FEDERAL BUREAU OF INVESTIGATION

VITO MARCANTONIO

PART 8 OF 12

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MR. BARKER: Was he a resident of your district?

MR. MARCANTONIO: He was.

MR. BARKER: Was he active in this campaign against you?

MR. MARCANTONIO: He was.

MR. BARKER: Was that fact well known?

MR. MARCANTONIO: It was. However, no more outstanding than any other particular captain of the opposition.

MR. BARKER: And you have absolutely no knowledge of this assault on him?

MR. MARCANTONIO: As of this time, I have not. I am trying to find out, but not being either the district attorney nor the police commissioner, my activities in trying to find out what was behind this thing are very limited. But, I am making endeavors to find out and I am going to continue to make endeavors to find out.

MR. BARKER: Is it true that the District Attorney is holding, under high bail as a material witness, certain members of your organization?

MR. MARCANTONIO: One member.

MR. BARKER: What is his name?

MR. MARCANTONIO: Dominick Petrone

MR. BARKER: What position did he occupy?

MR. MARCANTONIO: He was the election district captain in the district that had only about 100 voters, located at 111th St., between Lexington and Third Avenues, and what is more, I am confident that time and events will reveal that this boy Petrone is

being held without any justification.

MR. SABATINO: The holding of a material witness is an ex parte proceeding, where the individual appears without counsel, and upon the mere statement of a detective or a district attorney that the individual knows something, or was withholding something and therefore he is committed to jail.

MR. BARKER: That is ex parte?

MR. SABATINO: Yes. There is no public hearing.

MR. MARCANTONIO: I know Dominick Petrone and I know him well. I am ready to stake everything that I am, everything that I have and everything I will ever be on the complete innocence of Dominick Petrone. Time and events will prove that I am right. I make that statement because I know that boy; I know him well.

MR. BARKER: Congressman, do you know a gentleman by the name of Tizol?

MR. MARCANTONIO: Yes; I do know him.

MR. BARKER: He was arrested for something on Election Day in your district?

MR. MARCANTONIO: Yes; that is right.

MR. BARKER: And your law firm represents him?

MR. MARCANTONIO: Let us get this straight, first.

MR. BARKER: Go ahead and make it your own way.

MR. MARCANTONIO: First of all, he was not arrested in any polling place. He and four others got into an argument with a person known as Laura Santiago. It was a name-calling contest.

I didn't know of anything about the arrest nor of the incident until after the polls closed at election night, and I learned about it in a restaurant, and I instructed somebody from my office to go down and represent these men. The record of the court will show that four of these men were dismissed after hearing all the evidence and Tizol was found guilty on a charge of disorderly conduct. There is no evidence that he hit anybody.

MR. BARKER: Is there any evidence that he tried to intimidate any voters?

MR. MARCANTONIO: The evidence is that he got into an argument with these workers for Mr. Bryan. That is the evidence in the Magistrate's Court, and there is contradictory testimony. Our witnesses said that he did not intimidate anybody. Their witnesses said that he put his hand in his pocket as though he had a gun, and they searched him and they found no gun. Tizol was a volunteer worker and not connected with the organization.

Long, long ago I has asked my secretary, Mr. Manuel Medina, by letter to inform Mr. Tizol that he was not wanted in our organization because I found him to be completely emotionally unstable and I didn't want him around. What he did that day he did on his own, and assuming everything that they charged against him, all it amounts to was a word-calling contest, - a name-calling contest.

MR. BARKER: But your law firm still represents him?

MR. MARCANTONIO: We do, and I explained the situation and the circumstances under which we went in. Five people supposed to have been on my side were arrested at the request and charge made

by the Santiago woman. I felt it my duty to defend those five people.

MR. SABATINO: As he had defended others in times past, without fee, where citizens get into some kind of trouble, and they run to their Congressman for free legal services.

MR. MARCANTONIO: In this particular case, it was explained to me that it was just an argument. This woman Santiago was one of the people sent up to provoke an argument. The argument was not in a polling place. Nobody was prevented from voting. Nobody was intimidated and nobody was kept away from the polls. That is the important thing. None of them were kept away from the polls to roast their votes.

MR. BARKER: The assault upon Scottoriggio in your Congressional district on the day of election, and his subsequent death, undoubtedly has had considerable influence in regard to this matter. You are a lawyer, Congressman, and you can undoubtedly see that for yourself; that it has had, especially with the treatment it has received in the press, considerable to do with this matter.

MR. MARCANTONIO: If it happened to one of my men, it would not have received that kind of treatment.

MR. BARKER: It would not have?

MR. MARCANTONIO: No. This thing has been blown up into tremendous proportions. If it had been a Marcantonio worker instead of a Bryan worker, it would not have received this attention in the press.

MR. GOODWIN: None of the assaults on our people have been publicized in the press. As the Congressman told you before, there are any number of them, and he is prepared to produce these people when the time comes.

MR. BARKER: What about the complaint to the District Attorney, or to the police regarding those assaults. Please explain that.

MR. MARCANTONIO: In one particular case, the man was unconscious. When he came to, he made his complaint, and the police officer told him, "If you see the person who did it, or recognize the man who did it, let us know."

MR. BARKER: And that was the extent of their investigation?

MR. MARCANTONIO: That is true.

MR. GOODWIN: There was no more done there than was done with the evidence of election frauds that we turned over to the District Attorney on August 13.

MR. SABATINO: There was no publicity in those cases.

MR. GOODWIN: Nothing has ever been said about that in the papers.

MR. BARKER: You have spoken here of your district having been invaded by people from the outside in an effort to defeat you, and what you call a general conspiracy.

MR. MARCANTONIO: Correct.

MR. BARKER: Do you have any knowledge concerning people from outside the district being imported into your district, either the day before or the day of the election to work in your behalf?

MR. SABATINO: He must be thinking of this fantastic story

about this carload from Pennsylvania - -

MR. MARCANTONIO: There was nothing to that at all. There were C.I.O.-P.A.C. workers, working people from the shops and the factories who were climbing stairs for me and who went canvassing and who went distributing literature and did the leg work, but they didn't do it exclusively. The bulk of the work was done by the people who live in my district.

MR. BARKER: But the Political Action Committee and certain of these C.I.O. Unions did send people into your district to assist in your campaign?

MR. MARCANTONIO: Not as a union proposition. They asked for volunteers, but nobody was forced to come in to my district. My opposition similarly had people outside of the district work there. It will appear in their financial statement filed with the Board of Elections, that they had them on the payroll.

Another thing: If you get the political affiliations of the Deputy Attorney Generals who were deputized and placed in my district on Election Day, you will find that they are all Republicans. You might find one or two that were not, but all of them were Republicans.

MR. BARKER: I believe you mentioned that some of them were active against you?

MR. MARCANTONIO: Exactly.

MR. BARKER: When you say they were deputized, were they deputized as police officers?

MR. MARCANTONIO: No; they were deputized as Depty

Attorney Generals.

MR. GOODWIN: They had the power of a peace officer.

MR. MARCANTONIO: Certainly. Under the statute, they have more than the powers of a police officer. The statute is very broad and gives them the broadest and widest possible powers.

MR. BARKER: Could they make arrests?

MR. MARCANTONIO: Certainly. They make arrests, issue subpoenas, and they took full control of the polls.

MR. BARKER: When you speak of the Political Action Committee, you are not referring to the American Labor Party Political Action Committee, but to the National Citizens Political Committee.

MR. MARCANTONIO: I think everyone in New York was local; New York is N.C.P.A.C.

MR. BARKER: The headquarters of the National Citizens Political ActionCommittee is here in New York, isn't that true? That is the organization headed by Dr. Frank Kingdon?

MR. MARCANTONIO: I think it is in New York City.

MR. BARKER: And the C.I.O. Political Action Committee is also located at the same place. I think they share office expense.

MR. MARCANTONIO: That is right. I don't know whether they do or not. The people who participated in my campaign were local P.A.C. and Local N.C.P.A.C.

MR. BARKER: And the C.I.O.-P.A.C. of Jack Kroll?

MR. MARCANTONIO: Yes, it is local, not national.

MR. BARKER: Did you receive any contributions from the C.I.O.-P.A.C. or the N.C.P.A.C.?

MR. MARCANTONIO: Those contributions are all listed.

MR. BARKER: Do you recall receiving them?

MR. MARCANTONIO: I would rather not talk of things which are a matter of record. They speak for themselves. What is there is there, and what is not there is not there.

MR. BARKER: You spoke of some C.I.O. unions that had workers working in your behalf. Do you know what unions they were? Did they come from the National Maritime Union or from the Amalgamated Clothing Workers?

MR. MARCANTONIO: That is hard to say. I didn't ask the people where they came from. I was so busy conducting a campaign to get votes, speaking on street corners, five and six speeches a night and attending meetings with the various workers, I didn't ask the people what union you come from or where you don't come from, but those unions have records which can be sent.

MR. BARKER: Was this the most strenuous campaign that you had had since you had been in Congress?

MR. MARCANTONIO: No; it was the dirtiest campaign that has ever been waged against me, but not the most strenuous.

MR. BARKER: You have been a member of the House since 1936?

MR. MARCANTONIO: I was out two years. I came into the House in 1935 and I was out 1937 and 1938 and then returned in January, 1939 and have been a member since.

MR. BARKER: Who held the seat from your district?

MR. MARCANTONIO: I was defeated by Mr. James J. Lanzetta. I had defeated him in 1934 and I defeated him in 1938 and I defeated him again in 1940, and 1942 I won the primary against Mr.

Frank Ricca and Mr. Mucciolo, the representative who entered the A.D.P. primary, and in 1944 a Mr. Palmer was my Republican adversary and Mr. Martin J. Kennedy, a former Congressman.

MR. BARKER: He had held this seat at some time or was that a portion of your district?

MR. MARCANTONIO: He represented the lower portion of my district and I represented the upper portion of my district, and as a result of reapprotionment it became one district, and he and I fought it out in the primary, and I defeated him by some 2,500 odd votes, and he participated actively in both the primary campaign against me as well as in the election campaign against me in this campaign.

MR. BARKER: Is former Mayor LaGuardia a resident of your district?

MR. MARCANTONIO: He was. Gracie Mansion, the mayor's residence, is in my district.

MR. BARKER: The present mayor of New York City is also a resident of your district?

MR. MARCANTONIO: That is right, and he stated that he had voted the straight Democratic ticket by absentee ballot prior to the campaign, which meant that he had voted for me.

MR. BARKER: Since you were the Democratic nominee?

MR. MARCANTONIO: Yes.

MR. BARKER: Did the Mayor endorse you other than that?

MR. MARCANTONIO: Other than that, I didn't receive the Mayor's endorsement, but that statement constituted his endorsement because that statement was made prior to election

As you recall, the Mayor left New York City and went to California and voted by absentee ballot, and he then permitted his secretary to announce how he had voted. That constituted better than endorsement, if a person states how he had voted.

MR. BARKER: Prior to the election, especially?

MR. MARCANTONIO: Yes.

MR. BARKER: Is it true that the Police Department of the City of New York has under guard a large number of individuals in your district who have given information to the police regarding this Scottoriggio murder?

MR. MARCANTONIO: I don't know of anybody being under guard.

MR. BARKER: Do you, Mr. Sabatino?

MR. SABATINO: You would have to ask the Police Department. We have to go by the newspapers.

MR. MARCANTONIO: I don't know of anyone being under guard.

MR. SABATINO: They go by the Daily Mirror and Daily News.

MR. GOODWIN: Which are 100% against us, and they will be glad to blow up and distort anything they can to be prejudicial against us.

MR. MARCANTONIO: In response to your question, I don't know of anyone being under guard.

MR. SABATINO: From what the press says, the District Attorney has interviewed 1300 witnesses. They go into a grocery store or a beer saloon and they take them to the station house and question them.

MR. MARCANTONIO: The point, as I see it, is how could there be any intimidation if people voted?

MR. BARKER: Certainly that is the point, but I was trying to cover all phases of the matter because the Committee naturally would be concerned with that.

MR. MARCANTONIO: I know nothing.

MR. BARKER: The Committee itself has to be and is bi-partisan.

MR. MARCANTONIO: I am happy to answer any and all questions. I have nothing to conceal; my conscience is clear, but assuming the Scottoriggio incident and that some partisan had hit him, assuming that for the sake of argument, how has the election been influenced? How has anybody been intimidated or kept away from the polls? It's fantastic.

MR. BARKER: You are aware, Congressman, that the charge had been made in the press that the assault upon Scottoriggio early on the morning of the election was intended to form a pattern incident to the whole day?

MR. MARCANTONIO: But the answer to it is the people voted. The answer to it is that the people voted. Not only that, but the answer to it, Mr. Barker, is that the people voted under the most absolute guarantee of the secrecy of the ballot, and in larger numbers there than anywhere else in the City of New York. We did everything to get out the vote because our strategy was "the bigger the vote, the surer our chances were of winning." What we were fearful of was if the people did not come out to vote, and the result tells the tale. We wanted the people to come out and vote. We did everything to get the people out to vote - everything that was possible.

MR. BARKER: Congressman, this has nothing to do with the campaign expenditures, the question I am about to ask you, but as you know, you have possibly read in the paper where some Congressman announced that he or somebody else was going to offer a resolution to ask you to stand aside or to prevent you from taking your seat in the House until an investigation could be made of this matter. Have you read that?

MR. MARCANTONIO: Yes.

MR. BARKER: In connection with that, I want to ask you about these articles that have appeared here in the New York Daily Mirror. I am an attorney, you are an attorney and these gentlemen are attorneys, and to me those articles are libelous per se.

MR. MARCANTONIO: Yes.

MR. BARKER: I want to ask you about these pictures.

MR. MARCANTONIO: Incidentally, you are bearing in mind that I have sued the Mirror for libel?

MR. BARKER: Yes. Let me ask you about this allegation concerning the demotion of three policemen.

MR. MARCANTONIO: This is a corker. It was July 15, 1942. I was home and I received a telephone call from the Reverend Father Fiore who was the pastor of the Church of Our Lady of Mount Carmel. I want to point out what July 16 means to our people. July 15th is the eve of the biggest Italian Roman Catholic feast day. It is the eve of the feast in honor of Our Lady of Mount Carmel. The streets are decorated with lights, and a line of five or ten abreast runs almost around the block waiting to get into the church. It goes on all night long and almost all the next day. People come

from all over the United States to come to the shrine, and it is a day of festivity. This priest at that time is the busiest man in the world. He called me and frankly stated, "Congressman, something terrible has just happened. Two drunken policeofficers went to the Apollo Social Club at 116th Street and that club is located on the same block as the parish house, and they are there abusing the people and one of them fired a revolver, and there was the daughter of one of some fifty odd men, a Hunter College girl, that they put in patrol wagons."

What is the Apollo Social Club? The Apollo Social Club is an old, old club of elderly people where even Mayor LaGuardia used to frequent once in a while when he was Congressman of the district. There are no young characters, no youngsters. When I say elderly people I say around 50 on. They are men who sit down and play their little game of cards for a cup of coffee. There is no gambling, no money gambling. They will play for a cigar and hang around and chew the fat. That describes the club and the people.

As soon as the priest told me that, I went down to the 104th Street Station, and there were all these poor people herded like cattle in a room and two or these police officers. They were detectives. I said, "What has happened?" and he said, "You will find out down at the night court what has happened." Even a blind person could see that they were intoxicated.

I went down to night court and Magistrate Anna Kross was presiding. The police officers took the stand and they lied and their lying was obvious. For instance, they were asked under oath

what happened and one of them said that a dice game was going on there and I asked him, "Produce the dice." He didn't have the dice, and the other one who was also intoxicated denied that there was any dice game. But, what was brought out was that one of them did pull out a revolver in this crowd and fired one shot or two shots in the ceiling.

Magistrate Kross was so outraged that not only did she discharge these 50 people - it is all a matter of record, she dismissed them and she said to these police officers, "You two men are not safe out on the street tonight in the condition that you are. I am going to keep you here until your superior officer calls for you. Who is your superior officer?" They couldn't even mumble the name of their superior officer.

I asked for a copy of the minutes. I filed my charges with Commissioner Valentine and with Mayor LaGuardia. There was a third police officer who had nothing to do with this, but I understand that the reason he was broken was that the Police Commissioner's investigation revealed that the three were supposed to be together but that the other fellow was so intoxicated that he remained himself either in a saloon or somewhere else.

Commissioner Valentine, whose integrity is beyond question, certainly would not break anybody on my say so, conducted his own investigation, or whoever was designated by him. I don't know whether he conducted it personally. The Police Department conducted the investigation and demoted these same detectives back to patrolmen. One of these subsequently got himself into much more trouble, also because of his intoxicated condition.

MR. BARKER: Thatpretty well covers that.

MR. MARCANTONIO: Mr. Hearst almost daily sent telegrams, or teletypes or whatever they may be - orders from San Simeon to keep after Marcantonio, keep after Marcantonio. He never referred to him as "Congressman Marcantonio," just "Marcantonio." He referred to him at all times as a pro-Red or a pro-Communist Marcantonio. These orders came daily from San Simeon. They can try to conceal them if they went to, but I have people in these papers who are friends of mine. I have no hesitancy in revealing that they are friends of mine, and they have informed me.

MR. BARKER: When you speak of Hearst, you mean William Randolph Hearst of San Simeon, California?

MR. MARCANTONIO: Right. In connection with this story, outside of this incident, first of all I can state that I have never had anybody demoted, nor anybody promoted in the Police Department. I have never had any such influence. Commissioner Valentine and Commissioner Wallander are both alive and they can be asked. I have never had anybody promoted or demoted.

MR. BARKER: Did you get anybody any jobs in the Police Department?

MR. MARCANTONIO: You can't. They are under Civil Service. In this case I made charges but whether they acted on my charges or whether they acted on Magistrate Anna Kross', that I don't know, but I do know that the Police Department conducted its own investigation of these police officers and their conduct.

MR. BARKER: Here are these clippings, Congressman, from these newspaper files, alleging that you associate with gangsters,

etc., Have you seen all these before (handing clippings).

MR. MARCANTONIO: On this Pilar Vigo incident, the correspondence speaks for itself. All you have to do is reach the article. A woman came to me and she wanted a job. I gave her a letter of introduction to the National Maritime Union. From there on, I am not responsible for anything that happened. I don't know what happened.

MR. SABATINO: That is in reference to the clipping he has in front of him from --

MR. MARCANTONIO: The Mirror of November 3, 1946.

As for the Mirror of Tuesday, October 29th, Mr. Juan Bernardo Gonzales, referred to here in the Mirror, has started his own libel suit, I have been informed, against the Mirror. So I have been informed and so he told me.

As for Clemente Solo Velez, I amproud of his friendship. This man served a term in prison for his nationalist activities in Porto Rico, for advocacy of the independence for Porto Rico. I was associated with the appeal in his behalf and that of Dr. Campos. That is a matter of public record. I am proud to know him and I am proud to know Doctor Campos, and I agree that Porto Rico should have its independence, and I have introduced bills in Congress for the independence of Porto Rico, and it is only natural that "independentistas" would support me.

MR. BARKER: Was he tried on a charge of treason?

MR. MARCANTONIO: No; he was not charged with treason. They revived an old Civil War statute on conspiracy to insurrect against the government. The conspiracy charge was based on

publications which amounted to advocacy of independence of Porto Rico. They were convicted and there was a great deal of doubt as to the character of the jury that tried them. I was one of the attorneys associated on the appeal before the Circuit Court of Appeals.

MR. BARKER: They were tried in Porto Rico?

MR. MARCANTONIO: Yes, in the Federal Court, in the United States DistrictCourt in PortoRico, before Judge Cooper.

As for the article of October 30, 1946, John Bofaro is not politically associated with me in any manner, shape or form.

MR. BARKER: Did you get a job for him?

MR. MARCANTONIO: I did not.

MR. BARKER: Does he hold such a job as alleged there?

MR. MARCANTONIO: Not John Bofaro, John Bofaro lives across the street from where I live and I know him. I was born and raised in that district and I know everybody in that district, good and bad, doctors, lawyers, Indians, thieves, honest people, everybody. Outside of discussing the weather /or any other innocuous things, I have no financial, no political and no social connections with Mr. John Bofaro.

Leboldo Lopez, who has practically no record at all, is the father of a large family. I also got him a job with Borough President Stanley Isaacs back in 1938, a Republican-Fusionist, and he did get into a jam in connection with petitions, but not election petitions. He got into a jam in connection with petitioning the City government to place on the ballot the question of adopting the

new City charter. It was a highly technical violation. He pleaded guilty to the charge and he served 30 days, and I stood by the boy because I knew that he had been misadvised by the people in charge of those petitions. I had no connection with the new City charter petitions. I stood by the boy and I will stand by him again.

MR. BARKER: Does he now work?

MR. MARCANTONIO: He still works for the Borough President's office. He has a good record down there, yet this paper tried to make him appear as a real, tough criminal.

MR. BARKER: That Borough President Stanley Isaacs, is that the --

MR. MARCANTONIO: He is City Councilman now.

MR. BARKER: Is he the one that had the secretary that was alleged to be a Communist?

MR. MARCANTONIO: Yes.

MR. BARKER: What was the secretary's name?

MR. MARCANTONIO: Simon Gerson.

MR. BARKER: Is he still there?

MR. MARCANTONIO: No, he is not.

MR. BARKER: Do you know anything about the charge that he was a Communist? I think the American Legion or somebody petitioned for his removal.

MR. MARCANTONIO: I don't see how that is pertinent to this inquiry. The fact or the matter is that the new Borough President has kept Mr. Lopez and he is working there. Not only was he kept by the new Borough President then, but he was retained