

Anger Justified, Court Told

"U.S. 'BROKE WORD' TO GERVAIS

By DALE CURRY
and ALLAN KATZ

The head of the federal Organized Crime Task Force here testified today he feels Pershing Gervais had "good cause" to be angry at the government because many promises made to the informer were not fulfilled.

John Wall, head of the crime unit, under cross-examination by defense attorney Guy Johnson, said the government ended its agreement with Gervais on Sept. 9 after the informer returned to New Orleans from Canada.

But, Wall said, a series of broken promises and mishandled arrangements gave Gervais good cause for "a fit pique that led to his return."

Wall also testified the government continued paying some of Gervais' bills even after Sept. 8.

WALL WAS the first witness called

today as a federal court hearing into whether Gervais cooperated voluntarily with the government in the Jim Garrison pinball bribery case was resumed before U.S. District Judge Herbert W. Christenberry.

Gervais was the government's principal source of information in its case against the district attorney, two former policemen and seven pinball figures in a bribery case allegedly involving payoffs to Garrison to protect illegal pinball operations.

Gervais contends he was harassed into cooperating with federal authorities against Garrison, his former boss, and the nine others under indictment.

Under cross-examination, Wall said the government paid Gervais \$1,500 in compensation for a show dog destroyed in a kennel accident.

HE SAID Gervais further was upset

when a job provided for him by General Motors in Canada "was renegeed on."

However, Wall continued, it became impossible for the government to continue the arrangement with Gervais when he returned to New Orleans and began "attacking the integrity of the government's case and its agents."

Wall testified he met Gervais early on Sept. 9 at Hilton Inn on Airline Highway and told him that if the verbal attacks on the government's case continued, "we would have to abrogate our agreement."

Judge Christenberry contended Johnson's cross-examination to bring out these points was "wasting time" and not getting to the central issue of whether Gervais voluntarily acted as a federal informant.

However, Mark Kadish, an attorney from the firm of F. Lee Bailey, repre-

sented Garrison, said Wall's testimony brought out the fact that the federal government "by violating its agreement with Gervais has also violated the U.S. code and the law requires that all the tapes (collected in evidence by Gervais) should be suppressed."

AT ONE POINT Wall testified, "If I had the whole thing to do over again, I wouldn't do a thing differently. We not only exposed this corruption (a reference to the alleged bribery) but we also put Pershing Gervais out of business—which is no mean achievement."

But, Wall testified, "many things happened to Gervais, once he was relocated, through inept and incompetent performance by the government and the renegeing on a job offer that led to our difficulties with him."

Wall indicated that in the beginning, Gervais was acting for the government

with no inducement. He said the question of relocation came up only when the evidence gathered became so convincing that it was thought necessary to protect Gervais by sending him out of the country.

Wall testified he told Gervais on Sept. 9 at the Hilton Inn, "Pershing, when you returned to New Orleans you put yourself in physical danger and you made the money people in the Justice Department very angry."

He said the Justice Department refused to pay \$800 in plane fares for Gervais and his family to return to New Orleans from Canada.

"The government would not submit to blackmail and that is what we thought it was," Wall said.

EARLIER, Johnson charged that gov-

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ment agents leaked information about Gervais' undercover work to frighten him into cooperating and seeking relocation.

Johnson said he will prove that government agents, including Wall, sought to put Gervais in such a precarious position that he would have no choice but to cooperate with the government.

WALL CAUSED a furor at one point by saying, "I made the offer of relocation to Gervais only when it became apparent that relocation was the only way to surface evidence about this cesspool of corruption," a reference to the alleged bribery scheme.

Johnson objected to the reference to the "cesspool of corruption" and Judge Christenberry agreed it should be stricken from the record.

At the outset of the cross-examination, Johnson charged Wall's earlier testimony about Gervais' agreements with the federal agents was based strictly on hearsay.

Wall had said Gervais cooperated willingly in the investigation, but Gervais has contended he was harassed into acting as an agent.

JOHNSON ALSO accused the government of misconduct in its handling of the prosecution and of attempting to place Gervais beyond the reach of defense attorneys, but Judge Christenberry rejected these contentions.

Wall said Gervais insisted his identity be kept a secret and at first refused to allow Wall to take notes on their conversations.

Wall said Gervais later relented on the note-taking and permitted it, and Wall used the code name "No. 14" to refer to Gervais.