FEDERAL BUREAU OF INVESTIGATION

VITO MARCANTONIO

PART 9 OF 12

FILE NUMBER : 100-28126

STATEMENT OF PATRICK J. HANNIGAN

By Mr. Barker:

Q What is your full name?

A Patrick J. Hannigan, 177 East 93d Street, New York 28, N.Y.

Q What is your telephone number?

A Sacramento 2-5829.

Q Were you in the Navy during the war?

A I was.

Q What rank?

A Lieutenant Commander, U.S.N.R.

Q Were you a candidate in the Democratic primary of August 20th for Congressman from the 18th Congressional District?

A Yes.

Q Were you the nominee of the Democratic organization?

A No; Marcantonio was.

Q How did he get that designation, if you know?

A I believe the leader of Tammany Hall gave it to him. He was designated by the leaders of New York County, or at least the leaders in New York County whose districts are located in the 18th Congressional District. In any event, he had the endorsement of Tammany Hall. The rules of the Board of Elections require that 750 signatures of persons who enrolled as Democrats in the prior election be submitted on a nominating petition in order to have a candidate appear on the primary day ballot. I complied with that rule and submitted 3,100 signatures, and the Board of Elections approved the petition.

Q They certified your name on the ballot?

A Yes.

Q Then what happened?

A After the Board of Elections approved my petition by a vote of 3 to 1, Marcantonio instituted a court action to invalidate the petition on the basis that it was permeated with fraud, and had been fraudulently obtained. Then, for about 8 or 9 days while

the trial of that action was going on in the Supreme Court, his subpoena servers molested the people who had signed my petition, by serving subpoenas on them, in many case, at midnight.

Q Was that service of civil process?

A Yes. The subpoena servers traveled in large gangs, and were usually husky, formidable looking men. In one instance, a stranger visited my home at noon time, and when my mother opened the door he lunged at her. She was afraid and attempted to close the door, and he pushed the door in on her and caused her to fall and hit her head. Then he ran away. I telephoned my mother about that time and she was hysterical. She said that a man had tried to break into the house and harm her. I rushed home immediately and found a subpoena for my sister Kathleen sticking in the door. My sister Kathleen was not home at the time. This is one example of the unorthodox ways used by his subpoena servers.

Another case: One evening, about 12:30 at night, a young woman, Norma Gabriel, who lives at 1387 Lexington Avenue, was visited at her home by six men in a sedan who informed her that they had a subpoena for her sister and when she told them that her sister wasn't home and that she was all alone, they told her she had better open up and come down if she knew what was good for her. When she told them to leave or she would call the police, they told her, "Call the police. It would do no good." These men left shortly thereafter and she ran into the store at my campaign headquarters which were located next door at 1391. She was in an hysterical and frightened condition, and she recounted her experience. At about that time the men returned.

Q They still hadn't served the subpoena?

A No. Her sister was out with her mother. I caused two of these men to be taken to the 104th Street Police Station on a charge of disorderly conduct and disturbing the peace. I think one's name was Rossi and the other's Testa. While there, Marcantonio came in and instructed the men to press a countercharge against me for disturbing the peace and disorderly conduct, for calling them "bums." Of course, I never made any such statement. The girl, Norma Gabriel,

came to the police station and would havepressed the charge, but she was not permitted to enter. The police had no intention of keeping out the complainant, but they were unaware that she was the complainant, and I and the police lieutenant at the desk were unaware that the girl was outside. When she didn't show up, I figured that she was frightened and had returned to her home. The charges were dropped at that time. The lieutenant smoothed it over.

When this incident took place, it was about 12:45 or 1:00 a.m., and at that time while I was talking to the so-called process servers on the sidewalk outside the Gabriel house, another man appeared on the scene. I knew him. It was William Leddy, an employee of Ruppert's Brewery. He said that he had come down to my headquarters to report that a group of men had just served him with a subpoena and had frightened his family. During the course of serving the subpoenas, the people who were served were told, in many instances, that my petition was fraudulent, but that if they visited Marcantonio at his headquarters at 78th Street and Second Avenue, everything would be fixed up.

Q Who may serve process in cases of this kind?

A I imagine any citizen over 21 can.

Q In other words, process may be served by any person designated by a complaining party; is that right? It is not necessary for the court to issue the process?

A That's right.

Q And you file the affidavit with the clerk of theCourt?

A Yes. However, you are not allowed to serve it at midnight.

Q Civil process must be served at reasonable hours?

A That is right.

Q A dwelling cannot be entered just for the mere service of civil process?

A No. In any event, the obvious purpose of the serving of subpoenas was to intimidate the people, and the obvious purpose of taking my petition to court and to contest it was to delay me and hinder me and handicap me in my campaign to win the Democratic

nomination, because it kept me in court for one week.

Q Who was your attorney in these proceedings?

A James G. Donovan.

Q Is he the former State Senator?

A Yes.

Q Did you also file a suit to invalidate Marcantonio's peti

A Yes.

Q I assume that both Marcantonio's suit against you and you suit against Marcantonio were consolidated and heard as one case?

A No. We withdrew ours.

Q Before or after this case was tried or during the trial?

A Before the trial of our's began.

Q How many signatures did Marcantonio have to his nominatin petition?

A About 11,000.

Q Howmany was he required to obtain under the law?

A 750.

Q Had Marcantonio's petition circulators obtained signature of alleged registered voters in that district prior to the time th you had circulated your petition?

A Oh, yes. They had almost completed their petition before we even began. After we began, they did go around for a while get other petitions, trying to get to people before we did, and they d obtain some signatures after we began.

Q Is it possible there was some duplication of signatures?

A Yes.

Q There was no intentional fraud involved in the fact that voters signed two petitions? It was not a prima facie case of fra

A No.

Q What was the court's final disposition of Marcantonio's s

A My petition was upheld as a valid petition.

Q And your name did appear on the ballot?

A Yes.

Q Was there a process server named Dominick Castelline?

Q Was he referred to as the "goon?"

A Yes.

Q Was he the one who heckled Bryan during Bryan's campaign?

A He heckled Bryan and in a radio debate he, along with the rest of Marcantonio's supporters, heckled me. At one point he got up out of his seat in the studio as if he was going to come up on the stage after me, and he heckled me throughout the campaign. He was about 6 feet 6 inches and used his size to good advantage, particularly in calling on people in the district who didn't want to get mixed up in any situation that involved them in violence.

Q Does this Dominick Castelline live in the 18th Congressional District?

A I have been told he live on SecondAvenue about 106th Street.

Q Do you know his exact address?

A 2069 Second Avenue.

Q Did Marcantonio appeal the decision of theSupreme Court of New York County?

A He tried to, but theAppellate Court refused to sit.

Q Marcantonio also had a petition to put him on the ballot as the Republican candidate; is that true?

A I believe it is.

Q But you didn't contest that petition?

A No.

Q How many votes were cast in the Democratic primary?

A About 21,000.

Q How badly were you beaten?

A I was defeated by about 565 votes.

Q Was it a paper ballot?

A Yes.

Q Did you thereupon file a petition for a recount?

A Yes.

Q And there were proceedings on that?

A Yes.

Q Were certain ballots thrown out and invalidated?

A No. We showed fraud on certain ballots that would tend to invalidate or at least cause a recount of over 1,000 ballots, but th Court of Appeals denied the petition and there was no recount.

Q The lower court first denied the petition?

A Yes.

Q And then you appealed to the Appellate Division?

A Yes. The Appellate Division divided 3 to 2 and affirmed th decision.

Q And you lost there?

A Yes.

Q And then did you appeal to the Court of Appeals?

A Yes; and lost.

Q To sum up the matter, you lost all lawsuits that you filed against Marcantonio, and he lost all lawsuits that he filed against you?

A Yes.

Q Was Marcantonio unopposed for the American Labor Party nomination?

A Yes.

Q And he won that hands down?

A Yes.

Q He was what you would call an insurgent Republican, seeking the Republican nomination because Bryan already was the candidate of the Regular Republican organization?

A I believe so.

Q And Marcantonio was the candidate of the Regular Democratic organization?

A Yes.

Q But there was a split in the Democratic organization and certain Democrats didn't go along with the organization on Marcanton designation as the Democratic nominee?

A I could not say for sure, but I believe from what I read in the papers and heard from different people that at least one leader of the 7 Democratic leaders in the district was not in favor of

nominating Marcantonio for the Democratic nomination for Congress.

Q Would it be fair to say that you were an insurgent Democrat in this primary?

A They did call me that, among other things.

Q After the primary, did you and your supporters then support Colonel Bryan?

A Not right away. Not until after the Court of Appeals had turned down my application for a recount. That decision came down on October 17th.

Q The trial of the recount application was held before Justice Botein?

A Yes. There were 130Election Districts in the 18th Congressional District. These were manned by regular organization inspectors of the Democratic, Republican and American Labor Party. I was not permitted to place any of my workers on any of the election district boards as an inspector. However, I was permitted watchers, and I distributed my watchers throughout the district. I had about 75 watchers at my disposal and their function was to prevent floaters from voting and to verify the counting of the ballots when the polls closed. Since the watchers were, for the most part, amateurs, this was their first such experience and they were not acquainted with the election districts where they were watching. Floaters voted. They dounted improperly marked ballots. They let Laborites vote in Democratic primaries. They kept no tallies of the results. I have reason to believe that 200 floaters cast illegal votes.

Q In the entire district?

A Yes. When the time came for counting the ballots, many of the polling places werenot covered by my watchers and, in such places the Democratic organization inspectors counted the ballots. I have reason to doubt the accuracy of the count.

Q But the court decided against you?

A Yes.

Q And the Appellate Court upheld the lower court?

A Yes. We were unable to present sufficient evidence of fraud

to satisfy the court. However, on that point, when my workers visited these people whom we suspected of having not voted, but instead had been voted for by one of Marcantonio's floaters, these people on many occasions greeted my canvassers with such remarks a "Oh, you're from Hannigan's headquarters. Sure, we voted." and I have reason to believe that many of these people didn't vote. I was handicapped by lack of funds in presenting such evidence. We couldn't afford handwriting experts.

Q Your organization in this campaign was largely volunteer?

A 100% volunteer.

Q Did you have any persons of wealth backing you or contributing to your campaign?

A A taxicab driver contributed quite a bit in one instance. The proprietor of a candy store was almost equally generous. That is typical of the contributors to my campaign. A taxicab driver was the biggest contributor.

Q In other words, they were persons of small means?

A Yes, almost exclusively.

Q Out of 21,000 votes cast in the Democratic primary, you were beaten by only 565 votes, approximately?

A Yes.

Q Would it be fair to state that your campaign was largely conducted on a shoe string?

A Yes.

Q What was the name of your campaign committee?

A Patrick J. Hannigan Campaign Committee, William A. Grandor Treasurer.

Q Did you have a veterans' group?

A That was a bi-partisan group. It was not mine. I had nothing to say about what they did. This other was the only one.

Q And they filed a report of their receipts and disbursement as required by law?

A Yes.

Q Did you personally file reports as required by law with the Board of Elections and the Secretary of State?

A The treasurer took care of that. I was not even aware that I had to file a personal report.

Q What is your present business?

A I am unemployed right now. I have been unemployed since my release from the Navy on August 20, 1946.

Q You were released the day of the primary?

A Yes.

Q Were you engaging in any political activity prior to the date of your release or were you on terminal leave?

A I was on terminal leave. I was granted permission by the Commandant of the Third Naval District, which is this district in New York, to engage in political activities while on terminal leave, provided that I didn't wear the uniform.

Q What was your prior occupation before you went into the service?

A I was a patrolman in the New York City Police Department.

Q Assigned to the 18th Congressional District?

A No; I was assigned to the 24th Precinct, which is located on the West Side, between 86th and 125th Streets.

Q Coming back to the general election of November 5th, whom did you support?

A Bryan.

Q The Republican candidate?

A Yes.

Q I believe Colonel Bryan was also a veteran of this last war

A So I have been told.

Q Did you know Colonel Bryan personally?

A I had an acquaintance with him that began during the summer which extends to the present, and during the course of this acquaintance I met and talked to him on about a dozen different occasions.

Q Not only did you support Colonel Bryan, but is it fair to say that your volunteer organization also supported him?

A Quite a few of them; yes.

Q Did you know Joseph Scottoriggio personally?

A I had met him. Prior to his death, I met him about five or six times.

Q Prior to November 5th?

A Yes.

Q He died on November 11th, but he was assaulted November 5

A I had met him and talked to him on at least five or six occasions prior to his death. I visited him in the hospital, too. I talked to him in the hospital.

Q When you visited him in the hospital and talked to him, was he conscious?

A He seemed to be. He was in intense pain. He seemed to know what he was talking about. I heard him talking to other people who were with me - his brother and Bryan.

Q Was Joseph Scottoriggio a Republican Election District Captain?

A Yes.

Q And he was working against Marcantonio?

A Yes, and doing a good job of it. He was working for the election of Bryan. I wouldn't say he was working against Marcantonio. His actions seemed to be directed in a positive way, rather than a negative. He was a very capable fellow and a good organizer. I was impressed with him from the first time I met hi

Q Was he an outstanding election district captain?

A I would say so.

Q Was he very active?

A I didn't have any district captain as good as he in my organization, nor as fearless.

Q In these conversations that you had with him on these fi or six occasions that you saw him prior to his death, could you g the Committee any information concerning those conversations? What did you talk to him about?

A Usually when I met him I was accompanied by a very good friend of Scottoriggio's, Anthony Matten. Matten was a neighbor

Scottoriggio's. Whenever I met Scottoriggio, Matten was usually along. We discussed the district, naturally, and the attitude of the people towards Marcantonio and the conditions in the East River Houses where they lived. This East River Housing Project is, according to Scottoriggio and Matten, a rats' nest of Communists. Matten was mychief source of information about Scottoriggio. He told me of the intensive plans, the well laid plans that he was making to prevent Marcantonio's people from putting in illegal votes on election day.

Q Do you know David Levy, the Republican leader?

A I met him about five times.

Q Before the election on November 5th?

A Yes.

Q Did you know him before the primary of August 20th?

A Yes. I had met him before then.

Q What kind of man is Levy?

A He didn't impress me too favorably.

Q Can you tell us anything else about Levy, or about the people working for him as Republican Election District Captains?

A I believe that Scottoriggio was one of his captains. From what I heard from different people, Scottoriggio was the most reliable, straightforward captain he had and about the only Republican captain who would have any interest in seeing that I got a fair count on primary day. I was told that Levy would probably work for Bryan on Election Day, but I expected that he would play the game two ways. Levy has a bad reputation. His club was known as a gambling establishment for years in the past. I had heard of gambling around his place years ago.

Q What kind of gambling?

A Professional gambling.

Q You mean by that craps, dice games, card games, etc?

A Card games, dice games.

Q What about handbooks and horse bets?

A I don't know about that.

Q That would be more or less a job for some bookie who probat had that territory?

A I wouldn't know about that, but Levy is mixed up with the underworld crowd up there. He has been with them all these years gone by, and he is up to his neck with them.

Q Do you have any information as to why the district attorne has been holding Levy in protective custody?

A I have been told different stories.

Q You were the unsuccessful candidate in this campaign and you have had considerable interest in the whole thing from the beginning up to now. What information can you give us? Can you give us any leads or anything about any possible reason why the district attorney would have Levy in protective custody? In other words; have you heard that Levy is in possession of adverse inform tion affecting Marcantonio?

A Yes; I have heard that. The papers carried that story, to

Q But the story in the papers didn't come from you?

A I had heard that Levy is in protective custody because he has adverse information affecting Marcantonio.

Q And that adverse information is alleged to have a bearing o the election?

A Yes; the papers carried that story.

Q Have you picked up any information aside from the papers?

A I have heard it from other people, too.

Q Who also knew Levy?

A Yes.

Q Much better than yourself?

A Yes.

Q Do you think that Levy, to save his own skin, would throw Marcantonio to the wolves, so to speak?

A That would be a matter of opinion. He says he was intimi according to rumor. What I heard was the same as the paper carri that a couple of men went in and got Levy and dragged him out and said they would punch his head in if he didn't go along with

Marcantonio. The man has reason to be in protective custody because if he has told that story and if he has identified those men, he has reason to be fearful of his life.

Q Does Levy know the underworld up there?

A He knows them all.

Q Is his eyesight defective?

A I am told his vision is pretty bad.

Q You have seen stories in the paper to the contrary about his vision?

A Yes.

Q And you knew of your own personal knowledge that those stories were not correct?

A I believe so. I was walking along Third Avenue one day and he was across the street and he shouted at me.

Q He recognized you?

A Yes.

Q Were you ever in Scottoriggio's apartment?

A I think I did visit him one night with Tony Matten. We went to his apartment to see him, and I believe he was out. We talked to his wife, and I don't think we saw him at the apartment.

Q You knew that Scottoriggio was a Republican?

A Yes.

Q Did Scottoriggio ever make any statement to you indicating that he was opposed to Marcantonio?

A Yes.

Q What did he say?

A I don't recall exactly. He was very much opposed to Communism. Both he and Matten were the bulwarks of that East River Housing Project against the Communists, who were trying to run it politically and otherwise. There are several individuals in that East River Housing Project, - a man named Seymour Atlas for one - who are very much pro-Communist. They spend a lot of time trying to influence the residents of that project. There is scarcely a week that some Communist literature is not passed around in that project.

slipped under doors. Atlas' wife, I have been told, is in charge of the children's playground in the project. Scottoriggio resented that very much, and I believe their detestation of Communism was the principal bond between Atten and Scottoriggio.

Q Was Scottoriggio mixed up in any kind of racket, to your knowledge?

A I doubt that he was. He was very respectable looking.

Q Did he have any kind of police record?

A I don't think he did.

Q If he had had, it would have probably been out by now?

A Yes.

Q In your opinion, was Scottoriggio's murder political?

A Without a doubt; beyond a shadow of a doubt. The number two man on the purge list for the day might have been me, and the number three man William Bianchi. The reason for my feeling is this: In the course of my visits to the 65 polling places located in the upper part of the 10th Assembly District and the 14th and 16th Assembly Districts on Election Day, my appearance surprised people. They told me so. On at least five different occasions I heard remarks to the effect that they thought I was in the hospital. On several occasions individuals speaking to me said that they heard I was in the hospital. I told them, "No. Scottoriggio is in the hospital." They said, "Yes, but we heard you were in the hospital with a broken jaw and Bianchi was also in the hospital." My opinion is that that might have been part of their plan for the day to intimidate the Republican captains who were going to back Bryan in those districts. On Election Eve I was informed that Francis X. Mancuso, Marcantonio's closest political adviser, said that Marcantonio was going to win by about 2,000 votes. They thought the vote was going to be very close. Out of a total vote of 80,000, Scottoriggio must have controlled at least 500 votes in the East River Housing Project and the other territory to which he had been assigned. When I say "500" I am doubling 250. He would swing 250 votes away from Marcantonio to Bryan, and that is a very conservative estimate. Bryan could tell

you more about that. In addition, Scottoriggio was the outstanding and the solitary rebel in those three districts opposing Marcantonio. The rest of Levy's captains, I am almost sure, went along with Marcantonio, and the same can be said of Bruno's captains. Bruno is the Republican leader in the 16th AssemblyDistrict. Putting Scottoriggio out of the way early in the day reduced the opposition they expected from him. He had a long challenge list on him which, I understand, was found at the scene of the crime. The assault on Scottoriggio was intended as an example for the rest of the Republican captains above 96th Street in the upper 10th, 16th and 14th Assembly Districts. It was all over the papers within a couple of hours, and was broadcast on the radio all day. It served its purpose perfectly.

In the course of my visits to the polling places that day, I observed that the Republican captain in many places seemed to be backward about doing their job. They seemed to be even hesitant about staying in the polling places. Many of them disappeared.

At about 12:30 on Election Day, Marcantonio was observed by several acquaintances of mine reading the noon papers which were all headlined with the news of the assault on Scottoriggio. Marcantonio was obviously pleased with the headlines. He was observed to put on his glasses and chuckle and smile as he read the papers. The first article published about him after the polls closed was the opening line in a speech he made in his headquarters, "Who else got kicked in the belly today?"

Q Did you yourself encounter Marcantonio on Election Day?

A Yes.

Q Whereabouts?

A In the public school on East 115th Street where several polling places were located.

Q What transpired?

A As I entered the polling place a man grabbed me by the arm and said, "Hey, you, get out of here." When I asked him to let go of my arm he did so, but I was immediately ringed by people who were with him, and a man who was with me was pushed up against the wall.

Q Who was with you?

A His name was Robert Gerry. He was driving me around that day n his car. He works in that district now, and he is not too happy bout it.

Q Did you have any kind of certificate on election day as a watcher?

A Yes; I had a watcher's certificate.

Q From what party?

A From the Liberal Party. There was no Liberal Party watcher in any polling place north of 96th Street.

Q Why?

A I don't know why. There were Republican watchers, but no Liberal Party watchers/

Q The Republican watchers were Duggan's or Bruno's?

A Yes. In addition, Bryan had a woman in each polling place. There were no Bryan watchers other than Bruno's, Levy's and the woman. Marcantonio's friends walked all over them and the Deputy Attorney Generals, too.

Q Will you please explain the conditions at the polls that you visited on Election Day? What did you see that struck you with emphasis? Was there strict supervision of the election insofar as you could observe?

A Yes; on the surface there seemed to be fair supervision, although there were a lot of little details that needed correcting. Wherever I saw them I called them to the attention of the policeman on duty, or to the attention of the Deputy Attorney General stationed in the school, if I could find one. For example, in quite a few places I noticed the curtains were opened a bit while the voter was voting, and that was a serious condition. The curtains were not completely closed while the person was inside the voting machine. That is a special form of intimidation. That's the way they have of telling the voters that they know how they vote.

Q Because the ballot is supposed to be secret?

A Yes, because the people knew that somebody was watching th

where the curtain was spread apart even a little bit they knew that somebody was watching them. When I saw the curtains open, I called it to the attention of the policeman on duty, and told him that the curtains should be closed, and that they should be so fixed that they would close completely. In other cases there would be a lot of people congregated outside the polling place within the fifty foot limit that the law prescribes. When I saw that, I called it to the attention of the policeman and it was always corrected. In other cases, the polling places seemed to have too many people around them. I seldom questioned that because I didn't know the identity of the people concerned.

Q How many polls did you visit on election day?

A I visited all the polling places above 96th Street and about a dozen below 96th Street. In other words, about 75 places.

Q In each place did somebody demand to see your watcher's certificate?

A No. In about a dozen of them such a demand was made.

Q What finally happened when you went to this place and the man took a hold of your arm and told you to get out?

A The police sergeant rushed over and broke through the ring that had formed around me and about that time Marcantonio burst into the room and began screaming. I remember him saying, "Officer, throw that man out. He has been causing a disturbance in every polling place here today." The sergeant then asked me to step aside and we would straighten the matter out. I complied with his request and he led me into a small room outside the polling place area. When we entered the room I found Francis X. Mancuso, Democratic leader of the Pocasset Club, and another individual whose identity I don't know. I believe he was an American Labor Party leader. I am not sure about that. There were meat sandwiches and rolls on the table in the little room we entered and a bottle of wine.

Q Was anybody seated at the table?

A No. The sergeant asked to see my watcher's certificate and I showed it to him.

Q Did he examine it closely?

A No, he just gave it a cursory examination, and then handed it to Mancuso and said, "Is this certificate any good?"

Q Did Mancuso look at it?

A Mancuso gave it a brief glance and a "snubbed" no. Then the sergeant turned to Marcantonio, who had followed us into the room and said, "What will I do with this fellow, Marc?" and Marcantonio said, "Throw him out." Then the other individual in the room demanded to see the certificate, and I let him look at it after a little argument because I questioned his right to look at it. In fact, I questioned Mancuso's right to look at it, but I permitted Mancuso to look at it because I didn't want to antagonize the sergeant.

Q Do you know the name of the sergeant?

A No. I am inclined to believe that the sergeant may have been acting in good faith and just spoke that way through ignorance.

Q Do you know from what precinct the sergeant was?

A I believe he was a traffic sergeant.

Q From the manner in which the sergeant handled this incident, are you of the opinion that he was possibly from the 18th Congressional District?

A I couldn't say.

Q He at least knew who Marcantonio was?

A Yes. It annoyed me that he addressed Marcantonio by his nickname "Marc." and it also annoyed me that he relied on the judgment of Mancuso. However, when he asked me to leave I complied and left. He told me the certificate was no good, and I would have to leave, so I left and he accompanied me to the door.

Q How about that food on the table? What was that doing there, outside the polling area?

A I guess the little room there might have been used for just a resting place or a center of operations. That is what it appeared to be - a center of operations for the political leader.

Q Was that certificate that you had a regularly issued one?

A Yes.

Q Was it bona fide?

A I believe so.

Q From where did you obtain the certificate?

A I obtained it from one of my campaign workers who was assisting Bryan on Election Day.

Q Was it issued at Liberal Party headquarters?

A No.

Q Where was it issued at that time?

A I would rather not say.

(Discussion off the record.)

Q Did ColonelBryan, the Republican nominee, have the support of the Liberal Party in the election?

A Yes; he did.

Q And certain workers representing the Liberal Party worked in behalf of Bryan at the polls on Election Day?

A I beliege so, and most of my workers who came with me and assisted Bryan and acted as watchers on Election Day did so with Liberal Party watcher's certificates. I believe that was done out of consideration for our Democratic feelings.

Q It was not possible for you or any of the volunteer organizations that you had to obtain certificates from the regular organizations; is that right?

A That is right.

Q The Democrats would not give you a smell?

A We never approached them, but I know they wouldn't.

Q What about the Republicans?

A My workers are still Democrats, and while the battle never came up, I believe most of them might have been finicky about acting as Republican watchers.

Q Which they would have to do if they had Republican watchers' certificates?

A Yes. They were all for Bryan, but they were not for the rest of the Republican ticket. If you had a Republican watcher's

certificate, I imagine you would be expected to go for the whole Republican ticket.

Q And that would include the counting of the ballots, etc?

A Yes. They were not interested in anything but Bryan. Liberal Party watchers' certificates were the solution to the whole problem, and would have kept everybody happy except Marcantonio.

Going back to the incident when we were in the little room and the sergeant said, "What will we do with this fellow, Marc?" and Marcantonio replied, "Throw him out," he also said, "They have enough watchers in there right now." Marcantonio's assertion was not true. I went back to that polling place but I failed to get there before the polls closed.

Q This incident occurred in the stronghold of Marcantonio's?

A Yes, on 115th Street.

Q North of 99th Street is Marcantonio's stronghold?

A Yes. I visited the polling place at Pleasant Avenue in the afternoon. When I first entered I observed quite a few men loitering near the entrance. This was called to the policeman's attention and he dispersed them. There was an excessive number inside the polling place, too. Inside the building I observed a woman signing the register and then start towards the polling booth. She was intercepted enroute by a man who was standing between the table where the registry book was located and the polling booth. This man said to her in Italian "Espere" which means "Wait." Then he spoke to the Republican and the Democratic inspectors who were at the table and said, "This lady wants assistance." Before he said "Wait" the woman hadn't said a word. After he said "Wait," he mumbled something else that might have been a demand that she wanted assistance, because she replied with a shrug, "See?" However, the Republican and Democratic inspectors got up and accompanied the woman into the booth and they acted almost as if they were under orders. Then, other people voted, but no notation was made in the registry book that the woman had been assisted. According

to the records, an excessive amount of assistance had been given to many people who voted in these districts, and I called the matter to the attention of the police officer. I knew an excessive number of people had been assisted in voting. You are not entitled to assistance unless you note it in the book when you register. I objected to the police officer that the record had not been corrected to comply with the law, which requires a notation be made when a person is assisted. At this point a man interrupted the conversation I was having with the police officer and the two inspectors. He seized me by the shoulder, half spun me around and, in a very arrogant, menacing and insulting manner demanded to know what I was doing. I questioned his authority and he said, "Never mind who I am. You got no right in here" etc. Then he addressed himself to the police officer and said, "Make them people vote. This man is holding up the line," or words to that effect. The police officer told him to stand back and he did so, stepping back into a group of men who were with him, and at that point he handed a coin to one of them and he was overheard to say, "Call the bunch. We'll take care of him when he steps outside." When I left the polling place this individual and about three other people who were with him followed me to the door and glared at me until our car left the scene. Then there is the incident of Willie Tizol who was convicted for intimidating voters for Marcantonio on Election Day. He admits that that was his job. He described himself as one of Marcantonio's brain-busters. //

Q When he said, "Call the bunch," what did he mean by that?

A I don't know what he meant, but its meaning seems apparent. He told one of the men with him to telephone the bunch, and he gave him a coin and told him to telephone the bunch, whoever they were.

Q And you took that to mean a gang of gorillas?

A That is exactly what I took it for. In fact, I didn't hear him say it, but the man who was with me, who heard him say it was petrified with fear when he heard him say it. Because this person who was with me is an Italian, a small fellow, inconspicuous,

they didn't know who he was.

Q Was it said in Italian?

A No; in English.

Q I think you said the name of the party who was with you?

A Yes; Gerry. Ordinarily, he doesn't petrify very easily. He was in the most dangerous naval outfit we had in the war. He was in an underwater demolition team. He was concerned about my safety, incidentally, not his own.

Q Looking at this election of November 5, in your opinion, was it a fair and free election in the 18th Congressional District?

A That one factor - the assault on Scottoriggio, destroyed all the freedom that the election might have had because that definitely intimidated an awful lot of people. But besides this you have the conviction of the Porto Rican criminal Tizol for intimidation of voters.

Q Workers and voters, too?

A Yes.

Q Do you have any information concerning violations of the law regarding excessive expenditures by Marcantonio? Do you think he stayed within the limit of $4,000?

A From information I have gathered, I don't see how his total campaign expenditures could possibly amount to less than $100,000, and that is a very conservative estimate. Goons and strong arm men were on his payroll for months. He had sound trucks, several of them, on the corners every night for months. They cost $50 each per night. His advertising was stupendous. His contributions to Tammany clubhouses and their captains were large.

Q Did Marcantonio have several Committees working in his behalf in addition to the Marcantonio Campaign Committee?

A Oh, yes; he had many Committees. He had an Irish-American Committee. Levy had a Spanish Committee. There was an Italian Committee, a United Veterans For Marcantonio Committee, and I don't know how many others he had. They were all just dummy outfits, but they spent money. //

Q What about the Communist Party? Did they campaign in behalf of Marcantonio? Did you ever see any sound trucks up there in the 18th Congressional District campaigning for Marcantonio with the name of the Communist Party on the side of the truck?

A I believe that there was a Communist sound truck in the District. To the best of my recollection, I recall seeing one on Third Avenue one night, and I believe it had the name "Thompson" inscribed on its side panels, and it may have had Marcantonio's name on it, too, but I am not positive about that. I do know that they were talking on behalf of Marcantonio because I listened to that much.

Q Do you have any knowledge concerning intimidation of voters either on Election Day or prior to Election Day?

A It was a common practice of the Marcantonio organization to equip their door to door canvassers with pledge cards and while these were not too useful in the area below 99th Street, I have been told that they were most effective above 99th Street. If voters would not sign the pledge card to vote for Marcantonio, they were told they'd be sorry. Then the strong arm men would go back and call on them. But there were lots of instances in the lower end, too.

Q In what section of the neighborhood?

A In the Italian section, particularly. The people were asked to sign the card or sheet, pledging themselves to vote for Marcantonio. This can be proved by investigators. Many people in the 18th CongressionalDistrict, particularly in the northern part of theDistrict where the Italians and the Porto Ricans live, knew that their manner of voting is known to the organization. It works this way: They are intimidated into signing a pledge card. The pledge card is on record in Marcantonio's headquarters with their signature. If they don't sign it, they suffer the consequences. Then they leave the curtain open when they go in to vote.

Q What would be the consequences?

A One, a potential threat of violence; two, disfavor with

Marcantonio. In the East River Housing Project this was considered very important because the people in the East River Housing Project for the most part were under the impression that they would lose their choice apartments there if they fell out of favor with Marcantonio. That can be verified by anybody from the East River Housing Project, or any political workers in the project, other than a Marcantonio political worker.

You hear stories around there now that this new other Federal Housing Project is Marcantonio's, too - the Lincoln Housing Project. He made a speech one night in which he said that he was responsible for the only existing housing project. Then he added that the new one was his, too. You can only get in there if you are for Marcantonio. The new one is not yet completed. The same is true of the East River Project where Scottoriggio lived. You get in there through Marcantonio only. If you fall out of favor with him, you stand to lose your apartment. If your family budget is greater than the rulespermit, you see Marcantonio and he keeps you in regardless of the law. Marcantonio is the law in the East River low rent public housing project.

Q How many people would you estimate Congressman Marcantonio had working for him?

A On the payroll?

Q Generally?

A Including volunteers and the Communist Party, too, maybe 1,000. A lot of Communits didn't come in until the last day. The managers for Davis, the Communist City Councilman, were in Marcantonio's headquarters every night. He had the regular Tammany organization working for him. There must be about 200 people in the six Democratic clubs in that district. They were committed to work for him and they did, with the exception of one district. The Maritime Union came in and the CIO Auto Workers Union and the Communist Party, of course.

Q How about the United Electrical Workers?

A That is a Communist Union.

Q How about the Transport Workers?

A Oh, yes. They were down there. Mike Quill made speeches.

Q Did you see any activity on the part of the National Citizens Political Action Committee or the CIO Political Action Committee?

A In my opinion, they were the driving force behind his entire campaign, but I cannot recall at this time any specific instances to justify my opinion. Marcantonio's lawyer, Goodwin, was counsel for the Political Action Committee last year.

Q How about the Communist Party? They were not entirely passive, were they?

A The Communist Party was there in force on Election Day and Primary Day. They didmost of their work in canvassing the people in door to door canvassing with the pledge cards. But they had a sound truck out campaigning for Marcantonio, also.

Q Are you of the opinion that there were too many people around those polling places that you visited on Election Day?

A Yes.

MR. BARKER: I think that is all. Thank you.

STATEMENT OF MURRAY SARGENT, JR., BEFORE ROBERT B. BARKER, ASSISTANT GENERAL COUNSEL AND CHIEF INVESTIGATOR OF THE SPECIAL COMMITTEE TO INVESTIGATE CAMPAIGN EXPENDITURES OF THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 1946
Room 1404, U.S. Courthouse,
2 Foley Square, New York City

By Mr. Barker:

Q Would you give us your full name?

A Murray Sargent, Jr.

Q Are you an attorney?

A Yes, I am.

Q Of the New York Bar?

A New York and Connecticut.

Q What is your business address?

A 165 Broadway.

Q Is that an office building?

A Yes.

Q What room number do you have?

A 2025.

Q What is your telephone number?

A Cortlandt 7-5426.

Q Where is your residence?

A 15 East 87th Street.

Q Is that in the 18th Congressional District?

A I don't think it is. I am not sure. I didn't get back in time to vote this time.

Q Is that in Senator Coudert's district?

A Yes.

Q You mentioned that you didn't get back in time to register.

[Interruption off the record.]

A It was not a residence [illegible] in New York [illegible] or anywhere else due to the fact that while I was in the service [illegible]

address had been New York City, at 525 East 68th Street, New York 21, N.Y. That is in the 18th Congressional District.

Q When you refer to your permanent address, is that the address of your family?

A That is my father's address.

Q When did you go into the service?

A In July, 1942.

Q When were you discharged?

A August 19, 1946.

Q Was that before or after the primary of August 20th?

A I was on terminal leave on that particular day.

Q Were you in New York on that day?

A Yes.

Q Were you still in uniform?

A I was and I wasn't. I wore my uniform some times.

Q Did you actively engage in political activity in the primar

A Yes. I was a watcher on Primary Day. I was not in uniform.

Q For whom were you a watcher?

A I was a watcher for the Republican Party.

Q Did that include Frederick Bryan?

A Yes. I was interested in only Frederick Bryan in the whole election.

Q At what precinct or election district were you?

A I can't tell you that offhand. I was in at least two of them. I would not remember without checking which they were.

Q Did you have a watcher's card?

A Yes. And as a matter of fact I had 16 votes thrown out in one election district, in the count.

Q Do you recall what election district that was?

A No, but I could check that up and find it for you. This fellow Mercantonio and his crowd don't play it straight. I almost got in a fight there.