

HOFFA NL 600

CHICAGO (AP)—JAMES R. HOFFA, JAILED TEAMSTERS UNION PRESIDENT, AND FIVE CODEFENDANTS WERE DENIED A NEW TRIAL TUESDAY AT A FEDERAL HEARING ORDERED BY THE U. S. SUPREME COURT.

~~HOFFA WAS CONVICTED IN 1964 OF MAIL FRAUD AND CONSPIRACY CENTERING AROUND LOANS FUNNELED FROM A MULTIMILLION-DOLLAR TEAMSTERS PENSION FUND.~~

THE HEARING TO DETERMINE THE MERITS OF GRANTING A NEW TRIAL WAS ORDERED IN MAY AFTER THE GOVERNMENT ADMITTED IT HAD OVERHEARD A CONVERSATION BETWEEN A CODEFENDANT, S. GEORGE BURRIS OF NEW YORK, AND A MIAMI BUSINESSMAN, BEN SIGELBAUM.

THE SUPREME COURT ORDERED THE HEARING TO DETERMINE IF THE "BUGGED" CONVERSATION CONTRIBUTED SUBSTANTIALLY TO HOFFA'S CONVICTION.

JUDGE RICHARD B. AUSTIN OF U. S. DISTRICT SAID TUESDAY THAT "IT IS THE OPINION OF THE COURT THAT THE GOVERNMENT LEARNED NOTHING NEW FROM THESE OVERHEARINGS OF DEC. 2, 1963, OR OTHER OVERHEARINGS THAT HAVE BEEN REFERRED TO..."

AUSTIN SAID HE WOULD HAVE HIS FINDINGS OF FACT AND CONCLUSIONS PREPARED SEPT. 11 AND HE WOULD AGAIN IMPOSE SENTENCE ON THE DEFENDANTS AT THAT TIME. HE ORDERED HOFFA BE RETURNED TO THE FEDERAL PENITENTIARY AT LEWISBURG, PA., WHERE HE IS SERVING AN EIGHT-YEAR SENTENCE FOR JURY TAMPERING IN CHATTANOOGA, TENN.

FOR THE FRAUD AND CONSPIRACY CONVICTION, HOFFA WAS SENTENCED TO FIVE-YEAR TERM AND FINED \$10,000.

MAURICE WALSH CHIEF COUNSEL FOR HOFFA'S BATTERY OF LAWYERS, TOLD NEWSMEN AFTER THE RULING THAT HE WOULD APPEAL THE DECISION.

WALSH SAID HE WAS UNCERTAIN WHETHER THE APPEAL WOULD BE MADE DIRECTLY TO THE SUPREME COURT OR TO A LOWER COURT, BUT THAT IT WOULD NOT BE FILED UNTIL AFTER JUDGE AUSTIN'S WRITTEN RULING SEPT. 11.

THE HEARINGS OVER SEVEN DAYS WERE COMPRISED MOSTLY OF TESTIMONY PRESENTED BY SPECIAL PROSECUTOR DONALD PAGE MOORE, WHO INTRODUCED FBI AGENTS, FEDERAL RECORDS AND AFFIDAVITS WHICH HE SAID PROVED THE GOVERNMENT LEARNED NOTHING NEW FROM THE CONVERSATION WHICH WAS EAVESDROPPED.

THE DEFENSE PORTION OF THE HEARING PROVED MORE SPECTACULAR, WITH TESTIMONY ALLEGING BRIBERY BY A FORMER AIDE OF ROBERT F. KENNEDY AND AN ADMISSION BY A PRIVATE INVESTIGATOR OF WIRETAPPING HOFFA'S TELEPHONE.

ZACHARY "RED" STRATE, 47, A NEW ORLEANS BUILDER WHO WAS SENTENCED TO THREE YEARS INPRISON AND FINED \$5,000 WITH HOFFA IN 1964, TESTIFIED FRIDAY THAT WALTER SHERIDAN OFFERED HIM EVIDENCE OF GOVERNMENT WIRETAPPING IN CHATTANOOGA -- IN EXCHANGE FOR STRATE'S HELP IN DISCREDITING JIM GARRISON, NEW ORLEANS DISTRICT ATTORNEY CONDUCTING THE PROBE INTO THE KENNEDY ASSASSINATION.

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EB65(CQ)

SHERIDAN, NOW AN INVESTIGATIVE REPORTER FOR THE NATIONAL BROADCASTING CO., WAS KENNEDY'S AIDE IN THE JUSTICE DEPARTMENT.

STRATE TESTIFIED THAT THE MEETING WAS ARRANGED BY A NEW ORLEANS JUDGE WHO ALSO ATTEMPTED TO OBTAIN FROM A LOUISIANA TEAMSTERS OFFICIAL AN AFFIDAVIT ALLEGING WIRETAPPING AT CHATTANOOGA.

THE NEW ORLEANS JURIST, JUDGE MALCOLM O'HARA, ADMITTED UNDER CROSS-EXAMINATION THAT HE MADE SEVERAL EXPENSE-PAID TRIPS WITH STRATE TO TEAMSTERS HEADQUARTERS IN WASHINGTON.

HE CORROBORATED STRATE'S TESTIMONY THAT SHERIDAN TOLD STRATE, "WHY DON'T YOU LET ME HELP YOU IN CHICAGO?"

STRATE SAID THAT O'HARA WENT TO BATON ROUGE IN FEBRUARY TO TRY TO OBTAIN AN "AFFIDAVIT OF CONFESSED WIRETAPPING" FROM EDWARD GRADY PARTIN, KEY WITNESS AGAINST HOFFA IN THE JURY TAMPERING TRIAL.

ON THE WITNESS STAND, O'HARA, A FORMER ORLEANS PARISH ASSISTANT DISTRICT ATTORNEY WHO CAMPAIGNED UNSUCCESSFULLY AGAINST GARRISON, EXPLAINED HE MADE THE TRIP "AS A MESSENGER."

HE DID NOT SAY WHO WAS THE RECIPIENT OF HIS MESSGER SERVICES.

THE DEFENSE HAD SUBPOENAED SHERIDAN, BUT DID NOT CALL HIM AS A WITNESS. WALSH EXPLAINED, "IT WAS UP TO THE GOVERNMENT TO PUT HIM ON. THE GOVERNMENT DID NOTHING TO DISPROVE THE TESTIMONY OF STRATE OR JUDGE O'HARA OF THE OFFER OF HELP IN CHICAGO TIN EXCHANGE FOR HELP IN NEW ORLEANS."

EARLIER TUESDAY, HAROLD JENKINS, A MIAMI PRIVATE INVESTIGATOR, TESTIFIED HE PLANTED AN ELECTRONIC EAVESDROPPING DEVICE ON HOFFA'S TELEPHONE IN A HOTEL IN 1961.

JENKINS SAID A MAN WHO CALLED HIMSELF "FETTERMAN" AND IDENTIFIED HIMSELF AS AN INTERNAL REVENUE SERVICE AGENT PAID HIM \$45 A DAY FOR 10 DAYS TO BUG HOFFA'S TELEPHONE.

HE SAID HE TAPED APPROXIMATELY 1 1/2 HOURS CONVERSATION EACH DAY AND GAVE THE RECORDINGS TO FETTERMAN EACH EVENING.

IN ADDITION TO BURRIS, STRATE AND HOFFA, THE OTHER DEFENDANTS WERE GAL KOVENS OF MIAMI, ABE WEINBLATT OF NEW YORK AND BENJAMIN DRANOW, WHO WAS ORDERED RETURNED TO THE PSYCHIATRIC HOSPITAL AT THE FEDERAL PRISON IN SPRINGFIELD, MO.

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