giving me a problem.

GARRISON: All right, well, you tell him that —

GERVAIS: I'll, I'll handle it.

GARRISON: Just say a very wise head, that, uh, that you have a lot of confidence in, has a feel for the situation

GERVAIS: He says that now is the time.

GARRISON: You said it, exactly!

GERVAIS: All right. Now, let's see, not — Santi Di Fatta

GARRISON: The legislature's coming up—uh, they got some of the guys that keep pushing for that thing to come through, you know—

GERVAIS: They do? they do?

GARRISON: Oh, yeah, they keep pushing on it.

GERVAIS: Listen, I know when I see Boasberg, you know Boasberg's due again on the first . . . the first of the month—

GARRISON: Yeah.

GERVAIS: You know, just a few days he's got to come back again.

GARRISON: He alone has sent me a thousand?

GERVAIS: Oh, no, no, no. Him and, uh, Nims.

GARRISON: oh.

GERVAIS: Uh, not Nims, him and TAC. Young TAC.

GARRISON: Oh.

GERVAIS: Ya see.

GARRISON: That's good!

GERVAIS: And don't forget

it. Now —

GARRISON: But I, but I — don't get greedy, that's what always catches these —

GERVAIS: I know —

GARRISON: Man —

GERVAIS: Listen, let me ask, let me, let me tell you,

well, you making me forget some things —

GARRISON: I'm sorry, I'm, I'm bowed down on, at your feet and, in apology, you ass.

GERVAIS: (laughter)

GARRISON: (( ))

GERVAIS: (laughter) Wait, wait, listen . . . uh . . . what about the legislature, are they going to do anything?

GARRISON: No.

GERVAIS: Then —

GARRISON: Obviously they are well under control and were well taken care of last time because they can't really get started, but every day—

GERVAIS: You haven't had to talk to the governor?

GARRISON: No—

GERVAIS: Yeah.

GARRISON: But I can tell you that every day somebody brings it up, but, uh, they, uh, don't get, uh, past, uh, they don't even get started on the vote —

GERVAIS: Uh-huh.

GARRISON: So they took care of them pretty good last time, I mean, uh —

GERVAIS: Yeah.

GARRISON: You know, our boy, who goes up there —

GERVAIS. (cough) Yeah y e a h, yeah, Knickerbocker (an alias for John Aruns Callery)

GARRISON: He's the best.

GERVAIS: Listen, Santo DiFatta came to see me, out of the blue now. He never did come see me personally, even though he was in this ball game from the very beginning

GARRISON: Okay, I get you.

GERVAIS: Never did, he always talked to—

GARRISON: Remained significant.

GERVAIS: Well, yeah, he always talked to Callery—

GARRISON: ( )

GERVAIS: — and he was always in the, he was always a contributor til he got out — all right.

GARRISON: Right.

GERVAIS: Now, he got

fleeced out a 150,000 dollars—

GARRISON: What?

GERVAIS: I don't want, I don't want to bore you with all the details—

GARRISON: Okay.

GERVAIS: It's interstate. It's out of St. Louis but the people came here . . . and talked to him, one of the people and the second one came here and picked—

GARRISON: And put a big story on him and he gave them a hundred fifty thousand

GERVAIS: A hundred fifty thousand — good faith money because they were going to give him a loan of a, about five or six million. . . Now, what he wants, he wants to know can he charge the ones who came here—

GARRISON: Yeah, but I'm trying to figure out, I mean we may have to ( ) a little

GERVAIS: All right.

GARRISON: Uh, in other words, you know what I mean

GERVAIS: Yeah, well, all he wants is harassment.

GARRISON: Yeah.

GERVAIS: And get the guys — not only harassment, but get them here, that way he's got a chance of getting his money.

GARRISON: It all depends of what he'll say in the statement.

GERVAIS: He'll say they was here — he'll, let me, listen to the story, I don't want to bore you with all the details but it's good—

GARRISON: After you hear his statement, draw up a rough statement for him, uh, uh, no, wait—

GERVAIS: No, wait—

GARRISON: Look at it—

GERVAIS: Wait, let me say this to you—

GARRISON: And I'll tell you what elements are needed.

GERVAIS: Wait, wait a minute, he's got a file this thick by the Pinkerton Detective Agency and the whole layout and, uh, they are hot, they are absolute frauds, and, uh—

GARRISON: They came here and stole his money.

GERVAIS: The government the government's about to make a case on the guys—

GARRISON: Well, they stole his ( ) money then.

GERVAIS: Yeah, oh, no, no, doubt about it, a 150,000—

GARRISON: Well, ( ) there's no problem—

GERVAIS: All right, so—

GARRISON: Tell him, uh—  
GERVAIS: And he said after he collects it, he will show his consid—, his happiness and consideration.

GARRISON: Tell him, uh, that's great, but even, uh, without—

GERVAIS: Yeah.

GARRISON: I don't forget!

GERVAIS: Yeah, right. Okay.

GARRISON: I mean, you know, I don't forget. He's helped me or where the (( )) would I be?

GERVAIS: And, uh, he wants to—

GARRISON: I wouldn't be in this excellent shape I'm in now.

GERVAIS: Yeah. Well, what should I do, tell him do see, uh — cause he's got to reach back for me this evening . . . time is of the essence, he really needs—

GARRISON: Time is of the essence, he should go — to the office and, uh, go to Lou (Louis Ivon, Chief Investigator in Garrison's office) and, uh, say, I sent him. If he can't find Lou, find Red (Steve Bordelon, an investigator in Garrison's office) and tell him I want a, a statement strong enough to justify extradition of two men who stole—

GERVAIS: It'll be strong, it'll be strong.

GARRISON: — who stole money from him.

GERVAIS: Hundred fifty thousand. Tell them to check with you.

GARRISON: Yeah.

GERVAIS: Okay.

GARRISON: But leave, uh, that activity out of it.

GERVAIS: What activity?

GARRISON: Uh, p, p, b, (pinballs).

(58) On June 18, 1971, Steve Bordelon, an investigator in Dist. Atty. Jim Garrison's office who is also his driver, paid in cash for Garrison's eleven hundred dollar (\$1100) hotel bill at the Fontainebleau Motor Hotel in New Orleans. From the money with which the above bill was paid, Special Agents of the Intelligence Division, Internal Revenue Service, retrieved thirteen (\$650) of the twenty (20) fifty dollar bills which had been provided to Pershing Gervais by Special Agents of the Intelligence Division and delivered to Dist. Atty. Jim Garrison by Gervais on May 28, 1971 (see paragraph (57) above). The serial numbers of the bills delivered to Garrison by Gervais on May 28, 1971, and recovered from the Fontaine-

bleau Motor Hotel after Bordelon paid Garrison's hotel bill, are as follows:

D 04874107 A B 02567998 A  
G 02918734 A G 3378535 A  
G 06135106 A B 04625704 A  
E 03263847 A G 03999802 A  
C 07040717 A G 00104035 A  
L 10974320 A B 02830944 A  
K 00507463 A

The above thirteen (13) fifty dollar bills (\$650) were retrieved by Special Agents of the Intelligence Division, Internal Revenue Service, and retained as evidence.

(59) At my direction, a Special Agent, Intelligence Division, Internal Revenue Service, Dallas, Texas contacted a Postal Inspector at Dallas, Texas, who determined from Postal Service records that as of June 21, 1971, the only Postal Service employee in Dallas, Texas, with the last name "Soule" is Leroy J. Soule who resides at 303 Sharon St., Irving, Texas.

(60) At my further direction a Special Agent, Intelligence Division, Internal Revenue Service, has consulted the current telephone directory for Irving, Texas, and has determined that as of June 21, 1971, there are three banks in Irving, Texas: The Irving Bank and Trust Company, 111 East Irving Blvd.; First National Bank of Irving, Texas, 440 South Nursery St.; Southwest Bank and Trust Company of Irving, 2520 West Irving Blvd.

(61) I have examined the United States Income Tax Returns filed by Frederick A. Soule Sr., and his wife Eloise L. Soule, of New Orleans, La., for the calendar years 1965, 1966, 1967, 1968 and 1969 and I can state that the only sources of reported income are the City of New Orleans, Uniform Allowances, State of Louisiana, Fairgrounds Race Track and interest income. Based on the statements of Frederick A. Soule Sr., as set forth in this affidavit and upon my examination of the joint federal income tax returns filed by Frederick A. Soule Sr., and Eloise L. Soule, I have determined that Frederick A. Soule Sr., has unlawfully, knowingly and willfully omitted income in substantial amounts from his United States Income Tax Returns for each of the years 1965, 1966, 1967, 1968 and 1969, upon which omitted income there is due and owing to the United States substantial additional tax, and subscribed each of these returns under the penalties of perjury, each

of which United States income tax returns contains a written declaration that it is made under penalties of perjury,

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knowing the returns to be false as to a material matter, in violation of Title 26, United States Code, Section 7201 — "Attempt to evade or defeat tax" and Section 7206 (1) — "Fraud and false statements," and that the safe deposit box rented by Frederick A. Soule Sr., at the Irving Bank and Trust Company, 111 East Irving Blvd., Irving, Texas, contains approximately seventy-five thousand dollars (\$75,000) which constitutes evidence and which is to be used as evidence of said violations. Further, based on the foregoing information contained in this affidavit I have reason to believe and do believe that the heretofore mentioned currency was also used in violation of Article 90 of the Louisiana Criminal Code, R.S. 14:90 — "Gambling"; the New Orleans City Code, 1965, Section 27-2.2 "Same (Gambling generally Defined) - Prohibited" and Section 5-58.1 (c) - "Authority of (City) Council; grounds for revocation or suspension (of city permits for retail sale of beverages of low alcoholic content . . . where illegal gambling is intentionally conducted on the premises); hearing"; Title 18, United States Code, Section 1511 "Obstruction of State or local law enforcement," Section 1955—"Prohibition of illegal gambling businesses," Section 1952 — "Interstate and foreign travel or transportation in aid of racketeering enterprises," Section 2 — "Principals," and Section 371 — "Conspiracy to commit offenses or to defraud United States," and that such currency constitutes evidence within the meaning of Title 18, United States Code, Section 3103 (a) — "Additional grounds for issuing warrant," and within the meaning of Warden vs. Hayden, 387 U.S. 294 (1967), and is to be used as evidence in the trial of persons who have violated the heretofore mentioned statutes.