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R U T H A L S C H E R, called as a witness, having first  
been duly sworn by the Foreman, testified as follows:

BY MR. LANE:

Q Is it Mrs. or Miss? A Mrs.

Q Do we have your address? A 1445 Madison Avenue.

Q And the telephone number? A LEhigh 4-5119.

Q And your husband is deceased? A My husband died  
in December, yes.

Q He was in the service? A Do you mean when he died?

Q He died in December? A No; he died in December  
as a result of an accident.

Q But he was in the service in World War II?

A Yes, sir.

Q Was that the Army? A Yes, sir.

Q Do you have some children? A I have three children,  
yes, sir.

Q And what are their ages? A Peter, he is six; and  
Colin, he is three and a half; and the little girl, Jan,  
she is two and a half.

Q And you work as a teacher? A Yes, sir.

Q For the City of New York? A Yes.

Q And where do you teach? A P. S. 184.

Q Now, was your husband related to Max Elitcher?

A Yes.

Q Now, the fact that -- although their names are  
spelled differently, they are the same -- they are brothers

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or were brothers? A Yes.

Q Now, in 1944, when your husband was in the service, did Max and Helene Elitcher visit you? A Gee, I don't remember.

Q Well, now, see if I can refresh your recollection. Do you remember being pregnant then? Now, does that recall anything? Did you have dinner with them at that time?

A Is this in my house?

Q No. In a restaurant. A At a restaurant?

Q Yes. Do you remember meeting Julius Rosenberg and William Mutterperl? A No.

Q You don't remember meeting them at a restaurant with Max and Helene and your husband when he was on furlough? A Gee, it might be -- Peter was born in February. No.

Q This is in 1944. A I saw Max and Helene after Peter was born, but I don't remember going to a restaurant with them.

Q Do you remember meeting a man by the name of Joel Barr? A Who?

Q Joel Barr, B-a-r-r, Joel Barr. A I don't think so.

Q Do you know such a man? Does the name --

A It doesn't mean anything to me.

Q It doesn't recall anything to you? A No.

Q Do you recall the name Julius Rosenberg?

A When Mr. Cahill called me, I did. When Mr. Hill asked me about Julius Rosenberg, the name didn't mean a thing

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to me.

Q You didn't recall it at all? A No.

Q Does the name William Perl or William Mutterperl mean anything to you? A No.

Q Do you recall your husband being -- your late husband being home on a furlough at the time you were pregnant in 1944 around Christmas time or -- not Christmas time; around January, 1944? A I wasn't pregnant January, 1944.

Q Well, how about in December of 1944? A Oh, yes, that's right; Peter was born in 19 --

Q '45? A 1945, February, yes. But he wasn't home at all then, my husband. He went to Saipan.

Q When did he go to Saipan? A In -- gee, oh, by July or by the early part of August, in the summer, he was gone.

Q In the summer of 19 -- A He left, and right after we were married I didn't see him for 16 months after that.

Q I see. Well, when did he -- he left just after you were married? A Immediately after.

Q When were you married? A July 4.

Q What was the date? A July -- gee, it was the weekend of the 4th, 1944.

Q And you say you didn't see him for how long?

A Sixteen months after that.

Q And when was -- what's his name? -- Peter, when was he born? A February, 1945.

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Q And how old are the other children? A Well, Colin was born July 13 -- June 13, 1947; and Jan, she was born the next year.

Q Jan? A Jan..

Q What's the birthdate of that child? A August 30, 1948.

Q So that if this meeting took place with Rosenberg, it would have to take place some time after July 4, 1944, if it took place. A I don't remember the restaurant business at all. He wasn't home.

Q Well, do you remember -- he wasn't home at all? A Moishe went away -- Morris went away right after we were married, immediately after. We were married over the weekend, and then he had to go right back.

Q Well, do you remember being questioned by the Agents of the FBI on this particular point? A Well, Mr. Hill said did I know Julius Rosenberg. I don't know Julius Rosenberg at all.

Q And you don't recall Mutterperl? A That doesn't mean anything to me at all.

Q Or Joel Barr? A No.

Q Now, have you ever been a member of the Communist Party? A Well, I don't think I have to answer that. Do I?

Q No, you don't; unless you want to. I mean, you are not bound to. A I said I don't think I have to answer that.

Q No. Well, let's put it this way: If you think

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that that would incriminate you, you don't have to answer it.

A Well, I think --

Q The fact that you belong to the Communist Party in itself wouldn't be incriminating. But if you think it will, you can refuse to answer on the ground that you think that that would incriminate you. A Well, I think that I don't have to answer that.

Q No. I understand. But you see, technically, if you don't want to answer it, you have got to refuse to answer it on these technical grounds, see, on the grounds that you are afraid it will tend to incriminate you. A Well, I won't answer it on the grounds that I believe under the Fifth Amendment I don't have to answer that. Right?

Q No, that's not right, no. A Under the privileges --

Q Now, before I ask you the question, let me say this to you: I want you to appreciate the fact that this is a very serious case, which at the moment doesn't involve you and, as far as I can see at the moment, I don't see how it could; at the moment I see nothing in the case that involves you. We are trying to get as much cooperation as we can, because the Government feels that Rosenberg is guilty of a very serious crime. The fact that you or other people may have belonged at one time to the Communist Party has no bearing on guilt or innocence, in my opinion. This meeting here is secret. This testimony could not be used, for instance, by the City of New York, or things like that.

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Do you follow me? I think that's what's in the back of your mind: that it might hurt your school position or something like that. It doesn't. So, if you want to cooperate to an extent and tell me whether or not you were a Communist, you can. But if you feel that you would rather not, then you have got to state you won't only on one ground: if you think that membership in the Communist Party is sufficient to warrant your being indicted at some time for a crime, then you can refuse to answer. But if you feel that the fact that you are a member of the Communist Party would in no way incriminate you or lead to an indictment -- do you follow me? -- then you have got to answer. A Ask me the question again, please.

Q All right. Were you ever a member of the Communist Party? A I don't think I'll answer that.

Q On what -- on the grounds that it may tend to incriminate you? A Self-incrimination.

Q That's "were" you. Now, are you a member of the Communist Party at the present time? A I don't think I'll answer that, also.

Q On the same grounds? A The same grounds.

Q Now, I understand that you have declined to answer both questions on the grounds that the answers may tend to incriminate or degrade you. Is that right? A Well, also I think that under the Fifth Amendment I have the privilege of not answering it.

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Q Well, we are talking about the Fifth Amendment, this is the Fifth Amendment. But under the Fifth Amendment you have got to refuse to answer on specific grounds: the Fifth Amendment states that you don't have to incriminate yourself. Now, as I understand your answers to the questions, you decline to answer on the grounds that the answer may tend to incriminate you. Is that correct? A Yes, sir. If I knew anything about Julius Rosenberg I would be glad to tell you. This restaurant meeting - my husband just wasn't home at that time.

JUROR: Please talk louder.

THE WITNESS: I say, this restaurant meeting, I don't remember this at all; my husband wasn't home at this time.

MR. LANE: Well, I think I have no further questions.

[WITNESS EXCUSED]