

Grand Jury Here Calls Hoffa, But Testimony Remains Secret

By ARNOLD H. LUBASCH

James R. Hoffa testified before a special grand jury for more than two and a half hours yesterday in the closely guarded United States Court House at Foley Square.

The 58-year-old president of the International Brotherhood of Teamsters was questioned during the closed session about a number of matters, including charges that his union's pension funds had been used to make illegal loans.

Hoffa left in the custody of United States marshals who were assigned to take him back to the Federal prison at Lewisburg, Pa., where he is serving 13 years for mail fraud and jury tampering.

"I have no comment to make at all, gentlemen," Hoffa told newsmen after the grand jury session.

No Immunity Granted

The teamster leader, who appeared to have lost weight during the four years he has already been in prison, spent Monday night in the Federal House of Detention at 427 West Street after he was brought here from Lewisburg for questioning.

Hoffa was not granted immunity from prosecution regarding his testimony, and it was now known if he refused to answer any questions by invoking the Fifth Amendment against possible self-incrimination.

Several reputed Mafia members have been among the defendants indicted in the past on charges of conspiring to pay kickbacks to Teamster pension-fund officials to obtain mortgage loans.

Davis Wenger, a Long Island accountant and former auditor of the pension fund, was convicted last year on a charge that he conspired to arrange kickbacks on a mortgage loan of \$1-million in 1964.

Herbert Itkin, a key Government informer, testified at the conspiracy trial that Wenger

had admitted splitting kickbacks with Hoffa and that the Teamster president had complained he was not getting as big a cut as he had been promised.

Proceedings Confidential

Federal prosecutors refused to discuss Hoffa's testimony before the grand jury yesterday on the ground that the proceedings of a grand jury were always completely confidential.

Harold Baer Jr. and Richard Ben-Veniste, two assistant United States attorneys, conducted the interrogation of Hoffa in front of the grand jury in a sixth-floor room of the courthouse.

Hoffa emerged from the grand jury room periodically to confer in an anteroom with his lawyers, Morris A. Shenker of St. Louis and James P. Hoffa, the union leader's son, who is a lawyer in Detroit.

Both lawyers declined to discuss the case with newsmen, saying: "We are just not permitted to talk about it."

United States Attorney Whitney North Seymour Jr. sought to prevent newsmen from seeing Hoffa and uniformed security guards barred access to the corridor in front of the grand jury room.

After testifying before the grand jury, which was empanelled last September for 18 months, Hoffa was whisked down a side elevator to a detention area on the ground floor, where he conferred with his lawyers for an hour and a half.

The Teamster chief, who wore a dark suit and tie, spoke briefly but amiably to newsmen as marshals escorted him toward the yellow-painted metal gate of the detention area.

Asked if he would return for further questioning, he said, "Not to my knowledge."

Hoffa was handcuffed when the marshals took him to a sedan that left from a rear ramp of the courthouse at 3 P.M.

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ON THE WAY TO COURT: James R. Hoffa, teamsters union head, being taken in custody of U. S. marshals to special Federal grand jury session here yesterday.