

Sept. 1, 1950

Levitov

E D I T H S . L E V I T O V ,

called as a witness, having first been duly sworn by the Foreman, testified as follows:

BY MR. LANE:

Q Miss Levitov, where do you live? A Well, right now I am staying with my mother in Virginia.

Q What is her name and what is the address?

A Mrs. Rose Levitov, 2135 Lee Highway, Arlington, Va.

Q Do you have a telephone number there? A Chestnut 1522.

Q Are you working at the present time? A I am going to school.

Q Where? A George Washington University.

Q What is the date of your birth and place? A Feb. 1st, 1924, Washington, D. C.

Q Where did you go to school -- high school?

A McKnley Technical High School; that's in Washington too.

Q Did you go to college? A Yes.

Q Where? A I went to George Washington and I went there for my junior college, and I went to school at several other places. Do you want them?

Q Yes, if you can give them to us, a brief survey. A I went to City College for a while, and I went to the University of Michigan for one summer, and I was going to Brooklyn Graduate School this past spring.

Q Did you graduate from any of those schools? A I graduated from George Washington.

Q When was that? A It was February 1949, it was a year and a half ago.

Q After you graduated did you go to work? Did you take a position? A Yes.

Q With whom? A The United Nations, Lake Success.

Q As what? A As a clerk and stenographer.

Q How long were you working there? A Well, not quite a year.

Q What did they pay you for salary? A Oh, about \$61.

Q Take home pay? A No, it was about \$53 take home pay.

Q When did you sever your employment over there? A In February this year, of 1950.

Q What did you leave for, to go to school? A Well, I went back to school and I -- I left because I wasn't feeling well, and I went back -- I mean, both those reasons together.

Q In February this year. You say you went back to school. Where did you go back to school? A Brooklyn.

Q Brooklyn what? A Brooklyn College.

Q What courses did you take there? A Clinical -- child psychology courses.

Q Where did you live during the period of time that you were working for the United Nations? A That period of time I lived in Queens.

Q Where? A 164-17 73rd Avenue.

Q How long a period of time did you live there? A Well

I had lived there -- I came up there in 1947, and I lived there for about nine months, and then I went back -- then I went to Michigan, and then I went back to Washington, and then I came back there.

Q When you worked for the United Nations you started to live there again? A Yes.

Q Have you lived there ever since? A Yes.

Q Up to what time? A Up until the time I went away for my vacation.

Q When was that? A June; this past June.

Q What date? A It was the week right before the 4th of July.

Q Maybe the 28th or 29th of June? I think the 4th of July was on Monday this year. A It was the Monday, the 4th of July.

Q The 4th was Tuesday, so it would be about the 1st of July? A No, it was in June.

Q June 30th was a Friday, I think. June 30th was Friday. A No, I left on a Monday.

Q That would be July, July 3rd. July 4th was on Tuesday. A Excuse me, my school ended June 17th and I left, I was planning to go away all that week, so it was the following week I went away.

Q Week of Monday, that would be June 26th. A It was the Monday following the Saturday of June 17th.

Q 17th was on a Saturday; 19th was on a Monday. Is that the time you went away? A No, a week --

Q That would be June 26th? A Yes.

Q You went away on your vacation, you say? A Well, I went away.

Q Where did you go? A I went to the country.

Q I know. Specifically where? A I went to a camp in the country.

Q Wasn't it Camp Unity? A Yes.

Q You accompanied Mr. and Mrs. Sobell? A Yes, I went with Mrs. Sobell.

Q How long were you up there? A A month, approximately.

Q Up to June 26th, the address that you give that you say you were living at is the home of your sister and your brother-in-law, isn't it? That's Morton Sobell and wife? A Yes.

Q Did you pay any rent while you were there? A No.

Q You lived there for nothing? A Yes.

Q When was the last time that you were in the Sobell home? A Well, last time I was in there was the Monday that I left.

Q June 26th? A Yes; although I stopped by there, I don't remember when, to pick up some mail.

Q You mean after the 26th? A Yes.

Q After June 26th? A Yes.

Q Whom are you living with while you are in town here with your sister? A I am staying at Mrs. Sobell's apartment.

Q That's the mother of Morton Sobell? A Yes.

Q Or are you staying with your sister? She's there too? A Yes; it's in her apartment.

Q What mail did you pick up at Sobell -- at Morton Sobell's home? A Well, I didn't pick up any because my neighbor saw me trying to get the mail, you know, and she told me that the mail man had stopped leaving mail there.

Q Who was the neighbor? A She lived right next door.

Q Do you know her name? A Yes, I know her name.

Q Which side of the house did she live on? A On the left hand side.

Q Left hand side looking toward the house or looking from the house? A On the right hand side looking at the house -- no.

Q On the left hand side looking at the house then; it would be one or the other. A It would be the side close to the highway.

Q Standing on the front steps and looking at the street where is it? A On the right.

Q You sure of it? As you stand on the front porch or front door, you look out as though you are going to leave the house, which house is it, the one on the right or the one on the left? A It's on the right.

Q Do you remember when this was that she said the mail man had stopped leaving mail? A I do not know.

Q What was some time after June 26th? A Yes.

Q Was it in the month of July? A Yes, I guess so.

Q July? A Yes.

Q How long were you at the Unity Camp? A About a month.

Q Month? A Yes.

Q That would be from the month of July then? A No; I was back in Washington before July ended.

Q Did you go from the camp right direct to Washington?
A Yes.

Q You didn't stop in New York at all? A Just to transfer trains.

Q So that it must have been some time during August that you went out to the house to look for mail? A No, I had been going to school since August.

Q Let's reconstruct your story. You left on the 26th of June to go to a camp, and you were at a camp about a month, and then you left the camp and went direct, except to change trains, to Washington. So that you could not possibly have been near that house during the month of July. You said you remember that you went back to see if there was any mail there. A Oh, I came into the city once.

Q When? A When I was at the camp.

Q When was that, after you had been there a week, two weeks, three weeks? A I'd say about two weeks.

Q Who suggested that you come into the city to get mail? A Nobody. I just --

Q You made one trip? A Yes.

Q So it was some time during the period that you were up to the camp that you made this trip to the city?

A Well, I came into the city and I wanted a swimming suit.

Q You wanted what? You wanted to swim? A I wanted a swimming suit. So, I mean, as long as I was in the city, I thought I'd go out to see if there was anything there.

Q Did you go over and see the Sobells, Louis Sobell and Rose, when you visited Morton's place? At the time you made this trip to the city from Camp Unity and you went over to Morton's house to look for the mail, did you go over to say hello to the Sobells, Louis and Rose, father and mother?

A No, I did not.

Q You just went over to Morton's place and when this person told you -- A Mrs. Schwartz, excuse me, Mrs. Schwartz is the name of that woman.

Q I see. But when you visited the home of Morton Sobell and found there was no mail there, where did you go?

A I went to the post office.

Q And at the post office what did they tell you? A They gave me the mail.

Q They did? A Yes.

Q What post office was it? A It's Utopia Station.

Q That's where, Queens? A Yes.

Q Now in that mail were there any letters from your brother-in-law, Morton, and your sister? A No.

Q No mail at all? A No.

Q When did Morton Sobell depart from his home for -- on his trip to Mexico? A Well, I know approximately when.

Q Yes, approximately. A It was a Friday before -- well, it was either Thursday or Friday before I left, before the Monday that I left. It was some time during that time.

Q The 26th was Monday; the 22nd or 23rd, then, of June? A Yes.

Q Will you tell us what happened on that particular evening that Morton ^{had} departed for Mexico? A Well, I was -- that Thursday evening I went out, and the following morning, when I got out, there was a note from my sister to the effect -- she asked me to do a few little things until I left. She knew I was going.

Q You didn't know at all that they were leaving for Mexico? A No.

Q They never told you? A No.

Q Never discussed it? A I knew they were going on their vacation.

Q But you did not know where? A No.

Q What did the note say? A Well, I don't remember precisely, but it was just -- oh, she asked me to cutt off the milk and the newspaper, when I was ready to leave, and --

Q Did she give you any address where she was going? A No.

Q She say she was going to Mexico? A No.

Q Wasn't that a little unusual? A No, I don't think so.

Q What else did she say in the note? A I don't remember exactly; the final line was something like, "I will see you when you get back and when we get back."

Q How did she sign it? A Helen.

Q Where did you go that night? Where did you go?
A I went into Manhattan.

Q Whereabouts? A I went to a movie.

Q What movie? A I don't remember.

Q What theatre did you go to? A I went to so many movies that period of time, I won't swear to what theatre I went.

Q This is the night before your sister left. Surely the events of that night must be rather familiar to you?

A Well, I know that they had been discussed, but I won't say anything that I do not -- you know --

THE FOREMAN: You wouldn't say anything what?

THE WITNESS: That wasn't so.

Q I appreciate that, but you could tell us, first, what time you left home that night? A Oh, about five, five-thirty.

Q What did you do that afternoon? A I was around the house that afternoon.

Q Did you have dinner home that night? A I wasn't eating.

Q You were on a diet, were you? A I was rather sick.

Q Well, if you were rather sick, wouldn't it be rather

a little unusual to leave the house? Wouldn't it be more in keeping for you to rest, if you were sick? A Well, I had been sick in a, well, not in a physical sort of way.

Q What, were you mentally sick? A Well, I had been going to a psychiatrist.

Q Who was the psychiatrist to whom you went? A Well, I have been to several.

Q Who was the one that you were going to at that time? A Dr. De Vries.

Q Where is he located? A 68th St. near Fifth Avenue.

Q Had you been nervous, had you? Are you nervous or something? A Well, I was very much depressed and I was unable to eat.

Q What depressed you? A Well, I had been sick for about three years with this depressed condition.

Q Do you suppose that that depressed condition ever affected your memory? A I don't see the connection.

Q No. I mean, has it ever before, has it ever affected your memory about your ability to remember events and stuff? A No; I am not psychotic.

Q You don't recall any time in the past when this condition of yours, this depression, ever affected your memory? A I don't think so.

Q Well, now, you say you left about 5:30 and you did not have dinner and you went to New York City, did you? A Yes.

Q How did you go? A Subway.

Q Where did you get off, what station? A Well, I

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probably got off at 42nd Street because that is where I go usually.

Q And you do not recall what movie you saw? A I can give you the names of several movies that I saw, I have seen recently.

Q I mean that night. I don't want a list of the movies you have seen. I want you to fix the movie you saw that night. A Well, I can say that I saw the Bicycle Thief, but I am not really sure that it was that movie.

Q I want you to be sure where you were that night. Anyway, you said you went to the movie. What time did you get into the movie? A I don't know.

Q Give us -- you were there, you must have some idea. Did you stop on the way from your home to the movie, take any time out for anything? A In Manhattan I tried to get a soda, tried to drink milk.

Q How long does it take you to go from where you lived in Queens over to Times Square, normally? A About an hour.

Q Figuring the time that it took for the soda, it would be about an hour and fifteen minutes, you would have been in the theatre about quarter of seven, if you left at five-thirty? A If it was still light I wouldn't have gone in there.

Q You just said you did. You got off at Times Square, tried to get a soda, and then you went to a movie. A Well.

Q Now, look, you are under oath. A Yes.

Q You are subject to the penalties of perjury. A Yes.

Q You are supposed to tell the truth. A I am trying to.

Q You are not supposed to hide anything. You are talking to an intelligent body of people and you are subject to indictment for perjury if you deliberately lie and tell a falsehood. I appreciate the fact that you may be reluctant to say anything which concerns your sister and your brother-in-law, but that is just unfortunate, because the law requires you to make statements on any which ~~which~~ will not tend to incriminate you or degrade you. Now, nothing I have asked you thus far in my opinion has there been anything in it which would tend to incriminate or degrade you if you tell the truth. I am trying to fix the time that you left home. That was five-thirty? A Yes.

Q You said you went to New York City; that took about an hour; that would be six-thirty; and it took you a while to get an ice cream soda, we'll allow fifteen minutes for that, and it should have gotten you into a theatre about quarter of seven. The show I assume normally takes about two hours, doesn't it? A Yes.

Q That would take you out of the show about quarter of nine. And what did you do after that? A I don't believe that I got into the show as early as you seem to think.

Q I am taking your word for it. You are telling us what you did. A I don't know how you do things.

Q You are telling the story now. Let's not argue or quibble. Tell the jury what you did? A I went into the city and I probably walked around and window shopped a little or just walked around and thought. I didn't have -- I had very few friends in New York, I was going to a doctor three or four times a week, I had a lot of things to think about, about myself, and I was lonely, and I probably wandered around until I got tired of walking around, and went to a movie.

Q What time did you get out of the movie? A Well, I imagine not terribly late. About ten-thirty, something like that.

Q And then what did you do? A Then I went home.

Q What time did you get home? A Well, it takes about an hour.

Q So you were home by 11:30? And what did you do when you got home? Do you have a key to the house? A Yes.

Q Was the light on? A I don't really remember.

Q You do not remember whether the light was on or off? Where is your room in the house? A It is upstairs.

Q What room do the Sobells have -- downstairs? A No.

Q Upstairs too? A Yes.

Q Is their door normally closed? A Well, yes; sometimes it is -- usually I guess it is closed. Sometimes it is left open.

Q How many rooms are upstairs? A There's three bedrooms and a bath room.

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Q Where is the bathroom in relation to the bedrooms?

A It's in the middle.

Q Is there a light on upstairs? A No.

Q Did you turn the lights on when you went upstairs?

A I plugged in my little bedlamp.

Q How about the hallway? A I never --

Q Did you brush your teeth or anything like that that night? A Yes, of course.

Q So that you used the bathroom? A I used the one downstairs.

Q There is one downstairs too? A Yes.

Q Where do you keep your toothbrush? A I keep it downstairs because I had been going to school at night and I never got home until eleven, eleven-thirty, so I'd always come in and use that bathroom downstairs and go upstairs and go to my room.

Q You turned no lights on? A I may have gone into the kitchen even and gotten -- no, I just do not remember what I did that night as far as turning lights on. I customarily came home and went to the bathroom there and went up to my room.

Q Nights when you came home didn't the Sobells leave the lights on for you? A Sometimes there would be a light on. Usually not.

Q Where would the light be? A It would just be an outside light.

Q Wouldn't there be any light on the second floor for you? A No. There's a little tiny thing you plug in down the room, you plug it in down the bottom of a base-board, and it gives a little orange light that is just enough so that you do not trip or anything, right by the steps.

Q Isn't that usually on when you come in? A It is always on, day and night.

Q No other lights on that night? A No.

Q They never told you they were going to Mexico? A No.

Q You sure of that? A Yes.

Q Did you ever hear from them while they were in Mexico? A No, I never heard from them directly.

Q Did you hear from them indirectly? A No. What I mean is that my brother got a letter in Washington, and he told me.

Q When did he get a letter? A I don't know.

Q Did you see the letter? A I saw it at the FBI offices.

Q The letter that your brother got? A Well, he had gotten it.

Q What did the letter say? A Just described how they were and everything.

Q Did your brother reply to the letter? A No.

Q Did you ever send any replies to the letter? A No.

Q Don't you think that was rather odd? A To reply to

somebody who is on vacation?

Q To fail to reply to a letter that you received?

A It is just like as if somebody sent me a postcard. Why should I reply?

Q I don't know. Why didn't you reply to the letter?

A Because I certainly expected to see them soon.

Q How soon? A Whenever they got back.

Q But you didn't know when they were getting back?

A No.

Q Did you? A No, I didn't.

Q When they left that note for you, the note you said they left,-- do you have the note? A No.

Q They told you to stop the milk coming, to stop the paper route and so forth. A Yes.

Q They say anything else to you? A You mean in the note?

Q Yes. A Something about paying the rent for that month, yes.

Q Paying the rent for that month? A Yes.

Q Did they leave the money for the rent? A No.

Q They wanted you to pay the rent? A Yes.

Q The rent? They weren't paying any rent. A What do you mean?

Q Well, were they? I thought they owned the house.

A Oh, I don't know. I am sure they paid something.

Q Paid what? A Whatever you pay when you have a house.

Q There's a difference between owning a house and paying rent, isn't there? Isn't there? A I really don't know. I know that my sister asked me to pay something.

Q But you don't know what and you don't know whom you were to pay this money to? A No. There was a stub there, one of these little book stubs.

Q Oh, that was in the letter, was it? A It wasn't in the letter. It was on the table with the letter.

(Cont. by BD)

TAKE I

RelLB
9/1/50
(Mr. Lane)

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Q Did you talk to your sister or brother-in-law while they were away? A No.

Q You talked to them plenty since they got back, haven't you? A I have seen them. I talked to them. I haven't -- no, I haven't talked to my brother-in-law.

Q Tell me, are you interested -- are you in any way affiliated with any Communist activities? A No.

Q Do you belong to any Communist organizations? A No.

Q Have you ever belonged to any? A No.

Q Did your sister belong to any? A I don't know.

Q Did your brother-in-law belong to any? A I don't know.

Q Are you certain you don't know? A Yes.

Q Well, how can you be certain? A Well, if I don't know, I don't know.

Q Well, there are other things that you said you did and didn't do that weren't quite so. You appreciate the fact that you are under oath? A I do.

Q You are cognizant of that fact? A Yes.

Q No question in your mind but what you are under oath?
A Absolutely none.

Q And you insist, you still insist you are telling the truth? A Yes.

Q Did Martin Sobell's parents visit the place where you lived? A Sure. I think so.

Q On the Sunday after this Martin Sobell departed for Mexico? A Yes.

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Q Why? A I was leaving and there was stuff in the refrigerator and I was -- I just asked him to come over and clean out the refrigerator and take whatever was there. I couldn't do anything with it. I was too --

Q Is that why they came over? A That's why I asked them to come over.

Q Did you telephone them to come over? A Yes.

Q When did you telephone them to come over?

A That morning.

Q What morning? A A Sunday.

Q Well, did you say that your brother-in-law had left on a Thursday night and on Friday you got this note or you saw the note? You said the note was where, downstairs?

A Yes.

Q Whereabouts downstairs? A On the table in the -- on the kitchen table.

Q And what time did you see it? A About 10 or 10:30, when I got up.

Q Did you call Louis Sobell then or his wife? A No.

Q You waited until Sunday? A Well, I didn't -- yes.

Q And then, Sunday you told him that your brother-in-law and your sister had gone away? A I told them I was leaving.

Q Did you tell them that your brother-in-law had gone away? A I may have. I probably did.

Q Well, didn't you? I mean, it's natural, isn't it?

A Certainly.

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Q Well, did you or didn't you tell them that?

A Probably yes.

Q Well, don't you recall whether you did or not?

A Well, I don't know. I just don't remember whether I did or did not. I know that I probably said something to that effect.

Q Did you tell them where they had gone? A No. I didn't know where they had gone.

Q Did the parents make any comment on their departure?
A No.

Q Did they know where they had gone? A I don't think so. I don't know.

Q Had they ever gone on vacations before? A Who?

Q Your sister and brother-in-law. A Sure.

Q When? The year before? A They went the year before and I didn't know where they went.

Q They made it a point of never telling you where they went; is that correct? A No. It was -- I don't think they made a point of it. I just think --

Q Well, why were they so mysterious about their departures? A I didn't tell them where I went frequently on week-ends or places like that. It was just --

Q Well, what did you talk to Mr. and Mrs. Louis Sobell about on that Sunday? A Oh, I told them -- well, I had gone to my doctor Friday and I had gotten a shock and my doctor told me -- my doctor told me that I should go into a

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sanitarium and I was very much concerned. I thought I had been getting -- I thought I had been getting better and, well, I didn't want to go to Washington in that condition and I told Mrs. Sobell -- I told her what my doctor had recommended, and she said they were going to the country and maybe if I just went to the country and, you know, got some fresh air -- could I be excused for a minute?

Q I think so.

THE FOREMAN: Yes, you may be excused.

[The witness left the room and then returned.

Q Now, how do you feel; a little better? A I'm sorry.

Q Well, then you are on your way to the country, I mean they told you to join them in the country; is that right?

A Well, yes, she was very nice to me, she was very sympathetic. And I told her -- I mean, actually, you see, my doctor had even called this place up, the psychiatric institute, and the only reason I didn't go in was --

Q You were upset? A No. The only reason I didn't go in was because they didn't have any vacancies.

Q Well, anyway, your conversation, as I get it, on Sunday with the Sobells, after you called them up, was to the effect that they were going away somewhere to a camp --

A Yes.

Q -- and they suggested you join them, it would do you good; is that right? A Yes.

Q That's about the gist of it? A Yes.

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Q So, the next day, June 26, you went up there; is that right? " It was a Monday, yes.

Q You went up by train? A Yes.

Q Now, you said that you went to the doctor to get a shock on the Friday before you left? A I didn't go to the doctor to get a shock.

Q Well, you got one, anyway; is that right? A Yes.

Q You went to see the doctor? A Yes.

Q You were upset that day? A Well, yes.

Q The note upset you, that you got from your sister?

A No.

Q Well, something upset you, didn't it? A Well, I had been upset all week because school had finished and I had nothing to do and I couldn't decide where to go and I had not been able to eat that entire week and I was trying to decide whether to go to Washington or not. I was going to Washington every morning, I thought "Well, I'll go today," and I just -- well, I had gotten some tests recently and my doctor told me she had been considering sending me to a sanitarium for a long time but she just waited for these tests to come back, to --

Q Well, let's not -- I don't want to discuss the question of the sanitarium. I mean, that stuff -- that's something personal with you. You look all right to me. I don't think there is anything wrong with you. What I'm getting at is something more important, at least to the Jury, and

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that's the question, for instance, of that payment on the Sobells' house. Now, you say your sister left instructions there to make a payment on the house? A Yes.

Q And did you make the payment that day on the house?

A No.

Q When did you make it? A I really don't remember exactly when I made it. I remember I wrote the check out -- it was due the 1st and I wrote the check out at approximately that time.

Q You sent the check somewhere? A Yes, to wherever it was on the stub.

Q Well, now, did you tell your friends, the Louis Sobells, that you had done that, that you had made this payment? A I may have mentioned it. I don't really know if I specifically said -- I probably said that I had.

Q Well, why didn't you make the second payment?

A It just -- I wasn't thinking about it at the time. It just didn't occur to me. She hadn't said anything about making a second payment.

Q Well, you know that the Louis Sobells made the second payment. Do you know that? A I understand that, now

Q Well, why did they make the second payment and you the first? No one said anything to them about making payment

A Well, maybe they were worried about the house. I know the FBI man kept saying to me somebody ought to pay for the house.

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Q Don't tell me the FBI were going to help you make payments on the house. A I just said that that's what they kept saying to me - somebody ought to pay for the house.

Q But you never told them you were making payments? Or did you? A I may have mentioned that I made a payment on the house, that I mailed a check.

Q Well, did you say anything to them about it? A I don't remember precisely if I did say yes, something to the effect that I had made a payment. I think I did.

Q Now, did you pay for your expenses, for your stay at Camp Unity? A Yes.

Q How much did it cost you? A Forty-three dollars a week, or something --

Q And you were there for a month? A Yes.

Q Now, did you communicate with your sister or brother-in-law while you were there? A No.

Q Did you communicate with them at all while they were away? A No.

Q The only letter you say that you saw was the one that your brother received in Washington? A Yes.

Q And who sent that letter to him; your sister? A I imagine they did.

Q Your sister? A Sure.

Q Did you see the letter? A I saw it at the FBI office.

Q But did you see it before that? A No.

Q But your brother had told you about it? A Yes.

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Q Which brother is that? A I have -- my brother Dave.

Q And he lives with your mother? A That's right.

Q What does he do? A He works in a grocery store.

Q Do you know Julius Rosenberg? A No.

Q Did you ever meet him? A No.

Q Did you ever hear his name mentioned? A Well, I have heard it recently.

Q Did you ever hear Sobell mention his name? A No.

Q Martin Sobell. A No.

Q Are you sure? A No -- yes.

Q "No -- yes"; which is it? A Well, I think you said two --

Q Well, did you ever hear Martin Sobell mention the name Julius Rosenberg? A No.

Q Did you ever hear your sister mention the name Julius Rosenberg? A No.

Q Do you know William Danziger? A No, I don't think I know that name.

Q Are you sure you don't? A Well, the name Bill is familiar.

Q Bill Danziger? A I know several Bills, but I don't know anybody by that name. I don't think so.

Q You know several Bills but you don't know Bill Danziger, William Danziger. Are you sure you don't know him?

A I don't think so.

Q You don't think so. Well, now, think hard.

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A Well, there are a couple of boys at school that we sat around and discussed things and I don't know what their last names were, but Bill is a common name.

Q Well, I show you a picture of William Danziger -- and may the record so indicate -- and I ask you if you have ever seen that man before? A No, I don't recognize this man.

Q You never saw him before? A I don't think so.

Q Well, he has seen you before, so he says. A Well, I don't know this person.

Q In other words, you deny ever having seen William Danziger? Did you ever hear the name William Danziger?

A You mean just now?

Q Any time before now. A I don't recognize that name.

Q Were you ever introduced to a William Danziger?

A I don't remember ever having been introduced to William Danziger.

Q Did your brother-in-law, Martin Sobell, ever introduce you to William Danziger? A I don't think so.

Q Did your sister ever introduce you to William Danziger?

A No, I don't think so.

Q Did you ever see William Danziger, this man, on the night that your sister and your brother-in-law departed for their so-called vacation on June 22 or June 23, 1950?

A No.

Q You never saw him. Did the Sobells ever mention to you that they contemplated going to Mexico for a vacation?

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A They discussed all sorts of places.

Q Did they discuss Mexico? A Not specifically, no.

Q Were you present on the night of June 22 or 23 when they were about to depart for this vacation, when the Sobells were packing their suit cases? A I was not home whenever it was that night.

Q Did you assist the Sobells in packing their suit case preparatory for this trip? A No.

Q Did you enter an automobile with the Sobell family on the night of June 22? A I wasn't home.

Q Well, what's the answer, yes or no? A No, I wasn't home.

Q Where were you during the period August 1 through August 9? A I was going to school.

Q Where? A George Washington -- in Washington.

Q Well, now, I want to tell you that we have had witnesses before this Grand Jury who have testified that you were present -- listen till I finish -- on the night that the Sobells departed for Mexico, that you were present at their home and that you helped them to pack and that you entered an automobile with them when they departed for LaGuardia Field. And in the fact of that fact do you still deny it; that you were not present and that you did not enter a car and that you did not know where they were going?

A That's right.

Q Did you drive a car back from LaGuardia Field that

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night? A No.

Q Did you drive the Sobell car at all that night?

A No.

Q Were you in the Sobell car at all that night - Martin Sobell? A No.

Q What kind of a car do they have? A A Ford, a '49 Ford.

Q What model? A What do you mean?

Q What model? Is it a sedan? A It's a big car.

Q Do you have a license to drive. A I have a Washington license.

Q Did you ever drive the Sobells' car? A Yes.

Q When is the last time you drove it? A The Monday before I left.

Q Was the car in the garage the Monday before you left? A Sure.

Q It was in the garage? A Yes.

Q Who put it in the garage? A It was there.

Q Was the door locked? A Probably. I don't remember whether it was locked or not.

Q Did you see the car there on the Friday before you left for your vacation? A Yes.

Q Did you use it? A Yes.

Q You used it the day after the Sobells departed, in other words? A Yes.

Q And you found it in the garage? A Yes.

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Q You don't know how it got there? A I assume it was there.

Q Do you know how the Sobells got to the airport?

A No.

Q Did they ever tell you how they got to the airport?

A No.

Q Do you know they went to the airport? A I know, now.

Q How do you know now? A From reading in the paper.

Q You talked to your sister, didn't you? A Yes.

Q Didn't she tell you they went to the airport?

A Yes.

Q Did she tell you how they went to the airport? A No.

Q She never mentioned it? A I don't remember.

Q She didn't walk to the airport, did she? A I imagine not.

Q How did she get there? How did she say she got there?

A I don't know how she got there.

MR. LANE: Do you have any questions, Mr. Foreman, while I look this over?

THE FOREMAN: Any questions by the Jury?

BY THE JURY:

Q Didn't you tell the neighbor next door, when you put the car in the garage, that your brother-in-law and sister had gone on their vacation and you were going on your vacation? A It's very possible that I did something like that, yes.

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Q Was that Mrs. Schwartz that you told that to? A Yes.

MR. LANE: Well, how did you know they had gone to Mexico?

THE WITNESS: I didn't say they had gone to Mexico.

Q And doesn't it take you an hour to come from Flushing to 42nd Street? A You have to take a bus and a subway and you have to allow for connections.

Q And are you far from the main street in Flushing?

A We are closer to Union Turnpike.

Q Did you say you had a shot or a shock at the doctor's?

A I had a shock.

Q S-h-o-c-k? A That's right.

Q Shock? A Well, I don't mean an electric shock.

Q About your family affairs and that your sister and brother-in-law were in trouble? A No.

Q You had no idea of that at all? You didn't know they were in trouble? A No.

Q That didn't affect your personal condition at that time? A No. I had been sick right along.

Q But wasn't the shock due to the fact that you thought your brother-in-law had to leave the country suddenly; didn't that make you feel bad? A No; this previously had happened to me, too. That was the reason.

Q I'm not talking about previously. I'm talking about on that day that you didn't feel well, that you had a shock that day, wasn't that the shock that your brother-in-law

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had to leave the country? A No. The shock was that my doctor told me to go to the sanitarium because of some tests that I had had.

BY MR. LANE:

Q When did you read about the Rosenbergs for the first time? A I don't remember.

Q You do remember reading about them? A Yes, I read about them.

Q Do you remember Sobell discussing them? A No.

Q The Sobells never discussed them? You knew Sobell was a good friend of the Rosenbergs, didn't you? A No.

Q You never knew it? You have talked to your sister about it, haven't you? A I have not.

Q You haven't discussed the Rosenbergs with your sister at all? A No.

Q Even since she has come back? A No.

Q Well, what did your sister tell you about the trip to Mexico? A Oh, she described the apartment where she lived and it was a modern apartment but there was no plumbing, and that sort of thing. She said it was very lovely. They visited a few places.

Q What else did she say? Did she say when they had planned to come back from Mexico? A No.

Q Did you ask her? A No.

Q She just said that it was a lovely country, in other words? A Yes. When they went to Canda they also -- they

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were the sort of people that went to different places.

Q Did she say why, did she tell you why they came back to the United States from Mexico? A Well, she -- before I saw her I had read in the newspapers --

Q No; I'm asking you what she said. A Well, she said it was some horrible mistake.

Q That they came back? A No; that this whole thing that I have been reading about.

Q Did she tell you that her husband fought with the Mexican police? A She told me that they had had difficulties coming back.

Q Did she tell you who caused the difficulties? A No.

Q She didn't go into that at all? A No.

Q She didn't tell you about your brother-in-law and how he fought with the Mexican police? She didn't tell you that, did she? A No.

Q How he wouldn't go peacefully with them; he insisted upon being a rough fellow? A That doesn't sound like my brother-in-law.

Q But she didn't tell you any of that, did she? A No.

Q He fought to stay away from coming back to the country; she didn't tell you that, did she? A I don't --

Q Did she tell you the name that they were living under down in Mexico? A I'm sure they lived under their right name.

Q Why are you so sure? A Why shouldn't they?

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Q My question was did she tell you that they lived under an assumed name. You have heard the question. Now answer it. A Do you want to rephrase it?

Q No. I want you to answer it. A I'm sorry; I must have misinterpreted --

Q Did your sister tell you what name they lived under in Mexico? A No.

Q Did she tell you that they were living under an assumed name in Mexico? A No.

Q Does it surprise you now that you hear that they were? A I don't -- I'm surprised. I don't believe it.

Q You are surprised? There would be no reason for it? A That's right.

Q Like there is no reason for your lying before this Grand Jury today, is there? Is there any reason for this? A No, there is no reason, and I'm not lying.

Q And you are not lying? You deny that you saw William Danziger on the night that your sister and your brother-in-law departed for Mexico?

(Cont'd by LB)

Take #2
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A I don't remember seeing William Danziger on the night with whatever you are -- I can't repeat your entire statement.

Q As a matter of fact you said you never saw him in your life, is that right? A I said I don't remember having seen him.

Q As a matter of fact you told the FBI, didn't you, that this so-called note that your sister left said nothing in there except to stop delivery of milk and the delivery of newspapers? A No, I don't think I said that.

Q You didn't say that?

THE FOREMAN: Have your sister and you been close at all? Are you the youngest or middle?

THE WITNESS: Yes.

THE FOREMAN: How many are there in the family?

THE WITNESS: Five.

THE FOREMAN: Two girls and three boys?

THE WITNESS: Yes.

THE FOREMAN: You are the youngest?

THE WITNESS: Yes.

THE FOREMAN: The sister, how old is she?

THE WITNESS: She's about 32 -- 32.

THE FOREMAN: And just a few years younger than you -- more than that -- how old are you?

THE WITNESS: 26.

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THE FOREMAN: Have you always been close? Well, I mean, you are the youngest -- and I am the youngest in the family too; I know what it is; sometimes it is good and sometimes bad -- but you are more or less watched, and there is love and affection between your brothers and sister. Now, the relation between your sister and you, has it always been that?

THE WITNESS: Yes.

THE FOREMAN: She was gone two months and she didn't let you know, and you didn't care either. It does seem strange.

THE WITNESS: The first month I was away myself.

THE FOREMAN: Being the youngest and having your sister close like that, going for a vacation, months go by.

THE WITNESS: But she did write to us.

THE FOREMAN: She did write?

THE WITNESS: Yes, certainly. We had something.

THE FOREMAN: Through your brother.

THE WITNESS: Well, I assume I would have seen the letter except, you know --

THE FOREMAN: She just wrote that once; she wrote to your brother.

THE WITNESS: I don't know whom it was addressed to. It may have been addressed to me.

THE FOREMAN: It wasn't addressed to you.

THE WITNESS: It may have been.

THE FOREMAN: It is just human reaction.

THE WITNESS: I think, as I recall, the heading was "Dear Mom and David and Eadie," or something like that.

BY MR. LANE:

A This is a photostat of a letter which has been presented to this grand jury. Have you seen that before?

A No, I haven't seen this letter.

Q Whose handwriting is that? A That looks like my brother-in-law's handwriting.

Q Have you heard of that letter before? A No.

Q Did Louis Sobell ever mention it to you? A No.

Q Did your sister ever say anything about it? A No.

Q Where do you plan to go after you are discharged from the jury? A Today?

Q Any time. When you are discharged. You going back to Washington or do you plan to remain around here? A I don't know. My school is sort of broken off. I do not think I can go back now. I don't know. Do you want me to stay?

Q No, I am just asking the question. I just want to know where you are going to be. A I was planning to go back, finish my school, come back here in September and go back to Brooklyn.

Q Where do you plan to live when you come up to New York? A With my sister.

Q With the Sobells? A Sure.

Q Have you talked to your brother-in-law? A No.

Q Since he's been up here. A No.

Q Have you talked to a lawyer? A Who, me? No.

Q Your testimony is in direct contradiction to that of others who have appeared before this grand jury. I don't know what the grand jury proposes to do. Conceivably, they may indict you for perjury. I am asking you for the last time if you want to correct your testimony? If you told an untruth this is your opportunity to correct it. If you prefer to stand on the statements you have given, why it will be up to the grand jury to determine whether they consider it the truth or whether they decide to indict for perjury. Now, do you have anything to say? A No.

BY JURORS:

Q Do you realize your brother-in-law is in very grave trouble? A Yes, I do.

Q And it is natural for you to try to help him, of course. Do you want to get yourself into the same trouble by ineffective efforts to help him, by lying, and it won't save him at all, or save you at all, and will only get you into similar trouble. A I don't want to get into trouble.

Q That is the impression you are giving us. A I am sorry if that is the impression I am giving you.

Q You are trying to save your brother-in-law by lying. You are not going to save him but only pull yourself into a bad mess yourself. Mr. Lane is giving you this opportunity to straighten yourself out before he asks the grand jury to take action against you. A I would like to help my

brother-in-law if I could, but I do not see how I can.

Q You are not helping him by lying and getting yourself into trouble. A Everything I have said is true.

BY MR. LANE:

Q One more question. On the night of June 22nd, when you say you went to New York City to a movie, you say you left at 5:30. Who was at home at the time you left? A I imagine everybody was at home.

Q You imagine everybody. Tell us who you recall was at home, and did you talk to your sister before --

A I am sure my sister was home.

Q Your sister was there? A Yes.

Q How about your brother-in-law, was he there?

A I don't know whether he was there.

Q Were their children there? A Yes.

Q Did your sister say anything unusual at that time? A No.

Q Do you recall the conversation, what she spoke about? A She told me to have a good time.

Q At the movies. Did she mention she was going away? A No.

Q Was she getting dinner? A Probably around that hour she usually got dinner.

Q Was there anybody else present? A The kids were around.

Q That's all. No outsiders, no strangers? A No.

Q And then you came home and the next morning you found a note there, is that correct? A Yes.

Q Were there any bags being packed or any indications of preparations for a trip? A Well, there had been stuff around the house, my sister had been putting away woolens and things like that; there were boxes and suitcases around for the past two weeks because -- I mean, ever since she finished school she had been house cleaning.

Q Ever since she finished school? She going to school? A Yes.

Q Where? A Columbia.

Q What was she taking at Columbia? A She was working for her Master's in physics.

Q Physics? A I think so; yes.

Q Was there any photographic equipment around the house? A Yes.

Q Did they take film? Were they interested in taking film? A What do you mean, taking film?

Q Film, of movies, film of any sort, pictures?

A They took pictures a lot of their kids, yes.

Q Anything else? Did they have developing equipment there? A I don't know.

Q You were there; you ought to know. Did you notice any developing equipment? A No. There may be developing equipment there.

Q Did you notice any film around? A Whenever they have cameras around, I suppose there are film around.

Q What sort of cameras? Do you know anything about them? A I think they were good cameras.

Q Leicas maybe? A I don't know.

Q Were there any moving picture cameras? A I think they either had one or they borrowed one. I don't know.

Q Did they have a dark room? A No.

Q They have any electric drills? A I don't know.

Q Morton have a regular little shop in the cellar, with electric equipment? A He kept all sorts of things downstairs.

Q All sorts of drills? A I do not know. He had a work table.

Q He had a work shop downstairs? A Yes.

Q You saw it? A Sure.

Q Those tools, etc., when he left, he packed those up? A I don't know.

Q Did he sell any of it? A I don't know.

Q Are they still there? A I imagine they must still be there.

Q Weren't you surprised the next morning when you found this note saying they departed and didn't say where?

A No.

BY JURORS:

Q Look, this was a house that you lived in with your

family, is that right? A Yes.

Q How is it possible that four people could pack during the night and leave without your hearing them at all? You did not hear them leave during the night or the next morning? A No.

Q You want me to believe that in a small house where sounds are very loud that you are such a sound sleeper that four people could pack up and leave, and the next morning you wake up and they are all gone, is that what you want us to believe? A Well, I don't know when they packed. I think they may very easily have been packing right along.

Q And you are living in the house and did not see anything? A I was very much concerned with my own difficulties I hadn't been able to eat any food for a whole week, I mean.

Q Don't you think it would help your own difficulty if you told the truth, in your condition? A I am trying to tell the truth.

THE FOREMAN: Don't you realize now that you really have some friends here? You may not believe it, and it is quite possible you do not -- we are just bending over here. Mr. Lane started us, and we have been feeling the same way, and we second his thoughts along this line, and this jury here is very tense, in talking to you, trying to help you. You are a young girl and we do not want to see you get in any trouble.

THE WITNESS: I do not want to get in any trouble.

THE FOREMAN: Do you believe us, in talking this way, do you feel you have our confidence and we are really trying to help you?

THE WITNESS: I think so.

BY MR. LANE:

Q The Foreman and the rest of the jury appreciate the fact that, after all, it is your sister and brother-in-law, she is interested in her brother-in-law, you all want to do everything you can to protect him, if you can. We know that he went to Mexico. Certainly the fact that you saw him go isn't going to affect the case one way or the other, in a sense. The fact that you saw him go to Mexico, the fact that you may have helped him pack, isn't going to implicate you. That's natural. Anybody might do it. I might do it for my brother-in-law -- you might -- but the tendency is to try and protect, if you can. That's natural, too.

(Cont. by BD)

bd 1

Levitov

Q But you have an idea, like a lot of people, that every question I might ask you is one that's supposed to trap you, trying to mix you up. I know, as a matter of fact, and I don't need your testimony for it, I know as a matter of fact, and I'm willing to believe this, that they did leave and that you knew they left and that you saw them depart and went with them. And if you want to tell the truth, that isn't going to affect their case one way or the other, in a certain respect, but it certainly could implicate you if you now, with that knowledge that we have, you now deny it, you see. I mean, it comes to a question of perjury on your part. Now, why do you try, in your condition, for the sake of trying to help your sister and your brother-in-law in something which we already know about, why do you try to put yourself in the position of being a perjurer. A I don't see -- I mean, I agree with you that it wouldn't help one way or another, as you said. But I'm just telling you what happens to be so.

Q Well, we have the testimony of a man who was present and saw and also talked with you and talked with your brother-in-law. A Well, I don't think that that's possible.

Q And then we not only have him but we saw -- well, I don't think four or five people can be wrong in their identification who went to the airport. Do you think five people can be wrong? A I don't think -- I don't know. I don't know who you are referring to.

Q Well, of course you don't. It's like playing cards. I can't show you -- you can see the backs of them; but I can't show you my entire case. But that's what you are faced with. And I think that's what I can very easily prove. But I have no desire to indict you and I don't think anybody in this Jury does. But I think that what you are doing -- you are practically making it impossible for them to do anything else; because their job, their duty, their sworn duty is to indict for a crime that's been committed. Now, if you come in here and under oath you tell a lie to a material matter -- and this is material -- you have to be indicted for perjury; there is no other way out. And later on you can't very well say, "Well, he never gave me a chance." We practically pleaded with you. We pointed out the lack of logic to your position. It doesn't make sense. I can see if by taking that position you could save your brother-in-law from possible implication, while there might not be right there would be some logic to it, you see. But there isn't any logic to this. No matter what you say or don't say, it isn't going to save Martin Sobell, in my opinion. Your little part, what little you can testify to certainly has nothing at all to do with the big over-all picture. But if you could save him and you got up there and you told a different story, I could understand that; I might not agree with you, but I can understand it because, after all, blood is a little thicker than water. But to get up there on a point like this, where it isn't going to do

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him any good, it isn't going to do you any good, and then to deliberately implicate yourself, I mean it's almost like a martyr complex. I don't get it; frankly, I don't understand it. And I don't think any of these Jurors do, either, they don't understand the position which you take. So, if you want to tell the truth, nothing will happen to you; they won't indict you for perjury, I'm quite sure, if you want to tell the truth. And you can't go any further than that. God Himself couldn't give you any better break than that.

A I don't know what you want from me.

Q Just the truth. A I told you what happened.

Q You don't want to change it? A No.

BY THE JURY:

Q Well, Miss, can I ask you a question. Your sister and your brother-in-law have two children, haven't they?

A Yes.

Q And they are going away on a vacation. A Yes.

Q An extended vacation; a month, maybe two. A Yes.

Q Well, they can't be ready in an hour or two for a vacation, with two children, to go away. And it's generally spoken of and discussed; "We are going away on such and such a date and we are getting this together and that." Didn't they have any conversation at all about it? A They discussed going on their vacation like I discuss going on mine.

Q And no preparation was made to begin packing, or anything? A Well, as I say, there were boxes and suit cases

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around the whole couple of weeks.

Q And you didn't give them any assistance at all, and yet you lived with them, you accepted their hospitality, it cost you nothing to live there? A No.

Q And you didn't give them any assistance? A I was a very sick person and I had been going to the doctor for three years for three or four or five times a week, and under such circumstances I didn't think they -- anyone expected anything of me.

BY MR. LANE:

Q What luggage did they take with them on the trip?

A I don't know.

Q Well, were there a lot of boxes around when you got back that night? Did you notice boxes around the next day?

A I don't --

Q Well, you said they were packing and putting things in boxes a couple of weeks before that. Were the things still in the boxes? Were boxes -- A Well, I think there is one boxful of woolens upstairs in the front bedroom.

But I don't --

Q Well, what other boxes were there around that you saw?

A There are boxes in the closets.

Q They are still there, aren't they? A I don't know. I imagine --

Q Were they there the next day when you got the note?

A I don't know.

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Levitov

Q Didn't you look? A I had no occasion -- what am I, going to go looking in closets?

Q Well, did you? A I didn't look. I didn't notice.

Q Well, where were the boxes before that? A They were out in the rooms.

Q How many boxes did they take with them? A I don't know.

Q Well, that's what I'm trying to get at. You say the boxes were there; and then they left for Mexico and then you looked around, and the boxes either were there or they weren't there. You saw them before they left. You must have noticed them after they left, or you noticed that they weren't there. A Well, that's so. I mean they may be down in the basement, for all I know where they are.

BY THE JURY:

Q Well, when you came home from the movies that night -- when you went out the boxes and the valises were still there. And when you went to the movies and you came back home and you went to bed were the boxes there when you got up in the morning, and the valises, were they out where they were when you went? A No.

Q They disappeared? A That's right.

Q They were gone? A That's right.

Q Right away you had your inkling that they probably had left for their vacation? A Yes. Well, I didn't have to have any inkling. I saw the note.

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Levitov

Q It's normal for two people to leave in the middle of the night without saying anything to anybody else, to just disappear and take this baggage with them; I mean, that's normal procedure? You would do that and I would do that and anybody else? A Well, I didn't know, if you put it like that--

Q Well, I'm asking you a question. That's the normal procedure? A What is normal?

Q Miss, I would like to ask you a question. You are a college graduate and you studied psychology. Suppose you were a Juror here and you saw a younger sister here, very affectionate. The family leaves at 5:30 in the evening, goes away without the children being able to say, "Before we leave don't you want to kiss us goodbye?" Don't you want to know where they are? They don't give a darn. But two children in the home, a very sweet and affectionate, kind sister who gives you free board and is very sympathetic. And you come back at 11 o'clock, they are gone and you haven't the faintest idea where, why they were going. And do you suppose, if you were a Juror here, you would believe such a witness?

A Well, I don't know what you believe.

Q Well, I mean, you studied psychology; you are a college graduate. A Well, I knew they were going away.

Q Did you kiss your sister and niece and nephew goodbye? A No.

Q You weren't going to see them a few weeks. A No.

Q You didn't know they were going away that night?

A That's right.

Q Any reason why they should relieve you of knowing that they were going away? Was there any reason why they should have sneaked out during the night? A The only thing I can say is, the last year they did the same thing.

Q You weren't offended to come home at night to find your sister had left without even saying goodbye to you?

A The only thing -- I mean, maybe she was angry at me for having stuck around after I said I was going; I don't know.

Q I mean, I'm asking you if you were a Juror -- now, you are a college graduate and student of psychology -- would you believe such a witness who gave such a story, so obviously a cock-and-bull story? A If I knew the entire circumstances, the sort of relationship that existed between this person and the family, I mean I don't see any reason why not to believe them.

Q Well, would you think it's possible for four people to pack all those things -- there were two children and your brother-in-law and your sister -- and they could get all those things together and pack them after you left and then get away -- does that sound logical to you? -- and you wouldn't know anything about it? A I don't see why you think they had to pack in such a hurry.

Q Well, they got away in a hurry. From the time you went to the movies and then came back, they were gone. At 11 o'clock you come back and they were all gone; a great, big

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family of four persons. They had to make some preparations and make some -- they must have had to pack all their clothing and all the children's clothes.

BY MR. LANE:

Q Miss Levitov, when you came back that night you turned the lights on downstairs, because you went to the bathroom.

A Yes.

Q Where did you find the note the next day? A On the kitchen table.

Q You said you went to the kitchen that night.

A I may have gone to the refrigerator.

Q Well, the note wasn't on the table when you came back at 11 or 11:30. You didn't notice -- A The dinette is away -- far away --

Q Now, now, don't argue. Just answer the question.

A I don't know --

Q You went in the kitchen that night at 11 or 11:30, didn't you? A I may have gone in.

Q You said you did. You said you went into the kitchen

A I don't think I made a specific statement that I actually did.

Q I think you did. You went in the kitchen and turned the lights on and there was no note there that night.

A I don't know what you are trying to --

Q You didn't see a note there that night, did you; yes or no? Now, don't duel with me. Yes or no, did you?

bd 9

Levitov

S I have to duel with your previous statement. I don't think I said specifically that I went into the kitchen.

Q Well, I think you did. But now that your recollection is refreshed, you probably did go into the kitchen, you turned the lights on and you didn't find the note there that night, did you? A I didn't see a note there that night.

Q But the next morning you saw it there? A When I went to the kitchenette.

Q So, according to your story, some time between 11:30 at night and the next morning at 10:30 your sister and brother-in-law and their children left home like the Arabs.

A No, I don't see where that follows at all.

Q Oh, you don't? Well, how did the note get there? Did some little pigeon come in and put it there? A If you saw the house you would see that the kitchen light and the kitchen -- the kitchen -- the kitchen lights up -- the light lights up the kitchen and the dinette light lights up the dinette; and the note may certainly have been there and I just didn't pay any attention.

Q But you didn't see it the night before, did you? You didn't notice it until the next day? A I didn't notice anything.

Q Until the next day. Rather convenient, wasn't it?

A (No answer.)

BY THE JURY:

Q What time do you think your sister left; have you

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any idea what time? A I don't know.

Q Did she leave between 5:30 and 11 or between 5:30 and 10 o'clock the next morning? A Well, I would say between 5:30 and 11.

Q You assume that was already gone when you got home that night? You have reason to believe that? You have reason to believe she had already left when you came home at 11 or 11:30 that night? A Well, now, I really don't know whether she left -- I think she must have left before.

BY MR. LANE:

Q Well, that's one point, please believe me, you can be certain of. I think that she left before the next morning.

A That she left before the next morning?

Q Yes, she left before you got back that night. You can be sure of that, can't you? A I'm sure she wasn't there the next morning.

Q You are sure she wasn't there that night, too.

BY THE JURY:

Q When you got up the following morning did you notice whether the beds had been slept in that night or not, whether they were still made up or had they been slept in?

(Cont'd by LB)

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A I don't know, but I imagine they would still be in whatever condition they were when they left. I think they were made up, actually.

Q Let's suppose they were made up. Didn't you think it was very peculiar that when you left at 5:30, when you got up the next morning and went into the room, the beds were made up, seeing that they must have left the previous night?

A I see what you mean.

Q Didn't it seem peculiar to you? It would to me. I live with a family, and I know if I woke up the next morning and went into my sister's bedroom and found the beds unused, I would immediately -- I wouldn't know what to say. A It looks peculiar that way, yes, when you put it that way. Actually, what I did when I got up was to go downstairs and have a cup of coffee, and I had the note there before I even looked around the house.

Q Then you say you went upstairs and discovered the beds had not been slept in? A Yes.

Q Then you knew positively they must have left during the night, and it is certainly a very peculiar situation that four people should have packed and departed without saying one word to you. A But I knew they were going right along.

Q Then why the secrecy and why the hurry? A I think that they were competent people who did things their way.

Q Not to my mind. Had anyone accompanied you to the movie that night? A No.

Q Have you any idea where the theatre was? You must

have some idea. A It was around 42nd Street -- 42nd Street stop.

Q Do you know what the picture was, what type of picture it was? A Serious picture.

Q Have you seen any pictures since then? A I saw the Marx Brothers. I saw -- I went to movies, two or three movies a day, that week. I do not want to harp on the point, but the reason that I had gone to live with my sister was because I could not get along with people and I could not talk to people, and I could go for a month without saying hello or anything to my sister. That was the reason I was getting treatment, because I could not communicate with people, and that was the household in which I could live anyway I could.

BY MR. LANE:

Q Miss Levitov, how are you going to deny the fact that I am going to put people on this stand that are going to prove that you drove the car back from the airport? You can't destroy that. There will be no way to do it. And there will be nothing left for us to do but ask for an indictment for perjury, and they will indict you.

THE FOREMAN: We are all here working very hard.

Q You were in the car that night, there is no question about it. But you still insist upon this ridiculous story. It doesn't add up in any respect at all. Now I will put people on that stand there to prove that you were in the

car that night. I might even put someone in that has a picture of you in the car that night, and try and refute that. You can't do that. For the last time, do you want to tell the truth? This is the last opportunity. A If you are going to do something to me, maybe I ought to have a lawyer.

Q I am doing nothing to you. I am simply asking you to tell the truth, and if you are not telling the truth, I will get the grand jury to indict you. So far you haven't told the truth, in my opinion. A I am sorry, it is your opinion.

MR. LANE: Mr. Foreman, will you excuse her. I do not think there is any point in talking to her at all.

THE FOREMAN: You are excused. But leave here with the thought that we tried to help you, and you are up to where you are standing -- before you take a step, think it over, before you take that step. We are friends here. Before you take that step now. We have gone pretty long here. We have gone more than an hour and a half. Remember that step down. That is one step.

THE WITNESS: I just do not have anything more to say.

THE FOREMAN: Do you want to sit down again?

THE WITNESS: No, sir.

(WITNESS EXCUSED)