

Glassman

V I V I A N G L A S S M A N , 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. Seigman.

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)

IV
IFG-1
(From LB)

August 15, 1950

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Glassman

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)

Take #4
LB-1
Rel IFG
LB
8/15/50

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Glassman

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 just 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, that wasn'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 No, 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

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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)

Take #5
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Rel LIFG
LB-1

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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 with Mrs. 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 you got 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 that so? 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 an attorney 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 event 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 that was 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?

THE WITNESS: 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)

August 15, 1950

(Messrs. Saypol and Lane)

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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.

LB-3

Glassman

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)

August 16, 1950

Gold

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 work for 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 $\frac{3}{4}$ Constantine Ruga. I am very certain of this because of his outstanding physical characteristics. 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 gastric 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, and I 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)

IFG-1
(From LB)

August 16, 1950

Gold

Re: Julius Rosenberg, et al.
(Mr. Lane)

3392

Q Now, what transpired - - A I would like to
emphify 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 connec-
tion 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 ^{long} dollars. There were many/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 was brought 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)

8/15/50
Take #2
Rel IFG
LB-1

9100

Gold

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)

US vs John Doe
August 16, 1950

IE-1

Pataki

ERNEST PATAKI, 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 you also 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 that you voluntarily gave a statement with respect to certain things that 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.

IB-3

Pataki

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 superior? A The so-called 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 Vivian Glassman? 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.

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 to that question will tend to incriminate you. You can 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 that organization -- if the fact that you are a member you think can subject you to indictment, just that fact, 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 tend to 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)

II
IFG-1
(From LB)

August 16, 1950

(Mr. Lane)

Pataki

0110

(Re: John Doe)

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 or August 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.
where

Q Do you know/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)

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)

August 17, 1950

Bauch 0129

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 sub-
poena 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

Bauch

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)

August 18, 1950

IFG

Re: John Doe

Perl

0134

(Mr. Lane)

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 Aero-
nautical 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 don'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 place. 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 writing something 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 the door 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 specifically.

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?

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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 the 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

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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 instructions 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 aeronautical 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 that you thought it was a trap. What sort of a trap? 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 the papers. She did mention 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 that somebody 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)

August 18, 1950

Re: John Doe

Perl 0157

(Mr. Lane)

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 cheek? A No, I don't think I would.

Q Do you think you would turn your cheek? 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)

Take #2
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1 pm
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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 Did you 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's right.

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, Henrietta, 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 you say 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 dollars 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 did^{n'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 in that 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 moment? 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 you cannot 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. 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 were 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 now. This is the time to do it. Try hard. A pregnant woman, Christmas time, Rosenbergs, 10 Monroe Street. 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's right, 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)

III
IFG-1
(From LB)

August 18, 1950

Re: John Doe

(Mr. Lane)

BERL

9178

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 want 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)