

GARRISON SEIZED ON CHARGES OF ACCEPTING BRIBES

BY NICHOLAS C. CHRISS

Times Staff Writer

NEW ORLEANS—Dist. Atty. Jim Garrison, who became an international figure with his probe of President John F. Kennedy's assassination, was arrested Wednesday by federal agents and charged with taking bribes to protect illegal pinball machines.

Nine other persons, including the present and former police officers in charge of the New Orleans vice squad, also were arrested on charges revolving around one of the most popular pastimes in this port city—playing the pinballs.

The government alleges it has evidence of four payoffs made to Garrison—one as recent as two days ago. Some of the conversations were tape-recorded by Pershing Gervais, the district attorney's former chief investigator, and former policeman who once rocked the city with details of police payoffs several decades ago.

Please Turn to Page 11, Col. 1

Continued from First Page

A 113-page affidavit signed by Floyd D. Moor, chief of the intelligence division of the U.S. Internal Revenue Service in New Orleans, alleges that Garrison has been accepting bribes from pinball operators since 1961 when he ran—and won—as a reform candidate for district attorney.

The affidavit alleges that the last payoff to Garrison was made by Gervais on Tuesday when a middleman representing the New Orleans Novelty Co. delivered \$2,000 to Gervais in a hotel room. The money was substituted with marked bills, and Gervais delivered \$1,000 to Garrison in \$20 and \$50 bills.

Federal agents said they found the marked bills in Garrison's home when they entered with a search warrant.

Profit Skimmed

In the affidavit, Gervais said he has cooperated with the IRS since June, 1969.

According to Gervais' own testimony back in 1967 when he was the middleman between the pinball operators and Garrison he skimmed a little off the top himself.

Gervais said he usually retained about \$700 from each bimonthly \$3,600 payoff. Sometimes he kept as much as \$900, he said, when the payoff went higher. And when they reached a climax of \$4,400 every two months, Gervais said he kept \$1,400 for himself and passed on the balance to Garrison.

The former policeman said in the affidavit that sometimes Garrison grumbled about the low payments that were coming in to him, particularly after federal agents last winter confiscated almost 3,500 pinball machines and business dropped for the operators.

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

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

The backbone of the government's case hinges on the Organized Crime Control Act of 1970 which is aimed at knocking out syndicated gambling. It permits federal authorities to prosecute state and local officials who obstruct application of state laws against gambling.

Garrison was released on a \$5,000 personal recognizance bond and a preliminary hearing was set for him, and the others, for July 9 to determine if there is sufficient cause to turn the case over to a grand jury.

'Never Taken Bribe'

"I have never fixed a case and I have never taken a bribe," he said. Then, repeating his claim that the federal government long has been harassing him, Garrison added: "It's better (his arrest) than being shot, and I knew it would be one or the other. I knew it's been coming for years."

Garrison, 50, arrested one of this city's most widely known citizens, Clay Shaw, on March 1, 1967, and charged him with taking part in an alleged conspiracy to kill President Kennedy. Two years later, on March 1, Shaw was acquitted.

Named in addition to Garrison as defendants were Capt. Frederick A. Soule Sr., 51, former vice squad head assigned to Garrison's office since 1968; Sgt. Robert N. Frey, 39, head of the police vice squad; Louis M. Boasberg, 60, partner in the New Orleans Novelty Co.; John J. Elms Jr., 29, partner in TAC amusement co.; Harby S. Marks Jr., 57, employe of New Orleans Novelty Co.; Robert Nims, 40, primary stockholder in several pinball machine companies here; John

Elmo Pierce, 54, owner of Pierce Amusement Co. and John Aiums Gallery, 63, lobbyist for the pinball machine industry in the Louisiana Legislature.

The affidavit alleged that Soule, former vice squad head, had stashed away \$75,000 in a safety deposit box in an Irving, Tex., bank.