

ORLEANS PARISH GRAND JURY

SPECIAL INVESTIGATION

AUGUST 9, 1967

Zachary A. Strate, Jr.

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PRESENT: MESSRS. CHARLES WARD, ALVIN OSER,
ANDREW SCIAMBRA AND NUMA BERTEL,
ASSISTANT DISTRICT ATTORNEYS

MEMBERS OF THE ORLEANS PARISH GRAND JURY

ZACHARY A. STRATE, JR. ("RED" STRATE)

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Reported by:
Maureen B. Thiel,
Secretary
Orleans Parish Grand Jury

ZACHARY A. STRATE, JR. ("RED" STRATE), after being duly sworn
by the Foreman of the
Orleans Parish Grand
Jury, testified as follows:

MR. CHARLES WARD:

Q. Please state your full name?

A. Zachary A. Strate, Jr.

Q. Mr. Strate, where are you now living?

A. 4040 Tulane Avenue, the Fontainebleau Hotel, Apt. 3C

Q. What is your business occupation?

A. Nothing. I am not in business at this time.

Q. How long have you been residing at the Fontainebleau Hotel?

A. This period of time approximately 2-1/2 years. I have
lived there before and moved back there 2-1/2 years ago.

Q. Were you living there June 5, 1967?

A. Yes.

Q. While you have been at the Fontainebleau Hotel have you
met Pershing Gervais?

A. Yes.

Q. Do you know Malcolm O'Hara?

A. Yes.

Q. Do you know Edward Baldwin?

A. Yes. I met him one time.

Q. How long have you known Judge O'Hara?

A. Really I don't remember how long I have known him, but
I have been very friendly with him during the last year.

Q. Did you know him on June 5, 1967?

A. Yes.

Q. Did you have occasion to meet Malcolm O'Hara, Edward Baldwin and someone who has been identified as Walter Sheridan in June of 1967?

A. Yes.

Q. Where was this?

A. Bourbon-Orleans Hotel in the French Quarter in their cocktail lounge.

Q. Approximately what time?

A. Around 5:00 o'clock.

Q. Did you have occasion to meet Walter Sheridan at that time?

kA. Yes, he was there.

Q. Did you know Mr. Sheridan prior to this meeting with him on June 12, 1967?

A. I did not know him personally, I knew of him, knew what he looked like, and I had knowledge that he had probably investigated me prior to that time.

Q. Do you know for whom he was working at this time when he investigated you?

A. Yes, the Department of Justice.

Q. And what was his status of employment at that time?

A. He was a special investigator representing the Attorney General of the United States at that time.

Q. Who was the Attorney General at that time?

A. Robert Kennedy.

Q. As a result of this investigation presented by the Attorney General's office, were you indicted in Chicago for a crime of mail fraud, conspiracy to commit mail fraud?

A. Yes, I was.

Q. Were you convicted of that crime?

A. Yes, I was convicted of it and it's still on appeal.

Q. Was it appealed to the U. S. Supreme Court?

A. Yes.

Q. Was the appeal remanded to the District Court for hearing to determine if evidence was illegally obtained by wire tapping?

A. Yes.

Q. During the investigation of that case was Mr. Walter Sheridan chief investigator for the Attorney General, Robert Kennedy?

A. Yes he was.

Q. Was he primarily concerned with the investigation?

A. Yes, this was his specific job.

Q. Largely through his efforts and direction evidence was obtained by which indictment was rendered by the Grand Jury in Chicago?

A. I think so.

Q. On June 12, 1967 when you met Walter Sheridan at the Bourbon-Orleans, will you amplify and give the details and circumstances surrounding that meeting with the facts and telling us who you went to the Bourbon-Orleans with?

A. I don't understand the question?

Q. Did you go ^{to} the Bourbon-Orleans on June 12, 1967?

A. Yes, I did.

Q. Who did you go there with?

A. I went there with Judge Malcolm O'Hara.

Q. Approximately what time did you get there?

A. We got there - we were supposed to arrive around 5:00 o'clock - we got there a little early and we went in and there was nobody there so we decided we wouldn't sit in the lounge and we took a walk around the French Quarter and we came back after a short period of time we went back into the lounge and I noticed Walter Sheridan sitting at the bar. So Malcolm and I took a seat at one

of the tables and we were sitting there, a little while later Ed Baldwin came in. I did not really know Ed Baldwin, I don't think I had ever seen him. Anyway he walked up and he shook hands with Malcolm and shook hands with me and said hello Red, like he knew me all my life. He went up to the bar and got Walter Sheridan and they came and sat at the table. The four of us were now sitting at the table and we ordered something to drink.

Q. When the four of you were sitting at the table what was the nature of the conversation?

A. Well, when the four of us were originally present it was just small talk, nothing that I remember, it was of no consequence to my mind.

Q. Did you ever have occasion to be alone with Walter Sheridan?

A. For a short period of time Malcolm and Ed went to sit at the bar some 20 or 25 feet from us, then there were just the two of us at the table, Walter Sheridan and me.

Q. Did you overhear anything that Malcolm O'Hara and Ed Baldwin said when they went to the bar?

A. No. I don't know if I could heard and I wasn't paying any attention.

Q. Were they in hearing distance of you?

A. I speak awfully loud sometimes, but I don't really know.

Q. Tell us the nature of your conversation with Walter Sheridan at the Bourbon-Orleans?

A. Well, right after they went away he got friendly and acted confidential and started talking very informally and he said to me, "I am here in New Orleans representing Robert Kennedy and I have been sent down here to stop the probe, no matter what it took."

Q. Prior to that conversation did he discuss his prior knowledge of you?

A. He said I guess you know who I am, and I said sure I know who you are. Now I don't remember if he said this when the four of us were there, but he did mention this before we got down to talking together. And whether it was the four of us or just he and I, but he did say it, because when he walked up he said 'hello', and at that time he might have said do you know who I am, you know.

Q. Did you know who he was?

A. Of course, I recognized him as soon as I walked in. While I was on trial in Chicago he was around the Courthouse on many occasions.

Q. Tell us the nature of your conversation with Mr. Sheridan?

A. Well, he informed me that he was down here to stop the Garrison probe, no matter what it took, and I asked him "how do you intend to do this?" He said, "with your help". I said, "How do you expect me to help you?" and he said, "well, you can get Pershing Gervais to help". I said, "what do you want him to do?" He said he couldn't get Perry Russo to change his story because Garrison wouldn't do him anything if he attempted to do this.

Q. Why wouldn't Garrison do him anything?

A. Because he thought that Pershing and Garrison were very friendly and he just believed that Gervais could get by with it. This is what he implied to me. What was on his mind, I am not sure, I just know what he told me. Then he said "what do you think it will take?" I said, "you mean money?" and he shook his head to me.

Q. How? Negative or affirmative?

A. Well, no, as if to say yes. I said "well, Walter, I don't need any money". He said "what will it take you to help me?" I said, "well I would help you if you could get me evidence of the wiretapping that you all used in Hoffa's Chattanooga conviction." He said, "Kennedy would not let me do that, but I will get sufficient evidence for you to

get a new trial in Chicago". I said, "I don't need that. The Solicitor General has already admitted to the Supreme Court that you used wiretapping in our conviction" and he said that won't be enough, he said, "I'll get you what you need". I said "the only way I am willing to help you is if you get me the wiretapping evidence that Hoffa would need to get a new trial in Chattanooga". From then on we must have talked for another hour and we talked about a lot of various things at that time, some of them pertinent, some of them, you know, small talk, some of them - where he was trying to get me to help him, where he would trade with me, and of course I was trading back with him. I told him if he got me what I wanted I would help him. And he said "why don't you let me help you in Chicago?" And I said, "Walter, I don't think I need it", so we really didn't get anywhere. We talked about a lot of things at the time, about I should want to help, that we should not let this man Garrison do what he was doing, there should be many reasons why I should help him get this job done, that if I couldn't help him stop the probe maybe I could get him something that would make Garrison resign. I was trading

hard, I only wanted this one thing alone. So finally he told he, he said, "well if you can't get Gervais to help me I got somebody in his office who will help me and you will be reading about it soon. I had no idea what he meant, it seemed to me that he was trying to get me to commit myself at that time. So finally, after a little while, I called Malcolm back, and he and Ed walked back to the table.

Edward

Q. Did he ever talk to you about/Partin?

A. No, he did not mention him at all.

about you

Q. Was there any conversation of him/contacting Partin with any veiled threats?

A. No, the only thing that I heard him mention about Partin was through Malcolm. You see, a week or so prior to this, around June 5th Malcolm came to me and said that he had had lunch with Ed Baldwin and Baldwin had come to his chambers that morning and Baldwin told him that Walter Sheridan was in town and had been around town four or five months and that he mentioned to Malcolm that Sheridan knew that Malcolm O'Hara had contacted a Government witness in the Hoffa case in Chattanooga, and he mentioned that he knew that he had talked to Ed Baldwin, I mean Ed Partin, and he was surprised that a Judge would go and talk to this guy. That was the only thing I heard about Partin from

Sheridan. To me personally I don't think he mentioned it at all.

Q. Did you know Pershing Gervais was chief investigator under Garrison for about 3 years?

A. Yes, I knew that.

Q. Do you know Pershing Gervais well?

A. Very well.

Q. What did Sheridan want you to do with Gervais? Did he just want to meet Gervais?

A. Oh, no, no. He wanted me to get Pershing to contact Russo and he was willing to do something for me, principally help me get additional evidence for my Chicago hearing, evidently I have it anyway so he would give me a little more if I would get Gervais to do this.

Q. What did he want Gervais to do, what did he want to get you to get Gervais to do?

A. To get Russo to change his story. He thought that Pershing was the guy to do it. He had read a lot of things about Pershing and he told me that he had talked to Pershing at the Fontainebleau Hotel when there were about 40 reporters around, that Gervais didn't know who he was, he was just

one amongst many, and he had talked to him when they were all down when the case originally broke, he told me he met him at that time.

Q. Did you ever talk to Pershing about doing that?

A. Oh sure, right after I left them I went and told Pershing the whole story.

Q. Did you ask him to do it?

A. No, I just told him the story.

Q. Did Pershing agree to do it?

A. No, he didn't. When I went to see Gervais he said we'd better go see Garrison right away and tell him about it. But I was going out of town the next morning so we waited until the following day to tell him about it.

Q. Knowing that Sheridan was instrumental in your indictment were you surprised that he talked to you?

A. This is the way he has been operating, this is the way he got two witnesses in New Orleans to testify against me in Chicago by intimidation and holding things over their head. This is his operation, I knew it very well.

Q. Please answer the questions of the Grand Jurors.

JUROR:

Q. I am concerned about your association with O'Hara before this conversation. I assume O'Hara called you and invited you to the meeting at the Bourbon-Orleans Hotel?

A. This is what happened. He told me that story the same day that Baldwin and he had had lunch together and told me about the white paper report that they were going to do, he told me that Baldwin said that Sheridan was looking for something that would be detrimental to Garrison and told me that Baldwin had mentioned to him about O'Hara was going to pick the next Grand Jury and at that time I said "look, Malcolm, it seems to me that is a lot of bunk" and we did not discuss it anymore. About four or five days later Malcolm came to me and said, "Red, I called Baldwin on the phone and I told him that I wanted to meet with Sheridan and I was going to bring a friend along. Are you willing to go?" And I said "sure". And sometime after that he told me we had an appointment to meet with him on June 12 at the Bourbon-Orleans at 5:00 o'clock.

Q Why do you suppose he was interested in having you meet with Sheridan particularly? Instead of me?

A. I don't understand.

Q. Why was he interested in having you meet Mr. Sheridan?

A. Well, I imagine in my mind that they thought that I could be helpful.

Q. O'Hara thought you could be helpful to Sheridan?

A. Probably. You see once I got to meeting with Sheridan the man Sheridan was interested in was Gervais, and they just think that he and I are very, very close friends.

Q. Was O'Hara interested in you making contact with Sheridan?

A. They didn't particularly

Q. Did they discuss this area with you at all before the meeting?

A. I don't remember that he did. But I would say this: that Baldwin told him that Sheridan was surprised that he was friendly with Gervais and I.

Q. BY MR. WARD:

Who are you talking about?

A. That Sheridan was surprised that O'Hara was friendly with Persing^h Gervais and myself.

JUROR:

Why would you, Judge O'Hara, Baldwin, or anybody - what prompted anyone to bring this to the attention of the D.A. or Grand Jury?

A. This particular incident?

Q. Yes.

A. After I went to Pershing, that day of the meeting, June 12, I went back to the Fontainebleau Hotel, where I live, and

I told him the story. He told me at that time that he thought that this was a bribery attempt and he thought I should tell Garrison about it. I said, "Pershing, I am going to Dallas tomorrow morning, soon as I come back I will go and see him and tell him about it. And we went to see him, Pershing and I together, and told him the complete story.

Q. That is what brought it about, bringing it to Garrison, that Pershing thought it was a bribery attempt?

A. Right. And that I should go tell right away. And I did. I didn't go that hour or the next day. I went the following day.

Q. You said that Bobby Kennedy wanted to stop it.

A. He specifically said it. Look, I have the feeling, for some reason, from my conversation with Walter Sheridan, that Kennedy wants this probe stopped, and he repeated it many times to me, that he was here specifically as a representative of Robert Kennedy to get the probe stopped and he was willing to trade with me on some basis to help him and one of his ideas was that Gervais could get to the witness because he was a professional at it. And he didn't have a nice reputation, he was the son-of-a-gun who could do it. Because we talked about it and this is

the way it was.

Q. Do you know whether this took place before Gurvich went to Washington to see Kennedy?

A. I wouldn't know - I had no idea - you know, I really wasn't interested.

Q. Do you think he had reference to Gurvich later on?

A. I thought so later on, I didn't know what the hell he was talking about - somebody in the office - sure, later on, I absolutely... sure, right a few days later

Q. You had no knowledge of any contact between Sheridan and Gurvich?

A. Oh no.

Q. When O'Hara and Baldwin left you and Sheridan at the table did they make any comments or did they just walk away?

A. It seemed to me one or the other said "let's leave these two guys alone".

Q. Do you think this was a pre-arranged thing?

A. Oh, sure. Did I think it was pre-arranged?

Q. Before you got into this thing, do you have any knowledge of who talked to who in arranging this meeting? Do you have any knowledge of the setting up of this arrangement?

- A. This is the knowledge I had - I had absolutely this knowledge. Further than Malcolm coming and - he said I just got through having lunch with Ed Baldwin, and then he tells me the story. Well, look, this is the way
- Q. As far as you are concerned it began with Malcolm O'Hara?
- A. At that instant. You know, June 5, the week before or the next day, Tuesday, it was the week prior to the meeting when this transpired and we had this conversation
- Q. Did you leave the Hotel with Malcolm O'Hara? At any time, did you enter the Hotel and then leave it?
- A. I don't know what you mean.
- Q. The day of the meeting? Did you go into the cocktail lounge?
- A. At the Fountainebleau?
- Q. No, at the Bourbon-Orleans?
- A. This is what we did on the day of the meeting. We went downtown in a taxi to the Bourbon-Orleans. We got in there some few minutes prior to 5:00 o'clock, anyway there was no one in the lounge, it was completely empty. So we sat down and we said, hell, we are not going to sit here, so we got up and walked out and walked around the French Quarters say like around the block, and we went back in and when we

got back in there was Walter Sheridan sitting at the bar, I recognized him. We sat down.

Q. What did you talk about when you walked around the block?

A. I don't know - I didn't know what was going on and I don't know if he knew. Now, I really don't know if he knew. We are friends.

Q. Well, then only a certain portion of it was pre-arranged?

A. The meeting was certainly pre-arranged.

Q. The getting up from the table and walking over to the bar?

A. I had a feeling that they had decided this ahead of time.
I would say that there/^{was}not a minute and bomb, they were up. Yes, I think that was pre-arranged, absolutely. He wanted to talk to me alone.

Q. Malcolm never did say to you, Mr. Strate, the reason for this meeting - basically the way I look at this thing - this guy had something to buy and you had something he could buy if you would sell/it -

A. That's right.

Q. And none of the principals in this thing had any love for Garrison anyhow - this is a fact - that's not conjecture - so if you killed two birds with one stone and you could come out on top. I would imagine Malcolm was trying to help you help yourself by setting up a deal where you might be able

A. Oh, I'd say that. Look, everybody, he certainly knew at that time, that my case had already been remanded to the District Court in which I was convicted for a hearing on the gathering of evidence by wiretapping. I had been talking about this every day and certainly he knew that I was interested in anything connected with Walter Sheridan.

Q. In other words, his interest would be primarily to help you help yourself?

A. I would think so. I know he would like to help me. Because he was trying to help me with Partin. This is why I know - we went to Baton Rouge, he and I, and we met a man in Baton Rouge and we went to see Partin. He and the other man talked to Partin and they talked to him about wiretapping. He went as a friend.

Q. Did you know Partin before this?

A. I never met him.

Q. You did not meet him through Hoffa?

A. I never did meet him, up until today I never did meet him.

Q. I wonder at the report that Sheridan, with Partin, put the hat on Hoffa?

A. Oh, there is no report. Partin was in jail in Baton Rouge and he took him out of jail and he was the principal witness in his conviction in Chattanooga. Partin was the

one who convicted him and Partin and Sheridan are friends.

Q. You never did meet Partin in New Orleans?

A. No, never did meet him in New Orleans. The only contact I had with him was I talked to him on the phone twice. And it was after this meeting. After the meeting which O'Hara met with him in Baton Rouge. They went down to talk to Partin sometime during the Fair Ground season - they had a big race that day - and we went and didn't get back in time, so it was maybe early March, when we drove up to Baton Rouge. On a Saturday. To meet with him - he wouldn't meet with me - you know after Malcolm got in there with the man from Baton Rouge that knew him - Malcolm asked him, told him that I was in the other room and would he meet with me and he refused.

Q. Was there any indication of any money being offered for this, and for what amount?

A. I remembered very clearly he said to me, how much would it take? I said do you mean money? and he nodded his head to say yes. That is when I said I am not interested in money. I am not going to get anybody to do anything for money. You got what I want, give it to me and what I wanted was the wiretap evidence of the Chattanooga case.

Q. Was there any reference to giving money to Gurvich?

A. He felt that if he bought me I would buy what he wanted. This was his approach to it.

Q. That was logical.

A. I would have given him money if I had gotten the worth out of him, absolutely!

FOREMAN:

Any other questions, gentlemen?

Thank you, Red.

C E R T I F I C A T E

I certify that the preceding transcript is a true
and correct copy of the testimony given, under oath,
before the Orleans Parish Grand Jury, on the 9th day
of August, 1967, and reduced to typewriting by me.

Maureen B. Shief

