

January 31, 1951

Schwartz

Presented by Myles J. Lane, Esq.

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

BY MR. LANE:

Q Mr. Schwartz, what is your occupation at the present time? A I am a teacher at Gary Center, Indiana University.

Q Is that connected with Indiana? A It is connected with the Indiana University, it is a little college.

Q How long have you been with them? A This is the fifth year.

Q You were born in Canada? A Yes.

Q That is Winnipeg? A Winnipeg, Manitoba.

Q In 1917? A In 1917, yes.

Q And where did you receive your education? A Well, at the University of Manitoba, and then I came to the University of Chicago. I got a Master's there, and I am at the Illinois Institute of Technology.

Q You are there now? A Yes.

Q Teaching? A I am taking my Doctor's there.

Q Now, were you connected with the Manhattan Project? A At Los Alamos, then, and then at Chicago. When I returned from Los Alamos, I was at Chicago for half a year, I would say, after I came back from Los Alamos.

Q When were you at Los Alamos? A From

approximately July, 1944, to either January or February, 1946 -- something like that.

Q That is July, 1944, to February, 1946? A Yes.

Q And after that, in the University of Chicago?

A Yes; until about June.

Q Working on the same project? A Well, a different aspect of it.

Q But the same project? A Yes.

Q Are you still working on it? A No.

Q Do you have anything to do with the "H" Project? A No, I have been disconnected with it since I stopped at Chicago.

Q What was the nature of your work at Los Alamos? A Well, first I worked in Dr. Greisen's group, and --

Q That is G-r-e-i-s-o-n, isn't it? A It is perhaps G-r-e-i-s-e-n.

Q And what were they doing? A They were doing work on compression ratios, if I remember correctly; and then I was working with Dr. Hirschfelder's group.

Q And what was he doing? A The shock theory, the damage that would be caused when the bomb went off.

Q The velocity of shock wave? A Yes.

Q What happened after that? A I worked under Dr. Turkevitch.

Q He is at Princeton, Dr. Turkevitch? A The

younger brother is at Chicago, and the other at Princeton.

Q That is Dr. John Turkevitch at Princeton?

A I don't know his first name, the older one.

Q What is the younger one's name? A I don't know.

Q What did he have to do with it? A The part I was doing under him, he was doing some work on the initial stages of the "H" bomb, and I did some calculations for him.

Q Well, did you work under any other groups?

A Well, in Chicago they were doing some - -

Q I am talking about Los Alamos. A No; fundamentally those are the three groups.

Q At Los Alamos did you work on the critical mass of the bomb? A As far as I know, I don't think so; at least, not directly.

Q Indirectly? A The mass?

Q The critical mass. A No, I don't think so.

Q Well, did you have any knowledge of the size of the bomb? A Yes, I think I did have some knowledge at the time.

Q Of the size of the bomb? A Yes; I suppose of the diameter, or something like that.

Q And did you have any knowledge of the inside makeup of the bomb? A Yes; because I saw a model of it one day.

Q Whereabout? A Just before the Alamogordo shot, they were having a test shot before that, and a couple of the professors there took me out to see it.

Q Was the model you saw an actual life-size model? A They were using that as a test shot, without the critical stuff in there, if I remember correctly.

Q And did you see the inside of it? A Which?

Q The bomb. A I saw them putting it together.

Q Where was that done, out in the test area?

A Yes, I suppose in the test area.

Q And was that all closed in, too? A I suppose so.

Q Did it have a fence around it? A I am not sure; it wasn't on the project proper.

Q How far away was it? A I don't know. We went by car. It couldn't have been too far.

Q Was it guarded by troops? A What do you mean, "troops?" There might have been some M.P.s around.

Q Well, did you have a knowledge of the slow and fast explosives that were used in the bomb? A Yes, I had some knowledge of that.

Q Did you have occasion to use the Theta shop? That was that laboratory out there. A The word doesn't have any meaning to me now. I remember a "C" shop and a "V" shop, but I don't remember the "Theta" shop.

Q I am talking about the shop that Greenglass

worked in -- that was the smaller of the shops. A Didn't he work in "V" shop?

Q No, the Theta shop. It was the smaller of the three shops. A I guess so.

Q Did you ever have occasion to bring sketches over to him? A No.

Q When did you meet Greenglass? A The exact date I don't remember, but I knew him during 1945, up to the time I left.

Q Did you see him frequently? A At the beginning I saw him frequently, but later on it tapered off, when I got to know some other people.

Q Did you see him with other scientists out there? A I saw him with other fellows.

Q Did you find him to be quite a loquacious individual? A Yes, he liked to talk a lot.

Q And he asked a lot of questions? A He didn't seem to ask too many.

Q Did you ever go on hikes with him? A Yes, I went on a couple of hikes. One was to Camp May, I remember.

Q Was there anybody else with you on those hikes? A Yes, there was a fellow by the name of Hy Adler.

Q Who is he? A He is also a machinist, and he was a friend of Greenglass; and my wife went along and

I went along.

Q Did Mrs. Greenglass go along also? A No. She came in for a visit, I think - - they were permitted to come on the project - - towards the end of the project, and as far as I know I never went to any hikes with her, although she was at my home. I think civilians were permitted to come up towards the end of the project.

Q You say you were there until February, 1946?  
A I would say January or February.

Q That is about the time that Greenglass left, too. Were you there when he left? A I think I left before he did, but I am not sure.

Q Now, do you recall the shop that Greenglass worked in? A Do you mean the name?

Q No, the shop itself - - do you remember what they did there? A No. I know one thing that he did, and I remember it looked blue to me. I think it had something to do with fast and slow explosives, and I think it may have been a model, and that is all I remember of it.

Q You saw him working on that? A Yes.

Q You saw it yourself? A Yes. I don't remember how it looked, but I remember the color.

Q Would you say that from what you saw it had something to do with the atom bomb? A That particular thing had something to do with the atom bomb.

Q But from your knowledge, you having seen the

Schwartz

bomb and having seen him working on it -- A The thing is vague to me now, but I suppose it had something to do with the bomb.

Q Well, do you recall at various times Greenglass telling you of the nature of the work he was doing?

A He could have told me something. I don't know what he told me.

Q You may not specifically now recall, but you recall that at times he did discuss his work with you?

A Yes, he showed me that particular thing. I saw that.

Q And did he ever ask you the nature of the work you were doing? A He might have asked me.

Q Well, I don't expect you to recall the exact details; do you recall that he had at various times asked you questions about the nature of the work?

A I assume he asked me at some time, but I can't remember what he asked me.

Q I understand that you can't be sure what he asked you, but you can be sure that he did ask you what you were doing? A I would say about ninety percent sure.

Q And would he do this on occasions when you sat down for lunch, or something like that? A Yes, it might have been in that way.

Q Or while you were having a cup of coffee?

A Yes -- maybe jokingly, or something.

Q I assume that out there a lot of the mechanics

and scientists would more or less discuss their particular work over lunch or dinner - - I don't suppose that was unusual, was it? A Which?

Q That general discussion. A My feeling was that off the project people were very careful, but on the project I would say there was a certain carelessness, because I remember that when I first came there they told me that only certain people were supposed to know that there was an atom bomb being built, and I found out after a short time that with the exception of the common laborers and the M.P.s on the place, everybody else seemed to know it.

Q Did you see Dr. Bohr out there? A Yes. He went under the name of Nicholas Baker, but everyone seemed to know that that was Dr. Nils Bohr. I didn't know him, but someone told me.

Q Did you see him? A Yes; and I heard him talk.

Q Do you recall what shop he worked in? A You mean Nicholas Baker, or Dr. Bohr?

Q Yes. A No. I know he was in the Theoretical Division. I heard him lecture once or twice.

Q How was he introduced when he lectured?  
A All I remember is that he had another name, Nicholas Baker, but whether he was introduced by that name or not I am not sure.



Q Have you seen either Greenglass or his wife since you left Los Alamos? A No, sir.

Q You haven't seen them at all? A No.

Q Did you see the blast at Alamogordo? A No; I wasn't that important.

Q Did you see any of the blasts? A No. I saw pictures after it.

Q But you didn't see any of the blasts themselves? A No.

Q Did you see any movies of it? A Yes, I saw movies of it, and I also bought some pictures of it afterwards.

Q Did you talk to anyone who saw the blast? A Yes, I might have, I could have, but I couldn't say who it was.

Q Do you recall ever having talked to Greenglass about the blast itself - - do you recall that he asked you questions about it? A I don't recall. I had pictures and he might have seen my pictures, but I don't know that.

Q Was he ever at your place? A Towards the latter part of the project, I don't think I saw him. Shortly before I left, he came over, and I associated with a different group of people at that time.

Q He came to your house? A Yes; just before I left.

Q He came with his wife? A Yes.

Q He was living in town? A I thought he was in the barracks, but he used to go to see his wife over the week-end, in Albuquerque. Before his wife came out, I saw him quite a bit, but later on I saw him less and less, I would say.

I would say that after the bomb went off, they started giving a series of lectures at Los Alamos, and I think I hardly ever saw him, if at all, during that period.

Q Greenglass has told me that he has sat down, and in his conversations with you has tried to cull whatever information he could from you. He has admitted that. A I understand that.

Q And you say that is possible? A Yes, it is possible, but after all these years I can't put my finger on what I did say or what I didn't say.

MR. LANE: I don't have any more questions. Unless the jurors have some questions, he may be excused.

(WITNESS EXCUSED)

bd 1

Alscher

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

BY MR. LANE:

Q Is it Mrs. or Miss? A Mrs.

Q Do we have your address? A 1445 Madison Avenue.

Q And the telephone number? A LEhigh 4-5119.

Q And your husband is deceased? A My husband died  
in December, yes.

Q He was in the service? A Do you mean when he died?

Q He died in December? A No; he died in December  
as a result of an accident.

Q But he was in the service in World War II?

A Yes, sir.

Q Was that the Army? A Yes, sir.

Q Do you have some children? A I have three children,  
yes, sir.

Q And what are their ages? A Peter, he is six; and  
Colin, he is three and a half; and the little girl, Jan,  
she is two and a half.

Q And you work as a teacher? A Yes, sir.

Q For the City of New York? A Yes.

Q And where do you teach? A P. S. 184.

Q Now, was your husband related to Max Elitcher?

A Yes.

Q Now, the fact that -- although their names are  
spelled differently, they are the same -- they are brothers

bd 2

Alscher

or were brothers? A Yes.

Q Now, in 1944, when your husband was in the service, did Max and Helene Elitcher visit you? A Gee, I don't remember.

Q Well, now, see if I can refresh your recollection. Do you remember being pregnant then? Now, does that recall anything? Did you have dinner with them at that time?

A Is this in my house?

Q No. In a restaurant. A At a restaurant?

Q Yes. Do you remember meeting Julius Rosenberg and William Mutterperl? A No.

Q You don't remember meeting them at a restaurant with Max and Helene and your husband when he was on furlough? A Gee, it might be -- Peter was born in February. No.

Q This is in 1944. A I saw Max and Helene after Peter was born, but I don't remember going to a restaurant with them.

Q Do you remember meeting a man by the name of Joel Barr? A Who?

Q Joel Barr, B-a-r-r, Joel Barr. A I don't think so.

Q Do you know such a man? Does the name --

A It doesn't mean anything to me.

Q It doesn't recall anything to you? A No.

Q Do you recall the name Julius Rosenberg?

A When Mr. Cahill called me, I did. When Mr. Hill asked me about Julius Rosenberg, the name didn't mean a thing

bd 3

Alscher

to me.

Q You didn't recall it at all? A No.

Q Does the name William Perl or William Mutterperl mean anything to you? A No.

Q Do you recall your husband being -- your late husband being home on a furlough at the time you were pregnant in 1944 around Christmas time or -- not Christmas time; around January, 1944? A I wasn't pregnant January, 1944.

Q Well, how about in December of 1944? A Oh, yes, that's right; Peter was born in 19 --

Q '45? A 1945, February, yes. But he wasn't home at all then, my husband. He went to Saipan.

Q When did he go to Saipan? A In -- gee, oh, by July or by the early part of August, in the summer, he was gone.

Q In the summer of 19 -- A He left, and right after we were married I didn't see him for 16 months after that.

Q I see. Well, when did he -- he left just after you were married? A Immediately after.

Q When were you married? A July 4.

Q What was the date? A July -- gee, it was the weekend of the 4th, 1944.

Q And you say you didn't see him for how long?

A Sixteen months after that.

Q And when was -- what's his name? -- Peter, when was he born? A February, 1945.

bd 4

Alscher

Q And how old are the other children? A Well, Colin was born July 13 -- June 13, 1947; and Jan, she was born the next year.

Q Jan? A Jan..

Q What's the birthdate of that child? A August 30, 1948.

Q So that if this meeting took place with Rosenberg, it would have to take place some time after July 4, 1944, if it took place. A I don't remember the restaurant business at all. He wasn't home.

Q Well, do you remember -- he wasn't home at all? A Moishe went away -- Morris went away right after we were married, immediately after. We were married over the weekend, and then he had to go right back.

Q Well, do you remember being questioned by the Agents of the FBI on this particular point? A Well, Mr. Hill said did I know Julius Rosenberg. I don't know Julius Rosenberg at all.

Q And you don't recall Mutterperl? A That doesn't mean anything to me at all.

Q Or Joel Barr? A No.

Q Now, have you ever been a member of the Communist Party? A Well, I don't think I have to answer that. Do I?

Q No, you don't; unless you want to. I mean, you are not bound to. A I said I don't think I have to answer that.

Q No. Well, let's put it this way: If you think

bd 5

Alscher

that that would incriminate you, you don't have to answer it.

A Well, I think --

Q The fact that you belong to the Communist Party in itself wouldn't be incriminating. But if you think it will, you can refuse to answer on the ground that you think that that would incriminate you. A Well, I think that I don't have to answer that.

Q No. I understand. But you see, technically, if you don't want to answer it, you have got to refuse to answer it on these technical grounds, see, on the grounds that you are afraid it will tend to incriminate you. A Well, I won't answer it on the grounds that I believe under the Fifth Amendment I don't have to answer that. Right?

Q No, that's not right, no. A Under the privileges --

Q Now, before I ask you the question, let me say this to you: I want you to appreciate the fact that this is a very serious case, which at the moment doesn't involve you and, as far as I can see at the moment, I don't see how it could; at the moment I see nothing in the case that involves you. We are trying to get as much cooperation as we can, because the Government feels that Rosenberg is guilty of a very serious crime. The fact that you or other people may have belonged at one time to the Communist Party has no bearing on guilt or innocence, in my opinion. This meeting here is secret. This testimony could not be used, for instance, by the City of New York, or things like that.

bd 6

Alscher

Do you follow me? I think that's what's in the back of your mind: that it might hurt your school position or something like that. It doesn't. So, if you want to cooperate to an extent and tell me whether or not you were a Communist, you can. But if you feel that you would rather not, then you have got to state you won't only on one ground: if you think that membership in the Communist Party is sufficient to warrant your being indicted at some time for a crime, then you can refuse to answer. But if you feel that the fact that you are a member of the Communist Party would in no way incriminate you or lead to an indictment -- do you follow me? -- then you have got to answer. A Ask me the question again, please.

Q All right. Were you ever a member of the Communist Party? A I don't think I'll answer that.

Q On what -- on the grounds that it may tend to incriminate you? A Self-incrimination.

Q That's "were" you. Now, are you a member of the Communist Party at the present time? A I don't think I'll answer that, also.

Q On the same grounds? A The same grounds.

Q Now, I understand that you have declined to answer both questions on the grounds that the answers may tend to incriminate or degrade you. Is that right? A Well, also I think that under the Fifth Amendment I have the privilege of not answering it.



bd 7

Alscher

Q Well, we are talking about the Fifth Amendment, this is the Fifth Amendment. But under the Fifth Amendment you have got to refuse to answer on specific grounds: the Fifth Amendment states that you don't have to incriminate yourself. Now, as I understand your answers to the questions, you decline to answer on the grounds that the answer may tend to incriminate you. Is that correct? A Yes, sir. If I knew anything about Julius Rosenberg I would be glad to tell you. This restaurant meeting - my husband just wasn't home at that time.

JUROR: Please talk louder.

THE WITNESS: I say, this restaurant meeting, I don't remember this at all; my husband wasn't home at this time.

MR. LANE: Well, I think I have no further questions.

[WITNESS EXCUSED]

bd 1

Pasternak

L O U 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 Do we have your address, Mr. Pasternak? A What's that?

Q Are you a little hard of hearing? A A little. I have a hearing-aid.

Q Well, now, I better come over near you. A Yes, please.

Q Now, your address? A Hotel Chelsea, 23rd Street between 7th and 8th Avenue. I think it's 222, if I'm not mistaken.

Q And you can just relax now; you don't have to get concerned too much. When were you born? A 1889. I'm past 61.

Q And are you married? A No. I'm single.

Q You are not married; you have never been married?  
A No.

Q You are naturalized? A Yes, sir.

Q Where were you born? A Ukraine, they call it.

Q And when did you come to the United States?  
A 1905.

Q And when were you naturalized? A 1915.

Q Where? A In New York City, in New York Supreme Court.

bd 2

Pasternak

Q And have you left the country since you came here originally? A I was once.

Q When was that? A '33 or '4.

Q And where did you go? A Back to Russia, to -- for a visit.

Q Now, are you employed? A Yes.

Q How long were you there, for how many months?

A Oh, ten days or two weeks, something like that.

Q Are you employed? A I am.

Q Where? A I'm the manager of Camp Unity.

Q Do you own that or are you just the manager?

A I'm the president of the corporation.

Q Oh, it's a corporation? A Yes.

Q And what is the corporation, what's the name of it?

A Lake Ellis Camp Corporation.

Q And do you receive a salary up there? A Yes, sir.

Q And how much of a salary do you get? A Four thousand and expenses.

Q Do you get any other emoluments or anything as a result of your being president? A No.

Q And are you up there all year long or just the summer time? A Well, I'm there approximately about 8, 9 months a year.

Q Now, what's your relationship to Morton Sobell?

A He is my nephew.

Q And when was the last time you talked or communicated

bd 3

Pasternak

with him? A A long time, now.

Q Well, would you say six months? A I haven't seen him -- no, I haven't seen him in years.

Q In other words, it was prior to -- you haven't seen him since his arrest? A I couldn't estimate in my own mind how many years it is since I have seen him.

Q Did he work at Camp Unity? A Yes, when he went to school.

Q How long ago is that? A It must have been around 15 years ago or 18 years ago; something like that.

Q Now, do you know whether Morton was a member of the Communist Party? A I don't know.

Q Or do you know whether he was a member of the Young Communist League? A I don't know.

Q How about the help up at the camp - do they have to be Communists? A Not at all. Open door.

Q Do you have anyone working up there who isn't a Communist? A I don't know. We don't question anybody, what he is doing. The staff is about 130 people.

Q Is it Mrs. Sobell, Morton's mother, that's a sister of yours? A That's right.

Q Now, were they, Mr. and Mrs. Sobell, the elder parents, were they at Camp Unity this summer? A That's right.

Q Do you remember when they were up there and how long they stayed? A I think in August.

Q And how long did they stay? A A few days or a

week. I can't recall exactly.

Q And was Edith Levitov there with them? A Yes.

Q Was she there all the time with them? A No. She was there only a few days, I think. I'm not sure. It's difficult for me to remember the people that come and go.

Q But they were there together, weren't they? A Yes.

Q Did anyone tell you that Morton Sobell was going to Mexico? A No, sir.

Q Didn't discuss it with you at all? A No.

Q Did you know he had gone to Mexico? A No.

Q Did you ever communicate with Morton Sobell in Mexico? A Not to my recollection.

Q Did you ever write to him under the name of N. Walter?  
A Not I.

Q Are you sure? A Positive.

Q And where were you doing the summer of 1950?

A In camp.

Q Did you leave there? A Well, occasionally I go in for a day in New York. But my work is there during the season, during the summer; it's the height of the season.

Q Did you make regular trips to New York during the summer? A No.

Q How many times would you say you went to New York?

A It's very difficult to say.

Q Well, two, three, four? A Well, maybe.

Q And how did you get to New York: by train?

bd 5

Pasternak

A Sometimes by train.

Q Well, what station did you come into and depart?

A Where I parked the car?

Q No; when you came by train. A New York Central.

Q You came in at Grand Central? A Yes.

Q Do you know where you were on August 9, 1950?

A I couldn't tell.

Q Now, I show you a letter which is dated August 9 and it's addressed to "Dear Friend," and I ask you if you recognize that letter. Did you ever write that letter?

A I didn't.

Q You did not? A No, sir.

Q The letter is addressed: (Reading)

"Dear Friend:

"Received your letter and was glad to hear from you.

"Sunday 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 and as soon as I settle down I will let you know my whereabouts.

"Sincerely yours,

"Lew"

Now, you didn't write that letter? A No, sir.

Q You never saw it before? A I saw it when the FBI showed it to me.

bd 6

Pasternak

Q And that's the only time you saw it? A That's right

Q Well, do you know who the identity of the author might be, who "Lew" might be? A I don't know.

Q You have no idea at all? A No idea whatsoever.

Q Do you know anyone by the name of Lew that signs his name "L-e-w"? A That I couldn't say; I don't think I do

Q Are you sure you don't? A No.

Q Do you ever sign your letters "L-e-w"? A My name is Louis, so I sign it "L-o-u-i-s".

Q But did you ever sign it "L-e-w"? A There is no reason for me to sign it that way; it's Louis.

Q Well, you haven't answered the question. Did you ever sign it that way? A No.

Q That's better. Well, this may surprise you, but do you know that this letter here that I have just shown you was typed on a typewriter at your camp, Camp Unity?

A No, I don't know that. Nobody wrote this letter in my camp

Q Yes, someone did. But we are trying to find out who the someone was. But do you know that that was written on the same typewriter that's up in your camp?

A I don't know.

Q Can you explain it? A I don't know.

THE FOREMAN: Is that August 9, 1950?

MR. LANE: Well, it doesn't say 1950, but it was 1950.

Q You can't explain that? A No, sir.

bd 7

Pasternak

Q You don't know who might have used that typewriter?

A Well, there are two typewriters, and I don't type.

Q Well, as a matter of fact, this doesn't look like very good typing. It looks like one-finger typing; you know, dot-and-dash. A You have got me on that; I don't know anything about typing.

JUROR: May I ask a question. Is there a register at Camp Unity where visitors must write their name?

Is there a book in which each --

Q Is there a register where people must register, coming in there? A We have a different system. We register when they come in, on cards. They pay in advance.

Q A card register? A Yes.

Q Instead of a book? A That's right.

JUROR: Well, wouldn't you be able to place the date of Mr. and Mrs. Sobell's visit through those cards?

THE WITNESS: Well, Mr. and Mrs. Sobell are my relatives and they occasionally come up as my guests; they don't always pay.

Q Well, did they pay last summer? A I don't recall.

Q Well, did they sign in last summer, did they register?  
A Some of my family are invited by me and they don't have to register.

Q Well, did they register last summer? A I don't think so.

Q Well, you can check that for us? A Yes.



bd 8

Pasternak

JUROR: Wouldn't that be run under the hotel laws? Wouldn't they be required to register, whether they get free rent or not?

MR. LANE: I don't know the answer to that.

JUROR: Maybe he does.

Q You are incorporated and you must comply with the New York State law with reference to registration; right?

A That's right.

Q So that everyone coming in there as a guest must register, whether they come in for free or -- A Well, if a sister or brother comes in for a couple of days or so --

Q Well, aren't they required to register, under the New York State law? A Maybe they are. I don't know.

Q You better check that, so that you don't violate the law by any chance.

THE FOREMAN: But do you get their signatures? Do they sign their names? If I come up to Camp Unity do I have to sign a book, sign my name?

THE WITNESS: No.

Q But he must sign a card: he must register? A Yes.

THE FOREMAN: Must I sign my name on a card?

THE WITNESS: No.

THE FOREMAN: I don't have to write my name out at all?

THE WITNESS: No.

Q Well, who registers them in? A I have clerks.

Q And they don't -- and you don't have to sign your name on there? A No.

Q That's not required? A I didn't practice that.

JUROR: Well, someone writes it, is that it, someone else?

MR. LANE: Well, I think everyone has to sign his own name.

JUROR: That's what I understood.

Q Now, who has access to the typewriter in your office?

A Everybody who works in the office.

Q How many would that be? Who would -- how many people work in the office? A About five people.

Q Now, who are they? A One is -- do you want the names?

Q Yes. A Hyman Kupelman and his wife -- what's her first name? I don't remember.

Q Mrs. Hyman Kupelman. And who else? A Irving Kaufman.

Q Irving Kaufman? How do you spell that? A K-a-u-f-m-a-n.

Q We have a Judge here by the same name. I'm sure he didn't visit the camp. And who else? A Myself.

Q That's four. A And Robert Steck.

Q And where do they live? A I'll have to look it up.

Q Now, are any of those people Communists? A Not that I know.

Q Who was in the office on August 9, 1950?

A It's difficult to tell, because it's a shifting -- they shift -- they change their hours.

bd 10

Pasternak

Q Well, your books will show it, though, your records, won't they? A The time schedule might show it.

Q That's right. Did you give anyone else permission to use your office or typewriter? A Yes.

Q Who? A The entertainment staff comes in and types scripts and so forth and so on.

Q Do you suppose Edith Levitof could have used that typewriter? A No, I don't remember her being in the office at all.

Q You wouldn't object to her using it, though, would you? A No.

Q Have any repairs been made on the typewriter since the spring of 1950? A Not that I know.

Q Who repairs your typewriters? A I'll have to look up the bill. I don't remember offhand.

Q But you can get that for me. And when you get that will you send me a letter? A Who repairs the typewriters?

Q Yes. Rather than bring you back for that, I would just rather have you send me a letter. A Whatever you say.

Q Do you have any files, any correspondence or letters typed on the typewriter prior to August, 1950? A I think I have.

Q Well, now, rather than bring you down -- (to the Foreman) Will you direct the witness to get the correspondence that was typed on these typewriters prior to 1950 and send them in to me? And I'll present them later on to the

bd 11

Pasternak

Grand Jury.

THE FOREMAN: Do you understand that?

THE WITNESS: Sure.

Q In other words, rather than bring you down, the Foreman is directing you to send me this correspondence.

A The file?

Q Yes; with a letter saying this is the material that was used on the typewriter prior to August, 1950. You send it to Mr. Lane, Chief Assistant United States Attorney.

THE FOREMAN: Would you ask him about the menus?

Are the menus by any chance typed up in this office?

Q Do you have any old menus that are typed up?

A They are mimeographed.

Q But they are typed first. A Yes, and we make a stencil.

Q You might include those. A Well, do you want the menus or stencils?

Q Well, a couple of each. We're not partial. Now, I show you an envelope, and you have probably seen that before (Reading), "Mr. N. Walter, Caradoba, Mexico, D.F, Mexico," and it's postmarked, "New York, N. Y., August 9, 1950." Now, have you ever seen that before? A I told you I saw it only when the FBI showed it to me.

Q But you never saw it prior to that time. Now, think carefully on this one: Are you a member of the Communist Party? A I refuse to answer on that.

bd 12

Pasternak

Q On the grounds that it may tend to incriminate you?

A That's right.

(Continued by LB)

Q Have you -- I ask you if you are now; if you are not now, you say No. A I refuse to answer.

Q You understand if you are not you have to say no.

A I refuse to answer on the same grounds.

Q It may tend to incriminate you? A Yes.

Q Did you ever go to the Lenin School of Moscow?

A No, sir.

Q Is your brother a Communist? A I don't know.

Q Remember now, you say you don't know, and if you do know, you are subject to the penalties of perjury. Do you understand that? You can refuse to testify on the ground that things will incriminate you, but not him. A I don't know.

Q You say you don't know? A I refuse to answer that too.

Q On what grounds? On the grounds it may incriminate you? A It may incriminate my brother.

Q You cannot refuse to answer on that ground. A I don't know then.

Q Truthfully, you don't know? A I don't know.

Q Is your sister, Mrs. Sobell, a Communist? A I don't know.

Q Is your brother-in-law? A I don't know.

Q Is Morton Sobell a Communist? A I don't know.

Q Is his wife a Communist? A I don't know.

Q Have you ever seen them attend Communist meetings?  
A Not that I know.

Q Did you ever see your brother attend a Communist meeting? A I don't know.

Q You don't know whether you saw him attend a meeting or not? A I hardly see them. I don't attend meetings myself.

THE FOREMAN: That's because you are not a Communist, you do not attend meetings?

THE WITNESS: I refuse to answer on the grounds of self-incrimination, any of these questions, gentlemen

Q Do you pay dues to the Communist Party? A I refuse to answer on the same grounds.

Q Is Camp Unity connected with the Communist Party? A I refuse to answer on the same grounds.

Q Who are the officers of Camp Unity? A What's his first name? Max Horowitz.

Q What's his address? A His address is 18 Dalton St., Long Beach.

Q Is he the president? A No; I am the president.

Q What is Max? A Secretary.

Q Who is the vice president? A Sophie Saroff.

Q Is that her right name? A Yes.

Q Is she married? A She was.

Q What was her married name? A That's her married name.

Q What was her maiden name? A I don't know.

Q What's her address? A 172 East 7th Street, New York City.

Q Do you have -- are there any other officers? A No.

Q Do you have a board of directors? A This is the board of directors.

Q They are the officers? A Officers and board of directors.

Q Are there any other directors on the board other than you three? A No, sir.

Q Is Paul Robeson connected with your camp? A No.

Q Does he ever go up there? A He was there once.

Q Just once? A I think a couple of years ago, I don't remember when.

Q Is there anything else that you can tell us about your nephew? A Nothing.

Q Sobell. A This is the God's honest truth, I haven't seen him in years. I can't figure out how many years I haven't seen him.

Q Have you received any letters or mail or telephone calls from him? A I might have; I can't recall all these things.

Q When is the last time you talked to Mr. Bloch? A Who is Mr. Bloch?

Q You never heard of him? A No.

Q When is the last time you talked with Morton Sobell's lawyers? A I haven't seen them at all.

THE FOREMAN: This letter is written about somebody who is ill, a doctor, as I recall in the letter that Mr. Lane read. He is ill and he has gone to see a doctor. Do you recall anybody up there who had an ailment like that that would want to



LB-4

Pasternak

see a doctor?

THE WITNESS: No, sir.

THE FOREMAN: Any of the people there?

THE WITNESS: No, sir.

THE FOREMAN: They were all in good health, like everybody else?

THE WITNESS: I had a doctor on the premises if something happened.

THE FOREMAN: Was the doctor busy during that time with any of the members?

THE WITNESS: No.

THE FOREMAN: Was there any serious ailment of anybody there?

THE WITNESS: Only first aid.

THE FOREMAN: It did not come to your attention that somebody up there was ill and needed doctor's attention because somebody wrote a letter from there? (No answer.)

MR. LANE: How many people can you take care of at the camp?

THE WITNESS: About five hundred, five fifty.

JUROR: Do you recall Edith Levitov's brother at any time last summer?

THE WITNESS: I don't know him.

MR. LANE: You don't know him? He's your nephew.

THE FOREMAN: Were you in good health in August?

THE WITNESS: Yes.

LB-5

Pasternak

THE FOREMAN: Didn't have to have any doctor's attention?

THE WITNESS: I work very hard.

THE FOREMAN: You didn't have to call upon a doctor?

THE WITNESS: No, sir.

THE FOREMAN: What is the name of the resident doctor?

THE WITNESS: I forget the name -- Urshen.

BY MR. LANE:

Q How do you spell it? A I will have to send it to you. I have each summer a different doctor.

Q Did you ever have occasion to have a doctor attend you in 1950? A Doctor what?

Q Did you have any doctor treat you in 1950 or attend you? A No.

Q You are in good health? A Good health, with the exception of my hearing aid.

THE FOREMAN: You may be excused.

(WITNESS EXCUSED)

S A R A H P O W E L L , called as a witness, having first  
been duly sworn by the Foreman, testified as follows:

BY MR. LANE:

Q Can we have your address and telephone number?

A 56-27 194th Street; Flushing 7-9642.

Q Are you married? A Yes, I am.

Q To Mr. Sidney Powell? A That's right.

Q What does he do? A My husband is an office manager  
for a plumbing contractor here in town.

Q What is the name of the firm that he works for?

A Is that in relation to this?

Q Everything that we ask you here, unless it will  
tend to incriminate you, you must answer. A Yes, but I  
didn't think my husband had anything to do with this; I mean,  
I was called as a witness.

Q Let's not debate this. I will tell you what the law  
is, and you are supposed to answer the questions I ask. This  
is in connection with background information which we usually  
ask for. A He works for Fine-Shlosberg.

Q They are plumbing suppliers? A No; they are plumbing  
contractors.

Q Where is their place located? A I think it is on  
Second Avenue. I don't know the exact address.

Q You were born in New York City, were you? A No, I  
was not. I was born in Baltimore, Md.

Q What was the date? A December 29, 1912.

Q Do you have any children? A Yes, I do.

Q How many? A One.

Q Girl or boy? A Little girl.

Q How old? A Two and a half.

Q When were you married? A May 19, 1946.

Q Now, where did you go to school? A In Baltimore.

Q Grammar and high schools? A Yes; and then I went to Teachers Training School at Towson, Md.

5 Q When did you graduate? A 1932.

Q Did you teach after that? A For a little while, yes.

Q Where were you employed after 1932? A Where was I employed?

Q Yes; and by whom? A As I say, I worked for the School Board; I taught night school; I taught Americanization for a while.

Q Where, in Baltimore? A Yes.

Q Baltimore Night School, is that what they call it?  
A Yes.

Q You taught Americanization? A Classes, that's right.

Q What is that - civics? A I did not teach the civics part, but that's involved. I taught reading and writing, I mean, to foreigners who want to become citizens, who were taught the English language.

Q When was this, what years? A Oh, I think in '32 or '33. It has been so long ago, I just can't recall the

LB-3

Powell

exact dates. I think it was '32 or '33.

Q Do you speak any foreign languages? A No, I do not.

Q After '32 or '33 what did you do? A I taught nursery school for a while, for about a year, in Baltimore. And then I worked on a research project at the Johns-Hopkins Hospital. And then I worked for the -- do you want me to continue?

Q Yes, if you will, please. A Then I worked, temporary employment, with the Social Security Board in Baltimore; and then I went to Washington on a temporary job with the National Relations -- no.

Q Labor Relations? A No, no, no. Coal Commission. I forget -- the National Bituminous Coal Commission.

Q When was that? A That was in -- I think it was June of '39.

Q Were you employed as a secretary? A No, no. I was hired as an alphabetic key-punch operator, and then I was called and I worked with the commission, U. S. Civil Service Commission. I worked there from I guess '39 till '42. Do you want me to continue?

Q Yes, if you would, please. A And then from '42 to I think '43 I worked for the Office of Quartermaster General in Washington. Then from there I went to Procurement Division which is part of the Treasury Department. I worked there three years. Then from there -- oh, that's when I was married, and I had leave of absence, and I came up

LB-4

Powell

here, I had a three months' leave of absence, and I was out for three months until I found a job, with transfer, with the Veterans Administration here in New York. And I worked with the Veterans Administration here, it was the main office -- I was hired for the Brooklyn Regional Office, but before the office was set up they were here at the main branch at Broadway.

Q Who was your boss? A I know the person who hired me was Mr. Kellman -- not Kellman, no -- oh, Klegman, Joseph, I think, Klegman, and then when the office opened in Brooklyn we went out to the Brooklyn office, and I was with them until I left, I was pregnant, and that was the end. Now I am a housewife.

Q During 1939-1940 did you know Max Elitcher?

A Yes, I did know Max.

Q How did you meet him, do you recall? A He lived in my neighborhood out in northwestern Washington, and I met him out in Rock Creek Park on the tennis courts.

Q What was the nature of the relationship with him?

A Just an acquaintance you go out to the park and you play tennis and you just meet people.

Q Did you have occasion to visit him at his place?

A No.

Q On 7th Street? A No.

Q Washington, D. C.? A No.

Q Never? A I did not even know he lived on 7th St., no.

LB-5

Powell

Q Did you ever visit any apartment/<sup>that</sup>he lived in?

A No, not that I recall.

Q Did you ever meet Morton Sobell? A No. The name doesn't sound familiar to me.

Q I show you a picture of Sobell, and ask you if that perhaps refreshes your recollection? A No. You know, in Washington, when you work there and you eat out, you go to restaurants and meet -- I mean, if you go to the same place every day, even if you go to work on the bus, you will see the same people day in and day out.

Q Do you know Julius Rosenberg? A No; I do not know who he is.

Q I am showing you pictures of him. A No.

Q Never saw him? A No.

Q Do you know Joel Barr? A No.

Q William Perl or Perlmutter? A No.

Q Alfred Sarant? A No.

Q Louise Sarant? A No.

Q Joel Barr? A No.

Q Mike Sidorovich? A No.

Q Mrs. Sidorovich? A No.

MR. LANE: May the record indicate that pictures of those people were shown to the witness.

Q You don't recall having met Mr. Sobell at all?

A No, I don't.

Q Did you ever visit Elitcher's place at 4925 7th St., Washington? A No.

LB-6

Powell

Q Did you ever go out on dates with this Sobell? A No.

Q What you must understand, it is very important, is that you are sworn here, and anything you say that is false, if it is a deliberate falsehood, it is subject to the penalties for perjury. Do you understand that? A Not that I recall.

Q In the light of that admonition, you still say that the answers you have given so far are correct? A Yes. In Washington I was a young single girl and I went to parties lectures and concerts. I mean, he might have been at some of those concerts or lectures or parties. But I do not recall noticing him or knowing who he was.

Q Did you ever attend any Communist Party meetings? A No.

Q Never? A No.

Q Did you ever attend any meetings of the Young Communist League? A No, I did not.

Q Did you ever attend a meeting of a Communist cell in Washington? A No, not that I recall attending any of them. As I say, I attended socials, parties.

Q What sort of socials? A Musicales.

Q These groups have any names? A No, not that I know of.

Q Were any meetings ever held in your home in Washington? A No; I did not have a home in Washington.

Q Where did you live? A I lived in a room with a family.



Q What was the name of the family? A Gee, I don't know. This has happened ten years ago, 12 years ago.

Q Do you remember what the address was? A I do not even remember the street. I know it was out the northwest section.

Q Do you know whether Elitcher was a member of the Communist Party? A No, I do not.

Q Or whether Sobell was a member of the Communist Party? A No, I do not.

Q Were you ever a member of the Communist Party?  
A No, I was not.

Q Were you ever a member of the Young Communist League? A No.

Q Is your husband a member of the Communist Party?  
A No.

Q Or of the Young Communist League? A No.

Q Were you ever a member of the Communist Party?  
A No.

Q Or the Young Communist League? A I was not.

(WITNESS EXCUSED)

January 31, 1951

Page

M A R K P A G E , called as a witness, having first been duly sworn by the Foreman, testified as follows:

BY MR. LANE:

Q Mr. Page, what is your occupation? A At present I am doing some selling.

Q For whom? A I am selling for the Sunray Electric Company.

Q What are you selling? A Lamps.

Q On a commission basis -- A Yes, sir.

Q Or salary? Where is -- where is the headquarters of this company? A In Warren, Pa.

Q Have they any New York office? A There's a gentleman who takes care of the New York duties.

Q Who is he? A Mr. David Elliott.

Q What's his address? A It's on Riverside Drive. He's in the phone book.

Q Don't you know it? A It's -- I think it's 299; I am not sure.

Q Are you paid a salary or commission? A Commission; commission entirely.

Q When were you born? A November 15th, 1918.

Q Where? A New York City.

Q Where did you go to school? A Which school, sir?

Q Give us a general and quick survey of your education? A Mostly New York City; all New York City.

Q Public school? A Public school; junior high school;

high school, college, N.Y.U.

Q What public school did you go to? A P. S. 92.

Q What junior high school? A 97, on Mangen Street.

Q What high school? A Seward Park High School.

Q And college? A I went first to C.C.N.Y., and I was dropped out because of a number of reasons, mainly scholastic; and after I came back from the Navy I went to New York University, and before I went to the Navy I studied at New York University and graduated from New York University last July as mechanical engineer.

Q What class were you in in City College? A Class of '38, I believe, originally.

Q Were you taking engineering in that -- A Technology, yes. I started out science, and then I shifted to engineering, switched around.

Q When did you graduate from Seward High School?

A '34, I think.

Q Are you married? A Yes, sir.

Q Any children? A Yes, sir.

Q When were you married? A I was married in 1938, November 1938.

Q How many children do you have? A I have one little girl -- one and a half -- another one coming.

Q How old is your little girl? A My little girl is six years old.

Q You say you were in the Navy? A Yes, sir.

Q When did you go in the Navy? A I went into the Navy in 1944, July, I think.

Q And you were discharged when? A In 1945, after the end of the war, October, October of '45.

Q Where did you serve in the Navy? A I was sent first to training in Chicago; then I was sent to different places all over the country, given more training and stuff like that; and then I was sent to Boston at one time. New Orleans, Chicago, Washington, San Francisco -- that was San Bruno -- I was discharged from San Bruno.

Q What was your rating? A When I started in the Navy, I started as apprentice seaman, lowest rating; and then I was raised -- what was it? -- seaman, first class, equivalent to corporal; and then I was for a short time a technician, radio technician; and then after that I was bounced back to seaman, first class; and when I was discharged I was seaman, first class.

Q What bounced you back? Were you court-martialed? A No, sir. I have a 4.0 rating on my honorable discharge.

Q Why were you bounced back? A I was bounced back because I was in Washington, D. C., and my little girl was born at that time, just at that time, and I was worrying about my little girl -- my wife had a very tough time, she spent 25 hours in labor, I believe, and I couldn't concentrate on what was going on, although I did my best. So they demoted me from R.T. to Seaman, First. But there was nothing --

Q You had no Mast? A No, sir. I had a 4.0 record. That's the highest rating that the United States Navy gives to enlisted men. That's on my discharge papers.

THE FOREMAN: Congratulations.

THE WITNESS: Thank you, sir.

Q Why did you leave City College? A I didn't leave City College. I was bounced.

Q Why were you asked to leave? A Poor studies. I was a very poor boy. When I graduated from high school I had pretty good marks, in high school. My family was in extreme poverty, and I did the best I could. I couldn't concentrate on my studies.

Q But you did all right at New York University?  
A After I got back from the Navy and realized what life was all about, I put my mind to my work, and I did better. I did work very hard but it wasn't easy for me.

Q I assume you went in under the GI Bill? A Yes, sir.

Q How long have you known Julius Rosenberg? A I knew him in '38; maybe a little before.

Q You knew him at City College? A I knew him, yes.

Q He was your classmate? A I don't think so. I think he was a term before. By the time I got out of City College I had dropped so many classes up and down, it was pretty tough to tell. But I do not remember him being in any of my classes, but I knew him in college.

Q Did you go around with him quite a bit? A It's hard

to say. I went around with many people.

Q Let's not get cagey. A It's not a question of getting cagey. It's a long time ago.

Q Just answer questions when I ask them. Did you go around with Julius Rosenberg quite a bit? A It's hard for me to answer that.

Q How frequently did you go around with him? A I saw him, he lived on the East Side, I lived on the East Side; I saw him occasionally.

Q How often did you see him? How often each week, on the average. Give us an estimate of how frequently you saw him? A A few times a week. A few times a week; every week.

Q What sort -- what did you do with him? Did you go to movies or did you just chat? A No, I was having a tough time with my school work --

Q Yes, I know. You have gone into that two or three times. Let's stick to Rosenberg. A I asked him about social work. I talked to him about everything a young man talked about, everything, all different things, girls, life, everything.

Q Did you ever visit his place? A Which place?

Q Rosenberg's place. A You mean where he lived?

Q Yes. A Yes, sir.

Q Very frequently? A No, sir.

Q Did you meet his wife? A He wasn't married at that time.

Q You visited his home? A Yes. You asked me that.

Q Where was that -- his parents' home? A Goerck Street.

Q Do you remember the number? A Not offhand. I know it was the housing project there.

Q Did you meet Rosenberg's parents? A Yes.

Q And his family? Does he have some brothers and sisters? A I think I met his parents, and I met his sister at one time, I vaguely remember. That's about all I remember. I met his brother, yes, his brother too.

Q Did you know at that time that Julius Rosenberg was interested in the Communist Party? A On this question, sir, I am afraid that I will not be able to answer.

Q On what grounds? A On the grounds that I am an American citizen, I love my country, and I have a Constitutional right not to answer a question which might incriminate me in any way.

Q I asked you if you knew today? Did you ever hear him say he was? A Sir, I respectfully -- I am very respectful about it -- I am loath to answer for the simple reason that I do not wish to incriminate myself in any way. That's my Constitutional right.

Q Well, now, didn't I understand you to preface your remarks by saying you are a loyal American, that you love your country? A I do not know whether I said that, but I certainly do.

Q Is this your idea of being a loyal American?  
A Yes, sir.

Q Your refusal to cooperate in a case as serious as you know this one to be? A You are saying I refuse to cooperate. I did not say that.

Q What do you call that? You do not want to give any answers. I want to find out whether Rosenberg admitted he was a Communist. A Don't you want to protect my Constitutional rights?

Q I do. I am trying to. I am thinking in terms of Rosenberg, not of you. A I am thinking in terms of my country and myself.

Q Thinking in terms about your country you do not want to tell me about Rosenberg? A In thinking of my country I have to think about myself too.

Q You may give this double-talk outside in the circles you travel with, but here there are people who understand English the same as I do. A I am quite respectful, sir, but I rest on my answer.

Q You say that would tend to incriminate you? A I say, that is my Constitutional right.

Q In other words, it might be a Constitutional right for me to ask the grand jury to indict you with Rosenberg, that is what you are trying to tell us. A No, I am not telling you that at all.

Q You are, in effect, saying that. You say if you testify it is liable to incriminate you. A I am trying to make a living. For a few years I have been hounded from



job to job. I have been working in toy factories. I did a good job in the Navy. I don't see why you have to hound me like this. I have a family and responsibility to them. I can't answer a question on the grounds it might incriminate me.

THE FOREMAN: Why would it incriminate you?

THE WITNESS: Because the question concerning these things and the whole situation, it is something I read in the papers. I can read just as well as the gentlemen of the jury and the ladies of the jury.

THE FOREMAN: But you had nothing to do with it. Why do you refuse to help?

THE WITNESS: I do not wish to answer any questions which will tend to incriminate me, and I believe it is a Constitutional right. There is no question about it.

MR. LANE: You learned that long before you came in this room.

THE WITNESS: I am trying to lead a simple life, and have been trying --

THE FOREMAN: Let's stop all this business. We are all trying to lead a simple life. As a matter of fact we all wish to, but have been called from our businesses. It is our patriotic duty. We are loyal Americans, and we assume you are. Let's forget about being a poor boy. I was a poor boy too.

THE WITNESS: I haven't been able to --

BY MR. LANE:

Q Maybe if you came out and told the truth you wouldn't be hounded. A Have I said anything that's not true? I believe everything I am telling you is the truth.

Q You said --your conduct here doesn't, in my opinion, give with your statement that you are a loyal American trying to cooperate. A Well, sir, I have the right to feel I am a loyal American citizen. I answered the call of my country. I did my duty all my life. I think I have a right to say I am a loyal American citizen. I think I love my country. On that I stand.

Q Do you feel that if you do not want to testify against Julius Rosenberg? A I feel I cannot answer that question on the simple grounds that in the Constitution it says a man has a right not to testify if it might tend to incriminate him.

BY JURORS:

Q Do you want us to understand you will be incriminated with Rosenberg? You are saying so? A I say, I refuse to answer the question.

Q On the grounds it might incriminate you. A On the grounds it might tend to incriminate me.

Q With Rosenberg. A That's the question I answered before.

Q With Rosenberg? A I refuse to answer.

Q Mr. Lane asked you about Rosenberg. A I am answering your question, sir. I refuse to answer the question on the

grounds it might tend to incriminate me.

Q With Rosenberg? A On the ground I think it would tend to incriminate me. I said nothing --

Q You're admitting that. You realize you are saying that? A I am answering the question.

BY MR. LANE:

Q Did you talk with a lawyer before you came here?

A Yes.

Q You discussed pretty much -- A Yes. I asked the lawyer's advice.

Q Who is your lawyer? A Do you want his exact address?

Q Yes. A My attorney is Morris J. Kaplan; his address is 135 Broadway.

Q When did you talk with him? A I talked with him last week and I talked with him this morning.

Q He advise you not to answer any questions on the ground that it may tend to incriminate you? A My lawyer advised me of my rights. The things I am doing here are my decisions, not his decisions. He's an attorney and he gave me the benefit of his legal advice.

Q What did he say to you? A I do not believe -- again I stand on my rights as an American citizen, and I believe that the conversation between an attorney and his client is confidential.

Q As far as the client is -- as far as the lawyer is concerned, but not as far as the client is concerned. A If it

is not as far as the client is concerned, I'd like to ask  
counsel's advice.

Q We'll have you back and you can answer it. I think  
we'll have a few sessions with you,

(Cont. by IFG)

January 31, 1951

(Mr. Lane)

10500  
Page

BY MR. LANE, continuing:

because I am seriously considering asking this body to get a superseding indictment and include you in it, because I think that your conduct is such that it is at least very suspicious; and it is up to you, as far as I personally am concerned, for you to clarify this whole thing and satisfy me - - after all, I am going to draw the indictment - - and satisfy me that you are not involved with Rosenberg.

You want to live a good, simple life, and all that sort of thing, but I am the one that is in charge of this prosecution, and I am the one that is going to draw the indictment, and I am the one that is going to try these people; and the way you are acting I see little alternative but to include you in this indictment. A Sir, I don't question you, and I believe you are doing your duty, and I am trying to do my duty.

THE FOREMAN: Why don't you tell us the whole story? You say you are a loyal American.

THE WITNESS: I certainly am, sir.

A JUROR: What would you think if we did as you are doing?

THE WITNESS: I don't know, sir; I have no experience with Courts.

Q Did you live with the Rosenbergs at any time?

A That question is a funny one.

THE FOREMAN: Answer that question. We don't care whether it is funny or not.

THE WITNESS: I rented a room to him, sir.

Q When was that? A Either in '38 or '39.

Q That was with Rosenberg's father, or with Julius Rosenberg himself? A We got married in '38 and we rented an apartment in Williamsburg, Brooklyn. It was four rooms. We had tough times and we rented out a room to Mr. Rosenberg and his wife, and they lived there, I think, six or eight months.

Q They lived with you? A They rented a room with us; we had a big apartment.

Q And they lived in the same apartment? A They rented a room in my apartment.

Q How long did they live there? A Six or eight months. It was a short period of time; I am not sure exactly.

Q Now, did Julius Rosenberg at any time attempt to recruit you for espionage work, and you refused to cooperate with him? A I refuse to answer that question - -

Q Look; the way I am putting this is, that you refused to cooperate with him. I am not trying to pin you on anything. I want to know if Rosenberg ever tried to get you to do anything, and that is all. A I have heard you.

Q And you refused to do it? A I refuse to

answer the question on the grounds that it might tend to incriminate me, as a constitutional right that I have.

THE FOREMAN: Because he asked you a question?

THE WITNESS: Because of that question specifically, sir.

Q Did you ever refuse to cooperate with Julius Rosenberg in espionage activities? That could never incriminate you, if you refused to do something. A I do not have counsel here, and I am not a lawyer. I refuse to answer questions concerning the Rosenberg case which might tend to incriminate me, and I believe it is my constitutional privilege.

A JUROR: You must be mixed up with Rosenberg if you refuse to answer, because it is going to incriminate you.

THE WITNESS: I give the same answer to that that I just gave to the gentleman over there.

A JUROR: Only you know whether you are guilty or not, or you wouldn't refuse to answer Mr. Lane's question.

THE WITNESS: That is a conclusion that you are drawing, sir, and you have the right to draw that.

A JUROR: You are telling us that if I came up to you and told you, "Look, Mr. Page, I want

IFG-4

you to rob a bank," and you refused to rob the bank, and the cops came up and said something to you about it, and you said, "Yes, they wanted me to rob a bank but I didn't" - - that wouldn't incriminate you, but it would incriminate me.

THE WITNESS: I respect your statements, but - -

A JUROR: Do you still refuse to answer?

THE WITNESS: I don't know about the law, gentlemen.

A JUROR: We don't, either; I am a layman myself.

THE WITNESS: Well, I want to tell you the truth.

A JUROR: You are telling me that you are implicated in the Rosenberg case.

THE WITNESS: That is a conclusion that you are drawing, sir.

A JUROR: Mr. Page, you are going to make your life very complicated by the way you are answering this question.

THE WITNESS: I would like to answer Mr. Lane's question, and I tried to answer it in as clear a way as I could, and if you think I need counsel to advise me I would be glad to - -

A JUROR: What frightens you about this,



what are you afraid of?

THE WITNESS: I read the papers, sir, and I see it is a mess, and I don't want to have anything to do with this stuff.

A JUROR: But you are in it.

THE WITNESS: Well, I lived, and I can't help that.

THE FOREMAN: I want you to understand this Grand Jury. Each one of these ladies and gentlemen work every day. Maybe some day you may be called, being a loyal American with a good discharge from the United States Navy. Some of us have that, too. We are called from our business, and they take a name out of a hat, and we are here. We are not lawyers, and we come here, and you may be here some day. Don't think this is a commissar situation. Here we are every one of us citizens of the United States, and we all have a duty to perform.

Maybe we are not equally of the same intelligence as you, but we reason. We want you to feel that there is no antagonism towards you. You are among friends, and you are with American citizens, so if you will just keep that in mind, that we are not like with a bull in a pen -- do you get the point? I didn't want to make a

speech, but I wanted to get you clear.

THE WITNESS: I have no intention of antagonizing you, please be sure, and I believe everything that you said; but at the same time I have suffered harassment personally, I have been hounded out of jobs - -

Q Now, is your right name Mark Page? A That's right, sir.

Q Were you born with that name? A No, sir.

Q You legally changed it? A Yes, sir.

Q You were known as "alias Pogarsky"? A I was never known as "alias Pogarsky." My name was Marcus Pogarsky, and it was legally changed in the Supreme Court.

Q When was it changed? A In '38 or '39.

Q Your whole family changed it? A Myself and my wife.

Q Your father and mother? A They kept the name.

Q Are they living? A Yes, sir.

Q Where? A Here in New York City.

Q Was that something that Julius Rosenberg told you to do? A No, sir.

Q Now, did you ever work for a man by the name of Paul Williams? A Yes, sir.

Q Who is Paul Williams? A Well, I don't know too much about him, except - -

Q You worked for him? A Yes, sir.

Q Wasn't he formerly a director of the Abraham Lincoln Brigade? A You got me.

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

Q Did you ever do any recruiting for the Abraham Lincoln Brigade? A I refuse to answer that question on the grounds it might tend to incriminate me; that is my constitutional right.

THE FOREMAN: Do you see how you are answering

THE WITNESS: Surely; but I don't want to antagonize this Grand Jury, I have respect for you.

THE FOREMAN: You don't show it.

THE WITNESS: I intend to.

A JUROR: May I ask you how that would tend to incriminate you?

THE WITNESS: I don't know, I would have to ask counsel.

A JUROR: What was wrong, if you recruited for that brigade?

THE WITNESS: I don't know, sir.

A JUROR: Why do you refuse to answer it?

THE WITNESS: I am ignorant, I come here as a layman - -

A JUROR: Oh, you are not ignorant.

THE WITNESS: I don't know the law, as this

gentleman does who has spent his life in it.

A JUROR: What was the Lincoln Brigade?

Q You know what it was? A I will be glad to tell you. From the newspapers, I know that the Lincoln Brigade was an organization of volunteers who were in Spain many years ago.

Q And fought for which group? A They fought for the group which was originally the government of Spain.

Q The Loyalist group, is that right? A That is what they were called.

A JUROR: And what was wrong in fighting for them, if a man wanted to, or to recruit for them?

THE WITNESS: I don't know, sir.

A JUROR: Then why are you ashamed of your actions?

THE WITNESS: I am not ashamed of anything I have done in my life.

A JUROR: It looks as though you are going into the very thing you want to get out of.

THE WITNESS: Possibly, sir.

Q Were you employed by Westinghouse in 1946 to '48? A Yes, sir.

Q Doing what? A I worked on the board.

Q Doing what? A I worked on lamps and fluorescent tubes. I designed a device -- do you know what fluorescent tubes are, ladies and gentlemen?

A JUROR: Yes.

Q Let's not go into that. A You asked me.

Q Were you ever a member of the Communist Party?

A I refuse to answer that on the grounds it might incriminate me. That is my constitutional right.

Q That is, "were you ever a member?" Are you presently a member of the Communist Party? A I give the same answer.

Q What is your answer? A I refuse to answer on the grounds it might tend to incriminate me, and it is my constitutional right not to answer.

Q Did you ever see your wife sign or witness a Communist Party petition in 1939, for Peter Cacchione, in Brooklyn? A I refuse to answer on the ground it might tend to incriminate me, and it is my constitutional right.

Q The fact that you saw that would incriminate you? A If there is a question, I would like to consult my lawyer.

Q I want to be sure that you understand this, again: Did you at any time at all ever refuse to cooperate with Julius Rosenberg in connection with an attempt by him to have you indulge in espionage work? A I refuse to answer on the grounds it might tend to incriminate me, under the Constitution.

Q Let me see if Judge - -

A JUROR: Do you refuse to answer any question

about Julius Rosenberg?

THE WITNESS: I wouldn't say that, sir.

A JUROR: That is nice of you.

THE WITNESS: Thank you.

Q Do you know Morton Sobell? A I don't believe so, sir. I have read the newspapers and have seen his name.

Q I show you a picture of Morton Sobell, and ask you if you have ever seen him or met him? A I don't recognize him, sir. He has a face which I might have seen, but I honestly don't recognize him.

Q Do you know William Perl? A I don't believe so, sir.

Q Or Mutterperl? A I don't believe so, sir.

Q You know Rosenberg? A Yes, sir.

Q Do you know Alfred Sarant? A No, I don't recognize that face, sir.

Q Do you know Joel Barr? A I don't know whether I do or not. That face is familiar, but I certainly haven't seen that face for many, many years; that's sure.

Q Do you know Mrs. Sidorovitch? A I don't recognize this face. What is her maiden name?

Q I don't know that. A I don't know her as Mrs. Sidorovitch.

(CONTINUED BY BD)

Q Do you know Sidorovitch (handing photograph to the witness)? A I think I know this fellow, but I don't remember his name.

Q His name is Mike Sidorovitch. Where did you meet Mike Sidorovitch? A I don't -- it's vague in my mind. His face looks familiar. If I have seen him, it must be at least -- it's something so far -- it's long before the war. I have no exact recollection. That face is familiar, though, sir.

Q Now, when Rosenberg lived with you in Brooklyn your name was Pogarsky; is that correct? A It is correct that when Rosenberg rented a room from me in Brooklyn my name was Marcus Pogarsky; that's the exact statement, sir.

Q Well, do you find a difference between living with him in the same apartment and having rented a room to him? A I think so, sir; because I rented a room to the Rosenbergs when we needed money, and I also rented a room at subsequent times when I was in the Navy to other people.

Q How much did the Rosenbergs pay you? A I don't know; I don't remember. They paid about -- wait a minute, I may remember; let me try to -- I think it was something on the order of 15 or 20 dollars a month. Now, I'm not sure.

Q How long did they live there? A They lived there less than a year, I believe.

Q How many bathrooms were there? A One bathroom.

Q Did they use the same bathroom? A Yes, sir.

bd 2

Page

Q How many kitchens did you have? A One kitchen.

Q Did they use the same kitchen? A They rented a room.

Q Did they use the kitchen? A I believe they had ice-box privileges.

Q Did you ever see them use the kitchen? A I think so, yes, sir.

Q Did they have meals there with you there? A No, sir.

Q Did you ever have dinner together? A Maybe once or twice. Sure, if you rent a room to somebody --

Q Did you ever have lunch together? A Maybe once or twice.

Q Did they ever use your living-room? A Yes, sir; just like anybody who rented a room; Mrs. Hortense Speare rented a room from us.

Q Just answer the question. A Yes, sir.

Q They used your living-room? A Yes, sir.

Q They used your whole apartment? A Yes.

Q And you have been in the living-room with them?

A Yes, sir.

Q And had discussions with them there? A Yes, sir.

Q So they lived in the same apartment with you?

A Yes, sir, that way.

Q Did you see much of Julius Rosenberg after June 5, 1944? A No, sir.

Q Did you see him at all? A You mean after I was in the service?



bd 3

Page

Q After, yes. A I may have seen him a couple of times, yes, sir.

Q You got out of the service in '45? A Yes, sir.

Q Did you see him in '45? A I don't know whether I saw him in '45. But I surely saw him once or twice within the period -- I got out of the service in October, '45, and between -- I would say in the next year or two I saw him once or twice, surely.

Q Did you see him at meetings? A No, sir.

Q Did you see his wife at any meetings? A No, sir.

Q Did you know the sort of work that he was engaged in? A No, sir, not to any great depth; some.

Q Did you know he was engaged in espionage work?

A I refuse to answer that question on the grounds that it might incriminate me. That's a constitutional right. It might tend to incriminate me.

Q Let me explain that to you, now. A Yes, sir.

Q If the answer is No to that question and you don't answer it, you are guilty of perjury. I asked you if you knew that he was engaged in espionage work. A My answer is very clear. I refuse to answer the question on the grounds that it might tend to incriminate me. That's my constitutional right, not to answer such a question.

Q If you said No to that question, would that tend to incriminate you? A My answer is the same. I'll repeat it.

MR. LANE: Mr. Foreman, I see no alternative and

I think it's our duty to ask you to come back next Wednesday, at which time I want to bring this man down before the Court, and if the Court directs him to answer and he refuses to do it, then we have to take contempt proceedings against him. And I see no way out of it; so, unless you have any further questions --

THE FOREMAN: None other than that we concur entirely.

MR. LANE: I think we should return next Wednesday. Make it 11 o'clock.

THE FOREMAN: You are excused now.

MR. LANE: I suggest that you see your lawyer and have a long talk with him. You tell him, from what you saw of me I'm a little bit earnest.

THE WITNESS: I saw that, sir, and I respect that.

[WITNESS EXCUSED]

February 7, 1951

10535

bd 1

Stella Page

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

BY MR. LANE:

Q Mrs. Page, were you born in New York City?

A Yes, I was.

Q And when? A On April 21, 1917.

Q And did you go to school in New York City?

A Yes, I was educated in New York City.

Q In the public schools? A In the public schools in  
New York City.

Q And what high school? A I went to Washington Irving  
High School.

Q And after that? A Then I went to Hunter College.

Q Did you graduate? A Yes, I graduated from Hunter  
College, and then I went to Teachers College at Columbia  
and got my Master's degree.

Q When did you get your Master's degree? A In 1938.

Q And did you teach? A Yes, I taught in Newark and  
in the New Jersey area temporarily.

Q High schools? A Junior high schools and elementary  
schools.

Q And what did you teach: English? A Home Economics.

Q Cooking, is that it? A Yes, and sewing.

Q Now, how long have you been married? A I have been  
married since 1938. That's 12 years, past 12 years.

Q And you have one child? A One child.

bd 2

Stella Page

Q How old is he? A Six years old.

Q Boy? A Girl.

Q Now, after you graduated was that all you did, teach school? Did you do any other work? A Once in a while I did some demonstration work with foods in department stores. But most of my work has been confined to teaching. And then I did some volunteer work during the war, teaching nutrition to adult groups.

Q Tell me, do you know the Rosenbergs, Julius and his wife? A I refuse to answer that question on the ground that I think it might tend to incriminate me.

Q The fact that you just know them? A I think that would incriminate me.

Q You really believe it would? A I really believe it would.

Q Have you talked with a lawyer before you came here this morning? A Yes, I did.

Q Who is the lawyer? A Morris J. Kaplan, 135 Broadway, New York City.

Q And did he advise you to refuse to answer all questions that were asked you? A No, he didn't advise me to refuse to answer all questions.

Q Well, I mean any question that had reference to the Rosenbergs. A I feel that whatever my lawyer and I discussed together, isn't that our --

Q No; it's privilege as far as the lawyer is concerned.

bd 3

Stella Page

A I see. Well --

Q That won't incriminate you, will it, as to what advice you got from a lawyer? A I still would feel better if I didn't answer that question.

Q You feel that the very fact that you knew the Rosenbergs would incriminate you, that by itself? A I feel that answering that question would incriminate me.

Q Well, do you consider yourself a good American citizen?  
A I certainly do.

Q Well, isn't it a little incongruous to say that you are a good American citizen and then you don't want to assist in the prosecution of a man who has been indicted for the worst offense that could be committed against the Government?  
A I am assisting to the best of my ability, Mr. Lane.

Q And this is your idea of assistance? A Yes, it is, sir

Q Refusing to answer questions? A I refuse to answer questions which I think may tend to incriminate or degrade me.

Q I understand that. But, I mean, is that your idea of assisting? A Yes, I believe so, I think it is.

Q Well, it's a little vague reasoning, it's hard for me to follow it. So you refuse to answer all questions pertaining to the Rosenbergs? A I refuse to answer all questions pertaining to the Rosenbergs.

Q On the ground that any questions pertaining to Rosenberg or his wife would tend to incriminate you?

A That's my answer.

bd 4

Stella Page

Q Do you know Morton Sobell? A No, sir.

Q Do you know David Greenglass? A I refuse to answer that question on the ground that it would tend to incriminate me.

Q David Greenglass? Do you know David Greenglass' wife?

A I refuse to answer that question for the same reason.

Q It would tend to incriminate you? A That's right.

Q When you were married what name were you married under? A I was married under my husband's -- the name of Pogarsky.

Q And was that changed legally? A Yes, sir.

Q When was that? A I couldn't give you the exact date, but it was around 1940, maybe a year and a half or two years later.

Q Now, where did you live after you were married?

A We lived in Brooklyn the first time, in Williamsburg, at 111 South Third Street, and then we moved back into Manhattan again where we had lived before we were married, on Madison Street, 153, I think the number is 153 Madison Street, in New York City.

Q When did you live at 111 South Third Street, Brooklyn?

A From the time we were married, November, 1938, until around the summer time, maybe June or July -- I'm not quite sure of the month -- of 1940.

Q And whom did you live with? A Well, we lived alone. We rented a room, alone, for a while.

bd 5

Stella Page

Q No; but who owned the place? A I don't know. I don't remember, now. Maybe I did know at one time, but I don't remember.

Q Didn't Julius Rosenberg own the place? Didn't you people live with Julius Rosenberg at one time? A We rented a place from a landlord whose name I don't know. And the janitor who had arranged for the renting, his name is Smith. That's what I do remember. It was a four-room apartment.

Q You mean -- didn't you ever live in the same place with the Rosenbergs? A I refuse to answer that question.

Q Well, I mean, I don't care whether you answer it or not. Your husband has already answered it. A Well, whatever he says, it's his own business.

Q Well, do you still refuse to answer that question on the grounds it would tend to incriminate you? A Which question, sir?

Q As to whether or not you people lived in the same apartment as the Rosenbergs lived? A I refuse to answer that question.

Q On the ground that it would tend to incriminate you?  
A Yes, sir.

THE FOREMAN: You must admit it's -- and you lived with your husband. Doesn't that sound kind of funny? And you are a teacher.

THE WITNESS: I don't care how it sounds to you. I'm doing as I see fit, and that's all I can do.

bd 6

Stella Page

BY THE JURY:

Q Mrs. Page, we are very eager for you to understand that we are friendly towards you. You can relax and just think about what the question is and just deliberate in your own mind as to whether it will or will not incriminate you. Otherwise, you make a poor impression. A I'm trying to do that.

Q Yes, just relax.

MR. LANE: Well, now, do you have any questions, Mr. Merrill?

THE FOREMAN: No, because it seems impossible.

MR. LANE: I think the record is clear that the woman is a recalcitrant witness, extremely hostile, and I think it's quite evident that she is apparently doing everything she can to stymie or to hurt the investigation.

JUROR: Yes.

ANOTHER JUROR: I may add, un-American, Mr. Lane. I might add, distinctly un-American. That's my reaction.

THE FOREMAN: That's following a line, so it doesn't make any difference.

Q Mrs. Page, do you think that you can wish yourself out of this Rosenberg case? A I don't see how I'm in it.

Q Well, that's the very point. You aren't in it, if you tell the truth. But by not telling the truth or by not



bd 7

Stella Page

talking at all you are now wishing yourself into the case. And it would be much easier for you if you were to tell Mr. Lane what you really know. Because we don't think you are in the case; but we are beginning to think that you are, if you continue to resist Mr. Lane's questions. You are just pushing yourself into the case where you may have to be a defendant, and that means more trouble than you think you could wish yourself out of by saying you don't know anything about Rosenberg, when we know you do. It's poor thinking. You are an intelligent girl. A whatever you say, it's a matter of opinion, sir. You see it your way, sir, and I have to see it mine, according to my conscience as an American. And I feel -- and I know that I am a good American.

Q You are disproving it now.

Q (Another Juror) Mrs. Page, did you ever rent a room in your apartment? A I refuse to answer that question on the ground that it may tend to incriminate me.

BY THE FOREMAN:

Q And you taught school? A Yes, sir.

Q Supposing your pupils answered these silly questions-- I mean silly answers, what would you think? You might excuse them because they are young. But you are intelligent, a graduate of Hunter and undoubtedly you have a degree, several degrees. It just doesn't make any sense. As  says, you are wishing yourself right into something that there is no reason that you should.

MR. LANE: I think that we might excuse her for the moment, but she is still under subpoena and not excused from the subpoena.

THE FOREMAN: All right.

THE WITNESS: Do you wish me to stay today, sir.

MR. LANE: No, not today. I don't want you any more today, but we'll want you later on.

THE FOREMAN: You are excused temporarily.

THE WITNESS: All right.

[WITNESS EXCUSED]

February 7, 1951

12543

bd 1

Mark Page

M A R K P A G E, recalled as a witness, having first been  
duly sworn by the Foreman, testified as follows:

BY MR. LANE :

Q This is a continuation of your testimony of last  
week when you appeared before this body. A Yes, sir.

Q Have you talked to your attorney since you left the  
Jury room last week? A Yes, sir.

Q Did you tell him what transpired in the Jury room?  
A The conversation between my attorney and myself is confi-  
dential, sir.

Q Now, look, don't try to teach me law. A I'm not, sir

Q It's not confidential. The confidential part is on  
the lawyer, not you. Or did he tell you the reverse? If  
he did, you better get your money back. A I understand.  
And I may be completely mistaken, sir, that what I said to  
my lawyer is confidential.

Q Well, it isn't. A That's my understanding.

Q Your understanding is wrong. The privilege is on  
the lawyer but not on the client. Did you tell him what  
transpired here? A I would like to consult my counsel.--  
may I? -- and find out about this.

Q Let me advise you this: You have a right to tell  
your counsel what transpired. Now, does that help you any?  
A Yes, it does.

Q All right. Now, did you tell your counsel what  
transpired here? A I would like to ask my counsel whether

bd 2

Mark Page

I have to answer that.

Q I just told you, it's perfectly proper to tell your  
A Well, there is something contradictory here. I'm, in my  
ignorance, unaware of the fact that you are stating now.

Q You think, as the prosecutor I'm lying to you?  
A No, I would never say that.

Q Well, what's the difference? You are saying I'm  
wrong in what I'm telling you. A How can I say that to  
you, sir?

Q Well, I don't know. That's what puzzles me.  
A I didn't say you were wrong.

Q Let's start over from the beginning. You have a  
right to tell your lawyer what transpired in the Grand Jury  
room. Do you understand that? That's the law. A Yes.

Q That's the law. Whether your lawyer tells you any  
different than that, that's the law. A Thank you.

JUROR: That's on the record here, too.

THE WITNESS: Thank you.

Q Did you tell your lawyer what transpired here last  
week when you were in the Grand Jury room? A Must I tell  
you that?

Q Yes. A Is that the law; that I have to tell you  
that?

Q Yes. A Do I have the right to ask my counsel  
whether I'm to tell you that? I'm asking you.

Q Yes, you can ask him. Where is he? A I believe

bd 3

Mark Page

at 135 Broadway.

Q Well, we'll delay that until later. A I'll be glad to

Q You just want to come back here week after week.

A No, sir.

Q Why didn't you bring him up here? A I don't know.

I don't know the procedure.

Q You thought you might need him today, didn't you?

A No, I didn't think so, sir. I had no reason to feel that.

BY THE JURY:

Q Can't you answer yes or no to that question?

A I don't understand, sir. I believe --

Q Mr. Lane has told you that it isn't privileged.

Therefore, you have to answer yes or no. You could be prosecuted for perjury --

MR. LANE: Contempt.

A Well, look, sir, I believe in Mr. Lane's good faith and I believe in yours. And I think I have a right merely to ask my counsel. I'll be glad to ask my counsel.

BY THE FOREMAN:

Q We are the Federal Grand Jury here and we hear Mr. Lane and he tells us the law and tells you the law as a witness. Now, we are willing to back up Mr. Lane knowing the law. And it's such a simple question. The trouble with you fellows is, no matter what it is -- is this an ashtray? -- you won't answer the question. Now, answer it now. Stop your nonsense. A Well, look, sir, I think that

bd 4

Mark Page

I have a right to ask my counsel. If I'm mistaken, let me know. It's not a question of anything but respect.

BY MR. LANE:

Q Now, did you ever have a conversation with Julius Rosenberg respecting any activities he might have been indulging in? A I refuse to answer that question. And I wish to be very clear, because when I came here last week as a witness I had no conception whatsoever that I would be threatened the way I was threatened.

Q Threatened? A Well, I'll take the word back if you don't like it, sir. I don't want to use words --

Q No; I think it's advisable that you be very careful with your language. You usually are. So, when you are describing what took place here last week let's not use words like "threatened," because no one threatened you last week. A Thank you. If you feel that's better.

Q It was suggested that perhaps it might be advisable to go down before the Judge and determine whether or not you were in contempt of Court. But that isn't any threat. A If my memory is correct, I believe there was discussion about a superseding indictment in which you stated something about it. Now, perhaps I'm wrong, but that's to the best of my memory and --

Q There is always the possibility of a superseding indictment in a Grand Jury investigation, and there is always the possibility that you might be included or any other

bd 5

Mark Page

people that come in here. But that's not a threat. The Jury must find that there is evidence enough to warrant indicting you. But there was no threat that they were going to indict you. A Well, as a plain, ordinary person, to me it inspired in me sentiments which were not of the greatest ease. Is that fair enough? I don't think anybody

JUROR: Well, Mr. Lane, you asked a question, and I think he ought to answer it in the way the law tells him to. You asked him if he held a conversation with Mr. Rosenberg. Let him answer that question.

Q Yes, you refused to answer on the ground it may tend to incriminate you. A I refuse to answer the question on the grounds that it might tend to degrade or incriminate me.

Q And do you refuse to answer all questions pertaining to Rosenberg on the same grounds? A That's the general question, sir.

Q What's the answer, sir? A Will you rephrase it, please?

Q (The question was read by the stenographer: "Q And do you refuse to answer all questions pertaining to Rosenberg on the same grounds?") A I now refuse -- I now understand that question specifically, this question, but I refuse to answer this question on the grounds that it might tend to degrade or incriminate me, and in view of the fact that the District Attorney --

Q Now, that's enough. I don't want you to make speeches.

bd 6

Mark Page

You can answer the question as I ask it -- on that ground and that ground alone -- and I think the Foreman should direct him that way.

BY THE FOREMAN:

Q Yes. Is that a threat, too? Now, do you feel you are being threatened now, too? A I don't know. But I wish to answer as you gentlemen wish me to answer.

BY THE JURY:

Q No, it isn't the way we wish you to answer. It's the law on this subject. And I think you are pretty well acquainted now with the law, I think, and just act -- use your rights as you have been advised to use them, but stop making speeches. A All right, sir.

Q And taking up time. A All right, sir.

BY MR. LANE:

Q Are you a member of the Communist Party?

A I refuse to answer the question on the same grounds.

Q Were you ever a member of the Communist Party?

A I refuse to answer the question on the same grounds.

Q Is your wife a member of the Communist Party?

A I refuse to answer the question on the same grounds.

And I believe --

Q Now, just -- A If you don't want me to say anything, it's up to you.

Q You just answer the question-- A I wish to answer the question.



Q -- yes or no; or, if you refuse to answer it, say on what grounds. That's all we want from you. A I refuse to answer it on two grounds.

Q What's the other ground? A The other ground is that a discussion between a wife and a husband is confidential .

Q We are not talking about a discussion. I asked you if she was a member of the Communist Party. A I refuse to answer the question on the grounds that it's confidential between wife and husband.

Q That's the wrong grounds. Do you want to be brought down before the Court? A No, I don't.

Q If I ask you about facts, you can't tell me anything about a conversation. A I understand.

Q If I ask you if your wife is an Armenian or an Eskimo, that isn't a conversation; that's a fact. A I see.

Q So, you must answer yes or no to a fact. If I ask you about a conversation between you and your wife, then you can refuse to answer on the grounds of privilege.

A I see.

Q But I haven't asked you that yet, have I? A I see.

Q All right; now that you understand, do you know whether your wife is a Communist? A I refuse to answer the question on the grounds that it might tend to incriminate my wife -- myself.

Q Just yourself; or degrade you. A Incriminate or degrade me; and it's my constitutional right.

bd 8

Mark Page

Q Now, do you know whether your wife was ever a member of the Communist Party? A I refuse to answer that question on the same grounds.

Q Now, were you ever a member of the Young Communist League? A I refuse to answer the question on the same grounds.

Q Was your wife ever a member of the Young Communist League? A I refuse to answer the question on the same grounds.

Q Are you a member of the Young Communist League now? A I refuse to answer the question on the same grounds.

Q And is your wife a member of the Young Communist League? A The same answer.

Q Have you ever contributed to the Communist Party? A I refuse to answer the question on the same grounds.

Q Do you know whether Julius Rosenberg was a member of the Communist Party? A I refuse to answer the question on the same grounds.

Q Has anyone ever told you that Julius Rosenberg was a member of the Communist Party? A I refuse to answer the question on the same grounds.

Q Do you know whether Ethel Rosenberg was a member of the Communist Party? A The same answer.

Q Has anyone ever told you that she was a member of the Communist Party? A The same answer.

Q Do you know Morton Sobell? A I refuse to answer

bd 9

Mark Page

the question on the grounds that it may tend to incriminate or degrade me, and it's a violation of my constitutional rights.

Q Now, you know, if you don't know him you have got to say, "I don't know him." A I don't know -- will you say that over again?

Q If you don't know Sobell, you can't say "I refuse to answer on the grounds it may tend to incriminate me." If you don't know him you say, "I don't know him."

A Here is the answer, clearly: I read the newspapers, I have seen what the newspapers said; It is because what I have seen in the newspapers that I refuse to answer the question.

JUROR: No, that's not a reason for refusing to answer the question. Listen to Mr. Lane and get the law straight.

Q Have you ever met Morton Sobell? A I refuse to answer the question on the grounds that it might tend to incriminate or degrade me.

BY THE JURY:

Q Do you think you can keep out of trouble by being an ostrich? A It is not a question of being an ostrich. I love my country and I'm proud to say it.

THE FOREMAN: No; you stop that. Don't make any speeches.

Q Stop waving the American flag. A I love this flag.

Q My opinion of you -- you are creating a situation here which is just molding our own opinions of you. And, after all, I don't think that we are unintelligent, I don't think we are stupid; and I don't think you are, either, I certainly don't. A Thank you, sir.

Q But I think you are evasive and I think you are absolutely, in my own opinion, un-American. A I can't change your opinion.

Q No, you can't change my opinion and you never will.

Q (Another Juror) But you are getting yourself involved very deeply, even though you seem to be wishing to be out of it. In other words, you could be out of it by cooperating with Mr. Lane. And you are just asking to be brought into it by taking the attitude you are with Mr. Lane. A I am cooperating to the utmost of my extent, I assure you.

Q That's obvious. A To the utmost.

Q It's the smallest utmost I ever saw.

Q (Another Juror) Let's get on with the questioning, instead of wasting a full day here taking up time with that sort of stuff.

BY MR. LANE:

Q You say you refuse to answer the question whether you know Sobell or not on the grounds it may tend to incriminate you? A To degrade or incriminate us.

Q And I have already explained to you if in fact you

bd 11

Mark Page

do not know Sobell and you answer this way, you are in contempt, you will be in contempt of Court. A I do not wish to be in contempt of Court at any time. You realize that.

Q Well, that's -- A I have read the newspapers and it's because I have read the newspapers and I know that this man is involved in this mess that I refuse to answer the question.

Q Well, then, outside of what you read in the newspapers have you ever seen Sobell before? A Is that your question now, sir?

Q Yes. A I refuse to answer the question on the grounds that it may tend to degrade or incriminate me.

BY THE JURY:

Q Why -- what's on your mind with that newspaper stuff, then, what has that got to do with it? A It's the truth, isn't it, sir?

BY MR. LANE:

Q Well, was it the first time that you ever saw the name Morton Sobell when it appeared in the newspapers in the last year? A I refuse to answer that question because it would clear up the previous question.

BY THE JURY:

Q Mr. Page, that's not an answer. It's either yes or no or your constitutional right that it would incriminate you. Now, stop the speeches. You have three answers: yes or no, or "I refuse to answer on the ground that it

would incriminate or degrade me." A I gave it generally that way, sir.

Q No, you didn't. You started a devious answer.

A Do you want one of those answers, sir?

Q Yes. A All right; it's the third answer.

BY MR. LANE:

Q Yes, no, or what? A I refuse to answer the question on the grounds it might tend to degrade or incriminate me.

Q Did you ever hear of Morton Sobell in the year 1940?

A I don't remember, I actually don't remember.

Q All right. 1941? A To the best of my knowledge, no.

Q 1943? A To the best of my knowledge, no.

Q 1945? A I don't remember.

Q 1947? A I don't know. I can't honestly answer the question.

Q Well, you don't know. That's fair enough.

A I don't know.

Q That's an answer. Don't tell me why. That's an answer. A All right.

Q 1949? A I don't know, sir. I don't know. At least, I can't remember at this time. That's the truth.

Q Well, that's all right; now you are beginning to get a little light in this thing; not much. Do you know David Greenglass? A I refuse to answer, sir, on the grounds that it might tend to degrade or incriminate me.

b6 13

Mark Page

Q Well, did you know him before his name appeared in the papers? A I refuse to answer, sir, on the same grounds.

Q Did you know him in 1940? A I refuse to answer.

Q In 1940? A I refuse to answer.

Q Did you know him in 1900? A I refuse to answer -- wait a minute. What are you trying to do, sir?

Q I'm trying to find out something. A Well, sir, I mean, you do know the answer to that.

Q You answer the question. A I did not know David Greenglass in 1900. I couldn't know anybody.

Q Well, did you know him in 1910? A The answer is no, sir.

Q Did you know him in 1920? A No, sir.

Q 1930? A I refuse to answer that question.

Q 1930? A I refuse to answer.

Q How old were you in 1930? A In 1930 I was 12 years old.

Q And you are trying to make a mockery of this Grand Jury, apparently. A No, sir, I'm not trying to make a mockery of this Grand Jury.

Q How about 1925; did you know him? A No, sir, I did not know him.

Q Well, when for the first time did you meet him?  
A Pardon me, sir?

Q Did you ever meet him? A That question --

bd 14

Mark Page

Q Just answer it. A I refuse to answer that question.

Q On what ground? A On the grounds that it may tend to degrade or incriminate me.

Q The question did you ever meet him? A Did I ever meet who, sir?

Q David Greenglass; that's whom we are talking about. A I refuse to answer the question on the grounds that it might tend to degrade or incriminate me.

Q Did you ever meet his wife Ruth? A I refuse to answer that question on the same grounds, sir.

JUROR: Even as a child of 12 you could be incriminated?

MR. LANE: Do you have any questions?

THE FOREMAN: No. He just denies at 1920 and refuses to say anything later on. It's very evident, but what can we do?

MR. LANE: Does the Jury have any questions?

JUROR: I think he is just begging to be brought into the Rosenberg trial, Mr. Lane.

THE FOREMAN: Well, time will do that. If we have no more questions we'll excuse him.

MR. LANE: Excuse him temporarily.

BY THE JURY:

Q I wasn't here when Mr. Page was here before. Was Mr. Page in the service in the last war? A Yes, sir.

Q Where did you serve? A I served in the United



bd 15

Mark Page

States Navy at different stations, wherever I was sent.

Q What was your rank or rating? A My rate when I was discharged was seaman first class.

Q And where did you serve? A I served in quite a few places, sir. Do you want all of them?

Q Well, no, just the ones where you spent the major part of your time. A The major part of my time - Chicago quite a bit, Gulf Port, Mississippi, quite a bit.

Q Where were you in Chicago, in the Great Lakes?  
A Yes, sir.

Q And what office were you in? A What office was I in?

Q Yes. A Well, first I was recruited in the general Green Bay area and then, later on, when I came back --

Q What did you do when you were over in the Great Lakes? A Pardon me?

Q What did you do there? A When I was -- first I got recruit training, boot training, in the Great Lakes. Then I was --

Q Yes, but -- A Wait a minute. I'm trying to remember, sir.

(Continued by LB)

2/7/51  
Rel BD  
LB-1

Page

I was sent from Great Lakes -- I went to -- I had training in Chicago too, further training, and then I was sent down to Gulfport, Miss., and spent quite a bit of time there, and from Gulfport, Miss. I was sent up to Belleview, and from Belleview I was sent to New England.

Q What did you do? A I was a seaman.

Q What did you do? Were you on a boat or shore patrol?  
A I was assigned to a PT base, and I was in a unit known as PT 27, and was sent to an advance base, and so forth.

Q Have you any relatives in Korea in the present Korean war? A I think so, sir. Yes, sir.

Q Don't you know? Have you any relatives in the Korean war? A Yes, sir.

Q Who are they? A One relative, I believe his name is Jerry Katz.

Q Is he in Korea now? A No, I don't think so.

Q Is he in the service? A Yes, sir; in the air service.

Q Any other relatives in the service? A I don't know. I have a large family. That's the only one I know of.

Q Have you any relatives in the Government service?  
A Yes, sir.

Q Who? A My brother.

Q Where is he stationed, in what department? A I think he's in the Post Office.

Q New York? A Yes, sir.

Q What branch? A I don't know.

BY MR. LANE:

Q Where does he work? A I don't know, sir. I know he works in the Post Office.

Q You must know. A I honestly do not know.

Q What's his name? A Solomon Pogarsky.

Q Is he a letter carrier? A I don't know what his duties are.

Q When is the last time you talked with him? A The last time I talked with him was at my sister's wedding.

Q When was that? A That was quite recently. I should remember the date. It is a matter of weeks.

Q Where does Solomon Pogarsky live? A I don't know where he lives. I know he lives in New York City; I don't know his address.

Q You do not know where your brother lives? A I do not.

Q When is the last time you called him up? A My brother, last time I called him up was when I was in my mother's house, a couple of weeks ago.

Q Where did you call him, what was the number? A I don't know. They gave me the number.

Q Who gave it to you? A My mother gave me the number I actually forgot it.

Q What was the exchange? A I don't know.

Q It is two weeks ago. A I will be glad to find out for you.

MR. LANE: Mr. Foreman, will you direct him to get his brother's address, telephone number, and let me have it? You call me up and give me this information.

JUROR: Have you any other relatives in the Government service?

THE WITNESS: Not to my knowledge, sir.

MR. LANE: Didn't you say that you were broken in the Navy?

THE WITNESS: You use the term broken, if you wish to.

JUROR: You used it.

THE WITNESS: All right. I was a technician, which is the equivalent of a sergeant, and I was sent down to seaman, first class.

MR. LANE: Why?

THE WITNESS: Because I couldn't keep up with my work.

BY MR. LANE:

Q You were given a mast of some sort? A Not to my knowledge, sir.

Q How did they break you? Who broke you? A I was informed that I was.

Q By whom? A By my commanding officer.

Q Who was he? A I actually do not remember. It is an unpleasant incident and I succeeded in wiping it out of my mind at this time. I don't remember. It was in Bellview.

Q Bellevue Hospital? A No, the Bellview Naval Base. That was the name of the station.

Q You do not know the name of the officer? A It was either Cook or the other gentleman I was directly responsible to.

Q What was his rank? A I don't know. He was an officer -- in the clouds, as far as I was concerned.

Q He was in the clouds? A I am sorry. He was an officer far above me in rank.

Q How far above you? A I don't know.

Q What was he, an ensign? A I do not remember.

I believe he was above an ensign. I do not think he was an ensign. These things I believe --

Q Didn't you say you got some four point rating?

A 4.0.

Q That's the highest they can give you in the Navy?

A Yes, sir. It is for character and proficiency in service. It is on my record.

Q You are quite proud of that, I take it? A I am.

Q Were you cooperative in the Navy too? A To the maximum of my extent and ability.

Q Do you think you were as cooperative in the Navy as you have been before this body? A That's a difficult question to answer. I have tried to be as cooperative as I can, always.

BY JURORS:

Q Do you think you impress the jury on that basis?

A Honestly, sir, I don't know. I wasn't trying to impress you. I was trying to give you the truth and I was trying to give you the truth respectfully.

Q Is your brother married or single? A Married.

Q Has he any children? A Yes.

Q Is he older or younger than you? A Older.

Q Was he in the service? A I don't know.

Q Don't you know? A I haven't been on close terms with my family.

Q Are you on speaking terms with him? A Today I am.

BY MR. LANE:

Q How long have you not been on <sup>speaking</sup> close/terms with him? A For quite a time.

Q Is your brother a Communist? A I refuse to answer that question on the ground it might tend to incriminate or degrade me.

Q Do you know whether your brother is a Communist? A I refuse to answer on the same grounds.

Q Your brother ever tell you he was a Communist? A I refuse to answer on the same grounds.

Q What was the cause of the disaffection between you and your brother? A I don't know. There were a number of things.

Q Tell the jury, they might be interested. A It is a personal matter, but I will be glad to tell the jury.

Q You have to disclose it whether it is personal or

not. A I will be glad to.

Q Do. A The question is one essentially of finances/ I went into the servie; it was a tough situation for myself. I don't say I am the only guy that way; everybody had that problem. We did not happen to see eye to eye on finances. Anything else you would like to know?

Q Yes, I'd like to know how well you knew Rosenberg.

A I refuse to answer on the same grounds.

JUROR: Did you know Rosenberg?

THE WITNESS: I refuse to answer.

Q You already answered it last week. A The gentleman asked me a question.

Q You answered last week. A I always tell the truth, but last week -- do you want me to explain?

Q No. When you get on a forum sometimes with a mike before you you can talk all you want, when you get outside. Do you give many speeches in your work? A Which work now?

Q Any work that you have done, have you given any speeches? A I have given a few speeches; I won't say many.

Q In connection with what? A Well, in classes, just as anybody else had to, in school.

Q Did you ever talk out in any campaigns for anybody? A I refuse to answer, sir, on the grounds it might incriminate me.

BY JURORS:

Q Have you any relatives in Germany? A No, sir; not to my knowledge.

Q Have you any relatives in Russia? A I refuse to answer that question, sir, on the grounds it might tend to degrade or incriminate me.

Q Have you any friends in Russia? That would be degrading, if you tell me you have a friend in Russia? Do you know anybody that goes to Russia? I have friends that go to Russia, I admit that. A Which question would you like me to answer.

Q Have you friends in Russia or who go to Russia? Answer the first one first. A Which one is the first one?

Q Have you friends in Russia? A I would like to ask the advice of counsel on that question.

THE FOREMAN: All right, we are getting nowhere. If we have no more questions, let's excuse him.  
BY MR. LANE:

Q You are temporarily excused. A Which means what?

Q It means you will be back again some day. Do not leave the state without letting me know. A That is the specific instruction that you want me to do?

Q You are going to give me all the information on your brother. A His name and address?

Q His name, address, whom he is working for, what his telephone number is and how I can get in contact with him.  
A Thank you very much, gentlemen.

(WITNESS EXCUSED)



US v. John Doe  
March 13, 1951  
Presented by John M. Foley  
and Albert A. Blinder, Esqs.,  
Asst. U. S. Attorneys.

10588

bd 1

Good

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

BY MR. BLINDER:

Q Mr. Good, what is your occupation? A I'm a Special  
Agent of the Federal Bureau of Investigation.

Q And how long have you been engaged in that occupation?

A For about eight and a half years.

Q Now, in the course of your duties as a Special Agent  
of the Federal Bureau of Investigation did you on or about  
July 26, 1950, interview a Mr. Joseph Blum and his wife  
Anne Blum? A I did.

Q And during the course of this interview did Mr. and  
Mrs. Blum turn over to you some correspondence written by  
William Perl to his mother and the rest of the family?

A They did, they furnished the correspondence.

Q And do you have that correspondence with you?

A I do.

MR. BLINDER: Mr. Foreman, at this time I would  
like to have the Grand Jury impound all of the corres-  
pondence so turned over to Mr. Good by the Blums.

THE FOREMAN: All right.

Q Now, Mr. Good, among that correspondence is there a  
letter dated February 4, 1940, from William Perl to his  
mother? A Yes, there is.

MR. BLINDER: Mr. Foreman, I would like that letter  
deemed marked as a Grand Jury Exhibit.

bd 2

Good

Q Now, Mr. Good, would you please read that letter to the Grand Jury. A Certainly. The letter is dated February 4, 1940. It's addressed to: (Reading)

"Dear Ma,

"I am well and trust you are too. I am very busy these days with my job. But it's not hard work, just interesting.

"The weather has been pretty cold here. There's snow on the ground. But I have no cold and feel disgustingly healthy. I am getting a sweater because the old one just wore a hole through the elbow. The boys in the office have been watching the left elbow for days, waiting for my shirt to show through and the suspense was terrific. But it's all over now and I have to get a new one.

"My friend came down from Washington" --

And in brackets it has: "The boy who owns the drug store - Sobell," and the bracket is closed -- (Continuing reading:)

"looking for a job. He may be transferred soon.

"How's Sammy making out? Give me all the ghastly details.

"There's nothing more to report.

"Greetings to the family,

"Willie.

"P.S. Has Sammy heard anything more about the thesis?"

Q Thank you very much, Mr. Good. I have no further questions.

THE FOREMAN: That signature is verified, too, is that, of --

THE WITNESS: This is signed "Willie," and all

bd 3

Good

of this correspondence was handed to me by William Perl's sister, Mrs. Blum, who said that these were letters that she received from her brother, that she and her family had received from her brother.

THE FOREMAN: That she identified?

THE WITNESS: That's right. She brought them in to me.

[A discussion was had off the record.]

MR. BLINDER: I believe the FBI has analyzed the handwriting on that letter.

Is that true, Mr. Good?

THE WITNESS: I think Mr. Corcoran knows that better than I. I think that some of these letters have been analyzed, but which ones I don't know.

THE FOREMAN: If there are no further questions we can excuse the witness.

[WITNESS EXCUSED]