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he did not know whether he called the FBI or Immigration and Naturalization Service except to state that he had originally called either the FBI or Immigration and Naturalization Service and must have been under the impression that he called the FBI. PENA stated he was able to recall that he advised BRINGUIER to call the FBI to furnish the additional information regarding the license plates.

RUPERTO PENA also mentioned that he had never seen LEE HARVEY OSWALD in the Habana Bar or any other location. He had no information about LEE HARVEY OSWALD being present in the Habana Bar with any other individual. Specifically he stated that the two persons whom he has described above as being in the bar were to his knowledge in the Habana Bar only on the one occasion described above and that the only other time he saw those two persons was the occasion when they appeared in front of the Habana Bar in an automobile as set forth above.

RUPERTO PENA also mentioned that he never advised CARLOS BRINGUIER that he had ever seen LEE HARVEY OSWALD in the Habana Bar or that the FBI had ever told him, RUPERTO PENA, that any person was pro-CASTRO or pro-Communist or that he had ever seen LEE HARVEY OSWALD in the presence of a person whom the FBI was seeking. Logically, according to RUPERTO PENA, he would have never been able to have told CARLOS BRINGUIER that either or both of the two men he has described above were ever seen by him or anyone else in the presence of LEE HARVEY OSWALD. In fact, RUPERTO PENA said that the two men about whom he allegedly called the FBI or Immigration a year or so ago have to his knowledge no connection whatsoever with LEE HARVEY OSWALD. Mr. RUPERTO PENA does not recall what other persons may have been in the Habana Bar when the two men described above were in the bar. He stated that his brother, ORESTES PENA, the owner of the Habana Bar, does not know anything about the incident and that the barmaid, ARMANDA

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JARVIS has no such knowledge.

Three photographs depicting LEE HARVEY OSWALD and a small group of persons standing in front of the International Trade Mart, New Orleans, at which time OSWALD was distributing pamphlets on the Fair Play for Cuba Committee were displayed to RUPERTO PENA and he was unable to identify any of the persons reflected in these photographs as persons he had seen previously or of whose identity he was aware.

RUPERTO PENA furnished the following background information regarding himself:

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| Name | RUPERTO JERONIMO PENA, whose name in Latin American countries would also include his mother's name, i.e., RUPERTO JERONIMO PENA - ALFONSO |
| Race | White |
| Sex | Male |
| Nationality | Cuban (Cuban passport # 10974) |
| Occupation | Manager, Habana Bar, 117 Decatur Street, and lives above bar. |
| Date of Birth | 3/5/27 |
| Place of Birth | Cuba |
| Alien Registration No. | A 11 286 712, arrived in U./S. 12/8/61 at Miami, Fla., as a Cuban exile. |
| Prior addresses | 4 months New York City, 1962 at 166 - 82nd Street, Manhattan; prior to 12/8/61 resided in Cuba at Colon No. 253 in the Province of Matanzas |

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| Marital Status | Married |
| Wife | IRAZDA DELGADO de PENA, presently resides at Manguito, Matanzas |
| Parents | YRADA SOSA and SACARIO DELGADO who are residents of Manguito. |
| Occupation in Cuba | Merchant |
| Political Affiliations In Cuba | Claims never aligned with any group connected with <u>CASTRO</u> and was pro-BATISTA. |

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FEDERAL BUREAU OF INVESTIGATION

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Date May 13, 1964

EVARISTO GILBERTO RODRIGUEZ, whose name as used in Cuba and other Latin American countries would include his mother's maiden name of ORTEGA, i.e., EVARISTO GILBERTO RODRIGUEZ-ORTEGO, in response to a request made to him on May 11, 1964, voluntarily appeared at the New Orleans Office on May 12, 1964, and furnished the following information:

RODRIGUEZ related that approximately in September, 1963, LEE HARVEY OSWALD was observed by him in the Habana Bar, 117 Decatur Street. He explained this statement as follows:

As best he could recall it was in September, 1963, at approximately 3:30 a.m. or 4:00 a.m., day of the week not recalled, that two white males entered the Habana Bar and sat at a table opposite the center of the bar, both facing the entrance to the bar on Decatur Street.

According to RODRIGUEZ based on photographs he had seen of LEE HARVEY OSWALD after the assassination of President JOHN F. KENNEDY he was able to state that one of these two men he has described above was in his opinion LEE HARVEY OSWALD. He related that the person he believes to be OSWALD who entered the bar as stated above was accompanied by a white male, age about 32, a little taller than OSWALD and perhaps a little heavier than OSWALD. He described this man as being about 5'7", medium build with muscular biceps. He explained that this man was wearing a sleeveless slip on vest-like sweater, blue in color and was wearing a white, long sleeve business shirt with a tie, the color of which he does not recall. He was wearing a light sport coat which appeared to have a base color of grey interspersed with dull red lines, checkered in appearance. This man was wearing white pants, was light complexioned, wore no hat and no glasses. RODRIGUEZ was unable to recall the color of this man's hair; however, he did recall that he was able to speak Spanish very well. RODRIGUEZ was not able to state whether this man was Mexican, Cuban, Argentine or a national of any other Spanish speaking country. He related that the

On 5/12/64 at New Orleans, Louisiana File # NO 100-16601
 by SA WARREN C. DEBRUEYS and
SA RICHARD E. LOGAN :gas Date dictated 5/13/64

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Again, the short, powerful man who accompanied Oswald or "Oswald", the man in whom the government never had any genuine interest.

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person he believed to be OSWALD wore a short sleeve white sport shirt with an open collar, dark pants. He wore no glasses and no hat and apparently spoke no Spanish.

RODRIGUEZ then related that when these two persons entered the Habana Bar the party he believes was identical with LEE HARVEY OSWALD gave the appearance of being drunk and was assisted to the above mentioned table opposite the bar by the man that accompanied him. RODRIGUEZ related that the man who accompanied the person he believes was OSWALD was seated on the side of the table closer to the bar and the party he shall refer to hereinafter as OSWALD was seated closer to the wall opposite the bar. At that time the owner of the bar, ORESTES PENA, was seated at the far end of the bar also facing the entrance on Decatur Street and from this position PENA could observe the backs of the party believed to be OSWALD and his friend.

RODRIGUEZ related that the man with "OSWALD" ordered a tequila in Spanish. RODRIGUEZ carried the tequila to the table where "OSWALD" and his companion were seated and gave the tequila to "OSWALD's" companion and told him "That will be 50 cents." "OSWALD's" companion who spoke Spanish asked RODRIGUEZ in Spanish who the owner was. RODRIGUEZ replied "He is a Cuban but an American citizen." RODRIGUEZ claims that "OSWALD's" companion then stated that "He is an imperialist or a capitalist." RODRIGUEZ claims he advised this man that he is an American who lives off of his business.

According to RODRIGUEZ all the conversation was in Spanish with "OSWALD's" companion. While he was having the described discussion with "OSWALD's" companion, "OSWALD" had begun to drink the tequila which was ordered by his companion and "OSWALD" had commenced to vomit after drinking a half portion of the tequila. "OSWALD's" companion attempted to assist "OSWALD" and ordered a lemonade. RODRIGUEZ claims he walked to the far end of the bar and spoke to ORESTES PENA advising "these two men" wanted a lemonade, and RODRIGUEZ

Anyone ordering a lemonade in the Habana Bar and Lounge was conspicuous, marked. Certainly everyone remembered this incident, possibly its design.

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mentioned to ORESTES PENA "we don't make lemonades here." RODRIGUEZ then said ORESTES told him to go ahead and make the lemonade with some lemons, sugar and water. RODRIGUEZ claims he went immediately behind the bar and made the lemonade and as he was carrying the lemonade back to the table, stopped at the end of the bar and asked ORESTES how much should he charge for the lemonade and ORESTES advised him "25 cents." RODRIGUEZ claims he carried the lemonade to the table where "OSWALD" and his companion were seated and gave the lemonade to "OSWALD's" companion and speaking to him in Spanish told him that the lemonade was 25 cents and the latter gave him 25 cents. Immediately thereafter "OSWALD" and his companion stood up at the table and "OSWALD" assisted by his companion left the Habana Bar and while leaving "OSWALD's" companion said in Spanish that "the bar will be closed tomorrow." About three or four days later in the afternoon when EVARISTO RODRIGUEZ was returning from a call to see a doctor with ORESTES PENA they drove to Canal Street apparently on Carondelet Street and had turned right on Canal Street and headed towards the Mississippi River. It was at that time that RODRIGUEZ and PENA observed a congregation of people located in front of a theater on Canal Street between St. Charles and the next street closer to the river from St. Charles. In this group of people RODRIGUEZ observed CARLOS BRINGUIER talking to two policemen. He also observed two police cars and a white male entering one of the two police cars. Also on the sidewalk were scattered some yellow handbills. RODRIGUEZ stated that ORESTES PENA was driving his 1959 Mercury yellow four-door sedan and proceeded without stopping to observe the congregation any further. He stated that this is all he recalls about this incident on Canal Street.

On the following day about 12:30 p.m., CARLOS BRINGUIER came into the Habana Bar and advised RUPERTO PENA and ARMANDA JARVIS, the barmaid, that he, CARLOS BRINGUIER, had been in some difficulty with a pro-CASTRO individual who