

AFTERNOON SESSION

THE COURT: Proceed, Mr. Kleinman.

H A R R Y G O L D , resumed the stand.

CROSS EXAMINATION CONTINUED BY MR. KLEINMAN:

Q Mr. Gold, you told us that you were instructed when you first met Brothman, by your Soviet superior to assume some other identity, is that correct?

A That is correct.

Q And it was pursuant to those instructions from your Soviet superior that you introduced yourself as Frank Kessler? A That is correct.

Q You also told us this morning that your Soviet superior said, "Go ahead and make up a story," or "Make up an identity," or words to that effect?

A That is correct.

Q Is it not true, Mr. Gold, that you did not tell Brothman about these details of Helen Tavelman and then of your wife and children until 1946? A I told Abe about my wife and children on the first night that I met him, September 29, 1941. I told Abe about Helen Tavelman in 1946.

Q Yes, but it is true, is it not, that you did not give any details of your home, where you lived, your wife, the age of the children, when they were born, until 1946?

A I gave Abe, as Sam told to dress it up, and I

dressed it up from the years 1941 on.

Q Is it not true, Mr. Gold, that it was only after you went to work for Abe Brothman and Associates in 1946 that you started to give Abe the details of your home life and of your marriage?

THE COURT: I believe he has answered that, hasn't he? He said he did it beginning in 1941.

MR. KLEINMAN: I am asking him about the details, your Honor.

THE COURT: I will let him answer it once more.

Q Is that question that I put to you true?

A Beginning in 1941 and through 1942, 1943 and so on, I continued to give Abe details. The fictitious children continued to grow. In one case, because I had been told by Sam to continue dressing it up, one of the children even had polio, the fictitious child.

Q When did you tell that -- A All through these years.

Q When did you tell that to Abe, to Brothman?

A Sometime between 1942 and 1945.

Q Did you tell Abe Brothman about Helen Tavelman before 1946? A I did not.

Q In 1945, as I understand you, you were instructed to drop Abe from any espionage work because he was hot?

A That is correct.

Q And from that time on, your relationship with Abe was on a much more friendly basis, or a friendly footing? A From that time on the relationship was very sporadic.

Q Well, during 1945 Abe wrote to you and asked you to perform certain analytical work, did he not?

A Yes. The difficulty was that I had given Abe the name Harry Gold as a telegram drop, and now I couldn't obliterate that from his memory, and when he got into a jam he would always send me a telegram.

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Q In 1942 or 1943 you received a contract from a lawyer by the name of Jarvis under the name of Harry Gold in connection with that project in New Jersey, the lactic acid project or survey you were making? Does that help to refresh your recollection of the incident?

A Lactic acid?

Q You told us this morning of having done some kind of a survey for a firm in New Jersey for which you received payment? A Oh, yes.

Q That had something to do with lactic acid, did it not? A No, it had to do with the possibility of converting this plant from a malt syrup plant to an industrial distillery.

Q But it was the attorney Jarvis who entered into the contract in behalf of his clients with you, wasn't it?

A I vaguely remember such name. I don't recall a contract.

Q An understanding or an agreement. A Oh, that's different.

THE COURT: You mean oral or written?

MR. KLEINMAN: I don't know, whatever he says. Whether it was oral or written I am not aware of at this time.

Q Did you give your address at that time as the Penn Sugar Company? A Yes, I did.

Q Did you give your name as Harry Gold to Mr. Jarvis? A Oh, yes, I did.

Q To come back, when you first told Brothman that you were a married man, in pursuance to the instructions you received from your Soviet superior, did you give the name of your wife? A Yes, I did.

Q What name did you give? A Sarah.

Q What last name or maiden name? A O'Ken. O-'-k-e-n.

Q Did you say O-'-k-e-n? A Yes, but I don't recall whether I ever gave Abe the last name before 1946.

Q In other words, when you first met him, to establish this false identity, you told him that your wife's name was Sarah? A That is correct.

Q But later when you became friendly with him

in 1946, you elaborated on this, didn't you?

A When I started to work for him in 1946 I elaborated on it.

Q It was the first time then that you told him about Helen Tavelman? A That is correct.

Q Did you not say that while you were courting Helen Tavelman that you met a young, gawky, long-legged girl by the name of Sarah O'Ken, who worked as a model in Gimbel's in Philadelphia? A That is correct.

Q Did you know a Sarah O'Ken? A Yes, I did.

Q Is she alive today? A Yes, she is.

Q What is her name at the present time?

A I don't know, but she is married. I think the fellow's first name is Martin. I don't know what his last name is.

Q Did you ever take this Sarah O'Ken out? A Yes, many times.

Q Did you meet her through one Helen Tavelman?

A Yes, I did.

Q Was she working as a model for Gimbel? A She did for a while.

Q Did you not also say to Abe Brothman that it was Helen whom you courted but after you lost Helen, you started to court Sarah who developed into a comely, good-looking young lady? A Yes, she did.

Q Did you say that to Abe Brothman? A Yes, I did.

Q Did you not say that to others in Abe Brothman Associates? A Yes.

Q You told that to everyone, did you not?

A I don't think I went into the intimate details with everyone in the organization. I told it to Abe one night in Peekskill.

Q Who were your other associates in Abe Brothman's firm in 1946? A Miriam Moskowitz, Sol Fanshell, Gus Wollan, Bob Gursen, Bill Rohell.

Q Later on did some of these people leave and others come into the firm? A That is correct.

Q Who were the others? A Phil Levine.

Q Yes. A That was about all. Mostly they left because there was no money.

Q Did you know the owners of the place where the laboratory was, the building? A Yes, I did.

Q There are two, are there not? A Yes.

Q Is Quick the name? A Quick is the name.

Q Did you not tell these two brothers, Messrs. Quick, about your wife and about your children, things of your personal background that you had fabricated?

A I didn't tell them. They would ask me on occasion and I would have to keep up the fiction. You see,

this is what occurred --

MR. KLEINMAN: I submit, your Honor, that the answer is in.

THE WITNESS: All right.

Q Did you not also tell details of your wife and family, this fictitious wife and family, to the young ladies who worked for Messrs. Quick? A I never volunteered any details. On occasion I would be asked and I would answer. I would have to keep up this web of lies in which I had become enmeshed.

Q But you told it to a great many people, didn't you? A A great many people knew of it.

Q And you started building up and telling more lies from 1946 on, until you left the Abe Brothman Associates in 1948; is that right? A That is not exactly it.

Q Now let me ask you this --

MR. SAYPOL: May we have the exact answer?

MR. KLEINMAN: I believe he has answered.

THE WITNESS: I said that is not exactly it.

THE COURT: Is there something you wanted to say?

THE WITNESS: I can make it very brief, your Honor.

THE COURT: All right.

THE WITNESS: Here is the point. Over a period of eleven years or rather - the relationship with Abe was

the only one of all of the Americans I knew and who gave me information for the Soviet Union, the only one where it was permitted to deteriorate, and that they became aware of my true identity. They all knew me by a name, Martin, Raymond, any old thing. They didn't know where I lived, they didn't know who I was. Some of them had an idea I was a chemist. Abe was the only case where this relationship had deteriorated to the extent that when I came to work for him and not until I came to work for him, I asked him, "What do you think my true name is?" And he said "Frank Kessler." I said, "No, it is Harry Gold." By this time I had become so tangled up in this web of lies that it was easier to continue telling an occasional one than to try and straighten the whole hideous mess out. It is a wonder steam didn't come out of my ears at times --

Q You mentioned that you were known under the alias of Martin, is that right? A That is right.

Q Did you say that Sarah O'Ken in fact did not marry a man by the name of Martin? A That is a pure coincidence. I chose Martin because it is either a first or a second name. Raymond is either a first or a second name, and it helps the deception.

Q In 1946 did you tell Abe Brothman that you married Sarah O'Ken in order to save her from an underworld charac-

ter by the name of Nigger Nate? A That is not exactly true. Essentially, it is there.

Q I take it, you made up that story, there is no truth in the story at all. Was there a Nigger Nate, an underworld character whom you knew? A There was a fellow who corresponded roughly to that description.

Q Was he one who conscripted girls for brothels?

A No.

Q You made that part of it up, pure fabrication?

A I never made that statement.

Q You did say that you saved her from becoming involved with Nigger Nate by marrying her, is that right?

A No, I merely stated that this man was one of her suitors.

Q Did you not tell Abe Brothman that your wife's family was a very disreputable family? A Whose wife's?

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Q The one you said was your wife, Sarah O'Ken?

A Oh, oh, I think I did.

Q You gave a characterization of the mother of Sarah O'Ken? A I don't recall.

Q Didn't you say that she was a slovenly woman, a poor housekeeper? Did you say that? A I think I did.

Q Yes, and did you not say that her father was a gambler, a shiftless person? A No, I did not.

Q Did you say a gambler? A No, I did not.

Q Or did you say that he did not earn much money, he could not support the family? A I may have said that he did not earn much money.

Q And did you not say because the father could not earn much money you had to postpone the wedding from time to time with Sarah O'Ken, there were financial difficulties in the way of marrying her; isn't that what you told Abe Brothman? A There were; all right; I was broke.

Q But you were not marrying Sarah O'Ken, were you? A No, I never married her.

Q Did you not say that there were financial difficulties in the way of marrying Sarah O'Ken?

MR. SAYPOL: I think we have had enough on this question --

MR. KLEINMAN: Oh, no. I think, your Honor, that I should go right through with it.

MR. SAYPOL: Let me finish, please.

MR. KLEINMAN: I am sorry.

MR. SAYPOL: I think we have had enough of this dowry that was not forthcoming and that we ought to stop.

THE COURT: I suppose that is a very sensitive spot with Mr. Saypol.

MR. KLEINMAN: I do not know whether it is or not.

MR. SAYPOL: It happened to me twenty-five years ago, so I would not remember, Judge.

THE COURT: How much longer are we going to go along this particular line with all of these minor details? The witness says that he concocted these things from beginning to end. Are you going to take each and every detail that he concocted?

MR. KLEINMAN: Unless your Honor curtails this line of examination, I have about half an hour.

THE COURT: I am going to leave it to your good judgment.

MR. KLEINMAN: I will have about a half hour on it, your Honor, not more than that.

Q Well, to put it in a word, Mr. Gold, did you not tell Mr. Brothman, as well as others, that the neighbors where you lived contributed to the wedding ceremony by sending food, things to eat, at the ceremony? Did you not tell him that? A No, that concerned an incident in which my mother was once involved in Phillip Street and concerned entirely different people.

Q Did you say that in connection with the wedding ceremony, that is what I want to know? A No, I did not.

Q Did you not say that you went on your honeymoon to Atlantic City? A I don't recall.

Q Did you describe to Abe Brothman the first apartment that you and your wife, Sarah O'Ken, occupied after your marriage? A I think I did.

Q Did you say that it was a small room and a half or one-room apartment? A Yes; the description corresponded to Dougherty's apartment.

THE COURT: Let me ask you, was this all volunteered on your part? Were you making these statements gratuitously or was Mr. Brothman saying something in return? Was he asking questions?

THE WITNESS: Well. Abe was --

THE COURT: Or was he making some remarks about his own personal life?

THE WITNESS: Most of this I can recall occurred one night in Peekskill, and Abe got very confidential with me one morning - we were up to about five a.m. - and he was always prying, and I suppose that most of these facts came out as a result of his prying into my personal affairs. At that time I had actually had a non-existent wife and children, and I was all too anxious to keep off the subject.

Q At that time you were no longer under the control of the Soviet superior Sam, were you? A No, I was not.

Q And at that time there was no necessity to carry on this hoax any longer with Abe Brothman, was there?

A There was only the necessity that I had gotten so horribly tangled up through the error of not sticking to the rigid system of discipline that we really had, that I had to carry it on.

Q But if you and Abe Brothman had been working together for a common end, as you told us, why did you not tell him then, "Abe, I am sorry, all this nonsense about having a wife and children was pure fabrication"? Why didn't you tell him that then? A Because there was so much that had to be straightened out, that it was far easier to continue the fiction. The reason that I was told to give the fiction and to continue it was that one sad experience in the past when I had shown myself as a single man and the person involved had not been very cooperative, he thought I was too unstable; so that was the reason for the fiction - one of the reasons.

Q You told us of the original reason for the fiction, but who told you to continue the fiction in 1946 and 1947 and 1948? A In 1946 I did it on my own volition because as I have said before - I have asked this question before - I had gotten so horribly tangled up that it was actually easier to continue by an occasional, what I hoped was a non-committal answer, than to try to straighten the whole mess out.

Q Do you remember in 1945 that Mr. Brothman

invited you to join his new firm? A That is correct, -
1944 also.

Q All right. Did you not decline and did you not
give as one of your reasons for declining the fact that
you had made an excellent purchase of a house in a suburb
of Philadelphia and that your wife would not like to be
transplanted from that place to New York? Did you
not assign that as one of the reasons? A That was partly
false but it was based on truth. My mother and I had
purchased a home and I didn't want to be transplanted
to New York.

Q The fact remains, however, that you did come to
New York in 1946, is that right? A I did, yes.

THE COURT: When did Miss Moskowitz become a mem-
ber of the firm of Abe Brothman Associates?

THE WITNESS: As near as I can remember - an
actual member of the firm or just came to work there?

THE COURT: Well, give us both. When did she
go to work there?

THE WITNESS: I think she went to work sometime
in early 1945. I don't know exactly when.

THE COURT: And when did she become a member of
the firm?

THE WITNESS: She became a member of the firm -
and again this is vague - sometime in 1946 or 1947 - an

actual partner, I believe.

BY MR. KLEINMAN:

Q You said it was partly true that you had purchased a home where your mother and father lived? A That is correct.

Q Did you purchase that home? A My mother and I did.

Q When you came to New York to work for Abe Brothman Associates in 1946, you returned to Philadelphia on weekends, is that right? A That is correct.

Q You did not, however, return every weekend to Philadelphia, did you? A No, I worked a good many weekends.

Q And it was the common practice, was it not, for Mr. Brothman to drive you to the Pennsylvania Station and for you to make the train for Philadelphia?

A He did that often, yes.

Q And it was not unusual for Miriam Moskowitz to be in the automobile when you drove to the Pennsylvania Station, isn't that correct? A That is correct.

Q Did you give any details of the twins, Essie and David? Did you say, for example, that they were born in 1935 while you were in Cincinnati on some business of the firm by whom you were then employed? A I cannot recall.

Q Did you tell others, in addition to Abe Brothman,

that you had twins who were born in 1935?

A When people used to query, I said that I was a married man and I had two children. Whether I told them twins or not, I can't recall. As I said, I tried to stay away from the subject because I was afraid I couldn't keep consistently telling the same story.

Q In what part or in what suburb of Philadelphia did your family live? A Northeast.

Q Does it have any other name, any local name?

A No, it does not.

Q Is there a suburb of Philadelphia known as Abington? A Oh, yes, there is.

Q You do not live in Abington, do you? A No, I live far away from Abington.

Q Did you not say that you purchased a home in Abington for your wife and family? A I realized when I came up --

MR. KLEINMAN: May we have an answer first? I do not know what it is leading to.

THE COURT: Answer first yes or no and then give your explanation.

THE WITNESS: All right. What was the question, please.

THE COURT: Did you not say that you bought a home in Abington for your wife and family?

THE WITNESS: Yes, I did.

THE COURT: Go ahead.

THE WITNESS: This is what occurred --

MR. KLEINMAN: Now I submit, your Honor, that we have an answer.

THE COURT: Go ahead. Answer the question.

THE WITNESS: I did say that I purchased a home in Abington. I realized after I came up here two things: first, that there was this whole horrible mess of lies which was practically impossible to straighten it out. Therefore, I couldn't continue with Abe. And I also remembered that I had been told that Abe was hot but the difficulty was that from the very moment that I got there the firm was in financial difficulty, and these continuing states of emergency, and I kept putting off from one time to another leaving the firm. And on one occasion, in April of 1947, I filled out a civil service application.

In other words, from the very time that I came up there I saw that it was no place for me, I was too deeply involved. There were too many things in my past and I planned on leaving, but I felt that if I did leave that the firm would suffer thereby, and there were so many people that put so much of hard work and actual heartbreak into the formation of this company, and its continuing operation, that I kept putting off from month

to month, hoping that the firm would get some sort of a decent contract which would put it fairly solidly on its feet, and then I could leave, and I could leave without the feeling that because I had left the firm had collapsed.

BY MR. KLEINMAN:

Q Is this all in explanation of whether or not you bought a house in Abington, Philadelphia? A Yes. I kept trying to cover up, and at the same time I planned on leaving.

MR. KLEINMAN: I move to strike out that last answer as not responsive, your Honor.

THE COURT: Yes, strike it out.

THE WITNESS: All right.

Q Did you say in 1942 and 1943 that you did a lot of traveling for the Penn Sugar Company and there was a change-over, a great demand for industrial alcohol processes or production and you did a lot of traveling in 1942 and 1943? A I did a lot of traveling, all right, but not for Penn Sugar.

Q But did you not say that you did a lot of traveling for Penn Sugar in 1942 and 1943? A I cannot recall.

Q Did you not say as a result of your being away from home in 1942 and 1943 that Sarah resented your absences - your wife Sarah? A Actually it was my mother.

Q But did you not say that it was your wife Sarah who resented these absences? A I may have.

Q And did you not say that your wife Sarah during your absences started to have an affair with an elderly rich real estate broker? A I cannot recall.

Q Well, did you ever mention the fact that your home life had been broken up by some elderly rich real estate broker? A I cannot recall.

Q Did you say that your home life had been broken up by someone? A I recall having said that as a result of the expenses I had incurred on these trips for the Soviet Union in regard to my espionage work, this is what I told Abe, that there had come a rift between this fictitious wife and myself.

Q You did not tell Abe "fictitious wife," did you? A No, I did not tell Abe "fictitious wife."

Q Yes, go ahead; did you mention any elderly broker, elderly rich man? A I cannot recall.

Q Well, did you not say to Abe and to others that your home had been broken up and you wanted to get back to Philadelphia on weekends, so that you could watch and see your children surreptitiously playing in a park, to look at them from afar; did you give any such story to Brothman and others? A I may have. I wanted to get home and see my family and Abe wanted me to stay

and work.

Q But you did say that you wanted to go home so that you could look at your children while they were playing in the park; is that right?

A I can't recall such details.

Q Well, you do not deny that, do you?

A I don't know whether to deny it or affirm it. I said I can't recall it.

Q Was there any such conversation that you can recall? A I can't recall it.

Q About your children playing in the park and your inability to see them at their mother's home because you no longer lived with them?

THE COURT: Mr. Kleinman, please do not repeat over and over and over and over again. The witness says that he does not recall. Let us drop it. I think the impact of these questions without answers is something that we must guard against.

Again I must caution the jury that you do not take as evidence questions that are put and that are not answered.

MR. KLEINMAN: May I not put the question for the purpose of affecting his credibility and also for the purpose of --

THE COURT: I do not mind your putting the question

once and you might even put it the second time, but I do not like the idea of your putting it a half dozen times.

MR. KLEINMAN: We do not have an answer to the last question but if your Honor says that I should not put the question I will desist.

THE COURT: I believe we have had four or five answers. He said that he did not recall.

MR. KLEINMAN: All right, sir.

Q Did you say that Essie broke her leg, your daughter Essie? A I don't recall.

Q You said something before about one of your children having polio? A That's right.

Q Was that for the purpose of attracting a little sympathy? A No, that was because I felt that Abe was prying much too much into my personal affairs. This was, as I said, back before 1945 anyhow, and I felt that I had to dress it up, as Sam said, in order to throw him off the track and I was following Sam's instructions.

Q Were you following Sam's instructions in 1947?

A In 1947? No.

Q Or in 1948? A No, but it was Sam's instructions that got me tangled up so that I had to continue lying in 1947 and 1948.

Q When did you go to Peekskill for the first time?

A Oh, sometime in June of 1946, I would say.

Q It was after you started working for Abe Brothman and Associates?

A Yes.

Q How many times after that did you go to Peekskill with Brothman and his wife?

A Fairly frequently.

Q How many times after you started to work for Abe Brothman and Associates did you visit Brothman's home in Queens?

A Oh, very frequently in Queens.

Q There you met his wife, did you not?

A Yes.

Q Did you tell his wife these details of your family life?

A I cannot recall. She may have asked me and I may have answered. I stayed away from the subject whenever I could.

MR. KLEINMAN: I move to strike it out as not responsive to any question.

THE COURT: No, it may stand.

Q Not only did you make up a wife and family, Mr. Gold, but you also made up a story about the death of your brother while in service for his country. Do you remember that? A I have stated that in the course of direct examination.

Q Please answer my question.

A I remember it.

Q When did you first tell that to Abe Brothman?

A Sometime in 1945. Again I felt he was prying too much so I tried to throw him off the track.

Q When you told him your brother had died somewhere overseas, was that only in an effort to put him off the track? A That is correct.

Q Did you tell that story of your brother's death to people other than Abe Brothman?

A I can't recall.

Q Did you in that story include details of your brother having been a paratrooper and having died in a paratroop jump? A I can't recall.

Q Did you say that your brother died overseas?

A I said that he died overseas.

Q Did you say he died in Hollandia, New Guinea?

A My brother was in Hollandia.

Q Did you say he died in Hollandia? A I think that is where I placed it. He was there.

Q Did you also tell a story about your cousin Joe?

A I have a cousin Joe.

Q Did you tell a story about your cousin Joe?

A I don't know what story you are referring to.

Q What story did you tell him?

A I have a hundred stories about my cousin Joe. Which story are you referring to?

Q Which story did you tell Brothman about your cousin Joe? A I can't recall any.

Q Did you say after your brother's death, your cousin Joe was taken into the family like a son?

A I can't recall.

Q Did your cousin Joe ever live with your mother and father? A No, he never did.

Q Was your cousin Joe in the Army or Navy?

A No, he was not.

Q Did you mention your cousin Joe to Brothman and others from 1946 on?

A I think I made one mention of my cousin Joe. I am not even sure about that.

Q These stories that you told Abe about your family and children and brother, they continued until the time

the FBI first spoke to you in May of 1947. Is that right? A I have stated that on direct examination.

Q Please answer my question.

MR. KLEINMAN: Will your Honor instruct him not to say he stated it?

THE COURT: Just answer the question.

A Yes, I did. They continued until the FBI spoke to us, the very first day, in 1947.

Q That was the first time that you told Brothman that there was no truth in any of these stories you had told him, is that right? A That is correct.

Q To go back for a moment, in 1946, when you took employment with Abe Brothman Associates, you were known as the chief chemist, is that right?

A That is right.

Q Did you steal any of the papers of A. Brothman Associates? A Of course not.

Q Did you steal any articles from the files of A. Brothman Associates? A Of course not.

Q Did you continue to see your Soviet superior in 1946? A I did not.

Q Or in 1947? A I did not.

Q Or in 1948? A I did not.

Q To put it briefly, Mr. Gold, your employment with A. Brothman Associates was entirely legal employment. Is

that right? A That is correct.

Q No espionage connected with that?

A No espionage connected with that. I had lost contact with those men.

MR. KLEINMAN: Your Honor, there is some written matter on the reverse of these photographs, but I only intend to show the photograph and not what is in the back of it. We can either erase it or delete it or obliterate it.

THE COURT: Mr. Kleinman, how much longer will you be with this witness?

MR. KLEINMAN: A couple of hours.

THE COURT: Will you finish this afternoon?

MR. KLEINMAN: I am trying to.

May we have these photographs marked for identification?

THE COURT: One exhibit or separately?

MR. KLEINMAN: They could be one exhibit, to save time.

(Marked Defendants' Exhibit O for identification.)

Q I show you Defendants' Exhibit O for identification and ask you if one of the persons on each of the photographs is yourself (handing)? A Oh, boy -- yes.

Q Who is the other one on each of the photographs?

A I was referring to my weight at that time.

Q Who is the other person? A Tang. I think his initials are Y.C. Tang.

MR. KLEINMAN: I offer these in evidence.

(Defendants' Exhibit O for identification received in evidence.)

MR. KLEINMAN: May I pass these to the jury, your Honor?

THE COURT: Yes.

MR. SAYPOL: We might tell them which one is Gold.

Q You are the fat one? A Mr. Tang was sort of chunky himself. I am the one with the sweatshirt.

Q Can you tell us when those photographs were taken?

A Yes, they were taken sometime in 1947.

Q Were they taken at Peekskill? A They were taken at Peekskill.

Q At Brothman's Peekskill cottage?

A That is correct.

Q Was there some work being done at that time in behalf of the Chinese Nationalist Government?

A Yes, there was.

Q Is Mr. Tang, who is on the photograph with you, someone connected with the Chinese Nationalist Government?

A Yes, he was part of the Chinese Mission.

Q What was that work that was being done at that time? Just briefly, what was the nature of it? A Well, there

were a series of plants. The entire idea of these series of plants was to provide a number of raw materials for the setting up of a chemicals industry which could be utilized principally in the production of aircraft or whatever chemicals were needed.

Q You worked on that, did you not?

A I worked on one chemical for that outfit, just one, acetone. The rest was design work and was done by the other members of the firm during the period that I was there.

Q Did you apprise your Soviet superior of this work being done for the Chinese Nationalist Government?

THE COURT: He testified he had not seen him since 1946.

MR. KLEINMAN: Very good, I withdraw my question.

Q Did you apprise anyone connected with the Soviet espionage of the work that was being done for the Chinese Nationalist Government by A. Brotzman and Associates?

THE COURT: At what time?

MR. KLEINMAN: At the time the work was going on, about that time.

A I last had contact with a Soviet agent around January or February, 1946. I had one more contact with the Soviet agent. I said they dropped me in December, 1945. He wanted to know where I was working and I told him I was working for Abe, and he nearly went through the roof of the

bar we were in. He said, "My God, didn't you remember I said he was hot?" There was no further contact from February of 1946 for some three years -- or from December, 1946, for some three years.

Q In September, 1947, there were some negotiations going on with the Stanton Company with the A. Brothman Associates? A That is right.

Q Do you remember that? A Yes.

Q Where was the Stanton Company?

A In Philadelphia.

Q Did you express a desire to go to work for Stanton Company? A No, I did not.

Q Did you suggest that you wanted to work there so that you could be closer to home? A No, I did not. I just wanted to leave A. Brothman and Associates.

Q By that time you were not so friendly with him, were you? A No, it was not a matter of friendliness. The continuing state of emergency forced me to work hours which sometimes ran as high as 120 per week, and I was in a state of perpetual exhaustion. We were always working against a deadline of some sort or other.

Q When you say "we" whom do you refer to?

A The entire organization.

Q That consisted of whom at that time?

A I said they were falling off pretty rapidly after

April, 1947, when the pace stopped, but it consisted of Bob Gerson, Bill Rohall, Miriam Moskowitz, Oscar Vago, Abe and myself.

Q How about Phil Levine? Was he a member?

A Phil Levine came in in September, 1947.

Q Was it not about that time that the Stanton Company contract, the Stanton work, was being discussed around the office? A That is correct.

Q Levine was there at the time, wasn't he?

A Levine was there, yes.

Q You stated that there arose continually or periodically at least states of emergency. Were these matters also a financial emergency?

A They were both financial and chemical. They were chemical in the sense that processes had been promised for completion at a definite time and sometimes we hadn't even started on them, or promises had been made that the Brothman Associates had these processes. Actually, in many cases we hadn't even started on the processes and I would hotfoot it out to the library. The financial emergency was that there was simply no money for salaries.

Q That was the reason you wanted to quit, too much work and not enough money? A The reason I wanted to quit after September of 1947 was that my mother died in that year and I wanted to go home. The reason I wanted to

quit from the beginning of my employment in May of 1946, was that I realized, first of all, that Abe was in some danger of disclosure and, secondly, I realized that this whole mess of lies was going to keep entangling me further and further. As I said before, from the very beginning I wanted to quit but more particularly from September of 1947 I wanted to quit because my father and brother wanted me at home.

Q Did the fact that you were not getting your salary have anything to do with your desire to quit?

A No, Mr. Kleinman, it didn't. As a matter of fact I kept consoling myself by one thought. If my brother's entreaties that I stop working for a place which was not paying any salaries would ever prevail, I could tell Abe I would sign a waiver of back pay, and upon Abe's request in May or April, 1948 -- he said, "Will you sign a waiver of back pay?"

I said, "Yes."

Q That was only in connection with the financial reorganization of the company?

A No, that was a waiver of about four thousand dollars, back salary.

Q That was for the purpose of getting a refinancing of the company? You had placed yourself out as one of the creditors, had you not? A Creditors?

Q Yes. Did you not claim that Abe Brothman owed you about \$4000 in salary? A That is right, he does.

THE COURT: Claim to whom?

MR. KLEINMAN: I will ask him.

Q To whom? A I went to an attorney in 1948. Phil asked me to go to an attorney.

Q Was that during a period where Abe Brothman was trying to invite some capital into the A. Brothman Associates? A That is right.

Q Was the man who was negotiating one Pecto?

A All I know is that the Brothman firm owed him \$13,000. At one time they owed him \$40,000. I spoke of continuing state of financial emergency.

Q The Stanton contract was the only thing that indicated a hope of relief from these financial difficulties in 1947. Is that right?

A In 1943, 1947 or 1948 o.k.

Q It was promised that you would become and be made a member of the firm with a proprietary interest if you remained. Isn't that right?

A A number of promises --

MR. KLEINMAN: Can't we first get the answer?

THE COURT: Yes or No.

THE WITNESS: Yes, it was.

THE COURT: Are we not going far afield now?

MR. KLEINMAN: No, sir. I will tell your Honor --

THE COURT: I will accept your assurance that we are not.

THE WITNESS: Yes, I was promised, but a number of promises of a like nature were made starting from 1946 on. The situation was this. When there was no money, I was a partner. When there was money, I became an employee, and that didn't happen to me alone. I think you can put ten people on the stand that will certify to that.

MR. KLEINMAN: I move to strike that out.

THE COURT: I could almost take judicial notice of the fact that that exists among a lot of law firms.

Q The point is, Mr. Gold, that you tried to get an interest in A. Brothman Associates, didn't you?

A No, I did not.

Q Did you not even promise that in order to permit A. Brothman Associates to refinance itself, you would waive the back salary?

A I promised to waive the back salary because I thought it was a good talking point to get me out of the mess of Abe Brothman. I could then say, "I paid my debt to you; let me go home."

Q There was nobody physically holding you?

A No. The fact that so much work had gone into A. Brothman Associates, and if I had left then, the whole

thing would have gone crash. There was nobody else in the lab to speak of besides Phil.

Q Phil Levine? A Phil Levine.

Q Is he a chemist? A He is a very good chemist.

Q When the Stanton contract was spoken of in the office, you were aware of the Stanton contract, weren't you? A Oh, yes.

Q There came a time when Abe Brothman went to Switzerland? A That is correct.

Q Do you remember in what month that was?

A Yes, late May of 1943.

Q This Stanton contract had not yet been consummated or completed. It was still in the negotiating stage. Is that right? A Abe was designing the equipment for the Stanton plan. We were never told any of the business details. They were just announced to us after Abe and Miriam had come to a decision. We understood there was a contract, that the contract had been signed, and that we were proceeding with the plans for the plant. Incidentally, Abe told Stanton in December of 1947 that the plans would be ready in January of that year. It took a couple of months to draw up the plans but he didn't start them until February, so he was a month late when he started on this work, and it wasn't complete even in May of 1948. We were way behind schedule and Stanton was yelling murder.

Q Who was the man from Stanton who came to the office, do you know? A Michael A. Stanton himself.

Q Did you know him? A I got to know him, yes.

Q Did you meet him? A Yes.

Q Where did you see him? A I saw him in the Brothman Laboratories first, where we demonstrated the process we were putting up for Stanton. I also saw him on the night at Brothman's home when Brothman in December, 1947 said the work would be ready in January, and he never actually started it until February.

Q So that when Brothman went to Switzerland, that work had not been finished for Stanton?

A It was not complete, no.

Q You were behind schedule? A I wasn't behind schedule. Abe was doing the design work.

Q Did you have anything to do with that?

A We demonstrated the process for Stanton. That is all I had to do with it.

Q Did you know how long Abe intended to be away in Switzerland when he left here? Did he tell you how long he was going to be away.

A Oh, a few weeks.

Q During his absence in Switzerland, did you communicate with the Stanton people?

A Stanton communicated with us.

Q Did you speak to somebody from Stanton?

A I did not, myself, no.

Q Did Levine speak to him? A No.

Q Who did? A Vago, I believe.

Q You are not sure whether it was Vago or not?

A I think it was Vago.

Q Did you speak to Vago about his conversation with Stanton? A Vago spoke to me about his conversation with Stanton.

Q Did you instruct Vago what to say to Stanton?

A I think I told Vago to try to stall Stanton until Abe got back because things were bad. Things were promised Stanton which we didn't know a thing about.

Q At this time, while the Stanton project was in the office, there was also a contract or project from a firm in India, is that right?

A There was no contract. We had done a lot of work for them and we hadn't been paid.

Q What name did you use for that? How did you designate that work? A That was done for the Mettur Chemical Company of India.

Q You say you have done a lot of work --

A I had done a good deal of it. It consisted of preparing a very long report for Mettur.

Q In the hope of selling it to Mettur?

A Abe said we were going to be paid for the report but later on Mettur said no such thing.

Q Did you eventually receive payment from Mettur?

A No, we did not, not while I was there. That is what we kept hoping for. Abe said we were going to get ten or twenty thousand dollars for the report. We never did while I was there.

Q While Abe was in Switzerland did you tell Vago or Levine or did you yourself speak to any representative of Stanton and say that you didn't think that Abe was going to return, but your thought was he was going off to India on this Mettur job?

A No, I did not. I never saw any representative--

Q Was anything like that said?

A Let me finish.

Q Suppose you let me finish, Mr. Gold.

THE COURT: He didn't finish his answer. Go ahead.

THE WITNESS: I never saw a representative of the Stanton Company in the period between the time that Abe left and that Abe returned. After Abe returned, Mike came up to New York.

Q Mike Stanton? A Mike Stanton.

Q Did he have a brief case with him when he came here? A I don't know.

Q Did you look into a briefcase? A Lord, no.
Whose briefcase?

Q Stanton's briefcase? A Why?

Q The answer is No? A No.

THE COURT: Don't ask him questions.

THE WITNESS: I am sorry, your Honor.

MR. KLEINMAN: May I have these two marked for
identification.

(Marked Defendants' Exhibits P and Q for
identification.)

xxx

4 Q I show you Defendants' Exhibits P and Q for
identification and ask you if these were the reports you
worked on, as well as the others of Abe Brothman
Associates, for the Mettur Chemical Industrial Company,
Ltd. of India on D.D.T. and chlorine utilization process
(handing). Just tell us generally whether those were
the reports you worked on.

A This is the chlorine report. I did a lot of
the library work for chlorine utilization. In fact, I
did a great deal of the library work on this (indicating).
The technical report on D.D.T., I did some work on it,
but I think Abe later rejected most of it and wrote the
report himself.

Q What was the firm's business in Switzerland?

A The firm's name was Lonza. I think they are a

utilities firm there. That is what Abe told us.

Q While he was in Switzerland, did Mr. Pedto come to the office of A. Brothman Associates?

A He came to the lab and he took me to a Dodgers' ball game one night.

Q Did he talk with you about any of the firm's business? Just Yes or No.

A Well, let me see -- yes.

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Q Did you or Mr. Levine tell Mr. Pedto, in substance, that the only thing that the firm had that was concrete or that showed any possibility of making any money was the Stanton contract which was in being at the time?

A Yes.

Q Is that right? A Yes.

Q And did you tell him that you did not expect Brothman to return, you thought he was going to Mettur, Madras, India? A No.

Q Did you say that, just Yes or No?

A No.

Q All right. Did you not suggest to Mr. Pedto that you and Levine could take over the Stanton contract?

A I did not. What I wanted to do was to go home.

Q Again I ask you, Mr. Gold: Who was stopping you?

A Myself. I have always gotten myself into my own difficulties.

Q While Brothman was in Switzerland you went to the offices of A. Brothman and Associates as distinguished from the laboratory, is that right?

A I went there on a couple of occasions.

Q Miss Moskovitz was with Brothman in Switzerland, is that right? A That is correct.

Q And somebody else was temporarily in the office during their absence? A Yes.

Q Did you look through the office files for anything in reference to the Stanton agreement or the Stanton contract? A I did not.

Q Did you have any occasion to go through the office files for anything? A I did not. Oscar did.

Q Oscar did? A Yes.

Q Were you there at the time? A No.

MR. SAYPOL: Oscar who?

MR. KLEINMAN: Oscar Vago, I assume.

THE WITNESS: Vago.

Q Did Oscar tell you that he did?

A Oh, yes.

Q Did he tell you whether he abstracted anything?

A Well, it got to be an awful mess. Oscar said that he had found a contract which superseded the earlier one, and which in effect read him out of the company. He also said that he had found a contract which in effect made

Phil and I just employees instead of the partnership that Abe had always talked about.

Q Mr. Gold, a contract with whom?

A With a Mr. Norman, Edward Norman.

Q Who was Mr. Norman? A He was a business man.

Q Did this all have to do with the refinancing of Abe Brothman and Associates? A That is correct.

Q When Vago told you about this did he show you the contract that he took?

A No, he did not.

Q And you believed Vago, didn't you?

A Surely.

Q You believed that the firm was on the rocks at that time, didn't you? A Well, I knew it. He owed me four thousand bucks.

Q And you didn't believe any of the promises that he had made to you, that he was going to give you a participation in the newly-refinanced or the new refinanced firm, did you? A Well, starting with --

Q Did you believe it, first, Yes or No?

A No, I did not believe it.

Q All right. A Because starting from the very beginning --

MR. KLEINMAN: If your Honor please, these explanations, I submit, are not responsive to the question.

THE COURT: Do not volunteer.

Q One day there was a call made between Switzerland and Queens, is that right? A That is correct.

Q By the way, where was the office at this time?

A At the Chatham-Phenix Building.

Q In Long Island City? A In Long Island City, that is correct.

Q Did you put in the call to Switzerland or did Brothman call you from Switzerland?

A As I recall it, Brothman sent a telegram and asked us to call him at a definite time -- a cablegram, and asked us to call Switzerland at a definite time.

Q Did you call? A Yes, I did.

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

Q Did you tell him that the place was on the rocks, that the company was disintegrating? Did you say anything like that to him?

A Oh, yes, I did.

Q Did you tell him that there was no money, that you wanted money? A Oscar Vago had sent two cablegrams to Abe in which he said in effect, "We are starving. For God's sake send us some money."

Q Hadn't money been left in the office, Mr. Gold?

A No, nothing had been left in the office. There was nothing to leave.

Q I see. Did you tell Mr. Brothman that the Stanton deal was off? A I told Abe that Stanton was raising

the devil, which he was.

Q Did you tell him the deal was off?

A I told him unless he came back pretty soon the deal would be off, and that was so.

Q Was it at that time or around that time that you suggested to Mr. Pedto that you and your friends, Levine or Vago, would take over the Stanton contract and realize some money on it?

A No, I never did suggest that to Mr. Pedto. I wanted to go home.

THE COURT: We will take a short recess at this point.

(Short recess.)

BY MR. KLEINMAN:

Q I don't recall whether you stated that you had or had not spoken to Brothman on the telephone on the Switzerland call? A I said that I had.

Q Is it not the fact that Brothman did not tell you then when he was going to return to the United States?

A When he left he said he would be a few weeks.

Q But when you spoke to him on the telephone, how long after he left was that? A Less than a week.

Q And you did not expect him to return for sometime

after that, at least a week or more, is that correct?

A That is correct.

Q However, Brothman did return within a few days after that telephone call, did he not?

A Yes, he did.

Q And that came as a surprise to you, didn't it?

A No, it did not, because we had asked him to return as quickly as possible.

Q When he returned, you and your co-workers, Levine and Vago, charged Brothman with trying to welch on this understanding that he had with you in respect to the refinancing of the organization, isn't that so?

A Yes. We held an indignation meeting in which I read a set of charges which I put down on paper. They included many things. The charges went into detail about the mismanagement of the Stanton job; the general conduct of the business, the number of promises which had been made to us and which had never been kept, and so on. And, in effect, at the end of it we asked Abe to retrench and to concentrate on the Stanton job and work as a much smaller organization. At the end of the meeting I told Abe that I was going home.

Q Did you not say to Abe at that time that there had been a letter of cancellation from Mike Stanton on the Stanton job? A What time was this?

Q The time that you brought up these charges at the indignation meeting which you had.

A There had been a letter from Stanton, as I recall it, stating -- I think it was from Mr. Stanton, as a matter of fact -- stating that unless -- to the effect-- I just recall the general idea of the letter and it was to the effect that unless Abe got on the ball and finished their job that they would think of cancelling the contract.

Q Did Abe ask to see that letter?

A I don't recall.

Q Did you show Abe a letter from Stanton?

A I can't recall. I remember reading the set of charges.

Q And in those charges you complained that Miriam Moskowitz had not treated you and the professional staff, that is, Levine and Vago, with sufficient dignity; did you say that? A Yes. She told us to get back in the lab where we belonged and mind our own business, and I thought it was rather unkind, because Phil had come to Abe Brothman and Associates, he left a job which was paying him a regular salary, although he didn't like it, he came to Abe Brothman and Associates and worked for a total of nine months, the first seven without any pay, and then when he began to protest about the poor conduct of the business, Miriam told him to go back in the lab

where he belonged, and I thought it was rather unkind, to put it mildly.

Q Now, when you aired these grievances against Brothman and Miriam Moskowitz, you charged him with not giving sufficient credit to the professional staff in the lab, is that right? A I don't recall that being part of the charge. What I do recall is that decisions were made without consulting us, and we felt that since the firm was so badly in hock to us, the least he could do was to tell us about them.

Q How soon after this meeting did you quit Abe Brothman and Associates? A I left the next day. I told Abe I was leaving. Actually it took about three or four days. I told Abe I was leaving the next day.

Q When you left did you take anything out of the files of the company? A I haven't finished my answer. I told Abe that I was leaving the next day. I also told him that I wanted to stay there for at least two weeks so that I could get the lab and everything in very good shape before I left. It was in pretty bad shape. We worked in a helter-skelter fashion.

Q And he told you to leave immediately, didn't he?

A No, he did not. He agreed to that, and then when I went home for the week-end he called me up and said that he personally had changed the lock on the door and that

I couldn't get in. So I was very happy and stayed in Philadelphia.

Q Did you go back again to the laboratory of Abe Brothman and Associates? A I came back and collected my books and effects.

Q Did you take anything along with you when you collected your books and effects that belonged to Abe Brothman and Associates?

A No, I did not. Sylvan Moskowitz was there and another boy. I just picked up my own books, made a bundle of it. Walter Quick, one of the owners of the firm in which we had -- in whose building we had our laboratory, helped me pack them. Phil was with me. He took his few things, and we left.

Q Did you attempt to get into the laboratory after Abe told you that he had changed the lock on the door and that you were not to be permitted in there again?

A Absolutely no.

Q Did you say to Abe that you wanted to work until the end of June in order to put certain things in order?

A I have answered that question already.

Q Did you state that you wanted to complete laboratory experimental work which he had outlined for you and your colleagues to perform during his absence in Switzerland? A I did not wish to complete laboratory

experimental work. I just wanted to get the lab and the notebooks in good shape so that whoever took over would walk into a presentable place.

Q During this indignation meeting at which you aired your grievances against Brothman, was there a discussion as to how much money he owed you or the firm owed you for back pay? A There was a discussion at a later date.

Q How long after this indignation meeting?

A Oh, roughly about a week or ten days. Phil Levine and I came to see Brothman and we asked him to sign separate statements, statements stating that he owed me around \$3300 or \$4,000, I forget which, and Phil around \$3300 or \$3500. Abe said that he couldn't sign them without seeing an attorney, although they were very simple statements. They said, "I owe you so much money for so much as back pay, and I agree to pay it as soon as I can."

He said he had to see an attorney and he never did sign them.

Q I was about to ask, were they ever signed?

A No, they were never signed.

Q That last meeting broke up acrimoniously, did it not? Charges were being hurled back and forth between you and Levine against Brothman and Brothman against you and Levine, isn't that so? A It broke up acrimoniously.

Not quite verbatim. Actually what happened was that Abe -- it took me half an hour --

MR. HEBBURN: I submit, your Honor, that we have an answer.

THE COURT: All right, do not volunteer.

THE WITNESS: Surely. I am sorry, your Honor.

Q After you went back to Philadelphia when was the next time you saw Brothman? A The next time that I saw Brothman was at the West Street Jail.

Q Was that after you had pleaded guilty in Philadelphia?

THE COURT: Excuse me a minute. Did I understand your testimony on direct that your parting with Mr. Brothman was on a Saturday?

THE WITNESS: That's right.

THE COURT: In June, 1943?

THE WITNESS: That is right.

THE COURT: On that occasion was it then that he drove you to the station?

THE WITNESS: No, he didn't drive me to the station.

THE COURT: Where did that take place?

THE WITNESS: Phil and I came to the office and we asked him to sign these two statements, these papers, saying that he owes us so much money.

THE COURT: I have reference on direct examination

to your statement in which you said that Brothman said, "Don't pull a Louis Budenz."

THE WITNESS: That was just after Phil and I had asked Abe to sign these papers. He asked Phil to go downstairs and I remained upstairs with Abe.

THE COURT: And that was your last conversation with him?

THE WITNESS: That was the last conversation that I actually had with him.

THE COURT: You had had a bit of acrimony before that, had you?

THE WITNESS: We had had acrimony before that because while at first Abe had said that I could stay in the lab and finish the work, he turned around and he got pretty snippy about it and locked me out of the place and so on. I guess you would call it acrimony, your Honor.

BY MR. KLEINMAN:

Q By the way, Mr. Gold, when you left the laboratory for the last time was there a refractometer in the laboratory?

A Yes, there was.

Q How much is a device like that worth?

A Well, they will run anywhere from about \$250 up to \$1,000 or more.

Q How much was the one worth that was in the laboratory?

A I can take a guess and say it was worth around \$600.

Q And was there a device known as a pH meter?

A That's right, there was one.

Q How much is that worth? A The one they had in the lab was worth about \$250 or \$300 -- \$250, I would say.

Q When you left the laboratory on the last day that you were there were both of these devices in the laboratory? A Oh, yes.

Q Were they in working condition when you left them there? A They were in working condition.

Q When you went back again through Mr. Quick were they still in the laboratory?

A I didn't go back through Mr. Quick. I took the books, I left, I went in next door to where the Peacock Roll Leaf plant was and Walter helped me wrap up the books, and that was the last time I have been near the lab.

Q Were those devices in the laboratory at that time?

A They were there, surely.

Q Now, to come down to May 29, 1947, --

THE COURT: You mean you are going back to that.

MR. KLEINMAN: Well, I am getting down to the subject matter of these statements that have been introduced in evidence, your Honor.

THE COURT: All right.

Q I call your attention to the time when the FBI agents first came to see you in the laboratory.

A Yes.

Q This was after you had had these charges and discussions concerning the business affairs on May 29th?

A No, it was not.

Q Wasn't it? A No, it wasn't.

Q When did Brothman return from Switzerland?

MR. SAYPOL: There has been ample testimony as to that, and your Honor has made the observation that he was not going forward but that we are coming back now.

THE COURT: He is going to question him particularly about the charges in the indictment.

MR. KLEINMAN: About these statements that were made, your Honor.

Q I ask you, when did Brothman return from Switzerland?

A Brothman returned from Switzerland right around the beginning of June, 1948.

Q We are going back to 1947. A That's right.

Q May 29, 1947, you first saw the FBI agents at what time? A I don't know if it was May 29th or not. I know it was a day or so before Memorial Day. The time was sometime after 4 o'clock.

Q I suggested the date because that is the date on the statement that you signed, Mr. Gold. A On which

statement that I signed?

THE COURT: The statement you signed for the FBI.

THE WITNESS: Oh.

Q I just call your attention to the date (handing paper to the witness). A (Examining) Yes, that is the date.

Q When you went to the office of Abe Brothman and Associates in Long Island City, that was just a routine call that you were making at that time, is that correct?

A I said that it was my procedure on the way back and forth from a technical library in New York, I would stop in at the office to see if there was anything further that Abe wanted, either at the library if I were going there, or at the lab if I were headed in that direction.

Q And when you got there you saw Abe, is that right?

A That is right.

Q And he was alone at the time? A No, there were people in the inside office working.

Q You mean office workers? A In the drafting room.

Q People employed by the company?

A That's right.

Q But when you spoke to Abe were you and he alone at that time? A We were alone.

Q And you say it was then that he told you that the FBI agents had been to see him that day? A That is correct.

Q Did Brothman at that time tell you what he stated to the FBI agents, yes or no? A I can't answer it with yes or no.

Q Did Brothman state that he had made a statement to the FBI agents? A Yes.

Q Did you ask him, "What did you tell the FBI agents?" A I got no chance to talk whatever. Brothman issued instructions to me.

Q Mr. Gold, were you alarmed when you heard that the FBI agents had been there to talk to Mr. Brothman?

A Was I alarmed?

Q Yes. A I was upset, yes.

Q You realized, did you not, that you had a great deal more at stake than Brothman if the FBI agents found out what you said was the truth of your espionage activities, isn't that right? A I didn't stop to do much thinking about anything except what sort of story I could concoct according to Abe's instructions.

Q But you realized, did you not, that your life was at stake if they found out about your espionage activities? A I didn't think of it.

Q You mean it didn't occur to you at all?

A I didn't think of it. I had enough to do as it was.

Q By that time you had completed your spying and

the passing on of atomic bomb information, had you not? A The indictment read "nuclear fission" but I had completed the work for the Soviet Union, yes.

Q And you realized the enormity and seriousness of what you had done, did you not? A I realized that I had taken information from people who had given it to me on atomic energy and I had given it to the Soviet Union.

Q Which was, of course, far more serious than information about the hydrogenation process of certain oils, is that right?

MR. SAYPOL: Just a moment. I do not know whether this witness should be allowed to characterize or distinguish --

THE COURT: I will sustain the objection.

MR. KLEINMAN: Exception, sir.

THE COURT: I do not know whether it is material that he considered it more serious or not, frankly speaking.

MR. KLEINMAN: I think its materiality will develop.

MR. SAYPOL: It is obviously serious but who can tell.

MR. KLEINMAN: I object to these statements. Your Honor has ruled.

THE COURT: Proceed. If you ask your questions

a little faster, Mr. Saypol would not have a chance to make those objections.

MR. KLEINMAN: I would not want to do that, your Honor.

THE COURT: You are going much too slowly.

MR. KLEINMAN: I am sorry, really. I know I should go faster. I am a little tired, your Honor.

MR. SAYPOL: I will wake up then.

MR. KLEINMAN: I will do that just to please you, Mr. Saypol.

MR. SAYPOL: I said I will wake up then.

Q You say that you did not have a chance to say anything but that Brothman told you that the FBI was there and he wanted you to conform with him, is that it?

A That is correct.

Q Tell us what you said, not what he said, but what did you say? A I said nothing.

Q Nothing at all? A I may have made some - I don't even know, I can't remember having said anything, as a matter of fact. All I can remember --

Q But can you remember everything that Brothman told you on that occasion? A I remember those things. It was a vital matter.

Q Was it not a vital matter as to what you told Brothman? A Abe did all the talking.

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Q Did you say anything at all?

A I don't recall having said anything except possibly this: I may have asked him what sort of a story he wanted me to make up, and he said "Any story" possibly.

Q You are not sure of that? A I am not even sure of that.

Q The point of it is that Brothman did not tell you what kind of story to make up, did he?

A Brothman told me to make up a story, any story that would cover him up.

Q Did he not ask you, "Tell me the story you are going to give the FBI so that I may know what to say if they come back and see me again"?

A No, he did not. He ushered me right out of the place. He said, Get back there before they come out so that they won't know we have been talking."

Q Before he ushered you right out of the place, how long were you in the place with him while he was telling you his story to the FBI? A I have related - I don't think I was there five minutes, frankly.

Q During those five minutes -- A I don't think it was even that long.

Q During those five minutes, what did he say to you? What was the conversation you had with him?

A He said, "Look, Harry, the FBI was just here. They know everything. They know all about us. They know that you were a courier. It must have been that bitch Helen. You have got to cover me up because they are coming to see you this afternoon. You have got to tell the

same story I did. Listen, did you know John?" I told him I did not. That is actually all I can remember having said. He said, "Well, you have got to tell the same story I did" - or he said "You have got to say you did to cover me up." And he then went into his description of a man he said had been identified to him by the agents of the FBI as John Golush. This was the description of a man with a wizened face, the wry grin, the receding hairline, and curly hair, what there was of it. He said that I had to make up a story, any story at all, and that is when I might have asked him about what sort of story to cover up the true facts as to how we had actually met. He suggested to tell the agents of the FBI that we were writing a book, and that might have been in answer to my question. It may be I interjected a question as to the story, and it may have been his answer was that we were writing a book. He then told me about Miriam having been on her way over to see Gibby Needleman at Amtorg.

Q I want to find out what he told you about his story to the FBI. Have you told us all that he told you as to what he said to the FBI? A I don't believe that he had time to tell me as to what he had said to the FBI.

MR. KLEJNNAN: I move to strike it out as a con-

clusion.

THE COURT: Strike it out. Did he tell you?

THE WITNESS: I can't recall.

Q Did he tell you what he said to the FBI other than what you have already told us? A Other than what I have already told you, plus the fact which I hadn't got to yet, that he told me not to mention this conversation between the two of us.

Q So that between the time - the time of your conversation with Brothman - and the time that you saw the FBI, you did not know, other than what you have just told us, whether Brothman had told the FBI. Is that correct? A That is correct.

Q Did he say to you that they, referring to the FBI, "even have a picture of you and I together"?

A Yes, he did. I think I just stated it.

Q When the FBI spoke to you, did they show you a picture of you and Brothman? A No, they did not.

Q When the FBI spoke to you, did they show you a picture of the person described to you by Brothman, whom you identified as John Golos or Golush? A Yes, they showed me a picture of this man. That is, they showed me a picture which corresponded to the description Abe had given me.

Q When the FBI spoke to you, they showed you other pictures, did they not? A Yes, I have stated they

showed me several other pictures.

Q Did you recognize any of the other photographs?

A No, I did not.

Q Do you know now who those persons were on those photographs? A Do I know now?

Q Yes. A I think I know one of the people on the photographs.

Q Was it someone you knew before the photograph was shown to you? A No.

Q Did you in fact know a man by the name of Carter Hoodless? A Yes, I did.

Q He is dead, isn't he? A Yes, he is.

Q He was dead in 1947, is that right? A That is why I chose him, that is right.

MR. KLEINMAN: I move to strike out the beginning of his answer.

THE COURT: No, I will let it stand.

MR. KLEINMAN: Exception.

Q Brothman did not say to you, "Tell the FBI that it was through Carter Hoodless that you met Golush," did he? A Brothman said to make up a story, any story, so I made no a story.

MR. KLEINMAN: Will your Honor direct him to answer my question?

MR. KLEINMAN: I except.

Q Did Brothman tell you to mention the name Carter Hoodless? A Brothman did not.

Q Did Brothman say to you to tell the FBI agents that you met Golos at an American Chemical Society meeting? A No, he did not.

Q Did he tell you to tell the FBI that you remained out with this Golos until 2:30 o'clock in the morning?

MR. SAYPOL: That is all improper cross-examination and I object to it. I have refrained until now, and the witness has testified as to what he was told.

MR. KLEINMAN: May I not cross-examine on this very vital part of the case?

THE COURT: Overruled. You are doing an awful lot of repeating, Mr. Kleinman.

MR. KLEINMAN: With due deference to the Court, I don't think so.

THE COURT: First you make the direct approach and then you take a roundabout way, this way, and then you go back this way again, and then you take the direct approach once again. He has told you what the witness has told him, and now you are taking each and every statement up. If that is what you prefer to do, go ahead.

Q Will you answer the question? A Will you repeat the question, please.

Q (Question read.)

A No.

Q Did he tell you to tell the FBI you first met him. Brothman, in November 1940? A About this again I am not at all clear. Somewhere in the course of this story Abe did tell me about the time being 1940 when actually it was 1941. But I can't place it very accurately.

Q You refer now to the time when you were talking to Brothman and he told you he spoke to the FBI?

A It is possible it might have been then.

Q You have no distinct recollection? A I have no distinct recollection but somewhere on that day, the 29th of May, the matter came up.

Q Did you at that time have any independent recollection of the time when you first met Brothman; when you spoke to the FBI I am referring to.

A I knew when I had met Abe. I knew it all along.

Q In fact you knew the exact date and time, didn't you?

A I knew the exact date, the time, everything, sure.

Q Who is Carter Hoodless? A Carter Hoodless was a son of one of the men who had been an official of the Penn-

sylvania Sugar Company. He was the son of C. R. Hoodless.

Q When did he die? A Carter died just before July 4th of 1943, I believe.

Q How old was he? A Forty-two or forty-three. Carter was at that time around 35.

Q Did you ever visit his home? A Yes, I did.

Q Did you meet his parents? A I met his father at work. He was one of the executives of the firm and I met his mother.

Q Did you meet her at home? A I met her at home.

Q How often did you visit the home of Carter Hoodless? A I used to tutor Carter Hoodless, and I visited the home, I would say, maybe a half dozen times.

Q You tutored him while you were both in school?

A I tutored him while Carter was taking courses at Drexel Institute in Philadelphia.

Q What year or years was that? A 1940, 1941 - wait a minute, I am going too far ahead of myself.

I graduated in 1936. I would say that the years were somewhere around 1937 and 1938.

Q What time did you complete giving your statement to the FBI? A At around nine p.m.

Q Did the FBI ask you any questions as to whether or not you were married? A I can't recall. I think

they did.

Q Did you refer to the fact that you were a single man? A I know this much, that if it was asked, I told them that I was a single man.

Q Later on you say you saw Brothman? A That is correct.

Q Was that at the laboratory? A Abe came out to the lab and we went out to Sunny's Chinatown for dinner and then we went back to the lab.

Q Did you tell Abe at that time this story you told to the FBI about having gone to the Chemical Society dinner and through Carter Hoodless meeting Golos?

A The first thing I did --

Q Just yes or no. Did you tell him that?

A I am trying to date the time. After we returned from Sunny's Chinatown, the first thing I did was give him the story.

Q Did you tell him all the details you told the FBI? A I gave him all the details at that time.

Q Was that not the first time that you told Abe Brothman that you were not married, that you had no children, that your brother was not killed in Hollandia; is that right? A That is right, that is the first time.

Q Didn't Abe Brothman at that time ask you why you told him all these lies? A I can't remember whether

he asked or not.

Q Did he seem shocked at the time when you told him that? A Well, he was very excited because of the visit of the FBI. I don't think that one shock more or less would have shown.

Q Did you seem a little abashed when you told him of the fabrication, this fictitious story that you had built up during the years? A I felt very much abashed, yes.

Q Was it on that occasion that you were driven to the Pennsylvania Station? A It was either that night or rather the following morning, or the morning following that.

Q And, as you told us before, it was not unusual for Abe to drive you to the Pennsylvania Station?

A That is correct.

Q On this drive to the Pennsylvania Station, didn't Abe say to you, "Why did you tell me all these lies about your previous life and history?" A I cannot recall.

Q Didn't he also ask you on that trip something about this Tom Elack you brought in to do some chemical analysis at one time? A Yes, he did.

Q Was that the occasion when you wanted to punch Abe in the nose? A Yes.

Q Was that because he berated you and told you that

he was not sure of anything that you told him since he found out about your lies? A No, it was simply because I felt he was being basely ungrateful to Black. He was the one who had asked me to bring Black up here. Black had performed services for him, worked in the lab, and had done some consulting work for him. Black had not even been paid his train fare, and now because Abe was in a jam, he had turned around and berated me for bringing Black up there, because he felt that Black was so important and figured that the extent of Abe's own involvement - that attention would be drawn to Abe.

Q But you told him then that Black was a Communist espionage worker in that automobile ride. Isn't that so? A In the automobile ride?

Q Yes. A I did not.

Q You say that Miriam said there should be no fight between you because that is what the investigating agents or the FBI wanted under the circumstances?

A That is correct.

Q When you threatened to punch him in the nose, did you say, "I'll punch you in the nose"? A I said in my statement that I was going to punch him in the nose and if Miriam had not interfered I would have, without any preliminaries.

Q When you returned from Philadelphia you then

visited Mr. Kiernan's office, is that right?

A At a later date.

Q Some few days later? A Oh, no.

Q How long afterwards? A Much later, about seven weeks later.

Q Was that just before you went to testify before the grand jury? A That was just before I went to testify.

Q When you spoke to Mr. Kiernan, were you alone with him? A Yes, I was.

Q Did you see the statement that you made to Mr. Kiernan transcribed? A I never saw the statement.

Q Didn't he tell you to come back to his office again? A He said that he would give the statement to Abe, and he told me after I testified to come back and give him another statement as to just what went on in the grand jury room.

Q You mean that Mr. Kiernan did not ask you to come back and see the statement you had made? A No. In fact, I am not sure who it was that told me to go back and give a running account of what went on in the grand jury room. I am not sure whether it was Abe told me or Kiernan or who made the suggestion. I do know I went back and someone told me to go back there after I testified before the grand jury. That was either Abe

or Mr. Kiernan.

Q In discussing your position as a possible witness before the grand jury, did you consult with Mr. Kiernan as witnesses' rights, generally speaking?

A I don't think that I did. I think that all that Mr. Kiernan told me was that at a grand jury no lawyers were permitted. The person testifying was not permitted to have an attorney with him and he advised me to tell my story as I had told it to him.

Q He told you to tell your story? A I am not sure of that. The only thing I can remember - the thing that stays with me - is his incredulousness. That is what I do remember. I don't remember what he said. I just remember he didn't believe me.

Q What did he say or do that gave you that impression? A That was strictly an impression. He just looked like he did not believe a word I said. He said nothing.

Q Did he tell you that he didn't believe what you said? A He didn't tell me.

Q When you came back again, did you tell him the story that you told to the grand jury? A As I recall it, he stayed there very briefly while I was telling the story and may have left the rest of it for his stenographer to transcribe as I gave it. I don't think

he even heard the whole story while I was there.

Q When did you testify before the grand jury?

A The 31st of July, 1947.

Q When you received the subpoena to appear before the grand jury, who gave it to you? A Abe did.

Q Where was that? A In the offices of the organization.

Q Who was present at the time? A Oscar Vago was there; Bob Gerson was there; Bill Rohall was there; possibly Sol Fanshell.

Q How about one of the Moskowitz boys, one of the brothers? A I don't recall.

Q Isn't it the fact that young Moskowitz handed you the subpoena? A No, it is not.

Q You say that did not happen? A No, Abe handed it to me.

Q When he gave you the subpoena, was that in the presence of these others whom you mentioned? A I can't recall whether they were actually right there or whether they were in the inner office working. I remember Abe gave me the subpoena.

Q Was that the day before or two days before you were to appear before the grand jury? A It was a few days before I was to appear before the grand jury.

Q Was that after you had visited Mr. Kiernan's of-

vice for the first time? A No, it was before. Abe told me - when he handed me the subpoena and I said I wanted to go home - he said, "You can't, because I have made an appointment for you tomorrow to see Mr. Kiernan.

Q Did you keep the appointment? A It was put off a day or so, as I recall.

Q Did you go home? A I did not go home.

Q After you received the subpoena, did you tell Abe what you were going to testify to before the grand jury? A After I received the subpoena?

Q Yes. A I did not. I had no opportunity.

Q Before you received the subpoena, did you tell Abe what you were going to testify to before the grand jury? A Before I received the subpoena, I didn't know that I was going to testify before the grand jury.

Q Was there a time when you discussed with Abe the possibility of your testifying before the grand jury?

A It may very likely be that after Abe testified before the grand jury and I met him and Miriam --

MR. KLEINMAN: I think I must arrest the answer. It began with "It may very likely be," and it is not in answer to my question because it is not responsive.

THE COURT: He is giving his best recollection.

MR. KLEINMAN: He said "It may very likely be."
It may be a pure conjecture.

MR. SAYPOL: Let us see what the answer is first.

MR. KLEINMAN: No, --

THE COURT: Let us hear your answer.

THE WITNESS: At this time Abe said that my name had not been mentioned before the grand jury in the course of his testimony, and it may very likely be at this time that he said "It doesn't look as if you will be called." I don't know.

MR. KLEINMAN: I move to strike it out, if your Honor please.

THE COURT: My notes say that you testified on direct examination that you saw Abe after Abe's appearance before the grand jury.

THE WITNESS: That is correct.

THE COURT: And that you met Abe and Miss Moskowitz at a restaurant the afternoon after the appearance.

THE WITNESS: That is correct.

THE COURT: And on that occasion Abe said he had not flinched or begged, but that he had acted with dignity.

THE WITNESS: That is correct.

THE COURT: And that you did have a talk with him after you had a subpoena and that Abe said to you, "Don't worry, just tell the same story."

THE WITNESS: I was getting to that, your Honor. The whole point is that - I was getting to the night before I was due to testify. I didn't see that that was included in the question.

THE COURT: Mr. Kleinman asked you whether when you got the subpoena to appear before the grand jury you had any discussion with Mr. Brothman.

THE WITNESS: I misunderstood the question, your Honor, because I certainly remember that conversation.

THE COURT: I believe you answered to that, that you did not.

THE WITNESS: These are two different occasions, your Honor. The one that the question had reference to was the night that I came back from the library about ten or eleven o'clock and I stopped in at Abe's office on the way out to the lab. The night --

THE COURT: There was no subpoena for you that night.

THE WITNESS: There was a subpoena for me that night, that is correct.

Q Is that when you received the subpoena, when you went back to Abe's office? A Yes.

Q Some late hour of the night? A Yes, on returning from the laboratory, that is when I received the subpoena.

Q Was that after Abe had testified before the grand jury? A That was after Abe had testified.

Q You have stated - his Honor has called your attention to it - that there was some dinner meeting after Abe had testified? A There was a lunch meeting after Abe had testified.

Q At that time what did you say to Abe, if anything, at this lunch meeting? A At this lunch meeting Abe told me - whether it was in response to a question that I put I don't know - but in any case, he told me that my name had not been brought into the investigation.

Q He told you he had acted with dignity and had not cringed and had not been broken; is that right?

A That is correct. I know exactly what occurred then. He also told me that the jury had been stuffed to the gills with stories of spying. He also told me about the fact that he had been questioned about a meeting with Helen in front of the Mosler Safe Company. He also told me about having gone to Kiernan's office and having admitted some of the details of what had occurred before the grand jury in the running account which he gave to Mr. Kiernan.

ltwh Q Was that all at this luncheon meeting? A That was on this luncheon meeting.

Q At that meeting he told you what he had told Mr.

Kiernan as well as what he told the grand jury?

A No, he merely told me that he had omitted in his statement to Mr. Kiernan, in his running account to Mr. Kiernan, some of the things which had come about - which he had been asked in his testimony before the grand jury, because he thought that it was too damaging for Kiernan to know these facts.

Q Did he say that? A That is what he said.

Q Did he say that he thought it was too damaging for Kiernan to know those facts? A That's right. Maybe not in those exact words, but the same effect.

Q Did he tell you anything else of what he testified to before the grand jury other than what you have already told us? A I will go over it again.

Q No, try to think. Instead of going over it, think of what you said, and if you have omitted anything, tell us about it. A He told me how he behaved--

THE COURT: You have told us that already.

THE WITNESS: All right.

THE COURT: Is there anything that occurred to your mind that you have not said?

THE WITNESS: The only thing that I can remember - the other thing that I remember that happened at this meeting is the fact that Miriam said it was fine, the way Abe had behaved.

Q She was referring to his behavior? A To his behavior.

Q Now think hard. Is there anything else that he told you that he told to the grand jury or that he said to the grand jury? A I think that covers it. The final thing that I can remember was the fact that my name was not being brought up. No, there was nothing else.

Q When he told you these things that you have testified to here at this lunch meeting, what, if anything, did you say? A I cannot recall that I said anything.

Q Were you indifferent? Did you make any comments? A I didn't make any comments. At most of these dinners Abe talked to me and that was that.

Q I am speaking now of this particular dinner.

A No, this must have been another date.

Q You appreciated the importance of what was happening at the time, did you not: finally the FBI and the grand jury were getting around to asking questions. Did you say anything after he, Brothman, had told you what he had testified to before the grand jury? A I cannot recall having said anything.

Q Did you make any suggestion of any nature?

A I made no suggestion, I know that.

Q Can you tell us one single thing that you said,

perhaps a comment on his testimony - did you do that?

A I cannot recall.

Q What time did you leave Brothman that day after this luncheon meeting that you had? A It was sometime in the afternoon. I don't know. I left him immediately and went out to the lab, sometime in the afternoon.

Q Then you continued in your regular normal work at the laboratory? A Yes, I continued to work in the lab.

Q According to the dates that we have, Brothman testified before the grand jury on or about the 22nd of July 1947. Does that fix the date? A Well, I said about a week after Abe testified I received my subpoena.

Q Between the 22nd of July and the time that you received your subpoena, did you have any further talks with Mr. Brothman about his testimony before the grand jury? A I cannot recall any.

Q When you appeared in the office late that night and received a subpoena from Mr. Brothman, where did you sleep that night? A I was staying at Abe's apartment.

Q You had no other quarters at that time, did you?

A That is right.

Q This was in the summertime? A Yes.

Q Mrs. Brothman was up at Peekskill, wasn't she?

A That's right. Except for one thing, Mr. Kleinman, I didn't get to sleep until maybe six a.m., because I worked in the lab until five that morning. I may have even slept in the lab that night.

Q Well, in any event, that is where you were sleeping in the month of July, 1947? A That is correct.

Q How long before that did you start to sleep and live in the Brothman apartment? A Sometime in June of that year.

Q Was that while Mrs. Brothman was still there and before she went up to Peekskill? A No, that was after she went to Peekskill. What occurred was this --

MR. KLEINMAN: I submit, your Honor, that he has answered the question.

Q The night before you went before the grand jury you also slept in the Brothman apartment, didn't you?

A That's right.

Q I believe you testified about having worked very late that morning and having had some walk with Brothman?

A I didn't say that we had worked late. I said that Miriam wanted to go home early so that we could have a talk.

Q Yes. A But we never started to talk until pretty early in the morning.

Q Whenever you did start the talk, Miriam was not

there, was she? A Miriam was not there, that is right.

Q And did you walk around in the street that night and that morning until an early hour? A Yes, I did.

Q What did you say to Brothman during the walk in the street during these conversations - what did you say? A I told Abe that I was very worried about these trips that I made to the southwest back in 1945. I said that I had taken planes, I had been on pullmans, and had made hotel reservations, and I was worried possibly that the FBI might begin to check up on me because of these, and that it might be brought up in the grand jury testimony. I might be asked, Where were you on these days?

Q Did he ask you why you went to the southwest?

A Abe did not.

Q Did he ask you to tell him what these other activities were about? A Not at that time he didn't.

Q Well, didn't you tell him repeatedly that it was none of his affair, that he shouldn't know about these things because they were of a very serious nature and that you did not want him to know anything about it?

Didn't you say that to him? A I don't see the connection.

MR. KLEINMAN: Well, your Honor, will your Honor

instruct him to answer the question?

THE COURT: No. Did you say that?

THE WITNESS: I am sorry, your Honor. Could I have the last question?

THE COURT: Repeat it.

Q (Question read.)

A On two previous occasions I had, but it did not come up on this night before I testified.

Q All right. A Now I understand it. Thank you, your Honor.

Q Did you tell Abe anything else? A That was all I recall.

THE COURT: Are you talking about the night before he testified?

MR. KLEINMAN: I am talking about during the walk or at the home or wherever it took place.

Q You told us about being alarmed, that perhaps the FBI could find out about your trips to the southwest. Do you remember anything else? A That was all that I can recall having said to Abe.

Q Did you indicate to Abe in your talks with him any desire on your part to tell the grand jury the truth when you appeared before it? A I had no opportunity. Abe told --

Q You mean that the grand jury gave you no oppor-

tunity?

THE COURT: You have not finished, have you?

THE WITNESS: I have not finished my statement.

THE COURT: Go ahead.

THE WITNESS: I had no opportunity. The first thing that Abe did was to tell me that all he wanted me to do was to tell the same story that he had told the grand jury so as to cover him up.

Q Did Abe threaten you? A No, he did not.

Q Did Abe intimidate you? A No, he did not.

Q You had been Abe's Soviet superior in your espionage work with him, hadn't you? A It started out that way but I let the thing deteriorate.

Q You mean deteriorate to the point of friendship?

A Deteriorate to the point of friendship. I should have exerted a rigid discipline.

Q But at the beginning you were his Soviet superior were you not? A For a very short while.

Q Would you say for about a year or possibly a year and a half? A Yes, about that time, but the trouble

was that from the very beginning I let Abe be slovenly about keeping appointments on time and so forth. That is what I meant when I said that for a very short while I was his superior. Had I been his superior, he would have shown up right on the minute when he should have.

Q And had you been his superior you would have collected his Communist dues, is that right?

A I don't know anything about Communist dues beyond the the fact that once I was asked by my Soviet superior to try and collect them. What relationship the Communist dues had to his espionage activities I don't know and I was not interested in at that time.

Q You did not collect any dues from him, did you?

A I didn't collect any dues from him.

THE COURT: Are you about finished now?

MR. KLEINMAN: Nearly, your Honor. I have maybe another fifteen minutes. I think I should be through with him in about ten minutes perhaps. Do you want me to continue or wait until tomorrow? It has been along day, Judge, and I am coming to the end of my cross-examination.

THE COURT: All right. You will assure me that it will be no longer than ten minutes tomorrow?

MR. KLEINMAN: I started with fifteen, Judge, and I cut it down to ten, but I will promise you not to be repetitious.

THE COURT: I know what happens over night. You will think of certain questions to ask that have not been asked. Well, we will recess until ten-thirty tomorrow morning, ladies and gentlemen.

(Adjourned to November 21, 1950, at 10:30 a.m.)

UNITED STATES OF AMERICA
v.
ABRAHAM BROTHMAN AND MIRIAM
MOSKOWITZ

New York, November 21, 1950,
10.30 o'clock a.m.

Trial resumed.

Present:

Mr. Saypol,
Mr. Cohn,
Mr. Foley,
Mr. Donegan.

Mr. Kleinman,
Mr. Messing,
Mr. Satler.

(Defendants in court.)

(Jury in box.)

H A R R Y G O L D resumed.

CROSS-EXAMINATION CONTINUED BY MR. KLINMAN:

Q I call your attention to the time, as you testified,
you met the defendant Brothman at the LaGuardia Airport;
do you recall that? A Yes, I do.

Q Can you fix the time for us?

A Very late January or early February of 1942, as
nearly as I can recall, as well as I can recall.

Q Do you say that Mrs. Brothman was present at
the airport? A She was present.

Q Did you go there with her? A No, Mrs. Brothman

got off the plane with Abe.

Q I see. When they got off the plane, after a little, you discussed with him the trip that he had made to Washington, did you not? A Yes, we did.

Q And you knew, did you not, that he was going to Washington for the purpose of interesting some agency connected with our war effort at that time in the buna-S process and the buna-S project; did you know that?

A I did not. Abe told me that he was going down to Washington because he had been called down there by the Rubber Reserve Commission who wished to consult with him; they wanted his advice.

Q Did he not tell you that he attempted to get the Rubber Reserve Commission interested in the buna-S process that he had sponsored or authored ?

A No, he told me they wanted his advice.

Q Was it at that time that he gave you some of the buna-S papers? A He gave me some of the buna-S papers.

Q Did he not tell you at that time that these people in Washington seemed to be indifferent to his suggestion or to his offer on the buna-S process?

A No, he did not.

Q Did he mention anything about their reaction to his offer or suggestion? A No, he did not, not that I can recall.

Q You said that at or about that time you did not turn over certain items which you designated as fragmentary to your Soviet superior because you could not risk it; do you recall that?

A I couldn't risk it because--

Q No, did you not say that first, that you could not risk it?

A Mr. Kleinman, I object to the word "risk" --

MR. KLEINMAN: Will your Honor tell him not to object to my questioning of him?

THE COURT: Don't you tell Mr. Kleinman what you object to.

THE WITNESS: I am sorry, your Honor.

THE COURT: You just answer the question as best you can.

Q Did you not use the word "risk" in your direct examination? A I used the word "risk", yes.

Q Did you not say this, "I could not risk it," referring to turning over certain papers or fragmentary blueprints to your Soviet superior?

A I could not risk it because I would have been reprimanded. I had said that I had my knuckles smartly rapped on a number of occasions.

Q At one time, Mr. Gold, did you threaten to commit suicide? A What?

Q Answer my question, please. A No.

Q Did you blame yourself or did you say to people that you blamed yourself for your mother's death?

A I told people that I blamed myself for my mother's death, yes.

Q Did you not at that time express some thoughts or ideas of suicide? A No, never.

Q You told us that you were not a member of the Communist Party. Is that correct? A I never was a member of the Communist Party.

Q You mean you were not a dues-paying member?

A I was not a member. I never wanted to, and I never became one, and I was told by the first Soviet superior I ever had to stay away from them, never to read the Daily Worker, never to go near them --

Q In 1944 --

THE COURT: Are you finished with your answer?

THE WITNESS: Not quite. I was told never to read the Daily Worker, never to read any even liberal literature or even express liberal thoughts.

Q Did you read liberal literature, Mr. Gold?

A Very, very occasionally when it was forced on me by someone.

Q Did you express liberal thoughts? A Very rarely.

Q In 1944 were you living in 6823 Kindred Street, Philadelphia? A Yes, I was, after June of that year.

Q Did you ever live at Boudinot Street?

A I lived at 5032 Boudinot.

Q Did you vote in Philadelphia?

A Yes, I did.

Q Did you register in 1944 as a Democrat?

A I believe that I always registered as a Democrat. I don't think my registration has ever been different.

Q Was that also pursuant to instructions from your Soviet superior?

MR. SAYPOL: I object to that. I think this is getting far afield.

THE COURT: Objection overruled.

A I registered as a Democrat because I believed in general what the Democratic Party was aiming for, but very often I voted a split ticket.

Q I asked you was that pursuant to any direction from your Soviet superior that you registered as a Democrat? A No, it was not, just the way I felt.

Q During your employment at A. Brothman and Associates, Miriam Moskowitz was in charge of the administrative part of the business, is that right? A That is correct.

Q You found her to be very bossy, didn't you?

A I found her to have a violent temper and I avoided her.

Q You found her to be over-aggressive? A Very much so.

Q You found that she had little respect for the professional staff, is that right? A No, in general she had quite a bit of respect --

Q Didn't you complain she did not show sufficient respect for the professional staff?

A I never complained about that part of it.

Q Did you not say she didn't treat you right, that she treated you like an office boy? A No.

Q Did you not say at your indignation meeting that one of your points of complaint was that Miriam treated you and others of the professional staff as office boys and bossed you around? A At the very end she did, at the very end, but you are speaking in general.

MP. KLEINMAN: I move to strike out the last part of his answer, your Honor.

THE COURT: No, it may stand.

You understood him to be speaking that way?

THE WITNESS: I understood him to be speaking in general.

Q Abe Brothman was a prolific writer on scientific

subjects, engineering and processing subjects?

A Abe told me he published many articles.

Q Didn't you find out during the number of years that you knew him that he did in fact publish numerous articles?

A Mr. Kleinman, I read mostly Industrial Engineering Chemistry, which is a journal which contains somewhat more basic articles than the Chemical Metallurgical Engineering where Abe did most of his publication.

Q Did you read in the periodical you just mentioned anything written by Abe Brothman? A I read an article on D.D.T. once.

Q Written by him? A Written by Abe.

Q Did you see other articles written by him?

A That is the only one I can remember having read.

Q Did you see any of the articles in the office files? A There were a lot of articles lying around on desks in the office, but I had very little time to look at them or do anything.

Q Did you ever pick up any of the articles and see his name as the author of them on the articles?

A There were articles there with Abe's name on them. I wasn't interested. I didn't consult them.

Q In the field - that is, in Abe's field - he was considered to be an excellent man professionally, is that right? A Professionally? I know that many

people came to the office and thought that Abe was a good engineer, and I considered him to be one, too.

Q You told us yesterday about certain experiments having been performed by a friend of yours in Columbia on some analytical work that Abe asked you to do for him.

A It was not a friend of mine. The work was done at Columbia by a man at Columbia.

Q You asked the man to do the work, did you?

A I did not ask the man to do the work.

Q It was work that Abe asked you to do?

A It was work that Abe asked me to do.

Q Did you have somebody else ask this man to do the work? A That is correct.

Q Did you ever tell Abe you did not do the work you turned over? A No, I did not.

Q You let him believe that you did the work, is that right? A I could have done the work --

Q You let him believe that you did the work?

A Oh, yes, that is right. It was simpler that way.

Q To come back to the time when you went to Mr. Kiernan's office -- A That is correct.

MR. KLEJNMAN: I ask to have this marked for identification.

X [Marked Defendants' Exhibit R for identification.]

BY MR. KLETNMAN:

Q To refresh your recollection, I call your attention to the date of Defendants' Exhibit R for identification (handing).

A Yes.

Q Does that now refresh your recollection that you appeared in Mr. Kiernan's office on July 31, 1947?

A I stated that yesterday.

Q All right. We have the exact time, the day after you testified before the grand jury. Is that right?

A The day that I testified before the grand jury.

Q The very day? A The very day. I went down there that morning, the 31st of July. I know what I did.

Q Did you tell Mr. Kiernan substantially what you testified to before the grand jury? A Yes, I did.

THE COURT: Did you go to see him before you went to the grand jury?

MR. KLEINMAN: I did not hear your Honor's question, I am sorry.

THE WITNESS: Yes, I did, your Honor, but that was a day or so before.

THE COURT: Then you went back again right after?

THE WITNESS: Right after, that very morning, as soon as I left the grand jury, I went down to Wall Street.

Q As far as you can recall, you left no salient features out of the account that you told Mr. Kiernan, did you? A I don't know.

Q Pardon me? A I don't know.

Q Well, did you at that time intend to tell Mr. Kiernan everything that you testified to before the grand jury? A Yes, I did.

Q Did you ask Mr. Kiernan whether there was anything improper in your telling him what you had testified to before the grand jury? A I don't understand the question, Mr. Kleinman.

Q Any illegality or impropriety in telling Mr. Kiernan what you had testified to before the grand jury?

A I don't recall --

MR. SAYPOL: Just a moment, Mr. Gold.

I think that question is improper in the inference that there may have been something improper in the witness narrating the testimony.

MR. KLEINMAN: I am trying to prove the contrary.

THE COURT: He has merely asked him whether he asked Mr. Kiernan the question, and he said, No, he did not, and the jury is not to infer from the question that there was anything improper.

MR. KLEINMAN: On the contrary, if your Honor wishes to make a direction now that there was nothing improper about it, that is the point I am trying to bring out.

THE COURT: I say that it was perfectly proper for this man to talk to a lawyer about his testimony before the grand jury provided the talk with the lawyer was not in furtherance of any conspiracy.

Q Of course, you never told Mr. Kiernan that there had been an agreement between you and Mr. Brothman as you testified in court here, did you?

A Oh, no.

THE COURT: So that is one element that you did keep from Mr. Kiernan, didn't you?

THE WITNESS: Oh, yes. Yes, surely, that is one element that was kept from Mr. Kiernan, but the question that

I heard Mr. Kleinman put to me, was there any -- yes, that is one element that I did keep. He asked me if there was anything I left out of what I had told the grand jury.

THE COURT: Of course you did not tell that to the grand jury?

THE WITNESS: No.

Q You understood my question, Mr. Gold?

A Yes.

Q When you appeared before the grand jury you waited for some little time before you went inside to testify, is that right? A That is correct.

Q How long did you wait? How long were you sitting in the anteroom of the grand jury?

A Oh, I would say about twenty minutes or half an hour.

Q Did you go to this court house alone on the 31st of July, 1947?

A Yes, I did.

Q Was that in the morning or in the afternoon?

A That was in the morning.

Q When you found out that the FBI had come to see Brothman, and then of course they spoke to you, did you at that time anticipate appearing before some grand jury or other investigating body? A No, I did not.

Q Did you not anticipate that somebody would ask you questions after the FBI got through asking you questions?

A No, I did not.

Q Well, when you found out that Brothman had received a subpoena you felt, did you not, that you would also receive a subpoena? A Yes. I went to check on it at Brothman's request.

Q Did you intend to tell the grand jury the truth if you had not been influenced, as you say, by Brothman's talking to you?

MR. SAYPOL: That is immaterial, if the Court pleases.

MR. KLEINMAN: I think that goes to the essence of the case.

THE COURT: May I hear the question again?

(Question read.)

MR. SAYPOL: My objection to that question is that it is not what this witness intended to do. The charge is what he did as a result of Brothman's influence.

THE COURT: Yes, you are right. I will sustain the objection.

MR. KLEINMAN: I except to it, and I ask your Honor to instruct the jury to disregard the reason given by Mr. Saypol. That is a legal proposition.

THE COURT: Well, if it is a correct legal proposi-

tion --

MR. KLEINMAN: I am just objecting to it and I take an exception to it.

Q What I want to find out from you, Mr. Gold, is this: was it only because Brothman spoke to you and told you what he had testified to that you lied when you appeared before the grand jury?

MR. SAYPOL: Once again I object. That is the jury's province to decide here and not the witness's. The witness has given his testimony concerning the circumstances under which this story was fabricated and narrated to the grand jury. Counsel now asks him whether that was the only reason. I think it is immaterial. I think the proof of the charge is on the basis of the evidence and the testimony of the witness and it is for the jury to determine --

THE COURT: I will sustain it.

MR. KLEINMAN: Pardon me.

THE COURT: It is sustained.

MR. KLEINMAN: Exception, sir.

Q Were you mindful of the fact that if you told the grand jury the truth about yourself that you would have laid yourself open to indictment and prosecution for spying and your life would have been at stake?

MR. SAYPOL: Can that question be re-read to me,

please?

(Question repeated.)

MR. SAYPOL: I submit that that is no element of the charge here. The charge is based on the indictment that accuses Brothman --

THE COURT: I will sustain it.

MR. KLEINMAN: Exception, sir.

Q In 1947 on May 29th, when you first spoke to the FBI agents, regardless of conversations with Mr. Brothman, did you want to tell the FBI the truth?

MR. SAYPOL: Same objection. It is not a question of what he wanted to do, it is what he did.

THE COURT: You see, you have two charges in this indictment: one is conspiracy to obstruct justice and the other is the endeavor by Brothman to corruptly influence this witness in his testimony.

MR. SAYPOL: The grand jury has not charged this defendant except as a co-conspirator. Regardless of what he might have intended, the charge is predicated on what he did.

THE COURT: I will sustain it.

MR. KLEINMAN: Exception, sir.

Q When were you first aware of the fact that Dr. Klaus Fuchs had been apprehended in England?

A In early February of 1950.

Q Did you read that in the newspapers or did some Soviet superior tell you about it?

A I read it in the newspapers.

Q And at or about the time that you learned of Dr. Klaus Fuchs' arrest you also learned from the newspapers that he confessed; do you recall that?

A That is correct.

Q Did any of your Soviet superiors give you any added information concerning Dr. Fuchs, his arrest or his confession at that time?

A I saw no one from February, after Fuchs' arrest, up until the time of my own arrest.

Q And that was about February of 1950?

A That is correct, to the end of May I had never seen anyone.

Q The end of May is the time when you first started talking to the FBI and when you turned yourself over voluntarily into their custody?

A That is correct.

Q Between February and May, I take it you gave some thought to the possibility of Dr. Klaus Fuchs having involved you, is that right?

A I did.

Q So that when the FBI started to talk to you you had that in mind, that Dr. Fuchs may have given them

information concerning your participation in the atomic bond or the nuclear fission spying, is that right, Mr. Gold? A That is not quite right.

Q You mean you gave it no thought?

A I gave it thought all right, but the inferences that you have drawn are not right.

Q Did you between the time that you learned of Dr. Fuchs' confession and the time that you were questioned by the FBI, did you decide upon a course of conduct or action that you would take in the event that you were apprehended or questioned by the FBI?

A Yes, I did.

Q Did you decide to tell the truth or to lie when they questioned you? A I related that the other day --

Q No, please answer my question.

THE COURT: All right, relate it again.

THE WITNESS: I acted exactly as I decided upon. First, I decided that since Fuchs had already disclosed many of the facts involving our espionage activities, that I would confess completely to my activities with Dr. Fuchs, but that I would not reveal the names of any of my Soviet superiors or anything that I knew about them, and I would not reveal anything about any of my American contacts. In other words, I would, as they say, take the rap myself.

I decided that because I wanted to spend as much time with my family as possible and to keep them in ignorance of what I had done, that I would fight for time, and also I wanted as much time as possible to complete the work in the Heart Station, or to get it in as good a shape as possible. That was my course of action and I stuck to it.

Q You had many reasons then for taking this course of action. Was one of the reasons an effort to save your own life? A Yes, I made full -- the very first statement that I made to the FBI was, "Yes, I am the man who got information on atomic energy from Dr. Klaus Fuchs."

Q. Was that not only after you had denied having been west of the Mississippi, and they put it to you that you had been in Santa Fe; isn't that right?

A That is correct.

Q And it was only then that you admitted your complicity with Dr. Fuchs? A It was then, and I did it for a very good reason. The reason was this: the evidence at that time was purely circumstantial -- purely circumstantial -- and I realized that I could possibly fight this thing --

Q You mean lie your way out?

A That is correct. I realized that I could possibly fight this thing, and I knew if I did that my father and brother, all of my boyhood friends, would rally around me,

all of the people at the Heart Station, Dr. McMillan, Dr. Bellet and Dr. Steiger, who trusted me and who had faith in me, would rally around me, but I knew that once the FBI began to probe into the hideous snarl that was my life, once they pulled one thread, the whole horrible skein would become untangled and inevitably -- I knew that inevitably I would be exposed. So I made my choice because I didn't want these people who would rally around me to be so terribly disillusioned.

Q Yes, but you did not make your choice immediately, did you? A I made it -- I take exception to that, and here is what happened.

MR. KLEINMAN: Your Honor, I move to strike that out.

THE COURT: Go ahead and answer the question.

A I said, "Yes, I am the man to whom Klaus Fuchs gave the information on atomic energy." And I sat down in a chair in my home, and the FBI man gave me a cigarette and I asked for one minute during which -- and they gave it to me -- during which a thousand things went through my mind; everything went through my mind, and I didn't even need that minute to come to the decision.

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Gold-cross

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Q Did you at first deny that you had been west of the Mississippi? A I had denied that the week before.

Q Beginning with the first time that the FBI spoke to you, at that time you denied any knowledge of Dr. Fuchs; is that right?

A I stated before that for a whole week I fought desperately for time.

Q You fought to save your life, didn't you?

A I fought desperately for time with my family, and I fought desperately for time to complete the work at the heart station.

Q Would you lie to save your life? A Now? No.

Q I didn't ask you about now. Would you lie to save your life when you spoke to the FBI in May of 1950?

A In May of 1950 I lied desperately.

MR. KLEJNMAN: That is all.

THE COURT: Mr. Saypol?

MR. SAYPOL: No further cross, Mr. Kleinman?

MR. KLEJNMAN: No, your witness, Mr. Saypol.

MR. SAYPOL: Will your Honor bear with me for just one moment?

THE COURT: Yes.

MR. SAYPOL: I have no redirect.

THE COURT: Step down.

THE WITNESS: Thank you, your Honor.

gm Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. BELMONT *9/26*

DATE: December 19, 1950

FROM : MR. HENNRICH *3/2/70*

SUBJECT: ABRAHAM BROTHMAN;
MIRIAM MOSKOWITZ.
ESPIONAGE - R

Tolson	
Ladd	
Clegg	
Glavin	
Nichols	<i>[initials]</i>
Rosen	
Tracy	
Harbo	
Mohr	
Tele. Room	
Nease	
Gandy	

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PURPOSE

To set forth the recent developments as to the prosecution of Abraham Brothman and Miriam Moskowitz, for the purpose of bringing up to date the information previously set forth for budget hearing testimony.

DETAILS

The trial of Brothman and Moskowitz commenced on November 10, 1950, in the United States District Court for the Southern District of New York. On November 22, 1950, the case was placed in the hands of the jury who, after due deliberation, returned a verdict of guilty as to each defendant. Federal Judge Irving Kaufman on November 28, 1950, imposed sentence against these subjects. Brothman was sentenced to serve two years in a penitentiary and pay a fine of \$10,000 on Count No. 1 of the indictment and to serve five years and pay a fine of \$5,000 on Count No. 2. It was ordered that the sentences were to run consecutively and that Brothman was to stand committed until his fine was paid. At the same time, Judge Kaufman sentenced Moskowitz to serve two years in the penitentiary and pay a fine of \$10,000 on Count No. 1 of the indictment. She was likewise ordered to stand committed until her fine was paid.

RECOMMENDATION

It is recommended that this information be made available to the Administrative Division for their information and use in connection with the preparation of material for the budget hearing.

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cc: 100-378679

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JAN 5 5 53 PM '51
DEPT OF JUSTICE

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Office Memorandum • UNITED STATES GOVERNMENT

TO : THE DIRECTOR

FROM : MR. LADD *oJk*

SUBJECT: ABRAHAM BROTHMAN
ESPIONAGE - R

DATE: January 3, 1951

ALL INFORMATION CONTAINED
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Tolson ✓
Ladd ✓
Clegg ✓
Glavin ✓
Nichols ✓
Rosen ✓
Tracy ✓
Mohr ✓
Tele. Room
Nease
Gandy

PURPOSE

To answer your inquiry as to whether United States Attorney Irving H. Saypol personally verified through a check of Police Department records the information concerning Brothman's 1941 New York automobile license No. 2N9088, as furnished by Harry Gold. This is to advise that the file in this matter reflects that the verification of instant license number as being that on the car of Abraham Brothman in 1941 was obtained through an investigation at the New York Police Department by an Agent of the Bureau.

DETAILS

Leonard Lyons, Columnist, indicated in his column, a copy of which is attached hereto, that the original information concerning the license number on the car driven by Brothman in 1941 was 2N9088; further, that United States Attorney Saypol, upon learning that Brothman frequently parked his car in front of fire hydrants, checked the Police Department records and obtained the corroboration with respect to instant license number having been issued in the name of Brothman.

A review of the file in this matter reflects that at the time of the search made by Agents of the Bureau subsequent to the arrest of Harry Gold, a small card was located in his possession on which appeared his instructions for his first contact with Brothman. In these instructions there was set forth as an identification of the car in which Brothman would appear the New York License No. 2N9088.

The file reflects that a check was made of the records of the New York State Motor Vehicle Bureau, but it was determined that all automobile registration records for the year 1941 had been destroyed. (Ibid. 310, p.18)

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Subsequently, according to the file, Special Agent August J. Micek made a check at the New York City Police Department, at which time he determined from their records that summons had been placed on the car owned by A. Brothman on August 11, and August 15, 1941; further, that Brothman's car, at the time of the summons, had New York License No. 2N9088. (Ibid. 310, p.18)

The information regarding the Police Department records was developed by FBI Agents and not by Saypol.

ACTION

None. This is for your information.

FROM

DO-7

OFFICE OF DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

TO

OFFICIAL INDICATED BELOW BY CHECK MARK

Mr. Tolson	<input checked="" type="checkbox"/>	()
Mr. Clegg	<input type="checkbox"/>	()
Mr. Glavin	<input type="checkbox"/>	()
Mr. Ladd	<input type="checkbox"/>	()
Mr. Nichols	<input type="checkbox"/>	()
Mr. Rosen	<input type="checkbox"/>	()
Mr. Tracy	<input type="checkbox"/>	()
Mr. Harbo	<input type="checkbox"/>	()
Mr. Belmont	<input type="checkbox"/>	()
Mr. Mohr	<input type="checkbox"/>	()
Mr. Nease	<input type="checkbox"/>	()
Miss Gandy	<input type="checkbox"/>	()
See Me	<input type="checkbox"/>	()
Note and Return	<input type="checkbox"/>	()
For Your Recommendation	<input type="checkbox"/>	()
What are the facts?	<input type="checkbox"/>	()
Remarks:		

What about this? Is it correct & did Daypal do all of this or was it the work of our men?

H1

*Memorandum
1/3/50*

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DATE 4/8/87 BY 3042PWT

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ENCLOSURE

And as for suga
coffee during the last tra...
I won't have to learn to do without tea.

At the moment I have a mad on at Washin...
not under any circa wish it a happy New Year.

But no matter how mad I get at officialdom I ha...
fallen out of love with my countrymen. I think Americ...
are nice, and you can quote me.

And at the moment I think they are several light miles
ahead of their government, prepared to make 10 times the
sacrifices the men in office are afraid to ask of this great
people.

If I am frustrated it is not because I don't have a new
fur coat but because on the eve of a new year my govern...
ment does not tell me what vital duties I must perform, what
small—by any measure—sacrifices I must make to see this
new year through the way I begin it: As an American, me and
150,000,000 other Americans.

I wouldn't be surprised in 1951 if things get worse before
they get better. A lot of things wouldn't surprise me, mainly
unpleasant.

But I've got to admit it: I'll be glad to be alive and kicking.
I suspect most people will, too. I guess I can put up with the
new year if it can put up with me.

Other Columnists Say

Tell-Tale Evidence

LEONARD LYONS: When scientist Harry Gold turned
state's evidence and agreed to testify in the Brothman spy trial,
he told the federal investigators that an espionage contact was
made in 1941 in a car owned by Brothman. Gold said that the
license number was 2N9088. A check was made at the bureau
of motor vehicles for the ownership registration, but the bureau
reported that its 1941 records had been destroyed . . . The pro-
secutor, U. S. Attorney Saypol, then learned that Brothman
frequently parked his car in front of hydrants. He checked the
police department records and there obtained the corroboration
—for twice in the three-day period mentioned by Gold, the owner
of the car whose license number was 2N9088, Brothman, re-
ceived tickets for illegal parking.

Not Aggressive

CONSTANTINE BROWN: The Chinese people have never
been known to be aggressive. Whatever foreign wars they
have fought in the last 100 years were forced on them. They
relish fighting each other for power, but they have never, in
modern history, been the aggressors.

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Urge!

PAPI

FEDERAL BUREAU OF INVESTIGATION

FORM NO. 1
THIS CASE ORIGINATED AT

NEW YORK

~~SECRET~~ 014297

NY FILE NO. 100-95068 Jvl

REPORT MADE AT NEW YORK	DATE WHEN MADE 12/29/50	PERIOD FOR WHICH MADE 10/18-20, 23-28, 30-11/22, 24, 27; 12/1, 4, 7/50	REPORT MADE BY JOHN O. ROLLINS
TITLE ABRAHAM BROTHMAN, was,			CHARACTER OF CASE ESPIONAGE - R OBSTRUCTION OF JUSTICE

SYNOPSIS OF FACTS:

All information contained herein is unclassified except that beginning with paragraph 3 on page 35, and ending with paragraph 1 on page 39, which information is Classified Secret, and the identity of T-8, page 72, which is classified Secret. 10/17/75

Subject tried before US District Judge, SDNY. Trial began 11/8/50. Convicted 11/22/50 on both counts. Sentenced 11/28/50 to 5 years imprisonment and \$5,000 fine on second count and 2 years imprisonment and \$10,000 fine on first count. Serving of sentence on first count to begin after completion of sentence on second count. Additional material received from ~~XXXXXXXXXX~~ GOLD includes information that BROTHMAN was interested in working for the Soviet Union openly and would furnish Soviet Union extremely valuable data. BROTHMAN and GOLD visited Amtorg Office in effort to obtain business from them. GIBBY NEEDLEMAN, Amtorg Attorney, advised GOLD and BROTHMAN not to talk to FBI agents in 1947. NEEDLEMAN allegedly dissuaded BROTHMAN from telling the truth to Grand Jury in 1947 about his espionage work. GOLD dismissed from BROTHMAN'S firm in 1948 after indignation meeting between BROTHMAN and his employees. SHURA SWAN identified as ALEXANDER SVENCHANSKY, employed at UN. In first interview he refused to answer questions regarding BROTHMAN. USA, SDNY issued a subpoena for him. In later interview advised he knows BROTHMAN and wife since

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4/9/57

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INVESTIGATION SHEET DETACHED
HANDLED SEPARATELY.

APPROVED AND FORWARDED <i>[Signature]</i>	SPECIAL AGENT IN CHARGE	Contributed \$500 when BROTHMAN'S
55 FEB 16 1951		100-365040-493 RECORDED
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5 - Bureau (100-365040) (4 Encls.) 1 - Los Angeles (65-5033) (Info) 1 - Philadelphia (65-4318) (Info) 1 - San Francisco (65-4199) (Info) 1 - Washington Field (100-21470)		JAN 8 1951 37 100-365040-493

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SECRET

NY 100-95068

bail fund. Asked by BROTHMAN to translate certain articles for him which BROTHMAN claimed were necessary for his defense. These dealt with atomic energy. THOMAS BLACK advised that GOLD when about to be inducted in Army spoke to him about taking over BROTHMAN. BLACK claims he told GOLD that this would be foolish since he himself expected to be inducted. States BROTHMAN has been sympathetic to Communist movement and to Soviet Union for many years. Results of handwriting examination by FBI Lab set out. Parole report and disposition sheet enclosed.

- P -

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NY 100-95068

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~~SECRET~~I - TRIAL AND SUBSEQUENT LEGAL PROCEDURES

The trial of ABRAHAM BROTHMAN and MIRIAM MOSKOWITZ began November 8, 1950, before IRVING R. KAUFMAN, United States District Judge for the Southern District of New York, in accordance with the ruling of Federal Judge WILLIAM H. BONDY made October 30, 1950. At the opening session of this trial certain preliminaries were disposed of including the ruling of Judge KAUFMAN to remand both defendants to the custody of the United States Marshal during this trial. Both sides were instructed by the judge to be prepared to begin with the selection of a jury on November 10, 1950. The government was represented at this session and throughout the entire trial by United States Attorney IRVING R. SAYPOL and his assistants ROY M. COHN and JOHN M. FOLEY. Special Assistant to the Attorney General THOMAS J. DONEGAN also assisted throughout the trial in an advisory capacity. WILLIAM W. KLEINMAN, MORTIMER SATTLER and WILLIAM L. MESSING represented the defendants. The entire day of November 10, 1950 was consumed with the picking of a jury consisting of twelve individuals plus four alternates.

On November 13, 1950, the actual taking of testimony began after the opening statements of the prosecution and the defense. The following individuals appeared for the government during the course of this trial:

SA DONALD E. SHANNON
Mrs. ADELAIDE LOWE
Miss ELIZABETH T. BENTLEY
HARRY GOLD
Miss JEAN NIEMASECK
SA FRED C. BIRKBY
Patrolman JOSEPH T. WALSH,
New York City Police Department

Defense witnesses were:

BENJAMIN G. DANN,
Sales Manager,
New York Office,
Hendrick Manufacturing Company
30 Church Street.

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THEODORE R. OLIVE,
Associate Editor of "Chemical
and Metallurgical Engineering"
Published by Mc Graw-Hill
Publishing Company.

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On November 22, 1950, both the defense and the government delivered their summations and Judge KAUFMAN charged the jury. At 8:50 PM on this day the jury brought in a verdict of guilty for BROTHMAN on both counts and for MOSKOWITZ on the one count. Both defendants were continued by the court in the custody of the United States Marshal.

On November 28, 1950, BROTHMAN was sentenced to five years imprisonment and \$5,000.00 fine on count two and two years imprisonment and \$10,000.00 fine on count one. According to Judge KAUFMAN'S ruling the serving of the sentence on count one is to begin after the serving of the sentence on count two has been completed.

MOSKOWITZ was sentenced to two years imprisonment and \$10,000.00 fine. Both defendants are to stand committed until these fines are paid.

The records maintained by the Clerk of the Court, Southern District of New York, reflect that an appeal in this case was filed November 30, 1950.

In answer to a Writ of Habeas Corpus Ad Testificandum both defendants appeared before SYLVESTER J. RYAN, United States District Judge, Southern District of New York, on December 7, 1950, where they were both sworn in. They were then brought to the office of Assistant United States Attorney, VINCENT P. RAO, where they were examined in supplementary proceedings to determine their assets. This was in connection with the government's attempt to collect their fines.

Also on December 7, 1950, WILLIAM W. KLEINMAN made an application for bail pending appeal before Judge HARRIE B. CHASE of the United States Circuit Court of Appeals; however, as this application was not made before a full bench of this court, it was adjourned until December 13, 1950.

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~~SECRET~~II - ADDITIONAL INFORMATION FROM HARRY GOLD

The following information from HARRY GOLD was obtained by the writer and SA THOMAS H. ZOELLER:

GOLD stated that ~~SAM~~, his Soviet superior, began telling him about BROTHMAN and referring to him by name in about August, 1941. One meeting was scheduled at which time SAM was going to introduce BROTHMAN to GOLD personally; however, at this meeting SAM appeared and told GOLD that the meeting was cancelled. According to GOLD, the next meeting occurred on September 22, 1941, which was the night of Rosh Hashana. At this meeting SAM again appeared and told GOLD that BROTHMAN had to be home that night because of the religious holiday. GOLD recalls that he was angry about this since the meeting was scheduled for after sundown which was actually after the holiday had ended and, therefore, there was no reason why BROTHMAN could not come to this meeting. GOLD stated that on this occasion SAM intended again to make the introduction personally.

GOLD further stated that with regard to his meetings with SAM, they would make plans at each meeting for the following meeting. SAM never communicated with GOLD prior to a meeting to cancel it. Instead GOLD would always show up for the meeting, wait for about an hour, and if SAM did not appear he would go home. He would then return a week later to the same place at the same time. GOLD advised that if he arrived for two meetings and SAM did not come this was a signal to go, on the third week, to an emergency meeting place which would have been previously agreed upon by SAM and GOLD. According to GOLD, they would vary these emergency meeting places from time to time.

Regarding what information BROTHMAN told GOLD about HELEN (~~ELIZABETH T. BENTLEY~~) GOLD said that in the first two or three meetings he had with BROTHMAN, BROTHMAN was very inquisitive about HELEN, asking "How is she?" etc. GOLD, according to his instructions from SAM and his other Soviet superiors to know everything always, stated that HELEN was fine and gave BROTHMAN the impression that

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he knew all about her. GOLD recalled that about the time BROTHMAN switched his employment to the Chemurgy Design Corporation they were discussing how pleased the Soviets had been with the Buna-S report. At that time BROTHMAN told GOLD that he was very glad to be rid of HELEN as she had no technical background.

About a year later, BROTHMAN told GOLD that HELEN had been a very peculiar Soviet agent as she had tried to seduce him. GOLD added that one of the reasons why BROTHMAN probably did not get along with HELEN was because she strictly adhered to instructions, acted only as a courier, and would give him practically no help in getting his material ready.

GOLD advised that it was not his practice to help his contacts but since SAM had said to get BROTHMAN'S material out, GOLD was doing it in any way that he could. Therefore, he said he gave BROTHMAN considerable help in preparing reports and assembling them without SAM'S knowledge.

At GOLD'S second meeting with BROTHMAN, which took place in the Childs Restaurant on the west side of Columbus Circle in New York City, GOLD gave BROTHMAN a verbal list of things in which the Soviets were interested. GOLD had previously obtained this list from SAM. This list included production of aviation gasoline, techniques of rubber manufacture, particularly synthetic rubber, anything pertaining to aircraft, petroleum lubricating material, colloidal graphite, strategic chemicals like acetone and butyl alcohol, plus anything of military value.

BROTHMAN once told GOLD that in the past he had given information on the Houdry Cracking Process. GOLD had the impression but could not assign any reason for it that this material was given to JACOB SOLOS. BROTHMAN, however, later told GOLD that what made him angry was that ~~Amstrong~~ Trading Corporation later bought a Houdry plant from the ~~Sun~~ Oil Company which company owns the sole rights to the ~~Houdry~~ Process.

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GOLD got the impression also from what BROTHMAN told him that the Hendrick Company was supposed to have built a Houdry plant for the Esso Oil Company which company had obtained the rights for this particular plant from the Sun Oil Company. According to GOLD, BROTHMAN was able to obtain the information about the Houdry Process since he was employed at the Hendrick Company.

GOLD also advised that a few days after GOLD'S interview by FBI agents on May 29, 1947, he and BROTHMAN conferred at BROTHMAN'S home in Peekskill, New York. Among things discussed on this occasion was the search of GOLD'S home by FBI agents sometime over the Memorial Day Weekend in 1947. BROTHMAN was worried about the blue prints which the agents might have found and was critical of GOLD for having admitted to them that he still had blue prints in his home which he had received from BROTHMAN.

BROTHMAN again tried to press on GOLD the story that GOLD was helping BROTHMAN write a book on some chemical processes. It was at this meeting that BROTHMAN and GOLD agreed to cooperate with the FBI or at least give an appearance of cooperation despite the counsel of GIBBY NEEDLEMAN. Further, BROTHMAN wanted to know all about GOLD'S espionage activity and continually kept pressing him for more information. However, GOLD said that he did not give him any more.

GOLD recalled that between the time that he got his subpoena to testify before the Grand Jury and the time he actually testified on July 31, 1947, BROTHMAN gave him a copy of a transcript which BROTHMAN had dictated to his attorney, THOMAS KIERNAN, immediately after BROTHMAN testified before the same Grand Jury on July 22, 1947. According to GOLD, BROTHMAN gave him this transcript to read so that GOLD would know exactly what BROTHMAN had said.

GOLD further stated that the night before he testified they left BROTHMAN'S office at about 11:30 PM. MIRIAM MOSKOWITZ accompanied them. She, however, urged them to take her home early so that they could discuss the story GOLD would tell the Grand Jury on the following day.

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BROTHMAN decided, however, that before taking MOSKOWITZ home, he would pick up PHILIP LEVINE in Woodside, New York. After picking up LEVINE they took MOSKOWITZ home. Then LEVINE, GOLD and BROTHMAN rode around in BROTHMAN'S car for about four hours during which time BROTHMAN discussed the Communist Party line in effect at that particular time. BROTHMAN'S excuse for picking up LEVINE in the first place was to try to talk him into leaving his present job and work with A. Brothman and Associates. However, according to GOLD, BROTHMAN talked about everything else but that subject.

At about 4:00 in the morning on July 31, 1947, BROTHMAN and GOLD finally arrived at BROTHMAN'S home; however, before actually entering BROTHMAN'S apartment house they walked on Skillman Avenue discussing the story GOLD was to tell the Grand Jury. During this walk BROTHMAN stated to GOLD that the main thing was to tell the same story that he told to the Grand Jury.

GOLD stated that after he testified he also went to see BROTHMAN'S attorney, Mr. KIERNAN, upon BROTHMAN'S instructions and told KIERNAN exactly what he had told the Grand Jury.

GOLD also advised that in 1948 when he left the BROTHMAN firm, BROTHMAN said to him to remember the "Rover Boys" and not to pull a "LOUIS BUDENZ." At this time BROTHMAN wanted to go over the facts again but GOLD refused saying that both of them knew the facts.

GOLD also recalled that in 1948 BROTHMAN favored the principles of FRANCIS FRANKLIN. BROTHMAN, according to GOLD, was continually speaking in favor of the material FRANKLIN was publishing at this time and tried to influence GOLD and everyone else connected with him into following the Franklin line.

In this connection it should be noted that both ROLY WOLLAN and his brother, GERHARD NORVAL WOLLAN, state that BROTHMAN was in favor of the expulsion of EARL BROWDER and talked against BROWDER'S policies.

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It appears possible, therefore, in view of the above information from GOLD, that BROTHMAN and MOSKOWITZ had their trouble with the Communist Party as previously reported over BROTHMAN'S support of FRANKLIN rather than over his championing the cause of EARL BROWDER.

The "Daily Worker", an East Coast Communist newspaper, on March 24, 1948, announced that FRANCIS FRANKLIN had been expelled from the Communist Party after an investigation that resulted in three main charges. These are as follows:

"That he had for a considerable period of time in his club section and place of employment and through other channels worked to undermine the discipline, unity and authority of the Party.

"That he had been the center of the factional group in the Party seeking to split the organization.

"That he had carried on disruptive activities trying to create a dissident group within the Jefferson School where he was employed as a teacher which had reflected discredit on the Party before the teachers and students of that progressive people's school."

The following additional information regarding GOLD'S association with BROTHMAN was furnished to SAS RICHARD E. BRENNAN and T. SCOTT MILLER:

Over a period of years, between 1943 and March 1946, BROTHMAN, on several occasions, requested GOLD to ask his Soviet superiors whether they could furnish him with an arrangement whereby he could work for the Soviet Union through ~~Amorg~~, doing chemical engineering design work. BROTHMAN explained that he would require sums in the amount of \$25,000.00 or \$50,000.00 to obtain the proper setup for carrying this out.

In addition, GOLD said, on two occasions BROTHMAN told him: (1) that he had two friends, OSCAR ~~WAGO~~ and

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JACK MILLER, whom he desired to employ at the Chemurgy Design Company, but he needed several hundred dollars a week to pay their salaries. He said that if he could employ these men, it would greatly expedite the transfer of information to the Soviet Union. GOLD said he spoke to his Soviet superior, SAM, about this and the offer was abruptly rejected. (2) On a later date, sometime before September of 1944, BROTHMAN told GOLD that he had a friend by the name of GUS WOLLAN whom he could employ at Chemurgy provided the man's salary could be paid. BROTHMAN desired to employ WOLLAN to expedite the transfer of information to the Soviet Union. This time GOLD never even mentioned it to SAM but he told BROTHMAN at a later date that the proposition had been rejected.

Regarding the matter of subsidizing BROTHMAN so that he could do chemical engineering design work for the Soviet Union, BROTHMAN told GOLD that it was the one desire of his life to be able to work in such a fashion, openly. According to GOLD, BROTHMAN said that he would gladly work with only the slightest margin of profit, just so he made enough for the ordinary wants of life and that he would furnish the Soviet Union with extremely valuable data. He emphasized the fact that by having his own organization he would be able to travel all over the United States and obtain process data in other fields in which the Soviets might be interested. Thus, the idea was that not only would this chemical engineering organization function legitimately but would serve as a focal point for espionage activities. GOLD stated that he never got very far in explaining any of this to SAM because he was always cut off very sharply and told that the whole idea was ludicrous.

The one point that was hammered home by SAM and every single one of the other Soviet agents whom GOLD knew was the fact that they were totally uninterested in anything that an individual might design. What they wanted were proven processes--ones already in successful operation in the United States. In fact, the Soviet agents all went a step further, and they said that they much preferred to have a process which worked at say 80% efficiency but did so consistently to one which worked at 95% efficiency but which was only in the experimental or

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theoretical stage. In fact, they not only preferred but they insisted on proven processes. It was emphasized to GOLD again and again that the only work they would consider taking from BROTHMAN was that which involved plants already in successful operation in the United States. The Soviet agents, according to GOLD, had an absolute veneration and holy respect for American technological skill.

GOLD said that he began work for the BROTHMAN Organization in late May of 1946. After he had been in New York for a week, BROTHMAN notified him that MIRIAM MOSKOWITZ and he would meet with a man called CHAPIN. This meeting did occur on a weekday morning. It occurred at a residential club up on the South Side of 57th Street, off Lexington Avenue or Madison Avenue. BROTHMAN had told GOLD and MOSKOWITZ that CHAPIN might be able to arrange a contract for them designing and directing plants for the production of synthetic vitamins, particularly those of the B Complex type. Miss MOSKOWITZ and GOLD met with CHAPIN and as a result of this meeting a future meeting was arranged with a man called TVERIANOVICH of the Amtorg Corporation. GOLD said that he was terribly upset when he heard of this impending meeting from ABE and on the night of the very day that he heard of it he sat up with BROTHMAN and MIRIAM MOSKOWITZ in Miss MOSKOWITZ' apartment on Eighth Avenue until 4:00 AM listening to BROTHMAN harangue against the perfidy of the Amtorg Corporation.

Here again he mentioned how shabbily his friend SHURA SWAN had been treated. Very reluctantly at the end of the harangue GOLD agreed to go with BROTHMAN to Amtorg the following day.

Accordingly, GOLD and BROTHMAN met TVERIANOVICH and the Russian notified them that before any contract could be obtained a prospectus must be submitted. BROTHMAN and GOLD discussed the fact that such a prospectus would cost in the neighborhood of \$10,000.00 to \$20,000.00 to prepare and they began to worry about whether they could afford to go ahead with such a project without any guarantee of obtaining the work.

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As a result of this discussion with BROTHMAN, a luncheon engagement was arranged at the Vanderbilt Hotel a few days later between JULES KORCHIEN, a BROTHMAN partner, GIBBY NEEDLEMAN, attorney for Amtorg, BROTHMAN, and GOLD. This was the first time GOLD said that he met NEEDLEMAN. This meeting was arranged by JULES KORCHIEN who knew NEEDLEMAN intimately. During this luncheon engagement, NEEDLEMAN stated that he would exert his best efforts on behalf of BROTHMAN'S firm but that it was not the usual Soviet policy to make advance payments for just a prospectus on a process.

There followed, during the summer of 1946, three or four subsequent meetings between BROTHMAN, TVERIANOVICH and GOLD. These were all at the Amtorg offices as had been the first meeting with TVERIANOVICH. At almost all of these NEEDLEMAN was present either at the beginning or at some subsequent time. During these meetings BROTHMAN and GOLD turned over to TVERIANOVICH a fairly complete prospectus for the manufacture of certain synthetic vitamins of the B Complex--Thiamine (B1), Niacin, Pantothenic Acid, Pyridoxine (B6), Riboflavin (B2), and Ascorbic Acid (Vitamin C). This prospectus consisted of the chemical reactions by which it was proposed to make each vitamin, drawn out on full-scale blueprint paper and over-all estimates of the cost of regular production of each of the particular vitamins. Some engineering calculations were added as illustrative examples. All of this work was turned over to TVERIANOVICH.

It should be added that when BROTHMAN and GOLD initially submitted the prospectus TVERIANOVICH rejected it saying that they should be very careful not to infringe on any existing patent structures either in the United States or elsewhere. Therefore, the reactions by which they proposed to prepare these vitamins were novel but completely untried. They were textbook ideas. Possibly this is the reason they never heard any further about it.

TVERIANOVICH, however, was pleased with the work and told them that he would try to expedite a contract as

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soon as possible. In October or November of 1946 BROTHMAN, NEEDLEMAN and GOLD had their final meeting with TVERIANOVICH. This was held not in the Amtorg offices but in a small bar across the street on Madison Avenue. GOLD said that they never saw TVERIANOVICH again.

They did not hear anything on this for several months thereafter. Eventually a meeting was arranged by NEEDLEMAN with TVERIANOVICH'S successor. GOLD said that he could not recall his name. He stated that he was a small man of about 5' 5". This meeting took place in the Amtorg offices and the Amtorg representative who had succeeded TVERIANOVICH said that he would look into the matter but he had no knowledge of it. Nothing ever came out of this.

Sometime in April of 1947, BROTHMAN called GOLD from the laboratory into the BROTHMAN offices at Long Island City. He told GOLD that he had been notified by NEEDLEMAN that the Soviets were interested in a plant for the production of penicillin by means of fermentation processes. BROTHMAN wanted to know if GOLD knew anything about this. He replied that he did not but his friend, TOM BLACK, in Philadelphia, did. GOLD told BROTHMAN that BLACK had done a considerable amount of espionage work on behalf of the Soviet Union and in addition had his own personal knowledge of the penicillin process.

That very afternoon GOLD advised that he called TOM BLACK and that evening he came to New York. He met with BROTHMAN, MIRIAM MOSKOWITZ and GOLD in the BROTHMAN offices in the Chatham-Phenix Building in Long Island City. During the course of this meeting BLACK detailed for them the salient points of the methods used for the production of penicillin by fermentation and its recovery from the fermentation mash. Based on this, BROTHMAN prepared a short but complete prospectus and he submitted it the following day to one of the Amtorg men in their offices--the man who was interested in the process. The appointment was made by GIBBY NEEDLEMAN at the request of BROTHMAN.

However, the prospectus received a very cold reception and the only question that the Amtorg representa-

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tive seemed to want answered was, "Have you ever built any penicillin plants before in the United States and, if so, where are they in successful operation so that I can go and look at them and see for myself?" At one stage during the talk with the Soviet representative, the Russian made inquiries about another process, an industrial chemical one, and BROTHMAN stated that he knew how the process operated. The Soviet representative then asked him very quickly, "How?", and BROTHMAN could not answer--he was at a complete loss--he had not expected this inquiry.

This was the last time that GOLD ever visited the Amtorg offices in company with BROTHMAN and this is the last time that he ever heard from BROTHMAN of any overtures which he made to the Amtorg Corporation.

On returning to Long Island, late that afternoon, after this visit to Amtorg, BROTHMAN was exceedingly critical of the manner in which Amtorg operated its business and said that they failed to appreciate people who really had information of value for them and that he had run into many instances of this in the past.

Sometime in February or March 1947 BROTHMAN informed GOLD that he was now using GIBBY NEEDLEMAN as the firm's attorney in connection with negotiations going on between the BROTHMAN company and a man called Dr. POM (POMERANIEC) of England. BROTHMAN was attempting to use POM as a promoter in marketing some of the BROTHMAN processes to a firm called GUS (Great Universal Stores) which firm was owned by a man called WOLFSON in Great Britain.

A day or two before Memorial Day of 1947, when both BROTHMAN and GOLD were visited by SAs DONALD E. SHANNON and FRANCIS D. O'BRIEN of the FBI, and during his conversation that afternoon with ABE in the BROTHMAN offices, he told GOLD at the very end of the conversation that MIRIAM MOSKOWITZ was already on her way over to see GIBBY NEEDLEMAN at the Amtorg offices, the idea being to seek legal advice about how to answer any interrogation.

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That night during the course of their conversations at the restaurant on Queens Boulevard called Sunny's of Chinatown, MIRIAM told ABE and GOLD that she had been followed on her way over to Amorg in the BROTHMAN car but that she had succeeded in shaking the pursuit and had seen NEEDLEMAN. She said that NEEDLEMAN'S advice was to refuse to talk to the FBI and to claim they were too busy because he thought that by doing any talking they might incriminate themselves. A few days later, GOLD returned to New York after having gone to Philadelphia. This was still the Memorial Day Weekend. He said that he went directly to BROTHMAN'S home in Sunnyside. From there BROTHMAN, NAOMI BROTHMAN, his wife, and GOLD drove to NEEDLEMAN'S apartment which is on one of the side streets off Central Park West. BROTHMAN went upstairs to the NEEDLEMAN apartment but first warned NAOMI and GOLD to watch carefully the windows across the way for any signs of observation. After about twenty or thirty minutes, BROTHMAN came downstairs in company with NEEDLEMAN and drove GIBBY for a period of about five minutes to his destination in an area somewhere in Manhattan, south of where he lived. BROTHMAN dropped him off at a street corner.

GOLD further said that during the course of the drive, NEEDLEMAN, seeing BROTHMAN'S and NAOMI BROTHMAN'S worried faces and GOLD'S dejected appearance, gave the three of them advice on how to deal with any future interrogation by the FBI. He said, "The hell with them." "Throw them out of the office." "Tell them you're busy." "Don't talk to them."

Later that night, when BROTHMAN, his wife, and GOLD arrived at BROTHMAN'S summer home in Peekskill, they discussed this phase of GIBBY'S advice and agreed that it was highly impractical--that the best thing to do was to give every appearance of trying to cooperate with the FBI.

About five or six weeks later BROTHMAN received a subpoena to appear before a Federal Grand Jury in New York investigating espionage activities. As a result of this, BROTHMAN told GOLD that he had decided that after a talk with GIBBY, it would be best to retain the man who

Mrs. Abraham Brothman

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was then acting as the firm's attorney, one THOMAS KIERNAN of the Wall Street firm of Cleary, Gottlieb, Friendly and Cox, the idea being to solicit advice on how a Grand Jury worked and how BROTHMAN should conduct himself. On the very night that BROTHMAN advised GOLD of having received the subpoena, he was extremely angry in discussing the summons and said that it was all a great shame and he was going to expose it as such. He said that he was going to make a completely clean breast of the fact that he had illegally furnished information to the Soviet Union but was going to claim that the Soviets had never used it and that, in any case, it was information which could have been obtained from the chemical literature. He also added that the Soviets had never utilized the information he had submitted but had gone ahead and had purchased plants covering these very same processes. GOLD could not recall having made any objection in BROTHMAN'S presence to this course although he said he was horrified at the prospect.

In any case, sometime in the following few days, GOLD stated that he mentioned the matter to MIRIAM MOSKOWITZ and she said she had heard the same story from ABE and would try to see what could be done about dissuading him. Just before BROTHMAN was due to testify before the Grand Jury, BROTHMAN, MOSKOWITZ, and GOLD had dinner at Top's Restaurant on Queens Boulevard in Forest Hills. There BROTHMAN told GOLD that he had been to see KIERNAN and had given him the same false story, regarding how they had met, that he had originally told SAs SHANNON and O'BRIEN. Sometime during the conversation, BROTHMAN excused himself to go to the wash-room and while he was gone MIRIAM told GOLD that he would undoubtedly be very happy to hear that she and GIBBY together, but principally NEEDLEMAN, had succeeded in dissuading BROTHMAN from his foolhardy determination to tell the Grand Jury the truth about his espionage work. She said that GIBBY had pointed out to ABE the following two factors:

- 1 - That the Grand Jury was looking for an admission from someone which admission stated that they had given information illegally to the Soviet Union.

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- 2 - That BROTHMAN'S side of ~~the story~~ would never reach the newspaper; in fact, it was dubious whether the United States Attorneys would ever permit him to tell his story to the Grand Jury.

Going back to the summer of 1946, GOLD advised that BROTHMAN told him that he had arranged for a dinner at GIBBY NEEDLEMAN'S home between NEEDLEMAN, BROTHMAN, and GOLD. BROTHMAN told him that since GOLD had informed him of the fact that his breakup with his (fictitious) wife had been due to the matter of the Soviet Union owing him some \$8,000.00 for expenses he had incurred in connection with his espionage activities, he said that he had spoken to GIBBY about this matter and that GIBBY had stated that he thought he could arrange for some sort of reimbursement.

According to GOLD, he was exceedingly loath to accept this proposition because he thought that any investigation in the Amtorg files would reveal to GIBBY and consequently to BROTHMAN, the fact that he was not married and that the sum of money owed him was not \$8,000.00 but about one-third of that amount. However, GOLD said that he had no choice and came to New York for the meeting with NEEDLEMAN. This never took place since BROTHMAN informed him that NEEDLEMAN had actually called it off on Friday but that all during Saturday and up until GOLD'S departure from Philadelphia that Sunday morning, BROTHMAN had neglected to call him. He called eventually but only after GOLD had left home. According to BROTHMAN, NEEDLEMAN'S excuse for cancelling the appointment was due to the fact that he had to take his little girl to a summer camp, or possibly he was going to visit her at a summer camp. GOLD stated that he heard nothing further of this matter and he never brought it up again.

During the late winter of 1942 on several occasions GOLD paid BROTHMAN sums of \$25.00 to \$50.00 which BROTHMAN said were to cover the additional blueprints regarding the Buna-S process which he needed from the Hendrick Company. BROTHMAN explained that if he ordered too many copies, the Hendrick Company might become suspicious. GOLD stated that he paid him these sums out of his

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own pocket since SAM refused to furnish them saying that there was no point in paying GOLD since he had not yet received a single vital bit of information.

Sometime in the summer or fall of 1942 GOLD purchased for BROTHMAN for about \$40.00 a Voigtlander film-pack type of camera. Just before Christmas of 1942 at BROTHMAN'S request GOLD stated he purchased two gifts, one a scarab bracelet and the other a woman's umbrella. BROTHMAN said that he had to give something to the stenographer who was typing some of the work which he had recently submitted to the Soviet Union. Each of these items cost about \$10.00. Later BROTHMAN told GOLD that he had given one of them to his wife, NAOMI.

Just before Christmas of 1945, GOLD visited BROTHMAN at his offices on 32nd Street and GOLD gave him a 5" Keuffel and Esser slide rule costing about \$6.00 but which was practically unobtainable at that time. When GOLD came to work for BROTHMAN in May of 1946, he noticed that MIRIAM MOSKOWITZ had this slide rule and BROTHMAN seemed embarrassed when GOLD questioned him about it. It was obvious that he had given it to her explaining that it was a gift from him.

Sometime late in 1942, at BROTHMAN'S request, GOLD did a certain amount of laboratory work on the recovery of spent nickel catalyst. This was concerned with a plant which was then being erected at Seymour, Connecticut for the Rufert Chemical Company. However, in order to do this work he required the assistance of MORRELL DOUGHERTY at the Pennsylvania Sugar Company. In order to pay DOUGHERTY, GOLD stated that he effected the following arrangement:

He gave BROTHMAN the sum of \$150.00 out his own pocket and told him to send it to Philadelphia so that it would appear as if they were receiving payment for this work. DOUGHERTY and GOLD split the \$150.00 and by doing so GOLD said that he accomplished the following things:

1 - He was able to bring about an indebtedness on the part of BROTHMAN to him which indebtedness he hoped would result in BROTHMAN'S intensifying his activities for the Soviet Union.

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2 - He was able to provide DOUGHERTY with \$75.00 which he badly needed for his family.

3 - He was able to set up the conditions whereby should GOLD in the future want to take off a day or two in connection with his trips to see AL SLACK, he could always claim to DOUGHERTY that he was going to see BROTHMAN with the inducement of possible future work.

In the summer of 1945, TOM BLACK and GOLD worked in the BROTHMAN Laboratories on the Methyl Methacrylate process for about two days. According to GOLD, the only way he could get off was to tell DOUGHERTY that he was going to New York to work for BROTHMAN. This time he again paid DOUGHERTY some money out of his own pocket stating that he had received these funds from BROTHMAN. GOLD stated that he does not believe that BROTHMAN knew anything about his giving this money to DOUGHERTY.

There was a third occasion on which GOLD said he gave BROTHMAN some funds in connection with work he had done for him at the Pennsylvania Sugar Company and in which work DOUGHERTY had assisted him. He told BROTHMAN to send him a check covering this amount. He could then split this money with DOUGHERTY and again accomplish the three purposes enumerated above.

Sometime in the summer of 1943, BROTHMAN advised GOLD one night at the Chemurgy Offices that he had a consulting job for him with a firm in Paterson, New Jersey, called B. & G. Interstate Corporation. GOLD did not know that the initials B. and G. stand for except that G. stands for the name of one of the owners, FELIX GLUCK. The purpose of this job was to make a survey of their malt syrup plant and see what could be done about converting it into an industrial alcohol distillery. GOLD made this survey and was paid the sum of \$300.00 which he split with DOUGHERTY who had assisted him in preparing the lengthy report.

Sometime in 1945, BROTHMAN introduced GOLD in New York to a man called Dr. SIMON MILNER who claimed to be

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representing a man called HARRY GRETSKE of the Belle Meade Company of Virginia. MILNER professed to be interested in a process which DOUGHERTY and GOLD had evolved for making a high vitamin yeast from citrus waste molasses. They sent samples and a general description of the process to MILNER at a hotel address in Washington but nothing ever came of this.

At one time, after the testimony of BROTHMAN and GOLD before the 1947 Grand Jury, BROTHMAN accused him of having had to provide DOUGHERTY with these fake sources of income so that GOLD could more readily be able to go off on his espionage trips through the United States. Actually, there were only two, or possibly three at the most, such instances and the instigation of all of these was BROTHMAN'S requests for laboratory work at the Pennsylvania Sugar Company. GOLD said that he could not do this work without DOUGHERTY'S knowledge.

According to GOLD, he attended the Penn-Columbia football game in 1945 together with MORRELL DOUGHERTY and the Pennsylvania Sugar Company master tinsmith, one ALEXANDER "SANDY" IRWIN. After the game he excused himself and in accordance with a telegram from BROTHMAN, met him in a restaurant in the 30th Street station, Philadelphia. He was with MIRIAM MOSKOWITZ and had attended the game as a Columbia graduate. During the course of the conversation, BROTHMAN told him of the difficulties he was having with his newly-formed firm, particularly in perfecting a process for the polymerization of Methyl Methacrylate. He told GOLD that as a personal loan he badly needed some \$200.00. GOLD made this loan to him and eventually it was returned but here again he used the money as a cover to DOUGHERTY stating that it was for work they had done for BROTHMAN.

On one occasion in the fall of 1944 GOLD stated that he sent BROTHMAN a money order for \$50.00. He sent it from Bristol, Tennessee, while he was on a visit to AL SLACK at Kingsport, Tennessee. This money was sent to BROTHMAN at his request because he was short of funds.

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Further, according to GOLD, he was laid off from his employment at the Pennsylvania Sugar Company in February 1946 upon closing down of the Distillery Division, despite the fact that promises had been made to him two years previous that when the distillery was inevitably shut down his co-worker, DOUGHERTY, and he would be returned to the firm's Research Division.

In March of 1946 GOLD stated he came to New York and in the course of a conversation with BROTHMAN mentioned to him the fact that he was having difficulties with the Pennsylvania Sugar Company. BROTHMAN immediately countered by offering him a job with his firm. He painted a very glowing picture and stated that he had all but clinched a contract with HENRY J. KAISER which agreement called for the BROTHMAN organization to develop a synthetic automobile body consisting of glasswool impregnated with a plastic. GOLD told BROTHMAN that he would consider the matter. BROTHMAN said that his acceptance of KAISER'S contract depended on whether or not GOLD joined the organization. He said he told BROTHMAN that his knowledge of the synthetic resinous field was nil but he said that this did not matter, all he wanted was someone who was experienced in running a laboratory efficiently. He said that GOLD'S knowledge in plastics could come along as he worked.

As a result of this talk with BROTHMAN, the following Saturday GOLD held a talk with TOM BLACK in which he discussed the possibility of his going to work in New York. BLACK agreed that it seemed like a unique opportunity.

Following this, DOUGHERTY and GOLD attended a meeting of the American Chemical Society at which meeting a usual employment clearing house was held. DOUGHERTY obtained an appointment with one J. H. BOWEN, Personnel Director for the Philadelphia Navy Yard, and in turn DOUGHERTY referred GOLD to BOWEN. BOWEN gave GOLD a Civil Service application which he filled out and about a week later he was afforded an interview at the Philadelphia Navy Yard. There, according to GOLD, he met not only BOWEN but the Naval officer, a chemist, who had been doing work

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on the job of developing corrosion proofing materials for ships and aircraft. As a result of this conversation GOLD was recommended for the job and BOWEN stated that he would hear from them very shortly. As GOLD recalls this job paid about \$3300.00 or \$3600.00 a year.

A month or so passed and GOLD went to see BOWEN again at which time BOWEN told him that an unexpected deal had come up regarding the job. He said it was just a matter of waiting for Federal appropriation to cover the salary and whatever laboratory needs would be involved. He added that actually it might be July or August before this came through. Upon questioning, BOWEN replied that while the job was GOLD'S still he could offer no written guarantee as to whether it would eventually be available.

As a result of this conversation and the prodding of his family that GOLD obtain any sort of a job, he entered upon the following scheme.

GOLD said that he went to Chicago, Illinois, by train and in the Palmer House there phoned BROTHMAN in New York to give authenticity to this maneuver. At the same time GOLD told his family that he was going to Detroit where KAISER and BROTHMAN were conferring. In this phone call he told BROTHMAN that he was no longer "hot" as he had previously indicated to him in March of that year and was available for work at the BROTHMAN company. GOLD advised that he returned the same day from Chicago flying back by United Airlines and that upon his arrival at the Airlines Terminal near the Grand Central Station in New York he met DOUGHERTY who was also in New York seeing his supervisor at the Acheson Colloids Corporation.

A few days later GOLD stated he came to New York and began his employment with the BROTHMAN firm as chief chemist in charge of the laboratory in Elmhurst and at a salary of \$100.00 per week. GOLD received a regular salary from the BROTHMAN firm up until April or March of 1947 at which time the BROTHMAN organization ran out of funds. He was paid only sporadically from then on until

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he left in June of 1948. According to GOLD he believes that his total payments over some fourteen months amounted to approximately \$1500.00. At the time that he left the BROTHMAN organization BROTHMAN owed GOLD \$3800.00 or \$4000.00 back salary.

On December 26, 1946, GOLD met his Soviet superior for the first time in almost a year, a man whom he knew only as ~~JOHN~~. He paid GOLD \$300.00 as part payment for expenses he had incurred in 1945. Of this sum GOLD said he gave BROTHMAN \$175.00 a few days later explaining that someone in Philadelphia had returned some money they had owed him. GOLD gave BROTHMAN this money because for about a month previous he had listened to a succession of woeful stories about how badly he needed personal funds and how he had not been taking any salary from the firm. GOLD stated that here he has used the work "gave" deliberately because when he turned this money over to BROTHMAN he explained that it was part payment for the blueprinting expenses which BROTHMAN had incurred in the past. This payment of the money occurred in the lobby of BROTHMAN'S apartment house at 4108 42nd Street, Sunnyside, New York, and was very early in the morning.

In July of 1947 GOLD obtained for ABE a \$500.00 loan from one ~~EB~~ KELLY who is a brother-in-law of MORRELL DOUGHERTY in Philadelphia. However, to insure that BROTHMAN would return the money to KELLY, GOLD told BROTHMAN that he had borrowed it from a person called ~~X~~ "KAP" who operated at 10% personal loan service at the Pennsylvania Sugar Company. BROTHMAN repaid the first loan on time but in September of October GOLD made a second loan of \$500.00. This was not repaid until January of next year. In the interim on at least three dates in December and January, BROTHMAN gave GOLD checks covering the total \$550.00, three of which bounced. Eventually BROTHMAN did make one of these checks good.

GOLD advised that from the very first week that he came to A. Brothman Associates he noticed the following three factors:

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- 1 - The attachment between BROTHMAN and MOSKOWITZ.
- 2 - BROTHMAN'S anxiety to obtain a contract from Amtorg.
- 3 - A recollection of the fact that his Soviet superior, JOHN, had warned him in 1945 that BROTHMAN was "hot".

As a result of these three factors, GOLD determined to leave the employ of BROTHMAN as rapidly as possible. However, one financial emergency kept succeeding another and he never actually left until June 1948. As a reserve reason and as a palliative, GOLD always kept in mind the idea from March or April of 1947 that he could tell BROTHMAN that even though he felt GOLD was deserting the firm should GOLD return to Philadelphia, he would waive his back salary. However, such an offer was not necessary because one morning in late April of 1948 at about 5:00, after an all night conversation between PHIL LEVINE, BROTHMAN and GOLD, during which BROTHMAN endeavored to pacify PHIL regarding PHIL'S resentment at MIRIAM MOSKOWITZ (this resentment had arisen out of PHIL'S criticism of ABE'S conduct of the business and MOSKOWITZ'S reply that PHIL and GOLD should stay in the laboratory where they belonged) BROTHMAN stated that as a condition of his selling the A. Brothman Associates firm to EDWARD A. NORMAN, it would be necessary for the employees to waive back salary. GOLD readily agreed but PHIL made no reply.

Later, just on the morning of BROTHMAN'S departure for Switzerland in late May of 1948, BROTHMAN told PHIL LEVINE and GOLD during a conversation in a Child's Restaurant on the West Side of Lexington Avenue and below 51st Street, that one of the stipulations laid down by NORMAN at a conversation earlier that day between NORMAN and ABE was that the employees agree to waive all their back salary. A boost for PHIL and GOLD from \$100.00 to \$125.00 a week was envisioned by them but this not until all of the proposed European contracts in Switzerland, England and France had been signed. Neither of them said

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anything at the time because BROTHMAN was badly upset regarding his trip to Europe.

On BROTHMAN'S return from Europe an indignation meeting was held among the employees at which time in a period of about half an hour GOLD read an "indictment" composing a set of charges against BROTHMAN regarding mismanagement of the firm and the manner in which the employees-partners had been treated.

According to GOLD, beginning about October of 1946 upon the release of GUS WOLLAN from the BROTHMAN employ, BROTHMAN told GOLD that he was a partner along with OSCAR VAGO and MIRIAM MOSKOWITZ and that in a week or two he would have the proper papers ready. At various subsequent times BROTHMAN brought this fact to GOLD'S attention. When PHIL LEVINE left the G. D. Research Corporation which was paying him a regular salary to come to work for the BROTHMAN firm at no salary at all but just glowing promises, PHIL also had the understanding that he was a partner. In March of 1947 BROTHMAN painted a very encouraging picture as to the future of the firm and indicated to all of the employees that the prospective profits were so great that it would be desirable to form a cooperative. A meeting was held with the BROTHMAN employees at which the details were discussed. SOL FANSHEL was the employees' representative. GOLD said that he ignored the whole matter because it seemed so ludicrous to him.

The purpose of the cooperative was to avoid payment of large taxes to the government and to establish some sort of a fund whereby poor boys could be enabled to go to college. A few weeks later the BROTHMAN firm stopped paying salaries and no more was heard of the cooperative. FANSHEL worked for two or three weeks without pay and then declared that he could not continue and left the firm. A draftsman by the name of HERSH RABINOVITZ did likewise and BROTHMAN proclaimed at length upon their ungratefulness. He said that when there were prospects for a cooperative they were partners, when there was no pay they became employees.

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The indignation meeting lasted some eight hours, the final seven and one-half of which consisted of BROTHMAN'S reply in which none of the charges were refuted, but actually was a personal attack on OSCAR VAGO and a heated defense of MIRIAM MOSKOWITZ by ABE. The following day BROTHMAN notified the employees that they were no longer working for the company. At GOLD'S request BROTHMAN granted PHIL and him two weeks to clean up the affairs in the laboratory. However, when GOLD returned home to Philadelphia that weekend BROTHMAN called him and told him he had changed the lock on the door of the laboratory and there was no point in his returning.

Subsequent to this, after several prior attempts failed, PHIL and GOLD presented BROTHMAN on a Saturday morning with separate statements consisting of a sentence or two and denoting the fact that BROTHMAN owed GOLD some \$3800.00 or \$4000.00 in back salary and PHIL about \$3800.00 or \$3500.00. BROTHMAN refused to sign these statements but said he would after he had seen his attorney, Mr. KIERNAN. According to GOLD they never received these statements.

A few weeks after this LEVINE and GOLD visited several attorneys, one in downtown New York and another man by the name of HOFFMAN somewhere in the garment district on Sixth Avenue. The first man required \$700.00 retainer before he would take the job of collecting this money but HOFFMAN said he would do it on a straight commission basis. Eventually PHIL sent the papers to a third attorney who was related to him in some manner. GOLD said he signed these but never heard anything about any action which might have been taken. Several times during the course of these efforts by LEVINE to obtain his back pay, PHIL criticized GOLD for not appearing too eager and GOLD told PHIL that he was afraid that BROTHMAN might reveal details concerning their past associations.

GOLD advised that when he went to work for BROTHMAN in May of 1946 his bank account had about \$2500.00 in it. When he left in June 1948 some \$1700.00 remained. In addition he stated he had borrowed somewhere between \$1,000.00 and \$2,000.00 collectively from both his mother and brother.

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In September of 1947, just prior to his mother's death on the 26th of that month, he borrowed \$200.00 from the Corn Exchange Bank in Philadelphia. This loan is on record and its purpose was to enable GOLD to continue working for BROTHMAN. GOLD added that from the very beginning of his employ with BROTHMAN he met with terrific opposition from his family on the rare occasions when he would go home because the effect of the long hours and extreme tension of trying to complete processes which they did not have but which BROTHMAN had already made statements that they did have, was such that he was totally exhausted. GOLD resisted these but did in February or March of 1947 file a Civil Service application for an organic chemist and received a rating of 74.78.

According to GOLD the Civil Service Commission should have on record a letter to the Quartermaster Depot in Philadelphia from him indicating that he was dissatisfied with this rating and requesting a revision. Also the Commission's reply should be available. GOLD said it was a woman in charge of this rating section at the Quartermaster Depot in Philadelphia who wrote the reply to him.

In July or August 1948 after leaving BROTHMAN'S employ, GOLD stated he received another notification in response to a second application to the Civil Service Commission, this time giving him a higher Civil Service rating and a salary of \$4400.00 per year. The only reason GOLD did not accept this job was that it was in Bruceton, Pennsylvania, near Pittsburgh, and he did not desire to leave his family again.

In late May of 1948, ABE BROTHMAN and MIRIAM MOSKOWITZ went to Switzerland to sell some of the BROTHMAN processes to the Lonza firm. They went by plane. Before BROTHMAN left on Saturday, he told PHIL LEVINE, OSCAR VAGO and GOLD that funds would be provided for their upkeep on Tuesday when the final turning over of the BROTHMAN firm to EDWARD A. NORMAN was completed. It was NORMAN'S business representative, one BILL JACOBS, who was to handle the matter and JACOBS was going to advance to the various members of the BROTHMAN organization sufficient salary to

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cover their living expenses until BROTHMAN returned. At this time GOLD noted OSCAR VAGO was completely penniless and destitute and PHIL had also run out of funds and was living on his in-laws. WILLIAM ROHALL was living on money earned by his wife. When no call from JACOBS came, OSCAR VAGO made inquiries and was told by JACOBS that only upon BROTHMAN'S return from Switzerland and from Europe with all of the European contracts signed would there be any final taking over of the firm by NORMAN.

Thereupon, on two separate dates a few days apart, OSCAR sent frenzied cablegrams to BROTHMAN in Switzerland pleading for money. Also, he induced GERTRUDE ~~X~~ KOGON to advance the sum of several hundred dollars to VAGO, LEVINE and ROHALL. KOGON was MOSKOWITZ' roommate on Eighth Avenue and was serving as part time secretary during MIRIAM'S absence. GOLD said that he refused to take any of this money at first. VAGO and PHIL took \$200.00 each but eventually, on OSCAR'S urging, GOLD took \$50.00 because he knew that if he did not, his brother would not give him funds with which to return to BROTHMAN Associates. This was all the payment that his employees received during BROTHMAN'S absence.

Sometime during the ten days or so that BROTHMAN was gone, he ordered the employees to be in his office at a certain time because of OSCAR'S second cablegram so that he could speak to them by transatlantic phone. GOLD made the call at the time specified. The following people were also there: NAOMI BROTHMAN, BERNIE ~~X~~ PIDTO, PIDTO'S attorney whose name GOLD does not know, PHIL LEVINE and OSCAR VAGO. At NAOMI'S insistence GOLD told BROTHMAN that he had to come home. He pleaded with GOLD to tell him what was wrong and why all had turned against him. He did come home in a few days and the aforementioned indignation meeting was held. Present at this meeting were PHIL LEVINE, OSCAR VAGO, ROHALL, BROTHMAN, JULES KORCHIEN and HARRY GOLD. GOLD read the charges and then all listened to BROTHMAN'S harangue for some seven hours. The only person whom ABE blamed for the rebellion was OSCAR VAGO and at the time they parted that evening there was an understanding between BROTHMAN, LEVINE and GOLD that they would meet again later that night to discuss the rehabilitation of the firm.

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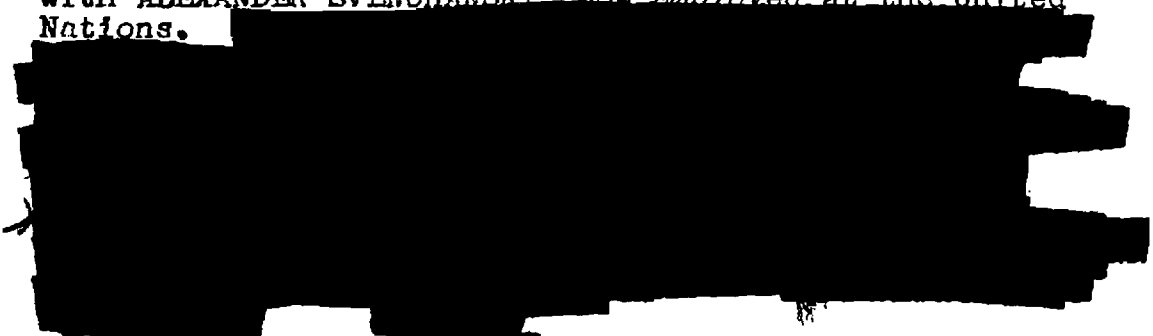
III - IDENTITY OF AND INTERVIEWS WITH SHURA SWAN

It will be recalled that HARRY GOLD previously advised that BROTHMAN told him that SHURA SWAN introduced him to Soviet espionage. In addition to the investigation previously conducted to identify and locate SHURA SWAN, the following investigation was conducted. It will also be recalled that SHURA SWAN was stated to be identical with ALEXANDER SVENCHANSKY.

SA BERT S. TAYLOR contacted Confidential Informant T-1, of known reliability, who advised that he recalled an individual named SWAN at Amtorg about fifteen years ago but could not remember whether his first name was SHURA. This informant did not recognize a picture of ALEXANDER SVENCHANSKY.

SA TAYLOR also contacted Confidential Informant T-2, of known reliability. This informant likewise did not recognize a picture of ALEXANDER SVENCHANSKY. He also recalled an individual named SWAN who was employed at Amtorg as an interpreter. According to this informant, SWAN travelled with various Russian commissions that were sent to this country. He stated that he had heard that SWAN was inducted into the United States Army.

Confidential Informant T-3, of known reliability, advised SA RAYMOND P. WIRTH that SHURA SWAN is identical with ALEXANDER SVENCHANSKY, now employed at the United Nations.



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The New York City telephone directory lists this number to Goswan Products, Inc., 349 Madison Avenue, New York City.

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The informant further identified a picture of ALEXANDER SVENCHANSKY as that of an individual known to him as SWAN. He stated that SHURA SWAN was with the Textile Syndicate formed by the Chase National Bank about 1925 to purchase American cotton for Russia.

Confidential Informant T-4, of known reliability, advised SA WIRTH that he recognized the picture of ALEXANDER SVENCHANSKY as an individual known to him under the names of SVENCHANSKY and SWAN. He could not recall the first names however. This informant also stated that this individual named SWAN came to Amtorg from the Textile Syndicate.

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ALEXANDER SVENCHANSKY was interviewed by the writer and SA BERT S. TAYLOR at his home, 144-58 Village Road, Parkway Village, Jamaica, New York, after efforts to have him come to the New York Office for an interview were unsuccessful. SVENCHANSKY insisted that this interview be conducted in the presence of his attorney, JOSEPH SPENCER, 545 Fifth Avenue, New York City,

After questioning him regarding his background, SVENCHANSKY was asked if he knew BROTHMAN. He immediately stated that he refused to answer this question on the grounds that he did not wish to incriminate himself or anyone else. At this point SPENCER stated that he had advised SVENCHANSKY to give this answer considering his position at the United Nations and since it, therefore, might be incriminating for SVENCHANSKY to admit knowing someone under indictment. SPENCER, however, stated that he would have to consider this question further as to whether he would also give the same advice to SVENCHANSKY if SVENCHANSKY was employed in private industry. SPENCER also said that he assumed the FBI was questioning all the present and past employees of Amtorg to learn of the activities of that organization. It was then pointed out to SPENCER and SVENCHANSKY that this particular interview was only concerned with obtaining information on BROTHMAN

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from SVENCHANSKY. SPENCER stated that under these circumstances he would like to confer with his client in another room.

After the conference, however, SVENCHANSKY said that he did not desire to change his answer. SVENCHANSKY readily admitted in the interview that he was known to his intimates as SHURA SWAN.

This matter was discussed with IRVING H. SAYPOL, United States Attorney, Southern District of New York, who advised that he would issue a trial subpoena which would be returnable at the start of BROTHMAN'S trial on November 8, 1950. SAYPOL stated at this time that he did not intend to call SVENCHANSKY as a witness but desired his presence in the courtroom for the psychological effect on BROTHMAN.

The subpoena was served by the United States Marshal on SVENCHANSKY on November 8, 1950. In answer to this subpoena, SPENCER contacted Assistant United States Attorney ROY M. COHN and told him that SVENCHANSKY desired to furnish all information in his possession regarding BROTHMAN. Arrangements were made with SVENCHANSKY to have the writer and SA TAYLOR interview SVENCHANSKY on November 10, 1950.

In this interview he advised that he first met BROTHMAN in 1937 or 1938 through NAOMI BROTHMAN whom he has known for about twenty years. He stated that he met with BROTHMAN and his wife socially about two or three times a year during 1941. He claimed to have had no contact with BROTHMAN or Mrs. BROTHMAN until August, 1950 at which time Mrs. BROTHMAN asked him to contribute to BROTHMAN'S bail fund. SVENCHANSKY stated that he contributed \$500.00 which he borrowed.

According to SVENCHANSKY, after BROTHMAN'S release on bail on September 1, 1950, he contacted SVENCHANSKY and told him that as his defense he wanted to prove that Russia already had what he was supposed to have given them. BROTHMAN asked SVENCHANSKY to translate certain articles for him that appeared in a Russian publication in 1940. According to SVENCHANSKY, this material was

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on atomic energy. SVENCHANSKY stated that he examined the material at the New York Public Library but only kept the titles of the articles since the articles themselves were very lengthy and technical. He said that he intended to confer further with BROTHMAN on what articles he wanted translated. He claimed that BROTHMAN did not contact him further and that he still had the titles of the articles in his home. He promised to turn this material over to the New York Office.

In this interview, he admitted that he met JACOB GOLOS at World Tourist in about 1937 when he bought a ticket for Russia. He denied, however that he introduced BROTHMAN into Russian espionage. He stated that he did not know that BROTHMAN was a Soviet agent. Further he claimed that he is not at the present time a member of the Communist Party but refused to answer whether he had been a member.

The subpoena was continued by the United States Attorney until November 13, 1950.

On that date SPENCER appeared in court at BROTHMAN'S trial with a doctor's certificate for ALEXANDER SVENCHANSKY from Dr. JOSEPH SHAPIRO, 39-73 47th Street, Sunnyside, New York. According to this certificate, SVENCHANSKY was suffering from pneumonia. This certificate was made an exhibit by the government.

On this date also Judge IRVING R. KAUFMAN appointed Dr. CHARLES K. FRIEDBERG, 1088 Park Avenue, New York City, to examine SVENCHANSKY. Dr. FRIEDBERG did not substantiate the diagnosis of Dr. SHAPIRO. According to Dr. FRIEDBERG, SVENCHANSKY was merely suffering from a heavy cold and should be available within a few days.

On November 13, 1950 SPENCER furnished this office with the list of articles promised by SVENCHANSKY and mentioned above. These articles originally appeared in a publication entitled "Bulletin De L'Academie Des Science De L'USSR Serie Physique" published in Moscow in 1940 and are as follows:

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- 1- Ionisation of Atoms and Pair--Creation in the Course of Nuclear Reactions by A. B. ~~MIGDOL~~.
- 2- Fission of the Nuclei by A. I. ~~LEIPUNSKY~~.
- 3- Observation of Tracks of Recoiling Nuclei Arising in the Course of Uranium Fission under the Neutron Bombardment in the Wilson Chamber Working under Lowered Pressure by N. A. ~~PERFILOV~~.
- 4- Ranges and Energies of Fragments of Uranium Fission Caused by Fast Neutrons by K. A. ~~PETRZHNIK~~.
- 5- Chemical Nature of Uranium Fission Products by J. G. ~~KHLOPIN~~.
- 6- ~~Experiments on Fission of Uranium by G. N. FLEREV and L. I. RUSINOV.~~
- 7- Absorption of Fast Neutrons by J. ~~DEMENTY~~ and D. ~~TIMOSHCHUK~~.
- 8- Scattering of Photo-Neutrons of Different Energies by Atomic Nuclei by T. A. ~~GOLOBORODKO~~ and A. I. LEIPUNSKY.
- 9- On the Operation of Rian (Radium Institute of the Academy of Science of the USSR) Cyclotron by I. V. ~~KURCHATOV~~.
- 10- Calorimetric Measurements of the Radiative Energy for Fast Electrons in the Lead by K. D. ~~SINELNIKOV~~, A. K. ~~VALTER~~ and A. V. ~~IVANOV~~.
- 11- "Bremsstrahlung" of Fast Electrons by L. A. ~~MARCIMOVICH~~ and M. ~~BEREDOV~~.
- 12- The Scattering of Fast Electrons by Nitrogen Nucleus by M. D. ~~BARISOV~~, V. P. ~~BRILLOVSKY~~ and A. I. LEIPUNSKY.

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13- The Pair Creation--Nitrogen by Gamma Rays
L. J. ~~GROSHEV.~~

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SA TAYLOR reviewed the English summaries of these articles. As will be seen from their titles they all deal with atomic energy. These summaries have been made exhibits in the New York file in this case.

Assistant United States Attorney ROY M. COHN advised that it would not be necessary for the purposes of this trial to have a full and complete translation of these articles. He said that for his purposes these English summaries would be sufficient.

On December 7, 1948, Confidential Informant T-5, of known reliability, furnished to SA FREDERICK C. BAUCKHAM a photograph of JOSEPH SPENCER taken from American Labor Party literature relating to the 1948 election campaign. This literature reflected that SPENCER was a candidate for New York State Assembly in the Fourth Assembly District.

On January 20, 1947, Confidential Informant T-6, of known reliability, advised that the name JOSEPH SPENCER, 31-40 76th Street, Jackson Heights, New York, appeared on a list indicating that he was a member of the Communist Party, District Number 2, Queens County, and that he was a member of the North Shore Section.

Confidential Informant T-7, of known reliability, advised that JOSEPH SPENCER, 545 Fifth Avenue, New York City, was a member of the National Lawyers Guild during the years 1937 to 1949.

By letter dated October 21, 1949, MATTHEW J. SHEVLIN, Chairman, Queens County, American Legion Americanism Committee, advised that he had been informed by THOMAS MURPHY, 3802 56th Street, Woodside, New York, that Dr. JOSEPH SHAPIRO, 39-73 47th Street, Sunnyside, New York, was holding meetings in his home for the purpose of assisting the eleven Communists convicted in New York City.

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According to the "New York Times" for September 22, 1948, Dr. JOSEPH SHAPIRO, 39-73 47th Street, Sunnyside, New York, attended ROBERT THOMPSON, New York State Chairman of the Communist Party following the alleged attack against him on September 22, 1948 at 12:15 AM. THOMPSON, according to this article, described JOSEPH SHAPIRO as his personal physician to Detective JOHN WEBER of the 108th Detective Squad, New York City Police Department.

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According to the "Daily Worker" on February 2, 1949 a mock community trial was held at American Labor Party Headquarters, 43-42 48th Street, Sunnyside, New York. At this trial ROBERT C. BURKE was found guilty of illegally entering the home of ROBERT THOMPSON and of attempting a degenerate attack on THOMPSON'S seven year old daughter. At this trial Dr. JOSEPH SHAPIRO stated that the District Attorney's Office had never sought any information from him on that claim. In this article Dr. SHAPIRO was quoted as having protested the complicity of the press in concealing or distorting the nature of the attack. According to the article, Dr. SHAPIRO warned that the plot to make "second class citizens" of Communists was a threat to the democratic rights of all people.

IV - INVESTIGATION OF BROTHMAN AND MIRIAM
MOSKOWITZ IN SWITZERLAND ~~SECRET~~

Confidential Informant T-8, of known reliability, advised that

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[REDACTED]

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FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

2 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- Deleted under exemption(s) b1 with no segregable material available for release to you.
- Information pertained only to a third party with no reference to you or the subject of your request.
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V - ADDITIONAL INFORMATION FROM ELIZABETH T. BENTLEY

In an interview with HARRY GOLD conducted by SA ROBERT G. JENSEN of the Philadelphia Office, it was pointed out that GOLD advised that SEMENOV appeared at pre-arranged meeting places on three occasions and furnished an explanation as to the failure of BROTHMAN to appear.

ELIZABETH T. BENTLEY was therefore reinterviewed to determine whether she recalls having made arrangements with BROTHMAN to meet his new espionage contact on these three occasions prior to her having handled the arrangements for the contact which actually took place at a subsequent date. This interview with Miss BENTLEY was conducted by SA FRANCIS W. ZANGLE.

In this interview she advised that she remembers JACOB GOLOS told her that BROTHMAN had failed to appear for at least one meeting with his new contact. She also remembers telephoning BROTHMAN and telling him that she wanted to see him. She said that since she actually saw BROTHMAN she gave him additional directions from GOLOS for meeting his new contact. Miss BENTLEY, however, had no further information on any arrangements with BROTHMAN for meeting his new contact.

VI - INTERVIEW WITH THOMAS BLACK IN
NEW YORK

On November 15, 1950, the following pertinent information regarding ABRAHAM BROTHMAN was obtained from THOMAS BLACK, 1729 North Sixth Street, Philadelphia, Pennsylvania, in an interview conducted by SA FRANCIS W. ZANGLE at the New York Office:

BLACK is a self-admitted Soviet espionage agent.

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BLACK stated that sometime in 1942 or 1943 he received a telephone call from GOLD. BLACK was living in Newark, New Jersey, at that time. He told BLACK that he had to see him on a very urgent matter. At the meeting subsequently held, GOLD told BLACK that he was about to be inducted into the United States Army and that as a matter of fact he had received his notice to take his pre-induction physical examination. According to BLACK, GOLD stated that he had been handling a contact who in the past had provided him with extremely valuable technical information for the Soviet Union and who could still provide such information. However, GOLD added, according to BLACK that this contact had been very badly handled before being turned over to him. GOLD allegedly explained to BLACK that this contact had been badly handled in the sense that he was rather temperamental and in order to get information from him he could not be handled brusquely but he would have to be handled with extreme tact and flattery. BLACK said that GOLD believed that this contact was so valuable that he did not want to see just anyone handle him and therefore he had recommended or was going to recommend to his Soviet superior that BLACK be assigned this task.

GOLD told BLACK that this contact was a brilliant chemical engineer and among other things was an expert in the design of mixing equipment for the chemical industry. According to BLACK, GOLD thought that he (BLACK) was the only person who would be able to get the fullest cooperation from this contact because of BLACK'S own personality traits. BLACK said that he told GOLD that it would be foolish to turn this contact over to him because he also expected to be inducted into the United States Army.

BLACK advised that GOLD did not mention this contact's name at this time and it was some years later before he found out that this contact was BROTHMAN.

Regarding BLACK'S meeting with BROTHMAN, he claims that GOLD asked him to go with him to BROTHMAN'S laboratory because BROTHMAN needed some technical information or some ideas on technical matters which GOLD believed

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BLACK was able to supply from experience. On the trip to New York from Philadelphia GOLD told BLACK a little bit about the person he was going to meet. According to BLACK he told him that BROTHMAN was a chemical engineer in the consulting business and that he was currently working on a process to obviate the Du Pont and Rohm and Hass patents on Methyl Methacrylate. He mentioned also that BROTHMAN was an expert on chemical mixing equipment and it was then, according to BLACK, that he asked GOLD if BROTHMAN was the contact he had wanted him to handle if GOLD was inducted into the Army. GOLD is supposed to have replied that it was.

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BLACK said that they met BROTHMAN at a subway station in Queens County and he drove them to his laboratory in Elmhurst. BLACK advised that while he was in BROTHMAN'S car he noticed a current issue of the "Daily Worker." BLACK stated that he believed his second meeting with BROTHMAN took place at BROTHMAN'S office.

He said that he received a telephone call in Philadelphia from HARRY GOLD who by this time had become an employee of BROTHMAN'S. He asked BLACK to pick up a sample of certain material at the Rohm and Hass plant in Bristol, Pennsylvania, and bring it to BROTHMAN'S office. BLACK stated that he picked up the sample and brought it to BROTHMAN'S office that evening. Present in the office when BLACK arrived there were GOLD, BROTHMAN and MIRIAM MOSKOWITZ. According to BLACK, BROTHMAN took them all out to dinner. During the conversation at dinner BLACK stated that he recalls that the chief topic discussed was the Chinese Communist movement. BLACK was unable to recall any specific details about this conversation but said that he came away with the impression that BROTHMAN, MOSKOWITZ and GORDON were favorable to a Communist regime in China and appeared to follow the Communist Party line in this country.

BLACK further stated that GOLD told him that BROTHMAN was extremely stupid in handling his business contacts. He said that BROTHMAN was in contact with representative of the Chinese Nationalist Government

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trying to negotiate the sale of Methyl Methacrylate to them. According to BLACK, GOLD told him that one evening when BROTHMAN was entertaining this contact for business purposes he took him to a Nationalist meeting at Madison Square Garden. At this meeting the Chinese Communist Government was denounced.

BLACK advised that from his conversations with HARRY GOLD there was no doubt in his mind that BROTHMAN had been sympathetic to the Communist movement and the Soviet Union for many years.

VII - RESULTS OF HANDWRITING EXAMINATION BY
FBI LABORATORY

In order to determine whose handwriting appeared on certain material found during a search of GOLD'S home in June 1950, photostatic copies of the following were sent to the FBI Laboratory on October 25, 1950.

- 1- Three sheets of paper with handwriting thereon. GOLD advised that this material was in his handwriting and concerned operating data on a magnesium powder plant.
- 2- Eleven pages of handwritten notes and hand-drawn figures. A single sheet of ruled paper with the number 3 in the upper right hand corner and notations beginning with number 2. A single sheet of ruled paper entitled "Notes On Computations." Four sheets of unruled paper bearing the numbers 16, 17, 18 and 19 in the upper right-hand corner and a sheet of paper with the number 7 on top containing typewriting and handwriting.

GOLD advised that the eleven pages of handwritten notes and hand drawn figures on legal size paper were in his handwriting and deal with mixing equipment. The ruled paper with the number 3 in the upper right-hand corner was in BROTHMAN'S handwriting. He said that

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this referred to data on magnesium powder. The four sheets of unruled paper bearing the numbers 16, 17, 18 and 19 in the upper right-hand corner were, according to GOLD, in his writing and referred to the Buna-S process. The sheet of paper with the number 7 on top contained GOLD'S handwriting and referred to mixing equipment.

- 3- A series of handwritten numbers on pages numbered 5 through 16 inclusive written on the letterhead of the Golwynne Chemical Company.

According to GOLD, all of this material was in his handwriting and concerned mixing equipment.

- 4- Sheets of paper numbered 1 through 4 and 17 through 25. Also copies of papers on which appear what seemed to be chemical equations.

HARRY GOLD stated that the sheets of paper numbered number 1 through 4 and 17 through 25 are in his handwriting and contain information on mixing equipment. The pages on which the chemical equations appear, according to GOLD, are not in his handwriting. He said that these might be in BROTHMAN'S handwriting but he did not know to what they refer.

- 5- Fourteen pages of handwritten notes on graph paper entitled "Henrick's Continuous Method for Buna-S Manufacture." Eighteen pages of handwritten notes which appear to be a continuation of the information listed on the graph paper. Also a two page typewritten document entitled "Notes On Continuous Method Report."

GOLD advised that all of this material set out under item 5 was in BROTHMAN'S handwriting.

On October 30, 1950 and November 6, 1950 the Bureau advised that the writing on the above papers was actually placed there as indicated by HARRY GOLD.

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In an effort to determine whether HARRY GOLD actually placed the writing on the small white card found during a search of his house, the card together with a sufficient number of GOLD'S handwriting specimens were submitted to the FBI Laboratory.

By letter dated October 23, 1950 the Laboratory advised that this card was in GOLD'S handwriting. This card gave GOLD'S directions for meeting BROTHMAN and was put into evidence by the government at BROTHMAN'S recent trial.

There are being enclosed herewith for the Bureau three copies of the parole report on ABRAHAM BROTHMAN and one copy of the disposition sheet.

ENCLOSURES (4) TO BUREAU

3 copies of the parole report on ABRAHAM BROTHMAN.
1 copy of the disposition sheet.

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EDWARD QUICK, owner of the Peacock Roll Leaf Company, Inc., 8503 57th Avenue, Elmhurst, New York, was interviewed by SA THOMAS H. ZOELLER and ROBERT S. PLANTZ. QUICK advised that ABRAHAM BROTHMAN and ASSOCIATES have rented space from him since approximately June 1945 for a laboratory. He said that in about June 1947 he authorized the BROTHMAN firm to do some work for him in connection with improving their roll leaf process. He believed that HARRY GOLD worked on this particular job for BROTHMAN.

He said that his original agreement with BROTHMAN was for a one-year lease. However, BROTHMAN has been a problem ever since he has been in the building as he does not pay his rent and QUICK has been trying to get rid of him over a long period of time.

QUICK stated that he had no reason to suspect BROTHMAN or any of his employees of espionage. He did say that some of the BROTHMAN employees talked like Communists at times but most of this was done in a joking manner. He further explained this by saying they would call QUICK a capitalist and joke about how much money he had.

QUICK said that he recalled seeing the "Daily Worker" in the laboratory on occasions. It is his recollection that Dr. MILTON YUSEM was the individual who brought the "Daily Worker" into the laboratory. QUICK was unable to furnish any specific information concerning any Communist activity on the part of BROTHMAN or any of the other members of the BROTHMAN firm.

The following permanent employees of QUICK were interviewed but were unable to furnish any additional information concerning BROTHMAN and his employees:

WALTER QUICK
Brother of EDWARD QUICK

ROSEMARY MORAN
An employee of QUICK

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RICHARD FRANZ
5207 Haspel Street
Elmhurst, New York

JOHN COUGHLIN
150 74th Street
Brooklyn, New York

CHARLES MANGOLD
167 Summit Circle
Little Ferry, New Jersey

PAUL R. JOSSIER
180-02 Crocheron Avenue
Flushing, New York

EDDIE SHESKIER
82-21 58th Avenue
Elmhurst, New York

GUSTAVE ALBRECHT
84-28 57th Road
Elmhurst, New York

PERCY ESTRIDGE
31-65 49th Street
Woodside, New York

JOSEPH GOEB
114-27 134th Street
South Ozone Park, New York

JOHN MURPHY
50-30 46th Street
Woodside, New York

CHARLES PORTRAS
15 Jefferson Avenue
Lynbrook, New York

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The following temporary employees of the Peacock Roll Leaf Company were interviewed by SAs PAUL J. BLASCO, ROLAND G. KEARNS, ROBERT W. COHOLAN and THOMAS H. ZOELLER. They were unable to furnish any pertinent information regarding BROTHMAN.

WILLIAM WAGNER
50-27 42nd Street
Long Island City, New York

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CHARLES VORTNEA
47-11 58th Lane
Woodside, New York

FRANK MC NALLY
179-14 146th Road
Jamaica, New York

CHARLES N. DARLEEN STARK
59-18 Summerfield Street
Glendale, New York

JOSEPH CARRONE
47-17 98th Street
Corona, New York

EDWARD SZEMPLENSKI
145-85 220th Street
Springfield Gardens, New York

ANGELO CASSELLO
34-07 34th Avenue
Long Island City, New York

WALTER MOHR
86-02 102nd Avenue
Ozone Park, New York

E. NORMAN CLARK was interviewed at his place of employment, the Regal Chemical Company, 115 Dobbins Street, Brooklyn, New York by SA FREDERICK C. BAUCKHAM. In this

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interview CLARK advised that his only contact with BROTHMAN was during the time BROTHMAN was employed at the Regal Chemical Company as a Consulting Chemist. He stated that he had no knowledge of any other activities of BROTHMAN and that he never met or heard of HARRY GOLD. He further stated that OSCAR VAGO was working for BROTHMAN at the time but that he had no contact with VAGO since all dealings were had through BROTHMAN or BROTHMAN'S partner ARTHUR P. ~~WEBER~~.

According to HARRY GOLD, BROTHMAN introduced GOLD to CHARLES O. ~~BROWN~~ at the BROTHMAN laboratory. In April or May, 1947, GOLD performed a demonstration for BROWN regarding the polymerization of Methyl Methacrylate Monomer. GOLD stated that BROWN at that time wrote a column for a chemical and technical engineering magazine published by the American Chemical Society. GOLD stated that BROWN was pleased with the demonstration as was BROTHMAN and that later BROWN helped to sell the process to the United States Industrial Chemical Company.

CHARLES O. BROWN, Room 1502, 331 Madison Avenue, New York City, was interviewed by SA PLANTZ and SA WALTER A. WANGENHEIM. He stated that he had been introduced to BROTHMAN by SIDNEY ~~KIRKPATRICK~~, Editor of Technical Publications for Mc Graw Hill Publishing Company, as a possible associate to work with BROWN as a Consulting Chemical Engineer. Also involved was THEODORE ~~OLIVE~~, Assistant Editor at Mc Graw Hill. According to BROWN, both KIRKPATRICK and OLIVE felt that he should have some sort of partner inasmuch as he was alone in his business and often was not able to give full attention to various matters which would have brought him additional income. BROWN stated he has acted as an engineer consultant for approximately 200 different firms from which he has received approximately \$20,000.00 to \$40,000.00 a year.

According to BROWN, BROTHMAN let it be known about the Mc Graw Hill Company where he often visited in connection with the publication of technical papers that he was looking for someone to serve as his business partner and to see that the office and the business was properly

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run while he ran the technical end. BROTHMAN is supposed to have stated that he made numerous mistakes in running the office end of his business which served to decrease his profits. At their first meeting BROTHMAN told BROWN that he was working under a contract for the Chinese Government on a project to set up a sound dye industry in that country. BROTHMAN, according to BROWN, invited him out to his laboratory on the Saturday morning following their initial meeting to exhibit a method BROTHMAN had developed for producing polysterene.

During this first meeting BROTHMAN made frequent reference to HARRY GOLD as his Chief Assistant. He also referred to him as a brilliant chemist. BROWN said that he accepted the invitation and BROTHMAN picked BROWN up at his office on the following Saturday. On their way to the laboratory they stopped for lunch at a place on Long Island. During the meal BROWN said the BROTHMAN excused himself three times to make telephone calls. It was at this point BROWN said that he began to entertain some doubt about BROTHMAN who found it necessary to make phone calls in the middle of a meal on a Saturday. BROWN stated that he began to consider BROTHMAN as erratic and disorganized.

BROWN advised that he watched the demonstration at the laboratory which was being prepared by HARRY GOLD. GOLD mixed the ingredients for the polysterene but BROTHMAN performed the actual "cooking" which took about twenty minutes. While this "cooking" was in progress BROWN was seated in such a position that he could see a reflection of GOLD in a plate glass window in the front of the laboratory. GOLD did not think that he could be seen, according to BROWN, and as BROWN watched GOLD'S reflection he could see him going through BROWN'S briefcase. BROWN stated that as there was nothing of value in it he said nothing of the incident to anyone. BROTHMAN, according to BROWN, appeared to think very highly of HARRY GOLD.

BROWN acknowledged that BROTHMAN was a capable engineer and that the demonstration at the Laboratory was

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most successful. Later BROWN suggested that BROTHMAN show his process to the United States Industrial Chemical Company, 60 East 42nd Street, New York City. This firm, according to BROWN, after looking into the matter became interested in it as the only Methyl Methacrylate being produced at the time was in accordance with a method controlled by and licensed to the Rohm and Hass Company. BROTHMAN'S method while producing the same product employed a different method. BROWN said that he later heard from a Dr. BASS from the United States Industrial and Chemical Company that when the firm got around to discussing the details with BROTHMAN the deal collapsed.

About a week later BROWN said that he let it be known to BROTHMAN that he did not desire to become a partner and that BROTHMAN appeared to be doing very well by himself and did not need BROWN'S assistance.

BROWN stated that on one occasion BROTHMAN told him that the main reason he desired BROWN to enter into a partnership with him was because BROWN had a great many excellent contacts in chemical plants all over the country. BROTHMAN is supposed to have said that BROWN, through his contacts, would be able to keep BROTHMAN informed of all the new developments that took place. BROWN also advised that BROTHMAN considered this information essential to his own success in chemical research while BROWN considered it highly unethical and resolved to cease dealing with BROTHMAN as soon as he could.

BROWN estimated that the association between himself and BROTHMAN lasted about ten days or two weeks in the early summer of 1947. He stated that he considered BROTHMAN a very capable chemist but felt that he operated in a disorganized and illogical manner. He said that he also considered him "shifty" and unethical.

BROWN'S opinion of GOLD was about the same except that he had little opportunity to observe him. He stated that the briefcase incident seemed to indicate the true character of the whole BROTHMAN group with which he came into contact.

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BROWN stated that he had no information of an espionage nature regarding BROTHMAN'S activities.

The report of SA CHARLES W. GRUBB dated November 10, 1950 at Indianapolis, Indiana, set out a lead for the New York Office to interview H. K. LAROWE of the American Cyanamid Company.

SA STUART J. CAMERON interviewed Mr. LAROWE, Director of Purchases of the American Cyanamid Company, 30 Rockefeller Plaza, New York City. He advised SA CAMERON that he does not know BROTHMAN and can not recall that he was ever contacted by BROTHMAN.

Mr. A. MAGNUM WEBB, Chemical Construction Corporation, 488 Madison Avenue, New York City, advised SA CAMERON that this corporation is a subsidiary of the American Cyanamid Company. He also said that this corporation was interested in the development of a process for changing salt water into drinking water during the last war. He added, however, that he does not recall BROTHMAN but stated that it was entirely possible that BROTHMAN could have contacted him in connection with this process.

In HARRY GOLD'S statement dated July 11, 1950, he advised that BROTHMAN put him in touch with several legitimate jobs from which he obtained money. One of these according to him was a proposal on the conversion of a plant owned by the B. G. Interstate Products Company of Paterson, New Jersey.

FELIX GLUCK, 27 West 72nd Street, New York City, was interviewed by SA FREDERICK C. BAUCKHAM. In this interview he advised that he hired HARRY GOLD through the recommendation of an attorney named SERGE JARVIS who had previously stated to GLUCK that he knew a man who was a friend of a chemical engineer of his acquaintance. GLUCK believed that this friend of SERGE JARVIS was BROTHMAN although he could not be absolutely sure that it was.

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GLUCK further said that he had HARRY GOLD make the survey of his plant, the B. G. Interstate Products Company, for advice as to converting this plant to the manufacture of alcohol. GLUCK said that he received a report signed by GOLD and MORRELL DOUGHERTY although he said that he had never met DOUGHERTY. GLUCK also stated that this survey of GOLD and DOUGHERTY was made sometime in 1943 at which time he thought GLUCK was working for the Publicker Industries in Philadelphia, Pennsylvania. GLUCK also stated that he paid \$300.00 for this survey but since he was not satisfied with it he never used it.

GLUCK could furnish no information regarding BROTHMAN nor did he have any additional information regarding HARRY GOLD.

The records of Columbia University reflect that BROTHMAN attended Seth Low Junior College of that university from September 1930 to June 1931. He attended the Columbia University Undergraduate School from September 1931 to June 6, 1933 at which time he received a Bachelor of Science degree. These records further reflect that BROTHMAN entered the Graduate School of Columbia University in September 1934 but since he still owed certain fees as of January 10, 1935, he was considered as "no registration" and handled as a suspension case.

The following information was obtained from the files of Confidential Informant T-9, of known reliability:

A letter of the Hendrick Manufacturing Company dated November 16, 1940, states that BROTHMAN is their Consulting Engineer and has worked on Equipment for Production of Aviation Gasoline, General Petroleum Products, Artificial Rubber, Plastics, Foods and General Processing and Mixing.

A letter of the Chemurgy Design Corporation dated January 11, 1943, states that BROTHMAN is doing work for International Engineering, Inc. which company manufactures

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Process Equipment, Blowers, Fans, Mine Cars and Mills. They produce Mills for the Navy and Industrial Fans and Blowers for the Government. International Engineering Inc. is now working on the largest order ever placed by the Government for these items.

This letter goes on to state that they also do work for the Graver Tank and Manufacturing Company which is one of the largest welding and fabrication shops shipping over 150 tons of fabricated steel a day. They also make water treating systems for Municipalities and Government Industrial Power Houses.

This Chemurgy letter also states that they do work for the Rufert Chemical Company which company produces a "Nickel Hydrogenation Catalyst" for the conversion of vegetable and animal oils, for the hydrogenation of petroleum products such as aviation gasoline and for the synthesis of various essential defense chemicals.

Rufert Chemical Company attached a letter to the above Chemurgy letter dated January 11, 1943, which states that ABRAHAM BROTHMAN for the past seven months has been in charge of Process Chemical Engineering, Mechanical Designing, and Supervision during the erection of a Nickel Recovery Plant that Rufert has been building at Government request. This plant is capable of recovering from the spent hydrogenation catalyst which is used in the hydrogenation of oils, approximately one and one-half million pounds of nickel and approximately seven and one-half million pounds of oil fats and wax annually.

The Chemurgy letter states that they also do work for the Pulverized Metals Corporation of Centerbrook, Connecticut, which company produces pulverized magnesium powder for the loading of incendiary bombs, tracer shells and tracer bullets and whose entire production is consumed by Allied Nations under Lend Lease.

The Golwynne Company attached a letter dated January 11, 1943, which states that the Pulverized Metals Corporation is an associated company. ABRAHAM BROTHMAN supervised

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the design of a section of the plant at Centerbrook, Connecticut. He improved production of pulverized magnesium powder which goes into the above items and their total production is under contract to the British Purchasing Commission going ultimately to the Australian Government.

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The Chemurgy letter states that they do work for the Chicago Pump Company, Chicago, Illinois, which company manufactures industrial pumps and equipment for Industrial and Municipal Sewage Disposal Systems. They are engaged 100% in the defense work.

This letter states that they do work for the Hendrick Manufacturing Company who produces fabricated steel products for direct or indirect use in Chemical Process Equipment, Airplanes, Petroleum Equipment, Armaments, etc.

The letter goes on to state that Chemurgy has or is either directly or through its clients engaged in the manufacture or design of products and projects typified by the following partial list:

Chemicals vital to the manufacture of synthetic rubber for the Naugatuck Chemical Division of the United States Rubber Company, Naugatuck, Connecticut.

Explosives for Picatinny Arsenal, Bureau of Ordnance of the United States Government at Dover, New Jersey.

A plant for the manufacture of synthetic resins for the Synvar Corporation of Wilmington, Delaware.

The designing, installation and construction to begin shortly of a plant for the recovery of spent nickel catalyst for the Rufert Chemical Company.

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The BROTHMAN-WEBER Continuous System for the production of Buna Synthetic Rubber which is currently being employed by all the Defense Plant Corporation Plants producing Buna Synthetic Rubber.

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In a letter dated December 10, 1943, the Chemurgy Design Corporation advised Confidential Informant T-9 that Chemurgy is presently engaged 100% in war work. They are Consulting Engineers to the following:

International Engineering, Inc. of Dayton, Ohio, who manufactures Process Equipment for the Chemical, Petroleum, Synthetic Rubber, Plastics, Explosives, and Allied Industries, also Blowers, Fans, Mine Cars, and Mills. They are engaged in 100% production for the war effort.

The International Engineering, Inc. attached a letter to the above dated December 9, 1943. They stated that ABRAHAM BROTHMAN is their Consulting Engineer and has and still is designing for them defense equipment for many chemical industries. He designed equipment sold by International to the following companies:

Huntsville Arsenal, Huntsville, Alabama
B. F. Goodrich Company, Akron, Ohio
E. I. Dupont de Nemours and Company,
Wilmington, Delaware
Goodyear Tire and Rubber Company, Akron, Ohio
Rohm and Haas Company, Philadelphia, Pennsylvania
manufacturers of Plastic for bomb noses
Rufert Chemical Company, Seymour, Connecticut
Synvar Corporation, Wilmington, Delaware
Dow Chemical Company, Midland, Michigan
Montsanto Chemical Company, Montsanto, Illinois

The Gaver Tank and Manufacturing Company attached a letter to the above Chemurgy letter which states that Graver is engaged in the designing, fabrication and

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erection of process equipment, water treating equipment, softeners and filters, sewage equipment, clarifying equipment, welded steel structures and general construction of steel plate, stainless steel, stainless clad, or other alloys. They are engaged 100% in war work and are the manufacturers of process and other equipment for leading oil companies, synthetic rubber plants and other essential industries.

The Rufert Chemical Company attached a letter dated December 9, 1943 to the above Chemurgy letter which states that ABRAHAM BROTHMAN for the past eleven months has been working on the erection of a Nickel Recovery Plant which is being built at Government request. ABRAHAM BROTHMAN is also working on the extension of present facilities to include the manufacture of Nickel Catalyst and Nickel Salts to be used by petroleum companies for their war contracts for the manufacture of Butadiene or Synthetic Rubber and the manufacture of Aviation High Octane Gasoline.

The Pulverized Metals Corporation attached a letter dated December 9, 1943 which states that ABRAHAM BROTHMAN since July 1942 has been working on Pulverized Magnesium which product goes entirely into munitions.

Chemurgy letter goes on to state that Chemurgy is also working on the erection of a plant for the manufacture of synthetic resins for the airplane industry. This plant is to be shipped to China through Lend Lease. Recently the work was extended to include the framing of a prospectus of a complete chemical industry for China.

Chemurgy was also working on a plant for the Regal Chemical Company and Regal attached a letter dated December 10, 1943 which states that ABRAHAM BROTHMAN since August 1943 has been working on the production of Aerosol Insecticide Bombs.

Chemurgy is also working on the BROTHMAN-WEBER Buna-S Rubber Process currently being employed by all defense corporation plants.

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The files of Confidential Informant T-9 contain a letter dated June 17, 1944 of International Engineering, Inc. which states that ABRAHAM BROTHMAN is their technical designer for Chemical and Process Industries. They manufacture such equipment for Government Arsenals and manufacturers of explosives, aluminum, penicillin, manganese, synthetic rubber, plastics for bombers, etc.

Chemurgy in a letter dated June 19, 1944, furnished the following information to Confidential Informant T-9:

They attached a letter from the Bridgeport Brass Corporation dated June 16, 1944, which states that ABRAHAM BROTHMAN is working on refilling equipment for field use in connection with the Aerosol Insecticide Program and also on an Aerosol Container.

The letter goes on to state that Chemurgy is also filling Aerosol Insecticide Bombs under Navy contract and is engaged in the design of filling Aerosol Bombs for the Brass Goods Company of Brooklyn.

Chemurgy is doing the following work for International Engineering Inc.: The work includes Magnesium Casting, Impregnating Autoclaves. It also includes work on billet cars, hatch combing plates, portable mixers, ventilators for ship holds, axial fans for new fighter planes, marine mine dollies and ingot cars.

Chemurgy attached a letter from the Rufert Chemical Company dated June 23, 1944 which sets out the same information as set out above plus an additional product of hardened lard for Army field rations.

Chemurgy is also working on Resins for the Chinese Government.

Chemurgy is also working on the following items on which ABRAHAM BROTHMAN is the co-developer and on which patents have been applied for:

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1. Valve under consideration by the Navy for an Aerosol Bomb.
2. Field filling equipment for exhausted containers.
3. Automatic equipment for plant filling of aerosol bombs.

The files of Confidential Informant T-9 also contain a letter dated March 27, 1945 from the Bridgeport Brass Company which states that BROTHMAN has been engaged for the past nine months in the manufacture of Aerosol Dispensers.

Mrs. MARY NORTON HARRINGTON, 671 A Bruce Street, Ridgewood, New Jersey, telephone Morsemere 6-8175 W, telephonically advised SA WALTER C. ROETTING, Jr. of this office that she had formerly been employed by the Texaco Development Company and that from about May 1944 to May 1947 she was assigned to assist Dr. LUDWIG ROSENSTEIN, a Consulting Chemist at 405 Lexington Avenue, New York City. She said that in 1945 ROSENSTEIN took over the laboratory of B. T. BROOKS at 114 East 32nd Street, New York City. BROOKS was working for the Texaco Company also and after ROSENSTEIN took over his laboratory he obtained an office in the Chrysler Building with the assistance of the Texaco Company.

ROSENSTEIN became acquainted with ABRAHAM BROTHMAN who also had an office at 114 East 32nd Street, New York City. Mrs. HARRINGTON believes that BROTHMAN occasionally visited in ROSENSTEIN'S laboratory.

Mrs. HARRINGTON also said that in 1945 ROSENSTEIN was doing analytical work on a sulphur derivative in his laboratory at 114 East 32nd Street and at that time employed a chemist named LEONARD PINTO. Mrs. HARRINGTON stated that PINTO told her at that time that the FBI was watching BROTHMAN.

Mrs. HARRINGTON also said that BROTHMAN introduced ROSENSTEIN to MAX LANDAU and HARRY WEINBERG, who, as

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individuals, worked on the atomic bomb. According to Mrs. HARRINGTON, LANDAU and REHNBERG were starting their own business at the time BROTHMAN introduced them to ROSENSTEIN. **SECRET**

Mrs. HARRINGTON stated that she has no knowledge of any espionage activities on the part of BROTHMAN or ROSENSTEIN. Mrs. HARRINGTON recalled that ROSENSTEIN'S housekeeper had told her that Dr. ROSENSTEIN'S son, who is a physician in San Francisco, California, was a good friend of HARRY BRIDGES.

Mr. A. L. CARRAD, Imperial Chemical Industries (New York) Ltd., 521 Fifth Avenue, New York City, advised SA ZOELLER of this office that they were holding up a letter from their London Office addressed to ALFRED LEWISON, Industrial Process Engineers, 8 Lister Avenue, Newark, New Jersey. This letter is dated November 9, 1950, but was being held up pending developments in the BROTHMAN trial.

Mr. CARRAD stated that this letter is to the effect that the London Office of the Imperial Chemical Industries Ltd. in discussions with Dr. POMERANIEC had been told by him that BROTHMAN'S patents on Methyl Methacrylate have been assigned to LEWISON. CARRAD, however, thinks that these are merely potent applications and not actual patents themselves. The London Office of Imperial Chemical Industries wanted the New York Office of this company to contact LEWISON for further information on this process since they are not able to make it work.

CARRAD stated that he intends to write LEWISON and request the desired information from him. He will keep this office advised of further developments in this matter. He stated that if used, this process of producing Methyl Methacrylate has a potential of considerable value.

Confidential Informant T-10, of known reliability, advised that the following firms and individuals were in contact with BROTHMAN at 35 West 33rd Street, New York City, from October 25, 1950 to November 30, 1950:

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Post Office Box 1136
Grand Central Station
New York 17, New York

Dictaphone Corporation
420 Lexington Avenue
New York 17, New York

Queens Employment Service
29-28 41st Avenue
Long Island City, New York

National Association of
Engineering Corporation
1601-13 Dime Building
Detroit 26, Michigan

A. W. Barnhart Company
140 Highland Street
Portchester, New York

U.S. Treasury Department
Office of Collector of
Internal Revenue
110 East 45th Street
New York City

Federal Security Agency,
Social Security Administration
Field Office
41 West 43rd Street
New York 18, New York

R. C. A. Communications, Inc.
66 Broad Street
New York, New York

John Wiley & Sons, Inc.
440 4th Avenue
New York 16, New York

The Liquid Carbon Corp.
3100 South Kedzie Avenue
Chicago 23, Illinois

New York Steel Tank Corp.
113-40 99th Street
Ozone Park 16, New York

Automatic Switch Company
391 Lakende Avenue
Orange, New Jersey

Post Office Box 724
Church Street Station
New York 8, New York

Crystal Spring Water Co.
Pine Hill
132nd Street & Brook Avenue
New York 54, New York

Overseas Trading Corp.
Executive Offices
Graybar Building
420 Lexington Avenue
New York 17, New York

Room 1607
71 West 47th Street
New York 19, New York

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Scientific Glass Aparatus
Company, Inc.
49 Ackerman Street
Bloomfield, New Jersey

Mc Canna
3025 North-Western Avenue
Chicago 18, Illinois

National Lead Company
Atlantic Br.
111 Broadway
New York 6, New York

John F. Abernathy and
Company, Inc.
708 Myrtle Avenue
Brooklyn 5, New York

Eimer and Amend,
Div. of Fisher Scientific Co.
Greenwich & Morton Streets
New York 14, New York

Joseph M. Gleason
360 Bridge Street
Brooklyn 1, New York

R. W. Bixby, Inc.
110 Pearl Street
Buffalo 2, New York

Dienst Ministerie van,
Economische Zaken
Central Planbureau
Raamweg 17-18 Den Haag

Fortune
9 Rockefeller Plaza
New York 20, New York

U.S. District Court,
District of New Jersey,
Chas. H. Weilans; Wm T.
Cahill, Referrees in
Bankruptcy,
Federal Building
Federal Square & Franklin
Street
Newark 2, New Jersey.

Lehman Brothers Inc.
269 Lexington Avenue
New York 17, New York

Grinnell Company, Inc.
277 West Exchange Street
Providence 1, Rhode Island

Allen Bradley Company
Quality Motor Control
136 West Greenfield Avenue
Milwaukee 4, Wisconsin

New York Public Library,
Bursar
486 Fifth Avenue
New York 18, New York

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Sam Tour and Company, Inc.
44 Trinity Place
New York 6, New York

Federated Metals Div.
American Smelting &
Refining Company,
120 Broadway
New York 5, New York

Post Office Box 1136
Grand Central Station
New York 17, New York

Post Office Department,
Official Business,
Dead Letter Branch,
New York 1, New York

The International Nickel
Company, Inc.
67 Wall Street
New York 5, New York

No Name
28 East 21st Street
New York 10, New York

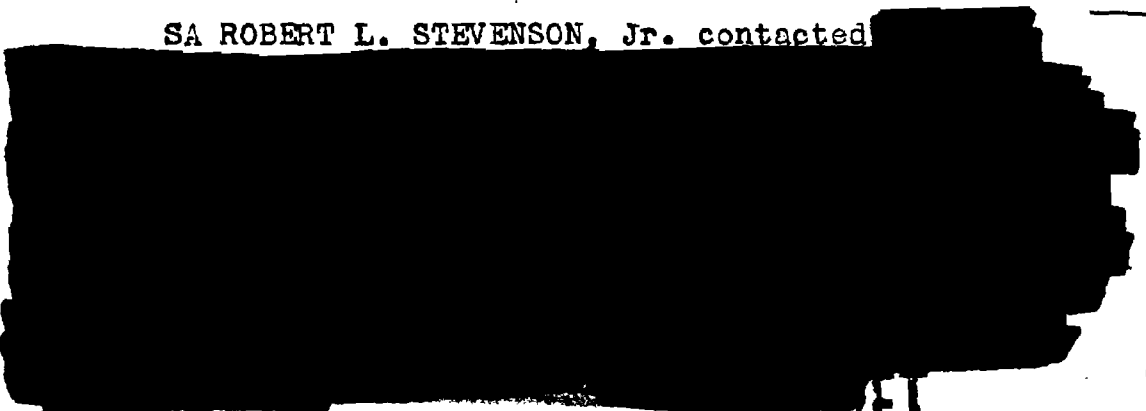
Post Office Department,
Official Business,
Postage Due Section,
New York 1, New York

Westinghouse Electric
Corporation
Pittsburgh 30, Pennsylvania

Exner Sand and Gravel Corp.
880 Zerega Avenue
Bronx 61, New York

According to Confidential Informant T-10 as set out above BROTHMAN was in receipt of a letter bearing the return address of United States Treasury Department, Office of the Collector of Internal Revenue, 110 East 45th Street, New York City.

SA ROBERT L. STEVENSON, Jr. contacted



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Mr. ALEX REDNISS, President of Technical Enterprise Inc., 31 South Street, New York City, advised SA J. T. AVERY of this office that BROTHMAN owns an interest in the ~~Industrial Process Engineers~~, 8 Lister Avenue, Newark, New Jersey. He stated that this firm is offering an unknown firm in Venezuela a deal which is absolutely unworkable in his opinion. REDNISS could offer nothing further concerning this deal nor could he give any information regarding the activities of BROTHMAN.

HARRY GOLD claimed that he and BROTHMAN completed the Buna-S report in a room in the Hotel New Yorker on a Wednesday night and Thursday morning late in the month of March, 1942. He also said that he remembers that it rained heavily on this Thursday.

SA EDWARD C. MORGAN, Jr. checked the records of the United States Weather Bureau, 17 Battery Place, New York City. These records reflect that the only precipitation heavier than dew between Thursday, March 19, 1942, and Friday, April 10, 1942, is as follows:

March 21, 1942 (Saturday) 11:55 AM to 5:20 AM, March 22, 1942 - heavy rain.

March 29, 1942 (Sunday) 12:30 PM to 6:02 AM, March 30, 1942 - heavy rain and snow.

April 9, 1942 (Thursday) 4:05 AM to 2:30 PM, April 10, 1942 - heavy rain, snow and sleet.

With this information to refresh his recollection, HARRY GOLD said that it must have been on the evening of April 8 and the morning of April 9, 1942 that he and BROTHMAN worked on the Buna-S report. GOLD was adamant in his recollection that this meeting in the Hotel New Yorker took place in the middle of the week.

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In an effort to determine further exactly when this meeting took place SA ZOELLER contacted EDWARD STILES, Security Officer, Hotel New Yorker, 34th Street and 8th Avenue, New York City. Mr. STILES advised that the hotel has no registration records available prior to 1947.

In a pre-trial interview with HARRY GOLD, he claimed that sometime during the months of January, February or March, 1942, on a Saturday, he had a meeting scheduled with BROTHMAN at the Prince George Hotel.

In an effort to establish the date of this meeting Mr. ROY CONROY, Assistant Manager, Prince George Hotel, 14 East 28th Street, New York City, was contacted. After checking his records, he advised that although he had a record of some hotel registrations for the year 1942, he could not locate one for HARRY GOLD under his true name or any of his known aliases.

By letter dated October 4, 1950, the Bureau requested that ARTHUR MARKMAN be interviewed regarding BROTHMAN. By teletype dated October 18, 1950, the Bureau advised that MARKMAN, number Z 303805, signed aboard the SS Pioneer Tide at New York City on August 22, 1950, as a Junior Pharmacist Mate. This vessel is operated by the United States Lines which is located at 1 Broadway, New York City.

SA WILLIAM A. FLYNN learned from JOSEPH SCHWENK, Cargo Division, United States Lines, that the SS Pioneer Tide is at sea on a voyage to Japan and the Philippine Islands and is not expected to return to New York City until about December 25, 1950. This information was sent to the Bureau by teletype on October 21, 1950, in the event the Bureau desired to have CIA or the Army interview MARKMAN while overseas.

Since the color of BROTHMAN'S 1940 Pontiac Sedan might have become an issue in this case, the Detroit Office was requested to determine the actual color of this car.

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By teletype dated October 19, 1950, the Detroit Office advised that factory records on this car maintained by the Pontiac Motor Company, Pontiac, Michigan, indicated the color to be nottingham gray, color number 2284. **SECRET**

This teletype also advised that MARQUIS SARTELL, in charge of past records of the Pontiac Motor Company, was the person to subpoena to produce these records if necessary to BROTHMAN'S trial.

ELIZABETH T. BENTLEY, in a pre-trial conference, advised that she took the original blueprints which were furnished to her by BROTHMAN to an address in the vicinity of Liberty Street in New York City where she had copies of these blueprints made.

In an effort to establish the location of the place where these blueprints were copied, the following investigation was conducted by SA STUART J. CAMERON:

Mr. E. L. WERNER and PETER MAURO, Liberty Blueprint Company, 117 Liberty Street, New York City; HERMAN E. MATTSO and WALTER A. ANDERSON, Prompt Photo Print Service, Inc., 145 Greenwich Street, New York City, and ARTHUR J. LESHER and FRANK GAFFLEY, Royal Blueprint Company, 47 Ann Street, New York City, formerly at 128 Liberty Street, all examined the photograph of Miss BENTLEY but stated that they could not recall her as a customer of theirs. They all advised that since they have had so few women customers over the years they would easily recognize the picture of Miss BENTLEY as a former customer of theirs.

Mr. JOSEPH HERMAN, Industrial Photo Print Company, 92 Liberty Street, New York City, advised that his company has been in business at this address only since November, 1949, therefore, the photograph of ~~ELIZABETH BENTLEY~~ was not exhibited to him.

Further in this pre-trial conference, Miss BENTLEY advised that she first met BROTHMAN in 1940 in a Chinese

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restaurant on 33rd Street between Sixth and Seventh Avenues. She also said that there later was a fire in this restaurant and that they had to discontinue their meetings at that place.

In order to determine the location of this restaurant SA CAMERON conducted the following investigation:

JOHN J. GRIBBON, Assistant Fire Marshal, Bureau of Fire Investigation, New York City Fire Department, Room 1104 Municipal Building, New York City, produced records which reflect that on February 23, 1941 a fire occurred at the address 141-145 West 33rd Street, New York City. The owner of this building is the Penn Arcade Holding Corporation, 150 West 34th Street, New York City. These records reflect that the fire started on the third floor rear which space was occupied by a women's retail shoe company. Extended damages as a result of this fire included the Chinese Village Restaurant on the second floor, 141 West 33rd Street. The insurable contents of the Chinese Village Restaurant were estimated at \$8,000.00 and the estimated loss on the contents at this address was \$500.00. The records further reflect that the previous fire at this address was on August 8, 1938 with no damages resulting to the restaurant.

On November 15, 1950, Federal Judge THOMAS J. MEANEY, Newark, New Jersey, telephoned the FBI office in that city and advised that he had received information from

 was subsequently contacted by an agent of the Newark Office at which time he disclosed that Confidential Informant T-11, who is believed reliable, had furnished him with some information which he believed was of importance. Accordingly, Confidential Informant T-11 was interviewed at which time she furnished the following information:

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On November 16, 1950, LEWISON was interviewed by an agent of the Newark Office relative to the material on which BROTHMAN had worked for the Industrial Process Engineers. with specific reference to the "Kettles" which Confidential Informant T-11 stated were manufactured by the Industrial Process Engineers. LEWISON advised that his firm receives numerous requests from companies and individuals all over the world who wish to enter business in the chemical or industrial manufacturing field. These requests are in the nature of invitations to bid and ask Industrial Process Engineers to design the physical setup of a proposed plant. According to LEWISON whenever such a

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request is received which involves the setting up of a chemical process, BROTHMAN is called upon to design that phase of the chemical plant. BROTHMAN makes rough sketches or drawings together with notations containing the proposed setup and Industrial Process Engineers produce finished blueprints from BROTHMAN'S sketches.

LEWISON also stated that Industrial Process Engineers has performed a quantity of work for the Union Carbide and Carbon Company, Plant K-25, Oak Ridge, Tennessee, but that none of this work has been classified as restricted. He stated that the bulk of this work has consisted in the manufacturing of "heaters" commonly called "Kettles" which are chemical mixing machines. LEWISON added that BROTHMAN had nothing to do with any of this work with one exception. He said that BROTHMAN estimated the heat load of one "Heater" which was described as a gasoline super heater which was ordered on April 4, 1950.

LEWISON said that although he has engaged BROTHMAN'S services frequently since September, 1949 to design chemical processes for proposed plants, few of the bids on which BROTHMAN has worked have been accepted.

The following information regarding ^(S) [redacted] was obtained by Confidential Informant T-12, of known reliability: b1

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FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

3 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- Deleted under exemption(s) b1 with no segregable material available for release to you.
- Information pertained only to a third party with no reference to you or the subject of your request.
- Information pertained only to a third party. Your name is listed in the title only.
- Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

_____ Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

_____ Page(s) withheld for the following reason(s):

For your information: _____

The following number is to be used for reference regarding these pages:
100-365040-493 pg 68-70

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LEADS

NEW YORK

At New York, New York

Will follow and report the action taken in connection with BROTHMAN'S appeal.

Will obtain from United States Attorney, Southern District of New York, and report the results of the supplementary proceedings held before Assistant United States Attorney RAO on December 7, 1950.

Will perform any investigation requested by Assistant United States Attorney RAO to ascertain BROTHMAN'S financial ability.

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CONFIDENTIAL INFORMANTS
(Cont'd)

T-11

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who requested that his identity be kept confidential.

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T-12

A highly confidential foreign source. *la*

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REFERENCE

Report of SA JOHN M. COLLINS,
10/26/50, New York.

Report of SA JOSEPH J. PALGUTA,
12/4/50, New York.

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restaurant, and that GOLD should tell the Federal Bureau of Investigation the same story as he did as to the origin of their association. BROTHMAN then gave GOLD a description of JACOB GOLOS and instructed GOLD to tell the agents that GOLOS had introduced them.

Also on this day, FBI agents interviewed HARRY GOLD at the Brothman laboratory. At the outset of the interview, GOLD identified a picture of JACOB GOLOS which was shown to him by the agents. In a signed statement, he stated that he met this individual at a meeting of the American Chemical Society in Philadelphia, Pennsylvania, in 1940 and that this man requested him to get in touch with ABRAHAM BROTHMAN in New York City. This man, according to this statement, instructed GOLD to discuss certain chemical processes with BROTHMAN, pick up blueprints pertaining to these processes from BROTHMAN, and evaluate the chemical processes against the blueprints. GOLD claimed that about November, 1940, he made an appointment to meet BROTHMAN and in fact came to New York City and actually met him. At this meeting, BROTHMAN gave blueprints to GOLD.

According to this statement also, GOLD made further trips to New York City from Philadelphia up until around late 1941 on the average of one every six weeks. In this statement, GOLD claimed that he met BROTHMAN in restaurants in New York City and that at these times, BROTHMAN would turn over blueprints to him.

Further, in this connection, BROTHMAN testified before a Grand Jury in the Southern District of New York on July 22, 1947, and GOLD testified before this same Grand Jury on July 31, 1947. Both stated before this Grand Jury that they met each other through JACOB GOLOS, GOLD giving such testimony at the insistence of ABRAHAM BROTHMAN.

Actually however, HARRY GOLD in a signed statement dated July 11, 1950, claimed that the story he gave the FBI agents on May 29, 1947 and the Grand Jury on July 31, 1947, was completely false. He further stated that he never knew JACOB GOLOS, but met with BROTHMAN and picked up blueprints from him

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at the request of an individual known to him as "SAM". GOLD has also stated that MIRIAM MOSKOWITZ was fully aware of this false story, and in fact, sought legal advice on this story from ISADORE GIBBY NEEDLEMAN, BROTHMAN'S attorney at that time.

MIRIAM MOSKOWITZ first became associated with A. Brothman and Associates in October, 1944 as a secretary. In 1946, she became a partner in this firm and was closely associated with BROTHMAN in his business, personal and social activities.

On July 29, 1950, a Grand Jury in the Southern District of New York handed up an indictment to Judge SIDNEY SUGARMAN charging ABRAHAM BROTHMAN and MIRIAM MOSKOWITZ with conspiracy to obstruct justice in that they together with HARRY GOLD, a co-conspirator but not a defendant, agreed on fictitious explanations of their associations with each other and divers other persons in violation of Title 18, Section 88, (1946 Edition), United States Code. This indictment contained a second count charging BROTHMAN with wilfully influencing GOLD to give false testimony before a Grand Jury on July 31, 1947, in violation of Title 18, Section 241, (1946 Edition), United States Code.

BROTHMAN and MOSKOWITZ were arrested at 3:50 P.M. on July 29, 1950, by FBI agents at Cliffwood, New Jersey, in accordance with bench warrants previously issued by Judge SUGARMAN. They were arraigned on July 31, 1950, before United States District Judge T. HOYT DAVIS of the Middle District of Georgia who at that time was sitting as a visiting judge in the Southern District of New York. Inasmuch as neither defendant was represented by counsel, their arraignment was continued until August 2, 1950. Bail, however, was set by Judge DAVIS in the amount of \$25,000 for each.

On August 2, 1950, before Judge DAVIS, BROTHMAN pleaded not guilty to two counts of the indictment and MOSKOWITZ to one count. Bail was continued in the amount of \$25,000 for each. MOSKOWITZ subsequently was released on bail on August 16, 1950, and BROTHMAN on September 1, 1950.

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Their trial began on November 8, 1950, before Judge IRVING R. KAUFMAN, Southern District of New York. On November 22, 1950, the jury returned a verdict finding BROTHMAN guilty on the two counts and MOSKOWITZ guilty on the one count. Inasmuch as they had been remanded to the custody of the United States Marshal at the start of their trial, they were continued in his custody. On November 28, 1950, KAUFMAN sentenced BROTHMAN to five years imprisonment and \$5000 fine on count two, and two years imprisonment and \$10,000 fine on count one. Judge KAUFMAN determined that the serving of the sentence on count one was to begin after the completion of the sentence on count two. MOSKOWITZ was sentenced to two years imprisonment and \$10,000 fine. Both defendants are to be committed until all fines are paid.

AGGRAVATING CIRCUMSTANCES

In BROTHMAN'S testimony before the Grand Jury on July 22, 1947, he admitted membership in the Young Communist League while he was a student at Columbia University. Further, a reliable informant of this office has advised that BROTHMAN was a member at large of the Communist Party and in 1948, delivered a talk before the Hetti Lapatine Club, Chelsea Section, Communist Party, in which he attacked the party leaders and defended EARL BROWDER. (Actually it is believed that BROTHMAN in his talk defended FRANCIS FRANKLIN rather than EARL BROWDER, since HARRY GOLD has stated that BROWDER was a follower of FRANCIS FRANKLIN. It should be noted that FRANKLIN was expelled by the Communist Party in 1948 for factionalism.)

At the time the verdict was returned by the jury on November 22, 1950, Judge KAUFMAN made the following comments regarding the verdict:

"Ladies and Gentlemen: I want to thank you for your thorough and patient deliberation. I think your verdict was an intelligent one and I think it was a proper verdict in accordance with the evidence in this case.

"I think that your verdict was a complete indication as far as I am concerned of the jury system.

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"What I do not understand and I simply cannot fathom is why people who seek to undermine the very backbone of our country, why people seek to undermine that which give them every opportunity ---- opportunity for education, opportunity for livelihood, yes, and an opportunity for fair trial such as they have received here. I simply cannot comprehend it. Perhaps the explanation can be found some place else but it is far beyond me."

Judge KAUFMAN, at the sentencing of the defendants on November 28, 1950, made the following comments:

"The defendants in this case have not only been convicted of obstruction of justice, but what aggravated the case here is the fact that the obstruction of justice serious by itself was laid in the background of espionage. I said in my charge to the jury that the obstruction of justice is one of the most serious crimes on the statute books because only by safeguarding the purity of judicial process can it be protected. I believe those were my exact words. When you destroy the courts you have made the first inroad I believe to the destruction of your country.

"When the verdict came in I said it was beyond my comprehension that anyone would commit an offense of this character against this country; and what is strange about this is that the very country that these defendants sought to undermine, and the evidence was clear and the verdict of the jury was clear on that particular point, that the very country that they sought to undermine gave them a fair, painstaking and competent trial, something that they could not have obtained from the country they sought to aid.

"The parents of these defendants came to America seeking a haven from oppression so that these defendants, their children, could be brought up in a wholesome atmosphere, an atmosphere which recognized that God had created a human being the greatest thing which God has ever done; and that the human being had a certain sanctity about him which if man made law did not recognize it, natural made law did recognize it; and that this country recognized that that natural law was paramount to man made law and once man made law conflicted with natural law it had to give way.

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"There are so few safe havens remaining on earth today and it seems to me that these defendants sought to undermine the staunchest supporter of freedom in the world today. I cannot understand, I said that when the verdict came in. I repeat again, I just cannot comprehend why these defendants and others seek to destroy that which protects them from tyranny.

"The matter of imposing sentence you know, Mr. Kleinman is never a pleasant task for any court. It is almost a God like function. You sit and place sentence upon a fellow human being. In this particular case, I must say that I have deliberated, I have spent a great deal of time giving a great deal of thought to the matter of sentence, and I have come to but one conclusion and that is that I regret that the law under which these defendants are to be sentenced is so limited and so restricted that I can only pass the sentence which I am going to pass, for I consider their offenses in this case to be of such gross magnitude. I have no sympathy or mercy for these defendants in my heart, none whatsoever. "

MITIGATING CIRCUMSTANCES

There are no known mitigating circumstances.

HISTORY OF DEFENDANTS

ABRAHAM BROTHMAN was born August 15, 1913, at New York City. He was educated in the elementary and high schools of New York City, and was graduated from Columbia University in 1933 with a Bachelor of Science Degree. He was married on June 15, 1937, to NAOMI METT. BROTHMAN, until his conviction, resided at 41-08 42nd Street, Sunnyside, New York, with his wife and two children.

From the time of his graduation in 1933, BROTHMAN worked as a consultant in the field of Chemistry for various firms, including the Blaw-Knox Company of Pittsburgh, Pennsylvania. In 1938, BROTHMAN together with ARTHUR MARKMAN formed the Republic Chemical Machinery Company. At that time, BROTHMAN was the owner of a patent on a super turbine and gas liquid mixer.

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In 1939, BROTHMAN entered into an agreement with the Hendrick Manufacturing Company, 30 Church Street, New York City, whereby BROTHMAN was to try to sell this mixer to various industrial firms. The Hendrick Manufacturing Company, according to the agreement, was to manufacture the mixer thus sold by BROTHMAN. BROTHMAN was not a salaried employee of the Hendrick Company, but instead received royalties and expenses from them. This agreement remained in effect until July, 1942, when it was terminated.

About this time, BROTHMAN together with ARTHUR P. WEBER and HENRY A. GOLWYNNE formed the Chemurgy Design Corporation, 420 Lexington Avenue, New York City. BROTHMAN remained with this company until August, 1944 when he resigned because of an argument concerning finances with HENRY GOLWYNNE. At this time, he started A. Brothman and Associates with an office at 114 East 32nd Street, New York City. He later moved to 2928 41st Avenue, Long Island City, New York. He also maintained a laboratory at 8503 57th Avenue, Elmhurst, New York. This latter firm of BROTHMAN, acted as chemical engineering consultants for several industrial firms in the United States and abroad.

In August, 1950, A. Brothman and Associates gave up its office in Long Island City and moved to Room 500, 35 West 33rd Street, New York City. This address, however, was determined to be merely an address for receiving mail and telephone calls.

BROTHMAN has no known criminal record.

Reliable individuals have advised that MIRIAM MOSKOWITZ, who was convicted with BROTHMAN, has been his mistress for several years. In this connection, it can be noted that an informant has advised that

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