

November 1, 1950

IFG-1

(Re: John Doe)

10150
Cohen

Presented by Myles J. Lane, Esq.

F L O R E N C E C O H E N , called as a witness,
having first been duly sworn by the Foreman,
testified as follows:

BY MR. LANE:

Q Mrs. Cohen, what is your present address?

A 3955 44th Street, Long Island City.

Q And your telephone number? A Stillwell 4 -
5999.

Q And you have appeared here today in response
to a Grand Jury subpoena? A Yes, I did.

Q You are married? A Yes, I am.

Q To whom? A To David Cohen.

Q And how long have you been married? A Four
years.

Q Do you have any children? A One.

Q How old? A Almost seventeen months.

Q A boy or a girl? A A boy.

Q And what does your husband do? A My hus-
band is a union organizer.

Q With what union? A With the Public Workers
Union.

Q Is that C. I. O. or A. F. L.? A It is
neither at present.

Q Well, what is the official name of it?
A United Public Workers of America.

Q And what sort of a union is it? A It is a

union of City, State and Federal employees.

Q Civil Service employees? A Yes.

Q What is the headquarters of your husband's union? A 25 West 23rd Street.

Q And the telephone number there? A Oregon 5 - 3290.

Q And what was your maiden name? A Florence Herzog.

Q And were you ever married before? A No.

Q This is your first experience? A And my last, I hope.

Q Now, what did you do before you were married? A I also worked for the United Public Workers of America.

Q As an organizer? A Yes.

Q In the ladies' section? A We don't have a ladies' section - it was both women and men.

Q How long did you work for the union? A About three years, roughly.

Q And what did you do before that? A Before that I worked for the United Electrical Radio and Machine Workers of America.

Q And what did you do there? A I was an organizer.

Q Now, see if I can get these dates straight - - what was your first job after you got out of school?

A I had several little, unimportant jobs.

Q But what was your first job of any consequence?

A I worked for the Home Relief Bureau in New York City.

Q When did you graduate from school? A Well, it depends upon what school; I continued.

Q Tell me about your schooling. A I graduated from high school in 1933.

Q What high school? A Walton High School, in the Bronx; and I continued for a year at night in Morris High School, to make it possible for me to enter City College. I went to City College of New York for several years at night, and I graduated from George Washington University in Washington.

Q When? A In '42.

Q And what sort of degree did you get?

A Economics B. A. Economics was my major.

Q And then you took a job? A I was working throughout all this period, because my college studies were at night.

Q And then? A Rural Electrification Administration.

Q Was that under the Commerce Department?

A For a long time it was an independent agency, and then it went under Agriculture, and I think it still is.

Q What did you do with that outfit? A I started out as a stenographer, for several years, and then I became a statistical clerk, and when I left I was a

statistician.

Q When did you leave? A In 1942.

Q Then whom did you go with? A I resigned from the Government, to work with the United Electrical Radio and Machine Workers.

Q In Washington? A No. The Rural Electrification Administration moved to St. Louis, due to the war effort, and I went with them to St. Louis; and it was at that time, after working for the Government for a period of time, that I started to work for the Electrical Workers Union, and left the Government.

Q And exactly what time of the year did you leave the employ of the Government? A I think it was May, 1942. The agency had left earlier, but I wanted to finish my degree and I stayed on in Washington for several months, and then I left the Government in December, 1942.

Q And when you left the Government, you were working in St. Louis? A That's right.

Q And then you remained in St. Louis? A Yes, I remained in St. Louis for a brief period of time after working for the Electrical Workers - approximately a month or so.

Q And who hired you for the Electrical Workers? A The District President of the Electrical Workers Union, a William Sentner.

Q Is he from Missouri? A Yes.

Q St. Louis? A Yes.

Q And then, were you transferred to New York?

A No; then I was transferred to New England.

Q To Boston? A That's right.

Q That was in 1942? A By that time it was probably January, 1943.

Q And you lived in Boston, I assume? A That's right.

Q Whereabouts in Boston? A The street number?

Q Do you have the address? A I am trying to remember it. It was right in the heart of Boston.

Q Was it Back Bay? A Probably the Back Bay Section.

Q From Massachusetts Avenue, Newbridge Street, there? A No, not there. I think it was South Russell Street.

Q That is around the State House? A I beg your pardon?

Q That is around the State House? A Not exactly.

Q Or back of State - - was it Beacon Hill?
A I think it was Beacon Hill.

Q And how long were you there? A Oh, I didn't move there right away. Do I have to trace all of this?

Q Well, you can give it to the best of your recollection. You don't have to be one hundred percent

accurate, but just a rough tracing of it. Were you there two or three years, or one year? A No, I was there less than a year.

Q That is good enough. And at that time you were working for the same organization? A That's right.

Q And whom did you organize up there? A Well, at that time I - - Is this all pertinent?

Q Well - - A It is?

Q It won't hurt you. A I wasn't expecting to go into a whole history here. At that time I was working to organize the Raytheon there - -

Q Waltham? A Waltham and Newton.

Q That is the electrical - - A Radio.

Q They weren't public workers? A No; I was working for the electrical group then.

Q And then, after being there that year, you went somewhere else? A That's right.

Q Where did you go next? A I think I went to New Bedford, Mass.

Q And what was down there, that you organized? A Cornell Dubilier.

Q And what do they manufacture? A Radio tubes.

Q The same as the Raytheon? A That's right; it is similar.

Q How long were you there? A A couple of months.

Q And from there you went where? A Taunton, Mass.

Q What outfit is there? A Aervoex.

A JUROR: You didn't work for the companies, did you?

THE WITNESS: No, I worked for the union.

Q And again that was an electrical outfit - they were making tubes? A I think it was similar.

Q Rather than have me asking you these questions, why don't you give me a running account? That would simplify it. A I went to Rhode Island, Providence, for a brief time. I think it was after Taunton. I was in Providence about a month or so.

Q And what outfit in Providence? A I don't even remember the name of the company. I was working for some company for a short period of time, and then I had to leave there to go to North Adams, Mass. and I was there for a couple of months.

Q What firm up there? A Sprague.

Q Is that Sprague Electrical? A Yes.

Q And from there you went where? A From North Adams I think I went to Connecticut.

Q New Britain? A Bridgeport.

Q And what firm in Bridgeport? A Harvey Hubbell.

Q Were they making tubes also? A Electrical gadgets; I don't think it was tubes.

Q This should bring you pretty near up to 1944.

A I am already in 1945.

Q And then, after Hubbell, what came next?

A After Hubbell I went back to Boston for a little period of time, back to Raytheon; and then I came to New York. That brings me to '46.

Q When you got to New York what did you do?

A Well, for a period of time I was unemployed.

Q You left the union at that time? A I got married. I left the union to get married. My husband got a job in New York, and I therefore came to New York with him.

Q What was he doing before then? A He was in the service for a couple of years.

Q Where - in the Army? A Yes, sir.

Q Is he a lawyer, by the way? A Yes.

Q A member of the bar? A Yes.

Q What bar? A Pennsylvania.

Q Is he a member of the Federal bar, also?

A Well, he was a Government attorney; I am not too sure of the technicalities.

Q And is he practicing law now? A No.

Q So you got married in '46? A Yes.

Q And you stopped working? A For a period of time, about a month or so, in New York.

Q And then what did you do? A I started

working for the United Public Workers.

Q Is that the same union as your husband is in?

A Yes.

Q And is he an organizer or an official, or what?

A He is an organizer.

Q So you worked there in '46? A Yes.

Q Where were you stationed with the Public Workers in '46? A 25 West 23rd Street.

Q And you have been there all the time? A All the time until '49, when I left.

Q Now, were you assigned to any particular division or department with the public workers? A No; not any particular one. We work with all of them.

Q Well, did you organize the women or the men?

A No.

Q Now, when you lived in Washington, where did you reside? A Several places, but I don't remember the addresses by now.

Q Do you remember the streets? A First I lived on Massachusetts Avenue; and then on K Street, I think; and then on N Street; and then on R Street, which was something like 14th and R; but I am not sure of the numbers.

Q Was it something like an apartment you lived in? A Yes, except for the first residence.

Q Did you have a lease there? A Yes, except for the first one, which was a rooming house.

Q Did you live with another girl anywhere? A On two occasions I did.

Q And who were the girls? A One was Matilda Katz and one was Nettie Sucher.

Q Were they both Government employees? A Yes, they were.

Q Working for the Rural Electrification? A No.

Q Whom did they work for? A Matilda Katz worked for the Department of Labor, and Nettie Sucher worked for the Department of Agriculture.

Q Were they clerks or stenos? A Probably stenos or clerks.

Q How long did you say you lived in Washington altogether? A From 1937 to 1942.

Q That is about five years? A That's right.

Q Did you know a girl by the name of Anna Allen down there - Anna Goodman Allen - - did you ever hear of her? A I refuse to answer that question.

Q On what ground? A On the grounds that any answer I give might tend to incriminate me.

Q Do you mean you think just the fact whether you know the girl or not would tend to incriminate you?

A I refuse to answer that question, too.

Q Do you know where Anna Goodman Allen resided?

A I refuse to answer that question on the ground that any answer I give would tend to incriminate me.

Q Did you ever attend any meetings in an Apartment 400 at 2225 North Street, N. W., Washington?

A North Street?

Q 2225 N Street, N. W., Washington, D. C.

A I refuse to answer that question.

Q Upon what ground? A On the ground that any answer I give would tend to incriminate me.

Q Q Let's get this straight: You mean any meeting at all, you refuse to answer on the ground that any meeting at all would tend to incriminate you? Suppose you met some people for a bridge game - would that tend to incriminate you? A Now you are talking about a bridge game.

Q That is a meeting. A It is a party.

Q Well, did you ever meet any persons at 2225 N Street, N. W.? A Now you are asking a different question.

THE FOREMAN: He has a right to ask any questions he wishes.

THE WITNESS: I want to understand it.

THE FOREMAN: He is very clear in his questions.

Q I will withdraw that, and ask it again: Did you ever meet any persons at 2225 N Street, N. W.?

A Anywhere in the house?

Q In Apartment 400. A That is a different

question. I refuse to answer that question on the same grounds, that it might tend to incriminate me.

Q Do you know who lived in Apartment 400 at 2225 N Street, N. W., Washington, D. C.? A I honestly don't recollect that apartment.

Q Well, do you recollect being in any apartment at 2225 N Street, N. W., Washington, D. C.? A I refuse to answer that question on the ground that any answer I give might tend to incriminate me.

Q Did you talk this over with your husband before you came here today? A I discussed with my husband my rights that I have before the Grand Jury.

Q Then your answer is "yes," that you did talk it over with your husband? A I discussed with my husband my rights.

Q Did you talk with your husband as a lawyer? A No, sir; he is not familiar with Grand Juries, as a matter of fact.

Q You see, you have a very bad habit of not answering questions. A I have answered a slue of questions here.

Q The answer was "yes" or "no." I am not asking you what your husband's scope of knowledge is, as far as Grand Juries are concerned. I asked you if you discussed it with your husband in a legal capacity, about your appearance here today, in his capacity as a lawyer. Did you

discuss your appearance here today with your husband?

A Obviously. Any woman would discuss it with her husband, or vice versa.

THE FOREMAN: Yes or no?

THE WITNESS: He says in a legal capacity.

Q Did you consult him in his capacity as an attorney? A I consulted him as my husband.

Q And did he tell you not to answer any questions on the ground that they might tend to incriminate you?

A He said I have the right, any question I feel might tend to incriminate me, to say so.

Q And did he suggest what questions might tend to incriminate you? A No, he didn't.

Q He didn't - - are you sure he didn't? You realize that this is under oath, and it is subject to the penalties of perjury? A I refuse to answer that question on the ground that any answer I give might tend to incriminate me.

Q Do you know Morton Sobell? A I refuse to answer that question on the ground that any answer I give might tend to incriminate me.

Q Do you know Max Elitcher? A I refuse to answer that question on the ground that any answer I give might tend to incriminate me.

Q You realize that if you don't know him, you have to say "no," and you just can't rely upon this

constitutional right of yours to say "I refuse to answer on the ground it might tend to incriminate" you, if in fact you don't know the person. There is a difference there.

Now, once again I ask you: Do you know Morton Sobell? A I refuse to answer that question on the ground that any answer I give might tend to incriminate me.

Q Do you know Max Elitcher? A Not to the best of my recollection.

Q Do you know Elaine Goldstein? A Not to the best of my recollection.

Q Do you know Jacob Henry Krug? A Yes. He worked in the same agency as I did.

Q That is, at the Rural Electrification? A Yes.

Q What was his position? A Attorney.

Q Where does he live now? A I haven't the faintest idea.

Q Have you seen him recently? A No.

Q When is the last time you saw him? A When I lived in Washington.

Q That was in 1942, is that right? A Somewhere around there.

Q Do you know Irving Keiser? A Not to the best of my recollection.

Q Do you know William Remington? A I read his name in the papers.

Q I know that, we all do, but do you know him personally? A I refuse to answer that question on the ground that any answer I give might tend to incriminate me.

Q Do you know Ann Remington? A I refuse to answer that question.

Q Did you ever meet William Remington? As I understand it, when you say "refuse to answer," you have to state the reason each time.

Now, did you ever meet William Remington? A You are asking the same question, in a different form.

Q No; I asked you first if you know him.

THE FOREMAN: You are not funny at all, Mrs. Cohen.

THE WITNESS: Well, I know he - -

THE FOREMAN: You are very facetious.

THE WITNESS: I don't intend to be.

THE FOREMAN: I want you to know that this jury is an intelligent jury, and we are trying to do our duty as citizens. Now, I want you to answer the questions that are being asked of you. They are being asked very well, and you are just being smart.

THE WITNESS: I don't intend to be smart. I am sorry.

MR. LANE: (To Reporter) Will you read that question?

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Q [Read by Reporter: "Did you ever meet William Remington? As I understand it, when you say 'refuse to answer,' you have to state the reason each time. Now, did you ever meet William Remington?"] A I refuse to answer that question on the ground that any answer I give might tend to incriminate me.

Q Did you ever meet Anne Remington? A I refuse to answer that question on the ground that any answer I give might tend to incriminate me.

Q Did you ever see William or Anne Remington in the building at 2225 N Street, N. W., Washington, D. C., while you were living in Washington? A I refuse to answer that question on the ground that any answer I give might tend to incriminate me.

Q Were you ever a member of the American League for Peace and Democracy? A I refuse to answer that question on the ground that any answer I give might tend to incriminate me.

Q Do you know whether William and Anne Remington were members of the American League for Peace and Democracy? A I refuse to answer that question on the ground that any answer I give might tend to incriminate me.

Q Were you ever a member of the Washington Book Shop Association? A I refuse to answer that question on the ground that any answer I give might tend to incriminate me.

Q You realize, of course, if you weren't a member you are bound to say you were not - - in other words, if I ask you if you were a member of something, and you definitely were not, you have to say "no?" I want you to understand that, when I am asking these questions. You just can't tilt this swing both ways.

Were you a member of the Communist Party? A I refuse to answer that question, on the ground that any answer I give might tend to incriminate me.

Q Were you at any time a member of the Communist Party? A I refuse to answer that question on the ground that any answer I ^{give} might tend to incriminate me.

Q Are you at present a member of the Communist Party? A I refuse to answer that question on the ground that any answer I give might tend to incriminate me.

Q Were you a member of the DAILY WORKER PRESS CLUB? A I refuse to answer that question on the ground that any answer I give might tend to incriminate me.

Q Did you ever subscribe or solicit any subscriptions for any magazine published by the Communist Political Association? A I refuse to answer that question on the ground that any answer I give might tend to incriminate me.

Q Were you ever invited to any national convention of the Communist Political Association? A I refuse to answer that question on the ground that any answer I give might tend to incriminate me.

Q Did you ever attend a Communist Political Association meeting or convention? A I refuse to answer that question on the ground that any answer I give might tend to incriminate me.

Q Were you a member of the Communist Political Association in Connecticut? A I refuse to answer that question on the ground that any answer I give might tend to incriminate me.

Q Were you a member of the American Youth for Democracy at Bridgeport, Connecticut? A I refuse to answer that question on the ground that any answer I give might tend to incriminate me.

Q Did you ever attend functions of the Communist Political Association, including membership meetings, special classes, labor committee meetings, and rallies? A Will you please repeat the question?

Q Yes. Did you ever attend the functions of the Communist Political Association - and by that I include membership meetings, special classes, labor committee meetings and rallies? A I refuse to answer that question on the ground that any answer I give might tend to incriminate me.

Q Were you a member of the Executive Board of the United Public Workers? A Yes, I was.

Q For how long a period of time were you a member of that Executive Board? A Roughly six months, possibly;

I am not sure.

Q Roughly six months? A It was maybe a year -
six months to a year.

Q And when was that? A My guess would be
around '47 - '48, somewhere around there.

Q What were your duties as a member of that
particular board?

(CONTINUED BY BD)

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(Mr. Lane)

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A Attending member -- attending meetings of the executive board wherever they were held.

Q Yes; who made up the executive board, what was the membership? A There was a listed membership on a representative basis of the membership throughout the country.

Q Yes; but how many members were there on the board? A Oh, roughly, twenty.

Q Well, do you know the names of some of them? Who was the chairman? A Abraham Flexer, president.

Q Where did he live; New York? A I presume so.

Q And what was his righthand first assistant's name on that board; who was next in line? A Well, the director of organization, Bob Weinstein.

Q New York? A I assume so.

Q And who else was on the board? A Ewart Guinier, secretary-treasurer.

Q Who else? Who else? Just give us the names that you remember. A Jack Biegel; Rose Russell; Mort Furay; a fellow called something like Brudney, I'm not sure of his name. I don't recall recollect -- I only attended two meetings of the board, in all.

Q Was this in 1946? A No, it couldn't be '46.

Q '47? A I think -- as I said, I think it was '47 or '48.

Q Now, where was Abraham Flexer, where did he have his headquarters? A In New York.

Q Well, didn't you go to Washington in 1947 with your husband David -- David is your husband's name? A I wasn't married in '47.

Q No; but you went with him to Washington in '47. Did you make a trip with him to Washington to meet Abraham Flexer in 1947? A There were various conferences of the union that were held in Washington, and probably in '47 as well.

Q Well, didn't you have a conference at Washington with Abraham Flexer and your husband, your present husband, David Cohen, with respect to the President's -- President Truman's Loyalty Program? A There was a conference in Washington of many people, concerning ^{the} President Truman --

Q That's what I'm talking about. A Yes.

Q Now, who attended that conference at Washington? A There are so many conferences, it's very hard for me to try -- can you give me a more exact time?

Q Well, in September of '47, the big conference that was called to discuss President Truman's Loyalty Program, there was one big conference there, as you may recall.

A I was on several conferences.

Q You mean several conferences at Washington?

A Yes, there were various union conferences in Washington.

Q This one was called by Abraham Flexer to discuss specifically President Truman's Loyalty Program; he called down a lot of representatives, including you and your husband. Do you remember your being present at that conference?

A Well, I remember I was present at a conference.

Q How many people were there? A If it's the one I'm thinking of now, fifty to a hundred, roughly.

Q And where was it held? A In Washington. I don't recollect the --

Q Well, it's a big city. A I don't recollect the address

Q Was it the Mayflower, the Statler; was it a hotel?

A It wasn't a hotel. It may have been a school, a church or some sort. It wasn't an office of the union. It was some kind -- I don't recollect --

Q Some hall down there? A It was some kind of a hall, yes.

Q And you say there were about fifty to a hundred people present? A As far as I can recollect.

Q And were they from all over the country, representatives of that particular organization? A I think so.

Q And who addressed them down at that meeting? I assume Mr. Flexer did. A I don't recollect who did, whether it was Flexer or whether it was Weinstein or whether it was Guinier, I don't recollect; it was one of the three, I don't recollect who did.

Q Was your husband a member of the international board of the UPWOA? A No.

Q Never? A No.

Q Was he ever a member -- I guess I asked you that -- was he ever a member of the international board of the UPWOA?

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A No, he wasn't.

Q Did they have a board of directors? A No.

Q But they have some top board? A They have an officers' -- the officers normally meet in the course of time.

Q Well, wasn't your husband an officer of the UPWOA?

A No.

Q Did he hold any sort of an executive position? A No.

Q And was he ever on any executive board? A He has attended meetings of the executive board, but he has not been a board member.

Q Well, in what capacity would he attend a meeting of the executive board? A An observer.

Q Is that permissible? A It's permissible.

Q Could anybody attend? A No. It would have to be approved, I presume.

Q I don't suppose they would let me attend. A Pardon me?

Q I don't suppose they would let me attend, would they?

A You might ask.

Q They would probably refuse. Now, you seem to be deathly afraid of being incriminated of something. Does that sound like a fairly accurate statement respecting your testimony today? A "Deathly afraid" is --

Q Well, you are apprehensive? A Yes, I'm apprehensive.

Q Now, if it were possible -- and I'm not making any promises -- but if it were possible to grant you any immunity with respect to the subjects that I have discussed here today,

would you be in a position to disgorge the information on those with respect to those questions? A No; would you clarify what you mean by "immunity":

Q Well, in other words, I have asked you several questions, many questions, and you have repeatedly said that you refused to answer on the ground that they would tend to incriminate you. Now, if I were in a position to tell you that -- or, to give you immunity and tell you that the answers, the truthful answers to these questions, would not in any way incriminate you, would you then be willing to answer the questions? In other words, if what you could tell me would incriminate someone else but would absolve you from incrimination, would you be willing to answer the questions? A I can't answer that.

Q Why? A It's confusing.

Q What's confusing about it? You told me that you are apprehensive; you feel that if you give answers to these questions, the answers might incriminate you. Now I say to you if we could remove that apprehension, if there were some way we could remove it and give you immunity so that anything you told us would not incriminate you but might incriminate some of these other people, would you then be willing to divulge the information which you obviously have and refuse to divulge at the present time, if you knew it was not going to incriminate you? I say "you"; I mean you personally.

A I would have to discuss that with counsel. I don't know.

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Q Counsel? You mean -- you are appearing here as an American, aren't you? You are a citizen -- I forgot to ask you that -- are you? A Yes.

Q Well, then, as a good American citizen being asked a question which would not incriminate you but might incriminate someone else who is trying to tear down the country, do you mean to say you have got to ask an attorney whether or not you should answer that if you were promised immunity so that it would not affect you at all? Don't you know what you do as an American citizen? A I am not fully conversant with law.

Q This is not a question of law. This is a question of patriotism and loyalty. A There is no question about patriotism and loyalty.

Q Well, there seems to be a very large question about it, because this thing is very serious, this thing involves the very life of the country. But you seem to be more interested in you than you are about the existence of the country, from what I can ascertain from these questions I have asked you. And then you tell me that you would have to consult a lawyer. I was wondering -- A It is my understanding that any questions that I feel might tend to incriminate me, I have the right to say so.

Q That's very true and your understanding is precisely correct. But, then I asked you if we could assure you that any answers you gave would not incriminate you, even though they might be incriminating, as long as they wouldn't

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incriminate you but would incriminate somebody else, would you be willing and eager to divulge such information?

A I refuse to answer that question on the ground that any answer I give might tend to incriminate me.

Q Well, I think that we -- at least I understand pretty well just what your stand in this whole situation is. As a matter of fact, didn't you refuse to give an interview concerning this matter to the FBI Agents? A I refused to give an interview to the FBI.

Q Yes; on what grounds? A I thought it was a voluntary matter whether one spoke with the FBI or didn't and I exercised my right to either speak or not to.

Q And is that why you have adopted that attitude; you felt that you had a right not to talk to any Agent at all on any subject? A That was my impression, yes.

Q And who so advised you, your husband? A No.

Q Who? A General understanding that I have had for a long time. I can't pin it down.

Q What did you get for a salary while you were working for this United Workers Union. A United Public Workers.

Q Yes. A Sixty dollars a week.

Q Sixty dollars a week? A Yes, sir.

Q And is that all you got? Did you get any other remuneration? A No.

Q Did you have any other means of income? A No.

Q Did you file your income tax returns each year?

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A Yes, sir.

Q Where did you file them? A My husband filed it.

Q In New York? A Yes.

Q A joint return? A The last one, I think it was a joint return.

Q And what did he make? A Sixty-five.

Q So your total income was \$125 a week? A It was, when I was working.

Q And what does he make now? A Sixty-five a week.

Q Still? A Yes.

Q And you have no other means of income? A No, sir.

Q And where do you live, what apartment? A On the second floor of the building that I mentioned before.

Q And what do you pay for rent? A Forty-three.

Q How many rooms? A Three.

Q Do you have a telephone? A Yes, sir.

Q A car? A Of a sort, yes.

Q What kind of a car is it? A It's a '40 Studebaker.

Q How long have you had it? '40 Studebaker?

A Yes, sir.

Q That rings a bell. Where did you get it? A My husband bought it, I believe, in Philadelphia in 1940.

Q He bought a new one? A Yes.

Q And you have had it since, you have had it ten years?

A Yes, sir.

Q Did you ever visit the home of Ann Remington?

A This is Ann Remington, not William. A I refuse to answer that question on the ground that any answer I give might tend to incriminate me.

Q Did you ever visit the home of William Remington?

A I refuse to answer that question on the ground that any answer I give might tend to incriminate me.

Q Do you know whether your husband ever visited the home of Ann or William Remington? A I refuse to answer that question on the ground that any answer I give might tend to incriminate me.

Q I'm talking about your husband, not you; something that might incriminate your husband wouldn't incriminate you, necessarily. A Necessarily, it might.

Q You mean if you both went together it might; is that what you mean? A I mean that any answer I give might tend to incriminate me.

Q Any answer? A Any answer.

Q Do you know whether your husband ever visited the home of Ann or William Remington alone? A I refuse to answer that question on the ground that any answer I give might tend to incriminate me.

Q You consider that you have been quite cooperative before this Grand Jury? A I consider that I have been very cooperative.

Q This is your idea of cooperation, is it? A I consider I have been as cooperative as I possibly can be.

Q Under the circumstances? A Under the circumstances.

Q In other words, you feel that you might be indicted?

A I refuse to answer that question on the ground that any answer I give might tend to incriminate me.

MR. LANE: Now, Mr. Foreman, would you ask the lady to step out for a few minutes?

JUROR: May I ask one question before she goes out?

I was puzzled by one question you answered, whether Mr. Lane would be permitted to attend any of these meetings. I wonder if you meant because he was a Government official, things would be going on in such a meeting that you would be ashamed of the Government knowing. I mean, you didn't answer yes or no to that question: would Mr. Lane have been permitted to be present at those meetings, knowing he was a Government official?

THE WITNESS: Either yes or no you want on that?

JUROR: Yes. A The answer I think is No, though I have -- I'm not the one to make the decision. I think the answer is No, and not because we would be ashamed of what's going on.

JUROR: Except a guilty conscience?

THE WITNESS: Neither.

[WITNESS EXCUSED]

(Witness, Florence Herzog Cohen, recalled.)

MR. LANE: Mr. Foreman, unless there are some more questions, we'll excuse Mrs. Cohen for now. But will you advise her that when the jury wishes her again that I will contact her after being advised by you?

THE FOREMAN: Do you understand that?

THE WITNESS: Yes.

THE FOREMAN: You are subject to call.

MR. LANE: You are temporarily excused.

THE WITNESS: I think, in recollection of what happened, I think the question you asked me, in '47 -- I think I said we weren't married at the time. I misunderstood your question. We were married at the time.

MR. LANE: Is there anything else?

THE WITNESS: No, I misunderstood the question, and I wanted to clarify that.

THE FOREMAN: No further corrections?

THE WITNESS: No.

THE FOREMAN: You might think over those corrections, if we call you, in the meantime.

THE WITNESS: Is that record available for checking?

MR. LANE: No; it is a grand jury record.

THE WITNESS: I am not familiar with the grand jury.

Thank you.

(WITNESS EXCUSED)

M O R R I S P A S T E R N A K , called as a witness,
having first been duly sworn by the Foreman, testified
as follows:-

BY MR. LANE:

Q Mr. Pasternak, what is your age? A 53.

Q Where were you born? A Russia.

Q When did you come to this country? A Look, I
would like to request adjournment for a period until I get
an attorney. I haven't been able to obtain an attorney.

Q You don't have any right to request an adjournment.
A I think I have the right.

Q You can refuse to answer any questions which you
think may tend to incriminate or degrade you; but this is
a grand jury proceeding. A Well, I am not a lawyer, of
course. I understand that people are entitled to be repre-
sented by an attorney.

Q Not before a grand jury. A Well, I don't know. I
assume that that is so.

Q No, that's not so. If you think any questions which
I ask you may tend to incriminate you or degrade you, I
think you know what that means, you can say that you decline
to answer on the ground that the answer will tend to incriminate
or degrade you. In that event you will then go down to
the courtroom, we'll put the question to the Judge, and if
the Judge feels it will tend to incriminate or degrade you
he will permit you to stand by your answer. If the Judge
feels that the answer to the question will not tend to

incriminate or degrade you, he will then direct you to answer the question. If you don't answer the question, he will then hold you in contempt of court and probably have the Marshal take you and bring you over to the West Street House of Detention until such time as you answer the question. Is that clear? In other words, you are here -- I assume you are an American citizen? A I am.

Q I assume you want to cooperate, don't you? A I do.

Q You appreciate the fact that you are called as a witness and not as a defendant? A Well.

Q I want you to bear that in mind. We have had people come in here and because they come before a grand jury they sometimes feel a little bit scared; but there is nothing for you to be scared about, if you just tell the truth about things which I am going to ask you. They may pertain to somebody else, but if they may incriminate somebody else, you cannot refuse to answer on that ground even though they may be related to you. Do you understand? In other words, if my brother did something wrong, and I was called before a grand jury, the fact that I knew he did something wrong, I cannot say I refuse to answer because it is liable to hurt my brother. Do you get it? A Yes.

Q When did you come to the United States? A In 1906.

Q When did you become an American citizen? A 1917.

Q Where were you naturalized? A In New York.

Q In New York City? A Yes.

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Pasternak

Q In what court? A I think it was the U. S. Supreme Court.

Q The New York Supreme Court? A The New York Supreme Court.

Q When were you married? A 1928, I believe.

Q That's your only marriage, I take it? A No, I was married before.

Q When was the first time you were married? A 1920.

Q And were you divorced? A I was, yes.

Q When? A In '26 or '7.

Q Whom were you married to the first time? A A woman.

Q What was her name? A Her name was Lerner.

Q What was her first name? A Goldie Lerner.

Q Were you married in New York City the first time?

A Yes.

Q Whom did you marry the second time? A Florence Pasternak.

Q Married in New York City the second time? A That's right.

Q Do you have any children by either marriage? A I have a child by the second marriage.

Q When was the child born? A 1938.

Q Boy or girl? A Girl.

Q What's her name? A Carol.

Q What do you do for a living? A I am a machinist.

Q Whom do you work for? A Liquidometer Corporation.

Q What is the address there? A Skillman Avenue and 36th Street, Long Island City.

Q How long have you been employed by the Liquidometer Corporation? A About ten and a half years.

Q I assume you work steadily there? A Yes.

Q Do you have any other occupation outside of that?

A No.

Q No other means of income? A No.

Q What do they pay you a week? A I get \$1.62 $\frac{1}{2}$ an hour.

Q How much does that average a week? A On a 40-hour basis, let's see, sixty-five, I believe.

Q Do you own your own home? A No.

Q Are you related to Morton Sobell? A I am.

Q What is the relationship? A I am his uncle.

Q Is it your sister that's his mother? A Yes.

Q When was the last time you visited Morton Sobell?

A I cannot answer this question.

Q On what grounds? A On the ground of self-incrimination, as you mentioned before.

Q You cannot answer the question, when was the last time you visited Morton Sobell? A Yes.

Q On the ground that that answer would tend to incriminate you? A Yes.

Q Do you realize what that means? A I don't know.

Q When was the last time you heard from Morton Sobell?

A I cannot answer that question on the ground you mentioned.

Q Did you receive a note containing Morton Sobell's Mexico City address? A I cannot answer that question either on the ground you mentioned.

Q Haven't you ^{already} answered it? A That was in a moment when I didn't think about it, and I didn't realize what I was getting myself into.

Q But you did answer it, didn't you? Weren't you questioned by the Federal Bureau of Investigation Agents the last two days? A Yesterday.

Q Where was that questioning? Where did that take place? A In the shop.

Q Didn't you tell Agents of the Federal Bureau of Investigation that you did receive a note from Morton Sobell? A I cannot answer that question.

Q Didn't you answer that? How can that incriminate you if you have already answered it? A Well, I won't answer it now.

Q You won't answer it? A No, on the ground of self-incrimination.

Q Would you prefer for me to ask this grand jury to get a superseding indictment to include you, or doesn't that concern you a bit? A What?

Q Whether you will be included in a superseding indictment with your nephew? A It certain will concern me.

Q That is what you are leading up to with your answers here. A Before I answer such questions I feel that I am entitled to an attorney to advise me.

THE FOREMAN: He coulin' help you on that. He coulin' help you on that at all, because you can still say it tends to incriminate. He will tell you the same thing.

THE WITNESS: After I consult my attorney then I will know clearly what to say and know what my rights are and have some protection. This way I am at your mercy, and I have nothing to do with it. I work; I was a hard-working man; I supported my family. I don't see why I was brought into this thing altogether.

Q You understand what your nephew is charged with, don't you? A I have an idea from the press.

Q Yes, you have an idea from the press. You know how serious that is, don't you, if the charges are true?

A From what the press said, yes.

Q Press or otherwise, you have heard what the charges are, and then you who received a note from him come in here and tell the grand jury that you want to be protected and you want to do this and you are a hard-working man. Whom are you trying to fool? All we want you to do is cooperate as an American citizen. A All I am asking is for a little time, I am around, for some time for an attorney, to get some advice.

Q If you are innocent, why do you need advice? A Sir?

Q If you are innocent, why do you need advice? A Sure I am innocent. Still in all, I am not a lawyer. You are. I ~~xx~~ think I am entitled to some legal protection.

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Q You are not answering the question. You are entitled--

A Which question?

Q I say, if you are innocent, why do you need a lawyer? A Well, many innocent people can get themselves involved unnecessarily.

Q That is just a lot of bunco that you have learned somewhere. As a matter of fact you went to school in Russia, didn't you? A I refuse to answer that question on the ground of self-incrimination.

JUROR: You already have seen a lawyer and he has told you how to answer.

THE WITNESS: I haven't seen a lawyer.

JUROR: You didn't think that up yourself.

THE WITNESS: Well, I have heard about it. Mr. -- I don't know your name.

MR. LANE: Lane is the name.

THE WITNESS: Mr. Lane just mentioned that to me, told me my rights, how I can answer.

JUROR: That is the first time you have heard it?

THE WITNESS: I heard the term. I had a vague idea what it was.

Q It wasn't so vague. You took it up in that school you went to. A Not too vague.

THE FOREMAN: You were instructed how to answer questions.

THE WITNESS: Mr. Lane, you yourself told me.

(Mr. Lane, continuing:)

Q I told you, that's right; but you heard it before you heard me say so. A That's a matter of hearsay. I must have heard the term, no doubt, reading the press and talking to people.

Q Let's you and I get one thing straight. When I ask you a question you remain quiet until I finish, and when I talk you remain quiet until I ask the next one. Don't try to interrupt me because I have seen those tactics before.

A All right, I will do that.

Q The question is: You have been schooled before in how to answer questions before juries, haven't you?

A I have not.

Q Have you ever heard anyone explain the question of your constitutional rights? A I went to school; I have some idea of my constitutional rights.

Q Who explained them to you? What school explained them? A Public school, high school.

Q What high school and what public school? A I don't remember. I think it was Public School 7 I went to.

Q In this country? A In this country.

Q Did they explain your constitutional rights to you? A They did not explain particularly my constitutional rights.

Q Who did? A It was explained that we live in a democratic form of government and that a person has certain

rights.

Q What school was this, what grammar school was this that explained that? I'd like to know which one that was.

A Well, perhaps it wasn't the grammar school. I am 53 years old.

Q Then you must have a pretty good memory. Tell us what school it was? A I do not say the grammar school particularly.

Q You said public school something. I assume you meant the grammar school? A In public school children are taught the form of democracy in this country, that's all.

Q We are not looking for general answers. We know all about that as well as you do. I want something specific. First of all, where did you go to school in this country?

A I went to P. S. 7 on Chrystie Street, I believe it was.

Q When was that? A 1906.

Q When did you graduate? A I didn't graduate. I took a special examination in 1913 and entered Hebrew Technical Institute, which was a trade school.

Q Where is that located? A That is not in existence any more. It was located on Stuyvesant Street.

Q How old were you then? A In 1913 I must -- that's about 17 years old, I imagine -- and then I entered Cooper Union Institute, night.

Q When did you graduate from the Hebrew Technical School? A No, I entered Hebrew Technical in 1910 and graduated 1913.

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Q As what, as a machinist? A Not exactly. It is some general course in machine practice, use of machines.

Q Did you graduate? A I did.

Q How many students were at the school? A It wasn't a big school. I judge maybe 100, maybe 150.

Q Where is it located? A Stuyvesant Street.

Q When did it go out of existence? A I think it went out of existence during the war when it was taken over by some --

Q By the way, were you in the first war? A No.

Q Did you register in the draft for the first war? A I did. I was rejected on account of height.

Q What? A I was rejected. At that time they used the term "rejected" instead of "deferred".

Q On account of what? A I was too small.

Q That the only reason? A Yes.

Q After you graduated from the Hebrew School, you went to Cooper Union? A Yes.

Q When did you go there? A I entered 1915.

Q How long were you there? A Six years.

Q Did you graduate? A I did.

Q What sort of a course did you take there? A Chemistry.

Q Chemistry? A Yes.

Q I thought you said you were a machinist? A Well, it wasn't a school with any academic standing at that time. It is now.

Q Did you graduate? A I did.

Q Get a diploma? A With a diploma, yes.

Q Did you go to any other schools after that?

A No.

Q Never? You never went to another school?

A I cannot answer that question on the ground of self-incrimination.

Q You have already answered it. You said no, you never went to another school. A I did not say no.

MR. LANE: Mr. Reporter, did he say no?

THE WITNESS: If I did --

(Question and answer of the witness read as follows: "Q DID YOU go to any other schools after that? A No.")

Q What is the answer? A The answer is, I cannot answer this question.

Q Why? A On the ground that you suggested, of self-incrimination.

Q I didn't suggest it. A You gave me some rights.

Q I said that you could use that as an excuse if it were legitimate. A That's the point. If I were to have an attorney, you would save yourself quite a lot of time and trouble. He would be able to tell me which is legitimate and which isn't. I don't know.

Q You have to determine that yourself. You cannot answer that question and give any answers ^{here} which aren't

truthful. That means legitimate. Now, did you leave the country after you arrived here in, what was it? 1906 you said you arrived here? A Yes.

Q Did you ever leave this country? A I cannot answer this question on the ground of self-incrimination.

Q The fact that you left this country might tend to incriminate you. A It might; I don't know.

Q Did you ever go to Russia? A I cannot answer this question either on the ground of self-incrimination.

Q Did you ever attend the Lenin School? A I cannot answer this question on the ground of self-incrimination.

THE FOREMAN: You are sort of catching on to those answers.

THE WITNESS: It is not hard to catch on.

THE FOREMAN: You are trying to be facetious and smart.

THE WITNESS: I am not trying to be smart.

THE FOREMAN: Yes, you are.

THE WITNESS: I am just trying to protect myself. If I would have an attorney, then I'd have some idea of what to answer and what not to answer. This way I want to take full advantage of this right.

JUROR: Do you consider yourself a loyal American?

THE WITNESS: I do.

JUROR: Why are you afraid to answer questions and cooperate with the loyal Americans sitting in this room, and I assure you furthermore, that the attorney,

Mr. Lane, will not try to trap you and will protect your rights. Why don't you cooperate?

THE WITNESS: I am trying to cooperate. I don't know what this is all leading to. I do not want to be involved in it.

JUROR: You are involved as a citizen of the United States, and if you consider yourself a loyal citizen, then you should cooperate.

THE WITNESS: I am trying to cooperate. The only provision, if I would get what I thought is a right to be represented by an attorney, then everything would go off. As it is I do not know what is what, and I'd like to have that right, to an attorney, and I'd like to urge you to postpone this, if possible.

Q Don't talk so much. Just answer questions. You are not supposed to give speeches. Did you show the note that was slipped under your door from Sobell to your wife?

A I cannot answer this question.

Q On the same grounds? A On the same grounds.

Q Did you show the note to anyone else? A I cannot answer that question on the same grounds.

Q How long did you keep the note? A I cannot answer that question, on the same grounds.

Q Each time you say you cannot answer it is on the grounds that it would tend to incriminate you, is that correct? A That's right.

Q Did you destroy the note? A I cannot answer that question on the ground of self-incrimination.

Q Did you discuss the note with anyone besides your wife? A I cannot answer that question on the grounds of self-incrimination.

Q When did you receive the note? A I cannot answer that question on the ground of self-incrimination.

Q Where did you go on your vacation in July 1950?
A Camp Unity.

Q With whom? A Myself.

Q When was that, do you know the date? A July 17th, I believe it was.

Q Were you there for two weeks? A Yes. The plant closed down and it was our plant's vacation time.

Q Was your brother Louis at the camp at that time?
A In and out.

Q Is he the owner of the camp? A I do not know myself what the setup is.

Q Does he manage the camp? A I think he is manager. I don't know what he is.

Q How old is he? A He's about seven or eight years older than me, close to sixty possibly.

Q Is he married? A Not that I know of. No, he's not.

Q When did he come to the United States? A I think he came two years before me; it must have been 1904.

Q Did he come alone? A It is not clear in my mind.

Q Are your parents in Russia? A My father died when I was a year and a half old.

Q Did your mother come to this country? A My mother came with me and one of my sisters.

Q She still living? A No, she is not.

Q Your sisters, did you say? Are they in this country? A They are.

Q Where do they live? A They live in the Bronx.

Q Whereabouts in the Bronx? First of all, what are their names? A Dora Ruchames.

Q What is her address? A I don't remember. I know the house.

Q What street? A It is on 152nd Street and Concord Avenue, I believe.

Q What is the telephone number? A I do not know; they have no telephone.

Q What does her husband do? A He had a grocery store there. I do not know whether he retired.

Q What is his first name? A His first name is Ben.

Q What is your other sister's name? A Rose Sobell.

Q Have you any other brothers or sisters in this country? A I have another sister.

Q What is her name? A Her name is Anna Weinstein.

Q Where does she live? A They live someplace on Washington Avenue. I rarely ever visit her.

Q What is her husband's name? A Her husband is dead.

Q What is her telephone number? A I do not think they have one.

Q Did you see your brother Louis at camp in July of 1950? A I did, yes.

Q Did you discuss the note with him? A I cannot answer this question on the ground of self-incrimination.

Q Do you know this William Danziger very well?

A Never heard of him.

Q Did you ever see him? A I never heard or saw of him.

Q Did your brother Louis mention that he had heard from Sobell, Morton Sobell? A Never.

Q Do you know Edith Levitov? A Yes, I met her when Morton Sobell moved into Queens, yes, Flushing.

Q Did you talk with her in July of 1950? A I must have exchanged a few words with her.

Q Where? A In camp.

Q At Camp Unity? A Yes.

Q Were the Sobells up there too, the elders?

A I never saw them up there.

Q You were there for two weeks? A That's right.

Q Did you register up there? A Sure.

Q What is the answer? A Yes.

Q What did you pay for your stay up there a week?

A Regular fee, forty dollars a week, forty and forty-two dollars.

Q You say you were alone up there? A Yes, my wife couldn't come.

Q Did you talk to Mrs. Morton Sobell recently? A Yes, I spoke to her a couple of weeks ago.

Q Did you discuss with her her appearance before the grand jury? A No.

Q Did she discuss with you her appearance before the grand jury? A She did not.

Q Did you tell Edith Levitov about the note? A I cannot answer this question on the ground of self-incrimination.

Q Did you tell anyone where Sobell could be reached, Morton Sobell? A I cannot answer this question on the ground of self-incrimination.

Q How would that incriminate you? A Well, you see, the whole thing is such that, well, I don't know, maybe I am wrong, it is possible that I am wrong all along the line.

Q You realize from the questions that this pertains to Morton Sobell and not to you particularly? A Well, it concerns me too.

THE FOREMAN: How?

Q In what way? A From your questions.

Q Except what you know about Sobell. You see, Mr. Pasternak -- A May I say one word?

Q Yes. A I know it may be the last time I will make this plea. You are not representing me. I would like to have

the right, or the permission, to consult with an attorney, and then you and I and all of us would know what's what. As it is, as I mentioned, I do not know what's what.

JUROR: Mr. Lane, when was he subpoenaed?

MR. LANE: He was subpoenaed quite a while ago. (To witness:) Weren't you?

THE WITNESS: No; yesterday. We worked until two-thirty. Yesterday was a holiday.

MR. LANE: Yesterday was election day, but not a holiday. You worked, didn't you?

THE WITNESS: I worked until 2:30.

JUROR: He could have had a lawyer if he was subpoenaed yesterday.

MR. LANE: As a matter of fact you may recall his sister had a lawyer, the same one representing Sobell in this case.

JUROR: He has obviously had a lawyer.

MR. LANE: He doesn't need any lawyer.

JUROR: May I ask this, Mr. Lane? He is making a very unfavorable impression on the jury, and I want to be fair. I'd like to ask: You were taught democracy in the private schools and the schools you attended and you admit that you believe in our democracy?

THE WITNESS: I surely do.

JUROR: If you believe in our democracy and understand it, you appreciate the fact we are all American citizens, trying to help you and your government. You are not stupid, we appreciate that. You are not making an impression on us. The impression you are making is not good, and we are trying to help you. We are all American citizens, and your answers to the questions are stupid.

ANOTHER JUROR: You seem to want to get into the same mess your nephew is in.

THE WITNESS: Look, ladies and gentlemen, I do not want to get into any mess.

JUROR: You are doing it by your own statements.

THE WITNESS: And I am awfully sorry if I am making that impression. It is not my intention. All I am saying is that I'd like to have an opportunity to consult with an attorney. You gentlemen are making an assertion. It wasn't possible for me to reach a lawyer. I received the subpoena, I believe it was 11:30, and I worked until 2:30. I ran around and couldn't get a lawyer.

(Mr. Lane, resuming:)

Q Mr. Pasternak, so much for speeches. I do not think we are interested in speeches. A I know.

Q And I think the grand jury is getting just a little bit fed up with people just like you. They have been very

fair. They have tried to be and have done an excellent job, but patience is a virtue and it is limited in some ways, but what you are trying to do, as I see it here, and you are making a pretty good stab at it, you are apparently deliberately trying to become a martyr in the sense you want to be thrown in this -- wait a minute, let me finish -- in this indictment, which is very simple: I can ask and get a superseding indictment, the penalty for which is death, and you understand it is a capital offense, and if you are tarred with the same brush, that is exactly what I am going to ask them to do, and from your attitude here -- it leads me to no other conclusion -- that you are up in this to your neck, otherwise you would come out and tell us a few simple little facts we discussed here today.

(Cont. by IFG)

Re: John Doe

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IFG-1
(From LB)

November 8, 1950

M. Pasternack

(Mr. Lane)

Q (Cont.) I have asked you questions about certain facts. You have deliberately refrained from doing it, because you say that the facts will tend to incriminate you. Well, if those facts tend to incriminate you, then you should be in this indictment. There is no question about that. On the other hand, if those facts don't tend to incriminate you, and you are perfectly innocent, and you are here to cooperate and tell us what you know about Sobell, then you don't belong in any indictment. A Firstly, I don't think any sane person would want to get themselves involved in the indictment, and I am not an insane person. I can't see how you make such a statement in any way. All I am asking is the opportunity to consult an attorney for a couple of days or so, and you recall me. I think that is a fair proposition.

A JUROR: May I ask you a question? When were you interviewed by the F. B. I.?

THE WITNESS: Yesterday morning.

A JUROR: Thank you.

Q Well, my feeling is that after you go out of here today, you won't need a lawyer or anything else. All you need is a lawyer to represent you in the event you are indicted, because your attitude is one which is hostile, un-American, and as I see it pro-Communist.

Now I want to ask you one more question: I put the question to you about your schooling, where you went to

school, the various schools you attended in the United States. I am not going to ask you about the Lenin School, because you refused to answer the question. I know all about that, too. But I am asking you if, in those three schools that you mentioned - the public school, number something, and the Hebrew school, and the mechanical school you went to - - A It wasn't a Hebrew school; it was a technical school. It was a regular, non-sectarian school.

Q You called it a Hebrew school. A It is the Hebrew Technical School; that is the name of it.

Q I am not concerned whether it is Hebrew or Irish or Scotch; I want the name of it. And the Cooper Union School, you said? A That's right.

Q Now, in any of those schools, did you receive any instruction as to your rights if you appeared before a Grand Jury? A No.

Q Then you must have learned it somewhere else. A Well, I read papers and books, and you get some ideas.

Q But you never learned that from papers or books, did you? A Oh, yes; papers constantly carry witnesses giving these answers.

Q And that is where you got it? A Apparently.

Q What papers did you get it from? A THE NEW YORK TIMES.

Q What issue? A I am a regular reader of it. I can't recall the issue - every time there is some trial

M. Pasternack

it is carried. For instance - -

Q Let us not go into that. You are a good speaker.

A JUROR: What kind of people are afraid of incriminating themselves - innocent or guilty people?

THE WITNESS: Innocent and guilty.

A JUROR: Where did you learn that?

THE WITNESS: I can visualize that; it is not hard to visualize.

Q Do you have a typewriter in your home? A Yes.

Q Could you produce it if I asked you to, or would that tend to incriminate you, too? A No; if you want it you will go through the legal procedure, and I will produce it, certainly.

THE FOREMAN: Where did you learn about the legal procedure?

THE WITNESS: The question^{of law}/is not a mystery; it is constantly in the press.

A JUROR: Mr. Pasternack, if you consulted a lawyer he couldn't tell you any more than Mr. Lane just told you. He would also tell you, if he were the right kind of lawyer, to tell the truth.

ANOTHER JUROR: Unless you want to become a defendant.

THE WITNESS: I certainly do not.

A JUROR: And we are very anxious to help you and try to give you the benefit of what you could get from a lawyer.

THE WITNESS: May I say one word, Mr. Lane?

Q Just a minute, Mr. Pasternack; in line with your answer that you gave cooperation, a sample of it is when I asked you if you would bring a typewriter, and you said, "If you go through the legal procedure I will." That is your idea of cooperation, that we have to subpoena it to get it in here; and you wouldn't produce it voluntarily, would you? A (No answer.)

Q What is the answer? A I gave my answer.

Q What is the answer? Give it to me again, so that I will understand it. A I don't see why my typewriter has to be here.

THE FOREMAN: That is not for you to even consider. You were asked the question, and answer "yes" or "no."

Q Will you produce the typewriter voluntarily, without a subpoena? A No.

* I think that answers it.

A JUROR: You are asking for something.

MR. LANE: Mr. Foreman, would you ask the witness to step out of the room?

THE FOREMAN: Step out for a minute.

Q Oh, one more question. Go back to the chair for a second. Do you have any property or money, in case of bail, in the event you should be indicted? A I don't.

Q How much could you raise? A I don't have any money; why should I raise money?

MR. LANE: Would you have him step out?

Q And, incidentally, for your information, don't light cigarettes in this room without getting permission. A I asked the Foreman, and I am sorry, but the Foreman told me to.

THE FOREMAN: I allowed him to do that.

(WITNESS EXCUSED -
LATER RECALLED.)

Q Mr. Pasternack, did you register in Washington under this recent Communist Act that was passed? A I didn't.

Q You didn't register in Washington? A No.

Q With the Attorney General's office, in the past month? A No, I didn't.

Q Were you a member of the Communist Party? A I cannot answer this question.

Q Are you now a member of the Communist Party? A I cannot answer this question on the ground of self-incrimination.

~~Q You say you cannot answer that now on the ground~~

of self-incrimination? A That's right.

Q Now I ask you, did you register under the recent Communist Act that was passed? A I did not. I answered that already.

THE FOREMAN: Be careful of your impertinence, when you say that to Mr. Lane. We all heard the answer.

THE WITNESS: I am sorry; no impertinence was intended.

THE FOREMAN: But it was impertinent.

THE WITNESS: Then I am sorry; I didn't intend it.

Q You understand that if you are a Communist you are supposed to register under that Act? A I am not entirely clear on that.

Q Well, that is what the bill says: If you are a Communist you are supposed to register under that Act - - isn't that so? A As I say, I am not clear on it. If you say so, I will assume it.

Q You have read the Act, haven't you? A I think I read it, but it wasn't very clear to me. The legal language I don't understand.

Q In any event, you did not register, did you? A No, I didn't.

A JUROR: Did you register in the last election?

THE WITNESS: I did.

A JUROR: Under what party?

THE WITNESS: That question, too, I refuse to answer.

A JUROR: That is public knowledge, it is printed.

THE WITNESS: My political affiliations, I believe - -

Q On what ground did you refuse to answer that question? A On the ground that my political affiliations are not to be inquired into.

Q That is not a proper ground for refusing to answer that question. You can refuse to answer only on the ground that it would tend to incriminate you. A That was my answer.

A JUROR: Mr. Lane, would you tell him that the public records show how everybody registered, whether it was Democrat, Republican, Socialist or Communist?

Q Did you understand that? A Yes, I understand.

Q Do you understand that the public records will show how you registered? A I presume so.

Q Yet you refuse to answer the question? A My understanding is that political opinions and affiliations are not to be inquired into.

Q Where did you understand that? A Again, from

general reading.

Q Well, once again you are wrong. A Well, I haven't been wrong before.

MR. LANE: I don't want to continue this any more today. Will you direct the man to be back next week - Wednesday, at ten o'clock, in Room 401.

THE FOREMAN: That is November 15th, Wednesday, at ten.

THE WITNESS: Do you have to mark the card?

Q You don't have to mark it. You know what time - on Wednesday, at ten o'clock, in Room 401. A All right.

A JUROR: Mr. Foreman, and I assume it is understood that we don't want the answers here next week that he didn't speak to counsel.

Q You have a week to get counsel, and next week, in the event you refuse to answer questions, you be prepared and come with a tooth-brush, because I will not fool with you any more. I am going to ask this jury to take the proper steps.

(WITNESS EXCUSED)

F L O R E N C E P A S T E R N A C K , called as a witness, having first been duly sworn by the Foreman, testified as follows:

BY MR. LANE:

Q How old are you? A Forty-five.

Q And were you born in this country? A No.

Q Where? A I guess it is Poland.

Q And when did you come to this country? A 1913.

Q Are you an American citizen? A Yes.

Q Naturalized? A Yes.

Q When were you naturalized? A 1929.

Q Are you married? A Yes.

Q And your husband is who? A Morris.

Q Morris Pasternack? A Yes.

Q Is this your only marriage? A Yes, sir.

Q And you were married when? A 1928.

Q And you have a child? A Yes.

Q How old? A Twelve.

Q A girl? A Yes.

Q Where did you go to school? A In Brooklyn;

I don't remember the public school number.

Q In Brooklyn? A Yes.

Q And did you go to high school? A No, I didn't go to high school.

Q When did you come to this country, you say?

A 1913.

Q Now, did you leave the country at all, from the time you arrived here? A Look, I don't think I am going to answer any more questions, because I haven't had a chance to consult a lawyer; I don't know what this is all about, and I think I have the legal right to get a lawyer first.

Q No, you don't have any such right before a Grand Jury. A Well, then, I won't answer any more questions.

Q Let me advise you of your constitutional rights. You must answer all questions put to you by this Grand Jury. You can refuse to answer any questions, the answers to which might tend to either incriminate or degrade you, but you must state for the record, each time I ask you a question, that that particular answer tends to incriminate or degrade you. Do you understand that?

Now, the question I ask is: When did you first come to this country? A 1913.

Q Did you leave this country after 1913? A I refuse to answer.

Q On what ground? A On the ground that I want to consult a lawyer.

Q Well, you can't refuse on that ground; you can only refuse to answer on the ground that the answer would tend to incriminate or degrade you; and I want that expressed - otherwise we will have to go down before the Court.

A All right, I refuse to answer on the ground that it will incriminate or degrade me.

Q The question was: Did you leave the United States after you arrived? A That's right.

THE FOREMAN: Will you answer that?

THE WITNESS: Oh, that is not important.

Yes, I went to Europe.

Q When? A In 1930.

Q Did you have a passport? A Certainly.

Q Did you go alone? A Yes.

Q How/^{long}were you in Europe? A Approximately a year and a half.

Q Where did you live in Europe? A Most of the time I lived in Moscow.

Q For a year and a half? A Yes.

Q And you say you went alone? A Well, I met my husband there.

Q You met your husband in Moscow? A Yes.

Q When did you meet him? A We were married before I left.

Q That is what I thought, but you said you met him over there. As I understand it, you left this country and you met him in Moscow? A That's right.

Q And when did he go to Moscow? A I refuse to answer any questions regarding my husband, on the grounds that it might incriminate him.

Q You can't answer that way, on the grounds that it might incriminate him. A I don't know all these legal details.

Q Do you consider yourself a good American?
A I certainly do.

Q What is your definition of a good American?
A A good American is one that upholds the laws of the country and behaves as a decent human being, that is a considerate person, and works and earns a living and bothers no one.

Q And cooperates with the authorities when there has been any crime committed, too, I suppose? A I imagine so.

Q And is this your idea of cooperation? A I don't know what this is all about.

Q It is all about the Sobells. A I know, but I have nothing to do with the Sobells.

Q But you can answer a few questions, and let us decide. We don't say you are involved, but we do think the Sobells are involved, and you can at least answer some questions pertaining to the Sobells, couldn't you? A Then why all the questions about me?

Q That is preliminary, that is background. All right, let us get to the Sobells and see if you are interested in cooperating. Do you remember that note that the Sobells sent to your husband? A I refuse to answer.

Q On what ground? A On the grounds that it would incriminate me or degrade me.

A JUROR: A little louder, please.

THE WITNESS: I refuse to answer on the grounds that it would incriminate or degrade me.

Q And after this speech of how cooperative you are, you come out with that answer. Do you make it a practice to insult the intelligence of people? A Do I what?

Q Do you make it a practice to insult the intelligence of people? A No, I don't.

Q That is exactly what you are doing before this Grand Jury. A I have no intention of insulting anybody.

Q I will tell you what I intend to do, for your information. We have had too many people come before this Grand Jury- like you and your husband - and I think the time has come when this Grand Jury will take steps to try to put a stop to this sort of thing.

We try to be fair in this Grand Jury; we try to treat you like ordinary American citizens, but you don't act like American citizens. Every one of you people that come in here, who have Communist affiliations - you go through the same pattern. Well, the time has changed.

Even if I am going to have to ask this Grand Jury to indict you and your husband, I am going to do it, because anybody that refuses to cooperate, like you and your husband, are just as guilty as Sobell and the rest of them.

We are trying to get you people to cooperate, but you don't want to do it, and by refusing to answer questions it seems to me that you are practically admitting that you people have a part in this dastardly scheme. Oh, you have your smile, but maybe you won't be smiling a week or two from now. A I am sorry, but you have made a lot of accusations; you have accused me of having Communist leanings and tendencies, and you have no grounds - -

Q Aren't you married to a Communist? A I am married to Morris Pasternack.

Q Did he ever belong to the Communist Party?
A I don't know.

Q You don't know? A No.

Q Did he ever tell you that he belonged to the Communist Party? A I don't know.

Q Did you know that he went to the Lenin School in Moscow in 1930? A I don't know.

Q You were there at the time, weren't you?
A Yes.

Q What was he doing there? A He was working there.

Q Was he working for the Russian Government?
A I refuse to answer.

Q You have already said he was working there in '30. A I refuse to answer any more questions.

Q Upon what ground? A Upon the ground that it

will incriminate me.

Q When did you last consult an attorney? A I haven't seen an attorney.

Q When did your husband last see an attorney? A I don't think he has seen an attorney; we haven't had time.

Q Were you working in Moscow in '30, too? A I was a typist.

Q Whom were you working for in '30? A I was working for the Moscow News, a newspaper.

Q Who owned that? A I don't know.

Q Who paid you in '30? A There was an office there, that paid me.

Q Who got you the job? A I got it when I got there.

Q Who was your boss? A I don't even remember the lady's name.

Q How much did you get a week? A I don't remember.

Q How long did you work? A For as long as I was there, practically.

Q How long was that? A A year; about a little over a year, a year and four or five months. I don't remember exactly.

Q Did your husband work while he was there, too, for the Moscow News? A I refuse to answer.

Q Upon what ground? A On the ground that it would tend to incriminate me.

(CONTINUED BY BD)

November 8, 1950

(Mr. Lane)

10013

Rel. IFG

bd 1

Florence Pasternack

JUROR: Are you a Communist?

THE WITNESS: I refuse to answer on the grounds --

Q (By Mr. Lane, cont'g) Did you register under the Communist bill that was recently passed? A No.

Q You couldn't refuse to answer that one, could you?
A I didn't register.

Q Well, you understand that all Communists are supposed to register? A Well --

Q Don't you? A I don't know. I refuse to answer that.

THE FOREMAN: Did you get instructions not to register?

THE WITNESS: I refuse to answer.

Q On what ground? A On the grounds that it will incriminate me.

Q Did you read the bill? A No. I read some of it in the newspaper, but I didn't read the whole bill.

Q You know, under the bill, the Communists are required to register, don't you? A Yes, I read something like that.

Q And were you ever a Communist? A I refuse to answer on the grounds that it will incriminate me.

Q Are you a Communist now? A I refuse to answer on the grounds that it will incriminate me.

Q Are your parents living in Russia? A My parents are dead, both parents.

bd 2

Florence Pasternack

Q Were they born in Russia? A I guess -- I don't know whether it was Russia or Poland.

Q What was the town that they were born in?

A I think it was at that time Poland.

Q What town were you born in? A Polish, I think it was Polish. It was a very small place.

Q But that doesn't give me the name, the name of the town. A I don't even remember what it was. Gdynia, or something like that.

Q What part of Poland is it in? A I don't know. It was not far from -- it was a very tiny village, so it was really --

JUROR: Well, near what city?

THE WITNESS: I had never been to a city. I don't think it was too far away from Warsaw. I'm not sure.

Q Well, don't you have naturalization papers?

A Yes.

Q Well, isn't it in there? A No.

BY THE JURY:

Q How many miles from Warsaw? A I have no idea.

Q You have no idea? A No.

Q Do you know, you are acting very stupid. A Well, I'm sorry. I was seven years of age.

Q You are not impressing me about your -- you are not as stupid as you are trying to impress us.

A I'm sorry. But I was a child when I came here.

bd 3

Florence Pasternack

Q You know, you are not impressing the Jury at all.

A I had never gone to school when I was there.

Q You don't look stupid, but you are acting so.

BY MR. LANE:

Q Is that the only time you left the country, in 1930? A Yes.

Q And you returned in 1932? A '31.

Q When did your husband leave the country? A 1929.

Q And when were you married? A 1928.

Q And when was your child born? A 1932; yes, she is twelve years.

Q Where was she born, here or in Russia? A Here.

Q I thought you were gone from 1930 to 1932.

A Oh, 1938. Excuse me. I'm wrong. My child is twelve years old. 1938. I'm sorry.

Q Do you have a typewriter in your home? A Yes.

Q Do you use it? A Sometimes.

Q Did you correspond with Morton Sobell? A No.

Q Did you talk with him? A No.

Q Did you see the note that he wrote from Mexico?

A I refuse to answer.

Q On what ground? A On the grounds that it will incriminate me.

Q Do you know William Danziger? A No, sir. I never heard the name.

Q Were you present at the time the note arrived from

bd 4

Florence Pasternack

from Sobell? A I don't know anything about any note. I refuse to answer that.

Q Well, if you don't -- there is a difference, now. If you know smething about a note -- if you don't know something about a note or you don't know the answer to the question, you have got to say "I don't know" or the answer is "No." But if you know, you can't -- if you don't know, you can't say "I refuse to answer on the grounds that it will tend to incriminate me." Do you understand the difference? A Yes. Well, all this business about a note I don't know. I refuse to answer.

Q Well, you can't refuse to answer. If you don't know, you can say "I don't know" or "I have never seen any note." Do you follow me? A I refuse to answer on the grounds that it will incriminate me.

Q Well, that means that you have seen the note, then. A It doesn't mean anything.

Q Well, it does. Now, don't you get stubborn here. I'm telling you what the law is. And if you want to go down before the Judge and spend a little time in jail, that's up to you. But you can't come in here and try to dictate to the Jury. I'm telling you what the law is, and the Judge will tell you the same thing: If I ask you a question and you don't know the answer, you have got to say "I don't know" but you can't refuse to testify. Do you understand that? A Yes.

bd 5

Florence Pasternack

Q So, when I ask you about a letter, if you don't know you have got to say "I don't know"; but if you do know and the answer will tend to incriminate you, you have got to state it for the record. Now, is that clear? A Yes.

Q Now, the question is: Did you see a letter which was sent to your home by Morton Sobell? A No, I never saw a letter.

Q Did you discuss such a note with your husband?

A I refuse to answer.

Q Now, if you didn't, you say "No"; if you did, you can refuse to answer on the ground that it will tend to incriminate you. A That's right.

Q Did you go to Camp Unity on a vacation in 1950, July? A Well, yes, I was there. On a vacation? It may have been a week-end. I didn't have a vacation in July.

Q A week-end? A Yes.

Q Did you see Mr. and Mrs. Sobell there, the seniors, that's the father and mother of Morton? A Yes, they may have been there.

Q Did you see them? A I don't recollect whether they were there when I was there.

Q Did you see Edith Levitov there? A Who is that?

Q Do you know her? A Who is that?

Q She is Morton Sobell's sister-in-law. A Oh, I hardly know her. I think she was there, but I don't remember. But I hardly know her.

bd 6

Florence Pasternack

JUROR: Was your husband there?

THE WITNESS: My husband was there.

Q And were you there with your husband? A For a week-end.

MR. LANE: I suggest, Mr. Foreman, that you ask Mrs. Pasternack to return next --

JUROR: Mr. Lane, I wish you would ask her one or two more questions - about whether she registered in this last election.

THE WITNESS: Oh, yes.

JUROR: Did you register in any particular party?

THE WITNESS: I don't think that's --

JUROR: Well, did you register?

THE WITNESS: Yes, I registered.

JUROR: What party?

THE WITNESS: American Labor Party.

Q That's a matter of record, so that's smething you don't have to hide. A Yes.

Q Now, would you be willing to bring your typewriter in here? A Sure.

Q The next time? A Yes.

Q We don't have to give you a subpoena on that?

A No.

Q Good. Well, next Wednesday we would like you to be back. If you need any help to bring the typewriter in, I'll send a car out to help you. A No. That's all right.

bd 7

Florence Pasternack

Q We directed that your husband be back next Wednesday; and if he is going to be as uncooperative as today, and as you are, I'm going to ask the Court to do something about it. As I say, patience is a virtue, but it has limitations and I think we have reached the limitation on that. We want to do everything that's legal, but we want some cooperation on that. If you are good American citizens, you can show us that.

THE FOREMAN: And I advise you to consult an attorney.

MR. LANE: Now, Mr. Foreman, will you direct her to be back?

THE FOREMAN: You are temporarily excused until next Wednesday at ten o'clock.

[WITNESS EXCUSED]

US v. John Doe
November 15, 1950
Pres. by Myles J. Lane, Esq.,
Asst. U. S. Attorney.

1030

bd 1

Pasternack

M O R R I S P A S T E R N A C K, called as a witness,
having first been duly sworn by the Foreman, testified
as follows:

BY MR. LANE:

Q Now, Mr. Pasternack, you have an attorney now,
haven't you? A Yes.

Q What's his name, his full name? A Mr. Perkoff.

Q Is it Morris Perkoff? A No, I don't think so.

Joseph H.

Q What 's his address? A 274 Madison Avenue, New
York 16.

Q Now, what I want to do is to direct your attention
to July of 1950 -- July of 1950, not June, July -- and I'm
going to ask you to tell the Jury in your own words -- well,
first of all, I direct your attention to July of 1950, and
I ask you if some time during July you received a letter
that was placed under your door at your home? A It was not
a letter; it was a note.

Q A note? A When I came home from work -- I don't
recall the day; I think we worked till 4:30 then, and now we
work till 7 -- I found a plain envelope, unaddressed, un-
stamped. I looked at it, picked it up, and it was a very
brief note, a handwritten note. In fact, I don't think it
was even handwritten, I'm not certain; I think it was block-
lettered, unsigned.

Q And what did it say? A I can't recall exactly what

bd 2

Pasternack

it said. I know it referred to Morton Sobell. It was about --

Q Well, in your own words, what was the gist of it?

A The gist of it was something to the effect about Morton Sobell, that he is all right, or something like that. I can't recall exactly.

Q And you say it was unsigned? A It was unsigned.

Q Did it say he was in Mexico? A To my best recollection, nothing.

JUROR: What was the answer?

THE WITNESS: I said to my best recollection I don't think it said that.

A (Cont'g) As a matter of fact, I told the gentlemen of the FBI who interviewed me a week ago yesterday, when I saw -- when I received the note so surreptitiously I became panicky. I didn't know what it was about. I didn't want to get myself involved. I got terribly scared, because I didn't want to get myself involved. And the result was that I -- I don't know what the process of mental reaction in my mind was. I couldn't think. I just wanted to forget about it.

Q And what did you do with the note? A I destroyed it immediately, put it in the wastebasket and threw it in the incinerator.

Q Did you show the note to Mrs. Pasternack?

A I told her about it.

10812

bd 3

Pasternack

Q Was she home at the time? A No, she was not.

Q Then you didn't show it to her? A No, sir.

Q Now, did you tell anybody about the note after you received it? A Nobody.

Q Was this around the first part of July or was it around the middle? A I believe it was the earlier part, because our plant closed up the last two weeks in July and I'm under the impression that it was before my vacation.

Q And on your vacation did you go up to the camp, Camp Unity? A Yes, sir.

Q And you had received it, had you, prior to your going on vacation? A I received it prior to that, yes, sir.

Q Did you telephone anyone to tell them about the note?
A No, sir, I did not.

Q And was that the first time that you had received any word from Morton since his departure from New York?
A In the first place, it was not from Morton, to the best of my knowledge; and it was the only thing I ever received about him since that time.

Q But the gist of it was about Morton? A Yes, sir.

Q So that you could, no doubt, assume that the note was from Morton either directly or indirectly; it was some word from him or about him? A From him? What my assumption in the matter is, frankly, I don't know. I'm more confused than I was then confused, and I'm still confused about it.

Q Well, you were a little frightened when you got

bd 4

Pasternak

that, you were a little concerned? A I was.

Q Now we can digress a minute. You have brought your typewriter with you in response to a subpoena duces tecum; is that correct? A Yes, sir.

Q And this is the typewriter you have here?

A Yes, sir.

MR. LANE: May the record indicate that the witness has produced the typewriter pursuant to the subpoena duces tecum.

Now, will you, Mr. Reporter, take the typewriter and make some specimens? Now, will you make one line of each letter and symbol on the typewriter?

Mr. Foreman, would you temporarily excuse Mrs. Pasternak because, you see, the reporter is going to make the notations on the typewriter and he will have to do that in the capacity of a witness then and you can't have two witnesses in the Jury room at the same time. It's a technicality.

[WITNESS EXCUSED]

US vs John Doe

IB-1

November 15, 1950

DeBuff

B E N E D I C T D e B U F F , called as a witness,
having first been duly sworn by the Foreman,
testified as follows:-

BY MR. LANE:

Q Your occupation? A Federal Grand Jury Reporter.

Q Mr. DeBuff, you have before you a typewriter?

A Yes, sir.

Q Which has been produced pursuant to a subpoena issued to Mr. Morris Pasternak. Will you tell the jury what type of a typewriter that is? A This is a Royal portable typewriter, whose serial number is O-666131.

Q Where is the serial number located? A On the left-hand side of the frame of the typewriter, as you face it.

Q Will you please make copies of specimens of the type on the machine? I want you to make on single lines specimens of each letter, both in small size and in caps.

A Yes. (Does so.)

MR. LANE: May the record indicate that Mr. DeBuff has made specimens of the letters and symbols on the typewriter, which I will offer in evidence.

(MARKED GRAND JURY EXHIBITS 3, 4 and 5, this date.)

Q Will you make a copy of the following letter:

"Aug. 9th.

"Dear Friend:

Received your letter and was glad

10273

to hear from you.

"As you know, I was not feeling well and went to see a doctor. However, no one could help me until the last few days, when I was able to contact a top notch doctor who claims to know what's wrong with me. He assures me that he will have me cured in the very near future.

"I got your letter by coincidence as I don't live there any longer. I have been traveling these last few months & as soon as I settle down I will let you know my whereabouts.

"Since rely yours,

Lew."

Q Will you also type out the following address which appears on an envelope: "Mr. N. Walter, Caradoba, 153-4, Mexico, D.F., Mexico." A Yes.

MR. LANE: I think with that, may the record show that Mr. DeBuff has typewritten those two exhibits, and will you please mark those as exhibits for the grand jury?

(MARKED GRAND JURY EXS.1 and 2, this date.)

(WITNESS EXCUSED)

10376

M O R R I S P A S T E R N A K , recalled.

BY MR. LANE:

Q Mr. Pasternak, you are still under oath, you appreciate that fact? A Yes.

Q Could you tell us where Mrs. Pasternak was on the day that this envelope came to your home? Was she working or was she just out? A My wife?

Q Yes. A She was working.

Q Does she have a position, a job somewhere? A I would not care to answer this question on the ground it may incriminate me.

Q Now, when you received that note you were a little apprehensive? Did you recognize the printing on it? A I did not; no, sir.

Q You had never seen that printing before? A I had never seen that printing before.

Q Did you call your sister? A No, sir.

Q Your sister is Morton's mother, isn't she?

A That's right.

Q You did not call her at all? A No, sir.

Q Did you talk with her? A No, sir.

Q Or did you communicate in any way with her? A No, sir. You mean, regarding the note?

Q Yes. A No, sir.

Q Did you communicate in any way regarding the note with Mr. Sobell, the brother-in-law? A No, sir.

Q When did you next see Mr. and Mrs. Sobell -- I am talking about your sister and brother-in-law -- after you received this letter under your door? A Possibly when I came back from my vacation. It is not clear.

Q Would that be about two weeks? A Three weeks, four weeks, I am not sure.

Q At that time had Morton been arrested? A I don't think so. At least, not to my knowledge. No, the papers didn't carry it. I knew nothing about it.

Q You didn't see them in the interim? A No, sir.

Q Between the time you got this note under your door and the time you saw them, say a month from then? A No, sir.

Q Did you communicate to anyone the contents of that note? A No, sir.

Q Except your wife? A I told my wife.

Q But you did not tell anyone else? A No, sir.

Q Had you known that Morton had left New York City? A I did not.

Q You didn't know at that time? A No, sir.

Q Can you tell me why you were so apprehensive when you got that note? A As I told you, anybody who wants to communicate with me can do so through the regular mails or through phone. I don't like this business of things being put under the door.

Q Did you have any idea who it might have been who put this note under your door? A I had no idea, no, sir.

Q Had you ever received a note in that fashion before?

A Never; no, sir.

Q Have you since talked with William Danziger?

A Never heard of the man, never saw him; I don't know what he looks like.

Q Have you ever heard his name outside of hearing it in this jury room? A I never heard his name until it was mentioned to me by the two gentlemen of the FBI.

Q Did you talk with Morton Sobell's wife about the note that you received under the door? A No, sir; I did not.

Q Did you talk with any of Morton's relatives?

A No, sir.

Q His sister? A No, sir.

Q Did you talk with any of Mrs. Sobell's relatives about the note? A Mrs. Sobell's relatives?

Q Yes. A You mean my own relatives? She is my sister.

Q That's right. A No, sir.

Q You didn't talk to anyone about that? A No, sir.

Q Did you receive any other communications from Morton? A Never; no, sir.

Q When the note said that everything is all right with Morton? A I didn't say that.

Q What did you say? A I said I can't recall. It was about Morty.

Q I am not trying to trick you, but I thought you said - correct me if I am wrong -- I thought you said the note, in

the gist of it, was that Morton was all right. A No, sir; I don't think it was that. I can't recall, perhaps I said it, and if I did I am all balled up then, I was balled up then and I am balled up now.

Q To the best of your recollection, do you know what the note said, in substance? A In substance it referred to Morton. The details of what it was about, I didn't know. The moment I saw a note under the door like that, I became panicky, and my mind stopped working, because I don't like this business.

Q Did you know where Morton was at the time? A No, sir.

Q Did you know he had left New York? A No, sir; I did not.

Q Did you inquire about Morton? A I had no reason to inquire, because as I had mentioned before, we were not practically or actually on speaking terms. We had no relationships whatsoever, and I had no cause to inquire about him.

Q The only thing that puzzles me a little bit, I know if I received it and I was asked about it later on, I know if I received a letter like that that had to do with some relative of mine, I would immediately become a little solicitous about the particular person. A Perhaps it was a shortcoming on my part. Then he, as I said, not that I had any enmity for Morton, but there was no particular

friendship, I mean intimate family friendship, at all, and I didn't want to put myself out. I just wanted to mind my own business. Had that letter come in the mails, I presume that it would have been an ordinary average everyday occurrence, a man would have spoken to a relative and so on.

Q Did the letter suggest this to you -- I am just trying to recall things, if I can help you to recall them -- did the letter suggest you write to him or give any address where he might be reached? A I don't think it did; no, sir.

Q Was there any return address in it? A I don't recall.

Q Because, you see, if there was that wouldn't affect you any; I don't think that would have any bearing. I just want to know because we want to corroborate the letters that other people told us about. If you can remember it and you do know there was an address, I think if you can recall it, you ought to tell us. A I honestly cannot.

Q Was there any suggestion that you write to Morton? Or communicate with his folks? A No; there was no suggestion that I remember.

Q Was there any reference to his wife or children in it, that they were all right? A Mr. Lane, I told you, as I told -- I don't remember their names -- the FBI gentlemen, a thing like that upset me completely. I am not difficult to upset. I am not too well. And my mind was, I don't know,

I am not a psychologist, it was a blank or whatever you want to call it. It was panicky. I was terribly upset, and I did not know what to do about it. I told my wife about it, and that's all I remember. I wanted to get it out of my mind, and I did not want to have anything to do with it.

Q Did you speak to anyone other than your wife about the letter? A No, sir.

Q She is the only person in the world you discussed it with? A She is the only person.

Q Of course you discussed it with your lawyer this morning, but outside of your lawyer and your wife you never discussed it with anybody? A That I can't answer, on the ground it might incriminate my lawyer.

Q It might incriminate the lawyer? You discussed it with the lawyer, I know that. You can tell him that.
A Supposing you ask him that.

Q Frankly, I told him to discuss it with you; so far as that is concerned nothing in that will incriminate you. But other than the lawyer and your wife, did you talk to anyone else about it? A No, sir.

BY JURORS:

Q The mere fact that the note was left under your door would indicate someone had an idea you would be concerned about the whereabouts or the welfare of Mr. Sobell, wouldn't it? A I have no idea about that. I mean, this matter of conjecture.

Q Did you know that he was in trouble at that time?

A No, sir.

Q Then why were you panicky when you heard about him?

A As I told you, things like that are bound to arouse one's suspicion and one's caution. I am not in the habit of receiving such notes. I never received such messages in my life. There is the regular mails; there's the telephone. There are personal visits and personal conversations.

Q But I understand you to say that had the note come in the regular mail you would have called Mrs. Sobell about it?

A I said, I might have. I don't know what I would have done had it come. I had no idea. I tell you frankly I might have and I might not.

BY MR. LANE:

Q Did you ever receive a telephone call in connection with the letters? A What letters?

Q The note under the door. A No, sir.

JUROR: May I ask you to repeat what you recall about the contents of that letter?

THE WITNESS: As I already mentioned, all I recall is that it referred to Morton Sobell.

Q Was there a date on the note? A I can't recall that. I don't think there was a date.

Q Was your name on the note? A No, sir.

Q Just a plain blank piece of paper? A Just a plain blank envelope.

Q No symbols or writing or anything else that would indicate that you should have gotten that note? A No, sir.

Q What I am trying to arrive at is how the party who delivered the note happened to deliver that one to you. There may have been several notes. A It is as much a mystery to me as it is to you.

Q It was in printing? A I believe it was in block letters.

Q Was there any date on the note? A I told you I cannot recall that.

THE FOREMAN: Unsigned?

THE WITNESS: Unsigned, yes, sir.

Q You spent two weeks up at Camp Unity on your vacation? A Yes, sir.

Q You and your wife -- your wife did not go with you? A My wife did not go with me.

THE FOREMAN: Although you were upset, and I guess anybody getting a note under the door, unsigned, would be somewhat bewildered, don't you think, as a normal person, you might get a little excited? We might have some intimation who left it, or some association? Or people just don't put things under doors. I mean, if I got a note under my door about some incident, either my business or my relatives, or something like that, I might get terribly excited. But then again, I might think my brother John probably

did that, or Mrs. Smith must have done that, or Mrs. Jones, I bet, did that. Did any of those reactions come into your mind -- Mr. A, B, C, D or E might have left it?

THE WITNESS: No, sir.

THE FOREMAN: It did not?

THE WITNESS: No, sir.

BY MR. LANE:

Q You have any other typewriter at your home? A No, sir.

Q How long have you had this one? This is a Royal, isn't it? A Yes, it is a Royal.

Q How long have you had it? A Twenty years, I believe; less than that.

Q Buy it new? A Yes.

Q Had it for twenty years? A Yes.

Q You do not use any other typewriter? A I rarely ever use it.

MR. LANE: Mr. Foreman, I think we can excuse this gentleman if there are no further questions, and he can take his typewriter out with him.

THE FOREMAN: You are excused.

(WITNESS EXCUSED)

IB-1

Nov. 15, 1950

Florence Pasternak

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

BY MR. LANE:

Q Mrs. Pasternak, you too have the benefit of an attorney, don't you? A Yes.

Q What is his name? A Mr. Ferkow.

Q I can tell you this: I have asked your husband about the details of the note which was left under the door, and he was quite cooperative and he told us what he knew about it. So I am going to ask you to tell us in your own words what you know about it too. A All I know is that he told me that he had had a note about Morton Sobell, and that he tore it up, that's all.

Q Do you recall the time, the date, that you received that note? A I don't remember it.

Q Do you recall the time of the day that he received it? A I don't know. I wasn't home. He told me when he came home from work.

Q He told you when he came home from work? A Apparently he got home before I did.

Q Where were you that day? A I was out.

Q I know, but were you to a movie or to a horse show? A No, I had been at work.

Q Do you have a job too? A Yes.

Q Where do you work? There is nothing wrong with that, is there? A Well, maybe I better refuse to answer on the

ground that it might incriminate or degrade me.

Q Do you think it will incriminate you, really, frankly? A I don't know. Maybe I had better consult my attorney.

Q As to where you work? A That's right.

Q Is this a regular job you have? A Yes.

Q Where you get paid for working? A Yes.

Q Are you a writer? Is it a writer's job? A No.

Q A typist job? A Just an office worker.

Q An office worker? A Yes.

Q Can you tell us where you work? A No. I decline to answer.

Q Or can you give us the address where you work? A I decline to answer.

Q Or the store where you work? A I decline to answer on the ground that it might incriminate or degrade me.

Q Or can you tell us the county you work in? That can't incriminate you. A I work in Manhattan county.

Q And in the United States, that kind of question. In other words, we'll get something out of you that won't incriminate you, is that right? A Yes.

Q Can you tell us how much you get a week? That won't incriminate you. A I refuse to answer on the ground that it might incriminate me.

Q It will incriminate you? A Yes.

Q Do you pay a social security tax? A Certainly.

Q That won't incriminate you, will it? A No.

Q Do you have a social security number? A Yes.

Q Can you give me that? A I don't have it with me.

Q You can get it for me, can't you, your social security card? A Yes.

Q That certainly can't incriminate you, can it? Look, that is a matter of record, Federal record, social security number. That is something that, independent of you, I can get anyway, right? A Yes.

Q So how can that incriminate you if that is a matter of record? A I don't know too much about the law.

Q You see, if it could incriminate you, and I want to incriminate you, what would prevent me from doing that? There is nothing that is a matter of record that I cannot get, you know that. That's A, B, C. So if I thought that was incriminating and I wanted to incriminate you, you would be incriminated. That follows as a matter of course. I know that is a matter of course. If it were incriminating, something I could look up and we could have incriminating you, we could have incriminated you a long time ago if we wanted to incriminate you, is that right? A Yes.

Q I mean, that's logical. A Yes.

(Cont. by IFG)

IFG-1
(From LB)

November 15, 1950
Re: John Doe (Sobell)
(Mr. Lane)

10288

F. Pasternack

Q So you could save me a lot of looking up if you want to answer this question. A May I consult my attorney on that?

Q Sure. A All right.

Q Let me ask you one or two more questions. You can consult him on that phase of it. Now, how long have you been working in this particular position you spoke about? A Oh, eighteen years.

Q And who takes care of the child when you work? A My little girl is big now.

Q How old is she? A Twelve years old.

Q And she takes care of herself? A I have a domestic worker.

Q You have someone come in and handle things at the house? A Yes.

Q Do you use a typewriter at the office? A Very rarely.

Q And do you recall what part of July you received this letter, or your husband received this note, rather? A I don't know.

Q When did he go out to Camp Unity? A I am sorry, I refuse to answer on the ground that it might incriminate or degrade me.

Q It might incriminate you to answer when he went up there? A (No answer.)

Q Would it incriminate you if he went up there?

A I don't know.

Q Well, would the fact that he went up there incriminate you? A I don't know.

Q You see, what you forget is that the last time you were in here you testified that your husband did go up there, and we all know that he went up there, and now you say it would tend to incriminate you. I don't get it, frankly; I don't know what you have in the back of your head.

You see, you can't testify that everything I ask you would tend to incriminate you. You can't just throw that out. If it would actually incriminate you, say so; but if it doesn't, answer the question. I am certain that everything I ask you here couldn't possibly incriminate you. A Mr. Lane, I don't know the law, and that is why I say if I could consult my lawyer I would know whether to answer it or not. I don't know the law, you see.

Q I don't think you have to know much law to be able to answer certain questions. If I ask you whether you shot someone this morning, you certainly wouldn't need a lawyer to know how to answer that one. If you didn't shoot him, you would say, "Certainly, I didn't shoot him." You wouldn't need a lawyer for that. And you are no dummy; you are a very intelligent woman, aren't you? A (No answer.)

Q You are well educated, aren't you - - you are a writer? A I am not a writer.

Q You used to be, weren't you? A No.

Q Well, you used a typewriter in Moscow, didn't you? A That was office work; I am not a writer.

Q Now, let us get to something which is surely not incriminating. After your husband received that letter or note that he told you about, when he told you about it what did he say happened, in his words? A He said he destroyed it.

Q Did he tell you why he destroyed it? A He didn't know what it was all about, and he destroyed it.

Q Did he tell you what the contents were? A No, he didn't; he just said it was something about Sobell - -

Q Do you want to talk to your lawyer? He is outside.

[WITNESS LEAVES ROOM, AND RETURNS.]

Q Now, Mrs. Pasternack, I have given you an opportunity to discuss this matter with your attorney. Now can you tell me whether, in July, your husband went up to Camp Unity? A Yes.

Q Now can you tell me when, in July, he went up there? A I don't remember the exact time. It was the time when his shop had vacation, and I am not quite sure of the exact date. It may have been the second week in

July or the third week in July. I don't recall at the moment when he got his vacation, but we had been there before, for week-ends.

Q You had been there before for week-ends, in July? A Yes.

Q Did you go up at all while he was there? A Yes, I went up for a week-end.

Q You didn't stay up there when you went up there for the week-end? A That's right.

Q Did your daughter go up there with you? A She may have gone up with me once, I don't know.

Q I assume you didn't go up there because you were working. A That's right.

Q Do you get a vacation where you work? A Yes.

Q Did you get one during this past year, 1950? A Yes.

Q When your husband received the note, and he discussed it with you, I assume - - did he tell you who he thought it was from? A No. He didn't know.

Q Did you see the note itself? A No.

Q Did he tell you what the gist of it was, in substance? A Well, he just said he had a note about Morton Sobell.

Q And did he say where Morton was? A No, he didn't tell me anything.

Q Well, did you know at that time - - I assume

you did - - that Morton had left the country? A I refuse to answer on the ground that it might incriminate or degrade me.

Q Had you talked with Morton's folks prior to receiving that letter, as to Morton's whereabouts? A I refuse to answer that on the ground that it might incriminate me.

Q Had you talked to Morton's folks at all about any subject during June or July, 1950? A I am trying to recollect whether I saw them. I may have seen my sister-in-law; I don't know.

Q You might have seen her? A Yes.

Q Did you talk with them by telephone during June or July? A I don't recall.

Q Did you talk or communicate with any of your relatives, or your husband's relatives, with reference to Morton, during June or July? A I refuse to answer, on the ground that it might incriminate me.

Q Did anyone inform you that Morton had left New York City in June of 1950? A I refuse to answer on the ground that it might incriminate me.

Q You appreciate the fact now, when I ask you that question, that if you don't know you should answer "I don't know," because you are bound to do that? You just can't answer "I refuse to answer on the grounds it might incriminate me," if you actually don't know the

answer to that question. Do you understand that?

A Well, I answered that I refuse to answer.

Q Yes; but do you understand what I said?

In other words, you have a right to refuse to answer a question which I ask, if the answer would tend to incriminate you. That is number one. However, if I ask you a question, and you don't know the answer, you can't say "I refuse to answer on the grounds it would tend to incriminate me." You have to say then, "I don't know." Do you get the distinction - - there is a difference - - you understand that? A Yes.

Q You understand the difference? A I think so.

* In other words, if I ask you, "Have you ever been to Africa?" and you have never been to Africa, whether it would tend to incriminate you or not if you did go, the fact that you had never been to Africa, you would have to answer, "No." Do you follow me?

So that, if I ask you a question about the Sobells, and you don't know the answer, you have to say, "I don't know." But if you do know the answer, and you believe that the answer would tend to incriminate you, then you have the right to say - if you don't want to answer that particular question - that you refuse to answer on the grounds it would tend to incriminate you.

Therefore, if I ask you a question about the Sobells, and you do know the answer, and you don't want

to answer on the grounds it would tend to incriminate you, you may say so, but if you don't know the answer you must say, "No." Is that clear? A Yes.

Q Now, did you know that Morton Sobell had left New York with his family in June of 1950? A I did not know.

Q You see, that is better than saying, "I refuse to answer."

THE FOREMAN: That is getting somewhere. You only make it worse for yourself if you refuse to answer when you actually don't know something.

Q Now, did your husband ever speak to you about Morton's departure from New York? A No, sir.

[Photostat marked Grand Jury Exhibit 6-A, this date.]

Q Now, I show you an exhibit, which I have marked Grand Jury Exhibit 6-A, which is an envelope, and I ask you if you have ever seen that paper? A No, sir.

Q Never? A No, sir.

Q Did you write any letters to Mexico in June or July of 1950? A No, sir.

Q Do you know whether your husband ever wrote any letters to Mexico in June or July, 1950? A (No answer.)

Q Do you or don't you know whether he actually

wrote letters to Mexico in June or July, 1950? A I don't know; he never told me.

Q That is good enough, if you don't know. Do you use a typewriter where you work? A Very rarely.

Q And have you received any letters from Morton in the last year? A No, sir.

Q Has your husband received any letters from Morton in the last year, that you know of? A No, sir; we haven't been on speaking terms.

Q Do you send Christmas cards to each other? A No, sir.

Q Do you send any other sort of greeting cards or otherwise? A No, sir.

Q You say you haven't been on speaking terms with Morton. Why is that? A Family squabble.

Q But what sort of squabble? A I have nothing to do with it, but my husband got involved in some kind of family squabble some years ago.

Q What sort of squabble was it? A I guess mother-in-law - daughter-in-law relationship.

Q Where did Morton come into it? A I don't know the details, I am sorry, but I haven't seen Sobell and I haven't heard from him in years.

Q From the Sobells? A From Morton Sobell.

Q How does your husband get along with his sister-in-law? A With his sister-in-law?

Q With his sister. A All right.

Q He hasn't a sister-in-law, has he - your husband? A A sister-in-law?

Q Yes. A Surely, he has.

Q How many sister-in-laws does your husband have? A He has sister-in-laws; I don't know - - there are on both sides of the family.

Q How many? A I would have to count them.

Q Quite a few? A Yes.

Q And does he correspond with them? A No.

Q Well, how are your relationships with the other members of your family, outside of Morton? A Good.

Q Do you visit each other? A On occasion.

Q Have you - you, or your husband - visited Morton at his home? A I never visited him.

Q But has your husband ever visited him? A I don't know.

Q Has Morton or his wife ever visited you people? A Never.

Q How are your relations with Edith Levitov? A I don't know the girl.

Q You never met her? A I met her once; I don't know her.

Q Where did you meet her? A I think I met her in camp.

Q At Camp Unity? A Yes.

Q When? A During the summer.

Q This past summer? A Yes.

Q Did you talk with her? A No.

Q Were you introduced to her? A That's all.

Q Did you have any conversation with her at all? A No, sir.

Q Was there any reason for that? A No.

Q Do you know the other Levitovs, in Washington or Arlington, Virginia? A I don't know anybody there.

Q Did your husband tell you what the context of this note was? A No. He just said it was about Morton, but he didn't tell me what it was.

Q Well, what did he say it was, about Morton - that he was all right, or not at home? A No. He just said that "there was a note about Morton, and I tore it up."

Q But he must have told you what the note was about. A No.

Q Why did he tear it up - did he tell you? A No.

Q He didn't tell you why he tore it up? A It was a piece of paper.

Q Pardon me for saying so, but you are his wife, and I assume you are familiar with the details of his life; so I imagine you would naturally be curious why he tore something up from Morton without letting you see it - - isn't that right? A Well, he didn't let me see it.

Q Well, didn't you inquire as to the reason why he tore it up? A I refuse to answer on the ground that it might incriminate me.

Q Well, he wasn't apprehensive at all, was he - your husband? A I refuse to answer on the ground that it might incriminate me.

Q Incriminate you, as to whether your husband was apprehensive or not? A (No answer.)

Q Do you want to consult with your lawyer?
A Yes.

Q Then consult with him, but not with your husband. A All right.

[Witness leaves room, and returns.]

Q Now, how do you feel? A Well, I suppose you know that it was just a note in a plain envelope.

Q Yes, I know it. A It was anonymous, and it had no signature, and he was very much upset about getting a note like that, and he said he would have no truck with it, and tore it up.

Q Now, what I want to ask you about is, if, as you said, your husband wasn't on speaking terms with the Sobells, why was he so apprehensive? A Well, how does anybody feel about getting an anonymous note? He didn't know what it was.

Q Well, I can answer that, although you are supposed to answer the questions. I know what I would do

if I got an anonymous note. I would call the police, or I would call the F. B. I., or - if it was a relative of mine - no matter how much I disliked him, and if I were apprehensive, I would call his family and find out what happened to Morton - - that is the natural reaction, isn't it? A Well, that is not what we did.

Q I know that, but now I want to know what you did. You didn't do the natural thing, what comes naturally, did you? A I told you what he did; he tore up the note and told me about it.

Q But that isn't what you would naturally do, is that right? A I don't know.

Q You do know - I just told you. The natural thing that anybody would do - - after all, blood is thicker than water - - if someone is in trouble, no matter how much you dislike them, you are immediately going to communicate with their relatives and try to help out. That is the natural and normal thing to do - isn't that so? A (No answer.)

Q What is the answer? Isn't it so? A I don't know.

Q Oh, look, you do know; you know what the normal thing to do is, don't you? What is the normal thing to do when you want to go down from the fourteenth floor to the ground floor? What is the first thing you think of, if you want to get down from the fourteenth floor to the

first floor? A I don't know what that has to do with it.

Q But I am trying to develop something. Let's not be cagey. I am trying to be fair with you, and I am trying to be open and aboveboard. What is the normal thing to do? A To go out.

Q But you don't walk down first - - that is not the normal thing to do. The normal thing to do would be to take the elevator, isn't that right? A Yes.

Q And the abnormal thing to do would be to walk down the stairs. You would do that only in an emergency, isn't that right? And when you are thirsty, the normal thing is to get a glass of water; when you are thirsty, the normal thing is not to take a glass of whiskey. That is not normal, if you are thirsty.

And if your child is sick, and someone comes up to hit your child in the street, what is the normal thing to do? You try to protect that child, don't you? But an abnormal person would go up to the person that hit your child, and pat him on the back.

Now, the normal thing a person does when a relative is in trouble, is to immediately communicate and try to help out. The normal thing to do with blood relatives is to forgive and forget, when someone is in trouble. You agree with me that far, don't you? A I refuse to answer that question.

Q You don't agree with me that that is a normal

thing to do? A I have no opinion in that matter.

Q You are pretty shrewd, aren't you - - you don't want to answer anything, and you just don't want to be cooperative, because of certain things in the back of your head, which probably have nothing to do with this case. Now, do you want to tell me where you work? A I refuse to answer.

Q Do you want to talk to your lawyer on that?

A Yes.

Q Then take a walk out.

[Witness leaves room, and returns.]

(CONTINUED BY BD)

November 15, 1950

(Mr. Lane)

10302

RelIFG

bd 1

Florence Pasternak

F L O R E N C E P A S T E R N A K, recalled.

BY MR. LANE:

Q Now, what is the answer to it? A Well, I would still like to exercise my constitutional rights and not answer that question.

Q Now, when you went out to discuss the subjects with your lawyer the last few times did you discuss it with him alone? A My husband is sitting there.

Q Yes. I asked you to discuss it alone with your lawyer, didn't I? A I'm sorry. Should I have asked him outside?

Q Well, you know what you should have done. A I'm sorry.

Q You go out and you went into a huddle with your husband and you come back in here and give the answers. You know that isn't right. And I trusted you to that extent; I asked you to go out -- A I'm sorry. I said to him, "I have to speak to you alone."

Q Yes; and then, so what -- A My husband is sitting right there.

Q But you could have stepped out alone with him.
A I'm sorry. I'll do that the next time.

JUROR: What did you ask your attorney when you went out?

THE WITNESS: I repeated the question about where I worked.

bd 2

Florence Pasternak

JUROR: And he said not to answer it?

THE WITNESS: No. He said that I could answer it if I wish or I could use my constitutional rights and not answer it.

Q So you refuse to answer on the grounds it will tend to incriminate you? A Yes, sir.

Q Now, do you carry your Social Security number with you? A No, sir.

Q Did you file your income tax return this year? A Yes, sir.

Q Where did you file it? A I sent it to Brooklyn. I live in Queens.

Q And in your income tax return I assume you put down the name of your employer; is that correct? A Yes, sir.

Q So that you still refuse to answer, although you know I have it within my power to obtain the address of your employer; you know that? A Yes, sir.

Q And you still decline to answer? A Yes, sir.

Q On the grounds it would tend to incriminate you? A Yes, sir.

JUROR: Is the Social Security number in your marriage name or your maiden name?

THE WITNESS: In both.

Q In both? You have two Social Security numbers?

A No, no; one. It's Florence Pasternak.

Q Well, what is the name that you work under in your

bd 3

Florence Pasternak

present employment? A Florence Geller Pasternak.

Q Geller? You are no relation to Stanley Grayson, are you? A Who?

Q Stanley Grayson. A No.

JUROR: Isn't that funny, don't you think? We could find out where you work. Isn't that a silly answer? You have been working there for 18 years and that can't be kept a secret.

JUROR: It would make a much better impression upon the Jury if you did say, since we can find out, and cooperate.

THE FOREMAN: The Juror asked you don't you think that's a silly answer.

Q Tell me this: Did you ever go to Spain? Were you ever in Spain? A No.

Q Was your husband ever in Spain? A No.

Q Are you sure? A Positive.

Q Where was your husband in 1936 and '37?

A In New York.

Q Were you living with him at that time? A Yes, sure.

Q Did you ever give any money to Morton Sobell?

A I refuse to answer on the grounds that it might incriminate me.

Q Do you understand the question? A Yes.

Q You refuse to answer on the grounds it will tend to incriminate you, the question whether or not you gave

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Morton Sobell any money? A May I see my lawyer now?

Q Yes. Your lawyer, not your husband. A Yes.

[The witness left the room, and then returned.]

Q Now, what's the answer to that? [To the reporter]
Will you give me the last question?

Q [The question referred to was read by the reporter as follows: "You refuse to answer on the grounds it will tend to incriminate you, the question whether or not you gave Morton Sobell any money?"] A I would still like to stand on my constitutional grounds and not answer the question.

Q All right. Now, did you send any money to Morton Sobell after he departed from New York in June, 1950?

A I refuse to answer that question on the grounds that it might incriminate me.

Q Now, remember, you have got to say -- if you didn't, you have got to say No. Now, did you send any money to Mexico, to Morton Sobell, after June of 1950? A I refuse to answer on the grounds that it might tend to incriminate me.

Q Did your husband send any money to Mexico, to Morton Sobell, in June or July of 1950? A I refuse to answer on the grounds that it might tend to incriminate me.

Q Did you send any money to Morton Sobell in Mexico in September of 1950? A I refuse to answer.

Q Now, wait just a minute. Don't try to flaunt things, because you know and I know that he wasn't in Mexico in

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September, 1950. You go out and talk to your lawyer on that one; and if he gives you the wrong answer, you go down to the Court with the Jury. Now, you go out and ask him about that. I asked you a question, if you sent him any money to Mexico, to Morton Sobell, in September of 1950. Go out and ask him about that.

[The witness left the room, and then returned.]

A All right; I still stand on my constitutional rights.

Q You refuse to answer on the grounds it would tend to incriminate you? A Yes.

Q Whether you sent money to Sobell in Mexico in September, 1950. And I'm telling you that in September, 1950, Sobell was here in jail, in New York City, yet you refuse to answer that question on the grounds it would tend to incriminate you.

MR. LANE: Let me step out just one minute.

[Mr. Lane left the room, and then returned.]

Q You still rely on that, and it's as a result of a conference with your attorney that you say that you refuse to answer on the grounds it will tend to incriminate you, that question? A Yes, sir.

MR. LANE: We can adjourn this meeting right now and have the woman back at a later date. I'll give her the date. You will excuse her for now until a later date.

THE FOREMAN: You are excused until you are advised by Mr. Lane.

[WITNESS EXCUSED]