

July 14, 1950

Brothman

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IFG-1

(Mr. Donegan)

A B R A H A M B R O T H M A N , called as a
witness, having first been duly sworn by the
Foreman, testified as follows:

BY MR. DONEGAN:

Q Will you give the stenographer your name and
address, and your business occupation? A Abraham Brothman,
4108 42nd Street, Long Island City, N. Y. I am a research
and development chemist.

Q Mr. Brothman, you understand that this is a
Federal Grand Jury sitting in the Southern District of New
York? A Yes.

Q And you are here in response to a subpoena
which has been served on you by the Marshal? A It was
left at my door.

Q But you have received that subpoena, haven't
you? A Yes.

Q And that is why you are here today? A That's
right.

Q Are you represented by an attorney? A Yes.

Q What is his name? A William L. Messing.

Q And his business address? A Empire State
Building, New York City.

Q Is he here with you today? A No, he is not.

Q Mr. Brothman, you have previously appeared
before a Grand Jury, is that correct? A That's right.

Q And that was in July, 1947? A I believe so;

I am not sure of the date.

Q And at that time I examined you before the Grand Jury? A That's right.

Q And I advised you at that time of your rights in appearing before the Grand Jury - do you recall that?

A I don't recall particularly.

Q Well, I wish to advise you again, as I have advised you previously, that you have the right to refuse to answer any questions if you reasonably believe, and there is reasonable ground for believing, that those answers might incriminate or degrade you. Do you understand that?

A Yes.

Q Has your attorney advised you as to your rights?

A Yes.

Q This Grand Jury is interested in a very brief resume of your background. Where were you born? A In New York City.

Q And where did you go to school, starting with high school? A De Witt Clinton High School.

Q Where did you go to college? A Columbia.

Q What degree did you receive? A Bachelor of Science.

Q And when did you graduate? A 1933.

Q Did you take any further courses in Columbia, or any other institution? A I started some.

Q What courses were they? A Advanced courses in

chemistry.

Q Are you an engineer? A No, I am not.

Q Do you have an engineering degree of any type?

A No, I do not.

Q Now give a brief resume of your employment background. When you left Columbia, where did you go to work? A Well, I first obtained work in 1936 or 1937, I don't recall exactly which, as a research chemist with the Ansbacher-Seigle Company.

Q What type of work did you do for that company?

A Research in colors for pigments, paints and lithographic inks.

Q And how long were you employed by that company?

A I believe about six or eight months.

Q And where did you work after that? A I was self-employed.

Q For how long a period of time? A For at least a year and a half.

Q And in that self-employment did you have a business name? A Yes.

Q What was the name? A Republic Chemical Machinery Company.

Q And where was that located? A 114 Nassau Street, I believe.

Q Any other address, subsequently? A It also had a laboratory in the Bronx on Third Avenue, in the 170's,

but I don't recall the address.

Q What type of work did you do? A We started out with a device, which I developed, for measuring the opacity of colors, and which we intended to market for that purpose. It was a device which I had invented.

Q Did the Republic Chemical Machinery Company ever have an office at 114 East 42nd Street? A Yes, it did.

Q For how long a period of time? A That was not exactly its own office, it was the office of the Hendrick Manufacturing Company.

Q Did that concern subsequently have an office at 30 Church Street? A Yes, it did.

Q Were you interviewed by Special Agents of the F. B. I. on or about May of 1947? A Yes, I was.

Q Where did they interview you? A At my office.

Q And that is located in Sunnyside? A No; in Long Island City.

Q At that time did you give the agents of the F. B. I. a signed statement? A Yes, I did.

Q Do you recall the names of the Special Agents who interviewed you at that time? A No, I do not.

Q Would it refresh your recollection if I told you that Donald D. Shannon and Francis D. O'Brien interviewed you? A Yes.

Q And would you say it is correct if I stated to

you that the date was May 29, 1947? A I wouldn't remember.

Q Do you think it is possible that it is that date? A It is possible.

Q I am going to read to you a signed statement, which has been signed by you on each page, and has been signed at the end, and when I finish reading the signed statement I am going to ask you questions concerning the contents and whether it is correct.

The signed statement, in handwriting, is dated May 29, 1947; "New York, New York.

"I, Abraham Brothman, make the following voluntary statement to Donald E. Shannon and Francis D. O'Brien, whom I know to be Special Agents of the Federal Bureau of Investigation. No threats or promises of any nature were made to me, to make this statement. I know that what I say may be used against me at any time, in a Court of law.

"In 1938 or 1939 a man, whose name I do not recall but whose picture was shown to me today by Mr. Shannon and Mr. O'Brien, came into my office at 114 East 32nd Street, where I owned and operated the Republic Chemical Machinery Company" - - and now there is an insert, "which was," and that insert has alongside of it the initials "A.B." - - the statement continues & - "associated by contract with the Hendricks Manufacturing Company. This man said he had contacts with the Russian Government and he could get

me contracts with the Russian Government. I turned over several blueprints to him; these blueprints were my own for the most part," - - "for the most part" is an insert, and also bears the initials "A.B." - - "and the purpose of turning them over to him was to obtain contracts. Shortly after this man came to my office a woman by the name of Helen came to my office and said she represented this man whose picture I have identified; I believed that this woman was" - - end of first page, and this page bears the signature "Abraham Brothman"; starting the second page, "the secretary of the man whose picture I identified. I have identified Helen as the girl whose picture Mr. Shannon and Mr. O'Brien have shown to me. This Helen came to my office over a dozen times during 1938, 1939 and 1940. Then, around 1940, another man whose name is Harry Gold came to my office and he said he too represented the man whose picture I identified. Both Helen and Harry Gold would pick up blueprints from me for this man whose picture I have identified. Harry Gold is now employed by me as a chemist. The blueprints were sometimes returned by Helen and Harry Gold, but not all of them. I still have the original of most of the blueprints that I turned over to them. Harry Gold made his last pickup of blueprints late in 1941 or early in 1942.

"Some time in 1938 or 1939 I became associated with Hendricks Machinery Company and did work with them

until 1942. The blueprints were my own and not Hendricks'. I once contacted the man whose picture I have identified at a 'phone listed to a Mr. Chester, and the telephone exchange was Watkins." And there is an insert "to the best of my recollection," and the initials "A.B." "I often met this man and Helen, his secretary, at various rest. - - " and that is the end of the page, and the page bears the signature "Abraham Brothman." That word I started before, "various rest" is continued on the third page - - "restaurants in the midtown area New York City.

"I have not seen this man whose picture I have identified since 1941 or 1942.

"I have read the above three-page statement, and it is true," and then there is an insert "to the best of my recollection," and this insert bears the initials "A.B."

"I have read and signed page 1 and it is true," and then there is an insert "to the best of my recollection," bearing the initials "A.B."

"I have read and signed page 2 and it is true," and another insert "to the best of my recollection," with the initials "A.B."

"I now sign page 3 and it is true to the best of my recollection.

[Signed] Abraham Brothman."

Now, Mr. Brothman, I show you this signed statement, consisting of three pages, and ask you if this signed

statement was given by you to Agents O'Brien and Shannon on May 29, 1947? -- You can take your time and look at it.

A I believe it was.

Q Is that correct? A I believe it was.

Q Is this statement true? A I decline to answer on the grounds that it might tend to incriminate or degrade me, and I claim my privileges under the Fifth Amendment to the Constitution.

Q I show you a photograph of an individual named Jacob Golos, and ask you: Did you identify that photograph for the Special Agents of the F. B. I. at the time they interviewed you, and you gave them the signed statement on May 29, 1947? A I decline to answer on the grounds that it might tend to incriminate or degrade me -

A JUROR: Why does he do that? After all, we are trying to do the best we can.

MR. DONEGAN: I will proceed with him a little further.

Q Mr. Brothman, on July 22, 1947, you appeared before a Federal Grand Jury sitting in the Southern District of New York, and more particularly in this building and you were questioned by me and Assistant Attorney General T. V. Quinn. At that time I asked the question: "Did you furnish those Special Agents Shannon and O'Brien with a signed statement?" and you answered, "Yes."

Did you give that testimony before that Grand Jury?

A I decline to answer on the grounds that it might tend to incriminate or degrade me, and I claim my privileges according to the Fifth Amendment to the Constitution.

Q Did you appear before a Grand Jury on that date? A I decline to answer the question on the grounds that it might tend to incriminate or degrade me.

Q Did you ever appear before a Federal Grand Jury in this building? A I must again claim my privileges under the Fifth Amendment to the Constitution.

MR. DONEGAN: Mrs. Gold, can you go back in your notes, where I asked the question about the witness appearing before the Grand Jury, and I examined him?

Reporter reads: "Q Mr. Brothman, you have previously appeared before a Grand Jury, is that correct? A That's right."

MR. DONEGAN: May the record reflect that the witness now refuses to answer the question as to whether he previously appeared before a Grand Jury, although he did answer the question previously; and may the record also reflect that this is being called to the attention of the Grand Jury for the purpose of further consideration as to whether the witness' appearance before this Grand Jury and refusing to answer questions should be deemed contemptuous.

Q Mr. Brothman, were you accompanied by any person when you reported in response to the subpoena today?

A Yes, I was.

Q Will you give the name of that individual?

A Miriam Moskowitz.

Q Is Miriam Moskowitz employed by you? A She is my partner.

Q Is she acting in an advisory capacity to you, in your appearance before this Grand Jury? A She is not.

Q Has she ever discussed with you possible testimony that you would give before this Grand Jury? A I decline to answer that question, claiming my privilege - -

Q Will you keep your voice up, so that the Grand Jurors can hear? A I decline to answer that question, claiming my privileges under the Fifth Amendment to the Constitution.

Q Your answer with reference to your privilege is not sufficient. Are you stating to this jury that you refuse to answer that question on the grounds that it might incriminate or degrade you? A Yes.

Q In the future, if you refuse to answer a question it is necessary that you put it in that phraseology. A I understand.

Q You have no privilege beyond the fact that it might incriminate or degrade you, and I might state that in your appearance before the Grand Jury, whether your

refusal to answer questions/^{is} on the grounds that they might incriminate or degrade you that would necessarily be tested out in open Court.

Is Miss Moskowitz presently in the waiting room to this Grand Jury room? A I believe so.

MR. DONEGAN: May I have one second of Grand Jury time? I want to have the Marshal serve a subpoena on Miss Moskowitz.

(Mr. Donegan leaves Grand Jury Room, and returns.)

Q Was an individual named Harry Gold ever employed by you in connection with the operation of your business?

A I decline to answer that question on the ground that it might tend to incriminate or degrade me.

Q Did you ever pay any salary or any other form of remuneration to Harry Gold, in connection with the activities of A. Brothman Associates? A I decline to answer that question on the grounds that it might tend to incriminate or degrade me.

Q Have you ever paid or withheld any sums of money from the salary or wages of Harry Gold, in connection with withholding taxes, social security, or any other form of taxes levied by New York City, New York State, or the United States Government? A I decline to answer that question on the grounds that it might tend to incriminate or degrade me.

Q Are you telling this jury that complying with

the tax laws of New York City, New York State or the United States Government would incriminate or degrade you? A I decline to answer that question on the grounds that it might tend to incriminate or degrade me.

MR. DONEGAN: Mr. Foreman, I would like to excuse this witness for a minute, if I may.

(To Witness) Will you leave the room, Mr. Brothman, and wait outside the door?

(WITNESS LEAVES ROOM)

(CONTINUED BY BD)

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A B R A H A M B R O T H M A N, recalled.

BY MR. DONEGAN:

Q The Grand Jury wishes to instruct you that you are to report to this room Monday at 10:30. Do you understand that? A Yes.

Q Monday, the 17th, at 10:30 in the morning. A Yes.

JUROR: Mr. Donegan, may I ask the witness a question, please?

MR. DONEGAN: Yes.

JUROR: What is the Fifth Amendment?

THE WITNESS: I cannot give the statement for the Fifth Amendment.

Q Are you refusing to answer that question? A No, I am not.

Q What do you -- what is the basis of not giving an answer? A I did not say I was refusing.

Q Well, why can't you answer the question? Advise the Juror why you can't answer the question. A I am not familiar with the wording of the Fifth Amendment.

Q Have you read the Fifth Amendment? A I believe I have, at one time.

Q How long ago? A A long time ago.

Q Have you read it recently? A I have not.

Q Do you know what the substance of the Fifth Amendment is? A I believe that a man cannot be made to bear testimony against himself.

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Q Is that your understanding of the Fifth Amendment?

A That is my understanding.

Q Did your attorney tell you that was the substance of the Fifth Amendment? A He did not.

Q Did your attorney advise you to refer to the Fifth Amendment? A Yes, he did.

Q But he did not tell you what the Fifth Amendment was? A That's so.

Q Did you ask him what the Fifth Amendment is? A I neglected to do so.

Q You didn't? A No, sir.

Q So, when you tell the Juror here that you are refusing to answer on the grounds of the Fifth Amendment you don't know what the Fifth Amendment provides, do you? A Except that understanding of it which I gave you.

Q Well, you say that you haven't read the Fifth Amendment in a long period of time, and in response to the Grand Juror's question you couldn't tell them what the Fifth Amendment referred to; is that correct? A I gave my understanding of it.

Q Well, would you again tell the Grand Juror what the Fifth Amendment is? A I believe that it provides that a man cannot be made to bear testimony which might tend to incriminate or degrade him.

Q And you say that your attorney did not tell you that was the Fifth Amendment? A He did not specifically refer

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to it.

Q Well, now, Mr. Brothman, this Jury is made up of men and women of the world. They are practical business people, experienced people. I'm quite sure that I can freely state that they do not like to listen to double-talk; and, if you will, please endeavor to answer questions clearly rather than to qualify them. Now, again I ask you, did your attorney tell you that that was the Fifth Amendment -- that that was the meaning of the Fifth Amendment? A Not directly so, but I got that impression.

Q You got that impression. Now, what gave you that impression? A The general conversation with him.

Q All right. Now, what was the general conversation with reference to the Fifth Amendment? A The general conversation was that there was an amendment to the Constitution which grants that privilege to a person who is being asked questions in a court of law.

Q Did you refer to the Fifth Amendment when you previously testified before the Grand Jury? A I do not.

Q Did you understand the Fifth Amendment when you previously testified before the Grand Jury? A No more so than I do today.

Q You had exactly the same understanding of the Fifth Amendment when you previously testified before a Grand Jury as you have today? A I believe so.

Q Well, it isn't a question of belief. Did you or

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did you not? A I believe so. I don't right at the moment recall what I knew then about it.

Q Well, in testifying before the previous Grand Jury you carefully considered your testimony; isn't that correct?

A Yes, sir, I did.

Q And you also carefully considered your privileges; is that correct? A I don't believe I did. I don't recollect.

Q You don't believe you did? Were you acquainted with your privileges? A Vaguely so, yes.

Q When you say "vaguely so," what do you mean by the use of the word "vaguely"? A I mean that I do not have a technical knowledge of law.

Q Were you acquainted with the fact when you appeared before the Grand Jury, the Federal Grand Jury in July of 1947, that you did not have to testify if your answers would incriminate or degrade you? A I cannot recollect clearly about it.

Q You cannot clearly recollect that? A No.

Q Did you previously testify a short while ago before this Grand Jury that I had advised you when I examined you before that Grand Jury in July of 1947 that you had the right to refuse to answer questions if they incriminated or degraded you? A I believe I said that I thought you did. I don't recall the proceedings very well.

Q I will read your testimony, reading from Grand Jury minutes July 22, 1947. Question, by Donegan: (Reading)

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"Q And you are appearing here in pursuance to that subpoena; is that correct?

"A Yes.

"Q Have you consulted a lawyer concerning that?

"A Yes.

"Q What is the lawyer's name?

"A Mr. Kiernan.

"Q And his office address?

"A His office address is 52 Wall Street. The name of the firm is Cleary, Gottlieb, Friendly & Cox.

"Q And you explained to this attorney that you had received a subpoena to appear before the Grand Jury?

"A That's right.

"Q And you consulted with him?

"A Yes.

"Q And did he advise you to appear?

"A Yes.

"Q Do you understand that it is your right to refuse to answer any and all questions that might be asked you before this Grand Jury if you believe that such questions might incriminate or degrade you?

"A Yes.

"Q And you understand that at any time that you feel that you do not wish to answer a question on those grounds, that you can refuse to answer?

"A Yes.

"Q Did your lawyer explain that to you?

"A Yes.

"Q And knowing that, you want to appear before this Grand Jury and reply to the questions; is that right?

"A Yes."

Were you asked those questions and did you give those answers?

A I believe so. I don't recollect it.

Q Have you any reason to question the accuracy of those questions and answers which I have just read to you from the Grand Jury transcript? A I have not.

Q Now, in answering the subsequent questions that were asked you before that Grand Jury you had in mind that instruction which I had given to you as to your privileges; is that correct? A I don't know how seriously I considered it.

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Q You don't know -- did you consider it at all?

A I believe that was three years ago, and I cannot recall right now exactly what I did.

Q Have you appeared very often before Federal Grand Juries or any Grand Jury? A I have not.

Q Have you ever appeared before any other Grand Jury except the Federal Grand Jury you appeared before in July of 1947 and this Grand Jury here that you are appearing before today? A I have not.

Q And is it your testimony to this Grand Jury now that, still, you can't recollect whether you considered your privileges when you testified before the previous Grand Jury? A I can't say, today, how seriously I considered that three years ago.

Q Did you consider your appearance before that Grand Jury a serious matter? A I believe I did.

Q And did you carefully weigh in your mind the answers that you gave to the questions asked you in that Grand Jury room? A I decline to answer, on the grounds that it might tend to incriminate or degrade me.

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Q Are you of the honest belief that to answer the question as to whether you carefully considered the questions that were asked you in the grand jury would incriminate or degrade you? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Did you listen to the questions I asked you in the grand jury room when you appeared before that grand jury in July of 1947? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Did you hear the questions I asked you in the grand jury room when you appeared before the grand jury in July of 1947, and when I say "hear", I mean physically hear -- did you get a mental stimulus so that you felt a question was asked you? A I did.

Q Did you understand the questions that were asked you? A I believe I did.

Q Is there any doubt in your mind that you did not understand any of the questions? A It is quite possible.

Q It is quite possible. What questions didn't you understand? A I don't recollect the questions.

Q At that time did you have a realization that you didn't understand any of the questions? A I don't recall.

Q When did you first become conscious of the fact that you might not have understood any of the questions that were asked you in the grand jury in July of 1947? A I can't put any time on it. I am answering your questions to the best

of my ability, and I say, I cannot speak for that day and say I clearly understood each and every one of the questions and its intent.

Q Since you raised the question I am going to repeat some of the questions put to you and ask you whether you clearly understood them. Question, reading from page 886, the record of the testimony taken before the grand jury when the witness Brothman was examined before the grand jury on July 22nd, 1947: "Q But your original contact with Gold was through Golos and Helen?" Did you understand that question when it was asked you? A I cannot say today. I cannot recollect the specific events of three years ago.

Q Do you understand the question now? A I am afraid you have to read it again.

Q "But your original contact with Gold was through Golos and Helen"? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Will you repeat the question I asked the witness, Mr. Stenographer? (Question and answer read as above.)

JUROR: Is it possible a witness who is a Columbia graduate did not understand a question as simple as that?

MR. DONEGAN: I think the jury will have an opportunity to seriously consider that next week.

JUROR: How did you meet Mr. Gold?

MR. DONEGAN: Just one minute.

Q May I repeat that question again. Are you telling this jury that to respond to my question as to whether you understand the meaning of that question now would incriminate or degrade you? A Will you kindly repeat that?

Q (Question read to witness as above.) A I say it might tend to incriminate or degrade me.

Q Again I ask you: Do you understanding the meaning of the words in this question and, also, do you understand the complete question? Do you have an understanding of what it means? That is the question I am asking you now, and I will repeat the question that was asked you before the grand jury. Now my question is, do you understand what this question says? A Yes.

Q You do understand it? A Yes.

Q Well, do you want to withdraw your answer that you refuse to answer that on the grounds that it might incriminate or degrade you, that is, the understanding of it? Mr. Brothman, I am not trying to trick you; I am not trying to lead you into a trap. This grand jury is made up of 23 people who are citizens of this country, who are sacrificing their time, their financial income and everything else, to do their duty as citizens. They are sitting here listening to the questions and answers. They are deliberating and will take action based on what they hear here. Now, even if I wanted to be unethical, I am quite sure that the grand jury wouldn't tolerate it. But at the same time no witness has the right

to come into a grand jury room and be contemptuous of a grand jury and just flout and degrade the judicial system of this country. Do you understand that? A Yes, I do.

Q And the double-talk, qualifications and so forth, do not go in this grand jury room. Now, you have no possible excuse saying you cannot understand what I am talking about. You are an educated man. You have been before a grand jury previously. You can hear me, I expect, and you know the meaning of words, and you always have the right to ask me to repeat a question. I don't think you can say that that is a legal right, and you don't know the basis; that is plain ordinary common sense. You just told this grand jury in answer to a very simple question, and also answering previous very simple questions, that you refuse to answer on the grounds it might incriminate you. You are just holding up the grand jury to ridicule. Any reasonable individual of limited intelligence would know that you could not possibly be incriminated when you are asked whether you understand something that was asked you. Now, do you understand me? A Yes, I do.

Q Do you have any difficulty in understanding me?

A No, I do not.

Q Now I will go on. Now, in order to complete the record with reference to that question, the question being, "But your original contact with Gold was through Golos and Helen," I understand you now to say you understand that question? A I understand that question.

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Q When you responded to that question before the grand jury, did you understand the answer you were giving? A I believe I must have, but I cannot specifically recall the incident right now.

Q All right. In order to refresh your recollection I will give you the answer, and I am reading from the record, reading from page 886, grand jury transcript, in answer to the question which I gave before and which I will repeat for clarity, "But your original contact with Gold was through Golos and Helen? A That's how I originally met him." There's a sentence: "That's how I originally met him." Do you understand that? A Yes, I do.

Q Now I will go on. "From then on he served me to do special experimental work." Do you understand that? A Yes, I do.

Q And I am going to read the answer, which is lengthy, and if any place you don't understand, interrupt me. "I should like to make a few more remarks that I think are pertinent to the thing. When the Agents were up in the place I pointed out to them that in the early part of this year I sent to a man by the name of -- who said his name was Dr. Jacob Pon -- I sent him a document covering a half dozen processes developed by us at tremendous cost in money and labor. These processes were not covered by patent. I wrote him a letter which the Agents saw which said that, 'You know, of course, that these processes are not patented. You know

that we have demonstrated these processes to you in the laboratory. This is a mark of confidence.' He also asked us for the right to negotiate on our behalf in England to license these processes in England. I showed the Agents that as a result of this very clear transaction where the man was an Englishman whom I couldn't trace by any other means -- as a matter of fact he was not an Englishman; he had originally been a Russian -- and then he had gone to work in Germany, and from Germany he went to Belgium, and from Belgium he retreated with the Belgian Army, this was his story, into France and eventually left on a boat to England -- this man came to me and just telling me that story I demonstrated every one of our processes out there at a considerable cost to us over a period of two weeks. He went back to England, and in May of 1947, this year, I obtained a contract from him with Electrical & General Industrial Trusts of London, England, with Mr. Howard of that concern, signing for the Electrical & General Industrial Trust, and that agreement involves a down payment to us for these processes of \$100,000, a royalty of 3½% on the net sales for twenty years from date. Dr. Pon has recently been in this country again, and I have given him the right to negotiate on behalf of some of our other processes. I'd like to point out another instance that I showed --" At that point Mr. Quinn said, "I do not think that is necessary. I think we have enough."

Now I read that entire response to that question so

there could be no question in your mind as to whether everything you said was made an official record of the grand jury proceedings. I also read it to clearly illustrate that you apparently had no difficulty in expressing yourself in the grand jury room and had no difficulty in recollecting the details of some business transactions, although the question that you were asked you answered very clearly, "That's how I originally met him." The question was asked you by one of the grand jurors, "But your original contact with Gold was through Golos and Helen?" A simple question, "How did you meet Gold?" And you said, "Through Golos and Helen." Did you understand that? A Yes.

Q Let's go over some other questions. Questioning by Donegan, reading from the transcript, page 892, "Q What was Helen's last name?" Now, was that question clear to you at that time, Mr. Brothman, or is it clear to you now -- in order to save time? A Yes.

Q You understand it? A Yes.

(Cont. by IFG)

Q "A I recall it was given to me, but I don't recall it now."

Did you understand that answer you gave to the Grand Jury? A Yes.

Q "Q Where did she reside? A I don't know that now."

Any difficulty in understanding either one of those? A No, sir.

Q "Q What was her place of business? A I didn't know.

"BY MR. QUINN:

"Q Did she ever have occasion to introduce you to anybody? A No.

"Q When was the last time you saw Helen? A I think it was in the summer of '41.

"Q Was she the secretary for Golos? A She claimed to be.

"Q And there was a time when she stopped coming to see you or you stopped meeting her? A I stopped meeting her.

"Q Was that at her request or was it at your request, or was it mutually agreed?"

Now, have you any difficulty in understanding anything I have read up to there? A No, I do not.

Q Have you any reason to believe that these questions were not asked you and these answers were not given

by you to the Grand Jury, when you testified under oath?

A I have no reason to believe so.

Q "A Well, she told me that she was making arrangements for me to meet a chemist who could work with me when we got one of these projects from the Russian government. I want to explain that we did get inquiries from the Amtorg Trading Commission, and I seem to think that they were traceable to this John's intervention. We quoted him jobs but we never got one. And we have been quoting jobs ever since. We quoted a job as late as September of last year.

"Q Was this purely friendship between Golos and you, or was Golos to get a commission on any contract?

A Oh, no; Golos wanted a commission.

"MR. DONEGAN: What was the amount agreed on the commission?

"THE WITNESS: Ten per cent, as I recall it; the standard finder's commission.

"Q Who was the chemist? A A fellow by the name of Harry Gold.

"Q When did you meet him first? A I met him in -- oh, in the last part of '41.

"Q After you met him did you meet Helen any more? A No, I never saw her again.

"Q So that the only contact now between you and Golos was Harry Gold? A No, I wouldn't say that. Because

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after the first couple of times that Gold came up he was very suspicious of them and he talked it over with me and he said that he felt that they were phony, that they couldn't deliver on these big promises that Golos had made and that they were wasting our time.

"Q Is Harry Gold still employed by you? A That's right."

Now, Mr. Brothman, do you understand all those questions and all those answers that you gave before the Grand Jury? A Yes, I do.

Q And you gave them under oath, is that correct? A I believe I did, yes.

Q How long have you been in business for yourself? A Since 1938.

Q Are you married? A Yes.

Q How many children? A Two.

Q Do you read the newspapers? A Yes.

Q Are you acquainted with the news accounts of the activities of Harry Gold? A Yes, I am.

Q Now, Mr. Brothman, I think you have come to a point where it is not necessary for me to point out to you that you have to give serious consideration to your future testimony before this Grand Jury.

This is not an instance of where you can state afterwards that you appeared with dignity, and you did no begging and you successfully gave the Grand Jury the story

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that you had decided to give them. Here you are before twenty-three people.

Harry Gold has been accused of the most serious crime that can be committed in this country. He admitted that he had done it. He was a traitor, and he is an admitted traitor.

Helen, or Bentley - as she is now known - also stated that she was a traitor, that she had acted as an espionage agent. But Bentley - and perhaps Gold, in a sense - has assumed or has restored to themselves a little of that dignity that is so important in individuals.

You know, as I well know, that the record is rather complete. The F. B. I. talked to you. They asked you many questions. I have these envelopes full of material bearing your handwriting. The record fortunately, in this instance, speaks for itself.

I know what your reactions were after you had completed your testimony before that previous Grand Jury. I know a good deal of your conversation - - but that is neither here nor there.

I also know at one time that you were seriously considering getting back your dignity as an intelligent human being, but you were influenced not to do that. That is another story that we will go into at the proper time.

Now, I am not trying to "play the violins," as it is popularly known. I am trying to act as a decent,

intelligent person who has a job to do, and I am proud to do it, I am proud to have the opportunity to do it, because first of all I am proud of the country I live in, and I detest and I hate traitors.

I have had a lot of dealings with them, and I have met a lot of them. I have met a lot of reformed ones. I have met a lot of people that did get back their dignity - and my reaction is quite different to them.

That is something you have to decide yourself. I wouldn't be prone to go into this, except that this is one instance where I have considerable background, that I have been fortunate enough to have obtained, as to your mental reactions, as expressed by you.

Needleman or any of these other individuals are not going to be able to take care of your mental difficulties. They are not going to be able to take care of your family or your attitude towards your family. They are not going to be able to take care of the only thing that you have - and that is your own human dignity.

Now, whether you are a rabid Communist at the present time, whether you are a Communist sympathizer, or whether you were a misguided intellectual that is afraid to own up to the truth, I don't know. But I am endeavoring to point out to you the fact that you have been in a situation over a long period of time, and that you will have to decide what road you are going to take.

Now, I am not promising you anything. I want to make that clear to you, Mr. Brothman. I am not endeavoring to induce you. I don't have to; and secondly, I don't want to; and thirdly, I don't think it would be proper, and I wouldn't be serving the best interests of the Government.

But I do think that I should at least call your attention to the fact that the more you go on with the present line that you have been following in this Grand Jury room, the more ridiculous you are going to be; and I assure you that I am going into the thing as completely and in as much detail as possible.

Now, as I said before, at one time when you appeared before that previous Grand Jury you took a certain course. Now, again things have happened - serious things have happened. You are going to have to decide whether you are going to follow that same way.

I assure you, you can feel free - which you have a right to do - to discuss this with your attorney: I am going to take every possible legal step. I am not saying that with any purpose of telling you that you are going to have to do something. You are the only man that can decide that - but I am saying that it is a different situation than it was in July, 1947, as you well know - - an entirely different situation.

A JUROR: Mr. Donegan, wouldn't it be a wonderful

chance for him, if he has information that you need, to help you in that direction? It is a grand chance for him to do it.

MR. DONEGAN: Well, as I said before, Mr. Brothman is a graduate of Columbia, and he is well read, and he has ability, and he certainly is capable of understanding what the situation is.

He is a man of responsibility, to the extent at least that he has his own business, and that he has a family, and that he has children.

A JUROR: How about having him back Monday morning?

MR. DONEGAN: I don't think that is something - I think that Mr. Brothman is at the point - - he is going to come back Monday morning, and he is going to be in the Grand Jury room many times; but I think he is at the point now where he should make up his mind, in spite of the advices of the Needleman - - (To witness) and your partner, and so forth.

A JUROR: You have a couple of kids and a wife, Mr. Brothman. Those kids have to grow up, and this is a great country - let them grow up and walk with dignity; don't let them walk with disgrace.

And don't come in and try to pull the wool over our eyes. We have been here a month and a half.

Brothman

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Come in and tell us the truth, and you might be helped. You have to live with yourself. Don't be a patsy and hold the bag for anybody else.

Q Mr. Brothman, isn't it true that Harry Gold was not introduced to you through Helen and Golos? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

MR. DONEGAN: Gentlemen, ten-thirty Monday morning.

(WITNESS EXCUSED)