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STRATEGY AND TACTICS OF WORLD COMMUNISM

THE SIGNIFICANCE OF THE MATUSOW CASE

HEARING

BEFORE THE

SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS

OF THE

COMMITTEE ON THE JUDICIARY

UNITED STATES SENATE

EIGHTY-FOURTH CONGRESS

FIRST SESSION

PURSUANT TO S. RES. 58

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SUBCOMMITTEE TO INVESTIGATE THE ADMINISTRATION OF THE INTERNAL SECURITY
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TESTIMONY RELATING TO HARVEY M. MATUSOW

MONDAY, FEBRUARY 21, 1955

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE ADMINIS-
TRATION OF THE INTERNAL SECURITY ACT AND
OTHER INTERNAL SECURITY LAWS,
OF THE COMMITTEE ON THE JUDICIARY,
Washington, D. C.

The subcommittee met, pursuant to notice, at 2:05 p. m., in room 318, Senate Office Building, Senator James O. Eastland (chairman of the subcommittee) presiding.

Present: Senators Eastland, Johnston, McClellan, Daniel, Jenner, and Watkins.

J. G. Sourwine, chief counsel; Alva C. Carpenter, associate counsel; Benjamin Mandel, director of research; and Robert C. McManus, professional staff member.

The CHAIRMAN. The committee will come to order.

Mr. Matusow, step around, please, sir.

Mr. MATUSOW. Pardon me, sir.

The CHAIRMAN. Hold up your right hand. Do you solemnly swear the testimony you are about to give to the Internal Security Subcommittee of the Committee on the Judiciary of the Senate of the United States is the truth, the whole truth, and nothing but the truth?

Mr. MATUSOW. I do.

The CHAIRMAN. The witness before the Subcommittee on Internal Security today is Harvey M. Matusow.

Mr. Matusow has previously appeared before us in executive session on February 13, March 5, and March 13, 1952, and in public sessions on February 13, 1952, March 5, 1952, March 13, 1952, and October 8, 1952. In his previous appearances, he gave sworn testimony regarding the Institute of Pacific Relations, certain youth organizations and the International Union of Mine, Mill and Smelter Workers. Mr. Matusow has since made public statements recently to the effect that he lied when he testified before this subcommittee and on other occasions. The purpose of the hearing now commencing is to inquire into this whole matter.

It is interesting to note that in regard to his testimony concerning Mr. Owen Lattimore, Mr. Matusow has misquoted himself and then recanted the misquotation. Actually, his testimony concerning Lattimore's book being pushed by Communist bookstores was only confirmation of documentary evidence already in our record.

As a result of testimony taken in this hearing, it may appear that Mr. Matusow told the truth in his original testimony before us and is now lying when he says that his original testimony was not the truth.

It may appear that part of what he told us was true and part was untrue. It may appear that he never tells the truth by intent. It may appear that his recent conduct is designed simply to call attention to a book which is soon to be published under his signature, and that his motive for this shabby performance is merely low personal greed. It may appear that he has been the victim of pressure brought by Communists, as well as those who have a vested interest in concealing the Communist conspiracy, and he has finally broken under this pressure. Or there may be still another explanation.

It must be clearly understood that Harvey Matusow does not come before us this morning merely as an individual. He is, or he says he is, a former member of the Communist Party who has made a previous confession of wrongdoing as a Communist and then given evidence to expose the Communist conspiracy. He is one of many ex-Communists who have given similar evidence. That is not to say that his self-incrimination of lying under oath automatically convicts others of the same offense, nor that the finger of scorn which he points at himself must be pointed also at those who heard his allegedly false testimony. In the centuries during which the petit jury and grand jury have been part of our legal tradition, neither has been discredited by the fact that there have been occasional appearances of liars before each.

Those who seek to expose the Communist conspiracy *and also those who struggle to conceal it* are both fully aware of the importance of the ex-Communist in this worldwide struggle to preserve human freedom. The informed enemy of communism knows that enormous quantities of priceless information have been provided by former Communists who have repented and now seek to undo the wrongs they did in the past by active opposition to communism. The Communist, as well as those who have a vested interest in concealing the truth about the conspiracy, know this just as well as we do. That is the reason that the assault on the ex-Communist who is willing to tell what he knows has been conducted with such unbridled fury.

We recall the vicious assault on Whittaker Chambers and Elizabeth Bentley after they came forward with their stories of the Communist traitors who had been stealing documents from the United States Government and turning them over to Soviet agents during a period of almost 10 years. Whittaker Chambers proved his case when he produced his famous "pumpkin papers," which were a collection of approximately 200 of these documents that he had obtained from the traitors in Government. Some of these documents were in the actual handwriting of Alger Hiss and Harry Dexter White. Elizabeth Bentley told this subcommittee in detail the methods by which Communist agents penetrated the Government, rose in the Government, made policies in the Government, and protected one another when they were threatened with dismissal from the United States Government. The subcommittee put her testimony through the crucible in our inquiry into interlocking subversion in Government departments. We found hundreds upon hundreds of documents which showed that her description of the methods of the conspiracy had been flawlessly truthful. We are still finding documents which support the testimony she originally gave us at a time when she did not have access to a single one of them.

At the first public session held by this subcommittee on July 25, 1951, the then chairman, the late Senator Pat McCarran of Nevada, had said this, and I quote:

In such an investigation as this, where a possible conspiracy is being examined, very often the only evidence obtainable derives from persons who once participated in the conspiracy. Only eyes that witnessed the deeds, and ears that heard the words of intrigue can attest thereto. Thus, ex-Communists, and agents of the Government who posed as Communists, often are the only sources of evidence of what transpired behind doors closed to the non-Communist world.

This situation which Senator McCarran pointed out, with respect to communism, is not peculiar to the Communist conspiracy alone. It is a well-recognized principle of law that:

Conspiracies need not be established by direct evidence of the act charged. They may, and generally must, be proved by a number of indefinite acts, conditions, and circumstances which vary according to the purposes to be accomplished. The very existence of a conspiracy is generally a matter of inference deduced from certain acts of the persons accused which are committed in pursuance of an apparently criminal or unlawful purpose in common to them. The existence of the agreement or assent of the minds need not be proved directly, but may be inferred by the jury from the facts proved.¹

The subcommittee in this series of hearings hopes to determine what is the truth. The subcommittee may be able to show, in some instances, what are lies. The subcommittee probably can and will try to make a record as to just what Mr. Matusow now says the truth is. The subcommittee also will seek to determine, from the testimony of this witness and others, all the facts surrounding this case, and to make as complete a record of those facts as possible.

The subcommittee does not propose to be sidetracked into any examination or consideration of matters not involved with the testimony of Harvey Matusow, his public utterances, and the preparation and publication of the book soon to be published under his name.

Now, Mr. Matusow, you are here under subpoena of the Internal Security Subcommittee. We have a number of questions that we desire to ask you, sir. We want your answers to be responsive to the questions and to be as short as possible to explain your point in detail.

Before the hearing is over, if you desire to make a statement or volunteer information, you will certainly be given the opportunity to do so.

Mr. Sourwine, you may proceed with the witness.

TESTIMONY OF HARVEY M. MATUSOW, ACCOMPANIED BY STANLEY FAULKNER, HIS ATTORNEY

MR. SOURWINE. Mr. Matusow, did you bring any documents with you in response to the committee's subpoena?

MR. MATUSOW. I did.

MR. SOURWINE. Would you bring those forward or send them forward one by one and identify them as you do so.

MR. MATUSOW. Yes, sir.

On that subject, I believe the documents called for in the subpoena, manuscripts, contracts, and so forth, have been furnished the committee by Mr. Cameron in executive session last week, and they are no longer in my possession.

¹ Am. Jur., Vol. II, Conspiracies, par. 38.

I was under a misapprehension. I thought the proofs or the copies of the documentation of the book had been delivered to the committee, and I was wrong on that. However, by tomorrow morning or in the afternoon I shall have the documentation for the book, which I did not bring.

The CHAIRMAN. Now, Mr. Matusow, are you represented by counsel?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. Would you please identify your counsel for the record.

Mr. MATUSOW. Yes, sir; Mr. Stanley Faulkner of New York.

The CHAIRMAN. Proceed, Mr. Sourwine.

Mr. SOURWINE. Yes, sir.

Mr. MATUSOW. I have here photostatic copies of the contracts of the book, False Witness. The original copies were used in evidence in the trial proceeding in New York City last week, and I have brought photostatic copies.

The CHAIRMAN. Now, while counsel examines the documents, would you please, or would your counsel, give his address and name of the firm he represents.

Mr. FAULKNER. The firm is Stanley Faulkner, 9 East 40th, New York 16, N. Y.

Mr. SOURWINE. Mr. Matusow, the first of the two documents you have handed up is a letter addressed to you under date of October 26, 1954, on the stationery of Cameron & Kahn, Inc., publishers. Is that a contract between you and your publisher?

Mr. MATUSOW. It is, sir.

Mr. SOURWINE. The second document is what purports to be a contract in 6 pages under date of February 1, 1955, between you and Cameron & Kahn, Inc.

Is that also a valid and subsisting contract?

Mr. MATUSOW. It is a supplemental contract to the original contract of October 26, 1954.

Mr. SOURWINE. Now, you say "supplemental." Didn't it supersede that earlier contract?

Mr. MATUSOW. In part, and not in part, sir; I can explain that very briefly for you.

Mr. SOURWINE. Go ahead.

Mr. MATUSOW. The original letter contract called for certain arrangements as to royalties. The second contract was agreed to in the early part of January 1955, was not drawn up until early February because Mr. Cameron had been out of New York with his wife, who is sick.

In this second contract, the publishers agreed to a slightly higher—it comes to about \$800, if it is broken down—royalty rate on a cloth-bound edition because of the fact that the book is not what it was originally scheduled for, 80,000 words. It is approximately 55,000 words, cutting down production costs, and the price of the book itself, and in that supplemental contract I also agreed to give the publishers certain rights in relation to the book which I had previously retained.

Mr. SOURWINE. You have testified there to a great many facts beyond what was originally asked. Have you been thoughtful about it; that is, you want all of those statements to stand as part of your affirmative testimony under oath?

Mr. MATUSOW. Yes, to clear up the question of these contracts.

Mr. SOURWINE. Now, where these two contracts differ, the second contract controls, does it not?

Mr. MATUSOW. It does what, sir?

Mr. SOURWINE. Where these two contracts differ, the second contract controls; does it not?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Mr. Chairman, I offer these two documents. I would like to have them marked and put in the record.

The CHAIRMAN. They will be admitted into the records as exhibit 1 of the witness' testimony.

Mr. SOURWINE. Could they be 1-A and 1-B?

The CHAIRMAN. 1-A and 1-B.

(The documents referred to were marked "Exhibits 1-A and 1-B," and appear below:)

EXHIBIT No. 1-A

CAMERON & KAHN, INC., PUBLISHERS,
109 Greenwich Avenue New York, N. Y., October 26, 1954.

Mr. HARVEY MATUSOW,
1491 Macombs Road, Bronx, New York

DEAR MR. MATUSOW: If this letter represents our general understanding about the publication of the book we discussed yesterday will you sign one copy and return it to us with the understanding that this document will represent our contract regarding our publication of a book by you.

The book discussed is to be of an autobiographical nature and is to deal primarily with your life and activities during the past few years. One of the fundamental purposes of this book—as you have put it—is “to undo some of the harm done” to other individuals by your activity and testimony, much of which, as you have pointed out, was not a true and complete reflection of the actual facts. It is understood also that the book will seek to reveal the nature of the complex pressures and social forces which cause an individual during these turbulent times to act as the author will describe his acts. It will be, thus, in short a commentary on the times in which we live and the effect of these times upon the life of one individual.

The publishers agree to pay to you, as an advance against all monies eventually earned by the book under this contract, the sum of \$900.00. Your signature to this contract will acknowledge the receipt of \$350.00; the remaining \$550.00 will be paid by the publishers in weekly installments of \$50.00 until the said remaining sum is reached.

The author agrees to deliver a manuscript of approximately 80,000 words by February 1, 1955. It is understood that beginning November 15, the author will deliver approximately 5,500 words per week until the manuscript is concluded. It is understood that time is the essence of this agreement as both parties know the importance of this book being the first book of its kind to be published for the American market.

The author agrees to assign to the publisher world rights for the book under the following terms:

(1) The publisher will pay the author on the hard-backed edition of the book a royalty, based on the publisher's receipts, of 15 percent on the first 5,000 copies, 20 percent on the next 10,000 copies, and 25 percent on all copies sold in excess of 15,000 copies.

(2) The publisher will pay the author a royalty on the paper-backed edition based on the publishers receipts of 14 percent.

(3) The publishers agree to pay the author 50 percent of the net receipts of the sale of the book abroad or from royalties received from the sale of the publishing rights to the book in foreign countries.

The publishers agree to publish this book within eight weeks after receipt of the finished manuscript ready for the printer.

Very truly yours,

ALBERT E. KAHN,
ANGUS CAMERON,
Publishers.

Witnessed:

ATHENE RYAN.

HARVEY MARSHALL MATUSOW,
Author.

Witnessed:

HARRIET W. KAHN.

EXHIBIT No. 1-B

The Cameron & Kahn, Inc., of 100 West 23 Street, New York 11, N. Y. (the Publisher), and Harvey Marshall Matusow, of 1491 Macombs Road, Bronx 52, New York (the Author), in consideration of mutual covenants, on this 1st day of February 1955, agree as follows:

I. The Author grants and assigns to the Publisher the exclusive right to world publication rights, subject to conditions contained hereinafter an autobiographical book presently entitled "False Witness." and referred to as the Work.

II. The Publisher agrees simultaneously with the publication of the Work duly to copyright it in the name of the Author in the United States and Canada. The Publisher shall imprint in each copy of the title page or its reverse side, the notice "copyright 1955, by Harvey Marshall Matusow." Upon the expiration of this first term of copyright in the United States and providing this agreement is then in force the Author, if living, agrees to apply for renewal of such copyright.

III. The Author represents that he is the sole proprietor of the Work; that it does not infringe any existing copyright; that it has not heretofore been published in this form and that to the best of his knowledge it contains no libelous or other unlawful matter. The Author will hold harmless the publisher against any claim, demand, or recovery finally sustained in any proceedings brought against the Publisher by reason of any violation of the proprietary right or copyright by, or any unlawful, libelous, or slanderous or any unlawful matter contained in the Work. The Publisher shall notify the Author of any such claim, demand, or action and give the Author such reasonable time as the exigencies of the situation will permit, to meet such claim or to undertake its defense.

IV. The Author shall deliver to the Publisher on or before the first day of February 1955, a complete copy of the Work in proper shape for the press. If the Author fails to deliver the manuscript on or before the above prescribed date, the Publisher may correspondingly extend the time, or, upon thirty (30) days notice cancel this agreement.

V. The Publisher shall submit galley and page proof of the Work which the Author shall read, correct, and return within ten days after receipt of said galley and page proof. Such proof shall conform to the Author's final manuscript except as altered by mutual agreement and shall have been proof read by the Publisher. Any additional expense incurred by reason of changes from or additions to the Author's final manuscript in excess of \$50.00 shall be charged against the first installments of royalties due hereunder; provided that the Publisher shall promptly furnish an itemized statement of such additional expenses and make available at its office the corrected proofs for inspection.

VI. The Publisher agrees to publish the Work without changes, additions, or eliminations in or from the text (except as mutually agreed upon) at his own expense in such format as the Publisher deems best suited to its sale, at a catalog price of not less than \$3.00 per copy in hard-backed style and at a catalog price of not less than \$1.00 in paper binding, on or before one hundred and eighty (180) days after receipt of manuscript of the said Work ready for the printer. Should the Publisher fail to publish the Work by such date all rights granted to the Publisher hereunder may be, after thirty (30) days notice to the Publisher, terminated and shall revert to the Author. Such option may be exercised by posting a notice to that effect addressed to the Publisher, by registered mail, after such default. In the event of delay caused by strikes, fires, or other contingencies beyond the Publisher's control the publication may be postponed indefinitely.

VII. The Publisher shall pay the Author a royalty on the hard-backed edition of 15 percent of the Publisher's receipts on the first 2500 copies sold; 20 percent of the Publisher's receipts on the next 5000 copies sold; and then 25 percent of the Publisher's receipts on all copies sold above 7500 copies (except as in Articles VIII and IX hereinafter provided) not including copies given away (but not for resale) for the purpose of aiding the sale of the work and for review.

VIII. (a) The Publisher shall pay the Author 50 percent of the net cash received from the sale of foreign and translation volume publication rights.

(b) On all copies sold in the Dominion of Canada, the Publisher shall pay the Author royalties at the rate of 10 percent of the net cash received by the Publisher from such sale.

(c) On all copies sold through the Union Book Club the royalty shall be the same as stipulated in Clause IX for cheap editions of the book.

(d) The Publisher may license other recognized book clubs the right to publish an edition of the Work for distribution to its members and shall pay to the Author 50 percent of the net proceeds of such sale.

(e) Where the discount to the wholesale or retail distributors or booksellers in the United States is 48 percent or more on sales of 100 copies under contract or immediate sale, the Author shall receive a royalty of 2 percent less than the rate of royalty stated herein; and with each additional 1 percent discount the royalties shall be further reduced by an additional $\frac{1}{2}$ percent. In no case, however, shall the royalties be less than one-half of those stipulated in clause VII or IX hereof.

(f) On all copies sold as remainders, that is at a discount of 70 percent or more from the original retail price as provided herein in clauses VII or IX, but above the actual cost of manufacture, the Author's royalties shall be based on the receipts by the Publisher: no remaindering shall take place until one year after publication unless agreed upon by the Author in writing.

(g) Neither the Author nor the Publisher shall grant permission to publish extracts from the Work without the consent of the other except as provided in Clause XII.

(h) On copies sold direct to customers through the media of mail order, coupon advertising, or by mail circularization, the royalty shall be 8 percent of the Publisher's receipts or charges with no discount for bad debts.

IX. On any paper-backed edition issued by the Publisher, the Publisher shall pay the Author a royalty of 14 percent of the Publisher's receipts. Should the right to issue such an edition be granted to another (reprint) Publisher, the Publisher shall endeavor to arrange terms with the other (reprint) Publisher that will permit a royalty payment to the Author of 10 percent of the retail price, and the royalty payment to the Author shall in no case be less than 10 percent of the reprint Publisher's receipts.

X. (a) The Publisher agrees to render semi-annual statements on the first days of June and of December in each year, showing an account of sales to the first day of the second month preceding said accounting dates. Payments then due the Author shall be simultaneously made. The statements shall show in detail the number of copies printed, the number bound, the number spoiled, the number given away, the number sold in each category and the number on hand.

(b) If the Publisher shall default in delivery of statements or in making cash settlements as in (a) hereof required, and shall neglect or refuse to deliver such statements or to make such settlements by registered mail to the Author, this agreement may be terminated at the option of the Author upon the expiration of said fifteen (15) days.

(c) The Publisher shall pay to the Author an advance payment against all monies which shall accrue under this contract the sum of \$1500.00 receipt of which is hereby acknowledged by signature of this contract. In the event of over-payments other than unearned advances, the Publisher may deduct the amount of such over-payment from any further earnings accruing to the Author on account of the work.

XI. The Publisher agrees to present to the Author 10 free copies of the Work immediately upon publication and to permit the Author to purchase further copies for his personal use (but not for resale) at 60 percent of the retail price.

XII. On the sale of serial, digest, condensation, radio, television and motion picture rights the Author agrees to grant and assign to the Publisher all serial, condensation, and digest rights and the Publisher agrees to pay the Author 75 percent of the net cash received from his sale of such rights.

The Author agrees to grant and assign to the Publisher radio, motion picture and television rights and the Publisher agrees to pay to the Author 75 percent of the net cash received from the sale of such rights.

XIII. (a) If the Publisher at any time during the existence of this agreement shall fail to comply with or fulfill any of the terms or conditions hereof, the Author may at his option terminate this agreement by posting to the Publisher a notice of said termination by registered mail and thereupon all rights granted by the Author to the Publisher shall revert to him; in such event all payments theretofore made to this Author shall remain his property, all, however, without prejudice to any other remedies which the Author may have against the Publisher. The provisions hereof shall not apply to instances in which automatic terminations of this agreement are elsewhere herein provided. The provisions of this subdivision are subject, nevertheless, to other termination conditions provided in article 10 (c) hereof.

(b) Upon the termination of this agreement under any provision hereof, the Publisher shall return to the Author all property originally furnished by the Author and the Author shall have the right to purchase from the Publisher the plates of the Work at their metal value and any remaining copies or sheets at a price not to exceed 50 percent of the manufacturing costs. If the Author shall not have so acquired such plates, copies or sheets within sixty (60) days after the effective date of such terminations, the Publisher shall have the right to melt such plates, and to sell such remaining copies at cost or less without payment to the Author of royalties on such sales. No such sale by the Publisher, however, shall transfer the right of publication and sale of the Work to any purchaser of said remaining copies or sheets. In any event, however, the Publisher's privilege to sell such remaining copies shall expire six months after the effective termination date and thereupon all remaining copies shall be destroyed.

(c) In the event that the Work is at any time out of print, except as a result of emergency conditions beyond the Publisher's control, the Author may give notice thereof to the Publisher and in such event, if the Publisher shall not within six months thereof bring out a new printing of the Work then all rights granted hereunder shall terminate and revert to the Author automatically and without notice. If, however, the Work is on sale in cheap edition, it shall not be considered to be out of print.

XIV. If a petition in bankruptcy shall be filed by or against the Publisher, or if it shall be adjudged insolvent by any court, or if a trustee or a receiver of any property of the Publisher shall be appointed in any suit or proceeding by or against the Publisher, or if the Publisher shall make an assignment for the benefit of creditors or shall take the benefit of any bankruptcy or insolvency act, or if the Publisher shall liquidate its business for any cause whatsoever, the Author may, at his option, terminate this agreement, and such termination shall thereupon be effective as of the date of the filing of such petition, adjudication, appointment, assignment or declaration or commencement of liquidation, and all rights granted herein shall thereupon revert to the Author. As a condition of making this agreement, the Author hereby acquires the right, upon such termination, to purchase at his option the plates, remaining copies and sheets, all as provided in Article Thirteen (b) hereof. In the event that the Author's option to purchase such properties is not exercised within thirty (30) days of the happening of the event herein referred to, the Publisher, trustee, receiver, assignee or other such official, may melt the plates and sell the copies or sheets remaining on hand subject only to payment to the Author of the royalties herein provided. In the event the Author desires to purchase the books and sheets aforesaid, and the trustee, receiver or other said named official deems the price fixed at 50 percent of the manufacturing costs to be below the fair market value thereof, then such value shall be determined by arbitration as in these Articles provided.

XV. This agreement shall be binding on and inure to the benefit of the executors, administrators and assigns of the Author and the successors and assignees of the Publisher; but no assignment, voluntary or by operation of law, shall be binding upon either of the parties without the written consent of the other party hereto; provided, however, that the Author may assign or transfer any moneys due or to become due to him hereunder.

XVI. A waiver of any breach of this agreement or of any of the terms or conditions thereof shall not be deemed a waiver of any repetition of such breach or in anywise affect any other term or condition hereof; no waiver shall be valid or binding unless the same shall be in writing and signed by the Author.

XVII. Any controversy or claim arising out of this agreement or the breach thereof shall be settled by arbitration in accordance with the rules then obtaining of the American Arbitration Association, and judgment upon the award may be entered in the highest court of the forum, State or Federal, having jurisdiction. Arbitration shall be held in the City of New York unless otherwise agreed by the parties. The Author may at his option, in case of failure to pay royalties, refuse to arbitrate and pursue his remedies at law or in equity.

XVIII. All notices required hereunder shall be directed to the respective parties at the addresses set forth above except as the same may from time to time be changed in writing.

XIX. Regardless of place of its physical execution, this contract shall be interpreted under the laws of the State of New York and of the United States of America.

In witness whereof the parties hereto have duly executed this agreement the day and year first above written.

In the presence of:
SYLVIA MATUSOW

CAMERON & KAHN, Inc.,
By ANGUS CAMERON, *The Publisher.*

In the presence of:
JANE JANIS

By ALBERT E. KAHN, *The Publisher.*

In the presence of:
ATHENE RYAN

By HARVEY M. MATUSOW, *The Author.*

Mr. SOURWINE. Are those the only documents you brought with you?

Mr. MATUSOW. The other documents called for, sir, I do not have in my possession; they have either been turned over to the grand jury or to this committee.

I have a copy of, I believe it was given to the committee, if you would like another, sir, galley proofs of the book.

Mr. SOURWINE. If you have a copy of the galley proofs that you can identify, I would like to have it offered from your possession; yes, sir.

Mr. MATUSOW. All right, sir.

Excuse me, I will get it in proper order for you.

This comes in two parts. They are galley proofs of the book *False Witness*.

Part 1 is an introduction by Albert E. Kahn, and it says:

The story behind the book, *False Witness*.

It is in three pages, three large galley size pages.

And in part 2, there is 52—however, in collation there might have been one missing, I do not want to take the committee's time to count it; if it is missing I will furnish it later—it should be 52 galley proof pages of the book *False Witness*.

On the galley pages it is entitled "Informer." The title of the book is not here. I do not have, and was unable to obtain because they were not run off in galleys, the index of the book, the front matter, that is, copyright, title sheet, and a foreword which I wrote consisting of about 12 lines.

Mr. SOURWINE. Are you, Mr. Matusow, familiar with the material in this book?

Mr. MATUSOW. I am, sir.

Mr. SOURWINE. We will ask further questions about it and the writing of it at a later time, but I would like to ask now, to save the time of the committee, whether it is your statement that the statements in this book are true and correct.

Mr. MATUSOW. Outside of typographical errors; yes.

Mr. SOURWINE. Are you willing now under oath to say that every affirmative statement in this book, which is not indicated as on in-

formation and belief, is true, and that those statements in the book which are indicated as on information and belief, are believed by you to be true?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. And you do so swear?

Mr. MATUSOW. Yes; I do.

Mr. SOURWINE. Have you testified, Mr. Matusow—I beg your pardon, Mr. Chairman; may this be offered as an exhibit and entered for the record, not to be printed in the record, sir.

The CHAIRMAN. It is all right to offer it as an exhibit. It will be filed with the record.

(The document referred to was marked "Exhibit 2," and is on file with the committee.)

Mr. SOURWINE. Have you, Mr. Matusow, testified that you kept a diary of events and activities beginning some time in 1948, and then with certain lapses of time up until 1952, in which you listed activities of members of the Communist Party?

Mr. MATUSOW. I don't believe in that diary I listed activities of members of the Communist Party.

Mr. SOURWINE. You did keep such a diary?

Mr. MATUSOW. Taking the last statement out of your question, yes, I did.

Mr. SOURWINE. Did you bring that diary with you?

Mr. MATUSOW. I do not have a copy of it. It was offered in evidence in the trial proceeding in New York. I am endeavoring to obtain a copy at a later date. I will furnish it to the committee.

Mr. SOURWINE. It has not been returned to you?

Mr. MATUSOW. It has not.

Mr. SOURWINE. Have you requested that either it be returned or that you be given a photostatic copy?

Mr. MATUSOW. I am getting photostatic copies; I should have them by the end of the week.

Mr. SOURWINE. And will you produce either the original or the photostatic copies as soon as you can for this committee?

Mr. MATUSOW. I will, sir.

Mr. SOURWINE. You testified, did you not, in Judge Dimock's¹ court that you had written diary entries during February of 1955?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Did you give those to the grand jury also?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Do you have those with you?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Will you produce them for this committee?

(Witness conferred with his counsel.)

Mr. MATUSOW. On that question, the diary that I referred to in Judge Dimock's court is a question of certain notes I have kept dealing with the relations that I have had with members of the Department of Justice, and the events that have taken place in the last few weeks. They are just recollections of mine, and I consider the material in them material which does not state in fact anything material to the issue involved here, sir.

¹ Judge Edward J. Dimock of the United States District Court, Southern District, New York.

They were just my impressions of certain individuals, and mostly—I am not embarrassed by what I say about the individuals, but if they were made public it might embarrass other individuals, and I don't think—I will show them to you and get them to you, sir, and if you would like to go over them and want them in the record, I will have no objection.

The CHAIRMAN. Well, that is a matter for the determination of the committee. We would like to have those records.

Mr. MATUSOW. Well, sir, it will take me a while to get them. They are under lock and key now, and not until I have a chance to return home will they be available, and at that time I will get an original or photostatic copy and furnish it to the committee.

The CHAIRMAN. Now, when will that be?

Mr. MATUSOW. I return, with the committee's leave, to answer a Grand Jury subpoena on Wednesday, and I presume, sir, that I will be busy before the grand jury, and again in Judge Dimock's court.

It will probably be Thursday or Friday before I can get to this, and the other matters involved, the other diary notations, which the committee has requested.

The CHAIRMAN. That will be all right, sir.

Mr. SOURWINE. Mr. Matusow, where are these diary pages locked up that you say are under lock and key?

Mr. MATUSOW. Yes, sir; they are in my home or in my parents' home; I believe I have part in part.

Mr. SOURWINE. You have what?

Mr. MATUSOW. Part in my parents' home and part in my own.

Mr. SOURWINE. Locked up in two different lock boxes, or strong boxes or—

Mr. MATUSOW. Well, they are just locked up or unavailable to anybody, if they were to look for them.

Mr. SOURWINE. When you said "locked up," I wanted to find out where they are locked up.

Mr. MATUSOW. In a box.

Mr. SOURWINE. Do you have the only key to that box?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Just one key?

Mr. MATUSOW. I have the only key. There are probably two keys, but I have the other key under lock and key somewhere else. [Laughter.]

Mr. SOURWINE. Now, are you talking about two keys to the same box?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Well, there must be two boxes, though, must there not?

Mr. MATUSOW. I didn't say they were two—they were both in boxes, sir.

Mr. SOURWINE. Well, I am trying to find out where they are locked up. You said they were locked up in two places.

Mr. MATUSOW. One is locked in a box, and the other in a filing cabinet.

Mr. SOURWINE. Filing cabinet is in your home?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Is there no one you can send for those?

Mr. MATUSOW. They are in among many documents which—letters, advertisements and miscellaneous material in there, and it would be—I mean nobody could find it.

Mr. SOURWINE. You sent someone for a document when you were in Judge Dimock's court, did you not?

Mr. MATUSOW. No, sir; I sent somebody for the documents—the documents were not under lock and key and not in the same place, put it that way, sir.

Mr. SOURWINE. You did send someone for documents, did you not?

Mr. MATUSOW. Yes, but they were not in my home.

Mr. SOURWINE. You could not send the same person for these?

Mr. MATUSOW. Now, you wouldn't be able to find them, and I believe he is before the grand jury, sir.

Mr. SOURWINE. When you say they were not in your home or not in your room or apartment or they were not in your parents' home—

Mr. MATUSOW. They were not in either home. I believe they were in the office of Cameron & Kahn at the time.

Mr. SOURWINE. Are you sure about that?

Mr. MATUSOW. Well, if we spell out the documents, sir, I can tell you specifically where they were.

Mr. SOURWINE. I am talking about the documents that you sent for while you were in Judge Dimock's court.

Mr. MATUSOW. I did that on more than one occasion, sir.

Mr. SOURWINE. Didn't you, as a matter of fact, send for documents that you had testified were at your parents' home?

Mr. MATUSOW. I didn't send anybody for those, sir; I picked those up.

Mr. SOURWINE. All right, sir.

I have some documents here that I would like to ask you to examine and see if you can identify them. Will you look at this one, please? Can you identify that?

Mr. MATUSOW. Excuse me. Yes, I can, sir.

Mr. SOURWINE. What is that?

Mr. MATUSOW. It was a sketched outline not in too much detail of the book which I have written, which was then entitled "Blacklisting Was My Business."

Mr. SOURWINE. Was this outline prepared by you?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. When?

Mr. MATUSOW. I believe in October or early November 1953.

Mr. SOURWINE. You are sure it was not prepared before that time?

Mr. MATUSOW. I believe it was October or November.

Mr. SOURWINE. This was then prepared after you had had your first luncheon conference with Mr. Cameron and Mr. Kahn?

Mr. MATUSOW. No, sir. I met them in 1954, 1 year later.

Mr. SOURWINE. This was prepared then about a year before you had your first conference with your present publishers?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. May this be offered as an exhibit, sir?

The CHAIRMAN. This will be exhibit No. 3.

(The document referred to was marked "Exhibit 3" and appears below:)

EXHIBIT No. 3

OUTLINE: BLACKLISTING WAS MY BUSINESS

1. INTRODUCTION . . . Should be written by someone other than myself. The introduction should attack the philosophical aspects of the book as a balance against the narrative style of the book.

2. HOTSHOT WITH A TELEPHONE . . . Chapter opens in Roy Cohn's office in Washington. Roy has just asked his secretary to call Scott McLeod at the State Department, which he does and arranges to have Kagen fired the day prior to his testimony before the McCarthy committee. I further develop my association with Roy Cohn, Senator McCarthy and others with his committee.

3. SIDEWALKS OF NEW YORK . . . I fade back to early background which started me on the road to McCarthy et al. This chapter deals briefly with my life during the 1930's and up to my going into the Army in World War II.

4. REDS IN KHAKI . . . I deal here with the first contact made by American Communists in uniform to recruit me into the Communist Party. This chapter also includes story about communist arms smuggling ring operating within the U. S. Army and French communist party. Arms were being smuggled to anti-Franco forces in Spain.

5. COMES THE REVOLUTION . . . In this chapter, I join the Communist Party in New York. Impressions of my first communist party meeting and brief background of early period in communist party.

6. STILL A REBEL . . . Events leading up to my first contact with the F. B. I. History of my activities in the Communist Party covered briefly.

7. RED MARRIAGE . . . First marriage and only one within the Communist Party. How Communist Party treated marriage and reasons for divorce due to Communist Party leadership.

8. DUDE RANCI FOR COMRADES . . . I cover here Communist Party dude ranch in New Mexico near Los Alamos. Also request by the Czechoslovakian government to have me attempt to steal atomic and military secrets in New Mexico working through the ranch.

9. DISHONORABLE DISCHARGE . . . Communist Party expels me (dishonorable discharge) from Party. I join the Air Force for Korean War and events leading up to my testimony before House Committee on Un-American activities.

10. FIRST TASTE OF BLOOD . . . Testimony before House Committee on Un-American Activities—people I meet and how they operate. I also cover here first meeting with Dr. J. B. Matthews and others with the Hearst newspapers, and Congressman Velde.

11. RED BUCK-EYE . . . Work for the Ohio Un-American Activities Commission, how they operate and people I meet in connection with the work. Black-listing organization in Dayton, Columbus and Canton, Ohio.

12. MY FIRST TRIAL . . . Called to New York for trial of fifteen Communist Party leaders. How testimony was prepared and work leading up to actual testimony. I also cover here my testimony for the Justice Department before the Subversive Activities Control Board in their case to outlaw the Communist Party.

13. THE MESSIAH FROM NEVADA . . . Cover here testimony before the McCarran Committee, Owen Lattimore case and others. I describe the people I worked with—Bob Morris, Ben Mandel and other investigators for the Committee, the way they work, etc.

14. BLACKLIST FOR DOLLARS . . . My first introduction to counterattack and Red channels. Conversations held, work outlined and how I believed they operated then.

15. STILL BLACKLISTING . . . I become associate editor of counterattack. I describe the operations here and show how they obtain their material in order to compile the blacklists.

16. CASE HISTORIES . . . I deal with a few case histories which I worked on at counterattack, Little Brown, Borden's, Block Drug Co., and others.

17. THE BOYS FROM SYRACUSE . . . I met Larry Johnson the grocer from Syracuse, describe him and his operation in relation to blacklisting. I also deal with a case history here.

18. DON'T TELL ANYBODY . . . At the request of Larry Johnson, two New York advertising agencies employ me to set up blacklists for them.

19. THE PRICE WASN'T MONEY . . . I describe a case of John Gibbs, TV Producer and his fight to save the Schlitz Beer Program which he was producing.

How he offered to buy scripts from me if I could get Johnson to write a letter to Schlitz, clearing his wife.

20. ART, SPELLED DREW . . . The little known facts of two sisters, Dorothy and Lorna Drew, and their attempts to create blacklists in the fine arts.

21. I CAME HERE TO TALK FOR JOE . . . I cover the Wisconsin election of 1952 and my role in it for McCarthy.

22. SALT LAKE HAD SPICE . . . McCarran committee hearing featuring J. B. Matthews and myself. I campaign for Senator Watkins.

23. THE POTATO THAT WAS EGG-SHAPED . . . I delivered two speeches in Pocatello, Idaho, and create a storm with the clergy and the marines.

24. MONTANA—THE BIG LIE . . . I cover the role I played in the election in Montana and the now infamous story of 126 Communists on the New York Times.

25. ACRES OF CLAMS . . . I campaign in the state of Washington for Senator Cain, while there McCarthy called and wanted me to go to Chicago for his "famous" speech against Stevenson.

26. WHEELS IN MOTION . . . I pan back to October 6th in Chicago where I was with McCarthy and started the ball rolling for the Anti-Stevenson speech. I describe where most of the money came from and who supported the meeting.

27. DRUNK WITH VICTORY . . . I describe first meeting with Arvilla Bentley at a party in Washington on election day. I tell who was there, what was done, etc.

28. A REAL THANKSGIVING . . . This chapter covers my trip to Nassau with Arvilla Bentley at Joe McCarthy's request. Reason being she had given him too much money and he wanted her out of the country so as not to be subpoenaed. This chapter should be broken down into three small ones. One covering Thanksgiving Day and my return to Washington three days later, another covering the time in Nassau, and the final—the return to Washington.

29. LONG DISTANCE COURTSHIP . . . I describe events leading up to my marriage to Arvilla Bentley. I draw a parallel situation here to the marriage in the Communist Party and how the Communists treated the situation to the way McCarthy et al treated the new situation.

30. I DO . . . I marry Arvilla Bentley and become a millionaire. I treat McCarthy's reactions to the marriage here and try and show the difference in the first marriage without a million as a Communist to the second as a fascist with a million.

31. THE COCKTAIL PARTY . . . I describe various parties that my wife and I threw in Washington in her thirty-two room mansion. I describe the Washington politicians who came and what was discussed, etc.

32. THE GREEK NAVY . . . I cover McCarthy's agreement with Greek ship owners to stop trade to Red China. How McCarthy told me about it the night before it was made public and how he said he blackmailed the ship owners into signing the agreement with him and not the State Department.

33. THE BIBLE WAS NEXT . . . I describe my work for the McCarthy committee on books in the State Department Overseas Libraries also working with Roy Cohn, David Shine and others in the McCarthy office.

34. NEWSPAPERS ARE RED . . . I cover McCarthy's asking me to furnish a list of all Communist newspapermen in New York, and how it got bad publicity for him when I had a fight with my wife and she locked me out of the house. This made front pages.

35. DIVORCE, MARRIAGE AND DIVORCE . . . I cover events leading up to divorce with Arvilla Bentley, and the role McCarthy et al. had in it, just as the Communist had played a similar role in my first marriage. However, here I remarry Arvilla Bentley, but we get divorced again. I also cover her present feelings toward McCarthy and her plan to recall the 10,000 dollar loan which she gave McCarthy.

36. I DECIDE TO WRITE A BOOK . . . In this chapter, I believe I should break away from the narrative and in not too deep a sense state my position and reasons for writing the book. It should not be too philosophical, but simple reasons stated in simple language.

NOTE: The book cannot be done without mention of my ex-wife, Arvilla Bentley. However, I will not treat her in any way other than complimentary.

Mr. SOURWINE. Would you look at this, please?
(Witness conferred with his counsel.)

Mr. MATUSOW. This was a preface for my book, which was written and not intended to be used,¹ something I wrote for my own benefit, to get me into the book, shall we say, in my handwriting. Some of the notes on the copy are mine. The marginal notes, for the most part, outside of the mark of "Grand Jury Exhibit 19-A" were made by Mr. Albert Kahn after he read this; those are editorial marks.

Mr. SOURWINE. While you have that in front of you, will you tell the committee, is that the first draft that you made of a proposed foreword for the book?

Mr. MATUSOW. No, sir; I don't believe it is.

Mr. SOURWINE. It is a second or third or subsequent draft, is it not?

Mr. MATUSOW. Well, it is one of many notes which I had prepared prior to writing this.

Mr. SOURWINE. There was at least one draft of a foreword which antedated that in time, isn't that right?

Mr. MATUSOW. I wouldn't call it a draft of a foreword, as such. I would just say they were miscellaneous notes which, for my own benefit, I set down on paper to set the tone for what I wanted to do in writing this book.

Mr. SOURWINE. All right.

Will you send that up now? I would like to ask that that be the next exhibit.

The CHAIRMAN. It will be admitted as exhibit 4.

(Following is a copy of the document, made by the subcommittee staff, which is accurate as to wording and as conformable to the style of the original document as has been possible. The original document is on file with the subcommittee. Photographic reproduction of the original document was not deemed possible because the marginal notes would not have been legible.)

¹ The following is penciled at the top of the document: "This entire foreword has been rewritten."

DRAFT III

"A MAN'S A MAN FOR A THAT"

By

Harvey Marshall Matusow, Nov 13, 1954

If you expect an expose -- "Inside Mc Carthy", or
 Counterattack Confidential" etc -- You're going^{1/}
 to be disappointed. I've not been brave, and I've
 not been honest in the past,^{but I have been troubled.} And like ~~most~~ of you, I
 /many

will tend toward giving myself the benefit of the
 doubt in relation to my past dishonesties. To me
 this is a book that covers twenty-eight years of
 experience as I lived. "This Is Your Life, Harvey
 Marshall Matusow", a mirror, reflecting not only
 light, but also the darkness of fear.

Avoid
 use of
 third
 person

I'm twenty-eight years old, and I have completed a
 360 degree cycle of rebellion -- I've been a red-
 baiter, and today I'm bait.^{2/}

Ambiguous

While reading this book, I hope that you don't look
 upon it as one, that was written by a man who is
 sorry -- sorry in an absolute sense. A man sorry
 for himself, no. Sorry for a past of selfish hate,
 this is a qualified yes. For I sincerely believe that
 being sorry doesn't change deeds of destruction. A
 deed of hate, once committed, is usually ingrained too
 deep to be undone.

This tone
 should be
 maintained
 as much
 as possible

Express
 desire to
 undo what
 can be
 undone

^{1/} The word "may" is written in pencil above the
 word "going".

^{2/} The word "bait" is scratched out and in pencil
 above is written "subject to attack".

-2-

I have spent many months wrestling with a problem -- a problem that is deep-seated in my conscience -- a problem that I feel is also deep-seated in the conscience of all of you who search for truth. The problem was simple, but painful to resolve, for it dealt with the values and shading of truth. Out of the countless sleepless hours, and painful thoughts, I found an answer to my question of right vs wrong.

....."Ye shall know the truth and the truth shall make you free."

(John iii. 32)

I found the truth, and then my problem was one of how to put it into action. I had gone too far, and covered too much ground with the half-truth for me to let it die and ignore it. I tried to divorce myself completely from my past, but it turned out to be a one sided arrangement, and this made the situation with my conscience more painful than ever.

There were those before me who found their outlet by writing a book. At first I hesitated, for I knew that if this book took the form of an escape, and a justification for Harvey Matusow -- if it were based on hate, disillusionment and fear

Third
person

-3-

then it could not be the tonic to sooth my wounded conscience. I knew that this book had to be a reflection of my unstable past, with all its revolutionary instabilities.

?

A reflection of my past projecting itself if possible into a constructive future.

Fear, the ugliest thought of them all was still present, and had to be resolved before the book could be done. I had a fear of being attacked from both right and left, and being left high and dry with an unstable past. I asked myself, "How strong will the attacks be," and "What form will they be in"? I already knew from which direction to expect them. It was like playing chess, knowing that I couldn't come out of this game with anything better than a stalemate. I couldn't help but wonder what would Mc Carthy say. Would he say anything, or would he have Sokolsky or Fegler do his dirty work, or would all three plus many more join in the cry to drown out my one voice? Would I get the silent treatment, or would I be dismissed as a crackpot who couldn't make up his mind?

Keep

The answer crystallized itself simply. The attack would be strong, for what I have to say has the strength of truth.

X

-4-

The nature of their attacks will be based wholly and solely upon my past upon my past instability. The irony of fate is that, if in the past I had not lived with fear and been unstable, I wouldn't be in a position, nor would I have reason to write a book today. As in my question of truth, once again I turned to the Bible, and ^{here I} found an answer to my question of fear.

Keep

....."Fear not them which kill the body, but are not able to kill the soul; but rather fear him which is able to destroy both soul and body in Hell." Matthew x.28.

-5-

Who is Harvey Matusow? What is Harvey Matusow? Why is Harvey Matusow?

As for the "who" part -- I'm a former Communist, and as far as I am able to ascertain I've led only one life. I'm a former professional witness, though I've always claimed to be a semi-pro. I'm a former inside informant for the F.B. I, as well as being an outside informant. I'm a former investigator. I'm a former Fascist. I'm a former associate of Senator Mc Carthy. I'm a former associate editor of "Counterattack" (the official blacklisting publication of show business). Morally speaking I would say that I'm the male counterpart of the honkey-tonk whore when she said "I've been made, up one side, down the other, and strait thru the middle..!"."

Keep

Ambiguous
to some

?

(DELETE)

Once again I ask, who is Harvey Matusow? and my answer comes back, "he's a man who was bought" not with money, but bought never theless....." But today is here, and tomorrow is coming, and Harvey Matusow has learned the value of that which can not be bartered....

....."Ye were bought with a price; become not bond servants of men." I Cor. vii. 23.

-3-

as for "what" is Harvey Matusow -- He is a product of Americana. A by-product of the 1930's depression, altho he did not starve. A by-product of World War II, and the bitter tasting blood and bombs of Europe. He suffered with love and hate thru the quaking late 1940's, and ran with fear into the Korean War, coming out of it with ^aloud thud that added to the hysterical uncertainty of the United States in 1954. He now stands before the doorway of what is to come, still high spirited,/ ~~mix~~ ^{but} mellowed into a passive rebellion that will not accept hate as an ingredient for love. x

Last, altho it could be first, "Why" Harvey Matusow. "Why" is the unanswered question. It is the undertone of all that I am now attempting to do. It is the underlying reason for my thoughts, this book, and my faith in God and all his children known as man. I am Harvey Matusow, but the name could have been John Jones, or Dick Smith. My home is New York, but I could have spelled it Dallas or Chicago. I'm the mirror, you're the viewer, and what I have to say is your reflection. x

-7-

I've been a featured speaker at many rallies and meetings. Both political and non-political -- Republican party, Communist Party, and Nuter-Gender. The latter part of each meeting was devoted to a question and answer period, and almost without exception there was bound to be a question of a question. The question was "why", and all too frequently my answer was "because". At "anti-Communist" meetings the question was worded, "How can anybody, brought up in this country, become a Communist?"

That same question might have sounded this way, "How could a Baptist Minister become an alcoholic?" or, "How could a non-cigarette smoker die of lung cancer?" This brings us back to the question of "why" Harvey Matusow or John Jones. The above question and its motivations illustrates most graphically that the hate and fear in our national and international thought has its roots in a negative thought. When the adult mind will learn to accept as an established fact that youth will always be rebellious, then the words^{1/} to their

^{1/} Above the word "words" the word "answer?" has been written in with pencil.

-8-

question might say, "There is a Communist, there will continue to be Communists, therefore how can we best live in peace with Communists? How can we better build our system stronger, so that we don't have to concern ourselves with the "Communist Issue".

And as for "Why Harvey Katusow"? It doesn't really matter, so accept it as an existing fact, strange as it may seem. I can assure you, it no longer bites. It only tries to think and arouse constructive thought in others.

....."Then let us pray that come it may
 (As come it will for a' that)
 That Sense and Worth o'er a' the Earth
 Shall bear the grie an' a' that!
 For a' that, an' a' that,
 That man to man the world o'er
 Shall brithers be for a' that.

(Robert Burns)

Mr. SOURWINE. Now, I send forward a book bound in black, with which I assume you are familiar, and ask you if you have seen this before, and if you can identify it?

Mr. MATUSOW. Assuming it is all here, not counting the pages, this is a next to final draft, or the first major draft of the complete book which I have written called False Witness. There are approximately 332 double-spaced typewritten pages.

There is an amended preface in this book which has no bearing on the other introduction or preface I referred to, and in fact, there are two amended prefaces which, by the way, for the committee's benefit, were written subsequent to the writing of exhibit 4.

Mr. SOURWINE. Were those two amended prefaces written chronologically in the order in which they appear in that book?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. They were written in reverse order to the order in which they were written there?

Mr. MATUSOW. Yes, sir; I believe so.

Mr. SOURWINE. Would you send that forward, now?

Mr. MATUSOW. Just one other thing: Each page is signed by me, and the handwritten marginal notes are notes, as I recall, by Mr. Albert Kahn, some by Mr. Angus Cameron, editorial notes and suggestions to me.

(The document referred to was marked "Exhibit 5" and is on file with the committee.)

Mr. SOURWINE. Hold that just a minute. While you mentioned the subject of having signed the copy, is that the only copy of the book on which you signed each page?

Mr. MATUSOW. No; there were two other copies, sir.

Mr. SOURWINE. Were they like this, typewritten copies, or were they mimeographed?

Mr. MATUSOW. They were mimeographed.

Mr. SOURWINE. We will discuss that later on.

I would like to ask you one more question.

The CHAIRMAN. Let me ask him a question there.

Mr. MATUSOW, the firm of Cameron and Kahn are publishers of your book?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. Would you please tell me who advised you to get them to publish your book; who put you in touch with them?

Mr. MATUSOW. I received a telephone communication or a message of a telephone communication from Mr. Cameron or Mr. Kahn, I wasn't clear who was calling me, when I was in Dallas, Tex.; I believe it was in early October or late September of 1954.

I did not communicate with them at that time.

The CHAIRMAN. Well now—

Mr. MATUSOW. And to complete it, sir, when I arrived in Taos, N. Mex., in the latter part of October, I put a call in to Mr. Cameron or Kahn, returning the call that they had put in to me 2 or 3 weeks earlier, and that was how I got in touch with them.

The CHAIRMAN. How did they know about the book?

Mr. MATUSOW. Well, sir; I had submitted a sample chapter and outline to about 5 publishers—it might have been 4—and I told Bishop G. Bromley Oxnam about my book, and I believe he related that conversation in a sworn statement.

The CHAIRMAN. That is the information I wanted.

Proceed, Mr. Sourwine.

Mr. SOURWINE. I would like to ask if everything in this version of the book is true except where indicated on information and belief, and this is true to the best of your knowledge and belief?

Mr. MATUSOW. Well, sir, that statement cannot apply and it can. You see, in the writing of a book, a draft of a book, I did not sit down with much of my research material, to check the validity of certain factual information, which I did in the rewriting of the book, and in its present galley stages, and I would not consider that draft of the book something which constitutes absolute truth or outside of typographical errors. I believe a writer has a certain privilege in writing and preparing a final manuscript, and that is the reason the book is written more than one time, and rewritten.

Mr. SOURWINE. There is nothing in this book that is a deliberate misstatement in this particular edition of it; is there?

Mr. MATUSOW. I wouldn't say a deliberate misstatement. There are a few misstatements which were due to a faulty memory, and since corrected.

Mr. SOURWINE. So that you do not wish to swear to this edition, the way you swore to the galleys of the book?

Mr. MATUSOW. No, sir; I could not.

Mr. SOURWINE. May this be offered as an exhibit, Mr. Chairman?

The CHAIRMAN. That will be exhibit 5.

Mr. SOURWINE. Will you please look at this photostat of what purports to be a mimeographed text of the book, and tell me if you recognize it as such.

Mr. MATUSOW. It is a photostatic reproduction of the first draft, the first rewritten draft of the book *False Witness* by me. I believe it is in 161 mimeographed pages, and a front page, 172, as I recall.²

Mr. SOURWINE. Is that the same version of the book as the one we just had in the black binder?

Mr. MATUSOW. No, sir; it is not.

Mr. SOURWINE. It is subsequent to that; is it not?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. This is the near final version; it is the last version before you went to galley?

Mr. MATUSOW. That is correct, sir.

Mr. SOURWINE. All right, sir. This is the version which you signed two copies of on each page of each copy?

Mr. MATUSOW. I signed 2 copies of that book on; 2 different copies, yes.

Mr. SOURWINE. Of this mimeographed version.

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Now, would you please look at this black bound volume and tell me if you recognize it.

Mr. MATUSOW. I do recognize it, sir.

Mr. SOURWINE. What is that?

Mr. MATUSOW. There are a few things in here; I will have to enumerate.

Mr. SOURWINE. Well, perhaps I can help you. Generally, is that a bound compilation of the transcriptions of certain tape recordings?

Mr. MATUSOW. In part, sir.

Mr. SOURWINE. Yes; and what is there in addition to those transcriptions of tape recordings?

Mr. MATUSOW. Well, the tape recordings were conversations held between Mr. Albert Kahn and myself, based on certain notes, based on certain documents and events which are related to him, which he outlined in a few pages here which are entitled "worksheets."

Mr. SOURWINE. Yes, sir.

Mr. MATUSOW. And there is one yellow piece of graph paper with Mr. Kahn's handwriting which I believe is a form of index to the transcribed recordings taken from 12 half-hour tape recordings.

Mr. SOURWINE. Did the so-called worksheets, as you refer to them, precede or follow the tape recordings on the same subject?

Mr. MATUSOW. Not all the time, only in part, sir.

Mr. SOURWINE. Well, they necessarily either preceded or followed; I am asking you which.

Mr. MATUSOW. No, sir. The nature of the tape recorded conversations meant that at times we followed that and at times we didn't or I didn't.

Mr. SOURWINE. Did any of the outlines come into existence after the tape recording covering the same subject?

Mr. MATUSOW. Well, as I say, in part. Sometimes I dealt with the subject, and then said to Mr. Kahn, "Perhaps we had better work up an outline because we are wandering too far afield," and then we continued after an outline came into being.

Mr. SOURWINE. In general, did you have the outlines first or after?

² The document counts 156 pages, including a foreword.

Mr. MATUSOW. In general, we didn't have outlines. I believe there were only outlines for 3 of the 12 recorded sessions.

Mr. SOURWINE. Well, you did have outlines, were 2 of them before or 2 of them after?

Mr. MATUSOW. I don't recall, sir. I would have to read every page of this to determine.

Mr. SOURWINE. All right, sir; I was just trying to get your best recollection.

Are you the same Harvey Matusow who testified before the Un-American Activities Committee of the House of Representatives February 6 and 7, 1952, and July 12, 1954?

Mr. MATUSOW. I believe there was also a date in October, sir, yes, 1951.

Mr. SOURWINE. Are you the same Harvey Matusow who testified before the Investigations Subcommittee of the Committee on Government Operations of the United States Senate May 6 and 14, 1953?

Mr. MATUSOW. May 6 only, sir; I did not testify on the 14th.

Mr. SOURWINE. Are you the same Harvey Matusow who testified before the Internal Security Subcommittee of the Senate of the United States on February 13, 1952; March 5, 1952; March 13, 1952; and October 8, 1952?

Mr. MATUSOW. On those dates, sir; I don't recall testifying in open session on the 5th of March 1952, but other than that, the dates are correct; yes, I am.

Mr. SOURWINE. Did you testify before the Internal Security Subcommittee on March 5, 1952?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Do you know of any other Harvey Matusow?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Did you ever hear of another Harvey Matusow?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Have you been thrown out of any Communist Party meetings lately?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Have you attended any?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Were you born, Mr. Matusow, in the Bronx, in New York City?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. On October 3, 1926?

Mr. MATUSOW. That is correct.

Mr. SOURWINE. Did your parents both come to this country as immigrants from Russia?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. What was your mother's maiden name?

Mr. MATUSOW. Sylvia Stolpen.

Mr. SOURWINE. How do you spell it?

Mr. MATUSOW. S-t-o-l-p-e-n.

Mr. SOURWINE. Was that sometimes written as Stolpensky?

Mr. MATUSOW. I have no recollection of that.

Mr. SOURWINE. Do you know what your birth certificate shows in that regard?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Have you ever used any aliases?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Would you tell us what they are, please?

Mr. MATUSOW. Harvey Matt; H. Marshall. In relation to alias, as an actor, I used the name Harvey Marshall, which is my middle name—I don't consider that as an alias—I have social securities on both; Ralph Paige; Howard Markow.

Mr. SOURWINE. How do you spell that?

Mr. MATUSOW. M-a-r-k-o-w.

Mr. SOURWINE. How do you spell Paige?

Mr. MATUSOW. P-a-i-g-e; and I think I used one other at one time, but I don't recall it.

Mr. SOURWINE. When was the occasion when you used the one you don't recall?

Mr. MATUSOW. As an investigator for the Ohio Un-American Activities Commission attending a meeting.

Mr. SOURWINE. Would you tell us when you used each one of these other aliases that you have described to us?

Mr. MATUSOW. Yes, sir.

In 1947 and 1948, I used the name of Harvey Matt as a short for Matusow. I used that while employed in show business.

In 1951, I believe I used the name of Ralph Paige attending a meeting, a meeting where I didn't want my identity of Harvey Matusow known.

Mr. SOURWINE. What kind of a meeting?

Mr. MATUSOW. It was a meeting of an organization—I am trying to think of the name of it that I covered for the FBI.

Mr. SOURWINE. Was that a Communist organization?

Mr. MATUSOW. At the time I believed it to be so; yes, sir.

Mr. SOURWINE. Did you know whether it was?

Mr. MATUSOW. I had no knowledge; I believed it to be so only.

Mr. SOURWINE. Do you know now whether it was?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Do you now believe that it was?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Can you tell us the name of the organization?

Mr. MATUSOW. I don't recall the name of it at this time.

Mr. SOURWINE. Where was the meeting?

Mr. MATUSOW. In Cincinnati, Ohio.

Mr. SOURWINE. Go ahead now with the other aliases.

Mr. MATUSOW. Is that Ralph Paige I left off with?

(Witness conferred with his counsel.)

Mr. MATUSOW. The Harvey Marshall I still use as an actor.

Mr. SOURWINE. Did you ever use it otherwise than as a stage name?

Mr. MATUSOW. Well, occasionally; I believe I have a social security card in that name and other identifying marks. I use it quite frequently, or have used it, as my regular name.

Mr. SOURWINE. You mean you have two social security cards in two different names?

Mr. MATUSOW. With the same number, sir.

Mr. SOURWINE. Go ahead.

Mr. MATUSOW. I believe the Howard Markow name I used when working for the Ohio Un-American Activities Commission as an in-

investigator. I forget the nature of my using it in relation to what activities; and this other name which I do not remember was in the same category.

Mr. SOURWINE. Did you ever use that name that you used with the Ohio Un-American Activities Commission in connection with any other activity?

Mr. MATUSOW. Which one, sir? I used three.

Mr. SOURWINE. Any of them, Mr. Matusow.

Mr. MATUSOW. I might have, but I don't recall when, sir.

Mr. SOURWINE. Did you have a party name in the Communist Party?

Mr. MATUSOW. Just Harvey Marshall Matusow.

Mr. SOURWINE. You had no alias there?

Mr. MATUSOW. No, sir.

The CHAIRMAN. Let the record show this: When did you join the Communist Party, Mr. Matusow?

Mr. MATUSOW. Excuse me, sir.

October 1947, or thereabouts, within a week or two of the month of October.

The CHAIRMAN. Yes. How long were you a member of the Communist Party?

Mr. MATUSOW. Until January 19, 1951.

The CHAIRMAN. Did you resign?

Mr. MATUSOW. No, sir; I was expelled.

The CHAIRMAN. You were expelled.

Mr. SOURWINE. Did you ever have any nicknames, Mr. Matusow?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. No nicknames by which you were known among your associates?

Mr. MATUSOW. Well, outside of early childhood, I don't remember of any.

Mr. SOURWINE. Did you have any childhood nicknames that might have followed you into later life?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Can you tell us what your childhood nicknames were?

Mr. MATUSOW. I believe one was "Blackie," and that was the only one I can recall.

Mr. SOURWINE. That is the only one you can recall?

Mr. MATUSOW. As a child.

Mr. SOURWINE. Were you ever called "Kid Nickels"?

Mr. MATUSOW. Yes, sir; I was.

Mr. SOURWINE. Was that a nickname?

Mr. MATUSOW. As I recall now; yes, sir.

Mr. SOURWINE. How old were you at that time?

Mr. MATUSOW. That would have been 11 or 12.

Mr. SOURWINE. How did you get that nickname?

Mr. MATUSOW. From the men who worked in the box office of a Broadway show called Pins and Needles.

Mr. SOURWINE. How did they happen to give you that nickname?

Mr. MATUSOW. My father had a store next door to the theater, and I used to go in there and obtain rolls of nickels for change in pinball machines and the telephones which were in the store.

Mr. SOURWINE. Have you written that you attended that particular production 50 or 60 times?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Was that true?

Mr. MATUSOW. Yes, sir; it might have been 40, but——

Mr. SOURWINE. We will come back to that, Mr. Chairman; we have some further questions later about his characterization of that production.

You went through grammar school and high school in the New York public school, did you?

Mr. MATUSOW. I did.

Mr. SOURWINE. Did you go to college?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. For how many semesters?

Mr. MATUSOW. Never completed a semester.

Mr. SOURWINE. How many different semesters did you start?

Mr. MATUSOW. About 3 in 2 different colleges.

Mr. SOURWINE. Where?

Mr. MATUSOW. In the Army at Biarritz, American University; that was in 1945, it was Biarritz, France; and at City College of New York in 1947.

I believe I started a semester here at the American University in 1953.

Mr. SOURWINE. Did you ever get any academic credit from any college course?

Mr. MATUSOW. If I did, I don't know about it. I usually quit before the semester was over.

Mr. SOURWINE. Have you ever stated that you completed 2 years of college?

Mr. MATUSOW. Or its equivalent; yes.

Mr. SOURWINE. Did you, in fact, complete 2 years of college?

Mr. MATUSOW. Or its equivalent; yes, sir.

Mr. SOURWINE. Did you, in fact, complete 2 years of college?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. What is your present employment, Mr. Matusow?

Mr. MATUSOW. Self-employed.

Mr. SOURWINE. Were you a Boy Scout?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. For how long?

Mr. MATUSOW. Two—two and a half years.

Mr. SOURWINE. What grade did you reach?

Mr. MATUSOW. I don't recall at this time.

Mr. SOURWINE. Did you have any merit badges?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Did you become an Eagle Scout?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Have you ever testified that you did?

Mr. MATUSOW. Probably.

Mr. SOURWINE. What languages do you speak?

Mr. MATUSOW. I am familiar with French, German—I don't speak them fluently, but I can read them fluently; French, German, Spanish, some Portuguese, some—I said German, yes, sir.

Mr. SOURWINE. Do you understand the spoken German language well?

Mr. MATUSOW. When I have lived with it a while in a week or two I could pick it up, but at this time, no.

Mr. SOURWINE. Is that true with regard to the French language also?

Mr. MATUSOW. In regard to French and Spanish and Portuguese.

Mr. SOURWINE. Do you speak Yiddish or Hebrew?

Mr. MATUSOW. I do not.

Mr. SOURWINE. Were you ever a part of an interrogation team to question prisoners of war?

Mr. MATUSOW. I was assigned to primary interrogation at one time getting name, rank, and serial number from German prisoners who were assigned to my unit in World War II; yes, sir.

Mr. SOURWINE. Where was that?

Mr. MATUSOW. Mainz, Germany.

Mr. SOURWINE. Were you ever in combat?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Where?

Mr. MATUSOW. Saint-Nazaire, Lorient.

Mr. SOURWINE. When?

Mr. MATUSOW. 1945; Germany, 1945.

Mr. SOURWINE. Did you ever mail an anonymous letter to a congressional committee?

Mr. MATUSOW. I did, sir.

Mr. SOURWINE. When?

Mr. MATUSOW. 1951.

Mr. SOURWINE. For what purpose?

Mr. MATUSOW. So that I could testify before that committee.

Mr. SOURWINE. Where were you at the time?

Mr. MATUSOW. Stationed at Wright-Patterson Air Force Base in Dayton, Ohio.

Mr. SOURWINE. Where was the letter mailed from?

Mr. MATUSOW. New York State, sir.

Mr. SOURWINE. Whereabouts in New York State?

Mr. MATUSOW. Sullivan County.

Mr. SOURWINE. Whereabouts in Sullivan County?

Mr. MATUSOW. I don't recall the name of the town. I might have mailed it in New York City, though, carried the letterhead of the place where I was staying, to the city.

Mr. SOURWINE. Was that the Pine View Country Club of Loch Sheldrake, N. Y.?

Mr. MATUSOW. Yes, sir; it was.

Mr. SOURWINE. Mr. Matusow, I want to read you something from your book and ask you if it is true.

Mr. MATUSOW. I would appreciate your reading it from the galleys which are the ones I swore to, and not the mimeographed version.

Mr. SOURWINE. Mr. Matusow, let me read this to you and ask you if it is true.

Mr. MATUSOW. All right, sir.

Mr. SOURWINE. That is the basis for reading it, to ask you if it is true.

Mr. MATUSOW. All right, sir.

Mr. SOURWINE (reading):

I am conscious at all times of what was going on in cross-examination.

Is that right, are you conscious at all times of what is going on in cross-examination?

Mr. MATUSOW. I attempt to be, sir.

Mr. SOURWINE (reading) :

McTernan had been a good teacher. I learned much from him and his tactics at the Foley Square trial. I looked at McTernan rising from his chair. He blew up my whole point the time I said complete report instead of comprehensive, in referring to a report I had given the FBI, but like the cat who never makes the same mistake twice, I was not going to say "complete" again.

Then jumping down a little farther on the page :

Just so long as I was able to outmaneuver the cross-examining attorney I was satisfied.

Did you write that?

Mr. MATUSOW. Yes, I did, sir.

Mr. SOURWINE (reading) :

McTernan had documented proof of my fraudulent registrations and I knew it. The only thing I could do was to split hairs in the terminology of the affidavit and attempt to bluff my way out.

Did you write that?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE (reading) :

I have used this story before to play on the sympathy of audiences in the election campaign. I never openly said it was a Communist plot to intimidate me, but rather intimidated as much. This, to me, was a graphic example of how dangerous the half-truth is, and that a half-truth and a lie are wholly interchangeable when you examine their end result. In fact, the half-truth is more dangerous because it is harder to refute. When on the witness stand I knew that by answering "yes" or "no," as is normally the procedure in a court, I would not be able to convict Jencks. Continuously in testimony I and the other witnesses answered "I cannot answer that question with a 'yes' or 'no.'"

Did you write that?

Mr. MATUSOW. I did, sir.

Mr. SOURWINE. Was it true?

Mr. MATUSOW. In part, sir. That is not a complete copy, sir; in substance, it is true.

Mr. SOURWINE. I am only asking if that particular statement of yours was true.

Mr. MATUSOW. Oh, about the witnesses; yes, it is true.

Mr. SOURWINE. I am going over this, Mr. Chairman, to show the state of mind of this witness.

Now, turning to a page in this black bound edition, which you refer to as, I believe, the first complete version of the book. I find this sentence :

The witness stand was like a chess game. The defendants were the kings. It was my job to try and checkmate them. Only this was dirty chess and there would be no rematch if I had won, I thought.

Did you write that?

Mr. MATUSOW. I did, sir.

Mr. SOURWINE. Did you regard the witness stand as a chess game?

Mr. MATUSOW. At that time I did, sir.

Mr. SOURWINE. Do you now regard the witness stand as a chess game?

Mr. MATUSOW. I do not, sir.

Mr. SOURWINE. Do you remember testifying in Judge Dimock's court:

I was splitting hairs in the way I had done so frequently in the past on a word.

Mr. MATUSOW. Did I testify to that effect, sir?

Mr. SOURWINE. Yes, sir.

Mr. MATUSOW. I don't recall the testimony, but I could have.

(Senator Watkins left the hearing room at this point.)

Mr. SOURWINE. I read from page 239 of the transcript of February 11. The hearing—

dealt with the question did I make false statements before the committee when I told Bishop Oxniam I had lied and on the stand I denied that charge. I didn't come right out and call Bishop Oxniam a liar. I didn't say I lied. I was splitting hairs in the way I had done so frequently in the past on a word, because I knew then I didn't say to Bishop Oxniam I lied—I knew I had said false truth, so I just didn't want to put myself in the strange position of calling myself a liar. I said no, I didn't tell him I lied.

Was that your testimony, sir?

Mr. MATUSOW. Only with the correction that I admit that should read "half truth" and not "false truth." That is my testimony.

Mr. SOURWINE. Do you remember writing, sir:

How could I believe one thing so strongly and then turn completely around? The answer can be summed up for me in three words: Fear, greed, and need. This is the simple rawboned answer.

Mr. MATUSOW. Yes, I wrote that.

Mr. SOURWINE. Do you remember stating, sir, that you would do anything for a buck?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Is that still true?

Mr. MATUSOW. It is not.

The CHAIRMAN. Mr. Matusow, what are the facts about that statement now?

Mr. MATUSOW. What are the facts, sir?

The CHAIRMAN. Yes.

Mr. MATUSOW. There are many facts.

The CHAIRMAN. You made the statement that you would do anything for a buck. Now, where did you make that statement; what was it made in connection with?

Mr. MATUSOW. I made that statement in a letter dated August 23 or 24 of 1953, addressed to Senator McCarthy.

I wrote the letter in the Riverside Hotel in Reno, Nev.

The CHAIRMAN. Why did you write Senator McCarthy that you would do anything for a buck?

Mr. MATUSOW. The full quote of the letter is that in the past I was accused of it, I denied it, and now I do, because I wanted to tell Senator McCarthy that I was not to be trusted as a witness. I wanted to tell him that I am through with politics and being a witness on one side or the other. There is a little more to life than sitting on the witness stand and attacking people unjustly, as I have done; that was the intent of the letter.

The CHAIRMAN. Now, what you say is that you did attack people unjustly for money, is that right? Is that the statement you made?

Mr. MATUSOW. Some for money and others not for money.

The CHAIRMAN. Well, who did you unjustly attack for money?

Mr. MATUSOW. Sir, money is only a part motivation.

The CHAIRMAN. I know; but who did you unjustly attack for money?

Mr. MATUSOW. Senator Mansfield, Senator Jackson, two examples, sir. There were many, there were hundreds.

The CHAIRMAN. What statements did you make about Senator Jackson?

Mr. MATUSOW. I called Senator Jackson pro-Communist.

The CHAIRMAN. What statements did you make about Senator Mansfield?

Mr. MATUSOW. I called him a tool of the Communist Party, in substance.

The CHAIRMAN. Were you paid to do that?

Mr. MATUSOW. I was paid to make those speeches, sir, and to use material.

The CHAIRMAN. Who paid you? Now, who paid you to call Senator Jackson a tool of the Communist Party?

Mr. MATUSOW. I forget the name of the organization that was set up in the State of Washington at that time. It was in the 1952 election campaign; I believe it was in late October.

The CHAIRMAN. Well, who paid you; what individual paid you?

Mr. MATUSOW. I don't recall his name, sir.

The CHAIRMAN. How much were you paid?

Mr. MATUSOW. I believe I received \$700 or \$600 for a few radio appearances, and 1 major speech or 1 speech.

The CHAIRMAN. Now, you were paid \$600 or \$700?

Mr. MATUSOW. My recollection is that; it is about that.

The CHAIRMAN. What?

Mr. MATUSOW. It is about that figure.

The CHAIRMAN. It is about that figure. That is true, is it?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. How much were you paid to attack Senator Mansfield?

Mr. MATUSOW. I believe I received maybe twelve or thirteen or fourteen hundred dollars.

The CHAIRMAN. Yes, sir. Who paid you to do that?

Mr. MATUSOW. I received the money from a Mr. J. H. Morrow of Bozeman, Mont. I was in Montana sponsored by the Montana Citizens for Americanism; at that time it was a Republican front organization.

The CHAIRMAN. What did you say about Senator Mansfield?

Mr. MATUSOW. I believe I specifically accused him of selling out China or being part of the sellout to China; I waved certain documents, such as a photostatic copy of a magazine called New Masses, a Communist Party publication which reprinted some of his remarks from the Congressional Record, and left the impression with the audience that Senator Mansfield had written that story knowingly.

The CHAIRMAN. Now, you were lying, were you not?

Mr. MATUSOW. Yes, sir; I was.

The CHAIRMAN. And you were lying for money, were you not?

Mr. MATUSOW. Yes, sir; I was.

The CHAIRMAN. And that is true of your speeches against Senator Jackson? You were lying then, were you not?

Mr. MATUSOW. Yes, sir; I was.

The CHAIRMAN. Lying for money?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. And were paid by Republican front organizations; is that right?

Mr. MATUSOW. A Republican front, sir.

Senator JENNER. Are you telling the truth today?

Mr. MATUSOW. Yes, sir; I am.

Senator JENNER. You are going to be paid for the publication of your book *False Witness*.

Mr. MATUSOW. I will receive money for it, sir, yes.

Senator JENNER. Could it be lying again, that you are lying to get more money?

Mr. MATUSOW. Sir, I believe the legal fees in the proceedings that will be brought against me will more than cover the amount of royalties I will make in this book.

Senator JENNER. Now, you say you wrote that letter in August of 1953?

Mr. MATUSOW. Yes, sir.

Senator JENNER. From the Riverside Hotel?

Mr. MATUSOW. Yes, sir.

Senator JENNER. By whom were you employed at that time?

Mr. MATUSOW. I was not employed.

Senator JENNER. You were not employed, and you stayed at the Riverside Hotel in Reno and not employed?

Mr. MATUSOW. Yes, sir.

Senator JENNER. Were you on the Communist Party payroll?

Mr. MATUSOW. No, sir.

Senator JENNER. Go ahead.

Mr. SOURWINE. Now that the question of that letter has come up, and without attempting to go into it fully, I would like to ask this question: Does that date, that is August, 1953, indicate the occasion or the time at which you decided that you were going to stop being a voluntary witness before congressional committees and the court?

Mr. MATUSOW. At this recollection, it is one of the first tangible dates that I could find, but I think the committee—I would like to bring to the attention of the committee the fact that the break which I made, as you have termed it, sir, is not something that happened on one day. I can remember a date back in May of 1953 that affected me and started me on the road to the so-called break.

Mr. SOURWINE. Well, had it become final at the time you wrote your letter to Senator McCarthy?

Mr. MATUSOW. Sir, I don't believe anything of this nature is final; I don't form absolutist opinions.

Senator JENNER. Isn't it final now?

Mr. MATUSOW. Well, I am on the witness stand, sir, but—

Senator JENNER. You mean it is not final?

Mr. MATUSOW. No, sir.

Senator JENNER. Mr. Chairman, do we have to sit here and listen to a story of a man who has not made up his mind yet?

Mr. MATUSOW. I have made up my mind, sir.

Senator JENNER. I ask you then is it final now?

Mr. MATUSOW. My break with Senator McCarthy or the witness world?

Senator JENNER. You just made a statement that nothing is quite final.

Mr. MATUSOW. Yes, sir. But in what context are you taking it?

Senator JENNER. You are on the witness stand.

Mr. MATUSOW. Yes, sir. I want to get the answer to your question clear.

Senator JENNER. Have you broken with the Communist Party now?

Mr. MATUSOW. I have, sir.

Senator JENNER. You are not a member of the Communist Party?

Mr. MATUSOW. I am not, sir.

Senator JENNER. You have not been since when?

Mr. MATUSOW. January 19, 1951.

Senator JENNER. You have not received any money from the Communist Party since that time?

Mr. MATUSOW. I have not, sir.

Senator JENNER. All right.

Mr. MATUSOW. Since long before that date.

The CHAIRMAN. What moneys have you received from the Communist Party, Mr. Matusow?

Mr. MATUSOW. In 1949, sir, I was an employee of the Communist Party.

The CHAIRMAN. What were your duties?

Mr. MATUSOW. I operated a switchboard at the New York County Communist Party headquarters.

The CHAIRMAN. What were you paid?

Mr. MATUSOW. I believe \$35 or \$40 a week when I got it.

The CHAIRMAN. Yes.

Now, Mr. Cameron and Mr. Kahn, you know them personally?

Mr. MATUSOW. I do, sir.

The CHAIRMAN. How long have you known them?

Mr. MATUSOW. I have known Mr. Cameron since the 25th day of October 1954; and I have formally known Mr. Kahn since that date, but I recall having met him prior to that date.

The CHAIRMAN. Now, you say you recall him prior to that date.

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. When was that?

Mr. MATUSOW. In 1948 or 1949, my recollection having been refreshed since other testimony, I recall having met him when he was a candidate for Congress in New York in 1948.

The CHAIRMAN. On what ticket?

Mr. MATUSOW. The American Labor Party ticket.

The CHAIRMAN. American Labor?

Mr. MATUSOW. I believe it was the 24th Congressional District in New York.

The CHAIRMAN. Did you know him as a member of the Communist Party?

Mr. MATUSOW. I did not, sir.

The CHAIRMAN. Do you now know that either Mr. Kahn or Mr. Cameron are now or have been members of the Communist Party?

Mr. MATUSOW. I do not know of any such membership.

The CHAIRMAN. Do you have any information that leads you to believe so?

Mr. MATUSOW. No, sir.

Senator JENNER. Hasn't Mr. Cameron told you about his appearance before this very committee?

Mr. MATUSOW. I haven't seen Mr. Cameron since he has been before this committee.

Senator JENNER. He has not apprised you of the fact that he was before this committee?

Mr. MATUSOW. He has been here twice.

Senator JENNER. Has he apprised you that he has been before this committee and has taken the fifth amendment?

Mr. MATUSOW. Yes, sir; he has apprised me of that event. I thought you were referring to last week when he testified in executive session.

Senator JENNER. Did Mr. Kahn talk to you about the book he published, *The Hour*?

Mr. MATUSOW. He edited a newspaper called *The Hour*.

Senator JENNER. Did he ever tell you about a book or publication called *The Hour* where he exposed the anti-Communist movement in Poland?

Mr. MATUSOW. I believe he told me about a book or a newspaper called *The Hour* that exposed the Fifth Column German-American Bund.

Senator JENNER. Did he use the same tactics, correcting your book, or going over the book you talk about here, did he use that in the publication of *The Hour*?

Mr. MATUSOW. Sir, he did not change the substance of my book one iota.

Senator JENNER. He never gave you any suggestions or any pointers?

Mr. MATUSOW. Editorial suggestions and substance suggestions are just two points—

Senator JENNER. Have you read *The Hour*?

The CHAIRMAN. Wait just a minute. Has he given you editorial suggestions?

Mr. MATUSOW. Yes, sir; I believe you will find them in that manuscript you have.

The CHAIRMAN. Has he told you anything to put in that book?

Mr. MATUSOW. No, sir.

The CHAIRMAN. Now, what are your connections with Bishop Oxnham? How long have you known him?

Mr. MATUSOW. I met the bishop on two occasions.

The CHAIRMAN. When have you talked to him?

Mr. MATUSOW. The last time I talked to him was some day last spring, that is in 1954, I don't recall the date.

The CHAIRMAN. When was the first time you talked to him?

Mr. MATUSOW. A few weeks prior to that, I believe it was March.

The CHAIRMAN. Now, as a matter of fact, he is a man who put you in contact with Mr. Cameron and Mr. Kahn, was he not, or put them in contact with you?

Mr. MATUSOW. Well, his statements made them aware of the fact that I was writing a book, yes.

The CHAIRMAN. Yes, sir. But he is the man who put them in contact with you?

Mr. MATUSOW. In that sense; yes, sir.

The CHAIRMAN. Proceed.

Mr. SOURWINE. I was trying to find out from you, Mr. Matusow, when it was that you had made a firm decision in your own mind to

stop volunteering testimony before congressional committees. Would you give us a date?

Mr. MATUSOW. The day that I made my final decision on that subject was the day that Cpl. Claude Batchelor of Kermit, Tex., was convicted by a court-martial and sentenced to life imprisonment, and I believe on that day I sent a letter to the Attorney General informing him that I would not testify in six proceedings that I was due to testify before.

Mr. SOURWINE. When was that?

Mr. MATUSOW. In October of 1954.

Mr. SOURWINE. Long after you had sent your letter to Senator McCarthy indicating that you were not going to be a voluntary witness before a congressional committee any more, you did, in fact, volunteer testimony, didn't you?

Mr. MATUSOW. I did, sir.

Mr. SOURWINE. Will you tell us about that?

Mr. MATUSOW. I testified in the fall, I believe it was October—I will refresh my recollection on dates, if I may.

Mr. SOURWINE. I am talking about when you volunteered to testify.

Mr. MATUSOW. Well, that is what I want to do, if I may. Either October or November of 1953, before the Justice Department, before the Subversive Activity Control Board, a case involving the Labor Youth League; in June of 1954 on two occasions before the Subversive Activity Control Board, one, relating to the Veterans of the Abraham Lincoln Brigade, the other to the Council on American-Soviet Friendship; in January, 1954 in the State of Texas, El Paso, Tex., for the Justice Department in a trial, *United States versus Clinton Jencks*, and in the State of Texas in December of 1953 I testified before the Governor's commission, the State of Texas, dealing with Communist infiltration into trade unions.

Mr. SOURWINE. Did you volunteer your testimony in all those instances?

Mr. MATUSOW. I did, sir.

Mr. SOURWINE. Are those the only instances subsequent to your letter to Senator McCarthy which has been brought out here on which you volunteered testimony before a congressional committee?

Mr. MATUSOW. I was called before the House Un-American Activities Committee on July 12, 1954, but that was not in the same category of volunteering to testify.

Mr. SOURWINE. Mr. Matusow, you are there making an affirmative statement which sounds like an answer to my question but was not. I asked you if those are the only occasions on which you volunteered your testimony to a congressional committee. Were they?

Mr. MATUSOW. Well, I didn't volunteer my testimony to any congressional committee in that period, sir.

Mr. SOURWINE. You did not?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. You never offered during that period to furnish information to a congressional committee?

Mr. MATUSOW. In the form of testimony; that I can recall, sir.

Mr. SOURWINE. Well, in what form did you offer to furnish information?

Mr. MATUSOW. I didn't offer. I think I had certain conversations with members of senatorial committees, the Government Operations Committee, the Committee on Internal Security, during that period. Occasionally when I was in Washington I would meet and talk with certain staff members of committees, and information might have been obtained at that time.

Mr. SOURWINE. Do you now say that aside from such possible conversations, you did not during this period subsequent to the letter to Senator McCarthy offer to give information to any congressional committee?

Mr. MATUSOW. I do not recall of any instance.

Mr. SOURWINE. If you had done so, would it have been contrary to the decision that you had previously arrived at?

Mr. MATUSOW. Very much so, sir.

Mr. SOURWINE. Mr. Matusow, it has been publicly charged in the press as follows—I would like to have you listen to this carefully and then I want your comment on the truth or falsity of this charge:

The Communist Party and its front groups fully are exploiting the case of turn-about "informer" Harvey Matusow.

The Communists are trying to cash in on Mr. Matusow's about-face to launch an all-out "counteroffensive" against the Government's effective campaign to expose the Communist conspiracy and prosecute its leaders.

The "counteroffensive" was ordered in secret directives which have been passed on verbally to Communist regional organizations and fronts in the last 2 weeks.

MAJOR OBJECTIVES

Major objectives are:

To discredit the FBI and break up the "informer" system which has enabled it to infiltrate the Communist Party.

To block the Justice Department's prosecutions of party leaders and functionaries under the Smith Act and to reverse the convictions which already have sent 82 top Communists to jail.

Some of the moves being undertaken in the Red "counteroffensive" are:

A letter-writing campaign to Congress demanding an investigation of the "informer" system.

A petition and letter campaign to force the Justice Department to reopen all Smith Act cases—although Mr. Matusow was a witness in only two, the New York trial of 13 "secondstring" leaders and the El Paso trial of labor leader Clinton Jencks.

Mr. MATUSOW. That was not a Smith Act case, sir.

Mr. SOURWINE (continuing):

Concerted moves by lawyers for Smith Act defendants to obtain the names of all Government witnesses to be used in pending cases. This could open the way for party efforts to get other informers to recant.

A drive to reopen the case of Morton Sobell, who is serving a 30-year sentence for conspiring to commit atomic espionage with executed spies Julius and Ethel Rosenberg. Mr. Matusow was not a witness in the Sobell trial.

CALLED TO MEETING

Top west coast Communists were summoned to a meeting February 1 and told to get going on a propaganda and letter-writing campaign. The results of the meeting were announced a week later in *The Daily People's World*, which said a forthcoming leaflet on the Matusow case would show "the frame-up" nature of the California Smith Act cases.

Northwest Commie leaders were called to a similar meeting a few days later and told that every Communist organization should use the Matusow case to start "an avalanche of appeals" to upset all Smith Act convictions.

In Baltimore and several midwestern cities, party functionaries were ordered to start letter-writing campaigns to demand new trials for Smith Act "victims" and an investigation of the "informer system."

That is the charge. What is your comment?

Mr. MATUSOW. About the fact that I am being used?

Mr. SOURWINE. Any comments you care to make on that statement?

Mr. MATUSOW. I do have a comment, sir; it will be very brief.

I have lied in court. Some people were convicted. I don't know if they are guilty or not guilty. I might have an opinion, but when I was called in court I was not asked for my opinion, I was asked for facts. I did not give facts to that court.

When I testified in El Paso, Tex., against labor leader Clinton Jencks, I did not know whether he was or was not a Communist. I do not know this day. If he is a Communist and the Government can prosecute and convict him, the Government can do so, but if it is based—if it based its conviction on my testimony, my false testimony, then he should have a new trial.

If the conviction of these Communist leaders was based in any way upon my testimony, which was false, then these people should have a new trial.

If the Government wants to bring action against these people, prosecute and convict, and can convict, on honest, straightforward rules of evidence and testimony by people who are reputable, not like me, then these people can be convicted, and if the Government puts them in jail and throws the key away, it makes no difference to me; but they were convicted because I lied, and they don't belong in jail on my lies; that is what I have to say about it, sir.

The CHAIRMAN. Mr. Matusow, why did you lie?

Mr. MATUSOW. For many reasons, sir.

The CHAIRMAN. What are those reasons?

Mr. MATUSOW. Partly fear. I had been a Communist—very brief, sir—I had been a Communist and become one in 1946 or 1947 when it was easy to be a Communist; it was fairly popular in this country. The cold war wasn't on; the Government had not brought any indictments against any Communist Party leaders, and I—

The CHAIRMAN. Wait just a minute. You are speaking now under the head of fear.

Mr. MATUSOW. I will get to that in the next sentence, sir.

The CHAIRMAN. You will?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. All right.

Mr. MATUSOW. When I went to the FBI in 1950, I was afraid that I might be prosecuted and convicted as a Communist. The first trial of Communist leaders had been concluded with a conviction and a sentence.

It was partly fear, partly confusion, but more fear than anything else, that sent me to the FBI.

At that time I did not intend to testify ever, but when I went into the Air Force, and during the Korean war, I found that this attitude of mine was not pro-Communist, quite the reverse, anti-Communist, but I did not want to testify, was not accepted. As much as I wanted to, I could not go to Korea. I volunteered on a number of occasions, and that is when I sent the letter to the House Un-American Activities Committee. I felt if I would testify I would get off the hook, so to speak; and once I started, it just—I just got carried away with it, you might say.

The CHAIRMAN. You thought if you would testify in criminal cases?

Mr. MATUSOW. No, sir; it started out—at that point I didn't consider, didn't look at, the difference between a congressional committee hearing and a criminal case. They were one and the same to me.

It just meant that I would be able to publicly state that I am not a Communist, and that way maybe I would be accepted by the Air Force for overseas duty.

The CHAIRMAN. When did you testify in El Paso, Tex.?

Mr. MATUSOW. January 1954.

The CHAIRMAN. January 1954?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. The Korean war was over at that time.

Mr. MATUSOW. I was out of the service, too, sir.

The CHAIRMAN. You were out of the service.

Now, did you commit perjury in that case?

Mr. MATUSOW. I gave false testimony, sir.

The CHAIRMAN. Yes. Now, why did you lie in that trial?

Mr. MATUSOW. I didn't have the courage to admit I had lied before. I had testified before the grand jury, and indicted this man.

The CHAIRMAN. All right.

You did not have the courage to admit you had lied before. But why did you lie in that particular case?

Mr. MATUSOW. Because I had lied before the grand jury and indicted this man.

The CHAIRMAN. When was he indicted?

Mr. MATUSOW. In April of 1953.

The CHAIRMAN. In April of 1953?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. Why did you lie before the grand jury?

Mr. MATUSOW. At that time I was doing quite a bit of it, sir, before congressional committees.

The CHAIRMAN. Why? Why did you lie?

Mr. MATUSOW. Because I lied once before the House Committee on Un-American Activities, and I had lied before this committee, and in February and March and October of 1952, and once having committed those lies and made public some statements, public and private, I did not have the courage, I believe, to go back on those lies; I had to continue to build them up.

The CHAIRMAN. What your statement was is that you lied a year or two previously; therefore, you would lie in the case in El Paso; is that what you are saying?

Mr. MATUSOW. I lied in April of 1953.

The CHAIRMAN. Yes.

Mr. MATUSOW. The lie in April 1953 was based on the lie I issued to this committee in October of 1952 about the same man. It was in Salt Lake City, and I was just confirming that lie, that is, backing it up, and not retracting. I have since found out that because of the many lies it is difficult to cover one up.

The CHAIRMAN. Was that man a Communist?

Mr. MATUSOW. I didn't know if he was or wasn't.

The CHAIRMAN. Well, do you know now?

Mr. MATUSOW. No, sir; I don't.

The CHAIRMAN. Do you know a man named Herb Tank?

Mr. MATUSOW. Yes, sir; I do.

The CHAIRMAN. Who is Herb Tank?

Mr. MATUSOW. Herb Tank is a playwright, writer, and right now I have been spending quite a bit of time with him.

The CHAIRMAN. He is your bodyguard, is he not?

Mr. MATUSOW. No, sir; he is not a bodyguard.

The CHAIRMAN. He accompanies you everywhere, does he not?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. How long has he been accompanying you?

Mr. MATUSOW. Since, I think, the third week in January of 1955; but he hasn't been everywhere with me.

The CHAIRMAN. I see. The past few months, has he been with you very frequently?

Mr. MATUSOW. No, sir; not in the past few months. In January he was on Federal jury duty, and wasn't with me quite a bit of time; that was 3 weeks.

The CHAIRMAN. I want you to answer this question. State whether or not you know him to be a member of the Communist Party.

Mr. MATUSOW. I don't know him to be a member of the Communist Party.

The CHAIRMAN. Do you know whether or not he has ever been a member of the Communist Party?

Mr. MATUSOW. I have accused him of being a Communist, but I don't know whether he was or wasn't.

The CHAIRMAN. You have accused him of being a Communist?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. Is it not a fact, Mr. Matusow, that he has been assigned by the Communist Party as your bodyguard?

Mr. MATUSOW. I do not know that as a fact, sir.

The CHAIRMAN. Proceed, Mr. Sourwine.

Mr. SOURWINE. Now that you have raised the question, Mr. Matusow, of not going to Korea, so that won't appear to be a mystery, didn't you know that your parents or at least your mother had appealed to have you put on a no-foreign-service basis, and that had been done?

Mr. MATUSOW. I did not know that, sir.

Mr. SOURWINE. You were asked a moment ago to comment on a charge made in the public press. Did you complete the comment you wanted to give us on that?

Mr. MATUSOW. Yes, sir; I believe I did.

Mr. SOURWINE. Was there any significance in the fact that you have not chosen to comment at all upon the charge that you are being used as a tool of the Communists for the purposes of the Communist Party?

Mr. MATUSOW. Sir, I am using myself. The fact that I have given false testimony in some cases does not prevent the Government, if there is a legitimate case against these people, from bringing that case. I am not attacking the Federal Government; I am trying to uphold the Constitution. I happen to be attacking a former Government attorney named Roy Cohn, who knew that there was false testimony being given. I happen to be attacking or making statements about certain individuals connected with the Government who didn't use good judgment because they used me as a witness.

I am making statements against certain other witnesses who, I believe, very fully have lied under oath and have given false testimony

and not—well, to—one of them, for instance, is mentioned in the committee release, Miss Elizabeth Bentley, I believe, gave false testimony.

Mr. SOURWINE. Mr. Matusow—

Mr. MATUSOW. I am basing that on conversations with Miss Bentley, not on hearsay.

Mr. SOURWINE. Mr. Matusow, since last October have you done or said anything against the interests of the Communist Party?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. What?

Mr. MATUSOW. Since last October?

Mr. SOURWINE. Yes, sir.

Mr. MATUSOW. Well, I believe in some of my nightclub appearances, which have been infrequent but have been since October, I have, through what I consider decent satire, attacked the Communist Party and the Soviet Union.

Mr. SOURWINE. Where have you made a nightclub appearance since last October?

Mr. MATUSOW. I believe it is called the Champagne Room in New York City, on McDougall Street.

Mr. SOURWINE. Have you appeared there very many times?

Mr. MATUSOW. Two or three occasions.

Mr. SOURWINE. Is that the only instance that you can give us where you have said or done anything contrary to the interests of the Communist Party?

Mr. MATUSOW. I believe my book is in the interests contrary to the Communist Party.

Senator JENNER. May I ask a question, Mr. Chairman? May I ask a question?

The CHAIRMAN. Yes, sir; go ahead.

Senator JENNER. Mr. Matusow, do you know any members of the Communist Party now, today?

Mr. MATUSOW. I know people who have been members when I was a member, sir; whether they are members today, I do not know.

Senator JENNER. You testified against Mr. Jencks. Where was that trial held, again?

Mr. MATUSOW. El Paso, Tex.

Senator JENNER. Who was the attorney for Mr. Jencks?

Mr. MATUSOW. Mr. Nathan Witt.

Senator JENNER. How well do you know Nathan Witt?

Mr. MATUSOW. I have come to know him fairly well in the last few weeks.

Senator JENNER. In the last what?

Mr. MATUSOW. Last few weeks, since early January, late December.

Senator JENNER. Do you know him to be a member of the Communist Party?

Mr. MATUSOW. No, sir. I know he has been accused of it, but I don't know of his membership.

Senator JENNER. You had a press conference recently?

Mr. MATUSOW. I did, sir.

(Senator Watkins returned to the room at this point.)

Senator JENNER. Did Nathan Witt accompany you to that press conference?

Mr. MATUSOW. He didn't accompany me; he was there, though.

Senator JENNER. He was there. Do you know why he was there?

Mr. MATUSOW. No, sir.

Senator JENNER. You are fairly well acquainted with him, you say?

Mr. MATUSOW. Well, he was—

Senator JENNER. Can you tell us why he was there?

Mr. MATUSOW. He was interested in what I had to say. He is an attorney for Clinton Jencks.

Senator JENNER. Do you know whether he has ever appeared before any committees, Nathan Witt?

Mr. MATUSOW. Well, I saw him—I don't know whether he testified before this committee—on December 8, 1952.

Senator JENNER. Do you know whether or not, when he was asked whether he was a member of the Communist Party, he took the fifth amendment?

Mr. MATUSOW. I don't know, sir.

Senator JENNER. All right; go ahead, Mr. Chairman.

Mr. SOURWINE. Weren't you present in Salt Lake City when Mr. Witt testified?

Mr. MATUSOW. I wasn't there when he testified, sir, but I saw him in the hearing room; I believe he was ejected at that time.

Mr. SOURWINE. As a matter of fact, you recognized him in the back of the hearing room, didn't you?

Mr. MATUSOW. No, sir. I believe when I entered the hearing room, if my memory serves me correctly, Mr. Witt was asked to leave the hearing room during the question of my identifying Mr. Jencks.

Mr. SOURWINE. Are you testifying now that you did not recognize him in the hearing room?

Mr. MATUSOW. Well, I believe I recognized him, yes.

Mr. SOURWINE. Yes, you had seen him before and you knew who he was?

Mr. MATUSOW. I had seen pictures of him before. I believe counsel for the committee, Mr. Connors, might have pointed him out to me, or somebody else might have.

Senator JENNER. May I interrupt for a question?

The CHAIRMAN. Of course.

Senator JENNER. Just what part did Nathan Witt play in this press conference you recently had?

Mr. MATUSOW. None that I can recall, sir.

Senator JENNER. He did not interrupt to help answer questions?

Mr. MATUSOW. My recollection is most of the press or a good section of the press or, let me even change that, people who were there, who did not represent the press, but represented, I don't know, some organizations, were doing some interrupting.

Senator JENNER. And you did not know him to be a member of the Communist Party?

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

The CHAIRMAN. Did Mr. Witt answer questions put to you at that conference? Did he answer any questions put to you at that conference?

Mr. MATUSOW. I don't recall, sir. There was a lot of noise going on at that time at that conference.

The CHAIRMAN. If he broke in and answered a question for you, you certainly would recall it, Mr. Matusow?

Mr. MATUSOW. Sir, I don't recall; there was a lot of talking. There were two or three questions coming at me at a time, and there were people in the room who were doing a little shouting, a few—one newspaperman, I believe, Mr. Riesel, was shouting, and another man named—well, I forget his name—was waving his finger at me; the INS man was getting a little violent, and I just—he was angry because I had worked on a story with him before.

The CHAIRMAN. Well, you could certainly remember if this lawyer broke in and answered a question for you, could you not?

Mr. MATUSOW. If I recalled it. If he had done so, if I had seen or heard him do so, I would have remembered it, but I do not recall that, sir.

The CHAIRMAN. You did not hear him so do?

Mr. MATUSOW. No, sir; I did not.

The CHAIRMAN. You did not see him do so?

Mr. MATUSOW. I saw him there, but I didn't see him do so, no.

The CHAIRMAN. All right.

How many times have you seen Mr. Witt in the past year?

Mr. MATUSOW. Oh, well, I will limit that to starting in December; I might have seen him 2 dozen times, less than 2 dozen, I would say 12 or 15.

The CHAIRMAN. He is attorney for the Mine, Mill & Smelter Workers Union, is he not?

Mr. MATUSOW. Yes, sir; he is.

The CHAIRMAN. How did you get in touch with him?

Mr. MATUSOW. I asked Mr. Kahn to contact Mr. Witt and arrange an appointment for me to see him.

The CHAIRMAN. You asked Mr. Kahn?

Mr. MATUSOW. Mr. Albert E. Kahn.

The CHAIRMAN. Yes, sir.

Do you know whether or not he is a Communist?

Mr. MATUSOW. No, sir; I don't. I have accused him of being so, but I told a falsehood.

The CHAIRMAN. Yes, you accused him of being so. Isn't it true that Mr. Kahn, Mr. Cameron and Mr. Witt have been your closest associates for the past few months?

Mr. MATUSOW. Not my closest; they have been close.

The CHAIRMAN. They have been close. They have been your close associates?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. And you have accused every one of them of being a Communist?

Mr. MATUSOW. In one form or another; yes.

The CHAIRMAN. Yes.

In fact, you believe they are Communists, do you not?

Mr. MATUSOW. No, sir; I don't.

The CHAIRMAN. What does the Mine, Mill & Smelter Workers Union have to do with this book you have written?

Mr. MATUSOW. Well, they are greatly interested in the case of Mr. Jencks; and I believe I found out a week or so ago they have purchased six or seven thousand or 10,000 copies of my book, I forget the figure.

The CHAIRMAN. That was, in fact, the way, through that system, this Communist system, financed this book, was it not?

Mr. MATUSOW. Well, they have purchased some—I didn't know whether they were financing it, but they have——

The CHAIRMAN. Now answer my question.

Mr. MATUSOW. They have, sir.

The CHAIRMAN. They have financed your book, haven't they?

Mr. MATUSOW. Not in toto. They were interested in it; I can readily see why, sir.

The CHAIRMAN. Has Mr. Witt ever told you or suggested things for you to write?

Mr. MATUSOW. No, sir; he made one editorial suggestion in the book that I can recall for the record, if you would like it, sir.

Senator JENNER. You had become acquainted with Mr. Witt's record in Government, had you not?

Mr. MATUSOW. I had accused him of all sorts of things, and I was familiar——

Senator JENNER. You knew, as a matter of fact, he was one of the original conspirators in our Government, did you not?

Mr. MATUSOW. Sir, I knew he had been accused by Whittaker Chambers and by others of being a Communist spy and being a member of the Ware cell.

Senator JENNER. You knew he had been accused of that?

Mr. MATUSOW. Yes. I know he had been accused of that, sir.

Senator JENNER. Mr. Matusow, since you have had such a cleansing of your heart and you want to stop lying and to tell the truth, why do you associate with those kinds of people, and let them direct your thinking and make editorial suggestions in your book? Why have you done that?

Mr. MATUSOW. Sir, I believe in God, very strongly.

Senator JENNER. I did not hear you.

Mr. MATUSOW. I believe in God and Christian charity, and I understand the meaning of it, sir.

Senator JENNER. Do you think that God wants you to associate with those kinds of people, to publish your book? Do you think He wants you to associate with those kinds of people?

Mr. MATUSOW. Sir, my conscience is clear. The truth is before the committee in that book and what I am saying now, contrary to what other people think.

Senator JENNER. Go ahead, Mr. Counsel.

Mr. MATUSOW. I happen to be a member of a church, and I go to it regularly. There are certain proceedings in Nauvoo, Ill.; Nauvoo, Ill., to get people out of—and the Far West—the Senator from Utah will remember.

Mr. SOURWINE. Mr. Matusow, will you undertake to give this committee a detailed analysis in writing of any and all cases in which you would have lied, and the particular instances in which you have lied?

Mr. MATUSOW. It would take some time to do that, sir.

Mr. SOURWINE. I asked you if you would undertake to do it.

Mr. MATUSOW. When the pressures of testimony end—when the pressures of testimony in the court, and so forth—I will think about it. I don't know, sir, if it will be possible and I—well, I wouldn't want to say "Yes" now, sir, and not be able to fulfill it.

Mr. SOURWINE. I would have thought, Mr. Matusow, in view of your avowed purpose, you would be very glad to have the opportunity to give this committee in detail the occasions on which you lied.

Mr. MATUSOW. Well, sir, I am very happy to do so, but you are asking me to do something in writing and go through quite a few pages of testimony and other material and take up a considerable amount of time. At this point, I am also subpoenaed before a grand jury. I am due to appear in Judge Dimock's court; I am due to appear in Judge Thompson's court in El Paso, and, I believe a grand jury down there, and a few other proceedings, and if there are proceedings brought against me, it is going to take quite a bit of time, and I don't believe, in fairness to the committee, I could say "Yes" and then not do it.

Mr. SOURWINE. Are you saying, in substance, Mr. Matusow, that you are too busy to tell this committee when you lied?

Mr. MATUSOW. You asked me to do it in writing.

Mr. SOURWINE. Yes, sir.

Mr. MATUSOW. No, I am not too busy to tell the committee when I lied.

Mr. SOURWINE. But you prefer to do it orally and to be asked questions about it; is that right?

Mr. MATUSOW. Well, yes, sir; it will be a lot easier and a lot less time-consuming.

Mr. SOURWINE. Did, you, Mr. Matusow, state at a press conference in New York City that you had not found any evidence that the Communist Party is a conspiracy to overthrow the Government?

Mr. MATUSOW. I said that, but I believe it is taken out of context.

Mr. SOURWINE. Well, is it true that you have not found any evidence that the Communist Party is a conspiracy to overthrow the Government?

Mr. MATUSOW. I believe, and I have believed since I left the Communist Party, that there are certain aspects of the philosophy of the Communist Party which are opposed to this Government and would overthrow it. But when I was asked if I have found it, did I hear anybody say it, did I participate in it, no. I am not—I think a man with my background shouldn't be put on a spot, shouldn't be asked to say whether or not this is so. I am not an expert on this subject of communism. I was not a leader in the Communist Party; I was a Communist flunky in a club on the Lower East Side of New York, and through a few lies I built myself up into an expert on communism; and you expect me to start sounding off about what the Communist Party thinks and does, about what orders come from Moscow, if any.

Mr. SOURWINE. Haven't you called yourself "leader of the Kremlin's Youth Movement in this country"?

Mr. MATUSOW. I lied.

The CHAIRMAN. How many criminal cases have you testified in?

Mr. MATUSOW. Pardon me?

The CHAIRMAN. How many criminal cases have you testified in?

Mr. MATUSOW. Two criminal cases, sir.

The CHAIRMAN. Did anybody connected with the United States Government suggest that you lie in those cases?

Mr. MATUSOW. Mr. Roy Cohn knew I was lying in a case.

The CHAIRMAN. Wait a minute, now; I am saying in your criminal testimony did anybody connected with the United States Government suggest that you lie?

Mr. MATUSOW. Sir, in the Jencks case—no, no such.

The CHAIRMAN. You mean that at the time when you speak of Mr. Cohn—

Mr. MATUSOW. I can clarify that very easily.

The CHAIRMAN (continuing). Was that at the time he was connected with the Department of Justice of New York?

Mr. MATUSOW. Yes, sir; assistant United States attorney in the southern district of New York.

The CHAIRMAN. All right.

Now, what happened there?

Mr. MATUSOW. Mr. Cohn raised a question of a book written by Andre Vishinsky, and told me that the Government had been unable to introduce that book in evidence in the trial of the first-string Communist leaders, the first Smith Act indictment.

He said—he asked me if I had ever discussed that book with anybody, and I said, “Yes.” It was not at his insistence that I said “Yes,” that I had discussed it with anybody, but in the discussion with Mr. Cohn about the discussion I had relating to the book with the defendant Alexander Trachtenberg, Mr. Cohn, on more than one occasion, said, “That is not sufficient to get it in the record. You will have to go further than that,” in substance, and in that relation, yes, he was party to one of my lies on the witness stand.

The CHAIRMAN. Now, is he the only one connected with the United States Government who has suggested that you lie?

Mr. MATUSOW. In these criminal cases?

The CHAIRMAN. Yes, sir.

Mr. MATUSOW. The only one I can recall at this time, sir.

The CHAIRMAN. The only one you can recall.

Well, if someone else had suggested that you lie, you could recall it, could you not?

Mr. MATUSOW. Well, nothing was ever put that bluntly. You know—

The CHAIRMAN. All right. How was it put, and who was it?

Mr. MATUSOW. Well, sir, I believe by the time I was working on my testimony in that first criminal case—

The CHAIRMAN. What case is that?

Mr. MATUSOW. The Smith Act case against the Communist Party leaders in New York.

The CHAIRMAN. Well, what Communist Party leaders?

Mr. MATUSOW. Elizabeth Gurley Flynn, et al., is, I believe, what it is called; the case of Gurley Flynn.

The CHAIRMAN. All right.

Mr. MATUSOW. By the time I took the witness stand, a few days prior to that, or a few weeks prior to that, Mr. Cohn had left the country and quit the case cold. He took a voyage, the maiden voyage of the *United States* to Europe. He had prepared my testimony and was prepared to put me on the stand. I was then turned over to United States Attorney Reagan.

The CHAIRMAN. Reagan?

Mr. MATUSOW. I believe it is, R-e-a-g-a-n.

The CHAIRMAN. R-e-a-g-a-n. Do you know his initials?

Mr. MATUSOW. R. Robert, I believe.

The CHAIRMAN. Robert Reagan.

All right; what did he say?

Mr. MATUSOW. He just took over from Mr. Cohn, and at this point my testimony was prepared, and I had it down pretty pat, and if he accepted it, I don't think he was to blame.

The CHAIRMAN. Did he suggest that you lie?

Mr. MATUSOW. No, he didn't sir.

The CHAIRMAN. He did not.

Mr. MATUSOW. I can't recall of any other instance, sir.

The CHAIRMAN. All right, now. You have testified falsely before this committee, you said?

Mr. MATUSOW. Yes, sir; I have.

The CHAIRMAN. Did any staff member, or anybody connected with this committee suggest to you to testify falsely?

Mr. MATUSOW. No, sir.

The CHAIRMAN. Now, you have testified falsely before the Government Operations Committee; is that right?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. Did anybody there suggest that you testify falsely?

Mr. MATUSOW. Well, my work for the Government Operations Committee went a little further than just to testify, sir; and—well, may I think about it a minute, sir? It will take a few moments to reconstruct it—no, sir; I can't recall of anything then. Sir, I don't recall of any such case.

The CHAIRMAN. Now, what other Senators have you campaigned against in which you lied for money?

Mr. MATUSOW. Well, I campaigned in the State of Utah, the State of Wisconsin, and those in the senatorial campaign.

The CHAIRMAN. Were you paid to lie for that?

Mr. MATUSOW. The Senator from Utah did not know I was lying.

The CHAIRMAN. You said what?

Mr. MATUSOW. The Senator from Utah didn't know I was lying, and I don't believe he knew what I was saying—that is, and in Utah there was no Republican-front group. I believe I was sponsored by the committee for the Senator.

The CHAIRMAN. Now, in campaigns against Members of Congress, which campaign did you participate in?

Mr. MATUSOW. There have been many, sir; and in the States I have outlined, Utah, Montana, Washington, spoke in Ohio, New York State.

The CHAIRMAN. Well, were you paid there to lie?

Mr. MATUSOW. No, sir; I don't believe I made any paid speeches in New York or Ohio of a political nature; that is, in the campaign.

The CHAIRMAN. You were not paid to lie?

Mr. MATUSOW. I was not paid at all; I did lie, though.

The CHAIRMAN. You lied.

Now, you appeared in Utah, you say, did you?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. You lied in that campaign?

Mr. MATUSOW. I did, sir.

The CHAIRMAN. Of course, the Senator from Utah knew nothing about that and had nothing to do with it?

Mr. MATUSOW. I also state that at that time the incumbent Senator of Montana, former Senator Zales Ecton, was unaware of the fact that I was lying, and I don't believe that former Senator Harry Cain was aware of my lies.

The CHAIRMAN. Yes, sir; but you were paid by front organizations?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. All right.

Now, let us go back to Utah. Were you paid in Utah?

Mr. MATUSOW. I believe transportation, or payment for an automobile, rental on an automobile was paid there; that is about all.

The CHAIRMAN. Paid by whom?

Mr. MATUSOW. I will have to think hard about that one, sir, and check some notes which I have been unable to find up to this time in relation to my tax returns of that year, to get the figure or the name for you. I have been looking for that recently to get the exact figures. I have been asked that a number of times, paid by whom, and how much.

The CHAIRMAN. Your tax returns would show that?

Mr. MATUSOW. Yes, sir; they would.

The CHAIRMAN. Proceed.

Mr. SOURWINE. To get back to the press conference we were discussing, Mr. Matusow, at which you stated you had not found any evidence that the Communist Party is a conspiracy to overthrow the Government, does that mean that you, as an expert, declare that the Communist Party is not a conspiracy to overthrow the Government?

Mr. MATUSOW. Sir, I am not an expert on communism; that is a fallacy that I created in past testimony.

Mr. SOURWINE. You have, have you not, frequently declared yourself to be an expert?

Mr. MATUSOW. Yes, sir; I have.

Mr. SOURWINE. And you have lied when you did so?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. What is your personal opinion, sir, as to whether the Communist Party is a conspiracy to overthrow the Government?

Mr. MATUSOW. I believe the Communist Party would like to change this form of government. Do I believe it is a conspiracy? I don't know if it is. There are certain things which might be construed as conspiracy.

The CHAIRMAN. Wait a minute, there is a difference between changing the form of government and overthrowing the Government.

Mr. MATUSOW. Well, sir, to me those words are interchangeable.

The CHAIRMAN. The question was the overthrow of the Government. What is your answer to the question? I want you to make your answer responsive.

Mr. MATUSOW. The answer is responsive. When I said to overthrow the Government or to change the Government, to change the capitalist system to a Marxist dialectical system or socialist system of that nature would be an overthrow of the Government. It couldn't happen any other way, I don't believe.

The CHAIRMAN. But it wouldn't happen unless the Government would be overthrown.

Mr. MATUSOW. I don't believe it could happen any other way.

The CHAIRMAN. Is that what you say?

Mr. MATUSOW. That is right, sir. How violent it would be, I don't know.

The CHAIRMAN. But it would be overthrown by illegal acts.

Mr. MATUSOW. There again, I don't know, sir. It has happened in the past in other countries, and not in all countries; I don't know, sir.

The CHAIRMAN. If it were not illegal acts, it would not be any change, would it?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. Through the process of election?

Mr. MATUSOW. I have an opinion.

The CHAIRMAN. Now, he asked you the question which was "to overthrow the Government." Now, what is your answer?

Mr. MATUSOW. I believe they want to change our form of government.

The CHAIRMAN. Do you believe they want to overthrow this Government?

Mr. MATUSOW. I don't know, sir. Based on other experience or knowledge of Communist activities, yes; but I don't know if it would fall true here.

The CHAIRMAN. From your membership in the Communist Party, it is your testimony that you never saw anything that would lead you to believe that the Communist Party desired to overthrow the Government of the United States?

Mr. MATUSOW. Nothing tangible; no, sir.

The CHAIRMAN. Nothing tangible?

Mr. MATUSOW. Look, sir, the reason I left the Communist Party was because my opinion, not based on fact but based on what I was doing and what I wanted, shall I say—how I wanted to better strengthen this country—is what took me out of the Communist Party.

The CHAIRMAN. I want you to make your answer responsive. You say that you saw nothing tangible that would make you believe they desired to overthrow the Government.

Mr. MATUSOW. Sir, 18-year-old boys and girls, those are the people who I belonged with to the Communist Party.

The CHAIRMAN. Wait a minute. What was it intangible that you saw that made you think they desired to overthrow this Government?

Mr. MATUSOW. Well, the overthrow of the Soviet Czarist Government, other histories of the Communist Party, but I found nothing, sir. I belonged to the Communist Party with a bunch of kids 18, 19, 20, 21 years old, a bunch of young intellectuals around Greenwich Village who were not capable of any violence.

The CHAIRMAN. But my question was, Did you see anything or hear anything that would lead you to believe the Communist Party desired to overthrow the Government of the United States?

Mr. MATUSOW. No, sir; I didn't.

The CHAIRMAN. You did not?

Mr. MATUSOW. No.

The CHAIRMAN. Did you hear anything that would lead you to believe that the Communist Party desired to overthrow the Government of the United States?

Mr. MATUSOW. Only from reports of congressional committees and newspapers.

The CHAIRMAN. Only from reports of congressional committees?

Mr. MATUSOW. And newspapers.

The CHAIRMAN. And newspapers?

Mr. MATUSOW. And outside.

The CHAIRMAN. But as a member of the party and from Communist sources, you never heard any such thing?

Mr. MATUSOW. I don't recall hearing it; I don't.

The CHAIRMAN. Now answer the question "Yes" or "No."

Mr. MATUSOW. I don't recall, sir.

The CHAIRMAN. Yes, sir.

You know that is a good answer to hedge a perjury indictment.

Mr. MATUSOW. Sir, in 5 minutes—

The CHAIRMAN. That is a good answer now.

Mr. MATUSOW. I would give it to you.

The CHAIRMAN. And I can see how you split hairs. I want you to answer the question.

Mr. MATUSOW. If I recalled one, sir, I would say I recalled it, and if in 5 minutes I recall it, I will tell you about it.

The CHAIRMAN. Well, but you heard no such thing?

Mr. MATUSOW. I don't recall hearing any such thing.

The CHAIRMAN. Yes, sir.

You saw nothing or heard nothing that would lead you to believe, while a member of the Communist Party, that it was a conspiracy against the Government of the United States?

Mr. MATUSOW. I don't recall having—

The CHAIRMAN. Seeking to destroy this Government?

Mr. MATUSOW. That is right, sir; I don't recall it.

The CHAIRMAN. Proceed.

Mr. SOURWINE. Have you studied the Communist Party, Mr. Matusow?

Mr. MATUSOW. Pardon me, sir?

Mr. SOURWINE. Have you studied the Communist Party?

Mr. MATUSOW. Yes, sir; I have studied it.

Mr. SOURWINE. Do you remember writing in your book:

There was no meeting and I had to wait a full week. From that day forward I found it increasingly difficult to accept as important the campaigns which the party undertook. I had been taught the importance of being prompt. I had never been late to school in my life. When I made appointments I kept them on time. The Army also taught me the importance of split-second timing, and as a Communist I felt that any well-disciplined organization would at least be on time. Again I found I was wrong. It was inconceivable to me that other party members placed their personal affairs over those of the activities of the party. I got fed up with trying to provoke others to action. I grew more and more disillusioned with the party.

Do you remember writing that?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. I want to ask you, Mr. Matusow, was that your only objection to the Communists, that they were tardy and lazy?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. That is the only objection you have in your whole book; is it not?

Mr. MATUSOW. That is not a complete book, sir.

Mr. SOURWINE. What is not a complete book?

Mr. MATUSOW. The thing you are reading from.

Mr. SOURWINE. I did not ask you about the thing I am reading from; I asked you if that was not the only complaint you made about the Communists in your whole book.

Mr. MATUSOW. I believe I made a few others.

Mr. SOURWINE. And you can keep on splitting hairs here, but we will split them right back, Mr. Matusow, until we get answers in the record on the questions that are asked.

Did you ever state to any person that you were not to be trusted?

Mr. MATUSOW. Yes, sir; to many people.

Mr. SOURWINE. Did you tell the truth at that time?

Mr. MATUSOW. At that time I was referring to my activities then; yes, I did tell the truth.

Mr. SOURWINE. Can you be trusted now?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. In all things?

Mr. MATUSOW. Sir, I don't think anybody can be trusted in all things.

Mr. SOURWINE. Can your word be trusted now?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. At all times?

Mr. MATUSOW. Before this committee; yes, sir.

Senator JENNER. Anywhere else?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. In all things? In all things, Mr. Matusow?

Mr. MATUSOW. In all things relevant to this subject, sir.

Mr. SOURWINE. You mean that you are only trustworthy with regard to this subject, Mr. Matusow?

Mr. MATUSOW. No, sir. If I knew a man had cancer I wasn't going to tell him he has cancer if the doctor told me not to.

Mr. SOURWINE. What doctor has told you not to tell this committee or not to tell anybody else that you have this particular cancer of untrustworthiness?

Mr. MATUSOW. I didn't hear you, sir.

Senator JENNER. Read the question, Mr. Reporter.

Mr. SOURWINE. What doctor has told you not to tell this committee or not to tell anybody else that you have this particular cancer of untrustworthiness?

Mr. MATUSOW. I have not discussed this committee with any doctors.

Mr. SOURWINE. Has anyone told you not to tell this committee about your shortcomings with regard to untrustworthiness?

Mr. MATUSOW. No; I don't recall any conversations about what I was going to not tell this committee.

Mr. SOURWINE. Well, you have been telling this committee about certain areas in which you were untrustworthy; is that right?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. I want you to tell the committee now in what areas are you presently untrustworthy.

Mr. MATUSOW. I don't recall, can't think of any, sir.

Mr. SOURWINE. Well, are you then stating that you are completely trustworthy in all respects at the present time?

Mr. MATUSOW. You are splitting hairs, sir.

Mr. SOURWINE. I am asking you what your statement is, Mr. Matusow.

Mr. MATUSOW. I have a statement, sir, but you are asking me for a "yes" or "no" answer on my statement.

The CHAIRMAN. Answer the question.

Mr. MATUSOW. I have my statement.

Mr. SOURWINE. I am asking you if you are now stating to this committee under oath that you are completely trustworthy in all things.

Mr. MATUSOW. I try to be.

Mr. SOURWINE. That is not an answer, sir.

Mr. MATUSOW. Well, it is the best I can do, sir.

Mr. SOURWINE. Do you know whether or not you are trustworthy?

Mr. MATUSOW. Sure, I do.

Mr. SOURWINE. Well, are you?

Mr. MATUSOW. I believe I am.

Mr. SOURWINE. Did you ever tell Russell Morton Brown, "You know that I am not to be trusted?"

Mr. MATUSOW. I did.

Mr. SOURWINE. Did you ever tell him, "I have betrayed everybody who ever trusted me?"

Mr. MATUSOW. I did.

Mr. SOURWINE. Do Mr. Cameron and Mr. Kahn trust you?

Mr. MATUSOW. They do.

Mr. SOURWINE. Is that why you have a bodyguard?

Mr. MATUSOW. To protect me from certain crackpots and from Government intimidation; yes, sir.

The CHAIRMAN. Who is that bodyguard?

Mr. MATUSOW. Pardon me?

The CHAIRMAN. Who is that bodyguard?

Mr. MATUSOW. It isn't a bodyguard; somebody around me.

The CHAIRMAN. Who is it?

Mr. MATUSOW. There are a number of people who have been around me.

The CHAIRMAN. All right. Who are they?

Mr. MATUSOW. It is Mr. Tank you have discussed; at times I am with Mr. Cameron or Mr. Kahn; at times I am with other friends in a local tavern.

The CHAIRMAN. Who are those people?

Mr. MATUSOW. Oh, just people I know; I can't recall last names. They are people, acquaintances in a local tavern.

The CHAIRMAN. You mean people are guarding you and you cannot recall their names?

Mr. MATUSOW. Sir, these people are not guarding me.

The CHAIRMAN. What?

Mr. MATUSOW. They are not guarding me.

The CHAIRMAN. You said so; you said you were protected from crackpots.

Mr. MATUSOW. Of course, I am.

The CHAIRMAN. Now, who is it that is protecting you from crackpots?

Mr. MATUSOW. I protect myself from crackpots. All right?

Mr. SOURWINE. Mr. Matusow—

The CHAIRMAN. Wait just a minute. Who is paying Mr. Tank?

Mr. MATUSOW. I don't know, sir.

The CHAIRMAN. What?

Mr. MATUSOW. I don't know, sir.

The CHAIRMAN. You don't know who is paying him?

Mr. MATUSOW. No, sir.

The CHAIRMAN. You don't know who assigned him to you as a bodyguard?

Mr. MATUSOW. He isn't assigned as a bodyguard, sir.

The CHAIRMAN. He has been guarding you, has he not?

Mr. MATUSOW. No; he has been with me. We play chess, we discuss a play he is writing about this subject.

The CHAIRMAN. Well, now, what do you mean now when you said a few minutes ago that you were protected from crackpots? You said Mr. Tank was one of those who protected you from crackpots; that is your sworn testimony. Now, do you say now that he is not your bodyguard?

Mr. MATUSOW. That is right, sir.

The CHAIRMAN. You want to change your first statement, then?

Mr. MATUSOW. Put it that way, sir; yes, when I used the term "bodyguard" I used the wrong term.

The CHAIRMAN. What is it?

Mr. MATUSOW. He is somebody who, you might say, is a companion.

The CHAIRMAN. You do not know who assigned him?

Mr. MATUSOW. Oh, I know how he got there. You asked me who was paying him, sir.

The CHAIRMAN. How did he get there?

Mr. MATUSOW. Albert Kahn, publisher of my book, suggested, asked me if I wouldn't like to have somebody around during the period that the affidavits were about to become public.

The CHAIRMAN. And you know Mr. Tank as a member of the Communist Party?

Mr. MATUSOW. No, sir; I don't.

The CHAIRMAN. You think he is?

Mr. MATUSOW. I thought he was.

The CHAIRMAN. Yes, sir. You have accused him of that?

Mr. MATUSOW. I have accused him; yes, sir.

The CHAIRMAN. Just like you accused Mr. Witt.

Mr. MATUSOW. I don't remember in my testimony accusing Mr. Witt, sir; I accused Mr. Kahn.

The CHAIRMAN. Didn't you testify this afternoon that you accused Mr. Witt of being a Communist?

Mr. MATUSOW. In public statements, but I didn't say I testified to that effect, sir.

The CHAIRMAN. Didn't you testify this afternoon that you had accused Mr. Witt of being a member of the Communist Party?

Mr. MATUSOW. Yes, sir; I did.

The CHAIRMAN. That is correct, is it not?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. Now, to be perfectly frank, you say you are trustworthy?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. You say you desire to tell the truth?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. The whole truth?

Mr. MATUSOW. Not only desire; I am telling the truth.

The CHAIRMAN. All right. If that is correct, isn't it a fact that the Communist Party has a man named Tank who is guarding you?

Mr. MATUSOW. I don't know if this man is a Communist, so how could I know if the Communist Party has assigned him?

The CHAIRMAN. What you are saying now is you do not know whether the Communist Party has assigned him to guard you or not; is that what you are saying?

Mr. MATUSOW. Herb Tank is a good friend of mine.

The CHAIRMAN. Now answer my question. You do not know whether or not he has been assigned to guard you by the Communist Party?

Mr. MATUSOW. The publisher of my book suggested that to me, that somebody be there.

The CHAIRMAN. Answer my question.

Mr. MATUSOW. I don't know, sir, if the Communist Party assigned him or not.

The CHAIRMAN. You do not know, that is correct?

Mr. MATUSOW. I do not know.

The CHAIRMAN. Yes, sir.

The publisher of your book who, you say, suggested it, and who secured him, you think he is a Communist, don't you?

Mr. MATUSOW. I had once accused him of being so.

The CHAIRMAN. Well, answer my question. Do you think he is a Communist?

Mr. MATUSOW. I do not think he is a Communist.

The CHAIRMAN. Why did you accuse him then of being a Communist?

Mr. MATUSOW. Because I was a perpetual and habitual liar.

The CHAIRMAN. When you accuse somebody, you are not lying then, are you?

Mr. MATUSOW. When I accuse somebody I am not lying now.

The CHAIRMAN. When you accused him of being a Communist were you lying then?

Mr. MATUSOW. I don't know he was; I was lying then.

The CHAIRMAN. You do not know now whether he was or not?

Mr. MATUSOW. That is right.

Senator JENNER. Mr. Chairman—

The CHAIRMAN. Wait a minute. But the facts are that Mr. Cameron suggested that you secure this man Tank?

Mr. MATUSOW. Mr. Kahn did.

The CHAIRMAN. Mr. Kahn did. He secured him for you, did he not?

Mr. MATUSOW. He suggested Tank.

The CHAIRMAN. Yes, he suggested Tank.

Senator JENNER. Mr. Chairman—

The CHAIRMAN. Yes, sir.

Senator JENNER (continuing). I bring up this point. Maybe I should do it in executive session. I wonder if this committee should proceed any further to take up its time listening to this witness who admits from the witness stand that he is a perpetual and habitual liar who doesn't even manufacture his own lies. He is just a self-made liar; I just wondered about the feasibility of this committee taking up its time listening to such drivel and such testimony.

The CHAIRMAN. Let me state now that there are other witnesses, and I think that the attorney for the committee is doing a very fine job in laying the predicate for the testimony of other witnesses. That matter, in my judgment, goes much deeper than this witness. I think his mouth has been used against his country.

Proceed, Mr. Sourwine.

Mr. SOURWINE. You stated that Herb Tank is a good friend of yours?

Mr. MATUSOW. He is, sir.

Mr. SOURWINE. Had you seen him at any time during the 5 years preceding last October?

Mr. MATUSOW. I had.

Mr. SOURWINE. Often?

Mr. MATUSOW. I believe on one or two occasions.

Mr. SOURWINE. Haven't you testified under oath you had not seen him since 1949 until you saw him in October of 1954?

Mr. MATUSOW. I said, I believe, I had met him in 1949 or 1950, and I met him again in early 1955, which is 5 years.

Mr. SOURWINE. Yes, exactly; and between that time—

Mr. MATUSOW. Wasn't that your question, sir? I didn't hear your question right, then, sir.

Mr. SOURWINE. I asked you if it was not true that you had not seen Mr. Tank, whom you described as your good friend, for 5 years prior to the time you met him last October.

Mr. MATUSOW. I met him in January this year, sir, not last October.

Mr. SOURWINE. All right.

Isn't it true that you had not seen him for 5 years prior to the time you met him in January this year?

Mr. MATUSOW. Right, and he was not a friend then.

Mr. SOURWINE. He became your good friend since January of this year?

Mr. MATUSOW. Yes, sir; he has.

Mr. SOURWINE. Do you know what his duties are?

Mr. MATUSOW. Yes, sir; I know what he is doing.

Mr. SOURWINE. I asked you if you know what his duties are.

Mr. MATUSOW. In what respect, sir?

Mr. SOURWINE. Do you know what his present duties are?

Mr. MATUSOW. In relation to me?

Mr. SOURWINE. Yes, sir.

Mr. MATUSOW. Well, he is working on a play dealing with this subject, dealing with the book. He is a successful—

Mr. SOURWINE. All I want at the moment is a "yes" or "no" answer. Do you know at present what his duties are with respect to you?

Mr. MATUSOW. Yes, sir; I do.

Mr. SOURWINE. What are they?

Mr. MATUSOW. He is working on a play.

Mr. SOURWINE. Don't tell us about working on a play; that is not a duty with respect to you.

Mr. MATUSOW. The book deals with my book; his play deals with my book, the story behind it.

Mr. SOURWINE. Go ahead.

Mr. MATUSOW. Mr. Tank is a successful playwright, and I have agreed to let him work on that play.

Mr. SOURWINE. Is that the only reason he is with you so constantly?

Mr. MATUSOW. That is the only reason he has been with me so constantly that I know of.

Mr. SOURWINE. You stated you do not know whether he is a member of the Communist Party?

Mr. MATUSOW. That is correct, sir.

Mr. SOURWINE. Did you ever know whether he was a member of the Communist Party?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Did you know he was a party member of old standing in the Seamen's Club of New York?

Mr. MATUSOW. I did not know, sir.

Mr. SOURWINE. Did you know that he was a self-confessed member of the Communist Party?

Mr. MATUSOW. I did not know that, sir.

Mr. SOURWINE. I have here a pamphlet, which I send to you. I would like to have you open it first to the first inside page where it states about the author, and then I would like to have you look at the first sentence of the pamphlet, and then I would like to have you look at the last three paragraphs. Will you do that, and read them, please. Read them aloud.

Mr. MATUSOW. The first paragraph?

Mr. SOURWINE. First the foreword on the inside of the second inside page about the author.

The CHAIRMAN. Please identify the book, Mr. Sourwine.

Mr. SOURWINE. This is a pamphlet. I would like to have Mr. Matusow tell from his examination what the title of it is, when and where it was published.

(The witness confers with his counsel.)

Mr. MATUSOW. It is a pamphlet called Communists on the Waterfront, published in New York in 1946.

Mr. SOURWINE. What does it say there on the first inside page where it says about the author? It is a short paragraph.

(The witness confers with his counsel.)

Mr. MATUSOW. Yes.

I have consulted with my counsel here and I believe that this should not be so—it is not construed as my testimony; if that prefaces my reading of it, I will read it, sir.

Mr. SOURWINE. Your testimony is only in response to the question, what does it say there in that pamphlet.

Mr. MATUSOW. It says in this pamphlet that—

Herb Tank, the author of this pamphlet, is a member of the Communist Party, and also a member of the National Maritime Union CIO.

Mr. SOURWINE. Does that pamphlet purport to be written by Mr. Tank?

Mr. MATUSOW. It purports to be written by Mr. Tank.

Mr. SOURWINE. Now, would you tell us what the opening sentence of that pamphlet is. Just read the opening sentence.

Mr. MATUSOW. I am focusing on it, sir:

A specter is haunting the waterfront, the specter of communism.

Mr. SOURWINE. Would you read the last four paragraphs of the book, please.

Mr. MATUSOW. I will, sir.

(Witness confers with his counsel.)

Mr. MATUSOW. From the book Communists on the Waterfront, that was given to me for identification by counsel for the committee, I am reading the last four paragraphs:

America needs a strong Communist Party!

The second paragraph, quoting again:

Your place is in the Communist Party. It is your party, and through the party you will become better fighters.

The third paragraph:

Seaman, longshoremen workers—the future belongs to you.

The last paragraph:

Join the Communist Party!

Mr. SOURWINE. Would you return that, please.

Had you ever seen that pamphlet before today?

Mr. MATUSOW. I believe I did, sir.

Mr. SOURWINE. Having examined that pamphlet, sir, do you have any opinion as to whether Mr. Tank was or was not a member of the Communist Party?

Mr. MATUSOW. If that pamphlet is true and Mr. Tank wrote it and it was published as such, apparently he was a member of the Communist Party in 1946.

Mr. SOURWINE. Now, you said you had seen this pamphlet before. Did that have any bearing on your previous answers to questions about whether you knew Mr. Tank to be a Communist?

Mr. MATUSOW. I don't recall having seen that pamphlet again until you showed it to me. I was unfamiliar with it.

Mr. SOURWINE. Mr. Chairman, I will not take the time of the committee to read these, but I hold here three sheets purporting to be a part of the record of Herb Tank with regard to Communist activities, including writing for a number of Communist publications. These are prepared from official records of congressional committees. I would like to offer them for the record at this time.

The CHAIRMAN. They will be admitted into the record.

(The documents referred to were numbered "Exhibit No. 6" and appear below:)

EXHIBIT No. 6

HERB TANK

(Source: HUAC)

DW, 11-7-47, p. 12

Reviewed a couple of movies.

DW, 9-26-48, p. 10, sect. 2

Reviewed a couple of movies.

Letter from Herb Tank appeared in *DW*, 6-14-50, p. 11

New Masses, Nov. 11, 1947, p. 22-23

Reviewed a book for *New Masses* entitled "Merchant Seaman" by William L. Standard.

N. Y. Star, Dec. 13, 1948, p. 1

Reported Tank had been suspended in a purge of left wingers from the National Maritime Union.

New Century Publishers Catalog, 1946, p. 6

Pamphlet "Communists On The Waterfront"—by Herb Tank "Communists On The Waterfront" also shown in *DW*, May 14, 1947, p. 11. This *DW* article included an advertisement for the sale of Tank's pamphlet "Inside Job."

Political Affairs, June 1947, on inside of cover

Advertisement for sale of "Inside Job."

DW, Jan. 20, 1950, p. 10

Author of play called "Longitude 49." Tank's photo also appears.

"Longitude 49" was produced by *Freedom Theatre* (Noted in: *DW*, April 25, 1950, p. 11; *The Worker*, April 30, 1950, p. 13, sect. 2, Southern Edition.)

People's World, May 26, 1952, p. 7

Reported play "Longitude 49" to be produced again by Freedom Stage.

People's World, Mar. 18, 1953, p. 7

Play "Longitude 49" to open Mar. 20 in San Francisco under the auspices of San Francisco Theatre.

DW, April 20, 1953, p. 7

"Longitude 49" was being performed by an amateur group of trade unionists known as the San Francisco Labor Theatre.

The Worker, Aug. 6, 1950, p. 6, sect. 2

Tank shown as member of the Executive Board of the New Playwrights, Inc. (A program of "A Wedding In Japan" held on July 18, 1952, at Yugoslav Hall.)

DW, May 11, 1951, p. 11

Shown as Chairman of New Playwrights and as speaker at one of the meetings on his return from a tour of England, France, Czechoslovakia, etc.

DW, Oct. 8, 1953, p. 7

Directed a play called *Mother Riba* with a theatre group called The Repertory. The play was to be presented at the Davenport Theater in New York City.

DW, Sept. 1, 1953, p. 6

Engaged to direct first 2 productions for The Repertory at the Davenport Theatre, New York City.

DW, Mar. 20, 1953, p. 7

Commented on an article entitled "Thoughts On American Writers" originally written by Michael Gold in *Masses and Mainstream*. Gold referred to "such new progressive writers" and among those he listed were Herb Tank.

DW, Jan. 21, 1953, p. 7

Named as one of those who urges clemency for the Rosenbergs.

DW, May 19, 1953, p. 7

Shown as the Director of a dramatic production of the poem "Caliban Speaks" which will be part of the Culture Fights Back Rally to be held by the Committee to Defend V. J. Jerome. Rally to be held at Hotel Capitol, New York City, May 20, 1953. The article goes on to identify him as the author of the play "Longitude 49."

DW, Oct. 14, 1953, p. 7

Listed as one of the signers of a statement to the Press on the death of the German "Anti-Fascist" Friedrich Wolf.

(Source: National Republic)

1. New Century Publishers, 1950 Catalog.
 - a. Pamphlet "Inside Job" (the story of Trotskyite intrigue in the Labor Movement).
2. Urged clemency for Rosenbergs.

DW, 2-16-53, p. 7.
DW, 1-21-53, p. 7.
3. Story in DW, 5-21-51, p. 11.
4. Paid tribute to late Frederick Wolf, Anti-Fascist writer.

DW, 10-14-53, p. 7.

Mr. SOURWINE. I will not read them because they are cumulative about what is already in the record.

Have you testified, Mr. Matusow, that you met Herb Tank in Mr. Witt's office?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Were you expecting him when he came in?

Mr. MATUSOW. I don't recall. I believe so, sir; yes.

Mr. SOURWINE. Why were you expecting him?

Mr. MATUSOW. I believe Mr. Kahn had called him earlier in the day and had left a message for him to meet us there.

Mr. SOURWINE. Did you have to be introduced to him when he came in?

Mr. MATUSOW. Yes, sir; I did.

Mr. SOURWINE. Now, can you go anywhere without—I withdraw that question.

When was it that you met Tank?

Mr. MATUSOW. When did I first meet him or when did I meet him?

Mr. SOURWINE. In Mr. Witt's office.

Mr. MATUSOW. The latter part of January of this year.

The CHAIRMAN. Is that the first time?

Mr. MATUSOW. The first time I met him, but Mr. Tank has no recollection of it, was during the run of a play he had written in late 1949 or early 1950.

The CHAIRMAN. Did you remember him?

Mr. MATUSOW. I just remembered him in relation to the play. It was very vague; he had no recollection of me.

The CHAIRMAN. But you had remembered him?

Mr. MATUSOW. Yes, sir; I remembered the play more than him.

Mr. SOURWINE. He was not your friend at that time, was he?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. You stated that Mr. Tank is not your bodyguard?

Mr. MATUSOW. He is not, sir.

Mr. SOURWINE. Is he here in this room here now?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Did he come down to Washington with you?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Who came with you?

The CHAIRMAN. Who came with you?

Mr. MATUSOW. My attorney.

The CHAIRMAN. Who else?

Mr. MATUSOW. That is all, sir.

Mr. SOURWINE. Did you see Mr. Tank before you left New York?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Did he go to the train with you?

Mr. MATUSOW. No. We went to the airport, but Mr. Tank did not go to the airport.

Mr. SOURWINE. Was Mr. Tank selected by the Communist Party to watch over you and charged with the duty of preventing you from doing anything the party might not like?

Mr. MATUSOW. No, sir; not to my knowledge.

Mr. SOURWINE. Since you agreed to write this book have you been allowed to be alone with any non-Communist for any length of time at all?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. When?

Mr. MATUSOW. During the complete writing of this book, in the early stages I shared an apartment with a member of the Young Republican Club in New York; and subsequent to that, in fact I didn't meet Mr. Tank, just for the record, until the book was completed. Nobody was with me during the writing of the book other than friends who I have known over the past few years, and most of them are members of the Young Republican Club of New York City.

Mr. SOURWINE. Are you a member of that club?

Mr. MATUSOW. I am.

Mr. SOURWINE. Who proposed you for that club?

Mr. MATUSOW. I don't recall who proposed me. It was 1 of 2 or 3 people.

Mr. SOURWINE. Wasn't it the man whose apartment or room you shared, as you have just testified?

Mr. MATUSOW. No; that is another Young Republican in another apartment.

Mr. SOURWINE. Who is the young man whose room you shared?

Mr. MATUSOW. This apartment? Which one are we talking about now?

Mr. SOURWINE. We are talking about the one that you volunteered information with respect to just a moment or so ago.

Mr. MATUSOW. John Pollard.

Mr. SOURWINE. Now, are there any other persons whose apartments you have shared?

Mr. MATUSOW. In what period, sir?

Mr. SOURWINE. Since October.

Mr. MATUSOW. No, sir.

The CHAIRMAN. What did Mr. Kahn tell you about Mr. Tank? You said he arranged for you to meet Mr. Tank.

Mr. MATUSOW. He said "I just thought"—we had discussed the idea, the reasons, which I wanted, more than Mr. Kahn, of having somebody around at the time the affidavits were filed, for many reasons. One, in case I was contacted by the press they would be witness to anything I said, so that statements I made publicly would not be; could not easily be misconstrued, and partly, just I was going out of town to finish the writing of the book, that is, the editorial work, correcting the galleys to be corrected, and we decided, Mr. Kahn and I, that somebody ought to be around at the time for many things in relation to the work on the galleys, that is, the mechanical work, and that is when Mr. Tank was contacted; and in that period, I believe I said to—he said to me, "I just thought of somebody, Herb Tank. Do you know him?" And I said, "Yes, I worked on"—not worked on a play, but I was there when the play had been done, a play he had written called Longitude 49 which ran in New York for about 3 months, on Broadway, 1949, 1950, and then later went to London, West End, for 3 months, and I knew of Mr. Tank in relation to that, and said it would be a fine idea.

The CHAIRMAN. What did you mean when you stated under oath this afternoon that his duty was to protect you from crackpots?

Mr. MATUSOW. Well, sir, I felt that from past experience in cases such as this in relation to labor spies—and I considered myself a labor spy at times—and other witnesses who had recanted, I believe one example was the Sacco-Vanzetti case, where a witness was pushed out of the courthouse or the Federal building window, and other cases of people who have been bodily hurt, it would be less likely to happen if somebody else was there.

The CHAIRMAN. That is right.

Mr. MATUSOW. And this was my reason for wanting somebody around.

The CHAIRMAN. That is correct; he was a bodyguard.

Mr. MATUSOW. No, sir; not in the term of bodyguard who wards people off.

The CHAIRMAN. Well, he was to protect you from physical violence.

Mr. MATUSOW. Well, if something came up we would attempt to protect both of ourselves.

The CHAIRMAN. That is right; and he would assist in protecting you from physical violence; that is true, is it not?

Mr. MATUSOW. Yes, but I don't recall calling that being a body-guard, but he had other functions more important.

The CHAIRMAN. Yes, he had other functions.

Mr. MATUSOW. More important, sir.

Mr. SOURWINE. You have stated, sir, that you told Russell Morton Brown, "I have betrayed everybody who ever trusted me." Was that true when you told him that?

Mr. MATUSOW. Yes, sir; I stated that.

Mr. SOURWINE. Is that still true?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Since you told Mr. Brown that, who has trusted you that you have not yet betrayed?

Mr. MATUSOW. I believe the people who trusted me, I have not betrayed people who have trusted me, since that time. I can't think of any betrayals.

Mr. SOURWINE. Do Mr. Kahn and Mr. Cameron trust you?

Mr. MATUSOW. I believe they do.

Mr. SOURWINE. And you have not betrayed them yet?

Mr. MATUSOW. I don't intend to betray anybody's trust.

Mr. SOURWINE. Did you ever tell J. B. Matthews, "I am a double-crosser; I have to doublecross myself twice a day just to keep in practice?"

Mr. MATUSOW. Sounds like something I could have said, but I don't recall it.

Mr. SOURWINE. Were you just kidding when you said it?

The CHAIRMAN. What do you mean it sounds like something you could have said?

Mr. MATUSOW. I have been very flippant and glib in the past, and the flippant nature of that remark, the remark itself is very, very flippant and glib, and that is the type of remark I used to utter quite a bit, and I could have said that.

The CHAIRMAN. People describe themselves as doublecrossers—

Mr. MATUSOW. I don't recall the remark, sir.

Mr. SOURWINE. Are you an author?

Mr. MATUSOW. I consider myself one, yes.

Mr. SOURWINE. Did you ever sell anything that you had written in the way of a story or an article or a book before you wrote this book *False Witness*?

Mr. MATUSOW. Sold some poetry.

Mr. SOURWINE. Is that all?

Mr. MATUSOW. I have worked with some people on a few plays, helped doctor them. I have written and sold comedy material to night club performers and certain television artists and, oh, offhand I can't think of any other stories.

Mr. SOURWINE. Did you write an article with Mr. Rushmore in *New York*, or a series of articles?

Mr. MATUSOW. Well, he wrote the articles. You asked me what I wrote. He wrote those.

Mr. SOURWINE. He wrote those?

Mr. MATUSOW. Yes.

Mr. SOURWINE. Were they based on your statements?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Were the statements in those articles true?

Mr. MATUSOW. Some were, some weren't.

Mr. SOURWINE. Did you ever write an article for the Santa Fe New Mexican?

Mr. MATUSOW. I by-lined an article for that paper; yes, sir.

Mr. SOURWINE. Why do you make the distinction, "I by-lined an article?"

Mr. MATUSOW. Because I took an article out of a Communist Party publication Political Affairs of April 1948 that was written by a Communist leader of Puerto Rico and gave it to the newspaper with certain corrections and revisions as an article of my own.

Mr. SOURWINE. You mean you plagiarized an article of a Communist paper and sold it to the Santa Fe New Mexican under your by-line?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. As a matter of fact, the only material that you added were two paragraphs; isn't that right?

Mr. MATUSOW. I don't recall, but very slightly; you are right.

Mr. SOURWINE. Now, you have recently written a book?

Mr. MATUSOW. I have, sir.

Mr. SOURWINE. This is your first book?

Mr. MATUSOW. First book that is being published

Mr. SOURWINE. Did you write it all yourself?

Mr. MATUSOW. Yes, sir. It is not my first book though, sir.

Mr. SOURWINE. What was your first book?

Mr. MATUSOW. Well, I have finished a volume of poetry which I am still working on, but the first draft of that was finished prior to this. I have worked on a number of other stories which I have in various stages of development, as well as certain scripts, also in various stages of development.

Mr. SOURWINE. Did you conceive the idea of this book False Witness yourself?

Mr. MATUSOW. I did.

Mr. SOURWINE. Did anyone suggest it to you?

Mr. MATUSOW. Only the title.

Mr. SOURWINE. Who suggested the title?

Mr. MATUSOW. Mr. Kahn suggested the title change from Black-listing was my Business to False Witness.

Mr. SOURWINE. Have you discussed with Mr. Kahn or anyone else the similarity in title between False Witness and the title of Whitaker Chambers' book Witness?

Mr. MATUSOW. I believe it was discussed once, not in relation to False Witness, but there was another title that, I believe, my recollection is, I discussed with Mr. Cameron and Mr. Kahn at our first meeting on October 25, 1954, the question of doing something with the title or—and we ruled that out at that time. But the words False Witness or that title was not arrived at.

Mr. SOURWINE. You will find when you read the record that that answer is wholly incomprehensible.

Now, let us start over again. Did you discuss with anybody, Mr. Kahn or anybody else, the title of your book False Witness in relation to the title of Whitaker Chambers' book Witness?

Mr. MATUSOW. Yes. After the title was—or after the title was decided upon, some people mentioned to me that it was similar to Whitaker Chambers' book *Witness*.

Mr. SOURWINE. Now, did Mr. Kahn ever discuss that with you?

Mr. MATUSOW. Only in relation to reporting conversations that other people had with him. They said that somebody, not telling me who, mentioned the fact that it was a play or thought it was a play on the Whitaker Chambers' title, which it was not.

Mr. SOURWINE. It was not so intended?

Mr. MATUSOW. It was not.

Mr. SOURWINE. You know, do you not, that you have been given considerable credit for having achieved a master stroke of propaganda in using that title *False Witness* for the purpose of discrediting Whitaker Chambers' book?

Mr. MATUSOW. I do not know that, but I accept the information as factual.

Mr. SOURWINE. Did anyone suggest to you that you write this book?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Did you state in a press conference that you had been harvesting grain in the Texas Panhandle as a migratory field hand when you suddenly received an offer to publish your autobiography?

Mr. MATUSOW. I did not. I said, if you want the correct quote, sir, or substance in the press conference, that Mr. Cameron and Kahn had tried to locate me in Dallas, Tex. I was not there; I did not contact them. I left Alice, Tex., and traveled by bicycle, which is one of my hobbies, bicycle riding, through Texas and up through the Panhandle, and I worked a few days in the Panhandle harvesting maize near Dumas, Tex.

Mr. SOURWINE. Mr. Matusow, at the moment I am only trying to find out what you said at the press conference.

Mr. MATUSOW. I did not state that at the press conference; fine.

Mr. SOURWINE. I want to state to you that Mr. Murray Marder of the *Washington Post*, who is a reputable and accurate reporter, stated in the *Washington Post* on February 6, in reporting on a press conference that you had held, that you had said that you had been harvesting grain in the Texas Panhandle as a migratory field hand when you suddenly received an offer to publish your autobiography.

Now, do you deny that you did that?

Mr. MATUSOW. I talked very fast, and I know I said I was working in the Texas Panhandle harvesting grain; I know that I said I received an offer, but the chronology of events is off.

I received the offer before I left Dallas.

Mr. SOURWINE. Now, wait a minute; are you saying that you then said something which was wrong, or are you saying that you did not say what Mr. Marder reported?

Mr. MATUSOW. I believe Mr. Marder reported the chronology wrong, and he is off by a few days.

Mr. SOURWINE. Now, actually where were you when you received the offer?

Mr. MATUSOW. I first received the offer or notification of it in Dallas, Tex. I received the actual offer in Taos, N. Mex.

Mr. SOURWINE. Did you, in Dallas, receive notification that Mr. Cameron and Mr. Kahn wanted to publish your book?

Mr. MATUSOW. I received a message that they wanted to see the manuscript and were interested in publishing the book.

Mr. SOURWINE. From whom did you receive that message?

Mr. MATUSOW. They had telephoned my parents, and I forget whether it was either my mother or father who relayed the phone message to me.

Mr. SOURWINE. Now, in Taos, you actually got the offer in a telephone conversation with Mr. Kahn; is that right?

Mr. MATUSOW. That is correct, sir.

Mr. SOURWINE. Mr. Cameron had sent you a telegram; is that right?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Had anyone sent you a telegram?

Mr. MATUSOW. The Justice Department, that day, sir, or that period.

Mr. SOURWINE. I am talking about a telegram with respect to the contact on this book, Mr. Matusow.

Mr. MATUSOW. No telegram that I can recall; in fact, there was no telegram; I never received one.

Mr. SOURWINE. You are quite sure of that? If I told you that Mr. Cameron had testified that there was a telegram, would that change your opinion any?

Mr. MATUSOW. Well, I was moving; I never received a telegram.

Mr. SOURWINE. Then when you called the offices of Cameron & Kahn, you did so entirely and solely because you had been told by one of your parents that they wanted to see the manuscript of your book?

Mr. MATUSOW. That is right, sir.

Mr. SOURWINE. And you placed a telephone call for whom, Mr. Cameron or Mr. Kahn?

Mr. MATUSOW. Mr. Cameron.

Mr. SOURWINE. And who came on the phone?

Mr. MATUSOW. Nobody. About an hour later or 45 minutes later, Mr. Kahn came on the phone, as I recall, returned my call.

Mr. SOURWINE. Now, from where did you place that telephone call?

Mr. MATUSOW. I believe the Taos Inn.

Mr. SOURWINE. You had a room there?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. And you received the return call there?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. When and from whom did you learn that Bishop OXNAM had brought to Cameron & Kahn word about your book?

Mr. MATUSOW. When did I learn that they had received word from Bishop OXNAM or through his public statements, is the way the story came to me—I believe at the meeting at the Delmonico Hotel, my first meeting with Mr. Cameron and Mr. Kahn in October, October 25, 1954. They both said that they became interested in my book through public statements of Bishop G. Bromley OXNAM.

Mr. SOURWINE. Why did you stress "public statements"?

Mr. MATUSOW. Because that is what they said.

Mr. SOURWINE. Well, as a matter of fact, when you talked with Bishop OXNAM, didn't he tell you that he would try to find a publisher for your book?

Mr. MATUSOW. He said he would think about it.

Mr. SOURWINE. Do you know whether he did try to find a publisher for your book?

Mr. MATUSOW. I don't have any idea.

Mr. SOURWINE. Are you telling me the truth that both Mr. Kahn and Mr. Cameron stressed to you in the Delmonico Hotel the fact that they had heard from Bishop Oxnham only through his public statements?

Mr. MATUSOW. They mentioned public statements, and that is all I remember them mentioning.

Mr. SOURWINE. Did they stress to you that they had heard from him only through public statements?

Mr. MATUSOW. I only recall their mentioning public statements.

Mr. SOURWINE. Did they stress to you that they had heard from him only through public statements?

Mr. MATUSOW. Not that I recall their stressing public statements.

Mr. SOURWINE. Why did you stress it here?

Mr. MATUSOW. Because you meant to leave the impression that they had stressed it. They told me it was a public statement, and they mentioned it once, and moved on to another statement.

Mr. SOURWINE. Did they ever tell you that Bishop Oxnham had contacted them personally?

Mr. MATUSOW. I don't know one way or the other.

Mr. SOURWINE. He said he would think about the matter, didn't he?

Mr. MATUSOW. Yes.

Mr. SOURWINE. And you know Bishop Oxnham was a friendly person, as far as you were concerned, didn't you?

Mr. MATUSOW. He was friendly to me.

Mr. SOURWINE. That is right, sir. You had no reason to think he would not do what he had told you he would do?

Mr. MATUSOW. At that time I did have reason; yes.

Mr. SOURWINE. You had reason to think he would not do what he told you before?

Mr. MATUSOW. Yes, sir; I did.

Mr. SOURWINE. What was that reason?

Mr. MATUSOW. Well, I was called before the House Committee on Un-American Activities shortly after I met with Bishop Oxnham, and at that point I refuted the testimony or the statements of Bishop Oxnham; didn't own up to them.

Mr. SOURWINE. You do not mean refuted, do you? You mean denied.

Mr. MATUSOW. Well, yes; denied.

Mr. SOURWINE. Now, when Mr. Kahn telephoned you in Taos, N. Mex., was that October 22, 1954?

Mr. MATUSOW. I believe it was a Friday. If Friday was October 22, then it was October 22.

Mr. SOURWINE. It was on or about October 22?

Mr. MATUSOW. I believe it was specifically October 22, if that was a Friday.

Mr. SOURWINE. All right, sir.

Did Mr. Kahn in the telephone conversation which followed tell you that he wanted to publish a book of your confessions to having lied for congressional committees and in the Federal court?

Mr. MATUSOW. No, sir; he didn't say that.

Mr. SOURWINE. Was money mentioned in that telephone conversation?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. In what way?

Mr. MATUSOW. I said to Mr. Kahn that, "I will come to New York and see you and discuss the manuscript if you send me a round-trip ticket, and if we don't come to any, culminate any deal, then I will go back West and continue my bicycle trip."

Mr. SOURWINE. Was that the only mention of money in the conversation?

Mr. MATUSOW. At that time; yes, sir.

Mr. SOURWINE. Well, I am talking about that conversation; it is necessarily at that time.

Mr. MATUSOW. I believe he suggested that he get a hotel room for me in New York, and I said, no, it won't be necessary, that I don't need it.

Mr. SOURWINE. Was that the only other mention of money in that particular telephone conversation?

Mr. MATUSOW. The only one that I recall.

Mr. SOURWINE. Didn't he make mention of the amount of money that you might expect to make from the sale of the book?

Mr. MATUSOW. No, sir; he did not.

Mr. SOURWINE. You have testified that the message you had was from Mr. Cameron?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. I want to be sure that you are quite certain about that. Couldn't you have received the message from Mr. Kahn?

Mr. MATUSOW. The relay of messages from my parents quite frequently is in a state of, shall we say, lack of accuracy, and on many occasions not only this but over a period of years, and I might have gotten the Cameron and Kahn, and just gotten the Cameron part of the message, but all I got was Cameron.

Mr. SOURWINE. That is what I want to be sure of. You are stating now positively that no message reached you from Mr. Kahn prior to the time that you talked to him on the telephone on October 22 while you were in Taos?

Mr. MATUSOW. That is right, sir.

Mr. SOURWINE. Now, there was considerable confusion in your testimony about—in Judge Dimock's court—about whether you had met Mr. Kahn before.

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Were you consciously or intentionally splitting hairs over that point in court?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. You were asked had you met him before, and you answered:

As I say, I have not seen him before. I never met him formally, no, not that I recall, that is.

Were you attempting to make a distinction between meeting him and meeting him formally?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. But that was not splitting hairs?

Mr. MATUSOW. I believe the attorney was asking the question, was splitting the hairs, by phrasing it that way. I am not an attorney, and I have counsel here, and have tried to answer your questions without consulting counsel, and frequently do not want to consult counsel,

but I would rather give the attorney the benefit of the doubt, and think you are trying to trap me and split a hair.

Mr. SOURWINE. I will ask you another question now, sir. Had you, before October of last year, met Mr. Albert E. Kahn either formally or informally?

Mr. MATUSOW. Yes, sir; I have.

Mr. SOURWINE. Where had you met him?

Mr. MATUSOW. I believe I met him during the 1948 campaign where he was a candidate of the American Labor Party, or the Progressive Party, which that was in New York, for Congress in the 24th or 25th Congressional District, and I believe I met him or saw him at Madison Square Garden one night at a rally in which the Dean of Canterbury spoke, and I believe, although I am very hazy on that recollection, but it is quite possible that I met him at the Jefferson School Book Shop in New York, where he purchased a book.

Mr. SOURWINE. Now, you are there referring to meetings in public places.

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Did you ever meet him formally or informally prior to October of 1954 in a private place?

Mr. MATUSOW. No, sir; I did not.

Mr. SOURWINE. That is a categorical answer?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Did you in an introduction you wrote for your book state that you knew Cameron and Kahn were using you?

Mr. MATUSOW. Sir, you are taking notes which are not in relation to what you are saying. I believe in that I said some people will accuse Cameron and Kahn or accuse me of being used by them.

Mr. SOURWINE. Didn't you write, "I know they are using me"?

Mr. MATUSOW. You are using words, sir, in context, no; in substance, no; in actuality, yes.

The CHAIRMAN. Do you have exactly what he said?

Mr. SOURWINE. Yes, I do, exactly what he said.

The CHAIRMAN. Read the witness what he said.

Mr. SOURWINE. I think in fairness to him I should ask, Did you not also say in that same paragraph that you were using them?

Mr. MATUSOW. Yes, and I believe I further stated that I was using myself.

Mr. SOURWINE. Yes; and you stated that you were using them for monetary gain, did you not?

Mr. MATUSOW. I what?

Mr. SOURWINE. Did you state that you were using them for monetary gain; in other words, to make money?

Mr. MATUSOW. No, sir; I don't believe that is in there.

(Witness conferred with his counsel.)

Mr. SOURWINE. I apologize for the delay, Mr. Chairman, but I am trying to find the exact page.

Mr. MATUSOW. I believe I can help you, sir, if you like. It is found in the supplemental preface to the book on page—right after the end of the thing called "The Attorney General's Statistics."

Mr. SOURWINE (reading):

Some people might call me an unwitting handmaiden of the Communists, and others might say that I never left the Communist Party, and still others may say that I am just an unstable person who can't make up his mind and who has

been used by everyone that could use him for political purposes. In answer to these charges, which are going to be raised, I have deliberated for many months. As for the first and second point, the answer is simply I am the handmaiden of my own conscience and the reason that I am writing this book is because the second question, which is one of fear, is too quick to come up in our present national thought. As for point three, yes, I am being used. When I had my first meeting with my publishers, Albert Kahn and Angus Cameron, I raised this question. Albert Kahn has been accused by many of being many things which are politically left of center, from Progressive to Communist, and I knew it before I met him. I had worked on stories in Counterattack that accused him of being a Communist and I have in the past attacked him in speeches. It was the newsletter Counterattack for which I worked that had Angus Cameron fired from his job at Little, Brown Publishers, and now he and Albert Kahn are publishing my book.

But getting back to the question of whether or not I am being used, yes, Angus Cameron and Albert Kahn are using me, for they believe in what I am now writing, but I am also using them, for they afford me a chance to publish what I am writing. Cut it any way you like, and it ends up with our using each other. For the first time in my life I can say that I am using myself. Knowing that I am using myself, I don't reject any offers of help, for this book is motivated by my desire for many peaceful and restful nights of sleep.

The last point deals with stability and instability (use what I have to say in the original preface).

Is that the whole of what you said at that time in that particular preface?

Mr. MATUSOW. Well, those were some notes. It was not intended for the publication preface of the book. I think that should be clear for the record.

Mr. SOURWINE. You say not intended?

Mr. MATUSOW. That was not intended for the original or for publication.

Mr. SOURWINE. Not intended by you?

Mr. MATUSOW. By me; and that made it final because the publishers couldn't use it if I didn't give it to them to use.

The three prefaces that you have, sir, one was used in part or drafted for eventual use, but I changed my mind about using that one, too. What you read was never intended for publication.

Mr. SOURWINE. Did Mr. Kahn's marginal notes help you to change your mind about using it?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. He didn't like that passage, did he?

Mr. MATUSOW. I don't believe he did like it, but I never intended to use it for publication.

Mr. SOURWINE. How were Cameron and Kahn using you, Mr. Matusow?

Mr. MATUSOW. Many ways.

Mr. SOURWINE. Then, tell us about the ways in which they were using you.

Mr. MATUSOW. They are publishers, and apparently they have a book they think they can sell. They don't believe in, from what I have gathered, the justness of the convictions of these Communist Party leaders, and they felt that I had something to say which was in line with their belief, and not believing in this Smith Act.

The CHAIRMAN. Well, as a matter of fact, they did not believe in the convictions of the Communist Party leaders, you say?

Mr. MATUSOW. Yes, sir?

The CHAIRMAN. And they wanted to get them out?

Mr. MATUSOW. Under the Smith Act they said so; yes, sir.

The CHAIRMAN. Now, the Mine, Mill, and Smelter Workers Union had the same opinion; did they not?

Mr. MATUSOW. The same what, sir?

The CHAIRMAN. They had the same opinion. Mr. Witt and the union, they were of the same opinion; were they not?

Mr. MATUSOW. I know of Mr. Witt's opinion, and I can state that. He has told me he was——

The CHAIRMAN. Now, how much is this union paying your publishers?

Mr. MATUSOW. Sir, I don't know what arrangements they have with my publishers. I was informed that they are purchasing 6,000 or so books, paperbound editions of the book, at 50 cents apiece, which would probably come to, say \$3,000, but I haven't seen any contractual arrangements; I haven't seen any arrangements spelled out.

The CHAIRMAN. I understand that. But your opinion, your information, is that they are paying your publishers \$3,000?

Mr. MATUSOW. For which they are going to receive 6,000 copies of a book which they will, in turn, if they sell, make \$6,000 or make a profit.

The CHAIRMAN. That is, if they sell it for more than 50 cents?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. And it is a Communist publishing company and a Communist union, in your judgment, is it not?

Mr. MATUSOW. No, sir; I believe there are Communists in the Mine, Mill, and Smelter Workers Union. I have no doubts about it, no doubt at all about there being Communists.

The CHAIRMAN. Do you think Mr. Witt is?

Mr. MATUSOW. I have accused him of being one in the past.

The CHAIRMAN. And you think your publishers are?

Mr. MATUSOW. I have accused them of being Communists in the past; yes, sir.

Senator WATKINS. Did they ever tell you that you were lying when you have accused them of being Communists?

Mr. MATUSOW. No, sir.

Senator WATKINS. They did not deny it?

Mr. MATUSOW. No, sir; we didn't discuss it.

Mr. SOURWINE. You say at 50 cents, meaning the price at which these books are to be purchased. Is that the discount price to the union?

Mr. MATUSOW. I believe that is what I was informed of.

Mr. SOURWINE. You get 14 percent of that under your contract?

Mr. MATUSOW. Fourteen percent of 50 cents.

Mr. SOURWINE. You will not get 14 percent of the \$1 price of the book?

Mr. MATUSOW. No, sir; of the 50 cents.

Mr. SOURWINE. Do you know that the Canadian Union of Mine, Mill, and Smelter Workers has agreed to buy 5,000 copies of this book?

Mr. MATUSOW. I knew there were some negotiations going on; I didn't know if they had been culminated.

Mr. SOURWINE. Did you——

Mr. MATUSOW. Or concluded, pardon me.

Mr. SOURWINE. I beg your pardon.

Mr. MATUSOW. I didn't know they had been concluded.

The CHAIRMAN. What other negotiations are there going on?

Mr. MATUSOW. Well, I believe a French publisher is publishing the book.

The CHAIRMAN. What publisher?

Mr. MATUSOW. I don't know, sir; I haven't seen the contract yet, and I don't know what the publishers have done in relation to normal sales, but I just know of a French publisher who has shown a willingness or hasn't contracted for it, yet, I don't believe, but is willing to, and it is in negotiation with the publisher now for the publication in French.

The CHAIRMAN. You don't know what publisher it is?

Mr. MATUSOW. No, I don't. I am not sure it is a French publisher, I believe it is.

The CHAIRMAN. Well, what have they told you? Who told you it was a French publisher?

Mr. MATUSOW. I believe Mr. Kahn said it was French, but my recollection is not now too clear, but I am pretty sure it is French. I am not trying to be evasive; I just have not taken any interest in the negotiations.

The CHAIRMAN. Do you know of any other negotiations?

Mr. MATUSOW. No, sir.

The CHAIRMAN. They have not informed you of any other negotiations, except those two? They have informed you of no other negotiations except those two?

Mr. MATUSOW. That is right, sir.

The CHAIRMAN. Proceed.

Mr. SOURWINE. While you are on the subject of the French publisher, do you know whether your proposed or purported or prospective French publishers are a Communist or Communist-dominated publishing house?

Mr. MATUSOW. I don't know. I don't know if I am sure it is French, and I don't know anything about the French publisher.

Mr. SOURWINE. All right, sir.

Do you know whether the International Union of Electrical Workers has agreed to buy any copies of your book?

Mr. MATUSOW. No, sir; I don't.

Mr. SOURWINE. Did you, Mr. Matusow, have any aid in research on your book?

Mr. MATUSOW. Excuse me, I didn't hear you.

Mr. SOURWINE. Did you have any aid in research on your book?

Mr. MATUSOW. Only after the book was done, correcting certain dates which were off. That was undertaken by the publisher, that is, I might have said September 5, and somebody said "I believe that was September 8," just checking my dates.

Mr. SOURWINE. Did you get any money before October of last year to help you in writing this book?

Mr. MATUSOW. Well, I used certain moneys that I earned elsewhere to do it.

Mr. SOURWINE. No, I mean, was any money given to you or loaned to you for the purpose of helping you to write this book or such book as this?

Mr. MATUSOW. No, sir; I don't recall of anybody loaning me any money for this purpose. I attempted to get some, but I didn't get it.

Mr. SOURWINE. You asked a good many people for such loans, or advances; did you not?

Mr. MATUSOW. Oh, yes, sir; quite a few.

Mr. SOURWINE. We will get to that at a little later point.

Is this book all in your own words?

Mr. MATUSOW. Every sentence is mine; certain grammatical changes have been made, but other than that, the book is mine, in my words.

Mr. SOURWINE. None of it has been changed by anyone else?

Mr. MATUSOW. No substantial, no sentences have been changed, other than normal technical editing.

Mr. SOURWINE. However, is it not true that you have made changes in the book at the suggestion of other persons? You have made revisions or changes in the book at the suggestion of other persons?

Mr. MATUSOW. Only in the sense of a point not being clear, a point that I raised, and that is a technical editing problem which every author has; those types of suggestions only.

Mr. SOURWINE. Well, you have made changes at the suggestion of Mr. Kahn, haven't you?

Mr. MATUSOW. In that nature only, sir. He has not suggested what I should put in the book, that is what your question implies.

Mr. SOURWINE. Has he suggested things that you should delete from it?

Mr. MATUSOW. In relation to libel; yes, sir.

Mr. SOURWINE. Otherwise than libel?

Mr. MATUSOW. Not that I recall, sir; no.

Mr. SOURWINE. Has he suggested changes in viewpoint or emphasis?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Did you make any changes because—

Mr. MATUSOW. He did make one suggestion, sir, pardon me, I do remember one. In dealing with the United Electrical Workers Union in the book, and with the Union of Mine, Mill and Smelter Workers, Mr. Kahn said, "Harvey, you are very naive. I think you would be kind of a little naive when you don't say there are Communists in those unions, because you have been a Communist and you ought to know that there probably are Communists," and I listened to that suggestion.

Mr. SOURWINE. You mean that in your book you do say that?

Mr. MATUSOW. I seem to recall saying so. It was near the end, and I hoped the changes got in; I intended them to.

Mr. SOURWINE. Did you make any changes in your book at the suggestion of Nathan Witt?

Mr. MATUSOW. Only one, and that was when I dealt with the Salt Lake City incident in October 1952; I had said the union had a national convention there. Mr. Witt told me that it was only a legislative conference.

Mr. SOURWINE. Your book was sold before it was written; was it not?

Mr. MATUSOW. I sold it to the publishers; yes, sir.

Mr. SOURWINE. That is what I mean.

Mr. MATUSOW. Part of it was written.

Mr. SOURWINE. Yes.

Mr. MATUSOW. Before it was written would be correct.

Mr. SOURWINE. On the basis of a letter contract which stipulated just what kind of a book it was to be; isn't that right?

Mr. MATUSOW. That is correct, sir.

Mr. SOURWINE. Did Angus Cameron help you in any way in the preparation of the book?

Mr. MATUSOW. Only in the same sense of Mr. Kahn, the technical editing of the book.

Mr. SOURWINE. Did Mr. Cameron make any suggestions to you concerning what should go in the book?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Did he write any drafts of any material with the suggestion that it might go into the book?

Mr. MATUSOW. He did not, sir; other than what he has probably written for the back jacket or front jacket, or something of the book, not the front, but the inside flap.

Mr. SOURWINE. Did you, in writing the book, consult any written notes or memoranda made by Mr. Cameron?

Mr. MATUSOW. I seem to recall he once typed up a one or two-page commentary on the completed manuscript or section of it, suggesting certain technical editing things, and I didn't use it; I didn't agree with it, and I threw it away, and the book kept its form without accepting his suggestion at the time.

Mr. SOURWINE. Is that the only instance in which you consulted, during the course of the preparation of the book, any written notes or memoranda by Mr. Cameron?

Mr. MATUSOW. There was one other, sir; in one editorial suggestion I used a verb "contacting" and Mr. Cameron told me there was no such verb, and I maintained there was and looked it up in the dictionary, and found—I found it in the dictionary, and at that point I typed out a note to him and told him that the verb was there. He had been away at the time, his wife had been sick, and we had agreed on the final contract—this was in early January—and at the bottom of the note I think I said something about it, "I would appreciate your contacting me with the contract this week."

Mr. SOURWINE. Did he write you a note about that word "contacting?"

Mr. MATUSOW. He just marked it, I believe, in pencil or ink on the manuscript, which you have.

Mr. SOURWINE. Have you now told us about all of the instances in which, during the course of preparation of this book, you read or consulted any written notes or memoranda by Mr. Cameron?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Did you, during the course of the preparation of this book consult any written notes or memoranda by Mr. Kahn?

Mr. MATUSOW. There is one other, sir, with Mr. Cameron. I believe in one of the tape-recorded conversations, reel 6, if my memory serves me correctly, the opening of reel 6, is a conversation I had with Mr. Cameron, but other than that, I can't think of any.

Mr. SOURWINE. You have a very good memory, have you not?

Mr. MATUSOW. On certain things; yes.

Mr. SOURWINE. On virtually all things; have you not?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Have you frequently bragged about your memory?

Mr. MATUSOW. I have been too much of a braggart in the past, sir; bragged about many things that weren't, sir.

Mr. SOURWINE. Just answer the question, sir.

Mr. MATUSOW. Yes; I have bragged about my good memory.

Mr. SOURWINE. As a matter of fact, haven't you stated there is no use in carrying notes with a memory like yours?

Mr. MATUSOW. In substance, probably yes.

Mr. SOURWINE. Did you ever have any difficulty remembering things you wanted to remember?

Mr. MATUSOW. No, no different than other people in that way, sir; names, yes. I am introduced to people, I do have difficulty there.

Mr. SOURWINE. Did Mr. Albert Kahn write any of the material that appears in your book?

Mr. MATUSOW. No, sir; other than his foreword, which he has signed.

Mr. SOURWINE. Did he write or furnish any material in connection with the preparation of the book?

Mr. MATUSOW. Only the outlines, that is, a correlation of certain material which we used for discussion. He didn't write it; he just organized certain material that I gave him, and we discussed it prior to his organization.

Mr. SOURWINE. Other than that, did you consult or read any written memoranda or notes by Mr. Kahn in the course of the preparation of the book?

Mr. MATUSOW. No, sir; only his editorial suggestions in the margins of the draft, which you have before you.

Mr. SOURWINE. Other than that?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Are you sure about that?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Didn't you read a memorandum or note prepared by Mr. Kahn which indicated the sections of your testimony in the Smith Act trial which should be covered?

Mr. MATUSOW. Sir, that memorandum, I have found out, was prepared by the attorneys for the Communist Party leaders.

Mr. SOURWINE. You mean prepared by Mr. Sacher?

Mr. MATUSOW. Well, Mr. Sacher introduced it in court and said he obtained it—I mean through his office, a copy of that memorandum.

Mr. SOURWINE. You do not know which attorney prepared it?

Mr. MATUSOW. No; I don't know who prepared it, sir.

Mr. SOURWINE. Well, then, that is a person other than Cameron and Kahn who influenced what went into the book; is it not?

Mr. MATUSOW. No, sir; that is not so, sir.

Mr. SOURWINE. You mean that memorandum had no influence on what went into the book?

Mr. MATUSOW. That was not a memorandum in the normal sense of the word. There were a few typewritten pages which took out testimony verbatim, complete quotes of my testimony, so that I didn't have to plow through a thousand pages to find out where I said what.

Mr. SOURWINE. That is right.

Mr. MATUSOW. And that is all it was.

The CHAIRMAN. That is what they wanted you to do, to deny, wasn't it?

Mr. MATUSOW. No, sir; that is not what they wanted me to deny.

The CHAIRMAN. They prepared it; they gave it to you for what purpose?

Mr. MATUSOW. Because I wanted it; that is, I wanted to know where I had testified relating to any individuals who were defendants.

The CHAIRMAN. You requested it?

Mr. MATUSOW. I had told Mr. Kahn that I had testified against the 13 Communist leaders. At that time there were 15 on trial, and that my testimony only related to a few of them. I wanted to know where I had testified about material things in relation to these few people. The fact that I identified the others did not mean I was a witness against them. I was a material witness against 4 people.

The CHAIRMAN. Why did you ask Mr. Kahn that?

Mr. MATUSOW. Because I had asked him to get me the testimony.

The CHAIRMAN. Mr. Kahn is not a lawyer; he is a publisher. Did you expect Mr. Kahn to plow through that record?

Mr. MATUSOW. I had told Mr. Kahn not, in substance, to get me a memorandum showing me where I testified, but asked him to get me the minutes of the court record, the court proceedings. I told him I wanted to go through those minutes and find out where I had testified.

The CHAIRMAN. Why did you ask him?

Mr. MATUSOW. As the publisher of my book.

The CHAIRMAN. As the publisher of your book?

Mr. MATUSOW. Part of our arrangement—

The CHAIRMAN. You knew at the time he was going to the attorney for the Communist Party leaders?

Mr. MATUSOW. No, sir. Part of our arrangement was that Mr. Kahn, Cameron & Kahn, furnish me with that type of research material that I needed.

The CHAIRMAN. That was part of your agreement with them?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. Did you discuss it with Mr. Witt?

Mr. MATUSOW. No, sir; that is prior to any affidavits. I haven't discussed it.

The CHAIRMAN. Now, Mr. Kahn then contacted whom?

Mr. MATUSOW. I don't know who he contacted, sir; I never asked him.

The CHAIRMAN. Who do you understand supplied that memorandum?

Mr. MATUSOW. He supplied me with the minutes of the court proceedings, and this was a complete excerpt of parts of my testimony.

The CHAIRMAN. Well, who prepared it?

Mr. MATUSOW. I don't know who prepared it. I presume it was prepared at one time by the attorneys for the defendants in that case.

The CHAIRMAN. Yes, sir. Who was that attorney?

Mr. MATUSOW. I don't know which attorney prepared it; there were three of them, sir.

The CHAIRMAN. Didn't you just say Mr. Sacher prepared it?

Mr. MATUSOW. No, sir; I said Mr. Sacher introduced it in court the other day. Mrs. Kaufman could have produced it; Mr. Lewis, Mr. Sacher. I have met—and there might be somebody else.

The CHAIRMAN. But you don't know which one of those persons prepared it?

Mr. MATUSOW. Or someone connected with their office.

The CHAIRMAN. How do you know that?

Mr. MATUSOW. Mr. Sacher said that.

The CHAIRMAN. He told you that?

Mr. MATUSOW. No, he said so to the judge in the court, sir.

The CHAIRMAN. He said they prepared it for you?

Mr. MATUSOW. No, he didn't say they had prepared it for me; they said it had been prepared.

Mr. SOURWINE. You slipped in a statement a moment ago that, unintentionally perhaps, may give a false impression in the record. You mentioned Mr. Witt and made a statement to the general effect that you had not discussed the matter of your book with Mr. Witt prior to the giving of affidavits.

Mr. MATUSOW. No, sir.

Mr. SOURWINE. That is not what you meant to say.

Mr. MATUSOW. I meant to say I had not discussed that case, the Elizabeth Gurley Flynn case, with Mr. Witt prior to giving any affidavit in that case.

Mr. SOURWINE. You did discuss your book with Mr. Witt though?

Mr. MATUSOW. Well, after—he had seen the book, yes, after he had received—after I gave him that affidavit.

Mr. SOURWINE. No. You did discuss with Mr. Witt the matter of your book before you gave an affidavit in the Jencks case, didn't you?

Mr. MATUSOW. No, sir; I did not.

Mr. SOURWINE. Is that your testimony under oath, that you did not discuss with Mr. Witt the subject matter generally of your book at any time before you gave the affidavit in the Jencks case?

Mr. MATUSOW. Well, that is a pretty broad statement. I didn't discuss anything that was in the book with Mr. Witt, that is my statement under oath. He knew I was writing a book.

Mr. SOURWINE. Yes. You discussed with him the fact that you were writing a book, didn't you?

Mr. MATUSOW. Yes; but the content of the book was not discussed with him.

Mr. SOURWINE. He knew you were going to have a chapter in the Jencks case in the Mine, Mill, and Smelter hearing?

Mr. MATUSOW. He hoped I would have a chapter; he didn't know it.

Mr. SOURWINE. How did you know he hoped it?

Mr. MATUSOW. I found out later.

Mr. SOURWINE. You never heard that from Mr. Witt?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. You never discussed with Mr. Witt the question of what might be done with your chapter?

Mr. MATUSOW. I specifically told Mr. Witt on the day I met him and told him I was prepared to file an affidavit or write and sign an affidavit in that case, that I was writing a chapter on the Salt Lake City hearings and on Jencks, and Mr. Witt said, "I do not want to discuss that matter or any matter relating to it with you because I am the attorney for the defendant Jencks, and I don't want to discuss it."

Mr. SOURWINE. Is that the basis on which you were telling this committee that Mr. Witt did not know that you were going to write a chapter about Jencks in the Mine, Mill, and Smelter hearings?

Mr. MATUSOW. That is the basis. I say he did not know specifically that I was going to write it; he wouldn't discuss the matter with me.

Senator JOHNSTON. You knew he would be interested in that matter, didn't you?

Mr. MATUSOW. Pardon me, sir; I did not hear you.

Senator JOHNSTON. You knew he would be very much interested in that matter?

Mr. MATUSOW. Yes, sir; I did.

Senator JOHNSTON. And you did not even discuss it with him?

Mr. MATUSOW. No, sir. He specifically said to me, and this is in substance what he said, "I am the attorney for Clinton E. Jencks. You are a witness against him.

"If you are preparing an affidavit or you are writing anything, that is your business, but I don't want to know anything about it. I don't want to be put in a position at any time of being accused of or having influenced anything you have to say in this matter. It is your business. When you have written your chapter, if you write it, when you write your affidavit, if you write your affidavit, after that point we might discuss it, but I am not going to be put in a position whereby I try or have in any way influenced what you write."

Senator JOHNSTON. Did he tell you that you could talk with any other person about that and get the information?

Mr. MATUSOW. No, sir. There was no other information to obtain. I have the information in my head; I knew what I had done and where I had been.

Senator DANIEL. How did you know that he had hoped that you would write a chapter about the Jencks case?

Mr. MATUSOW. Well, sir, I would have to be very naive to think that an attorney would not want, if it was there, an affidavit showing where the chief witness against his client had lied. I mean, I didn't have to ask him if he wanted it.

Senator DANIEL. Is that the only way that you knew that he hoped that you would write a chapter about the Jencks case?

Mr. MATUSOW. And the affidavit, yes, sir; at that time.

Senator DANIEL. A moment ago, didn't you say you later found out that he did hope that you would write such a chapter?

Mr. MATUSOW. Well, in conversation with him, he said, "I was hoping that it would happen." I think his term was, "This is a lawyer's dream, where a chief witness against somebody comes in and admits where he lied."

Senator DANIEL. Yes. He told you your book was a lawyer's dream?

Mr. MATUSOW. Well, it, in substance—yes, not my book, but the affidavit. He was not concerned with the book, but the affidavit.

Senator JOHNSTON. Who was the first one to show him that chapter?

Mr. MATUSOW. Pardon me, sir?

Senator JOHNSTON. Who was the first person to show him that chapter?

Mr. MATUSOW. I don't know, sir. I believe it was Mr. Kahn, but I am not sure. It was after the date that I described here.

Senator DANIEL. I would like to ask 1 or 2 more questions.

As I understand it, you have thought for some time that your publishers, Mr. Kahn and Mr. Cameron, are members of the Communist Party; is that correct?

Mr. MATUSOW. I had accused them of it; yes, sir.

Senator DANIEL. You had accused them.

Mr. MATUSOW. Yes, sir; I had, Senator.

Senator DANIEL. And you sincerely thought they were members?

Mr. MATUSOW. I sincerely thought they were members at the time.

Senator DANIEL. And a moment ago I believe you said they had not denied it?

Mr. MATUSOW. We had not discussed it, sir.

Senator DANIEL. You have discussed your bodyguard, or the man who stays with you?

Mr. MATUSOW. He is not my bodyguard, sir.

Senator DANIEL. Well, the man who is protecting you from crack-pots.

Mr. MATUSOW. The man who plays chess with me, who was with me, not all the time, but quite a bit of the time.

Senator DANIEL. Yes.

Mr. MATUSOW. I am alone a lot of the time, sir; I think the record should show that.

Senator DANIEL. Well, the man who is protecting you, at least some times, Mr. Herb Tank; you have told this committee that you have thought that he was a member of the Communist Party.

Mr. MATUSOW. I had accused him of it, I believe, I am not sure. I believe I did; I think I said that.

Senator DANIEL. And Mr. Nathan Witt?

Mr. MATUSOW. Pardon me, sir?

Senator DANIEL. Mr. Nathan Witt, you have said you thought he was a member of the Communist Party?

Mr. MATUSOW. Well, I had read reports of his being accused of it; and I accused him of it myself.

Senator DANIEL. None of these people have denied being members of the Communist Party, have they?

Mr. MATUSOW. Sir, I have not asked them, and I don't have any intention of asking them; I don't care one way or another whether they are or not.

Senator DANIEL. When you accused them you testified that they did not deny it?

Mr. MATUSOW. I never accused them of it face to face: I accused them behind the immunity of congressional hearings where they could not do anything about it.

Senator DANIEL. If your belief about your publishers and the man who is with you, and Mr. Nathan Witt—if your belief about them being members of the Communist Party is correct, and you find out that that is absolutely true, would you withdraw this book from them and have nothing more to do with it?

Mr. MATUSOW. Sir; I have for over a year visited publishers, Simon & Schuster, Doubleday Co., Harper Bros.—

Senator DANIEL. I just asked you—

Mr. MATUSOW. All these publishers had refused to handle my book. I have something to say; I wanted to say it, and I am glad I said it in my book. The only publisher in the United States—and many of them knew about my book—who offered to publish my book were Cameron & Kahn, and regardless of what happened, they were the only ones who had the courage enough to publish my book because of its controversial nature; I wouldn't change the publisher if I had the opportunity to.

Senator DANIEL. Mr. Chairman, I would like an answer to the question. If you know your belief about them being members of the Communist Party to be true, would you withdraw your book from their publication, or would you let them go ahead with the publication to serve their ends?

The CHAIRMAN. Now, answer that question, yes or no.

Mr. MATUSOW. If I knew they were members of the Communist Party, I would continue to let them publish this book; yes, sir.

Senator DANIEL. It would make no difference to you if you knew they were members of the party and they were publishing your book to serve the ends of the Communist Party; is that correct?

Mr. MATUSOW. Sir, the book is being published to serve the ends of Harvey Matusow, to serve the truth.

Senator DANIEL. If you knew those were the ends, to serve the ends of the Communist Party, would you let it be published?

Mr. MATUSOW. Sir, you realize—

Senator DANIEL. Sir, I ask for a yes or no answer.

Mr. MATUSOW. That is not—

The CHAIRMAN. Yes; he should answer the question yes or no.

Senator DANIEL. He should answer the question.

The CHAIRMAN. He should answer the question, and he will be given an opportunity to explain further.

Mr. MATUSOW. All right, sir. The answer is, "Yes," because the accusation is being made, and quite apparently from the report, the report that counsel of the committee has read to me, that the Communist Party is using what I have said in sworn affidavits, what I am saying here, and what I have said in my book, to the advantage of the Communist Party; but my position in writing the book, in testifying as I am doing, and have in the past week before a Federal judge, and plan to do again, because my lies in the past have convicted people. These people might be guilty; I don't know if they are or aren't, sir, but if they were convicted on the basis of my lies, they shouldn't have been convicted.

That is against all basic principles of the United States Constitution and against all basic principles of law, decent law, that I am fighting, and will to the death to uphold in this country, the Constitution.

Senator DANIEL. That is all, Mr. Chairman.

Senator WATKINS. Mr. Chairman. I would like to ask a few questions.

The CHAIRMAN. Proceed.

Senator WATKINS. When you testified before Senator McCarran in Salt Lake City in October 1954 you told the story about being present at a meeting in New Mexico at a place called by you, I think, the Communist Ranch.

Mr. MATUSOW. Yes, sir.

Senator WATKINS. And in that story you told the committee that, I think, it was Mr. Jencks—I am not sure about the name—that he was there?

Mr. MATUSOW. Yes, sir; I did.

Senator WATKINS. And you also mentioned others who were in the International Mine, Mill, and Smelter Workers Union.

Mr. MATUSOW. No, sir; I don't believe so.

Senator WATKINS. You only mentioned Mr. Jencks?

Mr. MATUSOW. Yes, sir. He was the only one I mentioned.

Senator WATKINS. And in that story you said that Mr. Jencks was there, and in the discussions that took place he outlined the plans to call a strike in Utah Cooper or Kennecott Copper in Salt Lake?

Mr. MATUSOW. I believe I stated specifically the copper industry.

Senator WATKINS. The copper industry in order to slow down the war effort in Korea?

Mr. MATUSOW. Yes, sir; I stated that.

Senator WATKINS. You repeat that. Now, I understand you repudiate that story?

Mr. MATUSOW. Yes, sir. It was a fabrication on my part.

Senator WATKINS. At the time, was it true that you said you were at that ranch?

Mr. MATUSOW. I believe I talked about the summer of 1950.

Senator WATKINS. The summer of 1950?

Mr. MATUSOW. Yes, sir.

Senator WATKINS. Were you at that ranch at that time?

Mr. MATUSOW. On and off, yes, sir; I was.

Senator WATKINS. That part of the story was true?

Mr. MATUSOW. That was true.

Senator WATKINS. Yes, sir.

Did you see Mr. Jencks?

Mr. MATUSOW. Yes, sir; I had met Mr. Jencks.

Senator WATKINS. Did you talk to him?

Mr. MATUSOW. Yes.

Senator WATKINS. Was it a Communist Ranch, in control of Communists?

Mr. MATUSOW. That was a fabrication.

Senator WATKINS. That was a complete fabrication?

Mr. MATUSOW. I knew nothing about Communist activities of that ranch.

Senator WATKINS. How did you come to that ranch?

Mr. MATUSOW. I had met the owners of the ranch in New York.

Senator WATKINS. What were their names?

Mr. MATUSOW. Craig and Jennie Vincent.

Senator WATKINS. Who?

Mr. MATUSOW. Craig and Jennie Wells Vincent.

Senator WATKINS. Were they there at the time you testified?

Mr. MATUSOW. Yes, sir; they were at the ranch. I don't believe I testified to discussions with anybody more than Jencks. My recollection of the testimony is that they were discussions held between Jencks and myself only.

Senator WATKINS. Were those men from New York, the owners of the ranch, Communists?

Mr. MATUSOW. No, sir; a husband and wife.

Senator WATKINS. What is that?

Mr. MATUSOW. Husband and wife.

Senator WATKINS. Were they Communists?

Mr. MATUSOW. I don't know them as such; they might have been.

Senator WATKINS. Have you ever accused them of being Communists?

Mr. MATUSOW. Yes, sir; I had.

Senator WATKINS. And you accused them in that testimony?

Mr. MATUSOW. Yes, sir; and prior to that testimony.

Senator WATKINS. What was the purpose of going down to that ranch? What was the purpose of going there?

Mr. MATUSOW. I was on my way to Los Angeles and I stopped at the ranch for a vacation.

Senator WATKINS. How long had you met these people?

Mr. MATUSOW. I had met them on two occasions in New York.

Senator WATKINS. Did they send you an invitation to come?

Mr. MATUSOW. They didn't send me one. When I met them at a concert in New York they asked me when I was out there to stop by. We had a lot of mutual friends.

Senator WATKINS. Who was present at the time you had the conversation with Mr. Jencks in this New Mexico ranch?

Mr. MATUSOW. Well, I believe my testimony—

Senator WATKINS. Now, I am asking who was present.

Mr. MATUSOW. I had many conversations with the guests at the ranch.

Senator WATKINS. Who was present?

Mr. MATUSOW. Mr. Jencks' wife; his children, other guests at the ranch, who I don't recall offhand, the names of whom I don't recall, sir.

Senator WATKINS. How long did you know Mr. Jencks?

Mr. MATUSOW. I met him at the ranch.

Senator WATKINS. That was the first time you had ever met him?

Mr. MATUSOW. Yes, sir.

Senator WATKINS. Did you ever have any conversation with respect to the copper industry?

Mr. MATUSOW. We discussed his union, the Mine, Mill, and Smelter Workers.

Senator WATKINS. You did discuss his union?

Mr. MATUSOW. Yes, sir.

Senator WATKINS. What was said in that discussion?

Mr. MATUSOW. Well, he was a union leader and he was telling me how he worked in his union down at Silver City, N. Mex., that area.

Senator WATKINS. Did you discuss a strike in any way?

Mr. MATUSOW. No, sir.

Senator WATKINS. Shortly after that, they did have a strike, did they not, in that union?

Mr. MATUSOW. Yes, sir; but the union had accepted, and I knew for a fact then, and I know now, that the union had accepted the company's contract, but the company refused it, and the strike was called, but the union had accepted the NLRB ruling, rather.

Senator WATKINS. You know—

Mr. MATUSOW. I knew that, and when I made the allegation that the union had deliberately called a strike to cut off copper production, that they had accepted the mediator's proposal.

Senator WATKINS. Now, how did Mr. Jencks happen to be there?

Mr. MATUSOW. Pardon me, sir?

Senator WATKINS. How did Mr. Jencks and his family happen to be there?

Mr. MATUSOW. They were on vacation.

Senator WATKINS. How did they happen to go to this particular ranch. Were they close acquaintances of the owners?

Mr. MATUSOW. I imagine they were close acquaintances.

Senator WATKINS. Don't give me your imagining; we want what you know.

Mr. MATUSOW. I suppose they were. I saw them with the owners of the ranch.

Senator WATKINS. Were they there when you were there?

Mr. MATUSOW. Yes, sir; they were there.

Senator WATKINS. Do you know Mrs. Vincent and Mr. Vincent very well?

Mr. MATUSOW. No, sir.

Senator WATKINS. Did you know they took, Mr. Vincent claimed, the protection of the fifth amendment when he was queried about his membership in the Communist Party?

Mr. MATUSOW. I believe I read about it, sir.

Senator WATKINS. And do you know that Mr. Jencks claimed the protection of the fifth amendment at the inquiry, at the hearing on October—October 1954?

Mr. MATUSOW. Yes, sir; I was present at that time.

Senator WATKINS. Did you discuss communism with Mr. Jencks?

Mr. MATUSOW. No, sir.

Senator WATKINS. You never mentioned it?

Mr. MATUSOW. Not that I recall.

Senator WATKINS. Did Mr. Vincent mention it in your presence?

Mr. MATUSOW. Not that I recall.

Senator WATKINS. Did you have a conversation with Mr. Vincent or Mrs. Vincent and Mr. Jencks and yourself in which you all participated?

Mr. MATUSOW. Many conversations about many subjects, in general.

Senator WATKINS. How long were you there?

Mr. MATUSOW. I got there in July, the second week or so of July 1950 and stayed at the ranch for about a week or 10 days, and then moved into Taos, into town, and frequently visited the ranch.

Senator WATKINS. Did you volunteer to the staff of the Internal Security Committee your statement that you later made at the Salt Lake City hearing?

Mr. MATUSOW. Oh, yes, sir; that was my fabrication; and nobody else is responsible for it.

Senator WATKINS. I say, did you volunteer it to them?

Mr. MATUSOW. Yes, sir; I did.

Senator WATKINS. To whom did you tell that story first?

Mr. MATUSOW. I don't recall, sir.

Senator WATKINS. It was before you went to Salt Lake, was it not?

Mr. MATUSOW. Yes, sir.

Senator WATKINS. Here in Washington?

Mr. MATUSOW. I believe it was at that time the committee staff member, Don Connors.

Senator WATKINS. Don Connors?

Mr. MATUSOW. My recollection is that.

Senator WATKINS. Now, you were subpoenaed to testify in that case, were you not?

Mr. MATUSOW. I was, sir.

Senator WATKINS. And you received your mileage and your per diem for testifying?

Mr. MATUSOW. I did, sir.

Senator WATKINS. That was the purpose of being in Salt Lake City in October of 1954?

Mr. MATUSOW. It was, sir.

Senator WATKINS. That is all.

Senator JENNER. Do you know Henry Collins?

Mr. MATUSOW. Yes, sir; I believe it is Henry Collins, Jr.

Senator JENNER. Do you know Henry Collins to be a member of the Communist Party?

Mr. MATUSOW. No, sir; I don't.

Senator JENNER. Wasn't he a member of the Communist Party when you were?

Mr. MATUSOW. I haven't the slightest idea.

Senator JENNER. Now, this ranch that you visited down in New Mexico, was Craig Vincent's?

Mr. MATUSOW. Yes, sir.

Senator JENNER. You knew him to be a member of the Communist Party?

Mr. MATUSOW. No, sir; I don't.

Senator JENNER. You knew he took the fifth amendment before this committee, didn't you?

Mr. MATUSOW. Yes, sir; I did.

Senator JENNER. Did you know that Henry Collins, Jr., was the recruiting agent in the New York area for visitors to this ranch in New Mexico? Did you know that?

Mr. MATUSOW. I knew he was the eastern representative of the ranch.

Senator JENNER. Was Henry Collins, Jr., the man who contacted you and made arrangements for you to go down to the ranch?

Mr. MATUSOW. No, sir; he was not.

Senator JENNER. How did you make your arrangements to go down to the ranch?

Mr. MATUSOW. I had been told about the ranch by Mr. and Mrs. Vincent the preceding winter, and when I was on my way to Los Angeles I stopped by the ranch.

Senator JENNER. All these people you have testified about here today, Nathan Witt, Kahn, Cameron, Craig Vincent, Henry Collins, Jr., and so forth, you suspected, you thought, you accused them at various times of being Communists?

Mr. MATUSOW. Yes, sir; I did.

Senator JENNER. But you never knew it?

Mr. MATUSOW. I never knew it.

Senator JENNER. You are telling the truth now?

Mr. MATUSOW. Yes, sir.

Senator JENNER. You are not a habitual liar?

Mr. MATUSOW. No, sir.

Senator JENNER. You are not a perpetual liar?

Mr. MATUSOW. I am not a perpetual liar now.

Senator WATKINS. I would like to ask a question about that. I heard you testify today, and you said that you were going to tell the truth today. You took the oath that you would tell the truth, and you have been telling us that you have told the truth; is that right?

Mr. MATUSOW. Yes, sir.

Senator WATKINS. Now, you know more about yourself than anyone else, don't you?

Mr. MATUSOW. I hope I do, sir.

Senator WATKINS. Yes; and you told us in unequivocal language that you said, "I am a habitual and perpetual liar."

Mr. MATUSOW. I believe I said I had been a perpetual and habitual——

Senator WATKINS. No, I thought you said "I am."

Mr. MATUSOW. No, sir; I said I had been.

Senator WATKINS. I think the record will speak for itself. If you said "I am," I think that is probably one of the true things you have said here today.

The CHAIRMAN. Senator McClellan?

Senator McCLELLAN. You kind of intrigued me by a description of the kind of liar you are. Could you possibly be a congenital liar?

Mr. MATUSOW. Well, sir, there are many adjectives to describe liars.

Senator McCLELLAN. I know.

Mr. MATUSOW. And I think most of them would have fit my past.

Senator McCLELLAN. What I wanted to determine is whether this is a capacity or faculty that you have developed or did it come natural with you; was it congenital from birth?

Mr. MATUSOW. No, sir; I don't think it was congenital from birth.

Senator McCLELLAN. When did you begin to develop the capacity to lie?

Mr. MATUSOW. I think you have got a point; I think all develop it at birth.

Senator McCLELLAN. At birth?

Mr. MATUSOW. All people do.

Senator McCLELLAN. Develop it at birth. That is all for this evening, Mr. Chairman. I will have some more questions when we reconvene tomorrow.

Senator WATKINS. Mr. Chairman, I have one further question. I would like to know, Mr. Matusow, if you didn't tell the committee out in Salt Lake City that when you went down to New Mexico to visit that ranch that you were working under the direction of the FBI.

Mr. MATUSOW. I told them I was reporting to the FBI.

Senator WATKINS. Yes, and yet you didn't bring up a single question about communism; you did not discuss it with Mr. Jencks or Craig Vincent or his wife in those numerous conversations you said you held there, not once, although your mission there was to find out about what they were doing as Communists.

Mr. MATUSOW. That was not my mission there, sir.

Senator WATKINS. Didn't you go there because the FBI wanted you to go?

Mr. MATUSOW. No, sir; I did not.

Senator WATKINS. You said you were reporting to them.

Mr. MATUSOW. Yes, sir; but I did not go to the ranch for the FBI.

Senator WATKINS. Did you report that conversation?

Mr. MATUSOW. I made up certain things, and there were certain things——

Senator WATKINS. Did you report it to them before you were called as a witness in that case?

Mr. MATUSOW. Had I reported to the FBI?

Senator WATKINS. Yes, to the FBI.

Mr. MATUSOW. That I had told falsehoods?

Senator WATKINS. No; that the conversations that took place down there, that these people, Jencks had said something about calling a strike.

Mr. MATUSOW. Yes, I gave that information to the FBI, the false impression.

Senator WATKINS. How soon after it happened did you report to the FBI?

Mr. MATUSOW. It was about a year and a half later or a year later.

Senator WATKINS. A year and a half later?

Mr. MATUSOW. Yes, sir; that particular conversation.

Senator WATKINS. What time was this visit occurring?

Mr. MATUSOW. In 1950, and the FBI got that information in 1951.

Senator WATKINS. You were a little bit slow in reporting, were you not?

Mr. MATUSOW. Yes, sir.

Senator WATKINS. That is all.

The CHAIRMAN. The committee will now recess until 10:30 in the morning.

(Whereupon, at 5:15 p. m., the subcommittee recessed, to reconvene at 10:30 a. m., Tuesday, February 22, 1955.)

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73ITORY

STRATEGY AND TACTICS OF WORLD COMMUNISM

THE SIGNIFICANCE OF THE MATUSOW CASE

HEARING

BEFORE THE

SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS

OF THE

Congress.
Senate.

COMMITTEE ON THE JUDICIARY

UNITED STATES SENATE

EIGHTY-FOURTH CONGRESS

FIRST SESSION

PURSUANT TO

S. Res. 58

FEBRUARY 22, 1955

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STRATEGY AND TACTICS OF WORLD COMMUNISM

TUESDAY, FEBRUARY 22, 1955

UNITED STATES SENATE, SUBCOMMITTEE TO
INVESTIGATE THE ADMINISTRATION OF THE INTERNAL
SECURITY ACT AND OTHER INTERNAL SECURITY
LAWS OF THE COMMITTEE ON THE JUDICIARY,
Washington, D. C.

The subcommittee met, pursuant to recess, at 10:40 a. m., in room 318, Senate Office Building, Senator James O. Eastland (chairman of the subcommittee) presiding.

Present: Senators Eastland, Johnston of South Carolina, McClellan, Daniel, Jenner, and Watkins.

J. G. Sourwine, chief counsel, Alva C. Carpenter, associate counsel, Benjamin Mandel, director of research; and Robert C. McManus, professional staff member.

The CHAIRMAN. The committee will come to order.

Proceed, Mr. Sourwine.

TESTIMONY OF HARVEY M. MATUSOW, ACCOMPANIED BY STANLEY FAULKNER, HIS ATTORNEY—Resumed

Mr. SOURWINE. Mr. Matusow, we have some loose ends this morning hanging over from yesterday.

Mr. MATUSOW. I don't hear you, sir; I am sorry.

Mr. SOURWINE. We have some loose ends this morning left over from yesterday's hearing I would like to tie up before we start any new line of questioning.

You will remember there was some question yesterday about whether you had any information concerning the objective of the Communist Party to overthrow the Government. You did state you had read some Communist books. We will go into that in detail later, but I would like to ask you now if you have read the Communist Manifesto?

Mr. MATUSOW. I have.

Mr. SOURWINE. Do you recall this paragraph:

The Communists disdained to conceal their views and aims. They openly declared that their ends can be attained only by the forcible overthrow of all existing social conditions. Let the ruling classes tremble at a Communist revolution. The proletarians have nothing to lose but their chains. They have a world to win.

Mr. MATUSOW. If that is the Communist Manifesto, I read it, yes.

Mr. SOURWINE. The question was did you recall that paragraph?

Mr. MATUSOW. No, sir; part of it I did.

Mr. SOURWINE. Perhaps you recall the phrase "they have nothing to lose but their chains"?

Mr. MATUSOW. Yes, I do.

Mr. SOURWINE. Now, you testified yesterday that—I will rephrase the question.

Did you testify yesterday that Elizabeth Bentley had told you she had lied?

Mr. MATUSOW. I said that she had, in substance, yes; I have testified to that effect.

Mr. SOURWINE. I want you to tell the committee precisely when and where Miss Bentley told you she lied, and what she told you she lied about.

Mr. MATUSOW. She didn't tell me specifically what she lied about. It was on October 3, 1952. I remember the date because it was my birthday. I had met Miss Bentley that afternoon, I believe it was on a Friday, a few days before I went to Salt Lake City, testified before this committee.

Friday, October 3, I met her at the office of her publisher, Devon Adair. It was in the afternoon, and we made a date to have dinner that night, and I met Miss Bentley—I forget what hotel she was staying at—across the street from the publishers, in the midtwenties, the East Side of New York.

We had dinner at the Rochambeau Restaurant on Sixth Avenue and, I believe it is, 11th Street in New York City. And during the course of dinner, Miss Bentley cried quite a bit. She was out of work. She said she was a teacher and wanted a job, but nobody would employ her. She said that she had used up all the money she had received from the publication of her book, I forget the title of it, her confessions of some kind.

They had been published also, she said, in the Woman's Home Companion or Ladies' Home Journal or some such publication; that she was broke and had used up the money.

She said she didn't want to talk to the Government any more. She wasn't going to give any information of any kind to the FBI, to the Senate committee. She was sick of being used.

She said that she didn't have any more information—she, in substance, said, and cried quite a bit.

I believe one thing she said, "Well, you are a man, you are young, you can go out and find a job. I can't. I have to continue doing this sort of thing. It is the only way I can work. I can't get a job as a teacher. I can't get any kind of a job. I just have to continue to find information to testify about."

In substance, that is what she said.

Mr. SOURWINE. Now, wait a minute. You are purporting to quote her directly, and then you add the phrase "in substance."

Mr. MATUSOW. Sir, I can't quote directly what Miss Bentley said 3 years ago, but I can, in substance, tell you what she said between her tears.

Mr. SOURWINE. Did Miss Bentley tell you that she was having to find information to testify about?

Mr. MATUSOW. In substance, yes.

Mr. SOURWINE. Go ahead.

Mr. MATUSOW. Well, this conversation went on for a couple of hours. We stayed at this restaurant and bar. A number of my friends came in during the course of the conversation, at which time Miss Bentley

stopped crying, and we went on to other matters; and when they had left the table she went back to crying.

Others who came in and saw her there with me, if the committee would like to check that out, I believe a friend of mine then, a Mr. Llewelyn Watts, saw her there, and I could furnish the names of other people who saw her at that restaurant with me at that occasion.

The CHAIRMAN. Wait a minute. Let the record show now who those names were.

Mr. MATUSOW. I don't remember the other names now, sir, but I will before the end of the week send the committee a list of names.

The CHAIRMAN. Well, if you could tell the names before the end of the week, why can't you tell them now?

Mr. MATUSOW. I don't remember the names of two or three other individuals.

The CHAIRMAN. Well, if you can remember them the day after tomorrow—

Mr. MATUSOW. I have them in the address book, sir.

The CHAIRMAN. Wait a minute. If you can remember those names the day after tomorrow, why can't you remember them now?

Mr. MATUSOW. I have them in an address book, sir, and I would have to get that address book in New York to check it.

Mr. SOURWINE. Who were the friends who stopped by the table that you spoke of?

Mr. MATUSOW. The only name I can recall at this time is a Mr. Llewelyn Watts, a member of the Young Republican Club of New York. I don't have his address, but I believe he is in the directory there.

Mr. SOURWINE. You mentioned Mr. Watts, and you named these others for the purpose of bolstering your story that you were there with Miss Bentley, but did they hear Miss Bentley tell you that she had lied?

Mr. MATUSOW. I don't recall if they were in on that part of any conversation or not.

Mr. SOURWINE. Well, now, tell us about that part of the conversation. You haven't told us that yet, the part of the conversation in which Miss Bentley told you she had lied.

Mr. MATUSOW. Well, it was very simple. She said that she was unemployed, couldn't get work and had to continue to find information to testify about in order to live. But that until she was paid she was not going to testify. She was not going to talk to the FBI; she wanted a salary to be a witness. She wasn't going to do it as she had in the past on good faith, that is, in just coming down for \$9 a day.

Mr. SOURWINE. Now, that is the whole substance of the conversation on the basis of which you testified here under oath that Miss Bentley had told you she lied?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. Did you tell Miss Bentley you had lied?

Mr. MATUSOW. No, sir.

The CHAIRMAN. Now, what you say is that she would cry; when somebody would come around she would quit crying?

Mr. MATUSOW. That is right, sir.

The CHAIRMAN. When that person would leave she would begin to cry again?

Mr. MATUSOW. For the most part; yes, sir.

Mr. SOURWINE. Can you identify Mr. Llewelyn Watts a little more?

Mr. MATUSOW. Well, as I said, he is a member of the executive committee, I think at this time, of the Young Republican Club of New York, and his address and location could be obtained through that organization. I don't have his address.

Mr. SOURWINE. I mean, identify him with relation to you, Mr. Matusow.

Mr. MATUSOW. I, at one time, shared an apartment with him.

Mr. SOURWINE. Where?

Mr. MATUSOW. 141 West 10th Street, New York City.

Mr. SOURWINE. During what period of time?

Mr. MATUSOW. During the 1952 election campaign. I didn't live there often. I just kept stuff there while I was traveling around the country.

Mr. SOURWINE. Up until what time?

Mr. MATUSOW. January 1953.

Mr. SOURWINE. You left that apartment in January 1953?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Did you ever go back?

Mr. MATUSOW. To that apartment?

Mr. SOURWINE. Yes, sir.

Mr. MATUSOW. Visit, yes.

Mr. SOURWINE. Who did you visit there?

Mr. MATUSOW. Mr. Watts.

Mr. SOURWINE. Anybody else?

Mr. MATUSOW. Mr. Francis.

Mr. SOURWINE. Is that his first or his last name?

Mr. MATUSOW. That was his last name.

Mr. SOURWINE. What is his first name?

Mr. MATUSOW. Jerry.

Mr. SOURWINE. Pardon?

Mr. MATUSOW. Jerry.

Mr. SOURWINE. Does he live there?

Mr. MATUSOW. He owns the apartment. He doesn't live there, but he has a room there where he keeps stuff.

Mr. SOURWINE. When did you last visit that apartment?

Mr. MATUSOW. Sometime last year.

Mr. SOURWINE. And who were you visiting there then?

Mr. MATUSOW. I believe Mr. Watts; he had a party that night.

Mr. SOURWINE. And other than a party that you attended there in the evening, when did you last visit that apartment?

Mr. MATUSOW. I don't recall. I was there a number of times last year. The last date is, oh, some time in the early spring.

Mr. SOURWINE. Do you have a key to that apartment?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Did you ever get into that apartment when there was no one else there?

Mr. MATUSOW. Not that I recall, sir.

Mr. SOURWINE. Did you make telephone calls from that apartment last year?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Whom did you call?

Mr. MATUSOW. A number of people in Washington.

Mr. SOURWINE. Name some of them.

Mr. MATUSOW. Oh, I believe I called Mr. Jack Anderson.

Mr. SOURWINE. Who else? Who is Mr. Jack Anderson?

Mr. MATUSOW. He is a writer, a newspaperman.

Mr. SOURWINE. Who does he write for?

Mr. MATUSOW. Parade Magazine, Tempo Magazine; I believe he also writes for Drew Pearson.

Mr. SOURWINE. Who else did you call?

Mr. MATUSOW. I don't remember at this time, sir, but I could take a minute and remember, refresh my recollection on that.

Mr. SOURWINE. Did you call Mr. Alsop?

Mr. MATUSOW. I believe I did, yes, sir; Mr. Joseph Alsop.

Mr. SOURWINE. More than once?

Mr. MATUSOW. On that day?

Mr. SOURWINE. No; more than once from that apartment.

Mr. MATUSOW. Not that I recall, sir; no.

Mr. SOURWINE. During 1954?

Mr. MATUSOW. Not to my recollection.

Mr. SOURWINE. This was when, August or September?

Mr. MATUSOW. 1954?

Mr. SOURWINE. Yes.

Mr. MATUSOW. No, sir; I haven't been in that apartment since March or so.

Mr. SOURWINE. You are sure about that?

Mr. MATUSOW. Well, in August and September I was in Dallas, Tex.

Mr. SOURWINE. All right.

What month was it that you called Mr. Alsop?

Mr. MATUSOW. March, April, early spring.

Mr. SOURWINE. Not later?

Mr. MATUSOW. It might have been, but it could have been April, May; I don't recall the date.

Mr. SOURWINE. You used that apartment constantly, did you, to make telephone calls?

Mr. MATUSOW. No, one occasion.

Mr. SOURWINE. Only on one occasion?

Mr. MATUSOW. That one occasion.

Mr. SOURWINE. Well, you called a lot of people on that one occasion.

Mr. MATUSOW. Oh, sir, I used to live in that apartment; I made quite a few telephone calls in that apartment.

Mr. SOURWINE. This was 2 years after you had left that apartment.

Mr. MATUSOW. This one occasion, sir.

Mr. SOURWINE. Well, I am trying to find out if it was just one occasion during 1954.

Mr. MATUSOW. One occasion that I recall.

Mr. SOURWINE. And you called Mr. Alsop?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. And you called Mr. Jack Anderson?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. And who else did you call?

Mr. MATUSOW. I don't recall, sir.

Mr. SOURWINE. Did you call a Milwaukee number?

Mr. MATUSOW. No, sir; not that I recall.

Mr. SOURWINE. Are you sure about that?

Mr. MATUSOW. I don't know anybody in Milwaukee to call.

Mr. SOURWINE. You never made any telephone calls to Milwaukee?

Mr. MATUSOW. From that apartment?

Mr. SOURWINE. Yes, sir.

Mr. MATUSOW. When I was living there I did.

Mr. SOURWINE. Well, if you don't know anybody in Milwaukee to call, who did you call from the apartment when you were living there?

Mr. MATUSOW. It was a friend of mine visiting Milwaukee at the time.

Mr. SOURWINE. Who?

Mr. MATUSOW. Well, that had something to do with the Schlitz beer program.

Mr. SOURWINE. Who was the friend?

Mr. MATUSOW. Well, it was a business associate at the time, not a friend.

The CHAIRMAN. Who?

Mr. MATUSOW. He was an executive for an advertising agency in New York; I forget his name at the time.

Mr. SOURWINE. Who?

Mr. MATUSOW. I don't recall the name of the vice president of Lennen & Newell, advertising agency.

Mr. SOURWINE. Was he the man whom you called in Milwaukee?

Mr. MATUSOW. My recollection is, yes.

Mr. SOURWINE. Is he the only man whom you called in Milwaukee?

Mr. MATUSOW. From where, sir? At any time in my life?

Mr. SOURWINE. Yes, at any time in your life.

Mr. MATUSOW. Well, I once called Senator McCarthy in Milwaukee.

Mr. SOURWINE. Now, other than Senator McCarthy and the vice president of Lennen & Newell, were they the only men you called in Milwaukee?

Mr. MATUSOW. I once spoke to the vice president of the Schlitz Brewing Co.

Mr. SOURWINE. Other than that vice president and Senator McCarthy and the vice president of Lennen & Newell, did you ever call anyone else in Milwaukee?

Mr. MATUSOW. Now, I believe, going back to 1952, when I was in Milwaukee, I spoke to a lot of people on the telephone.

Mr. SOURWINE. And you are the man who does not know anybody in Milwaukee?

Mr. MATUSOW. I don't, sir, to call.

Mr. SOURWINE. Is the vice president of Lennen & Newell in Milwaukee now?

Mr. MATUSOW. No; he is probably still—he is still in New York now.

Mr. SOURWINE. You know that?

Mr. MATUSOW. Well, he works in New York; I presume he is there.

Mr. SOURWINE. Was he in New York when you made a telephone call to Milwaukee from the apartment that you have mentioned in 1954?

Mr. MATUSOW. I didn't call Milwaukee in 1954, to my recollection; I am talking about 1952, sir.

Mr. SOURWINE. All right.

Mr. MATUSOW. When I was living there.

Mr. SOURWINE. Your testimony is you made no telephone call to Milwaukee in 1954; is that correct?

Mr. MATUSOW. None that I can recall.

Mr. SOURWINE. All right, sir.

Did you call a Mr. Sullivan in Washington from that apartment?

Mr. MATUSOW. A Mr. who?

Mr. SOURWINE. Sullivan.

Mr. MATUSOW. Oh, yes, sir; I did.

Mr. SOURWINE. What Mr. Sullivan did you call?

Mr. MATUSOW. I believe he is administrative assistant to Senator Mansfield.

Mr. SOURWINE. Do you know his first name?

Mr. MATUSOW. I don't recall his first name, sir.

Mr. SOURWINE. Now, that is 4 telephone calls, if you made 1 to Milwaukee, and 3 if you didn't.

Did you make any other telephone calls from that apartment on that occasion?

Mr. MATUSOW. Yes, sir; but I don't recall who I called.

Mr. SOURWINE. Did you ever pay rent—

Mr. MATUSOW. I left a note for Mr. Watts detailing the telephone calls and the charges, and told him that when his bill came in I would pay him, which I had done in the past when I was living at the apartment.

Mr. SOURWINE. Did you ever pay him for those telephone calls?

Mr. MATUSOW. No, sir; I didn't.

Mr. SOURWINE. Where did you leave the note?

Mr. MATUSOW. Under the telephone.

Mr. SOURWINE. Mr. Francis was in the apartment at the time, wasn't he?

Mr. MATUSOW. He was.

Mr. SOURWINE. Did you say anything to him about the note?

Mr. MATUSOW. Told him about the calls and to remind Watts about the fact that I had made them.

Mr. SOURWINE. You did do that?

Mr. MATUSOW. I recall doing so; yes.

Mr. SOURWINE. And you never paid for those telephone calls?

Mr. MATUSOW. No, sir. Mr. Watts never sent me the bill, as I had asked him to do, and he had done in the past.

Mr. SOURWINE. Did you have authority to go into the apartment and use the telephone for telephone calls after you had left it?

Mr. MATUSOW. I was there—when I was there with one of the occupants, I considered that I had authority to do so.

The CHAIRMAN. Now, wait a minute. You say you left a note under the telephone listing the calls that you made?

Mr. MATUSOW. The number of calls I had made, not by name, and the charges that the operator phoned back to me after each call.

The CHAIRMAN. Let me see now, you placed a number of calls that the operator telephoned back and gave you the amount of the charges?

Mr. MATUSOW. That is right, sir.

The CHAIRMAN. Yes, sir. You left a note stating the number of calls and the amount of charges.

Now, you state that you did not pay for them because the man occupying the apartment never sent you a bill?

MR. MATUSOW. Well, sir, I had lived in that apartment for a number of months and had a number of long-distance calls of a similar nature, and Mr. Watts had always given me the long-distance toll charges, and—

THE CHAIRMAN. But you already had those long-distance toll charges.

MR. MATUSOW. Not for these calls, and this has been a policy that Mr. Watts and I had worked out on a number of occasions in relation to phone calls. I thought nothing of it; and Mr. Watts, in the past, had not thought anything of it.

THE CHAIRMAN. Yet you knew the amount—

MR. MATUSOW. Yes, sir.

THE CHAIRMAN (continuing). That you owed for those calls?

MR. MATUSOW. Yes, sir.

THE CHAIRMAN. Now, why didn't you pay those charges? Why did you have to wait until you got a bill for them?

MR. MATUSOW. I think I explained that very well, sir. It is something I had been doing for a long time with Mr. Watts in relation to phone calls and his phone when I was living at the apartment, and after I left the apartment.

MR. SOURWINE. You had done this before, had you, that is, after you left the apartment, you had done this?

MR. MATUSOW. No. I said when I lived in the apartment, and then after I left the apartment.

MR. SOURWINE. Yes.

MR. MATUSOW. I believe on 1 or 2 occasions within a month or so after I left that apartment, or maybe 3 or 4 months later, while visiting Mr. Watts, the same thing happened; I made call, and the question of payment—

MR. SOURWINE. You made a call while you were visiting him, and with his knowledge and permission?

MR. MATUSOW. Yes, sir.

MR. SOURWINE. Now, had you ever before walked into the apartment, uninvited, and used the telephone and left a note about the phone?

MR. MATUSOW. I was not uninvited to that apartment, sir.

MR. SOURWINE. Who invited you?

MR. MATUSOW. Mr. Francis.

MR. SOURWINE. He invited you on this particular occasion?

MR. MATUSOW. Yes, sir.

MR. SOURWINE. Was it a written or an oral invitation?

MR. MATUSOW. An oral invitation.

MR. SOURWINE. Where was it delivered?

MR. MATUSOW. Usually you don't have written invitations to Greenwich Village garrets.

MR. SOURWINE. That is a gratuitous addition to the testimony. Where was the oral invitation delivered?

MR. MATUSOW. In the store beneath the apartment building.

(Senator Watkins entered the hearing room.)

MR. SOURWINE. What occurred, were you in the store, and did he then come in?

MR. MATUSOW. Mr. Francis is the proprietor of the store.

MR. SOURWINE. He is the proprietor of the store. You went into the store, did you?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Did you ask if you could use the telephone in the apartment?

Mr. MATUSOW. No, sir; not at that time.

Mr. SOURWINE. Did he invite you to come up to the apartment?

Mr. MATUSOW. We walked up to the apartment and were chatting about something.

Mr. SOURWINE. And you are talking now about the occasion on which you used the telephone?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. I just wanted to get it clear.

He knew then that you were going to use the telephone?

Mr. MATUSOW. He did.

Mr. SOURWINE. And it was his apartment?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. But it was not his telephone?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. All right, sir.

Now, will you tell us what you called Mr. Jack Anderson about?

Mr. MATUSOW. About my book.

Mr. SOURWINE. What about your book? You have testified this was in March of 1954.

Mr. MATUSOW. It might have been April, it might have been May. My recollection is in the early spring or in the spring of 1954.

Mr. SOURWINE. You testified it could not have been July or August or September; is that right?

Mr. MATUSOW. Well, I was not in New York; that is correct.

Mr. SOURWINE. Now, what did you call him about, about your book, in the spring of 1954?

Mr. MATUSOW. I don't recall just what the conversation was, except it dealt with, in general terms, the material I had, which I would put at the disposal of any Members of Congress who were up for reelection, who were going to be attacked by Senator McCarthy, and I intended, if I could possibly help anybody who was attacked by McCarthyism in the 1954 campaign, I would do so; and that was the substance of all my calls.

Mr. SOURWINE. Why did you call Mr. Anderson about that?

Mr. MATUSOW. Because Mr. Anderson is a friend of mine, and because Mr. Anderson would, I felt, be in a position to know Members of Congress who might be attacked by Senator McCarthy or by McCarthyism, and might be in a position to know people who would like to ward off such attacks.

Mr. SOURWINE. Well, to put it a bit more bluntly, were you trying to get Mr. Anderson to act as your front man to sell material or services that you had to offer?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Well, just what were you trying to get him to do?

Mr. MATUSOW. I think I made the point quite clear, sir.

Mr. SOURWINE. It is not clear to me, sir. Tell us.

Mr. MATUSOW. Well, I will have to see my answer again and see what I said, if it is not clear, and clear it up for you, sir.

Mr. SOURWINE. Mr. Matusow, what did you ask him to do?

Mr. MATUSOW. I told him I would put at the disposal of any Member of the United States Congress, or any candidate for the House of

Representatives or United States Senate, material which would expose the lies of McCarthyism in the 1954 campaign.

Mr. SOURWINE. Did you tell him you would do that fully and freely and without compensation?

Mr. MATUSOW. I did.

Mr. SOURWINE. Did you ask him to tell you the names of some people who would like to have that material?

Mr. MATUSOW. I did not.

Mr. SOURWINE. Did you ask him to tell anybody that you had that material and would be willing to give it to them?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Well, then, that is what you wanted him to do, was it not, to be a go-between between you and people who wanted this material?

Mr. MATUSOW. Well, I think it is quite apparent, sir.

Mr. SOURWINE. I think it is.

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. Wait a minute. What material are you talking about? You said you had material that would aid candidates in the election to ward off attacks by McCarthyism.

Now, what, in particular, was the material you had?

Mr. MATUSOW. There are a lot of things, in particular, sir.

The CHAIRMAN. All right; what were you talking about now? You said you had this material. What was that material?

Mr. MATUSOW. Well, partly, it would be material dealing with the type of tactic that I used with Senator McCarthy's knowledge in the 1952 campaign against Senator Mansfield and Senator Jackson.

The CHAIRMAN. Now, what you said then was—

Mr. MATUSOW. And continuing, sir.

The CHAIRMAN. Wait a minute just now. What you said then was that Mansfield was a stooge of the Communist Party; is that it?

Mr. MATUSOW. I did.

The CHAIRMAN. All right.

Mr. MATUSOW. Not in those words, but in substance.

The CHAIRMAN. All right.

What did you say about Jackson?

Mr. MATUSOW. In substance, basically the same thing.

The CHAIRMAN. Basically the same thing.

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. Well, then, the particular material that you speak of, that you called Mr. Anderson about, was that certain men who might run for the Senate, and for the House that year, were not stooges of the Communist Party; is that it?

Mr. MATUSOW. More than that, sir.

The CHAIRMAN. More than that. What is it?

Mr. MATUSOW. I had been assistant to the editor of a blacklisting publication called Counterattack, which, through devious means, obtains information which is based on hearsay and surmise and not on fact. They claim it to be fact, but I worked there, and I believe it is surmise and hearsay and, for instance, in 1952 they compiled a list of people "Stars for Stevenson," for Adlai Stevenson, and these Hollywood stars are now listed in the files of Counterattack as left-wingers and controversial, unsuitable people.

The CHAIRMAN. Now, wait a minute.

Mr. MATUSOW. Continuing, sir—

The CHAIRMAN. Just wait a minute. The Hollywood stars were not candidates for Congress.

Mr. MATUSOW. I am getting to that, sir.

The CHAIRMAN. All right.

Mr. MATUSOW. But the way in which this publication, which claimed to be nonpolitical, was, in fact political, how they went about attacking, as I recall, Senator Estes Kefauver, prior to the 1952 Democratic convention, how Counterattack went about attacking Adlai Stevenson, the presidential candidate for the Democratic Party in 1952; the way Senator McCarthy intended to use me and, I believe, it is still in the text of his speech in Chicago a few days prior to the 1952 election—I was in Seattle, Wash., at the time, and was fogbound in Seattle, and couldn't get to Chicago, but how that came about; the ways in which, I believe, a real conspiracy against the American Constitution exists in McCarthyism, and it would take quite a while to go into that, sir.

The CHAIRMAN. Well, Mr. Matusow, you have not listed any material that you said you had that would aid candidates to ward off the attack of McCarthyism in 1954.

Mr. MATUSOW. Well, sir; I have material from the files of Counterattack which I will make available to anybody.

The CHAIRMAN. Wait a minute. Please specify that material that you called about.

Mr. MATUSOW. Material from the files of the publication called Counterattack.

The CHAIRMAN. What is that material?

Mr. MATUSOW. Material that Don Surine, a member of Senator McCarthy's staff, gave me—a letter from Don Surine, I believe, was mentioned in my book; the way Senator McCarthy used the 1944 House committee hearings on communism in the armed services, with his own penciled underlined notes outlining certain things taken out of context, just showing a way in which he intended to attack the Army as far back as 1952; material furnished me by Don Surine, Senator McCarthy's investigator at that time, to be used in speechmaking in the 1952 campaign.

The CHAIRMAN. What was that material?

Mr. MATUSOW. Material which attacked former United States High Commissioner in Germany John McCloy, and former Gen. Bill Donovan; material which attacked—

The CHAIRMAN. What was it, a speech that he had? You say material; was it speeches, material, documents?

Mr. MATUSOW. Well, one letter I can think of from Surine deals with his investigation or a report of a study he made on Senator Benton at the time—that was in 1952.

The CHAIRMAN. A study he made on Senator Benton?

Mr. MATUSOW. Well, he was checking into an aspect of Senator Benton's past in an attempt to use it to smear Senator Benton in 1952.

I have that in Mr. Surine's handwriting; and he also used the senatorial frank in sending material to me.

The CHAIRMAN. Now we are talking about material that you had for candidates for the Senate in 1954.

Mr. MATUSOW. Well, sir, I think—

The CHAIRMAN. Just wait a minute, please, sir. It is obvious that a letter that had something to do with Senator Benton, the candidate—

Mr. MATUSOW. Senator Benton, sir, of Connecticut.

The CHAIRMAN (continuing). In 1952, and who was not a candidate in 1954, has nothing to do with it.

Mr. MATUSOW. Well, sir—

The CHAIRMAN. What is this 1954 material?

Mr. MATUSOW. Sir, material used in 1952 which related to many candidates at that time, and showed a way in which it has gotten, a way in which it was used, I believed at the time I spoke to Mr. Anderson, had a relation to the 1954 campaign where the same tactics were used against different candidates, but for the same reason.

The CHAIRMAN. Now, let me see if I am correct. You had some documents; I believe those documents consisted of one letter?

Mr. MATUSOW. Consisted of more than that, sir.

The CHAIRMAN. Well, what were they? How many letters did you have?

Mr. MATUSOW. Well, I have got—I have got these hearings which were given to me in the 1952 campaign.

The CHAIRMAN. You got the hearings?

Mr. MATUSOW. Three volumes of those.

The CHAIRMAN. Committee hearings?

Mr. MATUSOW. They were executive-session hearings, too; they were not public.

The CHAIRMAN. They had not been released to the public?

Mr. MATUSOW. Not to my knowledge. I think one of three volumes had been.

The CHAIRMAN. All right. What were those hearings; let us see if you are telling the truth.

Mr. MATUSOW. They were before the House Armed Services Committee. I believe at the time Congressman Ewing was chairman, 1944 and 1945, dealt with the question of Communists being commissioned in the Armed Forces.

Witnesses before the committee were General, Major General Bissell—

The CHAIRMAN. Now, you are talking about—

Mr. MATUSOW. I am specifying the hearings.

The CHAIRMAN. You are talking about executive committee hearings of the House Armed Services Committee in 1944 and 1945?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. Is that what you are saying?

Mr. MATUSOW. That were given to me by Don Surine for the 1952 campaign, and Senator McCarthy quoted them and used them during the hearings in 1954.

The CHAIRMAN. All right.

Mr. MATUSOW. Those same hearings.

The CHAIRMAN. Then they were public documents.

Mr. MATUSOW. Some were, some weren't.

The CHAIRMAN. That is right.

Now, what did they have to do with the 1954 campaign?

Mr. MATUSOW. Well, I think they had whatever the Army-McCarthy hearings had to do with it.

The CHAIRMAN. But it was something that was public. Now, what else did you have besides that hearing?

Mr. MATUSOW. It wasn't all public, sir.

The CHAIRMAN. All right; which one now, specify which one was not public?

Mr. MATUSOW. There were three volumes. I believe one is executive session; I will have to find out which of the three.

The CHAIRMAN. Specify the hearings. Who were the witnesses?

Mr. MATUSOW. I believe General Bissell and, at that time he was Under Secretary of War, John J. McCloy; and Major General Donovan.

The CHAIRMAN. What was the date of those hearings?

Mr. MATUSOW. I don't recall. I believe they were '44 or '45—1944 or '45.

The CHAIRMAN. All right.

Now, what else did you have?

Mr. MATUSOW. Surine gave me a wiretap of a meeting that took place at the Hotel New Yorker, which he suggested I use in the campaign. It was a meeting of Communist union leaders, I believe.

The CHAIRMAN. You say what now?

Mr. MATUSOW. It was a meeting of Communist or pro-Communist leaders.

The CHAIRMAN. It was a meeting of Communist union leaders?

Mr. MATUSOW. But in his giving me this he intended me to use this against Senator Jackson because one of the union leaders was a leader of a union that was in the State of Washington.

The CHAIRMAN. Senator Jackson was not a candidate in 1954. We are talking about 1954.

Mr. MATUSOW. Well, sir, my material was not used. I am not that wise in the ways of politics. I thought that what happened in 1952 had a very definite bearing on the 1954 election.

The CHAIRMAN. I am not arguing—

Mr. MATUSOW. That is why I called Mr. Anderson.

The CHAIRMAN. I am not arguing with you, sir, what you thought. I am trying to get you to specify the documents you had.

Mr. MATUSOW. I also had a report that Surine gave me dealing with the movement of, oh—I am trying to think of who it was—I will have to refresh my recollection—a confidential report of some kind.

The CHAIRMAN. How could a wiretap of a Communist—of a meeting of Communist union leaders in New York, in which Senator Jackson's name was mentioned—

Mr. MATUSOW. I didn't say his name was mentioned, sir.

The CHAIRMAN. All right. What did you say?

Mr. MATUSOW. I said that it was given to me by Don Surine in 1952 prior to my going into the States of Washington and Montana, and he said, "Get a tape recorder and play this and use this against Jackson and against Mansfield."

The CHAIRMAN. How could it be used against them if their names were not mentioned?

Mr. MATUSOW. Because at one time, years ago, it seemed that that union referred to or the union leader in this recording, had supported Congressman, at that time, Congressman Jackson when he ran for Congress.

The CHAIRMAN. All right.

Now, what basis could that be used against other candidates for Congress in 1954?

Mr. MATUSOW. Well, I believe that there were candidates in the State of Washington, in the State of California, who were affected by probably past contributions dating back to 1944 or 1946 by that same union leader.

The CHAIRMAN. Who were those candidates?

Mr. MATUSOW. I don't know. I asked Mr. Anderson if he knew of the candidates.

The CHAIRMAN. Well, how do you know they were candidates—that they had contributed to—

Mr. MATUSOW. I presumed that there were some Members of Congress who, in 1944 or 1946, as a Democrat, had received support from a CIO union. At that time the union involved was a CIO union; just that simple, sir.

The CHAIRMAN. You presumed it. You had no proof about it.

Mr. MATUSOW. Well, I was trying to find out; that is why I called Mr. Anderson.

The CHAIRMAN. Now, you mentioned that you had a meal with Miss Bentley.

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. And you say you made a list of the people who came to the table?

Mr. MATUSOW. No, sir; I didn't say that. I say that the other people who were at that table, their names, I could refresh my memory as to their names, by checking my address book, people I know in New York, and I don't have that address book with me.

The CHAIRMAN. Now, you have an address book of people you know, and you can look at that book and refresh your memory as to who came to the table during the meal; is that your testimony?

Mr. MATUSOW. Well, it refreshes my memory as to certain people who travel, who were friends of mine, who—

The CHAIRMAN. You say what?

Mr. MATUSOW. Friends of mine who I had met at that bar or that restaurant.

The CHAIRMAN. Friends of yours whom you had met at the restaurant?

Mr. MATUSOW. Yes.

The CHAIRMAN. Does your address book state where you meet a person?

Mr. MATUSOW. I believe when I see a name I can usually replace it and remember where I met the person, if I met the person. Right now I don't remember the name; by just reading names, a few of them will come back to me.

The CHAIRMAN. It is just a list of names and addresses?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. And it does not state where—it does not show where—you met that particular person?

Mr. MATUSOW. That is right, sir; it doesn't.

The CHAIRMAN. Now, your testimony is that you can look at that book and then you will know whether or not that person was present when you had lunch with Miss Bentley?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. All right.

Mr. MATUSOW. I can think of the individuals now but not their names. I have a recollection of who they are, that is, physical recollection of the people in my mind right now.

The CHAIRMAN. Were they friends of yours?

Mr. MATUSOW. Acquaintances.

The CHAIRMAN. Just acquaintances.

Mr. MATUSOW. I remember the evening and the fact that these people were there because—

The CHAIRMAN. It was dinner you were having with Miss Bentley?

Mr. MATUSOW. That is right. They were very much intrigued with Miss Bentley.

The CHAIRMAN. How many people came up to the table?

Mr. MATUSOW. Oh, 2 or 3.

The CHAIRMAN. Two or three. How many of those do you know, do you remember the names of?

Mr. MATUSOW. I believe I could get the names of 2 or 3.

The CHAIRMAN. Answer my question. How many of those people do you now remember the names of?

Mr. MATUSOW. Only Mr. Watts.

The CHAIRMAN. Only Mr. Watts?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. Now, were there 2 or 3 in addition to Mr. Watts?

Mr. MATUSOW. Yes, as I recall it; yes.

The CHAIRMAN. You don't remember their names?

Mr. MATUSOW. No, sir; I don't.

The CHAIRMAN. They are just acquaintances, not friends?

Mr. MATUSOW. That is right.

The CHAIRMAN. Now, I want you to bring that address book and make it available to the committee.

Mr. MATUSOW. Oh, I will do that, sir.

The CHAIRMAN. All right, proceed.

Mr. SOURWINE. Does this address book contain the names of all your acquaintances, Mr. Matusow?

Mr. MATUSOW. Quite a few of them.

Mr. SOURWINE. It is not limited to your friends?

Mr. MATUSOW. Well, it has both acquaintances and friends in it.

Mr. SOURWINE. What was the Communist union that was—

The CHAIRMAN. Wait, just a minute. I want to ask him this question. What is your policy when you meet a person, you put his name in a book?

Mr. MATUSOW. Not necessarily, sir; no.

The CHAIRMAN. All right.

How did you compile this book? You say you have just people whom you just met in there?

Mr. MATUSOW. Well, I compile it, I guess, no differently than anybody else compiles a list of people—well, I have got an example of one right here. It doesn't cover the thing involved. Well, here are people I know in Washington. I believe Mr. Sourwine's name is in here, a number of Senators' names.

The CHAIRMAN. Tell me how you compiled it. Do you meet a person and put his name in a book; is that the way you compile it?

Mr. MATUSOW. It is just a question of being able to refresh my memory in cases such as this.

The CHAIRMAN. Answer my question please, sir. When you meet a person you put his name in a book, is that it?

Mr. MATUSOW. When I meet a person sometimes they give me a card and sometimes they don't. I think the normal policy is just to get somebody's name and address if you want to see them again, and in that case I take a person's name and address or give them mine.

The CHAIRMAN. If you want to meet a person again you take his name and address?

Mr. MATUSOW. Normally, yes.

The CHAIRMAN. Yes, sir.

Now, if a person registered with you in that way, why is it you cannot tell us something about these other people that came up to that table?

Mr. MATUSOW. Sir, I have met quite a few people in the last 5 years, and at this time, to try to remember all the names of people I have met would be a nearly impossible task.

The CHAIRMAN. These people were not known to Miss Bentley?

Mr. MATUSOW. They were not.

The CHAIRMAN. Yes.

What were they, just in the bar having a drink or two; is that it?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. Yes.

Now, how close were they standing to you before they would come to the table?

Mr. MATUSOW. Oh, it varied from 10 feet to 5 feet.

The CHAIRMAN. Ten feet to five feet?

Mr. MATUSOW. Walk in the bar; I don't know.

The CHAIRMAN. Miss Bentley could be plainly seen by those people before they came to your table?

Mr. MATUSOW. Well, if they were looking at her, yes.

The CHAIRMAN. Yes; and she was sitting there crying, and here is a man standing, oh, 5 or 10 feet; when he would walk up to the table she would turn the tears off?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. When he stayed there; and when he stepped back 5 feet, she would begin to cry again; is that your testimony?

Mr. MATUSOW. Not on every occasion, but on most; yes, sir.

The CHAIRMAN. All right.

Now, what occasion was it that she cried while the person was there?

Mr. MATUSOW. I don't recall, sir.

The CHAIRMAN. Well, did she cry while another person was there?

Mr. MATUSOW. She might have.

The CHAIRMAN. Well, you have testified she did not.

Mr. MATUSOW. I don't recall her doing so.

The CHAIRMAN. What?

Mr. MATUSOW. I believe I testified that I don't believe she cried when anybody was there.

The CHAIRMAN. That is right. You testified she did not cry when anybody was there. Yet she was crying when they were standing 5 or 10 feet away?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. Take the witness.

Mr. SOURWINE. Mr. Chairman—

Senator JENNER. May I ask a question, Mr. Chairman?

The CHAIRMAN. Yes, sir.

Senator JENNER. Mr. Watts, you do recall, was there at this restaurant with Miss Bentley?

Mr. MATUSOW. Yes, he came in that night.

Senator JENNER. And Mr. Watts and you are good friends?

Mr. MATUSOW. I believe Mr. Watts is not happy about what I am doing right now. I still consider him a friend, but I think his politics prevent him from claiming me as a friend, though I claim him as one.

Senator JENNER. Did he ever accuse you of being a member of the Communist Party?

Mr. MATUSOW. No. He probably is doing so now, but up until this point, I don't recall of it.

Senator JENNER. Did you ever tell him when you were living with him that you had been a member of the Communist Party?

Mr. MATUSOW. Oh, yes; I told many people I had been a member of the Communist Party.

Senator JENNER. Did you tell Mr. Watts that?

Mr. MATUSOW. Yes, sir.

Senator JENNER. And he continued to live with you?

Mr. MATUSOW. Yes, sir.

Senator JENNER. Mr. Watts is about the same kind of a man you are?

Mr. MATUSOW. Oh, I think he is a very honest man.

Senator JENNER. A perpetual and habitual liar?

Mr. MATUSOW. I said I believe he is an honest man.

Senator JENNER. Well, you just testified yesterday that you were just a habitual and perpetual liar. I want to know what kind of a man Mr. Watts is.

Mr. MATUSOW. I said I had been.

Senator JENNER. You quit that?

Mr. MATUSOW. I have said I quit that.

Senator JENNER. At the time you were living with Mr. Watts, were you a habitual and perpetual liar?

Mr. MATUSOW. That was in that period I was testifying; I had been lying; yes, sir.

Senator JENNER. Was Mr. Watts the same kind of a man you are?

Mr. MATUSOW. I said he is today, to my knowledge, the same kind of a man I consider myself today, an honest man.

Senator JENNER. I am speaking about the time you two lived together, you roomed together in an apartment. What kind of a man was Mr. Watts at that time?

Mr. MATUSOW. At the times I knew him he was an honest man.

Senator JENNER. He had to know you rather well living with you, didn't he?

Mr. MATUSOW. He knew me fairly well.

Senator JENNER. There is no way in the world that you can live with a habitual and perpetual liar and not know it, is there?

Mr. MATUSOW. I don't know, sir. I met many people who I lied to, and didn't know it until just recently.

Senator JENNER. You couldn't live with a man and be his roommate and be in his apartment and be a perpetual and habitual liar and he not know it.

Mr. MATUSOW. I was out of town most of the time.

Senator JENNER. How long did you live in that apartment?

Mr. MATUSOW. Oh, I was there from July to late December, early January; I was out of town——

Senator JENNER. You lived with him 6, 7 months?

Mr. MATUSOW. Well, I was out of town throughout the fall. I was in Washington, I went to Nassau in December; I was in Washington in early January. In October I was in the West; in September I was out West; in August I was out West; in July I was in New York, and I believe he was on vacation.

Senator JENNER. Are you trying to tell this committee, then, that Mr. Watts did not know you very well; he didn't have a chance to observe you?

Mr. MATUSOW. We had worked actively together in the campaign of 1952 around New York to try and get Mr. Taft nominated.

Senator JENNER. All right, go ahead.

Mr. SOURWINE. What was the Communist union that was the subject of the wire or tape recording that you testified about here this morning?

Mr. MATUSOW. I believe that was the International Union of Longshoremen, the Harry Bridges union, the west coast.

Mr. SOURWINE. Now, you have testified what you called Mr. Anderson about. What did you call Mr. Alsop about?

Mr. MATUSOW. I believe that was, in substance, the same.

Mr. SOURWINE. There were no differences in your conversation between Mr. Alsop and with Mr. Anderson?

Mr. MATUSOW. I believe the conversation with Mr. Joseph Alsop also had something to do with finding a publisher for my book.

Mr. SOURWINE. Did you ask him to help you find a publisher?

Mr. MATUSOW. Yes, sir; I did.

Mr. SOURWINE. Did he say he would?

Mr. MATUSOW. He said he would think about it.

Mr. SOURWINE. Did he subsequently do so?

Mr. MATUSOW. Not to my knowledge, sir; no.

Mr. SOURWINE. Which Mr. Alsop was that?

Mr. MATUSOW. Joseph.

Mr. SOURWINE. What did he do about it, to your knowledge?

Mr. MATUSOW. I haven't the slightest idea.

Mr. SOURWINE. Did you ask him for money?

Mr. MATUSOW. I asked him to help me find a publisher or somebody who would help subsidize me during the writing of my book.

Mr. SOURWINE. Did you ask him for money?

Mr. MATUSOW. In the form of helping me find somebody to subsidize the book, yes.

Mr. SOURWINE. Otherwise?

Mr. MATUSOW. Ask him personally?

Mr. SOURWINE. Yes.

Mr. MATUSOW. I don't believe so; no, sir.

Mr. SOURWINE. Did he say he would try to help find someone to subsidize the book?

Mr. MATUSOW. He just said he would think about it, and that was it.

Mr. SOURWINE. Now, what did you call Mr. Sullivan about?

Mr. MATUSOW. To apologize to Senator Mansfield for the attacks I had made upon him in 1952.

Mr. SOURWINE. A moment ago you said all of these phone calls were for the same purpose. Was the call to Mr. Sullivan for the same purpose as the call to Mr. Alsop and Mr. Anderson?

Mr. MATUSOW. Well, it also took the form of informing Mr. Sullivan that I would be willing to furnish Senator Murray of Montana material that I used, as to tape-recorded speeches in the 1952 election campaign against Senator Mansfield. I had at that time had tape-recorded some of the speeches, and I would take those speeches and pinpoint the lies that I had told against Senator Mansfield, and I imagined that some of them were to be used against Senator Murray in 1954, and also that I had had certain conversations with certain people in the State of Montana as to what they had planned to do when attacking Senator Murray in 1954, and I had offered that information to Senator Murray through Mr. Sullivan.

Mr. SOURWINE. Did you give that information to Mr. Sullivan?

Mr. MATUSOW. No, I did not.

Mr. SOURWINE. Did you offer to give it to him?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Did he say he did not want it?

Mr. MATUSOW. In substance, he said at that time he didn't want it.

Mr. SOURWINE. Was that because you had asked him to pay for it?

Mr. MATUSOW. I did not ask him to pay for it.

Mr. SOURWINE. Didn't you suggest some compensation in return for it?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. You offered to give it to him freely?

Mr. MATUSOW. I did, sir.

Mr. SOURWINE. Why didn't you just give it to him?

Mr. MATUSOW. It took a while to do it.

Mr. SOURWINE. He would not listen?

Mr. MATUSOW. No, sir. I don't say that.

Mr. SOURWINE. He hung up on you?

Mr. MATUSOW. No, sir; I met him personally, too, before that.

Mr. SOURWINE. You met him personally before that?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. And had made the same offer?

Mr. MATUSOW. No, sir; just the apology to Senator Mansfield.

Mr. SOURWINE. Did you ask Mr. Sullivan to help you find a publisher?

Mr. MATUSOW. Sir, I had asked many people, Mr. Sullivan included.

Mr. SOURWINE. Did you ask Mr. Sullivan to help you find someone to subsidize your book?

Mr. MATUSOW. A publisher or somebody who would help me subsidize the writing of the book; yes, sir.

Mr. SOURWINE. Did you ask Mr. Sullivan for any sum of money?

Mr. MATUSOW. He personally? No, sir.

Mr. SOURWINE. Did you mention any sum of money to him?

Mr. MATUSOW. I mentioned a sum of money to many people; I believe the figure I wanted as an advance and felt I needed to carry me through the writing of the book was \$1,500.

Mr. SOURWINE. Didn't you come down a little on that amount when you were talking to Mr. Sullivan?

Mr. MATUSOW. I don't recall, sir.

Mr. SOURWINE. You recall some things very well.

Mr. MATUSOW. I admit that, sir; yes.

Mr. SOURWINE. Don't you recall the amount of money you asked Mr. Sullivan for?

Mr. MATUSOW. I don't recall; no, sir.

Mr. SOURWINE. All right.

Now, the other telephone call or calls that you made, were those calls or was that call, in fact, for the same purpose as these others?

Mr. MATUSOW. In substance, they carried that; yes, sir.

Mr. SOURWINE. If we can determine who the person was that you called, is it your testimony that you called that person for the purpose of asking him or her to help you find a publisher, to help you find someone to subsidize the book?

Mr. MATUSOW. In part; that was part of the conversation, yes.

Mr. SOURWINE. Now, think real carefully and see if you can recall any more details about who that other person was or those other persons were.

Mr. MATUSOW. I have been trying to, sir, but I don't at this time.

Mr. SOURWINE. Mr. Matusow, Communist publications have referred to—

The CHAIRMAN. Just wait a minute. I want to ask him a question.

Mr. Matusow, in 1952 you were in the Air Force; were you not?

Mr. MATUSOW. No, sir; 1951.

The CHAIRMAN. Were you ever stationed at Wright-Patterson Air Force Base?

Mr. MATUSOW. I was, sir.

The CHAIRMAN. What years?

Mr. MATUSOW. From, I believe, April or early May 1951 through December 11 or 9 of 1951.

The CHAIRMAN. Did you meet a chaplain there in the Army, there in the Air Force?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. What was his name?

Mr. MATUSOW. I met a number of chaplains; I don't recall his name, sir.

The CHAIRMAN. Did you discuss with the chaplain there that you had been a Communist?

Mr. MATUSOW. Yes, sir; I did.

The CHAIRMAN. Who was that chaplain?

Mr. MATUSOW. Well, I discussed it with a few chaplains up there, one of whom was the Episcopal chaplain, and the other was a Catholic chaplain.

The CHAIRMAN. All right. What was the Episcopal chaplain's name?

Mr. MATUSOW. I don't remember it, sir.

The CHAIRMAN. Do you remember the name of the Catholic chaplain?

Mr. MATUSOW. No; I don't.

The CHAIRMAN. Do you remember a Maj. William Coolidge Hart of Pittsfield, Mass.?

Mr. MATUSOW. I believe I spoke to Chaplain Hart, yes.

The CHAIRMAN. All right. Now, I want you to state under oath now just what you told him.

Mr. MATUSOW. I believe I told the chaplain I had been in the Communist Party, but I wanted to fight communism; that was partly the

reason I was in the Air Force. The Air Force was not letting me fight communism. At that time I was unaware, in fact until yesterday, that my mother had requested that I not be sent overseas because of the death of my brother who was in the Army in World War II; and I felt that it was because of my past activities in the Communist Party that I was prevented from going overseas and receiving any assignment or receiving any promotions in the Air Force, giving me a chance to do what I considered to serve the country better; and the chaplain—

The CHAIRMAN. Now, I ask you this question, sir: State whether or not you told Reverend Hart that you desired to expose the activities of the Communists; that you recognized what they were trying to do, and that you desired to expose them.

Mr. MATUSOW. In substance, yes, sir; I talked in those terms, substance-wise.

The CHAIRMAN. And you requested him, you requested him to arrange for you to testify; did you not?

Mr. MATUSOW. No, sir; I don't believe it went that way.

The CHAIRMAN. What?

Mr. MATUSOW. I believe I requested some help somewhere along the line, a little pressure off from the Air Force, and I believe I requested a chance to do something in a more dramatic way on the subject in the Air Force; and Reverend Hart, I believe, suggested that I meet with the base public relations officer.

The CHAIRMAN. Now, that is true; that statement is true.

What transpired between you and the base public relations officer?

Mr. MATUSOW. I walked into the base public relations office, I forget his name, Captain—we used to call him Howdy, I forget his name, though—I just remember his nickname.

The CHAIRMAN. Let's get this straight. You testified at first that you told Reverend Hart that you wanted to fight communism.

Mr. MATUSOW. Yes, sir; I did.

The CHAIRMAN. Military action.

Mr. MATUSOW. Military and psychological, both.

The CHAIRMAN. Isn't it true it wasn't military; you didn't want to fight Communists, but you wanted to testify against them because you knew what they were up to?

Mr. MATUSOW. I said military and psychological warfare, both.

The CHAIRMAN. All right, now.

Did you meet a lady named Martha Edmiston?

Mr. MATUSOW. E-d-m-i-s-t-o-n.

The CHAIRMAN. Right.

Mr. MATUSOW. I met her; yes, sir.

The CHAIRMAN. All right.

Now, what happened there?

Mr. MATUSOW. Well, in the base public relations office I was there and met Mrs. Edmiston. We chatted a while about communism, in general; and I recall looking at Mrs. Edmiston and saying, "You like cats, don't you," and she said, "Yes," and we talked about cats for about 15 or 20 minutes. We were both cat fanciers.

The CHAIRMAN. Talked about what?

Mr. MATUSOW. Cats, felines.

The CHAIRMAN. Cats?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. Go ahead.

Mr. MATUSOW. And she told me that she and her husband had about 18 cats and about 6 or 7 dogs at their home at Waynesville, Ohio.

The CHAIRMAN. Didn't you arrange—did she arrange for you to testify before one of the congressional committees?

Mr. MATUSOW. She helped quite a bit, sir.

The CHAIRMAN. Yes.

Mr. MATUSOW. She and her husband.

The CHAIRMAN. Yes.

You told Reverend Hart that OSI was watching you?

Mr. MATUSOW. Yes, sir; I did.

The CHAIRMAN. You are right; that you had been a member of the Communist Party, that you knew what Communists were trying to do, and you wanted help in arranging to testify, to expose it.

Mr. MATUSOW. At that point, I believe, yes, sir; I did.

The CHAIRMAN. Yes, sir; you did.

He arranged with the base officer, the base officer arranged for you to meet Mrs. Edmiston?

Mr. MATUSOW. The base public relations officer.

The CHAIRMAN. That is right; and they arranged for you to testify?

Mr. MATUSOW. They helped, sir.

The CHAIRMAN. Yes, sir.

Now, proceed. I want the record to lay a predicate for further testimony.

Proceed, Mr. Sourwine.

Mr. SOURWINE. Very good, Mr. Chairman. We will take those matters up in detail later on.

Mr. Matusow, Communist publications have referred to what they have called your confession of perjury; but, as a matter of fact, you have not confessed to perjury, have you?

Mr. MATUSOW. I don't know what the legal terminology is. I have given conflicting statements or contradictory statements under oath. What the newspapers call it or what anybody else calls it, I don't know. I am telling the truth now. I have told falsehoods in the past.

Mr. SOURWINE. You do know, Mr. Matusow, do you not, that mere conflicting statements do not constitute perjury?

Mr. MATUSOW. I have been informed of that recently; yes, sir.

Mr. SOURWINE. You have had legal advice on that subject, have you not?

Mr. MATUSOW. After filing these affidavits, I was informed of this matter; yes, sir.

Mr. SOURWINE. From whom did you have that legal advice?

Mr. MATUSOW. From my attorney.

Mr. SOURWINE. Mr. Faulkner?

Mr. MATUSOW. From Mr. Faulkner and, prior to that, I believe I got it from—I asked Mr. Witt if he knew about the law.

Mr. SOURWINE. Yes. You were told by Nat Witt that you could safely give conflicting statements, and that wasn't necessarily perjury unless they could prove—

Mr. MATUSOW. He didn't say that they couldn't.

Mr. SOURWINE. Let me finish the question.

Mr. MATUSOW. All right.

Mr. SOURWINE. Unless the Government could prove which statements were true; isn't that right?

Mr. MATUSOW. That is right, sir.

Mr. SOURWINE. Were you told that you could not be convicted for perjury on the basis of your recanting of your previous testimony?

Mr. MATUSOW. I believe I was told the Government would have a difficult time in proving it.

The CHAIRMAN. That is right; that the Government would have a difficult time in securing a conviction.

Mr. MATUSOW. That is right, sir.

The CHAIRMAN. Yes, sir.

Did Mr. Witt tell you that? Mr. Witt told you that?

Mr. MATUSOW. Mr. Witt and Mr. Faulkner have told me that, and I received—I have seen a copy of the statute itself and familiarized myself with it.

The CHAIRMAN. Who showed you that statute?

Mr. MATUSOW. I asked Mr. Witt if he could get me a copy of the statute to look at or a breakdown of it.

The CHAIRMAN. Did you talk to Mr. Sacher?

Mr. MATUSOW. Sacher?

The CHAIRMAN. Yes.

Mr. MATUSOW. I don't think we discussed that matter at all.

The CHAIRMAN. What did you discuss?

Mr. MATUSOW. Mr. Sacher had asked me about my testimony in that case. He was the attorney handling the retrial motion for the Flynn case, and he wanted to talk to me about my past testimony.

The CHAIRMAN. Here is what I want to ask you: On yesterday you stated that Mr. Sacher prepared a memorandum.

Mr. MATUSOW. Sir, I believe I stated that he said it was prepared by the attorneys for the defense. I don't believe I stated he prepared it.

The CHAIRMAN. All right. It was prepared by the Communist attorneys, attorneys for the Communists.

Mr. MATUSOW. By the attorneys handling the defense of the 13 Communist leaders.

The CHAIRMAN. Why is it that the attorneys for the Communists had to prepare for you a memorandum showing where you lied?

Mr. MATUSOW. This memorandum did not show where I lied, as you put it, sir. It completely is different from what you think it is. The memorandum was only a transcript of my testimony.

The CHAIRMAN. It was a transcript of your testimony?

Mr. MATUSOW. Yes, sir. Of part of my testimony, the material parts of my testimony.

The CHAIRMAN. All right.

You testified falsely there, you state?

Mr. MATUSOW. Well, yes, sir; but they had no way of knowing if I had testified falsely, and there were matters contained in that memorandum that I testified truly about.

The CHAIRMAN. You say—but what you got was a list from these attorneys of where you lied or the things you lied about in that case, was it not?

Mr. MATUSOW. No, sir; it was not such a list. You have a wrong conception of it.

The CHAIRMAN. What was the point in selecting it? You testified yesterday that, to save you time from reading the whole record—

Mr. MATUSOW. No, sir. I will tell you the point of it.

The CHAIRMAN. Wait a minute—that you desired a memorandum stating where you lied.

Mr. MATUSOW. No, sir; that is not so. That was prepared, as were other memorandums, I believe, to have been prepared, in the use by these attorneys for their preparing a brief to be submitted to the Court of Appeals and the Supreme Court, material which took out the—a document which took out the—material facts relating to my testimony in that case.

The CHAIRMAN. That is right.

Mr. MATUSOW. Which was necessary for a brief to be prepared and submitted for appeals on the conviction.

The CHAIRMAN. That is correct.

Mr. MATUSOW. And that is all the memorandum you are referring to was.

The CHAIRMAN. That is correct; but it was of the material facts in your testimony?

Mr. MATUSOW. Well, sir, the falsehood in my testimony that I have related in court dealt with the material facts of the testimony.

The CHAIRMAN. All right.

This memorandum was the material facts of your testimony, was it not?

Mr. MATUSOW. Yes, sir; some of the material facts.

The CHAIRMAN. Some of the material facts?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. Prepared for, as you state now, it was not prepared primarily for you?

Mr. MATUSOW. No, sir; it was not.

The CHAIRMAN. Primarily for appeal?

Mr. MATUSOW. I believe so; yes, sir.

The CHAIRMAN. It is what they wanted you to recant, was it not?

Mr. MATUSOW. If I lied, and the material that was—

The CHAIRMAN. Answer my question.

Mr. MATUSOW. I don't know what they wanted me to recant, sir.

The CHAIRMAN. You asked for it?

Mr. MATUSOW. I didn't know what they wanted me to recant.

The CHAIRMAN. For the material facts in your testimony.

Mr. MATUSOW. I asked for the minutes of my testimony, which I also received.

The CHAIRMAN. Now you state they did not want you to recant the facts that they listed on the appeal as material?

Mr. MATUSOW. Sir, I said I don't know what they want me to recant; I don't care what they want me to recant; I am just recanting what the falsehoods were.

The CHAIRMAN. All right.

Weren't they the falsehoods?

Mr. MATUSOW. Part of those statements given in the testimony were not true, and I have stated so in Judge Dimock's court.

The CHAIRMAN. All right. They were lies, weren't they, and you did recant that testimony?

Mr. MATUSOW. Part of the testimony, sir.

The CHAIRMAN. All right. In part, as a result of a memorandum given you by the attorneys for the convicted Communists?

Mr. MATUSOW. As a result of my conscience, sir.

The CHAIRMAN. Well, all right.

Mr. MATUSOW. When I told falsehoods under oath I didn't have to see any memorandum or any minutes of any record to know where I lied.

The CHAIRMAN. But, of course, you did not.

Mr. MATUSOW. I do know that I lied, put it that way.

The CHAIRMAN. Of course, you didn't. Then, why is it that you had to get a memorandum of the material facts of your testimony?

Mr. MATUSOW. I wanted to include certain material of my testimony in my book so it would be better written. I also wanted to include in the affidavits which I wrote the specific or some of the specific points of my falsehoods in testimony, and be accurate because it was material that was to be taken up by a court, and that is why I wanted the specifics of my testimony, sir.

The CHAIRMAN. Why did you go to the attorneys for the convicted Communists for the specifics of your testimony, as you call it?

Mr. MATUSOW. I asked my publisher to get the testimony for me. I didn't tell him where to get it. If he went there to get it that was his business. I wasn't concerned with where he obtained it.

The CHAIRMAN. You thought he was a Communist, though?

Mr. MATUSOW. I had once accused him of being a Communist; yes, sir.

The CHAIRMAN. Yes. Of course, you remembered your testimony, didn't you?

Mr. MATUSOW. Which testimony?

The CHAIRMAN. Your testimony against the Communists. You remembered that, didn't you?

Mr. MATUSOW. I remembered who I had testified against.

The CHAIRMAN. Why, of course, you remembered what you testified to, didn't you?

Mr. MATUSOW. In substance, I remember who I testified against.

The CHAIRMAN. Why, of course, you did.

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. You remembered what part was false and which part was true, didn't you?

Mr. MATUSOW. Generally speaking.

The CHAIRMAN. Why, of course, you did. Then why is it that you had to have a memorandum made up of the material facts by the attorneys on the other side?

Mr. MATUSOW. Sir, I requested the full minutes of the proceedings, which were over a thousand pages.

The CHAIRMAN. Well, now, that is not what you testified yesterday, Mr. Matusow.

Mr. MATUSOW. I believe, sir, the record is clear that I wanted both.

The CHAIRMAN. No, sir. You testified yesterday that you did not want the full transcript.

Mr. MATUSOW. I believe I testified I did not want to read the full transcript.

The CHAIRMAN. You didn't want to dig through it, you said.

Mr. MATUSOW. Right; but I wanted it.

The CHAIRMAN. You said you wanted a memorandum of just the material points.

Mr. MATUSOW. I said I wanted both, but I didn't want to dig through the big one; that is all.

The CHAIRMAN. Proceed.

Senator McCLELLAN. Mr. Chairman, may I ask a few questions?

The CHAIRMAN. Yes.

Senator McCLELLAN. Mr. Matusow, I believe you testified yesterday that you believed in God?

Mr. MATUSOW. I do, sir.

Senator McCLELLAN. I believe you also testified that you go to church?

Mr. MATUSOW. I do, sir.

Senator McCLELLAN. You go regularly?

Mr. MATUSOW. During the last few weeks I haven't; I haven't been near a church of my faith, but normally I do.

Senator McCLELLAN. Since the time that you have had a change of heart about your life and your conduct, you have been trying to make some major restitution, as I understand it, by attending church and worshipping?

Mr. MATUSOW. And working frequently outside of church in the same respect; yes, sir.

Senator McCLELLAN. Yes.

So we are to understand that you do have a conscience?

Mr. MATUSOW. I do, sir.

Senator McCLELLAN. Yes, sir.

Now, do you recognize that when you appeared in court and testified to material facts related to the crime with which these people were charged and testified falsely, that you yourself committed a crime?

Mr. MATUSOW. Yes, sir.

Senator McCLELLAN. You acknowledge that?

Mr. MATUSOW. I acknowledge that, sir, yes.

Senator McCLELLAN. How many crimes of that nature did you commit?

Mr. MATUSOW. Many.

Senator McCLELLAN. Many.

Now, as one who believes in God and who says he wants to make restitution, do you recognize that you owe a debt to society for the crimes you say you committed?

Mr. MATUSOW. Many debts.

Senator McCLELLAN. Many debts.

Then, if you are charged by constitutional authorities with having committed these crimes in order to require you to pay your debt to society, is it now your intention to plead guilty to those charges and pay your debt to society?

Mr. MATUSOW. Sir, if I am charged, I alone am charged, and Mr. Crouch and Mr. Budenz, and Mr. Chambers and Miss Bentley are not—

Senator McCLELLAN. I am not asking about others; I am only asking about you. They will have to search their consciences, too. Let us talk about you now. What do you intend to do?

Mr. MATUSOW. Depending upon the size of the indictment—

Senator McCLELLAN. The size of it?

Mr. MATUSOW. That is, who else is included, if I am going to be used—

Senator McCLELLAN. I see.

Mr. MATUSOW (continuing). To defend—if the Government intends to use me as a scapegoat and say, "Well, all these other people, Crouch, Budenz, and Bentley are reliable and truthful witnesses," I am going to fight it. But if they, if the Government, indicts, where they should, because of the conflicting statements that have been proven in court, charges made, and before hearings by Mr. Budenz, Mr. Crouch, Mr. Manning Johnson and these others, and we are all put together, as we should be, people who have told falsehoods under oath, and we should pay our debt, I will gladly join them wherever they go, in any Federal prison. But if alone, no, I am not going to take it that easily.

Senator McCLELLAN. All right. That helps us to evaluate your testimony. In other words, if the Government now will undertake to prosecute and to convict all of those who have, presumably, served their country by testifying to this conspiracy of the Communist Party, of calling the people to be convicted for such conspiracy, if the Government is now ready to prosecute all of those who rendered that service for their country, then you would be willing to consider maybe a plea of guilty?

Mr. MATUSOW. Sir, I don't think Mr. Paul Crouch has rendered any constructive service to this Government by lying under oath, as he has done, nor has Mr. Manning Johnson.

Senator McCLELLAN. Let me ask you one other question. You want us to believe, and I assume you want all the people to believe, that you are now sincere.

Mr. MATUSOW. Yes, sir.

Senator McCLELLAN. And that you are trying to purge your conscience and your soul of the dastardly thing that you say you have done?

Mr. MATUSOW. I have purged my soul of it, sir.

Senator McCLELLAN. Is that correct?

Mr. MATUSOW. My conscience is clear now.

Senator McCLELLAN. I do not know.

Mr. MATUSOW. Well, I know.

Senator McCLELLAN. I hope that is some satisfaction to you.

Mr. MATUSOW. It is a great deal, sir.

Senator McCLELLAN. But you are trying to use that now to commercialize on it, are you not?

Mr. MATUSOW. Sir, I believe I stated—

Senator McCLELLAN. You are trying to use that to commercialize on it by publishing this book, are you not?

Mr. MATUSOW. No, sir.

Senator McCLELLAN. Don't you know you are?

Mr. MATUSOW. No, sir.

Senator McCLELLAN. You expect to make a profit out of it.

Mr. MATUSOW. The legal fees that—

Senator McCLELLAN. That is why you are doing it.

Mr. MATUSOW. No, sir; that is not—

Senator McCLELLAN. Why are you doing it, to help the Communists?

Mr. MATUSOW. No, sir; to help the United States Government.

Senator McCLELLAN. You are either doing it for one of two things: You are trying to commercialize on it——

Mr. MATUSOW. Sir, it is quite simple.

Senator McCLELLAN. You are trying to capitalize on the crimes you have committed by publishing this book and having it sold to the American people.

Mr. MATUSOW. No, sir.

Senator McCLELLAN. And I think they have a right to know what you are trying to perpetrate.

Mr. MATUSOW. That is not, sir——

Senator McCLELLAN. Whether you are trying to perpetrate another hoax or another fraud or whether you are sincere.

Mr. MATUSOW. I am sincere.

Senator McCLELLAN. I gave you a chance to say whether you are going to pay your debt to society, and you said you wouldn't do it unless several others were sent to the penitentiary, and you expect us now to accept that in good conscience.

Mr. MATUSOW. No, wait, sir. Right now, all moneys that are not used in legal fees and defense of myself in relation to these charges, I will turn over to any charity in relation to scholarship for schools, and I would like to name the school because I attacked that school, Antioch College in Yellow Springs, Ohio. All moneys other than moneys I have to spend on legal fees, and if you would like it, sir, have any attorney you would like draw it up and I will sign it and give it to the school.

Senator McCLELLAN. Will you go further and will you acknowledge that you will plead guilty for the crimes you have committed?

Mr. MATUSOW. I believe I have answered that, sir, but in relation to the moneys——

Senator McCLELLAN. You answer it in the best way you will.

Mr. MATUSOW. But in relation to the moneys, sir, all moneys other than legal fees that I have to spend, go to some institution for education. I don't need them, and I don't want them. I will clear the air on that subject right now.

Senator McCLELLAN. That is all, Mr. Chairman.

Mr. SOURWINE. Mr. Matusow, now that you have attempted to blacken the names of other persons by saying that they are similar to you, I want to ask you, do not not——

Mr. MATUSOW. Mr. Crouch is not similar to me; he is still hiding behind his lies, sir.

The CHAIRMAN. Now, wait just a minute; wait just a minute. I want you to give the counsel time to complete his questions, and then your answer should conform to the question.

Mr. SOURWINE. Mr. Matusow has quite cleverly anticipated the question and has answered it in his own way, but I would still like to ask him mine.

Is it not true that there is one major difference between you and all these other people?

Mr. MATUSOW. There is, sir.

Mr. SOURWINE. You have called yourself a liar and they all maintain that they told the truth under oath.

Mr. MATUSOW. I have a clear conscience; they don't.

Mr. SOURWINE. Is it not correct that you have called yourself a liar, and they have all maintained the truth of everything they testified to?

Mr. MATUSOW. No, they have not admitted the lies which were proven when they testified.

Mr. SOURWINE. Is it not true that you have called yourself a liar?

Mr. MATUSOW. I have admitted falsehoods under oath; yes, sir.

Mr. SOURWINE. And is it not true that all these other people you named have stoutly maintained that they told the truth in everything they testified to under oath?

Mr. MATUSOW. Even though their statements have been contradictory under oath, they maintained both are the truth.

Mr. SOURWINE. Well, they have maintained the truth, have they not?

Mr. MATUSOW. They have stated it is the truth, though it has been proven otherwise.

Mr. SOURWINE. Well, that is all I wanted to be sure of, that you recognized that was the difference between you and them on that point.

Now, with regard to what is in their consciences, you have no knowledge, have you—you are here under oath, Mr. Matusow, be a little careful—you do not know what is on any other man's conscience, do you?

Mr. MATUSOW. No, I don't, sir.

Mr. SOURWINE. I want to tell you something. You are the man who has testified and bragged about how good you are on the witness stand, how it is a chess game, how you know how to defeat cross-examination; you are the man who has been briefed by various able lawyers on the subject of perjury.

But I want you to know that it is extremely material for this committee to determine, if possible, when and how you are telling the truth and when and how you are lying. I want you to know that all the questions that are asked you here are material to this inquiry; that they are substantial, and if you lie about them and it can be established that you have lied about them, you stand very little chance to beat the rap on that because that will be perjury. I want you to consult your counsel about that, and bear it in mind in answering questions from now on.

Now, with regard to the word "lie" you testified in Judge Dimock's court that you had an obsession about the word "lie," didn't you?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. But, as a matter of fact, you did lie, did you not?

Mr. MATUSOW. On a number of occasions I have, yes.

Mr. SOURWINE. You have testified under oath that you were a liar, have you not?

Mr. MATUSOW. I have testified under oath that I have told lies; yes, sir.

Mr. SOURWINE. Now, Mr. Matusow, I want to go to another subject. This will be brief, if the Chair wants to take a noon recess.

Were you ever in combat in the war?

Mr. MATUSOW. I was.

Mr. SOURWINE. You so testified yesterday. Will you tell us a little bit about that, when you were under fire?

Mr. MATUSOW. The last few days of the war.

Mr. SOURWINE. Where?

Mr. MATUSOW. Germany.

Mr. SOURWINE. Well, pinpoint it a little more than that. When a man is under fire for the first time he knows more about it.

Mr. MATUSOW. Near Mainz, Germany.

Mr. SOURWINE. With what outfit were you?

Mr. MATUSOW. Third Infantry Regiment.

Mr. SOURWINE. And where were you when you were under fire. in the rear area, in the front lines, or where?

Mr. MATUSOW. In the rear.

Mr. SOURWINE. In the rear.

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. How far to the rear?

Mr. MATUSOW. Quite far.

Mr. SOURWINE. That is what you call combat?

Mr. MATUSOW. Well, when I am being shot at, and there is another man in uniform.

Mr. SOURWINE. Did you ever participate in an attack?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Did you ever engage in hand-to-hand combat?

Mr. MATUSOW. On that occasion; yes, sir.

Mr. SOURWINE. Tell us about it, with whom did you engage in hand-to-hand combat.

Mr. MATUSOW. In disarming the other party.

Mr. SOURWINE. With whom?

Mr. MATUSOW. I don't remember who he was; he was a German.

Mr. SOURWINE. Where did this occur?

Mr. MATUSOW. Near Mainz, Germany.

Mr. SOURWINE. Well, how did he get so far to the rear that you were able to engage in hand-to-hand—

Mr. MATUSOW. There were a couple hundred thousand German soldiers in the rear at that time.

Mr. SOURWINE. Was this man a prisoner?

Mr. MATUSOW. He was later.

Mr. SOURWINE. Did you make him a prisoner?

Mr. MATUSOW. I and somebody else.

Mr. SOURWINE. Who helped you?

Mr. MATUSOW. I don't remember his name.

Mr. SOURWINE. One of your buddies?

Mr. MATUSOW. Yes.

Mr. SOURWINE. Did the two of you injure this man?

Mr. MATUSOW. I don't recall. We did, yes; I don't know how we have injured him, though.

Mr. SOURWINE. Did you lay hands on him physically?

Mr. MATUSOW. Yes.

Mr. SOURWINE. Did you attack him with a weapon?

Mr. MATUSOW. Yes.

Mr. SOURWINE. What weapon?

Mr. MATUSOW. A rifle butt.

Mr. SOURWINE. You did not shoot him?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. You did not bayonet him?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. You hit him with a rifle butt?

Mr. MATUSOW. I did.

Mr. SOURWINE. You personally?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. You did not grapple with him as one would with a person one were wrestling with?

Mr. MATUSOW. I did.

Mr. SOURWINE. You did?

Mr. MATUSOW. Well, with a gun, with a piece, shall we say.

Mr. SOURWINE. Did you break any of his limbs?

Mr. MATUSOW. I don't know, sir.

Mr. SOURWINE. Did you break his back?

Mr. MATUSOW. I don't know, sir.

Mr. SOURWINE. What was your buddy doing all this time that you were grappling with him, with the piece?

Mr. MATUSOW. He was there.

Mr. SOURWINE. Yes. What was he doing?

Mr. MATUSOW. I don't remember, sir.

Mr. SOURWINE. Was he watching?

Mr. MATUSOW. I don't remember, sir; no recollections at all, sir.

Mr. SOURWINE. Did he attack this man?

Mr. MATUSOW. I have no recollections of this, sir.

Mr. SOURWINE. Tell us about it.

Mr. MATUSOW. I have no recollections of it, sir, other than the ones I have stated.

Mr. SOURWINE. Well, now, you may think that is true, but sometimes a man can recall a little bit of information about something.

Mr. MATUSOW. If I do, I will let you know, sir.

Mr. SOURWINE. I want to ask a question so that we may be able to help you recall.

Mr. MATUSOW. Fine, sir.

Mr. SOURWINE. Where was this man at the time, just before you physically grappled with him?

Mr. MATUSOW. I don't remember, sir.

Mr. SOURWINE. Were there other Germans in the vicinity?

Mr. MATUSOW. Many, sir. It was in Germany.

Mr. SOURWINE. Were they prisoners?

Mr. MATUSOW. Some were, some weren't.

Mr. SOURWINE. Were there other German soldiers in the vicinity?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. In the near vicinity?

Mr. MATUSOW. I don't know, sir.

Mr. SOURWINE. Was this inside of an enclosure of any kind?

Mr. MATUSOW. I don't remember, sir.

Mr. SOURWINE. Was this the only time you ever had hand-to-hand combat with an enemy soldier?

Mr. MATUSOW. I don't remember, sir.

The CHAIRMAN. Wait a minute.

Mr. MATUSOW. I don't remember, sir.

The CHAIRMAN. You don't remember whether this was the only time that you had combat with a German soldier?

Mr. MATUSOW. I don't remember.

The CHAIRMAN. Did this man shoot at you?

Mr. MATUSOW. I don't recall now, sir. I think he did.

The CHAIRMAN. What is your answer to that question?

Mr. MATUSOW. I think he did.

The CHAIRMAN. You think he did?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. Why did you think he did?

Mr. MATUSOW. I heard a gun go off.

The CHAIRMAN. You don't know whether he was shooting at you or not?

Mr. MATUSOW. I didn't see the muzzle of his weapon.

The CHAIRMAN. Well, now, you have testified, Mr. Matusow, just a moment ago, that you were in combat because you were being shot at.

Mr. MATUSOW. I consider that combat.

The CHAIRMAN. Were you shot at? You say now you do not know.

Mr. MATUSOW. He asked me if he shot at me, I believe.

The CHAIRMAN. All right. Who shot at you?

Mr. MATUSOW. I don't know, sir.

The CHAIRMAN. Do you know anyone shot at you?

Mr. MATUSOW. I presume so, sir.

The CHAIRMAN. You presume so. Now what are the facts?

Mr. MATUSOW. I heard a rifle report and heard a report, and the ricochet of a piece of ammunition nearby; I presumed I was shot at.

The CHAIRMAN. You do not know whether it was fired by an American soldier, a German soldier, or who fired it?

Mr. MATUSOW. I don't know. It was an armed German soldier nearby; I presumed he fired.

The CHAIRMAN. How far were you from the front?

Mr. MATUSOW. I don't remember, sir. I am quite confused about the whole thing.

The CHAIRMAN. You were confused about it?

Mr. MATUSOW. At this point I don't remember anything about it other than I have said.

The CHAIRMAN. I think you are confused about many things.

Mr. MATUSOW. Yes, sir; I admit that.

The CHAIRMAN. I am going to ask you this question: How far were you from the frontlines?

Mr. MATUSOW. I don't remember where the frontlines were. It was the last days of the war, and they were changing quite rapidly.

The CHAIRMAN. Well, the frontlines——

Mr. MATUSOW. I was on the Rhine River.

The CHAIRMAN. Yes; and the frontlines were——

Mr. MATUSOW. A couple of hundred miles away.

The CHAIRMAN. That is right.

Mr. MATUSOW. And in some cases around us.

The CHAIRMAN. That is right. Now, go ahead.

Mr. MATUSOW. That is all.

Mr. SOURWINE. Have you ever testified that you killed an enemy soldier in hand-to-hand combat?

Mr. MATUSOW. I don't believe so.

Mr. SOURWINE. Did you ever testify that you broke a German soldier's back?

Mr. MATUSOW. I don't believe so.

Mr. SOURWINE. Did you ever tell that story not under oath?

Mr. MATUSOW. Oh, I have told a lot of false stories about combat, war stories, yes, not under oath, though.

The CHAIRMAN. Wait a minute. Not under oath, you say?

Mr. MATUSOW. That is right; I lied a lot in my past, sir.

Mr. SOURWINE. Did you hurt your back in Germany in 1946?

Mr. MATUSOW. 1945.

Mr. SOURWINE. 1945?

Mr. MATUSOW. Yes.

Mr. SOURWINE. How?

Mr. MATUSOW. I fell.

Mr. SOURWINE. Where?

Mr. MATUSOW. Bad Nauheim, Germany.

Mr. SOURWINE. Did you fall on level ground?

Mr. MATUSOW. I don't recall—I do recall, I fell down a flight of stairs.

Mr. SOURWINE. Where were the stairs?

Mr. MATUSOW. Just in relation to the town in Bad Nauheim, in a building there.

Mr. SOURWINE. Stairs usually are. What was the building?

Mr. MATUSOW. Headquarters.

Mr. SOURWINE. Now you are testifying that you fell down the stairs at headquarters?

Mr. MATUSOW. My recollection is that.

Mr. SOURWINE. Army headquarters?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. At Bad Nauheim?

Mr. MATUSOW. Continental base section.

Mr. SOURWINE. At Bad Nauheim, Germany?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Did you ever fall down stairs in a hospital or the front or back stairs of a hospital?

Mr. MATUSOW. Yes. I believe I did here at Fort Myer, Va.

Mr. SOURWINE. Did you ever fall down the stairs of a hospital, or the front or back stairs of a hospital in any other place?

Mr. MATUSOW. No. I believe at Fort Myer, Va., it wasn't a staircase. I was in the hospital here with—I forget what it was—I took sick in Washington, and I believe it was my appendix, something disturbing, and I passed out here at the bus depot, and I was taken to the hospital; and I seemed to have gotten out of bed or something, and fell at that time, that night; my recollection is that.

Mr. SOURWINE. Did you ever fall during calisthenics?

Mr. MATUSOW. During calisthenics?

Mr. SOURWINE. Yes.

Mr. MATUSOW. I don't recall.

Mr. SOURWINE. Did you ever state that you had fallen during calisthenics?

Mr. MATUSOW. Not to my recollection.

Mr. SOURWINE. Did you ever state in an instance when there was a criminal penalty for false statements that you had fallen and injured yourself during calisthenics?

Mr. MATUSOW. I don't recall.

Mr. SOURWINE. Did you ever state at a time when there was a criminal penalty for false statements that you had fallen and hurt your back, fallen down the stairs of a hospital?

Mr. MATUSOW. I don't recall.

Mr. SOURWINE. Do you know for sure where you hurt your back?

Mr. MATUSOW. Yes, Bad Nauheim, Germany.

Mr. SOURWINE. Is that the injury for which you have received compensation from the Veterans' Administration?

Mr. MATUSOW. It is.

Mr. SOURWINE. Have you fallen several times?

Mr. MATUSOW. Since when?

Mr. SOURWINE. Have you fallen down several times and hurt your back on one of several different occasions?

Mr. MATUSOW. Well, I think I have fallen since then because of the back injury, but not fallen and hurt my back.

Mr. SOURWINE. There was only one fall and one injury which led to your present compensation; is that right?

Mr. MATUSOW. My recollection is that, yes.

Mr. SOURWINE. And that occurred at Bad Nauheim, Germany?

Mr. MATUSOW. My recollection is, yes.

Mr. SOURWINE. And if you stated otherwise, it was a lie when you stated it?

Mr. MATUSOW. My recollection now is that. I don't know what the recollection was in 1946.

Mr. SOURWINE. All I want you to do is to tell the truth now.

Mr. MATUSOW. Well, sir; I don't remember—if I say now my recollection is that I fell down the flight of stairs, and you happen to bring out a report from the Army that said I fell on level ground instead of down a flight of stairs in Bad Nauheim, I am more apt to take that report of 1946.

Mr. SOURWINE. Mr. Matusow, you have reached the point where you say "I don't remember" before enough of the question is asked for you to know what we are asking. All I want you to state is your best memory now of what the truth is.

You are stating now that the truth is that you were only injured in the back once and that that was through a fall down the stairs in headquarters?

Mr. MATUSOW. Mr. Sourwine, I am not a doctor, I don't know how many times my back has been injured by various and sundry physical activities which I partake in. This one I do recall because I was paralyzed from it, the fall down a flight of stairs and its aftereffect.

Mr. SOURWINE. Mr. Matusow, aren't you wondering—

Senator JENNER. Paralyzed where? Where was it that the paralysis took effect?

Mr. MATUSOW. Well, I couldn't move, so I call that paralysis.

Senator JENNER. It did not affect your head when you fell in any way?

Mr. MATUSOW. I don't know, Senator.

Senator JENNER. All right, go ahead.

Mr. MATUSOW. I have never seen a psychiatrist about it, contrary to some people's belief.

Senator JENNER. I believe you should.

Mr. MATUSOW. Well, a lot of people should, sir.

Mr. SOURWINE. Mr. Matusow, I just want to know what your present testimony is. You only remember now having fallen and hurt the back once?

Mr. MATUSOW. Well, I remember the fall which I hurt my back on, which I based the claim for disability on.

Mr. SOURWINE. Yes, sir.

Mr. MATUSOW. And there were subsequent attacks, shall we say, or whatever a doctor would call it, which have, and still do, incapacitate me, and prevent me from walking at times.

Mr. SOURWINE. And that particular fall and that injury was at Bad Nauheim, Germany, on the stairs at headquarters?

Mr. MATUSOW. From there I went to a hospital and was there for 2 or 3 weeks.

Mr. SOURWINE. What hospital did you go to?

Mr. MATUSOW. I believe the 97th—no, I believe I went to a station hospital, as I recall, at Bad Nauheim, and then I went to the 97th General at Frankfurt, is my recollection.

Mr. SOURWINE. We will return to this subject, Mr. Chairman, with the permission of the Chair.

The CHAIRMAN. Proceed.

Mr. SOURWINE. Do you remember stating yesterday, Mr. Matusow, that after a certain time you had not voluntarily offered any information to a congressional committee?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. What was that time after which you did not voluntarily offer any information to a congressional committee?

Mr. MATUSOW. Are you referring to officially offering it to the committee or, I believe I stated yesterday I had conversations with certain staff members of certain committees.

Mr. SOURWINE. Yes; other than conversations with staff members.

Mr. MATUSOW. Well, I believe I stated to members of the—staff members of Senator McCarthy's committee last year, prior to the start of the Army-McCarthy hearings, or early in the stages of it, I believe I stated to Mr. Buckley, who at that time was assistant counsel of the committee, that I do not intend to ever testify before any congressional committee, and Buckley's answer was, "Well, I don't think they will call you."

Mr. SOURWINE. You did state that to Buckley; did you?

Mr. MATUSOW. Yes.

Mr. SOURWINE. That was in 1954?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. That was after the time which you testified yesterday you had not made any offer to him?

Mr. MATUSOW. That was in that period.

Mr. SOURWINE. Aside from Mr. Buckley now, your testimony is that you did not during 1954 make any offer; is that right?

Mr. MATUSOW. I don't recall making any offer, sir.

Mr. SOURWINE. Mr. Matusow, I have here a telegram which I received from the custody of the House Committee on Un-American Activities, of the man in charge of their files. I will identify it in that way, Mr. Chairman, and it has been in my custody since. It is addressed to Representative Harold H. Velde, chairman, Committee on Un-American Activities. It is dated March 2, 1954.

Mr. MATUSOW. What was that date, sir?

Mr. SOURWINE. March 2, 1954. And it says:

Reference my testimony July 15, 1952, have further detailed important documentation regarding ties between Communist Party and Nationalist Party Puerto Rico. Please contact.

HARVEY MARSHALL MATUSOW,
491 Macombs Road, Bronx.

Telephone Cypress 9-7653.

I show you this and ask you if you sent that telegram.

Mr. MATUSOW. I did, sir.

Mr. SOURWINE. Don't you consider that an offer?

Mr. MATUSOW. I remember it, sir, to save you the trouble.

Mr. SOURWINE. Don't you consider that an offer of information to a committee?

Mr. MATUSOW. Well, I said, sir, to the best of my recollection, and I didn't recall this. I believe now that you have refreshed my memory as to this document, I also called Mr. Frank Carr, who was staff director of the Government Operations Committee, and offered the same information to him.

Mr. SOURWINE. This is important as going to show your state of mind as late as March of 1954. At that time, contrary to the impression you have been attempting to give, that you had withdrawn from Government testimony, you were actually offering testimony which, if accepted, would have surely led to your testimony; isn't that true?

Mr. MATUSOW. Sir, the material here is not quite the same; no.

Mr. SOURWINE. Not quite the same as what?

Mr. MATUSOW. It doesn't fall in the category of any of my past testimony. I believe this telegram was sent the day after members of the Puerto Rican Nationalist Party had attempted to assassinate certain Members of Congress.

I had been in Puerto Rico in 1949, and I had certain pamphlets, documents, and so forth, from the Puerto Rican Nationalist Party.

Mr. SOURWINE. Yes; and you had plagiarized a very good article about Puerto Rico some time before and sold it to a newspaper; had you not?

Mr. MATUSOW. That was the official Communist Party line on Puerto Rico; yes.

Mr. SOURWINE. Yes; you knew what the official Communist Party line was, and you were offering these people an opportunity to have you testify about it; were you not?

Mr. MATUSOW. No, sir; it wasn't quite the same.

Mr. SOURWINE. Didn't you anticipate that if this offer was accepted you would have to testify?

Mr. MATUSOW. I believe I stated to Mr. Carr when I called him and, I believe—

Mr. SOURWINE. We are talking about this offer.

Mr. MATUSOW. Well, I am talking about this; this was one offer to two committees.

Mr. SOURWINE. All right.

The CHAIRMAN. Wait a minute, let us confine it to that telegram. Was that telegram an offer to testify?

Mr. MATUSOW. In executive session only.

The CHAIRMAN. All right. It was an offer to testify.

Mr. MATUSOW. I didn't want the publicity about it.

The CHAIRMAN. All right. It was an offer to testify, was it not?

Mr. MATUSOW. Yes, sir; it was.

The CHAIRMAN. Correct. And your former testimony then was false, was it not?

Mr. MATUSOW. No. It said I don't recall any, sir, and I spoke to Mr. Buckley about that matter after this date that I just referred to.

Mr. SOURWINE. Mr. Matusow, there is nothing in that telegram that restricts your testimony to executive session, is there?

Mr. MATUSOW. But there were in conversations I had.

Mr. SOURWINE. Just answer my question.

Mr. MATUSOW. No, sir; there weren't, but you are trying to leave an impression which is not right.

Mr. SOURWINE. You did not get any answer to that telegram, did you?

Mr. MATUSOW. No, sir; I didn't.

Mr. SOURWINE. You are familiar with the proceedings before congressional committees, are you not?

Mr. MATUSOW. Somewhat.

Mr. SOURWINE. You know, do you not, that if a witness testifies in executive session, if the committee decides his testimony is of any importance, he will testify thereafter in public session?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. You know that the witness has no control over that?

Mr. MATUSOW. I do, sir.

Mr. SOURWINE. Well then, when you sent this telegram, you certainly could not have intended or anticipated that you would be able to limit your testimony to executive session, could you?

Mr. MATUSOW. No, but—

Mr. SOURWINE. All right. Now, you explain the "but," but what?

Mr. MATUSOW. But in the case of many friendly witnesses, in the case of my experience before this very committee, I was familiar with the fact that testimony was first taken in executive session. The policy of this committee in the past with me has been to take testimony in executive session first, and then release it at some later date, and that was what I was referring to, sir.

Mr. SOURWINE. That is how you would avoid the publicity?

Mr. MATUSOW. Well, in discussing with certain committee members the documents which I offered, and not so much the testimony.

Mr. SOURWINE. Now, you have spoken of yourself as a friendly witness. Were you a friendly witness before the House Un-American Activities Committee in the spring of 1954?

Mr. MATUSOW. I didn't testify in the spring of 1954; early summer.

Mr. SOURWINE. Were you on friendly terms with them? Did you consider yourself as a friendly witness? Did you think you would be considered as a friendly witness?

Mr. MATUSOW. I didn't know how I would be considered when I got there. When I got there I was considered as a friendly witness. In fact, I borrowed \$25 off one of the investigators which to this day I haven't returned.

Mr. SOURWINE. I don't doubt it.

You have stated, however, that you sent this telegram with the expectation that you would be treated as a friendly witness; is that right?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Now, as a matter of fact, that was at or about the time, according to your testimony, when you were telephoning people all over Washington and elsewhere trying to get them to assist you in writing your book?

Mr. MATUSOW. It was after that period, sir.

Mr. SOURWINE. What was after what?

Mr. MATUSOW. The conversations you—telephone conversations you are referring to.

Mr. SOURWINE. Well, I am trying to place them.

Mr. MATUSOW. It was after the telegram of March 2.

Mr. SOURWINE. In other words, after the committee failed to respond here, then you went out and tried to sell the book.

Mr. MATUSOW. No, that wasn't it, sir.

Mr. SOURWINE. You were not trying to sell the book prior to March 2, 1954?

Mr. MATUSOW. I was. What I am trying to say is the reference you have there in that telegram has nothing to do with testimony that I have given before.

Mr. SOURWINE. I did not say it had anything to do with it. I am only trying to find out what the time factor is.

Mr. MATUSOW. It has no bearing on it one way or another, sir.

The CHAIRMAN. Answer his questions.

Mr. SOURWINE. I thought I heard you testify here within the last minute that you had not attempted to peddle your book until after the date of this telegram; didn't you so testify?

Mr. MATUSOW. You referred to certain telephone calls, sir. They were after the date of the telegram. I had talked to people about the book prior to the date of that telegram.

Mr. SOURWINE. You mean you had not talked to anybody on the telephone about the book prior to the date of that telegram?

Mr. MATUSOW. You were referring to conversations in the apartment at 141 West 10th Street.

Mr. SOURWINE. No, I was not, Mr. Matusow. I talked about telephoning people all over Washington and elsewhere trying to sell your book.

Mr. MATUSOW. Well, you didn't make yourself clear to me, sir.

Mr. SOURWINE. Well, you will find it is very clear in the record, and I want to caution you again, Mr. Matusow. You are a very intelligent man; you are very sharp on the witness stand. You are experienced in cross-examination. Listen to the questions because you are going to be charged with hearing them. Any time you don't understand it, ask to have it repeated. Will you do that, please?

Mr. MATUSOW. I will.

Mr. SOURWINE. Now, Mr. Matusow, was your hotel room in Los Angeles robbed on any occasion?

Mr. MATUSOW. It was.

Mr. SOURWINE. Did you lose approximately \$1,100?

Mr. MATUSOW. Approximately.

Mr. SOURWINE. Was that in cash money?

Mr. MATUSOW. It was.

Mr. SOURWINE. Did you lose anything else by that robbery?

Mr. MATUSOW. I don't recall.

Mr. SOURWINE. Where was this money?

Mr. MATUSOW. It was in a book.

Mr. SOURWINE. Inside the pages of a book?

Mr. MATUSOW. Yes, sir. I had won the money in a dice game at Reno, Nev.

Mr. SOURWINE. What was it, hundred dollar bills?

Mr. MATUSOW. I don't recall at this time; I believe they were.

Mr. SOURWINE. It would have made a considerable bulky bundle to be inside a book if it was larger than hundred dollar bills.

Mr. MATUSOW. My recollection is it was hundred dollar bills, but that was a few years ago.

Mr. SOURWINE. Did you tell the police about that loss?

Mr. MATUSOW. I reported the robbery.

Mr. SOURWINE. Now, you had won the entire \$1,100 in a dice game?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. How much of it had you won?

Mr. MATUSOW. I don't recall at this time; a substantial part of it.

Mr. SOURWINE. Were you in the habit of winning money at the dice games?

Mr. MATUSOW. I had won some money at dice games, and I had lost some at dice games.

Mr. SOURWINE. Were you in the habit of winning large amounts?

Mr. MATUSOW. I had won large amounts on a few occasions.

Mr. SOURWINE. Was it a large amount involved in the \$1,100 that you had won in the dice game?

Mr. MATUSOW. I had won and lost larger amounts at dice tables.

Mr. SOURWINE. You did not answer the question. I think you realize—

Mr. MATUSOW. I didn't consider that a large amount of money in relation to playing at Reno or Las Vegas, Nev.

Mr. SOURWINE. We will get down to this eventually, you might just as well resign yourself to it.

You would have the impression, I am sure, that what you had won in the dice game was a substantial part of the \$1,100, but you have never testified to it. So far as your testimony goes it could have been \$10 that you won in the dice game.

Mr. MATUSOW. I said it was a large part of the \$1,100.

Mr. SOURWINE. That is what I want to know, was it as much as \$500?

Mr. MATUSOW. It might have been 6 or 7.

Mr. SOURWINE. Now, were you accustomed to winning amounts that large at dice games?

Mr. MATUSOW. In that period of time I was, during my stay in Nevada.

Mr. SOURWINE. You frequently won as much as five or six hundred dollars in a dice game?

Mr. MATUSOW. And lose as much as a thousand.

Mr. SOURWINE. That was during your plush period?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. That was while you were married?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Where did you win this particular six or seven hundred dollars?

Mr. MATUSOW. Part at the Mapes Hotel in the penthouse; part at—is it the Golden Hotel?

Mr. SOURWINE. You will have to tell me, sir; I don't know.

Mr. MATUSOW. I believe, sir, I don't remember Reno that well, but you might refresh my recollection to Reno itself; the other hotel, I believe it is the Golden.

Mr. SOURWINE. It has been my experience a man usually knows where he wins or loses large amounts of money.

Mr. MATUSOW. There are a number of gambling places in Reno, and I have gambled in most of them, and I don't recall on this occasion. I believe it was the Mapes Hotel and the Golden; I am fairly

certain it wasn't the Riverside; I wasn't going in that hotel during that period.

Mr. SOURWINE. When was it that you lost this money in Los Angeles?

Mr. MATUSOW. September 1953.

Mr. SOURWINE. September 1953.

Mr. MATUSOW. I believe I arrived there some time in late September.

Mr. SOURWINE. Now we go to another loose end. We are still clearing up loose ends from yesterday, Mr. Matusow.

You stated at the early part of your testimony yesterday that you had signed all the pages on each of two copies of the mimeographed text of your book; is that right?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Why did you do that?

Mr. MATUSOW. In case I felt if something happened to me before the publication of the book and before I could finish rewriting it, there would be an authenticated document with my signature that could be published, and the story which I am telling in the book could be told.

Mr. SOURWINE. Now, what did you do with those two signed copies?

Mr. MATUSOW. I gave them to my publisher.

Mr. SOURWINE. Both of them?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. To Mr. Kahn or Mr.—

Mr. MATUSOW. To Mr. Kahn.

Mr. SOURWINE. To Mr. Kahn. Do you know what he did with them?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Do you know what he did with either of them?

Mr. MATUSOW. I don't know specifically. I believe one has turned up in the hands of the newspaperman.

Mr. SOURWINE. Who?

Mr. MATUSOW. I read about it in Mr. Alsop's column that he had a signed copy, and I presume it was one of the two I had signed.

Mr. SOURWINE. Do you want this committee to believe that all you know about Mr. Alsop's possession of a signed copy of your book is what you read in the newspapers?

Mr. MATUSOW. I had never met Mr. Stewart Alsop; I don't know the man.

Mr. SOURWINE. We didn't ask that question, sir. I asked you if you wanted this committee to believe that all you know about Mr. Alsop's possession of that signed copy of your book was what you read in the newspapers. Do you want the committee to get that impression? If you don't, say so.

Mr. MATUSOW. You want me to think about questions? You asked me, sir, then let me take time and think about certain questions.

Mr. SOURWINE. You are thinking about the answer.

Mr. MATUSOW. I am thinking about your answer, sir; just as I don't know what is on Mr. Crouch's mind, don't try to predict what is on mine.

(Witness conferred with his counsel.)

Mr. MATUSOW. No, I don't know of my own knowledge how he actually got it. I do know a copy was mailed to Mr. Alsop by my publisher, but other than that I don't.

Mr. SOURWINE. How did you know that? Did your counsel just tell you?

Mr. MATUSOW. No.

Mr. SOURWINE. You knew it before, didn't you?

Mr. MATUSOW. Yes.

Mr. SOURWINE. I raise that question not to call attention to the fact that you had consulted with counsel, but so that it would be clear that you did have that knowledge when you answered my previous two questions on this subject.

Mr. MATUSOW. I refreshed my recollection on the subject.

Mr. SOURWINE. Now, who told you that?

Mr. MATUSOW. Well, counsel didn't; he knew nothing about it.

Mr. SOURWINE. Yes. Who told you that?

Mr. MATUSOW. I believe I got the information from Mr. Kahn.

Mr. SOURWINE. He did it with your permission, did he not?

Mr. MATUSOW. Well, of course, he did it; he got the signature with my permission.

Mr. SOURWINE. No. He mailed the copy with your permission, did he not?

Mr. MATUSOW. Of course, he did, sir.

Mr. SOURWINE. He asked your permission, did he not?

Mr. MATUSOW. Of course, he did, sir.

Mr. SOURWINE. Are you sure about that? Did he ask your permission or didn't you suggest that he mail the copy?

Mr. MATUSOW. Everything in relation to the book and the publication of the book and who had seen it has been with my permission, that is, the number of people who have seen it.

Mr. SOURWINE. Now, you are hedging again. You are very good at it, but, as a matter of fact, you jumped a little too quickly at that question.

Mr. MATUSOW. What?

Mr. SOURWINE. As a matter of fact, you suggested that he mail that copy to Mr. Alsop, didn't you?

Mr. MATUSOW. No, I didn't.

Mr. SOURWINE. You did not?

Mr. MATUSOW. No.

Mr. SOURWINE. Who did suggest it?

Mr. MATUSOW. I haven't the slightest idea.

Mr. SOURWINE. You are telling the truth now?

Mr. MATUSOW. I haven't the slightest idea.

Mr. SOURWINE. I say, are you telling the truth now?

Mr. MATUSOW. That is one for you, sir.

I was repeating the answer to the previous question; but, yes, I am telling the truth now.

Mr. SOURWINE. All right.

Now, was that copy, or the other copy that you had signed, mailed to anyone else?

Mr. MATUSOW. I believe—I don't know if the signed copy was mailed to anybody else, no. I have no knowledge of where it is.

Mr. SOURWINE. You do not know that the signed copy was mailed to anyone other than Mr. Alsop?

Mr. MATUSOW. I do not and have no knowledge of it.

Mr. SOURWINE. Now, Mr. Matusow, do you remember making a statement in your book about how many Communist-front organizations were listed on your Brooks Air Force Base questionnaire?

Mr. MATUSOW. Yes, I remember making a statement in the book.

Mr. SOURWINE. Do you remember the statement you made?

Mr. MATUSOW. Yes, I believe it said 45 or 46.

Mr. SOURWINE. Now, was that a true statement?

Mr. MATUSOW. In what respect?

Mr. SOURWINE. Well, was it true or was it false?

Mr. MATUSOW. The number of organizations that I belonged to or the fact that I had listed or the fact that I had stated it in the book?

Mr. SOURWINE. Merely the statement that you had listed it, that you had listed 45 or 46 Communist-front organizations.

Mr. MATUSOW. It was true to the best of my recollection; I don't have a copy of the report.

Mr. SOURWINE. Well, would you want to hedge that a little bit and say there might not have been 45 or 46?

Mr. MATUSOW. Oh, it might have been 30.

Mr. SOURWINE. Well, might it have been 25?

Mr. MATUSOW. It may have been 25; it may have been 30, it may have been 50.

Mr. SOURWINE. Might it have been 24?

Mr. MATUSOW. I don't think it went that low.

Mr. SOURWINE. Might it have been 23?

Mr. MATUSOW. I don't think it went that low.

Mr. SOURWINE. Well, can you say it was more than 20?

Mr. MATUSOW. Well, I think if the Air Force furnished a copy of it we could establish the fact.

Mr. SOURWINE. I am trying to find out.

Mr. MATUSOW. My recollection is that it was close to 45.

Mr. SOURWINE. You have made a statement in your book. Now, eventually in this hearing when we get to it, we are going to go down into that book and see what statements are in it that are demonstrably untrue.

Mr. MATUSOW. I am looking forward to it; the truth will be told in many ways.

Mr. SOURWINE. I want to find out now with regard to this one whether that statement was, to your knowledge, true or whether you just picked a figure out of the air and put it in your book.

Mr. MATUSOW. It was, to the best of my recollection true, and close to the figure.

Mr. SOURWINE. Now, did you state in connection with that, "I hadn't belonged to all those organizations?" Did you say that?

Mr. MATUSOW. Yes, sir; I said that.

Mr. SOURWINE. You said you just put it down to be cute?

Mr. MATUSOW. I said I hadn't belonged to all those organizations, but if I had ever signed a petition or taken part in any of that organization's activities, I put it down anyway just to be cute; that is close to a complete quote from the book on that.

Mr. SOURWINE. Yes, sir.

Now, will you state here that there were more than 20 listed?

Mr. MATUSOW. My recollection is, yes.

Mr. SOURWINE. Would it surprise you to learn that there were fewer than 20?

Mr. MATUSOW. Very much so.

Mr. SOURWINE. Mr. Chairman, I have a letter of transmittal here which I believe, in justice to the writer, should be read. Do I have permission to do that?

The CHAIRMAN. You may proceed.

Mr. SOURWINE. It came to me and is addressed to you, however. It is signed by Mr. Frederick Ayer, Jr., Special Assistant to the Secretary, Department of the Air Force:

DEAR MR. CHAIRMAN: Confirming my conversation with you, I attach a copy of the personal history statement, WDAEO form 643A, completed at Brooks Air Force Base by Harvey Marshall Matusow. It is understood that the release of this form in no way establishes a precedent. Personal history statements are not, except under extraordinary circumstances, released to congressional committees. In this one instance I have obtained the consent of the Secretary to release to you a copy of this document in order to assist this committee of the Senate in its inquiry into the veracity of this witness.

Sincerely yours,

FREDERICK AYER, Jr.

Attached is what purports to be a photostat of a personal history statement, and I will ask the witness to look at it, look at this signature. I show the signature, and I ask him if that is his signature.

Is that your signature, Mr. Matusow?

Mr. MATUSOW. Yes; it is my signature.

Mr. SOURWINE. All right.

May I have the document, please.

Now, Mr. Matusow, this document indicates that you gave these answers?

Mr. MATUSOW. I don't know what is in the rest of the document and could not swear to that document being one I filled out unless I have seen it.

Mr. SOURWINE. Nobody is asking you to do so.

Mr. MATUSOW. I want to preface your remarks to that, sir, to keep the record straight.

Mr. SOURWINE. This document indicates the following answers to questions under "Employment."

Mr. MATUSOW. I don't think that that indicates anything that I have said until I have identified it, sir, to be straight——

Mr. SOURWINE. Mr. Matusow, are you a lawyer?

Mr. MATUSOW. You have said, sir, I have certain little experience in proceedings, and I would like the record straight on that.

Mr. SOURWINE. A little knowledge, Mr. Matusow, is a dangerous thing.

Mr. MATUSOW. I understand that, sir; and that is why I am here today.

The CHAIRMAN. Just a second. Ask your questions, Mr. Sourwine.

Mr. SOURWINE. I am only laying a preface to the question. If you object to any statement I make, you have a perfect right to raise your objections.

Mr. MATUSOW. All right, sir; I will.

Mr. SOURWINE. This document indicates on its face the answers to the following questions. Under "Employment":

June to September 1948, employed by Jefferson School, 575 Sixth Avenue, New York City. Salesman in bookshop both in city and summer camp. Summer season ended.

I will now ask you, were you from June to September 1948 employed by the Jefferson School Bookshop, 575 Sixth Avenue, New York City?

Mr. MATUSOW. The rest of the answer dealing with the summer camp and the shop in the city—

The CHAIRMAN. Wait a minute now, not the answer to the rest of the—answer his question “Yes” or “No.”

Mr. MATUSOW. No, sir; I can't answer any question in relation to that form. I was not employed in the Jefferson School Bookshop during that period, during the full length of that period, only part of it.

Mr. SOURWINE. I deliberately asked the question that way, Mr. Chairman. I want to show that the witness' recollection for these matters is quite sharp.

You were employed by the Jefferson School Bookshop during that period; is that right?

Mr. MATUSOW. Part of that period.

Mr. SOURWINE. And part of that time you were employed as a salesman in the Jefferson School Bookshop in the city?

Mr. MATUSOW. In the city, yes.

Mr. SOURWINE. And part of that time you were in the summer camp bookshop. Was that Camp Unity?

Mr. MATUSOW. No, sir; it was not.

Mr. SOURWINE. What camp was that?

Mr. MATUSOW. I believe it was called Sherwood.

Mr. SOURWINE. Was that camp under the control of the Jefferson School Bookshop?

Mr. MATUSOW. No; not under the control of the bookshop.

Mr. SOURWINE. Under what control was the camp?

Mr. MATUSOW. The camp management. The school leased the camp, or part of it. I don't know what the arrangement was between the school—

Mr. SOURWINE. Under what control was the camp?

Mr. MATUSOW. The people who owned it, I presume.

Mr. SOURWINE. Do you know who owned it?

Mr. MATUSOW. I forget their names.

Mr. SOURWINE. Was that a Communist camp?

Mr. MATUSOW. I didn't know it as such; no.

Mr. SOURWINE. The Jefferson School Bookshop leased the bookshop?

Mr. MATUSOW. Had a bookshop.

Mr. SOURWINE. So that if you worked in that bookshop you worked for the Jefferson School, didn't you?

Mr. MATUSOW. Yes, I did—no, I worked for the Jefferson School Bookshop, which was not part of the Jefferson School. They are autonomous.

Mr. SOURWINE. Would you say—

Mr. MATUSOW. I was approved by the Jefferson School for work there, but I didn't work for the school.

Mr. SOURWINE. Would you say that the answer is substantially correct as I read it and as applied to you?

Mr. MATUSOW. The answer in that document that you are reading?

Mr. SOURWINE. Yes.

Mr. MATUSOW. That from June to September 1948 I worked at the Jefferson School Bookshop and the summer camp, et cetera?

Mr. SOURWINE. Yes, sir.

Mr. MATUSOW. Substantially correct.

Mr. SOURWINE. Now, this document contains this statement next below the one I mentioned :

September 1948-March 1949 employed by People's Songs, Inc., 126 West 21st Street. Salesman during and after Wallace campaign. Organization folded.

As applied to you, and following your own employment during that period, is that a substantially correct statement ?

Mr. MATUSOW. Substantially.

Mr. SOURWINE. In the next statement on here is this :

March 1949-May 1949, Communist Party of New York County organization. Switchboard operator. Reason for termination: went to work at Camp Unity.

As applied to you and your employment during that period, is that substantially correct, is that a substantially correct statement ?

Mr. MATUSOW. It is.

Mr. SOURWINE. The next statement on here is :

May 1949-November 1949, employed by Wholesale Book Corp., Workers' Bookshop, Camp Unity. Salesman of books. Reason for termination, not sufficient sales for three people in shop.

As applied to you and your employment at that time, is that a substantially correct statement ?

Mr. MATUSOW. What was the starting date on that ?

Mr. SOURWINE. May 1949.

Mr. MATUSOW. May through November 1949, yes, substantially correct.

Mr. SOURWINE. The next statement on here is :

May 1950-July 1950, Ronair Conditioning Corp., New York City. Salesman. Reason for termination, left New York for New Mexico.

As applied to you and your employment at that time, is that a substantially correct statement ?

Mr. MATUSOW. It is, sir.

Mr. SOURWINE. The next statement on here is :

February 1949 to 1951. Checker Yellow Cab Corp., Albuquerque, N. Mex., cab driver. Reason for termination, active military service.

Mr. MATUSOW. Right.

Mr. SOURWINE. As applied to you and your employment at that time, that is a reasonably accurate statement ?

Mr. MATUSOW. It is.

Mr. SOURWINE. Now, at another place on this form there is a space for remarks, and in that there appears the heading "Additions to Paragraphs 55 and 32."

Paragraph 32 had this instruction :

List all organizations, societies, clubs and associations past or present, together with addresses in which you have held membership—

and there appears typed in that square :

For list, see remarks.

Then, under remarks, we find this :

Communist Party of the United States, 1947-51.

Did you belong to the Communist Party of the United States 1947-51 ?

Mr. MATUSOW. I did.

Mr. SOURWINE (reading) :

American Youth for Democracy, 1946-48.

Did you belong to American Youth for Democracy?

Mr. MATUSOW. I did.

Mr. SOURWINE (reading) :

Labor Youth League, 1949-51, charter member.

Were you a charter member of the Labor Youth League?

Mr. MATUSOW. I was.

Mr. SOURWINE (reading) :

Young Progressives of America, 1948-51, charter member.

Were you a charter member of the Young Progressives of America?

Mr. MATUSOW. I was.

Mr. SOURWINE (reading) :

Camp Unity, worked there in summer of 1949 as manager of bookshop for Wholesale Book Corp.

Is that a true statement with regard to you?

Mr. MATUSOW. That is.

Mr. SOURWINE (reading) :

Workers Book Shop 1949 while at Camp Unity, and after summer for 2 months.

Is that a true statement as referred to you?

Mr. MATUSOW. Substantially so.

Mr. SOURWINE (reading) :

Jefferson School and Jefferson Bookshop, 1948-49 at their summer camp in summer of 1948 and at the school in 1949 doing odd jobs.

Is that a true statement with regard—

Mr. MATUSOW. Yes, sir; it is.

Mr. SOURWINE (reading) :

Freedom Theater, 1949. Was organized from group that was at Camp Unity.

Was that a true statement with regard to your own affiliation and association?

Mr. MATUSOW. Yes.

Mr. SOURWINE (reading) :

Civil Rights Congress, 1947-51.

Were you a member of the Civil Rights Congress?

Mr. MATUSOW. I partook in its activities.

Mr. SOURWINE (reading) :

American Labor Party, 1946-51.

Was that a true statement with regard to your activity?

Mr. MATUSOW. I was a registered ALP voter.

Mr. SOURWINE (reading) :

Progressive Party of America, 1948-51.

Was that a true statement of your activities?

Mr. MATUSOW. Yes; ALP and Progressive Party were the same.

Mr. SOURWINE (reading) :

Youth for the Reelection of Ben Davis, 1949.

Were you a member of that organization?

Mr. MATUSOW. Yes, I was active there.

Mr. SOURWINE (reading) :

People's Songs, 1947-48, when organization folded.

Is that true?

Mr. MATUSOW. Yes.

Mr. SOURWINE. You were a member of People's Songs?

Mr. MATUSOW. I was.

Mr. SOURWINE (reading) :

People's Artists, 1949-51.

Were you a member of that?

Mr. MATUSOW. I only took part in their activities.

Mr. SOURWINE (reading) :

United Office and Professional Workers of America, Local 16, 1946-51.

Were you a member of that organization?

Mr. MATUSOW. I was.

Mr. SOURWINE (reading) :

American Newspaper Guild, New York local, 1950-51.

Were you a member of that organization?

Mr. MATUSOW. I was.

Mr. SOURWINE. That is all that appears on here.

It will be noted there are fewer than 20 such organizations.

Now, to make the record clear, I should also call attention to the fact that these additions under "Remarks" were indicated as applicable also to paragraph 55, and paragraph 55 requested—

Are there any unfavorable incidents in your life not mentioned above which you believe may reflect upon your loyalty to the United States Government, or upon your ability to perform the duties which you will be called upon to undertake? It so, describe—

and in that space appears :

See remarks, same as in paragraph 32, with exception of American Newspaper Guild.

I would like to show you this again, Mr. Matusow, and have you look at it, and ask you if you did give those answers—if that is the form that you filled out to sign.

Mr. MATUSOW. This was a second form I filled out. I have filled out one prior to the date of March 7, 1951, and I filled out one subsequent to this date.

Mr. SOURWINE. At Brooks Air Force Base?

Mr. MATUSOW. One at Brooks Air Force Base that I can recall, and one at Wright-Patterson Air Force Base. I believe maybe 2 at Wright-Patterson Air Force Base, and the list of closer to 46 organizations is in one of the forms; and I believe a check of Air Force records through my units will produce such a list.

Mr. SOURWINE. You are swearing to this under oath?

Mr. MATUSOW. I believe a list similar to that will be produced, and I will endeavor to check my own files, and see if I have one of the lists which—

Mr. SOURWINE. I am asking you, first, and you have not answered that question, Is this the personal history form that you filled out and signed at Brooks Air Force Base?

Mr. MATUSOW. This is a personal history form that I filled out and signed, not the, but a.

Mr. SOURWINE. Are you not testifying that you filled out and signed another personal history form at Brooks Air Force Base?

Mr. MATUSOW. I am.

Mr. SOURWINE. Did you deliver that to a responsible official?

Mr. MATUSOW. I did.

Mr. SOURWINE. And, so far as you know, it went into your record and for the time was your record until you filled out this form?

Mr. MATUSOW. I filled out another one. My recollection now is that it was either prior to or subsequent to the filling out of this.

Mr. SOURWINE. Now, we need to know which came first.

Mr. MATUSOW. Well, I don't remember. The Air Force has the record and will have to furnish that, sir.

Mr. SOURWINE. What was the occasion?

Mr. MATUSOW. The procedure in the Air Force for filling out these forms was, being assigned to a new unit—whenever—

Mr. SOURWINE. You had just been assigned to Brooks Air Force Base.

Mr. MATUSOW. But I was in two units at Brooks Air Force Base.

Mr. SOURWINE. Will you look at this form and determine from the unit which time this form was, the first one or the second one?

Mr. MATUSOW. No, because I was assigned first as transit when I filled out one form in the 224th Personal Processing Squadron and then I was assigned permanent cadre or complement of that squadron, so it would be impossible, because on both occasions I was assigned to the same squadron, but in a different capacity.

Mr. SOURWINE. Will you return that form now?

Before we leave the subject of this form, I just want to ask how did it happen that you filled out another form before or after this one?

Mr. MATUSOW. I believe it was after, but it might have been before; but I believe I was asked to.

I don't recall now in reading that. On that "Remark" page, did I say that "I believe all these to be the following list, the complete list, but I believe there might be other organizations," and so forth?

Mr. SOURWINE. No, that does not appear on this.

Mr. MATUSOW. It is on one of the forms, then. I believe then this was the first, it probably is the first form.

I had a discussion with the provost marshal at one time, or an officer in Intelligence down there, and he said, "Well, take a little more time and think it out and put down the other organizations," something like that.

Mr. SOURWINE. Now, Mr. Matusow, you have testified that this is the form that you filled out. You testified that, to the best of your recollection, this was the first form; that you subsequently filled out one that had much nearer to 46 names on it; is that true?

Mr. MATUSOW. Well, I subsequently filled out more than one of those.

Mr. SOURWINE. At Brooks Air Force Base?

Mr. MATUSOW. And—well, in service in the Air Force.

Mr. SOURWINE. We are talking about—

Mr. MATUSOW. I recall filling out another one at Brooks Air Force Base that had closer to 46 organizations on it.

Mr. SOURWINE. Now, what I want to ask you is this. It has been apparent from your answers that there were, according to what you

said today, no untruths on this form. You have today sworn to the accuracy of everything that is on this form.

Mr. MATUSOW. To the best of my recollection, it is correct.

Mr. SOURWINE. Right.

Now, do you want us to believe that you filled out another form and deliberately put on it false information?

Mr. MATUSOW. I filled out another form and enlarged that list.

Mr. SOURWINE. You stated—

Mr. MATUSOW. I would have to see the other form, sir, to tell you whether the information was false or true.

Mr. SOURWINE. I didn't ask you that.

Mr. MATUSOW. Well, you did in a backhanded way.

Mr. SOURWINE. I ask you again what you wanted this committee to believe, and I think it is important what you want this committee to believe, and that is why I ask the question from time to time. Do you want this committee to believe that, as your book stated, you actually filled out a form on which you deliberately put down information that was false, just to be cute?

Mr. MATUSOW. I want the committee to believe that there was a form with closer to 46 organizations on it, some of which I did not belong to, as I state here and in my book.

Mr. SOURWINE. All right, sir.

The CHAIRMAN. We will recess now until 2 o'clock.

(Whereupon, at 12:40 p. m., the committee recessed, to reconvene at 2 p. m., of the same day.)

I, Benjamin H. Firshein, the official reporter, do hereby certify that there was a quorum of at least two Senators present at all times during the interrogation of the witness at the foregoing committee session held during the morning of Tuesday, February 22, 1955.

BENJAMIN H. FIRSHEIN.

AFTERNOON SESSION

(Present: Senators Eastland (chairman of the subcommittee), Johnston of South Carolina, Hennings, McClellan, Daniel, Jenner, and Watkins.)

The CHAIRMAN. The meeting will come to order.

Proceed, Mr. Sourwine.

Mr. SOURWINE. Mr. Chairman, I think a statement should be made for the record with regard to the delay.

As the Chair knows, Mr. Cameron is, according to his attorney, unable to appear before the committee tomorrow because of the illness of his wife, who is in a hospital in Boston, and the committee asked Mr. Faulkner to determine if Mr. Kahn could come in for his executive session tomorrow morning, since Mr. Matusow has to go to New York to go before the grand jury to appear in Judge Dimock's court.

Mr. Faulkner has been in contact with Mr. Kahn and states that Mr. Kahn will be here tomorrow morning at 10 o'clock for an executive session.

The CHAIRMAN. Proceed with the questioning.

TESTIMONY OF HARVEY M. MATUSOW, ACCOMPANIED BY HIS ATTORNEY, STANLEY FAULKNER—Resumed

Mr. SOURWINE. Mr. Matusow, this morning there was a question about Camp Sherwood; do you remember having testified about Camp Sherwood before this committee in our series on the Institute of Pacific Relations?

Mr. MATUSOW. I believe it came up during that.

Mr. SOURWINE. To refresh your recollection, I will state at page 325 and 326 of the IPR hearings, it appeared that you testified concerning Camp Sherwood as the Jefferson School Camp. Does that refresh your memory?

Mr. MATUSOW. I believe, in substance, I stated that. I presume that is a correct quote of the record.

Mr. SOURWINE. Was that true? Was Camp Sherwood the Jefferson School camp?

Mr. MATUSOW. In that the school endorsed it for that summer, yes.

Mr. SOURWINE. In that regard, your testimony before us on that prior occasion was true; is that right?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. You also testified on that prior occasion, did you not, that Camp Sherwood, the Jefferson School camp, was Communist Party dominated?

Mr. MATUSOW. I believe I testified to that effect.

Mr. SOURWINE. Was that testimony true?

Mr. MATUSOW. That the school was Communist Party dominated, or the camp?

Mr. SOURWINE. That the camp was Communist Party dominated.

Mr. MATUSOW. No, sir; that wasn't true.

Mr. SOURWINE. Was it true that the school was Communist Party dominated?

Mr. MATUSOW. I had no direct knowledge of the Communist Party domination. I knew there were Communists at the school, but to what extent the party controlled it, I didn't know.

Mr. SOURWINE. I didn't ask you what you knew. I asked you if your testimony that the school was Communist dominated was true?

Mr. MATUSOW. I believe I answered the question. The question was not true, and I gave the reason why. The answer was no.

Mr. SOURWINE. Mr. Matusow, so we will save a lot of time, if you will try to answer questions which call for a yes or no with a yes or no, then give whatever explanation you may wish, if there is an explanation or a qualification—

Mr. MATUSOW. I believe that was the procedure I just followed.

Mr. SOURWINE. The record will speak on that.

Mr. MATUSOW, in court on February 11 you were handed certain documents—

Mr. MATUSOW. What year, sir?

Mr. SOURWINE. February 11 of this year—in Judge Dimock's court, you were handed certain documents which were given to Mr. Sacher by Mrs. Kaufman. You stated that you had asked someone to get those for you from your apartment. Do you recall that?

Mr. MATUSOW. I think you would have to spell out the documents. There were a number of documents that I obtained for the court during recess, and I don't know which one you are referring to.

Mr. SOURWINE. Well, I am asking about the particular documents which were handed to you in court which had been given to Mr. Sacher by Mrs. Kaufman and concerning which you stated you had asked someone to get those from your apartment. Do you recall that?

Mr. MATUSOW. Sir, I don't know what documents. I don't know what documents they were.

Mr. SOURWINE. Don't apologize for not knowing. We can identify them from another source. I was just trying to find out what your recollection was.

Here is another loose end. Did you know that Mary Kaufman had worked in Communist Party headquarters during the first trial of the Communist Party leaders?

Mr. MATUSOW. No. I had no knowledge of that.

Mr. SOURWINE. When you say you had no knowledge of that, you speak of what time?

Mr. MATUSOW. As of any time.

Mr. SOURWINE. You do not know now?

Mr. MATUSOW. That is right.

Mr. SOURWINE. Did you ever make an affidavit or a signed statement respecting your charge that there were 126 Communists, or any other particular number of Communists on the staff of the New York Times?

Mr. MATUSOW. I did.

Mr. SOURWINE. Did you give that affidavit or that signed statement to the west coast correspondent of the New York Times?

Mr. MATUSOW. I gave it to a correspondent of the New York Times, yes.

Mr. SOURWINE. Was he the west coast correspondent of the New York Times?

Mr. MATUSOW. I don't know what his title was. I know his name.

Mr. SOURWINE. It was Mr. Gladwyn Hill?

Mr. MATUSOW. Yes.

Mr. SOURWINE. Was it an affidavit or a written statement?

Mr. MATUSOW. It was sworn to.

Mr. SOURWINE. In that affidavit or statement—I will call it an affidavit since you say it was sworn to—did you say that you did not know there were 126 Communists on the New York Times?

Mr. MATUSOW. I said I did not know the names of more than 4 or 5 Communists on the New York Times.

Mr. SOURWINE. Wait a minute. You are volunteering information there. Are you being accurate about it, or are you just guessing?

Mr. MATUSOW. I think if the affidavit were put before me---

Mr. SOURWINE. Of course, if the affidavit were before you, you could tell what was in it, but you are volunteering information you weren't asked about, and I am trying to find out whether you are volunteering accurate information or sticking stuff in that is not accurate.

Mr. MATUSOW. My only recollection of the affidavit is that I knew the names of 4 or 5 Communists on the New York Times, or thereabouts.

Mr. SOURWINE. As a matter of fact, the affidavit refers to six, doesn't it?

Mr. MATUSOW. Well, then, six.

Mr. SOURWINE. Well, then, you volunteered information that you were not sure about, didn't you?

Mr. MATUSOW. If that is the way you put it, sir.

Mr. SOURWINE. That is the fact, not the way I put it. It is the fact.

Mr. MATUSOW. If it is a fact, then I don't think it is necessary to ask me about it.

Mr. SOURWINE. Mr. Matusow, I want to caution you——

The CHAIRMAN. Answer his questions, Mr. Matusow.

Mr. MATUSOW. I am not familiar with the counsel's terminology there. He asked me about an affidavit. I am trying to be cooperative with the committee. I told him what I believed I remembered about that affidavit.

Mr. SOURWINE. Mr. Matusow, the record will state on that, but just to summarize, you volunteered information. You didn't say it was to the best of your knowledge and belief. You volunteered it as fact. It was something you hadn't been asked about. I was attempting to find out if in so volunteering information you were confining yourself to accurate statements. I think it has been established you were not.

I would like to admonish you, please, although you may find it necessary for your own purposes to make inaccurate statements in response to questions, please, when you are asked a question and you volunteer information not called for by the committee, try to confine yourself, if you can, to accurate information.

Did you say in that affidavit, Mr. Matusow, that you knew about Communists on the staff of the New York Times because you had attended a meeting of the Newspaper Guild?

Mr. MATUSOW. I don't recall what I stated in the affidavit, other than what I have already told the committee.

Mr. SOURWINE. Was that affidavit all of your own phrasing?

Mr. MATUSOW. I drafted the affidavit.

Mr. SOURWINE. Did you dictate it or write it?

Mr. MATUSOW. I believe Mr. Hill took it down in dictation.

Mr. SOURWINE. On the typewriter?

Mr. MATUSOW. I don't recall if it was typewritten or in longhand or shorthand.

Mr. SOURWINE. Was it subsequently reduced to typing?

Mr. MATUSOW. It was.

Mr. SOURWINE. Did you have it notarized?

Mr. MATUSOW. Yes.

Mr. SOURWINE. Do you recall who notarized it?

Mr. MATUSOW. A notary at the Hollywood-Roosevelt Hotel.

Mr. SOURWINE. Had you known or seen that notary before?

Mr. MATUSOW. Not to my knowledge.

Mr. SOURWINE. Do you have a copy of that affidavit?

Mr. MATUSOW. No; I do not.

Mr. SOURWINE. I send you forward what purports to be a copy of that affidavit, and I will ask you if, to the best of your present knowledge and recollection, it is a copy of that affidavit.

(The witness read the document and also conferred with his attorney.)

Mr. SOURWINE. What is your answer?

Mr. MATUSOW. It is a true copy of the affidavit.

Mr. SOURWINE. You want to say that it is a true copy so far as you can determine, in accordance with your memory; is that correct?

Mr. MATUSOW. Yes.

Mr. SOURWINE. You had no other copy to compare it with?

Mr. MATUSOW. No.

Mr. SOURWINE. So, true copy means it is absolutely the same; you are not sure about that, are you?

Mr. MATUSOW. Fairly certain.

Mr. FAULKNER. Mr. Chairman, could we have that light lowered? It is shining right at us.

The CHAIRMAN. Yes.

Mr. FAULKNER. It is just blinding me.

The CHAIRMAN. Yes. Lower the light.

Mr. SOURWINE. Mr. Chairman, I offer this for the record, the affidavit that has been identified by the witness.

The CHAIRMAN. It will be admitted as an exhibit.

Mr. SOURWINE. Mr. Chairman, may I ask that it be merely an exhibit; may this go into the record?

The CHAIRMAN. That will be done.

(The affidavit referred to was numbered Exhibit No. 7 and appears below:)

EXHIBIT No. 7

I, Harvey Matusow, hereby voluntarily make the following statement:

1. On Friday, September 25, 1953, being then a temporary resident of Reno, Nev., I, on my own initiative, telephoned the office of The New York Times in New York City. I stated to an editor of the Times that I wished to talk with a representative of the Times about clarification and rectification of certain public statements I had made concerning the New York Times. Arrangements for such a discussion were made.

2. In pursuance of these arrangements, I met with Gladwin Hill, staff correspondent of the New York Times, on Saturday, September 26, 1953, in the Hollywood-Roosevelt Hotel in Los Angeles. The remainder of this affidavit is a summation of what I stated to Mr. Hill voluntarily and under no duress whatsoever and under no threat of penalty or reward for so doing.

3. The public statements by me which were the subject of discussion were statements to the effect that, as a former member of the Communist Party and an undercover observer within the Communist Party for the Federal Bureau of Investigation—which activities took place between the fall of 1946 and February, 1951—it was my belief and understanding that there were some 120 Communist Party members among the employees of the New York Times. I made this statement in testimony at a hearing of the subcommittee of the United States Senate Committee on Internal Security at Salt Lake City, Utah, on October 8, 1952. I made the statement also at numerous times in speeches during the latter half of 1952 at political meetings, generally under Republican Party auspices, in connection with the national political campaign, at various places in the States of Washington, Nevada, Utah, Montana, Idaho, Wisconsin, and Ohio. In most if not all cases, the statement was accompanied by the qualification that I did not believe the New York Times to be a pro-Communist newspaper, nor its editorial content to be pro-Communist, but that I was simply citing it, among other publications and information media and the United States Government itself, as an example of the dangers of Communist infiltration.

4. While these statements were intended to serve a constructive purpose in the cause of anticommunism, extended reflection has convinced me that their generalized nature was such as to cause incorrect inferences and reflect unfairly on the Times, and thereby defeat their purpose. Therefore I wish to explain the basis of these statements.

5. The statements are susceptible to the inference that I personally knew of 120 or more specific individuals employed by the New York Times who are members of the Communist Party. This is not correct. I am able at this time to name no more than six employees of the Times at the time of my activities in the Communist Party whom I knew as members of it. At least one of these has left the Times' employ since then. I am willing to give the Times the names of these individuals.

6. The figure of approximately 120 which I mentioned in my testimony and my speeches was essentially an unverified estimate based on impressions I received as a member of the New York Section of the American Newspaper Guild

and as a member of the New York Press Section, or "fraction," of the Communist Party, the structure and membership of which paralleled and coincided with that of the guild to some extent.

7. The estimate was based principally on the circumstance that, I was informed, in guild elections the Times unit would supply as many as 600 votes for a slate of officers espoused by the Communist Party and known among members as a "Communist slate." It was calculated in the party that in such an election, 1 ardent or card-carrying party member normally could swing 10 votes. This I interpreted to indicate a nucleus of 60 hard-core party members in the Times unit.

8. I was informed that there also was a Communist Party unit among Times typographical employees, who are outside the Newspaper Guild, and another among the "white-collar" office employees. I also was under the impression that there were a number of party members among the large number of outside people who periodically reviewed books for the Times.

9. Altogether I estimated that this second category of nonguild personnel might account for another 60 Communist Party members. In reexamining my original statements, it seems to me that it was inaccurate to take the book-reviewing group into consideration in any statement about Times employees, since in general they are not members of the Times staff.

10. Another element that went into my numerical estimate was impressions I received of Communist membership among Times employees during party discussions of unit quotas in connection with dues payments, fund drives, etc.

11. I cannot recall the exact sources, as to individuals, times, places, and specific statements, of my information on the details covered in paragraphs 6-10.

12. I realize that, from a judicial standpoint, the basis of my estimate of 120 or more Communist Party members among the personnel of the New York Times would classify as hearsay, unsusceptible to legal investigation or proof. Since, however, despite my constructive intentions, it appears that the statements are susceptible to the interpretation that they implied specific, detailed information, I am making this clarification.

Signed, Harvey Matusow; witness, Gladwin Hill.

Subscribed and sworn to before me this 28th day of September, 1953, W. Sheldon, notary public of the county of Los Angeles, Calif.

Mr. SOURWINE. Were you given \$300 in exchange for that affidavit?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Were you given \$300 at or about the time you gave that affidavit?

Mr. MATUSOW. I was given money by the New York Times to travel from Reno, Nev., to Los Angeles.

Mr. SOURWINE. Mr. Matusow, I asked you about \$300, a sum of money. I didn't ask you what it was for.

Mr. MATUSOW. I will answer it, if I may clarify it after the answer.

The CHAIRMAN. Answer the question.

Mr. MATUSOW. The answer is "yes." The New York Times furnished me expense money because their correspondent could not come to Reno where I was.

Mr. SOURWINE. When were you promised the money?

Mr. MATUSOW. It was sent to me in Reno, Nev., before I left.

Mr. SOURWINE. Why didn't you answer the question?

Mr. MATUSOW. In September 1953, as I recall.

Mr. SOURWINE. Before or after you had given the affidavit?

Mr. MATUSOW. Prior to the affidavit.

Mr. SOURWINE. Were you promised a specific sum of money?

Mr. MATUSOW. Expense money, whatever that was to come, to, and I was to return the balance, if there was any, to the New York Times.

Mr. SOURWINE. You had that definite understanding?

Mr. MATUSOW. Yes, I did, sir.

Mr. SOURWINE. What were your actual traveling expenses to and from Los Angeles?

Mr. MATUSOW. I do not recall. The hotel bill and food and transportation might have amounted to close to \$200 for the period of time involved.

Mr. SOURWINE. Well, now, we are a little bit off from an answer to that question. I asked you what were your traveling expenses to and from Los Angeles.

Mr. MATUSOW. I do not recall, sir.

Mr. SOURWINE. You made the trip from Reno, didn't you?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Do you know what the round-trip fare is from Reno to Los Angeles?

Mr. MATUSOW. I do not, sir.

Mr. SOURWINE. How did you go? By air or by rail?

Mr. MATUSOW. United Airlines.

Mr. SOURWINE. Then your traveling expenses were the price of a round-trip ticket by United Airlines as of that date from Reno to Los Angeles; is that correct?

Mr. MATUSOW. That is right.

Mr. SOURWINE. You had, in addition, other expenses? Hotel?

Mr. MATUSOW. Yes.

Mr. SOURWINE. What hotel did you stay at in Los Angeles?

Mr. MATUSOW. Hollywood-Roosevelt.

Mr. SOURWINE. How long were you there?

Mr. MATUSOW. I don't recall. Three or four days.

Mr. SOURWINE. It took you 3 or 4 days to write this affidavit and get it notarized?

Mr. MATUSOW. About 3 days.

Mr. SOURWINE. Were you with Mr. Gladwyn Hill on each of these 3 days?

Mr. MATUSOW. I think it was 3 days.

Mr. SOURWINE. You saw him separately on each of the 3 days?

Mr. MATUSOW. I recall that as a fact.

Mr. SOURWINE. During the time you were in the hotel did you pay cash for your meals or did you sign your checks?

Mr. MATUSOW. I don't recall. My money was stolen when I arrived at the hotel, shortly afterward, so I don't recall what went on.

Mr. SOURWINE. When you left the hotel, did you pay your bill by cash or by check?

Mr. MATUSOW. By check.

Mr. SOURWINE. You had other cash besides what was stolen then?

Mr. MATUSOW. Somebody loaned me some money at the time.

Mr. SOURWINE. Who loaned it to you?

Mr. MATUSOW. I don't recall who. I called a friend in New York. I don't recall his name.

Mr. SOURWINE. Have you paid him back the money?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. What do you estimate the total amount of your hotel bill was for those 3 days?

Mr. MATUSOW. I have no estimate now. I have to go back and be specific. I haven't the slightest idea what it was now.

Mr. SOURWINE. Did you occupy a large room?

Mr. MATUSOW. I occupied a room.

Mr. SOURWINE. Did you occupy a suite of more than one room?

Mr. MATUSOW. One room, as I recall it.

Mr. SOURWINE. Do you know what the highest priced room at that hotel is?

Mr. MATUSOW. I do not.

Mr. SOURWINE. Did your room cost you as much as \$15 a day?

Mr. MATUSOW. I haven't any recollection, sir.

Mr. SOURWINE. At least, your room couldn't have cost you more than three times the highest rate of that hotel for a single room; could it?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Let's assume that it didn't cost you over \$25 a day. Is that a fair assumption?

Mr. MATUSOW. If that is the highest price, it is a fair assumption.

Mr. SOURWINE. There are few hotels that charge more than \$25 a day for one room?

Mr. MATUSOW. I don't know. There might be.

Mr. SOURWINE. Did you ever pay more than \$25 a day for a hotel room?

Mr. MATUSOW. Come to think of it, I did, but it was more than one room.

Mr. SOURWINE. Yes, it was more than one room.

(Senator Eastland left the hearing room.)

Mr. SOURWINE. What did your food cost you in Los Angeles during those 3 days?

Mr. MATUSOW. I don't recall. I would say no more than \$10 a day.

Mr. SOURWINE. Then the total expenses were the round-trip ticket from Reno to Los Angeles, plus not more than \$25 a day for 3 days, plus not more than \$10 a day for 3 days; in other words, not more than \$105, plus the price of a round-trip ticket from Reno to Los Angeles. That comes out substantially under \$200.

Were there other expenses you felt you had a right to charge against the New York Times?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. How much money did you return to the New York Times?

Mr. MATUSOW. None.

Mr. SOURWINE. Why not?

Mr. MATUSOW. The money I had was stolen while I was in Los Angeles, and I didn't return it.

Mr. SOURWINE. The New York Times didn't have anything to do with the money being stolen; did they?

Mr. MATUSOW. I know it.

Mr. SOURWINE. It was your money that was stolen.

Mr. MATUSOW. They knew it was stolen, and they accepted the fact that the money was stolen, and therefore didn't press the issue.

Mr. SOURWINE. You mean, somebody from the New York Times told you not to return the balance of the expense money that had been advanced to you?

Mr. MATUSOW. The question didn't come up after the theft of the money.

Mr. SOURWINE. You never returned the money?

Mr. MATUSOW. I said that.

Mr. SOURWINE. You never talked to anybody at the New York Times about it having been stolen?

Mr. MATUSOW. I don't recall having talked to anybody about it.

Mr. SOURWINE. How did they know it was stolen?

Mr. MATUSOW. It was published in the papers, and Gladwyn Hill was informed.

Mr. SOURWINE. How did he know?

Mr. MATUSOW. I informed him.

Mr. SOURWINE. I thought you testified a few seconds ago you hadn't informed him?

Mr. MATUSOW. I said I hadn't informed him about the question of the \$300.

Mr. SOURWINE. But you did inform him about the theft?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Who paid you the \$300?

Mr. MATUSOW. It arrived via Western Union money order to me from the New York Times, sent to me in Reno, Nev.

Mr. SOURWINE. From the New York Times, in New York?

Mr. MATUSOW. Right.

Mr. SOURWINE. So you had the \$300 before you left Reno?

Mr. MATUSOW. That is right, sir.

Mr. SOURWINE. Now, didn't it strike you as peculiar that the New York Times sent you \$300 when their only agreement was to send you your expenses from Reno to Los Angeles and back?

Mr. MATUSOW. I believe in the telegram accompanying the money they stated—and I had previously stated—that they wanted the balance of the money that was not used as expense returned to them, and I had agreed to do so.

Mr. SOURWINE. Did they state that in the telegram?

Mr. MATUSOW. They did.

Mr. SOURWINE. And in spite of which, and after accepting the money under those conditions as laid down in the telegram, you failed and refused to return the money; is that right?

Mr. MATUSOW. That is right, sir.

Mr. SOURWINE. Do you still have the telegram?

Mr. MATUSOW. I don't believe so.

Mr. SOURWINE. Did you sign a receipt for the money when you got it from Western Union?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Did you in that affidavit, Mr. Matusow, state that your activities as an undercover observer took place between the fall of 1946 and December 1951?

Mr. MATUSOW. I don't believe so, sir.

Mr. SOURWINE. If I read you such a statement from this affidavit that you have stated was substantially correct, would that make any difference in your last answer?

Mr. MATUSOW. It might, depending on how it is worded.

Mr. SOURWINE. I read from paragraph 3:

The public statements by me which were the subject of discussions were statements to the effect that as a former member of the Communist Party and an undercover observer within the Communist Party for the Federal Bureau of Investigation, which activities took place between the fall of 1946 and February 1951, it was my belief and understanding that there were some 120 Communist Party members among the employees of the New York Times.

Mr. MATUSOW. There is nothing in that, to me, that reads that I was an informer for the FBI from 1946 to 1951.

Mr. SOURWINE. I wonder if you realize how carefully that was worded.

Mr. MATUSOW. I did.

Mr. SOURWINE. Did you intend by that affidavit to give the impression that you had been an undercover observer for the Communist Party and the FBI during that period?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. You intended only to say that your total service as a former member of the Communist Party and an undercover observer covered that period?

Mr. MATUSOW. Right.

Mr. SOURWINE. You weren't kidding anybody. You weren't trying to fool anybody?

Mr. MATUSOW. I think it was a matter of public record at the time. The New York Times had access to those records.

Mr. SOURWINE. Had you at that time given the New York Times any statement on this subject?

Mr. MATUSOW. Their representatives have covered hearings, open hearings, in which I testified, and had access to the information in their own files.

Mr. SOURWINE. You stated a little earlier that you had said in this affidavit that you knew of 4 or 5 employees of the Times who were Communists, and it is now established that the number mentioned in the affidavit is 6; is that right?

Mr. MATUSOW. Right, sir.

Mr. SOURWINE. Was it true, as you swore to in this affidavit, that you knew of six employees of the Times at the time of your activities in the Communist Party whom you knew as members of the Communist Party?

Mr. MATUSOW. Yes, sir; I knew six.

Mr. SOURWINE. Who were those six?

Mr. MATUSOW. I don't recall who they are at this point.

Mr. SOURWINE. Do you recall any of them?

Mr. MATUSOW. One was named Fisher. I forget his first name. That is the only one I seem to recall.

Mr. SOURWINE. Did you give the New York Times the names of those six at the time you gave them the affidavit?

Mr. MATUSOW. I don't know. I don't remember if I did or did not.

Mr. SOURWINE. Were you asked for them?

Mr. MATUSOW. I don't recall. I think Mr. Hill did ask me for them, and I don't know whether I gave it to them or not.

Mr. SOURWINE. This is a matter of some importance, a matter about which you have testified in one way and then gave an affidavit differently. Do you want the committee to understand that your present testimony, that you can remember only one name, among those six persons—

Mr. MATUSOW. At this time I can only remember one name; that is correct.

Mr. SOURWINE. But you are testifying that you did at that time know of six employees of the New York Times; that is, employees at the time of your activities in the Communist Party?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Whom you knew to be members of the Communist Party?

Mr. MATUSOW. I don't believe that is quite correct, sir. I believe the answer is that at one time I knew of six members of the Communist

Party who worked at the New York Times, but whether at the time of that affidavit or shortly prior to that, I knew of those six names, I don't remember at this time.

Mr. SOURWINE. Do you have any doubt whether you knew of those six names at the time you made the affidavit?

Mr. MATUSOW. I don't recall if I knew or could remember at that time the six names.

Mr. SOURWINE. Mr. Matusow, you said in the affidavit:

I am able at this time to name—

Mr. MATUSOW. Then I was probably able to, but I haven't given much thought to that affidavit since I gave it.

Mr. SOURWINE. All I am asking you is whether you now state it was true when you swore to the affidavit.

Mr. MATUSOW. If I swore to it, I was able.

Mr. SOURWINE. Let me finish the question. The fact that you swore to anything doesn't prove anything.

Mr. MATUSOW. Certain things are proved to me.

Mr. SOURWINE. I am asking you whether at the time you executed this affidavit, it was then true, as you then swore, that you were then able to name six employees of the New York Times who had been employees at the time of your activities in the Communist Party, whom you knew as members of the Communist Party?

Mr. MATUSOW. If the affidavit is worded that way, my recollection is that I did and was able to, not that I gave them the names, but I was able to give them the names, if necessary.

Mr. SOURWINE. You cannot give us now any names of those six except the name Fisher?

Mr. MATUSOW. That is right.

Mr. SOURWINE. Are you sure about the name Fisher?

Mr. MATUSOW. Quite confident of that.

Mr. SOURWINE. Can you tell us anything about the man Fisher?

Mr. MATUSOW. He worked at the Times. That is all I knew. He attended guild meetings.

Mr. SOURWINE. How did you know him to be a Communist?

Mr. MATUSOW. I carried out a Communist assignment with him once.

Mr. SOURWINE. What was the assignment?

Mr. MATUSOW. It had something to do with a picket line—I forget where.

Mr. SOURWINE. Mr. Matusow, did you ever make any accusations against a man named Lamb?

Mr. MATUSOW. Public accusations, yes.

Mr. SOURWINE. What is the full name of the man named Lamb, concerning whom you made public accusations?

Mr. MATUSOW. I believe it is Ted or Theodore, but in accusations or otherwise he has been identified as Ted Lamb.

Mr. SOURWINE. Can you identify him any further so we know whom we are talking about?

Mr. MATUSOW. From Toledo, Ohio.

Mr. SOURWINE. Is that where he lives now?

Mr. MATUSOW. That was my impression. I never met the man.

Mr. SOURWINE. Does this man have anything to do with the radio station?

Mr. MATUSOW. I believe he has a radio or television station.

Mr. SOURWINE. Where?

Mr. MATUSOW. My recollection is that he has a radio station in Erie, Pa.

Mr. SOURWINE. That particular Mr. Lamb is the one concerning whom you made accusations?

Mr. MATUSOW. Public accusations, yes.

Mr. SOURWINE. What public accusations did you make against him?

Mr. MATUSOW. Oh, in speeches. I believe a speech in North Canton, Ohio, before a group called the Keep America Free Council.

Mr. SOURWINE. And of what did you accuse Mr. Lamb on that occasion?

Mr. MATUSOW. Of being a Communist-fronter.

Mr. SOURWINE. Did you accuse him of anything else?

Mr. MATUSOW. Oh, I don't recall offhand.

Mr. SOURWINE. Did you ever accuse him of anything on any other occasion?

Mr. MATUSOW. In conversations with people, the same type of accusations, that he was a Communist-fronter.

Mr. SOURWINE. Any other accusations against him?

Mr. MATUSOW. I don't recall any.

Mr. SOURWINE. Did you ever accuse him of being a Communist?

Mr. MATUSOW. I don't think I actually said he was a Communist.

Mr. SOURWINE. At any time?

Mr. MATUSOW. I might have, but I wouldn't put anything past me in that period.

Mr. SOURWINE. Are you aware—

Mr. MATUSOW. I am serious about that, sir.

Mr. SOURWINE. Are you aware that calling a man a Communist-fronter may or may not be libelous, but that courts have held calling a man a Communist is libel unless you can prove it?

Mr. MATUSOW. Yes, but I was aware of that fact at the time.

Mr. SOURWINE. At what time?

Mr. MATUSOW. At the time I made the charges against Mr. Lamb in public statements.

Mr. SOURWINE. What charges? The charge he was a Communist or the charge he was a Communist-fronter?

Mr. MATUSOW. I recall calling him a Communist-fronter, but I don't recall calling him a Communist, but I could have.

Mr. SOURWINE. Did you ever recant that charge?

Mr. MATUSOW. I have done it publicly in Judge Dimock's court last week, and I do it again now.

Mr. SOURWINE. Did you ever recant that charge anywhere else except in Judge Dimock's court and here?

Mr. MATUSOW. Yes. I went to see Mr. Lamb's attorney, Russell Morton Brown, sometime last spring and offered to do anything I could to help Mr. Lamb in defense of the false accusations that had been made against him before the Federal Communications Commission.

Mr. SOURWINE. Did you ask Mr. Brown for money?

Mr. MATUSOW. To pay my hotel bill in Washington, D. C. I stayed at the George Washington Hotel, to be exact.

Mr. SOURWINE. Did he give you any money?

Mr. MATUSOW. He paid my hotel bill and he paid for my transportation from New York to here and back.

Mr. SOURWINE. My question was: Did he give you any money?

Mr. MATUSOW. I believe he only paid the hotel bill. He didn't hand me the money.

Mr. SOURWINE. Then the answer is "No."

Mr. MATUSOW. My recollection is, "No."

Mr. SOURWINE. I am trying to get you to answer these questions "yes" or "no," and then explain, and then you won't do it.

Mr. MATUSOW. Sir, if he handed me the money and I paid the hotel bill in his presence, I don't recall. I consider his paying my hotel bill as giving me money in that sense, yes.

Mr. SOURWINE. Do you mean to imply he didn't trust you? He either paid the bill himself or made you pay it in his presence?

Mr. MATUSOW. I don't recall. My recollection is that he made the payment of the bill at the hotel.

Mr. SOURWINE. Did he go down with you to pay it?

Mr. MATUSOW. He paid it at the hotel, yes.

Mr. SOURWINE. He went down with you to pay it?

Mr. MATUSOW. I don't know whether he went down with me, or went down and met me there.

Mr. SOURWINE. You said your recollection was he paid it. I am trying to find out what your recollection is.

Mr. MATUSOW. I don't recall whether he met me at the hotel or we left his office together, or from some other place, and went to the hotel, and paid the bill.

Mr. SOURWINE. You and he were together at the hotel and he paid it?

Mr. MATUSOW. That is my recollection.

Mr. SOURWINE. Did he also reimburse you for money you spent for food?

Mr. MATUSOW. I believe so.

Mr. SOURWINE. Did he also reimburse you for your transportation?

Mr. MATUSOW. He had made arrangements for my transportation to be paid prior to my arrival in Washington.

Mr. SOURWINE. Did he take your word for how much you had spent for food?

Mr. MATUSOW. I believe so. It wasn't that large.

Mr. SOURWINE. And aside from that, that is, those items of transportation, hotel bill and food, did he give you any money?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Did you ask him for any?

Mr. MATUSOW. Did I ask him for any?

Mr. SOURWINE. Yes.

Mr. MATUSOW. I asked him if he knew of anybody who would subsidize me during the writing of my book.

Mr. SOURWINE. I just cannot get a yes or no answer from you.

Mr. MATUSOW. You don't ask me yes or no questions.

Mr. SOURWINE. Do you remember what you testified to before, that you were an expert witness and you want to refuse to give a yes or no answer to a question. You remember you testified to that?

Mr. MATUSOW. I remember your reading it and my saying yes, I wrote it.

Mr. SOURWINE. I ask you this question, and it is certainly susceptible of a yes or no answer.

Aside from the matter of your transportation, your hotel bill and your food, did you ask Mr. Brown for any money?

Mr. MATUSOW. Did I ask him personally for any money? No, not to my recollection.

Mr. SOURWINE. Did you ask Mr. Brown to get you any money?

Mr. MATUSOW. Yes, sir. Now, I will explain. Yes.

Mr. SOURWINE. All right, fine.

Mr. MATUSOW. You said I could explain after a yes or no answer. May I do so now?

Mr. SOURWINE. Oh, yes.

Mr. MATUSOW. Thank you.

Mr. Brown was one of many people I talked to about trying to get a publisher or a subsidy for the book that I had now written, or was then in the process of writing, and I asked Mr. Brown if he knew of anybody who was interested in the matter contained in the book, but there were no stipulations or strings to my being in Washington to offer my services to Mr. Lamb. After Mr. Brown said he knew of nobody, and he did not think he could help me in that matter, I continued to give him and furnish information to him relating to Mr. Lamb, and to this date I have not received any money from Mr. Brown, and continue to and will continue to do anything I can to help Mr. Lamb, who was unjustly accused.

Thank you.

Mr. SOURWINE. Did you ever testify for Mr. Lamb before the Federal Communications Commission, or an examiner of that Commission?

Mr. MATUSOW. I did not.

Mr. SOURWINE. Did you ever testify in any case involving Mr. Lamb?

Mr. MATUSOW. Not to my knowledge, no.

Mr. SOURWINE. What information did you give Mr. Brown about Mr. Lamb?

Mr. MATUSOW. Well, I told him that when I was with the Ohio Un-American Activities Commission, there were certain people in Ohio whom I considered crackpots, who were in contact continuously with the Ohio Un-American Activities Commission, who wanted to see Mr. Lamb identified as a Communist before the Ohio commission, and that while I was there, the Ohio commission was unable to obtain any information about Mr. Lamb in relation to Communist Party activities, and I also told Mr. Brown, or got the information to him that a former—

Mr. SOURWINE. Which was it? We are talking about what you told him.

Mr. MATUSOW. I told him, and then also got this information to him a few days later. It was part of our discussion, though, a carry-over of it—that a former employee of Mr. Lamb's at this television station who, after being fired for incompetence, had been spreading vicious rumors and lies about Mr. Lamb in a form of spite, because he had lost his job with the television station in Erie, Pa.

Mr. SOURWINE. Did you name that employee?

Mr. MATUSOW. I did.

Mr. SOURWINE. Who was that employee?

Mr. MATUSOW. I don't recall the name now.

Mr. SOURWINE. Now, are you stating that you gave this information to Mr. Brown after he had indicated to you that there would be no money forthcoming through him to assist in the financing of your book?

Mr. MATUSOW. I am stating that affirmatively.

Mr. SOURWINE. Did you ever talk to Mr. Brown about testifying in any other matter?

Mr. MATUSOW. Not to my knowledge.

Mr. SOURWINE. Did you ever talk to him about giving him information bearing on any other matter?

Mr. MATUSOW. Not to my recollection—pardon me. I might have possibly talked to him about furnishing him with any information pertaining to any attacks—no, I think it all related to Mr. Lamb. There again we get back to that. I don't recall any, unless, it was in relation to the Democratic Party, as I stated this morning. Certain material that was used, McCarthy attacks, in the McCarthyism approach toward the Democratic Party, anything I had would be made available to him. I realized his law partner was former Attorney General McGrath, and might have taken an interest in the matter.

Mr. SOURWINE. Would you have any reason to believe that the former Attorney General McGrath would welcome information from you?

Mr. MATUSOW. I had reason to believe as a Democrat, a former leader of the Democratic Party and a former Democratic Senator, he would have welcomed any information which might be relevant to unjust attacks on the Democratic Party.

Mr. SOURWINE. You don't know Mr. McGrath very well, do you?

Mr. MATUSOW. Never met him.

Mr. SOURWINE. Did you tell Mr. Brown, "Remember now, I am not to be trusted. Don't trust me."

Mr. MATUSOW. Yes.

Mr. SOURWINE. He didn't, did he?

Mr. MATUSOW. Apparently not.

Mr. SOURWINE. Have you intended to testify here that you went down to Washington at the request of Mr. Brown, attorney for Ted Lamb?

Mr. MATUSOW. At the request of an intermediary.

Mr. SOURWINE. Who was that intermediary?

Mr. MATUSOW. Carey McWilliams, the editor of the Nation magazine.

Mr. SOURWINE. Did Mr. McWilliams approach you about this matter, or did you approach him?

Mr. MATUSOW. Mr. McWilliams approached me.

Mr. SOURWINE. What did he tell you?

Mr. MATUSOW. He told me that Mr. Brown was the attorney for Mr. Lamb and was interested to find out if I had any information which might be relevant to the case.

Mr. SOURWINE. Did he say Mr. Brown had asked him to get in touch with you?

Mr. MATUSOW. I believe so.

Mr. SOURWINE. Who is Carey McWilliams?

Mr. MATUSOW. The editor of the Nation magazine.

Mr. SOURWINE. Is he a Communist?

Mr. MATUSOW. I don't know him as such.

Mr. SOURWINE. Have you ever called him a Communist?

Mr. MATUSOW. I might have. I believe I have called him a Communist-fronter.

Mr. SOURWINE. Do you know anything about Mr. Carey McWilliams' Communist connections, if any?

Mr. MATUSOW. Hearsay, but I have heard of them.

Mr. SOURWINE. What do you know about Mr. Carey McWilliams' Communist connections?

Mr. MATUSOW. I have heard him called a Communist or Communist-fronter on a number of occasions.

Mr. SOURWINE. That is not the question.

Mr. MATUSOW. That is all I know about him.

Mr. SOURWINE. That is all you know.

Mr. MATUSOW. And he is editor of the Nation magazine.

Mr. SOURWINE. You said you had heard of his Communist connections.

Mr. MATUSOW. In that somebody accused him as a Communist.

Mr. SOURWINE. The fact that he is editor of the Nation magazine that is not a Communist connection, is it?

Mr. MATUSOW. I don't think it is.

Mr. SOURWINE. Have you heard of anything, do you know of anything that was a Communist connection?

Mr. MATUSOW. I believe in 1952 in the campaign at least in one speech, now that I remember it, I got up and said, that this fellow Carey McWilliams has 46—that is my favorite figure, I guess—46 Communist front organizations to his credit. That was it. He attacked Senator McCarthy, I believe. It was in my Wisconsin speech in Madison or Green Bay. I said he had 45 or 46 Communist fronts to his credit, and therefore must be a Communist. He attacks McCarthy.

Mr. SOURWINE. How did Mr. McWilliams get in touch with you about seeing Mr. Brown?

Mr. MATUSOW. I got in touch with him first about the book.

Mr. SOURWINE. What had you gone to see him about?

Mr. MATUSOW. I had read an article in the Nation magazine on informers, and I went there. I introduced myself and said, "I think it is a fine article, but it doesn't go far enough. Informers, like I have been, are a lot more bastardly than this article has them set out to be."

He said, "Well, what are you doing about it?"

I said, "I am writing a book."

He said, "Well, some day I might be interested in using some of the material if it bears out what you say it is going to be."

Mr. SOURWINE. When was this?

Mr. MATUSOW. Back in late March, I guess.

Mr. SOURWINE. Of what year?

Mr. MATUSOW. 1954.

Mr. SOURWINE. Go ahead.

Mr. MATUSOW. It might have been April.

Mr. SOURWINE. Go ahead.

Mr. MATUSOW. And I told him that I was trying to undo some of the harm I had done in unjustly attacking people or accusing people. I wasn't going to sit as judge and jury on people, whether they are or

are not various things politically, because that was their business, and was none of mine.

The next day, or two days later I called him up again. I told him I would call him back. I wanted to find out if he knew anybody who was interested in my book in the way of a publisher, and he said that this fellow Brown called him and wanted to know if I knew anything about the Lamb case. I said, "Well, I was in Ohio, and I probably could help him. At least I will try to, because that is what I am trying to do to a lot of people. I will help them when I believe they have been hurt unjustly."

Mr. SOURWINE. Mr. Matusow, according to Mr. McWilliams, then is it your statement that he heard from Mr. Brown between the time that you visited him first and the time that you called him up on the telephone?

Mr. MATUSOW. It might have been another visit to his office. I saw Mr. McWilliams a dozen times during that period in relation to getting somebody to publish the book. He is in the publishing field. I don't recall on what visit the Brown subject came up. It might have been my third or fourth visit.

Mr. SOURWINE. Did you tell Mr. McWilliams to tell Mr. Brown that you would come down to Washington if he would pay your expenses?

Mr. MATUSOW. And only the expenses. I wanted nothing else.

Mr. SOURWINE. You didn't volunteer to come down at your own expense, did you?

Mr. MATUSOW. No, I didn't.

Mr. SOURWINE. You had other business in Washington at that time, didn't you?

Mr. MATUSOW. I don't recall. Whenever I came to Washington I did manage to see other people, but the primary reason was to see Mr. Brown.

Mr. SOURWINE. You state now that you had no appointment in Washington on or about that time?

Mr. MATUSOW. My recollection is only with Mr. Brown. I might have made an appointment when I got here, other than that. I had an appointment with Mr. Joseph A. Rafferty, I believe; prior to coming to Washington I told Mr. Rafferty when in town again I would call him. He said, "Let me know when you are coming."

Mr. Rafferty's and Mr. Brown's offices are both in the Southern Building, and I felt it was a good time to see Mr. Rafferty.

Mr. SOURWINE. Was Mr. Rafferty paying your expenses of a trip to Washington?

Mr. MATUSOW. No, he wasn't.

Mr. SOURWINE. Did you have an appointment with anybody else?

Mr. MATUSOW. Not that I recall did I have a prearranged appointment.

Mr. SOURWINE. What did you see Mr. Rafferty about?

Mr. MATUSOW. That had something to do with my past marriage, and I think it is a personal matter dealing with my marriage, and I don't think it is of interest to the committee.

Mr. SOURWINE. You testified that you met with Mr. Brown on a Friday and met with him again on a Sunday evening that week; is that right?

Mr. MATUSOW. My recollection is that.

Mr. SOURWINE. Wasn't that the same Sunday evening you saw Bishop Oxnam?

Mr. MATUSOW. It very possibly could have been.

Mr. SOURWINE. You have as a matter of fact testified that it was within a day or so of your visit to Oxnam when you first saw Brown?

Mr. MATUSOW. My recollection was that.

Mr. SOURWINE. You were very positive that it was on a Friday?

Mr. MATUSOW. Close to positive.

Mr. SOURWINE. And you were very positive that you saw Bishop Oxnam on a Sunday?

Mr. MATUSOW. That I am positive of.

Mr. SOURWINE. There was only one Friday within a day or so of the Sunday that followed that particular Friday?

Mr. MATUSOW. Then it is there on the record.

Mr. SOURWINE. I should like to know why you had to go back and see Mr. Brown on a Sunday evening after you had seen him on Friday?

Mr. MATUSOW. We had an appointment for Saturday, which he didn't keep, and I was curious to know if he wanted me to sit around Washington, or if we had concluded our business.

Mr. SOURWINE. Was anyone else present?

Mr. MATUSOW. There was another member of Mr. Brown's law firm present at the office meeting. I don't recall his name, and his secretary was also there, as I recall.

Mr. SOURWINE. You never did see Mr. Brown alone, did you?

Mr. MATUSOW. I don't recall if I—in the hotel lobby it wasn't alone. So I don't believe I did.

Mr. SOURWINE. So there would be at least two witnesses to everything that happened between you and Mr. Brown, wouldn't there be?

Mr. MATUSOW. Apparently so.

Mr. SOURWINE. You saw Mr. McWilliams alone, though, didn't you?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Mr. Matusow, have you given affidavits respecting the willful falsity of certain testimony previously given by you?

Mr. MATUSOW. I gave one to Time magazine.

Mr. SOURWINE. If we are going to start that way, you gave one to the New York Times, you just testified about.

Mr. MATUSOW. I thought you wanted to take off from there, the next one.

Mr. SOURWINE. Go ahead.

Mr. MATUSOW. Time magazine, 1 in the case of *United States v. Clinton E. Jencks*, 1 in the case of the United States, in the Communist Party case.

Mr. SOURWINE. Confining those to the latter affidavits, the two that were filed in court, were those affidavits prepared by you?

Mr. MATUSOW. They were drafted by me and at my request the attorneys involved in the case put them in proper legal form, which I went over and corrected and made sure it was my language.

Mr. SOURWINE. The word "drafted" is a technical term. Do you mean to use it in the technical sense?

Mr. MATUSOW. I mean it in the technical sense. As any writer means a draft, I wrote it. My language. But then put in proper legal form for the courts.

Mr. SOURWINE. It was then put in somebody else's language, wasn't it?

Mr. MATUSOW. Not really, just certain paragraphs, such as the opening and closing paragraphs.

Mr. SOURWINE. How did you write the affidavits? Longhand or on the typewriter?

Mr. MATUSOW. Wrote one on the typewriter and the other I wrote sitting in Mr. Kahn's living room.

Mr. SOURWINE. Longhand?

Mr. MATUSOW. I wrote it and it was typed up from that in my presence.

Mr. SOURWINE. You wrote it out in longhand?

Mr. MATUSOW. It was written out in longhand.

Mr. SOURWINE. I said, did you write it out in longhand?

Mr. MATUSOW. I didn't do the writing, I dictated it.

Mr. SOURWINE. You dictated it to somebody who wrote it out in longhand?

Mr. MATUSOW. Or shorthand.

Mr. SOURWINE. Who was that?

Mr. MATUSOW. Mrs. Kaufman, one of the defendant's attorneys.

Mr. SOURWINE. That accounts for the fact that the original draft of that affidavit is in her handwriting?

Mr. MATUSOW. I have never seen the original draft since that day, but apparently that is so.

Mr. SOURWINE. That is the original draft we are talking about?

Mr. MATUSOW. Apparently so.

Mr. SOURWINE. The fact that you dictated it to her accounts for the fact that it was in her handwriting?

Mr. MATUSOW. Apparently so.

Mr. SOURWINE. You didn't know it until I pointed it out to you?

Mr. MATUSOW. I didn't give any thought to it.

Mr. SOURWINE. Which affidavit was that?

Mr. MATUSOW. That was the second affidavit chronologically, the Flynn case affidavit.

Mr. SOURWINE. The other affidavit was typed, you say?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. By you?

Mr. MATUSOW. No; by a secretary in my apartment, whom I dictated it to.

Mr. SOURWINE. Who is that?

Mr. MATUSOW. The same one who worked on my book. I never did know her last name. Her first name was Ellie.

Mr. SOURWINE. Did you employ her?

Mr. MATUSOW. No. Mr. Kahn employed her. She was employed by Mr. Kahn. I paid her salary.

Mr. SOURWINE. The affidavit that was written down at your dictation by Mary Kaufman, how many pages was that affidavit, do you remember?

Mr. MATUSOW. The final affidavit, I believe, is 6 or 7 pages.

Mr. SOURWINE. Did you read it over after she had written it down in longhand?

Mr. MATUSOW. Every word.

Mr. SOURWINE. Before it was typed?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. And after it had been typed, did you read it again?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. And it was in your exact words?

Mr. MATUSOW. Well, I believe there was a page in that affidavit that had a word or so off in it, and I scratched it out and made them type it over again. It might have happened in two pages.

Mr. SOURWINE. Was it typed out then and there in the same words she set down in longhand?

Mr. MATUSOW. My recollection was yes.

Mr. SOURWINE. Who typed it at that time?

Mr. MATUSOW. Mr. Robert Lewis, his wife. The other attorney's wife.

Mr. SOURWINE. Is that Robert Zavell Lewis?

Mr. MATUSOW. I don't know whether the Z is in there.

He notarized the affidavit.

Mr. SOURWINE. His wife typed it up?

Mr. MATUSOW. Yes.

Mr. SOURWINE. What happened to that typed copy?

Mr. MATUSOW. I signed it.

Mr. SOURWINE. You signed it?

Mr. MATUSOW. The following day.

Mr. SOURWINE. Wait a minute. Then what happened to it?

Mr. MATUSOW. I presume it was given to the court.

Mr. SOURWINE. You signed it and had it notarized?

Mr. MATUSOW. Yes.

Mr. SOURWINE. Are you testifying that you dictated to Mary Kaufman an affidavit which at your dictation she put down in longhand, that that affidavit was typed out then and there in the same words and form as she put it down?

Mr. MATUSOW. I said I made certain corrections that were retyped.

Mr. SOURWINE. Let me finish the question.

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. That that affidavit was then and there typed out in the same words and form as had been written down by her in longhand at your dictation, that you then read it over and made some suggestions or some changes, that those changes were made, and you then signed it, and it was notarized and presented to the court?

Mr. MATUSOW. I didn't then sign it. I signed it the following day, couldn't get it notarized on Sunday.

Mr. SOURWINE. You signed that same affidavit that was then typed?

Mr. MATUSOW. A copy. It was done with 4 or 5 copies. I signed the original.

Mr. SOURWINE. That is all we are talking about. That is the same one that was then and there typed out.

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Then at what time was it put in proper form by Mrs. Kaufman?

Mr. MATUSOW. She is an attorney. Mrs. Kaufman is an attorney, I believe. She put it in proper form while writing it out.

Mr. SOURWINE. You didn't dictate it?

Mr. MATUSOW. When you and I talk about form, we are talking apparently about two different things.

Mr. SOURWINE. We are talking about whether you dictated an affidavit.

Mr. MATUSOW. I dictated an affidavit. I am talking about an opening and closing paragraph to an affidavit, the substance and contents of the affidavit dealing with the material facts contained there being dictated by me.

Mr. SOURWINE. I don't want to argue with you, sir. All I want to do is get your testimony clearly on the record.

Mr. MATUSOW. I think it is clear in the last statement.

Mr. SOURWINE. Did you dictate part of the affidavit? That is all I want you to say. I want to know if you are now asserting that you dictated all except the opening and closing phrases of the affidavit which you subsequently signed after it had been reduced to typed form.

Mr. MATUSOW. I wrote and dictated the affidavit.

Mr. SOURWINE. All the material?

Mr. MATUSOW. All the material facts contained in the affidavit.

Mr. SOURWINE. There is a great deal of difference between dictating all the material facts and dictating the affidavit.

Mr. MATUSOW. I think we are fighting over the question of terminology. As a lawyer, I don't understand certain terminology that you do, sir.

Mr. SOURWINE. Do you know what dictated means?

Mr. MATUSOW. We are discussing something else. Yes, I dictated the affidavit, sir.

Mr. SOURWINE. Dictation means that you say certain words and the person to whom you are dictating takes them down; isn't that right?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. In dictating this affidavit you would say certain words and Mrs. Kaufman would take them down; is that right?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Then you would say certain more words and she would take them down until you had finished; is that correct?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. During that process was she rephrasing your words in her own language?

Mr. MATUSOW. She was not.

Mr. SOURWINE. Then we are agreed you are not testifying that you did dictate that affidavit and we both understand what you mean.

Mr. MATUSOW. That is what I started out by saying.

Mr. SOURWINE. You say you have had no formal legal training?

Mr. MATUSOW. No formal legal training.

Mr. SOURWINE. We will have those affidavits in the record in just a moment.

I want to get back to the other affidavit. Was that other affidavit also dictated by you except for the opening and closing paragraphs in the form in which you finally signed it?

Mr. MATUSOW. The affidavit was dictated by me; yes, sir.

Mr. SOURWINE. All right, sir.

I show you, with a letter of transmittal from the deputy clerk of the court for the Western District of Texas, the United States District Court, what purports to be an exemplified copy of your affidavit in the case of *United States v. Clinton Jencks*, and I will ask you if that is the affidavit you made in that case.

(Witness examines document and consults with his attorney.)

Mr. MATUSOW. Yes, sir, this is the copy of the affidavit.

Mr. SOURWINE. Now, I send what purports to be a photostatic copy of the affidavit you gave in the case of *United States v. Elizabeth Gurley Flynn et al.*, and ask you if that is in fact a photostat of the affidavit you made.

(Witness examines document and consults with his counsel.)

Mr. MATUSOW. All but the signature, which is not mine. This is not a photostat of the original, but a copy of the affidavit.

Mr. SOURWINE. The text of the affidavit in that photostat is the same as the text of the affidavit you filed?

Mr. MATUSOW. Not taking the time of the committee to read it, I will say yes, unless it is proven that this was changed in any way, but I presume it is.

Mr. SOURWINE. Very good.

Mr. Chairman, I offer these as exhibits in this hearing.

Senator JOHNSTON (presiding). They shall be a part of the record.

(The documents referred to were numbered "Exhibits 8 and 9-A, 9-B" and appear below:)

EXHIBIT No. 8

C 136-7

UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

ELIZABETH GURLEY FLYNN, ET AL., *Defendants*

STATE OF NEW YORK,

County of New York, ss:

HARVEY M. MATUSOW, being duly sworn, deposes and says:

1. I make this affidavit in support of the motion by the defendants for a new trial and to do what I can to remedy the harm I have done to the defendants in the case of *United States of America v. Elizabeth Gurley Flynn et al.*

2. I appeared as a witness for the Government against the defendants in the course of the trial in the above-entitled case in this Court in July, 1952, on an indictment charging the defendants with conspiring to violate the teaching and advocacy and organizing sections of the Smith Act.

3. The testimony I gave in the course of the trial appears in the typewritten transcript of the record at page 6565 and thereafter.

4. The matters I testified to were either false or not entirely true and were known to me to be either false or not entirely true, at the time I so testified, in that:

A. On July 22, 1952, I testified that defendant Perry addressed a meeting held in a restaurant on University Place in the City of New York in December, 1948. I further testified that:

"Mr. Perry spoke about the question of building socialism. He said that the building of socialism went hand-in-hand with the setting up and establishing of a Negro nation in the black belt of the United States, and the freeing of the Negro people and the Negro liberation movement, that the South in the United States—there were some States such as Mississippi where the Negro people constituted a majority, and that a Negro nation would have to be set up, would be set up in the black belt. He referred to the book, *Marxism and the National Question*, and the basic principles for definition of what is a nation, and he stated that the Negro people in the United States constitute a nation, and that this nation could not be set up unless socialism were to come to power in the United States and that the bourgeoisie would not sit back and let it come to power peacefully, and therefore the working class led by the Communist Party would have to forcibly overthrow this bourgeoisie to set up the Negro nation while establishing socialism" (Tr. 6628-29).

The foregoing testimony was true only in so far as it states the fact that Defendant Perry addressed the meeting I described on the date indicated, but I gave false testimony when I testified that defendant Perry said that the building

of socialism went hand in hand with the establishment of a Negro nation in the Black Belt of the United States and that this nation could not be set up unless socialism were to come to power in the United States, that the bourgeoisie would not sit back and let it come to power peacefully and therefore the working class, led by the Communist Party, would have to forcefully overthrow the bourgeoisie in order to set up the Negro nation while establishing socialism.

At no time did I, either at this meeting or elsewhere, hear defendant Perry make the foregoing statement or refer to the overthrow of the United States Government by force and violence or by any other means.

B. I further testified on July 22, 1952, that in the fall of 1949 defendant Trachtenberg had a conversation with me at the Workers' Book Shop, where I was employed, concerning a book entitled "Law of the Soviet State", by Andre Vishinski (Tr. 6645-6646). I further testified that defendant Trachtenberg said that

"* * * the concepts created here by Mr. Vishinski on a new form of socialist law were diametrically opposed to the English law, and that the Party should be familiar with this new concept of Socialist law, and that if the book were published at a lower price than \$15, it would be very useful in the Party apparatus and educational set-up" (Tr. 6646).

I also testified that—

"Mr. Trachtenberg said that the book contained the first comprehensive report of the Soviet concept of law and the Marxist Leninist concept of law.

"He went on further to say that in talking about the book, the law of the Soviet State, that the question of capitalism and socialism here, or the creating of a socialist society and eliminating class antagonisms, how that was to be accomplished through the establishment of socialism, how the diametrically opposed classes could be eliminated—were found in that book" (Tr. 6653).

My testimony regarding defendant Trachtenberg's remarks about the book, Law of the Soviet State, was true in respect to the fact that defendant Trachtenberg casually mentioned the book as one of many which were being sold in the Jefferson School Book Shop. The extent of his remarks was solely that of inquiry in relation to the sales of the book in the same general conversation in which the sales of other books in the Book Shop was discussed.

In all other respects, my testimony concerning this conversation with defendant Trachtenberg is false. At no time in the course of the conversation did defendant Trachtenberg make the statements that I attributed to him in the foregoing quoted portions of the testimony. At no time did defendant Trachtenberg refer to the book in relation to the concept of revolution or overthrow of the Government. At no time during the many occasions that I met with and talked with defendant Trachtenberg did he indicate that he advocated the overthrow of the United States Government by force or violence or any other means.

The question of my testimony concerning the book "The Law of the Soviet States", by Andrei Vishinsky, was first raised by Roy Cohn, Assistant United States Attorney, who worked with me in preparing my testimony. The conversation in which the subject was first discussed with Cohn took place in a car driven by a Special Agent of the FBI. United States Attorneys David Marks, Roy Cohn and J. J. McCarthy, a Special Agent of the FBI, and two other individuals were seated in the car at the time. Mr. Cohn mentioned the book by Vishinsky. Cohn said that because of a section of the book it would be important to connect the book with the defendants. He said that the United States Attorney had attempted to introduce this book in the Dennis case, but was unable to lay the necessary foundation. He then asked me if I had ever discussed the book with any of the defendants. I told him that I had discussed it with Trachtenberg. Cohn asked me for the substance of that conversation, and I informed him that Trachtenberg had inquired about the sales of the book in a conversation in which he made similar inquiry concerning the sales of other books carried in the book shop.

A subsequent conversation concerning the book occurred in Roy Cohn's office. He showed me the book entitled "The Law of the Soviet States", and asked me whether this was the book which Trachtenberg had discussed with me. He then asked me for further details concerning this conversation with Trachtenberg, and I informed him that Trachtenberg had discussed the price of the book. Cohn stated that this would not be sufficient to lay the necessary foundation for its introduction in evidence. Cohn pointed to a passage in the book and told me that that passage was important in proving the Government's case. He then asked me if I had discussed anything with Trachtenberg which would tie him with this passage, and I said, "No" I had not. Nevertheless, thereafter, in several sessions

with Cohn, we developed the answer which I gave in my testimony, tying Trachtenberg to that passage. We both knew that Trachtenberg had never made the statements which I attributed to him in my testimony.

C. I testified that in December 1948, I attended a meeting at the Hank Forbes Auditorium of the Communist Party Headquarters at 35 East 18th Street, New York City, at which Arnold Johnson spoke (Tr. 6626-27), and I testified that defendant Johnson said:

"* * * that it was important for the Communist Youth Movement to build a new Marxist-Leninist Youth Group that would or could leave the white collar jobs and get out into basic industry in the tradition of the Young Communist League. He said that the New York organization, the Youth Organization of the Communist Party needed building. We had a trained cadre, and we had to train them in New York and get them out into the basic industries so that we could recruit young workers and get them on the side of the Communist Party. We had to get them into the trade unions in the midwest, in basic industries, and we had to recruit in there, and in the event of any war with the Soviet Union we would then have people on our side" (Tr. 6627).

It is true that defendant Johnson addressed the meeting at the time and place of the above testimony. But my testimony concerning the statements I attributed to him to the effect that it was necessary to get them into the trade unions in the midwest in basic industries, and in the event of any war with the Soviet Union we would then have people on our side, is entirely false.

D. I testified that about April 15, 1949, I had a conversation with defendant George Blake Charney at his office at 35 East 12th Street, New York City, concerning my trip to Puerto Rico (Tr. 6636). I testified that in the course of this conversation he said that:

"* * * that I should familiarize myself with the Party, the Communist Party line on Puerto Rico. He pointed out—Mr. Blake said that the struggle for the independence of Puerto Rico was tied up directly with the struggle for socialism. He said that Puerto Rico was being used as a military base by the United States, and an independent Puerto Rico would help to destroy those bases and cripple the Caribbean defense. He pointed out that the only time Puerto Rico would get its independence was when we had conducted an effective struggle for socialism and had overthrown the bourgeoisie there. He said he had been to Puerto Rico before and that if Puerto Rico were independent the struggle for socialism there would be accomplished a lot easier" (Tr. 6637-38).

My testimony relating to conversations with defendant Charney is true only so far as I did have conversations with him relating to Puerto Rico and my trip to Puerto Rico. But my testimony that he said that "Puerto Rico was being used as a military base by the United States and an independent Puerto Rico would help to destroy those bases and cripple the Caribbean defense;" and that "He pointed out that the only time Puerto Rico would get its independence was when we had conducted an effective struggle for socialism and had overthrown the bourgeoisie there" is entirely false.

At no time during the many conversations and meetings I had with George Blake Charney and other meetings at which he was present, did he state that he advocated the overthrow of the United States Government by force, violence or any other means.

E. On July 21, 1952, I testified concerning a course which I attended in the Fall of 1948 in the Institute of Marxist Studies at the Jefferson School in the City of New York (Tr. 6608-9). I further testified that at one course taught by Beatrice Siskind (Tr. 6609) she said:

"* * * that American exceptionalism was a theory started in the 1920's when the Communist Party was under the leadership of Lovestone. She stated that American exceptionalism said that the United States would not suffer economic crises in the event of world economic crisis, that we were exempt or we just couldn't have one here if labor worked with the bourgeoisie or the capitalists or the management, as the case may be. She pointed out and said that American exceptionalism was also carried forth under Earl Browder in 1945 and said that was the reason for his expulsion, and that you could not, she said, collaborate with the bourgeoisie or the capitalists, that labor could not. The only way to avoid economic crises is with the establishment of socialism, and she stated that socialism could not be obtained under a peaceful means, it could not be obtained by collaboration, that the capitalists or bourgeoisie would not give up without a struggle, and therefore the working class, under the leadership of the Communist Party, would have to take over by power and overthrow the bourgeoisie" (Tr. 6610).

The foregoing testimony concerning what Beatrice Siskind said is entirely false. I had no recollection at the time I testified nor do I now have any recollection as to what if anything was taught to me concerning the subject discussed in the foregoing testimony. The testimony was entirely fabricated to create the false impression with the Court and the members of the jury that the Communist Party taught and advocated the overthrow the United States Government by force and violence. Prior to the time when I took the witness stand I could not have discussed or testified to the answer which was given on the stand. I had informed United States Attorney Roy Cohn that I was unable to recall what, if anything, Beatrice Siskind had said in the course. During several sessions I had with Cohn, he helped me formulate the answer which I memorized and gave in my testimony. This testimony was not based on what was actually said by Beatrice Siskind, but was created for the purposes of the trial.

F. I testified that in December 1948 I attended a meeting of the Communist Party in Philadelphia at which Henry Winston, Organizational Secretary of the Communist Party, spoke (Tr. 6622-24). I further testified that I returned from Philadelphia together with Henry Winston and that on this return trip Winston said:

"* * * that his article in the fourteenth convention issue of Political Affairs, which was September of 1948, should be read and studied more fully by the members of the Communist Party. He said that it was important for the young members of the Communist Party in New York, members of the Yough [sic] clubs, to get out of New York and to get out into the midwest into basic industries, out in Ohio, Illinois, Indiana, Western Pennsylvania, and up-state New York near Buffalo. He said that it was important to go there so that the young Communists could form a nucleus of workers on the side of the Communist Party, to recruit and get young people into the Communist Party, so that in the event of any imperialistic war, as he put it, we could help the side of the Soviet Union, as he stated it, and slow down production, and in some places call strikes, and in general see that the war production, in the event of a war, would not carry forward to its fullest capacity" (Tr. 6625-6).

My testimony relating to my conversation with Henry Winston in December 1948 was true only so far as I did have a conversation with Henry Winston, but my testimony that Henry Winston said "* * * so that in the event of any imperialistic war, as he put it, we could help the side of the Soviet Union, as he stated it, and slow down production, and in some places call strikes, and in general see that the war production, in the event of a war, would not carry forward to its fullest capacity" (Tr. 6626) was false.

G. The foregoing does not exhaust the matters concerning which I testified falsely at the trial of these defendants. Nor do the incidents related in paragraphs 4B and 4C exhaust the matters concerning which I testified falsely with the knowledge of the United States Attorneys. For, on other occasions in connection with other portions of my testimony, the United States Attorneys participated in formulating statements which I attributed to the defendants and other persons named in my testimony which was not based on what was actually said, but which was created for the purposes of the trial.

The reason I have not described in this affidavit other testimony which I gave which was false and other testimony which the United States Attorneys knew to be false is that there has been insufficient time since I first spoke to any defense counsel concerning this motion and the making of this affidavit to read the entire record of my testimony and to locate all of the matters concerning which I testified to falsely and/or which was known to be false by the United States Attorneys.

5. I make and swear to this affidavit voluntarily and of my own free will, without having been threatened, coerced, influenced, or intimidated in any way; without having been given any payment, reward, or any thing of value, or any promise thereof; and only for the purposes of now telling the truth, the whole truth, and nothing but the truth, and, as I have said, to do what I can to remedy the harm I have done to these defendants and to the administration of justice.

6. I am willing to appear and testify to the truth of the above matters at any time.

(S) HARVEY M. MATUSOW.

Sworn to before me this 31st day of January 1955.

ROBERT Z. LEWIS,
Notary Public, State of New York.

Commission expires March 30, 1956.

EXHIBIT No. 9-A

UNITED STATES DISTRICT COURT,
WESTERN DISTRICT OF TEXAS,
El Paso, Tex., February 3, 1955.

Re United States of America v. Clinton E. Jencks (No. 54013, Criminal)

Mr. BENJAMIN MANDEL,
Senate Office Building,
Washington, D. C.

DEAR SIR: Enclosed is Exemplified copy of Affidavit of Harvey M. Matusow filed as part of Motion for a New Trial on the Ground of Newly Discovered Evidence in the above-styled case as you requested on the telephone today.

Very truly yours,

MAXEY HART,
Clerk.

By PAULINE G. SILVEUS,
Deputy.

EXHIBIT No. 9-B

EXEMPLIFIED COPY OF AFFIDAVIT OF HARVEY M. MATUSOW FILED AS PART OF
MOTION FOR A NEW TRIAL ON THE GROUND OF NEWLY DISCOVERED EVIDENCE

EXHIBIT No. 1

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT
OF TEXAS AT EL PASO

NO. 54013, CRIMINAL

UNITED STATES OF AMERICA V. CLINTON E. JENCKS

HARVEY M. MATUSOW, being duly sworn, deposes and says:

1. I make this affidavit in support of the motion by the defendant for a new trial, and to do what I can to remedy the harm I have done to Clinton Jencks and to the administration of justice.

2. I appeared as a witness for the Government against the defendant in the course of the trial in this Court in January 1954, on an indictment charging Mr. Jencks with having filed a false non-Communist affidavit with the National Labor Relations Board on April 28, 1950. My testimony appears in the type-written transcript of the record from p. 579 to p. 703.

3. The matters I testified to were either false or not entirely true, and were known by me to be either false or not entirely true, at the time I so testified, in that:

A. I testified that in July and August 1950, I visited the San Cristobal Valley Ranch in Northern New Mexico, and met the defendant there. While there, I had three conversations with him. I also testified about a lecture given by the defendant at the Ranch (R. 583-596).¹

I testified that the first conversation took place in the presence of one Marcus. I testified that in the course of this conversation, I stated that I had left New York permanently and was thinking of living either in New Mexico or California, in which event I would transfer my Communist Party membership. The defendant's comment on this, according to my testimony, was: "It is a good idea, we can use more active Communists out here" (R. 586).

It is untrue that on the occasion of this conversation, the defendant said, "It is a good idea, we can use more active Communists out here." The defendant made no such statement.

B. I testified that in the second conversation, the defendant again expressed approval of my proposed transfer of my Communist Party membership; that we discussed ways of propagating "the Communist-sponsored Stockholm Peace Appeal" which the defendant was planning to lecture about at the Ranch; that the defendant's relations with what I called the "Communist-led" Mexican Miners Union also came into this conversation and in this connection the defendant told me that he had had discussions with "some of the Mexican Communist organizers" about "trying to see that their contracts, both in Mexico and the United

¹ The references are to the typewritten transcript of the testimony.

States, ran out at the same time so that they would be able to end all mining and smelting, and so forth, in basic metal production in an attempt to cut off production or slow it down for the Korean war effort, which he termed as an unjust and imperialistic war" (R. 588-589).

My testimony relating to the defendant's alleged discussion with "Mexican Communist organizers" concerning a plot to cut off copper production for the Korean war was untrue. The defendant made no such statement.

C. I testified that in the lecture, on August 7 or 8, 1950, the defendant, in the words of my testimony, "spoke about the role of the trade unions in the drive for peace and the Communist-sponsored Stockholm Peace Appeal" and "in favor of the Soviet Union's plan for atomic and other disarmament and putting an end to the Korean war, being that the United States was the aggressor nation, we had no business being in Korea—" (R. 589-590). I testified that in the library of the Ranch, where the lecture was given, there were many books published by the Communist Party and by Communist publishing houses and there were also copies of a Communist theoretical magazine and a Communist newspaper (R. 590). I testified that the defendant asked his listeners to read some of this material (R. 592).

It is not true that in his lecture on August 7 or 8, the defendant requested the guests of the Ranch to read Communist Party literature. He did not single out any specific literature which was published by the Communist Party. Nor is it true that Jencks in his lecture said the other things which I testified he said.

D. I testified that in the third conversation between the defendant and myself, I told the defendant that I had joined the Taos chapter of ANMA (a voluntary association concerned with the needs and problems of the Mexicans and the Mexican-Americans in the United States), and the defendant replied that this was proper Communist Party concentration work; that he also said he was active in ANMA in Silver City, that it was a key organization as far as Communist activities were concerned in New Mexico, and that the Communist Party controlled ANMA and used it as a political sounding board (R. 595).

This testimony was untrue. Jencks actually said that ANMA membership was large in his union, the International Union of Mine, Mill and Smelter Workers, and that as a union function he took part in ANMA activities.

4. There was no basis for my stating that Clinton E. Jencks was a member of the Communist Party at the time I stated so in court.

5. In addition, my testimony on cross-examination in the Jencks trial was either false or not entirely true, and was known by me to be either false or not entirely true at the time I so testified, in the following respects:

A. My testimony (R. 613-623) relating to a speech given by Pettis Perry which referred to testimony I had given in the trial of the *United States Government v. Elizabeth Gurley Flynn, et al.*, in which Perry was one of the defendants, was untrue in substance. Mr. Perry did address the meeting which I attended, but I did not testify accurately as to what he said. At no time during his speech did Mr. Perry advocate the overthrow of the Government by setting up a Negro nation or any other way. I also did not tell the truth about this matter when I was cross-examined about it in the Jencks trial.

B. When I referred during my cross-examination in the Jencks trial to an attack on my father in January 1952 (R. 649), I had no evidence of any connection between the Communist Party and that attack. However, I intended to give that impression to the Judge and the jury when I so testified, both to create prejudice against Jencks and in defense of my having given false addresses in previous testimony and justification for the way in which I acted under cross-examination when asked about my illegal voting registration in both New York and Ohio (R. 623-653).

5. In other testimony I had given under oath prior to the time I testified against Jencks in this case, I had also testified falsely, or had given testimony which was not entirely true, about other matters. Such testimony was given by me in court, before Congressional committees, and before the Grand Jury which indicated Jencks in this case.

At this time, and with further reference only to Clinton E. Jencks and the International Union of Mine, Mill and Smelter Workers, I would like to add that I testified falsely, or did not tell the entire truth, when I appeared in Salt Lake City on October 8, 1952, before Senators McCarran and Watkins during hearings conducted by the Senate Judiciary Subcommittee on Internal Security concerning Mine, Mill. Specifically, and without now referring to other matters I then testified about, I also told the same untruth on that occasion about the conversation with Jencks relating to a plot to interfere with the Korean

war by calling copper strikes which I later told when I testified at the trial of Jencks (Hearings Before The Subcommittee to Investigate The Administration Of The Internal Security Act And Other Internal Security Laws Of The Committee On The Judiciary, 82d Congress, 2d Sess.), (p. 153). Also, when I appeared before the Grand Jury investigating the case against Jencks I testified along similar lines about such a conversation with Jencks. The Grand Jury handed down the indictment in this case on the same day after I completed my testimony.

6. I make and swear to this affidavit voluntarily and of my own free will, without having been threatened, coerced, influenced, or intimidated in any way; without having been given any payment, reward, or any thing of value, or any promise thereof; and only for the purposes of now telling the truth, the whole truth and nothing but the truth, and as I have said, to do what I can to remedy the harm I have done to Clinton Jencks and to the administration of justice.

7. I am willing to appear and testify to the truth of the above matters at any time.

(s) HARVEY M. MATUSOW.

Sworn to before me this 20th day of January 1955.

[SEAL]

(s) RALPH SHAPIRO,

Notary Public, State of New York.

Commission expires March 30, 1956.

Endorsed: District Court of the United States for the Western District of Texas at El Paso: United States of America vs. Clinton E. Jencks, Criminal No. 54013. Affidavit of Harvey M. Matusow, January 20, 1955. Filed Jan. 28, 1955. Maxey Hart, Clerk, by (s) Pauline G. Silveus, Deputy.

[Exemplification Certificate].

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT
OF TEXAS, EL PASO DIVISION

I, Maxey Hart, Clerk of the United States District Court for the Western District of Texas, and keeper of the records and seal thereof, hereby certify that the documents attached hereto are true copies of affidavit of Harvey M. Matusow, January 20, 1955, filed on January 28, 1955, as part of motion for a new trial on the ground of newly discovered evidence in cause No. 54013 Criminal, styled: United States of America vs. Clinton E. Jencks, on file in this office.

In testimony whereof I hereunto sign my name and affix the seal of said Court, in said District, at El Paso, Texas, this 3rd day of February 1955.

MAXEY HART, *Clerk.*

By PAULINE G. SILVEUS, *Deputy.*

I, R. E. Thomason, United States District Judge for the Western District of Texas, do hereby certify that Maxey Hart, whose name is above written and subscribed, is and was at the date thereof, Clerk of said Court, duly appointed and sworn, and keeper of the records and seal thereof, and that the above certificate by him made, and his attestation or record thereof, is in due form of law.

R. E. THOMASON,

United States District Judge.

FEBRUARY 3RD, 1955.

I, Maxey Hart, Clerk of the United States District Court for the Western District of Texas, and keeper of the seal thereof, hereby certify that the Honorable R. E. Thomason, whose name is within written and subscribed, was on the 3rd day of February 1955, and now is Judge of said court, duly appointed, confirmed, sworn, and qualified; and that I am well acquainted with his handwriting and official signature and know and hereby certify the same within written to be his.

In testimony whereof I hereunto sign my name, and affix the seal of said Court at the city of El Paso, in said State, on this 3rd day of February 1955.

MAXEY HART, *Clerk.*

[SEAL]

By PAULINE G. SILVEUS, *Deputy.*

Mr. SOURWINE. We will talk about certain things in these affidavits. But before we do that, I want to ask you a preliminary question or two.

When did you first talk with anyone about making an affidavit in the Jencks case?

Mr. MATUSOW. My recollection is the first person I talked to about it was Mr. Kahn. That was sometime in November 1954. It might have been early December.

Mr. SOURWINE. You are sure it was Mr. Kahn who talked to you first rather than Mr. Nathan Witt?

Mr. MATUSOW. It was Mr. Kahn, as I recollect it.

Mr. SOURWINE. You talked to Mr. Witt about the affidavit after you talked to Mr. Kahn?

Mr. MATUSOW. He was the first attorney I talked to about it, Mr. Witt, that is.

Mr. SOURWINE. That implies the answer to the question, but I want to get it on the record. Did you then talk to Mr. Witt after you talked to Mr. Kahn?

Mr. MATUSOW. As the next person?

Mr. SOURWINE. Yes.

Mr. MATUSOW. He was. He was the next person connected with it I might have mentioned it to, could be, I don't recall.

Mr. SOURWINE. Mr. Kahn put you in touch with Mr. Witt?

Mr. MATUSOW. I asked Mr. Kahn to make an appointment to see Mr. Witt.

Mr. SOURWINE. You knew Mr. Witt was the attorney in the case?

Mr. MATUSOW. I did, sir.

Mr. SOURWINE. How did you know that?

Mr. MATUSOW. He was in court when I testified, and was publicly identified with the case.

Mr. SOURWINE. Now, Mr. Kahn saw your chapter on the Jencks case before you saw Mr. Witt; didn't he?

Mr. MATUSOW. No, sir. The chapter was not written. A chapter pertaining to the hearings in Salt Lake City on October 8 or thereabouts, 1952, had been written, and Mr. Kahn had seen that, but the chapter on the case had not been written.

Mr. SOURWINE. Did Mr. Kahn see your chapter on the hearings in Salt Lake City before or after he suggested that you make an affidavit in that case?

Mr. MATUSOW. I believe the question of an affidavit came up in a period—I don't know whether it was before or after. I just couldn't say. Things were happening quite kind of fast, I was writing at a fairly rapid clip and had many conversations with Mr. Kahn. I believe the question came up first by my saying to Mr. Kahn that I was prepared to write, prepared to give evidence in an affidavit showing where I bore false testimony.

Mr. SOURWINE. You mean you just volunteered that all of a sudden to him?

Mr. MATUSOW. When I found out that I felt I could trust Mr. Kahn. I didn't trust him when I first met him.

Mr. SOURWINE. As a matter of fact, haven't you testified that Mr. Kahn suggested to you that you make an affidavit in this case?

Mr. MATUSOW. As I say, sir, it came up in the course of conversation. Whether I raised it or he raised it, we had a discussion about it.

Mr. SOURWINE. It is not unimportant if you have testified to a fact that was untrue.

Mr. MATUSOW. I testified to a fact, and that is why I used the term to the best of my recollection, because my recollection is sometimes a little fuzzy in relation to who raised it.

Mr. SOURWINE. Haven't you testified without equivocation that Mr. Kahn suggested to you that you make an affidavit in this case, and I mean the Jencks case?

Mr. MATUSOW. If the record of the court states that I have testified to that, I have.

Mr. SOURWINE. Do you want the committee to understand that you do not now remember what you testified to?

Mr. MATUSOW. I want the committee to understand that if I said Mr. Kahn did suggest it, then that is what I said. If I said Mr. Kahn suggested it, to the best of my recollection, that is what I said. I don't remember just how I phrased it in court.

Mr. SOURWINE. That is what I want to find out, what your testimony is now. Do you remember now what you testified in Judge Dimock's court last week?

Mr. MATUSOW. In substance; yes.

Mr. SOURWINE. But you do not remember specifically that Mr. Kahn had suggested that you make an affidavit in the Jencks case?

Mr. MATUSOW. I could have said it that way, but I could have said it the other way.

Mr. SOURWINE. I am asking you whether you now remember specifically that you said it.

Mr. MATUSOW. I don't remember the specific quotes in the testimony.

Mr. SOURWINE. Where was the affidavit of January 20, notarized?

Mr. MATUSOW. In Mr. Witt's office.

Mr. SOURWINE. And who notarized it?

Mr. MATUSOW. I don't recall the name of the notary.

Mr. SOURWINE. Was it Robert Shapiro?

Mr. MATUSOW. I believe so.

Mr. SOURWINE. That name appears on the affidavit.

Mr. MATUSOW. Then it was Mr. Shapiro.

Mr. SOURWINE. Do you know Robert Shapiro?

Mr. MATUSOW. I have met him on that occasion and have seen him just to say hello to him on 1 or 2 other occasions.

Mr. SOURWINE. Had you met him before that occasion?

Mr. MATUSOW. I believe I might have met him casually a day or two after that.

Mr. SOURWINE. Had you met him more than a day or two earlier?

Mr. MATUSOW. I don't recall meeting him.

Mr. SOURWINE. Where did you meet him?

Mr. MATUSOW. Mr. Witt introduced me to him.

Mr. SOURWINE. In Mr. Witt's office?

Mr. MATUSOW. Yes. Mr. Shapiro also has an office there, yes.

Mr. SOURWINE. Do you know that Mr. Witt introduced you to Mr. Shapiro in his office a day or two before you signed the affidavit?

Mr. MATUSOW. He might have. I am saying that I believe I saw Mr. Shapiro in the hall of the office and casually said good morning or good afternoon, or some such thing to him, but formally I met him when he notarized the affidavit.

Mr. SOURWINE. You went to Mr. Witt's office a number of times; is that right?

Mr. MATUSOW. Half dozen or so times.

Mr. SOURWINE. Do you know who Mr. Shapiro is other than that he is an attorney employed by the firm of Witt & Cammer?

Mr. MATUSOW. I don't know him other than that.

Mr. SOURWINE. Do you know he is an attorney employed by the firm of Witt & Cammer?

Mr. MATUSOW. I believe he is an attorney.

Mr. SOURWINE. Do you believe he is employed by Witt & Cammer?

Mr. MATUSOW. I don't know what his association is other than the fact he has a desk in that suite of offices.

Mr. SOURWINE. Do you know Mr. Shapiro was the American Labor Party candidate for councilman in 1949-50?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Who was with you at the time and place that that affidavit was notarized?

Mr. MATUSOW. Mr. Witt, Mr. Shapiro, and Mr. Albert Kahn.

Mr. SOURWINE. How did you get there?

Mr. MATUSOW. I believe in a taxi.

Mr. SOURWINE. Who went there with you?

Mr. MATUSOW. I don't believe anybody did.

Mr. SOURWINE. You met Mr. Kahn and Mr. Witt there?

Mr. MATUSOW. My recollection is yes.

Mr. SOURWINE. And where was the affidavit, with you or with them?

Mr. MATUSOW. I believe it was in Mr. Witt's office at that time.

Mr. SOURWINE. How did it get there, do you know?

Mr. MATUSOW. I believe I brought it there.

Mr. SOURWINE. You took it, you took the affidavit which Ellie had typed and carried it down to Mr. Witt's office on a prior occasion?

Mr. MATUSOW. I said I typed a draft, sir, a draft of the material facts contained in the affidavit, and I asked Mr. Witt to put it on proper legal form, and when that was done, I told him I wanted to compare the two to see that the opening paragraphs, a few of them, which dealt with the material in the affidavit, were there and nothing I had written was changed. And that was why I delivered it to Mr. Witt. The following day, as I recall, or maybe it was 2 days, I went back and the affidavit was in proper legal form and satisfied me. The contents of what I had dictated had not been changed.

Mr. SOURWINE. Are you testifying that you took this matter that you had dictated to Mr. Witt, to have it put in proper legal form and that then you came back to examine it to see if it was in proper legal form?

Mr. MATUSOW. I wanted to make sure—Mr. Witt is a capable attorney. I wanted to make sure that nothing I had written had been changed and the affidavit said what I intended to say.

Mr. SOURWINE. Did you assure yourself of that?

Mr. MATUSOW. I did.

Mr. SOURWINE. The actual affidavit that you signed then is not the one which was typed by Ellie?

Mr. MATUSOW. No.

Mr. SOURWINE. But it was in words and phrases exactly the same as what had been typed by Ellie except for some additional matter added at the beginning and at the end; is that right?

Mr. MATUSOW. Or slight grammatical corrections which I might have made in it; yes.

Mr. SOURWINE. Now, did Mary Kaufman assist in any way in typing or writing or compiling that affidavit?

Mr. MATUSOW. No, sir. No, sir, not to my recollection or knowledge.

Mr. SOURWINE. Did you know that Mr. Shapiro, who notarized this affidavit, had signed a nominating petition for one Simon Gerson in 1948 on the Communist Party ticket?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Did you know that Mr. Shapiro had been active in the American Labor Party rally at Peekskill on September 13, 1949?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. You know about that rally?

Mr. MATUSOW. I was there. There were about 20,000 people there.

Mr. SOURWINE. That was the famous rally that had to do with Paul Robeson?

Mr. MATUSOW. Are you referring to the second one? There were two.

Mr. SOURWINE. Yes.

Mr. MATUSOW. Yes, sir, that was the one in September.

Mr. SOURWINE. Do you know that Mr. Shapiro was a member of the Lawyers Guild?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Was that rally in Peekskill on September 13, 1949, a Communist-inspired rally?

Mr. MATUSOW. People's Artists sponsored it.

Mr. SOURWINE. Was People's Artists a Communist-controlled organization?

Mr. MATUSOW. There were Communists in People's Artists. I don't know if they were controlled. I knew non-Communists in there, too, so I don't know whether it was controlled.

Mr. SOURWINE. The question was whether it was a Communist-dominated organization.

Mr. MATUSOW. I don't know whether the Communist Party dominated it or not.

Mr. SOURWINE. You knew, as a matter of fact, a good deal about the inner workings of the Communist Party at that time, didn't you?

Mr. MATUSOW. I knew a little bit about it.

Mr. SOURWINE. You knew more than a little bit about it.

Mr. MATUSOW. That was an impression I left with many committees.

Mr. SOURWINE. I am asking what the facts were. Didn't you know a great deal about it at that time?

Mr. MATUSOW. Certain aspects of the Communist Party.

Mr. SOURWINE. Weren't you a trusted member of the Communist Party?

Mr. MATUSOW. I wasn't too trusted. I was expelled shortly thereafter.

Mr. SOURWINE. You were switchboard operator?

Mr. MATUSOW. Not during that rally.

Mr. SOURWINE. No, but for a time you were a switchboard operator.

Mr. MATUSOW. Let's go back about 7 months, and that is when I was trusted.

Mr. SOURWINE. You were trusted at that time. You had to be in order to be a switchboard operator.

Mr. MATUSOW. Apparently so.

Mr. SOURWINE. Eventually, we may get to the point where we will ask you about any conversations you listened in on while you were a switchboard operator. But let's not get sidetracked now. Did you know Mr. Shapiro was a member of the Lawyers Guild?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. In court you testified that Mr. Kahn asked you if he could go to somebody about the question of your giving an affidavit. Who was it that he wanted to go to?

Mr. MATUSOW. You are talking about the Jencks affidavit or the other one?

Mr. SOURWINE. Yes, sir.

Mr. MATUSOW. Apparently he wanted to go to the attorneys for the defendant.

Mr. SOURWINE. Didn't Mr. Kahn ever ask you if he could go to somebody about the question of giving an affidavit in the Flynn case?

Mr. MATUSOW. Well, I believe he asked me if I would agree to or would give him permission to tell the attorneys for the defendants in the Flynn case that I was prepared to give an affidavit which I had told Mr. Kahn I was ready to do. So it is likely I notified them of the fact.

Mr. SOURWINE. He was the first person to approach you in the second affidavit as he had been in the first one?

Mr. MATUSOW. No, he was the first person I approached about the affidavit. I went to him. He didn't hold anything over me and say, "You have to sign an affidavit."

Mr. SOURWINE. Now, I think we have already established that Mr. Kahn first suggested the affidavit in the Flynn case.

Mr. MATUSOW. I think we have established, sir, that Mr. Kahn asked me if he could violate the privilege or be relieved from the privilege of a personal conversation with me and go to an attorney concerned with that case, and tell them there was a witness in that case who was ready to give an affidavit to the court stating he lied.

Mr. SOURWINE. Didn't you testify in Judge Dimock's court last week that Mr. Kahn had first suggested the affidavit in the Flynn case?

Mr. MATUSOW. He might have asked me—if I were willing to give an affidavit.

Mr. SOURWINE. What did you testify?

Mr. MATUSOW. I don't believe I said at any time that he suggested an affidavit. The language you use, I believe, is not the language I used. I believe in that period I told Mr. Kahn that I was willing to and wanted to write or draw up an affidavit in behalf of the defendants which told of my false testimony, or some of my false testimony. That is what I said.

Mr. SOURWINE. Mr. Kahn had suggested this to you?

Mr. MATUSOW. He asked me if I was willing to do it. That is just what I have been saying.

Mr. SOURWINE. O. K. He asked you if you were willing to do it and you said you were; is that right?

Mr. MATUSOW. I told him I was willing to do it and he asked me if I was willing to do it, in a conversation, and I did it.

Mr. SOURWINE. All right, sir. After you had talked with Kahn about that affidavit in the Flynn case, you then talked with Mr. Witt; is that right?

Mr. MATUSOW. I didn't go to Mr. Witt to talk to him about that, but it came up in a conversation after I had signed the affidavit in the case he was involved in.

Mr. SOURWINE. Didn't you talk with Mr. Witt between the time you talked with Mr. Kahn about it and the time you talked with the attorneys in the Flynn case about it?

Mr. MATUSOW. Let's get the order right. See if I follow you. Let's make sure the question is right. I talked to Mr. Kahn. Then my recollection is I didn't talk to—in fact, I am quite sure I didn't talk to any of their attorneys in the Flynn case until after the Jencks affidavit had been signed, which was on the 20th. I want to get the record straight on this chronology. I believe while talking to Mr. Witt about the affidavit I had given him, or it was the day I signed it, I told him I was also preparing or was prepared to and want to give an affidavit to the defendants in the Flynn case. So he would have been the next person that I recall talking to about it.

Mr. SOURWINE. That is right.

Mr. MATUSOW. Right, sir.

Mr. SOURWINE. And then you talked with the attorneys in the Flynn case?

Mr. MATUSOW. Yes, sir, I talked to two attorneys of the three.

Mr. SOURWINE. What attorneys did you talk to?

Mr. MATUSOW. Mr. Lewis and Miss Kaufman.

Mr. SOURWINE. Didn't you talk with Mr. Sacher?

Mr. MATUSOW. Not until after the affidavit had been filed.

(Witness consults with his attorney.)

(At this point Senator Watkins left the hearing room.)

Mr. MATUSOW. I wanted to be sure whether it was Miss or Mrs. Mary Kaufman. I wanted to have the record straight.

Mr. SOURWINE. Do you remember the incident of the sealed chapter of your book?

Mr. MATUSOW. I do.

Mr. SOURWINE. Can you tell us about that briefly?

Mr. MATUSOW. I wrote a chapter in my book dealing with the testimony I gave in the Flynn case, the chapter which was called A Law Named Smith. I wrote that chapter and after writing it, I sealed it in an envelope so that Mr. Kahn could not read it or anybody else could not read it. Mr. Kahn and I discussed the matter about sealing it in an envelope. He said that he did not want to be in a position to know what I had to say about that because I had told him I was prepared to draw up an affidavit and that in case he was called before any judge or a grand jury or any judicial body prior to that affidavit being filed, he could honestly say he did not know what I intended to say, and therefore, be accused of being an influence on anything I did say.

Mr. SOURWINE. Nevertheless, he did subsequently open the envelope in your presence and look at the sealed chapter, didn't he?

Mr. MATUSOW. At the time I was prepared to write the affidavit, when there were no questions at all in my mind as to what the affidavit was going to say.

Mr. SOURWINE. But that was before he arranged for you to talk to one of the attorneys in the Flynn case?

Mr. MATUSOW. I believe, sir, it was the day or about the time I said to him, "Al, would you please contact the attorneys in the Flynn case, and while you are doing that, why don't you read the chapter?"

Mr. SOURWINE. But it was before he arranged for you to talk to one of the attorneys in the Flynn case?

Mr. MATUSOW. Yes, sir, it was.

Mr. SOURWINE. So he did exactly what he had told you he wanted to avoid; that is, he read your chapter before you gave the affidavit?

Mr. MATUSOW. He did; yes.

Mr. SOURWINE. You stated that that affidavit in the Flynn case was drawn up in Mr. Kahn's home?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. You have testified that you discussed the matter with Mr. Lewis on two prior occasions, and that Mr. and Mrs. Kaufman were there once.

Mr. MATUSOW. Not Mr. Kaufman. I said Miss or Mrs. Kaufman.

Mr. SOURWINE. Miss or Mrs.?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. On which occasion and at what place was Miss Kaufman there?

Mr. MATUSOW. I believe I got together with Mr. Lewis once alone at the Hotel Chelsea in room 118, and then I believe the following day or two later—I will get the date for you within a day or so. You can help me there, Mr. Sourwine, if you will. What was the date the Jencks affidavit was filed? Do you have that date?

Mr. SOURWINE. We have the affidavit.

Mr. MATUSOW. The date it was filed in court?

Mr. SOURWINE. That was the 31st of January.

Mr. MATUSOW. I believe it was earlier than that. That was the other affidavit. The Jencks affidavit.

Mr. SOURWINE. It was filed in court on February 3. It was sworn to on the 20th day of January.

Mr. MATUSOW. It broke in the press before that. I believe it was filed in court before the 3d, sir. I was trying to think if it were 27th, 28th, or 29th of January, one of those 3 days.

Mr. SOURWINE. Well, the certificate of the deputy clerk is dated the 3d of February, in the United States district court. The judge appears to have affixed his signature on the 3d of February. That is the date on which the exemplified copy was made. So obviously it was there before then. The date on which it was sworn to was January 20.

Mr. MATUSOW. It was filed on a Friday. I believe it was Friday the 28th of January.

Mr. SOURWINE. What was the reason you asked for that date?

Mr. MATUSOW. You asked me the first time I met Mr. Lewis, and where and when I met Mr. Lewis and Miss Kaufman, on what date. The affidavit I recall now was presented in court, by reports I read in the paper, on Friday, if Friday was the 28th of January.

(At this point Senator Hennings left the hearing room.)

Mr. MATUSOW. Monday was the 31st. So that would be the 28th, the 28th of January, when I met with Mr. Lewis, on Monday or Tuesday of that week prior to the Friday, which would have been the 23d or 24th. I believe I met him for about a half an hour and told him

that I was prepared to draw up an affidavit in the Flynn case and told him I would do it if he wanted me to do so. He asked me if I would meet with Miss Kaufman and himself the following day or the day later.

I believe it was the following day I met with Mr. Lewis and Miss Kaufman and I told them both what I planned to do. They asked me certain questions dealing with my testimony. We chatted about that. They asked me certain questions and I answered them, or didn't answer them. We made an appointment to get together on Sunday in Mr. Kahn's home. I left town that day. It was a Wednesday afternoon or Thursday morning. I left town with the galleys of my book. I wanted to get away from New York to correct the galleys, so the book would be in the final stages. I worked until Sunday afternoon and then went to Mr. Kahn's home where Mr. Lewis and Miss Kaufman were waiting for me or had arrived a few minutes later. I don't remember which, and at that time the affidavit was done, and the following morning in New York City, because Mr. Lewis' notary did not exceed the city of New York and I believe somebody mentioned the fact that nothing could be notarized on Sunday in New York, so it was 8 o'clock or 8:30 the next morning in New York City, at 125th Street where I signed the affidavit which had been written the preceding day, and it was notarized then and there by Mr. Lewis, and that is the story.

Mr. SOURWINE. Let's be sure we have it straight. You talked first about it with Mr. Kahn. This is the Flynn affidavit. Then you talked about it with Mr. Witt. Thereafter you talked about it with Mr. Lewis alone without Miss Kaufman. Thereafter you talked to Mr. Lewis and Miss Kaufman about it.

Thereafter on a Sunday evening—

Mr. MATUSOW. Afternoon, sir.

Mr. SOURWINE. Sunday afternoon you went to the home of Mr. Kahn and then and there dictated it to Mary Kaufman and the following morning you went downtown and notarized it, is that right?

You had it notarized?

Mr. MATUSOW. Mr. Lewis notarized it.

Mr. SOURWINE. Is that a correct statement?

Mr. MATUSOW. That is the chronology.

Mr. SOURWINE. Is that correct?

Mr. MATUSOW. That is the correct chronology.

(Senator Hennings returned to the room at this point.)

Mr. SOURWINE. What time in the afternoon did you go to Mr. Kahn's home?

Mr. MATUSOW. I believe I got there about 2 or 3 o'clock.

Mr. SOURWINE. In the afternoon?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. What time did you leave?

Mr. MATUSOW. I left there, it must have been 8 or 8:30.

Mr. SOURWINE. You didn't stay there all night?

Mr. MATUSOW. No, sir; I had some more work to do on my galleys.

Mr. SOURWINE. Is that the night you stayed in a motel in Westchester?

Mr. MATUSOW. Yes.

Mr. SOURWINE. With Mr. Tank?

Mr. MATUSOW. Yes.

Mr. SOURWINE. Under assumed names?

Mr. MATUSOW. That is right, sir.

Mr. SOURWINE. Now, I want to know, sir, were you doing anything during the 6 hours you were in Mr. Kahn's home on that Sunday except dictating the affidavit to Miss Kaufman?

Mr. MATUSOW. I had been there, watched television for a while, took a shower, and relaxed.

Mr. SOURWINE. What television shows did you see?

Mr. MATUSOW. I believe there was a show on John Milton on You Are There, as I recall, on book-burning.

Mr. SOURWINE. Did you see that show?

Mr. MATUSOW. Yes, sir. I believe I saw What's My Line? That was the last show Bennett Cerf did prior to his month's vacation.

Mr. SOURWINE. Did you see that show?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. At Mr. Kahn's home?

Mr. MATUSOW. No, I saw that at the motel.

Mr. SOURWINE. Talk about the ones you saw at Mr. Kahn's.

Mr. MATUSOW. A show or part of a show done by the Museum of Natural History having to do with dances. That might have been a week or so earlier. It had to do with dances of the world and their relation to—

Mr. SOURWINE. What other shows did you see that afternoon at Mr. Kahn's house?

Mr. MATUSOW. I didn't see U. S. Week.

I don't know whether I watched Meet the Press or not that night. I think I may have tuned it in and tuned it right off again.

Mr. SOURWINE. Did you interrupt the dictation of the affidavit to watch these television shows?

Mr. MATUSOW. After it was finished and the affidavit was being typed I took time out.

Mr. SOURWINE. What time did those shows come on that you saw?

Mr. MATUSOW. I believe You Are There came on at 6:30, and I watched that, and I believe I saw Meet the Press, part of it.

(Senator Eastland returned and resumed the chair at this point.)

Mr. SOURWINE. What time is that?

Mr. MATUSOW. At 6 o'clock. What's My Line? comes on at 10:30.

Mr. SOURWINE. What time did you finish the affidavit?

Mr. MATUSOW. It took an hour or so to do it. Maybe 2 hours.

Mr. SOURWINE. Only 2 hours?

Mr. MATUSOW. I write kind of fast.

Mr. SOURWINE. Remember you weren't writing, Mary Kaufman was writing.

Mr. MATUSOW. It doesn't take long to do that.

Mr. SOURWINE. Is that right? She was writing?

Mr. MATUSOW. Don't forget, though, the affidavit was 6 pages long, and there were sections of testimony I quoted, and I said "from so-and-so and so-and-so." This goes in toto in the affidavit. She didn't have to sit there and write that all in longhand. A good part of the 6 pages is taken up with verbatim testimony in the trial.

Mr. SOURWINE. You stated here under oath, as clearly as we could understand, and we thought we both understood what was meant by dictation, that you had dictated this affidavit. Are you now testifying that you didn't dictate it?

Mr. MATUSOW. I dictated the affidavit. I think we have that clear, sir.

Mr. SOURWINE. Now, you are testifying that you dictated the affidavit and that she wrote it, and it was then transcribed on the typewriter and that you read it all within the space of not more than 2 hours?

Mr. MATUSOW. Yes, sir. It might have been 3. I got there at 3. I may have stopped at 6.

Mr. SOURWINE. Did you get there at 2 or 3? You testified you arrived at 2.

Mr. MATUSOW. I said I got there at 2 or 3.

Mr. SOURWINE. I wanted the record to be clear whether you are now stating you got there at 3.

Mr. MATUSOW. I said that before.

Mr. SOURWINE. You got there when and left when?

Mr. MATUSOW. I got there at 2 or 3 and I believe I left at 9, it might have been 8:30 or a quarter after 9.

Mr. SOURWINE. You said a moment ago that you left at 4, and before that said you left at 6.

Mr. MATUSOW. Never said I left at 4. You won't find that in the record.

Mr. SOURWINE. Well, we will look in the morning and see. Didn't you testify earlier that you left there about 6 or 6:30?

Mr. MATUSOW. No, sir; I said at 6:30. I watched You Are There at Mr. Kahn's home, and they do the show at 6:30. They did the show on John Milton at that time.

Mr. SOURWINE. Are you stating that you did not testify here a few moments ago that you left Mr. Kahn's home at 6:30?

Mr. MATUSOW. I did not testify to that, according to my recollection. If I did—I didn't testify to that, no.

Mr. SOURWINE. When did you leave there?

Mr. MATUSOW. I said it might have been 8, it might have been 9 or 9:30.

Mr. SOURWINE. I didn't ask you what you said.

Mr. MATUSOW. That is when I left, sir.

Mr. SOURWINE. When did you leave there?

Mr. MATUSOW. It had to be in the vicinity of 9 or 9:30 because I arrived at this motel about 20 miles from Mr. Kahn's home going to New York in time to watch two television programs, one at 10 and one at 10:30.

The one at 10:30 was, as I recall, What's My Line? and at 10 o'clock I believe I watched a show sponsored by Kent cigarettes. I have forgotten the name of the show. It was on CBS.

Mr. SOURWINE. Did you—

Mr. MATUSOW. So that means I left Mr. Kahn's home about 9:15, allowing 45 minutes to ride to the motel and check in.

Mr. SOURWINE. Did you take Mr. Tank with you, or did he take you to the motel?

Mr. MATUSOW. We went together.

Mr. SOURWINE. Was Mr. Tank with you in Mr. Kahn's home?

Mr. MATUSOW. He was.

Mr. SOURWINE. During all that time you were there?

Mr. MATUSOW. He wasn't in the room I was in. He was out in the kitchen chatting with Mrs. Kahn, as I recall.

Mr. SOURWINE. Where was the affidavit of December 31 notarized?

Mr. MATUSOW. There was no December 31 affidavit.

Mr. SOURWINE. January 31?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Who notarized that?

Mr. MATUSOW. Mr. Lewis.

Mr. SOURWINE. Robert Zavell Lewis?

Mr. MATUSOW. Right, sir.

Mr. SOURWINE. He is one of the defendant attorneys for the 13 Communists?

Mr. MATUSOW. I have been led to understand that, sir.

Mr. SOURWINE. Did you know Robert Zavell Lewis before he notarized your affidavit?

Mr. MATUSOW. Only after 2 or 3 prior meetings with him.

Mr. SOURWINE. You mean in his office?

Mr. MATUSOW. I never met him in his office. He came to my hotel room.

Mr. SOURWINE. You mean only the meetings you testified to here?

Mr. MATUSOW. That is right, sir.

Mr. SOURWINE. Did you know he was a member of the Young Communists League?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Did you know he was president of the Young Communists League of Cornell University in 1940 to 1941?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Did you see him at Communist Party headquarters during the first trial of the Communist Party leaders?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Did you know he was active at Communist Party headquarters at that time?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Did you know that during the second trial of the Communist Party leaders he worked for the defense attorneys?

Mr. MATUSOW. I found that out through working and getting this affidavit up.

Mr. SOURWINE. You did not know it before that?

Mr. MATUSOW. No.

Mr. SOURWINE. Did you know a man named McTernan?

Mr. MATUSOW. Yes.

Mr. SOURWINE. Is that John McTernan?

Mr. MATUSOW. John T. McTernan.

Mr. SOURWINE. Is he a lawyer?

Mr. MATUSOW. He is an attorney.

Mr. SOURWINE. How well do you know him?

Mr. MATUSOW. He had me under cross-examination in both the Flynn and Jencks trials.

Mr. SOURWINE. Are they the only occasions you met him?

Mr. MATUSOW. He served a subpoena on me on two occasions.

Mr. SOURWINE. Did you meet him on any occasion?

Mr. MATUSOW. Not that I recall.

Mr. SOURWINE. Have you had any other dealings with him other than those you told us about here?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Did he have anything to do with the affidavits you filed in the Jencks case?

Mr. MATUSOW. No, sir. Nothing that I know of.

Mr. SOURWINE. Did John Abt have anything to do with that affidavit?

Mr. MATUSOW. Nothing that I know of.

Mr. SOURWINE. Are you planning to give any other affidavits regarding any other false testimony you have given?

Mr. MATUSOW. Haven't thought about it, sir.

Mr. SOURWINE. Mr. Matusow, to return to your testimony here earlier this afternoon about People's Artists, do you remember that you testified before the Un-American Activities Committee of the House of Representatives in regards to People's Artists?

Mr. MATUSOW. I remember testifying about it, sir.

Mr. SOURWINE. Did you testify:

It was a theatrical booking agency which had as its purpose the booking of Communist Party members in the various organizations, clubs, social work. It had a license under the State of New York. It was licensed under the State of New York as a theatrical booking agency and was an incorporated group.

Mr. MATUSOW. Yes; I believe that is my testimony.

Mr. SOURWINE. Was that truthful?

Mr. MATUSOW. In part.

Mr. SOURWINE. What part was untruthful?

Mr. MATUSOW. If I might have the record and point it out to you, rather—

Mr. SOURWINE. I just read it to you and you recognized part of what I read as untruthful.

Mr. MATUSOW. It was a theatrical booking agency. I knew a Communist who worked for them when I called it a Communist booking theatrical agency, or something like that. I didn't have any direct knowledge of it.

Mr. SOURWINE. Did you ever have knowledge that that was its purpose?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. So when you testified to that, it was false testimony?

Mr. MATUSOW. Yes.

Mr. SOURWINE. I direct your attention now, Mr. Matusow, to the occasion on which you left New York and arrived—in July 1950, left New York to go to Los Angeles, do you recall that you did that?

Mr. MATUSOW. I didn't reach Los Angeles; no.

Mr. SOURWINE. I was only asking you about leaving New York to go to Los Angeles.

Mr. MATUSOW. I left New York and intended to go to Los Angeles; yes.

Mr. SOURWINE. That is right. You intended to go to Los Angeles. How did you happen to get to Taos, N. Mex.?

Mr. MATUSOW. Just happened to get there. I decided to go to the San Cristobal Valley Ranch for a week.

Mr. SOURWINE. What ranch?

Mr. MATUSOW. San Cristobal Valley Ranch.

Mr. SOURWINE. Is that in Taos?

Mr. MATUSOW. About 20 miles from the town of Taos. In Taos County, N. Mex.

Mr. SOURWINE. You say that you stopped at this ranch?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. How did you know about that?

Mr. MATUSOW. I met the proprietors.

Mr. SOURWINE. Mr. and Mrs. Craig?

Mr. MATUSOW. Mr. and Mrs. Vincent.

Mr. SOURWINE. Craig Vincent.

Mr. MATUSOW. Craig Vincent, yes, sir.

Mr. SOURWINE. When had you decided to diverge from your route and go to that ranch?

Mr. MATUSOW. The day I left New York.

Mr. SOURWINE. Then you left New York with the intention of going to that ranch?

Mr. MATUSOW. With the intention of going to Los Angeles and spending a few days en route at the ranch; yes, sir.

Mr. SOURWINE. You have testified several times, haven't you, that you left New York to go to Los Angeles and just wound up in Taos?

Mr. MATUSOW. I don't think there is anything contradictory in what has been said.

Mr. SOURWINE. I don't say there is, but I am trying to get the facts on the record. Is it a fact that you now testify that you left New York with the intention of going to Taos?

Mr. MATUSOW. With the intention of going to Los Angeles and wound up in Taos. I intended to stay there a few days and stayed there. So I didn't intend to go to Taos.

Mr. SOURWINE. You did intend to go to Taos?

Mr. MATUSOW. Just as I intended to go to Pittsburgh while traveling through the State of Pennsylvania.

Mr. SOURWINE. You didn't have to go to Taos while traveling through New Mexico?

Mr. MATUSOW. Sir, to be specific——

Mr. SOURWINE. Answer that question.

Mr. MATUSOW. The intention was to go San Cristobal.

Mr. SOURWINE. You had to go to Taos to go to San Cristobal?

Mr. MATUSOW. I could have gone through Colorado and not touched Taos.

Mr. SOURWINE. But you didn't go by way of Colorado. You bought your ticket by way of Taos?

Mr. MATUSOW. I passed through Taos. It took about 3 minutes.

Mr. SOURWINE. You intended to go through Taos to San Cristobal Ranch?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. That is all I am asking about.

Mr. MATUSOW. Yes, sir. That is all I said.

Mr. SOURWINE. Have you intended to give the impression that it was just accidental that you stopped off at Taos en route?

Mr. MATUSOW. It was accidental that I stopped there.

Mr. SOURWINE. You left New York with the intention of going to the San Cristobal Ranch, didn't you?

Mr. MATUSOW. Spending a few days there.

Mr. SOURWINE. Then that is not accidental?

Mr. MATUSOW. There are many things in the past that I intended to do that I didn't do or did do.

Mr. SOURWINE. This is one thing you intended to do that you did do.

Mr. MATUSOW. I thought I might go to San Cristobal Valley Ranch. The fact is that I got there and stayed there.

Mr. SOURWINE. I am trying to find out what your intention was when you left New York.

Mr. MATUSOW. My intention was when I left New York to go to the city of Los Angeles in California. While en route I intended to stop off in San Cristobal. I intended to spend 2 days in St. Louis, which I didn't do.

Mr. SOURWINE. Then you did intend, when you left New York, to go to the San Cristobal Ranch?

Mr. MATUSOW. For a visit.

Mr. SOURWINE. That thing you did do?

Mr. MATUSOW. Yes.

Mr. SOURWINE. You didn't stop in St. Louis, as you intended to?

Mr. MATUSOW. I stopped, but not for 2 days.

Mr. SOURWINE. You didn't get to Los Angeles on that trip, did you?

Mr. MATUSOW. No, I didn't.

Mr. SOURWINE. You did go to San Cristobal Valley Ranch, as you intended to do?

Mr. MATUSOW. Yes, sir; I did.

Mr. SOURWINE. You went there at the invitation of Craig Vincent?

Mr. MATUSOW. It was a form of invitation, yes.

Mr. SOURWINE. You stayed there during part of July and part of August during 1950?

Mr. MATUSOW. I don't know if my status as a guest ran into August, but I was at the ranch in August. Whether I was living there at the time, I don't know.

Mr. SOURWINE. The word I used was stayed. If you weren't staying at the ranch, where were you staying?

Mr. MATUSOW. I moved into Taos and took an apartment in town.

Mr. SOURWINE. Not at the Taos Inn?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Did you rent that apartment?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Did you pay rent on it?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. While you were at the San Cristobal Valley Ranch in the summer of 1950, did you meet Clinton Jencks?

Mr. MATUSOW. I did.

Mr. SOURWINE. Did you on one occasion state to him that you had left New York permanently?

Mr. MATUSOW. Whether I used the term "permanently," I believe in substance I said I had left New York and planned to take up residence in Los Angeles.

Mr. SOURWINE. Did you then and there state to him that in the event you carried out your intention to leave New York and set up residence somewhere else, you would transfer your Communist Party membership?

Mr. MATUSOW. I don't recall that conversation.

Mr. SOURWINE. Can you state that you did not tell him that?

Mr. MATUSOW. I don't recall the conversation one way or another. I don't believe I said that to Mr. Jencks. I will put that in a very definite sense.

Mr. SOURWINE. Was it at the time your intention, if you carried out your plan to move your residence, to transfer your Communist Party membership?

Mr. MATUSOW. It was my intention.

Mr. SOURWINE. Why don't you believe you told Clinton Jencks?

Mr. MATUSOW. Because it was none of his business. I didn't know whether he was a Communist or wasn't.

Mr. SOURWINE. You have testified, have you not, under oath, that you had a conversation with Mr. Jencks along those lines?

Mr. MATUSOW. Yes, sir; but I lied.

Mr. SOURWINE. Was that testimony untruthful?

Mr. MATUSOW. I just said it was. I say it again.

Mr. SOURWINE. Although it was given under oath?

Mr. MATUSOW. Yes, sir. On, I believe, 2 or 3 occasions.

Mr. SOURWINE. Did you ever discuss with Clinton Jencks ways of promoting the Communist-sponsored Stockholm Peace Appeal?

Mr. MATUSOW. Discussed the Communist-sponsored Stockholm Peace Appeal? I knew Communists were sponsoring it. We did discuss the Stockholm Peace Appeal. I don't think we called it the Communist-sponsored appeal, although I believe it was Communist-sponsored at the time, and I state that now.

Mr. SOURWINE. Did he ever tell you he was planning to lecture about that at the San Cristobal Valley Ranch?

Mr. MATUSOW. He did, and I heard him discuss it.

Mr. SOURWINE. Did you ever discuss with Mr. Jencks any matters concerning the Mexican miners union?

Mr. MATUSOW. He mentioned the fact that he was an honorary member of the Mexican miners union.

Mr. SOURWINE. Did he have any conversations with you about the Mexican Communist organizers?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Did you testify prior to this date that you had such a conversation?

Mr. MATUSOW. I did, sir.

Mr. SOURWINE. What that testimony false?

Mr. MATUSOW. It was false.

Mr. SOURWINE. Did you hear Mr. Jencks give more than one lecture while you were at the ranch?

Mr. MATUSOW. Only one that I recall.

Mr. SOURWINE. And he discussed the Stockholm Peace Appeal?

Mr. MATUSOW. I believe so, sir.

Mr. SOURWINE. Is his lecture clear in your mind now?

Mr. MATUSOW. No, sir; it is not.

Mr. SOURWINE. Did he say anything in that lecture favorable to the Soviet Union's plan for atomic and other disarmament?

Mr. MATUSOW. He might have, sir.

Mr. SOURWINE. Did he discuss putting an end to the Korean war?

Mr. MATUSOW. I believe he did discuss the Korean war as an unjust war.

Mr. SOURWINE. Did he refer to the United States as an aggressor nation?

Mr. MATUSOW. I don't know whether he used that term or not.

Mr. SOURWINE. Did he say anything about the position of the United States in Korea?

Mr. MATUSOW. I don't recall what he said about that.

Mr. SOURWINE. Did he say anything about whether United States forces had a right to be in Korea?

Mr. MATUSOW. I believe that he discussed it, and in substance said that we didn't belong there. My recollection is that.

Mr. SOURWINE. Did he say anything about reading?

Mr. MATUSOW. I don't recall what he said about reading, no, sir.

Mr. SOURWINE. Do you recall whether he advised his hearers to do any reading, or do anything about reading?

Mr. MATUSOW. I don't recall his mentioning reading.

Mr. SOURWINE. Do you realize that you testified about all those matters under oath?

Mr. MATUSOW. I do, sir.

Mr. SOURWINE. I take it you are unable to say at this time whether that testimony was true or false?

Mr. MATUSOW. About reading? I don't recall.

Mr. SOURWINE. All these matters that you testified to about Jencks' lecture?

Mr. MATUSOW. I believe some of the points I have said I recall him stating. On some of the points, such as reading, just to make the record straight, I did not recall at the time I testified about his saying we, the guests at the ranch, who heard the lecture, should read certain pamphlets. He might have said it, but at the time I testified before this committee and in court and before the grand jury, I did not recall whether he did or did not state that. I was testifying on something I surmised or even invented or made myself remember, but I knew at that time I didn't remember it, and at this time I don't remember it.

Mr. SOURWINE. You cannot now state whether your testimony in that regard was true or false, can you?

Mr. MATUSOW. I can only testify that when I testified about it I was testifying about something I did not recall, or could not have testified to in an absolute or an affirmative or positive way, as I so testified.

Mr. SOURWINE. That is testimony as to your state of mind at the time and it is valuable for that purpose, but I am trying to get on the record whether you can now state that that testimony was false?

Mr. MATUSOW. I cannot state if it was false or true, sir.

Mr. SOURWINE. Did you ever tell Jencks that you had joined the Taos Chapter of ANMA?

Mr. MATUSOW. I don't believe so.

Mr. SOURWINE. What is ANMA?

Mr. MATUSOW. I believe it is the American National Mexican Association, or in Spanish it is called Nacionale—I forget.

Mr. SOURWINE. Did he say anything about his activities with ANMA?

Mr. MATUSOW. My recollection, sir, is that Mr. Jencks did say there was an ANMA Chapter located in his home at Silver City, N. Mex., and it was active in the local of his union, the International Mine, Mill and Smelter Workers.

Mr. SOURWINE. Did you say he was active?

Mr. MATUSOW. That it was active.

Mr. SOURWINE. Did he indicate he belonged to the local chapter?

Mr. MATUSOW. I believe he said he had worked with it. I don't remember whether he said he had been a member, whether he had a membership card or not.

Mr. SOURWINE. Was there any conversation between you and Jencks about ANMA being Communist-connected?

Mr. MATUSOW. No, sir; there was not.

Mr. SOURWINE. You knew it was Communist-connected, didn't you?

Mr. MATUSOW. I surmised it.

Mr. SOURWINE. Did you think he knew it?

Mr. MATUSOW. I believe he did, but I didn't know it.

Mr. SOURWINE. Do you know whether Clinton Jencks ever was a member of the Communist Party?

Mr. MATUSOW. Of my own knowledge?

Mr. SOURWINE. Yes.

Mr. MATUSOW. No, I don't, sir.

Senator DANIEL. He told you, sir, didn't he?

Mr. MATUSOW. No, sir; he did not.

Senator DANIEL. Didn't you testify under oath that he identified himself personally to you as a member of the Communist Party?

Mr. MATUSOW. Yes, sir; I did.

Senator DANIEL. You were lying then?

Mr. MATUSOW. Yes, sir; I was.

Mr. SOURWINE. Did anybody ever tell you he was a member of the Communist Party?

Mr. MATUSOW. Someone once told me he had been a member of the Communist Party.

Mr. SOURWINE. Who was that?

Mr. MATUSOW. A witness who testified against Mr. Jencks. I forget his name. He testified before the grand jury and also in the case in El Paso.

The witness' name slips my mind. The witness said he had once belonged to a Communist Party club with Clinton Jencks back about 4 or 5 years before I met Jencks.

Senator JENNER. Do you intend to go any further into the development of these meetings in San Cristobal Valley?

Mr. SOURWINE. I have a few more questions.

Senator JENNER. Who was present? Do you intend to do that?

Mr. SOURWINE. Yes, sir.

Would you prefer to do that?

Senator JENNER. No.

Mr. SOURWINE. When you first went to the San Cristobal Ranch in New Mexico in 1950, did you know it was operated by the Communist Party?

Mr. MATUSOW. No, sir; I did not.

Mr. SOURWINE. Do you know whether it was operated by the Communist Party?

Mr. MATUSOW. No, sir; I didn't.

Mr. SOURWINE. Do you know now whether it was then operated by the Communist Party?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. You have stated that there were agents of the FBI at the ranch, when you were there, have you not?

Mr. MATUSOW. I don't know whether I said agents. I said people who were reporting to the FBI.

Mr. SOURWINE. Do you know that to be true, people who were reporting to the FBI were there at the ranch at the same time you were there?

Mr. MATUSOW. I got that information from an FBI agent whom I had contact with during that period, and I presume the information he gave me was based on the fact that somebody else was there at the ranch.

Senator JENNER. Who is that agent?

Mr. MATUSOW. I believe his name was Jay Buttram.

The CHAIRMAN. He was an agent in the FBI at that time?

Mr. MATUSOW. A special agent of the FBI who is now practicing law in Santa Fe, N. Mex., or was a year ago.

The CHAIRMAN. He told you at the time that he was with the FBI?

Mr. MATUSOW. I believe, in substance, he told me. He was there with 2 or 3 guests.

The CHAIRMAN. Answer my question. Did he tell you that he was with the FBI?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Did he tell you how many people were reporting to the FBI who were at the ranch?

Mr. MATUSOW. No. I surmised from his discussion with me that somebody was reporting to the FBI.

Mr. SOURWINE. That is not what you stated before. If that is the truth, I am glad to get it corrected.

Mr. MATUSOW. All right, sir.

Mr. SOURWINE. Answer this question yes or no. I want to know if it is not now your statement that he did not tell you that anybody there was reporting to the FBI.

Mr. MATUSOW. It is not quite yes or no——

Mr. SOURWINE. Either he did tell you that or he did not tell you that. I want to know which.

Then you can give any explanation you want.

Mr. MATUSOW. I don't know whether it is yes or no because of what he said.

Mr. SOURWINE. You are still able to determine when it is desirable not to give a yes or no answer?

Mr. MATUSOW. I am not in that position. Your question is one of the few question I should be able to give a yes or no answer. I would be glad to give a yes or no answer. All I am stating is that Agent Buttram had information from someone in the ranch, and therefore I am thinking back that somebody was there.

Mr. SOURWINE. You were there?

Mr. MATUSOW. No, somebody else, because the information related to me.

Mr. SOURWINE. Was it information that you had not furnished the Bureau?

Mr. MATUSOW. It was information about me.

Mr. SOURWINE. Was it information that you had not furnished the Bureau?

Mr. MATUSOW. It was information I knew nothing about.

Mr. SOURWINE. From that you surmised that there was at least one other person at the ranch who was reporting to the FBI?

Mr. MATUSOW. That is right, sir.

Mr. SOURWINE. You said there were agents from the FBI.

Mr. MATUSOW. I believe I said persons and from other conversations with Agent Buttram I believed there were at times other people at the ranch.

Mr. SOURWINE. You do not now believe it, and then you did believe it?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. That being so, you would hardly have reported anything from the ranch to the FBI that was not true, would you?

Mr. MATUSOW. Not necessarily.

Mr. SOURWINE. Did you, in fact, report anything to the FBI from the ranch that was untrue?

Mr. MATUSOW. I don't recall anything specifically about what I reported about the ranch, and I couldn't answer that question one way or another. I might have and I might not have. I don't know.

Mr. SOURWINE. Knowing or believing that there were other persons there who were reporting to the FBI, weren't you quite careful to be accurate in what you reported to the Bureau?

Mr. MATUSOW. In that period, not based on your premise of the reason for it, I tried to be accurate as to what I reported to the FBI, but in the past I have been very imaginative and even in FBI reports I guess at times my imagination might have moved the keys of my typewriter to say something that didn't happen.

Mr. SOURWINE. Cutting through all the persiflage, you are an intelligent man and you try very hard and very ably to take good care of yourself and knowing at this time, or believing that there were other persons at the ranch who were reporting to the FBI, weren't you careful that in your own reports you made no misstatement?

Mr. MATUSOW. No, your premise is wrong. I will have to say "No."

Mr. SOURWINE. You were not careful to avoid making any misstatements?

Mr. MATUSOW. Not on the basis of your premise, sir.

The CHAIRMAN. Wait a minute. The witness is entitled to explain what he means. I don't understand.

Mr. MATUSOW. Mr. Sourwine said that there were other agents there.

Mr. SOURWINE. Knowing or believing.

Mr. MATUSOW. Knowing or believing, but in substance that other people were there. It was because of that reason I was careful, and to me that implied only that reason. If I am right on that, then the answer would be "No." If I misinterpreted the counsel's question, and he means, did I try to be accurate in my reports, yes, I tried to be accurate in general, but for no reason other than the sake of accuracy at that point.

Mr. SOURWINE. What I am trying to say is: Will you now testify that the report you gave to the FBI from the San Cristobal Valley Ranch in 1950 was accurate to the best of your ability?

Mr. MATUSOW. Yes, they were.

Mr. SOURWINE. Did you report to the FBI anything in regard to Mr. Jencks?

Mr. MATUSOW. I don't recall. I believe I might have.

The CHAIRMAN. Mr. Matusow, I have been absent. I want to see if I understand you, sir. You speak of a visit in 1950; is that correct?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. You broke with the Communist Party in 1951?

Mr. MATUSOW. January, sir.

The CHAIRMAN. January 1951. Were you reporting to the FBI before you broke with the Communist Party?

Mr. MATUSOW. Yes, sir; I was.

The CHAIRMAN. Proceed.

Mr. SOURWINE. Will you say now that whatever you reported to the FBI about Mr. Jencks at that time from the ranch was accurate?

Mr. MATUSOW. No, I wouldn't.

Mr. SOURWINE. But you just stated that you were careful to report accurately?

Mr. MATUSOW. I said I tried to be accurate, but at times I wasn't.

Mr. SOURWINE. Will you state now that you did or did not make any deliberate misstatements in your reports to the FBI at that time?

Mr. MATUSOW. I can state I believe in my reports to the FBI at times I put in surmise and hearsay and not facts.

Mr. SOURWINE. We are talking about the facts in the reports which you made from San Cristobal Valley Ranch?

Mr. MATUSOW. I am referring to those reports. At times I put in my surmise and hearsay. That is my recollection. I have not seen those reports since I filed them, or I believe I might have seen them once while preparing testimony in a case, but I don't have any recollection of the reports. I think, in order to answer that question, I would have to see those reports.

Mr. SOURWINE. Mr. Matusow, seeing the report now wouldn't help you any because you have testified that you don't remember the facts.

Mr. MATUSOW. Sir, the reports were contemporary documents, and being contemporary, written at the time, I believe they would do a great deal of good to refresh my recollection as to what happened at the San Cristobal Valley Ranch, what actually happened, what I actually reported, and would fill in a lot of gaps in my recollection and would help the committee quite a bit.

Mr. SOURWINE. You mean you would believe those reports if you read them?

Mr. MATUSOW. I would believe the reports, or I would be able to point out to the committee where I fabricated or enlarged upon facts.

Mr. SOURWINE. If you don't remember what the facts are now, how would you be able to point out the errors in the reports?

Mr. MATUSOW. Sir, frequently I don't remember a date. I refresh my recollection by looking at a calendar. I remember a date frequently that way. I don't remember a date of last year, and I look at this year's calendar and know, because it is not a leap year, it is the day preceding. If it was Tuesday last year, it would be Wednesday, or some such thing. Memory is based on many facts. I believe my memory is good enough to be refreshed by seeing those FBI reports.

Mr. SOURWINE. Was there a key or code in those reports by which if you read them you could tell what was true and false?

Mr. MATUSOW. By just reading them, sir. We are talking in a hypothetical sense, now. I would have to see the reports and then say I could or could not refresh my memory.

Mr. SOURWINE. Are you saying simply, in essence, this, that if someone would show those FBI reports to you, you would then be willing to testify whether or not they were true, but that not seeing them, you are unable to testify whether or not they are true?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Do you know anything about the statutes on giving false information to the FBI?

Mr. MATUSOW. I don't know if that deals with the same statute as perjury. I am not familiar with that.

Mr. SOURWINE. Your attorneys haven't briefed you on that?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. You might ask them about it. You will be interested.

Mr. MATUSOW. All right, sir.

Mr. SOURWINE. Mr. Matusow, who was present at the ranch during the time you were there, other than yourself and Mr. Jencks and Mr. and Mrs. Vincent?

Mr. MATUSOW. Mr. Collins.

Mr. SOURWINE. Mr. Collins?

Mr. MATUSOW. Mr. Henry Collins, Jr. Mr. Robinson. I believe his name is Earl Robinson. A Mr. Kim. I forget whether that was his first or last name. He played the piano. A Mr. Marcus. I don't remember his first name.

The CHAIRMAN. Where was Mr. Robinson from?

Mr. MATUSOW. Los Angeles.

The CHAIRMAN. What business is he in in Los Angeles?

Mr. MATUSOW. He is a writer.

The CHAIRMAN. You don't remember his street address?

Mr. MATUSOW. Never knew it.

The CHAIRMAN. Where was Mr. Kim from?

Mr. MATUSOW. Berkeley, I believe.

The CHAIRMAN. Berkeley, Calif.?

Mr. MATUSOW. Yes.

The CHAIRMAN. What was his trade?

Mr. MATUSOW. Concert pianist.

The CHAIRMAN. What were his initials?

Mr. MATUSOW. I don't remember whether Kim was his first or last name. I believe it was his last. I am almost sure.

The CHAIRMAN. Who else was there?

Mr. MATUSOW. The Vincents. Mr. Collins.

The CHAIRMAN. Where was Mr. Collins from?

Mr. MATUSOW. I believe he was from this area.

The CHAIRMAN. From Washington?

Mr. MATUSOW. Washington or New York. I don't recall which.

Also Mr. Baisley.

The CHAIRMAN. What was Mr. Collins' business?

Mr. MATUSOW. He was eastern representative of the ranch and Mr. Marcus, I forget his first name, was a teacher in New York.

The CHAIRMAN. Mr. Marcus—where does he teach?

Mr. MATUSOW. He taught mathematics, or something, in New York City.

The CHAIRMAN. Do you know the school?

Mr. MATUSOW. No. He taught a course in radio or physics, because I had a textbook which was used in the New York public schools written by him called Elements of Radio. It was a book he had written, so the committee might be able to locate him on the basis of that.

Right offhand, that is all I can remember.

Senator JENNER. How long were you there?

Mr. MATUSOW. I got out there and spent about 8 or 9 days at the ranch, and then moved into town and about once or twice a week I

would have dinner at the ranch and called a square dance, once or twice.

Senator JENNER. How long were you there altogether?

Mr. MATUSOW. I came there in July and left Taos in November, went to New York.

Senator JENNER. You were at the ranch for 8 days?

Mr. MATUSOW. Approximately, sir.

Senator JENNER. How long were you in the town of Taos, N. Mex.?

Mr. MATUSOW. Until November 1950, November 6, 1950.

Senator JENNER. How long altogether?

Mr. MATUSOW. That would be July or August, including the time at the ranch.

Senator JENNER. All the 8 days you were there and the numerous times you visited back at the ranch, you only saw the people you named at the ranch?

Mr. MATUSOW. The people I saw at the ranch, those are the only ones I recall.

Senator JENNER. There were no others there that you recall?

Mr. MATUSOW. I don't remember their names.

Senator JENNER. There were others there, but you don't remember their names?

Mr. MATUSOW. That is right.

Mr. SOURWINE. Mr. Matusow, can you say concerning any of the persons you have named as having been met by you, or known by you at San Cristobal Valley Ranch that to your knowledge they were not Communists?

Mr. MATUSOW. I didn't know one way or another, sir.

Mr. SOURWINE. Were you with any member of the——

Mr. MATUSOW. Those people I just mentioned, I did meet somebody there I knew back East. I don't remember his name right now.

Mr. SOURWINE. I am talking about the people you mentioned. Your answer is "No," that you cannot say that they were or were not Communists, any of them?

Mr. MATUSOW. I don't know one way or the other.

The CHAIRMAN. Mr. Matusow, I am going to digress a minute to expand some on your testimony yesterday. Yesterday you testified that you went into the State of Washington, that you campaigned against Senator Jackson, that you told some lies about Senator Jackson for money. That is correct, is it not?

Mr. MATUSOW. In substance; yes, it is.

The CHAIRMAN. Who got you to go into the State of Washington?

Mr. MATUSOW. Through Senator McCarthy's office.

The CHAIRMAN. Through whom in his office?

Mr. MATUSOW. The Senator suggested I go out there. He told me that in Wisconsin; when I arrived in Washington, Surine, one of the Senator's staff, took me to see Otto Dekom, who was then administrative assistant to Senator Cain, and arrangement were made there.

The CHAIRMAN. By Mr. Dekom?

Mr. MATUSOW. Information was given to Mr. Dekom.

The CHAIRMAN. Did you talk to Mr. Dekom?

Mr. MATUSOW. Yes, I did.

The CHAIRMAN. How much were you paid?

Mr. MATUSOW. I don't recall the figure. I said I believe it was six or 7 hundred dollars.

The CHAIRMAN. Who paid you that money?

Mr. MATUSOW. I don't remember the gentleman's name. He was an attorney from Tacoma who was handling that aspect of it. He paid me the money in Seattle in the campaign headquarters of Senator Cain, with nobody else there, but I believe that I signed a receipt for it, and the receipt should exist or does exist.

The CHAIRMAN. Where did you go in the State?

Mr. MATUSOW. Just in Seattle and Tacoma.

The CHAIRMAN. Seattle and Tacoma.

Mr. MATUSOW. Right.

The CHAIRMAN. How were you transported into the State?

Mr. MATUSOW. Flew into the State, and drove between Seattle and Tacoma.

The CHAIRMAN. Who drove you between Seattle and Tacoma?

Mr. MATUSOW. I forget. There were a number of people I had contact with. I spoke at the American Legion hall in Seattle, cut a few recordings at a radio station that were used.

The CHAIRMAN. Do you remember the names of the people that you contacted?

Mr. MATUSOW. No, sir; I don't.

The CHAIRMAN. Do you recall any of their names?

Mr. MATUSOW. No, sir; but my recollection could be refreshed. One man was a former national commander of the American Legion, and I don't remember his name. He was in Seattle, and I presume he lived there.

The CHAIRMAN. Who induced you to go into the State of Montana?

Mr. MATUSOW. That decision was made at the same time that the decision about the State of Washington was made.

The CHAIRMAN. By whom?

Mr. MATUSOW. Senator McCarthy asked me. He felt I did such a good job for him in the State of Wisconsin in the primary of 1952 that I should go into the State of Montana.

The CHAIRMAN. Then you went into Montana?

Mr. MATUSOW. Again, sir, I contacted Mr. Surine here in Washington on the same occasion that I met Mr. Dekom.

Mr. SOURWINE. During the period of preparation for your book, while you were recording on tape your conversations with Mr. Kahn, were you imagining things or making them up, or were you giving him your best recollection so as to get it on tape to be used as a basis for your book?

Mr. MATUSOW. I don't think the question should deal with the tapes. I will answer that in a second. I was just talking about things that I recalled there with many personal observations which were never intended for publication.

Mr. SOURWINE. That is understood. I am trying to find out if you were leveling with Mr. Kahn at that time.

Mr. MATUSOW. Not at first, sir. I was holding back from Mr. Kahn because I didn't know him well enough and didn't trust him.

Mr. SOURWINE. Did you make any misstatements deliberately during the course of those tape recordings?

Mr. MATUSOW. A few, sir.

Mr. SOURWINE. I will read from the transcript of the tape recordings, from page 4-5. You were recounting some of your activities in different States during the campaign.

Mr. MATUSOW. Is this reel 4, page 5?

Mr. SOURWINE. That is right.

Scoop Jackson, who had been elected to Congress the first time, with Hugh DeLacy and a few others. J. J. O'Connell was chairman of the Democratic Party in the State of Washington, and according to sworn testimony before the Campbell committee in the State of Washington, DeLacy and he were members of the Communist Party and so were two other Congressmen from the State of Washington, and have been accused of being Communist Party members. This was all a part of this plan that McCarthy and McCarran set up.

That raises a number of questions.

First, I will ask you broadly: Was that the truth that you told Mr. Kahn at that time?

Mr. MATUSOW. Well, I was talking about some of the bases for my attack upon Senator Jackson. That was true, the bases for it. Taken out of context there, the second part, Senator McCarthy knew about that. The third part where I mention the late Senator McCarran, that was what I believed and my opinion at the time in relation to the hearings in Salt Lake City in October 1952; that is, to have an effect on the Rocky Mountain area by attacking or having hearings on the Mine, Mill and Smelter Workers Union who were then supporting many Democratic candidates for Congress. That is how the Senator from Nevada's name got into that.

But again I state that those tape-recorded conversations taken out of context were just small quotes—you have 6 hours of full recording there of statements made by me off the top of my head without much paperwork, much of it done in order to find out what Mr. Kahn really wanted at the time, even though we had signed a contract. I didn't know if we were going to do a book, and I think statements made in those tape recordings—

Mr. SOURWINE. You had a contract with him at this time?

Mr. MATUSOW. Look, sir, I have said here to this committee and in court that I had accused Mr. Kahn of being a Communist. I didn't know whether he was or not. I didn't know what his intent was in telling me he wanted to publish a book by me. I didn't trust him when I first met him.

Senator JENNER. I thought you said at this time you had quit lying. You told us that yesterday.

Mr. MATUSOW. This is something entirely different.

Senator JENNER. What were you speaking of? You are speaking of the late fall of 1954, aren't you?

Mr. SOURWINE. This is in November of 1954.

Mr. MATUSOW. Early in November.

Senator JENNER. You were still lying.

Mr. MATUSOW. I don't think that was lying, in that tape.

Senator JENNER. You just got through testifying that you were trying to give Mr. Kahn what he wanted.

Mr. MATUSOW. I didn't say that.

Senator JENNER. Mr. Reporter, will you read the record back, please. I am tired of this kind of testimony. I want to know whether he said he was trying to give Mr. Kahn what he wanted.

(The record was read by the reporter.)

Senator JENNER. That covers it, Mr. Reporter.

Now I would like an answer to my question.

Mr. MATUSOW. What do you really want—did he want me to do a book or did he have an ulterior motive. When I first met him I had a little apprehension about the man, but I found out they were unjustified and unfounded apprehensions. I made myself trust Mr. Kahn because he was the only publisher who said he was willing to publish this book.

Senator JENNER. So you admit in November 1954 you were still lying, you were not telling Mr. Kahn the truth. You were trying to give him what he wanted; is that correct?

Mr. MATUSOW. I said I wanted to find out what he really wanted.

Senator JENNER. You weren't telling him the facts, the truth, were you?

Mr. MATUSOW. I wasn't telling him all the truth in that matter.

Senator JENNER. All right. That is all I want to know.

Senator HENNINGS. Mr. Chairman, may I try to clarify something in my own mind.

The CHAIRMAN. Yes.

Senator HENNINGS. Did Mr. Kahn, Mr. Matusow, bear any relationship to your trip in the Western States to take part in the campaign of 1954?

Mr. MATUSOW. 1952.

Senator HENNINGS. I am new on this committee. I am sorry, I haven't all the background.

Mr. MATUSOW. 1952.

Senator HENNINGS. You campaigned, as I understand, in 1952.

Mr. MATUSOW. Yes, sir.

Senator HENNINGS. In what States?

Mr. MATUSOW. States of Montana, Washington, Utah, two speeches in Idaho. I believe I forgot to mention Idaho yesterday. I set foot in the State of Nevada. I didn't make any speeches there. I did something else, and some local speeches around Dayton, Ohio, in relation to the candidacy of the late Senator Taft for President, and also in New York City. And I believe one speech in Connecticut.

Senator HENNINGS. Did you take any part in the campaign of 1954?

Mr. MATUSOW. No, sir; not at all.

Senator HENNINGS. At whose inducement or at whose request did you go to these States in which you did take an active part in the congressional and senatorial campaigns?

Mr. MATUSOW. In the Rocky Mountain area, at Senator McCarthy's request.

Senator HENNINGS. By the Rocky Mountain area you mean what States?

Mr. MATUSOW. The Western States—Montana, Washington, Idaho, Utah, and I had also been in Wisconsin prior to the primaries of 1952.

Senator HENNINGS. Did you undertake to participate in the Presidential portion of that campaign or were your efforts directed only to the senatorial?

Mr. MATUSOW. In my speeches I attacked Adlai Stevenson, the Democratic candidate for President.

Senator HENNINGS. Did you make any representations in your speeches relating to Mr. Stevenson's loyalty to the Government of the United States?

Mr. MATUSOW. I believe in substance, I said, because he defended Alger Hiss and I believe I said he had vetoed some law in the State

of Illinois, dealing with subversives, subversive activities, and had a very bad record on this, I accused him of being pro-Communist or an unwitting tool of Communists, or something like that, and left the impression that he wasn't capable of handling the Communist question, when I spoke.

Senator HENNINGS. As I understand it, you were at that time testifying as a former member of the Communist Party?

Mr. MATUSOW. Yes, sir, I was testifying as an expert on communism.

Senator HENNINGS. And you were making representations predicated upon what you then said was your former affiliation with the Communist Party and your special understanding of the Communist line, so to speak?

Mr. MATUSOW. Yes, sir; that is correct.

Senator HENNINGS. And the Communist affiliations of various and sundry persons whose names you mentioned.

Mr. MATUSOW. That is right, sir.

Senator HENNINGS. I believe you also took some part in the campaigns in the State of Washington, where Senator Jackson was elected to the Senate in 1952?

Mr. MATUSOW. Yes.

Senator HENNINGS. You took an active part in the campaign in Montana, when Senator Mansfield was elected?

Mr. MATUSOW. That is right, sir.

Senator HENNINGS. You also took an active part in the State of Utah, the campaign in the State of Utah?

Mr. MATUSOW. Yes, sir.

Senator HENNINGS. Mr. Matusow, before we get into the substance of it, if I may continue just a moment, Mr. Chairman. I hope I am not going over old grounds and burdening and imposing upon the committee, but this I haven't been able to quite clarify in my own mind in the questions that have been asked this afternoon heretofore.

The CHAIRMAN. Proceed.

Senator HENNINGS. Who specifically first asked you to go West to take part in these campaigns? What individual?

Mr. MATUSOW. Senator McCarthy.

Senator HENNINGS. Where did that first conversation with him take place relating to these matters?

Mr. MATUSOW. In the home of Urban Van Susteren in Appleton, Wis.

Senator HENNINGS. Do you recall when that was?

Mr. MATUSOW. A few days prior to the primary, which was September 9, 1952, between Labor Day and September 9, 1952.

Senator HENNINGS. At whose invitation did you go to this place of meeting with Senator McCarthy?

Mr. MATUSOW. I had been campaigning actively, making speeches for the Senator in his bid for reelection in the primary, and I had been invited to Wisconsin by the McCarthy Club of the State of Wisconsin.

Senator HENNINGS. Yes. You met the Senator at his home?

Mr. MATUSOW. Senator McCarthy lived there at that time.

Senator HENNINGS. You were invited by him?

Mr. MATUSOW. I believe by Urban Van Susteren and the Senator. I was expected. I don't recall how I got there that night.

Senator HENNINGS. What conversations were had, in substance, about your taking part in the campaign in some of these Western States?

Mr. MATUSOW. Well, there had been some reports as far as the Senator was concerned about my speeches in Wisconsin, the speech I made in Green Bay, Appleton, Madison, where I made one, in Ashland, and a few other cities. He said he wanted me to continue to campaign. I was not reluctant to go on. He felt that I could be very effective using the same type of approach I had used in Wisconsin, in the State of Montana, the State of Washington, outlining those two States specifically at the time. As I recall, it was more Montana than anything else. He had some definite opinions about the then Congressman Mansfield before he was elected to the Senate.

Senator HENNINGS. Was there any suggestions made to you at that first meeting as to the kind and character of campaign you were to make or might be expected to make against any individuals, and I have specific reference to Senator Jackson and Senator Mansfield?

Mr. MATUSOW. There were specific references in relation to Senator Mansfield, as to his policy and position when he had been with the House Foreign Relations Committee, Foreign Affairs, or Foreign Relations. I forgot which it is.

Senator HENNINGS. Foreign Affairs in the House.

Mr. MATUSOW. Foreign Affairs. His policy or position taken on the question of China at the time General Marshall was under attack. Senator Mansfield was also a delegate to the United Nations when he was in Congress. He had taken a position which was opposed to that which Senator McCarthy had taken on China, and Senator McCarthy mentioned that. He termed Mansfield as one of those responsible for the situation in China. That was the main thing I remember. There were other statements made about his record and earlier votes on appropriations for the House Un-American Activities Committee. I don't recall if I got that there or later. So I will retract that, if I may.

Senator HENNINGS. What was said with respect to Senator Jackson?

Mr. MATUSOW. The very same statements, and also that he had a new deal, ADA, very left-wing approach as far as Senator McCarthy was concerned, that his position was too far to the left. He had in the past had a voting record which the Communist Party supported, or helped the Communist Party, or something of that nature, and in substance, that was what happened.

Senator HENNINGS. Did you have any independent knowledge of the voting record or activity or political beliefs of either of these candidates for the Senate, Senator Mansfield or Senator Jackson?

Mr. MATUSOW. No; I had none.

Senator HENNINGS. You did not?

Mr. MATUSOW. No.

Senator HENNINGS. What arrangement was made, if any, for your expense, transportation, and subsistence; or for any other compensation related to your trip west?

Mr. MATUSOW. When I got to Washington after the work in Wisconsin, it was late in September, as I recall. I was in contact with Don Surine, who was then working for Senator McCarthy.

The CHAIRMAN. Was he in Washington?

Mr. MATUSOW. Yes; it was here in this building.

The CHAIRMAN. You came to the city of Washington?

Mr. MATUSOW. Yes.

The CHAIRMAN. Who paid your expense from the city of Washington to the State of Washington?

Mr. MATUSOW. I didn't go from here to Washington; from Washington, D. C., to Washington State. I flew down from New York for a day to meet with Surine.

The CHAIRMAN. When did you go to the State of Washington?

Mr. MATUSOW. I went there in October. I flew up from Salt Lake City.

The CHAIRMAN. Who paid your expenses?

Mr. MATUSOW. Not for that part. This committee paid my expenses from New York to Salt Lake City, and from Salt Lake City back to New York.

The CHAIRMAN. Who paid your expenses from Salt Lake to the State of Washington?

Mr. MATUSOW. I believe the gentleman who paid me the money in Senator Cain's campaign. I forgot his name.

Senator HENNINGS. Thank you, Mr. Chairman.

Do I understand you to say that this committee paid your expenses from Washington, D. C. to Salt Lake City?

Mr. MATUSOW. Yes, sir; and back—no, sir—from New York City to Salt Lake City, and back.

Senator HENNINGS. You were——

Mr. MATUSOW. I was a witness.

Senator HENNINGS. You went there for the purpose——

Mr. MATUSOW. Of being a witness.

Senator HENNINGS. For testifying before this committee?

Mr. MATUSOW. Yes, sir.

Senator HENNINGS. Or a portion of it?

Mr. MATUSOW. Sir, may I be excused for just 2 minutes—my back is stiff—just to get up and walk around?

The CHAIRMAN. We will recess for a few minutes.

(Recess.)

The CHAIRMAN. We will come to order; let us have order. Proceed, Mr. Hennings.

Senator HENNINGS. Thank you, Mr. Chairman.

Mr. Matusow, who did you say paid you to go into the State of Montana?

Mr. MATUSOW. I received the cash, I received it from a Mr. J. H. Morrow, an attorney in Bozeman, Mont.

Senator HENNINGS. How much did he pay you?

Mr. MATUSOW. I do not recall the exact figure. I think he paid on a number of occasions, five, six hundred dollars, on 2 or 3 occasions. He also furnished payment for chartering a private airplane on two occasions for me—arranged for a private airplane to be at my disposal twice. Whether he paid for it or not, I do not know, but I did not pay for it.

Senator HENNINGS. Where were these payments made to you in relation to the Montana campaign?

Mr. MATUSOW. During the month of October, in his office, in Bozeman, Mont.

Senator HENNINGS. And it was in the neighborhood, you say, of something between \$1,500 and \$2,000?

Mr. MATUSOW. It could have been that high. This covered expenses, as well as money which was to be my fee—it covered hotel bills and traveling expenses, and what not.

Senator HENNINGS. Well, now, by "fee," you mean an honorarium, so to speak?

Mr. MATUSOW. In fact, I think that is the term he used; yes, sir.

Senator HENNINGS. For your services, in advising people of that State—

Mr. MATUSOW. Yes, sir.

Senator HENNINGS (continuing). As to whom they should elect to the United States Senate? You understand, Mr. Matusow, and I want it clearly understood, that my inquiry is not based upon any partisan interest in what happened on that occasion—

Mr. MATUSOW. Just on your last statement, sir—

Senator HENNINGS. I think some of us are very much interested that you should be paid in going into States and discussing matters of this character as a part of the campaign, electing United States Senators or prospective Senators, and who instigated or who encouraged it, and certainly who paid you for your services.

Did you have any tape recordings made of any of your speeches?

Mr. MATUSOW. Sir, I have a number of those speeches tape recorded, and it would take me a matter of between a week or so to locate the specific speeches of this campaign and have copies, true copies, of the recordings for you, if you care for them.

Senator HENNINGS. You can produce those if this committee should desire that you do so?

Mr. MATUSOW. I can, sir.

Senator HENNINGS. Will you make arrangements to produce them in the event that the committee should want them?

Mr. MATUSOW. I will make a note of that now, sir.

I have recordings covering the State of Montana, phonograph recordings of the State of Utah, and tape recordings of the State of Wisconsin; those three categories covered in the recordings, which I still have in my possession.

Senator HENNINGS. Mr. Matusow, in the State of Montana you made speeches; approximately how many?

Mr. MATUSOW. I will give you that figure in a second, sir. I will just go city by city, and then give you the total—just a moment, sir; I will be right with you.

I spoke in 9 or 10 communities and, for instance, in Great Falls I made 7 speeches; in Cut Bank, Mont., 2 speeches; Bozeman, Mont., I think I made 1. In Billings, Mont., I recall 1 or 2. In Fort Benton, Mont., two speeches. In Roundup, Mont., two. In Red Lodge, I believe I made two. In Livingston, I believe I made two. In Lewiston, I believe I made two, as well as a number of radio broadcasts, speeches which I made.

I think that there were 3 or 4 of those, maybe 2 or 3.

Senator HENNINGS. Did you prepare all of your own material for these speeches?

Mr. MATUSOW. I took material that others had prepared and put it in my words.

Senator HENNINGS. Do you know who prepared the other material?

Mr. MATUSOW. I knew who prepared some of the material, sir.

Senator HENNINGS. Who?

Mr. MATUSOW. As I say, I said this morning, sir, some of the material I used was given me by Don Surine, and some of the material I was told came from Washington—had been prepared by Senator McCarthy's office.

Senator HENNINGS. That, of course, is hearsay. You did not actually have any handed to you by Mr. Surine or——

Mr. MATUSOW. Yes, sir; I did, sir.

Senator HENNINGS. You did?

Mr. MATUSOW. Yes.

Senator HENNINGS. I say, over and above that material that was delivered to you here in Washington—was it?

Mr. MATUSOW. Yes, sir.

Senator HENNINGS. Before you went to Montana?

Mr. MATUSOW. Yes, sir.

Senator HENNINGS. And was material later handed to you in the State, after you arrived there?

Mr. MATUSOW. Yes, sir.

Senator HENNINGS. By whom?

Mr. MATUSOW. Mr. Morrow, Mr. V. O. Overcash, of Cut Bank, Mont. I have certain correspondence with Mr. Overcash substantiating that, on the very subject that I am talking about now.

Senator HENNINGS. Who is Mr. Overcash?

Mr. MATUSOW. He was then county clerk of Cut Bank, and he was the chairman of the front organization that sponsored me, called the Montana Citizens for Americanism. He was the only member I knew of, of that organization.

He was also, I believe, State committeeman of the American Legion.

Senator HENNINGS. Did you at any time during the course of this campaign in the State of Montana represent yourself as being sponsored by the American Legion?

Mr. MATUSOW. I believe under oath at one time I said, no, and upon further check of certain documents I found out that a leaflet was put out saying the American Legion sponsored me, but I do not believe I represented myself as that, sir. I do not recall it.

Senator HENNINGS. You were not, in fact, sponsored by the American Legion, were you?

Mr. MATUSOW. No, I was not, sir.

Senator HENNINGS. Now, as to the State of Washington, did you go to the State of Washington before or after your efforts in the State of Montana?

Mr. MATUSOW. Directly afterward, sir.

Senator HENNINGS. You went immediately from Montana to Washington?

Mr. MATUSOW. I went immediately in a car from Montana, drove to Salt Lake City, spent an hour, about, there, got on a plane and flew up to Seattle, Wash.

Senator HENNINGS. Who drove you down there?

Mr. MATUSOW. I drove myself.

Senator HENNINGS. Whose car did you go in?

Mr. MATUSOW. A rented automobile.

Senator HENNINGS. How many speeches did you make in the State of Washington?

Mr. MATUSOW. I made 1 speech, and 2 or 3 radio recordings, that I recall. It might have been 2 speeches, but my memory is a little hazy on whether it was 1 or 2.

Senator HENNINGS. Who furnished you material, either material which you used as furnished or which you interpolated or accommodated to your own purposes?

Mr. MATUSOW. A part of the material I used in the State of Washington was material, the same material I had used in Montana, just changed it from Mansfield to Jackson. And other material was furnished me by certain people out there—I forget who—I think I based some of it on this State investigative committee report, this Cantwell committee, and I believe Mr. Cantwell then was running for Congressman at Large in the State of Washington.

Senator HENNINGS. Who paid you for your campaigning in the State of Washington?

Mr. MATUSOW. I do not recall the gentleman's name, an attorney from Tacoma.

Senator HENNINGS. How much were you paid in the State of Washington?

Mr. MATUSOW. My recollection then for the few days that I was there, was six or seven hundred dollars.

Senator HENNINGS. Do you remember the name of the man who paid you?

Mr. MATUSOW. No, sir, I don't.

Senator HENNINGS. Do you remember where the money was paid to you?

Mr. MATUSOW. Yes, sir.

Senator HENNINGS. Where?

Mr. MATUSOW. It was paid to me in Seattle, in the—there was a store—office, a ground floor store near the hotel I was staying at, which was used as headquarters for the election headquarters for Senator Cain at the time. It was also located in a hotel in Seattle. And I was there, and the money was handed to me.

Senator HENNINGS. Do you remember the capacity in which the person who paid you the money was said to be acting at the time?

Mr. MATUSOW. He had some official connection with the campaign for the reelection of Senator Cain.

Senator HENNINGS. At any rate, it was in the campaign headquarters?

Mr. MATUSOW. Oh yes, sir. He was an officer.

Senator HENNINGS. Mr. Matusow, are you aware of the fact that the Montana House of Representatives, by a vote of 86 to 4, voted recently to instruct the Governor and the attorney general of Montana to extradite you for violation of the Montana Criminal Libel Act?

Mr. MATUSOW. No, sir; I was not aware of that until right now.

Senator HENNINGS. Or to extradite you for violations of the election laws of the State of Montana?

Mr. MATUSOW. I was not aware of that, sir. Had I been, I would still state what I am stating now.

The CHAIRMAN. Senator Daniel.

Senator DANIEL. Did I understand you to say that you did not go into the State of Utah in the 1954 campaign?

Mr. MATUSOW. No, I did not campaign anywhere in 1954.

Senator DANIEL. Were you in Utah in 1954 at all?

Mr. MATUSOW. I drove through the State of Utah in July, I believe, or late June.

Senator DANIEL. Make any kind of speeches at all?

Mr. MATUSOW. No.

Senator DANIEL. You testified in two proceedings in the State of Texas; one in the Jencks case, in the United States district court at El Paso?

Mr. MATUSOW. Yes, sir.

Senator DANIEL. And then the other, before the Texas Industrial Commission, which was inquiring into Communist domination of certain labor organizations in the State of Texas, December 4, 5, and 6, 1953. Did anyone ask you to falsify testimony, or suggest to you any of the false testimony that you have said that you gave in those two hearings: one, the court case, and the other, the hearing before the Texas Industrial Commission?

(Senator Watkins entered the hearing room.)

Mr. MATUSOW. I will take them one at a time, in chronological order.

Senator DANIEL. The Jencks case?

Mr. MATUSOW. That came second, but in the Jencks case, no, sir, the falsifications, false testimony, were my own doing. I don't want to—I didn't at any time want to imply that any Justice Department official knowingly accepted this false testimony in that case.

Senator DANIEL. In the Jencks case?

Mr. MATUSOW. That is correct.

Senator DANIEL. That is true of the local prosecutors in El Paso who handled that case for the Government?

Mr. MATUSOW. That is right; and the prosecutor here, who was down there.

Senator DANIEL. Mr. Alderman?

Mr. MATUSOW. It is true of Mr. Herring, from Austin; Mr. Williams, of El Paso; and Mr. Alderman, of Washington.

Senator DANIEL. Of the Department of Justice?

Mr. MATUSOW. That is correct.

Senator DANIEL. In other words, whatever evidence that you gave that you now say was false, you made it up yourself; no one else asked you?

Mr. MATUSOW. There was no coercion or no knowledge on their part of that fact—on those, of those three men, or anybody connected with that case.

Senator DANIEL. Now, let us take the Texas Industrial Commission hearings; you were under oath there?

Mr. MATUSOW. The same holds for it there, too, in relation to your first question, sir. I was invited by the attorney general's office of Texas to testify in that proceeding before the industrial commission. The attorneys working on that case, only had as the basis for their knowledge of what I purportedly knew of, my past testimony before this committee, specifically on the question of these trade unions, and they accepted that as the truth. And when they contacted me, they had no way of knowing it was not, or any of that testimony, was not the truth.

Senator DANIEL. And you voluntarily went before the Texas Industrial Commission, did you not?

Mr. MATUSOW. That is right, sir.

Senator DANIEL. No one asked you to go there; no one asked you to come there?

Mr. MATUSOW. Why, I was invited to appear.

Senator DANIEL. By the attorney general of the State?

Mr. MATUSOW. Yes, sir; basing it upon testimony I had given this committee.

Senator DANIEL. And no one told you what to say or coerced you in any way in that appearance, did they?

Mr. MATUSOW. No, sir; I was not coerced or told what to say.

Senator DANIEL. I understand, Mr. Chairman, that this witness will be back before us. I want to go into a considerable portion of this testimony in Texas, in both the Jencks case and before our Texas Industrial Commission, because by the witness' own testimony, he is guilty of perjury in the State of Texas, and the officials in that State have indicated to me that they intend to ask him back to the State for another visit.

I would like to ask one other question.

As I understand it, you were a member of the Communist Party from 1947 to 1951; is that correct?

Mr. MATUSOW. Yes, sir.

Senator DANIEL. Four years?

Mr. MATUSOW. Yes, sir.

Senator DANIEL. Will you furnish to this committee the names of all people whom you associated with in Communist Party meetings, and knew to be members of the Communist Party during that period of time?

Mr. MATUSOW. Yes, sir. That is one of the purposes of this hearing. I will do that.

Senator DANIEL. Will you prepare a list—

Mr. MATUSOW. Well—

Senator DANIEL (continuing). Of all of the people whom you know to have been members of the Communist Party or that you met within meetings?

Mr. MATUSOW. Well, sir—

Senator DANIEL. Just a moment. And bring that back, that list back to us the next time that the committee hears you as a witness?

Mr. MATUSOW. I have got—timewise, I can't prepare, get this diary ready for the committee—I can't get certain documents—I can't do all of these things between now and the day the committee wants me back, and prepare testimony for a grand jury, take care of the State of Montana thing, which I have just been informed of, find out what is happening in the State of Texas that you just informed me of, sir, go to El Paso, as I am supposed to be, on March 7, for the Jencks hearing, a grand jury down there, Judge Dimock's court tomorrow, the grand jury tomorrow and the next day, and this—I am sorry, sir, it is just too much.

Senator DANIEL. You have burdened yourself with a lot of work.

Mr. MATUSOW. I will, at the earliest possible time, go through all of my past testimony and recollections, and distinguish between people who are identified as Communists whom I did not know as Commu-

nists, and those who I did identify as Communists who I did know, which I believe will be in effect an answer to your question.

Senator DANIEL. Then you will at the next hearing—

Mr. MATUSOW. At the earliest possible convenience in relation to the other work.

Senator DANIEL. At the next hearing I would like for you to bring the longest list that you can think of in the meantime—at the next hearing—of those people whom you actually know who have been Communists.

Mr. MATUSOW. Well, sir—

Senator DANIEL. Will you do that?

Mr. MATUSOW. I will try my best to accomplish that. Whether it is completed, only time will tell.

Senator DANIEL. You do know that Mr. Jencks was a Communist?

Mr. MATUSOW. No, sir; I don't.

Senator DANIEL. Well, you were at the Salt Lake hearing—you heard him—you were there, and he heard you testify that he had said that his labor union was going to slow down production of copper?

Mr. MATUSOW. Yes, sir.

Senator DANIEL. So as to hurt our forces in Korea?

Mr. MATUSOW. I heard that.

Senator DANIEL. He heard you testify to that; did he not?

Mr. MATUSOW. Yes, sir.

Senator DANIEL. And then the committee asked Mr. Jencks, "Is that true?"

Mr. MATUSOW. And he invoked the fifth amendment to the Constitution of the United States.

Senator DANIEL. He said he would not say, because it might incriminate him?

Mr. MATUSOW. Well, sir—

Senator DANIEL. And he even, when they asked him whether he knew you, he refused to testify, because he thought it might incriminate him; did he not?

Mr. MATUSOW. Sir—

Senator DANIEL. Is that right?

Mr. MATUSOW. He did, but—

Senator DANIEL. And you heard the man do that; did you not?

Mr. MATUSOW. Yes, sir; I did.

Senator DANIEL. That is the man that you want to help out now and get out of the conviction in El Paso; is that correct?

Mr. MATUSOW. Sir, I am just trying to undo the harm I did.

Senator DANIEL. He is the same Jencks, though?

Mr. MATUSOW. Sir, if somebody else has proved that he is a Communist—

Senator DANIEL. He is the same man?

Mr. MATUSOW. He is the same man.

If somebody has proof that he is a Communist and wants to convict him, that is the Government's cause, but so long as it is not on my false testimony.

The CHAIRMAN. Senator McClellan.

Senator McCLELLAN. I believe you are going to recess this hearing for some period of time after this afternoon?

The CHAIRMAN. Well, as far as this witness is concerned.

Senator McCLELLAN. That is what I mean—so far as this witness is concerned. I think there is something that should be cleared up, if we can clear it up before we leave.

As I understand the witness, he testified that he went into the State of Montana, the State of Washington, to campaign, in the campaign against Senator Jackson and Senator Mansfield. He used an approach which carried with it, as I understand it, the implication that Senator Jackson, possibly Senator Mansfield were Communists or near-Communists, or something on that order, in sympathy with that; is that correct?

(Senator Jenner left the hearing room.)

Mr. MATUSOW. In substance, that is correct, sir; yes.

Senator McCLELLAN. Were you at that time lying, when you were campaigning; did you know you were lying?

Mr. MATUSOW. Yes, sir; I knew I was lying when I left those false impressions.

Senator McCLELLAN. That is correct.

Now, then, who arranged with you to go out there?

Mr. MATUSOW. Originally, Senator McCarthy.

Senator McCLELLAN. Who else? You mentioned two.

Mr. MATUSOW. Don Surine, here in Washington. And then I met with Otto Dekom, here in Washington.

Senator McCLELLAN. What I am trying to determine—

Mr. MATUSOW. I am sorry, sir.

Senator McCLELLAN. You had mentioned Senator McCarran's name, did you not?

Mr. MATUSOW. That had nothing to do with Montana.

Senator McCLELLAN. I want to clear that up.

Mr. MATUSOW. It had nothing to do with it.

Senator McCLELLAN. Or the State of Washington?

Mr. MATUSOW. Nothing to do with it.

Senator McCLELLAN. Senator McCarran had no connection with any arrangements which were made for the campaign in either of those States?

Mr. MATUSOW. No, sir. That is why I raised the question of that recording being wrong.

Senator McCLELLAN. You also mentioned former Senator Cain's name.

Mr. MATUSOW. Yes, sir.

Senator McCLELLAN. Did he have any connection with making arrangements for you to go to the State of Washington?

Mr. MATUSOW. I think he did not know I was coming, and when I got there he accepted the fact that I was there, but he had nothing to do with the arrangements made for my going out there.

Senator McCLELLAN. What I am trying to determine is whether those who made the arrangements with you to go out and campaign knew that you were going out to do this lying, smearing on these men? Was that the purpose?

Mr. MATUSOW. Yes, sir; very much so, sir.

Senator McCLELLAN. Then Senator McCarthy knew that that was the purpose of your going?

Mr. MATUSOW. Yes, sir; and he was out there with me, doing the same thing.

Senator McCLELLAN. Well, did he—what I am trying to determine, did he arrange for you to, knowingly, go out there and lie and misrepresent the facts?

Mr. MATUSOW. Well, he knew what I was doing, and he knew I was misrepresenting facts; yes, sir.

Senator McCLELLAN. Senator Cain—former Senator Cain—knew the same thing?

Mr. MATUSOW. No; I don't believe so, sir.

Senator McCLELLAN. I was just trying to get a distinction here, whether you included all three whom I have mentioned and whom you had referred to. I may have misunderstood about Senator McCarran, but I thought—

Mr. MATUSOW. I didn't—

Senator McCLELLAN (continuing). You left the implication that Senator McCarran was in on the arrangement.

Mr. MATUSOW. I tried to clarify that when Mr. Sourwine took that quote of a conversation of mine.

Senator McCLELLAN. I do not think it quite clarified that.

Mr. MATUSOW. Thank you.

Senator McCLELLAN. I think, in all justice to Senator McCarran's character and reputation, that it should be clarified and should not be left—

Mr. MATUSOW. Thank you, sir.

Senator McCLELLAN (continuing). With any misunderstanding about it in the public mind, that he had anything to do with the character of the campaign that you made against Senator Jackson and against Senator Mansfield. So you now absolve him from any connection with it whatsoever?

Mr. MATUSOW. With my going out there? Yes, sir.

Senator McCLELLAN. I think that is all.

The CHAIRMAN. When you got to the State of Washington whom did you report to?

Mr. MATUSOW. Well, I believe one of the first people I saw was Senator McCarthy himself. My recollection is—if it is correct—he was just about ready to leave the State.

The CHAIRMAN. Well, now, who, connected with the Republican organization in the State of Washington, did you report to?

Mr. MATUSOW. I don't remember his name. That is the same gentleman who paid me.

The CHAIRMAN. The same man that paid you?

Mr. MATUSOW. Yes, sir.

The CHAIRMAN. Who told you to contact this man?

Mr. MATUSOW. I had received that information from—gosh, I just don't remember who gave me that information.

The CHAIRMAN. Was it given you here in Washington?

Mr. MATUSOW. No, sir. It was given me out in Utah or up in Montana. I believe, if my memory serves me correctly—and it is pretty accurate on this now that I am thinking more about it—somebody in the State of Washington had gotten in touch with Mr. Morrow up in Bozeman, Mont., and up in Bozeman Mr. Morrow told me who I was to contact in the State of Washington. And from Bozeman I drove back to Salt Lake City and dropped this car off and caught a plane out, about an hour later, United Airlines, flew up to Seattle, Wash.

The CHAIRMAN. Who paid you the money to fly to Seattle?

Mr. MATUSOW. That was paid me up at Seattle, after I got there. (Witness confers with his counsel.)

Senator WATKINS. Before you leave that matter, I want to ask the witness a question. I asked him once before.

You went out to Salt Lake City because you were subpoenaed by the Internal Security Committee of the Senate?

Mr. MATUSOW. That is right, sir.

Senator WATKINS. That was the occasion for your going, and they paid you your fare out there and your per diem as a witness and your return fare back to Washington?

Mr. MATUSOW. That is correct, sir—back to New York, sir.

Mr. SOURWINE. Mr. Matusow, returning for just a brief moment to the matter of the San Cristobal Valley ranch, you remember testifying here with regard to Earl Robinson?

Mr. MATUSOW. I do, sir.

Mr. SOURWINE. Do you remember having stated that you did not know whether he was a member of the Communist Party?

Mr. MATUSOW. I had no direct knowledge of it, sir.

Mr. SOURWINE. Do you now, when I refresh your memory by telling you that he has been identified in hearings before the House Committee on Un-American Activities, as a well-known entertainer at Communist functions—does that refresh your memory?

Mr. MATUSOW. Well, I will state—I, at the time I testified, believed him to be a Communist, but I did not know him to be a Communist, and I think there is quite a difference.

Mr. SOURWINE. You have said that you were in the entertainment field?

Mr. MATUSOW. Yes, but—no, sir, I did not know him as a Communist, and I am sticking here to people who I knew through having worked with at Communist Party meetings and carried out Communist Party assignments with individuals—none other do I know as Communists. And I believe, because of the nature of the Communist question in this country today, it is not my position to surmise whether a person is or is not a Communist.

Mr. SOURWINE. Did you know Robert Earl, who produced the lyrics for a film entitled "Hell Bent for Election," which was shown at the national convention of the Democratic Party through the courtesy of the United Automobile Workers of America, CIO, and the Hollywood Democratic Committee?

Mr. MATUSOW. Are you talking about "Yip" Harburg? Is that "Yip" Harburg?

Mr. SOURWINE. That is right.

Mr. MATUSOW. I met him.

Mr. SOURWINE. You met Mr. Robert Earl?

Mr. MATUSOW. I do not know that other name. I met "Yip" Harburg once, maybe twice.

Mr. SOURWINE. I am asking if you knew Robert Earl, who, with Harburg, wrote those lyrics.

Mr. MATUSOW. Never heard of him.

Mr. SOURWINE. Never heard of the lyrics?

Mr. MATUSOW. No.

Mr. SOURWINE. The phonograph records of those lyrics were on sale at Communist bookshops all over the country, were they not?

Mr. MATUSOW. If I heard the lyrics I might remember it, but you are just talking about a title that does not ring a chord.

Mr. SOURWINE. Did you know that Earl and Robinson were one and the same?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. I want to ask, did you testify with regard to Harry K. Wells being at the San Cristobal Valley ranch?

Mr. MATUSOW. No, sir; I believe my testimony is that he was the proprietor of the ranch.

Mr. SOURWINE. Do you know Harry K. Wells?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. Is he a Communist?

Mr. MATUSOW. I knew him to be a Communist; yes, sir.

Mr. SOURWINE. You knew him to be a Communist?

Mr. MATUSOW. Yes, sir.

Mr. SOURWINE. One more question. While you were at Taos, N. Mex., last fall, did you contact anyone at the San Cristobal Valley ranch?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Were any negotiations had with regard to your book or the writing of your book, or any preliminary chapters or outlines for it made, either at the San Cristobal Valley ranch or with anyone there?

Mr. MATUSOW. No, sir.

Mr. SOURWINE. Were they made at Taos?

Mr. MATUSOW. Other than the phone call with Mr. Kahn, which I have described, none other.

The CHAIRMAN. That will be all.

We will recess——

Senator JOHNSTON. Just a minute. Going back to Montana——

Mr. MATUSOW. I am sorry; I did not hear you.

Senator JOHNSTON. Going back to Montana, did you speak at Great Falls Airfield?

Mr. MATUSOW. Yes, sir; on three occasions.

Senator JOHNSTON. Three occasions?

Mr. MATUSOW. Yes.

Senator JOHNSTON. How did you get permission to speak on the airfield?

Mr. MATUSOW. I don't know who arranged it, but it was obtained.

Senator JOHNSTON. Mr. Chairman, I think one thing that we have to ferret out is Communists.

I believe that this man acknowledges that he was for about 5 years in the Communist Party; is that true?

Mr. MATUSOW. Four, sir.

Senator JOHNSTON. Four?

Mr. MATUSOW. A little less than 4, approximately.

Senator JOHNSTON. A little less than 4.

Now, then, I think it would be well for him to take about 5 minutes of his time and leave here with the committee the names and addresses of Communists that he dealt with that he knew while he was a Communist.

If you are really and truly trying to help out this country this particular time, are you willing to do that?

MR. MATUSOW. I stated, sir, that I will, for the committee, when you want it identified, people—people who I worked with as a Communist.

If you want a more complete list, sir, I will give you a partial list now. I can give you a more complete list at a later date.

SENATOR JOHNSTON. I think it would be well to get as many as we can right now, and then later you can give us more names.

MR. MATUSOW. When they come up, sir, if the people were Communists, and the committee wants to know, you will get it.

THE CHAIRMAN. Please name some of these.

MR. MATUSOW. May I have a copy of my testimony on youth activities? I think right from that we can do a lot better than my memory.

THE CHAIRMAN. You can remember some Communists.

MR. MATUSOW. Sure, I can, sir.

THE CHAIRMAN. All right, dictate it. There is a stenographer there.

SENATOR HENNINGS. I think, Mr. Chairman, the Senator from South Carolina certainly intended that the witness name them, not write them down.

THE CHAIRMAN. I said dictate it into the record.

SENATOR HENNINGS. I do not think that the witness understood the chairman.

MR. MATUSOW. I was handed a pencil and paper and asked to use it.

I will start with the people I knew of the national committee. At the time, Mr.—I never met Mr. Foster, but I knew he was a Communist, and Mr. Eugene Dennis, whom I had met; Mr. Benjamin Davis, Mr. Robert Thompson, Mr. Gil Green, Mr. Carl Winter, Miss Elizabeth Gurley Flynn, Mr. Alexander Trachtenberg, Mr. George Blake Charney, Mr. Pettis Perry. I believe I said Robert Thompson.

A man named "Stretch" Johnson, who was in New York State. A Mr. Bassett, New York County Communist Party.

SENATOR DANIEL. What Mr. Bassett?

MR. MATUSOW. I forget his first name. B-a-s-s-e-t-t, I believe it is—two t's and two s's.

And Miss Baron—Rose Baron, B-a-r-o-n. Mr. Jack Walkenstein—he was New York County. Mr. Bob Vogel.

SENATOR DANIEL. Who?

MR. MATUSOW. Bob V-o-g-e-l. Miss Buckingham—I forget her first name. And I could do a lot better if I had that testimony for you, sir.

Kind of rough just digging in for names out of nowhere. That is all I can think of now. I am sure when I leave here I will think of a lot more, and I will send those to you registered mail.

SENATOR JOHNSTON. You know all of these names that you have given to be Communists?

MR. MATUSOW. I attended the Communist Party meeting, or carried out a Communist function with all of those people or received instructions from them—national committee members, that is, that I mentioned.

MR. SOURWINE. What meeting did you attend or what function did you carry out with Mr. Foster?

Mr. MATUSOW. I said, or knew. I believe I heard Mr. Foster speak at a Communist Party National Convention in 1948. And I think that was sufficient to establish his membership in the Communist Party.

Mr. SOURWINE. You have named all big people, have you not?

Mr. MATUSOW. No, sir; I haven't.

Mr. SOURWINE. Big in Communist Party?

Mr. MATUSOW. No.

Mr. SOURWINE. Well-known Communists?

Mr. MATUSOW. Well, I said I started out that way, sir, and, as I stated, there are a number of lists of names that I have given committees, this committee and the House committee, and I think it would be a lot easier, a lot more accurate, and would accomplish the committee's purposes a lot faster if I were able to go through those lists and say which were and which were not, when I identified them.

Mr. SOURWINE. Will you state here that every person that you ever knew to be a Communist has been named by you publicly under oath in testimony?

Mr. MATUSOW. Every one—every one that I could recall. I don't think my memory ever reached into the point of completion on any list of associations I have had.

Senator JOINSTON. So you were telling the truth before the congressional committees when you testified that they were Communists?

Mr. MATUSOW. Some people; yes, sir. And some people who were identified by surmise—I didn't know to be Communists—that is all I have been saying all along.

The CHAIRMAN. Senator Watkins.

Senator WATKINS. I think you have said before, but I am not sure—I want to make certain that you have made this statement, if I have heard you right—that you did not make any disclosures that you were lying about these various people until about a year ago?

Mr. MATUSOW. It was about a year, a year and a half, ago that I started to break out and tell people that I had lied.

Senator WATKINS. You did not tell anybody in 1952 that you had lied?

Mr. MATUSOW. No, sir. And I believe I stated yesterday, sir, too, while in Utah you did not know and had no way of knowing that I was lying, or the full extent of what I was doing.

Senator WATKINS. Did you tell Senator McCarthy that you were lying about these people?

Mr. MATUSOW. Didn't have to.

Senator WATKINS. Now, I ask you a question. Did you tell him that you were falsifying about these various people, and that the stories that you were telling, the testimony you were giving, was false?

Mr. MATUSOW. No, sir; I didn't, not until 1953 did I tell him.

Senator WATKINS. You did not tell anybody at that time?

Mr. MATUSOW. No, sir.

Senator WATKINS. You were at that time apparently in a position where your reputation was good, that you were believed and accepted as a reputable witness, were you not, in 1952?

Mr. MATUSOW. Yes, sir.

Senator WATKINS. In that campaign?

Mr. MATUSOW. I was considered reputable and was believed then.

Senator WATKINS. You were insisting that you were telling the truth all during that 1952 campaign?

Mr. MATUSOW. Yes, sir; I did insist.

Senator WATKINS. And you had testified in Salt Lake City?

Mr. MATUSOW. Yes, I did.

Senator WATKINS. At that hearing?

Mr. MATUSOW. Yes.

Senator WATKINS. And the only thing that you have retracted with respect to that hearing was the conversation you had with Jencks in New Mexico at that ranch?

Mr. MATUSOW. Not "a," but I believe a few conversations.

Senator WATKINS. Whatever conversations there were?

Mr. MATUSOW. Certainly, material contained within those conversations.

Senator WATKINS. You admit that you met him there, had conversations with him?

Mr. MATUSOW. Yes, sir.

Senator WATKINS. Every one of those corroborating circumstances you say now actually happened?

Mr. MATUSOW. As I stated so and so in the affidavit.

Senator WATKINS. The only thing that you withdrew was the conversations you had with Jencks about this matter of calling the strike about being a Communist?

Mr. MATUSOW. Right, sir.

Senator WATKINS. Those were the only ones that were wholly within your knowledge and the knowledge of Jencks, and the other parties to those conversations?

Mr. MATUSOW. Read the testimony, sir. I believe that one of the conversations there was a third party present.

Senator WATKINS. Well, there were several parties present, according to the testimony you gave in Salt Lake City. The point I am making now is this, that on the matters that could be checked up by the FBI and the Internal Security Committee investigators, you still insist are true, but the only matter they could not check on were the conversations—those conversations, of course, were getting to the heart of the whole thing.

Mr. MATUSOW. No, sir; that is not quite right.

Senator WATKINS. You point out something that—

Mr. MATUSOW. I recall, if I might have that affidavit—I think I can point out one where there was another party present—testimony with relation to a conversation with three of us there.

Senator WATKINS. I understand there were several, but they were all alleged by you to be Communists, and people who would be incriminated by the statements made—it would be to their interest—every one of them—to deny anything—that any such thing happened.

Mr. MATUSOW. I don't know, sir. Maybe one of those people who I accused of being a Communist was, and was reporting to the FBI and is going to come out and claim that I was lying now, or I was lying then. I don't know.

Senator WATKINS. Of course, it has already been called to your attention that Jencks refused to deny your testimony when he was confronted by you in Salt Lake City hearings.

Mr. MATUSOW. He refused to answer questions about it.

Senator WATKINS. That is right. He took the protection of the fifth amendment.

Mr. MATUSOW. He did, sir.

Senator WATKINS. Notwithstanding your statement was an outright charge that he and the Communists in the International Mine and Smelter Union had planned a strike to slow down production in order to slow down the war in Korea.

Mr. MATUSOW. He did not answer that. I believe he invoked the fifth amendment and thereby preserving his waiver—not giving—not waiving his right to use the fifth amendment, which is there to protect the innocent, to my recollection, as well as the guilty, sir.

Senator WATKINS. He even refused to say whether or not he even met you.

Mr. MATUSOW. Well, if he had said that, as I know the law about it, he would have waived his right to any conversations he had with me, then.

Senator WATKINS. I am sure you probably know the law, all right. You have been working with this matter for a long time.

Mr. MATUSOW. I believe he would have waived his right, sir, and therefore, had to, if he wanted not to talk about any conversations I have purported to have had with him, he would waive—

Senator WATKINS. I believe I will leave that to the lawyers and the judge.

Mr. MATUSOW. All right, sir.

Senator WATKINS. At any rate, you heard him claim the protection of the fifth amendment. You know from what you have said here that the strike followed soon after he made these statements.

Mr. MATUSOW. I also know, sir, I also knew—

Senator WATKINS. Will you answer the question, Did you know?

Mr. MATUSOW. Yes, sir; yes, sir.

Senator WATKINS. The circumstances all indicated that you were telling the truth—you were corroborated on the fact that the parties were down there—you still insist that that was true, but the only thing you deny is the conversation.

Mr. MATUSOW. Sir, all but one circumstance, which goes to contradict what I said then and was available then.

Senator WATKINS. What was that?

Mr. MATUSOW. That I claim the strike was called to cut off production of copper, but I knew then, and I know now, that the union had accepted the contract that the NLRB arbitrator had offered, but the companies had refused that contract the night before the strike. The union was ready to sign the contract, and not go on strike, but the company had refused that contract and, therefore, the strike was called.

And I believe the records of the NLRB will show that to be true. I knew it then.

Senator WATKINS. You did not know that at the time you testified?

Mr. MATUSOW. Well—

Senator WATKINS. Is not that right?

Mr. MATUSOW. I did, sir.

Senator WATKINS. You knew it at the time all that was taking place?

Mr. MATUSOW. Yes, sir.

Senator WATKINS. I think the records will contradict you on many important parts at that time.

Mr. MATUSOW. My recollection is that it was that.

Senator WATKINS. It fitted into a perfect picture, your testimony did.

Mr. MATUSOW. Yes, sir. I knew it couldn't be.

Senator WATKINS. I thought you were going to deny the whole thing that you even met them down there, that you had been present at the Communist ranch where they had a Communist school, all of that sort of thing—you do not deny any of that now, do you?

Mr. MATUSOW. I know the ranch. I knew there were Communists at the ranch.

Senator WATKINS. You knew that before, that they had the training school there.

Mr. MATUSOW. I did not know they had a training school there.

Senator WATKINS. You so testified, did you not, in Salt Lake City?

Mr. MATUSOW. I don't believe so.

Senator WATKINS. I think you said something about it.

Mr. MATUSOW. I don't believe so, sir.

Senator WATKINS. I may be mistaken.

Mr. MATUSOW. Somebody else might have done that. I don't believe I ever testified to that effect.

Senator WATKINS. All that you finally deny and retract are the conversations where there was no chance for the FBI or the committee to check on it, the actual conversations, not going to the very people that were implicated.

Mr. MATUSOW. The reason I was able to make those false accusations was because the other side could not check them, either, and they were able to stick because of the same reasons you are giving now.

Senator WATKINS. The Vincents were checked, and the Jenckses were checked—they all knew—they could all have testified—you were outnumbered 3 to 1, or 4 to 1.

Mr. MATUSOW. I believe in the conversations in which I accused Mr. Jencks of being a Communist and he was so convicted from those conversations with me he would have been the only witness to get up and refute it, and had he done so in court he would have waived his privileges against self-incrimination afforded all defendants in any criminal case and, therefore, could not get up and refute that one charge and have to answer all other questions which might—I don't know—but might have incriminated him.

The CHAIRMAN. Who advised you of that?

Mr. MATUSOW. When I started out in this business of being a witness I used to quote the fifth amendment a lot, but I wanted to know what the fifth amendment meant, and I wanted to know what constituted a waiver under the fifth amendment, where you could do it, and I just began checking with numerous lawyers whom I knew, to find out what it was.

The CHAIRMAN. Did anybody advise you about Jencks, and is that the reason he took the fifth amendment?

Mr. MATUSOW. This is something I surmised now.

The CHAIRMAN. Answer me "yes" or "no."

Mr. MATUSOW. No, sir; nobody advised me.

Senator WATKINS. That is all I have. We have got the story.

The CHAIRMAN. We will recess now until 10:30 in the morning.

Mr. MATUSOW. Is there any date for my return sir?

The CHAIRMAN. We will make it 10 o'clock instead of 10:30.

(Whereupon, at 5:25 p. m., the subcommittee recessed, to reconvene at 10 a. m., Wednesday, February 23, 1955, in executive session.)

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