

Judge Delays Gervais Hearing

Federal Judge Herbert W. Christenberry today threw out of court as "juvenile and corny" a motion challenging the government's call for a hearing on whether Pershing Gervais voluntarily informed on Dist. Atty. Jim Garrison.

Judge Christenberry's action obviated the necessity for a hearing on the motion. He then delayed until 9 a.m. tomorrow argument on a motion to determine whether a hearing should be held in the Gervais "voluntariness" matter.

The judge said he wanted to keep in the court the issue of whether the hearing should be held, and not have it tried on TV.

Gervais claims the government harassed him into entrapping Garrison and the other defendants in a case involving payoffs to protect pinball operators. The government wants a hearing on the testimony and one of the defendants, Robert Nims, wants to

block that hearing.

Judge Christenberry criticized the memorandum filed by Nims' attorneys, Louis C. LaCour and Gerard Schreiber, and ordered it stricken from the records of the case.

The judge said the document should have been in legal language "and not in language some television reporter would use."

He specifically pointed out expressions such as "the government was caught with its hand in the cookie jar" and someone has thrown "overalls in the chowder."

Judge Christenberry also said he did not appreciate the statement that the government was hiding behind the robes of the court.

He said he would give LaCour and Schreiber the opportunity to file a new memorandum.

Attorneys for the other defendants had no objection to the delay of the hearing to 9 a.m. tomorrow.