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SPECIAL SENATE INVESTIGATION ON CHARGES AND COUNTERCHARGES INVOLVING: SECRETARY OF THE ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN, AND FRANCIS P. CARR

HEARING

BEFORE THE

SPECIAL SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS UNITED STATES SENATE

EIGHTY-THIRD CONGRESS

SECOND SESSION

PURSUANT TO

S. Res. 189

PART 13

APRIL 30, 1954

Printed for the use of the Committee on Government Operations

UNITED STATES
GOVERNMENT PRINTING OFFICE
46020° WASHINGTON : 1954

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FRIDAY, APRIL 30, 1954

UNITED STATES SENATE,
SPECIAL SUBCOMMITTEE ON INVESTIGATIONS OF THE
COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D. C.

The subcommittee met at 10:45 a. m., pursuant to recess, in the Caucus Room of the Senate Office Building, Senator Karl E. Mundt, chairman, presiding.

Present: Senators Karl E. Mundt, Republican, South Dakota; Everett McKinley Dirksen, Republican, Illinois; Charles E. Potter, Republican, Michigan; Henry C. Dworshak, Republican, Idaho; John L. McClellan, Democrat, Arkansas; Henry M. Jackson, Democrat, Washington; and Stuart Symington, Democrat, Missouri.

Also present: Ray H. Jenkins, chief counsel to the subcommittee; Thomas R. Prewitt, assistant counsel; and Ruth Y. Watt, chief clerk.

Principal participants: Senator Joseph R. McCarthy, a United States Senator from the State of Wisconsin; Roy M. Cohn, chief counsel to the subcommittee; Francis P. Carr, executive director of the subcommittee; Hon. Robert T. Stevens, Secretary of the Army; John G. Adams, counselor to the Army; H. Struve Hensel, Assistant Secretary of Defense; Joseph N. Welch, special counsel for the Army; James D. St. Clair, special counsel for the Army; and Frederick P. Bryan, counsel to H. Struve Hensel, Assistant Secretary of Defense.

Senator MUNDT. The committee will please come to order.

May the Chair remind the audience once again that we have a standing rule of the committee that there are to be no manifestations of approval or disapproval from the audience at any time in any way. And that the officers have been instructed by the committee to enforce the rule. By and large, our audience has been very courteous and very considerate in that connection.

There have been occasional deviations from the rule. Now, the Chair hopes that those deviations have been concluded, and from now on the members of the audience will faithfully conform with the rule of the subcommittee.

The committee will come to order, and counsel——

Senator McCARTHY. Mr. Chairman.

Senator MUNDT. Do you have a point of order?

Senator McCarthy. I would like to correct yesterday's record, if I may. Yesterday, as the Chair knows, I felt very strongly about the vigorous cross-examination of Private Schine and in objecting, made a statement to the effect that our very eminent counsel had bragged that he was an outstanding criminal lawyer and he took exception to that.

May I say, Mr. Chairman, that I took the time last night to go through all of the news stories concerning counsel's appointment and I find that some of his friends did brag, and I think rightly so, that he is one of the outstanding lawyers of the country; and I find that as far as I know, the counsel never did brag about anything he has done. I think he is a southern gentleman and I don't think he would brag, and I want to tender my apology for that statement which was made on the basis of what a lot of his good friends said about him and not what he said.

May I say that I personally will join those friends and say that I do think he is an outstanding lawyer; but he never did brag about it.

Senator Mundt. The apology will be recorded as part of the testimony.

Mr. Jenkins. Mr. Chairman?

Senator Mundt. Counsel Jenkins.

Mr. Jenkins. I think it appropriate that I make a statement at this time. I appreciate more than I can possibly say what Senator McCarthy has just publicly said. I want to say to Senator McCarthy that he owes me no apology. I accepted his statement yesterday as a statement on the part of a zealous combatant in this hearing, made without consideration, and in the heat of passion. Over the course of a professional career of a third of a century, many of my dearest and most loyal friends have said far worse. I confess my guilt in having said far worse, and all was forgiven when calm had been restored.

If I took any exception, Senator—and I assure you I did not—all was forgiven at the very moment it was said. And this further statement: I think it is known that I am not a braggart, and braggadocio is not a part of my repertoire. If Senator McCarthy ever decides, with his committee, to investigate any of my clients, I assure him that he will spend a great deal of his time in the State penitentiary at Nashville, going up and down the halls.

Senator Mundt. Very well. May the Chair express the hope that this happy feeling will continue throughout the day.

Senator McCarthy. I assume Mr. Jenkins spent a great deal of time in the penitentiary investigating.

Mr. Jenkins. That is precisely what I said, Senator.

Senator Mundt. Very well. Counsel will call the first witness.

Mr. Jenkins. Mr. Schine was on the witness stand.

Senator Mundt. That is correct. Mr. Schine, will you come to the stand.

TESTIMONY OF PVT. G. DAVID SCHINE—Resumed

Mr. Jenkins. Mr. Chairman, I had concluded my cross-examination of Mr. Schine.

Senator Mundt. The Chair would simply like to inquire of Private Schine, as he recalls—At the conclusion of the testimony yesterday you were asked whether you had counsel or desired to consult with

counsel about the possibility of getting counsel, and I wonder now, Private Schine, whether you can tell us, Do you have counsel or have you concluded you do not want counsel, and are you satisfied?

Private SCHINE. Sir, I have not had the opportunity yet to talk with counsel about the advisability of having counsel. However, I am prepared to continue testifying about the McGuire photograph in order to help expedite the committee's investigation in this particular matter.

Senator MUNDT. Does the Chair understand that you are quite prepared to testify on questions dealing with the photograph without counsel?

Private SCHINE. I am, sir.

Senator MUNDT. You have no desire to have counsel in connection with questions on that point?

Private SCHINE. Yes, sir.

Senator MUNDT. Senator Symington has a point of order.

Senator SYMINGTON. I have had several telegrams, Mr. Chairman, and one phone call with respect to the committee not granting counsel to Private Schine. I would respectfully recommend that until he has counsel, that no further questions be asked of him.

Senator MUNDT. Well, if Private Schine does not desire to have counsel to advise him on questions in connection with the photograph, and is prepared to testify about the photograph, I see no purpose in delay if he returns on Monday or some other time again without counsel.

Senator SYMINGTON. We decided yesterday we would only question him on questions of the photograph, but the questions seem to get off the photograph.

Senator MUNDT. That is correct.

Senator SYMINGTON. In order to clarify the matter, I suggest we do not question Mr. Schine. Until he has counsel.

Senator MUNDT. The Chair would suggest we try to limit our questions to those dealing with the photograph.

Senator JACKSON. A point of order. When was the request which I made the day before yesterday, advising the Army to inform Private Schine that he could attend the hearings and have counsel with him, when was that directive carried out? I would like to know that, as a point of order.

Senator MUNDT. We might try to find out from Private Schine at what time the Army commander gave you the information. The Chair believes that immediately after the request was made, Secretary Stevens asked somebody to deliver the order, or at least I saw some officer leave the room.

When did you learn about the fact?

Private SCHINE. I was informed by my commanding officer, sir.

Senator JACKSON. The day before yesterday?

Private SCHINE. Yes, sir.

Senator JACKSON. That you could attend and have counsel?

Private SCHINE. That I was granted the right to attend the hearings from this point forth, and that I may have counsel if I so desired.

Senator JACKSON. So I assume he has had since Wednesday evening, then, the opportunity to think about the advisability of getting counsel.

Senator MUNDT. Probably the more pertinent question would be, Private Schine, when were you advised that you were to be called to

the stand; that you were going to become a witness instead of an observer?

Private SCHINE. I was advised that I might be called to the stand about 1:15 yesterday afternoon, sir, and I was told to stand by for 2:30, and that I might be called to testify about the McGuire photograph; and I said I would be very happy to.

Senator JACKSON. May I follow that up, pursuing this matter for a moment. May I inquire as to whether or not counsel of the committee indicated to Private Schine that he might be called as a witness? I assume counsel of the committee has been interviewing him from time to time.

Senator MUNDT. That is a question counsel will have to answer.

Senator JACKSON. Yes. Just to keep the record straight.

Mr. JENKINS. I am sorry.

Senator JACKSON. The question, Mr. Jenkins, is this: Did you indicate during the course of interviews with Private Schine that he might be a witness in this proceeding?

Mr. JENKINS. Yes, a witness generally, but I gave no indication that he would be called out of turn, so to speak, to testify with respect to the photographs, and I am sure that Private Schine knew nothing about it until approximately noon or shortly thereafter yesterday.

Senator JACKSON. I understand that, but when did you indicate to him that he might be a witness? Is that a week ago, or the past few days?

Mr. JENKINS. It was on the occasion of my discussing with Mr. Cohn, and others on the staff, including Private Schine, the facts at which time the question of this photograph was brought up; and I would say approximately a week ago.

Senator JACKSON. Did you indicate that he could have counsel? Was that discussed, if you recall?

Mr. JENKINS. I am sure it was not.

Senator JACKSON. Mr. Chairman, I feel very strongly, as you know, from my previous requests, that when I suggested that he be invited, and that he also be advised that he have the right to counsel, that I think every consideration should be given to Private Schine to defer testifying if he so desires until he has counsel, because I do believe the right of counsel is very, very important and it is for that reason that I made the request the day before yesterday that he be so advised of his right to counsel, and appear.

Senator MUNDT. May the Chair inquire——

Senator JACKSON. And I think the committee ought to go out of its way, if necessary, even if it does make the hearings inconvenient, to assure to Private Schine at this time that he has an absolute right to counsel before he proceeds further.

Mr. WELCH. Mr. Chairman.

Senator DWORSHAK. I also object to any further questioning of Private Schine unless he has counsel because I think we are merely wasting our time. I think we should proceed with some other witness until he does reappear with counsel.

Senator POTTER. I have a point of order, Mr. Chairman.

Senator MUNDT. Senator Potter.

Senator POTTER. Mr. Chairman, it is my understanding that Schine was called to the stand to be a witness for the sole purpose of giving

the committee information concerning this photograph. We spent a couple of hours on it yesterday.

I think Private Schine has testified that he went to New York and got the photograph and brought it back and gave it to a member of the committee. He has testified that he had no knowledge of tampering with the photograph in any respect. I can't for the life of me understand why we are wasting so much time with Private Schine on the stand when he has already testified to the pertinent matter concerning which he is a witness.

If there is another line of inquiry, I think in fairness to Private Schine and in fairness to the members of the committee we should be informed as to what the purpose of the inquiry is and what we are seeking to find out. Otherwise, I think that Private Schine has given the committee all the information that is necessary in this case. I think we are wasting a lot of time, and in order to expedite the hearings we should stick to the pertinent questions.

Senator MUNDT. You mean not in this case, but in connection with the photograph?

Senator POTTER. With the photograph. I understand that is the only purpose for which he is a witness at this time. It seems to me that he has testified fully and completely concerning that photograph. I can't for the life of me understand why he is on the stand again this morning.

Mr. JENKINS. Mr. Chairman, I am thoroughly in accord with what Senator Potter has said. I think Private Schine's knowledge of the particular point of inquiry has been thoroughly explored, and I have no further questions to ask him. If no one else has, I suggest that he be excused and that we call the next witness and proceed with the hearing.

Senator MUNDT. The Chair has none. How about you, Senator McClellan?

Senator MCCLELLAN. Mr. Chairman, at the proper time I may want to ask Private Schine another question or two, but I shall not ask him any question until he has had the opportunity to consult with counsel to determine whether he wishes counsel.

Senator MUNDT. Senator Dirksen?

Senator DIRKSON. No questions.

Senator MUNDT. Senator Jackson.

Senator JACKSON. Mr. Chairman, I make the same point that was made by Senator McClellan. I have some additional questions to ask him that may or may not be material in this matter. I strongly believe that there should be an affirmative answer one way or the other on his desirability as to counsel, whether he desires counsel.

I think we ought to know, say, by Monday, what his wishes are in this matter. I shall defer asking any further questions until I have had an answer on that.

Senator MUNDT. Senator Potter?

Senator POTTER. No. I still contend that Private Schine has given the committee all the information that we need concerning this photograph, which was the purpose for which Dave Schine was called to the witness stand. I don't wish to keep him here any longer. It is not fair to him, and we are wasting the time of the committee.

Senator MUNDT. Senator Symington?

Senator SYMINGTON. Mr. Chairman, I have some questions I would like to ask Mr. Schine, and I don't want to ask them until he has made his position clear with respect to whether or not he wants counsel and has communicated to the committee in writing. When he has a chance to find out whether he wants counsel, I think he should so tell the committee. If he does not want counsel, then we can question him without a counsel. If he does want a counsel, he most certainly has the right and should have the right to have one. I have no further questions of the witness at this time.

Senator MUNDT. Are there any questions that you want the private to answer now, Senator Symington? Very well. Senator Dworshak?

Senator DWORSHAK. No questions at this time.

Senator MUNDT. Mr. Welch? There you are.

Mr. WELCH. Mr. Chairman, I had 1 or 2 questions that I wanted to ask, and, like the other Senators, I feel very deeply that this witness should at least consult with a lawyer as to whether or not the lawyer advises him that he should be represented by counsel, before he is questioned further. The decisions, as I indicated last night, are, I think, somewhat more grave than this young private might understand, without the opportunity to talk to a lawyer of high standing.

Senator MUNDT. Senator McCarthy?

Senator MCCARTHY. No questions. I would merely like to second wholeheartedly what Senator Potter has just said.

Senator MUNDT. Very well, Private Schine, the Chair would like to request that between now and Monday morning you consult with counsel if you propose to consult with counsel, and that the next time you are called to the stand you come prepared, while testifying under oath, to tell us whether you desire counsel or not. Will you do that?

Private SCHINE. Yes, sir.

Senator MCCARTHY. Mr. Chairman, I think the record should be clear that Private Schine this morning volunteered that he would be glad to answer any questions with regard to the photograph, without counsel.

Is that correct, Private Schine?

Private SCHINE. Yes, sir.

Senator MCCARTHY. And as to other matters that might be inquired upon, you want to consult counsel to determine whether or not you want a lawyer?

Private SCHINE. Yes, sir.

Senator MUNDT. The Chair hears no other questions——

Senator MCCLELLAN. Mr. Chairman.

Senator MUNDT. Senator McClellan?

Senator MCCLELLAN. No one is waiving his right to further interrogate this witness about the picture by passing until such time as he can determine whether he wishes counsel?

Senator MUNDT. That is understood.

Senator MCCLELLAN. I do not want any implication that no further questions were desired at this time with respect to the picture. I do not know whether I shall want to or not, but I do feel that he should be given every opportunity to determine whether he wishes counsel.

Senator MUNDT. That is understood, and the Chair has just stated that in the circumstances which confront us, it appears that no member of this committee and no counsel desires to ask further questions.

If that is correct, the witness will be dismissed until recalled, with the understanding that if recalled on Monday or the next time recalled, you will be prepared to tell us about your counsel connection.

Private SCHINE. Yes, sir. May I say just one thing?

Senator MUNDT. I guess you might.

Private SCHINE. I have thought about my testimony yesterday concerning the McGuire photograph, and I believe I have given an exact account of the circumstances relating to the McGuire photograph.

Concerning the Colony Restaurant, I have checked to see whether I was right in stating that George Anastos was not there, and he informs me that he wasn't there.

Senator POTTER. That he was not?

Private SCHINE. Yes, sir.

Senator MUNDT. The witness is dismissed until further called.

Private SCHINE. Thank you, sir.

Senator MUNDT. Counsel will call the next witness.

Mr. JENKINS. Mr. Chairman, I want as the next witness Mr. George Anastos.

Senator MUNDT. Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ANASTOS. I do.

Senator MUNDT. You may proceed.

TESTIMONY OF C. GEORGE ANASTOS

Mr. JENKINS. Will you tell the committee your full name, please?

Mr. ANASTOS. C. George Anastos; "C" for Cosmas.

Mr. JENKINS. What position do you hold, Mr. Anastos?

Mr. ANASTOS. I am assistant counsel with the Senate Permanent Subcommittee on Investigations.

Mr. JENKINS. How long have you been thus employed?

Mr. ANASTOS. Since sometime in September.

Mr. JENKINS. Will you come up closer to the microphone, please.

Senator JACKSON. I did not get the nature of the position.

Mr. ANASTOS. Assistant counsel, sir.

Mr. JENKINS. To the Senate Investigating Committee?

Mr. ANASTOS. Yes, sir.

Mr. JENKINS. Mr. Anastos, I will ask you whether or not within recent days a photograph was delivered to you by Mr. Schine.

Mr. ANASTOS. Yes, sir.

Mr. JENKINS. When did that occur?

Mr. ANASTOS. It was on Thursday last when, after I had met Private Schine at the airport and we came back to the Senate Office Building to Room 101, at which time Private Schine delivered a bundle of papers onto the desk of Frank Carr in Room 101. As I recall, he said, "You want this," or something like that, sir.

Mr. JENKINS. Was that bundle or package opened in your presence?

Mr. ANASTOS. No, sir.

Mr. JENKINS. Did you ever see the contents?

Mr. ANASTOS. At a subsequent time——

Mr. JENKINS. But at that time?

Mr. ANASTOS. No, sir.

Mr. JENKINS. Did Private Schine tell you what the bundle contained?

Mr. ANASTOS. I believe that when we got to Room 101 there was mention made of a photograph.

Mr. JENKINS. You say that it was laid on the desk of Mr. Carr?

Mr. ANASTOS. Yes, sir.

Mr. JENKINS. Who was present at that time, Mr. Anastos?

Mr. ANASTOS. Mrs. Frances Mims.

Mr. JENKINS. I did not get the name.

Mr. ANASTOS. Frances Mims, sir.

Mr. JENKINS. Mrs. Frances Mims.

Senator MUNDT. The secretary of the committee.

Mr. JENKINS. Who is she?

Mr. ANASTOS. A secretary on the subcommittee.

Mr. JENKINS. Was anyone else present besides you, Mr. Schine, and Mrs. Mims?

Mr. ANASTOS. I am pretty sure there was not anybody else present, sir, because as I recall the hearings were going on and most of the staff were up here.

Mr. JENKINS. As I understand it, you were not present when the package was opened.

Mr. ANASTOS. That is right. That is correct, sir.

Mr. JENKINS. That is correct. You say that you later saw the contents of the package?

Mr. ANASTOS. Well, at a subsequent time I was told to bring some papers up to the committee room here. As I recall, I think Frances sort of opened—she did not actually—she partly opened it, I guess, to take a look at the photograph. I kind of looked, but I did not get a real good look at the thing.

Mr. JENKINS. Did you see the entire photograph which you brought up here to be introduced as evidence?

Mr. ANASTOS. No, sir; no, sir.

Mr. JENKINS. You do not know, therefore, whether there were 2 or 3 people shown in the photograph?

Mr. ANASTOS. Absolutely not, sir.

Mr. JENKINS. Did you ever at any time see the original photograph delivered to you in that package, assuming that it was in the package, by Mr. Schine?

Mr. ANASTOS. No, sir.

Mr. JENKINS. Mr. Anastos, if a person's picture was cut out of the original, if that did occur, do you know anything about it whatever?

Mr. ANASTOS. No, sir.

Mr. JENKINS. Did you have anything to do with it?

Mr. ANASTOS. Absolutely not, sir.

Mr. JENKINS. Then the last time that you saw the original package delivered to you by Mr. Schine was in room 101, in Mr. Carr's office, at which time you, Mr. Schine, and Mrs. Mims were present, is that correct?

Mr. ANASTOS. The last time?

Mr. JENKINS. Yes, that you saw that original package?

Mr. ANASTOS. You mean as it was delivered by Private Schine?

Mr. JENKINS. As delivered to you by Mr. Schine?

Mr. ANASTOS. Yes, sir; that is right.

Mr. JENKINS. Mr. Anastos, did anyone ever tell you that they knew anything about anyone altering or changing or cutting out an individual from that picture?

Mr. ANASTOS. There was talk about the photograph being brought down stairs, to the photograph room; but I don't know anything of my own personal knowledge.

Mr. JENKINS. Do you know anything from what anyone told you about who, if anyone, did cut out one of the individuals in the original picture?

Mr. ANASTOS. I do not know who cut out, if they did cut it out.

Mr. JENKINS. One other question, Mr. Anastos, or two others, now. To whom did you deliver the picture here in this room last week?

Mr. ANASTOS. Well, I was told to bring up the papers, which included the wrapped-up photograph.

Mr. JENKINS. And to whom did you deliver it?

Mr. ANASTOS. Up to Jim Juliana, and, as I recall, he met me half way down this aisle, and I handed it to him.

Mr. JENKINS. He is a member of the staff?

Mr. ANASTOS. Yes, sir.

Mr. JENKINS. Mr. Anastos, did you attend a dinner or a party or a gathering at the Colony Restaurant here in Washington on Monday night of this week?

Mr. ANASTOS. Absolutely not, sir. As a matter of fact, fortunately, I had dinner with two other men that evening, at Pierre's Restaurant, here in town.

Mr. JENKINS. I have no other questions, Mr. Chairman.

Senator MUNDT. The Chair gathers from that last remark that if there continues to be any question about where you were Monday night you are able to provide two witnesses as to where you were, is that correct?

Mr. ANASTOS. Absolutely, sir.

Senator MUNDT. And it was not the Colony Restaurant?

Mr. ANASTOS. That is right, sir.

Senator MUNDT. I have one other question: Does the Chair understand your part in this photograph transaction to be strictly limited to having received a wrapped package covering something which you believed to be a photograph, but which you did not see, and transmitting that wrapped package to a third party?

Mr. ANASTOS. Well, as I say, it was on the desk and I never handled it.

Senator MUNDT. You never handled it at all?

Mr. ANASTOS. No, except that at a subsequent time I brought it up to this room.

Senator MUNDT. One other brief comment. The Chair asked a number of questions yesterday which grew out of the fact that the big picture and the small original seemed to be considerably different from the standpoint of the amount of coat shown at the bottom of the picture, and so forth.

Now, there is a paucity of information about enlargements and contractions, and changes of photographs. That begins to be rather pertinent, and it may or may not be. But some of his photographic friends told him afterward, and he simply wants that to be in the

record, that it is possible to take off the bottom of the picture without taking off the top and vice versa.

So that the Chair doesn't know whether his questions are very pertinent or not, or whether what we have before us is a photograph which has twice been amputated, instead of being amputated only once. I simply want to say that there may not have been much pertinency to my questions on that score.

Senator McClellan, it is your turn to ask questions if you have any.

Senator McCLELLAN. I didn't quite understand you a while ago, Mr. Anastos. You brought the picture from the airport and laid it on a desk in what office?

Mr. ANASTOS. Sir, I didn't bring it from the airport. Private Schine handled the whole thing, and he brought it in, and he delivered it. I suppose he means he delivered it to me by putting it on the desk, but as I say, as I recall he said something like "Here it is," or "Here is the stuff," or something like that.

Senator McCLELLAN. I may have misunderstood him, and I am not raising any question about it; I thought he testified that he delivered it to you.

Mr. ANASTOS. Well, I don't know——

Senator McCLELLAN. Did he?

Mr. ANASTOS. Sir, he did not give it to me; I did not take it from his hands. He came and put it on the desk.

Senator McCLELLAN. Who else was in the room when he laid it on the desk in your presence?

Mr. ANASTOS. That is right, sir.

Senator McCLELLAN. I ask you who else was present at the time he laid it on the desk, in your presence?

Mr. ANASTOS. Mrs. Frances Mims.

Senator McCLELLAN. Did he tell you he was delivering the picture to you?

Mr. ANASTOS. He didn't say he was delivering it to me, or anything like that.

Senator McCLELLAN. Well, now, he said that he delivered it to you; is that correct or not? I don't know and I am just asking you and he has testified.

Mr. ANASTOS. Sir, he didn't say; as I recall, he said, "Here it is."

Senator McCLELLAN. Did you take possession of the picture at any time?

Mr. ANASTOS. No, sir.

Senator McCLELLAN. You are positive you did not?

Mr. ANASTOS. Absolutely not.

Senator McCLELLAN. Then it was not delivered to you?

Mr. ANASTOS. No, sir, in that sense that he didn't——

Senator McCLELLAN. Was it delivered to you in any sense?

Mr. ANASTOS. Well, sir, I don't know what he has in his mind.

Senator McCLELLAN. I don't either. I am asking you, and you are one of the parties.

Mr. ANASTOS. Sir, he may have delivered it in a sense that he thought he was giving it to my custody, or my possession, but I never took possession or custody of it.

Senator McCLELLAN. If he thought he was doing that, he was mistaken, and you didn't take custody?

Mr. ANASTOS. Yes, sir.

Senator McCLELLAN. Is that right?

Mr. ANASTOS. Yes, sir.

Senator McCLELLAN. So you know nothing about it except it was left there on the desk?

Mr. ANASTOS. Yes, sir.

Senator McCLELLAN. It was on the desk when you left the room?

Mr. ANASTOS. Yes, sir.

Senator McCLELLAN. Who else was present when you left?

Mr. ANASTOS. Mrs. Frances Mims was there.

Senator McCLELLAN. Mrs. who?

Mr. ANASTOS. Mrs. Mims.

Senator McCLELLAN. That is all you know about it?

Mr. ANASTOS. Yes, sir; and I walked out of the room.

Senator McCLELLAN. That is all, Mr. Chairman.

Senator MUNDT. Senator Dirksen.

Senator DIRKSEN. I have no questions.

Senator MUNDT. Senator Jackson.

Senator JACKSON. Why did you go to the airport?

Mr. ANASTOS. I was told to go there, sir.

Senator JACKSON. Who told you to go to the airport?

Mr. ANASTOS. Mrs. Mims told me that she had received a message from Mr. Cohn, for me to go to the airport and meet Private Schine and bring him to the office.

Senator JACKSON. Had you been advised of the nature of his trip to New York?

Mr. ANASTOS. No, sir.

Senator JACKSON. And you hadn't heard anything about his having a picture with him when he arrived?

Mr. ANASTOS. No, sir. I didn't know that he had a picture with him.

Senator JACKSON. All you know it that you received instructions to meet him at the airport?

Mr. ANASTOS. Yes, sir.

Senator JACKSON. And to bring him in.

Mr. ANASTOS. That is right, sir.

Senator JACKSON. To the office?

Mr. ANASTOS. Yes, sir.

Senator JACKSON. Did you at any time, at any time during this period, hear any conversation or discussion about cutting down the size of this picture in controversy?

Mr. ANASTOS. No, sir.

Senator JACKSON. You never heard any discussion in the office or elsewhere with anyone about it?

Mr. ANASTOS. No. I had nothing to do with the blowing up or taking negatives of the thing.

Senator JACKSON. Not only did you not have any knowledge directly, you did not hear about anything in connection with it?

Mr. ANASTOS. Afterward, sir, after the point had been raised.

Senator JACKSON. In the hearings here?

Mr. ANASTOS. In the hearings.

Senator JACKSON. No, I meant prior to that.

Mr. ANASTOS. No, sir, I did not.

Senator JACKSON. All you heard about was some talk in the office about the photo being brought downstairs. You testified that you heard talk in the committee room——

Mr. ANASTOS. Oh, yes, when we were being interviewed by Mr. Jenkins' staff.

Senator JACKSON. I meant up until the time the picture was introduced in evidence on Monday.

Mr. ANASTOS. Oh, no, I didn't.

Senator JACKSON. That is all.

Senator MUNDT. Senator Potter.

Senator POTTER. Did you testify to the fact that you did not see the photograph again from the time the package was opened in the office, room 101, until you were asked to bring the photograph up to Mr. Juliana?

Mr. ANASTOS. As I recall, Senator, just before I was to take the photograph and some other papers up to this room, Frances Mims, I think, kind of took a peek at it or something like that. I kind of looked over it, but I did not get a real good look at the picture at all.

Senator POTTER. You did not examine the photograph?

Mr. ANASTOS. No, sir, I did not.

Senator POTTER. You have no knowledge of any work being done on the photograph, you were not present when anything was done to the photograph?

Mr. ANASTOS. No, sir.

Senator POTTER. The only suggestion I have, Mr. Chairman, is that if we are going to continue to bat around the names of restaurants here in Washington, we should charge for commercials. [Laughter.]

Senator MUNDT. The Chair must remind the Senator that commercials have been eliminated from the broadcast in accordance with the committee rules. Senator Symington.

Senator SYMINGTON. Do you state definitely this picture was never in your custody?

Mr. ANASTOS. I have never done anything with it. It was left——

Senator SYMINGTON. Did you ever touch it?

Mr. ANASTOS. I may have put my hand on it, you know, when it was still covered over.

Senator SYMINGTON. But you state you did not ever have custody of it, or did have. That is, physical custody of it.

Mr. ANASTOS. I never really handled it as such; no, sir.

Senator SYMINGTON. I have no further questions.

Senator MUNDT. Senator Dworshak.

Senator DWORSHAK. No questions.

Senator MUNDT. Mr. Welch.

Mr. WELCH. Mr. Anastos, you are, I think, a lawyer. Is that right?

Mr. ANASTOS. Yes, sir.

Mr. WELCH. And a graduate of that somewhat suspect place, Harvard?

Mr. ANASTOS. Yes, sir.

Mr. WELCH. And you are a classmate of my brilliant young assistant, Jim St. Clair?

Mr. ANASTOS. I don't remember him as a classmate.

Mr. WELCH. Take a look. There is a classmate of yours, I am sure.

Mr. ANASTOS. I remember meeting Mr. St. Clair in Boston.

Senator MUNDT. The committee is being deprived of this delightful colloquy. I wish you gentlemen would speak up.

Mr. WELCH. I was making an introduction, Mr. Chairman. He happens to be a classmate of Mr. St. Clair.

Senator POTTER. A point of order. That would not be considered guilt by association.

Senator MUNDT. The Chair so rules.

Proceed, Mr. Welch.

Mr. WELCH. Mr. Anastos, I may be wrong in this, but using an underworld phrase you kind of give me the impression that you feel this picture has become "hot," is that right?

Mr. ANASTOS. It certainly has.

Mr. WELCH. You just have a kind of a feeling you do not want to be any closer to that "hot" picture than you have to be?

Mr. ANASTOS. That is absolutely correct.

Mr. WELCH. The closest we have got you to the "hot" picture is that you might have placed your hand on it and quickly withdrawn it. Is that right, sir?

Mr. ANASTOS. I did not quickly withdraw it.

Mr. WELCH. Maybe my gesture was too abrupt, sir. But if you did place your hand on the "hot" picture, you also reasonably promptly withdrew it, is that right?

Mr. ANASTOS. I didn't fondle it, sir.

Mr. WELCH. I understood you to say that when Mr. Schine brought the bundle into the room, he said the picture was included; is that right?

Mr. ANASTOS. After it was brought to the room, I believe there was some discussion as to a photograph.

Mr. WELCH. Yes, he said he brought one.

Mr. ANASTOS. As I recall.

Mr. WELCH. There were two people in that room, is that right?

Mr. ANASTOS. Yes, sir, three of us.

Mr. WELCH. Meaning there was Private Schine, is that right?

Mr. ANASTOS. Yes, sir.

Mr. WELCH. And you?

Mr. ANASTOS. Yes, sir.

Mr. WELCH. And Mrs. Mims—is it Nims or Mims?

Mr. ANASTOS. Mims.

Mr. WELCH. M-i-m-s?

Mr. ANASTOS. Yes.

Mr. WELCH. Private Schine was not delivering the picture to Mrs. Mims, was he?

Mr. ANASTOS. No, sir.

Mr. WELCH. So it is clear, is it not, that when he put it down in that room, he delivered it to you?

Mr. ANASTOS. Well, he delivered it to me in a sense.

Mr. WELCH. In any old sense?

Mr. ANASTOS. I suppose he was delivering it to the subcommittee.

Mr. WELCH. You don't mean to the——

Mr. ANASTOS. And I am a member of the subcommittee; so in a sense he did deliver it to me.

Mr. WELCH. I am talking about human beings. The human being to whom the picture was delivered was not named Mims, was she?

Mr. ANASTOS. Well, he could well have been delivering it to her and to me, or to me alone. I didn't know what was in it.

Mr. WELCH. You just told us a minute ago he wasn't delivering it to her.

Mr. ANASTOS. He may have been delivering it to both of us. I suppose since the secretary and I——

Mr. WELCH. O. K., will you take 50 percent possession of the "hot" picture?

Mr. ANASTOS. It doesn't make any difference, sir. I would just as soon say that it was in a sense delivered to me, but it wasn't actually given to me.

Mr. WELCH. Why does it take us so long to get to that point if that is the actual fact?

Mr. ANASTOS. Sir, I have explained it to the subcommittee before.

Mr. WELCH. You say Frances, as you call her—and I don't mean to be discourteous to her—Frances opened it? Was that the phrase you used?

Mr. ANASTOS. Later, when it was ready to be brought up to this subcommittee——

Mr. WELCH. Oh, after you had left there, she opened it?

Mr. ANASTOS. No, no. I had returned. I was told to bring it up to this room.

Mr. WELCH. Oh, yes.

Mr. ANASTOS. Just before I took that and other papers to be brought up here, as I recall she kind of pushed the thing aside, pushed the paper in the front just to take a look.

Mr. WELCH. A look. And you took a little peek yourself?

Mr. ANASTOS. That is right.

Mr. WELCH. Did you take a good enough peek so you could tell us if the picture had a cast of three characters?

Mr. ANASTOS. No, sir. I didn't take a real good look. I know Schine and Mr. Stevens and, for all I know, there could have been three or a dozen other people in there.

Mr. WELCH. Mr. Anastos, had you, prior to the time that "hot" picture was brought in to that room, heard any discussion about the fact that there was in existence a picture of Secretary Stevens and Private Schine alone?

Mr. ANASTOS. No, sir.

Mr. WELCH. Not a word?

Mr. ANASTOS. Not alone, sir; not alone.

Mr. WELCH. You hadn't heard that?

Mr. ANASTOS. I may have heard that—when was this, sir?

Mr. WELCH. Any old time.

Mr. ANASTOS. Oh, when I was just about to take it up to the room, at that time I knew there was a picture of Private Schine and Secretary Stevens.

Mr. WELCH. Alone?

Mr. ANASTOS. No, I didn't know whether it was alone.

Mr. WELCH. Were you in this hearing room when that picture was sprung on Mr. Stevens with the suggestion that he was scarcely telling the truth when he said he could not remember ever having had a picture taken with Private Schine alone?

Mr. ANASTOS. I believe I was, sir. I either was or I was watching it on television.

Mr. WELCH. Were you, as assistant counsel, preparing this case for presentation in this room?

Mr. ANASTOS. I have been called upon to help to a certain extent on various matters pertaining to this case, but I was not asked to do anything in regard to this photograph except to go to get Private Schine at the airport, at which time I didn't even know he had a picture with him, and then subsequently I was asked to bring this photograph and the papers upstairs in this committee room.

Mr. WELCH. Will somebody help me to see the first picture that was introduced in evidence which purports to show Secretary Stevens and Private Schine alone.

Mr. Anastos, there is at the top of this picture the word "McGuire AFB—Fort Dix, November 17, 1953." Who put that on there?

Mr. ANASTOS. I never saw anybody put it on.

Mr. WELCH. Tell me who put it on?

Mr. ANASTOS. As I recall, I think that while we were being interviewed by Mr. Jenkins' staff yesterday, as I recall I heard Jim Juliana tell Mr. Jenkins' staff, Mr. Collier and Mr. Horowitz, that he had put it on the top.

Mr. WELCH. All right. Now, at least we know that, that Jim Juliana put the letter G on the picture that appears on top of it——

Mr. ANASTOS. That is right.

Mr. WELCH. After the picture was brought here, is that right?

Mr. ANASTOS. As I recall, he told Mr. Jenkins' staff that yesterday.

Mr. WELCH. And you heard it, is that right?

Mr. ANASTOS. That is my recollection, sir.

Mr. WELCH. One other thing, or two other things. When you were asked about the dinner last Monday night, and the question was put to you as to whether or not you were there, do you remember that, being asked that question?

Mr. ANASTOS. Yes, sir.

Mr. WELCH. And I remember your answer was that, fortunately, you were somewhere else, with two other gentlemen, is that right?

Mr. ANASTOS. Yes, sir.

Mr. WELCH. Centering your attention on the word "fortunately," do you also consider that that was a "hot" dinner?

Mr. ANASTOS. At least it has become, it seems to have become a big issue yesterday; and my name was mentioned so often at yesterday's hearings that it almost seemed as though there was a cloud over my name for having been there, or having done something, in regard to that picture where Schine appeared. General Lawton and I didn't even know about that picture until yesterday's hearing.

Senator MUNDT. Mr. Welch's time has expired.

Senator McCarthy?

Senator MCCARTHY. Just one or two very brief questions.

George, when did you come with the committee?

Mr. ANASTOS. In September of 1953.

Senator MCCARTHY. Where did you work prior to that?

Mr. ANASTOS. In the Department of Justice.

Senator MCCARTHY. How long had you worked with the Department of Justice?

Mr. ANASTOS. Almost 3 years.

Senator MCCARTHY. And you came in under what Attorney General?

Mr. ANASTOS. Attorney General McGrath, sir.

Senator MCCARTHY. McGrath?

Mr. ANASTOS. Yes, sir.

Senator McCARTHY. And you served under McGrath and what other attorneys general?

Mr. ANASTOS. Attorney General McGranery and Attorney General Brownell.

Senator McCARTHY. Brownell?

Mr. ANASTOS. Yes.

Senator McCARTHY. And you left the Department of Justice one day and came with the committee the next day, is that correct?

Mr. ANASTOS. No, sir, I gave them 2 weeks' notice, as a matter of courtesy.

Senator McCARTHY. But I mean you worked in the Department one day and the next day you were working on the committee staff?

Mr. ANASTOS. I think it was over a weekend.

Senator McCARTHY. Over a weekend?

Mr. ANASTOS. Yes, sir.

Senator McCARTHY. You were not fired, and you resigned?

Mr. ANASTOS. I resigned in order to take this position.

Senator McCARTHY. Take a job with the committee?

Mr. ANASTOS. Yes, sir, Senator.

Senator McCARTHY. And you served under two Democrat attorneys general and under one Republican, is that correct?

Mr. ANASTOS. Yes, Senator.

Senator McCARTHY. I have no further questions.

Senator MUNDT. Does counsel have any?

Mr. JENKINS. I have no further questions.

Senator MUNDT. The Chair has none.

Senator McClellan? Any of the Senators at my right have any further questions? At my left?

Senator JACKSON. I have no questions.

Senator MUNDT. Mr. Welch, do you have any further questions?

Mr. WELCH. Mr. Chairman, I think it is time my assistant faced the microphone, and he is going to take a short turn, and then, I think, we will be through.

Senator MUNDT. Mr. St. Clair, representing the counsel in connection with Mr. Welch.

Mr. ST. CLAIR. How are you, George?

Mr. ANASTOS. All right.

Senator JACKSON. Is this going to be a class reunion?

Senator MUNDT. It appears that way.

Mr. St. Clair?

Mr. ST. CLAIR. George, when were you first interviewed by Mr. Jenkins with reference to any of the matters presented here to this committee hearing?

Mr. ANASTOS. First, well, the only interview was yesterday.

Mr. ST. CLAIR. You had never been interviewed before either alone or in conjunction with any other members of your staff?

Mr. ANASTOS. By Mr. Jenkins' staff?

Mr. ST. CLAIR. By Mr. Jenkins' staff or by Mr. Jenkins?

Mr. ANASTOS. I don't recall.

Mr. ST. CLAIR. Were you present when Mr. Schine was interviewed with reference to this picture?

Mr. ANASTOS. I don't think I was there; I may have been, I forget.

Mr. St. Clair. When did you first learn that there was in existence a picture of the description that we have had here in the last few days?

Mr. Anastos. Would you please repeat that question?

Mr. St. Clair. Would the reporter read the question?

(The reporter read from his notes as requested.)

Mr. Anastos. You mean this picture?

Mr. St. Clair. Either this one or the blown-up picture or the one that Private Schine gave us yesterday.

Mr. Anastos. Well, as I said, when I brought up a photograph, the photograph up to the committee room, I knew there was a picture of Schine and Mr. Stevens and I didn't know whether there was anybody else.

Mr. St. Clair. Was inquiry ever made of you, George, as to how it came about that there were only two persons in the picture that was presented here last Monday?

Mr. Anastos. Well, I think after Mr. Welch had raised the point of somebody, of a third person being cut out of the picture, naturally downstairs in our office there was general speculation and discussion as to what had happened.

Mr. St. Clair. Who was there? Was Mr. Cohn there?

Mr. Anastos. Well, I think practically all of them.

Mr. St. Clair. Was Mr. Cohn there?

Mr. Anastos. Well, I don't know. I have heard him discuss generally the question of what had happened in connection with the picture.

Mr. St. Clair. In that connection, did you learn that someone had cut off a third person from the picture?

Mr. Anastos. Well, I never found out if anybody had given any particular——

Mr. St. Clair. Just answer the question. Did you learn that someone had cut off a third person from the picture?

Mr. Anastos. Well——

Mr. St. Clair. Just answer "Yes" or "No" if you can.

Mr. Anastos. Well, I learned, yes.

Mr. St. Clair. When did you learn that?

Mr. Anastos. Up at the hearing.

Mr. St. Clair. You didn't learn it down below?

Mr. Anastos. I guess it was understood that a third person had been omitted.

Mr. St. Clair. Now I want to read you, George, part of Mr. Cohn's testimony, on page 629 of the transcript which reads as follows:

> I now find on inquiry of a member of the staff that they saw some third person who was not recognizable, and was not recognized standing to the side; that Mr. Stevens and Mr. Schine were facing each other, and looking at each other. There was a third person standing on the side and they thought that third person had no relevancy, and had nothing to do with it, and that the picture wanted was a picture of Stevens and Schine.

Were you the person that gave Mr. Cohn that information, George?

Mr. Anastos. Well, we have discussed——

Mr. St. Clair. Just answer the question. Were you the person that gave Mr. Cohn that information?

Mr. Anastos. I may have been one of a number of people.

Mr. St. Clair. So you knew it then?

Mr. ANASTOS. You mean after the hearing?

Mr. ST. CLAIR. No, you knew there was a person there who was not recognizable in the language of Mr. Cohn?

Mr. ANASTOS. Oh, no, sir.

Mr. ST. CLAIR. And that someone thought it was not relevant, is that right?

Mr. ANASTOS. No, sir.

Mr. ST. CLAIR. You weren't the person that informed Mr. Cohn of that fact, then?

Mr. ANASTOS. No, sir.

Mr. ST. CLAIR. Do you know that there was a member of the staff of the subcommittee?

Mr. ANASTOS. Well, sir, I know there has been. We have generally, at various times, discussed the legal points involved.

Mr. ST. CLAIR. The question, do you know that it was a member of the staff of the subcommittee?

Mr. ANASTOS. I may have heard something like that.

Mr. ST. CLAIR. From whom did you hear it?

Mr. ANASTOS. I don't recall. I know we all, members of the staff——

Mr. ST. CLAIR. You believe Mr. Cohn's testimony, don't you?

Mr. ANASTOS. Which testimony?

Mr. ST. CLAIR. To the effect that there was a third person there, and that he said was unrecognizable, and that a member of the staff had cut it out.

Mr. ANASTOS. Well——

Senator MCCARTHY. I have been sitting here patiently through all of this nonsense, and this is a waste of time. It is obviously improper and this young man knows it, to ask a witness to evaluate another witness' testimony, and to ask whether he believes it or not.

Only the committee can determine whether or not they believe the testimony. I think that we should be done with this waste of time.

Senator MUNDT. You may proceed, Mr. St. Clair.

Mr. ST. CLAIR. Mr. Chairman, may I have an answer to the question?

Senator MCCARTHY. Mr. Chairman, the point of order was to the question, that you cannot ask one witness to evaluate another witness's testimony.

Senator MUNDT. We will have the question reread at this time, so we will know what the question was.

(The question was read by the reporter.)

Senator MCCARTHY. Will you reread the whole question? The question is whether or not he believes Mr. Cohn's testimony.

Senator MUNDT. We are trying to determine whether or not the question is asking the witness to evaluate the testimony of another witness.

(The record was read by the reporter.)

Senator MUNDT. The point of order will be sustained. I do not believe that one witness should be called upon to evaluate the testimony of another. The timekeeper has advised the Chair that Mr. St. Clair's time has expired.

Mr. ST. CLAIR. Thank you, Mr. Chairman.

Senator MUNDT. Senator McCarthy, have you any questions?

Senator MCCARTHY. No questions, Mr. Chairman.

Senator MUNDT. Counsel?

Mr. JENKINS. None here, Mr. Chairman.

Senator MUNDT. The Chair has none.

Senator McClellan?

Senator MCCLELLAN. No questions.

Senator MUNDT. Any Senators to my right? To my left?

Mr. St. Clair or Mr. Welch, if you have further questions, you may ask them now.

Mr. ST. CLAIR. I called to your attention, George, that Mr. Cohn testified the other day that he in substance made an inquiry of a member of the staff and learned from him that a third person had been on the picture. You are not the person that Mr. Cohn inquired of, is that correct?

Mr. ANASTOS. No, absolutely not.

Mr. ST. CLAIR. Do you know who the person was Mr. Cohn inquired of?

Mr. ANASTOS. No, sir.

Mr. ST. CLAIR. When did you first learn that there was a picture of the Secretary and Private Schine alone?

Mr. ANASTOS. I never knew that they were necessarily alone.

Mr. ST. CLAIR. You never knew that?

Mr. ANASTOS. No.

Mr. ST. CLAIR. Did you have much to do with the preparation of this case for the committee?

Mr. ANASTOS. Some.

Mr. ST. CLAIR. This is the only tangible piece of evidence produced by the subcommittee so far, is it not, or at least the first piece?

Mr. ANASTOS. It is not for me to decide.

Mr. ST. CLAIR. This is the first piece, wasn't it?

Mr. ANASTOS. I have not been here at all the hearings, and I do not remember whether there were some others.

Mr. ST. CLAIR. Was the photograph produced by the staff a matter of elation when it was produced and prior thereto?

Mr. ANASTOS. I did not attach any great importance to it. I thought it was one bit of evidence that would be helpful in the case.

Mr. ST. CLAIR. When did you first have that thought, George?

Mr. ANASTOS. When I first learned that there was a photograph.

Mr. ST. CLAIR. When was that?

Mr. ANASTOS. As I testified, shortly after Private Schine had brought the photograph in the room I believe that he mentioned the fact that there was a photograph.

Mr. ST. CLAIR. What did he say about the photograph?

Mr. ANASTOS. I did not stay there very long.

Mr. ST. CLAIR. Just answer if he said anything. What did he say about it?

Mr. ANASTOS. He did not actually tell me anything about the picture as such.

Mr. ST. CLAIR. Did Mrs. Mims tell you about it?

Mr. ANASTOS. At that particular time? No.

Mr. ST. CLAIR. You knew some time before it was introduced in evidence that there was such a picture in existence?

Mr. ANASTOS. Yes.

Mr. ST. CLAIR. From whom did you learn that fact?

Mr. ANASTOS. At the time that—As I say——

Mr. ST. CLAIR. The question is, From whom, sir?

Mr. ANASTOS. Private Schine mentioned the fact that there was a picture.

Mr. ST. CLAIR. What did he say about the picture?

Mr. ANASTOS. He just said, "I have a photograph here," or something like that. I don't remember the exact words.

Mr. ST. CLAIR. Did he say anything about it as to who was in it?

Mr. ANASTOS. He may have mentioned that, I don't recall.

Mr. ST. CLAIR. You had no doubt that he and the Secretary were in the picture, did you?

Mr. ANASTOS. I did not know anything about this photograph as such. I went down to pick him up and bring him over to room 101. I knew nothing about it. When he came in he brought in this and other papers. He probably said something about his being there with Stevens in the picture. That is all.

Mr. ST. CLAIR. That is about all——

Mr. ANASTOS. He did not actually discuss it, go into the details.

Mr. ST. CLAIR. So you really never knew there was such a picture in existence, right?

Mr. ANASTOS. No, I did not really know the details of the picture.

Senator MCCARTHY. Mr. Chairman?

Senator MUNDT. Have you a point of order, Senator McCarthy?

Senator MCCARTHY. I have refrained from raising points of order because of the fear that by raising them I might take more time unnecessarily. We have a young man who picked up Schine and brought him to the office and dropped him there. Counsel knows that. Whether he is stalling to take up time or what, I don't know, but I do think the Chair should ask counsel for Mr. Stevens and Mr. Jenkins not to ask questions merely for the purpose of clearing their voices, but only ask them if they are looking for information.

Senator MUNDT. The Chair rules that is not a point of order. The Chair also holds that the questions are a bit repetitious, but he does not think he has any authority to tell counsel they cannot ask questions because I do not know what might be in the mind of counsel.

Mr. ST. CLAIR. If the Chair please, I had just finished. If I was repetitious, I am sorry.

Senator MUNDT. Did you say you had finished, Mr. St. Clair?

Mr. ST. CLAIR. Yes, I have.

Senator MUNDT. I take it, Senator McCarthy, you have no questions. Does anybody have any further questions before we dismiss the witness?

The witness is dismissed.

Mr. JENKINS. Call Mrs. Mims, please.

Senator MUNDT. Will you stand and be sworn, please, Mrs. Mims?

Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. MIMS. I do.

Senator MUNDT. You may be seated.

TESTIMONY OF FRANCES PERRY MIMS

Mr. JENKINS. Mrs. Mims, will you please tell the committee your full name?

Mrs. MIMS. Frances Perry Mims.

Mr. JENKINS. What official position do you occupy, Mrs. Mims?

Mrs. MIMS. Personal secretary to Mr. Cohn and to Mr. Carr.

Mr. JENKINS How long have you been thus employed?

Mrs. MIMS. Since approximately August of 1953.

Mr. JENKINS. Are your offices at No. 101, this building?

Mrs. MIMS. That is correct.

Mr. JENKINS. Were you in the office one day last week, Mrs. Mims, when Mr. Schine and Mr. Anastos came there, together with a package or a bundle?

Mrs. MIMS. I am sure I was, sir; yes, sir.

Mr. JENKINS. Was anyone else present besides you and the two names I have called?

Mrs. MIMS. I do not recall.

Mr. JENKINS. Do you recall about what time of day it was, or evening or night, when these two men came?

Mrs. MIMS. Mr. Jenkins, I do not. I am sorry. I can't tell you.

Mr. JENKINS. Do you recall, Mrs. Mims, whether it was in the morning, afternoon, or evening?

Mrs. MIMS. I honestly cannot. I don't know.

Mr. JENKINS. You are a rather busy young lady down there?

Mrs. MIMS. I am afraid I am.

Mr. JENKINS. Mrs. Mims, without my asking you specific questions and for the purpose of exploring the subject under inquiry at this time, I will ask you to just tell this committee the events that transpired when this package or bundle was delivered to that office?

Mrs. MIMS. Sir, I have very little that I can contribute. I remember that Mr. Schine and Mr. Anastos came in. I did not at that time know there was a picture involved. I do know there was a package, but I never do stay in the inner office when members of the staff are there working. They did not ask me to stay, and so I went immediately from the office as soon as I delivered a message to Mr. Schine, upon his arrival there. I know nothing of the picture, and didn't know until later that it was the picture.

Mr. JENKINS. Do you work in what we would generally term the reception room?

Mrs. MIMS. Yes, sir.

Mr. JENKINS. Open to the public?

Mrs. MIMS. Yes, sir.

Mr. JENKINS. And did Mr. Schine and Mr. Anastos go into a private office?

Mrs. MIMS. It is my recollection that they did go inside.

Mr. JENKINS. Whose office was that, Mrs. Mims?

Mrs. MIMS. The office of Mr. Carr and Mr. Cohn.

Mr. JENKINS. Their offices are together in the same room?

Mrs. MIMS. Yes, sir, it is room 103.

Mr. JENKINS. Was either Mr. Cohn or Mr. Carr present, if you know?

Mrs. MIMS. I do not recall, sir.

Mr. JENKINS. Do you recall how long Mr. Anastos and Mr. Schine were in that office?

Mrs. MIMS. No, sir, I don't; I am sorry.

Mr. JENKINS. Did you at that time see the contents of that package?

Mrs. MIMS. No, sir.

Mr. JENKINS. Did you ever see it, Mrs. Mims?

Mrs. MIMS. No, sir.

Mr. JENKINS. Did either of these gentlemen tell you what the contents of the package were?

Mrs. MIMS. No, sir.

Mr. JENKINS. Did anyone ever tell you what the contents of the package were?

Mrs. MIMS. No, sir.

Mr. JENKINS. Did you at that time or subsequent thereto see a photograph of the Secretary of the Army, Mr. Schine, and a Colonel Bradley?

Mrs. MIMS. I have never seen such a picture to this moment.

Mr. JENKINS. Have you ever seen a picture introduced here by counsel for the committee, some time back, and I don't recall the date, in which Mr. Stevens and Mr. Schine only are shown?

Mrs. MIMS. I have seen some newspaper prints but I haven't seen the picture that you are speaking of, the original.

Mr. JENKINS. Mrs. Mims, if any person cut or altered in anywise a picture delivered by Mr. Schine to the office of the staff, being a photograph of himself, the Secretary, and Colonel Bradley, do you know anything about it whatever?

Mrs. MIMS. Not anything at all, sir.

Mr. JENKINS. Has anyone ever told you anything about it whatever?

Mrs. MIMS. No, sir.

Mr. JENKINS. And I take it that you know nothing about a dinner party given at the Colony Restaurant this Monday evening here in Washington?

Mrs. MIMS. No, sir.

Mr. JENKINS. You were not one of the honored guests?

Mrs. MIMS. I was not, sir. I was in my office at work.

Mr. JENKINS. I have no further questions, Mr. Chairman.

Senator MUNDT. The Chair has none.

Senator McClellan?

Senator MCCLELLAN. Mrs. Mims, as I understand it, the package purporting to contain the picture was brought to room 101, and carried into Mr. Carr's and Mr. Cohn's private office; is that correct?

Mrs. MIMS. I do not even know that that is correct. I did not know that the package contained the picture, and I knew nothing of it at all.

Senator MCCLELLAN. You do recall the occasion, then, when Mr. Schine and Mr. Anastos did go into the office with a package?

Mrs. MIMS. Yes, I do, and I followed them to take a message to Mr. Schine.

Senator MCCLELLAN. And then you left?

Mrs. MIMS. I did.

Senator MCCLELLAN. And you do not know what became of that package thereafter, nor what that package contained?

Mrs. MIMS. No, sir.

Senator MCCLELLAN. You were given no instructions about it?

Mrs. MIMS. Never.

Senator MCCLELLAN. And you gave no instructions about it?

Mrs. MIMS. No, sir.

Senator McCLELLAN. That is all, Mr. Chairman.

Senator MUNDT. Senator Dirksen.

Senator DIRKSEN. I have no questions.

Senator MUNDT. Senator Jackson.

Senator JACKSON. Mrs. Mims, from the time that this package was brought in by Private Schine, accompanied by Mr. Anastos last week, and up until Tuesday of this week, you never heard any discussion about this picture matter in the office?

Mrs. MIMS. No, sir.

Senator JACKSON. No discussion by anyone; you never overheard any discussion in the office?

Mrs. MIMS. No, sir.

Senator JACKSON. That is all.

Senator MUNDT. Senator Potter.

Senator POTTER. I have no questions.

Senator MUNDT. Senator Symington.

Senator SYMINGTON. Mrs. Mims, maybe I misunderstood, but I thought that Mr. Anastos said that you opened up the package; is that wrong?

Mrs. MIMS. Mr. Anastos is in error if he said that.

Senator SYMINGTON. You saw the package go in the room but you didn't see it come out; is that right?

Mrs. MIMS. I saw Mr. Schine go in the room with the package, under his arm, and I saw the package lying later on the desk, and I didn't see what was in it and I didn't know what was in it, and I don't know what became of it.

Senator SYMINGTON. You never saw it after that, inside the room?

Mrs. MIMS. No, sir.

Senator SYMINGTON. And Mr. Anastos is in error when he says you opened it?

Mrs. MIMS. He is in error, sir.

Senator SYMINGTON. All right.

Senator MUNDT. Senator Dworshak.

Senator DWORSHAK. I have no questions.

Senator MUNDT. Mr. Welch.

Mr. WELCH. I have no questions.

Senator MUNDT. I take it that includes Mr. St. Clair?

Mr. WELCH. It does.

Senator MUNDT. Senator McCarthy?

Senator McCARTHY. I have no questions, Mr. Chairman.

Mr. JENKINS. I have no questions.

Senator MUNDT. The Chair doesn't feel he should keep going around unless someone indicates there is a question. If no one has a question, Mrs. Mims is dismissed.

Mr. JENKINS. And I think it proper.

I desire to ask Mr. Schine one other question at this time. Is he available?

Senator MUNDT. Mr. Schine will return to the witness stand.

Is Private Schine in the room?

Mr. JENKINS. If he is not here, then I would like to ask Mr. Anastos one other question.

Senator MUNDT. Mr. Anastos will return.

TESTIMONY OF C. GEORGE ANASTOS—Resumed

Mr. JENKINS. Mr. Anastos, it would appear that you and Private Schine went into the office of Mr. Cohn and Mr. Carr with this package.

Mr. ANASTOS. Yes, sir.

Mr. JENKINS. And that Mrs. Mims was in the outer room.

Mr. ANASTOS. Yes, sir, she was in the outer room, and I don't recall exactly where she was.

Mr. JENKINS. Did you and Mr. Schine leave the room together?

Mr. ANASTOS. No, sir.

Mr. JENKINS. Who left first, and I am talking about the private office of Mr. Cohn and Mr. Carr.

Mr. ANASTOS. I can't recall whether I left him in that room, or whether he left first, and then I was in with Mrs. Mims; I can't recall exactly.

Mr. JENKINS. Do you recall about how long you were in there?

Mr. ANASTOS. Yes, about a few minutes.

Mr. JENKINS. Well, did anyone come in while you were there, Mr. Anastos?

Mr. ANASTOS. No, other than Mrs. Mims.

Mr. JENKINS. Frankly, I am trying to find out now who next came into the possession of the picture.

Mr. ANASTOS. Yes, sir.

Mr. JENKINS. And you and Mr. Schine are in Mr. Cohn's room with that picture?

Mr. ANASTOS. Yes, sir.

Mr. JENKINS. Do you not know whether you left first, or whether Mr. Schine left first?

Mr. ANASTOS. Frankly, I can't remember, and I do know that I left after a few minutes. And as I recall I went to my own office.

Mr. JENKINS. You did not take the picture or package with you?

Mr. ANASTOS. Absolutely not, sir.

Mr. JENKINS. Then, if you left first, we then have the picture with Mr. Schine alone in Mr. Cohn's office, that is obvious.

Mr. ANASTOS. If he was.

Mr. JENKINS. If he left first, then you are in Mr. Cohn's office alone with the picture?

Mr. ANASTOS. One or the other.

Mr. JENKINS. Now, can you not enlighten us on which one left first or whether or not you both left together?

Mr. ANASTOS. Well, sir, to the best of my recollection, I think that I left first.

Mr. JENKINS. That you left first?

Mr. ANASTOS. But I don't remember exactly. He may have been there, but I know I went down to room 160.

Mr. JENKINS. Very well, you left the picture in that office?

Mr. ANASTOS. Yes, sir.

Mr. JENKINS. And you think you left first?

Mr. ANASTOS. I think so. That is the best of my——

Mr. JENKINS. Does anyone else have any questions? That is all that I have.

Senator MUNDT. Does anybody having priority over Senator Symington have any questions?

Senator POTTER. Mr. Chairman, just one question.

Senator MUNDT. Senator Potter?

Senator POTTER. Would it have been possible for either you or Mr. Schine to have left the package on a desk without its being in the possession of anyone?

Mr. ANASTOS. That is correct, sir. In fact, I think that is what took place.

Senator POTTER. On whose desk——

Mr. ANASTOS. Of course, he may have taken it, but I don't know.

Senator POTTER. On whose desk?

Mr. ANASTOS. It was on the other side of Frank Carr's desk.

Senator POTTER. On the other side of Mr. Carr's desk?

Mr. ANASTOS. Yes, sir.

Senator POTTER. When you left, you left without the picture?

Mr. ANASTOS. That is correct.

Senator POTTER. Mr. Schine left without it?

Mr. ANASTOS. I guess so.

Senator POTTER. There was no one else in the room at that time other than Mrs. Mims, and she had left prior to the time that you and Mr. Schine left; is that correct?

Mr. ANASTOS. Of course, she went back and forth into that outer room, and I don't know whether she was positively in the room when I left or whether she was in the outer room—I don't remember.

Senator POTTER. The reason for my question is to try to determine the best I can what happened to that picture after, as I understand the testimony, you left the room without the picture.

Mr. ANASTOS. That is correct, sir.

Senator POTTER. That Mr. Schine did likewise. I believe that was your testimony. There was no one else in the room other than Mrs. Mims, who had been in and out, and she stated that she hadn't taken the picture.

Mr. ANASTOS. Sir——

Senator POTTER. You testify no one else came into the room.

Mr. ANASTOS. No, not while I was there.

Senator POTTER. Therefore, you must have left the picture there. Is that a correct assumption?

Mr. ANASTOS. That is correct. I did; yes, sir.

Senator MCCARTHY. Mr. Chairman.

Senator MUNDT. I am sorry, the Chair's attention was diverted. Is there a point of order?

Senator MCCARTHY. I wasn't raising a point of order, but just to save some time, Mr. Chairman, I think that we can easily agree and certify, stipulate, or call it what you may, that the picture as it left Dave Schine's wall got into the hands of Mr. Juliana. In the meantime, neither Mr. Anastos nor anyone else cut it or did anything to it. In other words, the identical picture that came from the wall came to Juliana and in his hands.

Senator MUNDT. Will Mr. Juliana testify to the fact of when he received the picture?

Senator MCCARTHY. He is the only man who knows what happened to this picture. I think this information has gone to counsel.

Mr. Jenkins, Mr. Chairman, I don't blame counsel for this, but I think you are wasting a fantastic amount of time until you get down to one young man who knows what happened to that picture.

Senator MUNDT. The Chair appreciates the information the Senator has supplied. However, in conformity with our rule, if there are other questions—Senator Symington has indicated he has some. If neither Senator McClellan nor Senator Dirksen has any—Senator McClellan?

Senator MCCLELLAN. In the light of the statement just made, I want to ask the witness this question:

Is it not a fact that you, yourself, personally delivered the picture to Mr. Juliana? I ask you to refresh your memory now, after all this testifying, and is it not true that you delivered that picture to him?

Mr. ANASTOS. You mean up here, sir?

Senator MCCLELLAN. Yes, sir; within 30 minutes after it was brought to that office down there; isn't that true?

Mr. ANASTOS. Sir, I definitely remember that I left that picture and the papers on the desk of Frank Carr, and I went down to my room, 160. At a subsequent time I was instructed, I was asked to bring up to this room that picture and other papers, and I brought them up here, sir, and Mr. Juliana, as I remember it, met me halfway up this aisle here, and I gave them to him.

Senator MCCLELLAN. That is all, Mr. Chairman.

Senator MUNDT. Have either of the other Senators questions? Senator Symington?

Senator SYMINGTON. Mr. Anastos, Mr. Schine testified at page 1119 yesterday:

> And when I came back from New York, sir, Mr. Anastos met me at the airplane.
>
> Mr. JENKINS. You have testified to all of that now, Mr. Schine?
>
> Private SCHINE. Yes, sir. And, therefore, I do remember giving him the photograph because he came with me to the office. And, as a matter of fact, one of the staff came in and said, "Let me see the picture of you and Secretary Stevens," and I said "We had better send this right up because Mr. Jenkins is anxious to have it, and so we had better not open it." And I remember Mr. Anastos taking the picture.

Do you have any comment on that?

Mr. ANASTOS. He is referring to the subsequent time, after I had been told to bring it up. Then it is correct that I did come in and I took the photograph and the papers and brought them up.

Senator SYMINGTON. Let me repeat this now. He said, Mr. Schine said: "When I came back from New York, Mr. Anastos met me at the airplane.

> Mr. JENKINS. You have testified to all that now, Mr. Schine?
>
> Private SCHINE. Yes, sir. And, therefore, I do remember giving him the photograph because he came with me to the office.

Mr. ANASTOS. Yes. Do you mean—I never brought any photograph or papers to Mr. Jenkins. I brought a photograph and some papers to this room.

Senator MUNDT. Senator Dworshak?

Senator DWORSHAK. No questions.

Senator MUNDT. Senator Jackson?

Senator JACKSON. No questions.

Senator MUNDT. Mr. Welch?

Mr. WELCH. This should be very short. I am puzzled, Mr. Anastos, at your answers to Senator Symington. Private Schine's testimony was that he gave the photograph to someone and he remembered one

of the staff came in and said, "Let me see the picture of you and Secretary Stevens." Did you say that to him?

Mr. ANASTOS. No, sir.

Mr. WELCH. What member of the staff could have said it?

Mr. ANASTOS. I do not know.

Mr. WELCH. There was no other member there but you.

Mr. ANASTOS. I don't—no. As I say——

Mr. WELCH. Wait a moment. There was no other member of the staff?

Mr. ANASTOS. When, sir?

Mr. WELCH. When Schine brought the picture in.

Mr. ANASTOS. If he is referring to that particular time, then I did not ask him that question.

Mr. WELCH. All right. Then he testified, "And I said"—meaning Mr. Schine—"we had better send this right up"——

Senator MCCARTHY. Mr. Chairman?

Senator MUNDT. Has the Senator a point of order?

Senator MCCARTHY. Yes, I have a point of order, Mr. Chairman. Yesterday, as the Chair will recall, I consented to have Mr. Stevens taken off the stand so we could establish the facts in regard to this picture. I did that on the assumption that we were going to establish the facts. I think counsel has done a very competent and efficient job to cut this down, but, Mr. Chairman, if counsel for Mr. Stevens and Mr. Hensel and Mr. Adams are going to continue this stalling practice to keep Mr. Stevens from going back on the stand—whether I shall be successful or not I don't know, but I am going to ask the Chair——

Senator MUNDT. The Chair will have to overrule the point of order.

Senator MCCARTHY. Let me finish, Mr. Chairman. I am going to ask the Chair—I am not doing it now, but I am going to ask the Chair—if this stalling continues, to bring Mr. Stevens back to the stand. I only consented that he be removed on the theory that we would not go through this filibustering procedure by counsel for Mr. Stevens and Mr. Adams. I am not making the request now.

Mr. WELCH. Mr. Chairman——

Senator MUNDT. The Chair will have to confess to the fact that he has not yet been able to find out the truth about the photograph, and that was the purpose of the interruption. We are trying to find it out. It is taking a long time, but I hope we can finally determine.

Senator MCCARTHY. Mr. Chairman?

Senator MUNDT. Senator McCarthy.

Senator MCCARTHY. Mr. Chairman, all the facts about the photograph have been given to Mr. Jenkins. I think he is trying to get down to the important witnesses. I agree that it is necessary to put these preliminary witnesses on. Mr. Welch and Mr. St. Clair, in my opinion, now are not looking for facts. They are trying to stall so Mr. Stevens will not return to the stand this week. I am not making any point now, Mr. Chairman, I am merely serving notice——

Senator MUNDT. Very well. No point of order has been made.

Senator MCCARTHY. I am merely serving notice that if this continues, I am going to raise an objection to it.

Senator MUNDT. Mr. Welch?

Mr. WELCH. Mr. Chairman, I also wish to serve a notice. I have made or thought up an invention that will greatly shorten this hearing. It is my observation of lawsuits that when the principal witnesses

testify, the subprincipals go on and off very fast. I wish to give notice now that at the conclusion of Mr. Stevens' testimony I shall waive the right to proceed with Army witnesses and ask Mr. Jenkins to call Senator McCarthy to the stand. That I wish to do as soon as Mr. Stevens concludes his testimony, which I suppose would be within an hour or so of the time he retakes the stand.

Senator MUNDT. The Chair will have to remind Mr. Welch, as he reminded Senator McCarthy yesterday, that the conduct of the hearings is in the hands of the committee and its counsel. We will have to determine the order in which the witnesses are called.

Mr. WELCH. I realize I can only beg Mr. Jenkins to do what I suggest. I do beg him to do it.

Senator MUNDT. You may proceed.

Mr. WELCH. Now, to conclude this, Mr. Anastos, Mr. Schine said in his testimony at page 1119:

> We had better send this right up because Mr. Jenkins is anxious to have it, and so we had better not open it.

If that got said in that room, were you present when it was said?

Mr. ANASTOS. I don't recall him saying that; he may have said that.

Mr. WELCH. If those words were spoken, were they spoken in your presence?

Mr. ANASTOS. They may have been.

Mr. WELCH. And then his last sentence was, "And I remember Mr. Anastos taking the picture." Do you remember that you took the picture?

Mr. ANASTOS. Oh, no, I never handled it.

Mr. WELCH. That is all.

Mr. ANASTOS. Except, let me add this, as I said before, I took the picture subsequently, and brought it up here, and gave it to Mr. Juliana.

Senator MUNDT. Have you concluded, Mr. Welch?

Mr. WELCH. Yes.

Senator MUNDT. Senator McCarthy, do you have any questions?

Senator MCCARTHY. I am sorry sir?

Senator MUNDT. Any further questions?

Senator MCCARTHY. No further questions.

Senator MUNDT. Mr. Jenkins?

Mr. JENKINS. Mr. Anastos, I want to clear up one matter here, if possible. And tell me if I am correct, the committee is trying to ascertain the facts, and you understand that?

Mr. ANASTOS. Yes sir.

Mr. JENKINS. It develops that you met Private Schine at the airplane——

Mr. ANASTOS. Yes sir.

Mr. JENKINS. At the airport——

Mr. ANASTOS. Yes sir.

Mr. JENKINS. That you and he together, with no one else present, then went to room 101 with a package which you understood contained a photograph———

Mr. ANASTOS. Sir, my aunt was with me.

Mr. JENKINS. Who was with you?

Mr. ANASTOS. My aunt.

Senator MUNDT. That is Boston for what we call "ant" in South Dakota.

Mr. JENKINS. We call it "ant" in Tennessee.

Mr. ANASTOS. And, in fact, she was driving her car.

Mr. JENKINS. I am not interested in that. Did she go to room 101?

Mr. ANASTOS. Oh, no, she left us off at the Senate Office Building, and Private Schine and I went together to room 101.

Mr. JENKINS. With this photograph, as you understood it?

Mr. ANASTOS. Yes sir.

Mr. JENKINS. And into a private room?

Mr. ANASTOS. Yes, sir, in Frank Carr's room.

Mr. JENKINS. Now, we are trying to find out, and it is obvious, and I am sure you understand it, Mr. Anastos, who next came into the possession of that photograph?

Mr. ANASTOS. Sir, if I knew, I would tell you; I don't know.

Mr. JENKINS. What time of day or night was it when you and Mr. Schine went to room 101?

Mr. ANASTOS. We came immediately from the airport.

Mr. JENKINS. But I don't know what time it was.

Mr. ANASTOS. We came about 3 o'clock.

Mr. JENKINS. Three in the afternoon?

Mr. ANASTOS. In the middle afternoon.

Mr. JENKINS. During working hours?

Mr. ANASTOS. Yes sir.

Mr. JENKINS. Which incidentally extends to midnight here in Washington, as I have found.

Senator MCCARTHY. Mr. Chairman?

Senator MUNDT. A point of order?

Senator MCCARTHY. I have a suggestion that we have the witness here who handled the photograph, and who handled the removal of the colonel from the photograph and had it blown up. And I would suggest that you put him on the stand, if we want the facts.

And we all know that all this young man did was to pick up Schine at the airport and bring him back. And we have a man here who had——

May I finish?

Senator MUNDT. I will overrule the point of order, as I just overruled the point of order of Mr. Welch.

The committee counsel will decide the order of witnesses.

Senator MCCARTHY. Mr. Chairman, I am trying to cut this down. And I will tell you we have a witness who will testify that he had the picture, with the three people on it, and the one substantially the same as Mr. Welch presented, and that he took that picture. And he will explain how, when, where, and why the third man was cut off. I would suggest that if he were put on the stand we may save an awful lot of time.

Senator MUNDT. We will call him very shortly.

Senator JACKSON. A point of order. And I may suggest if we had known that yesterday we could move much faster.

Senator MCCARTHY. This information was all given to Mr. Mundt's staff the minute the question of the picture was taken up.

Senator SYMINGTON. I want to raise a point of order, if I may.

Senator MUNDT. You may.

Senator SYMINGTON. I have been questioning the witnesses with ignorance, with respect to any information being given to anybody—and it might well expedite the hearings.

I agree, Senator McCarthy, if there is some way that all members of the committee will know what information has been given, if there is going to be criticism of us examining the witnesses, as I understand it, our purpose is on this committee to examine the witnesses and try to get the truth.

Senator MUNDT. You may proceed, Mr. Jenkins.

Mr. JENKINS. Mr. Anastos, can you give us an answer, yes or no, as to whether or not you left room 101, that is Mr. Cohn and Mr. Carr's office, first, or did Mr. Schine leave there first?

Mr. ANASTOS. Sir, I honestly cannot remember which one of us left first.

Mr. JENKINS. Now, Mr. Anastos, here is testimony given by Private Schine, and I am not indicating that it disturbs me. I want what explanation you can give of it.

Before asking you that question, as I understand it you have told us that subsequent thereto, you brought a photograph from the staff office to Mr. Juliana here in this room, and obviously to deliver to me.

Mr. ANASTOS. I presume it was to deliver to you.

Mr. JENKINS. When was that?

Mr. ANASTOS. Well, sir, I was trying——

Mr. JENKINS. To make it easier for you, when was it with reference to the time that you and Mr. Schine went to room 101, at 3 p. m., with that original package?

Mr. ANASTOS. It was after that.

Mr. JENKINS. I know it was subsequent thereto, but a day or 2 days, or 3 days?

Mr. ANASTOS. Sir, at first, I thought I couldn't remember when your staff was interviewing me, and I thought it was a day or two later, and I couldn't quite remember, but from what was said it appears that it must have been the same day.

Mr. JENKINS. You think it was the same day?

Mr. ANASTOS. Apparently.

Mr. JENKINS. During the hearing, that is, it would have been subsequent to 3 o'clock in the afternoon?

Mr. ANASTOS. Yes, sir.

Mr. JENKINS. And you think it was that same afternoon that you brought this picture up here and delivered it to Mr. Juliana?

Mr. ANASTOS. First I thought it was a day or two later, and I can't remember, and I didn't pay any attention.

Mr. JENKINS. What do you think now?

Mr. ANASTOS. From what has been said, apparently it was the same day.

Mr. JENKINS. The same day?

Mr. ANASTOS. Apparently.

Mr. JENKINS. So that if the original photograph that you and Mr. Schine took to room 101 at 3 o'clock in the afternoon was the photograph of 3 persons, and if that photograph was brought to this room that same day by you and delivered to Mr. Juliana, it was either a photograph of 3 persons or that same day some time between 3 o'clock and the time this committee adljourned its hearings, the photograph

of 1 individual had been cut from it, if such a fact did occur. Now, is that correct?

Mr. ANASTOS. Yes, sir.

Mr. JENKINS. And in the meantime, the picture had been blown up, or enlarged; is that correct?

Mr. ANASTOS. Yes, sir.

Mr. JENKINS. All in the course of the time intervening between 3 o'clock in the afternoon and the time of adjournment of this committee?

Mr. ANASTOS. Yes, sir, if it was the same day. And I still can't remember the exact time. Apparently it was the same day; I can't remember exactly.

Mr. JENKINS. Is that your best impression, Mr. Anastos?

Mr. ANASTOS. Yes; after talking or during the interview of various members of the staff, by your staff, that is my conclusion.

Mr. JENKINS. Do you know how long it takes to cut from a photograph the picture of an individual and have it blown up? And I am asking for information, and I don't know anything about blowing up a picture.

Mr. ANASTOS. I don't either, sir, and I have never had, and I don't recall having had anything blown up.

Mr. JENKINS. Let me ask you this question, Mr. Anastos. I am reading from Private Schine's testimony, page 1119.

Private SCHINE. Yes, sir. And, therefore, I do remember giving him the photograph because he came with me to the office.

He was referring to you, was he not?

Mr. ANASTOS. Yes, sir.

Mr. JENKINS. As a matter of fact, one of the staff came in and said, "Let me see the picture of you and Secretary Stevens." That, for your information, is the testimony of Mr. Schine. Do you recall a member of the staff coming in and saying, in effect, "Let me see the picture of you and Mr. Stevens"?

Mr. ANASTOS. That may——

Mr. JENKINS. The question is, Do you recall it?

Mr. ANASTOS. Not specifically. It may have been.

Mr. JENKINS. Not specifically, but do you have some recollection of it?

Mr. ANASTOS. It may have been Mrs. Mims, I do not remember.

Mr. JENKINS. I did not get your answer.

Mr. ANASTOS. I do not remember, sir.

Mr. JENKINS. You don't remember one way or the other?

Mr. ANASTOS. No.

Mr. JENKINS. Reading further from Mr. ——

Mr. ANASTOS. It may have been Mrs. Mims; I don't know.

Mr. JENKINS. Schine's testimony:

and I said—

that is, David Schine said—

we had better send this right up because Mr. Jenkins is anxious to have it, and so we had better not open it. And I remember Mr. Anastos taking the picture.

Mr. ANASTOS. I never took it as such. I never took it. Immediately after he had put it on the desk there, I did not take it then. Subsequently, when I was told to bring it up here, then I took it.

Mr. JENKINS. Well, subsequent. Do you mean minutes, hours, or a day or so?

Mr. ANASTOS. I don't know. At first I thought it was a couple of days later or a day later.

Mr. JENKINS. What do you think now?

Mr. ANASTOS. From what—from your staff's interview, apparently it was the same day. It must have been a few hours later, an hour later. I do not remember.

Mr. JENKINS. Mr. Anastos, if Mr. Schine is correct—I am not sure this is a proper question; if it is not, the Senator will stop me, I am sure. [Laughter.]

Senator MCCARTHY. I want to say I will not take the time to try to stop you.

Mr. JENKINS. If Schine is correct, then that picture was sent almost immediately to me by you as the emissary after it had been taken into the private office of Mr. Cohn and Mr. Carr.

Senator MCCARTHY. Mr. Chairman?

Mr. ANASTOS. If——

Senator MUNDT. Senator McCarthy.

Senator MCCARTHY. A point of order here. Some of the Senators have been asking me in effect why we have not given all the information about this picture to counsel. I would like, as a courtesy, to have counsel put in the record at this time the fact that the minute the picture in question came up, the one Mr. Welch submitted, the one that come off Mr. Schine's wall, and the one in evidence, the minute that came up we have given your staff all the information and they have had it ever since.

The reason I ask for that is because I gather from the questions asked me by Senators, they feel that this information has not been freely given. I think in fairness to me and my staff that should be made clear.

Mr. JENKINS. I desire to make it clear that no member of Senator McCarthy's committee has done anything except to cooperate fully and that they have assured me that they will furnish the witnesses to develop all the facts with respect to this photograph—the staff. I mean Senator McCarthy's staff.

Frankly, Mr. Chairman, I do not think that I should proceed further trying to develop the fact with respect to this until Mr. Schine is asked one or two additional questions. I can put on Mr. Juliana.

Senator MUNDT. I think perhaps Mr. Schine has returned to the room. Has he?

Mr. JENKINS. I would like to have Mr. Schine for 1 or 2 questions before Mr. Juliana is put on.

Senator MCCARTHY. If he has not returned, Mr. Chairman, I am sure that I will be able to contact him. I told him I wanted to see him this noon. Where he is now, I frankly don't know.

Mr. JENKINS. That is all I care to ask Mr. Anastos, and if no one else cares to, I want to call Mr. Juliana.

Senator MCCARTHY. I am informed Mr. Schine is on the way from Fort Myer now.

Senator MUNDT. Is there any objection to calling Mr. Juliana and dismissing this witness?

Senator MCCLELLAN. Mr. Chairman, I want to remind you that the rules of procedure should be followed.

Senator MUNDT. Mr. Anastos, you may step down. Mr. Juliana will come to the stand.

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. JULIANA. I do.

Senator MUNDT. You may be seated.

Mr. Jenkins will proceed.

TESTIMONY OF JAMES N. JULIANA

Mr. JENKINS. Please state your full name.

Mr. JULIANA. James N. Juliana.

Mr. JENKINS. What official position do you occupy, Mr. Juliana?

Mr. JULIANA. I am an investigator with the Senate Permanent Subcommittee on Investigations of Government Operations.

Mr. JENKINS. Mr. Juliana, you know at what point this inquiry is directed, do you not?

Mr. JULIANA. Yes, sir.

Mr. JENKINS. In order to save time and to expedite this matter, if such a thing is possible, I want you, Mr. Juliana, now to tell this committee in a chronological way all you know about the photograph that was delivered to room 101 by Private Schine and Mr. Anastos, being a photograph, I think it is conceded, of Secretary Stevens, Mr. Schine, and Colonel Bradley. Please do it chronologically.

Mr. JULIANA. Mr. Jenkins, the first time I ever heard of a photograph——

Mr. JENKINS. And for the purposes of identification, I hand you the photograph to which reference has been made.

Mr. JULIANA. The first time I ever heard reference to a photograph of Secretary Stevens and Private Schine was one evening last week in the office of Mr. Carr when you were discussing with Mr. Cohn the McCarthy-Cohn-Carr side of this controversy. I was in and out of the room at the time, and the question of a photograph came up. I recall that you asked Mr. Cohn if the photograph was available or could be made available, and I believe he answered that it could.

Sometime during that meeting, I was given to believe that the photograph would be brought down from New York by someone—I don't know who——

Mr. JENKINS. An interruption will not disturb you, will it, Mr. Juliana?

Mr. JULIANA. No, sir.

Mr. JENKINS. Without telling what was said, I will ask you whether or not at the time of my conference with Mr. Cohn in the preparation of the staff's side of this controversy, I was told—and please do not tell me what I was told—I was told who requested the taking of that photograph?

Mr. JULIANA. I believe you were, yes, sir.

Mr. JENKINS. Was it then that I asked whether or not the photograph was in existence and could be produced?

Mr. JULIANA. Yes, sir.

Mr. JENKINS. Now you may proceed.

Mr. JULIANA. I believe at that time Mr. Cohn said to me that the picture would be brought to Washington and that when it arrived, I should take care of it.

The next time I heard about the picture was the afternoon of the first day's hearings, which I believe was last Thursday, when a package was delivered to me in this Caucus Room by Mr. Anastos. I did not know what was in the package except that there was a picture. The package, from feeling it you could tell that it was a frame, and a rather large frame, and it was heavily wrapped in brown paper. I did not open that package until the end of the hearings, when I went down to 101, physically carried the picture to 101, and there I opened it. For the first time I saw this picture [indicating].

Mr. JENKINS. Being a picture of the Secretary of the Army, Mr. Schine, and Colonel Bradley?

Mr. JULIANA. I don't know who the colonel is, but there is a colonel in there who has been named as Colonel Bradley.

Mr. JENKINS. Very well.

Mr. JULIANA. I unwrapped the picture, and I immediately called for Mr. Don Surine, an assistant counsel on the subcommittee. Don Surine and I discussed the enlarging of the picture. I must go back just a second.

When the picture arrived in the Caucus Room, I whispered to Mr. Cohn that the picture was here, and he said, "All right, have enlargements made."

Now I will go back to the discussion with Mr. Surine. We decided that to handle it most expeditiously and as cheaply as possible, we would have photstats made rather than photographs. It was my understanding that a picture of Schine and Secretary Stevens was to be delivered to you on Friday morning. I asked Don Surine if he would handle the photostating of the picture.

I said to Don Surine that he should have photostats made of the full picture and photostats made of Secretary Stevens and Mr. Schine. I said that because my instructions from you and/or Mr. Cohn were to that effect, that you wanted a picture of Secretary Stevens and Private Schine.

Don Surine——

Mr. JENKINS. May I interrupt you now?

Mr. JULIANA. Yes, sir.

Mr. JENKINS. Did I say anything about cutting out of a picture any individual, Mr. Juliana?

Mr. JULIANA. No, sir.

Mr. JENKINS. Very well. You may go ahead.

Mr. JULIANA. Mr. Cohn did not say that, either.

Mr. JENKINS. I understand.

Mr. JULIANA. I gave the picture to Don Surine intact. It was still mounted, still in the frame.

The following morning, I contacted Don Surine to find out what the status of the enlarged photostats of the picture was. And Don said that he would check it and would see that I got it right away.

Sometime after 10 o'clock in the morning—because I know I was rushing to get it to you before the hearing—I received several enlarged photostats of this picture, plus——

Mr. JENKINS. Being a picture of the three persons you are now holding in your hand?

Mr. JULIANA. I hadn't finished. I received, I believe, 2 enlarged photostats of this [indicating], and 2 photostats like this [indicating].

Mr. JENKINS. To identify what you mean by "this," Mr. Juliana——

Mr. JULIANA. Of the picture of Secretary Stevens and Mr. Schine.

Mr. JENKINS. We understand.

Mr. JENKINS. Could you identify what you mean by this?

Mr. JULIANA. Upon receiving, I believe there were 2 photostats of each picture, and 1 large negative of this picture only.

Mr. JENKINS. When you say this picture only, Mr. Juliana, we request you to identify it.

Mr. JULIANA. The picture of Secretary Stevens, Mr. Schine, and a colonel.

Mr. JENKINS. Very well.

Mr. JULIANA. Upon receiving those, I immediately proceeded to mount the picture of Secretary Stevens and Private Schine on a piece of white cardboard. The other pictures I put in a filing cabinet where they have been more or less under my custody until I gave them to Mr. Collier yesterday morning. The reason that I furnished this picture of Secretary Stevens and Mr. Schine is because I was led to believe that that was what you wanted in the hearing. I did not know why you wanted this picture in the hearing.

I mounted it, and I put the caption at the top, McGuire Air Force Base, Fort Dix, November 17, 1953, and I physically wrapped it in a newspaper, and brought it to your office approximately 10:28 of Friday morning.

You told me at that time that you did not think that we would get to the cross-examination of Secretary Stevens and therefore you would not need the picture. You told me to keep it in my custody, that you would hold me responsible for the picture. I therefore returned to room 101 and I placed the picture in a large filing cabinet with a combination lock on it. It was not locked, and I don't know the combination.

I did not touch the picture again until the morning that you requested this to be brought to the hearing room, which I believe was Monday morning, if I am not mistaken.

At that time I took the picture out of the filing cabinet, and I gave it to Mrs. Mims, and I instructed her to bring it to your office immediately, and it was still wrapped and I don't know if she saw what was in it or not, what was in the wrapping.

You received the photograph, enlarged photograph of Secretary Stevens, and Mr. Schine.

Mr. JENKINS. Mr. Juliana, I think that you have made it very clear and we may be getting somewhere now with respect to this photograph.

Mr. JULIANA. I hope so.

Mr. JENKINS. I join you in that wish.

Mr. Juliana, this question; at whose direction was Colonel Bradley cut from the picture?

Mr. JULIANA. To my knowledge, Colonel Bradley was never cut from the picture.

Mr. JENKINS. All right, have it any way. Now, you know what we mean, do you not, Mr. Juliana?

Mr. JULIANA. I know what you mean, he was left off the picture.

Mr. JENKINS. At whose direction? At whose direction was Colonel Bradley left off the picture that was introduced here by me, earlier this week?

Mr. JULIANA. As I previously testified, it was my understanding after talking with you and Mr. Cohn about this picture, that you wanted a picture of Secretary Stevens and Private Schine. I gave those instructions to Mr. Surine. I don't know what he did.

Mr. JENKINS. Then you gave the directions to Mr. Don Surine—what your expression—to leave off——

Mr. JULIANA. No, sir; no sir. My instructions were to have the photostats blown up, photostats of the picture of the 3 individuals made, and also to have photostats of the 2 individuals made, namely Secretary Stevens and Private Schine.

Mr. JENKINS. Well, Mr. Juliana, did that not mean to your mind, and did you not intend to convey then to Mr. Surine your intention or your wish or your desire that Colonel Bradley be left off of the picture?

Mr. JULIANA. Yes, sir. I never knew Colonel Bradley was on this picture until I opened it down in room 101.

Mr. JENKINS. And you were present when I was told that there was in existence a picture of the Secretary of the Army, and David Schine, you say?

Mr. JULIANA. Yes, sir.

Mr. JENKINS. And you were present when I was told at whose instance the picture was made, and please don't tell me what was said.

Mr. JULIANA. Yes, sir.

Mr. JENKINS. But you were present?

Mr. JULIANA. Yes, sir.

Mr. JENKINS. And I then asked for that picture.

Mr. JULIANA. Yes, sir.

Mr. JENKINS. I have no further questions, Mr. Chairman.

Senator MUNDT. Does the Chair understand that there are available enlarged photostats, not only of the one that you have before you of Secretary Stevens and Mr. Schine, Private Schine, but also photostats which were made at the same time showing everybody on the picture?

Mr. JULIANA. Yes, sir.

Senator MUNDT. Could we have those, Mr. Counsel?

Mr. JENKINS. They are here available.

Senator MUNDT. That is the same one, and there appear to be 3, 1 rather faint and 2 about as well developed as the other of the 3 people.

Whose specific decision was it, Mr. Juliana, to bring to the committee room in the newspaper wrapping the specific picture which was first introduced in evidence, to wit, the enlarged photostat of the Secretary and Private Schine?

Mr. JULIANA. That was my decision.

Senator MUNDT. Your decision?

Mr. JULIANA. Yes, sir.

Senator MUNDT. Do I understand you made that decision under the apprehension that that was the picture that was desired?

Mr. JULIANA. Yes, sir.

Senator MUNDT. What had you done with the other three photostats?

Mr. JULIANA. The other photostats were placed in a filing cabinet in Mr. Carr's office.

Senator MUNDT. I think that is all.

Senator McClellan?

Senator McCLELLAN. Mr. Juliana, when you carried the 1 picture of Secretary Stevens and Mr. Schine to Mr. Jenkins' office, at the time you thought he would want them that morning, did you also take to him, at that time, the enlarged picture of the group of 3?

Mr. JULIANA. I did not.

Senator McCLELLAN. Did you tell him you had such a picture?

Mr. JULIANA. I did not.

Senator McCLELLAN. Did he ever know, until after it was developed here in the hearings, that this was taken from a group picture, the picture that you delivered to him?

Mr. JULIANA. From my knowledge, he did not know.

Senator McCLELLAN. You did not tell him?

Mr. JULIANA. No, sir.

Senator McCLELLAN. You didn't consider that information important?

Mr. JULIANA. No, sir.

Senator McCLELLAN. Why did you have the enlarged pictures made of the group of three, if you didn't consider it important?

Mr. JULIANA. Because the photograph, of the 3 people, was the photograph, as presented.

Senator McCLELLAN. That is correct. But if it was not important to have the photograph of 3, if it is only important to have the photograph of the Secretary and Mr. Schine, if it is only important to have that, why have an enlarged photograph of all 3, can you tell us?

Mr. JULIANA. Well, Senator, from what I received back, and this can only be my explanation, and I don't know, but when I received the rolls back, the negative was of the three individuals.

Senator McCLELLAN. But I thought that you gave instructions to Mr. Schine to have pictures developed of the group, and also pictures developed or blown up, if that is the proper word, of just Mr. Schine and the Secretary—and if I used the word "Schine" a moment ago when I should have used "Surine," you will understand—and you gave the instructions to Mr. Surine instead of Mr. Schine.

Now will you tell us why?

Mr. JULIANA. I did give those instructions.

Senator McCLELLAN. I understand you did. But if the picture of the three, the group picture was not important, why instruct him to have it blown up, do you know?

Mr. JULIANA. I have no reason why I instructed him.

Senator McCLELLAN. That is all.

Senator MUNDT. Senator Dirksen?

Senator Jackson?

Senator JACKSON. Mr. Juliana, I understand the reason why these photostats were made, blowups, was in order to carry out what you understood to be the instructions of counsel?

Mr. JULIANA. Yes, sir.

Senator JACKSON. And what were those instructions?

Mr. JULIANA. My instructions were that I was to enlarge and give to Mr. Jenkins a photograph of Mr. Stevens and Private Schine.

Senator JACKSON. Did anyone else instruct you to do that?

Mr. JULIANA. No, sir.

Senator JACKSON. Did you discuss that feature of just the two together with anyone else?

Mr. JULIANA. I don't believe I did, no, sir.

Senator JACKSON. Can you say now, under oath, that you did not?

Mr. JULIANA. I don't think I did, no, sir.

Senator JACKSON. You don't think you did, but you couldn't say for sure?

Mr. JULIANA. No, I couldn't say for sure.

Senator JACKSON. Did you talk with anyone on the staff about just having a picture of two?

Mr. JULIANA. I don't recall talking to anyone on the staff about the picture, except advising Mr. Cohn that the picture had arrived, in this caucus room, and then discussing with Mr. Surine the photostating of the picture.

Senator JACKSON. Well, your understanding was that you were to merely carry out the instruction of the counsel of the committee, Mr. Jenkins?

Mr. JULIANA. Yes, sir.

Senator JACKSON. And nothing else?

Mr. JULIANA. Well, it was Mr. Jenkins and/or Mr. Cohn who gave me those instructions.

Senator JACKSON. Or both?

Mr. JULIANA. It could have been both at the same time in that meeting.

Senator JACKSON. They were both present?

Mr. JULIANA. Yes, sir.

Senator JACKSON. But you cannot explain to this committee now why you made photostats of, first, the original picture with the three together and also one with only two in the picture, Private Schine and Secretary Stevens?

Mr. JULIANA. No, I cannot explain that.

Senator JACKSON. But did you give those instructions?

Mr. JULIANA. I gave those instructions to Don Surine.

Senator MUNDT. The photographer will kindly remain seated. We have had another complaint from the TV people. Thank you.

Senator JACKSON. I join with the TV people on that. I do not want to get cut out of this.

As I understand it, you just cannot recall why a photostat was made of the original picture that was brought to the committee office by Private Schine and Mr. Anastos.

Mr. JULIANA. No, I do not, no.

Senator JACKSON. Did you give counsel Jenkins a copy of the group photostat?

Mr. JULIANA. No, I did not.

Senator JACKSON. You were present on Monday when counsel for the committee interrogated Mr. Stevens at length?

Mr. JULIANA. I was here most of the time, yes, sir.

Senator JACKSON. You were here when the picture was offered in evidence?

Mr. JULIANA. I may have been. I would not swear that I was.

Senator JACKSON. Are you a lawyer?

Mr. JULIANA. No, sir.

Senator JACKSON. You are not a graduate of a law school?

Mr. JULIANA. No, sir.

Senator JACKSON. Accountant?

Mr. JULIANA. No, sir.

Senator JACKSON. Were you in the FBI?

Mr. JULIANA. Yes, sir.

Senator JACKSON. Are you a college graduate?

Mr. JULIANA. Yes, sir.

Senator JACKSON. In what field, liberal arts or——

Mr. JULIANA. Engineering.

Senator JACKSON. You recall—and I want to refresh your memory if I may—that on page 433 of the hearings on Monday, starting at the bottom of the page, and I will read this testimony:

Mr. JENKINS. Mr. Stevens, did you ever have your photograph taken with G. David Schine?

Secretary STEVENS. Well, there were a lot of photographers around down there at that hearing, and it could be.

Mr. JENKINS. But did you ever at your suggestion at a meeting anywhere, any time, say that "I want my picture taken with David" and have it done?

Secretary STEVENS. I am sure that I never made a statement just like you made it there. I mean, if there was a picture being taken and there were people around, I might be very apt to say, "Well, let us all step in here and have a picture," but I do not think that I ever made any demand to have my picture taken with David Schine.

Mr. JENKINS. I did not say "demand," but was your picture after David Schine was drafted ever taken with you alone at your suggestion, anywhere?

Secretary STEVENS. After he was drafted?

Mr. JENKINS. Yes.

Let me show you a picture, Mr. Stevens, for the purpose of refreshing your recollection. I ask you whether or not that is a photograph of you, the Secretary of the Army, and David Schine, a private in the Army.

Secretary STEVENS. I unfortunately can recognize myself, but I could not guarantee the soldier.

Mr. JENKINS. My question is, Is that a photograph of you, the Secretary of the Army, and G. David Schine, a private in the Army?

Secretary STEVENS. That is me; that is certainly me, and I assume——

The purpose of making this statement is for the purpose of asking you, in the light of that testimony, you knew it was obviously quite material to the line of questioning of the Secretary of the Army, whether or not he had a picture taken alone with G. David Schine.

Mr. JULIANA. The word "alone" meant nothing to me at the time of the question.

Senator JACKSON. Don't you know from what—you read the papers that night?

Mr. JULIANA. I have not read the papers in 2 weeks.

Senator JACKSON. You haven't read the papers in 2 weeks?

Mr. JULIANA. No, sir.

Senator JACKSON. Any papers?

Mr. JULIANA. I have looked through a paper, but I haven't read the proceedings of this committee since they started.

Senator JACKSON. You haven't looked at any of the testimony of the proceedings?

Mr. JULIANA. Not that testimony, and very little of any other testimony.

Senator JACKSON. But you knew that at the time Mr. Jenkins was asking these questions, that the material thing about this photograph was the fact that Mr. Jenkins was laboring under the impression that there had been a picture taken with the Secretary of the Army and him alone?

Mr. JULIANA. I was not under the impression that Mr. Jenkins was laboring on the word "alone."

Senator JACKSON. You knew that he had in his possession this picture that had been changed?

Mr. JULIANA. I don't think the picture was changed.

Senator JACKSON. You don't think the picture was changed?

Mr. JULIANA. No, sir.

Senator JACKSON. What is your definition of "change"?

Mr. JULIANA. If you will take Mr. Stevens and Mr. Schine in the large, blown-up portion, I think you will find they are the same as these two individuals here.

Senator JACKSON. There is nothing else different in the picture?

Mr. JULIANA. Sure. This individual here has been left off [indicating].

Senator JACKSON. That is not a change?

Mr. JULIANA. I don't think there is any change in the two individuals, no.

Senator JACKSON. I don't think there has been any testimony by anyone in this proceeding that there was a change made of the photographic appearance of the Secretary of the Army and Mr. Schine, has there been?

Mr. JULIANA. I couldn't answer that, sir.

Senator JACKSON. Do you know if there has been a change; the two pictures are there in front of you.

Mr. JULIANA. I am no photographer, but I don't think there has been a change.

Senator MCCARTHY. Mr. Chairman.

Senator MUNDT. Do you have a point of order?

Senator MCCARTHY. Yes, I certainly have. Senator Jackson said that there had been a change, and he turns around and accuses the witness of having said there was a change. The witness therefore said there was a change and it was Senator Jackson.

If there was a change, Scoop, tell us where the change was.

Senator JACKSON. I am asking the witness and he had custody of the original picture when there were three in it.

Senator MCCARTHY. Just a minute.

Senator JACKSON. Make a point of order. It is my time.

Senator MCCARTHY. My point of order, Mr. Chairman——

Senator JACKSON. I don't want this out of my time.

Senator MCCARTHY. Mr. Chairman, my point of order is this: That Mr. Jackson talked about a picture that had been changed, and after he had made the statement he starts questioning the witness about his own statement.

Senator JACKSON. Mr. Juliana——

Senator MUNDT. It is dropped and I am sure Senator Jackson wants the witness to be sure he understands the questions.

Senator JACKSON. Mr. Juliana, the picture that you now have in your hands is the picture that you turned over to Mr. Surine?

Mr. JULIANA. Yes, sir.

Senator JACKSON. That is the picture from the office of G. David Schine?

Mr. JULIANA. Yes, sir.

Senator JACKSON. From which the photostats were later made?

Mr. JULIANA. Yes, sir.

Senator JACKSON. The picture that was introduced in evidence which is on your desk, and underneath the picture, you had in your

hand, is the picture the same as the one that was taken from G. David Schine's office?

Mr. JULIANA. No, sir.

Senator JACKSON. That is all.

Senator MUNDT. Senator Potter.

Senator POTTER. Mr. Juliana, after you received the four large blow-up pictures, did I understand you to state that you discussed them or you had conversation with Mr. Cohn?

Mr. JULIANA. No, Senator I did not say that.

Senator POTTER. In other words, you didn't discuss with Mr. Cohn, or Mr. Carr, or Senator McCarthy which blow-up would be submitted to the committee?

Mr. JULIANA. No, sir.

Senator POTTER. I have no other questions.

Senator MUNDT. Senator Symington.

Senator SYMINGTON. Mr. Juliana, you mentioned the fact that you had been a member of the Federal Bureau of Investigation?

Mr. JULIANA. Yes, sir.

Senator SYMINGTON. In my opinion one of the greatest organizations this country has ever or ever did have.

Mr. JULIANA. I agree with you, sir.

Senator SYMINGTON. Mention was made of the fine record of Mr. Carr.

Mr. JULIANA. Yes, sir.

Senator SYMINGTON. With that organization, and also this morning mention was made of Mr. Anastos' record with the Department of Justice, and the fact he left that Department and came over to work with this committee under proper conditions, and honorable conditions. Could I ask you why you left the FBI?

Mr. JULIANA. I left the FBI for personal reasons; I resigned and I wasn't fired.

Senator SYMINGTON. Did you resign from the FBI?

Mr. JULIANA. Yes, sir.

Senator SYMINGTON. You were not discharged?

Mr. JULIANA. No.

Senator SYMINGTON. You left under honorable conditions?

Mr. JULIANA. Very honorable.

Senator SYMINGTON. I thought we owed that to you because we have asked it of the other witnesses as they came up.

Mr. JULIANA. Yes, sir.

Senator SYMINGTON. I have no further questions.

Senator MUNDT. Senator Dworshak.

Senator POTTER. Senator Dworshak had to leave.

Senator MUNDT. It is impossible to see who is at the right on account of the light, so I have to call for them whether I see them or not.

Mr. Welch.

Mr. WELCH. Mr. Chairman, I am afraid I shall have a reputation countrywide as a clock watcher, but we are a way beyond the point of adjournment, and I naturally have questions of burning importance to me to ask this witness, and may we not ask to have lunch?

Senator MUNDT. Do you feel that you have more questions than you can dispose of in a 10-minute period?

Mr. WELCH. I think that that is likely, sir.

Senator McCarthy. Mr. Chairman, Mr. Welch says he has got questions of burning importance, and I don't think he should burn over the noon hour. I would like to finish with this witness and get Mr. Stevens back on. May I say that my questioning will be very, very brief, no more than a minute or a minute and a half.

Senator Mundt. If Mr. Welch feels he cannot finish in 10 minutes, I think then that we should recess for lunch; and if we could finish, it would be a way of expediting the hearings.

We will recess then until 2:30 this afternoon.

(Whereupon, at 1:50 p. m., the hearing was recessed until 2:30 p. m. of the same day.)

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