

GARRISON CHARGED WITH TAKING BRIBES

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District Attorney Jim Garrison was arrested today at his lakefront home by federal agents and charged with taking bribes to protect illegal pinball gambling.

Nine other persons also were arrested, among them two New Orleans Police Department officers.

Taken before a federal magistrate, Garrison was released on a \$5,000 personal recognizance bond.

Garrison spoke to newsmen after the hearing and in effect denied the charges, saying:

"ALL I CAN SAY now is I don't know most of these people they mention. Otherwise, I have no comment.

"It comes as a complete surprise to me as I guess it is to you, if it was a surprise to you."

The two policemen arrested are Capt. Fredrick Soule Sr. and Sgt. Robert N. Frey. The government alleges Garrison took up to \$1,500 a month in bribes to protect illegal gambling with pinball machines.

Garrison was brought into the federal courthouse, the Wild Life and Fisheries Building at Royal and Conti, at 11:25 a.m. He was not handcuffed.

He and the others arrested were taken to the Fifth Circuit Court of Appeals courtroom on the fifth floor for a hearing before U.S. Magistrate Ingard Johannessen.

A PRELIMINARY hearing was set for Friday, July 9. The defendants were not required to plead guilty or not guilty today.

There was no immediate word from the police department on any action against the two officers arrested. Normally, when policemen are arrested, they are automatically suspended pending settlement of the case.

After his release, Garrison told newsmen on his way out of the building:

"I AM NOT surprised at this. I predicted some months ago that I would be charged with some federal offense. I have pounded away at the warfare complex of this government and have not given up. I have pounded at the Pentagon and the CIA and this had to happen sooner or later."

Asked if he intends to step down as DA while the charges are pending, he said:

"Absolutely not. I don't think it will have any effect on the efficiency of my office. I'm not going to let my personal problems interfere with the operation of my office."

HE WOULD NOT comment on the role of Pershing Gervais, his long-time associate, as the government's informer. Gervais is not charged with any wrongdoing in connection with today's action.

Announcement of the arrest came officially from the office of Atty. Gen. John N. Mitchell in Washington. U.S. Atty. Gen. Gerald J. Gallinghouse represented the government at the hearing here.

Mitchell's office issued the affidavit on the matter.

NAMED IN THE complaint in addition to Garrison, Soule and Frey were six owners or operators of amusement or novelty firms using pinball

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machines, plus the chief lobbyist for the pinball machine industry in the Louisiana legislature.

They were identified by the Justice Department as:

—John J. Elms Jr., 29, a partner in TAC Amusement Co.

—Lawrence L. LaGarde, 52, also a TAC partner.

—Harby S. Marks Jr., 57, an employe of New Orleans Novelty Co.

—Robert Mims, 40, affiliated with several coin machine firms.

—John Elmo Pierce, 54, owner and operator of Pierce Amusement Co. of New Orleans.

—Louis M. Boasberg, 60, a partner in New Orleans Novelty Co. and New Orleans Novelty Sales Co.

—John Aruns Callery, 63, the lobbyist.

All 10 are charged with illegal gambling, use of bribery to obstruct law enforcement, interstate travel or transportation in aid of racketeering and conspiracy.

Gervais, chief investigator on Garrison's staff from 1962 to 1965 and a former private investigator and policeman, appears to be the government's chief witness.

In the affidavit, Gervais said he had cooperated with the IRS and the Justice Department since June of 1969.

IT NAMED him as the intermediary for bribes paid by pinball machine owners and dealers to Garrison and the two policemen.

In the affidavit, Gervais said he had delivered payments ranging from \$2,000 to \$3,000 every two months from the lobbyist, Callery, to Garrison.

When the FBI raided a number of pinball establishments last November, Gervais said, the bimonthly payments

to the three declined.

The Justice Department said Mitchell and IRS commissioner Randolph Thresher gave their permission in November of last year for the recording of conversations between Gervais and the defendants by the IRS.

THE AFFIDAVIT says one of the payments took place as recently as last night, with Marks delivering \$2,000 to Gervais and then \$1,000 in marked bills to Garrison.

After the transaction, the affidavit says, IRS agents obtained arrest warrants for the 10 and a search warrant for Garrison's home, where the marked money was recovered.

Maximum penalty on conviction for illegal gambling is five years in prison and \$20,000 fine. The same maximum penalties apply on conviction for obstruction of law enforcement and interstate travel to aid racketeering. Conviction on the conspiracy counts could bring five-year terms and a \$10,000 fine.

OFFICIALS SAID the arrests were part of a move by federal officials to crack down on illegal pinball operations in Louisiana and Mississippi. FBI agents executed more than 350 search warrants on pinball locations in the two states, mostly in New Orleans and Baton Rouge.

The brief hearing before Johannessen centered around the size of the bonds. Louis Merhige, Garrison's attorney, argued that because of the defendant's standing in the community, setting of a high bond "could only be for the purpose of harassment."

GALLINGHOUSE had asked for a \$25,000 recognizance bond or \$10,000 surety bond on Garrison, Soule, Frey, Marks and Pierce, and \$50,000 recognizance bonds or \$25,000 surety bonds on the others.

Johannessen granted the lower figures.

SOULE JOINED the force in 1946, serving as a motorcycle policeman, and as a narcotics detective. He was promoted to lieutenant in 1964 and to captain in 1968. He is 51 years old.

Meanwhile, two men who identified themselves as Treasury agents were sitting in an auto near the TAC Amusement headquarters, watching the place through binoculars. They would not tell newsmen why they were there.

Garrison had to remain seated through most of the hearing because of the back ailment that has plagued him in recent years. He was wearing a tan sports coat and light tan trousers.

Capt. Soule reportedly had Garrison's backing for police superintendent when Joseph I. Giarrusso resigned shortly after Moon Landrieu became mayor. Landrieu instead named Clarence B. Giarrusso.