H A R R Y G O L D , called as a witness, having first been duly sworn by the Foreman, testified as follows:

BY MR. LANE:

Q Mr. Gold, before I ask you any questions I want to again explain to you and warn you of your Constitutional rights. I think you know what they are but, in brief, you don't have to answer any questions which I or any of the jurors may ask you which in your opinion may tend to either incriminate or to degrade you. Do you understand that?

A Yes, I do.

Q You also understand that any testimony which you give here now may be used against you in the event that you should be indicted in this particular matter, and I want you to understand that any statements you make here now are made voluntarily, without any promises of any sort, is that clear?

A Thatis perfectly clear to me.

Q When for the first time did you become acquainted, if you ever did, with Julius Rosenberg? A The first mention of Julius Rosenberg was by Mrs. Ruth Greenglass on the first Sunday in June of 194t in Albuquerque, New Mexico.

Q Had you seen Rosenberg prior to that time? A No, I had not.

Q Now, do you know a person by the name of Yakovlev?

A Yes, I do.

Q Now, I show you a picture which we'll mark as "Grand

Jury Exhibit No. 1 of this date (so marked by stenographer), and I ask you if that is a picture of Yakovlev? A This is a picture of the man who was a Soviet agent and who I knew was a Soviet agent and with whom I met continually fromabout March or April of 1944 up until December of 1946. I knew this man as John, but I have since identified him as -- but he has since been identified to me as Anatole Anatonovich Yakovlev.

Q Now I show you exhibits marked 2 and 3 of this date (so marked by stenographer), and I ask you if you have ever seen that individual before? A Yes, I have.

MR. LANE: May I state for the record that the pictures which the witness has identified are pictures of Julius Rosenberg.

Q Will you tell the jury where, when and under what circumstances you saw this individual whom you have just identified? A Yes. I saw the man whom I have just identified on the first Sunday in February of 1950. The place was the 90th Street and Elmhurst station of the Flushing elevated line in Queens. He passed by me and looked very closely at my face. The time was on a Sunday morning at just about ten a. m. He was smoking a cigar.

Q What were you doing there at that time? A I had come there as one of a series of regularly scheduled rendezvous with Soviet agents.

Q Will you explain that briefly and succinctly? A Yes. After a lapse of almost three years from December 26 of 1946

up until very early October of 1949 I had had no contact with any Soviet agent whatever. At one time in July of 1949 I had received a letter signed "John" and which had the date line printed on either the envelope or the letter itself -- typewritten, I wish to explain -- and which letter indicated that a meeting was in order. However, I did not keep this meeting because I was not clear as to the place.

In October of 1949 a man who identified himself as a Soviet agent visited me. I had never seen this man before. There followed another meeting in October, and then one very early in November. Both of the last two meetings were in New York. At the time of the third meeting in New York, which was in the neighborhood of the Bronx Zoo and was on a Sunday evening, an arrangement was made between us whereby there were to be regularly scheduled meetings. These meetings were to take place on alternate months beginning in December and were to be on the first Sunday of each of these alternate months. The time was to be ten a. m. The primary purpose of these meetings was that I should be observed by a Soviet agent to see whether I was all right. In other words, whether I was being followed, and whether things were going well with me. I was to identify myself by smoking a curved stem pipe with a large bowl. I have such a pipe in my home. The man who was to observe me was to be smoking a cigar. I understood, however, from the Russian agent, that there was a strong possibility that he himself would not be there, but that, in

any event, that someone else would be there.

Q When you say you understood, the Russian agent told you that? A Yes, he told me that. The arrangement was made whereby we were to be on respective corners of this 90th Street station of the Flushing line. If there were any business to be transacted between the two of us, the one who wished to transact the business would be on the corner where the other man was supposed to be. If, however, we had no matter to discuss, then we were merely to stay on our respective corners for a matter of about two minutes and then depart.

There was also an arrangement made at this time for an emergency meeting. This emergency meeting was to be determined by two messages, one which would emanate from me, and another one which would have its source with the Soviet agent. The emergency meeting was scheduled for New Rochelle and was to take place on the Sunday following the receipt of the emergency message. The time in this partidular case -- the emergency meeting I am referring to now -- was to be one p. m.

Q Have you mentioned about the newspaper ad? A Yes. Mr. Lane, I shall explain. The message on my part for the emergency meeting was to be an ad placed in the New York Times. This ad was to run for three days and was to be placed fairly early in the week so that the person seeing it would have sufficient time to prepare for the meeting. The ad was to read as follows. It was to be in the Situations

Wanted section of the New York Times. "Biochemist, age 32, desires experience in research or industry. Principal interest is in opportunity for advancement and the chance to do individual work."

Q What was the signal, if any, if the Soviet agent wanted to call an emergency meeting? A If the Soviet agent wished to call an emergency meeting he was to send a book, a technical book, to my place of employment, which was the Heart Section of the Philadelphia General Hospital. This book is one which probably does not have a very wide circulation. It deals with a specific field. It is called by either one of two names, either The Chemistry of the Carbohydrates or Further Advances in Carbohydrate Chemistry -- carbohydrates are sugars -- and are by two men. One man's name was R. Goepp and the other man's name was W. Ward Pigman. On receipt of such a book, on the following Sunday, I was to go to the appointed place in New Rochelle, N. Y.

Q Had any emergency meetings ever been called either by you or the Soviets? A No emergency meetings were ever called.

Q Now I want to take you to the time that you met Yakovlev, and he asked you to take a trip South. Will you explain to the jury when and where that took place and what was said at the time? A Yes, I shall. The occasion or, rather, the time, was very late in May of 1945. In January of that year I had met Dr. Karl Fuchs at his sister's home, Mrs. Heineman's home, in Cambridge, Mass. At that time we

had arranged for a meeting in Santa Fe, New Mexico. This meeting was to take place the first Saturday in June of 1945.

Q Let me ask you there: Had you and Fuchs talked about the atom bomb and had he expressed any willingness that time to pass on some of the secrets of the atom bomb? A Dr. Fuchs had been giving me information on atomic energy regularly since March of 1944.

Q And what had you been doing with it? A This information I had immediately, within a matter of fifteen or twenty minutes, turned over to a Soviet agent. This Soviet agent was Yakovlev.

Q Where did you turn it over to him? A The places varied. The first place, as I recall, was in Manhattan. The second place was in Queens. There is a possibility that there was a third transfer in New York which took place in the Borough of Brooklyn.

Q You say -- would Fuchs come to New York to give you that information or would he send it by mail? A No. I personally picked up the information at a prearranged meeting.

Q With Fuchs? A With Fuchs.

Q In New York? A In New York. Fuchs at that time was rooming in New York and working for the Manhattan Engineer District.

Q In January of 1945, at Cambridge, Mass., you had made arrangements with Fuchs to meet him in Santa Fe sometime -- when? A On the first Saturday in June of 1945. The

date is the 2nd of June.

Q And this information did you convey to Yakovlev? A Yes, I did. We talked over very completely every detail of every scheduled meeting with Fuchs, and every detail of every meeting which ever took place with Dr. Fuchs.

Q Continue with January of 1945. A At this time Fuchs and I had arranged that he would turn over information to me in Santa Fe on the 2nd of June, 1945. There was an alternative meeting scheduled for the first Saturday in -- of the following month, which would be July, should I not be able to make the June meeting.

I met Fuchs at 4 p.m. in Santa Fe. Mr. Lane, I don't believe that it is necessary to go into the details of where I met him.

Q No, I don't think so either. That is another case, Ladies and Gentlemen. I did not discuss that, so we are not interested in Fuchs right now. A I received the information from Fuchs and made arrangements with him for a second meeting to take place on the 19th of September, 1945. The date I have said was a Saturday, in the afternoon, about 4 p.m. I then returned to Albuquerque, New Mexico, some sixty miles distant from Santa Fe, and I at this time made an attempt, on Saturday evening, at about 8 p.m., to see either Mr. David Greenglass or Mrs. Ruth Greenglass.

Q May I interrupt you there? I don't think you covered that I was trying to obtain, namely, when you went to see Fuchs at Santa Fe, prior to your departure you had had a

conversation with Yakovlev, didn't you, in New York? A That is correct.

Q You haven't told the jury about that. A Yes, I got off the trail; I am sorry. When I went to see Yakovlev in -- at the end of May, 1945, the reason for going to see him was merely to have him verify the fact that I had been able to obtain a vacation from my work at that time and that I was actually going to Santa Fe from Philadelphia, my home.

Q Will you tell the jury where you met Yakovlev? A I met Yakovlev at a bar on Third Avenue and 42nd Street. The exact location is the southwest corner.

Q And you had a conversation? A And I had a conversation with Yakovlev.

Q What did he say and what did you say at that time? A He verified the fact that I was actually going to Santa Fe to meet Fuchs. He also told me that there was an additional mission for me at that time; that after I had seen Fuchs in Santa Fe, I was to go to Albuquerque, New Mexico, and there go to the apartment of a man -- he gave me the address -- and told me that it was an apartment, and he said thatfrom this man I should also pick up information which I should return to him. The information was to be information on atomic energy.

According to the statement which Yakovlev made to me, the man was a civilian. I was also told at that time that there was a strong possibility that the man might not be

home and if that were the case that his wife would have the information for me and that she knew all concerning the matter -- all about the matter. In addition to this I was given a sum of $500 in relatively small denominations, I think principally tens and twenties and possibly a few fives, and was told that should either the man or his wife evince any need for this money, that I should turn it over to them.

I have stated that I went to the address which was given me in Albuquerque, New Mexico. I should like to describe the whereabouts of the apartment. It is just off Central Avenue and about five or six blocks above the Santa Fe overpass.

Q Excuse me. Have you told the jury all that happened in the bar? Tell them about the box? A Oh, I am sorry. At this time I was given a recognition signal or set of instructions. This is something to which I have become accustomed in the course of a long contact with the Soviets. I was given a box top cut from some sort of a food preparation, a small, I would say possibly an inch by four inches, rectangle. The piece which I was given was irregularly cut, but straight, and I had the convex -- sorry -- the concave or the female part of the cardboard box top or box side. I was told by Yakovlev that the person whom I would meet in Albuquerque would have the matching piece, the male or the convex part.

Q Did Yakovlev give you the name of the party you were going to see in Albuquerque? A Yakovlev gave me the name of the party and also gave me the name of his wife.

Q Did he also give you the address? A He also gave me the address and told me it was an apartment.

Q What name did he give you? A He gave me the name David Greenglass.

Q Does that constitute all you recall as to what took place at the meeting at the bar? Was that all there was? Was there any indication or anything said by Yakovlev to the best of your recollection which indicated someone else had been asked to contact the Greenglasses before you were asked? A Yes. I would like to explain that this procedure was extremely unusual. In the course of many missions which I undertook for the Soviets I was always fully acquainted with the pertinent details involving people whom I was going to meet. In other words, I knew exactly who they were, I knew where they worked, I knew what types of information they were to give me and, most specially, I knew why I was being sent and the circumstances under which I was being sent. And this coming out of a clear sky, without any preparation whatever, was very unusual. Normally there would be some two or three discussions on separate occasions, usually a few weeks apart, with the Soviet agent before I ever went to see anyone new.

At the time that Yakovlev told me of the proposed

meeting in Albuquerque, he also explained that the person who had originally been scheduled to make the trip was unable to make it. There is also the circumstance of the fact that I was told that the man in question might not be home. This in itself is unusual since these meetings usually took place under split-second conditions; all of the meetings with Fuchs were of such a nature they were timed to the exact minute or moment.

Q Now we have taken you to Albuquerque. A Yes.

Q You got there on a Friday night, I understand? A I got there on a Saturday afternoon, very early in the afternoon, just shortly after 12, and then went to Santa Fe. Is that clear, Ladies and Gentlemen?

Q When did you first try to contact the Greenglasses? A It was on my return from Santa Fe to Albuquerque.

Q On what day of the week was it? A It was still on a Saturday, and Saturday evening about 8 p.m.

Q Tell us what happened on that occasion? A I went to the address which had been specified. This was a rather large home --

Q What was the date? A The date was the 2nd of June, 1945. I went to the address which had been specified. This was a rather large home on a side street some two blocks off of Central Avenue. It was a tree shaded street, very nice. Due to the fact that it was already dark I had some difficulty locating the address, but I did. I entered along a very short flight of stone steps, possibly two or

three steps along the side of the veranda, which was the principal feature of this home -- very large open veranda. I knocked on the door and a very elderly man came to answer. I judge his age to be about 63 or 65 at that time.

Q Did he introduce himself? A He did not introduce himself. He was tall, spare, white-haired and extremely gentle in manner.

Q Did you have a conversation with him? A The only conversation that I had with him was that I asked for Mr. Greenglass and Mrs. Greenglass and I was told that they had gone out for the evening. I said nothing further but merely said, "Thank you," and departed. I then made an attempt -- I stayed over in Albuquerque that night.

Q Do you recall where you stopped? A Yes. Albuquerque at that time, on Saturday evening, was crammed full of people, soldiers from a nearby air post, students from the University of New Mexico, and a whole host of people such as might be expected in the largest city in New Mexico, and during the war years.

I tried to obtain accommodations at the Hotel Hilton, and I tried to obtain accommodations at the Hotel San Francisco and at several others whose names I do not recall, but was unsuccessful. About midnight I gave up at the Hilton and finally, after wandering around through some of the less savory sections of Albuquerque, finally asked a policeman if he could recommend some place that I might stay

for the evening. I had just about given up hope of finding lodging and was going to spend the evening in the Santa Fe railway station, but I didnot like this idea too much because I thought I might be noticed. The policeman very nicely directed me to a home which had been turned into a boarding house for just such occasions. Actually I slept in a hallway with a very flimsy partition, a gauze partition put around a very rickety cot.

Q Did you have to sign a register? A I signed a register.

Q Use your true name? A I used my true name.

Q Do you recall where this place was located? A It was in the neighborhood of the Hilton but on the other side of the street.

Q What street was it? A Possibly Central Avenue and possibly a street behind Central Avenue. It was a private home, but a large one.

Q Who owned it, do you know? A A man and a woman well past middle age; in their fifties.

Q Do you recall their names? A I do not recall their names. I do not believe I was ever given their names.

Q On Sunday, June 3rd, you made another visit to the Greenglasses? A Yes. The time was about nine o'clock in the morning. I went again to the address which I had been given, just off Central Avenue. At this time I was admitted and went upstairs. I recall very distinctly that the flight

of stairs were extremely steep and that there was no railing, that there was merely the enclosing walls. I knocked on the door towhich I had been directed. A man opened it. He was a young man, I judge at that time about 23 years of age, possibly 24. His hair was tousled. He had evidently just arisen. He was wearing pajama tops but, to my surprise, he was wearing the pants of a soldier of the U. S. Army, the olive drab. I have said that I had expected to meet a civilian. I introduced myself according to the instructions I had been given by Yakovlev. I have omitted to say that the opening words I was to use were, "I bring greetings from Ben in Brooklyn." I then produced --

Q What did he say? A He said, "Oh, yes. Come in." He smiled. I entered and closed the door, and I then produced the concave section of cardboard box side. He said, "Oh, yes," and he went and produced from either his wallet or a woman's handbag the matching box top.

Q Did you then give him any name, your name? Did you tell him who you were? A Yes. I identified myself by a name which was not my own but which, in certain respects, is similar to several names I have used in the past to cover my real identity. The name was either Martin or Frank Martin.

Q Was there any possibility that you might have used the name David? A There is a strong possibility that I may have used the name David.

Q Then you had a conversation, I take it? A Yes.

Q What was the conversation? A I opened the conversation by asking him whether he had the information for which I had been sent. He seemed a little flustered and said, yes, he had the information but that he had to get it in shape or write it up, and after a moment's hesitation he continued and told me that were I to return at four o'clock that he would have the information ready for me.

I noticed from the time that I entered that there was a woman there, and this woman was introduced to me by Greenglass as his wife, Ruth. She did not seem at all startled or surprised by my visit.

May I take a moment to light up?

MR. LANE: Yes.

(Cont. by IFG)

Q Now, Mr. Gold, I show you pictures marked Grand Jury Exhibits 4 and 5, and I ask you if that is the man who identified himself to you as Greenglass? A This is the man who identified himself to me as David Greenglass. In particular, on Exhibit 4, the right-hand full face photograph, is the best likeness.

Q Does he look a little heavier there than he was when you last saw him? A The man is tremendously heavier; I would say at least forty pounds. Also he has matured tremendously.

Q I show you Grand Jury Exhibits 6 and 7, and I ask you if that is the lady who was identified to you by Greenglass as his wife? A This is the woman who was identified to me by David Greenglass as his wife, Ruth. In particular, Exhibit 7, the left-hand profile picture, is the best likeness.

Q Now I show you a drawing, Grand Jury Exhibit 8, and I ask you if you can identify that. A May I see it?

Q Here. A Yes, I can.

Q Will you tell the jury just what it represents? A This is approximately the size - - it is somewhat larger than the size of the two pieces of cardboard, one of which Greenglass and I had, respectively; and the right-hand one or the concave one - the female part - is the one which I had.

Q Those initials, "H G", are yours? A Those

initials, "H G", are mine.

Q And this is the rough drawing which you made yourself? A This is the rough sketch which I made myself. The actual box side was somewhat smaller.

Q Now, how long a period of time did this meeting with the Greenglasses - - that is on Sunday morning, June 3, 1945? A Yes.

Q - - how long, approximately, a period of time did that consume? A The time interval was about fifteen minutes, with the maximum of twenty minutes. Certainly it was no more than twenty minutes.

Q Now, was there any discussion at that time, to the best of your recollection, about the atom bomb, or did Greenglass say anything about individuals? A No, there was no discussion whatsoever, with the exception of the fact that Greenglass informed me that he was working at Los Alamos, and was working on the Atomic Energy Project, and was working on the atom bomb. I don't know whether it is in order to bring in what I have in mind now - -

Q What was it? A This concerns the fact that Greenglass made an offer to me to recruit other people.

Q Oh, yes, I think that is in order. A All right. At this time Greenglass made an offer to me, with great zeal, which comprised these facts: He said that there were several other people -- and he began to mention names - young men -- who were working at Los Alamos,

and who could also furnish information on atomic energy. I cut him very short and rebuked him extremely sharply. I should like to elaborate somewhat on this.

Q Yes; but not at too great length. A Yes. In the course of my association with Soviet agents, I had been very carefully trained and instructed that under no conditions was I ever to permit anyone from whom I was gathering information to make any arrangements, or to do any recruiting, or to make any move whatever on their own initiative, and particularly were these prohibitions strong as regarded recruiting of unknown people, or recruiting of any kind.

It can easily be seen why they were against such haphazard procedures.

As I have said, I cut him short very sharply, and told him that under no circumstances should he ever speak to anyone at Los Alamos, or to anyone at any time, except to me, concerning the work that he was doing for the Soviet Union, on atomic energy. I said that such a procedure was extremely foolhardy, and could result in the gravest possible consequences.

He changed his manner completely, and smiled -- he did not seem to take this rebuke, as sharp as it was, to heart -- and said that he agreed, and he just wished to point out that only the previous week one of the enlisted men, a non-commissioned officer, had been broken to the ranks and had been sent away from Los Alamos - very likely

to a Federal detention site.

Q Did he explain what for? A The cause of the man being broken to the ranks and sent away was the suspicion that he had talked, merely talked, injudiciously about the work that he was doing on atomic energy, to other people at Los Alamos.

Q Now, after you had left - - A Mr. Lane, I would like to explain one more item which took place, or to bring up one more item which took place. Right after Greenglass had told me that he would have the material ready for me at four o'clock that Sunday afternoon, there began a conversation in which he did most of the talking, and which revolved about the fact that the Greenglasses were extremely short of funds.

Mrs. Greenglass stated that she had just come to Albuquerque recently, in April, and that they had only recently been married, and she was very anxious to be close to her husband, where she could see him - usually once a week.

Greenglass stated that normally he got down to Albuquerque once a week, although sometimes he wasn't able to obtain leave, and the occasions then when he saw his wife were two weeks apart. He said that they were running very short of funds; and I then produced the envelope which contained the five hundred dollars.

Q At that time? A At that time.

Q That morning? A That morning.

A JUROR: That was in the afternoon, at four o'clock.

THE WITNESS: No, I believe it was in the morning.

Q You are sure it was in the morning, and not in the afternoon? A No; I am quite certain it was in the morning.

Q In other words, you gave it to him before you got the material? A Yes, I gave it to him before I got the material.

Q You might be mistaken? A There is a possibility that I might be mistaken. I only met Greenglass once in my life, on this one day, and there is possibly a certain tendency to telescope the events.

Q But in any event you gave him an envelope containing the money, either in the morning or in the afternoon? A Either in the morning or in the afternoon.

Q Did Mrs. Greenglass enter into the conversations at all? A At the time I handed over the money, Mrs. Greenglass was in the very small kitchen which adjoined the one other room of the apartment, but Greenglass still had the envelope in his hand when she returned, and she did not seem at all surprised; and he apprised her of the fact that they now had some money.

Q Was there any mention made at all at that time

about Greenglass' brother-in-law? A During the morning, when Mrs. Greenglass told me that she had come to Albuquerque in April, she said - - and this was in the form of a message to me - - that she had spoken with a Julius in New York, before she had left for Albuquerque.

Q Did she identify him any more than "Julius"? A She did not identify him more than "Julius," except to say that he was a relative of some sort, of either her or Mr. Greenglass. Unfortunately, I cannot recall the exact relationship, although it was stated at that time.

Q Was this said in the presence of Greenglass? A Yes, it was.

Q And did that complete, to the best of your recollection, your present recollection, the conversation that took place on the morning of June 3, 1945? A No, it does not. I would like to state that Greenglass appeared somewhat disappointed by the amount of five hundred dollars. He did, however, say that it was sufficient for the time being. I interpreted this to mean that he expected further funds, and I told him at that time that there was a strong likelihood that I would again be in Albuquerque in September of 1945, and that I should try at that time to have further funds with me.

Q Well, did he actually say he was disappointed? A He did not actually say he was disappointed, but the tone of his voice when he said that "this would do for the

time being" - -

Q Oh, he said that, that "this would do for the time being"? A Yes, he made that statement.

Q Now, does that complete the conversation? A That completes the conversation, except for the fact that we agreed to meet at four p.m. on Sunday.

Q And then you left the house? A Then I left the house.

Q Where did you go? A I went downtown, to Santa Fe.

Q To the same place where you had been stopping? A No. I had already checked out of there. I went to the Santa Fe Railroad Station, and attempted to obtain Pullman space back East.

Q And then you returned in the afternoon, at four o'clock? A Then I returned in the afternoon, at four o'clock.

Q Will you tell us what happened at that time? A This meeting was of an extremely brief duration.

Q How long? A Just about five minutes, and possibly a little more.

Q Now, you went up to the house, and you knocked at the door? A Yes, I knocked at the door, and I was admitted. They were waiting for me, and they were both dressed. Mr. Greenglass was in his uniform, and she was in a street dress, and they were ready to go out.

Q What did they say when you arrived? A The first thing that transpired was that I was given an envelope containing three or four typewritten sheets, on which there was information pertaining to atomic energy.

Q Was it a sealed envelope, or was it open? A It was open. I believe I was handed the envelope and the sheets separately, and I examined the sheets -- I just scanned over them. There was a fourth or fifth sheet, which contained a rough sketch.

Q Of what? A I do not know.

Q Was it a mould of some sort? A There is a possibility it might have been a mould.

Q Was there any explanation of it, as to what it was? A The explanation that was given to me was that this pertained exactly to the work that Greenglass was doing at Los Alamos.

I am sorry, ladies and gentlemen, I have omitted one thing, which definitely took place in the morning. At that time, and just prior to the time that Greenglass had volunteered to obtain the recruits -- now, this is in the morning -- he told me that he was working in a certain category at Los Alamos.

Now, my memory is not too clear, but it is very definite that he mentioned one of three categories. I give these categories in the order of their likelihood, with the most likely one first: The first is as a skilled

machinist; the second is as an electrician; and the third is as a physicist's assistant. I think that the first is really the one which was mentioned.

Q Now, to get back to the documents in that envelope, the one that had the sketch in, was there any explanation on the sketch? A There may have been arrows, such as are common, with printing on them.

Q But did he explain or try to explain to you what - - A He made no attempt to explain to me - - I am sorry, he did make an attempt, a beginning at an attempt, to explain to me what the material was. However, I was extremely anxious to leave the Greenglasses.

It will be recalled that I had on me, in addition, a considerable amount of information from Dr. Fuchs.

Q You had it at that time, on your person? A I had it on my person.

Q Was it in an envelope? AI did not have it in an envelope. There were some thirty or forty sheets of writing and diagrams.

Q Where did you put it? A In my inside pocket; and it made it bulge very conspicuously, I thought. I asked him whether the matter was explained in the three or four typewritten pages of text, and he said, "Oh, yes, it is explained very clearly and in full detail," and I said, "In that case, there is no need to talk about this."

Q Did he say that this material concerned atom

bomb information? A I have no clear recollection of that, except that I believe there was a statement in the morning which may have been to that effect.

Q Well, that is what you were there for, to pick up material of that sort? A That is what I was there for, to pick up information on atomic energy, and I knew that the atom bomb was in the process of formation.

Q And that is what he was supposed to give you? A That's correct.

Q And isn't it probable, then, that he did say that this was on the atom bomb? A It is very likely that he did say that.

Q Did that complete the conversation at that time? A No. There was further conversation, which had to do with the homely fact that the Greenglasses had made strenuous efforts to have regular food packages, containing delicatessen items, sent to them every week, from New York.

Q Who was sending it? A I do not recall, except that it may have been a sister of Mrs. Greenglass.

Q Was the name "Julius" mentioned again, or "Ethel"? A I do not know whether the name Julius was mentioned, I have no recollection of that at all; but I do know that two items were mentioned: one was that a small salami was included, and also a pumpernickel bread, a small pumpernickel.

Q Did they invite you to dinner? A In the morning, I was offered a glass of milk or coffee. I may have had a glass of milk in the morning. They did not invite me to dinner in the afternoon. They stated that they were going out, and we left within a few minutes.

Q Did you accompany them somewhere? A I accompanied them for two or three very short blocks. We walked parallel to Central Avenue, but two or three blocks north of it. North was the direction in which their home was, from Central Avenue. Then they left me, after walking these two or three blocks.

Q What did they say, if anything, when they left you? A I believe that they had a previous engagement to meet other enlisted men and their wives.

Q What did they say to you - just "Goodbye" or "I will see you later"? A There may have been - - not there may have been, but there was - the very definite expression of the fact that they would be seeing me in the future, and I said, "I shall look forward to it."

Q What did you do after you left them? A I returned to Central Avenue and sat along a stone wall, which runs just past the Santa Fe overpass. I sat on the stone wall for half an hour, and watched the parade in connection with a Mexican religious festival, which was being held on that Sunday. I then, possibly two hours later, about 6:00 P.M. or 6:30, took the Santa Fe train East.

Q On what route did you travel? A I had space as far as Chicago. I arrived in Chicago two days later, in the morning. In other words, I left on a Sunday night, at 6:30. All Monday I was on the train, and Tuesday morning I arrived in Chicago.

Q And did you take a plane out of Chicago? A Yes, I did. Normally, had I been on legitimate business and had I not been in a hurry, I would have taken a train back to Philadelphia or New York. However, at this time I was pressed for time. I have explained that I had great difficulty in getting time off from work; and I inquired at the air terminus, and was told that the only space available was to Washington.

Even at that, I figured that a three and a half hour trip to Washington was far less than a seventeen or eighteen hour trip to New York, by train. Further, I would have had to wait for a train until the early or late evening. So I took the plane to Washington.

I arrived in Washington in the early afternoon, possible three or four o'clock, and then took the Pennsylvania Railroad train to New York City.

Q What time did you arrive in New York City? A I arrived in New York City about seven p.m. - certainly no later than seven o'clock.

Q And when did you meet Yakovlev? A I met Yakovlev about eight-thirty or nine o'clock, at the exact

minute which had been appointed. The place was, I believe, in Queens, but it was very close to the border of Brooklyn. It was somewhere at the point where Queens and Brooklyn merge, in the neighborhood of Metropolitan Avenue.

Q This was by previous appointment? A This was by previous appointment.

Q That you were to be there at a certain time, and on a certain date? A That's correct.

Q In other words, it was to be June 4th, is that right? A No. I left the third, fourth, the fifth.

Q You left the second. A No, Saturday was the second, and June 5th was the time.

Q And June 5th was the definite appointment? A That's right.

Q Nine-thirty that night? A I cannot recall the exact time of the appointment, but it was scheduled carefully in advance.

Q When you arrived at the meeting place, how long were you there with Yakovlev? A I was there possibly fifteen or twenty seconds.

Q Did you have a conversation with him? A There was the very briefest conversation.

Q What was said in that brief conversation of fifteen or twenty seconds? A The time of waiting was fifteen or twenty seconds, until Yakovlev came along. The first thing that Yakovlev said was, "Have you got the information?"

Oh, I am sorry. He said, "Have you seen the doctor?" That's right. And by "the doctor" he meant Klaus Fuchs. He always referred to him as "the doctor." I should like to note that this is not an American way of expression at all. I told him, yes, I had; and he then said, "Do you have the material?" I said that I had, and I gave him the material.

Q Was it in one package, or in two packages? A It was in two separate packages, both of which I had done up in Manila envelopes of the size used to contain 8½ by 11 sheets.

Q Were they marked on the outside? A They were not marked in any way whatever.

Q Did one contain Fuchs' information and the other Greenglass'? A I am sorry, I am wrong on one thing. There was the initial "D" for "doctor" and the initial "M" for "man." The initial "D" referred to Fuchs' information and the initial "M" referred to Greenglass' information.

I also explained that the larger bulk of material was that from Fuchs. However, there was no possibility of any mistake, because the Soviets were by this time fully acquainted with Fuchs' crabbed, small, handwriting; he had a very distinctive script.

Q Now, how long did this conversation take place with Yakovlev, on the 5th of June? A The whole meeting with Yakovlev took no more than two minutes, at the most.

Q Did he say anything about Greenglass at this time? A He made no mention about Greenglass, nor did he mention anything about Fuchs, other than what I have stated.

Q Were your expenses paid during this trip? A This is one of the extremely rare occasions on which my expenses were paid, for this trip. In the course of a long period of association, from November, 1935, with the Soviet agents, and up until early 1945, I paid my own expenses.

At this time, however, I was told that from here on in, such foolishness and nonsense would come to an end, and I was told that I should tell them just what expenses were involved.

Q Who told you that? A Yakovlev.

Q What did you get for doing all this work from 1935 on? A I received absolutely nothing.

Q In other words, you received nothing, and you paid your own expenses? A I paid my own expenses.

Q Was there any reason for that? A Yes. It is a little difficult to express in just a few words. At the time this started - - I will take just a few moments, Mr. Lane; I won't elaborate, but I would like to state that this started in a relatively innocent fashion, with the obtaining of information from a plant in which I worked. The information comprised industrial solvents, such as are used for varnishes and lacquers. In other words, this was industrial espionage, and not on too great a scale; and I

was both the person who transferred the information, and who obtained it.

But it went on from there, and each time, with extreme regularity, the increment of involvement and the increment of seriousness, grew greater.

Q Who first got you into this work? A I was introduced into this work by a man who was a good friend of mine, Mr. Thomas L. Black. My motives for beginning this work were two-fold: First, I was extremely indebted to Black - - in December, 1932, I was laid off from my job at the Pennsylvania Sugar Company, during the depression, and Black obtained for me a job in Jersey City, at a soap company where he had previously worked, and I stayed at this job until September of 1933.

This job enabled my family to stay off relief. I would like to say that we had a certain fierce pride - my mother, in particular - about accepting charity in any form whatsoever -- so that I felt an extreme debt of gratitude to Black.

In addition to this, from 1933 on, Black continually propagandized me - - if not continually, but at considerable intervals of time, he propagandized me, as to the glories of the Soviet Union, and particularly as to the fact that a great good was to be done and accomplished by furnishing information to the Soviet Union, so that we should help this backward -- then industrially backward -- country

(CONTINUED BY BD)

A (Cont'g) along the road to enjoying some of the things, some of the better things as we knew them in great plenitude even during the depression years in this country.

Q And where does Thomas Black live? A Thomas Black lived almost continually from the time I knew him and I believe from about '27 on, first in Elizabeth, New Jersey, then in Jersey City, then for a very long time, from '33 on, in Newark, New Jersey, and from about 1945 or '46 in Philadelphia. We have been very close friends.

Q Now, how old are you? A I am 39.

Q And are you married? A I am single.

Q Were you ever married? A I have never been married.

Q Are your father and mother living? A My mother is dead. She died three years ago.

Q And you lived with your father? A I live with my father and my younger brother.

Q Where is that? A That is in Philadelphia.

Q What's the address. A The address is 6823 Kindred Street, Philadelphia 24. It is in the northeast section of the city.

Q Were you in the service? A I was not in the service.

Q Were you -- A I was turned down.

Q Where did you go to school? A Which school do you refer to?

Q Well, what's your educational background? A I attended grammar school in Philadelphia, Shoreswood Grammar

School, then I attended South Philadelphia High School. I worked for a period of two years, first in a woodworking factory and then for the Pennsylvania Sugar Company as a laboratory assistant. In the evening I went to Central Evening High School to take courses in mathematics. I left after two years, obtained a leave of absence from the sugar refinery and went to the University of Pennsylvania for almost two years. During the depression, when our funds ran out, I returned to work for the sugar company. In December of '32 I was laid off and went to work at the Holbrook Company in Jersey City where Black had obtained a job for me. I returned to Philadelphia in 1933, in September, when the NRA came into effect and the eight-hour day -- and I would like to state that prior to this the day at the sugar refinery had been twelve hours -- and worked there continually up until 1938. From 19 -- from February of '44 until June of -- yes, '44, until June of '46 I attended Drexel Institute Evening School, a course in chemical engineering. I obtained my diploma in June.

Q Were you ever affiliated with any unions? A At one time I was persuaded by a man, Joseph Brodsky, who also went under the name of Jack Bruin, to join the Federation of Architects, Chemists, Engineers & Technicians.

Q Wasn't he a Communist? A He was a Communist.

Q A card-carrying Communist? A I believe a card-carrying Communist. I have never seen it.

Q Where is he located now? A He lives in Philadelphia.

Q Whereabouts? A I am not sure of the exact location.

Q As I understand it, you sort of believed in the Soviet cause there for quite a while, the principles of the Soviet. A I would like to state that I believed and I did not believe. There were very many points of Soviet action which perturbed me considerably. I, first of all, did not believe in the persecution of the Catholics. Particularly, I owed much to many Catholics. From 1938 to '40 I attended a Catholic Jesuit School, Xavier University in Cincinnati, and the people were extremely kind to me there and offered me a wonderful opportunity to make up for my lost schooling. I'm an extremely individualistic person and one of the things which distressed me extremely were any measures which attempted to put all people on an equal level. I don't believe that people are equal. They are born equal, yes. Or, rather, they should have equal opportunities, but I do not believe that they should all be kept on the same level.

Q Well, I don't want you to go in too deply into your philosophy of it. What I'm trying to determine is that you worked for nothing so long and incurred expenses. There must be some reason for it, and the only logical reason that I can assume is that you believed in this cause for a time. A I would like to state that, in spite of the many other doubts which I have not mentioned, that I did most firmly believe that I was doing the correct thing in aiding the

Soviet Union, first along the road to industrial strength and then later in an attempt to attain military equality.

Q Now, after you met Yakovlev on the 5th of June, 1945, and you turned over this material to him, did you see him after that? How many times after that did you see him?
A I saw Yakovlev again in July, possibly early July of 1945, Mr. Lane, I would just like to make one single statement. I would like to explain that my previous statement as to the many things on which I disagree with Soviet policy were not an attempt to exculpate myself in any way. It should be realized that to undertake the many missions which I did, that a certain inner core of hardness and resolve was necessary.

Q Well, now, after June of 19 -- June 5, 1945, when was your next meeting with Yakovlev? A This was, as I had begun to say, in early June -- July of 1945.

Q And what was the occasion of that meeting?
A The occasion of that meeting concerned itself with, first, a discussion of the exact events which had transpired during the meeting between Dr. Fuchs and I, and particularly of the circumstances relating to the proposed meeting on September 19 of 1945.

Q In other words, he discussed with you the material that was contained in the data which you had received from Dr. Fuchs? A No, he made no mention of it, with the exception that it was good.

Q Well, did he mention anything about the material that you had obtained from Greenglass? A Oh, I would like to explain that the reason for the very brief meeting, the two-minute meeting, was an extremely common procedure with us. On any occasion when there was a transfer of material either from a primary source to myself or from me to a Soviet agent such as Yakovlev, the meetings were to be of the briefest possible duration so as to minimize any occasion where the transfer of material might be intercepted.

Q Now, get back to the July meeting with Yakovlev. A Yes.

Q He discussed Fuchs with you; he said the material which you had obtained had been good. Now, did he say anything about the Greenglass material? A He also stated that the material had been sent immediately to the Soviet Union -- I am referring to Fuchs' material -- and he said that the same was true for thematerial which Greenglass submitted.

Q Now, how long a period did that meeting consume, how much time? A This meeting consumed possibly an hour and a half or two hours.

Q Now, when did you next meet with Yakovlev? A I met with Yakovlev some time in the middle of August of 1945.

Q That's June, July and August; in other words, you met every month for three months in a row? A The meetings

were not scheduled with that sort of regularity in mind.

Q I understand; but the fact is you did meet with him in June, July and August. A I did.

Q Now, in the August meeting with Yakovlev how long did that take? A This again I would say was of somewhat briefer duration and consumed about an hour.

Q And what did you discuss at that time? A I believe that again we discussed the coming trip to Santa Fe.

Q Another trip to Santa Fe? A No; the coming trip, the scheduled trip to Santa Fe. You see, the first meeting, the one in July, I did most of the talking and relating, except for some questions by Yakovlev, and related in detail every last fragment and scrap of information that I had relative to the two meetings, the one with Fuchs and the one with Greenglass.

Q Well, you see, you had made one trip to Santa Fe. A Yes.

Q And you just told us about coming back from Santa Fe. A Yes.

Q And arriving on June 5, 1945. A That's correct.

Q Then you had a meeting in July. A In July.

Q Then you had another meeting in August. A Yes.

Q And, you say, at the August meeting in 1945 you discussed a second trip that you were going tomake? A Yes, to Santa Fe.

Q To see whom? A Fuchs.

Q To see Fuchs. A I would like to explain the difference between these meetings. The primary difference is this: At the meeting in July I did most of the talking, except for a few questions by Yakovlev, and I explained in detail all of the events, related in detail all of the events which had transpired between Fuchs and I and between Greenglass and I. Now, at the meeting in August we discussed the arrangements for the trip which I was going to make to Santa Fe in September of '45. Is that clear, ladies and gentlemen? I would be willing to go over it again.

Q Yes, I think it's very clear. Now, did you at that time -- was anything said about making another visit to Greenglass while you were on your way to Santa Fe?
A Yes, at that time I mentioned the fact that the Greenglasses had appeared in need of money and would this September trip also include a visit to Greenglass. I was very curtly told no, and the "no" was of such a nature that I insisted on continuing the discussion because of my concern for the Greenglasses' financial situation. I was told that there was no further need whatever, that I should not complicate the trip to Dr. Fuchs at all by including another visit to the Greenglasses.

Q Now, did you ever see the Greenglasses after June 3, 1945? A I have never seen the Greenglasses since that day, Sunday, June 3, 1945.

Q Did you ever talk with them? A I have never spoken

with them since that day.

Q Now, is there anything else that you have got to tell the Jury with reference to this entire proceeding? A Yes. It will be recalled that some time previous this afternoon I stated that mention had been made at the Greenglasses' apartment of the fact that Greenglass would obtain a furlough to New York-- I may have omitted it, this fact which I'm going to relate now -- to New York about Christmas of 1945. I have omitted it. I'm sorry. But I'll relate it now. To begin again: At the visit to the Greenglasses -- and I believe that this was in the morning; I'm sure this was in the morning -- I was told that Greenglass expected a furlough about Christmas of 1945 and he and Mrs. Greenglass were then going to return to New York. I was told that he would have at that time information and that I could get in touch with him by calling a certain phone number which was the phone number of the man Julius whose last name I was never given. The phone number was a Bronx exchange, to the best of my memory. And I was not given an address.

Q Who told you that; David? A David told me that.

Q And he told you it was Julius' phone number that you were to call? A It was Julius' phone number. Shall I continue?

Q Yes. A In November, possibly early -- no; in November of that year, 1945, I again brought up the subject of the Greenglasses to Yakovlev. I reminded him of the

fact that Greenglass would possibly be in New York at Christmas time and I had begun to expand on the subject and say that we should make arrangements and preparations for someone to meet him. He again cut me very short andsaid that there was no need whatever for this meeting to take place. He did not elaborate. And I had been so well schooled by this time that I did not probe any further. This is the last mention that was ever made to me by the Soviets of Greenglass and the last occasion on which I ever brought the subject up.

BY MR. SAYPOL:

Q Mr. Gold, let me ask you this question as a parting question. A Yes, Mr. Saypol.

Q From the activities that you have described to the Jury and the discourse that you had with these various people have you obtained a knowledge of the theory and the practical details of the construction and operation of atomic bombs? A No, I did not. I would like to again emphasize the following fact: The meetings between Dr. Fuchs and I were, by mutual agreement, of the briefest possible duration. It is true that some lasted as long as an hour and an hour and a half, but this was unusual. In particular, the meetings on which information was obtained, was passed from Fuchs tome and from myself to Yakovlev were of even briefer duration. The first occasion I believe when Fuchs passed me information, which was along Lexington Avenue or possibly Madison Avenue and in the Seventies, was of possibly 20 or

30 seconds duration. We merely turned down a side street in the direction of Fifth Avenue and the information was given to me and I put it in my inside coat pocket.

Q You mean in recorded form, it was given to you in written form? A It was given to me I believe in written form. Now, I would like to state why I said "I believe." On only one occasion did I ever have an opportunity to examine the information. On this first occasion -- and this may be taken as a sort of a model or criterion of the circumstances under which these meetings took place; that is, the transfers of information -- I left Fuchs and walked rapidly in the direction of Fifth Avenue. I turned south on Fifth Avenue and walked in the direction of 57th Street and then over to Sixth Avenue, and somewhere in that area -- the walk took about 15 or 20 minutes; it was in the winter time -- I turned over the information to Yakovlev. Now, this was the pattern of the circumstances under which information was turned over in New York. It is true that in Cambridge I had a long ride back from Boston to New York. But again I was on the train and had no desire even to look at the information. I would like to state that I was schooled in such a manner -- in otherwords, I had a definite function to perform and kept strictly within the limits of that function.

Q Well, what you are trying to tell us is that yours was but to do or die; yours was not to reason why.

A That is correct.

Q You were a courier. A Yes. On one occasion, and this was the second occasion, in the Borough of Queens and somewhere out in the neighborhood of Woodside or possibly Jackson Heights, I did have an opportunity to look at information which Klaus Fuchs gave me. These were, again, about 50 very closely handwritten pages and of the foolscap type, large sheets, not the eight and a half by eleven but the large sheets, and in his extremely minute and careful script and contained as well a number of drawings and, in addition to that, a very large number of mathematical derivations or proofs of mathematical theories. I evinced no interest whatever in the material which Greenglass had given me in June in Santa Fe, and beyond the one occasion on which I looked at it in his home I never examined it again. I would like to further make the statement that the opportunity for such examination, even had I been curious, was not too good, because when I returned to work I was either on a transportation of some sort with people passing back and forth in a coach or Pullman or a plane or people sitting alongside of me, unknown people, strangers, or I was at home when I certainly didn't desire to look at it, or I kept the information on me when I was at work if there should be some delay before seeing Yakovlev, as there was on one or two occasions. So I think it should be clear that beyond the one occasion in Queens when I had a few moments to look at this information

either in a drug store or by the light of a drug store window in the early evening and the one occasion to look at Fuchs' information which he had given me in New York, in Queens, and the one occasion when I scanned the information, just slightly scanned it, in Albuquerque, New Mexico, I did not examine the material which was given to me.

MR. LANE: Now, unless the Jury has questions, we'll have Mr. Gold excused.

BY THE JURY:

Q Who directed you to give the $500 and who fixed the amount? A The sum of money was given to me by Yakovlev, the man whom I knew as "John" until just recently, and I was directed to give it to Greenglass but only if he should evince or show a desire for the money, if he should evince a need for it or show a desire for it; that I was not to volunteer to give it to him.

Q It's my recollection that thewitness testified that between the morning visit to Greenglass and the afternoon visit he, the witness, went to downtown Santa Fe. If he did so testify, do I understand that is the correct testimony or he meant to say downtewn Albuquerque? A Oh, I am terribly sorry, sir. I meant downtown Albuquerque. I obtained -- my principal work at that time was to obtain or, rather, to pick up train space, Pullman space, which I had -- about which I had inquired that morning before going to the Greenglasses.

Q I would like to ask, during the time that you covered in your testimony here was John the only agent with whom you had contact? A There were many agents. But to state this as clearly as I can, I met John about February or possibly March of 1944. I was introduced to him by Semenov -- I'm sorry; that statement is not strictly accurate. I met him first by prearranged agreement at Childs' Restaurant on 34th Street just opposite the Pennsylvania Station; I met him outside. We went inside and had several drinks.

MR. LANE: Well, I think you have answered the question. He wanted to know if there were any other agents.

A (Cont'g) And that afternoon we met Semenov.

Q May I ask this question: You say that you supplied your own funds for all these trips and expeditions.

A Yes, I did.

Q Could you tell us in round figures how much money you spent in all those years, of your own money, without being reimbursed? A I would say in the course of about eleven years, and I'm taking it from 1935 to '46, I would state that the total sum was possibly in the nature of the maximum four thousand dollars, possibly three thousand. I would like to clarify that somewhat. May I?

MR. LANE: Well, I don't know why. It's not important.

Q It's not important. A The expenditures initially

were very small and involved at that time a four dollar train fare initially between Philadelphia and New York.

MR. LANE: Well, Mr. Gold, you have answered the question. There is no need to elaborate. You spent four thousand dollars during that period.

THE WITNESS: That is correct. That is the maximum.

Q Greenglass was a technical sergeant. And had he had a considerable training in chemistry or anything like that before? A I have no knowledge whatever as to Greenglass' qualifications. I have stated that this is very unusual, that normally I was very thoroughly briefed on the background almost from childhood of the people whom I was to meet.

BY MR. LANE:

Q Well, again, Mr. Gold, I don't want to interrupt, but I don't want you to go on making a speech. A I'm sorry to be so wordy.

MR. LANE: We'll answer that for you later. He doesn't know anything about the background of Greenglass.

A (Cont'g) I'm sorry, Mr. Lane.

Q I'm only interrupting to save time, not because I'm trying to censor you. A Yes.

BY THE JURY:

Q Did your activities continue from 1946, or -- you gave a time from 1935 to '46. A My last contact -- from the beginning of 1946, about January, when I made one last trip to the home of Dr. Klaus Fuchs' sister in Cambridge,

Massachusetts, in an attempt to see him there or to ascertain his whereabouts, until December 26 of 1946 I saw no Soviet agents whatever. In December -- on December 26 Yakovlev again got in touch with me and I met him very briefly. From December of '46 up until July of 1949 there was no attempt to contact me. At that time I received a letter relating to a rendezvous which I did not keep. In October of 1949 I was visited by a man who identifies himself by means which I shall not elaborate on, except that it concerned details which had been arranged between Yakovlev and I. This man never even gave a name, but he was indisputably a Soviet agent. He visited me at my home on an evening when my brother was out and my father was asleep upstairs. Subsequent to this there were two meetings in New York with this man and that is my last actual contact with the Soviets. But from September 19, 1945, till the present I have done no actual work in the sense of obtaining information for the Soviets.

MR. LANE: Mr. Foreman, can we excuse Mr. Gold until tomorrow?

THE FOREMAN: Very well.

MR. LANE: And you will be back tomorrow to answer any further questions.

THE WITNESS: All right. Thank you, sir.

[WITNESS EXCUSED]

R U T H G R E E N G L A S S, called as a witness, having first been duly sworn by the Foreman, testified as follows:

BY MR. LANE:

Q Now, Mrs. Greenglass, will you give us your address and telephone number? A I live at 265 Rivington Street and the telephone number is ORegon 4-5194.

Q Now, how old are you? A Twenty-six.

Q And are you married? A Yes, I am.

Q And how long have you been married? A It will be eight years this November.

Q Do you have any children? A I have two children.

Q And what are their ages? A My boy is four and the girl just past two months.

Q Now, will you tell us a little something about your educational background? A Well, I went to grammar school and after that it was junior high school until the second term, and I was a graduate from the Seward Park High School in Manhattan and after that I took some courses at Washington Irving to matriculate for college.

Q Now, do you know Julius Rosenberg? A Yes, I do.

Q How long have you known him? A Almost eight years.

Q Now, what is your relationship to Julius Rosenberg? A He is married to my husband's sister.

Q And what is her first name? A Ethel.

Q Do you know, of your own knowledge, whether Julius

Rosenberg is a card-carrying Communist? A Well, I never saw the card, but I always assumed he was a Communist.

Q And what did you base that assumption upon? A Well, I knew that for a number of years he had been reading the Daily Worker, that he had attended -- he and his wife attended most of the rallies that were held at the Garden, and that they had literature, that most of the literature was Communist literature, they were always propagandizing.

Q Well, now, for how long a period of time have you believed the Rosenbergs to be Communists? A Well, I couldn't say. I first knew them in 1942, and I know that as far back as 1937 and '38 they were bringing Communist literature into my mother-in-law's home to propagandize my husband. He was a child growing up.

Q Now, I don't think I have told you about this before, today, before this body. But before you appeared here today you were advised by legal counsel as to your Constitutional rights, weren't you? A Yes.

Q You talked to Mr. John Rogge, who is the counsel for both you and your husband;isn't that correct? A Not today.

Q No; but before you appeared here. A Yes.

Q And he knew that you were appearing here today? A That's right.

Q And he advised you of your Constitutional rights? In other words, didn't he -- A Yes.

Q Didn't he tell you what you could say and didn't have to say? A I think so.

Q Yes. And didn't he tell you that any statement you make here would be made voluntarily -- A Yes.

Q -- without any promises of immunity or anything else? A Yes.

Q And he told you that you didn't have to testify as to anything that might incriminate or degrade you? A Yes, he did.

Q He explained all that to you? A Yes.

Q And you understand it? A I do.

Q Now, do you know whether Ethel Rosenberg was a card-carrying Communist? A Well, as I said in Julius' case, I never saw the card, but I believe she was. I know that they met in the Communist club, their first meeting, Ethel and Julius.

Q Did she tell you that? A Yes, she did. I was always under the assumption that Julius lost his job because Ethel was a card-carrying Communist.

JUROR: Where did you say they met?

THE WITNESS: They met at a Communist club.

Q Now, you, yourself, were affiliated at one time with the Young Communist Youth Movement, weren't you? A For a short time, I was.

Q And you were president of one of the organizations? A For about three weeks.

Q And who was responsible for you being president? A Well, I never sought them out. They came to my house and asked me to come down to their meetings, and at the time of election I was nominated because they felt that, as kin to Ethel Rosenberg, I was well qualified.

Q When was this? A In 1943.

Q And do you recall the name or names of the people who came to see you and asked you to belong to this organization? A I recall the name of one of the girls, but the others I'm just vague -- I remember their faces but not their names.

Q And what was the name of that particular girl? A I think it was either Ida Altman or Ida Alterman. But that was her single name. She has been married since then.

Q Now, I show you Grand Jury Exhibits 2 and 3, and I ask you if those are thepictures of Julius Rosenberg? A Yes.

Q And you are married to -- A David Greenglass.

Q Now, I show you Government Exhibits 4 and 5, and ask you if those are pictures of David Greenglass? A Yes.

Q And Exhibit 6; that's a picture of you, is it? A Yes, it is.

Q And have you ever seen this, Government Exhibit -- or, rather, Grand Jury Exhibit 1? A No.

Q And Exhibit 7; that's another picture of you, I presume. A Yes.

Q Now, I'm going to take you back to November of 1944. Now, at that time your husband was in the Army, was he not? A Yes, he was.

Q And where was he stationed? A He was stationed at Los Alamos. But I did not know that, because all I had was a post -- a Box number with a Santa Fe address.

Q Now, in November of 1944 did you have occasion to have a conversation with Julius Rosenberg and his wife Ethel? A Yes, I did.

Q And where did this conversation take place? A In their home at 10 Monroe Street.

Q Now, can you relate to the Jury as best you can what your recollection was of the conversation that took place on that particular occasion? A I think so. Julius told me at that time that I might have noticed that he was not -- that they were not buying the Daily Worker at the same place that he had been accustomed to and that he and his wife were not attending the meetings and rallies so openly. And he said that there was a reason for this; that he didn't --

Q Excuse me. Keep your voice up. A Oh. He didn't want to be openly associated, because he felt that he wanted to do something more important, that he had been trying for two years to get in touch with people in -- I guess it's the Soviet underground, that he could work more directly to help Russia. And then he proceeded to tell me that he knew

that David was working on the atomic bomb. And I was very much surprised. I said, "How do you know?" Because I was receiving mail -- my mail was censored to him and his mail to me. And he said, "I know all about it." And I said, "Well, how can you find out? It's top-secret. I received an affidavit telling me that it was so, and that information could not have been divulged." He said he knew, his friends told him. Then he proceeded to tell me that the atomic bomb was one of the most deadly weapons to be used to date, that it had radiations and that it would be very devastating if used, that he felt there was not a direct exchange of scientific information among the Allies and that it would be only fair for Russia to have the information, too, because she was working on the atomic bomb and there was not an equal exchange, and he wanted to make that possible. He asked me if I would relate this to David and ask him to pass on information through Julius. I was horrified. I told him that I objected to it, I didn't think it was the right thing. His wife said that I should at least relay the message, that she felt that David might be interested, he would want to do this. Julius said just on the basis of an exchange of scientific information it was right that it should be done. In the end I was persuaded to relay the message, which I did later on.

Q Now, Ethel was present all during this conversation?

A She was.

Q And did she take part in the conversation? A Well, she urged me to talk to David. She felt that even if I was against it, I should at least discuss it with him and hear what he had to say.

Q And did she argue also that she felt that the Allies should give this information to the Russians, the Soviets? A Well, I can't recall her words, but she was in agreement with her husband.

Q Now, prior to your departure for Albuquerque did you have another meeting with Julius Rosenberg? A No, I don't think so.

Q Well, what I have reference to is the question of expense money that was incurred. A Oh, yes, I must have.

Q Well, did you have or didn't you? A Yes, I think I did.

Q And what happened on that occasion? A Julius gave me $150 towards my expenses.

Q Now, was Ethel present when he gave you the 150? A I don't recall.

Q Did you ever pay the 150 back? A No.

Q Did he ever ask for it? A No.

Q And at the time he gave it to you what did he say? A He said that he was giving it to me to pay for my expenses.

Q And did he say where he had received the money from? A No.

Q Now, at this time was Julius in business with your

husband? A No. He was working for the Signal Corps.

Q Who was? A Julius was working for Emerson who was doing work for the Signal Corps. This was during the war.

Q But he wasn't in the Army also? A No, he was never in the Army.

Q Now, when did you arrive in Albuquerque, New Mexico? A On November 27 or 28, 1944.

Q And did you meet your husband that day? A No. He came a day later.

Q Now, where did you stop when you arrived on that first day? A At the Hotel Franciscan.

Q And you stayed there for how long? A For about five or six days.

Q And then where did you live? A I went back to New York.

Q I see. Well, now, prior to your return to New York did you have a conversation with your husband about what Rosenberg had said to you with reference to the atomic bomb material? A Yes, I did.

Q And how long after you arrived in Albuquerque did this conversation take place? A About two or three days later.

Q And where did it take place? A We took a walk and I discussed it with him.

Q And what did you say to David? A I told him first that I knew that he was working on the atomic bomb, and he

was very surprised because he hadn't divulged any information to me and, as far as he knew, I thought he was working in a warehouse, which is what he had been writing me. And he asked me how I knew about it, and I told him that Julius had told me. And he wanted to know, just as I had, how Julius knew, and I couldn't tell him. And then I related as best as I could remember the conversation I had had w ith Julius and his wife. And, just as I had been, my husband objected to it at first and he would not give me an answer right away. However, on thinking it over, the next day he said that he would do this because he felt that -- not that he would do it to the detriment of his own country, but that purely on a scientific plane information should be shared jointly. And I brought that message back to Julius.

Q Now, at that time did David give you some information to bring back to Julius? A Well, he didn't give me anything. He told me.

Q Now, what did he tell you? This is something he told you, I understand, so that you could relay it to Rosenberg. A That's right. He told me the names of some of the scientists that were working at the project, about -- something about the physical setup there, about how many buildings there were, and he spoke about the fact that you couldn't see the project until you are almost upon it, that it was fairly well secluded.

Q Camouflaged? Did he use that word? A Well, it wasn't

really camouflaged. The natural surroundings were such that you couldn't see it until you were almost upon it.

Q What were some of the names he gave you, some of the names of the scientists who were working there?

A Oppenheimer, Urey.

Q Anyone else? A Well, I didn't recall this right away, but in conversation that I have had since then I think it was Kistiakowski.

Q Now, was anything said at that time about money?

A No.

Q Well, didn't you tell David that Rosenberg had paid your fare down to Albuquerque? A That was not my fare. He had given me $150, and my expenses were higher.

Q No; did you tell David that? A Yes.

Q And what did David say? A I can't remember.

Q Well, did you tell him that before or after you had broached the subject of the atomic information?

A After.

Q And did David have any comment about that?

A No, I don't think that he felt it had anything to do with it. Julius had always been slightly paternal toward David, he felt more like a brother-protector, and I guess he thought it was out of the goodness of his heart that he was giving me the money.

Q David thought that? A Yes.

Q Did he say that? A Well, he inferred as much.

Q Well, now, you returned to New York in the early part of December, 1944; is that correct? A Yes, I did.

Q And when you returned did Julius Rosenberg come over to see you at your home at 266 Stanton Street, New York City? A A few days later he came.

Q Did he come alone? A Yes.

Q And he had a conversation with you? A Yes.

Q Now, was there anyone present besides you and Julius Rosenberg when you had this conversation? A No.

Q Now, can you relate as best you can, to the best of your recollection, the conversation that took place between you and Julius Rosenberg on this occasion? A Well, Julius asked me if I had related the information to my husband, and I told him I had, and that he had consented to do this. And then I told him as best as I could remember what David told me about the physical setup and the names of the scientists I have already given.

Q And what did Rosenberg say? A Well, he was pleased at receiving the information.

Q Didn't you write that down on a piece of paper? A Yes, I wrote that down on a piece of paper and he took it with him.

Q In longhand? A Yes.

Q And did you write it down in his presence? A I believe so.

Q And did you say he said he was pleased? A Yes.

Q And did he mention any money at that time? A No.

Q Did you tell him that David was expected in New York on furlough soon? A Yes. We had been expecting David to get a furlough, and he knew that it was coming very soon.

Q Well, did Rosenberg say that he would just wait and discuss the whole subject with David when he got back on his furlough? A He did.

Q Now, when did David return to New York City on furlough? A I believe it was about Christmas time in '44.

Q And between the time that you had this conversation with Rosenberg on your return from New Mexico and the time that David came back on furlough, did you have any other conversations with Rosenberg about this matter? A No.

Q Now, getting back to David's return to New York City; that was around Christmas of 1944, wasn't it? A Yes.

Q Did you have occasion to visit Rosenberg's apartment with David? A On his furlough?

Q Yes. A Yes, I did.

Q While he was on his furlough? A Yes.

Q Did you go over there for dinner? A Yes.

Q And what time did you arrive there; do you recall? A No. It was some time late in the afternoon.

Q And when you got there did you have cocktails? A No.

Q They don't drink; is that the answer? A We don't.

Q You don't. Was there any liquor there at that time?

A I don't remember any.

Q Did Julius have anything to drink? A Well, he drinks on occasions, but I don't remember any at that time.

Q He is not a prodigious drinker, is he? A No, I don't think so.

Q Or his wife? A No.

Q Now, who was present besides you and Julius? A His wife Ethel.

Q And your husband? A And my husband and the girl Ann Sidorovich.

Q She was present when you arrived. A Yes.

Q And how long did she stay there? A She stayed about half an hour and then left.

Q Nobody else present? A No; just the child.

Q Now, while she was present -- I'm talking about Ann Sidorovich -- was there any discussion of this atom bomb information? A None whatsoever.

Q And when she left, how long after she left did the conversation begin with reference to the atom information? A Oh, about 15, 20 minutes later.

Q And where did this conversation take place? A In the living-room at their home.

Q Now, will you tell us, to the best of your recollection, what was said at this time? A Julius said that Ann Sidorovich would be the one to come out to New Mexico to obtain the information that he wanted David to relate,

and he had worked out a scheme whereby she was to meet us in a theater in Denver.

Q Denver, where? A Denver, Colorado.

Q Well, I thought you said she was going to New Mexico. A Well, she was either going to New Mexico, to our home, or to Denver, Colorado, and he was going to let us know before the furlough was over, and she would get information that David would recall and write down for her.

Q Now, what was the scheme, something about handbags? A Yes; if she was to come to a theater, she would have an alligator purse, and I, in my purse, would have the written information written down which I would give to her in exchange for her purse.

Q Now, did Rosenberg say that he had her present so that you could identify her? A That's right; he said that, "I had her to my house so that you would know her when she came."

Q Did he say that was the reason why he had her there? A Yes, he did.

Q And this was said in the presence of his wife Ethel and your husband? A That's right.

Q And was there something said about an old handbag? A No; just a handbag.

Q In other words, as I understand you, Rosenberg was going to have this Ann go out either to New Mexico or to Denver. A Yes.

Q And was going to notify you as to which place she was going to go? A Yes.

Q And you were to obtain the information from David, you were to put it in the handbag, you were to meet this Ann Sidorovich and you were to swap handbags; is that correct? A That's right. However, that changed before David went back on his furlough. He said that in all likelihood it would be Ann or someone else.

Q Who said that? A Julius did. And that he would probably come to our home in New Mexico, whoever that would be.

Q Now, in addition to talking about the scheme that he had -- now, this is prior to dinner? A Yes.

Q What else was said at that time about the atom bomb, if anything? A Julius asked David what he was working on, and my husband told him that he worked in an experimental shop, that he was brought sketches and he produced the parts on that.

Q Well, what was David's job there? A He was a machinist.

Q Working in the experimental lab; is that right? A That's right.

Q Now, do you recall that -- did Julius ask David how the atom bomb was detonated? A Yes, I think I remember a mention of that.

Q And David told him something about it? A He did. But I couldn't understand it.

Q It was too scientific for you, I take it, was it? A Yes.

Q Now, this conversation took about how long? A About half an hour.

Q And then after that, how long after that did you have dinner? A I can't be exact in my time. It was soon after that.

Q Now, at the dinner table did you discuss the atom bomb at all? A No.

Q But after dinner you had another conversation, didn't you? A Yes, after dinner I asked Julius how we could recognize another party, if it would not be Ann that came to us, and then -- we were in the kitchen at the time, only Julius and Ethel and myself, and Julius cut the side of a Jello box-top -- the side of a Jello -- not the top --

Q Now, let me get that straight, because I think that is rather important.

(Cont'd by IFG)

Q (Cont.) After dinner, you say, if I understand you correctly, that David was in the living room - - A Yes.

Q - - at one point; and that you and Julius Rosenberg and Ethel Rosenberg were in this little nook which served as a kitchen? A Yes, it is a kitchen.

Q Now, how wide a place was that kitchen, and how long - - was it as long as your desk there? A Not very much longer.

Q About six to eight feet? A Yes.

Q Not over ten, certainly? A No.

Q And about how wide? A From here to there (indicating).

Q About four to five feet wide? A I think so.

Q With an open door between that and the living room? A That's right. The living room is rather large. If you are not right near the door, you can't see inside of the kitchen.

Q But while you three were in this little nook - - the Rosenbergs and you - - you asked, as I understand it, Rosenberg how or what means of identification he would use for this courier that was coming down to get the information? A That's right.

Q And at that time he said something about a Jello box-top, is that right? A He didn't say anything. He took the side of a Jello box and he cut it, in my presence.

Q Now, I show you an exhibit, and ask you if you recognize that exhibit, No. 9? A Yes, I do.

Q Will you tell the jury what it is? A That is the side of the Jello box, and it is marked to indicate how it was cut, and which half we had - which half I retained.

Q And those are your initials on there, "R G"? A Yes, they are.

Q Now, I show you Grand Jury Exhibit 10, which is a Jello box, and I ask you if that looks like a replica of the box which Julius Rosenberg took up and cut in your presence? A Yes, it is. This was the side that was cut (indicating).

MR. LANE: The witness is indicating the side of the box which has the instructions on it about making of Jello. This one here is Raspberry Charlotte.

THE WITNESS: Yes. I don't remember which kind it was. It was the side not with the girl.

Q The side of the box with the instructions on it was cut? A That's right.

Q Now, tell us what Julius said at that time. A Well, he cut the side of the Jello box, and he gave me one half; and he said, "Whoever it will be that comes to you will have the other half for identification."

Q Go on. A And I put that half in my wallet,

and I showed it to my husband later on that night, when we got home.

Q And Ethel was present when this took place? A Yes. She was standing right behind her husband, in the kitchen.

Q About how many feet away? A About three or four feet.

Q Did she say anything at this time? A No.

Q Did she see you receive the other side of the box top? A Yes, she did.

Q Then I assume you came out of the little nook and went back into the living room? A Yes.

Q Did you have any further conversation, or was there any further conversation, in the living room, about the bomb information? A No, I don't remember any at that time.

Q Did you again see Julius during the furlough? A Yes.

Q Where? A Julius came to our house at Stanton Street one night, and told David he would like him to go with him to meet another man, and the two of them left. Do you want me to continue, Mr. Lane?

Q Yes. A The two of them left, and Julius took my husband somewhere in the Fifties.

Q This is what your husband told you later on? A That's right, when he came home - - and he was introduced

to a man. He said, "This is David," but Julius never gave the other man's name - - and they had a conversation.

On the way over there, my husband told me later, Julius asked him about his work, and what he was doing at the project.

Q And your husband told you about this when he got back? A That's right.

Q Now, during the furlough period, did Julius see you and your husband quite a bit? A Well, as far as we were concerned he saw us too often. We thought he was intruding, because we wanted to enjoy his furlough.

Q I am talking about the times concerning the information. A We saw him when we went to his house for dinner, when he came to our house to take David to meet this other man, and I believe there was a third time, Mr. Lane, but I can't remember what happened.

Q But on each one of those occasions he was persistent about the information of the atom bomb, is that right? A Yes, he insisted that he wanted the information.

Q Now, at the end of the furlough, your husband returned to Los Alamos? A Yes.

Q That was about the first of January, 1945? A No, it was about January 20, 1945.

Q And when did you go to New Mexico? A March 3, 1945, I arrived in Albuquerque.

Q And did Julius at this time also advance some moneys for the trip? A No, he did not.

Q But before you left on the trip, did you have any conversation with him? A No. It was understood that someone would come to our house when we got settled, and he didn't know where that was because when I went down to New Mexico I had no place to live yet.

Q When you arrived in Albuquerque in March, 1945, where did you stop? A I stopped at the El Fidel Hotel.

Q Then where did you stop after that? A I stayed at several hotels in succession, and at the homes of friends, until I found a place where to live. It took about six weeks.

Q Where was that? A 209 North High Street.

Q Do I understand that David only came home at week-ends? A That's right.

Q Did you and David discuss the atom bomb during this period? A There was no point in discussing it with me; I never understood it.

Q Just answer "yes" or "no." A No.

Q Was David making notes during this time?
A No, he was not.

Q Now, I want to recall to you the events of the first Sunday in June, 1945 - - do you recall that? A Yes.

Q Did a man come to your apartment on that day, at 209 North High Street? A Yes, he did.

Q And who was that man? A Well, at that time I thought his name was Dave. I have since known him to be Harry Gold.

Q Did you see him here in the building today? A Yes, I did.

Q You saw him outside? A Yes; in the ante-room.

Q You haven't talked with him? A No.

Q Have you talked to him since that meeting? A I saw him only on that day, when he came to our house and came back in the afternoon; and I never saw him since until today.

Q And you never talked with him since? A No.

Q Will you relate to the jury just what took place on that morning. It was a Sunday morning - around nine o'clock, was it? A I can't recall the time.

Q It was in the morning, though? A Yes, in the morning.

Q Will you tell the jury what took place at that time? A Mr. Gold came to our apartment, and when he came in he produced the half of the Jello box side, and my husband went to my wallet and got the other half, and they matched. Then he told him that his name was Dave, and he was from Pittsburgh, and that he had come to obtain this information; that he would be back later on in the afternoon. And my husband, when he left, wrote down whatever he remembered, that he was going to give to Gold to

bring back to Julius.

Gold came back in the afternoon, and we gave him this written information on eight by ten ruled paper -- it was loose-leaf.

Then the three of us went for a walk. He gave us an envelope, a white sealed envelope, which we did not open at that time.

We went for a walk to just past the U. S. O. in Albuquerque, which was about three or four blocks from our home. There Gold said "Goodbye" and he went away, and we went back home to our apartment.

When we got there, we opened the envelope, and there was five hundred dollars in it. Well, when we saw the money we realized it was no longer on a scientific plane, and we were being paid to do a job; and my husband and I felt degraded. But there was nothing to do - we couldn't chase Gold, because we didn't know where he was going; and we kept the money.

Q Now, did David subsequently send any other information to Gold or to Rosenberg? A No, he did not.

Q How much time did these meetings consume?
A Well, when he came to our home in the morning, he was there about fifteen to twenty minutes, and then he left, so that David could write down the information for him.

When he returned that afternoon, he was in our apartment only five or ten minutes, and then we went for

this walk, which couldn't have taken very long.

Q Do you recall how David was dressed? A David always wore his Army uniform.

Q Now, when did you get back to New York City? A In March of 1946.

Q And did you meet Rosenberg at that time? A Well, he is a member of my husband's family - - yes, we met him, but there was no - - well, he was a little annoyed with us because my husband had been offered a job to stay at Los Alamos, as a civilian, and Julius felt that he should continue to stay there and give information; but my husband was not going to do that, and he was a little disgruntled about it, but he could do nothing because my husband was discharged and was not going to stay there.

At that time Julius and my husband and his brother - which is Julius' brother-in-law - Bernie, made plans to go into business together - -

Q What did Julius say about David getting out of the Army at that time - what were his words? A I can't remember his words, but he was very annoyed. He felt that David should continue to work at Los Alamos and give information.

Q Do you recall that Ethel was present during this conversation? A No, she was not.

Q Did she ever urge David to remain in the Army and to continue to give information? A Ethel never made

any mention of this to David. The only time she was there was when there were conversations between her husband and me, in her presence.

Q Now, Dr. Klaus Fuchs was arrested some time in February, 1950. After his arrest did you receive a visit from Julius Rosenberg? A I was in the hospital at that time. Julius came to see my husband.

Q Do you know that from your husband telling it to you? A That's right; and at that time he didn't tell me truthfully what Julius had said to him because I was very critically ill, and he didn't want to upset me then.

Q In May, 1950, May 23rd, didn't Julius Rosenberg come to your apartment with a copy of the HERALD TRIBUNE? A Yes, he did.

Q And what picture was on that paper? A Harry Gold's picture was on it, and the fact that he had been arrested.

Q And what conversation did you have at that time? A Julius said that that was the man who had been to see us in Albuquerque.

Q And did you recognize him as such? A No, we did not. I had only seen him once, and he did not look the same to me; and we both denied it. And then, too, we didn't know him under that name, and the fact that he was from Philadelphia.

Q Do I understand that you denied it at that time? A That's right.

Q You said it didn't look like the man, from his picture? A That's right.

Q And what did Julius say? A Julius said, "You can believe me, that that is the man who came to you, and you will be the next ones to be picked up."

Q What else did he say? A He told us we would have to leave the country, and he gave us a thousand dollars. He said, "Buy what you need. You have a month to spend that, and after that you have to leave. Take your clothes and go."

Q Was Ethel present at that time? A No, she was not.

Q What else did he say? A Well, he said, "You have to go," and I said, "Where are we going?" and he said, "You are going to the D. S. U.," and I said, "What is that?" and he said, "To the Soviet Union," and I protested.

I said, "After all, we have an infant, the baby is eight days old," and he said, "You have to go. Your baby won't die. Babies are born on the ocean and in trains every day," and he said, "I will be back again with money for you," and he came back - - I believe it was on June 2nd - - is that the date I gave?

Q Yes; but before that, wasn't there some

conversation about getting an injection for smallpox , and about passports? A No. That was the time he came with the other money.

Q Tell your story. A When he came back on June 2nd - - we have a rather large railroad apartment, and he came into the kitchen, and I was there with my husband and children, and he said, "You are going to have to leave," and then he proceeded to the back room with my husband, and he gave him the sealed package with the four thousand dollars in it; and he came back into the room and he said, "My doctor tells me that before you can get a passport, you have to have a certificate saying that the whole family has been inoculated against smallpox. Can you get this from your doctor?"

I said, "I would not ask my doctor for a false statement. After all, the baby is too young to be vaccinated." He said, "Nobody has to be vaccinated. All you need is a statement, and I will get it from my doctor."

After that, he and my husband went for a walk, and he outlined the plan to leave the country.

Q What was in the package - when did you open it? A I never opened it. Neither did my husband.

Q What did you do with it? A With Scotch-tape we put it in our fireplace, in the flue.

Q You taped it up? A That's right. A few

days later my husband took the package out of the fireplace and gave it to my sister's husband to hold for him.

Q That is Bernie? A No, that is Louis Abel.

Q Now, is there anything else you can tell us? A Yes. After the first time, when Julius came to our house, my husband and I discussed it. We felt that we were not going to go anywhere. It was not a question of running away, and this was our country, we were not going to leave it; but my husband felt if we told Julius that we would not leave he would consider this dangerous to himself, and that some physical harm might befall myself or my children, and so we would let him think that we were leaving.

Do you want the plan?

Q Yes, please. A This was later related to me by my husband. When they went for this walk, Julius told him that we were all to go to Mexico City, rent a house and stay on the outskirts for a month. At the end of the month, my husband was to write a letter to the Soviet Consul and sign it "I. Jackson." I don't recall the words. It was a very innocuous letter - - but three days after the letter was mailed, he was to meet someone in front of a statue in a park, and this person would hold a guide-book in his left hand, as a means of identification. This was ostensibly to receive some more funds.

And then we were supposed to proceed by boat to either Berne, Switzerland, or Stockholm, where the same thing was to take place again: To write a letter to the Soviet Consul, and three days later to meet a person near the statue in a park; until eventually, through Czechoslovakia, we would get to Russia.

Q Did Julius at any time say anything about his own departure - he and Ethel? A I asked him what was going to happen. He said he was going, too, but he would not leave the same time as we. Then, too, he said, "You have to get out in a hurry," that sometimes between the 12th and 16th of June the arrest would take place; and I said, "How do you know, how can you tell?" and he said, "I know."

I said, "Is Ethel happy about leaving?" He said, "Well, she is disturbed; her ties are here, but of course she realizes it is a thing we have to do."

Q Did you ask him what you were going to do if and when you got to the Soviet Union? A Mr. Lane, I always assumed we would be shot when we got to the Soviet Union, and I didn't ask Julius that.

MR. LANE: Mr. Foreman, do you have any questions?

A JUROR: I would like to ask, were you born in this country?

THE WITNESS: Yes, I was.

A JUROR: Was your husband born in this country?

THE WITNESS: Yes.

MR. LANE: If there are no further questions, I suggest that you excuse the witness.

THE FOREMAN: You are excused. Thank you.

(WITNESS EXCUSED)

MRS. ETHEL ROSENBERG, called as a witness, having first been duly sworn by the Foreman, testified as follows:

BY MR. LANE:

Q What is your address? A 10 Monroe Street, New York City.

Q You have appeared here today in response to a Grand Jury subpoena that was served upon you? A Yes.

Q When was that served upon you? A It was served last Monday.

Q Now, I understand you have consulted an attorney since you have received that subpoena? A That's right.

Q And he no doubt has advised you on your constitutional rights? A That's right.

Q And so that there will be no question about it, I will go over your rights myself. In other words, under our system, under our constitutional system of Government, you are not bound to testify against yourself.

In other words, you have the constitutional right of refusing to answer any questions if the answers in your opinion may tend to either incriminate or degrade you. Do you understand that? A Yes.

Q But that is the only reason under which you can refuse to testify before a Grand Jury, and if you refuse on any grounds other than that, it is possible that you could be held in contempt of Court for refusing to answer.

I also want to call your attention to the fact that everything that you say before this body is subject to the penalties of perjury. If you knowingly lie to this body, you could be indicted for perjury.

With that admonition, and also the fact that any answers that you may give to this Grand Jury are given voluntarily, and may subsequently be used against you in the event that any of the testimony that is adduced here as a result of your testimony may result in an indictment - - in other words, if you were to be indicted as a result of the testimony you give here today, that testimony could be used against you - - now, do I make myself clear? A Yes.

Q - - is there any question or reservation in your mind at all? A No.

Q How old are you? A Thirty-four.

Q Are you married? A Yes.

Q You are married to Julius Rosenberg? A That's right.

Q When were you married to Julius Rosenberg? A June 18, 1939.

Q And you are a sister to David Greenglass? A That's right.

Q Do you have any children? A Yes.

Q How many? A Two.

Q How old are they? A One is almost seven and a half, and the other is three.

Q Now, were you ever affiliated with the Communist Party? A I decline to answer that question on the grounds that this might tend to incriminate me.

Q When did you consult with your attorney for the first time, in connection with this matter? A I refuse to answer on the grounds that this may tend to incriminate me.

Q That that may incriminate - the fact that you talked with a lawyer? A That was my answer.

Q In other words, you refuse to answer the question as to when you talked with a lawyer, on the grounds that that might incriminate you? A Yes.

Q Did you pay the lawyer a fee? A I refuse to answer on the ground that this might tend to incriminate me.

Q You realize that the incrimination is something that could incriminate you, and not somebody else? A That's right, I realize it.

Q Did you discuss this case with your brother, David Greenglass? A I refuse to answer on the ground that this might tend to incriminate me.

Q Do you recall ever having discussed the work of your brother, David Greenglass - the work that he was doing at Los Alamos, New Mexico? A I decline to answer on the ground that this may tend to incriminate me.

Q Do you recall a furlough visit that your brother made to New York in the late Fall or first part of January, 1944-45? A I decline to answer on the ground that this

might tend to incriminate me.

Q Did you ever invite your brother David and his wife to your home for dinner - - I mean during the period while he was on furlough, in January of 1945? A I decline to answer on the ground that this might incriminate me.

Q Do I understand that you are going to decline to answer all questions that I ask you? A No. No, I won't decline to answer all questions; it depends on the question.

Q Do you have knowledge - - I withdraw that - - where did you meet your husband for the first time? A On the lower East Side.

Q Where, and what was the occasion? A I decline to answer on the grounds that this might tend to incriminate me.

Q Even where you met your husband, you think might incriminate you? A That's right.

Q Do you think it might incriminate him, too? A I decline to answer that, too, on the ground that it might tend to incriminate me.

Q Have you ever met Harry Gold? A I decline to answer on the grounds that this might intimidate me - - incriminate me, I mean.

Q And you can't give a "yes" or "no" answer to that? A I gave my answer.

Q You don't deny that you met Harry Gold? A I

gave my answer. I declined to answer on the ground that that might tend to incriminate me. That was my answer.

Q That was your answer to the first question; and the second question was: "You don't deny that you met Harry Gold?" A I decline to answer on the ground that this might tend to incriminate me.

Q Have you ever talked with your brother David about his activities at Los Alamos? A I decline to answer, on the ground that this might tend to incriminate me.

Q Have you ever seen any sketches that he made while he was working at Los Alamos? A I decline to answer on the ground that this might tend to incriminate me.

Q Were you present when he gave information to your husband - that is, when David Greenglass gave information to your husband - which he had obtained from Los Alamos? A Will you repeat the question, please?

Q (Read by reporter: "Were you present when he gave information to your husband - that is, when David Greenglass gave information to your husband - which he had obtained from Los Alamos?") A I decline to answer on the ground that this might tend to incriminate me.

MR. LANE: Mr. Foreman, would you excuse the witness - not from the subpoena; but will you adjourn this case - it is now five minutes of one - and direct the witness to return later, on a date which you will give me at a subsequent time.

In other words, she is still under subpoena, and she will return at a later date - - and will you direct her to do that, please?

THE FOREMAN: Did you hear what he had to say?

THE WITNESS: Yes.

THE FOREMAN: In other words, it is not necessary for me to repeat that?

THE WITNESS: No, it isn't.

THE FOREMAN: Then you are excused, under those conditions.

THE WITNESS: Thank you.

(WITNESS EXCUSED)

V I V I A N G L A S S M A N , called as a witness, having first been duly sworn by the Foreman, testified as follows:

BY MR. LANE:

Q What is your address and telephone number?

A 131 East 7th Street, New York 3, New York; Oregon 3-6378.

Q Now, you have appeared today in response to a subpoena which was served upon you, isn't that correct?

A Yes, I did.

Q Now, before I ask you any questions, I want to warn you of your constitutional rights. In other words, you don't have to answer any questions the answers to which in your opinion might tend to either incriminate or degrade you. But let me advise you that that doesn't mean that you have a right to refuse to answer questions which might incriminate other people.

I want you to know, also, that when you are before this particular body you are subject to the penalties of perjury, and if you knowingly tell any falsehood or lie you could be indicted for perjury. Do you understand that?

A Yes, I do.

Q I believe you have discussed this matter with attorneys before you appeared here today, is that right?

A Yes, sir.

Q And they have advised you of your constitutional rights, too, haven't they? A Yes, they have.

Q Now, what attorneys did you consult with respect to your being advised of your constitutional rights?

A Mr. Leonard Boudin.

Q When did you consult with him? A On Saturday.

Q Did you consult with anybody on Thursday, after you had talked with the F. B. I.? A Yes.

Q Whom did you consult with? A Mr. Seidman - Mr. Robert Seidman.

Q He is an attorney, is he? A Yes, he is.

Q Did you pay him a fee? A No, I didn't.

Q Who sent you to Mr. Seidman? A Mr. Seidman is the assistant to Mr. Boudin, and Mr. Boudin is the lawyer that represents my union.

Q Whatunion is that? A Social Service Employees Union.

Q What number? A 19.

Q C.I.O.? A Unaffiliated.

Q What other lawyers did you consult? A I had gone to see Mr. Silverman - Matthew Silverman. I didn't have much of a chance to talk with him, though.

Q Did they agree to take your case? A No, he didn't.

Q Did they ask for a fee? A No.

Q Did they say they wanted nothing to do with this matter? A No.

Q Which one of them told you not to talk to the

F. B. I.? A None of them.

Q Well, I thought you said Mr. Boudin did? A No, I didn't say that.

Q Well, you had been willing last Thursday - wasn't it - when you were before the F. B. I. to identify certain pictures - - you expressed a willingness at that time, do you recall? A Yes.

Q And then, over night, you talked to Mr. Boudin, didn't you? A Yes.

Q And the next day you declined to answer any further questions to the Agents of the F. B. I.? A Yes.

Q And you did that on the advice of Mr. Boudin? A No.

Q On whose advice did you do it? A Mr. Boudin explained to me what my constitutional rights were, and on the basis of what he had said to me I decided that I did not wish to speak further with the F. B. I.

Q Do you still feel that you do not intend to cooperate, to the extent of identifying certain pictures? A I do wish to cooperate, but I feel that I would not wish to identify any pictures because of the possibility that it may incriminate me.

Q Then you do know who the man was that came up to your place and told you to go to Cleveland? A I do not wish to answer that question.

Q On the grounds that it will incriminate you?

A It might possibly incriminate me.

Q You have to say the grounds; you must express them. A On the grounds that it might tend to incriminate me.

Q Do you know the identity of the man who came to your apartment on July 21, 1950, and gave you two thousand dollars, and asked you to go to see a Mr. Perl in Cleveland -- do you know who that man was? A I do not wish to answer that question, on the grounds that it may tend to incriminate me.

Q You have got to refuse to answer on the grounds that it will incriminate you. Do you refuse to answer that on the grounds that it will incriminate you, or tend to incriminate you? A Yes, it may tend to incriminate me.

Q If you were to divulge the identity of that person? A Yes, it may tend to incriminate me.

MR. LANE: Would you excuse the lady until tomorrow? Direct her to be back here at twenty minutes of eleven tomorrow.

THE FOREMAN: You are directed to be here at twenty minutes of eleven tomorrow, and you are temporarily excused.

Q Do you understand that you are still under subpoena? A Yes, I do.

Q In the meantime, I would suggest to you that you

consult an attorney. A Yes, sir.

Q Because tomorrow morning I intend to pursue this line of questioning further, and I don't want you to say that you were deprived of any rights that you have, to have counsel in a position in the building where you can consult with him. Do you understand that? A Yes, sir.

Q The Foreman has excused you until tomorrow morning and directs you to return here. A To your office, Mr. Lane?

Q To this floor, outside here, at twenty minutes of eleven tomorrow. Do you understand that? A Yes, I do. Shall I leave now?

Q Yes.

(WITNESS EXCUSED)

G E O R G E B E R N H A R D T , M . D .,

called as a witness, having first been duly sworn by the Foreman, testified as follows:

BY MR. LANE:

Q Doctor, you came here voluntarily, and without subpoena, I believe? A Yes, sir.

Q When were you admitted to practice in New York City? A 1936.

Q And where did you take your medicine studies? A At Long Island Medical College.

Q And where is your office located? A 118 Eighth Avenue, Brooklyn.

Q And your home is where? A 40 Monroe Street, New York.

Q And what is your telephone number at home? A Worth 2 - 0155.

Q And your office number? A Sterling 3 - 1121.

Q Are you married, doctor? A Yes, sir.

Q How long have you been married? A Fourteen years.

Q Any children? A Two children.

Q And were you in the service? A I was with the V. A. from 1939 to 1944.

Q Now, do you know Julius and Ethel Rosenberg? A Yes, sir.

Q How long have you known them? A Well, I have

known Mrs. Rosenberg about four to five years, and her husband I have known as a patient approximately a year to a year and a half.

Q Do you know David Greenglass? A No.

Q Do you know Ruth Greenglass? A No, sir.

Q Do you know Vivian Glassman? A No, sir.

Q Now, did you have a conversation with Julius Rosenberg in the past few months, with reference to the possibility of a trip to Mexico? A Yes, sir, I did.

Q Would you tell the jury, to the best of your recollection, first of all when that took place, and where it took place? A This conversation took place on the telephone at my home, and I believe it took place two or three months ago, although I am not positive of that.

Q Will you relate the incident as best you can? A Yes, sir. I received this 'phone call while at home, and Mr. Rosenberg started the conversation off somewhat like this: "Doctor, I would like for you to do me a favor. I would like you to give me some information about Mexico - - that is, what injections are necessary for one to go to Mexico."

And then he said, "Don't get scared" - jokingly - "it is not for me, it is for a friend of mine." And I proceeded to tell him what injections would be necessary; and then, as an afterthought, I said, "Is this friend of yours a veteran?" and he said, "Yes," and then I said,

"Well, in that case he would probably only need booster doses."

And then I asked him if this friend intended to go into the interior of Mexico, and he said, yes, probably, and I said, "Well, in that case he would probably need typhus shots." I believe I told him to let me know if this friend decided to go, because I ordinarily don't keep typhus vaccine in stock, and I would have to order it, and he said he would let me know.

Q Did he identify himself to you as Julius Rosenberg? A Yes.

Q And this, you say, took place about three months ago - and that would make it around May of this year, 1950? A That would be only a guess, but I know it was in the spring of this year; that I know.

Q Did he explain his statement to the effect, "Don't be scared," doctor? A Well, he said it rather jokingly, because at this time I had been treating him for hay fever, and he was getting weekly injections of hay fever, so that he may have had that in mind, that I may have thought that it was for him and he was terminating his treatment, or something like that.

Q Did he say anything about getting a certificate of vaccination? A Nothing that I can recall. He may have, but I do not recall it.

Q Now, have you been contacted by any friends of

his, or by any persons who might be interested in his welfare, since his arrest? A Just by his wife, on one occasion.

Q And will you tell the jury just what happened, and when that was? A Yes. I believe that was about ten days ago, but I am not positive, either. She called me on the telephone and told me that she had been having diarrhoea for about a week, and would I prescribe for her.

Q Did she say what caused that? A Well, she mentioned something about having been before the Grand Jury.

THE FOREMAN: We can't hear you.

THE WITNESS: I am sorry. She mentioned something about having been before the Grand Jury.

Q Now, did you prescribe some treatment for Julius, with respect to the same malady some time ago? A Yes. He called me one afternoon, I believe it was, and he asked me if he could come over to my house to see me, and we had some people over that day and I told him I would not be able to give him a shot that day - I thought he was coming for a shot - and he said, "No, it is not for a shot; I would like to talk to you about something."

And he came over and told me that he had been suffering from insomnia, and I looked at him, and he said, "Well, I have been questioned by the F. B. I." I said, "What?" and he said, "Yes. My brother-in-law, Greenglass,

has implicated me in this - - "

Q Did he say what it was? A No. Well, I had read about Greenglass, and I raised my eyebrows and shook my head, I suppose, and I prescribed for him a sedative which he had at home for his children, and I advised him to take the same sedative.

Q Did he discuss the case of Greenglass at all? A No.

Q He didn't say a word? A No, he did not.

Q Now, had you had this discussion about Mexico and vaccines before or after that particular incident? A I would say it would have been quite a while before it. The Mexican conversation would have been quite a while before this other conversation.

Q And as you place it, it was probably before Greenglass' arrest, wasn't it? A I should imagine so.

Q Well, to the best of your recollection is that a fact? A That's right.

Q And when you talked with Mrs. Rosenberg, did she say anything about the causes of this diarrhoea? A No; just that she had been at the Grand Jury, and that's all.

Q Did she say what for? A No.

Q Now, you have been the family physician of the Rosenbergs, I take it, for a couple of years? A Well, I have been the physician of the children for a number of

years, and the physician of Mr. Rosenberg for about a year or a year and a half.

Q Now, do you know anything about the activities of the Rosenbergs with respect to the Communist Party? A I do not.

Q And do you know anything about the Rosenbergs in connection with espionage? A No, sir, I do not.

Q Is there anything else you can tell us about the Rosenbergs, doctor, of any nature? A The only thing I can say is that I was very surprised and shocked.

MR. LANE: Mr. Foreman, do you or the other jurors have any questions of the doctor? If not, we will excuse him.

A JUROR: May I ask you, were you also Mrs. Rosenberg's physician?

THE WITNESS: I examined her on one occasion, when she came to my office for a routine physical.

A JUROR: And you originally said that you had known her for about four years. Does that four-year period date from that time?

THE WITNESS: That's right. I believe I examined her within the past year.

A JUROR: So that in effect you have been Mrs. Rosenberg's physician on and off for four years?

THE WITNESS: No, sir. I treated her only once, I believe, but I have treated her children for the

past four years.

A JUROR: Did Rosenberg ever suggest, by inference or otherwise, that you might issue a certificate without the injection having actually been given?

THE WITNESS: Not that I can recall, but if he had he certainly didn't get it.

(WITNESS EXCUSED)

V I V I A N G L A S S M A N , recalled as a witness, having again been duly sworn by the Foreman, testified as follows:

BY MR. LANE:

Q Now, Miss Glassman, you have been sworn by the Foreman of the Grand Jury, and once again, to make certain that there is no misunderstanding, I am going to take this occasion to warn you of your constitutional rights.

First of all, I am going to explain them to you: Under our Constitution, you don't have to answer any questions the answers to which in your opinion might tend to either incriminate or degrade you. However, this right applies only to you, and if the answers which you might be able to give tend to incriminate somebody else, or degrade somebody else - and not you - you cannot exercise that privilege.

In other words, that privilege is yours, and yours alone. You can't hide somebody else, because you might like them, or because of any other thoughts that you might have, if the answers do not tend to incriminate you.

Now, I want you also to know that this is a Grand Jury, and that you are subject to the penalties of perjury if you knowingly tell any falsehood or lie, and you could, if you did tell a lie, be indicted for perjury.

I also want you to know that any answers you give here to this body, you give voluntarily, without any promises

of any sort whatsoever. Now, do you understand your rights? A Yes, I do.

Q Now, you have talked to several lawyers, haven't you? A Yes, I have.

Q And I believe on each occasion those lawyers, if they didn't tell you anything else, they advised you as to your constitutional rights - didn't they? A Yes, they did.

Q And this morning a Mr. Seidman came to the building with you? A Yes.

Q What is his full name? A Robert Seidman.

Q Now, you correct me if I am wrong, but Mr. Seidman in my office this morning told me that he did not represent you - is that correct? A That's correct.

Q But in any event he is in the building, and I told him to remain within calling distance of you, where he could be reached in the event you decided you want to converse with him on any topic. Do you understand? A Yes, I do.

Q In other words, I want to give you every opportunity, and I want to be as fair as I can with you, and if there is any question in your mind that what I have explained to you now has not been fair, you let me know, will you? A Yes, I will.

Q Have I been fair so far? A (No answer.)

Q Have I explained it to you? I want to be sure

that you understand. A I understand what you have said.

Q Now, in addition to Mr. Seidman, what other lawyers did you talk with - those lawyers who advised you of your constitutional rights? A Mr. Leonard Boudin.

Q Leonard Boudin? A Yes.

Q Did you ask him to represent you? A Yes, I did.

Q And he declined? A Yes, he did.

Q But he did explain to you your constitutional rights? A Yes, he did.

Q And whom else did you talk with - what other lawyers? A Mr. Matthew Silverman.

Q Matthew Silverman? A Yes, sir.

Q What firm is he with? A I don't recall the other people with him, or if he is with any other people.

A JUROR: We don't hear.

THE WITNESS: I don't recall if he is practicing by himself or if he is part of a firm; I don't recall that.

Q And did he advise you of your constitutional rights? A No, sir.

Q But he did decline to take your case, is that right? A Yes, sir.

Q What other lawyers did you consult? A Mr. Leo Linder.

Q Linder? A Yes, L-i-n-d-e-r.

Q And when did you consult with Mr. Linder? A I believe it was on Wednesday.

Q Wednesday of this week? A I had 'phoned him for an appointment, but I don't remember whether I 'phoned him Monday or Tuesday, but I believe I saw him on Wednesday. But I am not certain of that.

Q And did he decline to take your case, too? A Yes, he did.

Q And did he advise you of your rights while you were talking to him? A No, he didn't.

Q Now, do you know Julius Rosenberg? A I don't want to answer that question on the grounds that the answer might tend to incriminate me.

Q In other words, you refuse to answer the question on the grounds that it may tend to incriminate you? A Yes, sir.

Q Do you know Ethel Rosenberg? A I do not wish to answer that question on the grounds thatthe answer may tend to incriminate me.

THE FOREMAN: Will you say that louder, please? We can't hear you.

THE WITNESS: Do you want that repeated?

THE FOREMAN: I think we know what you said then, but the next time please talk louder.

THE WITNESS: Yes, sir.

Q Can you tell the jury why you think it might

incriminate you, the fact that you know Julius Rosenberg and Ethel Rosenberg? A I don't think I want to answer that question.

Q On what ground? A On the grounds that in discussing why the other questions might incriminate me, the answer to this question might likewise incriminate me now.

Q Do you know David Greenglass? A I don't wish to answer that question on the grounds that the answer may incriminate me.

Q Do you know Ruth Greenglass? A I don't wish to answer that question on the grounds that the answer may tend to incriminate me.

Q Do you understand what you are doing now? A Yes, I do, sir.

Q Do you know Joel Barr? A I don't wish to answer that question on the grounds that it may tend to incriminate me.

Q Are you going to refuse to answer every question I ask you today, on the grounds that it may tend to incriminate you? A No, sir. I will answer any questions that I feel the answers to which may not tend to incriminate me. I believe I have the right not to answer any questions which I feel may possibly incriminate me.

Q Do you know Alfred Sarant? A I don't wish to answer that question on the grounds that the answer may

tend to incriminate me.

Q Do you know William Perl? A I don't wish to answer that question on the grounds that the answer might tend to incriminate me.

Q Q Did you give a statement to the Federal Bureau of Investigation, in connection with William Perl? A I don't wish to answer that question on the grounds that the answer may tend to incriminate me.

Q Haven't you given a statement to the Federal Bureau of Investigation, in connection with William Perl? A I don't wish to answer that question on the grounds that that may tend to incriminate me.

Q Did you talk with any agents of the Federal Bureau of Investigation, in connection with William Perl? A I don't wish to answer that question on the grounds that it might tend to incriminate me.

Q Did you talk to me in connection with William Perl? A I don't wish to answer that question on the grounds that it may tend to incriminate me.

THE FOREMAN: I don't want to ask you again, madam, but please answer this loudly. We are very interested in hearing what you have to say, loudly, so that we can all hear you.

THE WITNESS: I will try.

Q Are the answers which you are giving today the result of your conversation with your lawyer, Mr. Seidman?

A No, sir.

Q Did you talk with him between the time you appeared here yesterday and today? A Yes, sir, I did.

Q Where and when did you talk with him? A At his office.

Q When? A Yesterday.

Q And what did he tell you? A He advised me of my constitutional rights.

Q Did he advise you to refuse to answer all questions? A No, sir, he didn't advise me to refuse to answer any questions. He merely advised me of my constitutional rights.

Q What did he say, in advising you of your constitutional rights? A He advised me that if any question is asked of me, and if I feel that the answer to that question might tend to incriminate me, that I have the privilege of saying so, and that it is a constitutional right.

Q So you made up your mind that you are not going to answer any questions with reference to people whose names you have seen in the newspapers, in connection with espionage cases - is that correct? A I have decided that if in my opinion any of the questions that are put to me may tend to incriminate me, that I will exercise the privilege of not answering them.

Q And in your opinion, do you believe that the

very fact of knowing these people, and having met them, will tend to incriminate you?

(CONTINUED BY LB)

A I think that it might possibly tend to incriminate me.

Q Didn't you tell Agents of the Federal Bureau of Investigation that you went to Cleveland on July 22, 1950? A I do not wish to answer that question on the grounds that it might tend to incriminate me.

JUROR: Louder, please.

THE WITNESS: I said, I do not wish to answer that question on the grounds that the answer might tend to incriminate me.

Q Didn't you tell the Federal Bureau of Investigation Agents that your sister Eleanore was a friend of William Pearl's? A I do not wish to answer that question on the grounds that the answer might tend to incriminate me.

Q Didn't you tell the Federal Bureau of Investigation in a statement that a man came to your apartment in the month of July and asked you to go to Cleveland to talk to a Mr. Pearl? A I do not wish to answer that question on the grounds that the answer may tend to incriminate me.

Q Didn't you tell he Federal Bureau of Investigation, that is, Agents of the Federal Bureau of Investigation, that on the occasion when this man visited your apartment, July 21, 1950, that he gave you two thousand dollars to give to Pearl? A I do not wish to answer that question on the grounds that it may tend to incriminate me.

Q Didn't you tell Agents of the Federal Bureau of Investigation that when this man came to your apartment on

July 21, 1950, that he gave you a message to William Pearl, that you were to convey to Pearl in Cleveland? A I do not wish to answer that question on the grounds that it may tend to incriminate me.

Q Didn't you tell the Agents of the Federal Bureau of Investigation that this man that came to your apartment on July 21, 1950, told you to tell Pearl that he was to go to Mexico immediately? A I do not wish to answer that question on the grounds that the answer may tend to incriminate me.

Q Didn't you tell Agents of the Federal Bureau of Investigation that when you reached Cleveland you wrote the instructions out on a piece of paper and gave them to Pearl? A I do not wish to answer that question on the grounds that the answer may tend to incriminate me.

Q Didn't you tell Agents of the Federal Bureau of Investigation after you had talked to Pearl in Cleveland in July of 1950 that he declined to take the two thousand dollars which had been given to you by this man? A I do not wish to answer that question on the grounds that the answer may tend to incriminate me.

Q Didn't you tell Agents of the Federal Bureau of Investigation that after Mr. Pearl had declined to accept the two thousand dollars from you that you returned to New York with the money? A I do not wish to answer that question on the grounds that the answer may tend to incriminate me.

Q Didn't you tell Agents of the Federal Bureau of Investigation that after you had returned to New York on or about July 27, 1950, a man came to you, the same man who had given you the two thousand dollars, and you gave it back to him in your apartment? A I don't wish to answer that question on the ground that the answer may tend to incriminate me.

Q Did Julius Rosenberg ever visit your apartment? A I do not wish to answer that question on the grounds that the answer may tend to incriminate me.

Q Didn't you tell the Federal Bureau of Investigation that you were a friend of Julius Rosenberg's? A I do not wish to answer that question on thegrounds that the answer may tend to incriminate me.

Q Didn't you tell the Agents of the Federal Bureau of Investigation that you were a ffiend of Ethel Rosenberg's? A I do not wish to answer that question on the ground that the answer may tend to incriminate me.

Q Did you tell the Federal Bureau of Investigation that you had visited the apartment of Ethel and Julius Rosenberg many times? A I do not wish to answer that question on the grounds that the answer may tend to incriminate me.

Q Did you witness the peace riots up at 14th Street in the last two weeks? A Yes, I did.

Q Did you take part in them? A I witnessed it.

Q Answer the question, please. Did you take part in them? A No.

Q How did you happen to be there that day? A I read about it.

Q You read about what? A I read about it.

Q You read about it before it started? A Maybe I didn't understand the question before.

Q (Question read as follows: "How did you happen to be there that day?") A I am sorry. You referred before to a peace riot?

Q Yes, a peace riot up at 14th Street. A I wasn't at a riot.

Q What was it? A There were lots of people there.

Q It was a demonstration, wasn't it? A It was supposed to be a rally, yes.

Q A rally. You were there, weren't you? A I witnessed it, yes.

Q How did you happen to be there? A I went there.

Q How did you know about it? A The question about the peace rally had been in all the papers and had also been broadcast over the radio.

Q Didn't you tell the Federal Bureau of Investigatio that you sent Alfred Sarant money orders in the sum of $45 in payment of rent for an apartment at 65 Morton St., New York City? A Ido not wish to answer that question on the grounds that the answer may tend to incriminate me.

Q Did you ever type any letters for Alfred Sarant? A I don't wish to answer that question on the grounds that it might tend to incriminae me.

Q What was your reason for visiting the peace rally? A I wanted to see what it was like.

Q Is that the truth?

JUROR: I did not hear that.

THE WITNESS: I said, I wanted to see what it was like.

Q Is that the truth? A Yes, sir.

Q Did you go with anybody that day? A I don't recall.

Q You do not recall? I took place about two or three ago, didn't it, and you don't recall? A I do not recall, I am sorry.

Q Do you know any members of the Communist Party? A I don't wish to answer that question on the grounds that it might tend to incriminate me.

Q Were you ever a member of the Communist Party? A I donot wish to answer that question --

Q Were you ever a member of the Young Communist League? A I do not wish to answer that question on the grounds that it may tend to incriminate me.

Q Do you subscribe to the Daily Worker? A I do not wish to answer thatquestion.

Q Keep your voice up, please. A I do not wish to

answer that question on the grounds that it might tend to incriminate me.

Q Were you ever affiliated in any way with the Communist Party or the Communist movement? A I do not wish to answer that question on the grounds that it might tend to incriminate me.

Q Have you ever attended Communist meetings? A I don't wish to answer that question on the grounds that the answer might tend to incriminate me.

Q Have you ever contributed any money or your services to the Communist party or the Communist cause? A I do not wish to answer that question on the grounds that it might tend to incriminate me.

Q Are you interested in seeing Russia get the secret of the atom bomb? A No, sir.

Q What is the answer? A No, sir.

JUROR: I didn't hear you.

THE WITNESS: No, sir.

Q Are you interested in seeing that Russia obtains secrets on various weapons of the United States? A No, sir.

Q Then why don't you want to answer these questions in here? A I don't wish to answer any questions the answers to which I believe might tend to incriminate me.

Q And you still maintain that you never attended Communist meetings? A I don't wish to answer that question on the grounds that it might tend to incriminate me.

Q Did you ever attend a rally at Madison Square Garden? A Yes, I did.

Q A Communist meeting at the Madison Square Garden, a Communist rally? A I don't recall.

Q Did you refuse to identify various pictures which were shown to you by the Agents of the Federal Bureau of Investigation? A No, sir.

Q You did not? A No, sir.

Q You did not refuse. Are you willing to identify pictures which may be shown to you by Agents of the Federal Bureau of Investigation? A Would you please repeat that? I didn't hear it.

Q (Question read as above.) A I do not wish to do that on the ground that it might tend to incriminate me.

Q Will you explain why you think the mere process of identifying pictures might tend to incriminate you? A I believe that if I answer that question then that answer might tend to incriminate me.

Q In brief, you have practically declined to answer any questions that might be asked you except where you were born, when you were born, where you went to school, that's about all, isn't it? A No,sir. I am ready to answer any questions the answers to which I believe will not incriminate me.

Q But you are not willing to answer any questions with reference to your connections with people of Communist

tendencies, is that correct? A No,sir. I do not wish to answer any questions which I feel might tend to incriminate me.

Q Do I understand that you only obtained knowledge of the peace rally from the radio or papers? A No,sir. I had heard talk about it.

Q Who told you about it? A In the union there was talk about it.

Q What union? A The union I belong to, a social service workers union.

Q What was the talk about? A Various members were talking about a rally, the fact that the permit had not been granted for the rally.

JUROR: We can't hear.

Q Talk loud enough. You can talk loud enough. You shouted loud enough in here before. Your voice was louder yesterday. A I said, various members of my union, which is the Social Service Workers Union, had talked about the rally.

Q Do you consider yourself to be a good American citizen? A Yes, I do.

Q Do you consider yourself a very cooperative American citizen? A Yes,sir, I do. I am prepared to cooperate.

Q You have the interests of the United States at heart? A Yes, sir, I do.

Q And is what you have said here an indication of

that interest? A I believe, sir, I am, as I said before, interested -- I have the interests of the United States Government at heart. It is my government. At the same time I feel that I have the privilege of exercising the right of refusing to answer any questions that might tend to incriminate me.

Q Even though the material which is being discussed here might have a very damaging effect upon your government, you still would decline to answer questions? A I feel, sir, that I would be obliged to answer questions which might tend to incriminate me.

Q In other words, you think more of yourself than you do of the United States Governmemt? A No,sir. I wouldn't say that, sir. But I do want to protect myself and to exercise the rights that I have not to incriminate myself.

(Cont. by IFG)

Q And whom else do you want to protect? A Nobody, sir.

Q Who lives in that house up there with you - your apartment? A I live alone, sir.

Q Who has been living there for the last week or ten days with you - has anyone been there? A Yes, sir.

Q Who has been there? A A friend of mine.

Q Who is he? A Ernest Pataki.

Q And how long has he been there? A He hasn't been living there; he is staying there. He has just been keeping me company.

Q He has been staying there over night? A Yes, sir.

Q For how long? A Since - - I don't recall, either Monday or Tuesday.

Q Who pays the rent on that apartment? A I do.

Q How long have you lived there? A Three years.

Q Do you have a lease? A I believe the lease has expired. I had one, and I still have it.

Q How much do you pay for the rent? A Thirty dollars a month.

Q And what does this man Pataki do for a living? A He is an engineer.

Q Where does he work? A At Federal Telecommunications.

Q Is he married? A No, sir.

Q What does he make a week? A I don't know, sir.

Q Does he pay anything for the upkeep of that apartment? A No, sir.

Q How many rooms in that apartment? A Three, sir.

Q What are they? A I have a living room, I have a bedroom, and I have a kitchen.

Q Describe the furniture in the living room. A I have - - the rooms are separate rooms, with doors between all of them - the living room and the bedroom and the kitchen all have doors. The living room has a bookcase, a record-player, a record-cabinet, a desk, a radio and a studio couch, and an incidental chair.

Q Why has this man been living in your apartment for the last ten days? A It hasn't been the last ten days, sir.

Q How long? A I believe since Monday or Tuesday.

Q Why, hasn't he a home of his own? A Yes, sir, he has.

Q Where does he live? A Nearby, on 19th Street.

Q What is he doing in your apartment? A I asked him to stay with me.

Q And how often does this go on? A I don't understand your question.

Q I say, how often does this go on, how often do

you invite people up to your apartment for a week or so, to stay with you? A He doesn't live there, he doesn't stay there.

Q What is he doing there? A I asked him to keep me company.

Q Are you lonesome? A I guess I have been a little disturbed by this.

Q What is he there for - as a bodyguard of some sort? A No, sir, but he is a friend of mine.

Q What is his function there, what is he doing? A There is no function; it is just that he keeps me company.

Q What sort of company? A Well, friends - he is a friend of mine.

Q Is he a canasta player or something? A I believe he knows how to play canasta.

Q That is what he is there for, to play canasta? A I wouldn't say that, sir.

Q Tell the jury what he is there for. A He is my friend.

Q Is he hiding there from somebody? A Oh, no, sir; I wouldn't imagine so.

Q Did he talk to you about the Rosenbergs? A I do not wish to answer that question - -

Q I say, did he talk to you about the Rosenbergs? A No, sir.

Q He didn't mention the Rosenbergs to you? A No, sir.

Q Did he talk about the Greenglasses to you? A No, sir.

Q Did he talk about these espionage cases to you? A No, sir.

Q He never mentioned it? A No, sir.

Q In all the time he has been at that apartment, he never mentioned anything about the Rosenbergs or the Greenglasses? A No, sir.

Q Did he discuss with you the subpoena that you got? A No, sir.

Q You never talked to him about it? A No, sir.

Q You never said a word to him? A No, sir. I didn't want to discuss any of this with him.

Q But did you discuss it with him? A No, sir.

Q Did you discuss the Rosenbergs with him? A No, sir.

Q Did you discuss the Greenglasses with him? A No, sir.

Q Is he a member of the Communist Party? A I don't know, sir.

Q Did he ever, to your knowledge, attend a Communist meeting? A I don't know.

Q Did you ever see him at one? A I don't know.

Q Where did you go to school? A I went to

Columbia University for my last degree, and for my first - -

A JUROR: I don't hear.

THE WITNESS: I went to Columbia University for my degree in social work. I went to Hunter College for my bachelor's degree.

Q Did you ever meet a man called John? A I don't wish to answer that question on the grounds that it may tend to incriminate me.

Q Now, look, why don't you answer these questions? A I tried to explain that. I do not wish to answer any questions that may tend to incriminate me.

Q Is it because you are trying to protect somebody? A No, sir. I am interested in protecting myself.

Q I am not making you any promises, but if there were a possibility of a promise that nothing would happen to you, would you disgorge all this information and tell the jury, and give answers to all the questions that I have asked you - if you were sure that nothing would happen to you? A I don't know, sir.

Q Well, what do you think - if nothing would happen to you - you are interested in yourself, you said? A Yes, I am.

Q That is your main interest, isn't it? A Yes, sir.

Q Now, if there were any possibility of assuring you that nothing would happen to you, wouldn't you answer these questions truthfully? A I imagine so.

Q And wouldn't you be able to give us the identity of that person that came to your house, if you were assured that nothing would happen to you? A I don't want to answer that question.

Q You don't have to answer that; I am not asking you to answer it, but I say, if you could be given assurance - - you are not being given that yet, but if you could be given any assurance that nothing would happen to you, would you then be willing to divulge the identity of the person that came to your house on that July Friday?
A (No answer.)

Q What do you think? A I can only repeat that I am not protecting anybody, that I am interested in protecting myself, which is my right, and that I don't wish to answer any questions that will incriminate me or involve me.

Q But supposing that you weren't going to be incriminated, supposing that you were assured that you weren't going to be incriminated - - you are not yet, but supposing you could do that - - would you be able to identify that person that came to your apartment that night? A I don't think - -

Q That is certainly being fair with you. Why don't you be fair with me? A Well, I am trying to, Mr. Lane. I indicated here in this Court that the reason I didn't wish to answer the questions that you put before me

was because in my opinion I felt it might incriminate me.

Now, I don't think there is such a thing as guarantee. How could anyone guarantee to me that it may not? If I honestly said that it is a possibility that it might incriminate me - I don't know that it will, but I believe that it might tend to - I don't believe that there is such a thing as assurance.

Q Nobody has given you any assurance. All I said to you was, if there was a possibility of assurance that nothing would happen to you - - I am making it very certain that no promises have been made to you, but if there was such assurance, would you be in a position to divulge the identity of the person that came to your apartment that night? A I imagine so.

Q You mean, if you could be given that assurance you would tell who that person was, and you could identify him, if nothing would happen to you - - that is what you are saying? A I am saying I would be prepared to answer any questions that would not tend to incriminate me. Any questions that might tend to incriminate me, I would have to exercise the privilege of not wanting to answer them.

Q But if a Grand Jury could - - if they could - - assure you that your answers would not be considered incriminating - if they could do that - would you then be in a position to disgorge all this information that you are holding back because of your constitutional privilege - - in

other words, things like identifying the person that came to your apartment that night?

Now, I am not asking you to identify that person now. I asked you that before, and you declined on the grounds of your constitutional rights - - but you could probably identify him if you could be assured, is that right? A I am not able to answer that in the form in which you put that.

MR. SAYPOL: The witness has already told us that, I believe.

THE WITNESS: I said I believe I would be prepared to answer questions, if I felt that they would not incriminate me.

Q I believe that what you said was that you do know the identity of the person, but that you decline to answer because you feel that if you did answer the question that it would tend to incriminate you. A That is not what I meant, sir.

Q What do you mean? A What I meant was that I would be prepared to answer all questions, or do anything that was asked of me, if I felt in my opinion that it would not in any way incriminate me.

Q But if you were given assurance that it wouldn't incriminate you, if you were given such assurance that it wouldn't incriminate you, would you be in a position to divulge the identity of that particular person? A I can't

answer that question in the form in which it is put.

Q Certainly you can. Answering that one does not incriminate you. A I think it might, possibly.

Q In what way might it possibly incriminate you? The question is: If you were given the assurance that your answer would not in any way incriminate you, could you or would you be in a position to divulge the identity of the man that came to your apartment on that July Friday evening, and asked you to go to Cleveland? A I can't answer that question on the grounds that the answer to that might tend to incriminate me.

THE FOREMAN: Would you step outside for a minute? We will have a recess.

(WITNESS LEAVES ROOM, AND IS RECALLED.)

MR. LANE: Mr. Foreman, will you excuse her for today, and direct her to be back here on Monday, at twenty minutes to eleven?

THE FOREMAN: You are excused until Monday, at twenty minutes to eleven.

MR. LANE: You understand you are still under subpoena.

(WITNESS EXCUSED).

E T H E L E . R O S E N B E R G , recalled and again duly sworn by the Foreman, testified as follows:

BY MR. LANE:

Q Now, Mrs. Rosenberg, you have again been sworn in and once again I want to advise you of your Constitutional rights, that is, you do not have to answer any questions the answers to which may tend to incriminate or degrade you, and the answers which you give before this body, this grand jury, are given voluntarily and they may be used against you in the event of a subsequent prosecution. Do you understand that? A Yes.

Q I believe you have had counsel? A Yes.

Q And you have been advised by your counsel as to your rights? A Yes.

Q That counsel is Emanuel Block, is that correct? A Right.

Q Think very carefully on each question and answer very distinctly. Are you a member of the Communist Party? A I decline to answer that question on the ground that this might tend to incriminate me.

Q Are you a member of the Young Communist League? A Again I decline to answer that question on the grounds that this might tend to incriminate me.

Q Were you ever a member of the Communist Party? A I decline to answer on the grounds that this might tend to incriminate me.

Q Were you ever a member of the Young Communist League? A I decline to answer on the grounds that this might tend to incriminate me.

Q Are you or were youever affiliated in any way with the Communist Party or Communist movement? A I decline to answer on the gfounds that this might tend to incriminate me.

Q Have you ever attended Communist meetings? A I decline to answer on the grounds that this might tend to incriminate me.

Q Have you ever contributed money or your services to the Communist Party or Communist cause? A I decline to answer on the grounds that this might tend to incriminate me.

Q Do you know whether or not your husband is or has been a member of the Communist Party or Young Communist League? A I decline to answer on the ground thatthe relationship that exists between my husband and myself is a confidential one, and this might tend to violate a confidential relationship.

Q Let me explain to you that you may refuse to answer questions on privilege as between husband and wife only as to conversations, not as to anything you may know. You may only refuse to answer that question on the grounds it may incriminate you, not your husband. What is the answer to that question? Do you know whether or not your husband is or was a member of the Communist Party?

A I decline to answer on the grounds that this might tend to incriminate me.

Q Do you know whether your husband is or was in any way affiliated with the Communist Party? A I decline to answer on the grounds that this might tend to incriminate me.

Q Do you know whether your husband is or was in any way affiliated with the Soviet Union? A I decline to answer on the grounds that this might tend to incriminate me.

Q Do you knowwhether your husband ever attended any meetings of the Communist Party or the Young Communist League? A I decline to answer on the grounds that this might tendto incriminate me.

Q Do you know whether your husband ever attended any meetings of any agency or agencies affiliated with the Communist Party or Young Communist League? A I decline to answer on the grounds that this might tend to incriminate me.

Q Do you know whether your brother David was a member of or affiliated in any manner with either the Communist Party or Young Communist League or both? A I decline to answer on the grounds that this might tend to incriminate me.

Q Do you know whether your sister-in-law, Ethel Greenglass, was a member of or affiliated with either the

Communist Party or Young Communist League or both?

A Excuse me. I was Ethel Greenglass. Do you mean my sister-in-law?

Q Yes. Do you know whether or not your sister-in-law Ruth Greenglass was affiliated with ar a member of either the Communist Party or Young Communist League or both?

A I decline to answer on the grounds that this might tend to incriminate me.

Q Were you active in the Communist Party movement?

A I decline to answer on the grounds that this might tend to incriminate me.

Q Do you know whether your husband was active in this movement? A I decline to answer on the ground that this might tend to incriminate me.

Q Do you know whether your brother, David Greenglass, and or your sister-in-law, Ruth, were active in the Communist Party movement? A I decline to answer on the grounds that this might tend to incriminate me.

Q Did you ever discuss with Ruth Greenglass the work which her husband wasdoing at Los Alamos during the war? A I decline to answer on the grounds that this might tend to incriminate me.

Q Were you ever present at a discussion with Ruth Greenglass during which the topic was the work which her husband, David Greenglass, was doing at Los Alamos during the war? A I decline to answer on the grounds that this might tendto incriminate me.

Q Did you ever hear your husband, Julius, discuss with Ruth Greenglass the work which her husband, David Greenglass, was doing at Los Alamos during the war?
A I decline to answer on the grounds that this might tend to incriminate me.

Q Did you ever discuss with David Greenglass the work which he was doing at Los Alamos during the war?
A I decline to answer on the grounds that this might tend to incriminate me.

Q Did you ever hear your husband discuss with David Greenglass the work which he wasdoing at Los Alamos during the war? A I decline to answer on the grounds that the relationship between my husband and myself is a confidential one and I do not want to violate it.

Q Let me explain to you again that when a third party is present during a conversation between you and your husband, the privilege of husband and wife is lost, it cannot be exercised, and the only reason you can decline to answer the question which has been put to you is on the grounds it may tend to incriminate or degrade you. Will you please answer the question? In other words, the privilege of husband and wife is only when the two of them are present; but when a third party is present the privileg is lost because it is overheard by a third party in your presence. Your ground for refusing to answer must be on the ground that the answer to the question which has been

put to you might tend to incriminate or degrade you. A I'd like to ask advise of counsel at this point.

Q Where is your counsel? A At 299 Broadway.

Q What do you want counsel for? A I feel that I need legal counsel.

Q For what? For what reason? As to whether you should answer that question? A I have a right to ask for counsel.

Q For what reason? A Whatever the reason might be.

Q No; you have to give a reason for it. A Obviously, I want something clarified.

Q What do you want clarified? A I'd rather wait to discuss it with my counsel.

Q In other words, you want to discuss the answer to that question, on the grounds of privilege between you and your husband, is that right? A I would like the advice of counsel.

Q For what reason, Mrs. Rosenberg? Give us a reason for it. A I told you the reason. I feel that I need the advice of counsel.

Q For what reason? For what reason? You have declined to answer. I mean, do you want to answer these questions, is that why you want counsel? A I have a right to ask for counsel before I go --

Q You must give a reason for it. A Well, I have some questions to ask.

Q About what? A About my rights.

Q You have already consulted one, haven't you? A That's right.

Q Do you want to knowwhether you should answer this question, is that the reason why you want counsel? A No. I want counsel to ask about my rights.

Q You know your rights. You do not have to answer any questions which may tend to incriminate or degrade you, and you have already answered the question. A But there is a question about the right of the confidential relationship.

Q I will withdraw the question then. You do not have to answer that at all. I won't even ask you that question. That question is withdrawn, the question, Did you ever hear David Greenglass and Julius Rosenberg discussing the atom bomb, or, rather, did you ever hear your husband discuss with David Greenglass the work which he was doing at Los Alamos during the war. We withdraw that. Did you ever hear David Greenglass discuss the work, his work, in connection with the atom bomb and nuclear fission? A I decline to answer on the grounds that this might tend to incriminate me.

Q Do you know Anatole Makovlev? A I decline to answer on the grounds that this might tend to incriminate me.

Q Would you care to attempt to identify his picture? A I would not care to attempt.

Q Do you know whether your husband knowsthis Yakovlev? A I decline to answer on the grounds that this might tend to incriminate me.

Q Did you ever hear your husband mention the name Harry Gold? A I decline to answer on the grounds that this might tend to incriminate me.

Q Did you ever give either David or Ruth Greenglass money? A I decline to answer on the grounds that this might tendto incriminate me.

Q Do you know whether your husband gave either one of the Greenglasses money? A I decline to answer on the grounds that this might tend to incriminate me.

Q Did you ever write your brother, David Greenglass, during the war? A Yes, I wrote him.

Q Did you ever attend the Workers School? A I decline to answer on the ground that this might tend to incriminate me.

Q Did you ever sign a Communist Party nominating petition for elective office? A I did sign a Communist Party petition.

Q For elective office? A That I wouldn't recall, whether it was elective office -- no, it was for, I think --

Q Candidates for office? These petitions are sent around where candidates for office must get so many signatures for different offices of the Communist Party. A You mean about putting the party on --

Q Elective offices, for Governor or Senator and things like that -- petitions. They have to get so many names on petitions before the name can go on the ballot. A Yes, I believe there was one.

Q Do you know which one it was? A Oh, it's way back -- when was it? I believe it was 1939 or 1940, something like that.

Q Now I show you some letters, and ask you if that is your writing? A That's right; that is my writing.

Q These are all your writing? A Yes; those are all my writing, yes.

Q They are all yours, are they? A That's my writing; that's my writing.

Q These are all letters which you sent to your brother David? A Yes, addressed to him. That's my writing, yes.

MR. LANE: May the record indicate that the witness has identified these letters as letters which she wrote to her brother David. And here is another?

THE WITNESS: Yes, that's my writing.

Q And these letters, these are all -- A My writing, yes.

Q Another batch? A Yes, that's my writing.

MR. LANE: These batches of letters which the witness has identified are letters which she wrote to her brother David, and she identifies them as being in

her writing and as being sent to her brother during the war.

(MARKED GRAND JURY EXS. 1 and 2, this date.)

Q Did you ever attend a Communist Party meeting at Madison Square Garden? A I decline to answer on the ground that this might tend to incriminate me.

Q Doyou read, purchase or subscribe to the Daily Worker? A I decline to answer on the grounds that this might tend to incriminate me.

Q Is there anything else you want to tell us about this entire matter? A No.

Q Any statement you want to make to the jury? A No.

MR. LANE: Anything, Mr. Foreman, that the jury wants to ask? (No response.) Can she be temporarily excused, just for a minute or two?

THE FOREMAN: You are excused.

(Witness again recalled.)

MR. LANE: Mr. Foreman, are there any questions? If there are no questions, would you please excuse the witness?

THE FOREMAN: You are excused.

(WITNESS EXCUSED)

VIVIAN GLASSMAN, recalled and again duly sworn by the Foreman, testified as follows:

BY MR. LANE:

Q Miss Glassman, I am not going into the routine of explaining to you your Constitutional rights; they have already been explained to you, and I think you understand them, is thatcorrect? A Yes, sir, I do.

Q Did you have occasion to talk with Federal Bureau of Investigation Agents on August 3rd, 1950? A Yes, I did.

Q And at that time you told them a story about a trip to Cleveland, didn't you? A I don't wish to answer that question.

Q On what grounds? A On the grounds that it might tend to incriminate me.

Q Well, did you give the FBI a statement regarding a trip which you took to Cleveland in the latterpart of July of 1950? A I don't wish to answer that question on the grounds that it may tend to incriminate me.

Q Well, then, did you give any statement at all to the Federal Bureau of Investigation Agents on August 3rd, 1950? A I don't wish to answer that question on the grounds that it may tend to incriminate me.

MR. LANE: Mr. Foreman, will you direct her to answer that question?

THE FOREMAN: Will you please answer that question?

THE WITNESS: I don't wish to answer the question on the ground that it may tend to incriminate me, sir.

MR. LANE: Then, for the record, Mr. Foreman, I think you should now request that the Judge be notified that you have a question that you want to take up with him, and that you direct me to inform the bailiff that the court should be cleared and that you wish to come down with the jury to the court room and put this situation to the Judge. Am I so directed?

THE FOREMAN: Yes. (To witness:) Did you hear what Mr. Lane had to say?

THE WITNESS: Yes.

THE FOREMAN: I order that to be done.

(WITNESS EXCUSED)

(At this point Mr. Lane, the grand jurors and the witness proceeded before the Court in Room 318.)

(Cont. by IFG)

Q Now, the first question is: "Did you have occasion to talk with Federal Bureau of Investigation Agents on August 3rd, 1950?" and the answer was: "Yes, I did."

And the second question was: "And at that time you told them a story about a trip to Cleveland, didn't you?" A I don't wish to answer that question, on the grounds that it may tend to incriminate me.

Q And you understand that this means you are in contempt of Court - do you understand that? A No, sir, I don't.

Q Do you understand that the Judge has directed you to answer the question, and if you don't answer the question you will be held in contempt of Court; and if he decides to do that he can send you to jail until you do answer the question - - do you understand that? A No, sir, I don't.

Q I am telling you that. A May I ask you a question?

Q Yes. A It is my understanding that in such a situation, I would have the opportunity to have a counsel represent me, to explain why in my opinion I believe that the questions may tend to incriminate me.

Q And who advised you as to that fact? A That is my understanding.

Q I know, but were you so advised by counsel? A I don't remember, but that is what I thought was so. I

understood that then, if the Judge should decide that on the basis of hearing the reasons for my not wishing to answer the question, if he should then decide that I have to answer it, then I have to answer it, and otherwise then I would be held in contempt of Court; but should he decide that it is true that the questions may tend to incriminate me, after he hears the reasons, then he may decide that I don't have to answer them.

Q The Judge has already decided that the question I asked you would not tend to incriminate you; and despite what he told you in Court, and what you heard him tell you, you now in contempt of Court refuse to answer the question on the grounds that the answer might tend to incriminate you.

The third question is: "Well, did you give the FBI a statement regarding a trip which you took to Cleveland in the latter part of July of 1950?" What is your answer to that? A I don't wish to answer that question on the ground that it may tend to incriminate me.

Q Question: "Well, then, did you give any statement at all to the Federal Bureau of Investigation Agents on August 3rd, 1950?" A I don't wish to answer that question on the ground that it may tend to incriminate me.

MR. LANE: Mr. Foreman, will you direct that this girl come back here tomorrow morning at eleven o'clock, at which time we shall then go down to

the Court and ask the Court to adjudge her in contempt of Court.

(To witness) In the meantime, if you want to get counsel, get it by tomorrow, but don't come in with a lot of excuses that you couldn't get it. If you can't get counsel, go to the Legal Aid. You can get counsel at the Legal Aid, if you can't get counsel anywhere else; because tomorrow morning I am going to ask the Judge to adjudge you in contempt of Court, if you refuse to answer the questions.

THE FOREMAN: Do you understand that?

THE WITNESS: Yes, I do. You want me here at eleven o'clock?

THE FOREMAN: That's right.

MR. LANE: You are excused until tomorrow morning.

(WITNESS EXCUSED)

R O B E R T B. S E I D M A N, called as a witness, having first been duly sworn by the Foreman, testified as follows:-

BY MR. LANE:

Q Mr. Seidman, you are an attorney, aren't you? A I am.

Q And are you admitted to the New York Bar? A I am.

Q When were you admitted? A 1948. I took the February Bar. I do not exactly remember the date of actual admission. It was June sometime.

Q Do you have your own law office? A I have just started it, yes, sir.

Q Are you in the law office of anyone else? A I am.

Q Whose office? A Neuburger, Shapiro, Rabinowitz & Boudin.

Q What's the address? A 76 Beaver Street.

Q Did you give your address? A 76 Beaver. Home?

Q Your home address? A 87 Perry Street, this city.

Q What is the telephone number? A Algonquin 5-0363.

Q Are you married? A I am.

Q Any children? A One child.

Q How long have you been married? A Since 1946.

Q Where did you go to school? A I went to Fieldstone School, Harvard, and the Graduate Teachers College of

Winnetka, Illinois, that's just before the war, and then the Columbia Law School.

Q How old are you? A I am 30.

Q Were you in the service? A I was, sir.

Q In the Army? A I was in the Coast Guard, at sea.

Q How long were you in the Coast Guard? A Four and a half years, sir.

Q What was your rank? A Lieutenant.

Q You came out a lieutenant? A I came out a lieutenant.

Q What did you go in as? A Went in as ensign.

Q Are you a member of the Federal Bar? A I am not.

Q Are you a member of any other Bar? A Just of the New York State Bar.

Q Are you affiliated with any Communist outfit or organization? A I am not clear on the quewtion. What do you mean by affiliated?

Q Do you belong to any Communist organization? A That question I cannot answer, sir, for seven different reasons.

Q Let's have your reasons? A First, it is not material to any matter before this grand jury. Secondly, it invades my client's right to counsel, as indeed my being called here does, because it makes it impossible for my client to have counsel who is able to give her advice unimpaired by considerations or conflicts which may

be in conflict with her interests indirectly. Thirdly, it is an attempt to invade the lawyer-client privilege. Fourth, I do not know what affiliation means, it is vague, I do not know what Communist organization means. Fifth, then it denies me due process of law in its very nature.

Q Anything else? A And the last one is that under the circumstances, that the answer may tend to incriminate me.

Q For your information -- you are a lawyer, but I'd think you would know better -- for your information, the only reason you could give before a grand jury on a question like that is whether or not you can decline to answer on the grounds as to whether or not it may tend to incriminate you. A I have given that among my other reasons.

Q So you refuse to answer that on the ground it tends to incriminate you? A I do not say it tends to incriminate me. I said it may tend to incriminate me.

Q Have you ever belonged to a Communist organization? A The same answer.

THE FOREMAN: What is that answer?

THE WITNESS: It may tend to incriminate me.

Q Do you know Vivian Glassman? A I do.

Q How long have you known her? A I think, I am not too sure of this, sir, since about November or December of last year, last fall, I should say.

Q Where did you meet her? A She is a member of a union that the office with which I was then associated represented. She was a chapter or shop chairman. I handled an arbitration for the union.

Q Were you paid by this law firm you were associated with? A Of course.

Q Were you paid a weekly salary? A Yes, sir. Let me amend that answer. I was paid a weekly salary for a while, and then I was put on a retainer basis. I do not know the exact date that occurred.

Q When did you say you were admitted to practice? A In 1948.

Q Since you met Vivian Glassman have you seen her many times? A Just since she called me up about a week or so ago. That is, after I was through representing her, helping her union in the particular arbitration.

Q Is she a client of yours? A At the present time? Yes, sir.

Q When did she first become a client of yours? A A week ago last Thursday, if I am not mistaken.

She became a client of yours? A That is right.

Q Weren't you in my office since then, since last Thursday? A Yes, sir.

Q Didn't you tell me in my office that you were not representing Miss Glassman? A No, sir. I told you I was not going to represent Miss Glassman. I was not going to enter

any appearance for Miss Glassman because I was retained by her for a very limited purpose.

Q Didn't you tell me that you did not represent her at all when I asked you that in my office in the presence of three FBI Agents? A I did not, sir. You asked me whether I was going to enter an appearance in this matter, and I said I couldn't do that because I am not a member of this Bar -- don't you remember that?

Q Do you recall I asked you whether you represented this girl or not -- don't you recall that at all? A You asked me if I was going to enter an appearance here, and I told you I couldn't enter an appearance.

Q Yes, you said that. But do you recall I asked you if you represented her? A No, sir, I don't. If I am in error, then I am in error. But that's the extent of my representation -- what I have told you.

Q When did you first talk to Miss Glassman about her appearance before the grand jury? A I believe the grand jury was first mentioned when she received her subpoena, which was, if I recall correctly, on Tuesday or Wednesday before her first appearance which was on a Thursday, if I have the dates correct. I am not sure I do.

Q Was that the first time you talked with her? A No; but it was the first time I mentioned the grand jury.

Q When was the first time you talked with her about her being questioned by theFBI? A Well, I am not going to tell you what I talked to her about.

Q I didn't ask you that. I asked you for a date. Now, you answer the question. A I am not going to answer the question that includes when I talked with her about the FBI, if I did.

Q Just a minute.

MR. LANE: Mr. Foreman, will you direct this man to at least be civil before the grand jury or we'll bring him down before the Court and see that he is. (To witness:) You are supposed to be a lawyer.

THE FOREMAN: You are before your superiors.

THE WITNESS: I am aware of that. I am sorry if I was not.

Q (Question,"When wasthe first time you talked with her about her being questioned by the FBI?" read to witness.) A Well, sir, I can't answer that question because it invades the lawyer-client relationship.

Q You just told the jury you were retained by her for the first time last Thursday. A No, Thursday a week.

Q Last Thursday. You said you were retained by her. Your testimony is before this grand jury under oath. (Witness's questions and answers read to him.) A Well, no, I am in error. What I meant to say is this, sir. I was retained by her Thursday a week before she first appeared before the grand jury.

Q That isn't what you said. You said you were retained by her after she received a grand jury subpoena.

A No, sir. I told her -- that was the first time I mentioned the grand jury subpoena.

Q Let me have the exact date when you first were retained by Miss Glassman as her attorney. A That would be Thursday a week before she was -- before she appeared before this grand jury.

Q Let's have the date. A Do you have a calendar, sir?

Q (Witness is handed calendar by juror.) A Today is the 17th, is that correct?

Q No, today is the 15th. A That's right. I am sorry. I make it out the 3rd of August.

Q The 3rd of August I understand you to say you were retained by Miss Glassman? On the 3rd of August, to represent her? A That is correct.

Q Now to represent her in connection with what? A I told her I was not a member of this Bar -- well, let me start over and tell you what Miss Glassman told me, if I may. She asked me to represent her. She originally wanted Mr. Boudin, who was her union lawyer, to represent her. He was out of town. He was on Fire Island. She came to me as the only other lawyer that she knew. I told her that I couldn't represent her in any proceeding in as much as I was not a member of this Bar. I am not a criminal lawyer. I told her that I would represent her for the purpose of obtaining counsel who could represent her, and that I would advise her of her Constitutional rights; in the interim she could

obtain counsel. I told her Iwould not appear for her in this court because I couldn't, not being a member of its Bar.

Q Did you receive a retainer from her? A Not at that time. I did later.

Q Did you discuss retainer? A She wanted to. I told her I could not discuss retainer until I knew more about how long it would take me to complete the task I had undertaken for her.

Q Did she sign any papers? A No,sir.

Q Did you prepare any papers for her? A No,sir.

Q You have no written indicia of representation, is that correct? A That's right.

Q Is that the way you normally take a client? A Normally I do not have clients for this limited purpose.

Q What do you do when you take a client, what is the procedure? A Normally you sign a retainer, of course.

Q You did not see fit to do it in this case? A I did not.

Q Did you discuss at all what your fee would be? A In a general way, yes, sir.

Q What was your fee to be? A My fee was to be measured by the amount of time that I spend, and I told her approximately how much I would expect to get for the time I spent.

Q How much was that? How much did you tell her you were to get? A I told her that my time generally comes to around $200 a week.

Q And where did this conversation take place? A It took place in my home.

Q In your home? A Yes.

Q When? A Very late at night.

Q What was the date? A Thursday, late Thursday night.

Q Was this the date that she had a conversation with the Federal Bureau of Investigation Agents? A That is information which I received from a client and I cannot answer that because it is her privilege, not mine, as you know.

Q It is her privilege, yes. A It is her privilege, yes. She is the only person who can release me from it.

Q From what? A The privilege that covers all conversations between lawyer and client.

Q Well, do you know as a fact that she had a conversation with the Federal Bureau of Investigation Agents? A Whatever information I received in that regard I received from the client.

Q And she was your client on that particular day? A Yes.

Q From that night on? A Yes, sir.

Q You are positive of that? A Yes.

Q Have you been advising her ever since? A Yes, I have been advising her ever since.

Q Daily, in her appearances at the court house?

A While she was appearing I saw her Thursday and Friday last.

Q You have been here every day that she's been here? A That's correct.

Q Didn't you advise her not to discuss anything further with the FBI after the first meeting you had with her? A I advised her of her Constitutional rights.

Q You haven't answered the question. A Again --

Q Well, decline on the proper grounds. A I decline on the ground it invades the lawyer-client relationship.

Q Just answer the question properly. You are a lawyer. You should know the answer. Did you discuss retainer with her that night, that Thursday night, late at night, at your house? A No, I don't think so. I don'twant to be definite because it was a fairly longconference and she was tremendously -- in an emotional state, as you can well imagine.

Q Was anybody with her at that time? A No.

Q Was she alone? A She was alone.

Q Was anybody else there? A My wife was in the bedroom.

Q She did not hear the conversation? A No.

Q Had you spoken to Mr. Boudin before that? A No,sir, not concerning this case anyway.

Q You -- were you here in the court house yesterday? A I was, sir.

Q Were you representing Miss Glassman yesterday? A Only to the extent that I have stated.

Q What was that, please state it again? A I was endeavoring to find her counsel, and I was advising her of her Constitutional and other legal rights in the interim, and until she found other counsel I was to act as counsel for her.

Q And for that you were to get $200 a week? A Whatever the time it took me to get it, as I told you.

Q And I assume you discussed with her at some length her Constitutional rights? A I did, sir.

Q You told her what questions she should notanswer? A I did not.

Q And those that she should answer? A I did not.

Q You discuss that phase at all with her? A What I did, actually, I gave her a long lecture, if you choose, on the history and scope of the privilege so that I suggest now she knows about as much about it as I do. I told her to make her own choice in the light of that.

Q When did you give her that lecture? A I am trying to recall, sir. I think it was on Friday following, the next day, but I am not perfectly sure that we went into it at such length on Friday. It may have been at one of the subsequent meetings I had withher.

Q But it was on that Thursday, August -- was it 3rd or 7th? 3rd, it was on thatThursday night that you had the agreement with Miss Glassman that you were being retainedfor two reasons, one to obtain a lawyer for her, and two, to

advise her of her Constitutional rights? A That is correct.

Q Have you been retained by her since then? A For those purposes, yes, sir.

Q So at the present time you are still her attorney? A For those purposes.

Q As far as you know you are her only attorney? A It may be that I have been able to -- as I told you outside- I have been able to obtain some kind of a tentative agreement from another attorney. He doesn't know all the facts yet, so he may not take the case.

Q What's his name? A His name is Herman Rosenfeld.

Q What's his address? A I do not know. I will have to look it up in the phone book.

Q Is it in Manhattan? A Yes. All he knows about it is that I called him and asked him if he were busy tomorrow, or today rather.

MR. LANE: While I am looking over this, Mr. Foreman, are there any questions that the grand jurors would like to ask? There probably are.

THE FOREMAN: Any questions?

A JUROR: In advising her of her Constitutional rights, did you discuss any specific questions that might be asked by the grand jury in connection with the answers she might give?

THE WITNESS: Yes, sir.

BY MR. LANE:

Q Did you send Miss Glassman around to see other

attorneys during the past week? A I did not, no, sir. I went and saw them myself.

Q You saw these attorneys yourself? A Yes.

Q Whom did you see? A I think that comes within the scope of the privilege.

Q What you did? A Yes.

Q That's what you did. Did she tell you to do this? A This is part of the advice I gave, my counsel.

Q We are asking what you did, not what your advice was. A In a sense it is within the scope of the privilege as I interpret it.

Q Explain how it is within the scope of the privilege, as to what you did? A Advice can be various things. I did certain things pursuant to my retainer, which included the advice to see certain counsel. Before I could ascertain which counsel were available I had to see them and interview them. Some of these counsel I spoke to over the phone momentarily, made an appointment without telling them the purpose, and came with Miss Glassman and asked them whether they would accept a retainer. As far as those people go, they are certainly within the scope of the privilege.

Q Did you tell Miss Glassman what you did in that respect? A Yes. I kept her well informed of the people I was seeing on her behalf.

JUROR: Miss Glassman accompanied you, you said.

THE WITNESS: For some of them. For others not. I should think, sir, for most of them she accompanied me.

Q As a lawyer it is your understanding that you have the privilege of not stating what you actually did in connection with visiting other lawyers? You say that is your privilege? A Under the circumstances of this case I believe so, sir. Certainly I'd like to discuss that particular question with counsel before I'd think of telling you or anybody.

Q Did you see a Mr. Silverman? A I did not see Mr. Silverman, no, sir.

Q Did you talk with Mr. Silverman? A I did not talk to Mr. Silverman, no, sir.

Q Did you advise this woman to go up and see any lawyers on her own? A I did not, no, sir.

Q Has she paid you any money? A She has, sir.

Q She has? A She has.

Q When did she pay you a fee? Was it a fee she paid you? A Yes, sir.

Q When did you receive it? A On account.

Q When did you receive it? A I believe it was Friday last.

Q How much did you receive? A I received $50 at that time.

Q In cash? A In cash.

Q Last Friday? A That's right.

Q Where, in the court house here? A No, sir.

Q Were you available yesterday to represent her? A To the extent that I have stated, yes, sir.

Q To advise her on her Constitutional rights? A That is right.

Q You appreciate the fact that she told the Judge yesterday that she had no counsel? A She had no counsel to represent her at that proceeding, that is correct.

Q That proceeding was for the purpose of advising her of her Constitutional rights too. A In that case she was in error. I could have advised her. I told her I would not appear in any proceeding and enter a notice of appearance in any proceeding.

Q Yet you accepted a retainer and you came down to the court house. Whatwere you doing in the court house? A In case she needed me I was going to advise her.

Q I thought you said you couldn't represent her in the Federal courts? A You know I could represent her to any extent up to the point of entering a notice of appearance.

Q (Question repeated as above.) What's the answer, yes or no? A I am not sure of the answer, sir, because I do not know the full scope of the meaning of the word "represent" To the extent which I represented her I think it was perfectly proper.

JUROR: Did you advise her not to go and see any other attorney?

THE WITNESS: No, sir. I have been trying desperately to get other attorneys for her.

Q Did you advise her to go and see attorneys on her own? A I did not. I was going around seeing attorneys with her or by myself on one or two occasions.

JUROR: Would this gentleman have the right to have gone into the court before the Judge?

MR. LANE: If she asked for him the Judge would have permitted this man to have gone in before him.

THE WITNESS: I may add there were other reasons, personally, why I did not want to be involved.

Q Why? A Principally because I have been awfully anxious to take a vacation right now and did not want to get involved in a proceeding I wanted to avoid.

Q In other words, you accepted a retainer and did not want to become involved? A I accepted a retainer for very limited purposes.

Q To get an attorney? A Yes.

Q Couldn't she get one herself? A Yes, but she doesn't know any.

Q There's a book called Martindale-Hubbell -- A I doubt she ever heard about it.

Q You accept a fee of $200 a week to select an attorney for her -- A I doubt very much it was going to take more than a few hours' time.

Q You want this jury to believe you were retained and given a fee merely to pick out a lawyer for her? A I certainly do, because it is the truth.

Q That is what you told her? A That is what I told her.

Q Is that what she paid you the fifty dollars for? A That's right, because by that time I had spent three or four days off and on too, pretty much of three or four days working with her.

MR. LANE: Will you excuse the witness momentarily, Mr. Foreman?

THE FOREMAN: You are excused.

MR. LANE: Will you admonish the witness not to talk with anyone while he is outside?

THE FOREMAN: I am sure you heard that?

THE WITNESS: Yes, sir.

(WITNESS EXCUSED)

V I V I A N G L A S S M A N , recalled as a witness, having again been duly sworn by the Foreman, testified as follows:

BY MR. LANE:

Q Miss Glassman, you know Mr. Seidman, don't you? A Yes, sir, I do.

Q How long have you known him? A I don't know; maybe about a year or so, I don't exactly recall.

Q And when did you meet him for the first time? A Just one second; I will think back. I believe maybe it was within a year I had met him, in connection with some business in the union; regarding the contract, I believe.

Q Now, do you recall that you were before Judge Davis yesterday, in the court-room? A I didn't know it was Judge Davis, but I was in the court-room.

Q Now, was everything you told the Judge the truth, yesterday? A I hardly said anything to him.

Q I know that, but what you said was the truth - wasn't it? A Yes, sir.

Q And do you remember telling him that you didn't have an attorney yesterday? A Yes, sir. I don't have an attorney as yet; but you see - - May I explain?

Q Yes. A I don't have an attorney as yet, to help me in this situation if I should need one now. However, I did - as I indicated previously here - - I did ask Mr. Seidman to assist me in obtaining a lawyer, and he has

been helping me to that extent.

Q You have asked him to assist you - - you mean you have paid him money to assist you to get a lawyer? A Oh, I paid him money; yes, sir.

Q When did you pay him? A About four days ago, maybe.

Q Did he ask you for money? A Well, we arranged that I would have to pay him a fee for his services.

Q When did you arrange this? A I don't recall whether it was Monday, or if it was - - oh, no, it couldn't be Monday; today is Wednesday. It was last week, I believe.

Q It was last Friday, probably? A Wait just one moment. I believe I was scheduled to come here the first time on Thursday, and I believe it might have been Thursday or Friday. It was either Thursday or Friday, I don't recall which.

Q When did he ask you for the money? A Well, when I first went to visit him, originally, I told him I would be paying him for any services he would render to me.

Q Well, when you went to visit him originally, that was when - what was the date? A I visited him originally on Thursday.

Q That was the day you had talked with the F. B. I. people; on that Thursday night you visited Mr. Seidman, is that correct? A Yes, I did, sir.

Q And where did you visit him? A At his home.

Q What time was this? A I don't recall.

Q Do you remember who was present there? A I think just he and I.

Q Now, do you remember what conversation you had with him? A Yes, sir.

Q Well, what conversation did you have with him? A I believe that what we discussed is confidential.

Q Well, I mean - - you don't have to discuss the case, but I mean what conversation did you have with him respecting whether or not you were going to get a lawyer. You didn't retain him as a lawyer right there, did you - - you didn't sign any papers then, did you? A No.

Q Did he say he was going to be your lawyer from then on? A No.

Q Well, what did you say to him about getting a lawyer? I am not asking you to discuss the facts, about the F. B. I. or anything like that. A I understand. You see, it is difficult for me to remember when we had the conversations, but I know the essence regarding my getting a lawyer was as follows: He would not represent me. However, he would assist me in finding an attorney, and he would assist me until the time that I would get an attorney, but that he actually would not represent me - for example, before the Judge - should I want to have a lawyer with me. That was the essence of our relationship.

Q Well, he wasn't hired by you to do anything, was

he? A Well, he has been assisting me in finding an attorney, and as you know he has come with me to these hearings each time that I have been here, and he has been spending his time with me.

Q Well, at that first meeting, did you say anything about paying him for helping you to get an attorney? A I don't recall if it was at the first meeting, but I do recall that there was an understanding.

Q At the first meeting? A I don't remember that, I really couldn't say.

Q Well, you didn't retain him, nor did you intend to pay him any money for that first meeting - is that right? A Well, actually I had hoped to retain him; let me put it that way.

Q You had hoped, but you hadn't definitely retained him at that time? A Well, from that point on - - even when I first came to him, there was no question about the fact that he would be assisting me, even from the first day that I came to him.

Q Assisting you to get a lawyer? A Yes, sir.

Q And you paid him this retainer merely to assist you to get a lawyer? A No.

Q What did you pay him for? A Well, he said - - there was the understanding that he would assist me in anything that I needed or, for example, in terms of advising me of my constitutional rights.

Q Well, he advised you of your constitutional rights, you say? A Yes.

Q And did he say that he was to get a fee for doing that - - isn't it a fact that Mr. Boudin sent you to see him? A No, sir.

Q Where does Mr. Boudin fit into this entire picture? A I had originally called Mr. Boudin. Mr. Boudin was not there. Then I called Mr. Seidman, because I knew him, you see, from the union, too; and then I came over to his house, and then I discussed it with him; and then it was the understanding that I could go to him for any assistance until such time that we were successful in finding a lawyer who would represent me. And in my mind, certainly, I was prepared and expected to pay for this service.

Q From that first night on? A Oh, I am sure of that.

Q But you didn't discuss payment? A I can't recall, as I say.

A JUROR: How much did you pay him?

THE WITNESS: Pardon me?

A JUROR: How much did you pay him?

THE WITNESS: So far I have paid him fifty dollars.

Q Why do you keep Mr. Boudin out of this conversation? You know that you have seen Mr. Boudin. A Yes, sir.

Q Why don't you tell the jury that - why do you

hide that fact? A I wasn't trying to.

Q You saw him last Sunday, didn't you? A Yes, sir.

Q Where did you see him? A (No answer.)

Q Did you see him at Fire Island? A Yes, sir, I did.

Q Did you go out there alone? A No, sir, I didn't

Q Was Mr. Seidman with you? A No, sir, he wasn't

Q Why wasn't he with you? A Well, I just decided to go out there.

Q Did you tell Mr. Seidman you were going out there? A I told him that I went out there.

Q You told him that you went out there? A Yes.

Q But you didn't tell him that you were going out there? A It is perfectly all right, Mr. Lane, because he is Mr. Boudin's assistant.

Q What did you want to see Mr. Boudin for, if you had Mr. Seidman working for you? A I wanted to talk to him.

Q About what? A I wanted to tell him what had happened thus far.

Q And did you? A Yes.

Q And what did he say? A He said I should continue to try to get an attorney, because it looks as if I might need one.

THE FOREMAN: We don't hear you.

THE WITNESS: I am sorry. He said I should try to continue to get an attorney, because it looks as if I might be needing one.

Q Did you tell him you had already hired Mr. Seidman? A He knew.

Q But did you tell him? A I don't remember if I told him. At some point, I must have told him, because he knew.

Q Well, did you or didn't you tell him? A I can't recall.

Q That only took place last Sunday. Why do you say that he knew? A Well, I had seen Mr. Boudin before that. I had seen Mr. Boudin a week ago, and by that time I had told - - at that time I had told Mr. Boudin that Mr. Seidman would be working with me until such point as I would have a lawyer.

Q And what did Mr. Boudin say? A That was fine.

Q He said that was fine? A Well, I mean I don't recall if he said that, but my impression was that that was all right.

Q What were your arrangements, as far as fees were concerned, with Mr. Seidman - - what were you to pay him? A We didn't discuss it entirely, because it would depend on - - there was some comment that it would depend upon how long I would be needing his services; and on the basis of how long I would be needing his services, to that

extent - - you know, on the basis of the length of time he had to give to me, then on that basis I would pay him.

Q Where did this discussion take place, respecting the amount of money you were to pay him? A I don't remember.

Q Well, when did it take place? A Well, I know that I said I would pay him for services as soon as I came to him.

Q When was it - that night? A Yes, that very first night, I imagine.

Q And at that time what did he say about the amount of money he was going to charge you - - how much a day, or how much an hour, or how much a week? A There was some indication that we would discuss that.

Q Not "some indication," but what was said? A I will tell you, Mr. Lane, I don't recall all of these conversations so exactly. In the first place, I don't understand why you are asking me these questions, and it was just - -

Q I am asking you to tell me what was said at that time about fees, how much money were you supposed to pay him, and what did he tell you you had to pay him? A I don't recall. But may I ask you a question, Mr. Lane?

Q Yes. A What I say to my attorney regarding fees or regarding anything - isn't that supposed to be confidential?

Q Is it? A I am asking you the question: Isn't that confidential, about what I discussed with my attorney? My understanding is that it is.

Q Your understanding is pretty good about what you are not supposed to talk about. Who "prep'd" you up for your appearances before the Grand Jury? Is that a part of your Communist line?

You testify before this Grand Jury that you are a good American, but you have done everything you could to thwart an investigation about Communism; you have put every obstacle that you could in the way, haven't you - - on the grounds that it might tend to incriminate you - - is that correct? A I wouldn't say so, sir.

Q What is your explanation for it? Here boys are dying in Korea, and you are sitting here and doing everything you can to block an investigation. Every question that is asked you about something that might lead to people who today are out trying to destroy this country, you are answering about something that might incriminate you.

You don't care about people that are dying for this country; you don't care about the United States. But every time we come to a point which involves somebody that is affiliated with this Communist movement to destroy this country, you fall back on your socalled constitutional rights - - isn't that a fact?

Are you so steeped and fanatical in this Communist

business that you don't want to assist your own country? What is your answer? A Mr. Lane, I am prepared to assist, and I am prepared to cooperate. There is no question in my mind, regardless of what you have said to me now, regarding my allegiance to this country.

Q Then why don't you want to cooperate? A I am only exercising the privilege where it concerns the question of incriminating myself, which I believe is my constitutional right; and as a good American I have a right to exercise my right. That does not make me un-American or a bad American. I have always been loyal to this country.

Q And your demonstration before this Grand Jury is typical of that loyalty, is that correct? A Mr. Lane - -

Q Is it, or isn't it - - or are you going to decline to answer on the grounds of self-incrimination? What is your definition of cooperation? A I am prepared to answer any questions except those which might tend to incriminate me, and on that basis I believe I have the right not to answer those questions.

Q Yes, you have that right. No one is questioning that right.

But even if something tended to incriminate you, but it might lead to revealing some Communist elements that are trying to destroy this country, you insist upon

relying upon those rights, even though they might incriminate you? A (No answer.)

Q What is your answer? A I said before, Mr. Lane, that I am prepared to answer questions, except those that might tend to incriminate me.

MR. LANE: Will you read that question?

(To Witness) And please answer the question.

[Reporter reads: "But even if something tended to incriminate you, but it might lead to revealing some Communist elements that are trying to destroy this country, you insist upon relying upon those rights, even though they might incriminate you?"]

Q What is your answer, yes or no? A I am sorry, I don't fully understand that question.

Q The question is: You are here before this body - that isn't the question; that is a statement of fact. You are here before this body, and you have a right to decline to answer any questions, the answers to which may tend to incriminate you.

However, my question to you was: With that in mind, knowing that you have a perfect right to decline to answer such questions, if you knew something that might incriminate you but at the same time might reveal a Communist plot to destroy this entire country, would you reveal it, even though it might tend to incriminate you - or would you rely upon your constitutional rights in that situation?

A I don't know.

Q You don't know. Well, that is what I am getting at. You want to cooperate, but still you want to be sure that your own skin is not punctured. Cooperation means a great deal more than just sitting in a chair and saying "I want to cooperate."

Cooperation sometimes means that you have to assume things, too. Cooperation might mean that you must assume some of the liability here; but if in assuming some of that liability you could reveal elements that are trying to destroy this country, you could be doing this country a great service.

I am trying to portray that to you as vividly as I can. Now, do you want to cooperate, or do you still want to rely upon your constitutional rights? A (No answer.)

Q Miss Glassman, what is the answer? A I believe I will continue to rely on my constitutional rights.

THE FOREMAN: Will you say that again, a little louder? I don't think they heard that.

THE WITNESS: I believe that - -

THE FOREMAN: You believe, or you will?

THE WITNESS: I believe that I will continue to rely upon my constitutional rights.

Q And you still maintain that you are a good American, but you don't want to cooperate. I have told

you before that it is very essential to the lives of a good many people in this country that you reveal what took place at your house on that particular evening, when this man came to the door.

I am telling you again, now, that it may cost the lives of a lot of boys that are out in Korea - - and in spite of that fact, are you going to sit there now and refuse to tell us what happened that day?

This is serious, Miss Glassman - it involves lives. I am not thinking in terms of you or me or anyone else. I am thinking in terms of boys that are dying over there. A (No answer.)

Q Now, what do you say - - will you tell us what happened, and try to cooperate? A (No answer.)

Q Supposing you had a brother over there, facing those bullets, or supposing you had a husband - - and supposing he might be killed, because of you sitting in that chair and holding back - - would you like that? A (No answer.)

Q Well, there are lots of women like that in the country, who have brothers and husbands and sweethearts out there now, facing those things; but it is up to people like you to come clean and tell us those things, so that we can avoid lots of bloodshed.

Why don't you, like a good American citizen, tell us what happened - and we will forget this whole proceeding?

That is what I am doing now - appealing to you as an American. Forget everything else. I am just appealing to you now as a fellow American, to tell us what happened there that night. A (No answer.)

Q What do you say, Miss Glassman? A I won't be able to say anything, if I think that may tend to incriminate me. I will answer every other question, but if they will tend to incriminate me I won't be able to answer them.

Q You just don't care how many people die on account of you holding information back - - is that right? A I wouldn't say I don't care about people dying.

Q In other words, you are more interested in the Communist cause than you are in the American cause - - is that right? A No, sir, it isn't right.

Q Then why don't you want to tell us, so that we can reveal these Communists? You know what they have been doing, you know about these atomic secrets that have been stolen. You know all that, you have read about it. We are trying to crack that group, and you won't help us. A (No answer.)

Q Now, will you disclose those facts? A I am sorry, I won't be able to answer any questions that will tend to incriminate me.

A JUROR: Mr. Lane, I wish you would ask her whether she is in favor of Russia having the atomic bomb, so that they can drop it on us.

MR. LANE: I think she was asked, but we will ask her again.

Q What is your feeling about that? A No, sir, I am not in favor of that.

A JUROR: But you are helping them get it, so that they can kill us, including you?

THE WITNESS: No, sir, that isn't so.

Q Suppose we tell you that that is so, the facts that you are holding back may be the cause of one of those bombs dropping on New York City. In spite of that, you don' t want to tell us, is that correct? A (No answer.)

Q What is your answer, Miss Glassman? A I told you, Mr. Lane, that I am not prepared to answer any questions that would tend to incriminate me.

THE FOREMAN: Mr. Lane, is that the answer to your last question? Could that last question you have asked her be repeated?

MR. LANE: Yes. (To Reporter) Will you repeat that?

[Reporter reads: "Suppose we tell you that that is so, the facts that you are holding back may be the case of one of those bombs dropping on New Yok City. In spite of that, you don't want to tell us, is that correct?"]

THE FOREMAN: I want to be sure whether she is answering that question, or a later one.

THE WITNESS: What is the last question?

[Reporter reads again: "Suppose we tell you that that is so, the facts that you are holding back may be the cause of one of those bombs dropping on New York City. In spite of that, you don't want to tell us, is that correct?"]

Q What is the answer - - would that answer tend to incriminate you? A I wasn't referring specifically to that question.

Q Then listen to the question. The question will be repeated. This act, Miss Glassman, does not impress me at all. Just listen to the question, and answer it.

[Reporter reads again: "Suppose we tell you that that is so, the facts that you are holding back may be the cause of one of those bombs dropping on New York City. In spite of that, you don't want to tell us, is that correct?"]

Q What is your answer to that question? A My answer is that I will not answer any questions that will tend to incriminate me. The other part of it is not a question; you made a statement.

THE FOREMAN: You won't answer any questions, but will you answer that question, on that basis?

THE WITNESS: I don't understand the question.

A JUROR: Mr. Foreman, I think this witness absolutely insults the intelligence of the Grand

Jury. She absolutely insults our intelligence.

MR. LANE: There is no question about it.

A JUROR: She is not stupid.

(To witness) You are too smart; you are too smart to be an American. You don't deserve to say you are an American. We will see that those questions are answered. As a Grand Jury we will see that they are answered.

MR. LANE: I think, Mr. Foreman, that there is no use of trying to talk sense to this particular witness. I think that you should excuse her for the moment, but with the admonition that she is to be recalled here at my behest, pursuant to direction from you.

A JUROR: Will she remain in the building, Mr. Lane?

MR. LANE: No, she does not have to today. The Judge is not around. But she is still under subpoena, and she will come here at our call, at any time that we ask, and we will have her before this body again in the next few days.

THE FOREMAN: You are excused until further notice.

(WITNESS EXCUSED)

(Witness, Robert B. Seidman, recalled.)

MR. LANE: We are going to excuse you temporarily subject to call by the Foreman. You understand you are being excused temporarily but you are not finished here?

THE WITNESS: Yes, I understand that.

MR. LANE: The Foreman will direct me to tell you when they want to see you again.

THE WITNESS: Yes, sir. May I say something?

THE FOREMAN: Yes.

THE WITNESS: I'd like to amend my testimony. I was thinking about it outside and it seems to me I was too definite in two respects in relation to my own recolledtion, and it seems to me only fair to amend it.

MR. LANE: Amend it.

THE WITNESS: First of all, I think I was too definite as to whether or not we had talked about this $200 a week figure on Thursday night. It seems to me now that I recollect, I doubt this figure came up. She didtalk about fee but I do not believe it was as definite as getting down to figures. That probably came up in the next few days, the exact time I do not remember.

The second respect, I think I gave the impression my relationship with Miss Glassman was truly

and strictly on a business level. That was part of it, of course. I met Miss Glassman and felt she was a very appealing young lady, and the relationship was not wholly of a business nature. She was a friend, and I wanted to help her as a client and friend, as well as being on a purely business relationship.

JUROR: Did you spend any time with her socially -- evenings?

THE WITNESS: Back in December, when I was representing her union in the matter, she came up and visited my wife --

JUROR: You belong to any groups in connection with her -- any groups?

THE WITNESS: No, sir.

JUROR: Any organization she and you are both members of?

THEWITNESS: No, sir.

JUROR: Social as well as political.

THE WITNESS: Not that I know of. The relationship I had with her -- it was a fairly long arbitration I was handling, involving 800 employees of many different classifications, so it took a great deal of preparation, and she did most of the factual work. I believe I drew a fifty-some page brief in the matter.

JUROR: What union is that?

THE WITNESS: Social Service Employees Union.

JUROR: You deny you are a member of any political party she may be a member of?

THE WITNESS: So far as I know.

JUROR: Your answer is no?

THE WITNESS: I do not know what political parties she may be a member of, thatis my answer.

JUROR: Political party is only one party.

THE WITNESS: I do not know what party she is a member of.

JUROR: You do not know what party she is a member of?

THE WITNESS: I do not know about her politics, actually.

JUROR: You stated you planned to take a vacation?

THE WITNESS: Yes, if I possibly can get away.

JUROR: When did you plan to get away?

THE WITNESS: Just as soon as I can get rid of this proceeding.

JUROR: In other words, you intend to remain here until these proceedings are disposed of? Do you honestly believe that we would want to believe you, as an intelligent man, that you do not know what political party she belongs to?

THE WITNESS: It is the truth, sir.

JUROR: That is your honest feeling?

THE WITNESS: Yes.

JUROR: You want us to believe that you had no idea of the political party she belongs to?

THE WITNESS: I do not ask people their political opinions.

BY MR. SAYPOL:

Q That is not a responsive answer to the question--"I do not ask people their political opinions." Did you have any conversation with her about that? A No, sir.

Q Your answer is definitely no? A No, sir.

Q Did she ever tell you? Did she ever volunteer to you what her political affiliation was? A No, sir.

Q You have just said something here that interests me. You said you wanted to clafify testimony thatyou had given. A Yes.

Q You wanted to relax the definiteness of an answer which you had given. Do I understand that correctly? A Yes, sir.

Q I understand your relationship with this woman -- you have used the word "business". You mean in a professional sense, don't you? A Yes, sir.

Q You say it was something in addition to a professional relationship? A No, sir. That isn't quite accurate. May I explain?

Q Indeed. A She visited me as a lawyer, and she came to me as a client. In that sense it was a professional relationship. My interest in helping her was asa lawyer, but

it was not because of the fee, not only because of the fee I hoped to obtain, but because I was interested in her as a person.

Q In what respect? A Just because I thought she was a very nice young lady who appeared to be considerably agitated.

Q Let's not fence. You are not suggesting there was any sort of a meretricious relationship? A Of course not. There was not.

Q What is the significance of this latest explanation by you, that your advice to her, or counsel to her, was engendered by something additional to the normal usual professional relationship? Why do you tell the jury that there was an additional factor in consideration when you advised her? A Well, when I was questioned before, Mr. Lane put a great deal of emphasis upon the question of fee, and I did not know what significance it has for the jury. But I felt that they were given to understand the relationship between us was that, and they should have an accurate picture.

Q You shouldn't be concerned at all what the significance is as far as the jury is concerned except as it affects you personally. A That's right.

Q That is all you are concerned with, and the rest is none of your business except where you may be concerned with questions of professional ethics or, more importantly, questions of self-incrimination. Obviously as to the latter

you have a right nobody would deny you. I understand you have taken the position here that any information that you obtained from her is protected by the usual lawyer-client privilege. A Yes, sir.

Q Now the import of your latest statement, it seems to me, would be to relax somewhat the ordinary rigid obligation that rests on a lawyer. Did she tell you these things as a friend or did she tell you these things as a lawyer? A She told me these things as a lawyer, sir.

Q So that this recent explanation of yours in a real sense is meaningless? A Well, it may be irrelevant, that I might agree, yes, sir.

Q Frankly, I am completely in the dark as to what motivated such an explanation. I can't understand it. I think the jury probably feels the same way.

JUROR: May I ask a question? Did you say you did know her as a friend?

THE WITNESS: Yes.

JUROR: Weren't you interested in knowing what her political affilations were, as friends generally are?

THE WITNESS: I don't think I knew her that well. She was up at the house once or twice back in December for dinner.

JUROR: She met your wife?

THE WITNESS: Yes, she met my wife.

BY MR. SAYPOL:

Q You have other mutaal friends? A Yes.

Q Frankly, it is only a question whether it is not like the lady in the old Shakespearean play, who protests too loudly. A Believe me, sir, that is not accurate.

Q It is not for me to believe; it is for the jury to believe.

JUROR: Will you repeat that, Mr. Saypol? I did not hear it.

MR. SAYPOL: It seems to me that the witness, like the lady in Shakespear's play, protests too loudly. What has his explanation to do with the subject under discussion? And I think there is plenty of room for profound thinking on your part.

THE WITNESS: I am prepared to answer any questions As I said in my explanation, I was afraid in the original questioning by Mr. Lane that the appearance that had been given is that of a relationship which had been motivated on my part purely by expectation of a fee. Now I think that that is an inaccurate description of my motivation.

BY MR. SAYPOL:

Q What you are telling us is that you have a deeper interest in her than just as a lawyer? A Precisely -- no, no, no. I am not sure that is precisely right. I have a deeper interest in her than just a fee.

Q And what is that deeper interest in her, again?

A Friendship. As I say, she is an appealing young lady.

Q Do you have mutual friends? A No, sir.

Q How did you meet her? A She was the shop chairman of a group in her union that I represented in an arbitration and which was fairly extensive and in which there was a great deal of factual preparation.

Q I think all of this leads to nothing.

JUROR: There is one question I'd like to analyze and that is this: We were given to understand, or it was stated, that the witness, his fee was based on $200 a week, but after he consulted, or she consulted, a short time, she paid a part fee of fifty dollars. What was the basis for the fifty dollars? How did you arrive at the fifty dollars? Why wasn't it twenty-five, ten or one hundred. How many days had she been consulting you if she paid you fifty dollars, if the fee was an unimportant part of it?

(Cont. by IFG)

THE WITNESS: She said, "Now, you have been working for quite a while on this, and you have to get some income. Why don't you take this much, and we will see how much it comes to later?" That was the basis of it, sir.

A JUROR: Well, if you take two hundred dollars a week, and you take fifty dollars, that would be twenty-five percent of the week.

THE WITNESS: Yes, I would say that was roughly the amount of time I had spent with her.

A JUROR: Would you say about a day and a half?

THE WITNESS: That's right.

BY MR. LANE:

Q Incidentally, in your firm that you are affiliated with, Mr. Boudin's firm, when you get fees do you have any agreement with that firm as to what you do with those fees? A You mean when I personally get fees?

Q Well, what is your arrangement with the Boudin firm? A Well, as I have pointed out, I have been in practice for myself for about three or four weeks, and this is the first time this has arisen.

Q What is your agreement with them? A I have no agreement.

Q What do you get from them? A I don't get anything from them now. In the past three or four weeks, I have office space. I do a certain amount of work for them. As a matter of fact, this gets even more complicated,

sir. They have another tenant who rents rooms from them, and he has an extra room, and I do some of his work for my overhead; and that is the agreement.

Q Well, what is your agreement with the firm, as far as fees are concerned? A Fees that I receive?

Q Yes. A The fees that I receive are mine. This is the only case we have had where there has been any inter-connection.

Q Did you send this girl to see Mr. Boudin? A Yes, sir.

Q When did you send her? A I believe on the Friday after I saw her.

Q You saw her on Thursday night? A That's right; it was the very next day.

Q Have you consulted with Mr. Boudin on the case since then? A I saw Mr. Boudin on the case for the first time yesterday, after you had already advised me to come here.

Q Why - did you talk to him about the case? A Just to the extent of trying to find more attorneys that we could approach.

Q Do you know what her bank balance is? A She told me she had enough money to pay a fee.

Q Did she tell you how much it was? A It seems to me that comes within the privilege. I don't want to answer that question. That is a private matter. Why don't

you ask her?

Q Well, did she tell you what it was? I don't want to know the amount. A She has told me.

Q You asked her what it was, didn't you? A I asked her if she could pay a fee, and I asked her what her assets were.

Q Did you tell Mr. Boudin what her assets were? That does not come within the client-attorney privilege. A I am not sure that she told me. I told him that she could pay a fee, so that any attorney that she got would get a fee.

Q Did Mr. Boudin say he had talked with her? A Yes, he did.

Q Did he say when he had talked with her - - when did he say he had talked with her? A I am not sure of the dates.

Q But he told you yesterday that he had talked with her? A Yes, sir.

Q Is that the first time you knew he had talked with her? A No, sir. I knew he had talked with her.

Q When did you know that? A She had toldme.

Q When did she tell you? A I presume on Monday. That would be about the 7th or 8th of August.

Q Well, did you criticize Mr. Boudin for talking with your client? A No, sir. Mr. Boudin and I have worked together for quite a while.

Q But he is not associated with you in this case, is he? A As I have explained to you, sir - -

Q Just answer the question. A I am sorry. The answer to that is, no, sir, he is not associated.

Q And you didn't object when Mr. Boudin conferred with your client? A No, sir. May I explain why I did not object?

Q Yes. A As I explained to you, Miss Glassman first wanted to go to Mr. Boudin, because he is the general counsel for her union. Since he was on vacation, she then came to me, as the only other lawyer that she knew. When she came to me, I told her I was no longer associated, as such, with the firm, and told her that Mr. Boudin was on vacation.

She said she would still like to talk to Mr. Boudin. I told her I doubted very much that Mr. Boudin would take the case.

Q Didn't she retain you? A Yes, sir.

Q That is what I am getting at. After she retained you, Mr. Boudin consulted with her without telling you? A No, sir, it was with my consent.

Q Will you explain that? A I sent him a telegram that Friday night, out to Fire Island. As you know, there are very few 'phones there, and I asked him to call me, and he called me the next morning, and I told him that Miss Glassman was coming out.

Q For what purpose? A To consult with him.

Q Did you know what she was going to consult with him on? A I assumed on the same matter that she had consulted me about.

Q Didn't she think you were capable enough to handle her affairs? A She knows Mr. Boudin has been in practice many years more than I have.

Q Did Mr. Boudin say anything about splitting the fees with you? A No, sir, because he didn't take the case.

Q When Mr. Boudin talked with her, did he talk to her in a client-lawyer relationship? A I presume so. I wasn't there.

Q Did he tell you that he did? A He certainly didn't use those terms. He didn't tell me, "She came out to me and I spoke to her as her lawyer."

Q Well, did she retain him as counsel, too? A No, sir, I don't think so.

Q As far as you know, he was never retained as counsel? A No, sir; as far as I know.

Q So that as far as you know, any conversation between Boudin and Miss Glassman was not in a client-lawyer relationship? A No, sir, that is not so. If a client comes to me and asks me to take a retainer, and tells me certain facts, those facts are certainly in an attorney-client relationship.

Q But you admit that at the time she talked to Mr. Boudin you and not he were her attorney? A I was retained by her, but she may have other counsel, too.

Q Did she retain other counsel? A I am hoping that she has by now.

Q But did she ever retain Mr. Boudin, to your knowledge? A To my knowledge, no.

Q When did you send this telegram to Fire Island? A I believe it was Friday night.

Q What is the date? A Thursday was the 3rd, is that correct? Then it would be the next day, the 4th.

Q On August 4th you sent a telegram to Fire Island? A That's right.

Q Addressed to whom? A Mr. Leonard Boudin.

Q And what is the address? A I think it is Ocean Beach, Fire Island.

Q And what did the telegram say? A It said, "Please call me - Bob," or words to that effect; and I gave him the number to 'phone.

Q And then he called you on what day? A Saturday morning, if I recall.

Q At your home? A Well, at my mother's home.

Q At what time? A Fairly early, I think; probably about ten or eleven, but I am not sure.

BY MR. SAYPOL:

Q What is your mother's telephone number?

A Norwalk, Connecticut 6 - 9434.

Q Where did you send the telegram from? A The same number - Norwalk 6.

Q You mean you 'phoned the telegram? A Yes. I went up to my mother's for the week-end, and after I got up there Friday night sent the telegram to Mr. Boudin, asking him to call me at that number.

Q You sent the telegram by telephoning to Western Union from that Norwalk number? A That's right.

MR. LANE: Mr. Foreman, would you excuse the witness now, temporarily, with the admonition that he is to come back when you direct me to advise him?

THE FOREMAN: You heard that, did you?

THE WITNESS: Yes, sir.

THE FOREMAN: You are temporarily excused.

THE WITNESS: Yes, sir. Will that be today, Mr. Lane?

MR. LANE: No.

(WITNESS EXCUSED)

VIVIAN GLASSMAN, recalled.

BY MR. LANE:

Q Miss Glassman, you are still under oath. Will you have a seat? A Yes.

Q Did you ever retain Mr. Boudin as your counsel? A No.

Q The answer is "No"? What is your answer? A No.

Q Did you retain Mr. Seidman as your counsel? A Yes.

Q When did you retain him? A When I first went to see him, the first night.

Q That's on a Thursday night, August 3rd, was it? A I believe so.

Q And at that time you retained him as your counsel - for what purpose? A To give me guidance and assist me.

JUROR: I can't hear you.

THE WITNESS: To give me guidance and to assist me in obtaining an attorney who would represent me in the event that I needed one.

Q Did he assist you in any way to obtain an attorney? A He has been trying to, yes.

Q And has he talked to various attorneys for you? A Yes; he has been trying to get me one.

Q Did he ask you how much money you had in your bank account? A I believe I mentioned it to him. I don't remember if he asked me.

Q Was that $1600? A Yes, that's right.

Q In what bank is it in? A What is now the Bankers Trust Company.

Q And did you show Mr. Seidman that bank account, that bank book? A I don't recall.

Q Did you show Mr. Boudin that bank book? A I don't recall.

MR. SAYPOL: What is the answer? I don't recall, is that what you are saying -- you don't recall?

THE WITNESS: Yes.

Q Did Mr. Boudin talk to you about your assets? A Yes, I believe so.

Q And when did he talk to you about your assets? A When I first saw him, the first time.

Q When was that? A A week ago Saturday.

Q Where? A At Fire Island.

Q Who told you to go out to see him, did anybody? A I discussed it with Mr. Seidman.

Q When did you discuss it with Mr. Seidman? A On Thursday when I originally came to see him. You see, I originally called Mr. Boudin to try to reach him because I know him better , and I was unable to reach him either at his home or at his office because he wasn't in either place.

Q Then you talked to Mr. Seidman? A Yes.

Q And then after that you went out and saw Mr. Boudin? A Yes.

Q Did he want to take your case? A No. He said that I should find an attorney.

Q Did he give you any reasons for declining to take your case? x A No. He said he would be unable to.

Q Did he tell you why? A No.

Q How long a meeting did you have with him? This is at Fire Island, I presume? A Yes; both times.

Q How long a meeting did you have? A Fifteen minutes.

Q Was Mr. Pataki with you? A He went with me.

Q To Fire Island? A Yes, sir.

Q Was he present at the conversation with Mr. Boudin? A No,sir; it was private.

Q Where did the conversation take place? A At his home there.

Q I know. What room was it?

MR. SAYPOL: Top floor, bottom floor, basement, dining room, kitchen, that's the question. You haven't any difficulty answering that. Why don't you sit back and try to answer the questions frankly. You hesitate as if you were trying to conceal something.

THE WITNESS: No, sir. What I tell you is true.

MR. SAYPOL: Is that a complex question, where did you talk with him?

THE WITNESS: No, in his apartment.

MR. SAYPOL: Where?

THE WITNESS: In one of his rooms.

MR. SAYPOL: Which room was it?

THE WITNESS: I don't know. I know we went upstairs. I don't know his apartment well.

(Cont. by IFG)

August 15, 1950

Re: John Doe
(Messrs. Saypol and Lane)

BY MR. SAYPOL:

Q On Fire Island? A Yes, sir.

Q In the kitchen? A No.

Q In the bathroom? A No; in a sitting room.

Q Now we are getting a little clearer. Upstairs, you say? A No, in the sitting room.

Q Who else was present? A No one else.

Q What time of the day was it that you had this conversation - in the morning? A Just a minute; I will tell you. It was about six or seven in the evening.

Q What time did you leave New York - - did you leave New York to go to Fire Island? A Yes, sir, I did.

Q What time did you leave New York? A I don't remember whether we made the three o'clock train, but I think that is what we might have made.

Q You went by train? A Yes, sir.

Q I take it by the Long Island Railroad? A Yes, sir.

Q Where did you go from New York on the Long Island Railroad? A We went to Bayshore.

Q And what did you do there? A From there we took a taxi to the boat, to the dock. From there we took a boat that goes across to Ocean Beach.

BY MR. LANE:

Q Where was Mr. Pataki while this conversation

took place? A He was downstairs, in the living room, I believe.

Q Had you discussed with him the purpose of your visit to Mr. Boudin? A No, sir.

Q You understand that you are under oath? A Yes, sir. I didn't discuss the content of it, you see. I just told him I had to see a lawyer.

Q And what did Mr. Boudin say when you talked with him? A To get an attorney.

Q Well, he is an attorney. A Yes, but he was -- I know that, but he was unable to take the case.

Q Did he give his reasons for it? A No.

Q Didn't you tell him you had an attorney? A Well I told him the arrangement I had with Bob Seidman.

Q Tell me what you told him. A I told him that I went to visit Bob, and that I discussed the situation with Bob, and that Bob was unable to take it, but that Bob is going to continue to assist me until such time as I find an attorney.

Q And did you tell him that you were going to give Bob money for doing that? A I don't recall whether the question of a fee came into the conversation.

Q Well, did you tell Mr. Boudin what this was all about? A No, I didn't discuss much with him.

Q Didn't you tell him that you had talked with the F. B. I. on Thursday? A I believe so.

Q Did you tell him what you had told the F. B. I. at that time? A No, sir, I didn't; because he said to me that he would be unable to take on any situation, and there is no point in my telling him the story.

BY MR. SAYPOL:

Q Well, how did he know what the subject was of the conversation that you had with the F. B. I.? A You say, how did I know that he knew?

Q How did he know? You say you didn't tell him what your conversation was with the F. B. I. Did he know what the subject was? A No. How could he?

Q Before you told him your story, he told you that he couldn't take your case - is that right? A I told him that I believed I would be needing a lawyer.

Q You told him what? A I told him I believed it was possible that I might be needing a lawyer.

Q For what? A In the event I might be called.

Q Called for what? A (No answer.)

Q You have told this jury that you went to a lawyer and discussed with him a problem, for the purpose of retaining him, and that the lawyer told you that he couldn't take your case. Now, did he tell you that before you told him what the problem was?

(CONTINUED BY LB)

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A No, I wouldn't quite say that. I told him that the FBI had visited me and that --

Q You had talked with the FBI, is that right?

A Yes, sir. I told him that.

Q Did you tell him what you had talked with the FBI about? A No, but I told him that I wanted some guidance concerning my rights with regard to further conversations with them and with regard to anything that they might ask me to do.

Q How could he guide you if you did not tell him what they had asked you? A He could guide me on my Constitutional rights with regard to further discussions.

Q Well, so far you haven't told him whether the FBI wanted to hire you as an Agent or whether they wanted to hire you as stenographer or secretary or whether they wanted to investigate you with regard to a white slave case or perhaps somebody stealing your merchandise or perhaps somebody defrauding you, and yet he told you he could not represent you, is that it? These are all grown up people and they have common sense, at least as much as you, and what you tell us is a preposterous story, don't you realize that?

A I realize that, Mr. Saypol, but I just feel --

Q You do not want to talk, isn't that it? A No, I ju feel that conversations that I have with attorneys are of confidential nature and it shouldn't be disclosed.

Q Particularly when you think they may incriminate

you, is that it? A Well, I don't think it has to do with that at this point.

Q Let's try to be patient. You see, there is one thing such as one's invoking Constitutional rights, and that you have a right to do; nobody will take that away from you. But when you start to indulge in what is nothing else but nonsense, that is pretty dangerous. Patience is a good virtue, and let us see if we cannot maintain a patient attitude. You can't trifle with this grand jury. You are telling them a story that is, to say the least, ludicrous. Maybe by analogy we can illustrate what we mean. As we have said, you went to a lawyer. You told him that the FBI had talked with you, and that's all you told him. And he said he could not represent you. Do I narrate it correctly? A That is what I told him, thatwasn't all.

Q Oh, you told him more, is that right? A Yes,sir.

Q What more did you tell him? A I do not choose to discuss it here because I believe that what I talk with an attorney about is confidential.

Q That is something different from telling us that you did not tell him anything, isn't that so? A Yes,sir, it is so.

Q You did tell this jury a minute ago you did not tell him anything. A No, what I meant to say is I did not tell him the specifics of the situation.

Q Then you are correcting your answer now? A Yes.

Q Then you are playing around with us, aren't you? A No, sir, I do not mean to be.

Q At least, I think you are a little smarter than you pretend to be. The point I want to make to you is that you are fooling nobody. A I don't think I am.

Q All right, I guess we'll have to have a little more patience now. It is a virtue. Now one other thing. Mr. Seidman for some reason we cannot ascertain came in here and wanted to correct an answer that he had given, and he said there was some other kind of relationship between you and him other than that of lawyer and client. Can you tell us something about that? A No, sir, I couldn't. I don't know what you say he is referring to.

Q I am only repeating to you what he said. A I could not say that because I wouldn't possibly know.

Q And you can take my word for it, he said it.

BY MR. LANE:

Q Is that relationship the same relationship that exists between you and Mr. Pataki? A I am sorry, I do not understand your question.

Q Is the relationship that exists between you and Mr. Seidman similar to that which exists between you and Mr. Pataki? A NNo, sir, it isn't.

Q You are living with Mr. Pataki, isn't that correct? A He is staying in my apartment, yes.

Q You are staying in his apartment? A No, he is

staying now in mine.

Q Now he is staying in yours, but you have been staying in his, is that right? A No, he has been staying in mine.

Q For how long a period has he stayed in your apartment? A I believe since last Monday.

Q Where is your apartment located? A East 7th St., New York -- Manhattan.

Q Where did you stay the night before last, on Sunday night?

(Cont. by IFG)

A At my apartment.

Q At your apartment? A That's right.

Q You didn't stop at his apartment? A We probably stopped at his apartment before.

Q Where is his apartment located? A On 19th Street, in Manhattan.

Q And prior to a week ago Monday, was he stopping in your apartment, or were you stopping at his house? A I stayed at his for a few days.

Q In other words, you two have been living together for quite some time - is that correct? A I have stayed at his apartment, and he has stayed at mine.

Q For quite some time - - for how long a period of time, would you say? A Since the situation started, since the F. B. I. visited me.

Q Since August 3rd? A That's right.

Q How about prior to that? A I haven't been seeing much of him prior to that.

Q But your relationship with Seidman, you say, is different from that of Pataki? A Yes, sir.

BY MR. SAYPOL:

Q What time did you leave Fire Island - - I will withdraw that - - you say you made the train about three o'clock in the afternoon, with Mr. Pataki, to go out to Fire Island, is that right - - and you have also indicated that your conversation with Mr. Boudin took place some time around

six o'clock, is that right? A Maybe a little later. I can't recall exactly.

Q It would probably take that long to go from New York to Fire Island, what with the train ride and the taxi and then the boat. I think the boat takes about an hour, is that right? A Yes, about.

Q You have also told us that in that trip you didn't tell Mr. Pataki what the subject was of your visit to Mr. Boudin, is that right? A Yes, that's right.

Q Did you talk to each other? A Yes, sir.

Q Tell us some of the things that you discussed. A I can't remember.

Q Well, you try hard. A I talked to him about things in general.

Q What general - General MacArthur? A No. As a matter of fact, on the way there we weren't sitting together; we were sitting in different seats, and I was sewing and he was reading.

Q Why were you sitting in different seats? A Because there weren't two seats together, so he sat in one seat and I sat in the other; and he was reading the paper, I believe, and I was sewing.

Q What paper was he reading? A I don't remember.

Q When you got to Bayshore, were you together? A Certainly.

Q Did you talk then? A Yes.

Q What did you talk about? A We talked about the boat trip - it was a pleasant trip - - I don't remember whether we talked very much.

Q You were somewhat disturbed, weren't you? A Yes, I was.

Q What else did you talk about, besides the boat trip? A I can't recall, because it would just be the kind of thing that one talks about generally - - small talk.

Q We don't know what you consider to be "generally". The generality of our thinking would probably be different from the generality of yours - or the matter of talking - - what do you talk about generally? A Maybe we discussed a movie that we had seen - -

Q Let me caution you. You know you can't go on discussing it this way, and then go on correcting your answers ad infinitum. Maybe you can do it once or twice, but I am warning you, if you go on doing it, even patience gets exhausted.

What did you talk about generally? A I am telling you, I can't remember, but I am trying to tell you what are the things we would talk about, as you asked me.

Q I don't want the figments of your imagination; I want the facts. What did you talk about? A I am sorry, Mr. Saypol, I can't tell you. I can tell you that

we didn't discuss the subjects under discussion here. I didn't discuss that with him at all, if that is what you want to know.

Q I want to know the truth. A I can't recall what we discussed.

Q How much time do you say you spent with Mr. Boudin?

(CONTINUED BY LB)

A I really don't know exactly because I just came to his house and went upstairs and I started to talk to him, and then dinner was ready and he had to go down to dinner, and so I left, and I said that I would come back later, and then we walked around the town for about an hour and then I came back again to his house.

Q Did you have your dinner on Fire Island too? A Yes.

Q With Mr. Pataki? A Yes.

Q Where did you eat there? A In a little restaurant right -- not far from the dock.

Q And then you came back to Mr. Boudin's house and he told you he wasn't interested in your case, hadn't he, or he told you he did not want to represent you? A We hadn't had time to discuss too much.

Q I see. It hadn't been settled, so you came back, is that right? A That's right.

Q Then did you talk to him again? A Yes.

Q Where? A We went for a walk.

Q Who? A Mr. Boudin and I.

Q What did you do with Mr. Pataki, where did you hide him? A He stayed in the house withMrs. Boudin, and the children I believe were there, and he stayed there, and we went for a walk.

Q How long did you walk? A Maybe half an hour or so.

Q Was it dark by the time yougot through walking?

A I don't remember that.

Q What time did you leave Mr. Boudin? A I don't recall the time, but I know that it was not possible any longer to get a boat back, a regular boat back to New York, so that it must have been quite late. I don't remember the exact time.

Q What did you talk about when you walked with Mr. Boudin? A That I do not wish to discuss.

Q That you are sure was not generalities, that you know about, is that right? A Sure I know.

Q Even though you do not want to discuss it, you are clear in your mind as to what the conversation was there? A Yes.

Q You know clearly what he said and you know clearly what you said, is thatso? A I imagine so.

Q We do not want your imagination. We want the fact. Again, I tell you - A Yes, I guess -- yes, I know.

Q You told us that you don't want to tell us what you talked about, is that right? A Yes.

Q What is the reason for not telling us? A Because I believe that what you discuss with anattorney is confidential.

Q I must advise you then what you tell a lawyer is not confidential, Miss Glassman. I must ask you to answer the question, if that is the basis for your refusal; you have no such right. A I don't understand that, Mr. Saypol.

Q Well, I tell you that you have no right to refuse to answer a question for the reason that you state, and that is what you tell to a lawyer you don't have to disclose. A Well, isn't it so that what you tell a lawyer is confidential?

Q No. A Then, well, that was my understanding.

Q Your understanding is in error. A Well, then, I can say to you that I don't wish to answer that question on the ground that what I tell you might tend to incriminate me.

Q That's a different thing, young lady. But you know the difference. Is that the ground upon which you refuse to state? A Well, if I can't -- I had originally thought that I could, that it was confidential, whatever I would tell an attorney. If you say that it is not, so then I will use -- then I would like to plead the privilege of not answering on the ground that it might tend to incriminate me.

(Cont. by IFG)

Q Well, would it tend to incriminate you? A It might tend to.

Q Is what you told him a narrative of criminal acts that you had indulged in? A What I say might tend to incriminate me.

Q Well, you are saying, then, that what you told to Mr. Boudin is a narrative of what you consider might have been criminal acts, and therefore you rest on your constitutional ground here. A (No answer.)

Q Is that so - - can't you answer that? A I don't know.

Q What is that? A I don't know.

Q Well, I don't think we ought to plague the jury much longer.

A JUROR: What was her answer to that last question?

MR. LANE: Her answer was, " I don't know."

A JUROR: When did Mr. Boudin refuse to represent you?

THE WITNESS: He actually didn't refuse. He said something about - - I mean, I got the impression that he might still be deciding about it, and on the other hand he knew that the decision wasn't urgent, in that I was going to continue to work with Bob.

A JUROR: It wasn't urgent; yet you went all the

way down to Fire Island. Did he know what you came down for?

THE WITNESS: Well, the F. B. I. suggested that I talk with him. You see, Bob is only the assistant to Leonard, and the decisions, I imagine, would have had to be made jointly. That was my understanding. I am not sure about that, but - -

BY MR. LANE:

Q You have already testified here that Mr. Boudin declined to take your case. That is what you have already said to the jury. You said that before. Because the first question I asked you, when you came into the jury today, was: "Did you retain Mr. Boudin as a lawyer?" and you said, "No." Do you remember that? A Yes, I do.

Q So that when you talked to him about taking your case, during this Fire Island episode, after you had that little walk along the beach, he declined to take your case - - he either took it, or he declined to take it. A Well, when this gentleman asked me, "When did he refuse?" and I began to think back exactly when that occurred - -

Q It was on that particular night that you had that conversation? A Well, I assumed that he was refusing to take it.

Q Well, he told you that he wasn't going to take it. There wasn't any assumption. You have already testified to that fact. A You asked me if he was going to

take it.

Q I asked you if he did take it. I asked you if you had retained him, and you said "No," and up to this moment you have never retained him. A Well, at that time I told him about Bob, and that I would continue to work with Bob, and he said, "O. K." and since he had said to me, "Get an attorney, Bob will help you," I assumed that he wasn't going to take it; and yet there was some implication in what he said to me later - I got the feeling that the decision wasn't fully complete, as to whether or not he would take it.

(CONTINUED BY LB)

(By Mr. Lane:)

Q Let's stop hedging or fencing. Did you ask him to represent you? A No, I told you --

Q No. Did you ask him to represent you after you had told him the facts? A You mean did I say to him, "Will you be my lawyer"?

Q Yes. A No, I did not say that to him.

Q How did you leave it? A That is what I am trying to tell you now.

Q Is he your lawyer today? A No.

Q Did you ever retain him? A Well, I assumed that when I went out --

Q Don't assume anything. Answer the question. Did you ever retain him? A Well, I would say yes, in terms of going out to talk to him initially, you see.

Q You retained him that night? A When I came to him initially.

Q When was initially? A The first time I went to him.

Q Out at Fire Island? A Yes.

Q Did you retain him at that time? A Well, when you say retain him, what do you mean exactly?

Q Did you agree that he was to be your lawyer? A Well, it was not clear when he left -- I am trying to explain to you --

Q Did you discuss fee with him? A No, we did not discuss fee.

Q Did you ask him how much he would take to represent you? A I asked him how much it would cost.

Q And what did he say? A He said, "How much do you have?"

Q And what did you say? A I told him.

Q What did you say? A I told him what I had.

Q And then what did he say? A He just --

Q "You better get another lawyer," he said? A No.

Q What did he say? A He just nodded. I said, "Will that be enough?" He said, "Don't worry about it."

Q How did you leave it when you left him? A I left it that Bob would continue to work with me and that I should let him know if we had been able to get another attorney, and he made some comment, for example, if I shouldn't be able to get an attorney, then he would come in.

Q So that you did not retain him at that time, that is obvious, that is clear now, you did not retain him then because he said, "If you cannot get a lawyer, then I might come in," so that at that time you did not retain him, that is clear now, isn't it? A Except it wasn't definite.

Q That was definite enough, that was very definite. A Well, I wasn't.

BY MR. SAYPOL:

Q Has he sent you a bill for what advice he gave you that night? A Not yet.

Q Do you expect a bill from him? A Possibly.

Q Do you feel he's entitled to be paid for any advice he gave you that night? A I would think so.

Q What advice did he give you? A He advised me of my Constitutional rights.

Q What did he say? A Well, he explained the procedure of the grand jury to me.

Q Yes, how did he explain it, what did he tell you? A That it might be possible that I would be called; in the even t that I would be called I would be under oath with all questions which are to be answered. That in the event that there are any questions which in my opinion I feel might tend to incriminate me, I could exercise the privilege of not answering them, and thatwas basically it.

Q Did you tell him what you anticipated would be the subject of questioning so that he could decide whether or not it was incriminating or not? A No. We weren't -- he did not discuss questions with me to determine whether it would be incriminating.

Q Did you discuss with him -- did you say to him, "They want to ask me so and so, they are asking me so and so, what should I say?" Did you tell him anything about the facts? A Well, I told him some things, yes.

Q What did you tell him? A I don't wish to say that.

Q On what grounds? A On the ground that it may tend to incriminate me.

Q At least we have one thing clear. At least you know the ground.

MR. LANE: Did you tell him about your conversation with the Agents of the Federal Bureau of Investigation? Did you discuss it and go over it with him?

MR. SAYPOL: That was the whole substance of the visit, wasn't it?

MR. LANE: What's your answer?

THE WITNESS: I outlined it.

MR. SAYPOL: Of course you had to. You had to talk intelligently to him. You couldn't go out and look at him the same as you are looking at us. You told him what transpired with the FBI and then you asked him about testifying here, isn't that it?

THEWITNESS: At that time I wasn't called here.

MR. SAYPOL: I know that.

THE WITNESS: At that time when I spoke to him I hadn't been called here.

MR. LANE: He told you, after you related to him what you had told to the FBI, you already testified that he told you you may be called before a grand jury?

(Cont. by IFG)

THE WITNESS: Well, I asked him what is the procedure in cases like this.

BY MR. LANE:

Q You asked him what the procedure was; and then he said to you you may be called before the Grand Jury, is that right? A I don't remember if he said it or if I asked him.

Q One of you said it; and then you asked him how you should proceed if you went before a Grand Jury, and he told you to refuse to answer any questions - didn't he - that may tend to incriminate you - - isn't that right? A I am a little confused at this point. I don't remember - - I talked to both of them - - to Bob so often - - I don't remember if that discussion of the Grand Jury came up with Leonard that first time that I was there, or if I had just discussed - - as a matter of fact, I am not at all sure; I can't remember. We had discussed the visit, but I don't know if I asked him that, or if it was mentioned, or if it was later that I discussed it with Bob.

BY MR. SAYPOL:

Q Let me ask you this: Have you paid Mr. Seidman any fees? A Yes, sir, I have.

Q How did you pay him - by cash or by check? A I paid him in cash.

Q Where did you get the cash? A I had some money.

Q You cashed a check? A I mean, I got paid, and

I always have a little money on hand. I didn't pay him much.

Q Did he send you a bill? A No, not yet.

Q Did he give you a receipt? A No, not yet. It was a partial payment.

Q Did you pay Mr. Boudin any money? A Not yet.

A JUROR: Did the witness tell us why Mr. Boudin did not want to handle her case - why did he refuse to handle it?

Q Did he give you a reason? A No. I am trying to say to you that I am not clear at that time - - it was not clear even at that time, when I left, whether or not he would actually be coming in, if I should need him, but there was the implication that if I could get somebody else that I should, but that he was available, and he asked me to come back to see him.

THE FOREMAN: The question is, the reason that he didn't take it.

THE WITNESS: Well, I don't know exactly if we discussed it in that way, that he said, "I will not." We talked more generally, in terms of "You are with Bob now, and see if you can get another attorney." I wasn't sure when I left as to whether he would take it or not.

A JUROR: But you were sure at a subsequent time that he was not going to take the case, because you

are seeking another lawyer, aren't you?

THE WITNESS: Well, - -

A JUROR: Answer yes or no - were you sure or were you not?

THE WITNESS: No, I am still not sure. What I mean is this, sir: that in the event, let us say, that I cannot get another attorney, and I should need one, then I would go back again to Mr. Boudin.

A JUROR: And he would be your attorney in the event you could not get another attorney?

THE WITNESS: I don't know.

A JUROR: Have you seen Mr. Boudin again since that time?

THE WITNESS: Yes, I did.

A JUROR: Where?

THE WITNESS: I saw him on Sunday. I went back to see him.

A JUROR: On Fire Island?

THE WITNESS: Yes, sir. It was understood that I would come back and let him know.

A JUROR: Did he give you a definite answer then, as to whether or not he would represent you?

THE WITNESS: No; he just told me to continue.

BY MR. LANE:

Q To continue trying to get another lawyer, is that right? A Yes.

BY MR. SAYPOL:

Q By the way, did you stay on Fire Island that night, or did you go home? A We came home.

Q What boat did you make back? A We got somebody to take us back by a private boat.

Q You mean you chartered a boat privately? A Yes.

Q What time did you get back to the mainland? A At ten or eleven; I don't remember.

Q Now, in the interval between the two dates that you saw Mr. Boudin on Fire Island, have you made any effort to get any lawyer? A Yes, sir, I have.

Q Whom have you spoken to? A Bob has helped me. He has done the contacts.

Q Whom has he spoken to, do you know? A I don't know.

Q Have you spoken to any other lawyer? A Yes.

(CONTINUED BY LB)

A Yes.

Q Who? A Must I tell it to you?

Q Is it a crime to talk to a lawyer, do you think?

A No.

Q I take it that would be the basis for your disclosure, wouldn't it? I will let you answer it yourself.

A I think which lawyers I go to see are irrelevant in this situation.

Q You do not decide those things. We decide that. Whom else have you gone to see? A Must I answer that question? Or do I have the privilege of not answering?

Q I told you you have to answer that question unless it incriminates you. A The reason that I am hesitant is because I do not know --

Q We want to see if you are telling the truth now.

THE FOREMAN: What is your answer, does it incriminate you or doesn't it incriminate you to tell the jury the lawyer you spoke to?

THE WITNESS: No, it doesn't incriminate me.

THE FOREMAN: If it doesn't, what is his name?

THE WITNESS: I told you I went to see Mr. Mathew Silverman.

(Mr. Saypol, resuming:)

Q Where is his office? A I believe on 42nd Street; I am not sure.

Q Did he agree to advise you? A No.

Q Who recommended you to Silverman? A Mr. Boudin.

Q Did you go to see any other lawyer? A Yes.

Q Whom? Tell us all at once without all this detailed questioning, because it takes time. A I went to see Mr. Linder.

Q What is his first name? A Leo Linder.

Q Where is his office? A I believe on Trinity Place.

Q Did he agree to advise you? A No.

Q Whom else did you go to see? A I don't remember. We went to one or two more.

Q You say "we". Who else went with you? A Bob.

Q He has been going around with you trying to find another lawyer? A Yes, he has. He has done most of the contacts. I do not know any of these people because the only lawyers I know are Bob and Leonard, and Leonard I actually know better.

Q Who is Leonard - Mr. Boudin? A Excuse me, Mr. Boudin.

Q I do not know him by his first name.

BY MR. LANE:

Q Are you very intimate with Mr. Boudin? A I know him through my association in the union.

Q Ever have dates with him? A No, sir.

Q Up to today your friend BoB still hasn't obtained an attorney for you? A No, we spoke to somebody this morning and he tentatively agreed.

BY MR. SAYPOL:

Q Who is that? A Mr. Rosenfeld.

Q What is his first name? A I believe Herman.

Q Where is his office? A I really do not know because Bob contacted him and we have a tentative agreement on his part to assist me. We will have to go to see him.

MR. LANE: Mr. Foreman, will you direct the witness to come back Friday?

THE FOREMAN: Return here Friday. You are still under subpoena -- at 11 o'clock.

MR. LANE: 20 minutes of 11.

(WITNESS EXCUSED)

H A R R Y G O L D , recalled and again duly sworn by the Foreman, testified as follows:-

BY MR. LANE:

Q Mr. Gold, I think you know your Constitutional rights? A Yes, I do.

Q You have consulted with your attorney? A Yes, I have.

Q And I believe this appearance before the grand jury is at your own request? A Yes.

Q To more amplify, modify or amend some previous testimony which you had given? A That is correct.

Q And you spoke to your attorney about it and he wrote to the Federal authorities? A That is so.

Q On your previous appearance before this grand jury the question was asked you about whether or not you had received any moneys from the Soviets in connection with espionage activities, and I think you want to amplify that now, don't you? A Yes, I do.

Q Will you go right ahead, in your own words, and tell us the answer to that question? A From the very beginning, in my contact with the Soviet agents, starting with a man whom I knew as Paul in November of 1935, I received partial payment of expenses. I would estimate that this partial payment was on the order of fifty or sixty per cent on the average. It may have varied. There may have been times when it arose to say three-quarter of

the amount of expenses. There may have also been times when it fell somewhat and may have been below fifty per cent. But on the average I would say that I received throughout the entire eleven year period up until 1946, I received about fifty or sixty per cent of my expenses. This is in direct contradiction to the statement which I had made previously, on the 2nd of August, in which I stated that I had received no expenses whatever until late 1944 or early 1945.

Q What would that amount be, roughly? A I had previously stated that I had spent about four thousand dollars of my own money. I would like to modify that statement and say that I spent about two thousand dollars, maximum, of my own money, and that the amount -- I have tried to go through year by year and estimate the number of trips to any one particular place and to estimate the cost of longer trips, such as trips to Rochester and to Kingsport, Tennessee, tried to estimate the cost, the means by which I traveled -- I have tried to itemize all of these, and I estimate that I received, the actual figure that I came up with was $2600, from the Soviets, and I spent about two thousand dollars of my own money.

Q Who was Paul? A Paul was the first man.

Q What is his full name? A I knew him as Paul Smith. It is possible that his full name was Paul Peterson. But I had always assumed that this was a false name. However, I

do not know. In any case, he was the first man whom I -- the first Soviet agent whom I met in November of 1935. I was introduced to this man by Thomas Black. I believe that the jury will recall that I have spoken of Thomas Black and the manner in which I came to start my espionage workfor the Soviet Union.

Q As I understand it, Paul Smith was your Soviet superior from 1935 until the summer of 1937, is that correct? A That is the opinion which I held until very recently, when it was pointed out to me that there were some very slight discrepancies in the matter of the testimony I had given about Paul and that which had been obtained from other sources, and thereupon I started to think about this matter -- you see we are going back fifteen years now, and there is the possibility that my contact with Smith was somewhat briefer than I originally thought. In other words, that it may have only been from November of 1935 until the late summer or early fall of 1936.

Q How much did you estimate he gave you? A I estimate that he gave me about thirty dollars -- thirty or forty dollars.

Q Who was Steve Swartz? A Steve Swartz was a man -- was a Soviet agent whom I have since identified as Constantine Ruga. I am very certain of this because of his outstanding physical characterists. He was six feet two, weighed 220, and had an extremely athletic build.

Q Was he a Russian? A Yes, undoubtedly so. When I first met him his English was extremely poor; in fact, it wasn't poor, it was practically non-existent.

Q But he was your superior for what time? A And he was my superior until the fall of 1937.

Q And he gave you how much for expenses? A He gave me about forty dollars. There was a difference here, because Ruga was the only one of all of the agents I have known who made trips to Philadelphia regularly; in other words, about half of the contact with Ruga was in Philadelphia. This was a very unusual circumstance and only occurred with him.

Q And did you supply him and Smith with information? A Yes, I did.

Q Who was Fred? A Fred -- and I have not been able to identify him as yet, only tentatively, was a very small man, shorter even than I am, with dark eyes and a brown moustache, rather plump build, and an extremely arbitrary and dictatorial manner. I knew Fred from the fall of 1937 up until -- there were actually two phases -- up until, first of all, August of 1938. The second phase continued from August of 1938, and this is where I attended Xavier University, August of 1938 until April of 1940.

Q Did he have something to do with Semenov? A There is one -- I last saw Fred in Cincinnati, Ohio, in 1940, in April of 1940. Subsequently I received a call in

Cincinnati, and from New York, a long distance call, and I was told, in his usual fashion, to get down to New York as rapidly as I could. This was a little difficult, I was going to school, but I did manage to invent lies and excuses, and I went to New York. I had been told to register at the Hotel New Yorker -- I hope this can be verified -- and was met instead by a fourth man whom I only saw once.

Q Did you register in your own name? A I registered in my own name, I am quite sure of that.

Q In May 1940, was it? A In about April of 1940. I had originally thought it might have been May, but on seeing some other evidence, I believe it was April, it was very late April, possibly the last week in April.

Q And you met this man at the New Yorker? A Yes.

Q Was he a Russian? A He was a Russian. He was about five feet nine or so, weighed about 155 pounds. The principal features about this man were the fact that he had a very sallow yellowish complexion, his cheeks were sunken in, and even in the brief period I saw him, just about half an hour or so, he complained about gastric disturbances, or a form of gastfic illness, and he did not seem -- he was not the aggressive and completely arbitrary type that his predecessor, Fred, was.

Q Did he introduce himself? A He introduced himself, andI don't think that he used a name. I believe that he merely said that he had been sent by Fred.

Q Was Fred a Russian too? A Fred undoubtedly was a Russian. There was no American who ever behaved as Fred did.

Q Did he look Russian? A Yes, he did.

(Cont. by IFG)

Q Now, what transpired - - A I would like to amplify that statement, in just one way: He had a swarthy, Central European look, but one which is associated with many people who come from the Ukraine, or the Black Sea area. That is Fred that I am speaking of.

Q Now, what happened at the Hotel New Yorker after that? A We went for a brief walk. The only events that transpired - - I have said that this man was not aggressive - - the only events that actually transpired were, first of all, questions as to whether or not I had material from Ben Smilg in Dayton, Ohio - - possibly because I cannot recall completely whether I explained who Smilg was, I will first do so: He was an aeronautical engineer working at Wright Field in Dayton, Ohio; and the Russians were confident, because of previous contact with him at M. I. T. - Massachusetts Institute of Technology - when he was a student and during which period he tutored various Russian students - that is, actually Soviet citizens - that he would reciprocate by giving information on aeronautical matters.

The only other thing was that I received from this man the sum of about $150. This matter has been verified. This enabled me to pay, to pay my various dues in connection with graduation, and I actually gave about half of it to another student at Xavier University, a man by the name of Frank Duda, who came from Donora, Pennsylvania, and of

whom I was very fond.

Q Now, was there someone by the name of Joseph Katz? A No; that is completely strange.

Q Who is the fourth Soviet superior? You have named only three. A I have actually named four. The other one was very brief. The next man was Semen Semenov, whom I have referred to as Sam. I don't think I have given a physical description of him, the last time I was here. Do you think a brief physical description would help - -

Q Why don't you give it? A Semenov was about my height. He had a bony build, and was well fleshed, but he did not appear fat, or anything like that, at all. If anything, it was a sort of muscular meat that overlay his bones. He had a classical face, rather large lips - full lips, almost sensual in character - dark eyes, and in general a rather amused and self-confident, but not obstreperously self-confident, expression on his face.

The principal characteristic that I can recall about Semenov is the fact that of all of the Russian agents I knew, he was the only one who wore a hat, as an American does, and of all of the Russian agents that I knew he came closest to approximating the manner and characteristics and general attitude of an American. This may have been due to the fact that - - I have since learned that he was also a student at M. I. T. from somewhere

around 1938 on, and I knew him until early 1944.

Q How much money did you receive from him? A Well, I would have to divide that up, on account of the long period of time. I can best figure it out that way.

Q Well, roughly, give us the total. A Well, I will do it quickly. From July, 1940 to March, 1941, I received about one hundred dollars. There was a hiatus from March, 1941, until after the German attack on Russia in June. We started up again in July, 1941, and for the rest of that year I would estimate that I received about one hundred fifty dollars.

I would like to change that - - I would say that the first period I received one hundred fifty dollars - that is, up to March of 1941 - and the second period one hundred dollars.

In 1942, I would say that I received three hundred dollars. There were many long trips at this time, to Rochester, Kingsport, and so on.

In 1944 I received again three hundred dollars.

Q Now, early in 1944, you were turned over to someone known as John? A That's right - Yakovlev.

Q You have subsequently identified him as Yakovlev? A Yes.

Q How did you happen to establish that identity? A That identity was almost unmistakable. The minute that

I saw a very poor picture of Yakovlev - - by "poor picture" I mean one that was taken with him holding a newspaper and standing in a shadow, so that his face was obscured - - I was certain that he was the man; and when I saw another one that had been taken in a little better light, I was absolutely positive.

Q How much money did you receive from Yakovlev? A From Yakovlev I received about one hundred dollars, in 1944. The principal business at that time concerned Klaus Fuchs, and who was in New York up until the late summer of '44; and I did not see him until I saw him in Cambridge in January, 1945.

Q Mr. Gold, I am interested in the total amount that you received from Yakovlev. A In '45 the total amount was about six hundred dollars; and then in 1946 the total amount was either two or three hundred dollars.

Q Now, in connection with these sums of money which you received from these Soviet agents, did they ask you to furnish receipts each time? A Yes, they did, with some exceptions. From the very beginning, Paul Smith, Ruga - though he not so much - and certainly Fred asked me for receipts. I gave these receipts, and I always signed one name to them - not my own - I signed the name "Cohen". No first name, just the name "Cohen," but my handwriting is very distinctive, and I am sure that these receipts could have been used for identification.

There is one more factor: On at least four or five occasions, I was told that the receipts had been mislaid or lost, or that the bookkeeping department - - and that was the term that was used - - that the bookkeeping department required other receipts - -

Q Duplicates? A Yes, duplicates; and so I furnished other receipts.

Q Did anyone say where these receipts were kept? A No, they did not.

Q Did they discuss at all - these agents - the fact that the Russians were on the American side of the war, during the course of these activities - or did you ever question that fact? A Oh, that matter was gone into constantly, the fact that we were all fighting the same battle, the constant battle against fascism; and the thing that was stressed from 1941 on, when I made questions as to lend-lease and the various other apparati that had been set up to aid the allied countries, why it was necessary for instance to obtain material from Brothman on Buna-S - synthetic rubber - why all this was necessary, and they said, "Well, it was true that lend-lease had been set up, and the President pushed these matters," but that there were many conflicting camps in the Government, and that various individuals had used various bureaucratic means, because of their hatred for the Soviet Union - they had used these bureaucratic means to stifle or to

impede aid that should have gone to the Soviet Union.

Q Brothman had given you some information on this Buna process? A Yes; and he gave me a good deal more, besides that.

Q Where did he get it? A Brothman at that time was employed by the Hendrick Manufacturing Company of New York and Carbondale, Pennsylvania. This is a chemical engineering equipment design firm. They had built a similar plant for, I believe, Standard Oil; and then they had the contract for the design of another plant for the U. S. Rubber Company at, I believe, Naugatuck, Connecticut; and Brothman had designed - or he told me it was principally his work - - he had designed this method for the manufacture of Buna-S synthetic rubber, based upon engineering data originally supplied by, I believe, the Standard Oil Company.

I would like to emphasize that the feature - - the material was being made, the synthetic rubber latex, but the feature of the process that was designed by the Hendrick Company was that it was a continuous process, as opposed to a batch process. In other words, the material continued to flow together, and it was mixed, and the unused material cycled back to the initial start of the process.

The advantage of a continuous process, and one that was automatic, was it required very little help and it required much less in the way of equipment; and also the

factors for controlling the quality of the rubber latex were far more favorable than when you made a separate batch, and each time you would have a different set of variables - - a man might get sleepy at the controls, or something like that - -

Q I don't think we need to go into all that here; but the fact is that you got that information from Brothman? A That's right.

Q And it was completely helpful? A Yes, it was.

Q Was it restricted information? A Yes, it was definitely restricted information.

Q And the process belonged to the United States Government? A Yes, it was - because part of the work was done under contract to the Rubber Reserves Commission.

MR. LANE: Brothman is a name - - I don't know whether it wasbrought out to you people before, but Brothman was indicted by a prior Grand Jury in connection with impeding justice, or having caused some false testimony to be given to a prior Grand Jury; and I just mention that in passing because some of you people might not know who he was.

A JUROR: Are you sure of your terminology - latex - is that the term that was used in connection with the process?

THE WITNESS: Rubber latex. Sometimes terms

grow up in industry, which are more descriptive than they are accurate, and the term that was used in connection with the polymer is called the rubber latex.

Mr. Foreman, I would like to make a very brief statement. It will take me two or three minutes, if I may.

THE FOREMAN: Go right ahead.

THE WITNESS: It is a terribly shameful and depraved thing that I did, in the last time that I testified before this Grand Jury. It is particularly so - - I am referring to the fact that I concealed the exact amount, the fact that I had received partial expenses from the very beginning,

(CONTINUED BY LB)

not from '44 or '45. It is particularly disgusting in view of the fact that throughout all this I have tried to behave with dignity, as a man should. But there were reasons, and to say that I am ashamed, is not enough. It will just take me a few minutes to go over these.

First of all, it must be realized that everything I have done for the past fifteen years, practically all of my adult life, was based on lies and deceptions. Even the simple fact of a trip to New York to see Semenov meant lying to five or six people, my family, people at work and so on. No one knew about these things. So possibly a complete and instantaneous change, dating with my arrest on May 23rd, was a little too much for me.

Secondly, I have had to rigidly discipline and train myself -- it has taken considerable conscious effort to tell the truth, and this is a complete reversal of everything that had gone before.

The third point is that, above all, I have had a very deep and abiding sense of shame and disgust at the terrible things that I have done, and this in turn made me sort of cling desperately, cling very desperately, to these little shreds of evidence so that I might not appear to be as completely despicable a person as I really am.

The fourth point is that I am not a confirmed liar. The point is that I would go back to my cell in Holmesburg Prison and would fight a battle with myself, a

battle to tell every last particle of truth, and then I would put in a request to see the proper people and would then tell them.

I want to emphasize that these revelations, with one exception, were entirely voluntary.

The last point that I wish to make is that all of the major facts and disclosures were revealed in the first week or two following my arrest on the 23rd of May, and what was withheld was relatively minor in character. It's not going -- I have made far more damaging revelations. These things that I withheld I should have told. They are picayune. It was a stupid thing to do because I knew that eventually I would tell the truth. Any punishment -- the punishment I will get will be based on the harm I have done, and I know how grievous that is. It is not going to be based on a lot of circumstantial things.

Q Mr. Gold -- A Just one more point, sir, just one more point and I am through. The last thing is that it must be realized that I have been under a tremendous mental and emotional strain and I have worried about many other things concerning my personal life, and this to an extent has blotted out some of these things which if I had been completely calm from the very beginning as I am now -- I am -- then I would have revealed everything straight down the line. But I have told the truth, the entire truth. Thank you very much, ladies and gentlemen.

Q In the light of what you have just said, with that in mind, is there anything else that you have in mind that you haven't completely disgorged, in the way of information, or that you have colored a little bit? Can you recall anything? A There is only one very slight matter. I have been thinking, and thinking and thinking about this one thing. There is -- no, I am sure, but I will mention what little doubt I have. There is the very slightest possibility that when I said that I saw Julius Rosenberg on the 4th of February at 90th Street Elmhurst station of the Flushing line, there is the very slightest possibility -- I would say one chance in 99 -- that I actually saw him in -- actually saw him on the occasion of the December rendezvous, but I don't think so. I will go down the line completely. I know that it was Rosenberg that I saw on February 4th. I know. Unless -- my memory is good, and it is particularly good for recent events -- and I don't think that I have been that confused. That is all.

MR. LANE: May the witness be excused.

THE FOREMAN: You are excused.

THE WITNESS: Thank you very much, ladies and gentlemen.

(WITNESS EXCUSED)

E R N E S T P A T A K I , called as a witness, having first been duly sworn by the Foreman, testified as follows:-

BY MR. LANE:

Q Mr. Pataki, what is your address and your telephone number? A 217 East 19th Street, New York City. Spring 7-0961.

Q You are appearing here in response to a subpoena which was served upon you? A That's correct.

Q You understand that this is a grand jury? A I do.

Q And you understand that you are appearing here as a witness in connection with an investigation? A I do.

Q And I think youalso understand your Constitutional rights, don't you? A I do.

Q Have you talked to a lawyer before you came here? A No, I haven't.

Q You may recall that you were in my office the other day and thatyou voluntarily gave a statement with respect to certain things tha had to do with Miss Glassman, do you recall that? A Yes.

Q What is your occupation? A Electrical engineer.

Q What is your educational background? A College graduate, Cooper Union, 1944, Night School.

Q 1944? A That's right.

Q Were you in the service? A No, I wasn't.

Q You were what - 4F? A Yes.

Q Are you married? A No.

Q Were you ever married? A No.

Q When were you born? A 1915; June 5th, 1915.

Q Where? A In Hungary, Europe.

Q When were you naturalized? A In 1944.

Q Where? A I believe it was the Southern District of New York.

Q Are your parents in this country. A No. My mother only is alive and she is living in Hungary.

Q When did you come to this country? A 1936.

Q Did you come in as a quota immigrant? A That's correct.

Q After you came to this country you went to Cooper Union? A That's right.

Q And became an electrical engineer? A That's right.

Q Whom are you working for now? A Right now I do not have a job. I am between jobs.

Q When did you have a job for the last time? A Last week I left my employment.

Q Where did you work? A The Federal Telecommunication Laboratories.

Q Where was that? A Nutley, N. J.

Q Did you leave there of your own free will? A That's right.

Q You weren't fired? A No.

Q What was the reason for leaving? A I wanted to get another employment.

Q And have you tried to gain employment elsewhere? A Not yet. I intended to take a week or so off before I tried.

Q How long had you been with them -- was it Bell Laboratories? A No, Federal Telecommunications Laboratories.

Q How long had you been with that outfit? A Six years.

Q How much money were you getting when you left? A Approximately $5800 a year.

Q Who was your boss down there, your immediate suprior? A The socalled project engineer's name was Mr. Sidney Moskowitz.

Q Sidney Moskowitz? A That's correct.

Q Is he any relation to Miriam Moskowitz, the girl that was arrested in the Brothman case? A I know nothing about that.

Q Do you know Miriam Moskowitz? A No.

Q Do you know Brothman? A No.

Q Do you know Harry Gold? A No.

Q Do you know Julius Rosenberg? A No.

Q Do you know Ethel Rosenberg? A No.

Q Do you know David Greenglass? A No.

Q Do you know Ruth Greenglass? A No.

Q But you do know VivianGlassman? A Yes.

Q How long have you known Vivian Glassman? A Four or five years.

Q Where did you first meet her? A At a friend's house.

Q At a friend's house? A That's right.

Q Can you tell the jury whose house that was? A The name of the person is Miss Elizabeth Hollis.

Q Where does she live? A I don't have the number.

Q Is it in the Village? A It's on the east side, downtown east side of New York.

Q Do you have a telephone number for her? A I don't have it.

Q Can you get it? A Well, the operator will, probably.

Q If you can get it, give it to me, if you will? A Right now?

Q I don't mean now. I mean later. After you are through here today. A Yes.

Q Did you know Joel Barr? A No.

Q Were you connected in any way with the Young Communist League, did you belong to any of their clubs? A I understand that it is my Constitutional right not to answer.

Q If you think it is going to incriminate you, you can. A I don't think it will incriminate me.

Q Do you think it might incriminate you to say you belonged? A I would prefer not to answer questions regarding political affiliations.

Q I want to explain this to you. You have a right to refuse to answer questions, but it is only on one condition, that is, that if you think that answering that question will in any way tend to incriminate you, in other words, if you think that if you answer that question it will reveal the fact that you committed some crime, you can raise that privilege. But that is the only reason you can give to decline to answer. You must tell the jury that you are declining to answer on the grounds that an answer tothat question will tend to incriminate you. You cann just refuse because you don't want to. Do you understand that? If you think that that question in anyway tends to incriminate you, just by merely belonging to thatorganization -- if the fact that you are a member you think can subject you to indictment, just thatfact, then you can refuse to answer. A Could I postpone answering the question until I have an opportunity to consult a lawyer on this?

Q No, I am afraid not. You can refuse to answer on the ground it will tendto incriminate you. A Well, then, I will refuse on those grounds.

Q That it tends to incriminate you? A Yes.

Q Have you ever been a member of the New York State Communist Party? A I'd like to refuse to answer that on the same grounds.

Q Miss Glassman and you have been friends for about five years, you say? A Yes.

Q And your relationship has been more or less intimate? A Well, not throughout the whole period.

Q No, but recently? A That's correct.

Q Now, do you recall receiving a telephone -- do you recall having had a telephone conversation with Miss Glassman during the latter part of July of this year, in which she spoke about some man being at her door in her apartment? A Yes, I do.

Q Will you tell the jury as best you can what transpired there? A One evening Miss Glassman called me up --

Q This is the latter part of July? A Yes. And she said there is somebody at the door whom she doesn't know and she is afraid to let him in. I said that I will hang on to the phone while she let's this particular person in. She left the phone, she was away for several minutes and then she came back and I asked her, what is it? She said, "It's all right. I will call you back later."

Q Is that all she said, "It's all right. I will call you back later"? A That's correct.

Q Did she say it was somebody she knew? A No.

Q Did you call her back later? A Did I?

Q Did she call you? A I don't know.

Q Did you talk to her that night again? A No. I left home and I don't know whether she called or not.

Q When did you talk to her next? A I don't exactly recall. It was several days later.

Q Where did this conversation take place? A When I talked to her again?

Q When you next talked to her. A I don't exactly recall. She may have called me up for a date and then we met someplace, but where, I have no recollection,

Q When you met her this time and you talked about this telephone conversation that you had, what did she say about that individual? A This telephone conversation never came up again.

Q At this juncture I want to remind you and emphasize it quite emphatically, that whatever you say here is under oath and it is subject to the penalties of perjury. A I understand.

Q You understand that if you fail to truthfully answer any questions here that you can be indicted for perjury? A I understand.

(Cont. by IFG)

Q Now, with that in mind I again ask you if you ever discussed that telephone conversation with Miss Glassman? A I did not.

Q You never did? A No.

Q Did you ever discuss the incident pertaining to that telephone conversation? A I have no knowledge of any incidents pertaining to that telephone conversation, and I never discussed it with her.

Q Do you recall the day that Miss Glassman was interviewed by the F. B. I. agents? A Yes.

Q The first week of August, 1950 - I believe it was August 3rd - - do you remember that? A I don't exactly know the date, but I remember the occasion.

Q Well, I believe it was the first week in August, on a Thursday, and I believe it was August 3rd - - and do you recall that she was interviewed? A Yes.

Q Do you recall where? A No, I don't know where.

Q But you do recall that after she was interviewed she talked to you? A That's correct.

Q What did she say, what did she tell you?
A She said she was interviewed by the F. B. I., and I may be interviewed, too.

A JUROR: We don't hear you.

THE WITNESS: She said she was interviewed by the F. B. I. and I may be, too.

Q Now, what did she say about that interview?

A That is all she said.

Q Now, look, please - you are talking to intelligent people. Here is a person you have been quite intimate with, she has been brought down to the F. B. I.; and all she says to you is that she was interviewed, and she refuses to talk about the subject matter? That does not make sense. A She refused to say any more.

Q Did you ask her? A I asked her, but I didn't press her.

Q What did she say when you asked her? A She said she wouldn't say anything more about it.

Q What did she do next? A I don't know what you mean.

Q Well, what did she do after she spoke to you and declined to tell you the subject of the conversation with the F. B. I. - did she go out to see a lawyer, or did she call anybody? A No, she talked to me after she was to a lawyer.

Q What time did you leave her on that particular night? A She stayed with me.

Q Didn't she call a lawyer that night? A I don't know whether she did or not.

Q Didn't she go up to see a lawyer? A She said she came from a lawyer.

Q What time was this? A Late at night - maybe one o'clock.

Q Did she tell you who the lawyer was that she had seen? A No.

Q What did she say that the lawyer had told her? A She didn't say.

Q She didn't discuss her conversation with the lawyer at all? A No.

Q The next day was Saturday - - what did you do? A The next day was Friday.

Q All right, on Friday what did you do? A I went to work, where I had an interview with two F. B. I. agents at work.

Q At your place? A At work.

Q And now are you sure that you weren't let go from the place where you were working? A I am positive of that.

Q Did you give your notice? A Yes.

Q When did you give it - before the F. B. I. agents interviewed you? A No; the following Monday.

Q Well, was there any coincidence to that? A No. I had intended to take this step for quite a while.

Q Well, had you notified anyone of your intentions in this regard? A I gave notice to the company on Monday, and I left at the end of the week.

Q And whom did you give your notice to? A My superior.

Q Well, on Saturday, after this - - the day after

you had been interviewed by the F. B. I., what did you do? A I accompanied Miss Glassman to Fire Island, where she was going to see her lawyer.

Q And when you got to Fire Island, what did you do? A We went to this lawyer's house.

Q Who was he? A Mr. Boudin.

Q And what happened when you got there? A Mr. Boudin and Miss Glassman went into another room, and I waited.

Q How long a period did this take? A This was about an hour. Then they came back, and the lawyer had his dinner while we went out for a walk.

Q Did you have dinner, too? A Yes.

Q And when you came back, what happened? A I am trying to exactly recall. When we came back again, they had a discussion. I believe they went out for a walk, while I waited in the house.

Q And they came back, I assume? A Yes, then they came back.

Q Then what did you do? A Then we were trying to get home from Fire Island, which was difficult because the last boat left in the meantime.

Q How did you get back? A We had to charter a boat.

Q How much did you pay for that? A Fifteen dollars.

Q Who paid for that? A We both paid, we both contributed.

Q Now, were you in company with Miss Glassman at any other times when she talked to lawyers? A I accompanied her, but I never was present at any discussions that she had.

Q Now, where did you accompany her? A The following Sunday we again went out to Fire Island, to see the same man.

Q Well, on the first trip to Fire Island, after Miss Glassman had talked to Mr. Boudin, did she tell you what the result of her conversations were? A No.

Q She didn't mention it? A No.

Q You were just sort of a silent observer? A That's correct.

Q You didn't discuss it at all? A No.

Q You asked no questions? A No.

Q Isn't that a little odd? A Well, by that time I understood that she wouldn't talk about it, so I didn't press it.

Q Well, is she a rather peculiar girl? A No.

Q There is nothing wrong with her? A No.

Q Do you think that she is mentally all right? A Yes.

Q On this second trip out to Fire Island, what happened? A We started out in the morning, Sunday morning,

and when we got there again we went straight to this lawyer's house, and again she went to another room with him, and again they came down after a while; and then we sat around talking; and then again later they went out for a walk.

Q And again they came back? A That's right.

Q This time you made the boat, I take it? A Yes.

Q Did she say anything to you about the context of her conversation with Boudin? A No.

Q Did Boudin talk to you at all? A Well, he said "Hello," and a few words.

Q Is that all? A That's right.

Q Did he discuss with you your conversation with the F. B. I. agents? A No.

Q Did any lawyer discuss with you your conversation with the F. B. I. agents? A No.

Q Did Mr. Seidman ever discuss with you your conversation with the F. B. I. agents? A No.

Q Did you ever talk to him about this matter? A No.

Q Did you ever sit in while he talked to Miss Glassman? A No.

Q Did you know that Miss Glassman had paid him a fee? A No.

Q She didn't tell you that? A No.

Q Did she borrow any money from you? A No.

Q Do you know a Mr. Perl? A No.

Q You never heard of him? A No.

Q Did Miss Glassman ever talk to you about this Mr. Perl? A No.

Q Did she ever talk to you about a contemplated trip to Cleveland? A No.

Q Did she ever tell you that she went to Cleveland in July orAugust of this year? A No.

Q Did she mention the fact that she had been to Cleveland in July of this year? A No.

Q She said nothing at all about those things? A No.

Q After her appearances before the Grand Jury here, on these recent occasions, did she tell you anything about what transpired in the Grand Jury room? A No.

Q She didn't discuss it at all? A No.

Q Are you sure? A Yes.

Q Do you realize that if you are telling an untruth you can be indicted for perjury? A Yes, I realize that.

Q And in spite of that fact, you still say that you had no discussions at all with Miss Glassman concerning what transpired here in the Grand Jury - number one; and, number two, your conversations with the F. B. I. agents; and, number three, anything that took place with Mr. Boudin? A Yes.

Q You say you didn't discuss the case at all with Mr. Boudin? A That's right.

Q And he didn't talk to you about it? A That's right.

Q And Mr. Seidman has not talked to you about the case? A That's right.

Q He hasn't talked about your telephone conversation with Miss Glassman on that particular evening in August, 1950? A No, he didn't.

Q So that, as far as you are concerned, you know very little about this case, is that right? A That's right.

Q Now, do you have any explanation for your intimate relationship with Miss Glassman - - are you engaged to be married or anything? A Not formally.

Q Have you discussed it? A I beg your pardon?

Q Have you discussed marriage with her? A Yes.

Q And do you intend to marry her soon? A I may. The decision hasn't been reached.

THE FOREMAN: What is that?

THE WITNESS: A decision hasn't been reached.

Q Now, I think you gave the F. B. I. permission to search your apartment, is that correct? A That's correct.

Q Did you talk to them about this material which they obtained there, in your apartment? A Yes.

Q Did you explain what it was? A I didn't explain what it was.

Q Well, do you recognize it? A Yes.

MR. LANE: May the record indicate that the witness has identified the material which the F. B. I. obtained in his apartment, with his consent, in the past few weeks. May the record indicate that the witness has seen it and has identified it.

[Marked Grand Jury Exhibit 1, this date.]

Q Now, I notice that a lot of these are petitions of one sort or another. Do you know Joseph Surat? A I beg your pardon?

Q Do you know Joseph S-u-r-a-t? A No.

Q Isn't he a friend of Vivian's? A I don't think I know anyone by that name.

Q And your apartment is located where? A 217 East 19th Street, New York City.

Q And do you have an apartment number? A 4-A.

Q Do you have a lease? A No.

Q Who is the landlord? A Mr. Philip Kassier.

Q Does he live in the same building? A I don't believe so.

Q What do you pay for rent? A Forty-three dollars.

Q Were you interested in this organization for the American Committee for Spanish Freedom? A I have contributed to that, at some time or other.

Q Yes; I notice among these documents is a receipt

for six dollars that you contributed. What was that - the American Committee for Spanish Freedom? A An organization helping - - mostly helping refugees from Spain.

THE FOREMAN: Helping whom?

THE WITNESS: Helping refugees from Spain.

A JUROR: Spanish refugees?

THE WITNESS: That's right.

Q Were they refugees from the Spanish War? A That's right.

Q They were the ones that fought against Franco, is that right? A That's right.

Q And what are these cards that say: "Call to William Z. Foster Day in honor of our National Chairman's Birthday - Sunday, March 21, at ten o'clock sharp" - - what is that supposed to be - - that is the New York County Committee of the Communist Party, is that right? A I don't know.

Q Here (hands witness card). A This is obviously an invitation to a meeting.

A JUROR: What does he say?

MR. LANE: He says it is an invitation to a meeting.

Q I notice they all have "350 East 81st Street" - what does that mean? A I don't know.

Q Is that your writing on there? A No.

Q Do you know where or whom you received those from? A No.

THE FOREMAN: Did you attend?

THE WITNESS: No.

Q Now, there is a letter from the New York State Communist Party, 35 East 12th Street, dated April 7, 1948, and it is addressed to "All teachers of ideological campaign classes in branches, all Party Teachers." Now, will you tell me who sent that to you? A I have no recollection of that.

Q Did you attend the meeting Saturday, April 17th, at 2:30 P. M. in the Henry Forbes Auditorium? A No.

Q How about this "New York County Education Department Bulletin" - do you remember when you received that? A No, I don't recall that.

Q These "World Peace Appeals - Stop the Atomic War" - can you explain these petitions? A I don't know what you mean by "explain."

Q Well, where did you get those? A Those I may have picked up at our union office.

Q What union is that? A The United Office and Professional Workers.

Q Did you pass them out, or distribute them to people? A No, I didn't.

Q Did you obtain any signatures on these yourself? A No, I didn't.

Q Then you have here "A discussion of the outline on the Italian Elections, April 18th." Can you tell me

where you got that? A I have no recollection.

Q Well, you do have in your apartment a great deal of literature on Communism and Communist activities - is that correct? A I have books, yes.

Q And you read a great deal - you have read those books? A Many of them.

MR. LANE: Could we adjourn this until tomorrow?

A JUROR: I would like to ask one question: Who told you you didn't have to answer questions about your Communist activities?

THE WITNESS: I don't recall anyone specifically telling me.

A JUROR: You seem to know all about that.

THE WITNESS: I may have read it.

THE FOREMAN: You say you have no lawyer, and you don't seem to know anything about that - - who told you that it might incriminate you - did you get that from reading the papers, or something like that?

THE WITNESS: Yes, I may have read it in the papers.

THE FOREMAN: You couldn't possibly have gotten it from your Communist affiliations?

THE WITNESS: (No answer.)

THE FOREMAN: Who sponsors this peace movement

that you "may have picked up," possibly?

THE WITNESS: Many different organizations, among them unions.

THE FOREMAN: Are these unions Communistic?

THE WITNESS: I don't know.

THE FOREMAN: And with all this evidence, you still say that you decline to say whether you are a Communist or a member of the Y. C. L.?

THE WITNESS: That's correct.

A JUROR: You carried a letter around with you for two years - yet you don't know who gave you that letter, or for what purpose you carried that letter around with you - that letter of 1948, which was found now?

THE WITNESS: I did not carry it with me.

A JUROR: But it was found - -

THE WITNESS: It was found in my apartment.

THE FOREMAN: Will you grant one thing, please - that you are talking to intelligent people - - yes or no?

THE WITNESS: Certainly.

A JUROR: When Miss Glassman told you that you might be interviewed by the F. B. I. did she give you any reasons, or did you ask her on what she based that statement?

THE WITNESS: I asked her, but she refused to

answer.

A JUROR: Did you discuss with her the fact that you had been interviewed by the F. B. I.?

THE WITNESS: I mentioned the fact.

A JUROR: That is all?

THE WITNESS: That's right.

A JUROR: She didn't ask you?

THE WITNESS: No.

A JUROR: You want us to believe that you never discussed any of this with her?

THE WITNESS: That's correct.

A JUROR: Did you ever discuss with her the theory of Communism?

THE WITNESS: No.

A JUROR: You never discussed it?

THE WITNESS: No.

A JUROR: How many years do you say you have been going with Miss Glassman?

THE WITNESS: About a year and a half.

A JUROR: And over that time you have been seeing her constantly?

THE WITNESS: I wouldn't say constantly, but frequently.

A JUROR: A couple of times a week?

THE WITNESS: About that.

A JUROR: Continuously for that time?

THE WITNESS: That's right.

MR. LANE: Mr. Foreman, will you excuse him until tomorrow?

THE FOREMAN: You are excused until tomorrow.

THE WITNESS: What time, please?

THE FOREMAN: Eleven o'clock.

(WITNESS EXCUSED)

M E R V I N I S A A C S , called as a witness, having first been duly sworn by the Foreman, testified as follows:

BY MR. LANE:

Q What is your address and telephone number? A 2435 Beach Channel Drive, Far Rockaway - Far Rockaway 7 - 2214.

Q And your business? A My office address is 1220 Broadway, New York.

Q And your business telephone number? A Lackawanna 4 - 7446.

Q And what is your business? A I am a certified public accountant.

Q When did you become a certified public accountant? A In 1923.

Q Have you been handling the books of the Pitt Machine Products, Inc.? A Yes.

Q For how long a period? A Since approximately November 25, 1947.

Q Are you in a position to identify the books of the company? A Yes, sir.

Q Now, did you talk to Mr. Bloch, the attorney for Mr. Julius Rosenberg? A Yes, sir.

Q And did he tell you that Rosenberg had been subpoenaed, as president of the Pitt corporation, to produce certain books before this body? A Yes, sir.

Q And have you those books? A Yes, sir.

Q Can you identify those books as the books of the Pitt Machine Products, Inc.? A Yes, sir. This is the check-book stubs from the period January, 1948, through December 1, 1948.

MR. LANE: May the record indicate that the following books are being identified by the witness: Check-stub record, number 2000 to 2251.

THE WITNESS: This is the check-book stubs from December 1, 1948, through December 2, 1949.

MR. LANE: May the record indicate that check-stub record beginning with number 2252 is identified by the witness.

THE WITNESS: This is the current check-book, in use at the present time, with checks beginning with check number 2501, dated December 9, 1949, and ending with stub of check number 2695, dated August 11, 1950, and blank checks.

MR. LANE: May the record indicate that that check-book has been identified by the witness.

THE WITNESS: This is a cash-book, which was used by a predecessor partnership known as the G. & R. Engineering Company, and finally, when the corporation was formed, the cash-book was continued; and entries of cash receipts and cash disbursements of the corporation have been entered in this book,

beginning with page 23 and carrying on to page 81.

MR. LANE: May the record indicate that the cash-book has been identified.

THE WITNESS: This is the ledger, consisting of two parts: The first part is the general ledger of the corporation, beginning with account number 101, and ending with account number 539; but the numbers aren't consecutive - there are skipped numbers.

The entries in this book start with the first entry of the corporation, prepared from a balance sheet that I had drawn up, a copy of which is now in the hands of the Federal Bureau of Investigation, and carrying on from October 17, 1947, through December 31, 1949.

The second half of the book is an accounts receivable ledger, where debits and credits have been entered, showing sales and payments on account of sales, and allowances, and so forth.

MR. LANE: May the record indicate that that book has been identified by the witness.

A JUROR: From your familiarity with the books of this corporation, would you be able to give us a short description of the business of the corporation?

THE WITNESS: Yes. The corporation was organized

some time in November, 1947, but took over the operations as of October 17, 1947.

A JUROR: I meant, primarily, the nature of the business of the corporation - what does the corporation do?

THE WITNESS: Oh. The corporation did small machine-shop work, repairs to machinery, and they supplied parts and accessories for other people who are making machinery in quantity.

An illustration would be, the Singer Sewing Machine Company would need a quantity of parts, and this company would make it.

Another illustration might be, the company that had the contract with the City to convert the slot-machines from nickels to dimes sub-contracted part of their work with this company, and they made some of the parts.

MR. LANE: You are excused.

(WITNESS EXCUSED)

Re: Julius Rosenberg, et al.

(Mr. Lane)

S O L O M O N H. B A U C H, called as a witness, having first been duly sworn by the Foreman, testified as follows:

BY MR. LANE:

Q What is your address? A 45 John Street, New York 7.

Q And your telephone number? A Beekman 3 - 1908.

Q Now, you have appeared here pursuant to a subpoena duces tecum which was served upon you? A Yes, sir.

Q You are an attorney? A Yes, sir.

Q Practicing in the State of New York? A Yes, sir.

Q How long have you been admitted? A January, 1925.

Q Now, have you produced the documents which were contained in the subpoena? A I have here the minute book, the stock certificate book, and the stock transfer ledger of Pitt Machine Products, Inc. In addition to that, I have my complete file.

Q Now, are you ready to produce those documents and books? A The subpoena calls for documents belonging to Pitt Machine Products, Inc. The corporate books belong to the corporation. The agreements do not belong to the corporation, and I would like to have an opportunity of presenting this matter before a Judge, to pass upon the question of privilege.

Q Well, what privilege are you raising? A The attorney's privilege of communication between attorney and client, as well as of documents that the attorney prepared for the client.

Q Who is the client? A The client was Julius Rosenberg.

Q Were you his attorney? A I was his attorney. I also was the attorney for the Pitt Machine Products from - - on May first of this year.

Q And was this agreement made with Rosenberg - - A Pardon me, I have two agreements here; One agreement that was given to me by Rosenberg, and the two Greenglasses, that was entered into prior to May 1, 1950 - that is, prior to the incorporation of Pitt Machine Products, with which I had nothing to do - - I was only given that agreement to examine and pass an opinion on it.

Q Where can you raise a privilege there, where Greenglass signed it? A The agreement I am referring to that was - - just one moment - - the agreement I refer to as having been given to me to examine, was entered into on October 22, 1947, prior to the incorporation of the Pitt Machine Products, Inc., and that agreement was made between Julius Rosenberg, David Greenglass, Bernard Greenglass and David Schein.

Q Well, as a lawyer, how could that be a privileged communication as far as Rosenberg is concerned, because

it involves other people, and the privilege is lost - -

A I am not going to pass on it; I merely want the Court to pass on it, for my own protection.

Q Now, tell me this: You have also an agreement between Rosenberg and the corporation? A No. I have an agreement that was entered into on May first, between Rosenberg and David Schein for the sale of Schein's interest in Pitt Machine Products, and under which agreement I am holding the stock in escrow.

Q Well, are you holding these documents as Rosenberg's attorney, or as someone else's attorney? A As Rosenberg's attorney.

Q You got a fee, and so forth? A Oh, surely.

Q Well, will you produce the books which you think you can produce under the subpoena? A I have the minute book of the Pitt Machine Products, Inc. I want to state this, with regard to this: When I was requested to represent Rosenberg for the purchase of the stock, an attorney by the name of Harry Zucker, who originally incorporated this corporation, brought these books to my office, and they were in the same condition as they were when they came from the printer - - nothing was filled in - and I at that time told him that I wouldn't permit Rosenberg to buy any stock unless the corporation outfit was brought up to date, and Zucker took those books back and he completed them.

The original incorporators hadn't even signed anything, and he got everything signed up; and when everything was signed up I made the attorney initial every one of these pages except page - -

Q I think you can explain that later. I just want you to identify the books. A This is the minute book. The only thing I drew on this is the minutes of May first. Everything subsequent to that is - -

Q Just identify the books, please. A This is a minute book of the Pitt Machine Products, containing the minutes of the incorporators, stockholders, and board of directors of Pitt Machine Products, Inc.

Q That is number one. A That's right. The other one is a stock certificate book, and this stock certificate book was also erroneously printed, and I had it changed. It contains the record of the stock that was issued, with the U. S. documentary stamps, and wherever the stock was transferred it contains the U. S. and State stock transfer stamps.

Q I just want you to identify the book, without explanation. A The third book is the stock transfer ledger, in which is entered the various transfers.

Q As to this we will go down to Court, and you can step out now and we will have the Court's ruling. A Do you want to retain these books?

Q We will have them in our possession. A I

want a receipt for them.

THE FOREMAN: You may be excused.

Q You can come down to Court with us, and we will settle that question downstairs. You are excused temporarily.

(WITNESS EXCUSED)

W I L L I A M P E R L , called as a witness, having first been duly sworn by the Foreman, testified as follows:

BY MR. LANE:

Q Mr. Perl, you have been advised by counsel before you appeared here, is that right? A Yes.

Q And he advised you of your constitutional rights A Yes.

Q And he also advised you to tell the truth, to tell everything that you know about this and try to be -- he told you to try to be as cooperative as you could, isn't that correct? A Yes.

Q At least, that is what he told me, and I assume he told you the same thing. A Yes, he did.

Q Where is your home at the present time? A In the city here?

Q No - where you live. A 666 East 103rd Street, Cleveland, Ohio.

Q Do you have a telephone number? A Glenville 1 - 4247.

Q Where are you employed? A With the National Advisory Committee for Aeronautics, the Lewis Flight Propulsion Laboratory, that is at Cleveland Airport.

Q And in what capacity? A My title is Aeronautical Research Scientist. I do theoretical research on aerodynamic problems.

Q What is your salary? A It is about seven or eight thousand dollars base pay.

Q Who is your boss? A The United States Government.

Q Who is your immediate superior? A I should say Mr. Abe Silverstein. I work somewhat independently, but he is my immediate as well as more distant superior.

Q And just what sort of work do you do? Can you explain it in a minute or two? A Yes, I think so. I work independently, with one or two associates, at the present time on theoretical problems relating to the flow of air around airplane wings.

Well, a typical problem would be that of trying to calculate, without testing, the forces acting on an airplane wing, and to a certain degree of approximation; and that, of course, would enable people to design airplane wings without the necessity of testing them.

A typical problem would be to compute on paper the forces acting on airplane wings, by using the basic laws of physics. Shall I go into any more detail?

Q I think that is enough. Do you work with jet propulsion? A Not directly.

Q But indirectly? A Well, I don't quite know. I am aware of jet propulsion problems, which are being studied.

Q Well, you say you are working with the air-flow

of wings, and I assume that those wings also have to do with jet airplanes, too. A Oh, yes. As a matter of fact the problems which I most recently worked on are abstract, so that I don't work on specific wings but on aerodynamic shapes in general.

In the past, I have worked on jet propulsion wings indirectly. That was before I left the Cleveland Laboratory to go back to school. But my most recent problems have been to work on the problems on an abstract level.

Q But in the past you have worked on jet propulsion theory? A Yes.

Q Do you work with the Army or Navy closely? A I personally dn't. My position has always been that of taking from the currently pressing problems which the Army and Navy, I presume, pass along to the N. A. C. A. and passing to the problems which I can figure out theoretically.

Q When did you work on jet propulsion? A Well, during the war; I should say in the years 1944 and 1945.

Q Did you work on these wing-less bombs, these ones that they have now that are propelled by themselves? A Well, I recall making a design study a long time ago, probably in 1944, of a guided missile arrangement.

Q That is what I meant. A Yes. To what detail do you /wish?

Q Well, you worked on it and knew about it? A Yes. It was a general configuration. I don't think it

ever became specific.

Q Now, will you tell us about your background, educationally - where did you go to school? A Well, I was graduated from the College of the City of New York in 1938, with a Bachelor of Electrical Engineering degree. In 1940 I received a Master of Electrical Engineering degree.

I actually left City College in 1939, in February of '39. I finished my Master's thesis at Langley Field, Virginia, where I was employed immediately after leaving City College.

In February, 1946 - -

Q Excuse me just a minute, now. Who awarded you the Master's degree? A The College of the City of New York. I was employed thereafter continuously with the National Advisory Committee for Aeronautics, first at their Langley Field Laboratory from 1939 to the end of 1943, at the end of which time I was transferred to their Cleveland Laboratory, which was then just getting under way. I was there from 1944 to February, 1946.

At that time I took a leave of absence, to go back to school. I spent one semester at California Institute of Technology, from February, 1946 to June, 1946; and I then transferred to Columbia University in New York, where I spent the next two years in residence.

In June, 1948, I returned to the Cleveland Laboratory of the N. A. C. A.

Q Were you sent to that school? A No, I just chose those schools voluntarily.

Q Did you pay for the tuition yourself? A Yes.

Q What did you study at the California Institute of Technology and at Columbia? A I took the regular physics curriculum, and I have received the PH. D. degree recently from Columbia in Physics.

Q Q Is it a fact that you plan to teach physics at Columbia this fall? A Yes.

Q You have already signed the contract? A Yes, I have the appointment to instruct in physics at Columbia.

Q Starting in September or October? A That's right.

Q Where did you work from the time you finished City College - did you work for this National Advisory Council all the time? A Yes.

Q You have had no other job? A That's right.

Q Do you know Morton Sobell? A Well, I do not, to the best of my recollection, although I realize he went through City College at the same time I did.

Q Well, I show you a picture and ask you if you recognize that? A No, I do not recall him from that picture.

MR. LANE: May the record indicate that the witness cannot identify the picture of Sobell.

[Photograph marked Grand Jury Exhibit 1, this date.

Q Do you know Max Elitcher - - is that the right pronunciation? A I think the latter is what I recall.

Q How long have you known him? A I recall him from City College days.

Q And have you known him socially for quite some time? A No, I have not.

Q Have you ever known him socially? A Except for City College days, I think not.

Q Do you know Julius Rosenberg? A No, I do not, to the best of my recollection.

Q I show you a picture of Rosenberg, and ask you if you can identify him? A No, I cannot.

Q Are you positive? A Well, to the best of my recollection, I could not. Again I realize he went through City College at the same time I did, and I have tried to recall any possible meetings with him, but I cannot.

MR. LANE: May the record indicate that the witness is unable to identify pictures of Julius Rosenberg.

Q Now, before we go any further, I want you to be aware of the fact that this is a very serious proceeding, and everything you say here is subject to the penalties of perjury. A I understand.

Q And I think you, in your position, understand what that means, and what it means to you and to your future. You are not just the ordinary type of person. From what you

have told us here, and from the degrees you have received, you have a rather unusual mind in certain respects. It would be a shame for you to ruin your whole future by coming in here and not telling the truth. Bear that in mind. A Yes.

Q It could be that you might be a little bit confused by the picture, or by Rosenberg, so the fact that Rosenberg has been indicted - that in itself should not tend to confuse you. But I don't want you to come in here and say that you don't know Rosenberg, if you do know him; or that you don't know Sobell, if you do know him; because I am going to have other people come into this Grand Jury who may refute that.

So think hard now, when I ask you about these things, because I am going to bring out certain incidents at which people will testify that you were present when Rosenberg was present.

It is no sin to know a person because he is indicted, and if you do know him just say so, because if you lie there won't be anything left for me to do but to ask the Grand Jury to indict you for perjury - - and I am not threatening you in any way; but it seems to me that if you were indicted for perjury and we could prove it, and you were convicted, I can't imagine that a school like Columbia, or anybody else, would be particularly interested in you - - do you think so? A I agree with you.

Q So keep that in mind. I am not asking you to come in here for the purpose of trying to trick you or trip you. I have you here, the same as I am here, to try to elicit certain facts; and I think you can be very helpful, and I think your lawyer told you the same thing.

Now, your mind is too keen and too unusual, for you not to remember things - and this is an intelligent jury. If you were a person who came out of the African jungle, and had no education and a few things like that, why perhaps you couldn't remember certain things - - perhaps you could, but the chances are that maybe you couldn't - - but you didn't do that; you have had a marvelous education, you have a good brain, and you are in a position to think, to remember little details.

Now, keep that in mind when you are talking. Now, it could be that momentarily you could have forgotten that you met Rosenberg. Now I ask you again: Did you meet him? A I don't recall meeting him, and certainly not after City College days.

Q Did you ever meet his wife? A No, I have not.

Q Do you know Rosenberg? A No, I cannot say that I do know him.

Q Do you know Helene Elitcher? A No, I do not.

Q Now, do you recall being present at a party in 1946, in New York City - a social get-together - somewhere in the Village in New York City? A Well, it might very

well have happened. I certainly might have attended a party at that time.

Q Now, let me recall these things: Do you recall any party that you attended, where the lights were out and soft music was played, in the Village? A Not specifically, but that is something that could very well have happened.

Q Well, have you ever attended those sorts of parties at the Village? I am talking about the Sarant apartment. A I could very possibly have attended such a party. I don't recall such a party specifically - - that is, a specific occasion.

Q You don't recall meeting Julius Rosenberg at one of those parties? A No, I cannot.

Q Do you recall meeting Joel Barr at one of those parties? A No, I cannot recall that.

Q Do you know Joel Barr? A Yes, I know Joel Barr.

Q How long have you known him? A Since City College days. He was a class-mate of mine.

Q Have you known him intimately, socially? A Well, I regarded myself as a friend of his, and vice versa, but I don't know exactly what you mean by "intimate."

Q Well, socially - - you knew him not casually, but you met him and went out on dates together, and things like that? A Yes, I knew him intimately in that sense.

Q I mean, it wasn't just casually, someone that you knew? A That is true.

Q By the way, where were you born? A In New York City.

Q When? A In 1918, October first.

Q Are your parents here in New York City? A Yes.

Q Where do they live? A My father is a baker, and my mother is a housewife.

Q Where do they live? A 936 Tiffany Street, Bronx, New York.

Q Whom does your father work for? A I don't know exactly. He is sent out on various jobs, through his union.

Q What union is that? A Well, there is a bakers' union. I don't know the official title of it.

Q Well, do you see much of your parents? A When I am in New York I see something of them, yes.

A JUROR: A little louder, please.

THE WITNESS: In the last ten years I have not seen too much of my parents.

Q Do you correspond with them? A Oh, yes.

Q Are you living with them now, while you are in New York City? A Yes.

Q Are you stopping at their place? A Yes.

Q Do you contribute to their support at all? A Yes, I send money to my mother.

Q Your father's name is what - William Mutterperl? A Abraham Mutterperl.

Q You changed your name? A Yes.

Q When? A In January, 1945.

Q You changed it legally? A Yes.

Q Whereabouts was it done - in New York City?

A No; in Cleveland, Ohio.

Q I want to get that straight. I notice you are going under the name of Perl, and I wondered whether it was something that you assumed, or you changed it legally?

A No, I decided to change my name legally.

Q You say you never recall having met Julius Rosenberg? A That is correct.

Q Do you recall ever meeting anyone that looked like him?

(CONTINUED BY LB)

A It's hard to answer a question like that. In what sense?

Q Well, on any of these occasions that you went to these parties at Sarant's place? A Well, I can't recall any party specifically although, since I met Sarant, that is a sort of thing that I would be likely to attend -- I would say I probably did attend parties in his plade. I can't recall a specific party.

Q Do you remember a party around Christmas 1946 that you attended at Sarant's place, during the Christmas holidays? A No, I cannot recall a specific party at that time. Let's see, I was in New York at that time.

Q Do you recall any party that Joel Barr attended around 1946? A No, I cannot recall such a party.

Q Do you know Vivian Glassman? A Yes, I know her.

Q She made a visit to you in Cleveland the latter part of July, 1950, is that correct? A Yes.

Q What time did she see you? A It was about noon on a Sunday.

Q Do you remember the date? A No other than it was the latter part of July, I don't.

Q Will you tell the jury what transpired, and tell them as best as you recall what was said at that time? A At about noon, I was preparing some food in my apartment and preparing to go out on a picnic --

JUROR: A little louder.

THE WITNESS: About noon on this Sunday afternoon,

while I was preparing to go out on a picnic, Vivian Glassman suddenly appeared. My apartment in Cleveland is such that one doesn't have to go through a locked door to get into the kitchen alcove. There is a door with a lock into the kitchen alcove from the rest of the apartment. As I was standing at the alcove, she suddenly appeared before me. I was quite surprised. I recognized her as a friend of Joel Barr's. I asked her to come in. She acted somewhat mysteriously. She proceeded to take some paper which I had lying around and start writing on it and motioning me to read what she had written and, well, she wrote to the effect that she had instructions from a person unknown to her, in New York, to travel to Cleveland to get in touch with an aeronautical engineer to give him money and instructions to leave the country, and I believe she mentioned Mexico in that connection.

Q Well, you say those were written down? A Yes, this was all written down.

Q Why did she do that, was she afraid there was a dictaphone in the room? A She mentioned nothing about that. I do not recall she mentioned that or wrote anything like that.

Q Was it all written down before she came up or did she write it in your presence? A She wrote it in my presence

Q What did she write it on? A On some paper. I had a lapboard in the room. She took that and sat down on the couch and I sat down next to her and read what she was writing.

Q Didn't you think it was odd or strange she should be writingsomething down? A I certainly did.

Q What did you say to her while she was doing that? A Well, I do not recall the language specifically.

Q Wait a minute. Wait. Come on, don't go back into that shell. What did you say to her? This only took place a couple of weeks ago. A Well, I was very upset. I mentioned something about, I hope that she hadn't anything on her conscience and I did not understand what this was all about. I believe I possibly mentioned that I thought it was a trap of some kind, words to that effect. I was feeling rather incoherent at the time.

Q What did she say? A Well, she didn't say anything, as I recall. She just wrote.

Q She just what - wrote? When she finished writing what did she say? You had some conversation there. A Well, our conversation was mainly confined to her appearing and leaving the apartment except for talking to her.

Q What did she say, that is what I am getting at -- what was said? Here's a girl comes all the way from New York to Cleveland and suddenly appears at your apartment, and did she knock on the door? A She doesn't have to knock.

Q Was thedoor open? A It's a curtain.

Q She walks in -- does she say hello? A Yes.

Q What did she say, that is what I am getting at? A She said hello.

Q "Hello, Butch," something like that? A No. She

greeted me politely -- I do not recall specifically, but since there was nothing unusual I presume she greeted me as though she knew me, which she did.

Q I said Butch not facetiously. Did she know you by some intimate name? A Oh, not an intimate name. She must have called me by my first name.

Q What? A Probably Bill.

Q Do you have some nickname that they call you? A No, I do not.

Q Curley or something like that? A No, I do not.

Q We all have them and there is nothing wrong with having a nickname. A I assume she called me Bill.

Q She called you Bill? A I do not recall it specifical

Q She say "Hello, Bill," or "How are you, Bill? How are you doing?" What did she say? A She may simply have said "Hello."

Q To the best of your recollection what did she say? A I should say "Hello."

Q Hello what? A Well, I am awfully sorry, I can't recall specifically.

Q You are a Doctor of Science. You must remember what a girl said three weeks ago when she suddenly came into your apartment. You know whether she said, "Hello, Bill. Hello, Doctor." A I do not think she said, "Hello, Doctor."

Q "Hello, Dear," or something like that? A It was not an unusual greeting. It was probably just the reason I do not remember it specifically.

Q Then what did you say to her, "Hello, Viv"? A Well,

I knew her as Vivian Glassman. I may have said, "Hello, Vivian," or I may not have said anything but, "What are you doing here," something like that.

Q What did she then say after that, after you said, "Hello, Vivian. What are you doing here?" You probably said, "What do I owe the pleasure of this call to," or something likethat? A She must have said something to the effect she would like to talk to me, she would like to see me.

Q She was right there, ready to talk. A I invited her into the apartment proper after some greeting which I do not recall specifically.

Q There was nobody else there, was there? A No.

Q You walked her into your living room? A Yes. I presume she looked around, she may have. I think she said some things to me in there.

Q She did not discuss canasta, did she? A No.

Q What did she talk about? A Well, I do not recall that she said anything about her mission, her supposed mission, to me aloud. I think she said something.

Q "Do you have a piece of paper," or something? A I do not recall that. I think she just looked around and saw some paper and took it.

Q Did she beckon you to come over and sit beside her? A Did she beckon?

Q Yes. A I do not recall the specific beckoning.

Q She was going to write something? A Well, yes; she sat down and motioned to me to sit down next to her.

Q On a couch? A A day-bed.

Q A day-bed. She motioned you to sit beside her? A Yes.

Q While she took a pad. Was it a pad? A It was some sheets of paper from a pad, remains of a pad.

Q She have something under it? A A lapboard.

Q Then she started to write? A Yes.

Q And she wrote this message? A Yes.

Q And the message was to the effect that she was told to come out and interview an electrical engineer or you specifically? A No, she was told to come out to see an aeronautical engineer.

Q I assume there are probably more than one aeronautical engineer in Cleveland? A Yes, and a friend, I recall she wrote too.

Q And a friend? A Yes.

Q Did you ask her why she picked you out of all the aeronautical engineers in Cleveland? A No, I did not.

Q Did you think it was rather strange that she should suddenly choose you? A Yes. I thought it was strange, of course, but I knew her and she knew me from my association with Joel Barr.

Q You knew that? A Yes.

Q She explain to you why she picked you out? A No, she did not.

Q Didn't you ask her? A I think I did.

Q What did she say? A I do not recall.

Q Now, wait a minute. Fun is fun, but let's not make it facetious. A I am sorry. What do you mean?

Q You must recall something she said. This is very important. Where was your mind at the time you were talking with her? A I was feeling very upset at thd time.

Q I know, but you had your faculties, you knew what was going on, you didn't have a hangover from the night before or anything like that. You knew what was happening? A Yes.

Q You haven't got the kind of a mind that blocks those things out. You remember details. That's your work, isn't it? A Well, presumably.

Q Not presumably at all. You wouldn't last in your particular job very long if you weren't a very good man on detail and remembered details, isn't that so? A Well, what kind of details?

Q Well, details are details? Is there any difference in kind? If you are trained to remember details it doesn't matter whether it is a detail of a ball game or the details of a jet propulsion plane. As a matter of fact you can remember the details of a ball game better than you can the details of aeronautical engines. If you can remember those details you can remember the details of a conversation that

took place three weeks ago. A I am doing my best to recall.

Q Well, if this is your best -- if you do not do any better with airplane engines, I wouldn't want to ride in one. Now, what did she say after she started to write on that pad? A Well, I can only repeat that she had instructions to give -- she had memorized insturctions as to how this aeronautical engineer and his friend were to leave the country.

Q Yes, but what were they? What were they? What were those instructions? A I did not let her get that far. I told her I was not interested in what she had to say, that I hoped that she wasn't getting in bad or doing anything bad. She did identify herself. She wrote that she had been told to identify herself to this aeronatical engineer by a ship incident of some kind in which she had been involved with Joel Barr.

Q What was that, do you recall? A No, I have no idea of this incident.

Q You knew her sister quite well, didn't you? A Yes.

Q You used to go around with her? A Not very much.

Q Well, you had dates with her; you knew her?

A Yes.

Q And she knew that you knew her? A At that time, yes.

Q Didn't she tell you that she had gone over to her sister's to get your address? A No, she did not.

Q How did she happen to pick you out in Cleveland, out of a clear sky? A I asked her that. She said that she had gotten my address, a previous address of mine -- well, I do not recall whether she had gotten it from this stranger -- whether she said she had gotten it from this stranger or some other source, which could have been her sister. She had gone to this previous address and the landlady there had given her my present address in Cleveland, and that was how she had found me. I had recently moved --

Q Did she offer you a sum of money? A Well, in effect she did. She said she had money and instructions.

Q Did she say she had the batch of money -- she show you the money? A No, she did not, and I did not inquire.

Q How long did the conversation last? A I should say from 15 minutes to half an hour or so.

Q How did you leave it? How did you leave her? A Well, I told her that I thought she had better go. I ushered her out and as I ushered her out I asked her some questions about how she had found me. I believe I also told her, "Give my regards," to her sister, that sort of thing.

Q What time did you usher her out, what time of the day was it? A It was shortly after noon.

Q Have you heard from her since? A No, I have not.

Q Have you talked with her since? A No.

Q Have you written to her since? A No, I have not.

Q Have you talked to any of her relatives? A No, I

have not. I have recently received a letter from her sister, a general kind, asking me something to the effect of when I would be in New York.

Q Have you seen her sister? A No, I have not.

Q Did you report the incident to the FBI? A Yes, I did.

Q Immediately? A No, it was not immediately. As I say, I was very upset, and I had been questioned by the FBI for the previous week or two, and this coming on top of it all, made me feel very, well, upset, so I decided that I should consult -- so I decided I should consult a lawyer, which I did the following morning.

Q In Cleveland? A In Cleveland, which I tried to, the following morning. He happened to be out of town, the lawyer I was referred to, so I got him on Tuesday, told him this whole story,and wrote out a statement regarding it and submitted it to the FBI, I think it was the following day, Wednesday.

Q And then the FBI Agents conferred with you after that? A Yes.

Q Now, what made you think -- you made some statement to the effect when she started to write something on a paper hat you hought it was a trap. What sort of a tr ap? A Well, here I was in the middle of something. I did not know what it was all about. Of course I had been reading about the spy cases in thepapers. She didmention in writing that she

knew Julius Rosenberg. Well, here was something I was being asked, to flee the country for some reason. And so all I could think of was thatsomebody was trying to trap me into something, since I had no reason to leave.

Q You thought some friend of Rosenberg's was trying to trap you into something, because you had seen in the papers about Rosenberg's arrest? A Yes.

Q And she had mentioned in writing things down that she knew the Rosenbergs? A Yes.

Q Did you figure Rosenbergs had something to do with wanting you to flee the country? A I thought it was possible.

Q Was there anything there that tied you up, why you thought it was possible? A I do not exactly know what you mean.

Q What caused you to think that Rosenbergs had something to do with this, having you flee the country? A Well, as a matter of fact I did not think the Rosenbergs specifically were back of all this, but possibly a Communist apparatus of some kind.

Q You knew that? I think you knew at least that Vivian Glassman had been taking more or less an active part in Communist organizations in New York City, you knew that? A Well, I did not know it specifically, but I was aware of the fact that she was engaged in radical activities of some kind.

Q You state you did not know it specifically. What do you mean by that? A It is my impression from my knowledge of her association with Joel Barr, that she had been engaged

in some kind of, well, perhaps I shouldn't say radical activity; it is union activity.

Q Joel Barr was a Communist, so far as you know? A No, not as far as I know.

Q He was engaged in Communistic activities, belonged to that Young Communist League? A Not that I knew.

Q You sure? A Yes.

Q You knew this Vivian Glassman was quite intimate with him, was engaged to him at one time? A I did not know that.

Q Never knew it? A I understood she was his girl friend.

Q That's what I mean. A I do not know what you mean by engaged, officially.

Q It was my understanding that they had been formally engaged to be married, but if you correct me and knew they weren't, I don't know. They were quite intimate, anyway. A I would say they probably were, to my knowledge.

(WITNESS EXCUSED)

(Cont. by IFG)

W I L L I A M P E R L , recalled, testified as follows:

THE FOREMAN: You can be seated; you are still under oath.

BY MR. LANE:

Q You are still under oath, Mr. Perl ; you know that? A Yes, I understand.

Q Now, I think we were at the point where we were discussing what else was said on that piece of paper that Miss Glassman was writing on in your apartment. She said something about she knew the Rosenbergs? A Yes.

Q And she mentioned something about the Rosenbergs being arrested in New York? A No, I don't recall that.

Q Why did she mention the Rosenbergs? A I couldn't say, unless it was possibly an explanation of what she was doing there. I don't know.

Q Well, did you question her as to the Rosenberg name being in there? A I might have asked her something to the effect of what she was doing in all this.

Q What who was doing? A Well, what the purpose was of all her - - of this visit.

Q And what did she say? A Well, I don't recall whether she said, in response to that, that she knew the Rosenbergs, but it possibly was along those lines.

Q Well, now, you see you tell us nothing. You say she may have done something, she may have said something,

possibly this happened, possibly that happened. I am not interested in possibilities, but I am interested in what actually transpired. Look - you are a doctor. Get that mind working.

What did she say? A Well, to the best of my recollection, she stated at one point, on this paper, that she knew Julius Rosenberg. As to what the actual, immediate cause of her writing that, I cannot recall.

Q But you had already been questioned by the F. B. I. - - A Yes.

Q - - about Julius Rosenberg, hadn't you? A Yes.

Q And you knew that Julius Rosenberg had been arrested for conspiracy to violate the espionage law - - you knew that, because the F. B. I. had talked to you about a girl by the name of Anne, hadn't they - - Sidorovitch? A Yes.

Q And you know her, don't you? A No, I do not.

Q You know her husband, Mike? A No, I do not.

Q But you were questioned about it, and you knew exactly that Rosenberg had been arrested? A Yes.

Q You were familiar with that? A Yes.

Q So that when his name appeared on that paper, you weren't completely ignorant of the fact, were you? A Oh, no.

Q Didn't you immediately connect that arrest up with her visit, in your own mind? A Yes, I think I did.

Q Of course you did. Even a six-year-old child would do that, and you are a doctor, with a master's degree. I am not saying that to be funny, but I am saying that because you are a person with an education and have a much higher intelligence than the average person, and would be able to put two and two together more readily, and two and two make four; and the Rosenbergs and the arrest and the F. B. I. visit - that is one two; and when she is there, asking you to flee the country, and mentioning Rosenbergs, you immediately have to associate yourself with the Rosenbergs in your own mind, and her visit - - is that correct? A Yes.

Q That is what you did, isn't it? A Yes, I think so.

Q Then you must have said something to her at that time. You must have been not only confused, but you might have been irritated by it. I know, if I were in that situation, and I was completely innocent, and someone came to me and said, "Look, get out of the country. The Rosenbergs," - and all that sort of thing - - I would resent it in no uncertain fashion; and believe me, the air would be blue by the time I got through with a person like that. That is what any normal, innocent man would do.

Now, what did you do? A I don't think I lost my temper, but I think I made some remarks to the effect I had nothing to do with any of this, and didn't know what it was

all about, and she had better leave.

Q You mean you were practically accused of espionage there, and you didn't lose your temper? A Not in the conventional sense.

Q Well, what is the conventional sense, in your mind? A (No answer.)

Q Don't you ever get mad at anybody? A Not very often.

Q Not very often? A I can't recall when I have really been mad at somebody.

Q If someone came up and slapped you in the face, wouldn't that make you mad? A Yes; but I don't recall when that occurred.

Q Well, supposing somebody took undue liberties with you, and went up and slapped you in the face - let us say when you were in the subway train - what would you do, would you turn the other check? A No, I don't think I would.

Q Do you think you would turn your check? A No, I don't think so.

Q Don't you think you would take your glasses off and go in with both fists swinging? A No, I don't think I would do that, but I think I might take my glasses off.

Q Supposing you were with somebody that you really cared for - a girl - and someone came along in the street and insulted her, and called her some bad name, some vile

name - - would you just stand by and say, "Call her another one," to yourself? A No, I don't think I would.

Q Would you get mad - would you resent it? A I think I would.

Q And you would tell him off, wouldn't you? A I presume so.

Q Now, the next question is: That would be important to you, wouldn't it? A What would?

Q To make sure that some man didn't insult your best girl. A Yes.

Q And you would resent it and take some action of some sort? A Yes.

Q You would get mad? A Yes.

Q Well, here is a situation where a person is accusing you of selling your country down the river, in a sense; and while you would get mad with your girl being insulted, you say you were calm and cool and collected, and you didn't get mad when somebody practically accused you of espionage. A I was anything but calm and collected.

Q But the point is: Which is more important to you, to have your girl insulted or to be accused of espionage? A They are both important.

Q Which is the more important to you? A Well, espionage would be.

Q Well, you say you would get mad if your girl

was insulted, and you were cool and calm when you were accused of espionage. A I wasn't cool and calm.

Q Well, you didn't get mad. A Well, - -

Q What did you say? A I thought it was all a mistake of some kind.

Q Didn't you tell her she had a nerve to come out and accuse you, or something like that? A I may have asked her why she came to me.

Q Well, you may have; you did ask her that, didn't you? A I don't recall specifically.

Q Give us your best recollection. A I would say, to the best of my recollection, I asked her things to that effect, as to why me.

Q And what did she say? A Well, specifically I don't know.

Q Well, generally. We are having a little trouble with specifically, but generally what did she say? A I can't - - I don't know.

Q Oh, please, please - - you don't know what she said? A That may have been the general reason for her stating that she knew Rosenberg. Perhaps she identified me in her mind as knowing Rosenberg.

Q Forget the "perhaps." What did she say? A Well, generally, that is about all I can think of, that would pertain to this, in this connection.

Q I think that is most unsatisfactory. Do you

realize what you are doing before this body? You are painting yourself almost as a person who is committing perjury, because of your reluctance or inability to remember little conversations. A I am sorry, sir. I am doing my best.

Q Here is a woman that is practically accusing you of being a spy. She puts a finger on you. She selects you out of one hundred fifty million Americans - she selects you as the one that is to flee the country. She is putting the finger on you, and you don't even recall what happened at that time? A It certainly seems incredible, I know.

Q You agree that it is incredible, isn't it? A Yes.

Q If I told you the same story, you would think there is something wrong with me, wouldn't you? A I couldn't answer that; I don't know.

Q How many times have you ever been accused in your life of being a spy? A None.

Q Have you ever been married? A Yes.

Q Where? A In Cleveland.

Q Whom did you marry? A I entered into a common-law marriage with Henrietta Savage.

Q I am not talking about that. I mean, did you ever have a church ceremony of any sort? A No, I have not.

Q My point being that if you were ever married, you would remember the details of that day, I assume - wouldn't you - - you would remember who the minister was, and where the church was, and little details like that. In other words, marriage is important to every man. A I presume so.

Q He remembers that day. A Yes.

Q Well, I don't think it is any more important than to be accused of being a spy, because to be accused of being a spy carries a death penalty. At least, if you are married you get a few more years with it - but with espionage it is a death penalty; so that any time you are involved in something that may cost you your life, you remember every little detail there as though it were put up on a blackboard before you. The details of that day are never eradicated from your mind.

Now, you are a man whose mind is trained to remember little details on average matters; but here is something that is big, the most important thing in your life so far, and yet you don't remember even the details at all, and you don't even remember in general what the conversation was. Doesn't it look a little odd to you?
A I think I do recall in general some of the details.

Q Then give it to us, in general. Don't let me be like a dentist, pulling these out of you. You should be eager to do this and be cooperative with us. Let us

see you be a little bit eager here, and give, without me trying to pull. Let us go over it again:

She came in and said, "Hello, Bill," and you said, "Hello, Viv," and she beckoned to you to sit on the day-bed, and she took this paper and started to write?

A Yes.

Q Tell us everything that she wrote down?

A She wrote that she had instructions to write, from a stranger in New York, and money which she was to transmit to an aeronautical engineer in Cleveland. She made some mention of a friend in along there. The instructions were as to how this person, and presumably this friend, were to flee the country. I believe she mentioned Mexico in there somewhere, and - -

Q Go on. That isn't all? A I believe I interrupted her along there somewhere, with some questions as to why she had visited me, and why she thought that I had anything to do with this; and that I hoped she wasn't doing anything bad, although I realize it is sort of trivial now.

As nearly as I can recollect, in around here she mentioned that she knew Julius Rosenberg. Oh, previous to this she did mention the business of the identification, that this aeronautical engineer was supposed to know her by, this ship incident with Joel Barr, and also she wrote the name "John."

Q What was John supposed to be? A She didn't write any further on that, and I didn't inquire.

Q What was the ship incident? A She didn't write anything more than just about that, and I didn't inquire as to what the ship incident was.

(CONTINUED BY LB)

Q Did you ask her why she happened to pick you out? A Yes, I asked her something to that effect.

Q What did she say? A I don't know.

Q You don't know what she said when you asked her why she picked you out? A That's right. Something that, I might judge for myself. I recall that phrase.

Q Didyou tell the FBI that you were trying to minimize your connection with Joel Barr and Sarant? A Yes, I did.

Q Why were you trying to minimize your connection with those two? A I was under a loyalty investigation, and two men who I understood were from the FBI questioned me about Barr and Sarant and stated that they had evidence that Barr and Sarant were members of the Communist Party. I was afraid of losing my job.

Q You knew that they were connected with the Communist Party yourself, didn't you? A No, I did not.

Q You did not know anything about their activities? A No.

Q Communist activities? A No, I did not.

Q What did you do with this paper? A I destroyed it.

Q Why? A I don't know why.

Q Well, you must have some reason? A It was -- I was really rather upset and I presume I acted in response to an impulse to deface the memory of this visit.

Q WHY, FOR WHAT reason, if you were innocent?

A I can't give you a logical reason.

Q When you were going to Columbia you had an apartment, didn't you, in the Village? A Yes.

Q Where was it, 65 Morton Street? A That'sright.

Q Was there a lease on it? A Well, I don't know. I presume that Al Sarant had leased it. I sublet it from him.

Q When did you sublet it? A In the fall, 1946.

Q Did you live there with Sarant? A No, I did not. I used the apartment intermittently for a while. My then wife, Hemrietta, from whom I was separated then, actually came to New York, and I arranged for her to use it for a period of months. She found an apartment of her own some time in the fall of 1947 whereupon I used that apartment thereafter until the spring of 1948.

Q You said you arranged to have her use it. What do you mean by that? A I must have arranged with Sarant that she should live in it and pay the rent to Sarant.

Q When yousay you must have, do you mean you did? A Yes.

Q What was your agreement with Sarant as to the rent, when you sublet? A I was to pay him the rent by mail, and he was presumably to pay the rent to the landlord.

Q Was that in writing, that agreement? A No, I don't believe it was.

Q Did you make payments for the rent to Sarant? A Yes, I did.

Q How did you make those payments - by check? A Well, it was either check or money order. I probably -- probably money order. I will say money order.

Q Was this a month to month arrangement? A Yes.

Q You agreed with him when you were to get out you were to give him a month's notice? A Well, I don't recall any such agreement.

Q But you only paid for the place while you occupied it, or while your wife occupied it? A Well, I thought I did.

Q Did you or didn't you? A Well, I should say that I didn't.

Q Why? Do you mean you paid rent on that place after you had left it? A Yes. I apparently sent some money orders to Sarant after I left the place, monthly. I had not recalled that until the FBI informed me that I apparently did. As a matter of fact I still don't recall it actually, but if I did, I did.

Q In other words, you left the place for good when? A In June of '48.

Q And you kept sending checks even though you left the place? A Yes.

Q How much money were you making in June '48? A When I resumed my job at Cleveland I probably was making six or seven thousand dllars a year.

Q Up to June '48 what were you making? A Well, I had various income. I had $1200 from Columbia University for teaching physics, and I made several thousand dollars by doing

subcontract work on aerodynamic problems, directly from my professor who was working as a consultant with an engineering firm, Sverdrup & Parcel.

Q Who was your professor? A Prof. Theodore Von Karman.

Q He paid you the money? A He paid me some money, and I got some money from Sverdrup & Parcel directly.

Q He paid you some money, you say? A I think he did.

Q How much did he pay you? A I couldn't quite break it down. I think the total sum involved was something like, well, for the previous year, possibly three thousand dollars or so.

Q What did you pay for rent out in Cleveland when you went back? A In Cleveland?

Q Yes. A Well, I lived at the "Y" and then in furnished rooms.

Q What are you paying at this apartment? A It's $45 per month.

Q What did you pay for Sarant's apartment? A About $45 per month.

Q What was your reason for continuing to make payments to Sarant after you had left the place? A Well, as far as I can recall now, it was to hold an option on the apartment.

Q To what? A To just hold on to the apartment -- have a claim on it.

Q He moved in there, didn't he, when you moved out?

A I don't know.

Q You don't know that? A No.

Q Why did you want to hold the apartment when you were living in Cleveland? A Well, I may have had some ideas about coming back to New York. My initial idea in going back to Cleveland was to finish my thesis.

Q You went to work, didn't you, as soon as you got back? A Yes. My thesis was part of my work.

Q Did you plan to come back to New York? A Well, specifically, no. But I had ideas at that time about wanting to go into academic life and I didn't know but what I might be back in New York.

Q But you did not know when you were coming back? A No, I did not know when I was coming back.

Q So your explanation is that you wanted to hold the apartment until such time as you were planning to come back to New York? A Yes.

Q That doesn't make sense, does it? A Why not?

Q Well, I am asking you. Does it make sense? A Yes, I think so.

Q You had no definite time when you expected to get back to New York? A Well, I terminated the payment of rent sometime after June '48.

Q Quite some time after. A I don't know.

Q You usually paid by checks, didn't you? A I apparently paid by money order.

Q That was brought to your attention by the FBI? A Yes, I hadn't recalled these payments at all.

Q You had a checking account, didn't you? A Yes, I did.

Q And was there any reason why you couldn't pay by check? A No.

Q You suddenly switched to paying by money order, is that correct? A Yes.

Q No explanation? A Well, none other than I started paying by money order in New York. There was no particular reason to continue --

Q As a matter of fact you made payments for six additional months inthat apartment when you did not live there? A Was it as much as that ? I do not recall.

Q No explanation for it? A None other than that I would have the apartment if I came back to New York.

MR. LANE: Mr. Foreman, do you have some questions? Perhaps some of the jurors have questions on points I may have missed.

BY THE FOREMAN:

Q You do not recall anybody at this Sarant apartment? You do not recall the Rosenbergs. But can you tell us whom you recall, some of the people there? I know you do not recall Rosenberg or any of these people. Do you recall anybody at the monent? A At the apartment?

Q Yes. Of the incident we are talking about? A I

saw my then wife at the apartment fairly frequently.

Q You remember her? A Yes. And I recall seeing Sarant and his wife before they had moved out of the apartment. And I believe that Joel Barr was with us at that time; he introduced me to Sarant.

Q But you do not remember Rosenberg? A No, I do not remember Rosenberg at all in that apartment.

Q Remember about six or seven people. Were there more than six or seven people there? A At this party?

Q Yes. A As a matter of fact I do not recall the party.

BY MR. LANE:

Q Maybe we can refresh your recollection. Do you remember a party where somebody played the guitar, people were sitting on the floor, the lights were out and they were playing soft music? Prior to that you had dinner at the Blue Mill. Do you remember that? A It is very possible that I did that.

BY JURORS:

Q Do you go to so many parties that youcannot remember one party from another? A This was quite some time ago. I do not go to parties very frequently, as a matter of fact.

Q Wouldn't that be all the more reason why you would remember a specific party, and certain incidents, you would have to have a good memory to handle differential equations.

A I do not know whether it is memory or logic, but I am really sorry about the party. It is something I may very well have been at.

BY MR. LANE:

Q We have very definite information that you were present at a party around Christmas 1946, at 10 Monroe Street. 10 Monroe Street. Do you recall being there? A No, I do not recall being there.

Q 10 Monroe Street was the Rosenbergs apartment. At this party, our information is, that you werd present, or at this meeting, that two Sobells were present, and that Julius and Ethel Rosenberg were present, and that she was pregnant at that time. Do you recall that? It is very important to you that you recall it, and now, because I don't want to be in a position, with your brilliant career ahead of you, to have to do anything that would in any way affect it, and you are the one that is doing this. I am not. You have nothing to lose by telling us the truth in this, and if I have to have somebody come before this grand jury and say you were present and took part in the conversation and everything else, it leaves the grand jury nothing to do but indict. Come on. Disgorge n o w . . This is the time to do it. Try hard. A pregnant woman, Christmas time, Rosenbergs, 10 Monroe Stfeet. That is over here at Knickerbocker Village. Do you recall being down there? A I do not recall being down at Knickerbocker

Village. I have been asked this before and have tried to think about it.

Q You cannot recall being there? A That's right.

Q You have seen the pictures of the Rosenbergs, haven't you? A Yes.

Q You have been shown those? A Yes.

Q You still cannot identify them? A That'sright, sir.

BY JURORS:

Q You say that when Vivian Glassman came to see you she had some means, about the ship, to identify herself, is that right? A Yes.

Q Why did she proceed to go through this writing without identifying you? A Without identifying me?

Q Through this medium that she had. A I don't know why she came to me in Cleveland.

Q I am not asking you that. You say she had means of identifying the individual she was supposed to see or contact, and if you couldn't make the identification, why would she go ahead and write this whole business out? A Apparently this identification was such that this aeronautical engineer would recognize this ship incident.

Q You -- but you did not recognize it? A That's right. I did not.

Q Why should she write the rest, about your getting out of the country, if you are not the man? A She said something about, "Judge for yourself," I recall.

BY MR: LANE:

Q Did she tell you about the ship incident? A No, she did not go into any details.

Q As the juror just pointed out here, she was acting as a courier for someone who is interested in this spy case or espionage case. They advised her before she talks to you she has to be satisfied that you are the man that she is supposed to contact. Now she has several thousand dollars on her person. She is not going to give that money, or take a chance on giving it, to someone who is not the person she is supposed to see. Somewhere along the line, between the time she had the conversation in New York with this person who gave her the money and the time that she talked to you she was satisfied by some means that you were the person she was supposed to see; otherwise, as the juror points out, she wouldn't even talk to you about this, because it was too dangerous, because it was too serious. How did she know you might not be in cahoots with the FBI? She had to be satisfied, and she satisfied herself, and in satisfying herself she must have said something to you about the ship incident, or you said something to her to confirm it. What was it, that is what the juror is trying to find out? A There was nothing along that line I can recall. The only reason that would make her believe I was the person, because she knew of my friendship with Joel Barr.

Q Did she say that was the thing that satisfied her? A No, she did not say that. She knew she had met me, then she certainly knew of my friendship with Barr. I presumed all along that was the reason she had come to me in Cleveland.

(Cont. by IFG)

RERL

Q Well, tell me this: You don't have to answer it unless you want to, but I think you are here to try to cooperate; at least I hope so - - were you yourself ever interested in any of these Communistic activites? A No.

Q Did you belong to any of the organizations? A I have, of course, discussed philosophy and Communist philosophy, but not formally, and not at any of the Party meetings.

Q And you never belonged to any Communist outfit - the Communist Party or the Young Communist League? A No, I never belonged to any such organizations.

Q Did you ever attend any Communist Party meetings? A No, I can't recall ever attending any Communist Party meetings.

Q Whom did you discuss Communist philosophy with? A I can't recall the people - probably Joel Barr and Sarant. We talked about lots of things.

Q What were your ideas on Communist philosophy? Let me ask you this: Have your ideas on Communist philosophy changed in the last year or two? A Well, I don't know what you would call a change.

Q For instance, what was your philosophy as far as Communism was concerned, in 1946? A Well, in - - that Communism as it is being practiced today is a system which is very abhorrent and very much different from a democratic system.

Q That is today, but what was it in 1946? A It was the same.

Q But you believed in the Communist principles? A I realized how Russia was applying the Communist principles, or I thought I realized it, and I could see the ideas of thought control coming in, and the police state idea, as being the only way apparently to carry out a Communist system, and that is very abhorrent to me, especially in science.

Q That was abhorrent to you? A Of course.

Q And Joel Barr and Sarant took the opposite point of view? A Well, actually I don't recall debating on these matters.

Q I don't mean debating, but discussing it. You had a little "bull-session," as they say, and you sat around and talked about it - - they were quite active, weren't they, in this movement? A I don't recall any specific discussions in which they said Communism was good and I said Communism was bad, if that is what you are referring to.

Q Yes, that is what I am referring to. Did you ever talk to Vivian Glassman about it? A No, I don't think so.

Q How about her sister? A I don't think so.

Q Where did you meet her sister? A In a restaurant, in the Village.

Q Who introduced you? A I picked her up.

Q Do you mean you never knew her before? A That's right.

A JUROR: In that note that was written, was that in reference to you and a friend - the note that Miss Vivian Glassman wrote - - was there a reference to you and a friend?

THE WITNESS: Well, the reference was to an aeronautical engineer in Cleveland, and a friend.

A JUROR: And what was the friend - a male or female?

THE WITNESS: There was no other reference, other than that. Presumably this aeronautical engineer was to know who the friend was.

A JUROR: When you told Miss Glassman that she had better go, what did she say to that - - did she say anything to you at all?

THE WITNESS: No, I don't recall that she said anything, except as I was ushering her out I asked her how she had found me at this place, and she referred to knowing my previous address, having gone there first, and being then referred to my present address.

A JUROR: Did she say that maybe she had made a mistake?

THE WITNESS: No, she did not say anything that

I can recall, along those lines. I didn't get the impression that she had felt she had made a mistake.

A JUROR: You do not know who this friend was, at all?

THE WITNESS: No, I do not know.

A JUROR: What made her write that?

THE WITNESS: I presume that was part of the instructions.

A JUROR: Mr. Foreman, I would like to get two points cleared in my mind. It may have been mentioned before, and if the question is repetitious I would like it anyway.

There were two things that must have surprised you a lot, with Vivian Glassman's meeting: One is the fact that she did pick you out.

THE WITNESS: Yes, it did.

A JUROR: It did surprise you?

THE WITNESS: Yes, it surprised me, but I assumed it was because of my association with Joel Barr. You see, I had been questioned the previous several weeks about Barr, Sarant and Rosenberg, and I therefore made that connection.

A JUROR: The next question I would like to ask you is: Weren't you very much surprised when the name "John" was mentioned - - didn't that name

John mean something to you?

THE WITNESS: No. I assumed it was part of the instructions, and John itself does not mean anything to me.

Q You graduated in 1938? A Yes.

Q Well, wasn't Sobell one of your classmates?

A Well, I understand that he was.

Q You know he was. A (No answer.)

THE FOREMAN: Answer that. Do you know, or don't you know? We are getting very upset here, which we don't like to do; and you are talking before intelligent people. Maybe not as intelligent as you - I am speaking for myself and not the jury - - but answer that.

THE WITNESS: I am sorry, I cannot recall Sobell being in my class.

THE FOREMAN: I went to City College, too, and I can remember pretty much, and the members in Townsend Harris Hall, and I can remember the names in 4-A - - and I am not a scientist.

Now think again.

THE WITNESS: (No answer.)

Q Perhaps this will help you: When Sobell applied for a position with the General Electric Company, your name was given as one of his references - and I am going pretty far in telling you this; I should not tell you.

What I should do is put you in a little bit of a position where you might perjure yourself. I don't want to do it, I am straining not to.

You were given as a reference, as a man whom he knew for more than eight years. Why does he pick you out? A This is news. I don't know.

Q It may be bad news. A I certainly must have known him in City College.

Q You certainly must have; and you certainly must have known him afterwards, and you certainly must have met him at these meetings. A I can't recall anything like that.

Q You remember Max Elitcher, don't you? A Yes; for some reason I remember him.

Q For some reason - - what is the reason? A I don't know.

Q He was a classmate of yours, wasn't he? A Perhaps we were in the same lab, or something like that.

Q And you saw him after you graduated? A I might have seen him after, but I don't recall seeing him very long after.

Q Did you see him at some of these meetings in the Village? A No, I don't recall seeing him there.

Q Do you recall meeting his wife? A No, I do not.

Q Do you recall ever having a conversation with

Rosenberg and Barr and Sarant and Sobell? A No, I do not.

Q Do you remember ever having a conversation with Elitcher? A In the time period that you are referring to, no, I do not.

Q Do you suppose, if I brought you and Elitcher together, you might refresh your recollection as to conversations? A Possibly.

MR. LANE: Mr. Foreman, will you continue?

THE FOREMAN: You may be excused, temporarily.

Q You are still under subpoena, and the Foreman will advise me when they went you to reappear here. A Yes. May I inquire as to whether that will be today?

Q It won't be today. A Thank you.

A JUROR: You are still remaining in New York City over the week-end?

THE WITNESS: Yes, I will certainly remain here as long as I am needed here.

A JUROR: You are not leaving New York City over the week-end?

THE WITNESS: No; not until I am excused here.

Q Will you stop off at my place on the way out. I will meet you down there. A All right.

(WITNESS EXCUSED)

R O S E S O B E L L , called as a witness, having first been duly sworn by the Foreman, testified as follows:-

BY MR. LANE:

Q Mrs. Sobell, you had a lawyer downstairs, didn't you? A Yes, sir.

Q And I think he probably told you that when you testify here you have to tell the truth because if youdo not tell the truth you are subject to the penalties of perjury -- I think he has advised you of that, hasn't he? A That's right.

Q How old are you? A 56.

Q Where were you born? A In Russia.

Q What part of Russia? A Ukraine.

Q Ukraine? A Yes.

Q Do you remember the town or the village? A Belezorca.

Q That is in the southern part, is it? A I think so.

Q Towards the Black Sea? A I don't remember.

Q When did you come to the United States? A In the early part of September 1906.

Q When did you -- are you an American citizen? A Yes, sir.

Q Naturalized? A Through my husband.

Q When did you become naturalized? A I am naturalized through my husband.

Q Through marriage to your husband? A That's right.

Q Was he born in this country? A No, sir.

Q Where was he born? A In Russia.

Q What part? A The same city, the same town.

Q When did you meet him for the first time? A Well, when we came here.

Q Did you come on the same boat? A No, sir.

Q You met him after you came to this country? A That's right.

Q Did you meet him in New York? A That's right.

Q Were you married to him in New York? A Yes, sir.

Q When? A May 22, 1915.

Q 1915? A Yes, sir.

Q How many children do you have? A Two.

Q Who are they? A Morton and Beverly.

Q When were they born? A Morton was born on April 11, 1917, and Beverly was born on May 7, 1924.

Q Morton was born when, in 1918? A Morton was born in 1917.

Q And Beverly was born in 1924? A Yes.

Q Are they both married? A Yes, sir.

Q They both have children? A No; my daughter is expecting a child.

Q Has your son Morton been married more than once? A No; just once.

Q Whom did he marry? A Helen.

Q Helen who? A Helen Guerowitz.

Q When was he married? A March 10th, 1945.

Q How many children does he have? A He has one child and a child by her first marriage.

Q She was married before? A That's right.

Q Where did Morton go to school? A He went to Public School 138, and then he went to Junior High School, and then he went to Stuyvesant High School, and then he went to City College.

Q When did he get through City College? A Through with City College?

Q Yes; when did he graduate? A I think it was in '38. I am not sure of the dates.

Q Do you know what he did after he finished City College? A Yes; he got a job and he went away from home.

Q He went away from home? A Yes; he got a job in Washington.

Q Whom was it with, do you know? A I don't remember.

Q Has he contfibuted to the support of you and your husband? A He has been very good. He didn't have to. He helped us sometimes when we needed help. He was a very good boy, very good, the best there is.

Q Is there any way that you can account for his becoming affiliated with the Communist Party? A I beg your pardon?

Q Is there any way, any reason you can give, why he

became affiliated with the Communist Party? Do you know any reason for it? A I refuse to answer. I don't know.

Q Let me explain to you. You cannot refuse to answer, you have no right to refuse to answer that question. A I would like to see my counsel.

MR. LANE: Will you excuse her for a minute or two? I will ask further questions, but in the meantime I will call for her counsel.

(Mr. Lane leaves room and then returns.)

(Mr. Lane, resuming:)

Q When did your son go to Mexico? A I don't know when, sir.

Q Now you are under oath. You have no idea when he went to Mexico? A No, sir.

Q Did he tell you he was leaving for Mexico? A He called me up that he was leaving for a vacation.

Q For a vacation? A That's right.

Q Didn't he tell you that he had left his work? A No, he did not, sir.

Q A little louder. A He did not. He called me up and he told me he was leaving for a vacation.

Q He called you up and told you he was leaving for a vacation? A That's right.

Q When did he call you up? A Sometime -- I do not remember what day; on the week of June 21st.

Q What time was it? A In the morning. It was about 8:30, between 8 and 8:30.

Q Who was there when he called you? A I was alone.

Q What number did he call? A Cypress 2-3535.

Q And just exactly what did he say asbest youcan recall? A He said, "Mom, we have decided to take a vacation and we are going away."

Q Did they take the children with them? A Well, I assume they did.

Q Don't you know? A They did.

Q Did he tell you where he was going? A No, sir.

Q Did he tell you when he was coming back? A No,sir.

Q Did you ask him when he was coming back?
A I did not ask.

Q Were you interested? A I was interested but I don't ask. He's a grown man.

Q A little louder now. A He's a grown man and he does things. He's been away before. He's been away from home twelve years now.

Q Did he ever introduce you to Mr. Rosenberg?
A No, sir.

Q Do you know Rosenberg, Julius Rosenberg?
A No, sir.

Q Never saw him? A No, sir.

Q Did he communicate with you while he was in Mexico? A No, sir.

Q Not at all? A We have one letter.

Q When did he write that? A I don't remember. My husband has it. I don't remember the date.

Q What did he say in that? A That they are on the vacation and they are having a good time, and the baby is walking --

MR. LANE: Excuse me. Will you excuse the lady for a moment?

THE FOREMAN: You are excused for a moment.

(Witness leaves and then is recalled.)

MR. LANE: Will the stenographer go back to the question I asked that the lady refused to answer?

Q (Question read to witness, as follows: "Q Is there any way, any reason you can give, why he became affiliated with the Communist Party? Do you know any reason for it?") A I do not.

Q You do know that your son was affiliated with the Communist Party? A I did not.

Q Did you yourself -- were you yourself affiliated with the Communist Party? A I refuse to answer.

Q On what ground? A On the ground of incriminating myself.

Q Did you ever sign a petition forthe Communist Party? A I did.

Q That's for elections and things? A Yes.

Q Since your son left the United States in June have you visited your son's house? A Yes,sir; we were there.

Q When were you there? A We were there on Sunday.

Q Do you recall the date, Mrs. Sobell? A It was the

end of that week of June 21st. We went there and collected some food, some perishable food, and took it home.

Q When you say "we", whom do you mean? A My husband and I.

Q While your son was away did you make any payments on your son's house? A I did, sir.

Q What was that? A I made the monthly payment for his house.

Q Was that a mortgage payment? A Yes, I believe so.

Q Whom did you make it to? A To the County Trust Company in Tarrytown, N. Y.

Q Did your daughter make payment also? A My daughter?

Q Yes. A No, sir.

Q Who is Edith Levitov? A That's not my daughter.

Q Who is that? A My daughter-in-law's sister.

Q Your daughter-in-law's sister? A That's right.

Q Where does she live? A She lives in Washington.

Q Edith Levitov? A That's right.

Q Where does she live in Washington? A I don't remember the address; in Arlington, Virginia.

Q Does she work for the Government? A Does she?

Q Yes. A She does not.

Q Is she married? A No, sir.

Q Well, she is your daughter-in-law's sister, and your daughter-in-law -- you are referring to the wife of your son Morton? A Yes, sir.

Q You know that she made a payment in August on the mortgage on the house, you know that, don't you? A I made a payment in August, sir. I do not know whether she made a payment.

Q You made a payment in August? A Yes.

Q Who made the July payment on the house? A She did.

Q That was $79? A That's right.

Q Did she tell you about that? A Yes,sir.

Q When did she tell you about it? A I don't remember.

Q Well, in the last few weeks, do you think? A Well, she told it to me, yes.

Q Anddid she tell you that Morton told her to make the payment for him? A She did not.

Q How was it that she made the payment? A I do not know, sir, but she did.

Q Why didyou make the payment? A I wanted to keep my son's house. I had hope thathe would come back and I wanted the house for him.

Q Was that the $79 payment? A Yes, $79.29.

Q How much does your husband make a week? A $75.

Q And I don't suppose he is too wealthy, is he? He hasn't got too much money? A No, sir.

Q Do you own your own house? A No,sir. We live in an apartment house.

Q You rent it? A That's right.

Q How muchdo you pay forrent? A $45.

Q Do you have money in the bank? A Yes.

Q Very much? A Not very much.

Q How much would you say? A We have about $2500.

Q Did you have to draw on that money to pay for your son's mortgage? A Yes, sir.

Q What is the house worth, that is, your son's house? A My son's house?

Q What's the value? A What it's worth? I wouldn't know.

Q Did your son tell you to make that payment on the house? A No,sir.

Q You weren't sure when he was coming back, were you? A That's right.

Q Did he borrow any money from you when he left?

(Cont. by IFG)

A No, sir.

Q Did he ever discuss the Rosenbergs with you or your husband? A No, sir.

Q Has your son, to your knowledge, ever been a member of the Communist Party or the Young Communist League?

A I do not know.

Q The answer is no, as far as you know - - are you sure of that? A I would like to see my attorney.

THE FOREMAN: What was the answer?

MR. LANE: She would like to see her attorney. Will you excuse her for the moment?

THE FOREMAN: Yes, she is excused temporarily.

[Witness leaves Grand Jury room with Mr. Lane, and they return.]

MR. LANE (To Reporter): Will you repeat the question once again?

[Reporter reads: "Has your son, to your knowledge, ever been a member of the Communist Party or the Young Communist League?"]

THE WITNESS: I do not know.

Q Now, I want to get back to that payment on your son's house. If you thought that he was only on vacation, what prompted you to make a payment on your son's house?

A The payment was due, and I wanted to keep the house for my son.

Q How did you know it was due? A Well, I know my son.

Q Louder, please. A I know my son made monthly payments.

Q Well, how did you know he hadn't made payments before he left? A I did not know.

Q Then what prompted you to inquire? A The girl, Edie, made a payment, and she said the next payment is due on the first of August.

Q When did she tell you that she had made this payment? A I can't recall now when it was.

Q Well, some time within the last few weeks, I take it? A That was prior to the payment.

Q She made a payment in August, didn't she -- she made the July payment in August, didn't she? A I don't know, sir, when she made the payment.

Q But after she made the payment did she telephone you or did she write you or did she see you personally, to tell you that she made this payment? A She had seen me.

Q Where did she see you? A I met her.

Q Where? A We were in the country.

Q Whereabouts in the country? A I refuse to answer on account of incriminating myself.

MR. LANE: Will you excuse her again, Mr.

Foreman?

THE FOREMAN: Certainly.

[Witness leaves Grand Jury Room with Mr. Lane, and they return.]

MR. LANE: (To Reporter) Will you repeat the question, please?

[Reporter reads: "Whereabouts in the country?"]

THE WITNESS: In Wingdale, New York.

Q Wingdale, New York? A Yes, sir.

Q What was up at Wingdale, New York? A A country place.

Q Whose country place? A Whose?

Q Yes - who owned it? A I don't know.

Q Well, whose place was it? A It was a summer resort in Wingdale, New York.

Q What is the name of the place? A (No answer.)

Q Do you recall? A I don't remember.

Q Who was up there with you - your husband? A Yes, sir.

Q And how long ago was that? A My husband went up there the last part of June and the first week in July.

Q And when did you go up? A I was up there two days and then for three days. I did not stay all the time.

Q You went up for two days and then you went home? A Yes, sir.

Q And then you came back for three days more?

A Yes, sir.

Q And who else was up there all that time?

A My husband.

Q Your husband and Edith? A Edith Levitov.

Q Edith Levitov? A Yes, sir.

Q What does Edith Levitov do? A She is a typist and stenographer.

Q She works in Washington? A I don't know that.

Q She lives in Washington? A Yes, sir - now.

Q What is her telephone number? A I wouldn't know, sir.

Q Whomdoes she work for? A She is not working now.

Q Whomdid she work for? A I wouldn't know, sir.

Q Is she in New York now? A She is in Washington now, to my knowledge.

Q When is the last time you communicated with her, either by telephone or in person or by letter?

A By person. She came into New York. I wouldn't know exactly what time.

Q When was it? A A couple of weeks ago.

Q And she went over to your house? A No; I met her.

Q Where? A Downtown.

Q Whereabouts, downtown? A In the union, my husband's union.

Q What was that - what is the union? A On 50th Street.

Q What union is it? A The Pharmacy Union.

Q You met her at the union hall? A That's right.

Q Was anybody else there? A Yes; there were workers there. We had to pay the dues, and she came down there.

Q She is not a member of the union, is she? A No, sir.

Q You had a little conference there? A (No answer.)

Q You had a talk, a chat? A Well, - -

Q Up at Wingdale did you talk about your son, Morton? A No, sir.

Q You didn't talk at all about him? A Well, the usual thing, about the baby and things like that.

Q Did you talk about the house and the mortgage? A Well, we were talking about a lot of things.

Q Did she ask you to meet them up there? A I beg your pardon?

Q How did you happen to meet at Wingdale? A Oh,

we went to the country together.

Q The three of you went up there? A No - - yes, sir.

Q The three of you went up there together? A Yes, sir.

Q Was that by pre-arrangement - - did you decide to go up there together? A Well, it so happened that my husband's vacation was arranged a long time in advance. The last week in June and the first week in July - that was his scheduled time for vacation, and that was the arrangement.

Q How did she happen to join you? How old is she, by the way? A I wouldn't know, sir.

Q Well, is she twenty or thirty? A She is more than twenty, I think.

Q And less than thirty? A Probably.

Q How did she happen to join you there? A Well, we said we were going up and she said she would like to go, too, and she came.

Q And did you talk about the Rosenberg case while you were there? A No, sir.

Q You read about Julius Rosenberg being arrested, didn't you? A I read in the papers.

Q You read about it? A I read about everything;

I read the papers.

Q Let us stick to one thing: You know what I am talking about, Mrs. Sobell. I am talking about Julius Rosenberg. He was in your son's class at City College. You knew that, didn't you? A I did not, sir.

Q You knew he knew your son? A No, sir.

Q Did Edith Levitov talk about Julius Rosenberg? A No, sir.

Q There was nothing mentioned about that at all? A No, sir.

Q Is she a Communist? A I don't know that, sir.

Q Did she ever say she was? A No, sir.

Q Did she ever say she was a member of the Young Communist League? A No, sir.

Q Do you know whether your son Mortom is a member of the Young Communist League? A I do not, sir.

Q Do you know whether he is a member of the Communist Party? A I do not, sir.

MR. LANE: Mr. Foreman, do you have any questions, or the members of the jury?

THE FOREMAN: I don't remember - did you answer that question, "Are you a member of the Communist Party?"

THE WITNESS: I refused to answer on grounds

of incriminating myself.

A JUROR: Did you receive any mail while you were at Wingdale?

THE WITNESS: No, sir.

A JUROR: Did anyone?

THE WITNESS: No, sir.

A JUROR: Did you ever go there before?

THE WITNESS: Yes, sir.

A JUROR: Did you ever receive mail while you were there before?

THE WITNESS: Well, I don't remember.

Q Do you know a man by the name of Elitcher? A Yes, sir.

Q Do you know him well? A I wouldn't say well.

Q Has he been to your house? A No, sir.

Q Is he a friend of your son's? A Neighbors.

Q They live next door? A Yes.

Q Q To your son? A That's right.

Q Has Elitcher ever visited your home? A No, sir.

Q How long have you known him? A They worked in Washington together.

Q Did your son ever talk about him? A Matter of fact.

Q Is there anything else you can tell the Grand

Jury about your son's activities? A My son is a very good boy, and he was always honest and kind and good, and he did - - he was the best son there is, and he always helped us. When he was twelve years old, he had fifty dollars saved up from nickels and dimes in the drug store, carrying prescriptions, and my husband needed a suit, and he said, "Ma, take that money, I don't need it. I really don't need it. You can use it - - "

Q How can a boy that good become affiliated with a group of Communists? A I don't know, sir.

Q It is a little inconsistent, isn't it? A He is honest and he is good. There must be some mistake.

Q Was he in the Army? A No, sir.

Q Was he drafted? A No, sir.

Q Why? A I don't know. He gave more than a gallon of blood to the blood donations.

Q But he didn't get into the service himself? A No, sir.

Q And you have no explanation as to why you and your daughter-in-law's sister took care of that mortgage, when you knew that your son was only on vacation? A We wanted to keep the house until he comes back.

Q When was he coming back? A I didn't know, sir.

Q How long a vacation had he taken before, in any year? A I don't know, sir. He was away from home a long

time.

Q Did you know he had given up his job, at the place where he worked? A No, sir, I didn't know that.

Q Did he tell you that? A No, sir.

Q Did anyone ever tell you that? A No, sir.

Q Are you sure you never heard that before? A No, sir.

Q He had been away for two months or more, hadn't he, and you knew he couldn't afford that on his salary - that kind of a vacation - didn't you? A (No answer.)

Q As a matter of fact, didn't you know he was never coming back? A I did not, sir.

Q Did you hear he was never coming back? A I did not know, sir.

Q Did he ever tell you he wasn't coming back? A No, sir.

Q How did he leave the country? A I don't know, sir.

Q Where did he get the money to leave? A I don't know, sir.

Q Did he tell you how he was going - by trains or by plane or by automobile? A No, sir, I didn't ask him.

Q Do you know how he did go? A He didn't tell me.

Q Did his wife ever tell you about it? A No, sir

Q Have you conferred with her within the last few days? A Yes, I have seen her.

Q When was that? A The last three days.

Q What did you talk about? A Well, we were talking about Morton.

Q What did she say? A We were talking.

Q But what did she say about Morton? A (No answer.)

Q Did you ask her where they were bound for when they left the United States? A Yes; she told me.

Q What did she tell you? A That they took a plane and went to Mexico.

Q What for? A For a vacation.

Q Did she say that? A For a vacation.

Q Did she say that? A My daughter-in-law.

Q Did she say that? A Yes, sir.

Q Did she say how long they intended to be gone on the vacation? A She told me that yesterday.

Q That they had gone for a vacation? A Yes, sir.

Q And did she say how long they intended to be on that vacation? A She did not, sir.

Q Did she say when they intended to come back? A She did not, sir.

Q Did she say why they came back? A She did not, sir.

Q Did she tell you what they were doing in Mexico?

A Yes; they were living there.

Q Did she tell you that your son tried to arrange passage on a ship for a foreign port, out of Mexico?

A No, sir.

Q Did you discuss it with her? A No, sir.

Q You didn't mention it? A No, sir.

Q What did she say about that? A That they were having a good time.

Q Is that all? A They were living there and cooking and eating.

Q And that is all she talked about? A That's right.

Q She didn't tell you about the arrest of her husband? A No, sir.

Q She said nothing about that? A No, sir.

Q Remember, Mrs. Sobell, that you are under oath. I must remind you again. I don't like to press you. After all, I realize you are a mother and -- A Well, she told me how they came back.

Q Well, that is what I am getting at -- what did she say? I withdraw that. What I want to know now is the name of the place where you stayed in Wingdale.

A Can I see my attorney?

Q Yes; but that should not be hard for you. Wait a minute. First you have to refuse to answer on the ground that it will incriminate you. A I refuse to answer on the grounds that it will incriminate me.

Q Giving the name of the place where you stayed in Wingdale will incriminate you? A Yes, sir.

Q You understand that? A Yes, sir.

MR. LANE: May she be excused?

THE FOREMAN: You are excused.

[Witness leaves Grand Jury room with Mr. Lane, and they return.]

MR. LANE (To Reporter): May we have that question repeated, please?

[Reporter reads: "What I want to know now is the name of the place where you stayed in Wingdale."]

THE WITNESS: Camp Unity.

Q Camp what? A Unity.

Q Did you have to pay to stay there? A Yes, sir.

Q How much? A Forty-three dollars a week.

Q And who runs Camp Unity? A It is Lake Ellis Corporation.

Q Who is the manager? A Louis Pasternack.

Q Louis Pasternack? A That's right.

Q Is he the one that runs it? A He is the manager.

Q What did you have to pay to stay there? A Forty-three dollars.

Q For how long? A A week.

Q Apiece? A That's right.

Q Do you go up every summer? A No, not every summer.

Q Do they have meetings up there? A (No answer.)

Q Do they have talks? A They have.

Q Did they have any talks or meetings while you were up there? A I don't know, I wasn't paying any attention.

Q Did you talk to anyone else up there about your son or the Rosenbergs, except Pasternack? A No, sir.

Q Did you talk to Pasternack? A No, sir.

Q You talked to no one? A No, sir.

Q Except this girl? A I didn't talk to anybody.

Q Did you talk to this girl, Edith, about your son? A About my son?

Q She was up there for a week, too, wasn't she? A Yes, sir.

Q Now we get back to your daughter-in-law, when you saw her yesterday. What did she say about your son

Morton and his trip to Mexico? A Well, they had a nice trip and they had a good time there.

Q Is that all? A That's all.

Q How long were you with her? A A few hours.

Q And that is all you said in a few hours? A That's all; that's right.

Q Who else was there? A My husband.

Q Whereabouts was this meeting? A It was not a meeting, it was in my house.

Q What time? A She stays in my house.

Q But what time? A She is with us.

Q I know that, but what time did this conversation take place? A I don't know; some time during the day.

Q Doesn't your husband work during the day? A One week he works late and one week he works early. He is a pharmacist.

Q And this week? A He works late.

Q And you had this talk in the morning? A That's right. He goes to work two-thirty.

Q And what did she say, for instance, about when they were coming back, or planned to come back? A They are back.

Q I know that, but what did she say -- did she say anything about their plans for coming back? Did she

say anything about how long they had planned to stay in Mexico? A No, sir, she didn't.

Q How long were they in Mexico? A They were away a long time, I guess; I don't know how long.

Q A couple of months, maybe? A I guess so.

Q How about the mail when your son was away? Did you go over and collect his mail? A No, sir, I did not.

Q What happened to the mail? A I don't know, sir.

Q Let me ask you this question: I assume that they get milk at that house that your son lived at - they get milk delivered every day? A I don't know, sir.

Q Haven't you been there? A Yes, I have been there.

Q Don't they have young children? A Yes, they have a baby.

Q Don't they get milk? A I guess they do.

Q Don't they have a man delivering milk? A I suppose so.

Q Don't they get newspapers? A I don't know.

Q Do you get milk? A No, I don't.

Q Do you get newspapers? A I buy newspapers.

Q Well, did anyone order the gas or electricity shut off? A I don't know, sir.

Q As far as you know, they didn't? A No, sir.

Q Did you collect any mail at your son's house, at any time? A No, sir.

Q Did you go over to your son's house while he was away? A I was there once.

Q Did your husband go over? A No, sir.

Q Did anyone go over? A I don't know that.

Q Who had the keys to his house? A Edith Levitov.

Q She had the key? A Yes, sir.

Q Did she live there while they were away? A No, sir.

Q Where did she get the key? A She lived with them.

Q She stayed there all the time they were gone, is that right? A No, sir.

Q Where did she go when they left? A She went with us to the country.

Q But she came back after a week - what did she do when she came back? A She went to Washington.

Q I thought you said she was working in Washington before that. A She was not, sir. She lived with her sister.

Q Did she work in New York? A Yes, sir.

Q Whereabouts? A I don't know that, sir.

Q You say she is in Washington now? A Yes.

Q You don't know where she is? A She is home.

Q Oh, she lives in Washington? A That's right.

Q Whereabouts? A I don't know the address offhand.

Q What street is it? A It is in Arlington, Virginia.

Q When did she go home? A I don't know, sir.

Q Do you know whether she had the gas or electricity cut off? A I donot know, sir.

Q But you didn't do it? A That's right.

Q And you didn't collect any mail at all? A No, sir.

Q And you only received one letter from your son? A That's right.

Q Where is that letter? A My husband has it.

THE FOREMAN: You received one letter. Now, you are a mother, and have a supposedly very devoted son, and I would like to say, too, that this group here have children - some may and may not - and we are rather intelligent, I think; and with all that devotion you didn't write your son a letter at all down there in Mexico?

THE WITNESS: I didn't know where to, sir.

(CONTINUED BY LB)

THE FOREMAN: You did not know?

THE WITNESS: No, sir.

THE FOREMAN: As a mother with such a devoted son you weren't interested in knowing where he was?

THE WITNESS: I was interested, sir.

THE FOREMAN: You were interested but not to the extent of getting his address to write to him?

THE WITNESS: I knew he would take care of himself. He's a grown man. He's been away from home a long time; he has always taken care of himself.

THE FOREMAN: Isn't it quite natural for a parent or mother, after two months, to write to the child?

THE WITNESS: I did not know we had to write, sir.

(Mr. Lane, resuming:)

Q Did you have his address in Mexico? A No, sir.

Q Well, he wrote to you from there, didn't he? A He wrote only the last week.

Q From Mexico? A Yes.

Q He gave you his address then, didn't he? A No, sir.

Q No address on the letter? A No.

Q You did not know where he was all this time? A No, sir.

Q As a matter of fact, didn't he communicate with

you while he was away? A No,sir.

Q You are sure? A Positive.

Q You are positive, and you know this is under oath? A Yes.

MR. LANE: You are excused temporarily and you are still under subpoena, and the Foreman will tell me when they want you to come back again. Tell your husband to wait a minute. We'll have him in for a second. You can go now.

(WITNESS EXCUSED)

L O U I S S O B E L L , called as a witness, having first been duly sworn by the Foreman, testified as follows:-

BY MR. LANE:

Q Mr. Sobell, how old are you? A 61.

Q Are you a citizen? A Yes, sir, that's right.

Q You are the father of Morton Sobell? A Yes.

Q You have a lawyer outside too, haven't you? A That's right.

Q He has advised you of your constitutional rights and so forth? A Yes.

Q You received some mail from your son, did you, in the last few weeks? A I did.

Q Where was it from, Mexico? A I got a letter. I have no envelope.

Q Did you get a letter with no envelope? A It is not worth asking where it is from.

Q Will you produce that letter so we can mark it for identification? A Yes.

Q This is the only letter you received? A That's the only letter I have got.

(MARKED GRAND JURY EX. 1, this date.)

Q Did you receive any telephone calls from him? A No, I did not.

Q Or did you receive any messages of any sort while he was away? A No.

THE FOREMAN: You did not receive any?

THE WITNESS: I said I did not receive any.

Q Did you know what he was away for, the reason why he was away? A All I know is, as my wife told me, he spoke to her and said he would be away for a vacation, took a vacation, a lengthy vacation somewhere.

Q A little louder now. A I said, all I know is what my wife told me. I didn't get it. He will be away for a lengthy vacation.

Q Who is Bob -- Bob's baby -- who is Bob? This letter says Bob. A That's Babs. That's my daughter. She is pregnant and she is due.

Q This is from Evelyn, isn't it -- "Love" -- is this Evelyn, what does that say, what is the signature on that? Evvie, is that it? A Evvie, is that what it is? I don't know.

Q It looks like it. But that is your son's handwriting? A I assume it is. I don't know.

Q You know your son's handwriting? A I didn't correspond very much with him.

Q That looks like it, doesn't it? A It looks like it.

Q You say you received that when? A Well, let me see. About -- did I say last week? Yes, last week, Tuesday I got home and opened the box and found this letter in there.

Q Do you know Edith Levitov? A Do I know Edith Levitov? Yes, that's the sister.

Q Does she live with you people? A She lives with us for a short while.

Q Well, did you go away with her up to the country? A Well, I don't know whether I should answer that question or not.

Q I might save time by telling you I asked your wife the same question and she went out and consulted with her attorney and she came back and answered it after consulting with him. The answer is Camp Unity. Does that relieve your mind any? A All right, if you want it that way.

Q Did you go to Camp Unity with your wife? A Yes, I was on vacation at that time.

Q And Edith Levitov was up there? A Yes.

Q While you were there you discussed your son Morton, didn't you? A I don't know what you mean by discussed.

Q You discussed what he was doing in Mexico and the fact that he was away, didn't you? A I don't know what I should say. How do I know he was in Mexico? I couldn't discuss anything. I didn't know where he was so I couldn't discuss anything about Mexico or any other place.

Q You didn't know where he was? A No; of course not.

Q You sure you did not know where he was? A I am sure I did not know where he was.

Q Were you told where he was? Did anyone tell you where he was? A Nobody did and I didn't know.

Q Was this the first indication that you had that he was in Mexico, when you got this letter? A I do not know whether this was the first. This is the only letter I ever got from him since he was away.

Q This was sent from Mexico? A I do not know.

Q You got the envelope, Mr. Sobell. Don't be too reluctant. A Well, I haven't got the envelope.

Q You read the envelope that it came in. You saw there was a stamp on it. Was there a United States stamp on it? A I don't remember.

Q You don't remember? A That's right.

Q Did you look at it? Here is your son that was away for quite some time. You say you did not know where he was. The letter itself doesn't indicate where he was, but there is a stamp on the envelope and there's a postmark on there, and here is a son that's been away, you do not know where he is, the letter comes in and you do not take the pains to look at it? A No, I did not.

Q For your information, your wife told us the letter was from Mexico. You are being a little too reluctant. I realize you are the father, but at the same time you are a citizen of the United States and you are bound to answer any questions which do not tend to incriminate you -- the answers to which do not tend to do so. When I ask you a simple question like that, you even try to evade that. A I am not trying to evade anything.

Q Answer the questions truthfully. I am not interested in prosecuting you. You are in here as a witness and a father. I have nothing against you. But, on the other hand, if you are going to be reluctant and you are going to insist upon refusing to answer questions -- and to me this is a studied refusal, this isn't just the average refusal to answer because you do not know. You do know the answers to these questions and you should answer. I am going to be patient but not too patient. A Well, I don't know the answer.

Q Did you discuss with your wife the fact that he was in Mexico? A I did not discuss anything.

Q Did you ever hear your wife say he was in Mexico? A No, I did not.

Q When the letter came in, who received the letter -- did you receive it? A I took it out of the box, yes.

Q Did you look at it? A I opened it up and I read the letter.

Q What did you say to your wife then? A I showed her the letter.

Q Did you show her the envelope? A I did not show her the envelope.

Q Was Edith Levitov there? A Maybe. I do not think so.

Q Did you talk to her about the letter? A No,sir, I did not.

Q Did you tell her that you received a letter from your son? A No, I did not.

Q Why? A Why should I talk to Edith Levitov?

Q She lived with you, didn't she? A She didn't live with us at that time when I got the letter.

Q Have you seen her since you got the letter? A No.

Q You haven't seen her at all? A No.

Q Have you talked with her? A No.

Q You haven't talked with her at all? A No, I did not.

Q When is the last time you paid your dues for your union? A I do not remember when.

Q How long ago, a month, two months, three months? A I paid this month's dues.

Q This month's dues? A Yes.

Q When did you pay it? A I do not remember when.

Q Was it after you received this letter? A I do not remember.

Q Did your wife go down with you when you paid your dues? A I don't remember.

Q Do you remember ever talking with Edith Levitov down at the union headquarters? A Do I remember?

Q Yes. A Yes.

Q When was that? A That was on Monday.

Q Yes, and yet you just said that you never talked

with her before. You discussed this whole case -- A Just take it easy now. Wait, just a minute. I got this letter on Tuesday after two FBI men came down and accosted me where I was working on the prescription counter.

Q When was this? A That was on Tuesday, Tuesday about one o'clock.

Q My dear man, this says August 8th on this letter. A week ago last Tuesday was the 22nd of August. A You can find out when two FBI men were down my place where I worked and stood in front of me and interfered with my work.

Q That's what you say. A And then when I got home I had that letter in the letter box.

Q When did you talk with Edith? A That was Monday.

Q Last Monday, wasn't it? A Yes.

Q That was the 20th, wasn't it, August 20th? A Yes, and the letter I got Tuesday, Tuesday, after I got home from work.

Q You did what? A The letter I got the next day after I got home from work.

Q The letter is dated August 8th. A I do not know about the date, Mister.

Q How did it come, was it an air mail letter? A I do not remember. I don't think it was.

Q The letter is dated August 8th; your conference with Edith was on August 20th; and you are telling me that

you got the letter on August 22nd. The conference with Edith was on August 21st, and you are telling me you got the letter August 22nd? A That's right. I got it on Tuesday. I am telling you I got it when those two men saw me in the store, and whenever I got home. They accosted me and told me I should tell them where Morton is. I told them I did not know, and when I got home I found the letter.

Q You found the letter on the 22nd? A That was Tuesday.

Q I do not want to remind you that you are lying, because you are. The letter could not possibly have been sent in that time because yourhusband was in custody. He was arrested last week. I am sorry, your son was arrested last week. But I do notice you catch these little mistakes in here very readily; you are quick to note them. Your son was in custody and it would have been impossible for him to write a letter dated August 8th that you got on August 22nd. It would have been impossible to have sent the letter. How would he send it? He was in custody. He wasn't in Mexico at that time at all. He was in Texas, in custody. So I think you are telling a lie. A I am not lying.

Q And I must remind you that you are under oath and you are subject to the penalties of perjury. Are you a Communist? A I refuse to answer that question.

(Cont. by IFG)

Q On the grounds it may tend to incriminate you? A That's right.

Q Have you ever been affiliated with the Communist Party? A The same answer. I will go out and ask my lawyer.

Q No, you gave the answer, and I am not pressing it. A Then if you are not pressing me, don't ask me the question.

THE FOREMAN: You answer the question here.

Q The only answer that you can give is that you refuse to answer on the grounds it will tend to incriminate you? A That's right.

Q And, incidentally, Mr. Sobell, I wouldn't suggest that you get fresh with this jury. A I am not fresh.

Q Your attitude isn't very good at all. As far as I personally am concerned, that does not matter, what you say; but as far as these jurors are concerned , it does matter. These jurors are going to pass upon your testimony. You can't insult their intelligence, even though you think you can. So please at least be civil in your answers. A I am civil. Look, mister, I have a blood pressure of 250, and I have a damaged heart, and if you want to press me any more go ahead and do it.

Q I am not pressing you. A I am answering you all I know.

Q why did you destroy the envelope? A Not for

any reason.

Q Did your wife or anyone else ask you where the envelope was mailed from? A No, nobody asked.

MR. LANE: Mr. Foreman, will you excuse this man until next Wednesday, one week. A week ago yesterday - next Wednesday, you will return here, at eleven o'clock.

THE FOREMAN: I want to ask you one question: Why does it incriminate you to answer as to whether or not you are a member of the Communist Party? Are there any tenets in the Communist Party that make you think it would be a crime if you answered the question?

THE WITNESS: I don't know how to answer that.

THE FOREMAN: You know pretty much about the Communist Party, and you know not to answer.

THE WITNESS: I suppose I do. You can't help knowing it, by reading the papers and so on.

THE FOREMAN: Supposing I asked you if you were a Republican or a Democrat or a Socialist, how would you answer that?

THE WITNESS: The answer would have to be the same.

THE FOREMAN: The same answer?

THE WITNESS: Maybe I am wrong.

Q You are excused until next Wednesday, and you are still under subpoena. A All right. May I go now?

Q Yes.

(WITNESS EXCUSED)

A N N H. S I D O R O V I C H, called as a witness, having first been duly sworn by the Foreman, testified as follows:-

BY MR. LANE:

Q You live in Cleveland? A Yes.

Q How old are you? A 32.

Q Where did you go to school? A What school?

Q I mean any school. What is your education, high school and college? A Grade school, high school -- grade school in New Haven, Conn., high school in New Haven, Conn. Some college in Cleveland.

Q What college? A Cleveland College; some night courses there.

Q When were you married? A 1941.

Q And to whom? A Michael Sidorovich.

Q You have a child? A Yes.

Q What is her name? A Andrea Ann Sidorovich.

Q How old is she? A 15½ months.

Q Born when? A May 9, 1949.

Q You are married to Michael Sidorovich? A Yes.

Q What does Mike do? A He's a draftsman.

Q Whom does he work for? A Gas Machinery Company in Cleveland.

Q What does he make for a salary? A $275 a month base salary, and then there's additional.

Q Do you work at all? ANo, not right now.

Q Had you worked prior to the birth of your child? A Yes, I had.

Q Where did you work? A Lindner Coy, Cleveland.

Q What is that? A Specialty shop, department store.

Q What did you do? A Sales person and then assistant buyer.

Q Did you work in New York City at all at any time? A Yes, I did. I worked in clothing factories, as a maid --

Q You worked where? A I worked as a maid first and then in the clothing factory --

Q As a maid? You mean housemaid? A Yes.

Q Whom did you work for? A Some people called Toomarkin.

Q Where do they live? A I think it was Washington Heights, New York.

Q What is their name? Spell it. A T-o-o-m-a-r-k-i-r

Q Where do they live in Washington Heights? A It was a street that wasn't called a street but a Place. I do not remember the name.

Q Some Place in Washington Heights? A Yes.

Q When did you work there? A The first year I came to New York, and that was in 1939, I believe.

Q I assume you were born in New Haven, is that correct? A Yes.

Q When did you meet Mike? A When I went to New York.

Q 1939? A Well, it might not have been '39; it may not have been until '40.

Q Around '39 or '40? A Yes.

Q You knew him for about five or six years before you married him? A No, I knew him for -- we were married in '41 -- just several months or a year at the most.

Q You bought a place here in New York, didn't you? A Yes, in Chappaqua.

Q When did you purchase it? A It was the very early spring of '42, I think, or '43.

Q What did you pay for it? A I think it was $2500.

Q And did you finance it through some bank? A No, it was financed through the previous owners.

Q Who were they? A They took a mortgage on it. Their name was Felgenhauer.

Q Spell it. A F-e-l-g-e-n-h-a-u-e-r .

Q Where were they located? A They lived in Chappaqua.

Q Do they live there now? A No, I don't know where.

Q They lived in this house? A Yes, before we purchased it.

Q I am going to show you some pictures and ask you if you can identify these pictures as pictures of the house and the general surroundings outside the house up at Chappaqua. A Yes.

Q Do you recognize it? A Yes.

Q Where's the aqueduct? A That's it.

Q Those are the hydro-electric stanchions that are up there? A Yes.

Q Do you recognize them? A Yes, definitely. The pictures are definitely the house. Some of them look a little different now.

MR. LANE: May the record indicate that Mrs. Sidorovich has identified the house and the surroundings.

Q Do you recall when you received the deed to the place? A Well, I don't know whether -- no, I don't. I don't know whether we ever got a deed because it was sort of a tenant contract thing. We were just paying monthly.

Q You eventually received a deed to it? A A deed to it, yes. I do not remember. I remember a search that was made. We got that. I do not remember when we got the deed.

Q I have here a certified copy of the deed. Do you see, that's January 18th, 1945 -- do you see? A Yes.

Q Mike Sidorovich residing at 10 Monroe Street, New York City, and Rose Martin and Mildred Martin, residing at 106 -- A Those are the people whom we sold it to.

Q I see. Do you recall when you gave that deed? A This is a deed?

Q Yes, that is a certified copy or a photostatic copy. You see, I am pointing to the signature. Do you

recognize that signature? A Yes, that's Michael's.

Q This is the deed which you gave at the time you sold the place? A Yes.

Q Were you in New York at that time? A When we sold the place?

Q Yes. A No, we were in Chappaqua.

Q Were you in New York City at the time that you sold the place or were you living at Chappaqua? A We were living at Chappaqua then.

Q Do you own an automobile? A Yes, we do.

Q What kind is it? A Studebaker.

Q What year? A 1941.

Q When did you purchase it? A I think it was August of 1948, just before we went on a vacation.

Q How muchdid you pay for it? A Around eight hundred.

Q Do you know where you purchased it? A In Cleveland

Q How did you happen to purchase it? Whom did you purchase it from? A A private person. We saw an ad in the paper I think.

Q You saw an ad in what paper? Was it the Plain Dealer? A I couldn't tell you what paper it was. We were looking in all papers.

Q At the time you purchased the automobile you say you looked in a lot of papers, you were looking for a car, you looked for the Want Ads, ads for automobiles, second-hand cars, and I suspect that you probably looked at several

cars before you picked this one out. A We were looking for a long time, yes.

Q Did you see other people -- did you try to purchase a car from other people? A I think we went around different places. We went to a lot of parking lots and things like that.

Q Do you remember some of them? A I can't tell you where they are. We just walked around and looked.

Q Do you remember any names? A No.

Q None at all? A No.

Q None at all? A No.

Q Not a single one? A All I can think of is the Smiling Irishman, and we didnot go to him.

Q Do you remember any that you went to? A No.

Q None at all? A No, I can't think of their names.

Q Who was with you when you went around to look at these cars, did you take your husband? A Mike and I generally.

Q Yes, and who else sometimes? A No one that I can think of.

Q What? A No one that I can think of.

Q No one that you can think of? A No. I do not quite understand your question.

Q You being serious now or are you trying to be funny? A No, I am not trying to be funny.

Q Because at this time, after that answer, I must

remind you that you are testifying under oath. A Yes.

Q And you are subject to the penalties of perjury if you tell a lie. Now, think hard. You saw that man out there in the anteroom, didn't you? A I saw several people, yes.

Q Did you ever see him before? A Which one are you talking about?

Q That's Mr. Pfleger whom you bought the car from. A Which one was that?

Q The man sitting out there on the left hand side. A Right close to us?

Q Yes. A He's the man we bought the car from?

Q Yes, he's the man you bought the car from, Robert Pfleger. A I didn't recognize him.

Q Does he look different? A I didn't recognize him.

Q He recognized you? A Did he?

Q Yes. A I am afraid I did not recognize him.

Q Think hard now and get your thoughts together, because this is important, no need for you to be hiding anything. A No.

Q So I don't want to bring two or three people in here who were present -- who may not be right on the spot, I can bring people in here who actually saw that transaction take place. I don't want you to suddenly remember that you weren't there or that certain people weren't there with you. A We purchased a car, there is no denying that.

Q No question about that? A Not at all.

Q When you purchased the car your husband was there and someone else was there. Now, what I want to know, I want you to tell me in your own words who else was there with you? A When we purchased the car was someone with us?

Q Yes. Tell me what happened the day you went to get the car? A Well, we must have read the ad in the paper. I think it was a day when Mike was not working because we decided to go out and see it. I think we called first to find out what the price was. I don't know whether the ad mentioned price in the newspaper or not. And then we went out to see it.

Q What happened when you got there, whom did you see, the owner? A Yes. I think this fellow was standing right in the driveway, right next to the car.

Q It was a private home, wasn't it? A Yes, it was a private home.

Q Didn't you get into the car and try it out? Didn't he take you for a little ride in it? A Yes, I think we did.

Q As a matter of fact there is no question about it. A Yes.

Q You tried it out and came back. Then what happened? You didn't buy it right away, did you? A We looked at the machinery, we opened up the hood, and looked at the upholstery I remember; it was a little shabby.

Q Who was with you at that time? A Well, this man was there and I was there andMike was there.

Q Was he the only one -- just those three? A I can't remember anyone else being there. There were some people in the back yard. We said hello to them when we paid the money for the car.

Q Who was in the back yard? A I do not remember exactly. Ithink there were several women. There might have been a child. And I think there was an elderly gentleman, I am not sure.

Q Didn't you leave and come back before you bought the car that day? You didn't buy it right away. You went and saw some other cars in the meantime and came back in about two hours and then you bought the car, do you recall that? A We did see several other cars. I don't remember whether it was that day or not.

Q That wasn't so very long ago. About a year ago, wasn't it -- two years ago? A Two years.

Q Don't you remember those events? You should. The day you bought the car, what happened, who was with you? Did anyone ver go around with you and your husband to look at these cars to help you decide whether you should buy them, or did you ask anybody to go round with you, or did they ever go around with you? A No, no one went around with us when I was with Michael. I think there may have been someone with Michael when he went several times.

Q Who do you suppose was with him? A I do not know.

one of the boys with him.

Q What boys, their names? A I do not know. I can't say names because I do not know who did.

Q Mrs. Sidorovich, you are being very very reluctant. A I do not know whether --

Q Look, you are either going to cooperate or you are not going to cooperate, and I think you know what I am talking about, so let's get down to brass tacks and start cooperating. I am not going to stand for this too long. You tell what you know about this. A I am telling you.

Q You are not telling everything because I am going to bring people in to prove you are not telling everything. You are going to have a chance to tell the truth now, or else. Have you talked to anyone since you received the subpoena? A We visited one or two people on the way in to New York. We drove.

Q Whom did you visit? A We stopped at my brother's place in Pittsburgh.

Q What's his name? A Michael Hanusiak.

Q Where does he live? A In Pittsburgh.

Q Yes, I know. What's the address? A 509 Noblestown Road.

Q When did you stop at his place? A Late evening. We wanted to break our trip up.

Q What day? A It was last night -- no, night before last.

Q And did you tell him why you were coming here? A Yes, we did.

Q What did you tell him? A We said we had a subpoena to come in to the grand jury because we knew these people, Rosenberg and Greenglass. We thought it was in reference to the espionage trials.

Q What did he say, if anything? A Well, he told us not to worry about it.

Q What does he do? A He works for the IWO.

Q IWO? What's that? A International Workers Order, an insurance group; they sell insurance.

Q Whom else did you see since yougot the subpoena? A Well, then we rode down to Frenchtown. We have our home -- summer cottage there. We thought out parents would be there at this time. We stopped thereto see them. We found they weren't there, so we visited the Markowitzes; they have a permanent home there.

Q The Markowitzes? Who are they? What's the first name? A Simon, I believe.

Q What does he do? A I don't know.

Q Whom does he work for? A I don't know.

Q How long have you know n him? A We met them once or twice when we purchased that particular tract of land down there.

Q Frenchtown, is that in Pittsburgh? A No, it is New Jersey.

Q Frenchtown, N. J.? A That's right.

Q Where is it located? A Right on the Delaware River across from Bucks County.

Q What large city is it near? A Flemington I think is close by.

Q Did you tell him what you were coming to New York for? A No, we did not.

Q You did not discuss it at all? A No.

Q Have you talked to a lawyer since the FBI talked to you in Cleveland? A No, not at all.

Q Have you talked to the Rosenbergs or any of their representatives? A No.

Q Do you recognize that picture? A No.

Q Do you know William Perlmutter? A No.

Q Do you know William Perl? A No.

Q Let me get that straight again. The witness has been shown a picture of William Perl, also known as William Perlmutter, and the witness has denied that she has ever seen that man, is that correct? A Not that I ever know of, yes. I saw him in pictures that the FBI showed me.

Q But you do not know the man? A No.

Q You never talked with the man? A No.

Q Did thisman accompany you when you purchased the car from Mr. Pfleger? A No, I would say no.

Q You say positively he did not? A I would say so, yes.

Q Did anybody accompany you the day that you purchased the car from Pfleger in 1948? A I don't think so.

MR. LANE: Mr. Foreman, would you excuse Mrs. Sidorovich temporarily and admonish her not to talk to anyone until she appears here again this morning?

THE FOREMAN: Did you hear what Mr. Lane said?

THE WITNESS: Yes.

THE FOREMAN: You are temporarily excused and you are not to talk to anybody.

THE WITNESS: All right.

(WITNESS EXCUSED)

R O B E R T E . P F L E G E R , called as a witness, having first been duly sworn by the Foreman, testified as follows:-

BY MR. LANE:

Q Mr. Pfleger, what is your business? A I am in the advertising business. I am an Account Executive for Meldrum & Fewsmith Advertising Agency in Cleveland.

Q You reside at 4202 -- A 5202.

Q Albertly Ave., Ohio? A Yes. It is Palmer, Ohio.

Q Do you have a telephone number there? A Yes.

Q In the early part of July of 1948 you owned a Studebaker car? A That's correct.

Q What model was it? A It was a 1941 club coupe.

Q Champion, wasn't it? A Champion, yes,sir.

Q Did you have occasion to advertise for the purpose of selling that car? A I did.

Q What did you do with respect to the advertisement? A Do you mean where did I insert it?

Q That's right. A There were two ads inserted. One was in the Cleveland Press and a later ad in the Cleveland Plain Dealer.

Q Do you recall approximately the time that you placed those ads in the newspapers? A I can't swear to the exact dates; they were approximately these: the ad in the Sunday Plain Dealer ran I believe on the 10th and the 11th of July.

Q Now did you receive a visit -- I will withdraw that. Did you eventually sell the car? A Yes, sir, I did.

Q Will you tell the jury the events that led up to your selling the car? A Yes, sir. The car was advertised on a Saturday and Sunday. I had a number of calls by telephone, several people to see it, and I sold it to one of these parties. One -- do you want me to go into all of the details?

Q That's right. A I sold the car to a man by the name of Sidorovich. Those people came -- they came in a party of three. There was a man whom I later learned his name was Perl although I did not learn his name at that particular time, and Mr. and Mrs. Sidorovich. There was a the peculiar circumstance at the time of the man whom I now know bythe name of Perl, came in and looked at the car, and I assumed he was the prospect; Mr. and Mrs. Sidorovich seemed to stay in the background. He examined the car, and this man Perl drove it around the block, and he seemed to be the man that knew the most about an automobile and seemed to me to be the prospect. For instance, Mr. and Mrs. Sidorovich rode in the back seat of the car.

Q Did you ride in the seat with him, the front seat? A Yes.

Q And this man Perl drove the car, is that correct? A Yes, sir.

Q Did he have some talk about automobiles with you?

A He seemedto know a great deal about an automobile, and I do not know a great deal about them, and I commented on that fact at that time, and obviously in two years some of these things are just a little bit vague, and as I remember, he said something, "I don't know a great deal about automobile engines; I know something about airplane engines."

Q Will you describe this man Perl? A He's tall, has bushy dark hair, rather his features, I would say, were rather angular and sharp, dark, walked just a little bit stooped.

Q About six feet? A I'd say he was six feet or a little bit over six feet.

Q Have you seen him recently? A Yes, sir.

Q When did you see him? A I have seen him on two occasions in the last two weeks. A week ago this Tuesday Special Investigator Fernandez from the FBI took me out to the NACA Laboratories in Cleveland and I observed this man entering his car and then identifiedhim as the man who accompanied the Sidoroviches. Did you want me to tell when I saw him later?

Q Yes. A Then I saw him again this week with a Special Investigator, Meeth, from the FBI. At that time we passed him several times in his automobile and we saw him also as he entered hiscar at the NACA Laboratories again.

Q Do you recall what the price was? A $750.

Q How did they pay it? A $100 on the day that they

agreed to buy the car, which was the Sunday I spoke of earlier, and $650 on the day of transfer.

Q Were you going to keep the car for a while? A Yes, sir. The agreement was that Mr. Sidorovich agreed to buy the automobile. However, I was awating delivery of a new car, and because I lived in a section where an automobile is necessary, I made -- we agreed, mutually agreed, that I could have the use of the car until I received delivery of the new car.

Q Did he give you a deposit at that time? A At that time he gave me $100.

Q Did you sign any papers? A Yes, sir. We drew up an agreement restricting me from selling the car to any other person, and that the only way that the deal could be cancelled would be if the delivery of the new car would fail, or I did not get that, then the deal would be called off.

Q Who drew that agreement up? A I did.

Q Who was present at that time? A Mr. and Mrs. Sidorovich.

Q Was Perl present at that time? A No, sir; he was not.

Q Was that drawn on the same day that he purchased the car? A Yes.

Q Where was this drawn? A Most of the transaction took place in the driveway of my home, the car was parked out there, and when I came back the situation seemed to reverse itself. Perl dropped into the background. The

Sidoroviches then became the prospect. There was some bickering over the price and I finally agreed to sell the car for $750, and then we entered my home and at the request of the Sidorovhches I drew up this agreement.

(Cont. by BD)

Q Was there anybody else present besides the Sidoroviches' A No, sir.

Q What did they want to give you originally for the car? A Well, I --

Q What was their offer? A Their offer was $750. I wanted $825.

Q You had some argument there at the time? A Some discussion?

Q A discussion. A No, sir.

Q Not at all. Now, you say they came there in the morning; is that right? A No. They came there in the afternoon.

Q About what time? A I would estimate the time at about 2 or 2:30 in the afternoon, or it might have been a little bit later than that, and returned within about an hour.

Q And you say they drove up in a car? A Yes, sir.

Q Who was driving that car? A Mr. Perl.

Q What kind of a car was it? A As I recollect it, I believe that it was a Chevolet of a somewhat earlier model. I thought it was about a '36, a '38; along in there.

Q What color? A It seemed to me it was either a dark blue, dark green -- the car was in pretty shabby shape.

Q Was it a two-door, four-door? A It was a sedan. I can't say with any certainty whether it was a two-door or four-door.

Q Now, after they tried the car out and took it around

the block did they buy it immediately or did they leave? A No, sir; they left, and gave me no indication whether they would buy the car or not, with some kind of remark, "Well think it over." And of course several other people had done the same thing and I just let it pass at that time. They returned I would say in an hour or a little bit less. All of this transpired between our noon-day meal and the evening meal.

Q Now, were the members of your family out in your back yard? A Yes, sir.

Q And they returned, you say, within an hour? A Yes, sir.

Q Now, at the time they left did they say they were going to look over some othercars? A They didn't tell me what they were going to do.

Q And had they dickered over the price before they left? A No, sir.

Q They hadn't talked price? A No, sir.

Q But they said they would return, did they? A Yes.

Q Did they ask you to hold the car? A No, sir.

Q Did they ask you about the price? A No.

Q They didn't ask you about the price? A No. It developed later in the conversation. The car was advertised without a price and that's one of the reasons they asked for the $750 price. I had quoted a $750 price over the telephone, and after several other people had looked at the car they seemed to think it was worth eight hundred and a quarter,

so when he came I asked that much money and he held me to the price that I quoted over the telephone.

Q Did his wife enter into the discussions very much? A Except in the drawing up of the contract.

Q What did she do in that? A Oh, she suggested several things that should be put into it, oh, how the car should be held for them and to protect them.

Q Was the agreement typed or was it -- A It was hand-written.

Q And did you make a duplicate? A No, sir, I didn't.

Q And you gave them the agreement? A Yes, sir.

Q Did they ever give it back to you? A It was destroyed. If I remember correctly, it was destroyed the day we made the transfer.

Q Did your wife see these people at all or any members of your family? A In the last couple of weeks we have tried to find out if my wife could remember any of these people. She did remember Mr.Sidorovich. She could not identify Mrs. Sidorovich and she could not identify Mr. Perl.

Q Do you have a small child? A Yes, sir.

Q The reason I asked that is, there was some -- there was something said by Mrs. Sidorovich that she recalled having waived goodbye and she saw several people in your backyard, including a small child. A Well, my mother and father-in-law-- that's right, my baby was out there, and my mother-in-law and father-in-law, in the back yard.

Q How old was the child? A The child at that time was three years old. He is five now.

Q Now, is there anything else you can recall, Mr.Pfleger, about the entire proceeding? A That's all that I can remember

Q And when did they make the final payment on the car? A On the day of the transfer, which was July 22.

Q And what happened on that day? A I met only Mr. Sidorovich at the County Recorder's office. I had the bill of sale from my car which I turned over and he turned over the balance of the money.

Q And at the time that you met the Sidoroviches, that is, when they came to your house to purchase the car, did Sidorovich introduce these other two people to you? A No, he did not; because in the beginning it looked as though Perl was the purchaser and not until we went into the house to draw up the agreement did I learn any of their names and that Mr. and Mrs. Sidorovich, and he then of course introduced me.

Q Now, I have a photograph of William Perl. Is that the man that you have identified? A Yes, sir.

Q And is that your signature on the back? A Yes, sir.

MR. LANE: May the record indicate that the witness has identified William Perl.

Well, now, Mr. Foreman, I think that's about all I have to ask Mr. Pfleger. If you or any of the Jurors have --

BY THE JURY:

Q Just the one question: whether or not when you identified Perl last week he had the same car in which he drove up to your house? A No, sir. He has -- he is now driving a new Dodge.

Q Did Perl go into your house when the agreement was drawn up? A No, sir. Perl remained on the side yard.

BY MR. LANE:

Q Did Perl tell you where he was working at that time? A No, sir, he didn't.

Q Did Sidorovich tell you? A I don't believe he told me where he worked. But he did tell me at the time or somewhere along the line I got the impression that he was a draftsman.

Q At that time? Or is it something you learned since then through the FBI? A I have since learned where he worked. But at that time when the FBI first questioned me about this they wanted to know then if I knew where he worked. I couldn't remember and I told them that I thought he was a draftsman, and they have never told me whether he is or he isn't.

Q At the time you saw Mr. Perl was he wearing a hat? A No. It was in the summer time, warm weather, July, and they were dressed very informally. Neither of the men had coats and did not have hats.

THE FOREMAN: If there are no further questions, you may be excused. And thank you very much, Mr.Pfleger, for your testimony.

[WITNESS EXCUSED]

M I C H A E L S I D O R O V I C H, called as a witness, having first been duly sworn by the Foreman, testified as follows:

BY MR. LANE:

Q Your full name? A Michael Sidorovich.

Q Your address? A 8706 Carnegie Avenue, Cleveland, Ohio.

Q Occupation? A Draftsman.

Q Whom do you work for? A Gas Machinery Company.

Q How long do you work there? A Since the latter part of June.

Q What salary? A Base salary of two seventy-five a month.

Q Whom did you work for before that? A Bower Surveys Company.

Q Cleveland? A Cleveland.

Q During what period of time? A Ten weeks. I don't recall exactly. I got a statement from him. I know it was --

Q Well, approximately what time, what months? A I think April, May and June.

Q 1950? A This year.

Q And before that whom did you work for? A Before that I worked for the Gafford Corporation.

Q Cleveland? A Cleveland; business brokers.

Q How long? A Oh, I worked for the Gafford Corporation, oh, I believe I started working for them in about July or August of 1949.

Q As a draftsman? A No.

Q As what? A As a licensed real estate salesman.

Q And what was your remuneration for that job?
A Strictly on a commission basis.

Q Well, what did you make, on the average, a year?
A Oh, I believe I did around $1500.

Q $1500 a year. Is that all? A Well, I wasn't with them a full year.

Q You were with them ten months, weren't you?
A About ten months.

Q Well, what did you live on during that time?
A Well, I had to live on whatever money I had put aside before that.

Q How much was that? A Well, we had bonds and my mother sent us some money and my wife managed the money and I don't know exactly how much we had, I mean in round figures; in round figures I couldn't tell you.

Q Well, roughly, in round figures what did you have, altogether, counting the bonds and the money your mother sent you? A Oh, possibly three thousand, maybe more.

Q How much did you have in the way of bonds?
A I don't recall.

Q Roughly. A I can't. I couldn't say.

Q Give me an approximation. A I couldn't give you an approximation because I don't recall how much I had.

Q You don't know how many bonds you had? A That's righ

Q Didn't you look at them? A I looked at them, but I didn't count them.

Q That's a little unusual. What did you do before that? A Before what?

Q Before you worked for this real estate company? A Before that I tried selling furnaces.

Q For whom? A There was a furnace company -- I wasn't with them long. I believe I was with them for about a week or so and I collected no compensation.

Q And prior to that whom did you work for? A Prior to that I worked for the Tucker Industries.

Q Cleveland? A Cleveland.

Q What period of time? A From about the middle of '45 to about Thanksgiving of '48.

Q As a draftsman? A As a draftsman.

Q And what did you get for a remuneration there? A Well, it varied, but my average -- but my base rate was $2.10 an hour.

Q Well, what was the average? A I believe I did better than $90 a week.

Q Did your wife work at that time? A My wife worked at that time.

Q What was she making? A Well, she was getting, I think -- as I recall, she was making about $35 a week.

Q Whom was she working for? A The Lindner Company of Cleveland.

Q How old are you now? A Well, I have to figure that--

Q Do you want my pencil? A Thirty-four.

Q Were you in the service? A No.

Q Why? A I was deferred.

Q Why? A 4-F.

Q Well, I know; but what's the reason? A Eyes.

Q Did you have a punctured ear, or what? A My eyes.

Q What was your Draft Board? A I believe it was number 11 or number 12, down on Astor Place, here in New York.

Q Do you own an automobile? A I do.

Q What is it, what year? A It's a '41 Studebaker.

Q When did you purchase it? A In the summer of '48.

Q From whom? A The name I don't recall.

Q You got a bill of sale, didn't you? A That's right.

Q Did you ever look at it? A Not recently.

Q But you have looked at it? A That's right.

Q Do you recognize the man that you purchased it from? Have you seen him today? A I saw him today.

Q Robert Pfleger; that's his name. A I don't recall the name.

Q Now, when did you decide to buy this car? A The day I saw it.

Q The day you saw it, yes; but when did you decide to buy a car? A Well, I had been looking during the summer of '48 for a car, I wanted to purchase a car. I had put in a bid for a new car for some time since and I hadn't heard

anything from the dealer with whom I had put in the order.

Q Who is the dealer? A I believe it was Cole Motors.

Q Cole Motors in Cleveland? A Not Cole. It was Erdlac.

Q And where are they located in Cleveland? A They are located on Broadway. And when I put my order in they had -- this was before they moved to the quarters they now occupy.

Q Where are they now? A Now they are on Broadway.

Q The same place? A No. They are on Broadway now.

Q Where were they before? A Before, they were someplace on 79th Street. I don't recall the location.

Q And whom did you deal with there? A Well, I spoke to Mr. Erdlac himself.

Q When was this? A Oh, this was I think in '46.

Q '46? A Yes.

Q You put an order in then for a car? A Yes.

Q What kind of a car? A A studebaker.

Q A new one? A A new one.

Q And then what happened? A Well, then he wouldn't take any deposit. He said he would just keep me in mind. And he sent me -- once or twice he sent me an invitation to come down and look at new cars that were in, just as a -- that were just on display, to keep up my interest. I didn't go down, although I called him on several occasions. I called him once or twice and I couldn't get to speak to him. I spoke to whoever was in charge there and he said they were all filled up, all their orders -- all their cars were

on order and they couldn't promise me anything at all. And I believe I went down to Cole Motors and spoke to them, too, and they were busy too. So that when I -- in '48 I got disgusted waiting and I also figured that the market might drop down and I might be able to get a car without too much waiting, and, well, nothing happened and when nothing happened I started looking around used cars and so I answered many ads and made many telephone calls and inspected many used car lots, looking for a car.

Q Well, what used car lots did you visit? A Specifically, I couldn't give you the names, because --

Q Well, you must remember some of them. A You could walk down Euclid Avenue not far from where I live and you could find -- one, two miles, you could find five or six used car lots.

Q Well, what were some of them? I don't live in Cleveland, so I don't know the answer to that. A I don't remember any of their names.

Q You don't remember any of the names where you went? A No.

Q Why? A Well, there was no reason to remember.

Q Well, as you walk down the street now you remember some of them you went to before. As you pass by them now in Cleveland you look at some of them and say, "That's the place where I went before." A I don't say that to myself. There is no reason for me to say that to myself.

Q There is, now; I'm asking you. A Well, I'm telling you.

Q Well, now, refresh your memory, see if you can't remember one of those places, at least one; you can remember one of them. A Well, there is numerous ones coming up all the time.

Q What? A There is new ones springing up or did spring up all up and down the street there, one of them right, I think, within about two blocks of where I live; I believe it's called Elkhart.

Q Elkhart. Did you try that place? A I believe I walked around there a lot.

Q Was there anyone with you when you went to Erlac? A Erdlac?

Q Yes. A Yes, I went down with somebody who knew Erdlac.

Q Who is that? A A fellow by the name of Joseph Chilenko.

Q A friend of yours? A He was working with me at the time.

Q Where does he live? A He lives in Cleveland.

Q Whereabouts? A Well, he has moved and I have heard that he -- his father died and he had bought a home or something like that and I haven't seen him, although I have spoke to him over the telephone.

Q You called him up? A He called me up.

Q What's his telephone number? A I don't remember.

Q If I wanted to get in touch with him where would I communicate with him? A I could find him in the telephone book.

Q Do you know where he works now? A Now, no.

Q Now, you looked in the newspapers, I imagine, before you purchased this car. A That's right.

Q On the day that you purchased it, tell me what you did. You looked at the paper first that morning?
A That's right.

Q A plain dealer, wasn't it? A That's right.

Q And what did you do after you saw it? You spoke to your wife? A Well, I called several different ads and -- to find out what they have for sale and what they wanted for it. Then I -- then my wife and I went out and we went to look at some of those that I had called.

Q Whom did you visit? A Well, there was -- there were others I saw which I don't recall at all.

Q You don't remember the names of the people? A No.

Q Where they lived? A No.

Q How did you go out to these places? A By public transportation. I didn't have a car. I had to use the street car or the bus, one or the other.

Q Well, at this stage of the proceedings I think it's my duty to warn you, advise you, that you are testifying under oath and that you are subject to penalties of perjury

which includes the possibility of being indicted for perjury if you are not giving truthful answers. Now, I realize it's two years ago, but you certainly know how you went out to Pfleger's house. Now, once again I repeat the question: How did you go out to Pfleger's house on the day that you bought the car? A You mean the man from whom I bought the car?

Q Yes. A As I recall, I took a bus, a street car and bus or a bus and street car out there.

Q You talked to him outside here this morning, didn't you? A Yes.

Q Didn't that refresh your recollection as to the events of that particular day? A Well, what do you mean by "refresh"?

Q Well, couldn't that recall to your mind what took place on that day? A I recall that I bought the car on that day.

Q Yes. Now, tell us what happened. Your story is that you went there by public bus. What bus did you take to go out there? A Well, I hadn't ever been out there before and I had to go through the Cleveland transit system map and pick out a route and follow the route to get out there.

Q What time did you leave your home that day? A I believe it was after lunch.

Q What time? A I couldn't tell you whether it was 1 o'clock or 2 o'clock or 12:30.

Q You and your wife left home? A That's right.

Q Now, where did you go from the time you left home and the time you got out to Pfleger's place? A I can't recall whether we stopped to see any other cars or not. I don't recall that we did.

Q You had a list in your pocket, didn't you? You have just testified that you telephoned several people.

A That's right.

Q You made appointments, didn't you? A I didn't say I made appointments.

Q Well, did you make appointments? A I don't recall that I made any appointment.

Q You made an appointment with Pfleger. A I told him that I -- that his ad was interesting and that, if possible, I would be down to see him.

Q Did you talk price over the telephone? A I asked him -- let's see. If I recall, I asked him what he was asking for it. I must have spoken price with him.

Q What did he say? A Let me think. Yes, I believe -- yes, he told me that he wanted $750 for that car.

Q And you told your wife, did you, what he said he wanted? A I don't recall.

Q Well, what cars were you interested in, just Studebakers? A Well, I looked at other cars, I mean I looked at Chevrolets and I looked at Fords and I looked at Willys. But it was my understanding that a Studebaker was

a good car.

Q So, when you were looking at these ads in the papers, did you restrict yourself to telephone calls to people who had Studebakers for sale? A I wouldn't say restricted myself, but I favored them because I found, in inspecting the ads, that you could get a more reasonable price quoted on a Studebaker than you would for, say, a Chevrolet or a Ford; they apparently were more popular, and so were the Plymouths, and so you could get a better buy on a Studebaker.

Q Now, had you looked at cars prior to that day? A Oh, yes.

Q Do you know anything about an automobile? A What the average fellow knows.

Q Did you know anything about it in those days? A Well, I had had two cars before that.

Q Did you? When did you have them? A When I was living up in Chappaqua, New York.

Q What type of car? A Well, one -- I had a Chevvy.

Q What year, what model? A Oh, I don't remember the model. It was an old car.

Q Whom did you sell it to? A I didn't sell it. I gave it away.

Q Whom did you give it to? A My brother-in-law.

Q What's his name? A John Hanusiak.

Q Did he live in Pittsburgh? A No.

Q Where? A New Haven, Connecticut.

Q When did you give the car to him? A Shortly after

I bought it.

Q Shortly after you bought it? A Yes.

Q When did you buy it? A I bought my first car, I believe, around '42.

Q What did you pay for it? A Fifty dollars.

Q Did he ever visit you in Cleveland? A No.

Q When you were -- and you owned the second car, you say? A Yes.

Q When did you purchase that? A I purchased that, I think, about half a year later.

Q Where? A Through my brother-in-law, John Hanusiak. He purchased it for me in New Haven and I went down to New Haven and bought the car.

Q How much? A I believe I paid $135 or $145.

Q What kind of a car was it? A It was a DeSoto.

Q And did you turn in the Chevvy as part of the deal? A No.

Q And did you take that car out to Cleveland with you? A No.

Q What did you do with it? A With what?

Q With the DeSoto? A The DeSoto, I brought it from New Haven to Chappaqua, New York, where I used it for transportation from the house to the railroad station.

Q Well, when did you purchase it? A Shortly -- about half a year after I bought the other one.

Q Well, you said you bought the other one in 1945.

A Which other one?

Q The Chevvy. A No, I did not. I said I bought that around '43.

Q '43. And you bought the DeSoto after you moved up to Chappaqua? A I had the Chevvy when I was already in Chappaqua.

Q When did you go to Chappaqua? A In Chappaqua, I believe I went up there either in '42 or '43. I believe it was in '43.

Q And you bought the car? A No; I bought the car after I had already been in Chappaqua.

Q But you say you gave the Chevvy away? A I gave it away.

Q To your brother-in-law? A That's right.

Q Was that before you purchased the DeSoto? A That was before I purchased the DeSoto.

Q What did you use for transportation after you gave it away? A I walked.

Q How long a walk is it from the railroad to the bus station? A The railroad. There is no bus station. It's about a mile and a half from my home to the railroad station.

Q You walked that every day? A Every day except when I could get a lift.

Q In the winter, too, in the winter? A Well, in the winter I was lucky. One of our neighbors used to go to work and he used to give me a lift. I would walk down the road a

piece and I used to pick him up at his home. He used to pick me up at work and he dropped me down at the railroad station.

Q Where were you working then? A At the Koll-Morgen Optical Corporation.

Q Where is that? A Brooklyn, New York.

Q As what? As a draftsman? A As a draftsman.

Q And what were you making? A I believe I was making about $2 an hour.

Q Well, how much a week? A Oh, $80.

Q And what time did you have to get up in the morning to get to work over there? A Well, I had to catch the 6:15 at Chappaqua which would get me in about 8 o'clock at Koll-Morgen, and I used to have to get up about a quarter to five or five.

(Cont'd by LB)

Q A quarter to five. What time did you get home at night? A We used to knock off at five, used to get home pretty late, used to get home around about eight o'clock in the evening.

Q Then you would walk a mile and a half to and from the station, right? A Yes.

Q Before you moved up to Chappaqua, you were living at Knickerbocker Village, weren't you? A That's right.

Q What were you paying for rent? A We were paying -- I am not sure.

Q No, roughly; you do not have to be accurate. A I believe we were paying about $42 or $42.50.

Q Was your wife working during this period? A Up at 10 Monroe Street?

Q When you were at Chappaqua? A Up at Chappaqua she was working.

Q Where was she working? A She was working at Tailored Woman.

Q What was she making? A I don't know.

Q She get up every day with you and tak an early train? A That's right.

Q She wait for you at night? A That's right.

Q She have to make that trip too? A In the morning and at night.

Q She walk with you in the morning? A No, we used to grab a car.

Q When, in the morning? A In the evening.

Q What about the morning, she walk to the station with you? A No, she called up andthe fellow used to pick us up and take us down to the station.

Q The days he didn't pick you up. A No, he always picked us up.

Q Every day? A Every day.

Q Who was he? A His name was George. I do not know his second name.

Q Where does he live? A I do not know where he lives now. At that time he was living at Campfire Road.

Q You do not remember his second name? A No.

Q Did he give you a ride every day? A Every day. His wife's name was Peggy. She also worked and she used to ride with him too.

Q You were kindof lucky you had George and Peggy. A We really were lucky.

Q To get back to the car business -- that was a little aside. On the day -- we got to the point where you had discussed the purchase of the car with your wife and you talked with Mr. Pfleger over the telephone and he told you that the price was $750; then you say you left the house some time after lunch and you proceeded to Mr. Pfleger's house. Now, tell me exactly what you did from the time you left your house until you got to Mr. Pfleger's? A Exactly I couldn't tell you.

Q What was the route you took, what bus did you take? A If you had a map I'd tell you.

Q Can't you tell me without a map? I am not supposed to be a walking encyclopedia, I can't carry these things around with me; you are from Cleveland, I'm not. A I never had occasion to go back there.

Q Can't you remember where you went that day, what bus you took? A No.

Q Did you take a bus? A As I recall it, I took a bus.

Q Your wife was with you? A That's right.

Q You stop anywhere en route? A I do not recall.

Q Where did you get off the bus? A At the, I believe it was the end ofthe ride.

Q At the end of the ride you got off? A Yes.

Q What did you do when you got off? A I started looking around for where he lived.

Q Did you walk somewhere? A Walked.

Q Very much of a walk was it from the end of the ride to where he lived? A I got lost a couple of times trying to find the place, and I had a map at the time. I do not know how much of a walk it was.

Q You walked up to his place, is that right? What sort of a home did he have? A I don't remember.

Q You do not remember the home? You know nothing about it? A I do not remember. I mean, I might have seen it and I might have spoken to him about it. I don't remember.

Q When you got to his house did you go in the house right away? A No.

Q Where did you see him? A I believe he was, if I recall there was somebody there when we got there, and we passed the place, and then we came back, as I recall it, somebody was already there, and when we came back down the block again, after we had already passed the place, the car was standing in the driveway and I believe he was by the car or he was near the car or -- I don't recall.

Q You went up to him, did you, with your wife? A Yes.

Q Did you introduce yourself? A No, I do not believe I introduced myself.

Q You did not? A No.

Q Did you introduce your wife? A No.

Q Isn't that a little unusual? A Well, I wanted to find out what he wanted for this car because I did not want to spend $750 if I could get it for $650.

Q I know that. But you walked up to a man. Don't you identifyyourself -- didn't you identify yourself? A I went up to him and I probably asked him, as I think I would normally, asked him if he had this car for sale.

Q Didn't you say that "I am so and so and I called you this morning and we talked about price over the telephone"? A I don't believe I did.

Q You did not say that? A No. Because as I recalled later, he wanted more money for it.

Q I understand that. A I already had called him and he said, "Areyou the one thatcalled?" I said,"Yes, and you quoted me a price of $750."

Q You did not tell him your name and you did not introduce yourself? A I didn't know the man. I don't have to introduce my wife or myself.

Q I suppose your wife knows more about it than you do then? A I don't know. I haven't spoken to her about it.

Q Then what happened. A Then we spoke about the car.

Q What did you say? A I don't know.

Q You don't remember? A No.

Q What did he say? A But we talked about other things besides the car. I think we talked about the general situation

Q What was the general situation? A Yes, yes, I remember what I did. I believe I asked him whether it was burning oil and what kind of mileage he was getting,and asked him to -- of course after I asked him to he picked up the hood. Then I asked him if I could take a look in the trunk. He told me about the tires he had; theyweren't in very good shape; and we talked about the cars and how hard they were to get. He told me he had ordered another car and he did not know whether he would sell this because he did not know whether the car was coming through, I recall. When I asked him price and he quoted me $800, I told him "I already called you once before and you had quoted me $750." He said, "Well, I have had so many people looking at the car, I think it's worth more."

Q What else? A What else what?

Q What else what? What are we here for? This is not a clambake. A We agreed on the price. I told him, "I will offer you --" no, I offered him less, and after we got to talking he says he wanted to get more, and I believe I said, "Well, I will offer you the price that you quoted me over the phone." And he hesitated about that and he said, "Well, all right." But he set some conditions to the sale, namely, that if he could not get this car, he would let me know before the week was out, this new car that he had ordered, would let me know before the week was out, and that the deal wouldn't stand because --I believe I put up a deposit of $100 or maybe it was $50, for the car, and we signed an agreement, and I do not believe there were any witnesses to the agreement.

Q Where was the agreement signed, in the driveway? A No, no, no. We went into his house, into the kitchen.

Q When was that done? You see, you are telling a lot of these things and you haven't even tried the car out. Did you try the car out? A Yes, yes, I tried the car out.

Q Tell us about it, don't be bashful. A After we had been talking a while, after we looked at the car, he says, well -- I asked him if I could try it out, and he says all right. He pulled it out of the driveway, and I know he pulled it out of the driveway, that's definite.

Q How do you know? A Because I found out later that he had no emergency break so he must have had the car in gear and kept the emergency break off because I had to put in a new emergency break at my own expense.

Q Why would you have remembered it? A Because I would have noticed it and I xxx didn't know when I bought the car that he had no emergency break at all.

Q So he pulled it out of the driveway and then what happened? A And then I got behind the wheel and I drove it around -- he told me which blocks to drive it around, and I drove it around and the car responded well.

Q Did you try the emergency? A No.

Q Why? A I didn't have to try the emergency.

Q You were buying a new car, weren't you? A Yes; because I was worried aboug the clutch and what I did was step on the foot-break, the hydraulic break, and let the clutch out fast, and there was no slip there, so I knew the clutch was in good shape.

Q You did all this? A That's right. I was also a subscriber to the Consumers UniOn which had a whole list of things which you should do to a car, and I amsorry I did not do all those things to this car because I found out subsequently --

Q How could you have if you did not drive the car? A You asked me whether I drove the car and I told you I had driven the car.

Q You said you did, but I am trying to help you out before you get in too deep. Who drove that car that day? A I drove that car.

Q No one else was with you? A My wife was with me.

Q Anybody else? A No.

Q Anybody else? A No.

FOREMAN: I want to remind this gentleman again of his oath.

Q You are under oath. Once again I tell you that you are under oath and you are subject to the penalties of perjury. If your testimony differs from somebody else's who has been in here, or other people who have been in this room, I have no other recourse but to ask the Foreman and the grand jury for a perjury indictment against you. Do you appreciate that fact? A I heard you telling me.

Q You understand English? A Yes, I do.

Q Exactly.

THE FOREMAN: Do you remember when I said to you, You swear to tell the truth, the whole truth and nothing but the truth, so help you God, you said, I do?

THE WITNESS: That's right.

Q Here's a picture. Do you recognize that person? A No.

Q You do not recognize him? A No.

Q That's William Perl, also known as William

Perlmutter. For your information, Perlmutter was before this grand jury less than ten days ago. You say you do not know him? A I do not recall him.

Q Never saw him before? A I do not recall him.

Q I ask you pointblank, was William Perlmutter or William Perl as he is now known with you on the day that you went to Mr. Pfleger's house to purchase that car? A I do not recall.

Q Do you know such a man? A I don't remember having met him.

Q Again I remind you that you are under oath. You do not recall that man, you do not know who he is, you never saw him before? A He's not familiar.

Q And he was not with you on the day that you went to purchase that car? A As far as I recall he wasn't.

Q You did not drive up to Mr. Pfleger's place in an automobile? A No. As I recall it, I took the public transportation.

Q You say you never saw this man before? A I do not recall him even.

Q You do not know who William Perl is? A I do not recall meeting him.

THE FOREMAN: Answer yes or no.

THE WITNESS: I am answering.

Q Do you know William Perl? A Know him how, socially?

Q Any way. A No. I do not know William Perl.

Q Did youever meet William Perl? A I do not recall having met William Perl.

Q Did you ever converse with William Perl? A I don't recall.

Q Was there a third party with you the day that you went to Mr. Pfleger's home -- I believe it was in July of 1948 -- to purchase that car, was there a third party with you on that day? A I do not recall a third party being with me.

Q Just you and your wife go there? A That's the way I remember it.

Q You did not drive up in an automobile when you came to Mr. Pfleger's house? A As I recall, I came up by public transportation.

Q You haven't answered the question. Answer Yes or No. A Well, I do not remember having done these things. I mean, I might have met the man in the street, but I do not remembermeeting him.

THE FOREMAN: I might remind you that this is rather an intelligent jury. Now, come clean, you are fooling nobody.

(Cont. by BD)

BY MR. LANE:

Q Now, what have you got to say? Do you want to tell the truth? A I don't recall having met Mr. Perl.

Q Did you ever talk with him? A And I don't think he was with me when I went to buy the car.

Q Was there anybody with you when you went to buy the car? A I don't recall anybody being with me except my wife.

Q Did you ever talk to Mr. Perl over the telephone? A Where?

Q Anywhere? A I don't remember.

BY THE FOREMAN:

Q Excuse me a minute. You say you don't think that he was with you. But if he hadn't been with you would you recognize him? You just said you don't think Mr. Perl was with you. Well, now, who is this Mr. Perl? A I don't recall having met Mr. Perl.

Q Yes; but you said you didn't think Mr. Perl was "with me." When I say I don't think Mr. Lane was with me, when I say "Mr. Lane," I must have known Mr. Lane, to be able to say "Mr. Lane." Now, you just said you don't think Mr. Perl was with you. How do you say he wasn't with you? Did you know him before? A No, I didn't know him before.

BY MR. LANE:

Q Well, all right; we'll get back to this point. You say you tried the car out. But after having read this article as to what you should do when you buy a secondhand

car you neglected to try the emergency brake. When you pulled up in front of the house, as you say you did after you tried the car, when you came to a stop did you put the emergency brake on then? A No.

Q Do you usually put the emergency brake on whem you stop? A No.

Q You don't? A No.

Q Where was your wife during this ride? A She was sitting in the back.

Q And where was Mr. Pfleger? A He was sitting beside me.

Q And after you tried the car out did you then immediately purchase it? A No. We talked.

Q You talked. Did you go away or did you buy it at that time? A No; we bought it at that time.

Q You purchased it right there? You didn't leave the premises at all? A I don't recall leaving the premises at all

Q And you say you went inside there, into his house? A I believe we went into the kitchen.

Q Into the kitchen. And who drew up the agreement? A He did.

Q Did you and your wife talk at all? A I don't even remember whether she was in the kitchen with me.

Q And what did you agree upon as the purchase price of the car? A $750.

Q Did you make a down deposit, a down payment?

A I did.

Q You did. What was that? A I believe it was about $50. It might have been 75 or it might have been 35.

Q Did you meet anybody else at Pfleger's place that day? Did you see his wire or any of his relatives?

A He had some people sitting in the back.

Q You waived to them? A No, I didn't waive to them. I didn't know them. He didn't introduce me to any of them.

Q But you saw them? A They were sitting in the back.

Q Did your wife waive to them? A I only saw them, I believe, when I came into the kitchen.

Q You saw them. Did they see you? A Probably.

Q Who was in back there? A I don't remember. There were a number of people there.

Q Any children? A I don't recall.

Q And when did you eventually get full possession of the car -- title to it, rather? A I believe the following week he called me, during the week, and he told me that he was going to get delivery on his other car and that he will go through with the agreement.

Q You got the agreement, did you, in writing?

A I believe we both had a copy of the agreement.

Q Well, then you must have introduced yourself at the time you signed the agreement. A Well, yes, we put down our names.

Q Yes. And didn't you introduce him to your wife then?

A I might have.

Q Well, did you? A I don't remember.

Q Is your memory this poor every time that you are asked to talk? Do you have a bad memory? A Normally, yes.

Q Where did you go to school? A I went to high school.

Q What high school? A Stuyvesant High School, here in New York.

Q Oh, you went there, too? Where else? A High school.

Q No; after high school. A Then I went to Polytechnic Institute of Brooklyn.

Q When did you meet Julius Rosenberg? A Oh, Julius I met when I was in high school, over in Seward Park, after I transferred from Stuyvesant.

Q How well did you know him? A We were in two classes together.

Q You were in the same Communist cell together, too, weren't you? A What Communist cell?

Q Well, you tell me. A I didn't tell you.

Q Weren't you interested in Communist activities? A Are we talking about meeting Julius Rosenberg?

THE FOREMAN: Yes, he is asking you another question. And you answer it, too.

Q This is like cat-and-mouse, isn't it? A I feel like a mouse.

Q Well, you are acting like one. Where did you meet Julius Rosenberg? A In high school.

Q Now, you knew he was i terested in Communistic activities, didn't you? A When?

Q Well, some time in the past. A When I went to high school with Julius Rosenberg we were two kids going to high school. He was in my chemistry class and he was in my music class.

Q When for the first time did you know he was interested in Communistic activities? A I met Julius Rosenberg after high school when I went to a social given by the Young Communist League and Julius Rosenberg was there and I saw him again.

Q When? A I don't remember.

Q That was the first time you knew he was -- A This was around '35, '36 or '37.

Q Well, now, you were interested in the Young Communist League, too? A I was.

Q Yes. You went to meetings; right? A That I won't answer.

THE FOREMAN: Why?

Q On what grounds? A Well, I understand I don't have to answer any questions that may tend to incriminate me.

Q Do you think that would, because you went to a meeting of the Young Communist League? A I really do.

Q You really do? You are serious about that? You think that in itself -- there is something critical in that? A Well, I believe, in the hysteria today any admission like

that on my part wouldn't help me at all.

Q Well, it's not a question of helping you; it's a question of incriminating. How would that incriminate you, just the fact that you attended meetings? Do you think that any court in the land would convict you because you attended a meeting, or something? If I attended a meeting of the Democratic or Republican Club, am I going to be convicted for that, just for attending a meeting? Is that your idea, just attending itself is enough to incriminate you?

A No. But associating with people like that would tend to incriminate me.

Q Not necessarily. You could know Stalin, if you know him, that doesn't incriminate you; even if you know him personally, that doesn't incriminate you. Plenty of people, reputable people, have met Stalin. Our Ambassador --

A I never met Stalin.

Q -- our Ambassador, when he goes to Russia, meets Stalin. But if I asked him if he ever met Stalin he couldn't very well say the fact that he met him tends to incriminate him. Do you follow me? I mean, the fact that you know somebody doesn't incriminate you, necessarily. Of course, if you did things with him, if you went out and conspired with him, that's something else. But if you know a person -- I think I have met people who afterwards have gotten into trouble, but the fact that I have known them doesn't incriminate me. I have done nothing wrong. I happen to be

unfortunate to know certain people, but that doesn't incriminate me. I have no control over people that come up and speak to me, that I meet, but that doesn't incriminate me. You follow me? I'm just trying to find out what might incriminate you or would not. In my opinion, now, the fact that you happened to belong to something, I don't see how that could incriminate you. If you think it does, tell me in what manner it would you. A Well, there are bills up before Congress right now that says anybody who associates with a Communist or knowing a Communist or suspected of being a Communist should be put in a concentration camp.

Q No, that's not the billat all.

JUROR: Where did you get that information?

THE WITNESS: That's the Mundt-Nixon Bill.

JUROR: Who told you all about that.

THE FOREMAN: Where is that, in the Daily Worker?

THE WITNESS: It's in the papers.

Q The Daily Worker? A I don't read the Daily Worker, for your information.

JUROR: Do you ever read The Times?

THE WITNESS: No. I read The Plain Dealer.

Q Did The Plain Dealer say that? A And I read The Pres.

Q Do they say that? A They mentioned that.

Q Concentration camp? A They may not have used the word "concentration camp."

Q Well, why did you use it? A They used the word

"forced labor camps."

Q Why did you use it? A Because it means --

Q Who used "forced labor camps"? You mean the Cleveland Plain Dealer? A That's right, there was an article in the paper.

Q Oh, stop. A There is also a bill where people associating with Communists should be compelled to work -- since they can't trust them any other way, should be put into forced labor battalions.

JUROR: Where is there a forced labor camp in this country?

A (Cont'g) Apparently you don't read The Cleveland Press.

Q Apparently I don't. But if you have read the bill carefully, the bill as it's proposed, it proposes to have all Communists registered; if you are a Communist, you register "I'm a Communist," you register as that. That's legal. That doesn't mean to say that because you are a Communist you can be indicted, if you legally register and let the world know what you are. So when you say the fact that you belonged to the Young Communist League incriminates you, I don't see how, unless you can explain to me how.

A I don't say I belonged to the Young Communist League.

Q I asked you if you did and you said you can't answer that because it would incriminate you. A That's right.

Q Well, as a matter of fact, you did belong to it. I know that. You don't have to hide it from me. I don't

care whether you did or not. I know it from other sources. I can put somebody else in here where you are now to prove that you belonged to the Young Communist League.

A Well, you are going to get the proof from them, not from me

Q I can see that you are not going to cooperate at all.

A In what sense?

Q In any way. A I have told you everything I know.

Q You haven't. You have lied here today. A In what way?

Q Your story is different from your wife's. A I haven't lied.

Q Did she lie? A I don't know what she said.

Q You appreciate the fact that if your testimony differs from the witnesses in here before, I have no alternative but to indict you, or ask the Grand Jury to do that; you understand that? A You told me that.

Q And with the understanding of that you still say that no one came up to Mr. Pfleger's house on that day that you bought the car? A As I recall, there was nobody with me except my wife.

MR. LANE: Will you excuse him momentarily? But he is still under subpoena.

THE FOREMAN: You are excused temporarily.

[WITNESS EXCUSED]

R O B E R T E . P F L E G E R , recalled and again duly sworn by the Foreman, testified as follows:

BY MR. LANE:

Q Mr. Pfleger, will you tell us what bus line or car line you take from the center of Cleveland out to your home? A You told me that the man walked from the end of the car line.

Q You tell us. A I live at the edge of Cleveland, is where the car line ends. To walk from the end of the car line to my home would be at least a three mile walk. Now, he could have taken a bus up State Road, which I forgot to tell you while out here, and the bus would be about a mile walk and a mile back, and then he would have had to make that walk four times because he made two trips.

Q The testimony given by Sidorovich was that he went to the end of the line and then he walked from there to your home. A It would be about a three mile walk four times; well, at least twice would be six miles.

Q And in territory with which he wasn't familiar, so it was almost impossible to have found it then? A That's right; the street is not a well known street.

THE JUROR: The witness said bus.

THE WITNESS: There is a bus line that serves the street known as State Road, from the end of the car line out for several miles. He could have taken the street car to the end of the line, got on the bus and got off at my street.

JUROR: But the bus does not terminate near your house?

THE WITNESS: No, sir.

JUROR: How far is the walk from the bus to your house?

THE WITNESS: A mile.

JUROR: And the bus terminal is at the end of the car line?

THEWITNESS: It has changed since then, but at that time it was true.

BY MR. LANE:

Q So at the end of the bus line it is a mile to your house? A Not from the end of the bus line. It is a mile from my house to a bus stop.

Q What is the distance from the end of the bus line to your house? A That would be several miles.

Q What is the distance from the end of the car line to your house? A I would estimate at least three miles.

BY JURORS:

Q Did your in-laws meet this man Perl? A No,sir.

Q They speak with him at all? A No,sir. The negotiations for thecar were carried on in the driveway of my home, and the car was somewhat to the front of the yard. Perl did not -- theywere sitting in the back part of the yard, under the trees, Sunday afternoon.

Q Do you think they could recognize him? A They

have been unable to identify any of his pictures, and my wife tried to identify Mr. Perl this week and was unable to do so.

Q Are any of them in a position to say whether there were two or three people there? A Yes, sir.

Q And they say there were three? A Yes, sir.

Q In signing the agreement -- was there anything wrong with your hand-break, emergency break? A Yes, I believe there was.

Q Was that discovered at the time they were driving the car around? Was mention made of it? A No; at least I do not recall it, if there was. But the thing is that this third party drove the automobile and Sidorovich never drove the car until I delivered it to him.

Q Did you back the car out of the driveway? or Perl? A Perl backed it out.

BY MR. LANE:

Q You say there are people there who saw three people but could not identify them? A Yes, sir.

Q Your wife could testify there were three people there? A Yes, sir.

BY JURORS:

Q Signing the agreement was where, in the house? A In the house.

Q In the kitchen? A Yes.

Q Who was there? A Mr. and Mrs. Sidorovich and myself and I believe my wife came in to get some writing materials and just walked in and walked out.

Q Did you ride in the car when Perl drove it around? A Yes, sir. I rode in the front seat alongside of Perl, and Mr. and Mrs. Pidorovich rode in the back seat.

Q When you returned from that drive with Perl, where was the car parked? A In the same place in the driveway, in the same position approximately that we had taken it out.

(WITNESS EXCUSED)

M I C H A E L S I D O R O V I C H, recalled.

BY MR. LANE:

Q You are still under oath.

(To the Foreman) Will you admonish him of that fact?

THE FOREMAN: Yes, you are still under oath.

Q (Cont'g) Now, Mr. Sidorovich, tell us once again what transportation you took out to Mr. Pfleger's house on the day that you purchased the car. A I repeat, as I recall, I took public transportation, street car and a bus or several street cars and a bus.

Q You say you took a street car and a bus? A I believe that's what I took.

Q How far did you take the street car; to the end of the line? A I don't recall.

Q Well, you said you went to the end of the line and you walked. A On the bus I went to the end of the line.

Q And you walked from there? A I walked.

Q Now, why did you leave your work at the optical company in Brooklyn? A Well, I was commuting, I was commuting a lot, and I was fed up with the job.

Q They didn't fire you, by any chance, did they? A No, I was not fired.

Q Where did you look for work after you left the optical company? A I took a long rest. I didn't look for work. I tried -- I put up a property in Chappaqua for sale and I thought -- I spoke to my wife, I believe, about getting

out of New York and going somewhere else.

Q Why did you go to Cleveland? A No particular reason.

Q Why did you select the Tucker Company to go to work for? A I didn't select the Tucker Company to go to work for. When I came to Cleveland I went to several firms, looking for employment, and the first firm I found employment with was the A. W. Hecker Company.

Q I know; but when you worked for Tucker how did you happen to work for them? A Well, there was one fellow I was working with who told me about Tucker. At that time they weren't known as Tucker. At that time they were known as the International Aviation Corporation.

Q Why did you go to work for them? A And I couldn't get a raise that they had promised me up at A. W. Hecker, so I decided to go to work to find other employment and then I got this lead from Tucker or, rather, International Aviation Corporation and I went up to see the man in charge up there.

Q Who was this man that gave you the lead? A A fellow I worked with. I'm trying to remember his name. I can't remember his name.

MR. LANE: Gentlemen, and Mr. Foreman, will you excuse this man until tomorrow? And admonish him not to discuss his testimony with anyone else.

JUROR: Can I ask him one question?

How long a walk was it, would you judge, from the end of the car line to purchase this -- to the man who

was selling this car?

THE WITNESS: You mean in miles?

JUROR: Yes.

Q No, not in miles, necessarily; in yardage. How far from the house -- how far a walk was it? A Well, as I say, as I recall, I got lost trying to find --

Q You went to the end. You say you took a car line. You went to -- you got off the car line somewhere and you took a bus and you went to the end of the bus stop.
A I got off the end of the bus stop and I walked around looking for --

Q Was it close to the bus stop, the place where he lived, in that vicinity, a couple of blocks away?
A I don't remember exactly where he was. I remember that we walked around quite a bit trying to find the street.

Q Circled around there. Well, his place is fairly close to the bus stop, wasn't it, the end of the bus line, in that vicinity somewhere? A It was in that vicinity somewhere, yes.

Q Say -- A But whether it was three blocks or four blocks or five blocks --

Q Well, within eight or ten blocks, somewhere in that vicinity? A It was the only way to get there that I knew of, except by taking a taxi.

JUROR: How many blocks would you estimate his house was from the end of the car line?

THE WITNESS: I don't know. I was only there once and, as I say, I was lost.

JUROR: Well, you know how much you had to walk. How much did you have to walk when you left there?

THE WITNESS: Well, we just strolled along.

JUROR: About how many blocks?

MR. LANE: Well, we'll take that up tomorrow.

If there are no further questions, you may be excused until tomorrow.

THE WITNESS: I'm coming back tomorrow?

THE FOREMAN: Yes. And you are cautioned not to discuss any of this conversation.

THE WITNESS: With anybody?

THE FOREMAN: With anybody.

MR. LANE: Well, if he wants to talk to a lawyer about it, give him that permission.

THE FOREMAN: Right.

MR. LANE: If he wants to tell a lawyer what he told to the Jury today.

[WITNESS EXCUSED]

A N N S I D O R O V I C H, recalled.

MR. LANE: Will you advise the witness that she is still under oath and subject to the penalties of the oath?

THE FOREMAN: Do you know what Mr. Lane told you?

THE WITNESS: Yes.

THE FOREMAN: You are still under oath to tell the truth, the whole truth and nothing but the truth.

BY MR. LANE:

Q Now, on the day when you went out to Mr. Pfleger's place—did you recognize him outside, incidentally, outside the Jury room? A When you told me, yes.

Q You recognized him? A Yes.

Q On that day your husband looked at some ads in the Cleveland paper, is that correct, on a Sunday? A Yes. I think we always do.

Q Did he talk to you after he saw the ad about this Studebaker? A Well, I don't remember. He may have.

Q Well, at any rate, you had decided to go out and see this man, didn't you? A Yes, I think so.

Q And did you telephone him before that, or did your husband? A Well, yes, I think we phoned him about the price.

Q You phoned about the price? A Yes.

Q And who talked with this man; your husband?

A I think so. I'm not sure.

Q And what did your husband tell you that the man said?

A I don't remember what he said.

Q You don't remember? You don't remember what the price was? A (No answer.)

Q What's the answer? A I'm not sure.

Q Well, didn't he say $750? Didn't he say this Mr. Pfleger has a car he wants to sell for $750; wasn't that it?

(Cont'd by LB)

Q Didn't he say $750? Didn't he say, "This Mr. Pfleger has a car he wants to sell for $750"? Wasn't that it? A He couldn't have said Mr.Pfleger because he did not know the person.

Q He talked with him, didn't he? A I do not know whether he did.

Q Didn't he introduce himself over the telephone? Didn't he tell Pfleger who it was that was calling? A Yes, he did, I imagine; they generally do.

Q Yes, that's what I say. Nothing wrong with it. Didn't Pfleger tell him what his name was? A I don't know.

Q In other words, your husband did not tell you that? A Didn't tell me what?

Q Didn't tell you whom he was going out to see? A Well, we must have been going out to see a car. I don't remember.

Q Didn't he tell you the address? Didn't your husband tell you where you were going to see this car? Didn't he write it down? He must have written down the name and address of the man he was going to see or else how could he find him? A He could take the paper along, I guess.

Q Did he take the paper along? A I don't know.

Q You went with him. A I do not remember these little things.

Q That's not so little. That's the day you bought a car. This is the man you bought the car from. A Yes.

Q What time did you leave your home that day? A It was some time in the afternoon, I think.

Q Where were you living? A Same place we are now, 8706 Carnegie.

Q And it was after lunch, was it? A I don't know; it might have been.

Q Was the child born at that time? A No.

Q And how did you go out there, take a cab? A No.

Q How did you go? A We must have gone by street car.

Q What street car did you take? A I don't know.

Q You know where you went. Were you ever out that section before? A No, I don't think we were.

Q What street car would you normally take to go out there? A We usually go by car I guess.

Q Where did you get off? A I don't know.

Q Did you go to the end of the car line? A I don't think so. We got off and took a bus, I think.

Q Where did you go on the bus, to the end of the line? A It might have been. I don't know. Michael did all the directing. He knows Cleveland better than I do.

Q You were with him. You know where you went, the end of the line or what street you got off. What street did you get off? A I do not know. I don't even remember where this man lived.

Q You went with your husband? A Yes, I did, but I did not pay attention to what street.

Q Did you get off somewhere between Cleveland and the end of the car line on the trolley car? Or did you go to the end of the car line? You know that. A I don't think we went to the end of the car line.

Q You do think you went to the end of the car line? A No.

Q You got off somewhere? A Yes.

Q You take a bus? A Yes.

Q On the bus did you get off somewhere between where you took the bus and the end of the bus line? A I don't remember whether it was the end of the line or not.

Q After you got off the bus where did you walk to? A We walked down a broad street, it looked like an avenue, and we kept looking for the street. I think we got lost and walked around a bit.

Q How far was it from the place you got off, how many blocks? A I don't remember. We just walked around because we lost --

Q How far a walk, how long were you walking before you found the house, five minutes, an hour, two hours? A It might have been closer to a half hour.

Q Half an hour it took you to walk? A I am not sure about that.

Q You were lost. You went around several different streets. A Yes, sir.

Q On the way back how did you get back to Cleveland,

the same way? A Yes, I think so.

Q It didn't take you any half hour to get back to the bus? A No, I think the man told Michael how to go and the bus line he used.

Q How long did it take you to go from Mr. Pfleger's house to the bus line on the way back, three or four minutes? A I don't think we went directly back to the bus. I think we stopped for a snack.

Q I know that, but how many blocks was it? A I don't know.

Q Was it a few, was it two or three? Would you say it was about five minutes from where he lived to the bus line, taking out the time that you had the snack? A It might have been a little more than five minutes, I think.

Q Not verymuch more, was it? A Probably not.

Q Between five and six and seven, eight minutes, is that about correct? A It might be, I am not sure.

Q To the best of your recollection is it? A Yes, I would say so.

Q On the way back you then took a bus and then you took a trolley car, is that right? A Yes.

Q What time did youget back to your home? A I don't know. I don't know whether we went directly home. We usually do not when we are out for the afternoon.

Q Did you meet anybody, any friends? A I don't think so.

Q Did you meet William Perl? A No, I don't think so. That's the man on the picture?

Q Yes. A No.

Q You don't know him? A No.

Q Never met him? A No.

Q Do you know the Rosenbergs? A Yes.

Q Very well? A We were quite friendly.

Q Do you know Vivian Glassman? A Glassman?

Q Yes. A No.

Q Never heard of her? A Never heard of her. Vivian Glassman?

Q Yes. A No.

Q Vivian Glassman. A No.

Q Never heard of her? A No.

(Cont. by BD)

BY MR. LANE:

Q Here is a picture of Vivian Glassman. Do you recognize her? A No.

Q You never saw her before? A I don't think so.

Q You never talked with her? A I doubt it.

Q You never heard her name mentioned? A No.

MR. LANE: May the record indicate that the witness has seen three pictures of Vivian Glassman.

Q Do you know a man by the name of Morton Sobell? A No. I have seen a picture in the paper.

Q You never saw him? A No.

Q Do you know [redacted] A No.

Q You never saw that picture before? A No.

Q Do you know Joel Barr? A No.

Q Here is a picture. You don't recognize him? A No.

Q Do you know Alfred Sarant? A No.

Q Do you know the Greenglasses? A Well, I have met Ruth. I cannot remember meeting David.

Q Now, think hard. Weren't you in their apartment in December or January, rather, of 1945? A In the Greenglasses' apartment?

Q No; in Rosenberg's apartment when the Greenglasses were there. A I have been trying to remember that meeting since Mr. Harrington told me of it and I do not remember meeting Ruth and David together at any time. I remember meeting Ruth once -- I don't remember the date or the year --

FOIA(b)7 - (C)
FOIA(b)3 - Rule 6(e), Federal Rules of Criminal Procedure, Grand Jury

at the Rosenbergs.

Q Is that the only time you ever visited the Rosenbergs, was once? A No. We visited them frequently. We were neighbors.

Q You lived upstairs over their apartment over in 10 Monroe Street? A That's right.

Q So you saw a lot of them? A Fairly frequently.

Q Were you sick in the spring of 1945? Were you ill after January of 1945? Did you have a breakdown of some sort? A Yes, I was very close to a breakdown. I don't think it was as late as '45. I think it was a little earlier. It was when I was working for The Tailored Woman.

Q What happened? A Well, I just sort of overworked and got too tired and had to quit working.

Q And did you see your doctor? A Yes.

Q What doctor? A His name was Dr. Hart.

Q And what's his address? A Oh, I don't know. He lives miles -- a long distance out of New York.

Q Well, whereabouts? What's the name of the place? A I can't tell you.

Q Oh, come; oh, you can remember something.
A If I had my address book I would be happy to give you the address.

Q Well, how far out of New York is it? A It took almost an hour and a half to get there.

Q Is it Long Island? Is it Westchester? Where is it?

A It might have been out in Jamaica.

Q Dr. Hart. How do you spell it? A H-a-r-t.

Q What's his first name? A I don't know. I have always called him Dr. Hart.

Q You don't know his first name? A No.

Q Did he charge you any money? Did he charge you for the visits you made to him? A He charged me regular doctor's fees.

Q How much did you pay? A I think it was $3 a visit, and it may have been more when I was getting shots.

Q Now, once again, did you -- oh, by the way, you have that address book with you, don't you? A Yes.

Q Where is it? A In my purse out in the other room.

Q Would you go out and get that address book and find out what that address is? A Surely.

[The witness leaves room and returns.]

(Cont'd by LB)

A Dr. Max Hart.

Q And the address? A 6345 Wetherole Drive.

Q Where? A It doesn't say. I just have diredtions to get there.

Q What are the directions? A You take the GG train to 63rd Drive.

Q Take What? A The GG train. That's the subway; 63rd Drive. That's all I have.

Q What's the GG train, that Lexington Avenue? A I don't remember.

Q It is one of the local subways? A Local?

Q Yes, it is the subway system? A It is the subway, yes. I do not remember whether it was local or not.

Q You say it is out in Jamaica? A I think it is in that direction.

Q It is in New York City, isn't it? A Yes.

Q When you were out purchasing the car, where was the car located at that time, in the driveway? A I think it was in the driveway.

Q When Mr. Pfleger got in the car what did he do, where were you sitting and where was your husband sitting, beside him? A I think I was sitting in the back; it was a small car; and my husband must have been sitting with him.

Q When Pfleger drove the car out of the driveway -- he drove it out of the driveway? A I think he did, yes.

Q He drive it around the block for you? A Yes.

Q Because he had a license? Your husband didn't have a license, did he? A Mike has always had a New York license.

He did not have an Ohio license. A I don't know.

Q When Mr. Pfleger drove it around the block and came back, what if anything did Mike do? A Well, we looked, I think we picked up the hood and they looked around in there at the motor, because I didn't know anything about it.

Q You are sure Mike wasn't in the back seat with you, your husband? A I don't believe so.

Q He was sitting beside the driver, is that right? A I think so, yes.

Q Try and get those positions fixed. You are sure he wasn't in the back seat? A I don't think so, no.

Q He was in the front seat? A Yes.

Q Next to the driver? A Yes.

Q You are sure of that? You are sure he wasn't in the back seat? You ought to know that. You are sure he wasn't sitting in the back; you are sure he was up front with the driver? A I think he was up front with the driver.

Q Do you remember any conversation between him and the driver? A I think there was some about the mechanics of the car.

Q You sure Mr. Pfleger was in the car as it went around the block? A Yes, I am sure of that.

Q You are sure of that? A Yes.

Q You are sure he drove the car too; you are sure of that? A Yes.

Q What was that answer? A Yes.

Q When you got back to the house did you leave the place then and come back? A You mean the place where the car was?

Q Yes. Did you buy it right away or did you leave and then come back? Did you look at some other cars that day?

(Cont. by BD)

A Well, I don't think we purchased it right away. I think we went out.

Q And came back? A And came back, yes.

Q And did you go for a snack, or did you look at some other cars in that vicinity? A We may have stopped for a cup of coffee. I don't remember.

Q And you came back. How long after did you come back; about an hour after? A I don't know. Some time during the afternoon.

Q And at that time you dickered about the price; he wanted a little more than 750? Was there some conversation about that? A Yes, I believe somebody had convinced him that he could have gotten a lot more for it.

Q Then there was some dickering back and forth? A There might have been.

Q And then you went into the house? A Yes, we went in the house to sign an agreement.

Q Where was it signed; in the kitchen? A Yes.

Q And it was drawn up in longhand? A Mr. -- the gentleman drew it up, yes, and we signed it.

Q Mr. Pfleger? A Yes.

Q And while you were there you looked out the back window and you saw people in the back yard; is that correct? A Yes, I think we admired his place.

Q He had a nice place? A Yes, it was quite nice.

Q A big place? A Well, I don't think it was big, no.

It was small, a single-family home, I think; it was a small single-family home.

Q Well, who was in the back yard, that you waived to? Do you remember you said you waived to somebody in the back yard and they waived to you? A I didn't waive to anyone, because I didn't know anyone.

Q I thought you beckoned to somebody or they waived to you. I thought you said that before. A No.

Q Are you sure? A Yes.

Q Well, then you talked about the price. And there were conditions there, weren't there; that he wanted to hold the car until he got a new one, or something like that? A Yes. Well, the market was bad and he wasn't sure of getting a new one; and that was why we went into the kitchen to write up this agreement, I believe.

Q And then after you had written the agreement up you then left? A Well, that was the end of the deal.

MR. LANE: Well, now, I think it's quite late; it's 1:30. Could you excuse Mrs. Sidorovich?

THE FOREMAN: Yes.

But I want to ask you one question. You said someone convinced Mr. Pfleger of the price. Who was that someone?

THE WITNESS: No. I said --

THE FOREMAN: You said someone convinced Mr. Pfleger of the price, and then you went in. Who was the someone?

THE WITNESS: Convinced Mr. Pfleger of the price?

THE FOREMAN: Yes, about the price.

THE WITNESS: About the price we paid for it?

THE FOREMAN: Yes, 750. Your testimony is that someone convinced Mr. Pfleger that he would sell it for 750. Now, who was that someone?

THE WITNESS: Well, we did, I and my husband.

THE FOREMAN: Oh, you are the someones? When you say "someone," you mean your husband and yourself?

THE WITNESS: Yes.

MR. LANE: There was nobody else there, you say?

THE WITNESS: No.

MR. LANE: Is she excused now, Mr. Foreman, until tomorrow?

THE FOREMAN: Yes, until tomorrow.

[WITNESS EXCUSED]

M I C H A E L S I D O R O V I C H, recalled as a witness, having first been duly sworn by the Foreman, testified as follows:

BY MR. LANE:

Q Mike, you know the Rosenbergs, don't you? A Yes.

Q You were at their house one night in January? A January when?

Q 1945. A I believe so.

Q Did you meet the Greenglasses there, too? A I don't recall.

Q Do you know the Greenglasses? A I know Dave, yes.

Q Do you know him very well? A Fairly well.

Q To get back to the day you bought the car -- you say that you went out there and you went out there alone. Now, look; if you want to say anything different, say it now, will you, for your sake. A No.

Q You don't want to change your statement at all? A I told you -- what I told you, I believe that's the way it happened.

Q Nobody with you? A My wife.

Q How long did it take you to go back from Pfleger's house to the bus line? You got a bus back, did you? A I don't even remember how we went back. I think we started out in another direction. I don't recall.

Q How far was it from Pfleger's house to the bus line? A Oh, I don't know. I reall y don't remember.

(Cont'd by LB)

Take #6
8/30/50
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LB-1

Sidorovich

Q Two or three blocks? A No, I didn't pay any attention to the time. We just walked and walked and walked

Q Did you go direct from Pfleger's house to the bus line? A I don't remember.

Q Did you stop anywhere? A I don't remember.

Q You do not remember whether you stopped or not? A No.

Q You do remember that you bought the car as soon as you took it around the block and tried it, you do remember that? A Not as soon as I took it around the block and tried it. After I spoke to the man a while.

Q You dickered a while? A Yes; and then I bought it.

Q You said before you did not leave the place and came back an hour later? A No, I do not remember doing that.

Q Why didyou drive that car if you did not have an Ohio license? A I had New York license.

Q Did you have an Ohio license? A No, I had a New York license.

Q Why were you driving an Ohio car with a New York license, you know that's against the law, don't you? A It may be against the law but I did it at the time.

Q Why did you do it; that doesn't make any sense. A Asfar as I know there is no law that says you cannot drive somebody else's car if you have an out of state license

Q You sure Pfleger did not drive the car around the block? A No.

Q You say you are not sure? A No, I am sure he did not.

Q You are positive he did not drive the car?

A That's right.

Q You positive you drove the car? A That's right.

THE FOREMAN: You are excused until tomorrow.

(WITNESS EXCUSED)

M I L D R E D I. P F L E G E R, called as a witness, having first been duly sworn by the Foreman, testified as follows:

BY MR. LANE:

Q Mrs. Pfleger, you live in Cleveland? A Yes, that's right.

Q And what is your address? A 5202 Albertly Avenue.

Q And your husband's name is what? A Robert.

Q Do you recall the sale of a car back in 1948? A Yes, I do.

Q What sort of a car was it that you sold? A It was a 1941 Studebaker club coupe.

Q And I believe that you inserted, or your husband did, an ad in one or two of the Cleveland newspapers. A Yes, that's right.

Q And as a result of that ad your husband received several inquiries by telephone? A Yes.

Q Now, do you recall the party that purchased that car? A Yes, I do.

Q And do you recall the date when the -- or, the day when the car was purchased? Was it a Sunday? A Yes, it was a Sunday afternoon.

Q And do you recall the month? A Yes, July.

Q And the date? A I'm not sure of the date. I think it was the 11th.

Q That's on a Sunday? A Yes, it was on a Sunday.

Q Now, can you tell me what transpired with reference to the sale of the car, to your recollection, what you saw? A Well, there were three people that came to look at the car, there were two men and one woman.

Q And did you actually see them? A I saw them, yes.

Q And where were you? A I didn't talk to them, but I saw them.

Q What time was it in the day? A It was in the afternoon. I would say around two, three o'clock; something like that. I can't be sure of the time.

Q And where were you at the time that you saw them? A I was in the back yard, sitting out relaxing, and I saw all of the people.

Q And were there some other people in the back yard with you? A Well, they didn't come back where I was, but it all transpired on the side of the house.

Q No; I say were there other people in the back yard with you? A Oh, yes, there was.

Q Well, who was there? A My mother and my father.

Q And what are their names? A Mr. and Mrs. Kessner.

Q And your little son or daughter was there too with you? A I think my son was napping at the time. I don't recall.

Q How old is he? A He is five.

Q And was there anyone else in the back yard? A No, there wasn't.

Q And did you have a view of the driveway from the back yard? A Yes, I did.

Q And where was your car parked? A In the driveway, about half way up the driveway.

Q Now, could you describe these people? A Well, all I know is -- I have identified the one gentleman. The other one, all I know is that he was a tall, dark-haired man. I couldn't say any more than that. And there was a woman with them.

Q Now, you saw in my office a few minutes ago two people who are Ann and Mike Sidorovich? A Yes.

Q Do you identify those two people that were there? A I do.

Q And then you say there was a third man there? A Yes.

Q Who is tall and dark? A Yes, that's right. That's about all I can say.

Q How far were you away at the time? A I should say from here about probably up to the end of that ladder or whatever that is back there.

Q Say about, oh, it must have been about 30 yards away? A I would say about that.

JUROR: No; that's between 30 and 40 feet.

A (Cont'g) I would say roughly --

Q About the length of the courtroom here? A That's right; maybe. I'm not a very good judge of distance. I don't know.

Q And the other man, could you tell about how old he was? Was he youngish? A Yes, he was a young man.

Q Tall? A Yes.

Q Dark? A Yes, dark.

Q His features were -- A I really couldn't tell about his features. I saw the man from the side. I saw him bending over the car. But that's all I could say about that gentleman.

Q Was he conversing with your husband at that time? A Yes, he was.

Q Do you recall whether the hood was up at that time? A No, I don't recall that.

Q Well, now, I'm going to show you a picture, two people on the left; and does that refresh your recollection? A Yes. I saw these people in Cleveland, too, this same picture of these two people.

MR. LANE: May the record indicate that Mrs.Pfleger has identified the pictures of the Sidoroviches, Mike and Ann.

Q Now, do you recall whether or not they came back on that day again? A Yes, they did.

Q About how long after? A Well, they took the car out for a little drive. Is that what you mean?

Q Yes. A And then returned.

Q Well, did you see them get into the car? A Yes.

Q The four of them? A Yes.

Q And do you recall who drove the car? A Yes. It was the tall man, I believe.

Q And your husband, where was he sitting; next to him? A I think he was next to him.

Q And the Sidoroviches were in the back? A In the back. I'm not absolutely positive of that, but I think that's the way it was.

Q Did you notice how they came up to your place? Were they talking or in a car? A They were in a car.

Q Did you see the car? A Yes, I did.

Q Do you recall what sort of a car it was? A No. It was parked in front, that's all I know about it.

Q You don't know the model or anything? A No, I really don't.

Q Did you see them leave in that car? A Well, I can't say I saw them.

Q The other car, the old car. A No, I can't say I saw them leave.

Q But after they took the spin around the block did they then leave and come back? A Yes, they did.

Q And came back how long afterwards? A I can't -- I don't recall exactly. But it wasn't very long.

Q And the three of them came back again? A Yes.

Q Did you see them again? A Yes.

Q Now, do you know if anyone else in the back yard saw them? A Yes, yes, my folks saw them.

Q They saw the three of them? A Yes, they did.

MR. LANE: Now, if there are no more questions --

BY THE JURY:

Q I would like to ask a question. Do you remember how this tall dark man was dressed? A No; except that he was in casual clothes, that's all.

Q Did he wear a hat? A I don't believe so.

Q Is there a place in close proximity to your home where a person could drop in and geta cup of coffee or something to eat? A No, there isn't.

Q About how far would you think it would be for them to find some place to eat? A Well, I would say a mile, at least, either way.

Q On this Sunday in July in '48 that you have been talking about how many people or groups of people came to your house to look at the car for the purpose of considering its purchase? A They were the only people that came on that day, these three.

BY MR. LANE:

Q The only ones you saw. A The only ones that I saw.

Q Did your husband tell you there were others that day? A I don't remember. I really couldn't say.

Q Because he told me yesterday there were one or two other people who came that day, but no group of three. A No; I know we had calls, but, as I say, I don't remember certain people coming that day.

Q I neglected to ask your husband this yesterday: Do you know whether or not when the Sidoroviches called in the morning, whether they gave their name to your husband?

A I don't recall that. I don't believe they did.

MR. LANE: Well, I haven't any more questions.

THE FOREMAN: You are excused, Mrs. Pfleger; and thank you very much.

[WITNESS EXCUSED]

August 31, 1950

(Mr. Lane)

bd 1 Sidorovich

M I C H A E L S I D O R O V I C H, called as a witness, having first been sworn by the Foreman, testified as follows:

BY MR. LANE:

Q Mr. Sidorovich, you may recall that in my office a few minutes ago you said to me that you thought that this Grand Jury had already indicted you for something. Do you recall that? A I do.

Q Well, now, in your presence I'm going to ask the Foreman of the Grand Jury if there has been any indictment at all as far as you or your wife is concerned.

Is there, Mr. Foreman?

THE FOREMAN: There has been no indictment whatsoever. We just want you to tell the truth.

Q That's on the record now. I told you I would assure you of that as a testimonial of my good faith -- do you recall that? -- downstairs. A I do.

Q So, it being a part of the record, there can't be any question about that. There has been no indictment. There has been no discussion, as yet, as to what this Jury is going to do with respect to your testimony.

Now, let me get back again to the occasion in 1948 when you purchased the car from Robert E. Pfleger. That was in the early part of July, 1948. You testified that you went out to his home on a Sunday afternoon; is that correct? A That's right. That's my recollection. That's correct.

Q And will you tell the Jury once again how you went to the home of Mr. Robert Pfleger? A I believe that I used public transportation in reaching the home of Robert Pfleger, and that consisted of a street car or street cars and bus, and that when I arrived at the end of the bus line I walked to the home of Mr. Pfleger.

Q Who accompanied you? A I recall only that my wife accompanied me.

Q Are you positive that nobody else accompanied you? A I'm quite sure that nobody else accompanied me.

Q Are you sure there wasn't a third person with you? A I can't recall any third person.

Q Was there another man with you on the occasion? A I can't recall any third person, any man or anyone.

Q Your best recollection is that just you and your wife went out to this Mr. Pfleger's house? A That's correct.

Q And where was Mr. Pfleger's car parked? A As I recall, the car was parked in the driveway.

Q And where did you discuss the purchase of the car with Mr. Pfleger? A In the driveway.

Q And who was present during the course of that discussion? A Mr. Pfleger, my wife and I.

Q Just you three? A That's my recollection, just us three.

Q Did you drive up to the house, Mr. Pfleger's house, in an automobile that day? A No.

Q Were you in an automobile that day when you came up to Mr. Pfleger's house? A No.

Q Did you leave Mr. Pfleger's house in an automobile? A No.

Q And when I say leave his house in an automobile, I mean after you had finished your conversation about the car did you leave in any car other than Mr. Pfleger's. You may recall you took a trip around the block in Mr. Pfleger's car; but that's not what I'm referring to. I specifically refer to your leaving at the conclusion of your conversations relative to the purchase of the car; how did you leave his place? A On foot.

Q And who accompanied you? A My wife.

Q Do you know a Mr. Perl or Mr. Perlmutter? A I have heard the name and I have seen the picture, but I don't recall ever meeting Mr. Perlmutter.

Q Was he present on that Sunday during your conversation with Mr. Robert Pfleger and your wife? A No.

Q You are positive of that? A Quite positive.

THE FOREMAN: What's the answer?

THE WITNESS: Quite positive.

Q How did you return to Cleveland on that day after you had talked with Mr. Pfleger? A I'm not -- I don't recall just how we returned. I don't recall whether we returned by the same route or whether we took a street car. I know we walked quite a while going back.

Q How long did you walk, going back? A Well, you mean duration?

Q Yes. A I couldn't give you a positive answer to that.

Q How many blocks did you cover? A Going back?

Q On your way back, walking, before you boarded any transportation. A Well, that's difficult for me to answer, because as we walked we were chatting and we weren't paying too much attention to distance. It was really an afternoon stroll. We had done some business and we were returning home.

Q On that Sunday afternoon when you went to Robert Pfleger's home you said that you took a ride around the block and you said that you drove the car around the block; is that correct? A That's correct.

Q And you said that Mr. Pfleger was in the front seat beside you; is that correct? A That's correct.

Q And you said that your wife was in the back seat; is that correct? A That's correct.

Q And you said there was nobody else in the car; is that correct? A That's correct.

Q Now, when you returned from that brief drive around the block did you then consumate the deal with Mr. Pfleger for the car? A My recollection is that I didn't even drive it up the driveway again and that he got in and drove it back into the position that it was in before. I believe there was another car that was sitting there or had pulled into the driveway and had pulled out before he could pull in

again. And I remember I talked to him about the car. I looked at the tires of the car. I asked him to open the trunks so I could look in the back, and asked him about the radio and I might have spoken about a lot of items. I mean those are that I recall. And we talked and I asked him what he wanted and he quoted me a price and I offered him, I believe less, and we haggled back and forth -- rather, "haggled" is a bad word; we dickered back and forth about the price and I believe we finally came to an understanding on the price when I mentioned to him that I had telephoned him and that he had quoted me a figure which was greater than the one I offered him but less than the one that he was asking for. And then he didn't accept immediately. He told me that he had other people look at the car and that his friends, I believe, had suggested to him that the car would probably be worth more than he was asking for it. And he was reluctant to accept my offer. Well, we sat around there and talked about other things. But I don't remember -- I mean just chit-chat, without talking about the car at all. And then I believe we started talking about the car again. I made him another -- I made him the same offer and he told me his circumstance, being he had ordered another car but he didn't know whether he would get delivery and that if he made any -- if he sold the car it would have to be with that understanding, that if he couldn't get the car within a specified period of time, for my protection and his, I would

have to release him from any promise of selling me the car. So then I believe we decided to put that in writing. I don't remember whether I suggested it or he suggested it. But we went into the kitchen of his home and while there he wrote out two copies of an agreement and after we had both signed it we left, and that was that.

Q In other words, there was no break between the time you took the car around the block and the time that you actually consummated the deal? A I can't recall any break.

Q Did you and your wife leave the premises after you had returned from the short drive and before you consummated the deal? A I can't recall that we left at all.

Q Now, you say there was a car in the driveway when you returned from the short drive. A I believe there was a car in the driveway.

Q What sort of a car was it? A It was a pretty big car, big and I think it was a pretty old car. I don't remember just what the circumstances were.

Q That's when you came back from the drive around the block, wasn't it? A That's right.

Q How long did that drive around the block take; a few minutes? A Yes. I think we only rode around -- well, it wasn't just one block. I think we rode around three or four blocks in a circle there -- rather, in a square there. There is an area there which he pointed out was free of traffic, it was good testing, because, he said, that occasionally the

Ohio State Patrol used that area for testing applicants for drivers' licenses. And I recall that because at that time my wife didn't know how to drive and I thought to myself if I had a space like that closer to home, it would have been a good place to take my wife out and teach her to drive.

Q Now, was that big old car in the driveway when you reached the house before you talked to Mr. Pfleger at all? A That I don't recall. I remember that he was parked in the driveway not very far from the sidewalk.

Q Is it a long driveway? A I don't remember. I don't even remember whether he had a garage or not.

Q What sort of a house did he have? A I don't remember the house. But I remember he had a fence separating his driveway from the house, through which we had to pass in order to get to his kitchen.

Q Did you see the people in the back yard? A There were some people in the back yard, yes.

Q Did you talk with them? A No, I don't believe I talked to them.

Q Did they waive to you? A No.

Q Did your wife talk to them? A To these people?

Q Yes. A I don't recall.

Q Did you look at each other? A We must have looked at each other, because we walked by them. I mean they -- as I recall, we had to walk through a fence in the back of the house in order to get into the kitchen; we entered

through the rear, not through the front.

Q You went through the back yard? A That's right.

Q And those people were out in the back yard?

A They were out in the back yard.

Q How far away were you from those people in the back yard? A Well, we didn't have to pass right by them, that I remember.

Q How many feet away were you? From where you are to where I am? A Oh, I think it was much further than that. I really can't --

Q Well, roughly. A Even roughly I hesitate to make even an approximation, because I don't recall it very clearly.

Q Now, on your way out there, your testimony was -- up to the Pflegers' house -- that you went by trolley car a certain ways and then you got off and took a bus and you went to the end of the line and then you walked; is that correct? A That's correct.

Q And you said that you got lost out there for a while, you walked for about half an hour or so. How far did you walk? A Well, I have been thinking about that since one of the Jurymen asked me about it yesterday, and I think that I would venture a guess that it was ten blocks or less that I walked, altogether.

Q From the end of the bus line? A From the bus to where Mr. Pfleger lived.

Q Now, when you returned to Cleveland did you go to the

same spot, the end of the bus line, to get the bus?

A That I don't recall. I don't recall that we took that same route. I believe we walked in a different direction.

Q Well, was there any reason for you walking in a different direction? A Yes. Because we weren't in any hurry to get home.

Q How far did you walk before you got the bus, how many blocks? A Well, I don't recall whether we went back by bus or not. I don't recall going back by bus.

Q Well, I think you said, yesterday, that you did.

A Returning?

Q Yes. A I don't believe I said that.

Q I think you said you went back the same way.

A I don't recall going back the same way.

Q Well, so much for that. When did you buy that house at Chappaqua? A I believe I bought that house in Chappaqua in -- I'm not positive as to whether it was in '42 or '43. I believe it was in '43. I believe I lived there two years and that's why I say I believe I bought it in '43.

Q Where did you get the money to buy this automobile?

A It was money which I had been putting aside over a period of time towards a new car which I hoped to get. I couldn't -- I hadn't expected to pay out right for the car; I had expected to buy it on the installment plan.

Q Where was the money, in the bank? A No. I believe it was -- part of it was probably at home and part of it I

believe I kept in a safe deposit box.

Q Where? A In the "ational City Bank of Cleveland.

Q You still have it? A I still have the box.

Q What else did you keep in the box? A Some insurance policies which I had and my bonds.

(Cont'd by LB)

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Q How much -- where did you get the money to buy the house at Chappaqua? A That was a shoe-string affair. I cahsed in my insurance policy, and my wife --

Q How much did you get for that? A Oh, I believe I got about -- better than $250.

Q With what company was the policy? A I don't recall.

Q You don't recall the insurance company? A No. You see, it was a policy that my parents had taken out for me, and they had been making the payments on it.

Q Where did you cash it in? A At the office, and the office was in Brooklyn.

Q Whereabouts in Brooklyn? A I don't remember. I mean, I don't know what company it was. I don't think it was the Metropolitan. It could have been --

Q What part of Brooklyn was it in? A I remember I went down during my lunch period, and while I was working for the Koll-Morgen Optical Corporation, and I took a street car and I was able to do it in my lunch period without losing any time. That is, I got to the office and returned before my half hour expired.

Q You don't know the name of the company? A I don't recall the name.

Q Why did you move up there? A Where?

Q To Chappaqua. What was the purpose of going way up there in the wilderness? A It wasn't in the wilderness. Chappaqua is in Westchester County.

Q That's my conclusion in my question. I will still word it that way. Why did you go way up there in the wilderness of Chappaqua, a mile and a half from the railroad, in a place where you had to get up around five or five-thirty in the morning to get to work and you did not get home until late at night, when you were at that time working in Brooklyn, and at the time you purchased the house you were living in Knickerbocker Village? What's the reason for going away up there? A It is hard to explain the reason, but I will try. You see, I was working, and of course I never owned any property, and I had a friend who was looking for a place for himself, and he told me about this place which he had seen but which was unsuitable for him. He invited me one time, I and my wife and some other people, to take a ride out with him and look at it. So we rode out and looked at it and it was very attractive. Of course we hadn't had any experience in matters like this, but it was a very reasonable proposition. It was one acre of land and a small five room bungalow on that one acre of land. It had an inside toilet and it had a system for washing water and there was a pump in the back, and the price was very reasonable. The price was only $2500 and it could be bought on a land contract, for $500 down, and we didn't have the $500, so I tried to interest my family in it, and my parents, in loaning me the money, but they thought I was young and inexperienced, and I

imagine that they recalled the old mortgage days when a man could lose everything if he did not know what he was doing. That was of course before many of these inequities were corrected. And so they were reluctant to loan me the money, but I spoke it over with my wife and this friend who showed me the place, and he thought it was a good deal, and it was very attractive, and we went ahead and bought it, and we had to raise that $500, which was very difficult, but we managed to raise that.

Q Where did you get the balance of the money other than your insurance? A Then my wife cahsed in her policy.

Q What company was that with? A That I do not know either.

Q How much did you get on that? A I believe she got about -- well, when we combined our bonds and our insurance money we had just about enough, but we figured that we needed about $100 to take care of any incidentals such as moving and what not, and we borrowed that from her kid brother.

Q Who was that? A Paul.

Q Paul what? A Hanusiak.

Q Where did he live? A He lived at that time with his parents in New Haven, Conn.

Q This was in nineteen forty what? A '42 or '43.

Q And you purchased bonds after that, more bonds? A Yes, I had the -- not the checkoff -- this withholding

system at the plant where I worked where they kept back a certain amount for bonds every pay day.

Q How much bonds do you have now? What's the round figure? A I have one bond now.

Q One bond, is that all? A Yes.

Q What's the denomination? A I paid $75 for it. It is a $100 bond.

Q Is that all you have? A Right now that's all.

Q How much of a bank account do you have now? A Now I believe I have better than $200 in the bank.

Q That comprise all your assets in the world? A No; I believe we had about -- we came here with about $200.

Q So that you have less than a thousand dollars now? A Yes.

Q That's you and your wife? A That's I and my wife.

MR. LANE: Mr. Foreman, can he be temporarily excused and directed to come back tomorrow -- to wait outside, and if he doesn't come back today, to come back tomorrow.

THE FOREMAN: You are temporarily excused.

(WITNESS EXCUSED)

A N N H. S I D O R O V I C H, recalled and again duly sworn by the Foreman, testified as follows:

THE WITNESS: Mr. Lane, before we get started I would like to clear up a point that was made yesterday by the Foreman.

MR. LANE: Yes, go right ahead.

THE WITNESS: The last point that was discussed before the adjournment yesterday. You quoted a statement I made, and then you questioned me about it. I wonder if I can have my statement read from yesterday's record?

MR. LANE: What is your recollection of the statement?

THE WITNESS: It had to do with the sale of a car. The Foreman said that I had said that Mr. Pfleger -- someone had convinced Mr. Pfleger on the price of the car.

THE FOREMAN: That's right -- someone.

THE WITNESS: Someone. I recollect saying that someone had convinced Mr. Pfleger that he could get more, much more for the car than he had quoted to us on the telephone, and that is what I was referring to. Now, if we might have that read, I should like to have it read.

MR. LANE: Just give us again your best recollection of what transpired in reference to a discussion about the moneys.

" THE WITNESS: Well, when we did get there, when we were discussing price, Mr. Pfleger quoted a higher price to us after we got there than the one that had been quoted to us on the telephone, and I think that was what made us hesitate about the purchase of the car, and then there was some haggling to bring the price down to what he had quoted us on the telephone. I think in the interim, between our getting to his home and the time we had telephoned, someone had talked to him and convinced him that his price was low according to the car market prices.

THE FOREMAN: And it was that someone you had reference to?

THE WITNESS: Yes. I hope that is clear. Is it?

BY MR. LANE:

Q Let me take you back to the day, that Sunday in July of 1948, when you went out to Mr. Pfleger's house with your husband to purchase the car. I ask you once again, what method of transportation did you use ingoing out to Mr. Pfleger's house on that Sunday in July?

A Well, I believe it was a street car and a bus.

Q Who accompanied you? A No one. Michael and I were alone.

Q You say you and your husband went alone? A Yes.

Q No one accompanied you? A No.

Q And did you go to the end of the bus line? A I

don't remember whether we did because we didn't know how to get there actually. We went somewhere in Palmer, I believe it is.

Q Did you by any chance drive up in an automobile accompanied by a third party when you went to Mr. Pfleger's house that afternoon? A We had no automobile. I don't think we did.

Q What is the answer, yes or no? A No, we did not.

Q Was there a third party with you when you were talking about the automobile with Mr. Pfleger on that Sunday afternoon? A No; just the three of us, Mr. Pfleger, Mike and I.

Q You are certain there was nobody else there? A I am fairly certain, yes.

Q You are fairly certain? A Yes.

Q Well, are you certain? A I said "fairly" because you insisted there was someone. I am sure there was not.

Q As far as you know, what is your best recollection? A As far as I can recall, we were alone.

Q The three of you? A Yes.

Q Mr. Pfleger, you and your husband? A That's right.

Q Did you discuss the automobile at that time? A Yes, we looked at it.

Q Where was the automobile that you were discussing at that time? A Alongside the house in the driveway.

Q Was there any other automobile around there at

that time? A Yes, I believe there was. I think there was another one.

Q Where was the other car located? A I don't remember whether it was in the driveway or somewhere close to the driveway.

Q What sort of a car was it? A I get the impression of a car, large old car, I think.

Q There were two cars in the driveway? A I believe so, yes.

Q Where was the car that you were looking at located in relation to the second old car, was it in front of the old car or behind it? A I think it was in front going toward the back of the house. I am not positive but I think we had to go around this large car to get to the other car.

Q The car, the Studebaker that you were looking at, was in front or inback of the old car? A I can't say for certain. It was there. I do not know whether it was back or ffont, definitely.

Q So you and your husband and Mr. Pfleger discussed the automobile and after you finished talking about the automobile was there some suggestion about trying the car out? A Yes; we don't usually buy a car without riding it around.

Q I didn't ask that. The question was: (Question, "So you and your husband and Mr. Pfleger discussed the automobile and after you finished talking about the auto-

mobile was there some suggestion about trying the car out?" read by the stenographer.) Will you please give me a yes or no answer? A I don't remember exactly, but I suppose there was because we did get into the car and rode around.

Q When you got into the car where were you located? A You mean in the car?

Q In the car. A I was sitting in theback seat.

Q And where was your husband? A He was sitting beside the driver, Mr. Pfleger.

Q And who drove the car? A Mr. Pfleger did.

Q Did he back the car out of the driveway? A I don't remember how he got it out of the driveway.

Q After the car came out of the driveway how great a distance did Mr. Pfleger drive the car? A I think it was a matter of four square blocks or something of that sort.

Q How long a period of time was consumed in that drive? A Not very long. I don't suppose it was more than about five or ten minutes.

Q When you returned did Mr. Pfleger drive the car into the driveway? A I believe it was back in the driveway, yes.

Q And then you got out of the car? A Yes.

Q And then what did youdo? A Well, I remember his lifting the hood and showing Michael the inside of the car, the mechanisims and the motor and things.

Q And then did you leave the place for a while? A Yes, I think we did. I think we did because Mr. Pfleger wanted more money and we were hesitant about paying more for it.

Q He wanted more money, so you left? A Yes.

Q Where did you go when you left? A I don't remember where. I think there was a broad avenue close by and I think we probably went and stopped for coffee in one of the small restaurants or something.

Q Right close by? A Close by.

Q A few blocks? A I would say not more than about five blocks.

Q You subsequently returned on that day? A Yes, we went back the same afternoon, yes.

Q Why did you return? A Well, we decided itwas a good car. We had seen many others that had not compared to this one, and we thought if we could convince Mr. Pfleger to sell it at his original price quotation we would be able to purchase it.

Q During this interval that you were, as you say, having coffee, did you see any other cars? A No, I don't believe we went shopping for other cars at that particular time.

Q And when you left Mr. Pfleger's house that day for the first time did you and Mike proceed on foot? A Yes, we walked.

Q Were you in any automobile that day outside of Mr. Pfleger's automobile? A Well, I don't remember what we did after we left Mr. Pfleger's the second time. We may have gone looking at others to convince ourselves it was a good buy, but I don't remember that. I don't remember what we did.

Q Hadn't you made a down payment of $100? A We made a down payment. I don't remember the amount.

Q So that you probably did not look at any other cars that day. A Well, you do sometimes when you buy something.

Q Well, did you? A I don't remember what we did. I say, we may have.

Q When you came back the second time, did you meet Mr. Pfleger on the driveway or where was he when you came back the second time? A I believe he was further back in the back yard or some place.

Q Were there other people in the back yard? A Yes, I recollect that there were other people.

Q Did you see other people back there? A Yes, I think there were other people there.

Q Did you enter Mr. Pfleger's house? A Yes.

Q And who accompanied you? A Just the three of us, Mike, I and Mr. Pfleger walked into the kitchen.

Q Did you go by way of the back door? A You had to go along the sideof the house and through a little yard,

I think, and into the kitchen.

Q Through the back door? A I would say so.

Q And there were some people inthat back yard at that time? A Yes, I believe there were.

Q Do you recall who was there, can you describe the people? A No, I couldn't describe them. There were a number, possibly three or four, maybe five, but I don't remember what they looked like.

Q How far away were you from those people when you went in through the kitchen door? A It would be from about here to --

Q To the jury box? A No, it was a little further than that. I would say that the first row of seats behind -

Q About twenty or thirty feet? A Something like that.

Q You could see them all right and they could see you? A Yes.

Q Did you talk to them? A I believe there was some exchange of conversation.

Q Where was Perl all this time? A Who is Perl?

(Cont. by BD)

Q You don't know who Perl is? A No.

Q You never saw him? A I'm quite sure I haven't.

Q Do you know Perlmutter? Was he there? A No.

Q In fact, was there anybody there except you and your husband? A No.

MR. LANE: Mr. Foreman, would you excuse Mrs. Sidorovich for the day and request her to return here tomorrow at a quarter to eleven?

THE FOREMAN: You are excused. And report tomorrow at a quarter to eleven.

[WITNESS EXCUSED]