

Rec'd 7/3/68

Memorandum

re: Conversation with Layton Martens June 24, 1968

On June 24, 1968 I met Layton Martens walking down the street in the French Quarter. I asked him what was happening about his pending legal proceedings regarding his perjury charge. He said that he had heard nothing more about it, and that it was his guess that Garrison would probably take no further action on the matter. He feels that by being charged with perjury he was conveniently eliminated as a potentially hostile witness, but that Garrison was not particularly interested in convicting him. Martens advised that as a result of his perjury charge his draft status has been changed from 1A to 1Y, and so he is not entirely unhappy about it.

I asked Martens what he thought about Perry Russe's story: did he believe that such a party as Russe testified to ever took place. Martens said he thought that there probably was such a party, and it was quite conceivable that people may have sat around discussing an assassination attempt, but that it was not conceivable to him that Clay Shaw would have been at such a gathering. He then went on to say that it is much more likely that instead of Oswald and Shaw being there, the real participants were James Lewallen and Guy Banister. Lewallen looks like the picture of Oswald with the beard, and Banister looks a lot like Shaw. I was interested to hear this, as I had considered the very same possibility. Moreover, Louis Iven made a similar suggestion to me three days ago in the DA's office; namely that the whole Shaw story is simply a case of mistaken identity for Banister. It is noted that Banister resembles Shaw in height, build, hair, and even looks. Both have a "distinctive" air about them, both dressed about the same. In addition, Banister knew Ferrie, and is a much more likely candidate for conspirator than Shaw.

I asked what Martens was doing for a living these days. He said that so many people had told him he was a CIA agent that he decided to go to the CIA office in New Orleans and ask for a job. He was shown into a very small office where he spoke to a fairly aged agent. He told the agent that he had been "involved" in the Garrison investigation, to which the agent replied "We don't feel with that." (Martens wasn't sure what the man meant by that.) He told the agent that he was looking for a job, and the agent said, "Well, what can you do?" Martens replied, "Don't you need any spies?" (No reply.) Eventually he was given a form to fill out, after being told that about the only job he would be likely to get was that of a courier. "Oh, you mean a bag man," said Martens. (No reply.) Martens said he did not fill out the form.

I told Martens that if he wanted to help Garrison a good way to do so would be to try to find Guy Banister's files, as he said he has some "leads" to their whereabouts, which he had never followed up. (Banister's voluminous files--5 filing cabinets full--have never been found, and might well prove to be of extraordinary interest to the case. It is considered quite likely that he had a file on Oswald, in view of his leafletting activities being given prominence in the New Orleans press--just the kind of "Communist" activity that would have proved irresistible to Banister.) Martens said he was afraid to look for them, as he felt that the Mafia had an interest in them too, and might not want them to get into circulation. Ferrie, Martens points out, had definite ties with the Mafia, eg. Charles Marcello bought him his gas station in return for services rendered, and Ferrie also had a remarkably good memory. Thus he may well have transmitted a great deal of information to Banister, who possibly filed it. This is Martens' reasoning. He said that if Ferrie was killed, he could only have been killed by the Mafia, who might well have felt threatened when Ferrie came under investigation, even though neither he nor the Mafia had anything to do with the assassination. On the other hand, Martens feels it is not likely that Ferrie was killed, not that the Mafia even felt threatened when they realized that Garrison was investigating Ferrie, because he feels that there is a fairly solid relationship between Garrison and the Mafia (ie, they knew that they could count on Garrison not to harrass them).

Martens said that he does not know why it was initially put out that he, and not Melvin Coffey, went to Texas with Ferrie and Beaubouef. Martens was at Ferrie's house on the weekend of the assassination, and knew that Ferrie had gone somewhere with his companions but did not know where he had gone. Ferrie told him that they were going hunting. On Saturday evening G.Wray Gill came to the house looking for Ferrie. He was all excited, saying that "the Feds" were everywhere, going through his files, asking questions, etc. He said that specifically the rumour was that Ferrie's library card had been found on Oswald. G.Wray Gill said, "Let's hope he's not in Texas." (As Ferrie had been employed by Gill, he was understandably concerned that Ferrie should not appear to have anything to do with the assassination.)

TOM BETHELL

(Sylvia: for your files only please)