

# Gallinghouse Charge Up to Federal Court

A federal judge will hear arguments tomorrow on whether District Attorney Jim Garrison has the right to arrest two Justice Department officials who brought charges against him for accepting bribes to protect pinball operators.

District Judge Herbert W. Christenberry, who scheduled the hearing for 10 a.m. tomorrow, has issued a temporary restraining order blocking Garrison from arresting U.S. Attorney Gerald J. Gallinghouse and John Wall, who heads the federal task force against crime here.

**THE RESTRAINING** order came shortly after Garrison filed seven charges in the Orleans Parish Criminal District Court against Gallinghouse and Wall yesterday afternoon accusing them of extortion, defamation, malfeasance, compounding a felony, crimi-

nal mischief and public intimidation.

Before a state judge could be found to sign an arrest warrant for the two, Gallinghouse moved to transfer the case to the federal court and obtained the temporary restraining order.

In two other developments in the case:

1. Judge Christenberry ruled that The States-Item and The Times-Picayune have the right to continue publishing the text of the 113-page affidavit, which outlines the bribery charges against Garrison and nine others, including two policemen. The judge said the affidavit, which was attached to

the charge when filed last Wednesday, is a public record.

2. Gallinghouse indicated today that he will call a special grand jury to investigate the case of Garrison and the others arrested last week. "It's reasonable to anticipate that a special grand jury will be empaneled," Gallinghouse said.

The bills of information containing the charges against Gallinghouse and Wall, centered mainly around Pershing Gervais, a former chief investigator for the district attorney and his one-time close personal friend, who is now

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the federal government's chief witness in the case.

Gervais is reported to be out of the country, but may have to appear Friday morning for a preliminary hearing on the bribery charges before U.S. Magistrate Ingard Johannesen.

**GALLINGHOUSE** has branded the Garrison charges "propaganda reminiscent of Hitlerite Germany."

"There is no basis for these reckless charges," Gallinghouse said. "It's just propaganda. It's pathetic that someone who occupied such a position of trust as Mr. Garrison would stoop to such shameful propaganda tactics.

"I'm looking forward to looking Mr. Garrison in the eye in the courtroom — eyeball to eyeball."

Garrison's charges against Gallinghouse and Wall are:

1. **Extortion** in that they communicated threats to Gervais to obtain advantages from him so as to do harm and impute disgrace to the district attorney.
2. **Inciting** a felony by endeavoring to get Gervais to attempt to persuade Garrison to aid and abet alleged violators of the law, including the implanting of false evidence.
3. **Defamation** by maliciously causing to be published false and defamatory matters to deprive Garrison of public confidence and to injure him professionally.
4. **Malfeasance** by performing their duties in an unlawful manner.
5. **Compounding** a felony by promising Gervais not to prosecute him.
6. **Criminal mischief** by internationally giving a false report about the commission of a crime, knowing that the charges were false and fraudulent.
7. **Public intimidation** in using force

and threats against Garrison to influence his conduct in the communication of truths to the people of the United States which have been withheld from them by the federal government.

Garrison claims the government's object is harassment, to inhibit his investigation of the Kennedy assassination.

Garrison, Police Capt. Frederick Soule, an investigator in the district attorney's office; Sgt. Robert Frey, head of the police vice squad, and seven present or former pinball operators are under charges of violating the Organized Crime Control Act through public bribery.

The two policemen have been suspended by Police Supt. Clarence B. Giarrusso pending the outcome of the case.

Garrison has denied the charges and has branded them a "frame-up" by the federal government.

**DURING AN** interview this morning, Gallinghouse said the volume of work entailed in the investigation is too much for the present grand jury to handle. He said newsmen could anticipate the empaneling of a special grand jury in "the very near future."

The present grand jury has been presented some information on the case. Yesterday Frank Klein, a former Garrison assistant, and Steve Bordelon, the DA's chauffeur, were called as witnesses before the grand jury.

Gallinghouse has had little else to say about a grand jury investigation. He did say yesterday that Klein and Bordelon were called as witnesses and are not subjects of investigation.

Two unidentified employees of the Fontainebleau Motor Hotel also were heard by the present grand jury.

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