

Mr. LIEBELER. I want to thank you very much for spending the time that you have with us and for cooperating with us the way you have. You have been very helpful. On behalf of the Commission, I want to thank you very much.

TESTIMONY OF FRANCIS L. MARTELLO

The testimony of Francis L. Martello was taken on April 7-8, 1964, at the Old Civil Courts Building, Royal and Conti Streets, New Orleans, La., by Mr. Wesley J. Liebeler, assistant counsel of the President's Commission.

Francis L. Martello, having been first duly sworn, was examined and testified as follows:

Mr. LIEBELER. My name is Wesley J. Liebeler. I am a member of the legal staff of the President's Commission investigating the assassination of President Kennedy. Staff members have been authorized to take the testimony of witnesses by the Commission pursuant to authority granted to the Commission by Executive Order No. 11130, dated November 29, 1963 and joint resolution of Congress No. 137.

I understand that Mr. Rankin wrote to you last week advising you that we would be in touch with you concerning the taking of your testimony, and that enclosed with the letter were copies of Executive Order No. 11130, and joint resolution of Congress No. 137, as well as a copy of the rules of procedure adopted by the Commission governing the taking of testimony of witnesses. Is that correct?

Mr. MARTELLO. That is correct.

Mr. LIEBELER. The general area of our inquiry of you, Lieutenant Martello, relates to the information received by the Commission that you interviewed Lee Harvey Oswald some time in August of 1963 after he had been arrested by the New Orleans Police Department as a result of his activities in connection with the Fair Play for Cuba Committee. Before I get into the details of that testimony, however, would you please state your full name for the record?

Mr. MARTELLO. Francis L. Martello, lieutenant, New Orleans Police Department.

Mr. LIEBELER. What is your residence, sir?

Mr. MARTELLO. 7921 Maple Street, New Orleans, La.

Mr. LIEBELER. How long have you been with the New Orleans Police Department?

Mr. MARTELLO. Fifteen years and nine months.

Mr. LIEBELER. Where were you born?

Mr. MARTELLO. In New Orleans.

Mr. LIEBELER. And you have resided in New Orleans basically all of your life? Is that right?

Mr. MARTELLO. Yes.

Mr. LIEBELER. What assignments have you had with the New Orleans Police Department generally over the period that you have been—

Mr. MARTELLO. For 6 years I was assigned to patrol, precincts, and districts. For the next 6 years I was assigned as an instructor at the New Orleans Police Academy. For the following 2 years I was the deputy commander of the Intelligence Division of the New Orleans Police Department, and since that time I have been a platoon commander in the First District Police Station.

Mr. LIEBELER. Did there come a time in August of 1963 when you heard or heard of or became acquainted with Lee Harvey Oswald?

Mr. MARTELLO. That is correct, sir. He was arrested on Canal Street on a Friday, the Friday prior to my interview, and upon coming to work on Saturday morning, as a routine matter I checked the arrest records, noted the charge, observed some placards marked as evidence, saw that they were signed by the Fair Play for Cuba [Committee], and decided to interview the person who I later found out was Lee Harvey Oswald, the subject who was arrested.

Mr. LIEBELER. Did you subsequently interview Oswald?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. Was this a part of an official investigation conducted by the New Orleans Police Department?

Mr. MARTELLO. Yes, sir; it was. It was to ascertain primarily that all parties, all of us law enforcement agencies, that would be interested would be notified; also to ascertain if the various agencies within our department were notified, and also to obtain any information that would be of value to the Department concerning any future demonstrations that this person or persons affiliated with him may perform in the city, so that we would be prepared for such eventualities.

Mr. LIEBELER. At the time you interviewed Oswald, were you acting as platoon commander of the first district?

Mr. MARTELLO. At that time I was the deputy commander of the first district, which was a position whereby I was to assist the captain in all phases of police work involving the first district area.

Mr. LIEBELER. And the first district of the New Orleans Police Department was the district in which this difficulty in which Oswald was involved occurred? Is that correct?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. Do you have various headquarters of the New Orleans Police Department broken down by district?

Mr. MARTELLO. Yes.

Mr. LIEBELER. And you have a station house for the first district and for other districts?

Mr. MARTELLO. Yes.

Mr. LIEBELER. Was Oswald confined in the stationhouse for the first district at that time?

Mr. MARTELLO. That is correct, sir. He was confined in the first district, which is located at 501 North Rampart Street.

Mr. LIEBELER. Did you make any notes of your interview with Oswald at the time you interviewed him?

Mr. MARTELLO. Yes, sir; I did. I made a personal history background investigation, which is a common practice and when dealing with any person affiliated with any organization that demonstrates in the city, and also to attempt to ascertain their ideologies and find out in what area they would most likely demonstrate, on what side of the fence, so to speak, as we call it, and see whether or not they were potential agitators or troublemakers. This would assist the department in planning for future demonstrations by these persons if they so demonstrated.

Mr. LIEBELER. Now after you interviewed Oswald and made these notes, it is my understanding that while you did not prepare a memorandum on your interview at that time, you subsequently, that is, after the assassination, on the basis of the notes you did make at the time you interviewed Oswald, you prepared a memorandum setting forth the results of your interview with Oswald. Is that correct?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. Can you tell us approximately when you did interview him?

Mr. MARTELLO. [referring to notes]. I interviewed Oswald at 10 a.m. on Saturday, August 10, 1963.

Mr. LIEBELER. That would have been the day following his arrest? Is that correct?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. August 9 would have been a Friday? Is that correct?

Mr. MARTELLO. Yes; that is correct. The day of his arrest was on Friday, August 9, 1963.

Mr. LIEBELER. I also understand that you provided a copy of the memorandum that you did prepare to the FBI? Is that correct?

Mr. MARTELLO. Originally—wait—originally I was contacted by the U.S. Secret Service on the morning after the assassination of the President at approximately 3 o'clock in the morning, and I was interviewed concerning what information I had developed at the time of the interview.

Mr. LIEBELER. Do you remember which agent of the Secret Service did talk to you?

Mr. MARTELLO. Yes; I remember something like Querie. No; I believe it was Mr. Vial, V-i-a-l, who originally spoke to me, and since that time there were numerous phone calls to my home and at work with various members of the U.S. Secret Service who spoke to me concerning the interview that I had with Harvey Oswald.

Mr. LIEBELER. Did you also turn over to the Secret Service or to the FBI the pamphlets and other materials that had been found in Oswald's possession at the time of his arrest?

Mr. MARTELLO. That is correct, sir. I turned that information over to the Secret Service.

Mr. LIEBELER. Then you subsequently prepared the memorandum to which we have already referred, and you provided a copy of that memorandum to the Secret Service or to the FBI? Is that correct?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. [Exhibiting document to witness.] I want to show you a copy of your memorandum, and I will ask you if you yourself have a copy of your memorandum with you.

Mr. MARTELLO. No, sir.

Mr. LIEBELER. I show you a copy of your memorandum and ask you to examine it and tell me whether or not that is a copy of your memorandum. I show you a copy in the form of a report of the Federal Bureau of Investigation, and I call your attention to the fact that it is the report of Special Agent John L. Quigley, which indicates that on November 29, 1963, Agent Quigley did interview you, and he set forth in the memorandum, starting at the bottom of page 1, what purports to be the text of the memorandum which you prepared concerning your interview of Oswald. Would you examine that portion of your report and tell me whether or not that is or appears to you to be a correct copy of the memorandum that you prepared?

Mr. MARTELLO. Yes; it is.

Mr. LIEBELER. At this point we will physically incorporate into the record the memorandum of Lieutenant Martello, the report to which Lieutenant Martello and I have been referring. I provide the reporter with a copy for that purpose.

(The report referred to by counsel is here made part of the record:)

"About 10 a.m. on Saturday, August 10, 1963, I observed a placard and handbills which had been placed into evidence against an accused person. This placard contained information concerning the Fair Play for Cuba Committee. I determined that a subject by the name of LEE HARVEY OSWALD was arrested on Friday, August 9, 1963 when he was passing out handbills on Canal Street and was carrying this placard about his person.

"Prior to being assigned to the First District, I had worked with the Intelligence Unit for two years and since I was generally familiar with various groups and organizations that demonstrate or picket in the city, I decided I would question this individual to see if I could develop any information which would be of value and to ascertain if all interested parties had been notified.

"I requested the doorman to bring LEE HARVEY OSWALD into the interview room. I then took the material which was to be used as evidence into this room. At the same time I reviewed the arrest record on OSWALD and determined that while he was distributing Fair Play for Cuba literature on the street he became involved in a disturbance with CELSO MACARIO HERNADEZ, CARLOS JOSE BRINGUIER and MIGUEL MARIANO CRUZ.

"When OSWALD was brought into the office, I introduced myself to him as Lieutenant FRANCIS L. MARTELLO and I was in uniform at the time.

"I asked OSWALD if he had any identification papers. At this time OSWALD produced his wallet. Upon my request, he removed the papers and I examined them. He had in his wallet a number of miscellaneous papers, cards and identification items. The only ones that I felt were of any significance were the following, which I made note of:

"1. Social Security Card bearing #433-54-3937 in the name of LEE HARVEY OSWALD.

"2. Selective Service draft card in the name of LEE HARVEY OSWALD bearing #41-114-395-32, classification—4A. (I do not know what draft board was registered with.)

"3. Card bearing name LEE HARVEY OSWALD reflecting he was a member of the Fair Play for Cuba Committee; address listed as 799 Broadway, New York 3, New York; telephone #ORegon 4-8295, headquarters for Fair Play for Cuba Committee. Card was signed by V. T. LEE, Executive Secretary; card issued 5/28/63.

"4. Card for the New Orleans Chapter of the Fair Play for Cuba Committee in name of LEE HARVEY OSWALD signed by A. J. HIDEELL, Chapter President, issued June 6, 1963.

"The notes of my interview reflect that OSWALD gave his date of birth as October 18, 1938 at New Orleans, Louisiana; that he served three years in the U.S. Marine Corps and stated he was honorably discharged on July 17, 1959 from Santa Ana, California. His wife's name was MARINO PROSSA, a white female, age 21. OSWALD stated he had one daughter, JUNE LEE OSWALD, white female, 17 months of age, and he had been residing at 4907 Magazine Street with his wife and daughter for the past four months. OSWALD said that since 1959 he resided at 4709 Mercedes Street in Fort Worth, Texas and had also lived in Arlington, Texas. OSWALD said his mother's name was MARGARET OSWALD, his father, ROBERT LEE OSWALD, being deceased. He told me he had two brothers, ROBERT OSWALD, living in Fort Worth, Texas, and JOHN OSWALD, Arlington, Texas. He also stated he lived somewhere on Exchange Place in New Orleans but could not remember the address, and that he had attended Beauregard Junior High School and Warren Easton High School, both in New Orleans, and that he attended Riegeala West Elementary School in Fort Worth, Texas. OSWALD told me he had moved to New Orleans from Fort Worth about four months ago.

"When questioned about the Fair Play for Cuba Committee, OSWALD stated that he had been a member for three months. I asked how he had become affiliated with the Fair Play for Cuba Committee and he stated he became interested in that Committee in Los Angeles, California in 1958 while in the U.S. Marine Corps. The facts as to just how he first became interested in the Fair Play for Cuba Committee while in the Marine Corps are vague, however I recall that he said he had obtained some Fair Play for Cuba Committee literature and had gotten into some difficulty in the Marine Corps for having this literature.

"OSWALD was asked how many members of the Fair Play for Cuba Committee were in the New Orleans Chapter and he stated there were 35. I asked him to identify the members of the Fair Play for Cuba Committee in New Orleans and he refused to give names of the members or any identifying data regarding them. OSWALD was asked why he refused and he said that this was a minority group holding unpopular views at this time and it would not be beneficial to them if he gave their names. OSWALD was asked approximately how many people attended meetings of the New Orleans Chapter of the Fair Play for Cuba Committee and he said approximately five attended the meetings, which were held once a month. He was asked where and he said at various places in the city. He was asked specifically at what addresses or locations were the meetings held and stated that the meetings were held on Pine Street. He was asked at whose residence the meetings were held and he refused to give any further information. It should be noted at this time during prior investigation conducted, while I was a member of the Intelligence Unit, information was developed that Fair Play for Cuba Committee literature was found in the 1000 block of Pine Street, New Orleans, which was near the residence of Dr. LEONARD REISSMAN, a professor at Tulane University. This investigation was conducted by me.

"As I remember, Dr. REISSMAN was reported to be a member of the New Orleans Council of Peaceful Alternatives which is a 'ban the bomb' group recently established in the city and had conducted meetings and two or three demonstrations in the city. Knowing that Dr. REISSMAN was reportedly a member of the New Orleans Council of Peaceful Alternatives I thought there might be a tie between this organization and the Fair Play for Cuba Committee.

"When OSWALD stated that meetings of the Fair Play for Cuba Committee had been held on Pine Street, the name of Dr. REISSMAN came to mind. I asked OSWALD if he knew Dr. REISSMAN or if he held meetings at Dr. REISSMAN's house. OSWALD did not give me a direct answer to this question, however I gathered from the expression on his face and what appeared to be an immediate nervous reaction that there was possibly a connection between Dr. REISSMAN and OSWALD; this, however, is purely an assumption on my own part and I have nothing on which to base this. I also asked OSWALD if he knew a Dr. FORREST E. LA VIOLETTE, a professor at Tulane University. I asked him this question because I remembered that LA VIOLETTE allegedly had possession of Fair Play for Cuba literature during the year 1962. I cannot remember any further details about this nor do I have any information that he is or was connected with the Fair Play for Cuba Committee in New Orleans. OSWALD became very evasive in his answers and would not divulge any information concerning the Fair Play for Cuba Committee, where the group met, or the identities of the members.

"OSWALD was then asked what religion he practiced and he stated he was a Lutheran and also that he was presently unemployed but had worked at William B. Reilly Coffee Company, New Orleans, about three months, working on heavy machinery and earned \$60 per week. He worked from May to July 17, 1963 at that company. He further stated that he had worked for Jax Brewery approximately 1½ months ago.

"I asked him again about the members of the Fair Play for Cuba Committee in New Orleans and why the information was such a big secret; that if had nothing to hide, he would give me the information. OSWALD said one of the members of the Fair Play for Cuba Committee in New Orleans was named 'John' and that this individual went to Tulane University. He refused to give any more information concerning the Fair Play for Cuba Committee in New Orleans.

"Since he did not appear to be particularly receptive at this time, the interview was concluded and he was returned to the cell block. Prior to entering the cell block, OSWALD was again allowed to use the telephone.

"Several hours later after OSWALD was interviewed by a Special Agent of the Federal Bureau of Investigation, a white female came to the station and identified herself as Mrs. MURAT, who stated she was a relative of OSWALD and lived on France Street. She stated she wanted to know the charge against OSWALD and I told her, explaining to her the procedure whereby OSWALD could be released. She became very reluctant to become involved in the release of OSWALD as she stated since he was involved with the Fair Play for Cuba Committee, she did not want to get mixed up with it in any way. I spoke to her concerning OSWALD's background and she stated OSWALD had a hard time coming up insofar as his family life was concerned and she felt that this had a direct bearing on his actions and that he had gone to Russia and stayed over there for a few years; he married while in Russia and came back to the United States with his wife. She stated OSWALD did not allow anything but Russian to be spoken in his home. She was asked why he did not allow English to be spoken and she related she had spoken to OSWALD's wife about this and she said this was his desire. She further stated she had asked OSWALD's wife if she liked America and the wife answered 'Yes I do' but said her husband (OSWALD) did not like America. I did not question her any further.

"After Mrs. MURAT left, I decided to further question OSWALD and had him again brought out of the cell to me. I then asked if he had given me all of the needed information about his background and he said he had. I asked him if he lived in Russia and he stated that somebody had told me this. He then admitted he had lived in Russia for 2½ years, going there by 'slow boat to Europe.' I asked him how he got over there and he related he left Fort Worth, Texas, stayed in New Orleans a few days and then took the 'slow boat to Europe.' He took a tour of Europe and wound up in Russia. He lived in Moscow and Minsk, Russia and told me he lived there from October, 1959 to July, 1962. I asked him if his wife was Russian and he said yes. He said her true name was MARINO PROSSA and that it was an abbreviation of her name, MARINO PROSSAKAYA; he said she was an alien M-1. I then asked him if he was a communist and he

said he was not. I asked him if he was a socialist and he said 'guilty.' We then spoke at length concerning the philosophies of communism, socialism and America. He said he was in full accord with the book, *Das Kapital*, which book was written by **KARL MARX**. I know that this book condemns the American way of government in entirety. I asked him if he thought that the communist way of life was better than the American way of life and he replied there was not true communism in Russia. He said that Marx was a socialist and although communism is attributed to **MARX**, that **MARX** was not a communist but a socialist. He stated this was the reason he did not consider himself to be a communist. I asked him what his opinion was of the form of communism in Russia since he had lived there for two years and he replied 'It stunk.' He said they have 'fat stinking politicians over there just like we have over here' and that they do not follow the great concepts of **KARL MARX**, that the leaders have everything and the people are still poor and depressed. I asked **OSWALD** why he would not allow members of his family to learn English as this would be required to educate his children and communicate with people. He stated the reason why he did this was because he hated America and he did not want them to become 'Americanized' and that his plans were to go back to Russia. He stated he had already applied to the State Department for a visa to go back by using the excuse that his wife was a Russian. I asked him what he thought about President **JOHN F. KENNEDY** and **NIKITA KHRUSHCHEV**. He said he thought they got along very well together. I then asked him if he had to place allegiance or make a decision between Russia or America, which he would choose and he said 'I would place my allegiance at the foot of democracy.' I then asked him if he would consider himself a 'student of the world,' explaining that I meant by this a person who attempts to find a Utopia on earth and that he said he could be classified as such an individual. I asked him if he had any religious convictions and whether he believed in God since **KARL MARX** did not believe in God. I was trying to find out if he was an atheist. His answer to me was that he was christened as a Lutheran but that he has not followed any religion since youth. I asked him if he was an agnostic and he said he could be classified 'as a Marxist in his beliefs.' I then spoke to him about the Fair Play for Cuba Committee again and asked him if he knew that **CASTRO** had admitted that he was a Marxist-Leninist and he said he did. He was then asked if he truly believed **CASTRO** was really interested in the welfare of the Cuban people and he replied that he was not going to discuss the merits and demerits of **CASTRO** but was primarily concerned with the poor people of Cuba and that if this country would have good relations with the poor people of Cuba and quit worrying about **CASTRO**, that was his main concern; he stated this was the reason he was interested in the Fair Play for Cuba Committee.

"**OSWALD** was then returned to the cell block.

"I then took my notes, along with several copies of the literature of **OSWALD**, and placed them in a file folder, in the file cabinet.

"The day after the assassination of President **JOHN F. KENNEDY**, **Mr. ADRIAN G. VIAL**, U.S. Secret Service, who had spoken to me earlier at about 3 a.m. Saturday morning, November 23, 1963, wherein he had obtained information regarding my interview with **OSWALD**, came to the First District Station on Saturday, November 23, 1963 at about 3 p.m. and told me the Secret Service was conducting an official investigation regarding the assassination of the President of the United States. At the outset of the interview I got out the original file folder on **LEE HARVEY OSWALD**, opened it and gave **Mr. VIAL** all of the literature I had obtained from **OSWALD**, which consisted of some pamphlets, leaflets and booklets put out by the Fair Play for Cuba Committee headquarters. Upon going through these pamphlets I discovered a photograph of **LEE HARVEY OSWALD** which appeared to be a passport photograph, and a small piece of white paper containing handwritten notes on same. This photograph and paper had inadvertently become misplaced with the literature during the interview I had with **OSWALD**. This piece of paper, which was folded over twice and was about 2" by 3" in size, contained some English writing and some writing which appeared to me to be in a foreign language which I could not identify. Before I gave this paper to **Mr. VIAL**, I made a copy of the information, which is as follows: [See Commission Exhibit No. 827.]

Mr. LIEBELER. Did you form an opinion during the time that you interviewed Oswald as to whether or not he was telling you the truth about the matters that you questioned him about and reported in your memorandum?

Mr. MARTELLO. He did give me the impression that—in the majority of the interview—that it was the truth.

Mr. LIEBELER. Now specifically—off the record.

(Discussion off the record.)

Mr. LIEBELER. In your report you indicated that Oswald told you that he had become interested in the Fair Play for Cuba Committee in Los Angeles, Calif., in 1958 while in the U.S. Marine Corps. Is that correct?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. Did you have the feeling that he was telling you the truth about that particular aspect of the interview, or do you have any recollection as to that specific aspect of it?

Mr. MARTELLO. I wouldn't know exactly, to my recollection, whether or not he was being truthful in that particular area.

Mr. LIEBELER. In the next paragraph—go ahead—are you through?

Mr. MARTELLO. Yes, sir.

Mr. LIEBELER. In the next paragraph of your report, you indicate that Oswald told you that there were about 35 members of the Fair Play for Cuba Committee here in New Orleans. Did you have any reason to question that statement?

Mr. MARTELLO. I didn't believe it was a true statement because of the fact that there was very little activity, to my knowledge, of the Fair Play for Cuba Committee in the city of New Orleans, and since it was such a new organization, or which appeared to me to be a new organization in the city, it didn't seem likely there would be 35 members in the community.

Mr. LIEBELER. Did you ever become aware of the existence of any other member of the group in New Orleans—

Mr. MARTELLO. No, sir.

Mr. LIEBELER. Other than Oswald?

Mr. MARTELLO. No; other than information that had been developed that there were some possible connections. However, there was no basis in fact that any other person, to my knowledge, was a member of the Fair Play for Cuba Committee. This particular man, Oswald, was the first person that I have come in contact with that I knew for a fact stated he was a member of the Fair Play for Cuba Committee.

Mr. LIEBELER. He is not only the first person you came in contact with who indicated he was a member of the Fair Play for Cuba Committee, but he is the only one that you ever saw or heard of in the city of New Orleans? Is that correct?

Mr. MARTELLO. That is correct.

Mr. LIEBELER. After this affair with Oswald, as far as you know, there was no other activity by the Fair Play for Cuba Committee in New Orleans? Is that correct?

Mr. MARTELLO. The only other activity that I could recall was a passing out of leaflets. Again this was by Oswald, and that was the only other time I have known of any activities by this group.

Mr. LIEBELER. You know that Oswald appeared on a radio program broadcast over WDSU and appeared briefly on a television broadcast over the same station in connection with his activities?

Mr. MARTELLO. I have read an account in the local newspaper to that effect. However, I did not hear the radio broadcast or see the TV program.

Mr. LIEBELER. Was that account in the paper before or after the assassination? Do you remember?

Mr. MARTELLO. That was before the assassination.

Mr. LIEBELER. Your report refers to a professor at Tulane University by the name of Dr. Leonard Reissman. Did the department, to your knowledge, conduct any investigation of Dr. Reissman in an attempt to associate him with the Fair Play for Cuba Committee or to determine whether or not he was associated with the Fair Play for Cuba Committee here in New Orleans?

Mr. MARTELLO. Not to my knowledge, sir.

Mr. LIEBELER. Do you have any personal knowledge of the background of Dr. Reissman, other than as set forth in your memorandum?

Mr. MARTELLO. No, sir.

Mr. LIEBELER. Do you know what he teaches at Tulane University?

Mr. MARTELLO. No, sir; I do not.

Mr. LIEBELER. Further on in your report there is a reference to another professor at Tulane by the name of La Violette, and you indicate on that you had some recollection that this professor allegedly had possession of Fair Play for Cuba literature in 1962. Do you remember any of the details of that?

Mr. MARTELLO. No, sir; I do not.

Mr. LIEBELER. Was there any investigation conducted of this particular professor in an attempt to determine whether he was associated with Oswald in any way?

Mr. MARTELLO. No, sir; there was not.

Mr. LIEBELER. Did Oswald indicate to you in any way that he himself knew either of these two professors or any other professor at Tulane University, or had ever had anything to do with them or with other professors?

Mr. MARTELLO. He did not indicate by name, but there was a meeting place on Pine Street, the 1000 block of Pine Street in New Orleans, where there were meetings held.

Mr. LIEBELER. This is meetings of the Fair Play for Cuba Committee?

Mr. MARTELLO. No, sir.

Mr. LIEBELER. What kind of meetings?

Mr. MARTELLO. Just meetings by other groups. There was no indication of any names, but I had asked him if he held his meetings on Pine Street, and he reflected—only in gesture—that there was some, or appeared to be some, connection between the two, but it is mere speculation upon my part.

Mr. LIEBELER. He didn't indicate one way or the other, directly or indirectly, that this was the case?

Mr. MARTELLO. No, sir.

Mr. LIEBELER. From your memorandum it appears that Oswald told you that he had worked for the Jax Brewery about 1½ months prior to the time of the interview. Did you make any check with the Jax Brewing Co. to determine whether or not this was a true statement?

Mr. MARTELLO. No, sir; I did not.

Mr. LIEBELER. You are unable to state at this time whether it is true or false that Oswald worked at the Jax Brewery?

Mr. MARTELLO. That is correct, sir. I am unable to state that as a fact.

Mr. LIEBELER. You also indicate that you terminated your interview with Oswald, and he was permitted to use the telephone, apparently as a result of which a Mrs. Murat—spelled M-u-r-a-t in the memorandum, but I believe it is correctly spelled M-u-r-r-e-t—

Mr. MARTELLO. That is right.

Mr. LIEBELER. Appeared at the station. Did you personally talk to this woman who came to the station?

Mr. MARTELLO. That is correct, sir; I did.

Mr. LIEBELER. And you set forth in your memorandum the statements made by Mrs. Murret and the position that she took with regard to this whole thing, and that is a correct summary of the events that occurred with regard to Mrs. Murret, is it not?

Mr. MARTELLO. That is correct.

Mr. LIEBELER. Did you form any impression of this woman's feelings about Oswald or her attitude toward this whole event?

Mr. MARTELLO. Yes, sir; I did. She gave me the impression that she wanted to help him and she didn't want to become involved, due to the affiliation, as he stated he was a member of the Fair Play for Cuba, and she was leery on becoming involved in obtaining his release. I explained to her the release procedure whereby, if she desired to assist him in being released from jail by parole or bond and she didn't want to become involved in the release procedure—but she did give me the impression that she was interested in him, as a relative, I imagine.

Mr. LIEBELER. Do you know whether or not she subsequently did involve herself in Oswald's release?

Mr. MARTELLO. No, sir; I did not know if she did become involved in his release. I don't think she did, because during the second interview with Lee Harvey Oswald I allowed him to use the telephone in the captain's office where he called someone, some male, white male, or some male. I don't know who he spoke to, but obviously his attempt to get any assistance from Mrs. Murret was unsuccessful.

Mr. LIEBELER. Mrs. Murret also told you that Oswald had at one time been in the Soviet Union, did she not?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. And then you subsequently questioned Oswald concerning this matter, did you?

Mr. MARTELLO. Yes, sir.

Mr. LIEBELER. And in your memorandum you indicate that you had asked Oswald what his opinion was of the form of communism in Russia, and he replied that it stunk? Is that correct?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. That did in fact occur? Is that right?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. Did Oswald indicate to you any other attitudes that he had toward the Soviet Union, or did he particularize or go into more detail as to why he was dissatisfied with his stay in the Soviet Union?

Mr. MARTELLO. Other than what I have in the memorandum where he stated that the people were still poor and depressed and that the present form of communism was not what it should be, the ideals, as he stated, were not in fact the true conditions in Russia.

Mr. LIEBELER. Now your memorandum also indicates that you asked Oswald why he would not permit members of his family to learn the English language, and the memorandum indicates that Oswald said the reason why he did not so permit them was because he hated America and he did not want his family to become Americanized since he planned to go back to Russia. Is that correct?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. And Oswald did tell you that, did he not?

Mr. MARTELLO. Yes, sir.

Mr. LIEBELER. We have down here a statement, on the one hand, that as far as Oswald is concerned the system in Russia, to use his word, "stunk," and, on the other hand, he said that he hated America and had indicated a desire to return to Russia. Do you remember how he presented these ideas, and did he seem to be equally convinced as to both these propositions, or did he display any emotion concerning either one of these propositions, or just what was his general attitude?

Mr. MARTELLO. His general attitude was, he stated that he believed in a socialistic form of government and that in choosing between America and Russia, he gave me the impression that he would choose the lesser of the two evils, in his opinion.

Mr. LIEBELER. Did he indicate which, in his opinion, was the lesser of the two evils?

Mr. MARTELLO. From the way he spoke, the impression I received, it appeared to me that he felt that Russia was the lesser of the two evils.

Mr. LIEBELER. Did he express this idea with great forcefulness, or just sort of a "pox on both your houses" fashion, that really it was just too ridiculous, and that sort of thing?

Mr. MARTELLO. With a nonchalant attitude. He was a very cool speaker. I don't know too much of his formal education. I read an account in the newspaper about it, but from the way he spoke, it was quite obvious that he had done a heck of a lot of reading in his lifetime, and his approach was academic, more or less theories but with no aggressiveness or emotional outbursts in any way, shape, or form. It was just a very calm conversation we had, and there was no emotion involved whatsoever.

Mr. LIEBELER. Did he show any hesitancy about expressing these ideas to you as a member of the police department?

Mr. MARTELLO. None whatsoever, sir.

Mr. LIEBELER. He didn't seem to be bothered by you or afraid of you, or anything like that?

Mr. MARTELLO. No, sir; none whatsoever. I generally try to establish a rapport with any group that would demonstrate in the city, which was one of the objectives I had with Oswald. If in the future he would demonstrate, why, I could speak to him. It is a lot easier when you know somebody than when you don't, and they may comply with a request rather than the ultimates of the law.

Mr. LIEBELER. Now, your memorandum also indicates that you asked Oswald what he thought about President Kennedy and Premier Khrushchev, and the memorandum also indicates that Oswald said that he thought they got along very well together. What was his attitude when he made that remark? Tell us as much as you can remember of the background of that aspect of your conversation.

Mr. MARTELLO. The reason I asked that question was again to get his feelings on where his loyalty would rest between America and Russia, and it was just another way of asking the same question. He gave me the impression that he seemed to favor President Kennedy more than he did Khrushchev in his statement. This is unusual, and I couldn't quite understand his reason for this reaction, as all of his thoughts seemed to go into the direction of the Socialist or Russian way of life, but he showed in his manner of speaking that he liked the President, the impression I got, or, if he didn't like him, of the two he disliked, he disliked the President the least. He is a very peculiar type of an individual, which is typical of quite a few of the many demonstrators that I have handled during the period of 2 years while in the Intelligence Division. They seemed to be trying to find themselves or something. I am not expert in the field or anything, not trying to go out of my bounds, but quite a few of them, after lengthy interviews you find that they have some peculiarities about their thinking that does not follow logically with their movements or their action.

Mr. LIEBELER. And this attitude that Oswald demonstrated toward the President is an example of that sort of thing? Is that correct?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. It didn't seem to fit in with the rest of his statements?

Mr. MARTELLO. Didn't seem to fit in.

Mr. LIEBELER. Do you remember any more specifically or in any more detail just what the conversation concerning Kennedy was?

Mr. MARTELLO. It would only be vaguely at this time, but it was in the general areas of leadership of the President in comparison to the leadership of Khrushchev, how each was leading the various countries, and again an analogy or comparison of the two forms of government, which one he thought was running it the best, but we didn't go into this at any great length.

Mr. LIEBELER. Well, your recollection is quite clear that, in spite of the fact that Oswald demonstrated a general inclination to favor the Soviet Union and its institutions, he did in spite of that indicate a preference for President Kennedy as opposed to Premier Khrushchev?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. And that he in no way demonstrated any animosity or ill feelings toward President Kennedy?

Mr. MARTELLO. No, sir; he did not. At no time during the interview with Oswald did he demonstrate any type of aggressiveness in any way, shape, or form, other than his demonstration on Canal Street with the picket sign.

Mr. LIEBELER. Did you consider whether Oswald was prone to violence or was a violent kind of person?

Mr. MARTELLO. No, sir; I did not, for the simple reason that when he had made the friendship of the people with the anti-Castro groups in the city and offered them assistance, and when they saw him on Canal Street with pro-Castro signs they became insulting and abusive to the point of becoming violent toward him, and he never reacted to the action that was being directed toward him.

Mr. LIEBELER. These anti-Castro characters attempted to provoke Oswald into some kind of physical conflict, did they not, as a matter of fact?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. And he didn't respond?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. Did you eventually learn what became of this case, how it was disposed of in court?

Mr. MARTELLO. Yes, sir; the next day, the following Monday. The following Monday I went to court, Municipal Court, and I heard the evidence in the case. He was charged—all of them were charged with creating a scene, which is a typical municipal charge used in minor disturbances. It expedites everything much nicer, and there was no—there wasn't any detailed information given other than what he was charged with. The judge found him guilty and gave him, I believe, \$10 or 10 days, or something like that.

Mr. LIEBELER. Do you remember whether Oswald pleaded guilty or not guilty?

Mr. MARTELLO. I do not remember, sir.

Mr. LIEBELER. The Cubans who were involved in it were released without any fine or any punishment, were they not?

Mr. MARTELLO. I do not remember, sir.

Mr. LIEBELER. You didn't have any occasion to discuss this thing with Oswald after the case had been disposed of?

Mr. MARTELLO. No, sir. That was all there was to it.

Mr. LIEBELER. Is there any other reason that you didn't regard Oswald as a violent kind of person, other than the one that you mentioned concerning his failure to respond to the provocation of the Cubans?

Mr. MARTELLO. He did not impress me at the time I interviewed him as a violent person by any of the responses to questions, by observing his physical make-up. Not in any way, shape, or form did he appear to me as being violent in any way. He displayed very little emotion and was completely unconcerned and aloof. Off the record?

Mr. LIEBELER. Off the record.

(Discussion off the record.)

Mr. LIEBELER. When you subsequently heard that Oswald had been arrested in connection with the assassination, were you surprised?

Mr. MARTELLO. Yes, sir; I was, I was very much surprised.

Mr. LIEBELER. Would you tell us—

Mr. MARTELLO. Because he did not give me the impression of being a violent individual. He was a very passive type of an individual.

Mr. LIEBELER. You have had experience with other pickets here in New Orleans on several questions, and have you run into people who demonstrated a passivity in the face of provocation before?

Mr. MARTELLO. Yes, sir.

Mr. LIEBELER. Did Oswald appear to be this kind of person?

Mr. MARTELLO. Yes, sir; he did, with one extension of the incident with the Cubans. Although he was passive in his demonstration, he seemed to have set them up, so to speak, to create an incident, but when the incident occurred he remained absolutely peaceful and gentle.

Mr. LIEBELER. You just didn't think at the time you heard that Oswald had been arrested in connection with the assassination that he would have been capable of performing that act? Or did you have an opinion on that question?

Mr. MARTELLO. Well, as far as being capable of an act, I guess everybody is capable of an act, but as far as ever dreaming or thinking that Oswald would do what it is alleged that he has done, I would bet my head on a chopping block that he wouldn't do it.

Mr. LIEBELER. You just wouldn't have been able to predict that this guy would have done something like that?

Mr. MARTELLO. That is right.

Mr. LIEBELER. And such an act would appear to you to be entirely inconsistent with the attitude demonstrated to you while you knew him here in New Orleans? Is that correct?

Mr. MARTELLO. Absolutely correct, sir.

Mr. LIEBELER. You indicate in your memorandum that you went through your notes and the other materials that were collected at the time Oswald was arrested, and you found a photograph of Oswald and a small piece of white paper containing certain handwritten notes, which is attached to the report

that we have. There is a photostatic copy of a sheet of paper with hand-written notes, and I ask you whether or not that is a photostatic copy of the paper that you found in the material you have just described?

Mr. MARTELLO. Yes; it is.

Mr. LIEBELER. And the original of this was taken from Oswald at the time of his arrest? Is that correct?

Mr. MARTELLO. It wasn't actually taken from him. Due to the amount of material he had in his possession, and upon Oswald taking various credentials and identification cards out, it was left—it was inadvertently picked up with the literature, and I put it in a file folder and it remained there. I thought no more of it. He had already been interviewed by the intelligence division of our department. It was just by coincidence that I kept the notes. Normally I would have discarded them.

Mr. LIEBELER. You turned the original of the paper that was kept over to the Federal Bureau of Investigation, did you not?

Mr. MARTELLO. No, sir; I turned the original paper over to the United States Secret Service along with the pamphlets, all of the pamphlets.

Mr. LIEBELER. As far as you know, the Secret Service still has that material?

Mr. MARTELLO. That is correct, sir.

Mr. LIEBELER. Now did you become involved in any other questioning of Oswald or investigation of Oswald, or did you become involved in anything else having anything to do with Oswald back in August of 1963 other than what we have already talked about?

Mr. MARTELLO. No, sir; I did not see him but one more time, and that was when he went to court, and that was the last time I saw him. The only times I spoke to him was the times that we had mentioned during the interview.

Mr. LIEBELER. Were you present at any time when Oswald may have been interviewed by other officers or personnel of the police department?

Mr. MARTELLO. No, sir; I was not. I understand that he was interviewed at the time of his arrest by members of the intelligence division of the New Orleans Police Department.

Mr. LIEBELER. Did you interview any of the Cubans that were arrested at the same time Oswald was arrested?

Mr. MARTELLO. No, sir; I did not. I believe the Cubans were paroled. That is it, they were paroled.

Mr. LIEBELER. After the assassination, did the New Orleans Police Department, to your knowledge, engage in any investigation concerning Oswald or his prior activities in New Orleans?

Mr. MARTELLO. Not to my knowledge, sir. They may have, but at that time I was in the First District, assigned to the First District, and I wouldn't know if they had conducted any further investigations.

Mr. LIEBELER. Can you think of anything that you think the Commission ought to know about that is within your knowledge, that I haven't asked you about or we haven't covered so far? If you can I would like to have you indicate it so that we could have the benefit of it.

Mr. MARTELLO. I think you did a very good job on me. I don't think there are any questions that haven't been answered.

Mr. LIEBELER. In view of that, I have no other questions at this point. I do want to thank you, Lieutenant Martello, for the cooperation you have shown to us, and on behalf of the Commission I want to thank you very sincerely for your coming here and giving the testimony that you have given. Thank you very much.

Mr. MARTELLO. Thank you, sir.

TESTIMONY OF CHARLES HALL STEELE, JR.

The testimony of Charles Hall Steele, Jr., was taken on April 7, 1964, at the Old Civil Courts Building, Royal and Conti Streets, New Orleans, La., by Mr. Albert E. Jenner, Jr., assistant counsel of the President's Commission.