

R O S E        S O B E L L ,        called as a witness, having first been duly sworn by the Foreman, testified as follows:-

BY MR. LANE:

Q    Mrs. Sobell, you had a lawyer downstairs, didn't you?    A    Yes, sir.

Q    And I think he probably told you that when you testify here you have to tell the truth because if you do not tell the truth you are subject to the penalties of perjury -- I think he has advised you of that, hasn't he?

A    That's right.

Q    How old are you?    A    56.

Q    Where were you born?    A    In Russia.

Q    What part of Russia?    A    Ukraine.

Q    Ukraine?    A    Yes.

Q    Do you remember the town or the village?

A    Belezorca.

Q    That is in the southern part, is it?    A    I think so.

Q    Towards the Black Sea?    A    I don't remember.

Q    When did you come to the United States?    A    In the early part of September 1906.

Q    When did you -- are you an American citizen?

A    Yes, sir.

Q    Naturalized?    A    Through my husband.

Q    When did you become naturalized?    A    I am naturalized through my husband.

Q Through marriage to your husband? A That's right.

Q Was he born in this country? A No, sir.

Q Where was he born? A In Russia.

Q What part? A The same city, the same town.

Q When did you meet him for the first time? A Well,  
when we came here.

Q Did you come on the same boat? A No, sir.

Q You met him after you came to this country?

A That's right.

Q Did you meet him in New York? A That's right.

Q Were you married to him in New York? A Yes, sir.

Q When? A May 22, 1915.

Q 1915? A Yes, sir.

Q How many children do you have? A Two.

Q Who are they? A Morton and Beverly.

Q When were they born? A Morton was born on  
April 11, 1917, and Beverly was born on May 7, 1924.

Q Morton was born when, in 1918? A Morton was  
born in 1917.

Q And Beverly was born in 1924? A Yes.

Q Are they both married? A Yes, sir.

Q They both have children? A No; my daughter is  
expecting a child.

Q Has your son Morton been married more than once?  
A No; just once.

Q Whom did he marry? A Helen.

Q Helen who? A Helen Guerowitz.

Q When was he married? A March 10th, 1945.

Q How many children does he have? A He has one child and a child by her first marriage.

Q She was married before? A That's right.

Q Where did Morton go to school? A He went to Public School 138, and then he went to Junior High School, and then he went to Stuyvesant High School, and then he went to City College.

Q When did he get through City College? A Through with City College?

Q Yes; when did he graduate? A I think it was in '38. I am not sure of the dates.

Q Do you know what he did after he finished City College? A Yes; he got a job and he went away from home.

Q He went away from home? A Yes; he got a job in Washington.

Q Whom was it with, do you know? A I don't remember.

Q Has he contributed to the support of you and your husband? A He has been very good. He didn't have to. He helped us sometimes when we needed help. He was a very good boy, very good, the best there is.

Q Is there any way that you can account for his becoming affiliated with the Communist Party? A I beg your pardon?

Q Is there any way, any reason you can give, why he

became affiliated with the Communist Party? Do you know any reason for it? A I refuse to answer. I don't know.

Q Let me explain to you. You cannot refuse to answer, you have no right to refuse to answer that question. A I would like to see my counsel.

MR. LANE: Will you excuse her for a minute or two? I will ask further questions, but in the meantime I will call for her counsel.

(Mr. Lane leaves room and then returns.)

(Mr. Lane, resuming:)

Q When did your son go to Mexico? A I don't know when, sir.

Q Now you are under oath. You have no idea when he went to Mexico? A No, sir.

Q Did he tell you he was leaving for Mexico? A He called me up that he was leaving for a vacation.

Q For a vacation? A That's right.

Q Didn't he tell you that he had left his work? A No, he did not, sir.

Q A little louder. A He did not. He called me up and he told me he was leaving for a vacation.

Q He called you up and told you he was leaving for a vacation? A That's right.

Q When did he call you up? A Sometime -- I do not remember what day; on the week of June 21st.

Q What time was it? A In the morning. It was about 8:30, between 8 and 8:30.

Q Who was there when he called you? A I was alone.

Q What number did he call? A Cypress 2-3535.

Q And just exactly what did he say as best you can recall? A He said, "Mom, we have decided to take a vacation and we are going away."

Q Did they take the children with them? A Well, I assume they did.

Q Don't you know? A They did.

Q Did he tell you where he was going? A No, sir.

Q Did he tell you when he was coming back? A No, sir.

Q Did you ask him when he was coming back?

A I did not ask.

Q Were you interested? A I was interested but I don't ask. He's a grown man.

Q A little louder now. A He's a grown man and he does things. He's been away before. He's been away from home twelve years now.

Q Did he ever introduce you to Mr. Rosenberg?

A No, sir.

Q Do you know Rosenberg, Julius Rosenberg?

A No, sir.

Q Never saw him? A No, sir.

Q Did he communicate with you while he was in Mexico? A No, sir.

Q Not at all? A We have one letter.

Q When did he write that? A I don't remember. My husband has it. I don't remember the date.

Q What did he say in that? A That they are on the vacation and they are having a good time, and the baby is walking --

MR. LANE: Excuse me. Will you excuse the lady for a moment?

THE FOREMAN: You are excused for a moment.

(Witness leaves and then is recalled.)

MR. LANE: Will the stenographer go back to the question I asked that the lady refused to answer?

Q (Question read to witness, as follows: "Q Is there any way, any reason you can give, why he became affiliated with the Communist Party? Do you know any reason for it?") A I do not.

Q You do know that your son was affiliated with the Communist Party? A I did not.

Q Did you yourself -- were you yourself affiliated with the Communist Party? A I refuse to answer.

Q On what ground? A On the ground of incriminating myself.

Q Did you ever sign a petition for the Communist Party? A I did.

Q That's for elections and things? A Yes.

Q Since your son left the United States in June have you visited your son's house? A Yes, sir; we were there.

Q When were you there? A We were there on Sunday.

Q Do you recall the date, Mrs. Sobell? A It was the

end of that week of June 21st. We went there and collected some food, some perishable food, and took it home.

Q When you say "we", whom do you mean? A My husband and I.

Q While your son was away did you make any payments on your son's house? A I did, sir.

Q What was that? A I made the monthly payment for his house.

Q Was that a mortgage payment? A Yes, I believe so.

Q Whom did you make it to? A To the County Trust Company in Tarrytown, N. Y.

Q Did your daughter make payment also? A My daughter?

Q Yes. A No, sir.

Q Who is Edith Levitov? A That's not my daughter.

Q Who is that? A My daughter-in-law's sister.

Q Your daughter-in-law's sister? A That's right.

Q Where does she live? A She lives in Washington.

Q Edith Levitov? A That's right.

Q Where does she live in Washington? A I don't remember the address; in Arlington, Virginia.

Q Does she work for the Government? A Does she?

Q Yes. A She does not.

Q Is she married? A No, sir.

Q Well, she is your daughter-in-law's sister, and your daughter-in-law -- you are referring to the wife of your son Morton? A Yes, sir.

Q You know that she made a payment in August on the mortgage on the house, you know that, don't you? A I made a payment in August, sir. I do not know whether she made a payment.

Q You made a payment in August? A Yes.

Q Who made the July payment on the house? A She did.

Q That was \$79? A That's right.

Q Did she tell you about that? A Yes, sir.

Q When did she tell you about it? A I don't remember.

Q Well, in the last few weeks, do you think? A Well, she told it to me, yes.

Q And did she tell you that Morton told her to make the payment for him? A She did not.

Q How was it that she made the payment? A I do not know, sir, but she did.

Q Why did you make the payment? A I wanted to keep my son's house. I had hope that he would come back and I wanted the house for him.

Q Was that the \$79 payment? A Yes, \$79.29.

Q How much does your husband make a week? A \$75.

Q And I don't suppose he is too wealthy, is he? He hasn't got too much money? A No, sir.

Q Do you own your own house? A No, sir. We live in an apartment house.

Q You rent it? A That's right.

Q How much do you pay for rent? A \$45.

Q Do you have money in the bank? A Yes.

Q Very much? A Not very much.

Q How much would you say? A We have about \$2500.

Q Did you have to draw on that money to pay for your son's mortgage? A Yes, sir.

Q What is the house worth, that is, your son's house? A My son's house?

Q What's the value? A What it's worth? I wouldn't know.

Q Did your son tell you to make that payment on the house? A No, sir.

Q You weren't sure when he was coming back, were you? A That's right.

Q Did he borrow any money from you when he left?

(Cont. by IFG)

August 24, 1950

Rose Sobell

0194

Re: John Doe

(Mr. Lane)

A No, sir.

Q Did he ever discuss the Rosenbergs with you or your husband? A No, sir.

Q Has your son, to your knowledge, ever been a member of the Communist Party or the Young Communist League?

A I do not know.

Q The answer is no, as far as you know -- are you sure of that? A I would like to see my attorney.

THE FOREMAN: What was the answer?

MR. LANE: She would like to see her attorney. Will you excuse her for the moment?

THE FOREMAN: Yes, she is excused temporarily. [Witness leaves Grand Jury room with Mr. Lane, and they return.]

MR. LANE (To Reporter): Will you repeat the question once again?

[Reporter reads: "Has your son, to your knowledge, ever been a member of the Communist Party or the Young Communist League?"]

THE WITNESS: I do not know.

Q Now, I want to get back to that payment on your son's house. If you thought that he was only on vacation, what prompted you to make a payment on your son's house?

A The payment was due, and I wanted to keep the house for my son.

Q How did you know it was due? A Well, I know my son.

Q Louder, please. A I know my son made monthly payments.

Q Well, how did you know he hadn't made payments before he left? A I did not know.

Q Then what prompted you to inquire? A The girl, Edie, made a payment, and she said the next payment is due on the first of August.

Q When did she tell you that she had made this payment? A I can't recall now when it was.

Q Well, some time within the last few weeks, I take it? A That was prior to the payment.

Q She made a payment in August, didn't she -- she made the July payment in August, didn't she? A I don't know, sir, when she made the payment.

Q But after she made the payment did she telephone you or did she write you or did she see you personally, to tell you that she made this payment? A She had seen me.

Q Where did she see you? A I met her.

Q Where? A We were in the country.

Q Whereabouts in the country? A I refuse to answer on account of incriminating myself.

MR. LANE: Will you excuse her again, Mr.

Foreman?

THE FOREMAN: Certainly.

[Witness leaves Grand Jury Room with Mr. Lane,  
and they return.]

MR. LANE: (To Reporter) Will you repeat the  
question, please?

[Reporter reads: "Whereabouts in the country?"]

THE WITNESS: In Wingdale, New York.

Q Wingdale, New York? A Yes, sir.

Q What was up at Wingdale, New York? A A  
country place.

Q Whose country place? A Whose?

Q Yes - who owned it? A I don't know.

Q Well, whose place was it? A It was a summer  
resort in Wingdale, New York.

Q What is the name of the place? A (No answer.)

Q Do you recall? A I don't remember.

Q Who was up there with you - your husband?

A Yes, sir.

Q And how long ago was that? A My husband went  
up there the last part of June and the first week in July.

Q And when did you go up? A I was up there two  
days and then for three days. I did not stay all the time.

Q You went up for two days and then you went  
home? A Yes, sir.

Q And then you came back for three days more?

A Yes, sir.

Q And who else was up there all that time?

A My husband.

Q Your husband and Edith? A Edith Levitov.

Q Edith Levitov? A Yes, sir.

Q What does Edith Levitov do? A She is a typist and stenographer.

Q She works in Washington? A I don't know that.

Q She lives in Washington? A Yes, sir - now.

Q What is her telephone number? A I wouldn't know, sir.

Q Whom does she work for? A She is not working now.

Q Whom did she work for? A I wouldn't know, sir.

Q Is she in New York now? A She is in Washington now, to my knowledge.

Q When is the last time you communicated with her, either by telephone or in person or by letter?

A By person. She came into New York. I wouldn't know exactly what time.

Q When was it? A A couple of weeks ago.

Q And she went over to your house? A No; I met her.

Q Where? A Downtown.

Q Whereabouts, downtown? A In the union, my husband's union.

Q What was that - what is the union? A On 50th Street.

Q What union is it? A The Pharmacy Union.

Q You met her at the union hall? A That's right.

Q Was anybody else there? A Yes; there were workers there. We had to pay the dues, and she came down there.

Q She is not a member of the union, is she?

A No, sir.

Q You had a little conference there? A (No answer.)

Q You had a talk, a chat? A Well, - -

Q Up at Wingdale did you talk about your son, Morton? A No, sir.

Q You didn't talk at all about him? A Well, the usual thing, about the baby and things like that.

Q Did you talk about the house and the mortgage? A Well, we were talking about a lot of things.

Q Did she ask you to meet them up there? A I beg your pardon?

Q How did you happen to meet at Wingdale? A Oh,

we went to the country together.

Q The three of you went up there? A No -- yes, sir.

Q The three of you went up there together?  
A Yes, sir.

Q Was that by pre-arrangement -- did you decide to go up there together? A Well, it so happened that my husband's vacation was arranged a long time in advance. The last week in June and the first week in July -- that was his scheduled time for vacation, and that was the arrangement.

Q How did she happen to join you? How old is she, by the way? A I wouldn't know, sir.

Q Well, is she twenty or thirty? A She is more than twenty, I think.

Q And less than thirty? A Probably.

Q How did she happen to join you there? A Well, we said we were going up and she said she would like to go, too, and she came.

Q And did you talk about the Rosenberg case while you were there? A No, sir.

Q You read about Julius Rosenberg being arrested, didn't you? A I read in the papers.

Q You read about it? A I read about everything;

I read the papers.

Q Let us stick to one thing: You know what I am talking about, Mrs. Sobell. I am talking about Julius Rosenberg. He was in your son's class at City College. You knew that, didn't you? A I did not, sir.

Q You knew he knew your son? A No, sir.

Q Did Edith Levitov talk about Julius Rosenberg? A No, sir.

Q There was nothing mentioned about that at all? A No, sir.

Q Is she a Communist? A I don't know that, sir.

Q Did she ever say she was? A No, sir.

Q Did she ever say she was a member of the Young Communist League? A No, sir.

Q Do you know whether your son Morton is a member of the Young Communist League? A I do not, sir.

Q Do you know whether he is a member of the Communist Party? A I do not, sir.

MR. LANE: Mr. Foreman, do you have any questions, or the members of the jury?

THE FOREMAN: I don't remember - did you answer that question, "Are you a member of the Communist Party?"

THE WITNESS: I refused to answer on grounds

of incriminating myself.

A JUROR: Did you receive any mail while you were at Wingdale?

THE WITNESS: No, sir.

A JUROR: Did anyone?

THE WITNESS: No, sir.

A JUROR: Did you ever go there before?

THE WITNESS: Yes, sir.

A JUROR: Did you ever receive mail while you were there before?

THE WITNESS: Well, I don't remember.

Q Do you know a man by the name of Elitcher?

A Yes, sir.

Q Do you know him well? A I wouldn't say well.

Q Has he been to your house? A No, sir.

Q Is he a friend of your son's? A Neighbors.

Q They live next door? A Yes.

Q Q To your son? A That's right.

Q Has Elitcher ever visited your home? A No, sir.

Q How long have you known him? A They worked in Washington together.

Q Did your son ever talk about him? A Matter of fact.

Q Is there anything else you can tell the Grand

Jury about your son's activities? A My son is a very good boy, and he was always honest and kind and good, and he did -- he was the best son there is, and he always helped us. When he was twelve years old, he had fifty dollars saved up from nickels and dimes in the drug store, carrying prescriptions, and my husband needed a suit, and he said, "Ma, take that money, I don't need it. I really don't need it. You can use it -- "

Q How can a boy that good become affiliated with a group of Communists? A I don't know, sir.

Q It is a little inconsistent, isn't it? A He is honest and he is good. There must be some mistake.

Q Was he in the Army? A No, sir.

Q Was he drafted? A No, sir.

Q Why? A I don't know. He gave more than a gallon of blood to the blood donations.

Q But he didn't get into the service himself?

A No, sir.

Q And you have no explanation as to why you and your daughter-in-law's sister took care of that mortgage, when you knew that your son was only on vacation? A We wanted to keep the house until he comes back.

Q When was he coming back? A I didn't know, sir.

Q How long a vacation had he taken before, in any year? A I don't know, sir. He was away from home a long

time.

Q Did you know he had given up his job, at the place where he worked? A No, sir, I didn't know that.

Q Did he tell you that? A No, sir.

Q Did anyone ever tell you that? A No, sir.

Q Are you sure you never heard that before?

A No, sir.

Q He had been away for two months or more, hadn't he, and you knew he couldn't afford that on his salary - that kind of a vacation - didn't you? A (No answer.)

Q As a matter of fact, didn't you know he was never coming back? A I did not, sir.

Q Did you hear he was never coming back? A I did not know, sir.

Q Did he ever tell you he wasn't coming back?

A No, sir.

Q How did he leave the country? A I don't know, sir.

Q Where did he get the money to leave? A I don't know, sir.

Q Did he tell you how he was going - by trains or by plane or by automobile? A No, sir, I didn't ask him.

Q Do you know how he did go? A He didn't tell me.

Q Did his wife ever tell you about it? A No, sir

Q Have you conferred with her within the last few days? A Yes, I have seen her.

Q When was that? A The last three days.

Q What did you talk about? A Well, we were talking about Morton.

Q What did she say? A We were talking.

Q But what did she say about Morton? A (No answer.)

Q Did you ask her where they were bound for when they left the United States? A Yes; she told me.

Q What did she tell you? A That they took a plane and went to Mexico.

Q What for? A For a vacation.

Q Did she say that? A For a vacation.

Q Did she say that? A My daughter-in-law.

Q Did she say that? A Yes, sir.

Q Did she say how long they intended to be gone on the vacation? A She told me that yesterday.

Q That they had gone for a vacation? A Yes, sir.

Q And did she say how long they intended to be on that vacation? A She did not, sir.

Q Did she say when they intended to come back? A She did not, sir.

Q Did she say why they came back? A She did not, sir.

Q Did she tell you what they were doing in Mexico?

A Yes; they were living there.

Q Did she tell you that your son tried to arrange passage on a ship for a foreign port, out of Mexico?

A No, sir.

Q Did you discuss it with her? A No, sir.

Q You didn't mention it? A No, sir.

Q What did she say about that? A That they were having a good time.

Q Is that all? A They were living there and cooking and eating.

Q And that is all she talked about? A That's right.

Q She didn't tell you about the arrest of her husband? A No, sir.

Q She said nothing about that? A No, sir.

Q Remember, Mrs. Sobell, that you are under oath. I must remind you again. I don't like to press you. After all, I realize you are a mother and -- A Well, she told me how they came back.

Q Well, that is what I am getting at -- what did she say? I withdraw that. What I want to know now is the name of the place where you stayed in Wingdale.

A Can I see my attorney?

Q Yes; but that should not be hard for you. Wait a minute. First you have to refuse to answer on the ground that it will incriminate you. A I refuse to answer on the grounds that it will incriminate me.

Q Giving the name of the place where you stayed in Wingdale will incriminate you? A Yes, sir.

Q You understand that? A Yes, sir.

MR. LANE: May she be excused?

THE FOREMAN: You are excused.

[Witness leaves Grand Jury room with Mr. Lane, and they return.]

MR. LANE (To Reporter): May we have that question repeated, please?

[Reporter reads: "What I want to know now is the name of the place where you stayed in Wingdale."]

THE WITNESS: Camp Unity.

Q Camp what? A Unity.

Q Did you have to pay to stay there? A Yes, sir.

Q How much? A Forty-three dollars a week.

Q And who runs Camp Unity? A It is Lake Ellis Corporation.

Q Who is the manager? A Louis Pasternack.

Q Louis Pasternack? A That's right.

Q Is he the one that runs it? A He is the manager.

Q What did you have to pay to stay there?  
A Forty-three dollars.

Q For how long? A A week.

Q A piece? A That's right.

Q Do you go up every summer? A No, not every summer.

Q Do they have meetings up there? A (No answer.)

Q Do they have talks? A They have.

Q Did they have any talks or meetings while you were up there? A I don't know, I wasn't paying any attention.

Q Did you talk to anyone else up there about your son or the Rosenbergs, except Pasternack? A No, sir.

Q Did you talk to Pasternack? A No, sir.

Q You talked to no one? A No, sir.

Q Except this girl? A I didn't talk to anybody.

Q Did you talk to this girl, Edith, about your son? A About my son?

Q She was up there for a week, too, wasn't she?  
A Yes, sir.

Q Now we get back to your daughter-in-law, when you saw her yesterday. What did she say about your son

Morton and his trip to Mexico? A Well, they had a nice trip and they had a good time there.

Q Is that all? A That's all.

Q How long were you with her? A A few hours.

Q And that is all you said in a few hours? A That's all; that's right.

Q Who else was there? A My husband.

Q Whereabouts was this meeting? A It was not a meeting, it was in my house.

Q What time? A She stays in my house.

Q But what time? A She is with us.

Q I know that, but what time did this conversation take place? A I don't know; some time during the day.

Q Doesn't your husband work during the day? A One week he works late and one week he works early. He is a pharmacist.

Q And this week? A He works late.

Q And you had this talk in the morning? A That's right. He goes to work two-thirty.

Q And what did she say, for instance, about when they were coming back, or planned to come back? A They are back.

Q I know that, but what did she say -- did she say anything about their plans for coming back? Did she

say anything about how long they had planned to stay in Mexico? A No, sir, she didn't.

Q How long were they in Mexico? A They were away a long time, I guess; I don't know how long.

Q A couple of months, maybe? A I guess so.

Q How about the mail when your son was away? Did you go over and collect his mail? A No, sir, I did not.

Q What happened to the mail? A I don't know, sir.

Q Let me ask you this question: I assume that they get milk at that house that your son lived at - they get milk delivered every day? A I don't know, sir.

Q Haven't you been there? A Yes, I have been there.

Q Don't they have young children? A Yes, they have a baby.

Q Don't they get milk? A I guess they do.

Q Don't they have a man delivering milk? A I suppose so.

Q Don't they get newspapers? A I don't know.

Q Do you get milk? A No, I don't.

Q Do you get newspapers? A I buy newspapers.

Q Well, did anyone order the gas or electricity shut off? A I don't know, sir.

- Q As far as you know, they didn't? A No, sir.
- Q Did you collect any mail at your son's house, at any time? A No, sir.
- Q Did you go over to your son's house while he was away? A I was there once.
- Q Did your husband go over? A No, sir.
- Q Did anyone go over? A I don't know that.
- Q Who had the keys to his house? A Edith Levitov.
- Q She had the key? A Yes, sir.
- Q Did she live there while they were away? A No, sir.
- Q Where did she get the key? A She lived with them.
- Q She stayed there all the time they were gone, is that right? A No, sir.
- Q Where did she go when they left? A She went with us to the country.
- Q But she came back after a week - what did she do when she came back? A She went to Washington.
- Q I thought you said she was working in Washington before that. A She was not, sir. She lived with her sister.
- Q Did she work in New York? A Yes, sir.
- Q Whereabouts? A I don't know that, sir.

Q You say she is in Washington now? A Yes.

Q You don't know where she is? A She is home.

Q Oh, she lives in Washington? A That's right.

Q Whereabouts? A I don't know the address off-hand.

Q What street is it? A It is in Arlington, Virginia.

Q When did she go home? A I don't know, sir.

Q Do you know whether she had the gas or electricity cut off? A I do not know, sir.

Q But you didn't do it? A That's right.

Q And you didn't collect any mail at all? A No, sir.

Q And you only received one letter from your son? A That's right.

Q Where is that letter? A My husband has it.

THE FOREMAN: You received one letter. Now, you are a mother, and have a supposedly very devoted son, and I would like to say, too, that this group here have children - some may and may not - and we are rather intelligent, I think; and with all that devotion you didn't write your son a letter at all down there in Mexico?

THE WITNESS: I didn't know where to, sir.

(CONTINUED BY LB)

THE FOREMAN: You did not know?

THE WITNESS: No, sir.

THE FOREMAN: As a mother with such a devoted son you weren't interested in knowing where he was?

THE WITNESS: I was interested, sir.

THE FOREMAN: You were interested but not to the extent of getting his address to write to him?

THE WITNESS: I knew he would take care of himself. He's a grown man. He's been away from home a long time; he has always taken care of himself.

THE FOREMAN: Isn't it quite natural for a parent or mother, after two months, to write to the child?

THE WITNESS: I did not know we had to write, sir.

(Mr. Lane, resuming:)

Q Did you have his address in Mexico? A No, sir.

Q Well, he wrote to you from there, didn't he?

A He wrote only the last week.

Q From Mexico? A Yes.

Q He gave you his address then, didn't he? A No, sir.

Q No address on the letter? A No.

Q You did not know where he was all this time?

A No, sir.

Q As a matter of fact, didn't he communicate with

you while he was away? A No, sir.

Q You are sure? A Positive.

Q You are positive, and you know this is under oath? A Yes.

MR. LANE: You are excused temporarily and you are still under subpoena, and the Foreman will tell me when they want you to come back again. Tell your husband to wait a minute. We'll have him in for a second. You can go now.

(WITNESS EXCUSED)