

July 17, 1950

Brothman

A B R A H A M B R O T H M A N , recalled.

BY MR. DONEGAN:

Q Mr. Brothman, you are continuing under oath, do you understand that? A Yes.

Q Mr. Brothman, can you give this grand jury the approximate date you first met a woman known to you as Helen and subsequently known to you as Elizabeth Bentley? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

JUROR: Are you a Communist?

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

JUROR: Then you are.

(Mr. Donegan, resuming:)

Q Mr. Brothman, I show you a letter on the letterhead of the Graver Tank Manufacturing Company, Inc., East Chicago, Indiana, dated February 19, 1944, addressed to the Chemurgy Design Corporation, 420 Lexington Avenue, New York City, N.Y., Attention Mr. A. Brothman, and signed by Mr. L. W. Bieker, Water Treating Engineer, letter reads as follows: "Gentlemen: In accordance with your request, we enclose one print each of our drawings for the various vessels fabricated for the Rufert Chemical Company." I show you this letter, and ask you if you have ever seen that letter before? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

(LETTER MARKED GRAND JURY EX. 1, this date.)

Q I show you a blueprint, drawing number S-6421-0, Vacuum Receiver Tank, for Rufert Chemical Company, Seymour, Conn., and ask you if you ever had that blueprint or a copy of it in your possession? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

(BLUEPRINT MARKED GRAND JURY EX. 2, this date.)

Q Did you ever give to Harry Gold any blueprints?

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

Q Did you ever give to Harry Gold any blueprints concerning the Rufert Manufacturing Company of Seymour, Conn?

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

Q Mr. Brothman, did you ever furnish Harry Gold with any blueprints which were to be turned over to a Russian representative? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q I show you a photograph and ask you if you ever met this individual at any time? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q I identify the photograph, Grand Jury Exhibit No. 3, which I just exhibited to you, as a photograph of a Russian espionage agent named Semen Semenov. Were you ever introduced to this individual whose photograph was exhibited to you and identified as Grand Jury Exhibit No. 3 by Harry Gold? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

(PHOTOGRAPH MARKED GRAND JURY EX. 3, this date.)

JUROR: Where were your parents born, Mr. Brothman?

THE WITNESS: My parents were born in Poland.

(Mr. Donegan, resuming:)

Q Mr. Brothman, I show you a sheet of paper bearing penciled handwriting, entitled, "Hendrick Continuous Method for Buna-S Manufacturing", and ask you if that writing on this piece of paper is your handwriting? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

(MARKED GRAND JURY EXHIBIT 4, this date.)

Q I ask you, Mr. Brothman, whether you ever turned over this piece of paper to Harry Gold, together with other pieces of paper, concerning the Buna-S process? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Mr. Brothman, did you ever act as an agent for the Russian Government? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Mr. Brothman, were you ever paid for the obtaining of information for the Russian Government? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Mr. Brothman, were you ever -- did you ever act as an espionage agent for the Russian Government? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Have you ever been arrested, Mr. Brothman? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

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Q Are you still an owner, or a part owner, or have any interest in Abraham Brothman Associates? A I decline to answer on the grounds that it might ^{tend to} incriminate or degrade me.

Q Were you interviewed by Agents of the Federal Bureau of Investigation in July of this year? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Were you interviewed by Special Agents of the FBI in June of this year? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Have you ever been interviewed by Special Agents of the FBI? A I decline to answer on the grounds that it might incriminate or degrade me.

Q Did you appear before this grand jury last Friday?
A I did.

Q Were you questioned by me before this grand jury last Friday? A I was.

Q Were you questioned by me before a Federal grand jury in July of 1947? A I was. And in that connection I am prepared --

Q You will answer the questions as I give them to you. If you want to make any explanation with reference to an answer you gave, you will state that you desire to make an explanation, and then the grand jury will decide whether they want to hear the explanation or not. Do you understand me?

A Yes.

THE FOREMAN: I think we will hear the explanation.

THE WITNESS: It is not an explanation. I should like to say I would, on reconsideration, like to answer some of the questions put to me Friday.

(Mr. Donegan, resuming:)

Q Do you desire to do that? A Yes.

Q Can you recall any of them? A The question as to whether Harry Gold was employed by me.

Q Yes. A He was. Also the question as to whether I had appeared before the grand jury previously. I did. Also the question as to whether I paid Social Security on wages paid to Harry Gold. I did.

Q Any others that you recall? A No.

Q Have you ever talked with any Agents of the FBI? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q When you appeared before the grand jury in July of 1947, do you recall this question being asked you, and do you recall giving this answer: "Q Who was the chemist? A A fellow by the name of Harry Gold." A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q "Q When did you meet him first? A I met him in, oh, in the last part of '41." Do you recall that question being asked you, and do you recall giving that answer? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

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Q Do you recall being asked this question by me:
"Q Who was the chemist"? A I decline to answer on the
grounds that it might tend to incriminate or degrade me.

Q Was Harry Gold ever employed by you? A Yes, he was.

Q Do you recall this question being asked you before
the grand jury in July of 1947? "Q Is Harry Gold still
employed by you"? A I decline to answer on the grounds that
it might tend to incriminate or degrade me.

Q Do you recall this answer: "That's right."?
A I decline to answer on the grounds that it might tend to
incriminate or degrade me.

Q Did you take an oath when you appeared before the
grand jury in July of 1947? A I decline to answer on the
grounds that it might tend to incriminate or degrade me.

Q Did you appear before the grand jury in July of 1947?
A I did.

Q Were you questioned in the grand jury upon that
appearance? A I was.

Q Did the Foreman of the grand jury swear you in to
tell the truth before that grand jury? A I decline to answer
on the grounds that it might tend to incriminate or degrade
me.

MR. DONEGAN: If the grand jury has any questions
in order to save time --

A JUROR: How can you pass such a remark that it
will incriminate you when you were there in the grand jury

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the same as you are now? How is that going to degrade you? How can you pass such a remark and ask us to listen to that stuff?

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

JUROR: How is ^{it} during the weekend you changed your mind and answered some of the questions yourself, the simple questions we asked?

THE WITNESS: I decline to answer on the grounds it might tend to incriminate or degrade me.

JUROR: You must have had a lovely weekend.

ANOTHER JUROR: Do you remember being sworn in by this grand jury?

THE WITNESS: I do.

JUROR: But not the other one?

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

(Mr. Donegan, resuming:)

Q Did you serve in the armed forces during the course prior to or during the course of World War II? A I did not.

Q Did you receive any notices from the Selective Service Board? A I did.

Q What was your classification? A I do not recall.

Q Were you classified? A I was.

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Q You do not recall what classification you received?

A I do not.

Q Were you ever called up for service? A I was not.

Q Were you given a physical exam? A I was.

Q Do you know what classification you were given as a result of that physical exam? A I do not.

Q Were you advised as to the results of that physical exam? A I do not recall.

Q Have you ever visited the offices of the Amtorg Corporation? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Do you own property in the State of New York? A I do.

Q Where is that property located? A Peekskill, N. Y.

Q Do you own any other property besides the property in Peekskill, N. Y.? A I do not.

Q Do you have bank accounts? A I do.

Q Where are those bank accounts? A The National City Bank.

Q Only one bank -- only one account or a number of accounts? A Two accounts.

Q What branch? A Queens.

Q Both in the National City? A Yes.

Q Are you the sole owner of Abraham Brothman Associates?
A I am not.

Q Who is the other person having a property interest in that company? A Miriam Moscovitz.

Q Does Miriam Moscowitz have a substantial interest in that company? A Yes, sir; she des.

Q Do you have a substantial interest in that company? A I do, and in this connection, if I may, I would like to reply to a previous question, that is, that I do have an interest in A. Brothman Associates.

Q Was that a previous question wherein you refused to answer on the grounds that it might incriminate or degrade you? A That is right.

Q Why do you want to change your answer? A Because I feel I should.

Q Have you any reason for changing your answer? A None other than that I feel I should.

Q Do you want to change your answer to any other questions -- A I do not.

Q -- that you answered in this grand jury room? A No.

Q Were you ever arrested? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Have you ever been questioned by any representative of the Federal government outside of an Assistant Attorney General by the name of Quinn and one by the name of Denegan? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Have you ever been questioned by an Assistant Attorney General named Donegan? A I have been.

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Q On how many occasions? A Three.

occasions?

Q Give the approximate dates of those/ A Once in 1947,
last Friday and today.

Q Were you questioned under oath on all those occasions?

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

Q Are you being questioned under oath today? A I am.

Q Were you questioned under oath Friday? A I was.

Q Were you questioned under oath in July of 1947?

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

Q Have you ever heard the name of Karl Fuchs being
mentioned to you by 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 to be a Russian espionage
agent? A I decline to answer on the grounds that it might tend
to incriminate or degrade me.

Q Have you read about Harry Gold being a Russian
espionage agent in the newspaper? A I have.

Q Give the approximate date when you read that? A I
believe last month.

Q From reading those newspaper accounts do you under-
stand Harry Gold is charged with being a Russian espionage
agent? A I do.

Q Prior to reading those newspaper accounts did you
have any personal knowledge that Harry Gold was a Russian

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

Q Have you ever discussed with anybody -- have you ever discussed with your wife your activities and contacts with Harry Gold? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q Have you ever discussed with Miriam Moscovitz your contacts with Harry Gold? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

BY JURORS:

Q Has Miss Moscovitz been your partner since you have been in business? A I decline to answer on the grounds that it might tend to incriminate or degrade me.

Q How can it degrade you? I asked you a simple question, whether she was your partner -- that can be told in a minute -- in your business. Is that going to degrade you, whether she was your partner? You really telling us the truth, that's going to degrade you? Are you just making that up? Was she your partner when you started in business? It's a simple question. We are not going to hurt you. Can't you help us?

A She was not.

Q Couldn't you answer that the first time? Do we have to ask you that a dozen times? Will that degrade you if you answer that? A simple question. The District Attorney asked you a simple question. Will that degrade you? You have more sense than that. Why don't you cooperate a little bit. We

don't ask you much.

Have you seen your attorney over the weekend? A I have.

Q Have you seen Miriam Moscovitz over the weekend?

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

MR. DONEGAN: Prior to your coming in the grand jury room this morning, were you in the company of Miriam Moscovitz?

THE WITNESS: I was.

(Jurors, resuming:)

Q Why didn't you answer my question?

Q Did you see Miss Moscovitz last Friday? A I did.

Q She is a chemist? A She is not.

Q Has she a money investment in the company? A I believe so.

Q You only believe so? You ought to know whether she has money invested or not. Has she any money? Do you believe so or has she got? A I believe so.

Q You say this is your only associate, your only partner, in the business, and you do not know for sure whether or not she has any money invested in the business? A I am sorry, but I do not understand exactly what "money invested" means. I am not an accountant.

Q You are a college graduate, aren't you? A I am.

Q You went to Columbia? A I did.

Q I don't want you to be incriminated or degraded. What

do you sell over at Brothman Associates? A Our patented processes.

Q For what? A We have a variety of chemical processes.

Q For what? A For the manufacture of methyl methacrylate polymer; manufacture of/methyl methacrylate sheets.

Q Break it down in every day language. What does it mean? I did not go to Columbia. A The first process I named is a process which produces the raw material for the manufacture of a final material like lucite or plexiglass. The second process I named was the process for the conversion of that raw material to lucite or plexiglass, that is, a material similar to it. I also have process for the production of urea formaldehyde cold setting glues for the manufacture of plywood; a process for the manufacture of hydrocyanic acid.

Q What does that do? A That is a raw material for the production of the material I named first.

Q You invented all these, your processing patents?
A I did.

Q Did you graduate from Columbia or just take special courses in chemistry? A I graduated from Columbia.

Q What degree did you get? A Bachelor of Science.

Q Do you do business all over the world? A That's a difficult question to answer. I try to.

Q You try to do business all over the world? A I try to.

Q Who are your selling agents? A I have several selling

agents. I have at least three or four.

Q Who are they? A I am sorry.

Q Who are they? You say you have three or four selling agents. A One is a Dr. Pon, located in London, England.

Then there are several appointees of his whom I do not know.

Q You answer our questions like an ordinary human being. Why don't you answer his questions the same way. What are you hiding?

Q You are not going to be incriminated about anything you say that's the truth. You can't be incriminated. Nobody is going to hurt you. You must think we are a bunch of patsies. You must think we have guns to hold you up. We don't want to hurt you. We want a few simple questions answered. Maybe we can do you more good than you think we can.

(Mr. Donegan, resuming:)

Q Have you ever applied for a passport? A I have.

Q Was one issued to you? A It was.

Q Where did you go on that passport? A To Switzerland.

Q Was that in connection with your business? A It was.

Q Have you recently applied for a passport? A I have not.

Q Have you been out of the United States on any more than the one occasion when you made the trip to Switzerland? A Twice.

Q Twice. Where else did you go? A To London, to France, to Switzerland.

JUROR: How long ago was that?

THE WITNESS: One year ago.

(Mr. Donegan, resuming:)

Q Mr. Brothman, this grand jury is familiar with the fact that you talked to the Special Agents of the FBI, and they are familiar with the fact that you appeared before a previous grand jury and you answered questions in that grand jury; that you did not respond in any instance saying that the answer might incriminate or degrade you. As recently as two or three weeks ago you talked with the FBI. You did not tell the FBI at any time that you didn't want to answer any questions. In other words, your attitude has been such that it would lead people to believe that whatever had happened in the past, you were trying to be a decent American citizen.

(Cont. by IFG)

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(Mr. Donegan)

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(Cont. from
LB)

Q (Cont.) Now, when I asked you the question as to whether you ever engaged in any espionage activities for the Russian Government, you say that you refuse to answer that question on the grounds it might incriminate or degrade you. You are taking advantage of your right to refuse to answer a question that might incriminate or degrade you.

A loyal American citizen doesn't have to refuse to answer a question of that type on the grounds it might incriminate or degrade him. You are here before this Grand Jury to explain your contacts or to give information on your contacts with certain individuals. When you appeared before the previous Grand Jury you answered questions that were asked you. On this occasion you haven't answered any questions that would give any information.

You have answered some questions, apparently because you have been advised - and that is particularly obvious since you asked to have certain answers changed, that you gave on Friday - - you have been advised that the Grand Jury might consider having you appear before a District Judge in this building, in open court, on the grounds that your refusal to answer certain questions might be contemptuous.

Now, it is well known, both on your testimony that you gave before a Grand Jury previously, as a result of investigations by the F. B. I., and so forth, that you were in contact with an individual by the name of Goloș, and by

the name of Bentley, and by the name of Gold. At that time Gold hadn't been arrested for being an espionage agent.

It is rather difficult to understand why you should not be more than anxious, why you wouldn't want to volunteer any information you could give, with reference to your contacts with Gold or with any other individuals, now that such a charge has been made against Gold. That would be the first thing that a loyal American citizen, especially a business man, would want to do. He would want to explain, and would want to give any information that he has. He wouldn't have anything to hide.

You have had contacts with him. You previously said you gave prints on kettles and chemical processes, and so forth, to Bentley. That was three years ago. Now you are being brought before the Grand Jury again, to give any information you can concerning your contacts with Gold.

You told the F. B. I. that you didn't know Gold was being engaged in these activities. You knew that he was in contact with Golos, and you knew he was in contact with Bentley, but you didn't know he was engaged in these activities. You, operating this business, wanted to get any contacts you could from Amtorg and the Russians, and so forth. That in itself wouldn't involve any offense, if it is true.

Now, before this Grand Jury you are in the position of refusing to give any information concerning your

associations with Gold, Golos or Bentley. Now, any reasonable man could only draw one conclusion, that there must be some reason why you don't want to do it. If it is fear, the obvious thing would be for you to relieve yourself of that fear by furnishing the information.

It is rather difficult to see why you would so readily talk to the F. B. I. and answer their questions, and then, when you come before a Grand Jury of twenty-three people, you would just tell them that you won't answer their questions.

MR. DONEGAN: Are there any more questions by the Grand Jury?

A JUROR: Why don't you answer the District Attorney on what he just said to you -- how do you feel about that?

Q If you have nothing to hide, Mr. Brothman -- if you have nothing to hide, the fact that you knew Gold, and the fact that Gold was working for you -- you told us that Gold was working for you -- of course, we had to talk about taxes, and your business, and so forth, and then you had to consult your attorney, and then you told us that Gold was working for you. Now we know that Gold was working for you.

We are asking you to give us information concerning your contacts with Golos and Bentley. You didn't hesitate about giving the previous Grand Jury information. In the

previous Grand Jury I showed you the picture of Golos and you said, "Yes, that's the fellow. I only knew him under the name of - - I forget now, but he was referred to by his first name." And Bentley, you said, "Yes, I know her under the name of Helen," and I asked, "Wasn't it funny that that is the only thing you know about them?" and you said, "It might have been funny, but that is the way it was." That was three years ago.

Now, when you are brought before the Grand Jury again, in view of the latest developments, now you just clam up and won't answer anything. It is hard to understand how a loyal American citizen can sit there - especially a man with a family and business interests - - can sit there and be asked a question as to whether he was ever a Russian espionage agent, or whether he was ever paid for being a Russian espionage agent, and refuse to answer that question on the grounds that it might incriminate him. Any normal human being would jump out of his chair and say, "No."

Now, if you want to walk out of this Grand Jury room today, with that kind of a record existing, it is entirely up to you; but here, with world conditions being what they are today, you are reading casualty lists in the newspapers about American soldiers being killed - - and you can sit in this Grand Jury room and refuse to answer the question as to whether you were ever a Russian espionage agent.

A JUROR: Now, be a decent Columbia man. I graduated from Columbia, in the same school that you did - Havemeyer Hall. As a matter of fact, my class was the first to use that hall. Why don't you be a decent Columbia man, and talk?

ANOTHER JUROR: You got your education and made your money in this country. Why don't you be a loyal American citizen?

ANOTHER JUROR: Mr. Brothman, about a month ago I was a witness in Connecticut, for two and a half hours. I was in the same position that you are in. I was asked the same question you are asked; I was asked if I was a Communist - and I answered it.

You have been asked, "Are you a Russian espionage agent?" You refused to answer because it might tend to incriminate you. That is a hell of an answer. That is an answer out of the book. Either you are a Russian espionage agent, or you are not; and there must be some way through the laws of the United States that an Assistant Attorney General can walk into a Courtroom with this kind of evidence that you have given - - What are you hiding? Do you think that the crowd that has been advising you over the weekend are going to protect you?

THE WITNESS: Mr. Donegan, may I smoke?

MR. DONEGAN: Sure. Go ahead. Do you have an ash-tray up there?

THE WITNESS: There is one here.

A JUROR: Make yourself right at home. We will send out and get you coffee and sandwiches, if you feel like talking. Do you have a match?

THE WITNESS: Yes, I think I have one.

A JUROR: 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.

Q Let me ask you, Mr. Brothman, something for this Grand Jury: Speaking for the Grand Jury, and I assure you that an answer to this question will not incriminate you or degrade you - in other words, it is on the record - - did you hear what I said - - I said I want to ask you something, and I assure you on the record that this question will not incriminate or degrade you - your answer to this question: Will you in good faith give thought to what I have just said to you, to what this Grand Jury has said to you - in good faith and honestly give thought to it, talk with your lawyer and come back to this Grand Jury and give us your answer? A Yes.

MR. DONEGAN: Is that satisfactory to the Grand

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Jury?

THE FOREMAN: Surely.

MR. DONEGAN: When can the Grand Jury hear the witness again?

THE FOREMAN: At your convenience.

MR. DONEGAN: I think if Mr. Brothman says he will do that in good faith, he will at least go that far in trying to cooperate with the Grand Jury. We don't want to burden him too much, if he has a business he is operating.

Q Can you come in tomorrow morning? A I think

so.

MR. DONEGAN: Would it be satisfactory for the Grand Jury, for ten-thirty tomorrow morning?

A JUROR: Mr. Brothman, are you afraid of something?

MR. DONEGAN: I don't think we should ask him that now. Let us leave it where it is. He says he wants to give serious thought to the matter, and wants to consult with his attorney.

A JUROR: Who is your attorney?

MR. DONEGAN: Messing, isn't it?

THE WITNESS: Yes - William L.

MR. DONEGAN: William L. Messing - - he gave us that on Friday.

Q I am going to ask you something else, and I am

not going to ask you for an answer to it -- first of all --

A I am sorry, I did not quite hear you.

Q Are you talking of what I said just now? A Yes.

Q I will withdraw that. How long have you known Mr. Messing? A For about two weeks, I would say.

Q I am going to ask you this, and I am not asking you to answer the question: I am going to ask you, in behalf of this Grand Jury, that you talk to nobody about this request, except your lawyer and your wife -- your lawyer and your wife. You have no other close relatives, have you?

A My children.

Q Well, you are not going to talk to them about it. I am going to ask you to talk about it to your lawyer and your wife.

A JUROR: But think of your children, too.

ANOTHER JUROR: Can he bring his lawyer and have him out there?

MR. DONEGAN: No. He has something to discuss with his lawyer, and let him talk it over with his lawyer, and it is something he can resolve with his lawyer. He is free to discuss the questions that are asked him in the Grand Jury room with his lawyer, and he has indicated that he is not going to talk to anybody but his lawyer and his wife, about this thing.

I think that the most logical, decent way to do,

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as far as this is concerned - he has indicated that he is going to try to take a decent approach to this - is to let him come back tomorrow morning and give us his answer to it.

THE FOREMAN: That is all, Mr. Brothman.

Q You will be back here tomorrow at ten-thirty.

I want to impress upon you one thing: If you are asked a question when you leave this Grand Jury room, by Miss Moskowitz or anyone else, you should keep in mind what you indicated to this Grand Jury, that you are not going to discuss this with anybody except your lawyer or your wife.

A You have my promise on that, sir.

MR. DONEGAN: I might state that I am not going to bring Miss Moskowitz in today. I am going to excuse her and have her come back tomorrow.

(WITNESS EXCUSED)