

July 18, 1950

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(Mr. Donegan)

BRothman

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A B R A H A M B R O T H M A N , recalled as a witness,
testified as follows:

THE FOREMAN: The oath which you received yesterday carries over. You are still under oath, Mr. Brothman.

BY MR. DONEGAN:

Q Mr. Brothman, I am going to read from the Grand Jury record, the transcript of the proceedings in the Grand Jury room yesterday - - I am not going to read it all, but I will read the last few pages, so that we can pick up from where we left off:

A Grand Juror asked this question: "Mr. Brothman, will you now answer questions that are put before you?"

"THE WITNESS: I would like the advice of counsel, sir.

"Q You haven't got your lawyer here, have you?"

A No, I have not."

I am not going to read this all, because I don't want to take up too much time of the Grand Jury. Then, in substance, you were asked whether in good faith you wanted to talk to your lawyer, and whether you would talk to your lawyer, and then come back here and give the Grand Jury your answer; and then you were asked to only discuss the matter with your lawyer and with your wife, and you were also asked whether it would be satisfactory for you to be back here at ten-thirty this morning.

So now, Mr. Brothman, to sum it all up, will you give your answer to this Grand Jury? A I wish to let my answers of yesterday stand.

Q You do not wish to change any of your answers?

A I do not.

Q In order that the record may be complete, I will again ask you one of the questions I asked you yesterday: Were you ever engaged in espionage activities? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Did you ever act as a Russian espionage agent?

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

Q Were you ever interviewed by any representative of the Federal Bureau of Investigation, under any circumstances whatsoever? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Did an individual named Special Agent Frank O'Brien ever talk to you? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Did a Special Agent named Don Shannon ever talk to you? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Did you ever take an oath in any judicial proceeding? A May I ask a question?

Q Yes. A Is this a judicial proceeding?

Q This is a judicial proceeding. A I have.

Q Did you appear before a Grand Jury in July of 1947? A I did.

Q Did you take an oath when you appeared before that Grand Jury? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Do you know an individual named Julius Rosenberg? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Did you read in the newspapers this morning of the arrest by the F. B. I. of Julius Rosenberg? A I did.

Q Have you ever met, talked with, or had any contact with this individual whose picture and name appeared in the newspapers this morning, who was arrested by the F. B. I. and who was identified as Julius Rosenberg?

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

Q Have you ever read in the newspapers, or heard on the radio or observed on television, that an individual by the name of Slack was arrested for espionage activities? A I have.

Q Have you ever met, talked with, corresponded with, or had any contact with this individual named Slack?

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

Q Have you read in the newspapers, or heard on the

radio or observed on television, that an individual by the name of Greenglass was arrested for espionage activities?

A I have.

Q Have you ever met, had any contact with, talked with, or had correspondence with this individual named Greenglass? A I decline to answer on the grounds that it might tend to incriminate or degrade me. In this connection, sir, I should like to have the advice of counsel, and it might be that after that I would change my answers.

Q Well, I want to point out to you, Mr. Brothman, that this Grand Jury can't be delayed in its deliberations and proceedings by interruptions, for you to consult with counsel. Yesterday they allowed you the whole evening to consult with your lawyer; and necessarily, if that went on, the Grand Jury could never properly perform its duties or take care of its obligations.

And you have no right in this Grand Jury room to consult counsel; you have outside of the Grand Jury room. But the Grand Jury can't be impeded or held up in its deliberations, so that you have to consider your answers in the Grand Jury room.

Is your counsel in the building? A No, he is not.

Q Have you read in the newspapers, heard on the radio, seen on television or pictures, or heard accounts of the arrest of an individual named Karl Fuchs, who was

arrested for espionage? A I have.

Q Have you ever met that individual, or had any contact with him? A I decline to answer on the grounds that it might tend to incriminate or degrade me. Here, again, sir, I might change that answer after the advice of counsel.

A JUROR: What did you want to see him for?

Why don't you tell us?

Q I again want to point out to you that the Grand Jury has given you an opportunity to consult with your counsel. You were first examined in the Grand Jury room last Friday. Following the questions asked you at that time you had over the week-end to consult with counsel.

Yesterday you were examined, and the proceedings were purposely adjourned so that you could consult with counsel, with reference to your answers to questions, and more specifically it was put to you in the Grand Jury room that you should give serious consideration to your answers, and you were asked more particularly as to whether you desired to let the record reflect that you refused to answer questions as to whether you had ever been a Russian espionage agent.

Upon your statement that you would like to consult with counsel, we adjourned, and you have had since approximately noon yesterday until this morning to consult

with counsel, and I think that you have had ample opportunity to go into the entire matter.

Have you ever delivered or turned over to any individual, on the streets of New York, any papers or blueprints or drawings? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Have you ever held a conversation with Harry Gold in which you discussed testimony you had given before the Grand Jury? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Have you ever had a conversation with Harry Gold wherein you told him that when he appeared before the Grand Jury he should tell the Grand Jury that he met you through Golos and Helen? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Did you ever have a conversation with any individuals wherein you stated that you desired to go before the Grand Jury and tell the whole story, and those individuals informed you that you should not do that? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Did you ever meet an individual in a room in the New Yorker Hotel, at the invitation of Gold, this individual being a man who was introduced to you as the representative of the Russian Government -- A I decline to answer on the grounds that it might tend to

incriminate or degrade me.

Q Did you ever hold a conversation in a room with this man, in a room in the New Yorker Hotel with this man, in the presence of Harry Gold, and during the conversation this man told you that you should get yourself a position in a large industry so that you could get better information for the Russian Government? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Did you ever tell this individual, who identified himself to you as a representative of the Russian Government, and who was identified to you by Gold as his boss in Russian espionage activities, that you would obtain more material and turn this material over to him, so that it could be furnished to the Russian Government?

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

Q In pursuance of an agreement you made with Golos, Helen - who has been identified as Elizabeth Bentley - Harry Gold, Semenov, and other individuals who were engaged in Russian espionage activities, did you ever turn over material consisting of papers, notes, blueprints, and other miscellaneous material, and also furnish other oral information to these various individuals - - A I decline - -

Q Wait a minute, I haven't finished - - Is the

question confusing to you? I want you to fully understand the question before you answer it.

MR. DONEGAN: Will you read it from the beginning, Mrs. Gold, please? Maybe the question is too long.

(Read by reporter: "In pursuance of an agreement you made with Golos, Helen - who has been identified as Elizabeth Bentley - Harry Gold, Semenov, and other individuals who were engaged in Russian espionage activities, did you ever turn over material consisting of papers, notes, blueprints, and other miscellaneous material, and also furnish other oral information to these various individuals - - ")

Q - - in order to act as an espionage agent of the Russian Government? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Mr. Brothman, do you fully understand that previous question I asked you? A I do.

Q The length of it isn't confusing to you?
A No, it is not.

Q Do you own an automobile at the present time?
A I do.

Q Did you own an automobile in 1941? A I did.

Q Did your automobile have a radio? A I don't recall.

Q Do you recall the license number of your automobile

in 1941? A I do not.

Q You do not recall - is that your answer?

A That's right.

Q Did you ever give the license number of your automobile to Helen, now identified as Elizabeth Bentley, in response to her request? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Did Helen, identified as Elizabeth Bentley, ever ask you for your automobile license number, in or about the summer - the spring, summer or fall of 1941, in order that she could furnish it - telling you that she wanted to give it to an individual with whom she was going to put you in contact? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Was the license number of your automobile, in 1941, 2 N 9038? A I do not recollect.

Q Is it your testimony that you did have an automobile in 1941? A Yes, I did.

Q And that you registered that automobile in New York State? A I did.

Q Did an individual subsequently known to you as Harry Gold enter your automobile one evening the latter part of September, 1941, and advise you that he brought greetings from Helen? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Did you sit in your automobile on this first meeting with this individual now known to you as Harry Gold and listen to the radio with Harry Gold, to the broadcast of the fight between Joe Louis and Lou Nova? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q In 1941 did you listen to a broadcast of the fight between Joe Louis and Lou Nova? A I do not recollect.

Q Did this man now known to you as Harry Gold, when he entered your automobile on the evening of the Louis-Nova fight in September of 1941, more particularly September 29th, ask you about your wife Naomi? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Did he also ask you about your baby daughter? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Did you ever meet an individual who was introduced to you by the name of Sam? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Have you ever visited any place in the State of New Mexico? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Have you ever visited any place in Tennessee?

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

Q Did you ever hold a conversation with Harry Gold concerning the procurement of information on the atom bomb?

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

Q Did you ever have any conversation with Harry Gold, during which conversation a discussion was had concerning the procurement of information concerning the atom bomb, for the Russian Government?

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

Q Did you ever have any conversation with a Miriam Moskowitz, further identified as your business associate in the Abraham Brothman Associates, concerning your activities as a Russian espionage agent? - A I decline to answer, on the grounds that it might tend to incriminate or degrade me.

Q Did Harry Gold and you ever have any conversation concerning Harry Gold's dealings with Emil Julius Klaus Fuchs?

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

Q Did you ever meet an individual named Thomas L. Black?

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

Q When did you first meet Harry Gold? A I decline to answer, on the grounds that it might tend to incriminate or degrade me.

Q Did you always know Harry Gold under the name of Harry Gold? A I decline to answer, on the grounds that it might tend to incriminate or degrade me.

Q Did you know Harry Gold under a different name from Harry Gold? A I decline to answer, on the grounds that it might tend to incriminate or degrade me.

Q Did you have a discussion with Harry Gold concerning an individual named Hoodless, Carter Hoodless? A I decline to answer, on the grounds that it might tend to incriminate

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or degrade me.

Q Did Harry Gold and you discuss the possibility of his advising the Grand Jury, when he appeared before the Grand Jury, that he would tell the Grand Jury -- I withdraw that whole thing. Did Harry Gold and you hold a discussion wherein it was agreed between the both of you that Harry Gold would tell the Grand Jury that he got in touch with you through Carter Hoodless? A I decline to answer, on the grounds that it might tend to incriminate or degrade me.

Q Subsequent to your appearance before the Grand Jury in July of 1947 did you contact Harry Gold and advise him of the questions that were asked you in the Grand Jury room and the answers you gave to these questions? A I decline to answer, on the grounds that it might tend to incriminate or degrade me.

Q Did you know Harry Gold under the name of Frank Kessler? A I decline to answer, on the grounds that it might tend to incriminate or degrade me.

MR. DONEGAN: I would like to excuse this witness at the present time, if I may.

JUROR: May I ask a question?

THE FOREMAN: One question, yes.

BY THE JURY:

Q Mr. Brothman, was your family name always Brothman? Was that your father's name? A Yes.

Q Always? A Well, that's the spelling that has always

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been used in this country.

Q Yes; but that is not your real name? A It is my real name.

Q Was it your father's real name? A It's my father's real name.

Q It doesn't sound Polish. A In Poland the family name was spelt B-r-o-j-t-m-a-n, and when the family came here every member of the family -- the name was given as Brothman.

Q I was wondering how you picked up that Anglo-Saxon name. Did you talk to Miriam Moskowitz since you left this Grand Jury room yesterday? A I decline to answer, on the grounds that it might tend to incriminate or degrade me.

Q Mr. Brothman, would you care to have the opportunity of telling us something of your own free will that you may not consider degrading to you? A I decline to answer, on the grounds that it might tend to incriminate or degrade me.

Q Well, I just asked you as to what you would consider not degrading. I think it's Mr. Brothman's by-word, so I don't see any sense --

MR. DONEGAN: I would like to instruct the witness that in the event he isn't called back here today, he is to report here tomorrow at 10:30. Those are the Grand Jury's instructions to you. And you are continuing under subpoena. So, if you are not called back in this Grand Jury room while the Grand Jury is sitting today,

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you are to report back tomorrow at 10:30 under the subpoena.

THE WITNESS: Yes, sir.

MR. DONEGAN: You can go to the waiting-room outside.

[WITNESS EXCUSED]