

## BRIBERY PROBE 'JUST STARTING'

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By KERMIT TARLETON

More public officials may be charged with accepting bribes as a result of the investigation which led to the arrest of District Attorney Jim Garrison, the United States attorney said here today.

Gerald J. Gallinghouse said the arrest of Garrison and nine others yesterday in connection with bribery for protection of the illegal pinball machine business is "just the beginning of law-enforcement action following a comprehensive investigation into illegal operations of pinball machines."

Gallinghouse said he is not now in position to discuss specifics, names or cite specific individuals or groups.

"BUT I CAN tell you," he said, "that this is not only an investigation into illegal gambling activities, but it may involve crime in related activities, including the possibility of public bribery of other public officials."

The nine others arrested including two highly placed New Orleans police officials, were charged with illegal gambling, use of bribery to obstruct law enforcement, interstate travel or transportation in aid of racketeering, and conspiracy.

A 113-page affidavit filed as the basis of the charges said Garrison, 48; Police Capt. Frederick Soule Sr., 51, and Sgt. Robert N. Frey, 48, chief of the police vice squad, were receiving a total of up to \$2,200 a month in payoffs to protect pinball machine gambling, with the district attorney getting up to \$1,500. Soule is a former vice squad commander.

Others charged are a legislative lobbyist for the pinball machine industry and six executives of New Orleans amusement machine firms.

THE GOVERNMENT contends the relationship between Garrison and the pinball dealers dates back to 1961 when the pinball dealers gave Garrison \$10,000 during his campaign for the district attorney's office.

The affidavit says that since 1962 Pershing Gervais, Garrison's first chief investigator, has acted as the conduit for payoffs from pinball machine dealers to Garrison.

Garrison claims the charges against him are a "complete frameup" resulting from his investigation of President John F. Kennedy's assassination.

In charging he is being "framed" by the federal government, Garrison commented:

"I guess this is better than being shot. I'm ahead of the game."

Garrison said he is not surprised at being arrested.

"I PREDICTED some months ago that I would be charged with some federal offense," Garrison said. "I have pounded away at the warfare complex of this government and have

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not given up . . . this had to happen sooner or later."

In addition to Garrison and the policemen, others charged were John A. Callery, 63, who has been the chief lobbyist for the pinball machine industry in the state legislature, and amusement machine company executives John J. Elms Jr., 29; Lawrence L. Lagarde, 52, H. S. Marks Jr., 57; Robert Nims, 40; J. E. Pierce, 54, and L. M. Boasberg, 60.

All were released on bond after being arraigned before U.S. Magistrate Ingard O. Johannesen. A preliminary hearing was set July 9.

Gallinghouse said arrangements are being made to present the case to a federal grand jury, but he would not indicate when that would take place. Under federal law, a case must be offered to a grand jury when it is above the misdemeanor level.

Garrison, Soule, Frey and Marks were released on \$5,000 personal recognizance bonds. Pierce was freed on a \$25,000 bond and bond for the others was \$10,000.

THE AFFIDAVIT reports several instances of Gervais passing money to Garrison, the last one on Tuesday night of this week.

The government says that at 4:15 p.m. Tuesday Marks gave Gervais an envelope containing \$2,000 in currency, a thousand of which was for delivery to District Attorney Jim Garrison and a thousand of which was for delivery to Captain Frederick A. Soule Sr. of the New Orleans Police Department. The transfer of the money took place in Room 274 of the Fontainebleau Motor Hotel, the affidavit says.

The affidavit says Gervais counted the money in Marks' presence and that when Marks left the room special agents of the IRS intelligence division entered the room and retrieved the money as evidence.

THE GOVERNMENT says IRS agents substituted 50 \$20 bills for part of the money given to Gervais by Marks and recorded serial numbers of those bills.

The affidavit says Gervais entered Garrison's home at 4600 Owens Blvd. at 8:33 p.m. Tuesday and delivered to Garrison an envelope containing the \$1,000. It says Garrison took the envelope from Gervais, unlocked the middle drawer of the desk in his first-floor study, put the envelope into the drawer and re-locked the drawer. It says Gervais left Garrison's home at 8:45 p.m.

Gallinghouse said serial numbers on money confiscated from Garrison's home when he was arrested matched those recorded by IRS agents.

GOV. JOHN J. McKeithen was in New York today conferring with prospective buyers for the domed stadium bond issue and his office said it would be unlikely he would have any comment on Garrison at least until he returns to Louisiana.

Attorney General Jack P. F. Gremillion, who once tried Garrison for defamation of character, said he has no jurisdiction in the matter and does not want to comment on it.

Tape recordings of transactions between Gervais and the defendants are a part of the government's case, Gallinghouse said. Transcripts of these tape recordings are included in the lengthy affidavit.

Maximum punishment on each of the four counts would be five years and a \$20,000 fine.

The affidavit included transcripts of secretly recorded conversations between Garrison and Gervais, in which they discussed a payoff—with Garrison saying he could talk Gov. John J. McKeithen out of any effort to have gambling-type pinball machines ruled illegal.

Gov. McKeithen and Garrison were long-time political allies.

Garrison was quoted as telling Gervais that it took him a long time to "get to know" McKeithen and then adding:

"But, uh, he trusts me now, where he's long since stopped trusting a lot of people around him 'cause I've never let him down. . . ."

Gervais: "uh-huh."

Garrison: "And, uh, if it's down to the governor, I think I can stop it."

Gervais: "Uh-huh."

Garrison: "Just by plain asking. . . ."

GERVAIS WAS cited in the affidavit



as the source of much of the information against Garrison. He was chief investigator for Garrison from 1962 to 1965.

The affidavit says on Feb. 11 of this year Soule told Gervais he had \$75,000 in a safe deposit box but that he could not spend it.

The document says "Soule said that he can't do anything with that \$75,000 except when he gets old, just before he's ready to die, he'll give it to his children and that their problem with that amount of money will be less than his would be. Soule said that if he wanted to spend the money he'd have to say he won it gambling and pay taxes on it and for that reason, 'I have to live modest, I can't spend it.'"

It says Soule told Gervais he (Soule) had had breakfast with Boasberg "the other eay" and was told that TAC Amusement had agreed to take care of payoffs to Garrison and that Boasberg would take care of Soule and Frey. Soule said, according to the affidavit, that the last payment he received was from Boasberg for \$1,000, which was for January and February of this year; that Marks delivered it to him and that he split it evenly with Frey.

**THE DOCUMENT** says Soule told Gervais that he (Soule) was going to tell Boasberg that his and Frey's share was to come through Gervais from then on. It said Soule told Gervais he wanted \$1,000 monthly, \$500 for himself and \$500 for Frey, instead of the \$1,000 every two months they were then getting.

Floyd D. Moore, chief of the intelligence division of the Internal Revenue Service, who signed the affidavit, says in the document that he examined Soule's income tax returns for the years 1965 through 1969 "and I can state that the only sources of reported income are the City of New Orleans, uniform allowances, state of Louisiana, Fair Grounds race track and interest income.

"... I have determined that Frederick R. Soule Sr. has unlawfully, knowingly and willfully omitted income in substantial amounts ... and that the safe depository box rented by Frederick R. Soule Sr. at the Irving Bank and Trust Company, 111 East Irving Boule-

vard, Irving, Texas, contains approximately \$75,000 which constitutes evidence and which is to be used as evidence (of income tax law violations.)"

Garrison declined comment on Gervais. Asked if he intends to step down as district attorney while charges are pending, he replied: "Absolutely not."

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

**POLICE SUPT.** Clarence Giarrusso said he would take no administrative action regarding Sgt. Frey or Capt. Soule, who was attached to Garrison's staff, "until I get the facts."

Garrison's controversial Kennedy assassination probe was climaxed by the acquittal of New Orleans businessman Clay L. Shaw in 1969.

Shaw was cleared by a Criminal District Court jury after a 34-day trial on a charge of conspiring to murder President Kennedy, who was assassinated in Dallas in 1963.

After the trial, Garrison charged Shaw with perjury, accusing him of lying to the jury. Last May, a U.S. district judge stopped further prosecution on the charge. He called it vindictive harassment.

Garrison appealed.

Fast-moving federal agents yesterday confiscated more than 400 of the gambling-type machines in Louisiana and Mississippi.

Each raiding team struck swiftly, moving through taverns and other establishments to tag machines for removal to warehouses for storage.

Search warrants were issued for about 275 locations in New Orleans and Baton Rouge and 85 along the Mississippi Gulf Coast.

Some locations had more than one machine. Agents seized 31 machines from New Orleans Novelty Co., 1055 Dryades. An FBI agent said that probably was the largest number taken from one place.

Yesterday's raid was the third in eight months in the area. In the last previous raid, last November about 3,000 pinball machines were seized.



LOUIS M. BOASBERG



ROBERT NIMS



JOHN J. ELMS JR.