

December 14, 1950

Merritt 10384

Re: Morton Sobell

(Mr. Lane)

R O S S            C .            M E R R I T T ,            called as a witness, having first been duly sworn by the Foreman, testified as follows:

BY MR. LANE:

Q You are the comptroller of the Reeves Instrument Corporation? A That's right.

Q Now, you received a subpoena duces tecum, addressed to the Reeves Instrument Corporation, to produce certain records? A That's right.

Q Do you have those records here? A I have.

Q Will you produce them, please? A (Witness does so.) These are<sup>all</sup> the records which were requested.

Q You wanted to make some statement, did you, to the Grand Jury? A Just to this effect: that in the case of Mr. Sobell, the records I do not believe can be used in his case to establish that he was at the plant at any definite time, merely because the record may be so signed; the reason for that being that the greater part of our employees are handled, naturally, as they are in all plants, with time cards and so forth, but Mr. Sobell occupied a position that was called a project engineer - - in other words, he headed up a job, and had an executive position - - he was not paid by the hour and he was paid by the year; and he could be working at any time in any one of four locations. So that, for that reason, there is

not the check on him that there would be on a machinist.

In other words, he could quite easily come into the plant, sign in, disappear for the day, come back and sign out at night, and we would not know that; because the people in one location would assume that he was at another location, and the difference between those locations could be between 91st Street and Roosevelt Field.

For that reason, I do not believe that the attendance record can be taken as evidence that he was in the plant on any one day. We had considerable difficulty with Mr. Sobell in that regard, in the fact that he did not like paper work, which is not an unusual thing in an engineer, but he carried it almost to its ultimate conclusion; and we had a great deal of difficulty in getting him to mark up the records, and for that reason he might not fill in his attendance sheet for two or three days, and then fill in three or four days at once. I don't think that he at any time filled them in in advance, although that is not impossible.

Therefore, the only thing that can be said is that the record is of no evidence in his particular case.

Q Do you have anything to establish that he was not present at any particular day, or that he was present?

A I don't believe we have. The only thing is whether anyone actually saw him there or not.

Q You are excused.

THE FOREMAN: Thank you very much for bringing them.

(WITNESS EXCUSED)