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THE REPORT OF THE ROYAL COMMISSION

*Appointed under Order in Council P.C. 411
of February 5, 1946*

TO INVESTIGATE THE FACTS RELATING
TO AND THE CIRCUMSTANCES SUR-
ROUNDING THE COMMUNICATION, BY
PUBLIC OFFICIALS AND OTHER PERSONS
IN POSITIONS OF TRUST OF SECRET
AND CONFIDENTIAL INFORMATION TO
AGENTS OF A FOREIGN POWER.

JUNE 27, 1946.

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Honourable Mr. Justice Robert Taschereau
Honourable Mr. Justice R. L. Kellock
Commissioners.

E. K. Williams, K.C.
Gerald Fauteux, K.C.
D. W. Mundell, Esq.,
Counsel.

W. K. Campbell, Esq.
Secretary.

J. H. Pepper, Esq.
Deputy Secretary.



OTTAWA
EDMOND CLOUTIER
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1946

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SECTION I

INTRODUCTORY

Your Excellency:—

Re: Order in Council P.C. 411

SECTION I

The above mentioned Order in Council is dated the fifth day of February, 1945, and reads as follows:—

TEXT OF ORDER IN COUNCIL, P.C. 411 OF FEBRUARY 5, 1946,
ESTABLISHING THE ROYAL COMMISSION
P.C. 411

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor General on the 5th February, 1946.

The Committee of the Privy Council have had before them a report dated 5th February, 1946, from the Right Honourable W. L. Mackenzie King, the Prime Minister, representing:—

That it has been ascertained that secret and confidential information has been communicated directly or indirectly by public officials and other persons in positions of trust to the agents of a Foreign Power to the prejudice of the safety and interests of Canada;

That by Order in Council P.C. 6444 dated the 6th day of October, 1945, the Acting Prime Minister and the Minister of Justice were authorized to make an Order that any such person be interrogated and/or detained in such place and under such conditions as the Minister might from time to time determine if the Minister were satisfied that it was necessary so to do;

That it now seems expedient in the public interest that a full and complete inquiry be made into all the facts relating to and the circumstances surrounding the communication by such public officials and other persons in positions of trust of such secret and confidential information to the agents of a Foreign Power.

The Committee, therefore, on the recommendation of the Prime Minister, advise that the Honourable Robert Taschereau, a Judge of the Supreme Court of Canada, and the Honourable R. L. Kellock, a Judge of the Supreme Court of Canada, be appointed Commissioners under Part I of the Inquiries Act, Chapter 99, Revised Statutes of Canada, 1927, and any other law thereto enabling, to inquire into and report upon which public officials and other persons in positions of trust or otherwise have communicated, directly or indirectly, secret and confidential information, the disclosure of which might be inimical to the safety and interests of Canada, to the agents of a Foreign Power and the facts relating to and the circumstances surrounding such communication.

The Committee further advise:—

1. That for all such purposes and all purposes properly incidental thereto the said Commissioners shall without limiting the powers conferred upon them by the said Part I of the said Inquiries Act, have and possess the power of summoning and that

they be empowered to summon before them any person or witness and of requiring them to give evidence on oath or affirmation, orally or in writing, and of requiring them to produce such documents and things as the Commissioners deem requisite to the full investigation of matters into which they are appointed to examine;

2. That the said Commissioners be directed that a record shall be made of all the evidence which shall be given or produced before them as to the matters of the said inquiry and that the oral evidence of witnesses before the said Commissioners shall be taken in shorthand by a shorthand writer, approved and sworn by the said Commissioners or one of them and shall be taken down question and answer and it shall not be necessary for the evidence or deposition of any witness to be read over to or signed by the person examined and said evidence shall be certified by the person or persons taking the same as correct;

3. That the said Commissioners may adopt such procedure and method as they may deem expedient for the conduct of such inquiry and may alter or change the same from time to time;

4. That the said Commissioners be empowered in their discretion from time to time to make interim reports to the Governor in Council on any matter which in their judgment is the proper subject of such a report together with the evidence then before them and their findings thereon;

5. That the said Commissioners be authorized to engage the services of such counsel and of such technical officers, and experts, and other experienced clerks, reporters and assistants as they may deem necessary and advisable; and

6. That all the privileges, immunities and powers given by Order in Council P.C. 1639, passed on the 2nd March, 1942, shall apply.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council P.C. 6444 referred to in the above is set out in full in Section XI of this Report. Order in Council P.C. 1639, also referred to in Order in Council P.C. 411, is as follows:—

P.C. 1639

AT THE GOVERNMENT HOUSE AT OTTAWA

Monday, the 2nd day of March, 1942.

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Prime Minister reports that, in his opinion, it is desirable that a Commissioner conducting any inquiry under the Inquiries Act, R.S.C. 1927, Ch.99, involving investigation into any matter concerning the armed forces of Canada should have certain immunities and powers;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Rt. Hon. W. L. Mackenzie King, the Prime Minister, and under and by virtue of the powers vested in the Governor in Council by the War Measures Act, Ch. 206 of the Revised Statutes of Canada, 1927, is pleased to order and doth hereby order that, where under any order of the Governor in Council heretofore or hereafter made, a Commissioner is appointed under the Inquiries Act, Ch. 99 of the Revised Statutes of Canada, 1927, to inquire into any matter concerning the armed forces of Canada, such Commissioner shall have all the immunities enjoyed by any

Judge of any Superior Court in Canada while exercising his judicial functions, and that any and all powers and authority of any such Judge relating to any contempt of Court, whether committed in the face of the Court or elsewhere, shall be vested in such Commissioner in respect of such inquiry; and in particular, but without limiting the generality of the foregoing, that such Commissioner shall have all the powers, jurisdiction and authority of any such Judge for the purpose of enforcing any order made by him concerning any inquiry held in camera in order to safeguard the secrecy thereof.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Certified copies of Order in Council P.C. 411 were handed to us on the sixth day of February, 1946, and we at once took steps to proceed with the Inquiry with which we were charged.

Pursuant to the powers given to us by *The Inquiries Act*, R.S.C. 1927 c.99 we appointed as our Counsel Mr. E. K. Williams, K.C., Mr. Gerald Fauteux, K.C., and Mr. D. W. Mundell.

We appointed Mr. W. K. Campbell, as Clerk to the Commission and later Mr. J. H. Pepper as Assistant Clerk.

We also appointed the necessary shorthand reporters and typists.

Before commencing our sittings we perused and studied the original documents brought by Igor Gouzenko from the Russian Embassy, his written statement, and various memoranda of the evidence which he would be able to give.

We commenced hearing evidence on the 13th day of February, 1946, and from then to the 18th of April sat continuously each week day with a very few exceptions. From then on we continued to take evidence as witnesses were available and we held our last sittings to hear witnesses on the 27th day of June, 1946.

The procedure that we followed is set out in some detail in Section XI of this Report. We may add that we have heard some 116 witnesses, many of whom had to be recalled more than once, have studied about 1000 Exhibits filed before us, and the evidence taken runs to over 6000 pages.

We have made three Interim Reports dated respectively the 2nd, 14th and 29th days of March, 1946, attached hereto as Appendices A, B and C respectively and now have the honour to submit our Final Report.

We are including in this Report as Appendices D, E, F, G, H and I reproductions of certain of the documents put before us by Gouzenko so that those reading the Report will know what the originals looked like.

We are also handing you with this Report a complete transcript of all the evidence taken by us and the originals, or copies, of all the Exhibits

filed with us. Some of the original Exhibits are not available for transmission because they are in use in various Courts. Others have been returned to the various Departments from which they were brought. In all such cases reproductions have been made.

Many of the Exhibits accompanying this Report are original files which eventually will be required by the respective Government Departments from which they came. We suggest that as these are asked for, they be delivered to the proper custodians, photographs being substituted where that is considered advisable, and that the Departments be directed to retain and preserve the originals.

We feel we should say something here about the translations of the various documents written in Russian. We are advised that even in ordinary cases translation from Russian into English presents a difficult problem. The documents which were placed before us presented greater difficulties. Some of them were not well written, some of them were obviously translations from English into Russian, abbreviations of Russian words were used which were difficult to identify, words were missing or struck out or blurred and the writers of some of the documents often expressed the titles of Canadian officers or ranks and other terms in what they believed to be the Russian equivalents. At the commencement of the Inquiry translations were placed before us; these were gone over with Gouzenko, who suggested certain changes, and as the Inquiry proceeded we arranged to have complete new translations made by two other translators acting jointly. They have made very few changes in substance, none of which affect any of the Interim Reports, and we are using these new translations in this Report.

All translations have been literal. The important difference is that new translations include, suitably distinguished by asterisks and footnotes, certain words and passages which appeared in Russian on the original but had been struck out by the author. Occasionally these words and passages are significant. For example, there are instances where a real name was noted but then struck out and a cover-name substituted. This Report shows the document with these words and passages included, but clearly distinguished from the remainder. However, the examination of some of the witnesses quote parts of the earlier translations, and thus these latter appear in certain excerpts from the transcription which are set out in this Report. There are in no cases differences of substance.

SECTION II

THE GENERAL PATTERN

1. INTRODUCTORY

Igor Gouzenko

It was Igor Gouzenko who revealed the existence in Canada of a widespread conspiracy to obtain secret official information.

Gouzenko, who had been sent to Canada in June, 1943, with the official title of "civilian employee" of the Soviet Embassy at Ottawa, was the cipher clerk on the staff of the Military Attaché, Colonel Zabotin.

On the night of September 5th, 1945, Gouzenko left the Embassy with a certain number of documents from his own office, including telegrams sent to Moscow, others received from Moscow, which he had enciphered and deciphered, as well as other documents made either by Russian officials of the Embassy or by other persons living in Canada. After having gone through the experiences detailed in Section X of this Report, Gouzenko eventually told his story to the R.C.M.P., who reported to the Canadian Government.

He has undoubtedly been a most informative witness and has revealed to us the existence of a conspiratorial organization operating in Canada and other countries. He has not only told us the names and cover names of the organizers, the names of many of the Canadians who were caught "*in the net*" (to employ the phrase used by the documents) and who acted here as agents, but he has also exposed much of the set-up of the organization as well as its aims and methods here and abroad.

There can be no doubt in our minds that these attempts, very often successful, to obtain here secret and confidential information cannot be qualified as casual or isolated. They are not merely the acts of over-zealous Soviet employees anxious to inform their own Government. The set-up of this organization in Canada is the result of a long preparation by trained and experienced men, who have come here for the express purpose of carrying on spying activities, and who have employed all the resources at their disposal, with or without corruption, to fulfill the tasks assigned to them.

Some of these men have undoubtedly been well-schooled in espionage and Fifth Column organizational methods, and in political and psychological "development" techniques.

Gouzenko himself came to Ottawa only after he had been through the training that his superiors thought essential for the work he was chosen to perform. At 16 he was a member of the *Komsomol* or "Young Communist League", which is a youth movement controlled by, and preparatory to membership in, the Communist Party. He was instructed first in coding and decoding in a secret school after having been investigated by the N.K.V.D., which is the official secret political police of the Soviet Union, and it was only after five months of such investigation that he was given access to secret cipher work. He was later transferred to the Main Intelligence Division of the Red Army in Moscow, where he spent one year. During that year he saw, in the course of his work, a large number of telegrams to and from many countries, detailing operations there similar to those which he has disclosed in Canada. Finally, after further investigation, Gouzenko was sent to Canada.

Secrecy

Gouzenko has described to us the extreme secrecy in which the espionage operations were conducted here. He lived with his family at 511 Somerset Street, Ottawa, but he had his own office in the secret cipher department which is located on the second floor at the Embassy, No. 285 Charlotte Street. He worked in room 12, one of the eight rooms on the second floor of a wing of the building, the entrance of which is closed by a double steel door, and the windows of which have iron bars and steel shutters which are closed at night for the purpose of complete secrecy. In this room is a steel safe which contains many of the important documents of the Military Intelligence. The cipher books which Gouzenko used to encipher and decipher telegrams, were kept in a sealed bag which was handed every night to one Aleksashkin, and in the same bag were also placed the telegrams that came from Moscow and the telegrams sent to Moscow. In the safe were kept the agents' records, Colonel Zabolotin's secret diary, and other documents of the Military Intelligence Service. From time to time, some of these documents were destroyed in an incinerator located in room 14.

In rooms of this secret wing the cipher clerks of the various branches of the Soviet Mission in Ottawa were located. They numbered five in all:— The N.K.V.D., the Embassy proper, the Political Section, the Commercial Section, and the Military. The N.K.V.D. Section sent its messages to the N.K.V.D. Headquarters in Moscow; the Embassy, the messages of the Ambassador and his staff to the Commissariat for Foreign Affairs; the Political Section, which was under Goussarov, communicated directly with the Central Committee of the Communist Party of the Soviet Union; the

Commercial Section, headed by the Commercial Counsellor Krotov, sent its messages to the Commissariat for Foreign Trade; and the Military Section, headed by Colonel Zabotin, the Military Attaché in Ottawa, communicated with the Director of Military Intelligence in Moscow.

All these cipher clerks operated independently and each one used a different cipher which was unknown to the others.

This extreme secrecy with which the acts of the espionage branches of the Mission were clothed, at the Embassy, was also exercised with great care by the Russians in their relations with their agents, and by the agents themselves in their mutual contacts. "*After reading, burn*" were standard instructions on written assignments of tasks given by Colonel Zabotin and his associates to the agents. The meetings of agents at night on street corners and in automobiles, and the use of "cover-names" and "go-betweens", indicate the secrecy with which the operations were conducted.

"Cover-names" were used by the Russian leaders of the espionage system not only for themselves, their Russian assistants, and their agents, but also to refer to places, organizations, and things. Thus Canada was sometimes referred to as *Lesovia*; the Soviet Embassy as *metro*; the N.K.V.D., or Russian secret political police, as *The Neighbour*; passports as *shoes*; the Communist Party of Canada or other countries except the U.S.S.R. as *The Corporation* and its members as *corporants* or *corporators*; any hiding place as a *dubok*; a legal "front" for illegal activities as a *roof*; and the military espionage organization itself as *Gisel*.

Colonel Zabotin's cover-name was "*Grant*". The cover-names of the most important Russian members of his espionage staff are listed, with the respective real names, on page 16. The cover-names and real names of Zabotin's other agents, who have been identified, are listed on page 85. Appendix J is an alphabetical key to cover-names appearing in this Report.

The funds needed by Colonel Zabotin to finance his operations were sent to him from Moscow and the following telegram sent by him to Moscow makes it clear how important it was considered that the transmission of this money should be concealed:—

247

To the Director:

Although you are sending us operational sums of money through *metro*, we nevertheless have to get them through the bank. In this way the purpose of secrecy is defeated. Could you send us Canadian dollars

by mail? This would ensure full secrecy for the operational sums. At present the sums sent by you would not attract attention as we are carrying out repairs, are buying a car and there are people coming etc. In the future this will be noticeable.

Grant

11.9.45

In other words, it was considered that the sums being spent for Colonel Zabotin's purposes, would not attract attention so long as legitimate heavy expenditures were being made, but might become noticeable by reason of their size after the legitimate heavy expenditures had ceased.

In various written instructions to agents we find the following:—

" . . . I beg you to instruct each man separately about conspiracy in our work. . . . "

" . . . All the materials and documents to be passed by Bagley, Bacon and Badeau have to be signed by their nicknames as stated above. . . . "

" . . . Any meeting with Bacon, Badeau, Bagley must not take place indoors, but on the street and, moreover, separately with each one and once a month. . . . "

" . . . The materials from them must be received the same day on which you must meet me in the evening. The materials must not be kept with you even for a single night. . . . "

" . . . Their wives must not know that you work with and meet their husbands. . . . "

" . . . Warn them to be careful. . . . "

Gouzenko has also revealed to us, that in Colonel Zabotin's house, 14 Range Road, Ottawa, complete photographic equipment was installed for the purpose of photographing documents for Moscow.

When Gouzenko came to Canada in June, 1943, he arrived with Colonel Zabotin who had the official title of "Military Attaché". With them was Major Romanov, Zabotin's secretary. Zabotin did not come here to inaugurate a system of espionage, but to continue and amplify the work of his predecessors.

As early as 1924, there was an organization at work in Canada directed from Russia and operating with Communist sympathizers in Canada. Two of the most active persons in this organization were Fred Rose, born Rosenberg, in Lublin, Poland, and Sam Carr, born Kogen or Cohen in Tomachpol, Russian Ukraine. Sam Carr, speaking Russian perfectly, went to Russia.

While in Russia he took a course at the "Lenin Institute" where the matters taught included political subjects, and also such practical subjects such as the organization of political movements, fomentation or extension or prolongation of strikes for ulterior purposes, sabotage methods, espionage, and barricade fighting. The students received a very good education as "agents conspirators".

Early Stage of the Military Intelligence Network

(Sokolov, Koudriavtzev, Zabolin)

Major Sokolov, on his arrival in Ottawa in 1942, began to reform the previous organization, and was directed by "*Molier*", who has been identified as one Mikhailov, an official of the Soviet Consulate in New York who came to Canada for that purpose. Major Sokolov, whose cover-name was "*Davie*", came to Canada before the opening of a Soviet diplomatic mission here, ostensibly as a Soviet inspector to work in Canadian factories in connection with the Canadian Mutual Aid Program to the U.S.S.R.

So far as the evidence discloses, the first head of the Military Intelligence espionage system in Canada after the arrival of the Soviet Minister was Sergei N. Koudriavtzev, whose official title was First Secretary of the Legation (later Embassy). From the time of the latter's arrival until Zabolin came as Military Attaché, Sokolov reported to and took his instructions from Koudriavtzev. In June, 1943, the latter handed over Sokolov and the espionage organization to Zabolin.

The basic facts relating to Sokolov's group are set out in notes made by Colonel Zabolin himself when he took over Sokolov's organization in June, 1943. The information which Zabolin obtained from Sokolov was noted by the former in his own handwriting in his private notebook and these notes were obviously added to from time to time. The pages which relate to Sokolov's organization were torn out by Zabolin himself from his notebook, and were given by him to Gouzenko to destroy by burning in the incinerator.

These notes reveal that Sokolov's organization was as follows:—

1. *Fred* or *Debouz*, (Fred Rose) under whom worked:

- (a) *Gray* (H. S. Gerson)
- (b) *Green* (unidentified)
- (c) *The Professor* (Raymond Boyer)

Rose's contacts were:

1. *Freda* (Freda Linton)
2. *Galya* (unidentified)

2. An auxiliary group:
 - (a) *Gini* (unidentified)
 - (b) *Golia* (unidentified)
3. The second group (Ottawa-Toronto):
 - (a) *Sam* or *Frank* (Sam Carr)
 - (b) *Foster* (J. S. Benning)
 - (c) *Ernst* (Eric Adams)
 - (d) *Polland* (F. W. Poland)
 - (e) *Surensen* (unidentified)
4. Russian "go-betweens":
 - (a) Mrs. Sokolov (contact between Sokolov and Koudriavtzev, presumably necessary because Sokolov was at that time living in Montreal)
 - (b) *Martin* (Zheveinov)
 - (c) *The Economist* (Krotov)

When Colonel Zabolotin arrived in Ottawa, he immediately began to expand this organization, a process that continued until his departure in December, 1945, for a visit to Moscow from which he does not appear to have returned.

He directed the operations from his residence at 14 Range Road, Ottawa, and he had under him for espionage purposes a considerable Russian staff, which increased steadily, and included the following:—

NAME	OFFICIAL POSITION	COVER-NAME
Lt.-Col. Motinov	Assistant Military Attaché.	<i>Lamont</i>
Major Rogov	Assistant Military Attaché, Air.	<i>Brent</i>
Krotov	Commercial Counsellor	<i>The Economist</i>
Major Sokolov	Staff of Commercial Counsellor.	<i>Davie</i>
Sergei Koudriavtzev	First Secretary of Embassy.	<i>Leon</i>
Lt. Angelov	Staff of Military Attaché.	<i>Baxter</i>
Zheveinov	TASS correspondent	<i>Martin</i>
Major Romanov	Secretary of Military Attaché.	_____
Lt. Levin	Interpreter.	<i>Runy</i>
Captain Galkin	A door-guard.	_____
Lt. Gouseev	A door-guard.	<i>Henry</i>
Lt. Lavrentiev	A chauffeur.	_____
Captain Gourshkov	A chauffeur.	<i>Chester</i>
Igor Gouzenko	Cipher Clerk.	<i>Klark</i>

This organization, being the one for which Gouzenko was the cipher clerk, is the only one of the espionage systems which we have been able to investigate in detail, because it was in that branch of the Embassy only that Gouzenko had access to the documents.

SECTION II. 2

PARALLEL UNDER-COVER SYSTEMS

It seems, however, that several parallel under-cover systems, or networks, existed in Canada under the direction of members of the Soviet Embassy but independent and distinct from Zabotin's (Red Army Intelligence) organization; and that these parallel systems, had and may still have their own under-cover agents operating in Canada.

This method of maintaining several distinct networks has obvious advantages from a security point of view for those operating them, as no one person, even among the directing Soviet personnel, would know the names of the Canadians acting as agents in more than one of the networks. Correspondingly, investigation by the Canadian authorities is rendered more difficult.

Gouzenko told us:—

“ . . . They (the Soviet Government) were trying to establish a Fifth Column in Canada. What transpired is only a modest or small part of all that is really here. You may have discovered fifteen men but it still leaves in Canada this dangerous situation because there are other societies and other people working under every Embassy, under every Consul in each place where there is a Consulate. It is just like a number of small circles. There are parallel systems of spies or potential agents. . . . The last telegram asked about the mobilization of resources in Canada. They wanted to know everything possible about everything concerned in Canada. They wanted to know the natural resources that Canada could mobilize in case of war, her coal, oil, rare metals and so on.”

Gouzenko testified that there was a five-man committee in Moscow which passes on Soviet officials who are being sent to foreign countries. This committee consists of representatives of the N.K.V.D., the Military Intelligence, the Naval Service, the Commercial Service and the Diplomatic Service. Gouzenko said:—

“ . . . and each of them send their own men and they try to put on more of their own men. Intelligence tries to put more of their own men; Commercial Service tries to put more than the Diplomatic, and so on with the other representatives.”

We have endeavoured to obtain from Gouzenko all the information he could give us about the “various circles” or “Parallel systems”. He has

expressed the opinion that the records he placed before us give the names or cover-names of all the persons in Zabolin's organization. This is the one organization with which he is personally familiar. But from the work he was doing and what he saw and heard in the course of his work he was able to give us certain other information and at our request he also told us what he deduced from these facts in the light of his own training in Soviet methods.

The Parallel Military System

Gouzenko said:—

"Then according to conversations between Sokolov and Zabolin I think they suspected that there existed a parallel military intelligence system, parallel to Zabolin's. The same thing was true in the United States, according to a telegram I saw. The chief of the Technical Bureau is head of one parallel system; military intelligence has another system."

This system was apparently also directed by the Red Army Intelligence Headquarters in Moscow, but not through Col. Zabolin. Gouzenko testified that it was only, as it were, by accident that Zabolin learned of its existence in Canada, although Zabolin and his immediate colleagues had always been quite aware of the existence of some of the other parallel networks operating in Canada including that of the N.K.V.D. directed by Pavlov (A Second Secretary of the Soviet Embassy in Ottawa), with which we deal below.

A. . . . Then there was another case when two members of the Commercial Counsellor's Office went to the Canadian Patent Office and asked for information about the secret invention of radar. They spoke bad English and the Canadian authorities thought that they were German agents and called the police. They were held and they were checked up and then released.

Q. Who went to the Canadian Patent Office?

A. Two employees of the Commercial Counsellor's office.

Q. What purpose did they go there for?

A. They asked about the invention of radar, and because what they asked for was secret they were under suspicion. They were arrested but were released immediately. Of course this was mentioned to Sokolov and Sokolov immediately told it to Zabolin. Zabolin became very angry and he wrote a big telegram to Moscow. He said that the Neighbour should not work with such

hooligan methods. He described what had happened and he said that these were *Neighbour's* people, Pavlov's people. It was Matrenichev and Zhukov.

Q. I see that Matrenichev is mentioned on Exhibit 15, but I do not see Zhukov.

A. I do not think I mentioned Zhukov.

Q. You mentioned him but he is not on Exhibit 15.

A. No, because this is the Commercial Attaché's office, and there are fifty or more people. I could not mention all of them. I just mentioned several of them. They said that such careless work would attract the attention of Canadian authorities to the Military Attaché, but they would not suspect Pavlov or anybody else. So he suggested that Pavlov must stop using such methods. He called them hooligan methods.

Then followed an exchange of telegrams between Zabotin and *The Director* in Moscow, from which Zabotin understood that there was in operation in Canada a parallel network to his own, but which like his own was directed by the Military Intelligence Headquarters in Moscow.

There had been several previous instances of friction between the parallel systems and particularly between Pavlov's network and Col. Zabotin's. Gouzenko said that such cases of friction—often arising through efforts to "develop" the same agent—were not uncommon in other countries also, as he had learned during his year at Red Army Intelligence Headquarters in Moscow.

One result of the irritation evidenced by Zabotin toward Pavlov, in his telegrams on the incident outlined above, was the receipt of simultaneous instructions by Zabotin and Pavlov from Military Intelligence Headquarters and N.K.V.D. Headquarters, respectively, that all disputes must be settled, and that there should be no more quarrelling between the various systems operating in Canada.

The N.K.V.D. System

There can be little doubt that the N.K.V.D., previously called the O.G.P.U., and which is the secret political police of the Soviet Union, have a powerful organization in Canada. In the documents exchanged between Zabotin and *The Director* of the Military Intelligence Service in Moscow, which have been produced before us, the N.K.V.D. is mentioned by its cover-name *The Neighbour*.

In a telegram sent by Colonel Zabotin, whose cover-name was *Grant*, to Moscow on the 9th of August, 1945, Colonel Zabotin expresses fears as to the advisability of employing one Norman Veall as an agent to work for him. He says:—

. . . The possibility is not excluded that he may have already tied up with the Neighbour. I consider it necessary to warn the Neighbour. . . .

On the 22nd of the same month *The Director* replied:—

To Grant:

1. Your 243.

We have here no compromising data against Veal, nevertheless the fact that he has in his hands a letter of recommendation from a corporant who was arrested in England (which he did not take care to destroy) compels us to refuse to have any contact with him whatsoever, the more so that many already call him a "Red".

To the neighbour he must surely be known; if not, inform him of the break in my instructions.

Warn Alek that he should have no conversations whatever with him about our work.

Corporant is the cover-name used to refer to a member of any Communist Party outside the Soviet Union. *Alek* is Professor May.

On another exhibit we find the following note:—

Fred—director of corporation. Previously worked at the Neighbours, up to 1924.

Fred is Fred Rose. *The Corporation* is a cover-name used to refer to any Communist Party outside the Soviet Union.

In another telegram sent by Colonel Zabotin to Moscow we find with reference to an agent:—

I think it is better to get rid of him, or to give him to the Neighbour.

To this telegram *The Director* replied that it would be preferable to wait, as this agent might prove to be useful to Zabotin's network. But later Zabotin was instructed to discuss the question of transfer with *The Neighbours*.

In this work in Ottawa Zabolin was using both Sam Carr and Fred Rose for his "military" espionage network. Pavlov sought to approach Sam Carr for his N.K.V.D. network, but Moscow said:—"Don't touch Sam Carr."

When Moscow asked Zabolin if he knew a certain "Norman" he answered that he did not. Then Motinov and Zabolin thought they had identified him; they asked Pavlov about the man they had in mind, and Pavlov said:—"Don't touch Norman we work with him". Zabolin then telegraphed Moscow:—"The Norman about whom you ask, we think is Norman Freed and 'neighbours' are busy with him". Moscow did not answer this telegram.

While Gouzenko's evidence and the documents establish the existence of the N.K.V.D. organization in Canada, we have been unable to ascertain the extent of its infiltration and the identity of its Canadian or other agents. We have, however, sufficient evidence to show that the N.K.V.D. system is parallel to, but entirely independent of and quite distinct from the military espionage network. Gouzenko stated in his evidence that the N.K.V.D. network was more extensive than that of Colonel Zabolin; that it had been operating much longer in Canada, and that it had several agents among members of the staff of the Soviet Embassy in Ottawa, and was headed by Pavlov.

Gouzenko was asked to explain what the name N.K.V.D. stands for.

Q. What is the N.K.V.D.?

A. That is the Department of Internal Affairs; previous it was called the O.G.P.U., but now it is the N.K.V.D.

Q. Is it the Department of Internal Affairs or a branch?

A. No, it is all the Department of Internal Affairs. Their business is in every office, in every plant, in every regiment in the Red Army, in every office of the Red Army, in every civilian school. The representatives of the N.K.V.D. have what they call a secret cabinet.

Q. Is it a secret police?

A. Yes, it is a police.

A. Each institution, school, plant, industrial plant, the Red Army and even the branches of the government, all have an official representative of the N.K.V.D. in the organization. He has a special room set apart, a secret room, where he does his business. And then he has his secret agents moving around amongst the workers, amongst the students, the school students, the school children, and

amongst the employees of the various institutions in government and civil life.

While one of the functions of the N.K.V.D. unit in Ottawa was apparently to keep tab on the Russian members of the Embassy staffs and to report on them to the N.K.V.D. headquarters in Moscow, as already stated they also operated an under-cover network of Canadian agents. Its functions included checking and reporting to the Russians on members of the Communist Party of Canada, as well as espionage. Gouzenko said:—

A. When I was working in Moscow as a cipher clerk at that time, that is the first time I saw this expression *Neighbour*. I worked there about a year and from the telegrams I saw and from conversations I understood that that was the cover name for another system, a parallel system, an independent system. The N.K.V.D. system is under the Minister of Internal Affairs — there is no Commissar now. This system exists as a parallel. When I arrived in Canada, some days later, I understood that Pavlov is the head of N.K.V.D.; the Second Secretary; he is the head of the N.K.V.D.

.

Q. Was there any N.K.V.D. organization in Canada prior to the first Russian Minister coming here?

A. From the correspondence which I read, I understand there was.

Q. From the telegrams which passed back and forth?

A. And the documents.

Q. You could see that there was an N.K.V.D. system?

A. Yes.

Q. If Colonel Zabotin decided to use an agent he would report on that agent to *The Director* at Moscow, would he not?

A. That is right.

Q. He would send photographs and biographical details and that kind of thing?

A. He can use him only with the permission of Moscow.

Q. When *The Director* at Moscow got that information he evidently had some means of making an independent check?

A. That is right.

Q. Did he use the N.K.V.D. for that?

A. He used that, and they used the Comintern also. Take the case of Norman Veall. Several times he tried to introduce himself to Sam Carr and some other people and said that he wanted to work, that he could get some information. They became a little

suspicious about him, especially when they learned that he was in possession of a testimonial from a Communist in Great Britain who had been accused of espionage and had spent several years in jail. They became a little suspicious because he insisted that he be allowed to work. They telegraphed to Moscow and Moscow said, "All right, we will check it." Colonel Zabotin wrote a telegram, "Please check on Veall through the Comintern". They have files on all Communists, files in the Comintern. They can check anybody through the Comintern. Finally Moscow said, "Yes, we know Veall, we do not find any compromising material against Veall." They can check up carefully. The N.K.V.D. can use Military Intelligence or they can use Comintern Intelligence.

- Q. Supposing Colonel Zabotin decided he could use _____; would he have to report to Moscow that he wanted to use him?
- A. That is right.
- Q. And then Moscow would check him through the Comintern?
- A. That is right.
- Q. Or through the N.K.V.D.?
- A. That is right.
- Q. If a man was a member of the Canadian Communist Party it would not mean that they would use him without checking on him?
- A. They must have that from Moscow. In Moscow they would go through all this information and they would decide whether they could use _____ or somebody else.
- Q. Every agent, whether he is a member of the Communist Party or not, has to be checked through Moscow before he can be used; is that right?
- A. He must be checked.

The documents dealing with the agent Germina (Hermina) Rabinowitch upon whom we are reporting in Section VI, also contain references to the N.K.V.D. system and corroborate Gouzenko's identification of Pavlov as the leading member of this network in Canada. Gouzenko stated:—

- A. Then there was a question about Hermina Rabinowitch. Of course, these agents did not know about the existence of the two systems. They worked for Russia. Miss Rabinowitch sent several letters to the Embassy, and of course those letters came to Pavlov. He was the first man to see her and he was thinking that there was another chance to get an agent. Then Pavlov tried to put her in

his system because the more agents they have the more praise from Moscow. So he was anxious to have this agent.

Q. Motinov was?

A. No, Pavlov. However, it was clear that she belonged to the Military Intelligence system, so he had to give her to Zabolotin.

An entry in one of the Russian notebooks speaks of a visit in 1943 of Hermina to Tounkin, at that time Counsellor of the Soviet Embassy in Ottawa, reporting on the situation of a number of Soviet agents, mostly designated by cover-names, who were operating outside of Canada. The sum of \$6,700.00 was requested for them. The notebook entry continues:—

. . . After this Pavlov, 2nd secr. neighbour, asked his boss, who, according to Pavlov, allegedly replied that this is their man and you (Pavlov) should do nothing. . . .

The document goes on to outline recriminatory discussions between one of Zabolotin's Russian assistants and Pavlov.

Gouzenko also said:—

Q. So the N.K.V.D. system started at least as early as 1924, has been operating continuously here, and is operating at the present time apart from Zabolotin?

A. Yes.

Q. And you think the N.K.V.D. system is much larger than Zabolotin's?

A. Yes.

Q. And both are working actually?

A. Yes.

This evidence given by Gouzenko and corroborated by the exchange of telegrams between Zabolotin and Moscow, establishes, we think, that the N.K.V.D. has been operating here, but it is quite impossible to say whether or not its activities have come to an end.

Naval Intelligence System

There is some evidence that a Naval System of Intelligence was in process of being organized. In 1944, Captain First Rank Pantzerney who had been working in New York with the Soviet Commercial Counsellor as naval engineer, came to Ottawa. He exchanged information with Zabolotin. Pantzerney had obtained certain information about the construction of ships in the Halifax Shipyards which he passed on to Zabolotin, telling him he had obtained it in course of conversations with naval officers and en-

gineers at the Shipyards. This was evidently information of the kind *Surensen* was reported to be giving, and with which we deal later (Section IV-2).

Two men, who were Russian naval officers, working in a commercial organization in Vancouver, came to Ottawa, and had a conference with Zabotin and Motinov, at which the latter showed them a two hundred page report on the naval forces of Canada. As Gouzenko said:—

“Also, commercial representatives are interested in naval forces, not from the point of view of commerce but from the point of view of intelligence work . . .”

Gousev, a doorman at the Soviet Embassy, made a trip to Vancouver and on his return reported he had had a conversation with a man who was doing naval intelligence work and Gousev was quite critical of the man's work and capacity.

In 1943, the Canadian Government gave permission to establish a Soviet Consulate at Halifax. This is still in existence. At Vancouver there has never been a Soviet Consulate but when Canadian Mutual Aid shipments to Russia began to flow in some volume out of Vancouver, Krotov, the Commercial Counsellor, asked and obtained permission from the Canadian Government to send a shipping officer there to see to the loading, victualing, and so on of the vessels. The staff at Vancouver consisted of two men with a small clerical staff. Gouzenko says that the junior Soviet Consul at Halifax had been a worker in the Military Intelligence System. This man made a trip from Halifax in 1943 to discuss questions with Zabotin.

The “Political” System

Gouzenko stated that the head of the secret Political System in the Embassy was Goussarov, who holds the official position of Second Secretary in the Embassy. Gouzenko added that Goussarov had been an assistant to Malenkov, Head of the Foreign Section of the Central Committee of the Communist Party of the Soviet Union in Moscow, and that he (Gouzenko) had seen Goussarov working in the Central Committee Offices in 1942. Goussarov came to Canada as a Second Secretary in 1944. Gouzenko stated with regard to Goussarov:—

“Officially he was supposed to be working in the Textile Institute, as I read in a Canadian magazine. Then he came to Canada. Goussarov is only the Second Secretary but obviously his authority is on the level of the ambassador. He has direct contact with the

Central Committee of the Communist Party. He is a Party organizer in the Embassy, of the Central Committee of the Communist Party.

Then there was Patonya, the doorman. Officially he is the doorman in the embassy, one of the doormen. To my surprise when I went back one night I found that he was working in my room. I went back about one o'clock because Colonel Zabotin told me he had a telegram to send. I saw Patonya working in my room. Nobody in the Embassy knew he was working in the secret division. I always saw him at night. I never saw him working in the day, when I was either sleeping or working. Together with him I saw Goussarov."

Gouzenko stated that Goussarov was head of the group made up of members of the Communist Party at the Soviet Embassy in Ottawa, that this group had a cover-name *Trade union*, and that Goussarov in conjunction with, but independently of, Pavlov was responsible for supervising the political orthodoxy of members of the Embassy.

Gouzenko testified that he had reason to believe that in addition to this, Goussarov had the task of transmitting political directives from his superiors in Moscow to the leaders of the Canadian Communist movement. These directives would include not only general political lines to be taken up in Communist propaganda, but also instructions on techniques of operation. Examples of the latter would be the instructions to create or to get control of functional organizations such as the "Canadian Association of Scientific Workers"; to occupy important positions in labour unions; when necessary for special purposes, to instruct certain Canadian secret Communists to take up temporarily an anti-Communist line; to get members into controlling positions in the executives of youth movements, international friendship councils, etc., which could be important from a propaganda point of view.

This system would also, according to Gouzenko, handle what he called the "Comintern Intelligence System". This apparently deals not with espionage but with obtaining and transmitting to Moscow biographical and other material on Canadian Communists and Communist sympathizers. These "dossiers" could then be used to check the information obtained through other networks regarding agents whom it was proposed to employ in one of the systems engaged in espionage or other special activities.

We must report that we have no corroboration, in any of the Russian documents placed before us, for this part of Gouzenko's testimony regard-

ing the transmission of political directives. It must at the same time be borne in mind that from the nature of this system, as described by Gouzenko, no such corroboration could in the nature of things be expected from documents prepared by the military espionage agents. We are therefore reporting Gouzenko's testimony on these matters only as his informed opinion, based on his experiences as a member of one of the "secret sections" of the Soviet Embassy.

At first sight we would find it difficult to credit that the leaders of any Canadian political party would take instructions, regarding the political activities which they directed, from agents of any foreign power. However, it would be still more difficult for us to believe that men such as Sam Carr and Fred Rose, who have been shown to have acted for many years as key members of an espionage network headed by agents of a foreign power and directed against Canada, would not also be prepared to accept, from agents of that same foreign power, political instructions regarding the organization which they directed. We would be less than frank, therefore, if we did not report this opinion.

Gouzenko, in a statement which he wrote on October 10, 1945, summarizing what he had said to Canadian police officials on September 7th, said the following:—

To many Soviet people abroad it is clear that the Communist Party in democratic countries has changed long ago from a political party into an agency net of the Soviet Government, into a fifth column in these countries to meet a war, into an instrument in the hands of the Soviet Government for creating unrest, provocations, etc., etc. . . .

The attitude of members of the Soviet Embassy staff toward "developed" members of the Canadian Communist Party is well summed up in the Russian word "*NASH*", occasionally used as a sentence by itself with reference to members of that Party in Colonel Zabotin's notebooks. "*NASH*", literally translated, means "OURS" or "HE IS OURS".

SECTION II. 3

INTERNATIONAL LINKS OF ZABOTINS' NETWORK

It is not within our province to investigate spying activities in other countries, but some of the activities carried on in Canada were so linked with what happened elsewhere that we feel bound to mention them in this Report.

In general, the military espionage network in Canada, headed by Colonel Zabotin, was a self-contained unit directed from Moscow. At times, however, the documents from Colonel Zabotin's secret archives refer specifically to espionage networks in other countries. Some of these documents relate to the "handing over" from one espionage network to another of agents who have moved or are about to move to Canada from another country or from Canada to another country.

Thus in the summer of 1945, it became known that Dr. Alan Nunn May would be likely to leave Canada shortly for work in the United Kingdom. This gave rise to a series of telegrams between Moscow and the Soviet Military Attaché in Ottawa, of which Gouzenko brought three.

The Director in Moscow wired Zabotin in Ottawa on the 30th of July, 1945, as follows:—

No. 10458

To Grant

30.7.45

Reference No. 218.

Work out and telegraph arrangements for the meeting and the password of Alek with our man in London. Try to get from him before departure detailed information on the progress of the work on uranium. Discuss with him: does he think it expedient for our undertaking to stay on the spot; will he be able to do that or is it more useful for him and necessary to depart for London? ~~in the first half~~

*

Grant

Director. 28.7.45

31.7.45

Zabotin wired *The Director* early in August on this matter:—

To the Director,

244

We have worked out the conditions of a meeting with Alek in London. Alek will work in King's College, Strand. It will be possible to find him there through the telephone book.

* Faint type indicates words crossed out in original documents.

Meetings: October 7.17.27 on the street in front of the British Museum. The time, 11 o'clock in the evening. Identification sign:—A newspaper under the left arm. Password:—Best regards from Mikel (Maikl). He cannot remain in Canada. At the beginning of September he must fly to London. Before his departure he will go to the Uranium Plant in the Petawawa district where he will be for about two weeks. He promised, if possible, to meet us before his departure. He said that he must come next year for a month to Canada. We handed over 500 dollars to him.

Grant.

This arrangement did not wholly meet with *The Director's* approval, and on 22nd August we find his reply:—

11955
22.8.45

To Grant

Reference No. 244.

The arrangements worked out for the meeting are not satisfactory. I am informing you of new ones.

1. Place:

In front of the British Museum in London, on Great Russell Street, at the opposite side of the street, about Museum Street, from the side of Tottenham Court Road repeat Tottenham Court Road, Alek walks from Tottenham Court Road, the contact man from the opposite side—Southampton Row.

2. Time:

As indicated by you, however, it would be more expedient to carry out the meeting at 20 o'clock, if it should be convenient to Alek, as at 23 o'clock it is too dark. As for the time, agree about it with Alec and communicate the decision to me. In case the meeting should not take place in October, the time and day will be repeated in the following months.

3. Identification signs:

Alek will have under his left arm the newspaper "Times", the contact man will have in his left hand the magazine "Picture Post".

4. The Password:

The contact man: "What is the shortest way to the Strand?"

Alek: "Well, come along. I am going that way."

In the beginning of the business conversation says: "Best regards from Mikel".

Report on transmitting the conditions to Alek.

18.8

Director.

22.8.45

Grant.

A section in the Russian dossier on Sam Carr contains, in the handwriting of Lieut. Colonel Rogov, the following paragraphs, among a list of tasks prepared for him by his Russian masters, and headed "*TASK No. 2 of 15.6.45*":—

TASK NO. 2 of "15.6.45"

FRANK: 1. On the ground of data previously communicated with respect to A. N. Veale (an Englishman), it is known to us that up to 1942 he worked in the meteorological service of the Royal Air Force in Cambridge. Following this he went to Canada on a scientific mission. Before leaving Veale ~~received~~ allegedly received instructions from his director to get in touch with your corporation.

At present he would like to know more details about Veale and therefore it is desired that for the forthcoming meeting (15.7.45) you should in written form enlighten us on the following questions:

(a) Did Veale really work in the meteorological service of the Royal Air Force in Cambridge and has his mission (stay) in Canada a direct connection with his service in England.

(b) If these facts are confirmed, you should try to draw ~~him~~ Veale into a frank discussion and ~~put~~ put the question straight to him, what he wants from you.

* Faint type indicates word crossed out in original documents.

- (c) However, should Veale in the course of the conversation refer to his corporation membership and to the instructions of his director in England to get connected with the Canadian Corporation, then let him give the name of the person who gave him these instructions.
- (d) Do not take from Veale any material and do not show any interest in any information whatever.

Another example of liaison arranged in Moscow between the networks in Canada and the United Kingdom is provided by a part of a document in the handwriting of Lieut. Colonel Motinov, apparently a draft of a telegram which was subsequently authorized by Colonel Zabotin, ciphered by Gouzenko, and sent to Moscow:—

To the Director, on N.

I am communicating to you the arrangements for Berman's meeting in London. The meeting will take place two weeks after Berman's departure from Montreal, counting the first Sunday after his departure as the date of his departure, even if he should have left on a Wednesday. The meeting will take place at 15 o'clock on Sunday, in front of the office of the High Commissioner for Canada, London, S.W.1. (Canada House, Trafalgar Sq.). If on the first Sunday it does not take place, it will be transferred to the next Sunday at the same hour and so on until contact is established. Berman will be in civilian clothes—brown suit (tweed) checkered, without a hat, with a newspaper in his right hand.

Pass-word: "How's Elsie?"

Berman will reply: "She's fine."

Thereupon our man will hand over to him a letter signed "Frank".

If the meeting at the designated place should prove impossible, or inconvenient for us, Berman will send his address to his wife, the latter will give it to Debouz, and the latter to us and it may be possible to undertake the meeting at the address of his living

quarters. When you will advise us that the meeting will be more convenient at the apartment, then we will tell Debouz and he will tell Berman's wife. Berman's wife will write him a letter with the following sentence: "Ben has not been feeling too well". After that he will await the meeting at his apartment.

Supplementary data.

He joined the Party in 1938. ~~Had a business~~ *
Worked as an insurance agent. His wife joined the Party in 1939. During the illegal period he worked in the central apparatus of the Party on organizational work.

These instances of liaison, or transfers, between the Soviet networks in Canada and in other countries were not limited to Great Britain. An example of a similar contact in the United States is provided in a page torn from one of Lieut. Colonel Motinov's secret notebooks:—

To Debouz

Stenberg — "Berger". 4133

Debouz is to tie up with Berger and depending on the circumstances is to make a proposal about work for us or for the corporation. Contact in Washington with Debouz's person. To work out arrangements for a meeting and to telegraph. To give out 600 dollars. If Debouz should be unable to go to U.S.A. then there should be a letter from Debouz to Berger containing a request to assist the person delivering the letter to Berger.

12.5.45 22.00 St. Patrick & Cumberland.

Other documents deal in considerable detail with relations between Colonel Zabotin's organization, Pavlov's (N.K.V.D.) organization, and a network of secret agents operating on the continent of Europe. They show *inter alia* that on one occasion in 1944, \$10,000 was transferred, with the assistance of a secret agent in Canada, through the intermediaryship of a commercial firm in New York, to this European network, on the instructions of Colonel Zabotin. This matter is dealt with in Section VI and mentioned above in our discussion of N.K.V.D.

* Faint type indicates words crossed out in original documents.

SECTION II. 4

THE COMINTERN

Gouzenko stated before us that the Communist International, or "Comintern", whose dissolution had been announced in Moscow to the world press on May 15th and June 10th, 1943, continued to exist and to function secretly.

In his statement of October 10th, 1945, Gouzenko said:—

The announcement of the dissolution of the Comintern was probably the greatest farce of the Communists in recent years. Only the name was liquidated, with the object of reassuring public opinion in the democratic countries. Actually the Comintern exists and continues its work. . . .

The documents which Gouzenko brought with him corroborate this testimony.

The Registration Card at the beginning of the 1945 dossier kept in the Soviet Embassy on Sam Carr, National Organizer of the Communist (Labour-Progressive) Party of Canada, contains after the mimeographed heading *Biographical Data* the following typed entry, in Russian:—

Detailed biographical information is available in the Centre in the Comintern.

The evidence shows that this document referring in the present tense to the Comintern, was prepared by Lt. Col. Rogov early in 1945.

Gouzenko defined the Comintern as follows:—

"The Communist International, the Comintern, is the staff headquarters which directs the activities of the Communist parties all over the world."

Gouzenko was questioned further about the above entry in Carr's dossier:—

Q. I just want to come back to that last subject for a moment, to make it perfectly clear to myself. I am looking at Exhibit 19, the first sheet, which is headed "Registration card" dealing with Sam Carr. The last two lines read, "Detailed biographical information". Apparently that is the form before it was filled in; after that it says. ". . . the Comintern. Knows Russian perfectly. Finished the Lenin School in Moscow." If the Comintern means the staff in Moscow which runs the Communist Party, as I understand it, in

- Russia and abroad, does that reference on Carr's registration card mean that he is a member of that staff?
- A. No.
- Q. All right; then what is the explanation?
- A. On every Communist there is a file at the Comintern at Moscow; for every Communist in the whole world there is a file at the Comintern at Moscow. More detailed information is on the files at the Comintern.
- Q. So this reference on the registration card means that if anybody is looking at this registration card and wants more information on Carr than it contains, there is more information on file at Moscow?
- A. That is right.
- Q. And am I correct in understanding that the word "Comintern" is also used in Russia to refer to the secretariat in Moscow of the foreign Communist Parties? Is that correct?
- A. No. The Comintern or Communist International is like a headquarters that directs the activities of the Communist Parties in the whole world.
- Q. That is approximately what I said; a headquarters staff?
- A. Yes.
-
- Q. This first sheet in Exhibit 19-A was not typed out until early in 1945, but it contains a reference to the Comintern, does it not?
- A. Yes.
- Q. The Comintern was supposed to have been abolished before 1945?
- A. Supposed to be abolished in 1943, but it is not so.
- Q. It is not abolished?
- A. That is right.
- Q. In 1945 Rogov typed or had typed the statement that they had Comintern records still available to refer to?
- A. He knew very well the Comintern existed in Moscow.
- Q. Rogov knew the Comintern had not been abolished and that all the records were complete there?
- A. That is right.

Q. It would have been possible—I am not saying it is so—for the Comintern to have been abolished as an organization and all the records still kept?

A. That is right, and all the personnel is still kept in Moscow; it is just the name that is abolished.

Gouzenko, in his evidence on the Comintern, spoke generally of it as a headquarters staff controlling the activities of Communist Parties in other countries in various aspects, including political aspects. His detailed evidence dealt however with the role of the Comintern specifically in espionage activities, since it was in one of the espionage branches that Gouzenko himself had direct personal experience.

Prior to coming to Canada in the summer of 1943 Gouzenko, as we have already pointed out, had worked for a little over a year in the "Centre" of *The Director* in Moscow of the Military Intelligence organization. He testified that he had there enciphered and deciphered telegrams to and from many other countries disclosing the use of local Communist Parties for espionage purposes, in networks similar in general outline to that which Col. Zabotin later headed in Canada.

An aspect of Comintern activities is illustrated by the "Witczak passport" case. It has been established that Sam Carr, National Organizer of the "Labour-Progressive Party", acting on instructions from Moscow delivered through Col. Zabotin and his assistants, undertook in 1944 to obtain illegally a Canadian passport for a Soviet agent located in California, and at the end of August 1945 did in fact obtain this passport by forgery and bribery. It was needed to replace a Canadian passport, about to expire, under which the Soviet agent had been living in the United States since 1938. The earlier passport had been appropriated by Russian agents from a Canadian member of the International Brigade in Spain during the Civil War there, and the Soviet agent in California had been living in the United States under the name and with the passport of this Canadian. This matter is reported more fully in Section V.

There is evidence that *The Director* in Moscow intended to develop further, and extensively, this practice of planting agents, under cover of false documentation, not only in other countries as pseudo-Canadians, but in Canada also. For this purpose too the assistance of Sam Carr was enlisted.

Thus one of the pages in the Russian dossier on Sam Carr contains the following list of assignments, headed "*Task No. 3 of 1.8.45*":—

1. Requirements which a person living as an "illegal" must meet (nationality, citizenship, occupation, education, knowledge of languages, family and financial conditions etc.)
2. Ways of legalisation (organization of a commercial undertaking, joining a business firm as a partner, kind of firm, joining as a member any office, joining the army as a volunteer, accepting employment.)
3. Documents which an "illegal" must possess (passport, different kinds of certificates, references, recommendation letters, etc.)
4. More expedient methods to slip into the country.
5. To provide for secure living quarters and financial means during the period when the "illegal" gets acquainted with the local set-up and conditions.
The possibilities of attracting
6. To reveal the channels of influence of the English government on the foreign policy of Canada.
7. Conditions of entry into the country and of moving about in the country.
8. Conditions of adaptation and living in the country.
9. Methods of work of the counter-espionage. The organization of the Federal and provincial counter-espionage services.

*

Colonel Zabotin and his colleagues obviously attached importance to this, and the following page in the dossier, headed "*Assigned personally 16.8.45*", reads in part:—

The Task

1. To write a report on the technique of making up passports and other documents, indicating precisely who on your side (Frank's) is engaged in this activity.
2. What documents can be made and can be received through you.

There is also evidence suggesting that other false Canadian passports had been obtained previously to the Witczak passport. A Colonel Milstein, who came to North America in the summer of 1944, under guise of a diplomatic courier with a Soviet passport in the name "Milsky", to inspect the agency networks in Mexico, the United States, and Canada,

* Faint type indicates words crossed out in original documents.

was particularly interested in reviving the use of persons in Canada who had assisted in production of illegal passports some time previously. He discussed this subject at length with Sam Carr, and according to Gouzenko he reported to Moscow that the possibilities in this field were great.

One of the documents in the dossier on Sam Carr refers to this discussion between Colonel Milstein, whose cover-name was *The Commander*, and Carr:—

Sam, 14 Montrose, Lloydbrook 7847.

14.6.44 The Commander met Sam and agreed on meetings between him and Leon once in 3 months. The regular meeting was fixed for 15.9.44 at 21.00, Dominion Boulevard (opposite Windsor Hotel) in Montreal. On 15.9.44 to discuss:

- 1. Who prepares passports, i.e. what kind of people are they. Are they not the old shoemakers who a few years ago fell through.**
- 2. To take money to the meeting.**

Shoe is a cover-name used by the Russian Military Espionage service for passport, and *shoemaker* for a person making or obtaining passports for the service.

The efficient functioning of the Comintern organization is further shown by the highly systematized interest of *The Director* in Moscow in each non-Russian agent, and in the recruiting of new agents. Before a new agent could be employed by Col. Zabin for espionage purposes he had to propose the name, with particulars to Moscow. Moscow would then check independently, inferentially through one of the other agency systems before approving or withholding approval.

SECTION II. 5

RECRUITING METHODS

One of Zabotin's main objects when he started his operations, was to recruit persons willing to supply secret information. A belief in, or a sympathy with, or a susceptibility to the Communist ideology was a primary requirement in the persons to be recruited. The ingenuity that is shown in the method employed to get prospective agents into the "net" indicates that the system has been thoroughly worked out to cover all eventualities. The way in which persons who were in a position to furnish secret information, or who might be used as contacts, and who had some inherent weakness which might be exploited, were selected and studied, clearly establishes this. The methods of approach varied with the person and with the position.

The first page of each dossier kept by Colonel Zabotin on his Canadian agents was a mimeographed form headed "*Registration Card*" and has the following divisions:—

1. SURNAME, NAME, PATRONYM _____

2. PSEUDONYM _____
3. SINCE WHEN IN THE NET _____
4. ADDRESS:
 - a) OFFICE _____
 - b) HOME _____
5. PLACE OF WORK AND POSITION _____

6. FINANCIAL CONDITIONS _____

BIOGRAPHICAL DATA:

It was, as indicated, of paramount importance that the ideology of the prospective agents be clearly established and that their natural inclinations be thoroughly investigated, so that the mode of approach and the method of persuasion might be varied accordingly.

Communist Party—The Main Recruiting Base

It became manifest at an early stage of this Inquiry, and has been overwhelmingly established by the evidence throughout, that the Communist movement was the principal base within which the espionage network was recruited; and that it not only supplied personnel with adequately "developed" motivation, but provided the organizational framework wherein recruiting could be and was carried out safely and efficiently.

In every instance but one, Zabolin's Canadian espionage agents were shown to be members of or sympathisers with the Communist Party. The exception was Emma Woikin, who was not, so far as the evidence discloses, of the above class. Her motivation was a sympathy with the Soviet regime based, as she said, on "what I have read".

Because of the emergence of this fact, it was necessary for us to ascertain where each of the persons whose conduct was being investigated stood with regard to Communist ideology and Communist associations.

Zabolin found already in existence in Ottawa, Montreal and Toronto numerous study groups where Communist philosophy and techniques were studied and where writings of Marx, Engels, Lenin and later authors were read and discussed. To outsiders these groups adopted various disguises, such as social gatherings, music-listening groups and groups for discussing international politics and economics. In some at least of these groups dues were collected and the money used for various purposes including assistance to Communist Party leaders, and the purchase of Communist literature.

These study groups were in fact "cells" and were the recruiting centres for agents, and the medium of development of the necessary frame of mind which was a preliminary condition to eventual service of the Soviet Union in a more practical way.

Occasionally these groups were visited by higher Party officials who kept in close contact with them and obviously reported to Colonel Zabolin as to the ability of "candidates" to become full-fledged agents.

When it was found that the "candidates" fulfilled all these requirements, they were definitely recruited as "agents" and tasks were then assigned to them.

The technique revealed by the documents is as follows: a senior member of the Canadian Communist Party, such as Sam Carr, the National Organizer of the Party, or Fred Rose, the Quebec Organizer, would propose certain Communists to one of Zabolin's Russian colleagues as potential espionage agents. Col. Zabolin would get details about the "candidate", including his "possibilities"—that is, place of work and the kind of informa-

tion to which he had access—and would send this to Moscow. Moscow would then telegraph Zabotin permission or refusal to use this particular “candidate”. The evidence is that Moscow would first make an independent check, which according to Gouzenko was done through one of the parallel systems of networks.

Sometimes Moscow would take the initiative in suggesting to Zabotin some Communist in Canada to be contacted and enlisted for espionage work. The evidence is that Moscow made this suggestion on the basis of lists of non-Russian Communists whose names and dossiers, perhaps unknown to themselves, were kept on file in Moscow.

The evidence shows that the espionage recruiting agents made use in their work of reports, including psychological reports, on Canadian Communists which had been prepared as part of the routine of the secret “cell” organization of that Party. Apparently these reports were prepared on various individual Communists by other Communists who had got to know them through joint membership in a study-group. The psychological reports would then be passed up through the pyramid of cells and made available to senior Communists for such purposes as the latter considered necessary. Such reports obviously facilitate selection of Canadian Communists for invitation to engage in espionage activity, and assist the Russians in determining the method of approach. A preliminary feeling out of the selected recruit, before the latter realized the sinister purposes for which he was being considered, could also be made within the framework of normal Communist Party activities and organization, and there is also evidence that this was part of the technique of recruiting.

An entry in one of the Russian notebooks illustrates some of the background carried on with regard to Ned Mazerall (cover-name *Bagley*) before he was approached directly and asked to engage in espionage. Mazerall had apparently been designated to the Russians by Fred Rose, M.P., (*Fred* or *Debouz*), and the arrangement was that he should be approached by Captain Gordon Lunan (*Back*). Rose then had a meeting with Lunan, as testified to by Lunan himself, which turned out to be preparatory to the direct enlistment of Lunan in the espionage network by Lt. Col. Rogov (*Jan*). The plan that was conceived—and later carried out as related to us by both Lunan and Mazerall themselves—was that Lunan should then approach Mazerall and enlist him in the espionage network.

A preliminary entry in one of the Russian notebooks reads as follows:—

3. Bagley—so far no contact has been made. The main reasons are that he lives so far from the city and the influence of his wife who does not want him to meet corporators. On Back's proposal for a meeting, he answers that he is busy and is living far away, but at the same time he invites to his house. Back communicated that he will have a a meeting with him in the period of 20.5 to 5.6—. He further added that Bagley knows nothing about his immediate work as Debouz Fred talked with him only generally, and recommended that Back should study him in detail and only after that to start working with him.

*

†

Again, in Lunan's first progress report to Rogov, dated March 28, 1945, he wrote with regard to Mazerall:—

Bagley: I have been unable to see him as yet. He has not been a very regular or enthusiastic supporter for several months although he is now showing more enthusiasm. He lives in the country and his wife is antagonistic to his political participation. He strikes me as being somewhat naive politically, and I shall take things slow with him for a while. I plan to develop his acquaintance as much as possible and gain his confidence by collaborating on some scientific articles. Will report on him next time.

It is significant that this report was written by Lunan, according to the latter's own testimony, before he had met Mazerall, and his diagnosis of him, set out above, had been made from reports. Earlier in the same letter to Rogov, Lunan had stated:—

It should be understood that neither Bacon, Bagley nor Badeau are well known to me, either personally or politically, nor I to them.

Lunan also received a preliminary report from some source within the Communist organization which has not been disclosed, on Professor Halperin (*Bacon*), and wrote as follows in his first letter to Rogov:—

Bacon:—I received an excellent report on Bacon, and approached him more frankly than the others.

The routine organizational framework of the secret sections of the Communist movement also apparently provided a convenient method

* Faint type indicates words crossed out in original documents.

† Word in heavy type indicates an insertion in the original document.

whereby one secret member could check the "credentials" of another whom he did not know but who approached him with instructions to engage in illegal activities. Thus Lunan, in his first letter to Rogov, stated of Durnford Smith:—

Progress has been held up somewhat . . . by the caution displayed by Badeau (a good thing probably) in checking independently into my credentials. . . .

Lower down in the same letter Lunan writes again of the same man:—

Badeau:—warmed up slowly to my requests and remained non-committal until he had checked independently on my bona fides. Once satisfied he promised to cooperate. . . .

Lieutenant-Colonel Rogov in his manuscript notes headed "*Results of the last meeting of Back's Group*" writes of him:—

4. Back himself has no possibilities. He is being used as a contact.

The Director in Moscow sometimes took the initiative in indicating those Departments or Agencies of the Canadian Government in which he particularly wished espionage agents to be developed from among the Canadian staff; e.g. a telegram from Moscow to Col. Zabotin, states that:—

2. We are definitely interested in obtaining people from the departments mentioned. Let Frank, after the staffs have been set up in final form, recommend one or two candidates for our study.

Frank is a cover name for Sam Carr. This pseudonym was given because his earlier cover-name *Sam* was considered dangerously revealing as to his real name. The "departments mentioned" refers to the headquarters of the Canadian armed forces.

A good illustration of the ease with which *The Director* in Moscow was able to obtain espionage agents from the secret membership of the Canadian Communist Party in selected Canadian organizations is provided by the *Research Group* consisting of Halperin, Durnford Smith and Mazerall, under the leadership of Lunan. Two of the three scientists were members of a Communist cell made up of scientists most of whom were employed in the National Research Council in Ottawa. There is no evidence that before the end of March, 1945, any members of this group contemplated espionage against Canada or any other illegal activity—though

they did take pains to keep their political views and the existence of their study-group secret from the associates with whom they worked. Lunan reported of them to Rogov that *before* he approached them for espionage purposes:—

They already feel the need for maintaining a very high degree of security and taking abnormal precautions at their normal meetings (about once in two weeks), since they are definitely not labelled with any political affiliation. One or two have even opposed the introduction of new members to our group on the grounds that it would endanger their own security.

But the Soviet Military Intelligence organization desired to have additional spies in Canadian scientific research organizations. The interview between Rose and Lunan, leading up to the meeting between Lunan and Rogov, resulted in the latter giving Lunan instructions to enlist Halperin, Durnford Smith and Mazerall as espionage agents. Whereupon within a few weeks the three Canadian scientists are found engaging actively in the espionage operations.

Thus within a short period of time what had been merely a political discussion group, made up of Canadian scientists as members of a Canadian political party, was transformed on instructions from Moscow into an active espionage organization working against Canada on behalf of a foreign power. It is particularly startling that none of the initiative for this transformation was supplied by the three scientists themselves.

Constant Emphasis on Further Recruiting

The emphasis laid on recruiting appears throughout the documents: in addition to those already quoted reference should be made to the following extracts:—

Squadron Leader Mat Nightingale . . .

. . . Task 1. Recruiting.

2. . . .

ALEK. 1. . . .

2. Characteristic of the work of the laboratories and of the people. Friend Henry

_____.

. . .

6. How about his friend, _____, possibilities and proposal of development. . . .

Sam proposed Foster.

- . . . 5. Your possibilities regarding the selection of people in the General Staffs of the armed forces.

In Sam Carr's dossier, Rogov who compiled it records that one of the tasks set to Carr was:—

4. Is there any possibility for you of developing our work in the Ministry of National Defense, in the Ministry for Air, in the Ministry of the Navy or else in their military staffs.

At the present time these fields are of great interest to us and we want you to put forth maximum efforts in this matter.

Carr's answer as recorded by Rogov is:—

Everything shall be clarified in July-August, for at the present time the staffs are being replaced by front line men.

On August 2nd, 1945, Zabotin telegraphed Moscow:—

2. Sam promised to give us several officers from the central administration of the active forces. At present it is pretty hard to do it, in view of the fact that ~~a re-shuffle of persons~~ a filling of positions in the staff with officers who have returned from overseas is taking place. *

To this *The Director* (Moscow) replied under date of August 14, 1945:—

2. We are definitely interested in obtaining people from the departments mentioned. Let Frank, after the staffs have been set up in final form, recommend one or two candidates for our study.

There is frequent reference in the various Russian documents to the importance attached to the recruiting of new agents throughout the war years, but these seem to have been particularly frequent during the course of 1945.

The evidence also discloses that secret members of the Communist Party played an important part in placing other secret Communists in various positions in the public service which could be strategic not only for espionage but for propaganda or other purposes.

* Faint type indicates words crossed out in original documents.

Supplementary Recruiting Methods Also Contemplated

While most of the "agents" were recruited from Communist "cells" after they had been thoroughly investigated and found sufficiently indoctrinated, other recruiting methods of a different nature were also employed by the Russians in *attempts* to extend the scope of their Fifth Column networks.

a) Social Contacts

For example certain Soviet officials endeavoured to exploit their social relationships and diplomatic contacts with persons in Canadian Government Service. One of the exhibits is a document typewritten in Russian, prepared in November, 1944, by Lieutenant-Colonel Motinov for submission to Colonel Zabotin and signed by the latter under his cover-name *Grant* with the note "*I confirm*". It is headed "*Questions requiring to be clarified through Lamont (Motinov) and Brent (Rogov) concerning Jack and Dick.*" It was prepared to answer certain questions put by Moscow, where there appeared to be some confusion as to the identities of "*Jack*", "*Dick*" and another person, who had been reported on by Zabotin. While this document refers only to two men it is an excellent example of the system employed in cases of men that it was hoped to recruit by this means. The Exhibit concludes as follows:—

Both the first as well as the second, work in responsible positions, consequently they gave their signatures not to divulge military secrets. Therefore the character of the work must be the usual one — a personal touch in conversations on various subjects, beginning with oneself, one's own biography, work and daily life, at times asking them, as if for comparison of this or that situation, etc.

The document contains also the details of the questions to be put and the lines of approach to be followed. It reads in part:—

1. FOR BOTH

1. To clarify basic service data:

- (a) Present position, where did he work previously;
- (b) Prospects of remaining in the service after the war and where;
- (c) From what year in the army, does he like the service;

(d) Relations with his immediate superiors.

2. To elucidate brief biographical data:

(a) Age, parents, family conditions;

(b) Education, principal pre-war specialty;

(c) Party affiliation, attitude towards the politics of King;

(d) Financial conditions, inclinations toward establishing material security for his family (intentions to engage in business, to own a car, a home of his own and what hinders the fulfilment of this plan.)

(e) Attitude towards our country and her politics;

(f) Wherein does he see the prosperity of Canada (in friendship with America or in retaining English influence);

3. Personal positive and negative sides.

(a) Inclination to drink, good family man;

(b) Lover of good times, inclination for solitude and quietness;

(c) Influence of his wife on his actions, independence in making decisions;

(d) Circle of acquaintances and brief character sketches of them.

4. Program for future (ideological or financial requires to be determined).

5. Particulars:

1. The first, a Frenchman and the whole family is French.

2. The second, an Englishman but his wife is a French woman. Their views on some matters are different, but he, knowing the strictness of the Catholic religion, endeavours not to offend his wife, in connection with which he occasionally refuses to discuss questions which concern his wife's religion.

One of the cover-names used in this document referred to a Colonel in the Canadian Army who had met Colonel Zabotin, Lieutenant-Colonel Rogov and Lieutenant-Colonel Motinov socially only. We should observe that the cover-name was used by the Russians for this man, without his

knowledge. Heard as a witness the Colonel dispersed any doubts or suspicions that may have existed and said:—

“They have misinterpreted our sincere endeavour, both my wife’s and mine, to make them feel at home in Canada, and to show them something of Canadian life; but I am cured.”

The other Canadian officer also appeared before us. His experience was much the same.

In telegrams we also find the name of Colonel Jenkins, the Director of Military Operations and Planning of the Canadian Army, who was responsible for the coordination of all army matters concerning foreign Military Attachés in Ottawa, and who was the channel between such Military Attachés or foreign officers and the National Defence Headquarters. His functions and duties are fully set out in Section VIII. It seems evident that when Colonel Zabotin transmitted to Moscow the official and authorized information which he had received in common with the other Military Attachés, he did not always mention that it came from an authorized source. He stated to Moscow in one of the telegrams he had never planned to “develop” Col. Jenkins as an agent, giving as his reason that he was a Reserve Officer and would soon retire.

It is not necessary to say that Colonel Jenkins is above all suspicion, and we mention his name only because it had appeared in the public press, having been interjected by the defence in the course of the trial of Mazerall. We cite these cases to illustrate the constant aim of Col. Zabotin and his associates to recruit new agents, and the improper use they attempted to make of their social and diplomatic relations.

b) Registration of Ukrainians and Poles

In addition to recruiting among secret adherents of the Canadian Communist movement, and the attempt outlined above to exploit certain social and diplomatic contacts, there was, Gouzenko testified, a plan to extend the fifth column base by an additional method. Gouzenko said:—

“Russians or Ukrainians who came from the territory which is now occupied by Russia—Ukraine or Eastern Poland—are paid serious attention by the Soviet officials. These Soviet officials have taken a lesson from this war. They learned what the Germans did. They know that years ago the Germans established very close contact with every German resident in other countries. They organized their Consuls and Embassies and obtained the names of relatives

or relations of people who were living in other countries. They got in contact with all persons of German origin and if they considered it necessary they asked them to work in a general way. Sometimes they did not consider it necessary that they should work for them, but they just kept in touch with them.

In the same way Soviet officials are working with the Canadians of Russian and Ukrainian origin. They try to develop those people as a Communist-minded population. If they consider it is necessary to develop some of them, they can use the fear that their relatives will be persecuted in the home country. That is no joke. It is the real thing. They may say to a man, 'If you do not agree to work, your sister or brother may be liquidated'."

Gouzenko also said:—

"They would not use just one method; they use a combination of all methods. They are always saying never to put all your aspirations and hopes on one method. Combine methods. They say that life is very complicated, so use everything possible. They would combine this method of infiltration, outside help, sympathizers, and others."

We have no evidence to corroborate Gouzenko's testimony on this latter point regarding any intention to put pressure on Canadians of Ukrainian or Byelo-Russian origin. It has, however, been established that the Soviet Embassy, in the course of its consular activities in Canada, did in fact during the autumn of 1945 inform the Canadian Department of External Affairs that it was carrying out a registration of persons living in Canada who came originally from territories formerly Polish which have since the war been incorporated into the Ukrainian and White Russian Soviet Socialist Republics of the USSR. It has also been established that advertisements were inserted in certain Canadian newspapers, chiefly newspapers in the Russian or Ukrainian languages, stating that persons from these territories who had not acquired Canadian citizenship were *required* (sic) to register. Offices were opened temporarily for this purpose in various Canadian cities by the consular section of the Soviet Embassy. It has been established that it was Vitali Pavlov who made the necessary official communications to the Canadian Department of External Affairs.

While, therefore, we have no reason to believe that this policy of registration was motivated primarily by any improper objectives, it is possible that the N.K.V.D. network headed in Canada by Pavlov did intend to take advantage of this registration for the improper purposes alleged by

Gouzenko. Under the circumstances, we feel that it is our duty to include Gouzenko's testimony on this point in our Report.

Increase of Russian Staffs

It is obvious that there was intended to be a large-scale post-war expansion of the network of Canadians in the military espionage system. This would naturally require a corresponding expansion in the Russian staff. Gouzenko said that it was considered desirable to have a separate Russian contact-man to "handle" each Canadian agent who had been put in direct contact with the Soviet Embassy, and that Zabotin considered his staff "dangerously" small. Zabotin himself was strictly forbidden to do any contacting in person.

Gouzenko testified that Zabotin was so confident of the successful further development of his network of Canadian agents that he asked Moscow by telegram for a considerable increase in his staff of contact-men, suggesting that some could be given official positions in the Embassy proper, others in the Commercial Section and in the Press Section. Gouzenko also testified that *The Director* had sent a telegram to Zabotin in reply, which stated that his organization in Moscow was actively looking for additional men to send to Canada, and that it was proposed to increase the staff of the Military Attaché's Office by more than one hundred percent and to give him additional men who would be officially attached to other Sections of the Embassy. This proposed expansion, according to Gouzenko, explains the telegram No. 264 which Zabotin sent to Moscow on 25 August, 1945:—

264

To the Director,

The Economist has arrived. In a conversation with him I learned that his staff will consist of 97 persons. A part of the persons selected by him will be trained in the centre, but the staff was not fully selected. Davy will remain in the apparatus of the Economist on the instructions of his boss. The establishment of the Economist will move to Montreal. In connection with the increase of our staffs it would not be bad to occupy the house of the Economist after their departure. The Economist promised to let me know in time. The boss of metro is also aspiring to occupy this house, although they have no particular need. Please support my proposal in the future, if it

is made by me to you or to the Chief Director in a telegram. The house of the Economist is almost twice as large as ours.

Grant

25.8.45

This telegram suggests that "a part" only of the 97 members of the staff to be officially attached to *The Economist* had been selected and would be trained in the *Centre*, that is, in the Military Intelligence Headquarters in Moscow. It states also that *The Economist's* organization was to be transferred to Montreal, and by inference shows that Zabotin expected a considerable increase in staff officially placed in the Military Attaché's Office in Ottawa, in addition to the espionage contact-men to be disguised as Soviet Trade Representatives.

The Economist is the cover-name used by the military espionage organization for Krotov, the Commercial Counsellor of the Soviet Embassy. He had himself worked for this espionage organization, but had discontinued active operations of this type. One of the documents, listing a group of Canadian agents and Russian contact-men, contains the entry:—

Economist has not been working since the month of October.

The Soviet Embassy addressed a number of enquiries, oral and written, to the Canadian Department of External Affairs, during the period from the latter part of August, 1945, to the end of November, 1945, as to the possibility of securing official permission from the Canadian Government for establishing a large Soviet trade mission "in Montreal or Toronto". Diplomatic immunities were sought for this commercial mission.

Evidently the Soviet espionage leaders planned to use this proposed Trade Mission to cover a number of additional espionage contacting agents.

SECTION II. 6

MOTIVATION OF AGENTS

Perhaps the most startling single aspect of the entire Fifth Column network is the uncanny success with which the Soviet agents were able to find Canadians who were willing to betray their country and to supply to agents of a foreign power secret information to which they had access in the course of their work, despite oaths of allegiance, of office, and of secrecy which they had taken.

Many of the Canadian public servants implicated in this espionage network were persons with an unusually high degree of education, and many were well regarded by those who worked with them in agencies and departments of the public service, as persons of marked ability and intelligence.

E.g.

Raymond Boyer, Ph.D., a member of the staff of McGill University and a valued senior worker with the National Research Council, is a highly respected scientist with an international reputation in chemistry. He is a man of very substantial independent means.

Eric Adams, a graduate of McGill University in engineering who obtained the degree of Master of Business Administration with high distinction from Harvard University in 1931, occupied an important position in the Industrial Development Bank, and had previously held responsible positions with the Wartime Requirements Board, the Foreign Exchange Control Board, and The Bank of Canada in Ottawa, where his ability was highly regarded.

Israel Halperin was a Professor of Mathematics at Queens University, Kingston, Ontario, and a major in the Directorate of Artillery engaged on important phases of research.

Durnford Smith and *Edward Wilfred Mazerall* were graduates of McGill and the University of New Brunswick, respectively, and their ability was highly regarded by their superiors in the National Research Council of Canada.

David Gordon Lunan, loaned by the army to the Wartime Information Board and later to the Canadian Information Services, was Editor of the periodical "*Canadian Affairs*" and a responsible official of the "Information to Armed Forces" section of the Canadian Information Services.

David Shugar, who held a Ph.D. degree in Physics from McGill University, had been employed by Research Enterprises Ltd., Toronto, a Crown Company engaged in producing Radar and other scientific equipment, and was later an officer in the Canadian Navy in the Directorate of Electrical Supply.

J. S. Benning held responsible administrative positions in the Department of Munitions and Supply and subsequently in the Department of Reconstruction.

Harold Gerson held responsible administrative positions in Allied War Supplies, Ltd., in the Department of Munitions and Supply, and the War Assets Corporation.

F. W. Poland was an officer in the Directorate of Intelligence of the R.C.A.F. and later Executive Secretary of the Interdepartmental Committee on Psychological Warfare.

Kathleen Mary Willsher was a graduate of the London School of Economics, of London, England, who for many years had held a position of confidence in the Office of the High Commissioner of the United Kingdom at Ottawa.

Matt Nightingale was a Squadron Leader in the R.C.A.F. He had attended Military School in Mobile, Alabama, and was a graduate of McGill University, Montreal.

Agatha Chapman is a graduate of the University of British Columbia, whose M.A. degree she also holds, and was employed in the Research Division of the Bank of Canada.

The motivation which led persons such as these to take part in an espionage conspiracy directed against Canada by agents of a foreign power is significant and seems to us to be of great importance.

a) Money Payments to Agents

There is no evidence that monetary incentive played an important part in the *original* motivation of those persons whose ideology was sympathetic to the Communist cause, who agreed to act as espionage agents.

On the contrary the evidence is overwhelming both from the documents and from the testimony of several such agents themselves—e.g. Lunan, Mazerall, Willsher, Boyer, Gerson—that their original motivation was a product of their political ideology and of the psychological conditioning received in the study-groups.

However, money was in due course paid out by the members of the Soviet Embassy who directed the espionage network to Canadian agents, and it did play a part in the development of the conspiracy.

On August 29th, 1945, a telegram was sent by Zabolotin, under his cover name of *Grant* to Moscow, reading as follows:—

To the Director, to No. 12293.

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1. The ambassador has agreed to help us by transfer ~~of money~~ giving us an amount of money from the embassy and he proposed that the money be sent back in small sums addressed to the Embassy to his address at the Embassy and to the address of the Commercial Counsellor. Small amounts might also be added to the entertainment expenses. If the opportunity arises, a part of the amount may be sent by diplomatic mail. Perhaps there is a connection with *
2. As it is known to you, in the last two months we had to make heavy expenditure and therefore there will be nothing left in the cash box by August 1. For the diplomatic mail alone (July, August) it is necessary to pay \$2500.00. I therefore beg you to send urgently operational sums of money. *

Grant.

29.8.45.

Such evidence as we have been able to obtain suggests that money payments were gradually broached to Canadian espionage agents. In other words a financial incentive was only gradually introduced for such agents to supplement and perhaps eventually supplant the original motivation supplied by the psychological development courses provided in Communist "cells".

Care was taken by the espionage recruiting agent not to mention the possibility of monetary rewards at the time when the first assignment or request was put to the selected recruit, e.g. money was not mentioned at first to Lunan by either Fred Rose or in the first letter of instructions given him by *Jan* (Lt. Col. Rogov); nor by Lunan at this stage to Mazerall, Halperin or Durnford Smith. Nor, according to their evidence before us, was money mentioned at this stage to Miss Willsher by Fred Rose or Eric Adams, or by Sokolov to Miss Woikin.

* Faint type indicates words crossed out in original documents.

It appears that the senior members of the network felt, probably rightly, that mention of money at this stage would act as a deterrent rather than as an inducement to secret Communists facing consciously for the first time the critical issue of invitation or initiation into what was obviously an illegal conspiracy directed against Canada. Better results were presumably expected at this stage when the potential new agent should regard the matter solely as an ideological assignment.

This tactful technique clearly produced results which would not otherwise have been obtained, e.g. Mazerall, when asked whether Lunan had ever offered him money, stated:—

- A. I am positive, knowing myself, that the slightest suggestion of it would have discouraged it as far as I was concerned entirely.
- Q. What do you mean by saying that if you had been offered money you would not be here?
- A. I would not have accepted money. If it had been offered to me I would have said no, at the moment, and I know I would have told him to get out of the car, and I would have driven away.

However, it has clearly been the established practice for the Russians directing the network in Canada to press relatively small sums of money, ranging from twenty-five to perhaps two hundred dollars, upon Canadian Communists once they had well begun their career as espionage agents for the Soviet Union. Sometimes they began with a mere offer of "expenses", e.g. an entry in Col. Rogov's dossier on Lunan, recording a list of relatively early matters to discuss with Lunan under the heading "*Organizational Assignments for 'Research' Group*", reads in part, in translation:—

- 4. In view of the fact, that Bagley, Badeau live far from the city, we will be giving them money for taxis, whenever this will be necessary for them. Warn them that they must not come up in the taxi to the place where they have to meet you.

Captain Lunan stated in evidence before us when asked about this entry:—

- A. Jan was always bringing up the question of expenses and he did mention this question of taxi rides, but it was from our point of view a preposterous suggestion and I simply ignored it.
- Q. When you say "from our point of view" whose point of view do you refer to?
- A. Mine and Smith's and Mazerall's.

Q. Did you discuss that with them?

A. Yes, I did.

Q. With the three of them?

A. No.

Q. With whom?

A. With each one at one time or another and I discussed the question of expenses.

Q. Tell us what you said to them?

A. I told them that if they were involved in any expenses there was an offer for those expenses to be covered. Each one of them, however, said there was no such possibility of expenses, the question did not arise for them.

Q. From what you say I take it they did not want to take any money?

A. Correct.

Q. Either as a disbursement to cover expenses or otherwise?

A. That is correct.

Q. What was their motive to do what they did?

A. Their motives would be idealistic or political.

Q. What do you mean by political?

A. That they felt they were serving a valid political motive in doing this.

Q. What do you mean by political?

A. I cannot describe for them their motives.

Q. What do you understand they meant by political?

A. I used the word myself.

Q. What did you use the word for?

A. That certainly there would be some motivation for doing this type of work, and it would have to be one involving ideals.

Q. Party sympathy?

A. Yes, that would be fair.

Q. When we say "party" there is only one Party that is meant, the Communist Party?

A. That is correct.

Lieutenant-Colonel Rogov was apparently quite insistent in offering money to Lunan for his services. Lunan testified:—

A. It was frequently offered to me but I never took it.

Q. How did he offer you the money?

A. Well, he would ask me and sometimes actually offer it. That is, I could see it was money. He would try to persuade me to take it. He characterized it as expenses, but I never took it.

One purpose of the directors of the network in insisting on paying money, even relatively small sums, to recruits, would be to further the moral corruption of the Canadians caught "*in the net*" and thus to assist in their further "*development*".

Gouzenko testified that it was the general rule to pay agents, and to obtain a receipt signed by the agent:—

"They must have a receipt from the agent, and they must send a receipt to Moscow for the money. The agent always gives a receipt. Only a new agent never gives a receipt because they do not want to scare him in the first time."

Such receipts could, if necessary, presumably be used for blackmail purposes if the agent's enthusiasm for the cause should later wane. In the meantime, they facilitated orderly bookkeeping which Col. Zabotin's chiefs took very seriously.

Gouzenko stated that he, personally, did not normally see such receipts, and was unable to take any such receipts with him when he left the Embassy, "because these receipts are in the desk of Lt. Col. Motinov and then Rogov". Asked whether "before being sent to Moscow these receipts were kept in room 12 in the safe", i.e. in the office in the Embassy to which Gouzenko had access and where he worked, he replied: "No, they are kept at 14 Range Road."

Gouzenko testified however that he had seen certain receipts, including one signed by Eric Adams, early in 1945.

Canadians implicated in the espionage network seem to have been understandably more reticent when testifying before us regarding money, than on other aspects of the conspiracy, e.g. in this regard Mrs. Woikin replied as follows:—

Q. Did you ever receive any money from Sokolov for the work you were doing for him?

A. No, I didn't get money for it.

Q. Pardon?

A. I didn't get money for it.

Q. Did you get money?

Q. I am asking you whether you received money from Sokolov?

A. I received a gift one time: \$50.00.

Q. And that gift was in the nature of what?

A. It was money.

Q. It was \$50. you say?

A. Yes.

Where the Russian officials were not in direct communication with a Canadian agent, but used a senior Canadian agent as contact-man and go-between, the system was to pay to the contact-man a sum for transmission to the agent, as well as a sum for himself.

Thus Eric Adams paid Miss Willsher on one occasion the sum of \$25, as stated to us by Miss Willsher herself.

Similarly, at a fairly early stage Captain Lunan was instructed by Lt. Col. Rogov to broach the subject of payment to Durnford Smith, Professor Halperin and Mazerall. A written report dated 18th April, 1945, which Captain Lunan submitted to Rogov, contains the following:—

Bacon has given considerable thought to my original requests and has given me the material for the attached report. He offers to fill in any details that may be asked for if he can. I have not had the opportunity to ask him about payment.

This report, typewritten in English, was one of the documents brought before us by Gouzenko, from the secret files of Col. Zabotin.

Captain Lunan when shown this document testified that he had written this report and handed it to Rogov, whom he knew as *Jan*. In explanation of the sentence about money Lunan explained:—

“From time to time during my meetings with *Jan* he was very pressing in the matter of offering money for this work. I certainly did not want to accept money for other people unless they knew about it and I felt I should at least ask them about it.”

According to the documents from the Soviet Embassy, the original reticence of these new agents to accept money was successfully overcome, and money was paid to Captain Lunan for himself and for his three sub-agents, Durnford Smith, Professor Halperin, and Mazerall.

Thus a document in Russian, in the handwriting of Lt. Col. Motinov, headed “*Organizational Assignments for Research Group*”, contains a paragraph reading in translation as follows:—

8. Money. ~~To you~~ Back \$100 *.
Bagley \$30
Badeau \$30
Bacon \$30

* Faint type indicates words crossed out in original documents.

This document contains notes made in the Embassy, *prior* to a meeting with Captain Lunan, regarding assignments and instructions to be given him at that meeting.

Similarly, however, there were notes kept in the Embassy, in a different notebook, made *after* each meeting with Lunan to record a summary of what took place at such meetings. These were headed "*Course of Meetings*". The reports of three such meetings record payment of money to Captain Lunan. The report on Rogov's third meeting with Lunan contains the following entry:—

Paid out	\$190
Itemized	Back: \$100
	Bacon: 30
	Badeau: 30
	Bagley: 30

The report on Rogov's fourth meeting with Lunan has an entry:—

Gave out: \$100 (present for the wife)

(Lunan's wife had just had a child, who was christened "Jan", which was the cover-name under which Lunan knew Lt. Col. Rogov).

The report on Rogov's seventh meeting with Lunan includes the entry:

Gave Back \$50.

That Durnford Smith was at first reluctant to accept payment from the Russians for the espionage activity on their behalf is shown by one of Lunan's typed reports which he delivered periodically to Lt. Col. Rogov. The passage in his report dated April 18, 1945, reads:—

Badeau was very disturbed when I brought up the subject of payment. I think he felt that it brought the subject of his work into a different (and more conspiratorial) focus. He was to think it over and let me know, but we have had no opportunity to meet since I was in Montreal in the interim. . . .

However, any doubt that Zabotin, Rogov and their Russian colleagues may have had regarding the financial as well as the previously established psychological corruptibility of Durnford Smith seems to have been dispelled later. An entry in the dossier kept in Russian at the Soviet Military Attaché's Office on Durnford Smith, in the records headed—"Course of Meetings", reports that at the first *direct* meeting between Smith and Rogov, arranged by Lunan on 5th of July, 1945, Rogov gave money to Smith. This entry reads as follows:—

COURSE OF MEETINGS

No. No. P. P.	Substance of Meetings	Remarks
1.	<p>5.7.45.—The acquaintance meeting took place through Back. Makes a good impression. At the meeting behaved very cautiously, somewhat cowardly. Brought material for photographing on radio locators. Is desirous to work for us and promised to do everything possible.</p> <p>Lives in Hull in a separate suburb. Requested to do photographic work by himself and contact with Bagley. See details in telegram of 6.7.45.</p> <p>Handed out 100 dollars; he took the money readily.</p> <p>In the course of time he may become the head of a group.</p> <p>No regular meeting fixed, contact will be maintained through Back.</p> <p>Special assignment set forth (see annex).</p>	

The record of the fourth direct meeting between Rogov and Durnford Smith, dated 26th August, 1945, includes the statement:—

Gave out \$100.

Similarly the "*registration card*" kept in the Soviet Embassy on Captain Lunan, and pasted on the inside front cover of the dossier on Lunan, gives the agent's name, address, and other information. Under the mimeographed form heading "*Financial Conditions*" there is a typewritten entry, in Russian, as follows:—

Receives around \$200 a month. Needs material help occasionally.

The \$200 a month appears to refer to Captain Lunan's salary for his work in the Canadian Information Services.

The dossier prepared on Smith was also laid before us by Gouzenko. The "*Registration Card*", under the mimeographed heading "*Financial Conditions*", has the typed Russian entry:—

Weak, receives about 300 dollars a month. Needs periodic assistance.

The \$300 a month presumably refers to Durnford Smith's salary as an employee of the National Research Council of Canada, though it was an over-estimate.

Mazerall denied, throughout his testimony before us, that he had ever been offered any money, or ever accepted any, for his espionage services. His general demeanour before us seemed frank, and his denial on this point would seem consistent with the mental state in which the partial failure of his study-group "development" courses had left him, and particularly with the curious psychological compromise which he adopted when asked by his Communist superiors to transmit information. He stated before us, in defence of his actions, that he could have transmitted more important secret information than he did, and that he deliberately selected information which he knew would probably be declassified within a few months. The other evidence before us bears out this testimony. (See Section III. 3).

We therefore had to consider the possibility that Captain Lunan had retained for himself money given him by Rogov for transmission to Mazerall. Mazerall had no direct contact with a Russian.

Lunan also denied accepting any money from Rogov either for himself or for Mazerall, Halperin or Durnford Smith. Lunan is a much more sophisticated person than Mazerall, and his evidence on this particular point impressed us less than that of Mazerall.

With more senior agents, who had been longer "*in the net*" as the Russian "*Registration Card*" forms expressively term membership in the espionage network, the sums paid over appear to have been larger, and may have provided for persons at that advanced stage of political "development" the main motive for continued Fifth Column services.

Thus the selection of documents from the Soviet Embassy state that at least \$700 was paid to *Alek* (Alan Nunn May).

Cipher telegram number 244 of 1945 from *Grant* (Col. Zabotin) to *The Director* in Moscow, referring to arrangements made with May to contact another agent on a street in London, contains the sentence "*We handed over 500 dollars to him*". A handwritten Russian entry in one of the notebooks, signed by *Baxter* (Angelov) referring to a meeting where a sample of uranium 235 was delivered by Dr. May, states:—

**200 dollars Alek and 2 bottles of whiskey
handed over 12.4.45.**

Dr. Alan Nunn May admitted, when interrogated in London, receiving money "*in a bottle of whiskey*" from the agent to whom he transmitted

information on the atomic bomb, but stated that he could not remember how much. (See Section III. 13).

The dossier kept in Col. Zabotin's secret files on Sam Carr, the National Organizer of the "Labour-Progressive Party", has the same mimeographed form already referred to, headed "*Registration Card*". After the mimeographed heading "*6. Financial Conditions*" there is a typed entry reading:—

6. FINANCIAL CONDITIONS Financially secure, but takes money. It is necessary occasionally to help.

This dossier shows the payment to him of at least \$850 during a period in 1945, as well as a payment of \$3,000 to be used in bribing an official of the Passport Office of the Canadian Department of External Affairs (see Section. V). Carr had asked \$5,000 for this latter purpose, but *The Director* in Moscow had replied that this was "*a fantastic sum*" and offered \$3,000 maximum. The false Canadian passport, wanted for a Soviet agent sent from Moscow and living in California, was in fact issued; so it is clear that Carr duly fulfilled his part of this bargain.

The documents also show that \$100 was paid at this time to Dr. Henry Harris, an optometrist in Toronto, who took disguised telephone calls from *Lamont* (Motinov) and *Brent* (Rogov), arranged surreptitious meetings on street corners and in his home between them and Carr, and otherwise acted as a go-between for the Russian leaders of this espionage ring and the National Organizer of the Labour-Progressive Party (Communist Party of Canada).

Similarly one of the Russian documents relating to Fred Rose, M.P., a member of the National Executive of the Labour-Progressive (Communist) Party, includes a direction about handing him six hundred dollars.

The documents also show that *The Director* in Moscow and Col. Zabotin's organization were prepared to consider spending relatively large sums of money as an *inducement* to co-operation in espionage or other illegal activities, where the prospective agents were not members of the Communist Party, and where the other motivation did not exist.

There is no evidence that the official in the Canadian Passport Office who at Carr's request falsified the records and issued a Canadian passport to the Soviet agent going under the name "*Witczak*", was a member or adherent to the Communist Party. Hence the provision, made on the authority of *The Director* in Moscow, of three thousand dollars to Carr for bribery.

Similarly, notes in Russian, typed and signed *Lamont* (Motinov) with "*I confirm—Grant*" added in the handwriting of Zabotin, and dated

5.11.44, deal with plans whereby it was hoped to induce *Jack* and *Dick*, two Colonels in the Headquarters of the Canadian Army, who were not in any sense Communist sympathizers, to work as espionage agents. These notes, dealing mainly with possible psychological methods of approach, contain, in a long list of information to be discreetly obtained about them, the following:—

- (d) Financial conditions, inclinations toward establishing material security for his family (intentions to engage in business, to own a car, a home of his own and what hinders the fulfilment of this plan.)

and also the following:—

- 4. Program for future (ideological or financial requires to be determined).

Another purpose for which Col. Zabolin was prepared at least to consider spending considerable sums of money was to assist in placing Canadians, already working with proved capacity as espionage agents, in positions where they could be most useful to the espionage network.

On August 25, 1945, Zabolin wired Moscow about a proposal put to him by Gerson, whereby the latter should open an office in Ottawa as consulting geological engineer. It was proposed that Zabolin should provide \$7,000 a year for the first two years or so for this office. Whether *The Director* in Moscow would have agreed to this proposal of Zabolin's is not known, as Gouzenko left the Embassy a few days after this telegram was sent.

Another illustration of the fact that Col. Zabolin and *The Director* were prepared to spend relatively large sums of money for agents, when this was considered necessary, is provided by several documents. These deal with relations between Col. Zabolin's organization and Pavlov's organization (N.K.V.D.) on the one hand, and a Germina Rabinowitch, upon whom we are reporting, on the other. The documents record, inter alia, a transfer of \$10,000 through Zabolin to this person, and the transmission by her of this sum through New York to the network in Europe in which she was interested.

Thus it is apparent that despite the relatively cheap method of inducing most new recruits to join the espionage network through non-monetary motivation courses provided by Communist study groups, nevertheless fairly substantial sums of money were in fact being paid out by Zabolin, particularly to senior agents.

b) The Development of Ideological Motivation

The evidence before us shows that in the great majority of cases the motivation was inextricably linked with courses of psychological development carried on under the guise of activities of a secret section of what is ostensibly a Canadian political movement, the Labour-Progressive Party (Communist Party of Canada); that these secret "development" courses are very much more widespread than the espionage network itself; and that the Canadian members of the espionage network themselves took an active part in directing and furthering such courses for other Canadians, which were calculated to allow them to draw suitably "developed" persons later into active participation and thus to expand the network itself.

It has been established for example that Sam Carr and Fred Rose, M.P., both Moscow-trained, not only designated Canadians for recruiting into the espionage ring, but took an active part with others in fostering the courses or study-groups wherein suitable motivation for espionage was gradually developed, thus broadening the base from which further recruiting was carried on, and in some cases was in fact undertaken by them, for the espionage network itself.

The Inquiry has revealed the names of a number of Canadians, employed in various Departments and Agencies of the Government, who while presumably quite ignorant of the espionage network and certainly innocent of implication in such illegal activities, were being subjected to "development" by the same means for use in the future.

For these reasons we are analysing with some care the question of motivation, and the highly organized methods employed to develop an appropriate moral and mental state among potential Canadian recruits before they are informed of what has been planned for them.

In virtually all cases, as has been stated, the agents were recruited from among "cells" or study groups of secret members or adherents of the Communist Party (Labour-Progressive Party).

It seems to be general policy of the Communist Party to discourage certain selected sympathizers among certain categories of the population from joining that political Party openly. Instead, these sympathizers are invited to join secret "cells" or study groups, and to take pains to keep their adherence to the Party from the knowledge of their acquaintances who are not also members of the Communist Party. The categories of the population from which secret members are recruited include students, scientific workers, teachers, office and business workers, persons engaged in any type of

administrative activity, and any group likely to obtain any type of government employment.

The reason suggested by some of the agents in their evidence for the curious practice of keeping their political affiliations secret was that by this means they would avoid unfavourable discrimination in obtaining positions. There were enough such cases to justify us in concluding that this practice is a Party technique, the real objectives and results of which seem to be quite different.

One objective, we conclude, is that this technique facilitates the achievement of a basic policy of the Communist Party, viz. to get control, through the election of secret members to the directing committees, of as many types of functional organizations as possible, including trade unions, professional associations and broad non-party organizations such as youth movements, and civil liberties unions. Similarly, secret members or adherents of the Communist Party may be used to take the lead in organizing new, broad, and ostensibly non-political organizations, after which they obtain for themselves and other secret adherents key positions on controlling committees of the organization. By these means the technique of secret membership is calculated to facilitate essentially dishonest but not ineffective methods of propaganda in the interests of a foreign state.

One illustration of the use of this technique is furnished by the Canadian Association of Scientific Workers. *Professor Boyer*, in whose house the informal meetings at which the establishment of the organization were held, became National President. *Norman Veall*, upon whom we are also reporting, told us that he "took an active part in the formation of the organization"; and that he became a member of the National Executive Committee, charged with maintaining liaison with corresponding organizations in other countries. There is evidence suggesting that he used this position as a cover in making contacts with members of the staff of the Soviet Embassy in Ottawa. *David Shugar* testified that he had been very active in organizing and extending the Association, and was elected a member of the Executive of the Ottawa Branch. In fact Veall and Shugar each showed an inclination to claim credit for founding the Association. *Mazerall* stated that the Association was something "*which people in the study-groups were interested in forming*".

In addition to Boyer, Veall, and Shugar, Dr. Alan Nunn May and Frank Chubb, both of whose names figure in the espionage notebooks of Colonel Zabolin, hold or have held official positions on the Association's executive

committees. Professor Boyer characterized the majority of other members of the executive as "LPP" i.e. Labour-Progressive Party or Communist) "or left-wing" in political ideology; though he stated that very few of the Association's large membership among scientists would share this political view.

The propaganda value of control of such an organization is illustrated by correspondence between Shugar and Boyer discussing whether Shugar or Veall should write an article in *The Scientist*, the Association's magazine, regarding plans for the control of atomic energy.

Control by the Communist Party over a broad organization such as the Canadian Association of Scientific Workers could be used in a variety of ways not only for propaganda purposes, but eventually as a base for recruiting adherents to that Party from among scientists, and in due course no doubt for recruiting additional espionage agents in key positions in the national life.

But there would appear to be a further basic object and result of this technique of secret membership of the Communist Party organized in secret "cells" or study-groups.

This object is to accustom the young Canadian adherent gradually to an atmosphere and an ethic of conspiracy. The general effect on the young man or woman over a period of time of *secret* meetings, *secret* acquaintances, and *secret* objectives, plans and policies, can easily be imagined. The technique seems calculated to develop the psychology of a double life and double standards.

To judge from much of the evidence, the secret adherent is apparently encouraged never to be honest or frank, outside the secret "cell" meetings, about his real political attitudes or views, and apparently is led to believe that frankness in these matters is the equivalent of dangerous indiscretion and a potential menace to the organization as a whole.

Thus in a preliminary report which Lunan wrote on March 28, 1945, to Lt. Col. Rogov, he referred to a "cell" or study-group in Ottawa to which Durnford Smith, Halperin, and Mazerall belonged, as follows:—

they already feel the need for maintaining a very high degree of security and taking abnormal precautions at their normal meetings (about once every two weeks), since they are definitely not labeled with any political affiliations. One or two have even opposed the introduction of new members to our group on the grounds that it would endanger their own security.

This describes precautions taken by this group *before* any of the members were asked to engage in espionage or other illegal activities.

Evidence that this technique of secrecy among Communist Party membership is favoured—if indeed it had not been inaugurated—by Moscow, is found in a telegram, dated 22nd August 1945, from *The Director* to Zabotin which reads in part:—

To Grant.

1. Your 243.

We have here no compromising data against Veal, nevertheless the fact that he has in his hands a letter of recommendation from a corporant who was arrested in England (which he did not take care to destroy) compels us to refuse to have any contact with him whatsoever, the more so that many already call him “a Red”.

“Corporant” is a cover-name used for a member of any Communist Party except that of the U.S.S.R.

An inevitable result of this emphasis on a conspiratorial atmosphere and behaviour even in political discussions, correspondence, and meetings which are in themselves perfectly legal and indeed are the cherished right of everyone in a democratic society, would seem to be the gradual disintegration of normal moral principles such as frankness, honesty, integrity, and a respect for the sanctity of oaths.

We believe that this technique played a definite part in bringing persons such as Miss Willsher, Mazerall, Lunan, and others to a state of mind where they could disregard the moral obligations which they had undertaken in connection with their public duties.

A reading of the evidence before us, taken as a whole, indicates also that this technique seems calculated to affect gradually and unconsciously the secret adherent's attitude towards Canada. Often some of the agents seem to have begun their Communist associations through a burning desire to reform and improve Canadian society according to their lights. But one effect of prolonged habituation to conspiratorial methods and the conditions of secrecy in which these people work is to isolate them from the great mass of the Canadian people.

As the courses of study in the “cells” undermine gradually the loyalty of the young man or woman who joins them, it is necessary to say something as to the content of the courses pursued in them, as that is reflected by the evidence.

The curriculum includes the study of political and philosophic works, some of them far from superficial, selected to develop in the students an essentially critical attitude towards Western democratic society. This phase of the preparation also includes a series of discussions on current affairs, designed to further a critical attitude toward the ideals of democratic society.

But this curriculum would appear in reality to be designed not to promote social reform where it might be required, but to weaken the loyalty of the group member towards his or her own society as such.

Linked with these studies at all stages, moreover, goes an organized indoctrination calculated to create in the mind of the study-group member an essentially uncritical acceptance at its face value of the propaganda of a foreign state.

Accordingly the study-groups are encouraged to subscribe to Communist books and periodicals. The *Canadian Tribune* and *Clarion* of Toronto, *New Masses* (a periodical published in the United States), *National Affairs* of Toronto, and *Club Life*, have been among those mentioned as regular objects of study and discussion in these groups, as well as selected books on Russia.

In some cases the effect of these study courses seems to be a gradual development of a sense of divided loyalties, or in extreme cases of a transferred loyalty.

Thus it seems to happen that through these study-groups some adherents, who begin by feeling that Canadian society is not democratic or not equalitarian enough for their taste, are gradually led to transfer a part or most of their loyalties to another country, apparently without reference to whether that other country is in actual fact more or less democratic or equalitarian than Canada.

Indeed, a sense of internationalism seems in many cases to play a definite role in one stage of the courses. In these cases the Canadian sympathiser is first encouraged to develop a sense of loyalty, not directly to a foreign state, but to what he conceives to be an international ideal. This subjective internationalism is then usually linked almost inextricably through the indoctrination courses and the intensive exposure to the propaganda of a particular foreign state, with the current conception of the national interests of that foreign state and with the current doctrines and policies of Communist Parties throughout the world.

e.g. Professor Boyer stated that he gave secret information to Fred Rose despite the oath of secrecy which he had taken, believing that this step would further "international scientific collaboration".

Professor Boyer had not apparently enquired about the operations in practice of the various official organizations engaged in attempting to organize exchanges of military and other information with the Soviet Union, nor about the degree of reciprocity or relative balance developed in such official exchanges, nor about the relative merits of various possible methods of increasing international cooperation in scientific and other fields. His approach to the general question of increasing international scientific cooperation thus appears to us to have been relatively uninformed and unscientific, as well as singularly presumptuous and undemocratic in arrogating to himself by secret action the sole right of decision on such matters affecting all the people of Canada, the United Kingdom and the United States. His actions also involved a breach of oath. We see however no reason to doubt the sincerity of his motives as stated by himself. This sincerity was played on successfully by an unscrupulous and more sophisticated agent.

In Mazerall's case also, his desire to further international scientific collaboration was among the complex of emotions successfully played upon by those who brought him into the espionage network. Mazerall, whose testimony as to his motivation seems to us to have been frank and sincere, stated in evidence:—

A. At the same time I did not like the idea of supplying information. It was not put to me so much that I was supplying information to the Soviet Government, either. It was more that as scientists we were pooling information, and I actually asked him if we could hope to find this reciprocal.

Q. Did you ever have that experience?

A. I did not; no.

Q. Have you ever known of information of any kind being supplied by Russia?

A. Very little.

A further objective, pursued through the study-group, is gradually to inculcate in the secret membership of the Communist Party a habit of complete obedience to the dictates of senior members and officials of the Party hierarchy. This is apparently accomplished through a constant emphasis, in the indoctrination courses, on the importance of organization as

such, and by the gradual creation, in the mind of the new adherent or sympathiser, of an over-riding moral sense of "loyalty to the Party". This "loyalty to the Party" in due course takes the place in the member's mind of the earlier loyalty to certain principles professed by the Party propaganda.

In view of the rigidly hierarchic organization of the Communist Party, particularly in its secret sections, the concept of "loyalty to the party" means in practice, rigid obedience of adherents to those party members who are recognized as occupying a senior position in the hierarchy, and particularly to such persons as Carr, the National Organizer, and Rose, the Quebec organizer.

The indoctrination courses in the study groups are apparently calculated not only to inculcate a high degree of "loyalty to the Party" and "obedience to the Party", but to instill in the mind of the adherent the view that loyalty and obedience to the leadership of this organization takes precedence over his loyalty to Canada, entitles him to disregard his oaths of allegiance and secrecy, and thus destroys his integrity as a citizen.

The case of Kathleen Willsher offers a striking illustration of the uses to which this attitude of "party-loyalty" and obedience can be put by unscrupulous leaders, even when other aspects of the indoctrination courses have not been completely successful. She had joined a secret "cell" of the Communist Party and as early as 1935 agreed to give secret information, which she obtained from her work in the Office of the High Commissioner for the United Kingdom in Ottawa, to Mr. Fred Rose. She continued to do so regularly for four years. From 1942 to 1945 she gave similar information to Adams, whom she recognized as her superior in the secret section of the Communist Party. She told us that she was given to undersand by Rose and by Adams that this information was for the guidance of the National Executive of the Communist Party of Canada.

She also said that when these requests, which she recognized were improper, were first put to her by Fred Rose, and later by Eric Adams, she had some struggle with her conscience, but that after a few weeks' hesitation she decided to comply because as a member of the Communist Party she felt that she was expected to do what she was asked regardless of any obligation which she might have in any other direction. Rose stated to her that such information would help the Communist Party in formulating its policies. She testified:—

"I felt that I should contrive to contribute something towards the helping of this policy, because I was very interested in it. I found it very difficult, and yet I felt I should try to help."

Miss Willsher's evidence, taken as a whole, shows that she felt her own position in the Communist Party to be a relatively humble one, that her one important contribution to the cause of the Party lay in the transmission of the secret information to which her official position gave her access, and that it was expected of her that she should not hesitate to make this information available on request to the Party leadership.

In many cases prolonged membership in the Communist Party seems to have resulted in a very high degree of discipline and to have induced a semi-military habit of largely unquestioning obedience to "orders" and "Party policy". Such habits, once developed, naturally made the task of the espionage recruiting agents, who are senior members of that Party, relatively simple.

It appears to be an established principle of at least the secret "cells" section of the Communist Party that rejection of "party orders" entails automatic resignation or expulsion from the party. This principle in itself assists in inducing obedience from members who might otherwise be inclined to waver, but who have become habituated over a period of months or years to membership.

Thus Mazerall, who was most reluctant to obey the request of Lunan to hand over secret information for Soviet agents, testified regarding the factors which caused him to comply:—

A. If I had told Lunan no, by the same token I would have turned around then and left the group; and although in a way I wanted to do that, that is I didn't like the group itself, nevertheless many of the things that they stood for I felt I concurred with.

Q. But I am still asking you, what was your obligation that you felt to deliver material to Lunan?

A. I don't know.

Q. It must have been something pretty strong that influenced you to do that, Mr. Mazerall, wasn't it?

A. I suppose so.

Q. What was it? It was not money, you say?

A. No. Well, just the whole background; what I have been trying to tell you.

Thus the leaders of the Fifth Column solved what would appear at first sight to be their most difficult problem—that of motivation, or finding capable and well-placed Canadians who would be willing to engage in espionage against Canada for a foreign power—by means of a widespread

system of propaganda and in particular by organizing a system of intensive study-groups. This system has been functioning for years, and was already a going concern used for espionage in 1935.

These groups have provided a large base of Canadians in various stages of carefully induced evolution—emotional, mental, and moral—from which base the leaders can recruit those who are considered adequately “developed” into expanding illegal networks for espionage or other purposes.

A further technical advantage, which this system has provided to the leading organizers of the espionage network, has been a surprising degree of security from detection. By concentrating their requests to assist in espionage within the membership of secret sections of the Communist Party, the leaders were apparently able to feel quite confident—and apparently with reason based on an experience in Canada over a period of at least eleven years—that even if the adherent or member should refuse to engage in activities so clearly illegal and which constitute so clear a betrayal of his or her own country—such adherent or member would in any case not consider denouncing the espionage recruiting agent to the Canadian public or to the Canadian authorities.

It is for example significant that when Rose first asked Kathleen Willsher, in 1935, to supply secret information to him, he did so, according to her testimony, at a regular meeting of her study group. Thereafter for four years she transmitted such information to him, orally, at the study-group meetings. While the conversations were private, Miss Willsher testified that no particular precautions were taken against being overheard “as no one else would have been interested”.

It is significant that not a single one of the several Canadians, members or adherents of the Communist Party (Labour-Progressive Party), who were approached by senior members of that Party to engage in espionage on behalf of the Soviet Union, reported this approach to the Agencies, Departments, or Armed Forces of Canada in which they were employed.

Not one even of those who have described, in evidence before us, serious hesitation and struggles with their consciences which they underwent before they agreed to act as spies against Canada, ever suggested to us that they contemplated taking the one loyal or legal course of action—i.e. reporting the criminal request to the Canadian authorities.

This is a striking illustration of the efficiency of the Communist study-groups in inducing a motivation for clearly illegal Party assignments directed against Canada.

What appears from the evidence to be the real purpose of the study-group or "cell" organization—as a wide and ever-expanding base for the recruiting, psychological development, and organization of a Fifth Column operating in the interests of a foreign power—would have been frustrated if rank and file members of these groups or junior adherents of the Communist Party of Canada had been aware of the real objectives and policies of Carr, the National Organizer, Rose, the Quebec Organizer, and the other senior members of the conspiracy.

The evidence we have heard shows that at each stage of "development" the adherent is kept in ignorance of the wider ramifications and real objectives of the organization, to one of the fringes of which he has allowed himself to be attached.

Indeed it appears from the evidence that some at least of the adherents recruited to study-groups are not told that these groups are in reality secret "cells" or units of the Communist Party; e.g. Mazerall testified that he was first invited by a friend to join an informal discussion group, and that he did not for a considerable period recognize that it was in reality a secret Communist "cell", although he later knew it to have been such.

Kathleen Willsher was first a member of a group discussing the "difference between socialism and communism" and after a few years joined a smaller secret group of Communists.

Any small study-group, however called, which will allow more experienced Communists to influence and simultaneously to study the psychological development of potential "recruits" will do in the early stages of the new recruit's "development".

Participation of secret Communists in genuinely informal small discussion groups appears to be one of the methods used to attempt to develop some or all of the other participants and gradually draw them into more specifically Communist groups, if possible by turning the earlier informal body into such a unit without the full, immediate realization by all the other participants of the metamorphosis. Alternatively, persons considered suitable for "development" can be designated to cell leaders and then invited to join the cell instead of continuing with the broader group.

The extent of the secret section of the Communist Party is not normally disclosed at any time to the junior members of the secret groups, who know only the four or five other members of their own group. The leader of each such group, who attends secret meetings of five or six such group leaders, will know them plus the secret "chairman" of these meetings; e.g. Mazerall, as representative of his own secret group, attended also the

meetings of group leaders, at the home of Miss Agatha Chapman, the chairman of a group of group leaders in Ottawa. Here he met Benning and others.

However, over a period of time secret members will get to know many others through joint participation in various "front organizations" and otherwise, though they may not know the extent of their "development" unless designated to work with them for some purpose of the Party leaders.

It is, apparently, not the present practice for secret members of the Party to fill out any membership forms, or sign any declaration, or to be given any membership cards. This relatively loose system obviously assists in maintaining the secrecy of the organization. But it appears also to play a role in the expansion of the organization, since at each stage of his "development" the adherent is allowed to feel that he is still politically independent and merely assisting in the general activities of the movement without taking at any time, what he might consider to be a specific and binding step to acquire or ratify definite membership. This technique allows the development courses to proceed and to have their gradual effect on the adherent without raising any unnecessary resistance in the adherent's mind to any specific stage of early development.

Thus even Boyer, Mazerall, and Lunan, the last-named an active espionage recruiting agent, apparently felt that they had not allowed themselves to become full members of the Communist Party, though they had paid "dues" for years, because they had at no time signed membership documents or taken out membership cards.

Boyer, who stated that he joined a Communist study-group in 1939, said when asked to explain his relations with the Communist Party:—

A. I have worked in organizations in which there were Communists and in which I knew there were Communists, and I have worked very closely with Communists, but I have never held a party card or paid dues, etc.

Q. Have you ever made contributions to the work of the Communist Party?

A. I made contributions.

Q. Financial contributions?

A. Yes.

Apparently at each stage of "development" the adherent is carefully kept from an appreciation of the nature of tasks likely to be assigned to him when he is considered adequately "developed" for the next stage.

Apparently also many even among relatively senior and "developed" secret members of the Communist Party are kept unaware of the nature and existence of specifically illegal activities, directed against Canada, which are carried on by a section of the organization which they support. Indeed, most persons actively engaged in such illegal activities are apparently given to understand that their activities are exceptional, and are kept quite unaware of the extent to which they have been carried on by top leaders such as Sam Carr and Fred Rose. In view of the "leader-principle", that is, the established principle of obedience to higher Party authorities, such unawareness among most members of the organization would not hinder the organization's efficiency for Fifth Column purposes.

For example Lunan, who undertook, after designation by Rose, to organize a group of espionage agents, was given to understand that the only persons engaged in this illegal activity would be himself, the three Canadian scientists whose espionage activities he directed, and Rogov of the Soviet Embassy. In testifying before us as to his motivation, which he stated was directly linked with his political ideology, he said:—

"I would also like to say that I had no idea of the scope and extent of this work. I was amazed when it first became clear to me during my interrogation. I never thought of myself as being more than one person in a small group of five people.

"I do not offer this in any sense as an excuse for my work but I was striving to square myself with my ideals without a full knowledge of the position in which I really found myself."

Boyer, Willsher and other active participants also assured us that they were not informed of the extent of the espionage organization in which they were invited, and had agreed, to take part.

Lunan, in his first report to *Jan* (Lt. Col. Rogov) dated March 28, 1945, stated that he intended to pursue a similar technique with Durnford Smith and Mazerall, gradually drawing them into the illegal network without at first revealing to them even his own limited knowledge of the true nature and extent of the conspiracy. His first written report states *inter alia*:—

. . . With the exception of Bacon [i.e. Professor Halperin†], who is enthusiastic and politically experienced, it would be unwise to approach them point blank with all the tasks assigned. . . . I therefore believe it wise to approach them carefully and not to advance too great an assignment to them at one time.

†Our insertion.

Also, for the time being, not to characterize the work for what it is, but merely to let it be understood that it is work of a special conspiratorial nature, without mentioning my connection with you. . . .

Apparently only persons of top rank in the Communist Party hierarchy, such as Carr, the National Organizer of the Labour-Progressive Party, and Rose, the Quebec Organizer, were allowed to have any adequate picture of the real scope, nature and objectives of the organization which they directed.

Regarding the original attraction of Canadians to the "development" courses or study-group organizations, it is difficult to speak with certainty. The appeal naturally varied greatly with each individual. In some cases it lay apparently in the highly systematized metaphysical concepts used by the Communist Party in its propaganda directed to certain types of "intellectuals" and students. Thus Durnford Smith, when asked what it was that attracted him to the movement, replied: "*the logic of it*".

A factor which appears to have played a part in first attracting at least one of the Canadian espionage agents whose evidence we have heard, was the belief that through these study groups he could fight against the social evils of anti-semitism and racial intolerance. Gerson said:—

"I consider myself as a second-class Canadian—not as a first-class Canadian. That is not a laughing matter, Mr. Commissioner; it is very serious".

He elucidated this point:—

Q. You have been speaking about Communism and you also mentioned Fascism. What is your idea, of the difference, if any, between Communism and Fascism?

A. Well, my idea is that it would be based on a question of anti-Semitism.

Q. I see.

A. You see, we were very active at that time. There was the danger of Hitler; we realized it. The Doctor and his wife were over in Germany in 1931; he went to University there and we realized it.

Q. What doctor?

A. Dr. Gottlieb; that is the [husband of the] sister of the Schlein family. We realized what was going to happen. We saw what happened in Montreal and Kirkland Lake where people were parading in blue shirts and sticking signs in windows and we felt we should do something about it . . . I mean it was from that; it was not from

an economic point of view. It was from the point of view of self-preservation. We figured that if we were considered as good Canadians here a law should be passed to make that illegal.

The evidence before us strongly suggests that anti-semitism and the natural reaction of persons of Jewish origin to racial discrimination, was one of the factors played upon by the Communist recruiting agents. It is significant that a number of the documents from the Russian Embassy specifically note "Jew" or "Jewess" in entries on their relevant Canadian agents or prospective agents, showing that the Russian Fifth Column leaders attached particular significance to this matter.

In some cases a desire for companionship and intellectual discussion may have played its part. With certain persons there is apparently an emotional appeal and glamour, as it were a sense of adventure, inherent in the conspiratorial methods and purposive activity of the groups. With more sophisticated persons, fascination by what may appear to them to be the efficiency of the unusual and essentially totalitarian system of Party organization through pyramiding cells may offer an attractive appeal.

In the vast majority of cases, one important element in the original appeal would seem to have been propaganda carried out by the Communist Party for various measures of "social reform" in Canada. The policy of carrying on propaganda for various domestic measures which in themselves are calculated to appeal to a substantial section of the Canadian people, has obviously served two important objectives of the leaders of the Fifth Column.

In the first place, by associating such domestic propaganda, in the minds of as many people as possible, with the external propaganda of a particular foreign state, this policy serves in itself to "carry", by implication, that foreign state's propaganda. This is a common and very effective non-rational technique of modern advertising. An obvious commercial example is the use of a pretty face in advertisements for cigarettes.

Secondly, such domestic propaganda has unquestionably played an important part in recruiting Canadians for the "development" courses calculated eventually to make these Canadians instruments for more sinister and illegal Fifth Column purposes .

By these means, a number of young Canadians, public servants and others, who begin with a desire to advance causes which they consider worthy, have been induced into joining study groups of the Communist Party. They are persuaded to keep this adherence secret. They have then

been led step by step along the ingenious psychological development courses we have outlined, until under the influence of sophisticated and unscrupulous leaders they have been persuaded to engage in illegal activities directed against the safety and interests of their own society.

Essentially what has happened is the transplanting of a conspiratorial technique, which was first developed in less fortunate countries to promote an underground struggle against tyranny, to a democratic society where it is singularly inappropriate.

SECTION II. 7

LIST OF IDENTIFIED AGENTS IN CANADA

As a result of these activities, Colonel Zabotin, with the assistance of Carr (cover-names *Sam* and *Frank*) and Rose (cover-names *Fred* and *Debouz*), recruited the following agents who have been identified. Most of these were given cover-names as indicated below:—

Gordon Lunan (*Back*)
Durnford Smith (*Badeau*)
Ned Mazerall (*Bagley*)
Israel Halperin (*Bacon*)
F. W. Poland
Eric Adams (*Ernst*)
Kathleen Willsher (*Ellie*) (*Elli*)
M. S. Nightingale (*Leader*)
David Shugar (*Prometheus*)
H. S. Gerson (*Gray*)
Samuel Sol Burman
Raymond Boyer (*The Professor*)
J. S. Benning (*Foster*)
Allan Nunn May (*Alek*)
Agatha Chapman
Freda Linton (*Freda*)
Emma Woikin (*Nora*).

The following members of the staff of the Soviet Embassy in Ottawa have been identified by both oral and documentary evidence as having been active, at one time or another since the establishment of the Embassy in 1942, in directing under-cover espionage operations in Canada:—

List of Members of Soviet Embassy Staff who engaged in Espionage Activities

NAME	OFFICIAL POSITION
Vitali G. Pavlov	Second Secretary of Embassy
Colonel Zabotin	Military Attaché
Ivan I. Krotov	Commercial Counsellor
Lt. Col. Motinov	Assistant Military Attaché
Lt. Col. (formerly Major) Rogov	Assistant Military Attaché. (Air)
Sergei Koudriavtzev	First Secretary of Embassy

NAME	OFFICIAL POSITION
Major Sokolov	Staff of Commercial Counsellor
Mrs. Sokolov	Wife of Major Sokolov
Zheveinov	TASS correspondent
Major Romanov	Secretary of Military Attaché
Lieut. Angelov	Staff of Military Attaché
Lieut. Levin	Interpreter
Captain Galkin	A door-guard
Lieut. Gouseev	A door-guard
Captain Gourshkov	A chauffeur
Lieut. Koulakoff	Clerk
A. N. Farafontov	Clerk

SECTION II. 8

THE SOVIET AMBASSADOR HAD NO PART IN THE INADMISSABLE ACTIVITIES

The evidence before us is that these members of the Embassy, who were engaged in improper and inadmissible activities, operated in special sections of the Embassy the operations of which were quite distinct from the official and legitimate activities of the Soviet Embassy, and that the Soviet Ambassador, representing in Canada the Government of the Union of Soviet Socialist Republics, had no part in them.

Thus Gouzenko has testified before us that the Soviet Ambassador had no right of access to the secret rooms in the special wing on the second floor of the Embassy. Moreover, according to Gouzenko, the Soviet Ambassador had no right of access to the secret telegrams sent to and received from Moscow by Zabolot, Pavlov and Goussarov, the heads of the military espionage, N.K.V.D., and "political system" sections respectively.

Two of the Russian documents placed before us by Gouzenko vividly illustrate the care that was taken by *The Director* in Moscow to keep Zabolot's activities secret from the Ambassador. Colonel Zabolot was reprimanded by Moscow for a slip which might have allowed the Ambassador to gain knowledge of Zabolot's espionage network. On 11th August, 1945, Zabolot telegraphed Moscow as follows:—

248

To the Director,

I was scolded for some kind of material which allegedly became known to metro. I beg you to advise me what material is concerned. I have informed the boss of metro on political, economic and military questions in accordance with instructions given to me by the chief director and by comrade Malenkov. The sources were never reported by me. Please instruct for the future. Am I to inform the ambassador on questions concerning Canada which are received from sources. It seems to me that the boss of metro should be the best informed person.

Grant,

11.8.45

("Metro" is a cover-name used by the espionage organization for the Soviet Embassy proper, and "the boss of metro" that used to refer to the Soviet Ambassador. "Grant" is the cover-name of Col. Zabolot).

Moscow replied as follows:—

12200
24.8.45

To Grant

Reference No. 248.

1. In Telegram No. 8267 of June 20th you were given instructions on the inadmissibility of disclosing our agency network to the Ambassador.

The handing over to the Ambassador by you of the Wilgress report of 3.11.44 concerning financial credits to ensure trade between the U.S.S.R. and Great Britain after the war, in the very form in which it was received, has uncovered the existence of our source on the object of ELLI.

Furthermore, the translator of the embassy got acquainted with the document inasmuch as the document was in the local language.

2. With regard to urgent political and economic questions affecting the mutual relations of Canada and Great Britain with the U.S.S.R., you must keep the Embassy informed, but indicate only that the source is authentic, without revealing to him either the source itself or the places from which the information was obtained.
3. The information should be handed over after it has been already prepared to this effect, deleting all passages which might disclose the secret source.
4. All questions on which you are informing the Ambassador you are under obligation to bring to my attention in the comments to your informational reports.

Director
21.8

Grant
25.8.45.

SECTION II. 9

CONCLUSION

As to the information sought by the networks, we are unable to report with any degree of conclusiveness. We have seen only the small selection of Zabolin's espionage documents which Gouzenko was able to collect immediately before he left the Embassy; among these the telegrams, in which *The Director* listed his instructions, were all dated within the last week in July and the month of August 1945. The Military Intelligence network had been functioning at least since mid-1942.

Moreover the documents outline only the work of the espionage system headed in Canada by Colonel Zabolin, although the evidence discloses the existence of other parallel networks, some at least of which have been functioning for many years.

The evidence we have shows that Zabolin's organization was particularly anxious to obtain technical information regarding devices which would be used in the post-war defences of Canada, the United Kingdom and the United States; secret information regarding political plans and policies of these countries; economic information which would be useful in assessing the economic and military potential of Canada; details regarding the location of Canadian defence industries; information on certain telephone land-lines and tapping devices; and documents which could be used by Russian agents "planted" in Canada or elsewhere, plus information whereby such agents could enter Canada and acquire a base of operations here.

The following selection of extracts from the documents illustrates the variety of subjects on which material was sought:—

Supplement to No. 11923

N 11931

22.8.45

To Grant

Take measures to organize acquisition of documentary materials on the atomic bomb!

The technical process, drawings, calculations.

Grant

22.8.45.

Director,

22.8.45.

. . . Try to get from him before departure detailed information on the progress of the work on Uranium. . . .

. . . Badeau asks for permission to change to work on uranium. There is a possibility either by being invited or by applying himself, but he warned that they are very careful in the selection of workers and that they are under strict observation. . . .

ASSIGNMENT No. _____

Assigned personally 25.8.45

1. Answer last letter regarding the new radio tubes, radio-locators (both for $\Lambda = 1, 2, 3$ cm) and the other questions indicated in that letter.
2. Try to find out any particulars about the "Electron Shells".
3. For the next time bring the following books: LG 13853; GL 14017 and P(RAD) 13920.
P.S.—burn after reading.

ASSIGNMENT No. 2

Assigned 6.7.45 directly . . .

1. To give the basic description of the features of the contrivance transmitting and receiving radio tubes for $\Lambda = 3$ and $\Lambda = 1$ cm. and their technical manufacture.
2. The same with respect to tube "4j-33".
3. New work in the field of radio locators for anti-aircraft artillery and aeroplanes with $\Lambda = 3$ and $\Lambda = 1$ cm.
4. What are the features of the "T-R Switch" on wave $\Lambda = 3$ cm and $\Lambda = 1$ cm.
5. The types of radio antennae for $\Lambda = 3$ and $\Lambda = 1$ cm.
6. What are they engaged in on the second floor at the "Boyd Station", there is a supposition that they study infra-red rays and develop cm. radio installations.
7. To give a more detailed technical description of "an/aps-10".
8. According to the latest literature indicate each graph (?) in it.

Remarks:

1. As the opportunity arises, to obtain samples of the radio tubes.

2. Also to give us documentary material for photographing.
3. If there is no opportunity in fulfilling certain requests, no special activity to be displayed.
4. After reading this material burn it.

TASK No. 1

Badeau: 1. In the month of June 1945 the Military Air Force of Canada jointly with the photographic Research Committee and also with the Optics Section of National Research Council, conducted tests of the new photo bomb (photo flash bombs bursting) of 750 million candle power, and of special lenses for aerial-photography by night.

It is desired to have on these questions the following information:—

Assigned
on 5.7.45

- a. What is the composition with which the photo bomb is filled and as much as possible, write out its formula.
- b. c. What is the surface area lit up by the flare of this bomb and the duration of its flare.
- d. The maximum height from which it is possible to carry out practical photographing by means of this bomb.
- e. What are the features of the new photo-lenses and what are their basic technical data (focus, light power etc.).
- f. What is the organization of the Photographic Research Committee and who are its directors.
2. What new jobs are being conducted by the Photographic Research Committee in the sphere of altitude aerial-photography and in colour aerial photography and photographing through the clouds by means of infra-red rays.

Give the newest types of aerial-photo apparatuses used by the R.C.A.F. and by the R.A.F. and their basic data:—

- a. The type of the apparatus (the brand).
- b. The maximum height of photographing.
- c. The number of adapters and the size of the photographs.

* Faint type indicates words crossed out in original documents.

* d. The methods of itinerary and level photographing.

e. The types of lenses, their light power and the focal distances.

- * 1. Tactical and technical facts of the naval and coastal hydro-~~phonic~~ acoustic stations working in ultra-sound diapason. Common review on the "Caproni"s stability of the U.S.A. and Great Britain.
2. Stability, type of "Asdic" which is used in a new submarines and other ships.
3. Sets of the "Sonar"s type, working on the radio direction finding principle so-called hydro ~~direction~~ location finding sets.
- * 4. Situation of hydrophonic sets in the ships of different classes.
5. Plants, workshops, Scientific Research Institutes and laboratories in England and in the U.S.A. which are making and planning the hydrophonic apparatus.
6. Passing of the planning and the test of examples of new types of the hydrophonic apparatus.
7. Knowledge of the battle utilization of the hydrophonic means.

To the Director,

266

We have received from Badeau 17 top secret and secret documents (English, American and Canadian) on the question of magnicoustics, radio-locators for field artillery; three secret scientific-research journals of the year 1945. Altogether about 700 pages. In the course of the day we were able to photograph all the documents with the help of the Lecia and the photo-filter. In the next few days we will receive almost the same amount of documents for 3 to 5 hours and with one film we will not be able to cope with it. I consider it essential to examine the whole library of the scientific Research Council.

Your silence on my No. 256 may disrupt our work on photographing the materials. All the materials I am sending by regular courier.

Grant

27.8.45

* Faint type indicates words crossed out in original documents.

N 11273

11.8.45.

To Grant.

It is very important to receive information on the following questions:—

- (a) To confirm the official data about the transfer of American troops from Europe to the USA and to the Pacific, also the headquarters of the 9th army, 3, 5, 7, 13 armoured Corps, 18 ADK, 2, 4, 8, 28, 30, 44, 45, 104th Infantry Divisions and 13th Tank Division. To establish the dates of their transfer.
- (b) Dislocation of the headquarters of the 8, 16 Armoured Corps, 29, (75), 89th Infantry Divisions, 10th Tank Divisions, 13th and 17th ADD. Also about the dislocation of the Brazilian Infantry Division.
- (c) Are the 6th and 12th Army Groups in Europe, what is their composition and their dislocation, the dates and direction of their transfer.
- (d) Has there been organized a headquarters of the American occupation forces in Germany, its location, who was appointed as its Commander.
- (e) The dislocation of the First Air Borne Army, the plans for its future use.

Hurry.

8.8. The Director.

Grant

11.8.45

To make known to Brent

11295

14.8.45

To Grant.

In the mail of 23.8.1944 were received from you Gray's two materials—the monthly reports on the research of separate technical questions in the field of production of war supplies. On the basis of the short and fragmentary data it is impossible to judge the methods and work of the Canadian and English industry of war supplies, powders and chemical materials.

It is desired to obtain the following information:—

- * 1. ~~37~~ methods ~~2507~~ and technical processes of the production of war supplies, VV and powders.
- 2. Deciphering of laminated BB, the production of T. H. and H. S. (composition, purpose, technology and specific qualities).
- 3. The application of picrate and nitrate-gushnidina. I repeat: picrate and nitro-gushnidina.
- 4. The technique of producing detonating capsules and igniting capsules. Wire to whom do you consider it possible to give this task.

If Bacon still continues to work in the Artillery ~~Committee~~, Committee, this task should be assigned to him.

9.8.45 Director.

Grant

14.8.45

ASSIGNMENT NO. 3 of "1.8.45"

- 1. Requirements which a person living as an "illegal" must meet (nationality, citizenship, occupations, education, knowledge of languages, family and financial conditions etc.)
- 2. Ways of legalisation (organization of a commercial undertaking, joining a business firm as a partner, what kind of firm, joining as a member any office, joining the army as a volunteer, accepting employment.)
- 3. Documents which an "illegal" must possess (passport, different kinds of certificates, references, recommendation letters, etc.)
- 4. More expedient methods to slip into the country.
- 5. To provide for secure living quarters and financial means during the period when the "illegal" gets acquainted with the local set-up and conditions.
* ~~The possibilities of attracting~~
- 6. To reveal the channels of influence of the English government on the foreign policy of Canada.
- 7. Conditions of entry into the country and of moving about in the country.
- 8. Conditions of adaptation and living in the country.
- 9. Methods of work of the counter-espionage. The organization of the Federal and provincial counter-espionage services.

* Faint type indicates words crossed out in original documents.

Supplement to No. 11438

11436

14.8.45

To Grant.

Reference No. 227.

- 1. There can be no further delay in obtaining the passport. Therefore the signature on the new application form should be made by Frank's man himself.**
- 2. Prepare for the next regular mail a short report on the procedure of obtaining and putting into shape of passports and of the other documentation for our objectives, indicating exactly who on Frank's side will be engaging in this work.**

10.8.45. Director.

Supplement: The pseudonym "Sam" has long ago been changed to "Frank". In the future use the latter.

10.8 Director

Grant

14.8.45

This list is not exhaustive, and other aims of Zabolin's network appear in various Sections of this Report.

Some of the objectives disclosed by the documents, such as lists of names, such as psychological and "political" reports, on the personnel of various sections of the Canadian Armed Forces Headquarters or of various Government Departments and Agencies, obviously refer to plans for further recruiting of agents. This subject is discussed in Section II. 5, above.

This Report shows that Zabolin successfully fulfilled many of the tasks assigned to him. His superiors in Moscow were obviously satisfied with his work in Canada, for in August, 1945, he was awarded two Orders or Decorations, the Order of the RED BANNER, and the Order of the RED STAR, which, as Gouzenko said, "are given for good organization work". The Chief of General Intelligence telegraphed Zabolin to congratulate him on these awards and added: "I wish you further success in your honourable work". Gouzenko said that when this message arrived Zabolin said to Rogov: "I have nothing to be afraid now to go to Moscow."

SECTION III. 1

SAM CARR, Toronto.

Since January, 1937, Carr has been the Organizing Secretary of the Communist Party for all of Canada, except during a short time in 1938 when he was the Editor of the *Clarion*. On September 25, 1942, he was apprehended under *The Defence of Canada Regulations*, and upon making objection in pursuance of the machinery provided therefor by those regulations, his case was considered by an Advisory Committee which on October 5, 1942, made its report as to him in the following terms:—

**IN THE MATTER OF THE DEFENCE OF CANADA
REGULATIONS**

AND

**IN THE MATTER OF SAM COHEN, alias Sam Carr,
D-935-94 RECOMMENDATION OF THE ADVISORY
COMMITTEE CONSISTING OF**

Judge Roland Millar, Chairman,
Prof. C. N. Cochrane, of Toronto,
A. S. Simpson, Esq., of Winnipeg.

This detenu, whose proper name is Schmil Kogan, was born at Tomachpol, Russian Ukraine, on July 7th, 1906, and landed in Canada on August the 29th, 1924. He went first to Regina and worked as a harvester and labourer. In 1925 he came from Winnipeg to Montreal where, under the name of Sam Cohen, he joined the Young Communist League and became an organizer for it. In 1927 he moved to Toronto and became a member of the Communist Party of Canada. In 1928 he was married to a Jewess (British subject). They have one son now eight years of age.

It is alleged that in 1929 the detenu went to Russia for a course of study at the Lenin Institute, Moscow. In 1931 he was appointed Organizing Secretary of the Communist Party and became naturalized on June 23rd of that year. He was convicted at Toronto, in November, 1931, on three charges laid under *Section 98 (Criminal Code of Canada)* and sentenced to a total of ten years in Kingston penitentiary.

Upon his release from prison he immediately resumed his Communist Party activities. In 1935 he was one of the main agitators in the On-to-Ottawa March of the Unemployed. He renewed his application for naturalization in 1937 while he was conducting a National Training School for the Communist Party in Toronto and he is suspected of having visited both Spain and the U.S.S.R. that year. He was also active in the recruiting of volunteers for service in the civil war in Spain.

In 1938 he was relieved of his organizational duties and placed in charge of the Communist Party publication *The Clarion*. Carr is an accomplished writer of Communist Party propaganda and in 1939, 1940 and 1941 contributed many articles to Communist Party publications on this continent and to various papers in England and Scotland, all designed to impede and obstruct Canada's war effort.

Carr disappeared early in 1940 and his literary contributions to the Communist Party anti-war effort are believed to have been written at a hide-out at Philadelphia, U.S.A. This is not confirmed, however, but it is a fact that he failed to comply with the *National Registration Act* in August, 1940, and did not obtain his registration card until March the 30th, 1942.

An order for the detention of this man was signed by the Honourable the Minister of Justice on June the 11th, 1940, but the warrant was not executed owing to the fact that he had "gone underground", where he remained until September the 25th, 1942, when, together with sixteen other wanted leaders of the Communist Party, he surrendered to the Royal Canadian Mounted Police at Toronto. He was held in the Don Jail, Toronto, pending the hearing of his objection to internment on the following charges:

1. That you have taken an active part in the subversive activities of the Communist Party of Canada for several years.
2. That in 1939 you occupied an official position in the Communist Party of Canada, being Organizational Secretary.

3. That in June 1940 you wrote an article under the title "Canadian Communist Party Outlawed", which maintained that the outlawing of the Communist Party of Canada did not or would not stop the rallying of the masses against the war.
4. That in November 1940 you wrote an article entitled "The Effects of War Economy on the Canadian People", which attacked the war taxation policy of the government and referred to Canada's part in the war as a "Criminal involvement of the country in the second Imperialist carnage".
5. That in February 1941 you wrote an article under the title "Canada's Youth and the War", attacking Canada's war effort.
6. That articles written by you attacking Canada's war effort appeared in publications printed in the United States and Great Britain and that such activities, being designed to disrupt and impede Canada's war effort, were of benefit and assistance to the enemy.

The matter was referred to this Committee which, in the presence of his counsel, Mr. J. L. Cohen, K.C., interrogated the detenu at the Don Jail, Toronto, on October the 1st, 1942.

The Committee begs to report as follows:—

The detenu admitted all of the charges contained in the particulars of his case, stating that, while he subscribed to the aims and objects of the Communist Party of Canada, he had no particular feeling for Russia, as he had no memories of that country but bitter ones, his father, Samuel Kogan, having been killed before the eyes of his family during the revolution there in 1917. He had been exploited in the harvest fields of Western Canada when he arrived here in 1924 and claims he was attracted to the Young Communist League the following year by its "progressive" program and its championship of the "under-dog". He denied that he returned to Russia in 1929 or that he had ever been outside of Canada since he came to this country and expressed regret that he had never had the opportunity of taking a course of study at

*Our italics.

Lenin Institute, Moscow, as alleged in Section 3 of the Brief. It appears, however, that he has been well schooled in Communist Party policy and tactics, that he is one of the most capable speakers and agitators in the Party and that he has acquired some literary and executive ability. He became Organizing Secretary of the Communist Party for all of Canada in January of 1937.

On June the 23rd, 1931, the detenu was granted a naturalization certificate in the name of Samuel Kogan. In November of that year he was arrested on three charges, under *Section 98 (Criminal Code of Canada)*, one of which sedition conspiracy, was quashed on appeal, and on February 19th, 1932, he commenced a ten year concurrent sentence for "being a member" and "Being an officer" of an unlawful association. His naturalization certificate was therefore revoked by Order-in-Council P.C. 2759 on December 17, 1932. Having served less than three years of his sentence, he was released on ticket-of-leave on July 3rd, 1934, and on July 17th, at a Canadian Labour Defence League meeting in the Prince Arthur Hall, Montreal, delivered a scathing and malicious attack on the Prime Minister and the Minister of Justice of that time. In 1937 he applied for a renewal of his naturalization certificate and the presiding judge, Mr. Justice Honeywell, of York County, recommended that the application be granted, but this has not yet been done. At this time, Carr conducted for the Communist Party of Canada, at Toronto, a National Training School where young Communists were instructed in the revolutionary aims of the Party.

The detenu denies that he visited Spain and the U.S.S.R., in 1937, as alleged in Section 9 of the Brief, and repeated that he had not left Canada since coming here in 1924. He admitted, however, that, as National Organizing Secretary of the Communist Party, he had been instrumental in obtaining recruits from Canada for the International Brigade then fighting in Spain.

For a short while in 1938 Carr was relieved of his duties as National Organizing Secretary when he undertook the reorganization of *The Clarion*, which he had

*Phrases underlined in original report.

accomplished and returned to organizing by January 1st, 1939.

Following his experience as business manager of *The Clarion*, the detenu apparently became a "journalist" in the Communist Party sense, and in an article he contributed to the *Ukrainian Daily News* of New York, in February, 1940, entitled: *How the Ruling Class in Canada Fights for Democracy*, he had this to say:—

* 'Ignoring its losses brought about by terrorizing actions and internments, the Communist Party is improving its methods of activities and expansion of contacts with the masses of people, fighting hard in order to draw away these masses from under the influence of the war machine of the Canadian Bourgeoisie.'

This, he told the Committee, was justified at the time, because of the actions of the Toronto city police.

While denying that he had ever advocated civil war or anything which would harm Canada, the detenu acknowledged authorship of the following specimen of patriotic fervor:—

'Rapidly overcoming the serious error of failing to estimate correctly the predatory character of the war at its very inception, our Party stands today as the only political force unalterably opposed to the present war and the embroilment of our country in it.'

This he contributed to *The Clarion* in February, 1940. And in the February 1st, 1940, issue of the *British World News and Views*, under the title *Canada's Youth and the War*, he offered this advice to our young soldiers:—

'Trainees, form camp committees to protect your daily interest, to demand full freedom of speech, decent food and conditions and full wages while you are in camp. Fight against the Fascist officers' clique in the Army and the Royal Canadian Mounted Police stools whom the Government has placed in the armed forces to spy upon the men. Defeat the bloody conspiracy of the rich, demand that the country withdraw from the Imperialist war.'

*Phrases underlined in original report.

In the same publication of June the 8th, 1940, under the title, *Canadian Communist Party Outlawed*, Carr gave utterance to these sentiments:—

‘The Canadian People need leadership in the struggle against the war which is daily butchering millions, among them some of the best sons of Canada. The Canadian people need leadership in their struggle against the endeavours of the ruling class to impose wage cuts, longer hours, and lower standards of living in the name of “common sacrifice.” The Canadian people need leadership in their determined struggle to safeguard their democratic rights. Though once again outlawed, our Party will furnish the leadership the people need. It will hold in honour the revolutionary Banner of Leninism and lead the people of Canada on the road to the decisive battles for a new socialist Canada.’

The foregoing are fair samples of the many articles Carr contributed to Communist Party publications of Britain, Canada and the U.S.A. at that time, articles which, he confessed when confronted with them, were “rather sharp” and “extravagant”. However, he had the grace to say he was now ashamed of them and had discontinued such writings when the turn of international political events in 1941 had revealed to him that the war had become a “just” and “a peoples’ war”. He declared that he had no other desire or intention now, except to see the war concluded quickly with an allied victory, and would exert all his efforts to this end.

Under the circumstances, the Committee is unanimously of the opinion that the liberation of Sam Kogan, alias Cohen, alias Carr, would no longer prejudice the safety of the State and accordingly RECOM-

**MENDS THAT HE BE RELEASED ON THE FOLLOW-
ING CONDITIONS:—**

1. that he do not participate in any propagandist or other activities of the Communist Party of Canada or of any organization over which the Communist Party exercises control, or of any other association, group, society or organization declared to be illegal under Section 39C of the Defence of Canada Regulations.
 2. that he report to the nearest detachment of the Royal Canadian Mounted Police at regular intervals of not less than once a month.
 3. that he subscribe to an undertaking to this effect.
- Dated at Ottawa, this 5th day of October, 1942.

(sgd) Roland Millar

Chairman, Advisory Committee,
Defence of Canada Regulations

Charles N. Cochrane

Member

A. S. Simpson

Member

To:

The Honourable,
The Minister of Justice,
OTTAWA.

Carr and Fred Rose were both members of the Young Communist League in Montreal about the same time.

The Advisory Committee state "It is alleged that in 1929 the detenu went to Russia for a course of study at the Lenin Institute Moscow" and that Carr expressed regret "that he had never had the opportunity of taking a course of study at the Lenin Institute Moscow and that he had never been outside of this country since he came to Canada in 1924". The information on the "Registration Card" in Lieutenant-Colonel Rogov's dossier on Carr in the Soviet Embassy may be compared. This is a form drawn up for use in chronicling particulars of the various agents employed. The following was the one used for Carr:—

REGISTRATION CARD

No. _____

PHOTO
OF
CARR

1. SURNAME, NAME, PATRONYM SAM CARR

2. PSEUDONYM "FRANK"

3. SINCE WHEN IN THE NET _____

4. ADDRESS:

(a) OFFICE _____

(b) HOME 14 Montrose, Toronto. Tel. Ll-7847
(brook)

5. PLACE OF WORK AND POSITION LABOUR PROG. PARTY
polit. worker

6. FINANCIAL CONDITIONS Financially secure, but
takes money. It is necessary occasionally to help.

BIOGRAPHICAL DATA:

Detailed material on his biography is available in the CENTRE in the COMINTERN. Has an excellent knowledge of the Russian language, he graduated from the LENIN school in Moscow.

The following entry in Colonel Zabotin's note-book is also to be noted:—

Second Group

(Ottawa - Toronto)

SAM (FRANK) Jew. Organizer. Studied with us in 1924-26 in the Soviet Party School. Speaks Russian. LEON became acquainted with FRANK at a meeting in October 1942.

Sam and Frank were the cover names employed by the Russians for Carr, *Frank* being used latterly.

Whatever the correct date of Carr's attendance at the Lenin Institute, (the evidence before us indicates it was 1929-1931) the fact is certain that he did take the course at that institution and "graduated" as his registration card in the Embassy states. The conclusion of the Advisory Committee

that "it appears, however, that he has been well schooled in Communist Party policy and tactics" is thus substantiated, and from a most reliable source.

The following evidence of Henry Harris, upon whom we are reporting, is also pertinent:—

"Everybody knows him as being from the Lenin School".

In his registration under the National Registration Regulations, made on March 30, 1942, instead of in August, 1940, as required, Carr, in answer to the question "If not British to what country do you owe allegiance?" gave the answer "Russia".

At the time of the report of the Advisory Committee Carr had again applied for a naturalization certificate. This was finally granted on March 1st, 1945, a day or two before he was granted a Canadian passport to the United States, Mexico and Cuba.

In view of the evidence to which we have listened, our attention is naturally caught by the conditions upon which Carr's release from internment was recommended by the Committee. On his release he gave the following undertakings:—

UNDERTAKING

I, Sam Carr, at present of the City of Toronto, in the Province of Ontario, in the Dominion of Canada, do hereby declare that I am a Russian Citizen.

I, now, in consideration of my release or exemption from detention under Regulation 21 of the Defence of Canada Regulations, hereby undertake and promise that I will not participate in any propagandist or other activities of the Communist Party of Canada, or any organization over which the Communist Party exercises control, or of any other association, group, society, or organization declared to be illegal under Regulation 39C of the Defence of Canada Regulations; and

That I will report twice a month to the Officer Commanding, Royal Canadian Mounted Police, at Toronto or to such other Police Officer as such Officer Commanding may direct.

Dated this 6th day of October 1942 at Toronto,

Signature SAM CARR

Witness G. H. ARCHER

.

UNDERTAKING

As set forth in Regulation 24 of the Defence of Canada negotiations (Consolidation).

I, SAM CARR, at present of the City of Toronto, Province of Ontario, in the Dominion of Canada, do hereby declare that I am a Russian Citizen.

I, now, in consideration of my release or exemption from detention as a _____, hereby undertake and promise that I will report to such Officer or Official and upon such terms as the Canadian Authorities may from time to time prescribe; that I will carefully observe and obey the laws of Canada and such Rules and Regulations as may specially be prescribed for my conduct by competent authority; that I will strictly abstain from taking up arms against, and from doing any acts of hostility towards the Government of this Country, and that except with the permission of the Officer or Official under whose surveillance I may be placed, I will strictly abstain from communicating with anyone whomsoever, any information concerning the existing war or the movements of troops or the military preparations which the authorities of Canada, or the United Kingdom, or any of His Majesty's Dominions or any Allied or associated power may make, or concerning the resources of Canada, and that I will do no act which might be of injury to the Dominion of Canada, or the United Kingdom, or any of His Majesty's Dominions, or any Allied or Associated Power.

Dated this 6th day of October 1942, at Toronto, in the Province of Ontario.

Signature SAM CARR

Witness W. A. SHIELDS

The ink could hardly have been dry on the signatures to the above undertakings when Carr met Koudriavtzev. The record of that meeting in one of the documents referred to elsewhere in this Report reads as follows:—

Sam (Frank). Jew. Organizer. Studied with us in 1924-26 in the Soviet Party School. Speaks Russian. Leon got acquainted with Frank at a meeting in October 1942.

He proposed:—

Foster—Englishman. Assistant to the superintendent of the Division of distribution of war production at the ministry of Munitions and Supplies.

Has been giving materials on war supplies: guns and other kinds of supplies.

He obtained different work with promotion. Can better give materials.

He is contacting with Martin.

(Ours).

2. Ernst—Jew. He works on the Joint . . . (?) of Military . . . ? (USA and Canada) (co-ordination) He gives detailed information on all kinds of industries, plans for the future. Supplies detailed accounts of conferences. Has been giving materials weekly.

Good worker.

He is connected with Foster.

Both live in Ottawa.

Taken on to work at the end of January.

3. Polland. Department of Air Force.

Works in Toronto in the Intelligence Branch.

At the moment he has been transferred to Ottawa.

He gave a map of the training schools. Is not yet working.

4. Surensen. He works in the Naval Department. He works in intelligence. Used to give materials on the construction of ships. He has left for overseas. Both worked up to April.

Carr became a candidate in the Dominion elections in 1945 but he was unsuccessful. His candidature and that of Fred Rose was reported to *The Director* by Colonel Zabotin on July 12, 1945:—

209

12.7.45

To the Director reference No. 8393.

1. Debouz received the data from a conversation with officers who had taken part on the Western Front. The data were received from conversations with the latter.

2. Debouz was re-elected for the second time as a member of the Federal Parliament. ~~The candidature of Sam was defeated.~~ Sam and Tim Buck were not elected although they received votes for the Federal Parliament. *

3. ~~Thus.~~ Thus from the Corporants there is one member of the Federal Parliament. The first session of Parliament meets on August 26. *

Grant.

12.7.45.

"Debouz" is Fred Rose. "Corporants" and "Corporators" are words used by the Russian espionage system for members of the Communist Party outside of Russia.

Carr was, along with Rose, the main Canadian cog in Zabotin's organization of espionage agents. His name and his activities run throughout the piece. Before Zabotin took over in June, 1943, Carr was already head of a group of agents, the "Ottawa-Toronto group". As recruiting agent he "proposed", as above mentioned, Benning, Adams, Polland, and "Surensen" and was charged by Moscow with the definite task of enlarging the agency personnel. In a telegram from Zabotin to "The Director" dated August 2, 1945, the second paragraph reads:—

2. Sam promised to give us several officers from the central administration of the active forces. At present it is pretty hard to do it, in view of the fact that a reshuffle of persons a filling of positions in the staff with officers who have returned from overseas is taking place. *

In Carr's dossier in the Embassy there is a copy of a "task" assigned by Lieutenant Colonel Rogov to Carr on June 15, 1945. Paragraph 4 reads:—

4. Is there any possibility for you of developing our work in the Ministry of National Defence, in the Ministry for Air, in the Ministry of the Navy or else in their military staffs.

At the present time these fields are of great interest to us and we want you to put forth maximum efforts in this matter.

Rogov wrote in the margin Carr's answer:—

Everything shall be clarified in July-August, for at the present time the staffs are being replaced by front line men.

* Faint type indicates words crossed out in original documents.

A later task given Carr by Rogov dated August 16, 1945, contains the following:—

5. Your possibilities regarding the selection of people in the General Staffs of the Armed Forces.

Carr was also charged with obtaining the issue of the false passport for the Russian agent called Witczak for which at least \$3,000 was paid. This story is fully set out in Section V. of this report. His name appears also in relation to Nightingale, Shugar and Veall and we refer to the Sections of this report dealing with each of these. Carr appears also on Colonel Zabotin's mailing list of January 5, 1946, as the source of one document being sent to Moscow described as "*Biog. Govt. Workers*", consisting of forty-six pages.

As reported elsewhere, it was found impossible to find Carr for the purpose of subpoenaing him to give evidence before us. His wife stated to the process-server that she was unaware of his whereabouts. Having regard to his "disappearance" in 1940 when he was wanted, it is not difficult to assume that the situation is again the same. It was in June, 1940, that the order for Carr's detention was issued. It was found impossible to execute this until he, with Rose and other leading Communists, surrendered to the R.C.M.P. on September 25, 1942.

The notes set out in Section V of this Report with respect to the false passport matter contain three entries of payments of money to Carr, namely:—

September 13th, 1944.....	\$350
June 15th, 1945.....	\$200
July 17th, 1945.....	\$200

Carr also handled the \$3,000 payment for the false passport. It would not be difficult to conclude that he was sent to this country in 1924 as a professional Soviet agent and has acted as such continuously since that time.

The documents also show that he undertook to facilitate the illegal entry into Canada of additional professional agents of the Soviet Union. The reports in Carr's dossier of the secret meetings of 1st August and 16th August, 1945, include the following:—

ASSIGNMENT NO. 3 of "1.8.45"

- 1. Requirements which a person living as an "illegal" must meet (nationality, citizenship, occupation, education, knowledge of languages, family and financial conditions, etc.)**

2. Ways of legalisation (organization of a commercial undertaking, joining a business firm as a partner, what kind of firm, joining as a member any office, joining the army as a volunteer, accepting employment.)
3. Documents which an "illegal" must possess (passport, different kinds of certificates, references, recommendation letters, etc.)
4. More expedient methods to slip into the country.
5. To provide for secure living quarters and financial means during the period when the "illegal" gets acquainted with the local set-up and conditions. ~~The possibilities of attracting~~ *
6. To reveal the channels of influence of the English government on the foreign policy of Canada.
7. Conditions of entry into the country and of moving about in the country.
8. Conditions of adaptation and living in the country.
9. Methods of work of the counter-espionage. The organization of the Federal and provincial counter-espionage services.

and the following:—

Assigned personally 16.8.45

The Task

1. To write a report on the technique of making up passports and other documents, indicating precisely who on your side (Frank's) is engaged in this activity.
2. What documents can be made and can be received through you.

Being required by Order in Council P.C. 411 to "inquire into and report upon which public officials and other persons in positions of trust or otherwise have communicated directly or indirectly secret and confidential information, the disclosure of which might be inimical to the safety and interests of Canada, to the agents of a Foreign Power and the facts relating to and the circumstances surrounding such communication" we think the evidence shows that Carr did so communicate. The facts and circumstances are sufficiently stated in this and the other Sections of our report referred to above.

* Faint type indicates words crossed out in original documents.

SECTION III. 2

FRED ROSE, MONTREAL

Of all the persons mentioned in the Russian documents as well as by the witnesses throughout this Inquiry, none, Soviet officials excepted, have been more repeatedly and prominently mentioned, either under their names or cover-names, than Fred Rose and his fellow spy and conspirator, Sam Carr.

Fred Rose (cover-names *Fred* and later *Debouz*) was born in Lublin, Poland, of Russian parentage on the 7th of September, 1907. In October, 1920, he came to Canada and later attained Canadian citizenship when, as a minor, his name was included in the naturalization certificate of his father, Jacob Rosenberg, issued on March 17, 1926. Fred Rosenberg has, for many years, used the name "Fred Rose", by which he is now generally known.

Twenty years after being granted the status of Canadian citizen and the freedoms, advantages and facilities of his land of adoption, which eventually permitted him to rise to the level of a legislator for the whole of Canada, being elected a Member of Parliament on the 9th August, 1943, and re-elected on the 11th June, 1945, Rose was arrested on charges laid under *The Official Secrets Act*, 1939.

Some of his activities between the period extending from the time of entry into Canada at the age of 13 to the time of his arrest at the age of 39 are well described in the Report, dated 5th October, 1942, made by the Advisory Committee appointed under Regulation 22 of the Defence of Canada Regulations, to consider and make recommendations to the Minister of Justice with respect to objections made by Fred Rose against his internment. Rose had been interned on the 25th September, 1942, when, in company with other prominent Communists, he was apprehended by the R.C.M. Police after coming out of hiding. The Report reads:—

**IN THE MATTER OF THE DEFENCE OF CANADA
REGULATIONS**

AND

**IN THE MATTER OF FRED ROSENBERG, alias ROSE,
RECOMMENDATION OF THE ADVISORY COMMIT-
TEE CONSISTING OF**

**Judge Roland Millar, Chairman,
Prof. C. N. Cochrane of Toronto,
A. S. Simpson, Esq., of Winnipeg.**

This detenu was born in Poland in 1907 of Jewish parents, and came to Canada with his parents in 1920. He became a Canadian citizen in March, 1926, when his name was included in the naturalization certificate issued to his father. He described himself as an electrician.

In 1925 he joined the Young Communist League and was appointed National Secretary for that organization in 1929. As such, he went to Russia for a course of instruction in 1930 where for a period of six months he served on the International Executive Committee of the Young Communist League. He became a member of the Communist Party of Canada in 1927 and was appointed to the Central Executive Committee of the Party in 1929.

He was arrested in Toronto in October 1929 for disorderly conduct and sentenced to thirty days, and in 1931-1932 was convicted of sedition under Section 98 of the Criminal Code of Canada, for which he served one year in the Bordeaux gaol.

He was married at Montreal in 1931 to a Jewess of Ukrainian origin. They have one child, a daughter now six years of age. He has twice been a candidate for public office, in the Federal election of 1935 and in the Quebec Provincial election of 1936, but was unsuccessful on both occasions. In 1937 he was appointed by the Central Executive Committee of the Party to the Central Control Commission, a secret service organization within the Party.

Although not openly identified with the Verdun unemployed relief strike of 1940, the detenu was credited

with organizing and controlling it from the background through reliable Party members. About the same time he was author of two pamphlets, one *1940—A Review*, in English, and the other in French, *1917-1940*, both fanatically anti-British and designed to impede Canada's participation in the war. Anticipating the ban which was placed on the Communist Party in June 1940, the detenu 'went underground', and except for a pamphlet entitled *Année Heureuse et Victorieuse* distributed in Montreal in January, 1942, and of which Rose was co-signer with other prominent Communists, he was not heard of until he was arrested by the Royal Canadian Mounted Police at Toronto on September 25th, 1942, on the following charges:—

- (1) That you have been a member of the Communist Party of Canada for several years;
- (2) That you occupied an official position in the Communist Party of Canada, being a member of the Quebec Povincial Committee;
- (3) That as an official of the Communist Party of Canada, you participated in and supported the subversive policies of that organization.
- (4) That in a pamphlet written by you under the title *1940—A Review*, you disloyally opposed the Canadian-U.S.A. Defence alliance.
- (5) That in a pamphlet written by you under the title *1917-1940* you attacked Canada's war effort and expressed disloyal statements.
- (6) That your disloyal activities, being designed to weaken Canada's war effort, were of assistance and benefit to the enemy.

The case was referred to this Committee, which interrogated the detenu at the Don gaol, Toronto, on October 2nd, 1945, in the presence of his counsel, Mr. J. L. Cohen, K.C.

The Committee begs to report as follows:—

The detenu admitted all of the charges contained in the particulars of his case. He had joined the Young Communist League when only seventeen years of age and appeared to be proud of the progress he had made in that organization, and in the Communist Party of

Canada, having attained almost all of the top-ranking positions, of both. He boasted that he was the only Canadian ever appointed to the International Committee of the Young Communist League, and described his duties as Chief of the Central Control Commission of the Communist Party of Canada as those of counter-espionage within the Party, i.e. the duty of 'ferreting out traitors, spies, and fascists' who might have become members for ulterior purposes.

He acknowledged authorship of the pamphlet *1940—A Review* which is chiefly a compilation of quotations from numerous Communist Party publications and authorities; one of the author's contributions being as follows:—

"While pledging Canadian support to British Imperialism 'to the last of our resources and manpower' Mackenzie King revealed in the House of Commons that for a number of years previous to the war he had been carrying on negotiations with President Roosevelt for the so-called Canada-U.S.A. Defence Alliance, which in reality is not a Defence Alliance at all but a committal of Canadian automatic involvement in war with Japan at the behest of U.S. Imperialism. . . . The Communist Party of Canada carries on despite persecution. The Honourable E. Lapointe was forced to admit in the House of Commons that the Communist Party in Quebec is the most active opponent of the Government's war policy."

The pamphlet *1917-1940*, printed in French, compares the progress made in Canada with that of the U.S.S.R. during that time under a sub-heading *Life in Canada*, from which we quote:—

"The examination of life in Canada during the twenty-two years since the armistice presents an altogether different picture, particularly for French Canadians. 'The paradise for heroes' presented during the war 1914-18 has not been fulfilled. Instead of that there were years of uninterrupted crisis, unemployment, low wages and now another war. In spite of ourselves, our people of Quebec are engaged in a war which has

nothing to do with us and this despite all the promises made by Messrs. King and Lapointe that our sons will not go fighting on foreign battlefields . . . greater numbers will be forced by conscription to enlist and be sent overseas. The blood of our youth is purported to fertilize the soil of Europe, Africa and Asia, why? . . . Our people must decide once and for all that war must be waged here in our country against those who are responsible for our misery."

However, the detenu claims that many former "misunderstandings" had been cleared from his mind in 1941 when the war became a "just war" and that pamphlet *Année Heureuse et Victorieuse*, distributed in January 1942 was designed to acquaint French Canadians with the new policy of the Party.

Rose expressed the view that there was now a 'political pot boiling' in Quebec, the tendency of which was Fascist and anti-British, and he thought that if he were free to circulate amongst the workers of that Province he might be able to minimize its effect and thereby contribute to National Unity.

Although the Committee was not impressed with the detenu's exaggerated opinion of his own importance and knowledge, we nevertheless are unanimously of the opinion that he will follow the Party line of supporting the war effort of Canada, and that his liberation will no longer prejudice the safety of the State, ACCORDINGLY WE RECOMMEND THAT HE BE RELEASED ON THE FOLLOWING CONDITIONS:—

- (1) That he do not participate in any propagandist or other activities of the Communist Party of Canada or of any organization over which the Communist Party exercises control, or of any other association, group, society or organization declared to be illegal under Section 39C of the Defence of Canada Regulations;
- (2) That he report to the nearest detachment of the Royal Canadian Mounted Police at regular intervals of not less than once a month;

(3) That he subscribe to an undertaking to this effect.

Dated at Ottawa, this 5th day of October, 1942.

(Sgd.) ROLAND MILLAR
Chairman, Advisory Committee,
Defence of Canada Regulations.

(Sgd.) CHARLES N. COCHRANE
Member

(Sgd.) A. S. SIMPSON
Member

To:

The Honourable,
The Minister of Justice,
Ottawa.

Feby. 26, 43.

It is significant that for Rose the war became a "just" war only after Soviet Russia had joined the United Nations and was not by him so considered in September, 1939, when his own Fatherland, Poland, was invaded.

The day following the Recommendation of the Advisory Committee for his conditional release, Rose signed the following Undertakings:—

(a) "UNDERTAKING"

I, Fred Rose, at present of the City of Toronto, in the Province of Ontario, in the Dominion of Canada, do hereby declare that I am a British Subject.

I, now, in consideration of my release or exemption from detention under Regulation 21 of the Defence of Canada Regulations, hereby undertake and promise that I will not participate in any propagandist or other activities of the Communist Party of Canada, or any organization over which the Communist Party exercises control, or of any other association, group, society or organization declared to be illegal under Regulation 39C of the Defence of Canada Regulations; and

That I will report twice a month to the Officer Commanding, Royal Canadian Mounted Police, at Montreal or to such other Police Officer as such Officer Commanding may direct.

Dated this 6th day of October, 1942 at Toronto in the Province of Ontario.

Signature (Sgd.) Fred Rose

(Sgd.) G. H. Archer"

(b)

"UNDERTAKING

As set forth in Regulation 24 of the Defence of Canada Regulations (Consolidation).

I, Fred Rose, at present of the City of Toronto, Province of Ontario, in the Dominion of Canada, do hereby declare that I am a British Subject.

I, now, in consideration of my release or exemption from detention as a Canadian Citizen, hereby undertake and promise that I will report to such Officer or Official and upon such terms as the Canadian Authorities may from time to time prescribe; that I will carefully observe and obey the laws of Canada and such Rules and Regulations as may specially be prescribed for my conduct by competent authority; that I will strictly abstain from taking up arms against, and from doing any acts of hostility towards the Government of this Country, and that except with the permission of the Officer or Official under whose surveillance I may be placed, I will strictly abstain from communicating with anyone whomsoever any information concerning the existing war or the movement of troops or the military preparations which the authorities of Canada, or the United Kingdom, or any of His Majesty's Dominions or any Allied or associated power may make, or concerning the resources of Canada, and that I will do no act which might be of injury to the Dominion of Canada, of the United Kingdom, or any of His Majesty's Dominions, or any Allied or Associated Power

Dated this 6th day of October, 1942 at Toronto in the Province of Ontario.

Signature (Sgd.) Fred Rose

(Sgd.) W. A. Shields"

Like Sam Carr, Fred Rose lost no time in violating his Undertakings.

At what time Rose first commenced his disloyal practices against the land of his adoption, is not clear. Suffice it to say that when he was only seventeen years old he already had worked for the N.K.V.D. (Russian Secret Police; cover-name *Neighbours*). This is made clear by the first paragraph of the following Russian document—which also indicates some of his connections with the Soviet espionage services outside of Canada and also his leadership of a Montreal Group of agents.

"Prior to Re-organization"

Director Davie

1. Fred—Director of corporation.

Previously worked at the neighbours, up to 1924.

In May-June 1942 came to Davie with a proposal to help. Davie checked up on Fred through New York (Molier). The neighbours proposed to make use of Fred. After this, in 1942 in September, Fred contacted Davie on instructions from Molier. Molier was sent to work in Ottawa, for organizing the work. (At the present time on the electoral lists to parliament in Quebec.)

Fred's Work

Group in Montreal (activists)

1. Gray

Jew. Head of a section of the Directorate for securing war materials for the Allies. Taken on to the work on 1.9.42. He works well. Gives materials on shells and cannons (on films).

2. Green

Works in the administration of the Tank plant "Locomotive" in Montreal. Assistant to the superintendent of the section on contracts. A key position.

Gives information on the numbers of tanks being delivered—only.

3. Professor

Frenchman. Noted chemist, about 40 years of age. Works in McGill University, Montreal. Is the best of the specialists on BB on the American Continent. Gives full information on explosives and chemical plants. Very rich. He is afraid to work. (Gave the formula of RDX, up to the present there was no evaluation from the boss.)

Gave about OB.

1. GINI—(Jew)

Auxiliary Group

* Photographer. Owner of a drug store. He provided a place for photography. He has a photographic laboratory.

There are working at his place:

(a) Golia, a young artist, works in the photographic studio.

* Faint type indicates word crossed out in original documents.

Contact

1. Freda

Jewess. Works as a fellow-worker in the international Labour Office.

A lady-friend of the Professor.

2. Galya

A housewife. Occupies apartment adjoining that of Davie. Her husband works as a merchant. Is establishing contact with Fred. After the re-organization she was a contact with Gray.

Nobody in the group knows Leon.

Davie's wife was the contact between Leon and Davie. Galya was at times connected with her."

Again, like Carr who was in charge of the "*Ottawa-Toronto Group*" of agents, Rose had been previously schooled in Moscow where, as mentioned in the Report of the Advisory Committee set out above, he followed a course of instruction in 1930 while serving there for six months on the International Executive Committee of the Young Communist League.

As already stated, his activities, disclosed by the Russian documents as well as in the testimony of various witnesses, are countless and of various kinds.

The evidence shows him as an active speaker in the "study-groups" described by Kathleen Willsher as "Communist cells", and he there enlisted Willsher in the Soviet espionage service; as a writer of various articles in Communist periodicals; as espionage group organizer; and as active personally in obtaining information such as that on R.D.X. given to him by Boyer.

The nature of Rose's key role behind the scenes in organizing the group of agents in the National Research Council who worked under Lunan (cover-name *Back*), is vividly illustrated in the following excerpt from one of the Russian notebooks. It records a report from Lunan to Lt. Col. Rogov, and with reference to Mazerall says *inter alia*:—

Back communicated that he will have a meeting with him in the period of 20.5 to 5.6. He further added that Bagley knows nothing about his immediate work as Fred—Debouz—talked with him only generally, and recommended that Back should study him in detail and only after that to start working with him.

Rose's activities were not limited to Canadian territory but extended to other countries. In this connection his name is linked with that of Steinberg

(Berger), an agent in the United States, as indicated in the following document:—

To Debouz
Steinberg—"Berger". 4133

Debouz is to tie up with Berger and depending on the circumstances is to make a proposal about work for us or for the corporation. Contact in Washington with Debouz's person. To work out arrangements for a meeting and to telegraph. To give out 600 dollars. If Debouz should be unable to go to U.S.A. then there should be a letter from Debouz to Berger containing a request to assist the person delivering the letter to Berger.

12.5.45 22.00 St. Patrick & Cumberland.

Gouzenko told us that the contact directed by the above document was made.

Rose is linked with the mission in England assigned to Burman, upon whom we report in Section III. 10. We quote one of the documents there dealt with:—

Despatched

To the Director, reference No.---

I am communicating to you the arrangements for Berman's meeting in London. The meeting will take place two weeks after Berman's departure from Montreal, counting the first Sunday after his departure as the date of his departure, even if he should have left on a Wednesday. The meeting will take place at 15 o'clock on Sunday, in front of the office of the High Commissioner for Canada, London, S.W.1 (Canada House, Trafalgar Sq.). If on the first Sunday it does not take place, it will be transferred to the next Sunday at the same hour and so on until contact is established. Berman will be in civilian clothes—brown suit (tweed) checkered, without a hat, with a newspaper in his right hand.

Pass-word: "How's Elsie?"

Berman will reply: "She's fine."

Thereupon our man will hand over to him a letter signed "Frank".

If the meeting at the designated place should prove impossible, or inconvenient for us, Berman will send his address to his wife, the latter will give it to

Debouz, and the latter to us and it may be possible to undertake the meeting at the address of his living quarters. When you will advise us that the meeting will be more convenient at the apartment, then we will tell Debouz and he will tell Berman's wife. Berman's wife will write him a letter with the following sentence: "Ben has not been feeling too well". After that he will await the meeting at his apartment.

Supplementary data.

He joined the Party in 1938. ~~Had a business~~ *
Worked as an insurance agent. His wife joined the Party in 1939. During the illegal period he worked in central apparatus of the Party on organizational work.

It is also apparent that Rose reported to Moscow, through Zabotin, information which he had obtained in conversations with officers who had returned from the Western Front. This is shown by a telegram from Zabotin to *The Director* which we quote in part:—

12.7.45

To the Director reference No. 8393.

1. Debouz received the data from a conversation with officers who had taken part on the Western Front. The data were received from conversations with the latter. . . .

Zabotin's mailing list to Red Army Intelligence Headquarters in Moscow of the 5th January, 1945, includes the following entry:—

Nos. P.P.	Source	From where and under what circumstances the material was obtained.	Designation of the Material	Date and Number	Number of pages	Marked
1	2	3	4	5	6	7
108	Debouz	Notes	Conversation with Profess. decisions secr. session of parliament	no date	1	none

There had been a secret session of Parliament on November 25, 1944. It is apparent that Rose had reported to his masters on this session.

Documentary and oral evidence establish that Rose had associations with the following persons on whom we report in Section III—Burman, Benning, Adams, Chapman, Harris, Mazerall, Lunan, Nightingale, Boyer, Shugar, Willsher, Gerson and Halperin. Some of his activities with these various persons are described in the respective Sub-Sections dealing with

* Faint type indicates words crossed out in original documents.

them. As Rose's name appears throughout this Report, it is only by a perusal of the whole that his activities, so far as they are disclosed by the evidence, can be appreciated.

Summoned before us on the 18th April, 1946, Rose appeared with Counsel and objected to being sworn or giving evidence on the ground that he had been committed to trial on the charges above referred to. This objection, being in our opinion without foundation in law, we over-ruled; and on the application of his Counsel an adjournment to the 26th April was granted.

On that date Rose appeared with Counsel. He again refused to be sworn or give evidence. Under the circumstances we saw no purpose in imposing any sanction, but we gave him the opportunity to make any explanation he desired with respect to the matters into which we were enquiring so far as they related to him. This he declined.

We are satisfied that Rose did what the documents and witnesses say he did.

SECTION III. 3

LUNAN'S (*BACK'S*) GROUP

LUNAN (Montreal); DURNFORD SMITH (Montreal); MAZERALL (Fredericton and Ottawa); HALPERIN (Montreal)

DAVID GORDON LUNAN was born in Kirkcaldy, Scotland, on 31st December, 1914, of Scottish parents. He attended a number of schools in England and arrived in Canada in 1938. His first employment was with A. McKim, Limited, advertising agents in Montreal, and in 1940 he was employed in the same city with another advertising agency until the 1st of July, 1942. In January, 1943, he joined the Canadian Army as a private and in April of the same year he obtained his first commission. In June, 1945, he was promoted to the rank of Acting Captain.

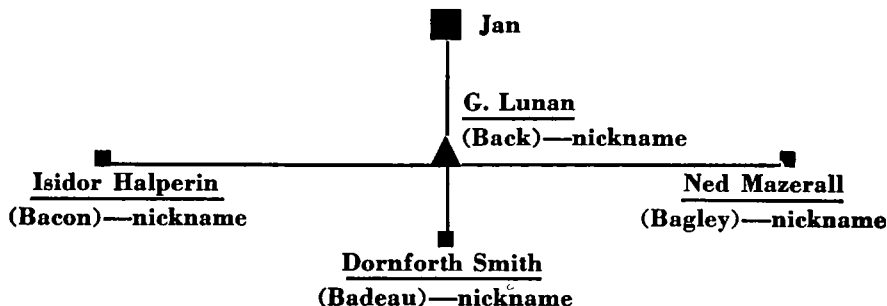
In November, 1944, he was seconded to the Wartime Information Board which later changed its name to Canadian Information Service, and was with that body until February, 1946. He was Editor of the Military Journal, *Canadian Affairs*, and had his office at 139½ Sparks Street, Ottawa.

He had associations with Squadron-Leader Poland, Squadron-Leader Nightingale, Dr. Boyer, Durnford Smith, Sam Carr, Scotland Benning, Ned Mazerall, Fred Rose, Sam Gerson, David Shugar and Israel Halperin.

Lunan told us very frankly how he became associated with Lt.-Col. Rogov of the Russian Embassy, who was one of the assistants to Colonel Zabotin. He testified that one morning when he arrived at his office, he found on his desk an anonymous note inviting him to meet an unidentified person at a corner of Rideau Street in Ottawa.

At the hour, date and place indicated in the note Lunan kept the appointment and there met a person whom he did not know, and with whom he had a conversation that lasted approximately twenty minutes. This person subsequently proved to be Lt.-Col. Rogov. He did not give his name to Lunan, but instructed Lunan to refer to him in the future under the cover-name of *Jan*. Lunan was to be known as *Back*. Lunan was then handed a document typewritten in English which read as follows:—

The scheme of your group will be approximately such as it is shown below.



You only will know me (as Jan) but nobody else.

2. What we would like you to do:

- a. To characterize the scales and works carrying out at National Research and also the scheme of this Department.
- b. To conduct the work of "Bacon", "Badeau", and "Bagley".

It is advisable to put the following tasks to them separately:

Bagley—to give the models of developed radio-sets, its photographs, technical (data) facts and for what purpose it is intended. Once in three months to write the reports in which to characterize the work of Radio Department, to inform about the forthcoming tasks and what new kinds of the models are going to be developed.

Bacon—to give the organization and characters of Valcartier Explosives Establishment's Direction. To write the report on subject: "What kind of the work is this organization engaged in?" If possible to pass on the prescriptions (formulas) of explosives and its samples.

Badeau—to write the report: What kind of the work is his Department engaged in and what Departments it is in contact with (by work).

All the materials and documents to be passed by Bagley, Bacon and Badeau have to be signed by their nicknames as stated above.

If your group have the documents which you will not be able to give us irrevocably, we shall photograph them and return back to you.

I beg you to instruct every man separately about conspiracy in our work.

In order not to keep their materials (documents) at your place, it is advisable that you receive all their materials (documents) the same day you have the meeting with me.

To answer all the above questions we shall have the meeting on March 28.

J.

P.S. After studying burn it.

Captain Lunan then clearly understood that he had been assigned the task of contacting Durnford Smith, Ned Mazerall, and Israel Halperin, for the purpose of obtaining secret information for the U.S.S.R. Lunan in the course of his own particular duties with the Information Board received no secret information of any value, but obviously could obtain some through Smith, Mazerall and Halperin who were scientists employed by The National Research Council and the Department of National Defence, Research Division, and who were familiar with technical matters in connection with the work of those agencies.

The document shows that each member of the group of which Lunan was to be the head was assigned a cover-name. Durnford Smith was to be referred to as *Badeau* and Ned Mazerall and Israel Halperin were to be known respectively under the names of *Bagley* and *Bacon*. Lunan testified that he already knew Smith but that he was not acquainted with either Mazerall or Halperin who were complete strangers to him. Mazerall, however, stated that he had met Lunan three times in study-group meetings, before Lunan asked him to engage in espionage.

Lunan's first meeting with Rogov took place in March, 1945, and in Lunan's dossier we find the Registration Form with the following entries obviously made immediately after this interview:—

REGISTRATION CARD

No. _____

1. SURNAME, GIVEN NAME AND PATRONYM—Lieutenant

G. Lunan

2. PSEUDONYM—"Back"

3. LENGTH OF TIME IN NET—from March, 1945

4. ADDRESS:

a) BUSINESS—Sparks Street, "Canadian Affairs"
Telephone 97621

b) HOME —337 Elgin, Apartment 7, Telephone
5-71-20

5. PLACE OF WORK AND DUTIES—Editorial office of
military journal, "Canadian Affairs". Works in
capacity of a correspondent.

6. FINANCIAL CONDITIONS—Receives around \$200 a
month. Needs material help occasionally.

BIOGRAPHICAL DATA—

Born in Scotland in 1912, is married. By education he is a journalist. Came to Canada in 1938. At present time is working on journal "Canadian Affairs".

He is a member of the "Labor Progressive Party". He shows a great interest in the political life of Canada. He is well disposed to us. His job is not stable, he may be demobilized. He does not want to remain in the army. After the war he plans to work as a journalist on one or other of the periodicals published in Montreal or Toronto.

Upon receiving his assignment, Lunan says that he was very disturbed about this matter and did not do anything for a week. He could hardly understand why he had been chosen for this particular kind of work, but he recalled a meeting he had had with Fred Rose, and on this point he testified as follows:—

- Q. Prior to receiving that message (*i.e. the anonymous note already referred to*) whom did you meet that you could connect with the message?
- A. I did not connect anybody with it until having received it and then I connected a conversation I had had previously.
- Q. With whom?
- A. With Fred Rose.
- Q. In what place?
- A. I do not remember, but I rather think on a train.
- Q. How many days before that, could you say?
- A. A few days.
- Q. A few days. The Fred Rose you are speaking about now is the one you identified a moment ago?
- A. That is right.
- Q. What did Fred Rose tell you on the train?
- A. He asked me what I was doing. I had just recently arrived in Ottawa and he asked me various questions about my work and my future and so on and then said that he had somebody that he thought I should meet. If I remember his phrase, he said he was a very interesting person.
- Q. Was that all?
- A. That is all.
- Q. You went to the meeting because you associated that note with the interview you had with Rose on the train previously?
- A. I had associated it, yes.
- Q. Because otherwise you would not have gone?
- A. That is right.
- Q. To the meeting without knowing something about it or having an idea about it?
- A. That is right.
- Q. But you did associate that invitation with the previous meeting you had had with Rose?
- A. Yes.
-
- Q. That is why there was no hesitation in your mind to associate the conversation you had with Rose on the train and this message that you had on your desk?
- A. There could have been no other association.

Q. Pardon?

A. There could have been no other association.

Fred Rose had obviously spoken of Lunan to Rogov as an agent who would be willing to help. Rose had known Lunan since 1943 at least, and was familiar with his background. Rose knew that Lunan, with Durnford Smith and others, belonged to the Quebec Committee for Allied Victory where the Communists' influence was definitely felt. Lunan's ideology helped him to dispel rapidly his first fears and to overcome whatever previous hesitation he might have had, for within a short time after his meeting with Rogov he started to contact Smith, Mazerall and Halperin and obtained from them valuable secret information which he transmitted to Rogov.

Smith, Mazerall and Halperin were obviously considered at the Embassy to be Communist sympathizers. Although they testified that they did not know Zabotin and his associates, their names appear in the assignment of tasks given to Lunan from time to time by Rogov, and it is also clear that the latter knew the nature of the work they were engaged in at the National Research Council, and enough about them to presume their willingness to cooperate. All the information concerning these three "recruits" had necessarily been previously furnished to Zabotin and Rogov, who were undoubtedly confident in view of what they had learned, probably from Rose, that the scientists would be receptive to Lunan's propositions.

DURNFORD SMITH was born in Westmount, P.Q., on 17th February, 1912, of Canadian parents. At the times in question he was a member of the Micro-wave Section of the Radio Branch of the National Research Council. He is a graduate of McGill University in mathematics and physics, and holds his Master's degree obtained for work in connection with radio-activity. Before entering the employ of the National Research Council, he had been with the Bell Telephone Company in Montreal for five years. In 1936 he applied for a post in the National Research Council, but not until 1942 was he successful in obtaining a temporary position as Junior Research Engineer in the Radio Laboratory. Later he was engaged as Assistant Research Engineer.

Smith's work in the Council was secret, and on his appointment he took the usual oath of secrecy. In the course of his duties he had to travel quite frequently on behalf of the branch in which he was working. On various occasions he went to Toronto in connection with work that was

being done by Research Enterprises Limited, and also to the Massachusetts Institute of Technology for the purpose of discussing secret equipment.

Like Lunan, Smith had associations with Poland, Nightingale, Boyer, Benning, Mazerall, Shugar, and Halperin, and he had been a member of the Committee for Allied Victory. He was the most cooperative agent in the Research group, of which Lunan was the leader, and, speaking of him Lunan testified as follows:—

Q. Which of the three, Mazerall, Halperin and Smith was the most co-operative on the whole in the organization with which you were connected?

A. I would say that Smith was.

Lunan told us that for the purpose of fulfilling his task, he approached Durnford Smith, whom he knew personally, first. He was "reasonably certain" of him, and he thus relates the first conversation he had with him on this matter:—

Q. Will you tell us how you carried on the conversation, how you broached the subject? What did you say?

A. I remember that I tried to feel him out.

Q. How would you do that?

A. I think I asked him first about his work, and at some point I know that I told him that I had met somebody and he—and I think you will understand what I say when I put it euphemistically that I let him take what meaning out of it he would, and I think it became clear to him the kind of proposition that I was making to him.

Q. What gave you that conviction?

A. Well, it was not immediately clear, because he said he would have to think it over. Subsequently at another meeting with him—

Q. He wanted to think it over. Why? He must have understood the nature of it?

A. I suppose he was not immediately sure that he wanted to do this.

Q. Was it put to him that the request was made to obtain from him the information for the Soviet Union?

A. Not in the first instance. Subsequently I think he must—well, I am sure he must have understood that. First of all, I was not fully identified to him, nor he to me. We were fencing with words, as it were, and I couldn't say at what particular stage of our conversation he understood exactly the nature of the proposition I was making to him.

Q. Well, you perhaps explain it in your letter, Exhibit 17-D, when you say:—

“Badeau: Warmed up slowly to my request and remained non-committal until he had checked independently on my bona fides. Once satisfied, he promised to cooperate.”

A. Yes, that is fair enough.

EDWARD WILFRED MAZERALL was born 1916 in Fredericton, New Brunswick, of Canadian parents. He is a Bachelor of Science in Electrical Engineering, and is a member of the American Institute of Electrical Engineers. From 1938 to 1939 he worked in Hamilton with the Canadian Westinghouse Company, and then joined the Canadian Broadcasting Corporation in Ottawa. In 1942 he went to the National Research Council where he was employed as an engineer to help in the development of Radar equipment. Like the other employees who were engaged in secret work, he took the oath of secrecy.

Of the persons on whom we are reporting, Mazerall had associations with Durnford Smith, Fred Rose, Shugar and Benning. He met Rose in the apartment of Agatha Chapman in Ottawa at a meeting of representatives of various “study groups” in which he was quite active. He tells us how he first met Lunan:—

Q. Was this the conversation at the Chateau, or was it a telephone conversation?

A. The first conversation was a telephone conversation.

Q. He phoned you?

A. He phoned me.

Q. Were you at your house or at your office?

A. I think I was at my office.

Q. And on June 4 he phoned you?

A. I believe that would have been so. I have a mark on the calendar, with his telephone number, so I assume that was the date. He asked me if he could see me, or have lunch with me, that he wanted to speak to me about something. I can't say definitely when I did see him; it was somewhere within a week of this date, and we had lunch, and then went for a drive in my car.

Q. You had lunch at the Chateau?

A. That is correct; in the cafeteria.

Q. That is after you had met him at these meetings?

A. Yes.

Q. Of the study group?

A. Yes.

Q. Will you carry on?

A. We went for the drive in the car, and after some preliminary discussion he asked me if I would supply him with information.

Q. For whom?

A. For the Soviet Union.

Lunan told us that he decided to use Mazerall's scientific knowledge as a method for broaching the subject of espionage. He said:—

Q. And before that you obtained his background, if I may say so, from Smith?

A. I knew something about him from Smith.

Q. And what did Smith tell you about the political background of Mazerall?

A. Well, he gave me a general recommendation.

Q. In other words, he was a member of the study group, and so on?

A. A subject to whom I could talk.

Q. And then how did you convey to Mazerall the purposes of the meeting?

A. I gave it to him in much the same way I had used with the other two.

Q. You may have to describe it. We have nothing here on this Exhibit 17-D, because you had not met him then?

A. No.

Q. Tell us what the conversation was?

A. Yes. I had been planning to build myself a radio gramophone, that is a reproduction instrument for music, and I had obtained a circuit for this from a radio store in Ottawa. I was not myself able to assess the circuit properly, and Smith had told me that Mazerall was an enthusiast for these instruments, and that he would help me, so I used that as my initial introduction.

Q. And how much of the plan did you convey to him?

A. I am not sure how much the first time I saw him, but I conveyed all of the plan not later than my second meeting.

Q. Not later than your second meeting, which took place how many days after the first one?

A. I couldn't remember.

- Q. And what did he say when you definitely conveyed the plan to him, clearly told him that what was needed was information for the Soviet Union? What did he say to that?
- A. He appeared to be willing to consider any questions that would be put to him.
- Q. And he gave you an answer right away?
- A. I think he did.
- Q. Did he accept?
- A. Yes, he did.
- Q. And did you ask him immediately for some material that had been asked by Rogov, for you to obtain from him?
- A. I asked him for something.
- Q. What did you ask for; do you remember?
- A. I think I gave him a slip of paper which I had received.
- Q. And what was on it?
- A. I don't know.
- Q. You gave him a slip of paper which you had received from Rogov?
- A. As far as I remember I did that.
- Q. And I suppose there was a good reason for that. You were not a technician?
- A. That is correct.
- Q. Or a scientist And part of it possibly would have been strictly Russian to you?
- A. Certainly meaningless to me.
- Q. And you handed that to Bagley?
- A. To the best of my recollection I did.

ISRAEL HALPERIN was born on 5th January, 1911, in Westmount, P.Q., of Russian parents, and is a Professor of Mathematics at Queen's University, Kingston, Ontario. He joined the Army in 1942. In 1943 he was attached to the Directorate of Artillery, became a Captain in 1944 and a Major in 1945. In that branch of the Army he worked on a considerable number of secret projects, and he had access to all the files and documents concerning explosives and weapons, as well as to all the new discoveries made available to the Artillery.

Halperin was known to many who were involved in the Zabotin organization, and he kept in a pocket-book the telephone numbers of Adams, Boyer, Nightingale, Rose, Shugar and Poland.

He was first contacted by Captain Lunan in the manner described by Lunan himself:—

Q. Then whom did you see next, Bacon?

A. Yes.

Q. That is Halperin. How did you meet him?

A. I met him by phoning him at his office and making a luncheon appointment.

Q. Where?

A. At a hotel. I don't remember the name of it; some hotel in Ottawa.

Q. And how did you convey to him the request that had been made by Rogov.

A. I think I followed much the same line with him again; letting him interpret my words as he would. At the time I thought that he understood them correctly. Later I had reason to feel that perhaps he did not, but he also wanted time to think about it.

Q. And eventually, like Smith, he gave you his acceptance; and you had several meetings thereafter?

A. Yes.

At first, Halperin did not seem sufficiently impressed with the *conspiratorial* nature of the work that was assigned to him, but Lunan says that he approached him frankly and that he was keen and willing to work.

Lunan, as he stated, was not a technician but a writer, and obviously had some difficulty in transmitting both Rogov's instructions, when not in writing, and the information received from the members of his group. His first report dated the 28th of March, 1945, a few weeks after his first interview with Rogov, does not contain any valuable information. He merely reports to Rogov that he has started his work, that Smith and Halperin were willing to co-operate, but that Mazerall has not yet been contacted. The report is as follows:—

Ottawa

March 28

Dear Mother and Father:

General approach to work: Your written instructions are understood and some preliminary work has been accomplished on the specific tasks set. It should be understood that neither Bacon, Bagley nor Badeau are well known to me either personally or politically, nor I to them. Progress has been held up somewhat owing to one or other of them being out of town and

by the caution displayed by Badeau (a good thing probably) in checking into my credentials. With the exception of Bacon, who is enthusiastic and politically experienced, it would be unwise to approach them point blank with all the tasks assigned. They already feel the need for maintaining a very high degree of security and taking abnormal precautions at their normal meetings (about once in two weeks), since they are definitely not labelled with any political affiliation. One or two have even opposed the introduction of new members to our group on the grounds that it would endanger their own security. I therefore believe it wise to approach them carefully and not to advance too great an assignment to them at one time. Also, for the time being, not to characterize the work for what it is, but merely to let it be understood that it is work of a special conspiratorial nature, without mentioning my connection with you. If I read your instructions correctly, you assumed that I would discuss the situation frankly with each separately. This I have not done. But I would like to discuss this aspect with you. Another slight resistance to be overcome is the strong sense of security about their work that these men have developed as war scientists.

We have experienced a little difficulty (which we shall, however, overcome, I believe) in making our initial arrangements to meet. There are several reasons for this. Bagley lives quite far out of town in the country and is dependent on train schedules. Badeau lives at the furthest end of Hull and works during the day out of town and out of reach at lunch times and other times convenient to me. My house is out of the question for meeting (and typing) purposes as I have two others living with me. We shall probably solve these difficulties as we gain practice in the work.

The following notes describe in detail progress made with each individual on each task set.

Badeau: Warmed up slowly to my requests and remained non-committal until he had checked independently on my bona fides. Once satisfied, he promised to cooperate. He is preparing the report on his dept. as requested, also a full report on organization

and personnel, interlocking depts. etc. of NDC plus any other information he thinks useful. These reports are promised to me for Apl 9. I am unable to get them any sooner.

Discussing the work of NDC in general, Badeau informs me that most secret work at present is on nuclear physics (bombardment of radio-active substances to produce energy). This is more hush-hush than radar and is being carried on at University of Montreal and at McMaster University at Hamilton. Badeau thinks that government purchase of radium producing plant is connected with this research. In general, he claims to know of no new developments in radar, except in minor improvements in its application.

Bacon: I received an excellent report on Bacon, and approached him more frankly than the others. He seems anxious to be of help. His attitude is that most of the so-called secret work is a joke, and while it is officially on the secret list, those working on it can see no reason for secrecy. He undertook to provide the information requested on Valcartier. He suggested I obtain it direct from his chief in my official capacity, but I advised him that this was not wise as I do not wish to show any official interest in this field until and unless we decide to do an article on it. He claims there is no particular secrecy about the set-up, but I persuaded him to give me the whole report on the matter. I did not mention formulae and samples at this meeting, as I don't think Bacon is sufficiently impressed with the conspiratorial nature of the work as yet. But he is definitely keen and will be helpful. I shall see Bacon again on Apl 2 to hear about his report and to take up our request with him further. He travels a good deal which complicates our arrangements for meeting.

Bagley: I have been unable to see him as yet. He has not been a very regular or enthusiastic supporter for several months although he is now showing more enthusiasm. He lives in the country and his wife is antagonistic to his political participation. He strikes me as being somewhat naive politically, and I shall

take things slow with him for a start. I plan to develop his acquaintance as much as possible and gain his confidence by collaborating on some scientific articles. Will report on him next time.

With regard to photographs and biographical notes on Bagley and the others, Bacon and Badeau will provide them with their reports. I will supply Bagley's later. Bacon is a mathematics professor from Queen's University at Kingston, now a major in the army. Badeau is an electrical engineer who has worked in the engineering department of the Bell Telephone Company at Montreal. Fuller details later.

Back.

This document was written in Lunan's office, with his own typewriter, and the words *Dear Mother and Father* were written purposefully so as to baffle those in the office that might see him at work on the document.

For the purpose of the work that he had to perform, political opinions were of utmost importance, and the primary qualifications that had to be found in "agents", to use Lunan's own words, were "close cooperation with Russia" and "sympathy with the Communist Party program". Not being sure of how far Mazerall and Halperin would be prepared to go, Lunan had to act cautiously until he was satisfied of their attitude.

The second report made by Lunan to Rogov is dated April the 17th, 1945, and it reveals that some notable progress has been made with Halperin (*Bacon*), very little with Smith (*Badeau*) and that Mazerall (*Bagley*) has not yet been introduced to his assignment. It was typed in English by Lunan, and was headed in Russian, in hand-writing, *Organizational Letter of 18.4.45*. It reads:—

There is relatively little progress to report since last time because of a series of unfavourable circumstances which have made continuous liaison with my people impossible.

As you will have realized, I was out of town for several days last week and was unable to keep my appointment. Bacon was away from work for several days with a cold. It was inadvisable to see him at his home to discuss matter with him, although I did visit him there once to receive a report from him. Badeau also made a trip to Toronto during the one week when I was in town and relatively free to see him, and for the

following week he was detained late at the office (laboratory) working on a special rush experiment. The prospect for myself over the next few weeks isn't any brighter, unfortunately. The announcement of the elections, earlier than expected by us, has involved me in a great deal of rush work which will keep me in Montreal all next week. This work, of course, has to be given priority; but it means that the time available for seeing my people is very severely cut into—especially when they might be busy on those times when I am free.

This is not a very bright picture for the progress of our work. But it is the circumstances in which we find ourselves, and it is only to be hoped that work will ease up soon. Incidentally, I suggest that Jan's call to my office was not strictly necessary, since we already had the arrangement that the meeting would take place three days later if for any reason either party failed to turn up. However, it had this advantage, that it tested out the system of calling on the telephone, which was quite successful.

Reporting in general on the work done since last meeting:

Bacon has given considerable thought to my original requests and has given me the material for the attached report. He offers to fill in any details that may be asked for if he can. I have not had the opportunity to ask him about payment.

Badeau was very disturbed when I brought up the subject of payment. I think he felt that it brought the subject of his work into a different (and more conspiratorial) focus. He was to think it over and let me know, but we have had no opportunity to meet since I was in Montreal in the interim. He is very slow in giving me any information, largely because he actually has not time to sit down and make a report. He offered me the printed report of the Research Council, but I assume that all this information is known or can be readily obtained from a Government library. The latest report he could get was also considerably out of date. He reported to me in words the general details of his own work. He is in the radio engineering

end of things, specializing in radar. Current work, on which there was an emergency rush last week, is in connection with a battleship radar device for use in the Pacific.

This is an extremely sensitive detecting device which has been successfully tried out on the East Coast. Present work is the designing and construction of a pilot model. Badeau has been largely responsible for this. Possibly there are specific questions which could be asked about this, as Badeau is a very difficult person to pin down to detail.

It has still been impossible to see Bagley and introduce him to his assignment. As I pointed out before, since I know very little of this person, it is my plan to become better acquainted with him and get some idea of his readiness for work of this kind. The time, however, has been quite beyond me as yet.

With regard to biographies: both Badeau and Bacon have promised to provide biographical notes. I was to have received these on Monday, but could not keep my appointments, being out of town. Will obtain them for next time. Badeau is married with 2 children—about 6 and 6 months old. He is about 33 years old and before joining the Research Council, worked in the Research Department of the Bell Telephone Company at Montreal. He is a graduate electrical engineer. Bacon is a man of about 35, married and with 2 children and a third on the way. He is a professor of mathematics at Queen's University, Kingston and intends to go back to that work after the war. He is at present a major in the Artillery.

Bacon's report.

Bacon has been personally responsible to a large extent for the preliminary work in connection with organizing C.A.R.D.E. (Canadian Army Research Division, Explosives). This is an organization which is in process of being created. It will have both civilian and military personnel, but will be administered by the army. It is intended to be integrated with the various arsenals in Canada—at least two of which will probably be maintained permanently after the war.

CARDE will contain the following:

A. Pilot explosives plant. This is being built by, and controlled by, National Research Council, but with army funds. The chemical branch of NRC will have very little or nothing to do with it. It will have a large capacity and will be capable of experimental work with new explosives, both HE and propellants. It is not yet being operated; will be taken over by CARDE when completed. Probable director will be Englishman, Harold J. Poole, who is now acting director. He is a permanent civil servant in the explosives field. Said to be slow as an organizer and executive, but a competent technician. Bacon believes that this plant can be of tremendous importance and can improve production methods to meet changing needs. Canadian raw material situation very good.

(Bacon gave some information on present explosives plants and their capacity. This is probably well known. Can produce information if desired).

B. Ballistics Laboratory. Under direction of Dr. Laidler. This is the only part of the over-all project which is at present in operation. This section is working with the Department of Chemistry at Toronto University in experimenting with a variety of new propellants. They are using a new explosive "DINA" mixed with RDX as a component in propellants. DINA is intended as an alternative to nitro-glycerin. Americans are said to be very interested in one of these new propellants called "Albanite". This is a propellant containing DINA and picrite as an alternative to the standard British propellant containing Nitro-Glycerin and picrite.

C. Designs Branch. This will be mostly for designing small ordnance and will include a pilot plant.

D. Field Trials Wing. This will do the work which is now being done at Suffield and Valcartier by the Inspection Board of United Kingdom and Canada. They have a good scientific and do a good job of analysing faults and difficulties of manufacture.

Eventually the organization will consist of A, B, C & D. Dr. Don Chase (an NRC physicist) has already

been appointed superintendent of CARDE. He will be responsible to the Director of Artillery (Colonel W. E. Van Steenberg) who is a biologist and who will in turn be responsible to the Master General of Ordnance, Army. Eventually, there will probably be a committee comprising representatives of the three services.

Bacon emphasizes:

The importance of CARDE in controlling factory production.

The laying down of a skeleton armaments research centre which could be taken over by the British in the future if it became necessary. It could take on assignments, and now has some on which to work.

After this second report, Rogov obviously met Lunan on several occasions. On the 6th of June, 1945, Rogov assigned to Lunan a list of "tasks" for his group. The original list, in Russian, has in the left column comments added later, with the dates on which the various tasks were completed. The text is as follows:—

<u>Assignment No. 1</u>	
<u>Assigned to the group Back (Research)</u>	
<u>assigned on 8.6.45</u>	
<u>Back:</u>	1. To write out material on "The election to the Federal Parliament and the pre-election struggle", showing the role and the significance of each party in this. To give the characteristics of each party, its political platform and who finances it and whose circles it represents.
<i>Fulfilled 5.7.45</i>	
<u>Bacon:</u>	1. To give instructions or any other kind of material on electroshells (V-bomb).
<u>On Points:</u>	2. To write down what new research work is being carried on and what is the latest right now with respect to explosive materials and artillery armaments.
<i>1. He promised to obtain it for the next time.</i>	
<i>2. Has no data whatsoever.</i>	

Bagley:
Fulfilled
5.7.45.

To establish closer contact
and to obtain at least oral in-
formation.

Badeau:
On points:
1. Fulfilled
5.7.45
2. Partly ful-
filled
3. Not fulfilled
4. Fulfilled
5.7.45.

1. To obtain ~~ma~~ any material on
the American aeroplane radio-
locator of the type "an/aps—
10" and also on the radio navi-
gation periscope.
2. To give more detailed informa-
tion on the "Research Council"
right down to the sections, their
directors and what they are
engaged in.
3. To obtain the telephone direc-
tory of the "Research Council".
4. On the works Mrss Smith-Durn-
ford; D. A. Keys; and I. S. Fos-
ter. To give a general descrip-
tion, what kind of apparatuses
they are; where they are used,
and what are their fundamental
features. (See material No. 1 of
group Back).

*

Remarks:

The whole material must
fulfilled by 5.7.45.

Lunan's third report is dated July the 5th, 1945. It indicates that Mazerall (*Bagley*) has agreed to work and has promised his full cooperation. At this moment, Halperin (*Bacon*) does not seem to be very enthusiastic, and nothing is said of Smith (*Badeau*). The report reads:—

Bagley: I had a very successful meeting with Bagley and he agreed to participate to the furthest of his ability. I also received an explanation of what I took to be his early reluctance to meet me. His wife teaches music, and on the frequent occasions when she has to be away from the house, he has to stay home with the children. He is unable to plan his free time very much in advance, hence the difficulty in seeing him. He is interested in the work and immediately

* Faint type indicates word crossed out in original documents.

promised to be of assistance. I gave him a full quota of tasks, and he promised reports on his work and on various other aspects of the general work at his place. Since first seeing him, I have been in Montreal, and on the two occasions I tried to get in touch with him for a progress report, he was not available. He had promised to deliver his work in full in time for this meeting. He now informs me, however, that he has not completed the work and will need another ten days. He pleads extreme business as the reason. I know that they are very busy, and it most difficult to persuade these fellows to give up the time. In fact, they are working to tight schedules and it is customary for them to work continually at a task until it is finished. I shall keep after him, and try to get the material within the ten days mentioned.

Bacon: I spent a whole evening with Bacon, with most disappointing results. I put the tasks to him, and on both of them he assured me he had nothing to offer. He claims that the electro-bomb is common knowledge to the Germans and assumes it must be so to you. He is unwilling to take any risk in obtaining material which he is convinced is already obtainable. I tried to persuade him to meet the demand any way, but he was unwilling to do so.

With regard to the general question on explosive development, he assured me that he has nothing to add to his former report. He is himself curious about the Chalk River plant and the manufacture of Uranium. He claims that there is a great deal of talk and speculation on the subject, but that nothing is known outside of the small and carefully guarded group completely in the know. He emphasized that he himself is as remote from this type of information as I am myself. His work is at a virtual standstill; and in any case, his work has been mostly in the field of development (field improvements) on ordnance, and not in the realm of explosive research. He maintains that there is a distinct division between research and development. He expects his work to cease fairly soon, and wants to go back to teaching. This fellow is a mathematician, and not a chemist or physicist, which may account for his

remoteness from the details of explosive research. I shall continue to see him but he gave me definitely no encouragement last time.

Back: There is a delay in time before the arrival of baby. X-rays reveal that event won't take place until close to end of July. No information as yet as to future disposition in the army. Have just been promoted on account of present work. Expect to be at same job at least for another month and probably longer.

Back.

On that date, the 5th of July, 1945, although Smith, Mazerall and Halperin had declared their willingness to furnish information, only Halperin (*Bacon*), as evidenced by the above report, had as yet given any material to Lunan. Halperin's report of 17th April had dealt with the Canadian Army Research and Development Establishment, called C.A.R.D.E., and the various plants and laboratories that would be operated by this organization. This included information about the Pilot Explosives Plant, the Ballistics Laboratory, the Designs Branch and the Field Trials Wing. Halperin emphasized the work done at the Ballistics Laboratory with particulars as to new explosives, and we have been told that this information conveyed to Lunan by Halperin was of a highly secret nature.

Halperin later furnished additional information, as is shown by the following document, written in Rogov's handwriting and found in his brief-case.

RESULT OF THE LAST MEETING OF BACK'S GROUP (RESEARCH)

1. Bacon—categorically refused to give any kind of written information and also documents to be photographed. A possibility exists, but he is afraid. He only gives oral information, but this does not answer our demands, as Back is a writer and not a scientific worker. In an oral conversation he stated that in Canada and in the United States special electric shells are being produced by means of which the accuracy of hitting the target is automatically determined, based on the principle of reflection of radio waves. The electro-shell is called "V bomb" and it consists of a small high frequency transmitter by means of which there is produced a rebound of waves from the target.

These shells are already in use at the fronts and there exist special instructions, about bringing which he made no firm promise.

The following document, written in Russian and probably in the handwriting of Levin (*Runy*), an interpreter at the Embassy, is based on a written report made by Lunan of the information given him by Halperin, and amplifies Rogov's notes:—

Back's Group

Mat No. 1

Bacon.

* It has become very difficult to work with him, especially after my request for Ur 235 (Uran 235). He said that as far as he knows, it is absolutely impossible to get it. Thus for instance he declared that perhaps it (Uran) is not available in sufficient quantity. Bacon explained to me the theory of nuclear energy which
? is probably known to you. He refuses to put down in writing anything and does not want to give a photograph or information on himself. I believe I think that at present he has a fuller understanding of the essence of my requests and he has a particular dislike for them.
* With such a trend of thought as he has, we cannot
* obtain it is impossible to get anything from him except with the exception of verbal descriptions, and I am not
* in a position to ~~unable~~ to understand everything fully where it concerns technical details.

I asked him what is taken into consideration in the construction of the very large plant (Chalk River, near Petawawa, Ontario), in the general opinion the principle of production of which is based on the physical properties of the nucleus; with regard to his expression of opinion that it is impossible to get Uran 235. He replied that he does not know. He believed that the project is still in the experimental stage.

Then he described to me the general principles of the electronic shell and the bomb detonator, which are being produced in plants in the U.S.A. and Canada, and which is the reason for the accurate fire in destroying rocket projectiles (V-bombs). It has the form of a small transmitter of high frequency the ray of which is reflected from the target. When the force of the

* Faint type indicates words crossed out in original documents.

reflected wave in the vibration of the radiated frequency reaches a definite strength, the charge is exploded electrically. I asked him if it would be possible to obtain instructions for it, he replied that it would be possible. I was not able to extract (incline) anything in any other way. In conclusion, Bacon (took the position) announced that he will talk to me but he will not write anything at all, and I do not think that he is ready to begin to work more deeply, as for example—to obtain samples. He says that he does not know anything about matters that are not already known to you.

However Rogov decided to continue to use Halperin, for we read, among the entries listed as *Task No. 2*, given by Rogov to Lunan, the following:—

TASK NO. 2

Assigned 6.8.45

- Back: 1. Can Bacon after leaving for Queen's University, maintain connections with the Artillery Board in which he is working at present. If so, in what manner.
2. What possibilities may Bacon have in Kingston for our work?
3. . . .

It was the constant concern of Zabolot and his associates to make sure that agents would still be useful after their discharge from the Armed Services or Government employ.

Called before us to give evidence, Halperin was very unwilling to cooperate, although he had been advised to do so by his Counsel who told the Commission:—

“COUNSEL FOR WITNESS:—I think I ought to make a very short statement of explanation. Following the interview, this morning, I have had a long conference with Mr. Halperin, and I have gone over with him, as far as I know, the picture that presents itself here; and I have said to Mr. Halperin, and he agrees with me, that, as a civil servant, and as a citizen of Canada, in view of the serious nature of the allegations, the situation he is in, he is in duty bound to give all the assistance possible to this Commission. He has decided to do so.”

Later, Halperin refused to answer any further questions, and asked his Counsel, to withdraw, which he did.

Of Mazerall, Rogov said in his early notes:—

3. Bagley—so far no contact has been made. The main reasons are that he lives so far from the city and the influence of his wife who does not want him to meet corporators. On Back's proposal for a meeting, he answers that he is busy and living far away, but at the same time he invites to his house. Back communicated that he will have a meeting with him in the period of 20.5 to 5.6—.

*

He further added that Bagley knows nothing about his immediate work as Fred Debouz talked with him only generally, and recommended that Back should study him in detail and only after that to start working with him.

4. Back himself has no possibilities. He is being used as a contact. At the last meeting he said that a baby will be born to him at the end of June.

Mazerall's main task was to reveal information concerning technical facts on radio sets, and to make periodical reports on the Radio Department and on the models that were being developed. It was only on July the 24th that, after having agreed to "work", he gave Lunan some information under the form of two reports. The first one was a *Long-Term Proposal* prepared by Dr. McKinley of the National Research Council, for future civil aids to air navigation, and the second was a report on *Airborne Distance Indicator* prepared by Mazerall himself and edited by Dr. McKinley. They were turned over by Lunan to Rogov, and returned to Mazerall the next day after they had been photographed at the Embassy.

These reports, which were of a secret nature, had been prepared so that Dr. McKinley might present them at the Commonwealth and Empire Radio Civil Aviation Conference that was to be held in London some weeks later.

It was only on the day on which Mazerall handed these two reports to Lunan that he was told his cover-name was *Bagley*. Mazerall said in his evidence that he knew he was not authorized to give these reports to Lunan and he knew also that they were to be given to the U.S.S.R. Mazerall's evidence is as follows:—

Q. What about the report prepared by Dr. McKinley? What was the importance of that report?

A. Well, it could be taken in the same light as this. There was nothing in the report which we had actually decided to do. It was merely proposals of what might be done.

* Faint type indicates words crossed out in original documents.

- Q. It was a plan for further development?
- A. Yes, a long-term plan.
- Q. Was that something new?
- A. Yes, it would have been quite new.
- Q. It was a new development at the National Research?
- A. No, it had not even been developed. Ferris and I had discussed on many occasions what we might like as an ultimate navigational scheme and Ferris in turn would present his ideas to McKinley and McKinley wrote them up. It was only our ideas that we would like to see put into effect.
- Q. Your ideas for the future?
- A. Yes.
- Q. And they were all embodied in Dr. McKinley's report?
- A. Yes.
- Q. And that is the report you gave to Lunan?
- A. Yes.
- Q. At the same time as you gave the other?
- A. That is correct.
- Q. You knew you were not authorized to give that report to Lunan, Dr. McKinley's report?
- A. Strictly speaking, yes.

Mazerall's evidence as to the report which he himself had written follows:—

- Q. This report concerns Radar?
- A. It does make use of Radar principles, but it is somewhat different than the conventional Radar. It is very much simplified.
- Q. Was that a new invention or discovery?
- A. This?
- Q. Yes?
- A. No, the Americans were working on the same idea exactly at the same time. It was more or less of a race between the two of us.
- Q. Who won the race?
- A. We did, sir.
- Q. Why do you say it was a race between the Canadians and Americans and that you won the race on the 15th of July when you published your report, if there was nothing secret?
- A. Our equipment was working on a frequency of 200 megacycles and the British have a great many pieces of navigational equipment on that band. The Americans, on the other hand, wanted to use 1,000 megacycles. They had had some experience with 1,000

megacycles. Neither we nor the British had. It would have taken us a very long time to build equipment to use 1,000 megacycles, whereby by using the techniques which were well known we could develop this.

Q. Was that secondary Radar or primary?

A. You might call it secondary, I suppose.

Q. Secondary Radar?

A. It was a beacon system where the ground beacon was interrogated by a beam from the aircraft. There were a great many people who knew of this.

Q. You are not suggesting, are you—if you are I want to know—that any document prepared by the National Research Council which bears the legend “Confidential” may be treated as though it is not confidential?

A. No, only this particular equipment.

Q. If this document we are speaking about, Exhibit No. 107—as far as that document is concerned, it bears the legend “Confidential”. That means that neither you nor any other employee of the Research Council is free to disclose it?

A. Yes.

Q. Except to authorized persons?

A. Yes.

Q. And Lunan was not an authorized person at any time?

A. No.

Q. Did not the same thing apply, Mr. Mazerall, to any information that you had about it, apart from what might appear in the formal report, Exhibit No. 107? That is, you were free to disclose the information to authorized persons in the course of your duties, but not to unauthorized persons?

A. Yes.

Q. You knew perfectly well that you should not give that to Lunan?

A. Yes, I did, and as I say I could have given him more important reports which would have been more useful than this to them. While I certainly regret it very much, the fact is that this was the most innocuous report I could have put my hands on.

Q. And what was Lunan to do with these reports while they were in his possession?

A. Turn them over to the representatives of the Soviet Union.

Q. To the representatives of the Soviet Union?

A. Yes.

Of all the group working under Lunan, Durnford Smith was the most active. The first information he gave was verbal and dealt with a battleship Radar device for use in the Pacific. He had been largely responsible for this work, which was an extremely sensitive detecting device that had previously been tried out on the East Coast.

Rogov wrote of Durnford Smith in his notebook:—

2. **BADEAU**—wants to work. Gave written information on questions of research in the field of radio technique, of optics and separate apparatuses. The material is very technical and is hard to grasp on the spot. It was sent out by mail. It is essential to have concrete questions for him. According to data given by him the organization of the National Research Council from the top down is as follows: The Committee of the Secret Council on Research Problems; Chairman J. A. MacKinnon. Under him is the Research Council—Chairman, C. G. MacKenzie. There are three floors with two divisions on each floor. On the first floor is the Division of Plans and Publications and the Division of the Chief Assistant S. P. Eagleson. On the second floor there is the Division of auxiliary Research. Here also is the combined committee of scientists. Also the division (apparently) of cyphers and stenography, with A. F. Gill as chief. On the third floor there is the Division of Applied Biology, chief W. H. Cook; the Division of Chemistry headed by S. Teaire; the Division of Mechanical Engineering, Chief J. H. Parcen, and the Division of Physics and Electricity, chief R. W. Boyle.

Badeau asks for permission to change to work on uranium. There is a possibility either by being invited or by applying himself, but he warned that they are very careful in the selection of workers and that they are under strict observation.

It was felt that much of Smith's information was so technical that it would be preferable for Rogov to contact Smith personally. Rogov therefore arranged through Lunan for a direct meeting with Smith. This meeting is recorded in Rogov's handwriting in one of the exhibits produced before us, which formed part of the Lunan dossier. The entry reads:—

6. 5.7.45 Regular meeting—everything was normal.
He was with Badeau, the latter brought
valuable material. We agreed upon further
work.
Back himself brought the material on the
elections to the federal Parliament.

A fuller account by Rogov of this meeting is recorded in the section headed *COURSE OF MEETINGS*, in the Embassy's dossier on Durnford Smith. This document is set out later in this section. Lunan described to us the occasion on which Smith personally contacted Rogov, as follows:—

- Q. What did you tell him (*i.e. Smith*) about the meeting?
A. I simply told him I would like him to meet the person I had been seeing.
Q. Who did you tell him that was?
A. I think he knew by this time. I might have used the name *Jan*.
Q. Did he say, "Who is *Jan*"?
A. No, but he knew that I was seeing somebody.
Q. But didn't he show any curiosity as to where *Jan* was from, Vancouver or Cuba, or who he was?
A. I can't remember his reaction.
Q. At this time did you know who *Jan* was?
A. No, I didn't know him by any other identification than *Jan*.
Q. But you knew who he was?
A. I knew he was from the Soviet Embassy; that is all.
Q. Did you know from what department or division or branch of it?
A. No, I did not.
Q. You were satisfied as long as he was from the Soviet Embassy?
A. Well, I was well into this particular arrangement. I can't say that I was continuously satisfied.
Q. You were content to carry on as long as you were dealing with somebody from the Soviet Embassy?
A. Yes, I was. I was content under the circumstances that existed there to continue the arrangement as I did.

- Q. Did you ever tell Smith, or *Badeau*, that the man he was going to meet was the man to whom you were furnishing the information?
- A. That is correct.
- Q. And that he was from the Russian Embassy?
- A. I can't remember telling him when I made this appointment, but I certainly assumed that he fully knew that.
- Q. When did that meeting take place?
- A. The one with *Badeau*?
- Q. Yes; *Badeau*, Rogov and yourself?
- A. It took place in the summer; I imagine it was the next meeting.
- Q. And that would be what date?
- A. In July.
- Q. What date in July?
- A. Well, according to this, July 5th; but I cannot vouch for the accuracy of that date.
- Q. At what time?
- A. In the evening.
- Q. And what hour?
- A. I don't remember the hour.
- Q. At what corner?
- A. I don't remember that either.
- Q. Did you proceed there with Smith or had you arranged to arrive there at the same time?
- A. I went with Smith.
- Q. Where did you meet Smith to go there?
- A. I met him on the Driveway.
- Q. Where?
- A. Close to Laurier bridge.
- Q. And what was the conversation on your way to that meeting point with Rogov?
- A. Between Smith and myself?
- Q. Yes.
- A. I don't remember that we conversed about anything in particular.
- Q. You were not going to a funeral; you must have spoken a little?
- A. Yes, but certainly not anything that I can recollect.
- Q. All right. Tell us what took place when you arrived there. Was Rogov there at the time arranged?
- A. Within a few minutes.

- Q. And what took place then?
- A. The three of us got into a car.
- Q. What kind of car was it?
- A. I don't know the make.
- Q. It was Rogov's car, the car in which Rogov came?
- A. Whether he came or not, I don't know, but it was a car on which he had some claim at least.
- Q. Had he a driver?
- A. Yes, there was a driver.
- Q. And was the driver in uniform?
- A. No, he was not.
- Q. Not in chauffeur's uniform?
- A. No.
- Q. Well, the three of you boarded the car?
- A. That is right.
- Q. And tell us what took place then?
- A. We then drove around. I was sitting in the front seat, and Smith and Jan were in the back seat. They then proceeded to converse, and I had no part in that conversation. I sat in the front and smoked.
- Q. But you heard it, I suppose?
- A. No, I didn't; they were talking in a low tone. It is almost impossible to understand *Jan* under the circumstances in the back of a car. Smith I also found rather a difficult person to understand, by no means articulating clearly. In any case I had no conscious participation in the conversation, although I did hear the occasional phrase.
- Q. From what you heard, could you tell us what was the gist of the conversation?
- A. They appeared to be talking about technical matters, electronic matters.
- Q. Was either of them carrying a brief case?
- A. I think Smith was. As far as I know he characteristically carried a brief case.
- Q. Did you see him handing some documents to Rogov?
- A. No, I did not.
- Q. Then how long did that last?
- A. I would say for perhaps forty-five minutes.

- Q. During all that time were you touring around?
 A. Yes.
 Q. And you came back to the same place?
 A. No, we did not.
 Q. You alighted from the car at the same time as Smith?
 A. No.
 Q. Before?
 A. No. Smith got out first.
 Q. And did he wait for you?
 A. No, he did not.
 Q. You kept on driving with Rogov?
 A. That is right.
 Q. Were you in uniform?
 A. I think I was, yes.

Asked about this interview with Rogov, Smith says that he does not remember, but he is very indefinite about it, and we accept as a proven fact that on that occasion he met Rogov.

We have also evidence that on some other occasions Smith transmitted to Rogov confidential information coming from the National Research Council. Many of the documents produced are direct assignments given to Smith by Rogov and it appears that many of them have been duly fulfilled. One of the documents reads:—

Badeau:

On points:

1. *Fulfilled*
 5.7.45

2. *Partly*
fulfilled

3. *Not fulfilled*

4. *Fulfilled*
 5.7.45

1. To obtain ~~any~~ any material on the American aeroplane radio-locator of the type "an/aps—10" and also on the radio navigation periscope.
2. To give more detailed information on the "Research Council" right down to the sections, their directors and what they are engaged in.
3. To obtain the telephone directory of the "Research Council".
4. On the works Mrss Smith-Durnford; D. A. Keys; and I. S. Foster. To give a general description, what kind of appa-

*

* Faint type indicates word crossed out in original documents.

tuses they are, where they are used, and what are their fundamental features. (See material No. 1 of group Back).

Remark:

The whole material must be fulfilled by 5.7.45.

Another assignment was:—

Badeau:

1. In the month of June 1945 the Military Air Force of Canada jointly with the photographic Research Committee and also with the Optics Section of National Research Council, conducted tests of the new photo bomb (photo flash bombs bursting) of 750 million candle power, and of special lenses for aerial-photography by night.

It is desired to have on these questions the following information:

- a. What is the composition with which the photo bomb is filled and as much as possible write out its formula.
- b. c. What is the surface area lit up by the flare of this bomb and the duration if its flare. *
- d. The maximum height from which it is possible to carry out practical photographing by means of this bomb. *
- e. What are the features of the new photo-lenses and what are their basic technical data (focus, light power etc.) *
- f. What is the organization of the photographic Research Committee and who are its directors. *

*Assigned on
5.7.45*

* Faint type indicates words crossed out in original documents.

2. What new jobs are being conducted by the Photographic Research Committee in the sphere of altitude aerial-photography and in colour aerial photography and photographing through the clouds by means of infra-red rays.

Give the newest types of aerial-photo apparatuses used by the R.C.A.F. and by the R.A.F. and their basic data:—

- a. The type of the apparatus (the brand).
- b. The maximum height of photographing.
- c. The number of adapters and the size of the photographs.
- d. ~~The methods of itinerary and level photographing.~~ *
- e. The types of lenses, their light power and the focal distances.

On the 6th of July, 1945, Smith received personally the following assignment:—

Assigned 6.7.45 directly to Badeau

1. To give the basic description of the features of the contrivance transmitting and receiving radio tubes for $\Lambda = 3$ and $\Lambda = 1$ cm. and their technical manufacture.
2. The same with respect to tube "4j-33".
3. New work in the field of radio locators for anti-aircraft artillery and aeroplanes with $\Lambda = 3$ and $\Lambda = 1$ cm.
4. What are the features of the "T-R Switch" on wave $\Lambda = 3$ cm. and $\Lambda = 1$ cm..
5. The types of radio antennae for $\Lambda = 3$ and $\Lambda = 1$ cm.
6. What are they engaged in on the second floor at the "Boyd Station", there is a supposition that they study infra-red rays and develop cm. radio installations.

* Faint type indicates words crossed out in original documents.

7. To give a more detailed technical description of "an/aps—10".
8. According to the latest literature indicate each graph (?) in it.

Remarks:

1. As the opportunity arises, to obtain samples of the radio tubes.
2. Also to give us documentary material for photographing.
3. If there is no opportunity in fulfilling certain requests, no special activity to be displayed.
4. After reading this material burn it.

Through Lunan, Smith also was given the following task:—

Assigned through Back 6.8

TASK FOR BADEAU No. 3

Give the following literature for photographing:
GL 14003, som 14032, A.S.V. 14040; B & NS 13960.

Remarks—If the above material should prove bulky, or it is inconvenient to take all at once such an amount of books, then this amount may be reduced according to your own judgment, but let everything be done with caution.

P.S. After studying it, burn.

The reference is to the designation of documents in the secret library of the National Research Council.

And on the 25th of August of the same year, Smith was personally given the task of obtaining the following information:—

ASSIGNMENT N

Assigned to Badeau personally 25.8.45

1. Answer last letter regarding the new radio tubes, radio-locators (both for $\Lambda = 1, 2, 3$ cm) and other questions indicated in that letter.
2. Try to find out any particulars about the "Electron Shells".
3. For the next time bring the following books:
LG 13853; GL 14017 and P(RAD) 13920.

P.S.—burn after reading.

In the Durnford Smith dossier from the Embassy we find also the following table of meetings covering a period of approximately two months:—

COURSE OF MEETINGS

No. P.	No. P.	Substance of Meetings	Remarks
1.	5.7.45	<p>The acquaintance meeting took place through Back. Makes a good impression. At the meeting behaved very cautiously, somewhat cowardly. Brought material for photographing on radio locators. Is desirous to work for us and promised to do everything possible.</p> <p>Lives in Hull in a separate suburb. Requested to do photographic work by himself and contact with Bagley. See details in telegram of 6.7.45.</p> <p>Handed out 100 dollars; he took the money readily.</p> <p>In the course of time he may become the head of a group.</p> <p>No regular meeting fixed, contact will be maintained through Back.</p> <p>Special assignment set forth (see annex).</p>	
2.	18.8.45	<p>Urgent meeting held respecting photographing. He has just returned from the USA, brought nothing. He will bring for the next meeting his account of his journey in the USA and other materials in accordance with our directive. Is unable to photograph he only has a camera and nothing else.</p> <p>Regular meeting—25.8.45 } T=22.30 Place—Hull</p>	
3.	25.8.45	<p>Regular meeting, everything normal. Handed over a great amount of radio literature and various reports, about 10 books in all.</p> <p>He informed that he goes on a two-weeks leave.</p> <p>Tasks were assigned concerning radio materials and others (see assignment No. 4).</p> <p>The meeting for the return of the material will take place on 26.8.45 at corner of Osgoode and Cumberland at 22.00.</p>	<p>Was a torrential downpour, but he nevertheless came. Gave instructions not to come in the future in such weather; it is not natural.</p>
4.	26.8.45	<p>Meeting for returning the literature, everything normal.</p> <p>The regular meeting through Back.</p> <p>We agreed concerning an urgent meeting: Brent to call on the telephone (home) 3-3870, after some conversation, he is at the end to say: "Mary sent her love for your children", this is to mean that the meeting will take place at 21.00 o'clock at corner of Berr and Ste. Marie.</p> <p>Bado to walk down from Berr along Ste. Marie on the left side.</p>	<p>Handed out 100 dollars</p>

At a date which cannot be ascertained, Smith also transmitted to Rogov all the names of the chiefs of staff and their assistants in the Radio Sections of the National Research Council, Air Force, Naval Micro-wave Section and Special Research and Development Section with his comments on the political leanings of a few of them. On another occasion, he personally wrote, on several sheets of paper, information and diagrams of a highly secret nature concerning a "scanning antenna". It has been explained to us by an expert witness that this term is applied to an antenna which has a beam. As the witness said, "it looks out straight ahead and then when it scans it oscillates back and forth, so that the Radar set is able to see within a certain angle, whatever target is there". The advantage of this is that the target within that angle can be displaced, so that the operator of the radar set gets a plain picture of the area in front of the radar set. This information dealt with matters which Smith was concerned with as an employee of the National Research Council. Smith did not deny, nor would he admit, having sent this written information and the diagrams to Rogov, but the sheets of paper were brought by Gouzenko from the Soviet Embassy, and we had evidence before us which clearly established that these documents are in Smith's own handwriting.

Smith had access to the library of the National Research Council and also to the secret library of the Micro-wave Section where secret and top secret documents are kept, and to which only authorized persons are admitted. During the summer of 1945, he drew from the secret library a large number of documents marked *Top Secret*, dealing with "Radar", "antennas", "Radar and field artillery", various reports on micro-wave components, electromagnetic propagation, circuit techniques, and a considerable number of other documents of a similar nature. He obtained these documents to fulfill some of the tasks assigned to him. They were obviously photographed and returned to Smith, for, in Rogov's notes, headed *COURSE OF MEETINGS* and set out above, we see under date of 25th August, 1945:—

25.8.45

3. Regular meeting, everything normal. Handed over a great amount of radio literature and various reports, about 10 books in all.

He informed that he goes on a two-weeks leave.

Tasks were assigned concerning radio radio materials and others (see assignment No. 4).

The meeting for the return of the material will take place on 26.8.45 at corner of Osgoode and Cumberland at 22.00.

Was a torrential downpour, but he nevertheless came. Gave instructions not to come in the future in such weather; it is natural.

The next day, on the 26th, we find the following entry:—

4. 26.8.45—Meeting for returning the
literature, everything
normal.

*Handed out
100 dollars*

On the 27th of the same month, Zabotin wired *The Director* in Moscow as follows:—

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To the Director,

We have received from Badeau 17 top secret and secret documents (English, American and Canadian) on the question of magnicoustics, radio-locators for field artillery; three secret scientific-research journals of the year 1945. Altogether about 700 pages. In the course of the day we were able to photograph all the documents with the help of the Leica and the photo-filter. In the next few days we will receive almost the same amount of documents for 3 to 5 hours and with one film we will not be able to cope with it. I consider it essential to examine the whole library of the scientific Research Council.

Your silence on my No. 256 may disrupt our work on photographing the materials. All the materials I am sending by regular courier.

Grant

27.8.45

In the notes written by Rogov which we have reproduced, many entries mention that Lunan, Mazerall, Smith and Halperin have received money for the services that they have rendered. On the 4th of April, Rogov notes that he paid out \$190.00 to be distributed as follows: BACK, \$100.00; BACON, \$30.00; BADEAU, \$30.00; BAGLEY, \$30.00. On the 8th of May, there is an entry of a payment of \$100.00 made to Lunan. We also find in Rogov's notes dealing with the interview he had with Smith, the following entry, with reference to Smith:—

“He lives in Hull in a separate little village. Asked about independent photographing and connection with Bagley. For details see telegram dated 6-7-45.

Gave a hundred dollars. He took the money readily.”

We have no evidence of Lunan, Smith, Mazerall and Halperin accepting money other than that in these notes. In his second report to Rogov, Lunan had written:—

. . . BADEAU was very disturbed when I brought up the subject of payment. I think he felt that it brought the subject of his work into a different and more conspiratorial focus. He was to think it over and let me know. . . .

Heard on the subject of money, the four of them flatly denied having received any remuneration and some of them, particularly Mazerall, were very indignant at the thought that they would have taken it. Whatever may be the truth, it seems sure that even if money were given, it was not this motive that prompted Lunan and his group to act as they did. The motive of working for the Soviet regime and the Communist cause was undoubtedly the primary factor, (See Section II, the subsections dealing with “Money” and “Motivation”).

Although Lunan admitted having sent to Rogov various reports which he had written on his own typewriter, other evidence was presented on the point. It was established that Lunan had bought a typewriter in Montreal on the 10th of September, 1938, bearing serial no. 0731249, for the price of \$59.67, but the typewriter was not found in Lunan's office nor in his residence.

In January, 1946, Lunan, who had left for England, sent this typewriter to London, where it was found on the 6th of April of the same year. We heard before us Mr. Whitehead, a member of the Metropolitan Police in London, attached to the Branch of the Criminal Investigation Depart-

ment of Scotland Yard. Underneath the bed in the room in his parents' home occupied by Lunan during his stay in London he found Lunan's trunk, and was later given by Lunan's relatives in London a parcel containing many component parts of the typewriter bearing no. 0731249. It had been destroyed by Lunan's relatives in the hope that it could not be identified. The evidence we have heard satisfies us that this was the typewriter on which Lunan typed his reports to Rogov brought from the Soviet Embassy.

Being required by Order-in-Council P.C. 411 to "enquire into and report upon which public officials and other persons in positions of trust or otherwise have communicated directly or indirectly secret and confidential information, the disclosure of which might be inimical to the safety and interests of Canada, to the agents of a foreign power and the fact relating to and the circumstances surrounding such communication", we report that Lunan, Durnford Smith, Mazerall and Halperin did so communicate.

SECTION III. 4

SQUADRON LEADER F. W. POLAND

F. W. Poland was born in the United States on the 20th June, 1909, of English parentage. In the spring of 1942, he became an Administrative Intelligence Officer in the R.C.A.F., Ottawa. He held the rank of Squadron-Leader. As from November 10th, 1944, he was seconded to the Armed Forces Section of the Wartime Information Board, and from May, 1945, he was Executive Secretary of the Interdepartmental Psychological Warfare Committee.

While with the R.C.A.F., he worked under the Director of Intelligence, and his main duties were the following:—

- (a) Supervision of Security Education throughout the R.C.A.F., through Command Intelligence Service.
- (b) Advising the Director of Intelligence on all matters of Security Policy, including the drafting of all orders affecting Security Information.
- (c) Membership of the Security Sub-committee of the Canadian Joint Intelligence Committee, of which he acted as Secretary.

The Director of Intelligence appeared before us and explained in detail these various duties assigned to Poland. In his evidence as to "Security Education" he said:—

A. The reference is to exhibit 431-B: "first, supervision of security education throughout the Royal Canadian Air Force through Command Intelligence (Security) Officers." This includes the preparation and distribution of a series of security lectures and a fortnightly security liaison letter.

Q. Would you care to explain that, more fully?

A. The training given to air force personnel, the flying training given, was so concentrated, that it was difficult to sandwich in security training in any form, and we took advantage of every loophole in order to have personnel graduating in Canada, at least, security conscious before they went overseas; and it was our responsibility to prepare security lectures to be given by lecturers at the training stations, and also to send out to these lecturers a liaison letter each fortnight; and the material was taken from all available sources, similar material issued by the Royal Air Force, and if we

found items of value coming from New Zealand, or Australia, or from American sources, we sandwiched them in as well.

The evidence as to Poland's duties particularly in relation to Security Policy, is as follows:—

- A. That work was done by this officer in order that he might be in a position to inform me of the trends in security requirements. He read all security material coming into the services, and advised me accordingly—brought it to my attention, so we could obtain authority for issuing similar orders throughout the R.C.A.F.

Concerning the third function assigned to Poland, we have the following evidence:—

- A. The Canadian Joint Intelligence Committee was a sub-committee of the Chiefs of Staff; we made recommendations from time to time, and when the work got beyond the powers of the main committee, that is, the Joint Intelligence Committee, when it got beyond their powers to handle, we appointed a sub-committee, and this officer was a member of that sub-committee dealing with security.

Q. He was the secretary of it?

A. Yes, he was the secretary of it.

As a member of the sub-committee of the Psychological Warfare Committee, Poland's chief concern was related to prison camps and the preparation of broadcasts for occupied countries. Poland was also a member of the Air Force Headquarters Committee on the grading of classified documents.

In the exercise of his functions, and particularly while he was with the Directorate of Intelligence, Poland had access to important secret documents.

One of the many tasks assigned to the Director of Intelligence was to communicate to the Military Attachés in Ottawa of foreign powers the authorized information made available for them as released by a special Committee appointed for that purpose. Poland, however, was not authorized to convey any information of this kind, and on this subject the evidence is:—

Q. You mentioned a moment ago that the Russians were asking the Royal Canadian Air Force to obtain certain information and so on; would Poland have anything to do with those people?

A. Not in the least, not directly or indirectly.

Q. There is no function or employment or work that was entrusted to him that would have justified him?

A. Not in the slightest sense.

Q. As chief of the intelligence service would all these applications be made to you personally?

A. Yes.

Q. And you would not refer them to Poland?

A. Not in the least; I played the lone wolf in that regard.

Q. But if the applications were made to him by the Russians, would he have instructions to refer them to you?

A. That would be done automatically; but I cannot imagine where he would have the opportunity of having the paths cross; it might conceivably be in the Air Force mess, but not in the normal course of events.

Q. It did not form part of his duties?

A. Not in the least.

In Zabotin's notebook where he gives the outline of the organization of the *Ottawa-Toronto Group* more fully dealt with in Section III 1. (Sam Carr) we find the following entry, probably written in the Fall of 1943:—

3. Polland. Department of Air Force.

NEW NAMES
NOT GIVEN

Works in Toronto in the Intelligence Branch. At the moment he has been transferred to Ottawa. He gave a map of the training schools. Is not yet working.

In the performance of his duties, Poland had access to certain maps indicating all the training schools of the R.C.A.F. in Canada during the war. Two of these which correspond to the description given in Zabotin's notebook, and which have been produced as exhibits, are marked: *For official use only and not to be published.*

The Director of Intelligence says that he would not have acceded to any request to supply any foreigner with these maps. Although not of a very great importance in themselves, they might, if completed, have a greater value to a foreign country. His evidence on this point is:—

A. These maps could quite easily be the basis from which to enlarge and to give further detailed information.

Q. What particular secret information would you suggest would be added to a map like these?

A. I consider information setting forth the rate of graduation and the type of trainees graduated.

Q. And possibly also giving more details as far as operational bases?

A. That is true of any map. They could plot in operational bases.

Q. On the west and east coast?

A. Yes.

We have only this evidence to indicate that Poland has given any information or documents to the USSR. He was, however, obviously well known to the Russians, and at a certain period it was thought that he would be more useful if transferred to the N.K.V.D. Speaking of him, Gouzenko said:—

Q. Had you heard of Poland other than what you saw in that document? Had you heard his name mentioned?

A. That is right.

Q. What did you hear about him?

A. I saw it in a telegram which was sent by Zabotin to Moscow in 1943 concerning Poland and he suggested to give Poland to the N.K.V.D.

Q. Just explain, will you please, what you mean by giving Poland to the N.K.V.D.

A. Poland was described as a clever man and Colonel Zabotin proposed to Moscow in a telegram to hand him over to *Neighbours*, which is the N.K.V.D. *Neighbours* is the nickname for the N.K.V.D. Moscow replied that it was not worth while, to wait a while that he might develop into a good worker. I still do not know his real name or nickname. That was the only other time I saw the name of Poland and still I do not know whether it was his real name or his nickname.

Q. Did you have any knowledge apart from Exhibit No. 22 of what Poland was doing?

A. The telegrams that were sent on this subject made no detailed mention of his activities.

This was probably in August, 1943, when Poland had not yet been given a cover name, for in Zabotin's notes we see, in the margin, opposite the reference to Poland and to another:—"*New names not given.*"

A short reference to Poland's background will give a fair indication of his sympathy for the school of thought that prevailed amongst those who, like him, were mentioned in the notebooks at the Russian Embassy. It is, we believe, of utmost importance to underline this particular aspect in view of the following provisions of the Official Secrets Act, 1939:—

(2) On a prosecution under this section, it shall not be necessary to show that the accused person was guilty of any particular act tending to show a purpose prejudicial to the safety or interests of the State, and, notwithstanding that no such act is proved against him, he may be convicted if, from the circumstances of the case, or his conduct, or his known character as proved, it appears that his purpose was a purpose prejudicial to the safety or interests of the State; and if any sketch, plan, model, article, note, document or information relating to or used in any prohibited place, or anything in such a place, or any secret official code word or pass word is made, obtained, collected, recorded, published or communicated by any person other than a person acting under lawful authority, it shall be deemed to have been made, obtained, collected, recorded, published or communicated for a purpose prejudicial to the safety or interests of the State unless the contrary is proved.

Poland had associations with Mazerall, Nightingale, Boyer, Shugar, Gerson, Smith, Benning, Adams, Gordon Lunan and Agatha Chapman, people who are all involved in matters with which the present investigation is concerned. For a certain period of time he lived with Lunan in the latter's apartment.

Heard as a witness Boyer says of Poland:—

Q. How long have you known him?

A. Ever since he came to Montreal, which I think was in the summer of 1939; 1938 or 1939, I am not sure.

Q. And do you know anything about his political sympathies?

A. Well, I know he is sympathetic to the old Communist Party and the present Labour-Progressive Party, or that he was when I last saw him, which is a few years ago now.

In Poland's notebook, which has an alphabetical index, we find the name of Corporal Lawson, W. T. This man has been identified as William Lawson who was formerly connected with the Communist Party of Canada in Toronto. In 1939, Lawson acted as a teacher in the Leadership School of the Young Communist League, and in the January 1st, 1940, civic election in Toronto, was elected as the representative of Ward 4 to the Toronto Board of Education. Later, he publicly admitted that he was a Communist

and went into hiding for a certain period of time until he was eventually located and detained in 1942 under Regulation 21 of the *Defence of Canada Regulations*.

In the same notebook we find the names of Nightingale and Agatha Chapman, the latter being one of the main organizers of Communist cells in Ottawa from where were recruited many of Zabolin's most ardent agents.

Poland also had some correspondence with a man named Mark Frank. It has been established that this person was connected with a magazine named *The New Advance*, which was the organ of the Young Communist League. Other enquiries reveal that Frank had also received subscriptions for *The Clarion*, the official organ of the Communist Party in Canada.

In Poland's office, room 309 of the new Post Office Building, a calendar pad was also found. The name of Pavlov, who is the head of the N.K.V.D. in Ottawa, appears on pages dated the 30th of October, 1945; the 1st of November, 1945; the 4th of November, 1945; the 5th of November, 1945, (plus a telephone number which is 5-4341); the 15th of November, 1945; the 19th of November, 1945; the 23rd of November, 1945; the 26th of November, 1945; the 17th of December, 1945; the 28th of December, 1945; and the 5th of January, 1946. The telephone number 5-4341 is that of the Soviet Embassy, 285 Charlotte Street, Ottawa.

In this connection it is proper to cite a section of *The Official Secrets Act, 1939*, which reads:—

(3) In any proceedings against a person for an offence under this section, the fact that he has been in communication with, or attempted to communicate with, an agent of a foreign power, whether within or without Canada, shall be evidence that he has, for a purpose prejudicial to the safety or interests of the State, obtained or attempted to obtain information which is calculated to be or might be or is intended to be directly or indirectly useful to a foreign power.

It has been abundantly proven that Pavlov was the agent of a foreign power in Canada. For the purpose of the above section *The Official Secrets Act, 1939*, says:—

(4) (a) a person shall, unless he proves the contrary be deemed to have been in communication with an agent of a foreign power if—

(i) he has, either within or without Canada, visited the address of an agent of a foreign power or consorted or associated with such agent; or

(ii) either within or without Canada, the name or address of, or any other information regarding such an agent has been found in his possession, or has been supplied by him to any other person, or has been obtained by him from any other person;

(b) the expression "an agent of a foreign power" includes any person who is or has been or is reasonably suspected of being or having been employed by a foreign power either directly or indirectly for the purpose of committing an act, either within or without Canada, prejudicial to the safety or interests of the State, or who has or is reasonably suspected of having, either within or without Canada, committed, or attempted to commit, such an act in the interests of a foreign power;

(c) any address, whether within or without Canada, reasonably suspected of being an address used for the receipt of communications intended for an agent of a foreign power, or any address at which such an agent resides, or to which he resorts for the purpose of giving or receiving communications, or at which he carries on any business, shall be deemed to be the address of an agent of a foreign power, and communications addressed to such an address to be communications with such an agent.

Poland was called as a witness, and he appeared with Counsel. He refused, however, to be sworn or to answer any questions, and although he was given fullest opportunity, he persisted in his refusal to testify. Therefore, it appears to us that Poland has brought himself within the above provisions of the *Official Secrets Act*, and has completely failed to rebut the presumption created by the law.

Being required by Order in Council P.C. 411 to "inquire into and report upon which public officials and other persons in positions of trust or otherwise have communicated directly and indirectly secret and confidential information, the disclosure of which might be inimical to the safety and interests of Canada, to the agents of a Foreign Power and the facts relating to and the circumstances surrounding such communication" we report that, in our opinion Poland has brought himself within the above provisions of *The Official Secrets Act*, 1939, and has failed completely to rebut the presumption thereby created that he did so communicate. We see no reason to doubt the statement contained in the Russian document quoted on page 165 above that Poland gave a map of air training schools.

SECTION III. 5

ERIC ADAMS, Ottawa and Montreal

Among the documents produced by Gouzenko from the Embassy is a page out of a notebook belonging to Colonel Zabotin. The page was torn in three pieces when produced. Gouzenko said this was done by Zabotin himself, the pieces being given to Gouzenko to burn in August, 1945. This he did not do. This page is written on both sides and reads as follows:—

SECOND GROUP

(Ottawa-Toronto)

Sam (Frank). Jew. Organizer. Studied with us in 1924-26 in the Soviet Party School. Speaks Russian. Leon got acquainted with Frank at a meeting in October 1942.

He proposed:

Foster—Englishman. Assistant to the superintendent of the Division of distribution of war production at the ministry of Munitions and Supplies.

Has been giving materials on war supplies: guns and other kinds of supplies.

He obtained different work with promotion. Can better give materials.

He is contacting with Martin.

_____ (Ours)

2. **Ernst—Jew. He works on the Joint _____ of Military _____ (USA and Canada) (co-ordination) He gives detailed information on all kinds of industries, plans for the future. Supplies detailed accounts of conferences. Has been giving materials weekly.**

Good worker.

He is contacting with Foster.

Both live in Ottawa.

Taken on to work at the end of January.

Ernst, Leon, Martin and Foster are the cover names used by the Embassy for Adams; Koudriavtzev, the First Secretary of the Embassy; Zheveinov of Tass Agency; and J. S. Benning (upon whom we are reporting), respectively.

On Zabotin's mailing list of January 5, 1945, there are 21 items credited to Adams (there referred to under his cover name) as the source of supply.

In the "Miscellaneous" notes by Lieutenant-Colonel Motinov of the meetings dealing with the issue of the false passport to the Russian agent in the United States, Witczak, discussed at length in Section V of this Report, there is an entry making provision for "*future meetings and extra calls*". These were to be subsequent to June 1, 1944. Following this there is the cryptic entry, "*Eric calls through Skelton*". Adams, on the staff of the Bank of Canada in Ottawa was evidently to use the direct wire of the Bank from Ottawa to Toronto for the purpose of calling Henry Harris in Toronto in connection with the passport matter, and the fact of his having made these calls would be covered up by using the name of Mr. Skelton, an officer of the Bank.

In the same notes under date October 4th, 1944, there is this entry:

4.10.44 Sam said that he had handed over the materials to Ernst, that he will not obtain them, he asked to advise.

Sam is Sam Carr.

Again under date December 8, 1944, there is this reference:

We agreed on the transfer of Ernst.

The matter to which these entries relate is discussed in Section V. From the above it is apparent that Adams, at the period of the dates mentioned, was active in connection with that matter. The entry of December 8th, 1944, is significant in relation to the statement in Col. Zabotin's notes, set out above:

He is contacting with Foster.

We return to this later in this Section.

Adams was born in Hull, Quebec, (his father had been born in the United States, his mother in Canada), and he graduated in Engineering from McGill University in 1929 and subsequently from Harvard in 1931 with the degree, Master of Business Administration. In 1934 he made a trip to Europe, spending from six weeks to two months in Russia. After some intermediate employment with Canadian concerns he went to New York where he remained in the employ of a firm of consulting engineers until 1939 when he went to Toronto and set up practice there as an engineer.

In November, 1940, Adams went to Ottawa, entered the employ of the Department of Munitions and Supply and was immediately loaned to the

Wartime Requirements Board as Technical Adviser. Here he remained until March 22, 1941. This Board was established on November 16, 1940, with the following powers:—

- (a) to secure from any source information respecting existing or projected war needs involving the use of materials, power, manufacturing plants and facilities or transportation facilities, and, more particularly, to obtain from each of the fighting services and war purchasing agencies, as far in advance as possible, statements of their prospective needs in terms of values and of physical products, commitments arising from the war program;
- (b) to co-ordinate and analyze the aforementioned information with a view to estimating the total requirements of the war program and to its evaluation in terms of materials, power, manufacturing plants and facilities and transportation facilities required;
- (c) to formulate such plan or plans as may be necessary to ensure that war needs in the order of their importance shall have priority over all other needs;
- (d) to keep the Department of Munitions and Supply, and the controllers and divisions thereof and any other department of the government informed upon the foregoing matters with a view to planning the most productive use for war purposes of available supplies of materials, power, manufacturing plants and facilities, and transportation facilities;
- (e) to report on such matters as may be referred to it by the War Committee of the Cabinet and shall, through the Minister of Munitions and Supply, make all its reports available to the members of of said committee; and
- (f) to exercise such other powers and functions as may, from time to time, be conferred upon it by the Governor General in Council or by the Minister of Munitions and Supply.

In connection with this work Adams took an oath of secrecy. On leaving this employment he entered the employ of the Foreign Exchange Control Board on March 24, 1941, as head of the Statistics and Research Section. As such, his duties, according to one of the witnesses, were:

- A. He was required to supervise the staff in the section. He accumulated information from the permit forms granted by the Board covering both the sale and purchase of exchange. He found out for what purposes exchange was offered for sale or bought by the public, by the government, and he was supposed to analyze this information and produce reports for the information of the members of the Foreign Exchange Control Board periodically, monthly reports, quarterly reports, annual reports and, as occasion required, special reports. These reports always did include the total movement of exchange and the total of the exchange fund, of course.
- Q. Would you say that he would have a very good knowledge of the financial position of the banks in this country in regard to foreign exchange?
- A. Of one of the chartered banks, or of all of them?
- Q. The Bank of Canada.
- A. Yes, I think he would have.

In connection with this work also Adams took the following oath of secrecy on March 24, 1941:—

I, Eric George Adams, do solemnly swear that I will faithfully, truly and to the best of my judgment, skill and ability, execute and perform the duties required of me as an employee of the Foreign Exchange Control Board and which properly relate to any office or position in the said Board held by me.

I further do solemnly swear that I will not communicate or allow to be communicated to any person not legally entitled thereto any information relating to the affairs of the Board, nor will I allow any such person to inspect or have access to any books or documents belonging to or in the possession of the Board and relating to the business of the Board.

(Sgd) Eric G. Adams.

During Adams' employ in the Foreign Exchange Control Board (we quote the same witness):—

- A. We reached a stage in the Foreign Exchange Control Board where, to ensure that we would have a continuing staff to do a job which was going to continue, that we should offer terms of permanent employment to a number of individuals; so what we adopted was an engagement by the Bank of Canada which permitted an admission to the pension fund of the Bank of Canada, and an immediate loan of services to the Foreign Exchange Control Board, through the granting of leave of absence, without salary from the bank. It means actually that the person involved never did receive any salary from the Bank of Canada but was paid a salary by the Foreign Exchange Control Board, and contributed to the pension fund of the Bank of Canada on the basis of his Foreign Exchange Control Board salary.
- Q. But that person would be employed by the Bank of Canada but would be loaned to the other organization?
- A. Yes.
- Q. Subject to the provisions of the Bank of Canada Act?
- A. Yes.

Accordingly Adams on September 20, 1944 took the following oath:—

I, Eric George Adams, do solemnly swear that I will faithfully, truly and to the best of my judgment, skill and ability, execute and perform the duties required of me as an employee of the Bank of Canada and which properly relate to any office or position in the said Bank held by me.

I further solemnly swear that I will not communicate or allow to be communicated to any person not legally entitled thereto any information relating to the affairs of the Bank, nor will I allow any such person to inspect or have access to any books or documents belonging to or in the possession of the Bank and relating to the business of the Bank.

(Sgd) Eric G. Adams.

On his transfer on loan by the Bank to the employ of the Industrial Development Bank from that of the Foreign Exchange Control Board, which took place, commencing October 1944, he took the following further oath, on October 12:—

I, Eric George Adams, do solemnly swear that I will faithfully, truly and to the best of my judgment, skill and ability, execute and perform the duties required of me as (an employee)[†] of the Industrial Development Bank and which properly relate to any office or position in the said Bank held by me.

I further solemnly swear that I will not communicate or allow to be communicated to any person not legally entitled thereto any information relating to the affairs of the Bank, nor will I allow any such person to inspect or have access to any books or documents belonging to or in the possession of the Bank and relating to the business of the Bank.

(Sgd) Eric G. Adams.

As head of the Statistics and Research Section of the Foreign Exchange Control Board:—

“he either had direct access, or through those in the Research Department in the Bank of Canada, he had access to a number of records of the Research Department of the Bank of Canada”;

On being assigned to the Industrial Development Bank

he in addition to acting as head of the Statistics and Research Section of the Board, also conducted a number of investigations of applications for credit, on behalf of the Industrial Development Bank. These latter duties occupied an increasing part of his time so that, by the end of December, 1944, he was almost wholly engaged in the Industrial Development Bank business, or engaged in that business, and almost not at all with the Foreign Exchange Control Board work.

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Q. What would he have to do with these various companies that are mentioned in 273A? (*a list of trips made by Adams*)

A. In most, but not necessarily in every case, an application for credit or an inquiry with respect to credit, had been addressed to the Industrial Development Bank, and he was sent to the place of business of the applicant to investigate the plant, the buildings, the manufacturing furnishings, the methods, and make reports on valuations. He would make reports on the building, machinery, the lands; the reports would be almost without any limitation as to the material to be covered, and they would also include local opinions regarding the members of the business, the bank manager's

[†]Words in brackets omitted in original.

views, some comments on raw material supplies, markets for finished products, costs of operations, financial statements, balance sheets, profit and loss accounts.

During these employments he was located in Ottawa until January 1, 1945, when he moved to Montreal.

Prior to his assignment to the Industrial Development Bank, Adams, in addition to his other duties had duties in connection with the Inter-Departmental Committee on Balance of Payments, the Advisory Committee on Foreign Exchange Conservation, the Executive Sub-Committee on Export Control, the External Trade Advisory Committee, and the Main Examining Committee of the Inventions Board.

Among the items on Zabotin's mailing list of January 5, 1945, credited to Adams as the source of supply, are a number of *reviews of despatch of munitions to England* in November, 1944. As to these a member of the Interdepartmental Committee on Balance of Payments, of which Adams was also a member as representing the Foreign Exchange Control Board, testified:—

- Q. I see. Now, I present to you exhibit 16, items 180 to 184. These items are entitled "despatch of munitions to England". Would information of this character come to that Committee?
- A. To the Balance of Payments Committee? Oh yes. They would come from Munitions and Supply, not from National Defence.
- Q. That would be obtained directly or through the Department of Finance.
- A. The Finance Department and the Defence member of the Committee obtained this information for the Statistics Branch of Munitions and Supply. We made quarterly forecasts, and Munitions and Supply made quarterly production forecasts, which were mimeographed tables, of which we received copies, although we were not the only ones who received them.
- Q. You received quarterly forecasts of production from Munitions and Supply?
- A. That is right, yes. They might have been in that.
- Q. What were these quarterly reports; what would they be? What would they contain in them?
- A. These are Munitions and Supply reports.
- Q. Yes.
- A. They were rather detailed reports, giving production of munitions by main stores.

- Q. What is that?
- A. Ships, guns, aircraft, and various kinds of munitions on a valued basis.
- Q. On a dollar-and-cents basis?
- A. Yes; a breakdown of shipments to War Supplies Limited, which was the Government organization through which sales were made to the United States: they were funnelled through that body, shipments to the United Kingdom and sundry other shipments to other countries.
- Q. Would those figures be based on actual receipts or anticipated receipts?
- A. Anticipated receipts; we would have to juggle them around a bit ourselves in order to put them on a payment basis.
- Q. So these reports, which were in dollars and cents, could they give you any information as to the main stores themselves? Guns, and so on?
- A. Yes, in financial terms.
- Q. In financial terms; and if one knew the unit of value, you could then figure the quantities?
- A. I imagine one could, yes.
-
- Q. You say that the Committee made quarterly reports; what would the reports of the Committee contain?
- A. The reports of the committee, there were generally two reports each quarter; one had to do with our estimated United States dollar expenditures and receipts, and the other had to do with the sterling area, expenditures and receipts.
- Q. Would those reports be secret?
- A. Oh, yes; they were never outside of the Bank of Canada, the Foreign Exchange Control Board, or the Department of Finance, so far as I am aware.

On Zabotin's mailing list of January 5, 1945, items 109 and 110, being in each case a despatch, or official letter, from the Canadian Ambassador at Moscow to the Canadian Prime Minister, dated November 3 and October 11, 1944, respectively, are credited to Kathleen Willsher as the source of supply. As we point out in Section III, 6 in dealing with her, these documents were not available in the office where she was employed, but she had seen there something relating to the substance of the letter of November 3rd, 1944. Adams, however, was her contact and the evidence shows that a copy of the letter of November 3, 1944, was sent to the mem-

bers of the External Trade Advisory Committee, of which Adams was an alternate member. In addition, both of these documents were in the Bank of Canada where they could have been seen by Adams. He himself gave the following evidence as to one of the documents:—

Q. In the course of your work, did you have anything to do with the work of the Canadian Ambassador at Moscow?

A. No, I cannot recall that I had.

Q. Can you see any reason why you would be interested in Wilgress in any way?

A. I think the External Trade Advisory Committee made a suggestion at one time that a trade delegation go over to Russia, and I think Wilgress replied to it. Now, whether I saw his reply to it, or not, I do not know. But I have a vague recollection of that subject coming to our External Trade Advisory Committee; but that is the only instance I can think of.

Q. What year would that be?

A. It would be shortly before I left Ottawa, I guess.

Q. That would be at the end of 194—?

A. At the end of 1944.

The Inventions Board was originally established in January, 1940, and a new Board was set up in May, 1943. The function of the Board as described in evidence was:—

A. The function of the Board was to enable any inventor or any citizen or any member of the armed forces who had an idea that might in his judgment be suitable to help win the war, having such an idea he then had a body to whom he could write, presenting his idea. That body would then send it at once to the appropriate experts, who would render an opinion. There was no need for this Board to serve the armed services who, in their several Departments, were undertaking special research. Such persons are well informed as to how to go about patenting and developing war inventions; but there was a need in this country for a Board of this character to meet the needs of an ordinary citizen who did not know his way about in getting inventions considered. Is that clear, sir?

Q. By what organization was the examination of the ideas conducted?

A. Since 1943 until the present time the Board has been organized on that basis. The War Inventions Board had a Main Examining Committee.

Adams was appointed secretary of the Main Examining Committee on September 14, 1943, and so remained until January 4, 1944, but continued thereafter in "an unofficial and honorary capacity".

Q. So every new invention that was submitted went through him?

A. He would know all about it, sir.

On Zabotin's mailing list already referred to, item 186 is a copy of "invention of waterproofing 8.12.44" described as consisting of four pages. In connection with this the Secretary of the Board deposed:

Q. I show you Exhibit 16, item 186, "Invention of waterproofing, dated December 8, 1944." Does that mean anything to you?

A. Yes, it may. I cannot identify it completely. All I can do is to deduce that it may refer to an invention of waterproofing for maps, military maps, which are to be used in tropical or extremely wet climates, devised by a Captain Freeman, ultimately made Major, under this file which the police have in their possession.

Q. How do you connect that entry with this file?

A. In two ways. We have gone through, as quickly as we could, all the waterproofing inventions that were submitted, and all the ones that I have seen, and you must remember that we have considered some thousands of inventions; and of the ones at any rate that I have seen this seems to be the most likely. That is point No. 1. Point No. 2 is that at the eighteenth meeting of the Main Examining Committee, held on Thursday, December 7, 1944, Mr. Eric Adams was present, as the minutes show; and at that meeting Major Freeman's invention of waterproofing was mentioned inferentially, because another invention of Major Freeman's known as the battle board was under discussion, and it would be impossible to discuss Major Freeman's battle board invention without bringing in his invention of waterproofing.

Q. Is there a report or document in relation to that invention on file which would cover four pages?

A. The only answer I can give to that, sir, is that there is a document filed here which, if it were recopied, might be brought down to four pages. It is a short-page memorandum of six or seven pages; and if it were recopied on foolscap it might go down to four pages.

Q. And what is the subject-matter of it?

A. The invention of this waterproofing of maps.

Q. Is it known to your Committee as an invention of waterproofing, or the waterproofing of maps?

A. I think it would be known as the waterproofing of maps.

Adams himself deposed:—

Q. There was evidence before this Commission that this question was discussed at a meeting when you were present.

A. It is possible, but I do not remember it.

Q. If you wait with your answer: that it was discussed at a meeting on the 7th of December, 1944, and that you were present.

A. Do the minutes say that I was present?

Q. Well, do you remember, first?

A. No, I do not.

Q. And will it assist you if the minutes say that you were present?

A. They will assist me to remember that I was there, but it should establish the fact whether I was or not.

Q. The minutes of the 7th of December, marked 282-A:

“There was present members:”—and the first mention is—?

A. Yes.

Q. Is what?

A. My name. May I see the reference in the file to that particular matter?

COUNSEL:—Yes.

Q. Have you any explanation as to why you would be credited with that on the records of the Russian Embassy?

A. I cannot explain it, no.

Q. Or any of the other entries that appear on that exhibit?

A. (*No audible answer.*)

THE WITNESS:—This secretary, in this minute, refers to the secretary of the sub-committee, not to me. “A.C.C.” means Army and Consulting Committee; I am not saying that that indicates I was not at the meeting; I am only saying that the reference to that file means that the army was the one that had it, and I assume,—I cannot remember the thing at all—I assume that the Army Sub-Committee secretary brought the file with him.

Q. That was the practice?

A. That was the practice.

Q. And that was why you asked me, a moment ago, what was the name of the inventor, because, on such an occurrence, the file of the inventor is brought, and then the matter is discussed?

A. That is right.

Q. And at that meeting you were present?

A. Apparently I was.

Q. And at that meeting the invention to which I referred was discussed?

A. That does not necessarily follow that it was discussed in any detail, because the note in the minutes says that the samples were not ready, and that the Army Consulting Committee was to go ahead and do something about it; so, that may have been all that occurred at the meeting.

On Zabotin's mailing list also, item 187 credited to Adams is a document described as "*Notes on the conference*" dated "20.12.44", while item 190 is described as "*Report of 24.11.44.*"

In November and December, 1944, Lord Keynes was in Ottawa negotiating with the Canadian Government. Their discussions were extremely secret and the records of them were marked "Top Secret" in the Office of the High Commissioner of the United Kingdom. Those records came under the eyes of Willsher in the course of her work in that office. With respect to this matter she gave the following evidence:—

Q. You remember speaking about the various subjects on which information was given by you to Adams. You remember a visit by Lord Keynes in Ottawa at the end of the year 1944?

A. It has been brought to my attention.

Q. There was some information required from you by Adams on that particular subject?

A. He wanted to know if the proposals, I think, had gone forward to the parties, but on the details he was in position to see himself, I think, because he did finance work.

Q. Where, in his office in the Bank of Canada?

A. I suppose so.

Q. I suppose he was getting information at both ends, at the Bank of Canada as far as the Canadian Government was concerned and from the High Commissioner's Office as far as England was concerned?

A. He would see those proposals because they would be put to the Government of Canada.

Q. Cannot you just tell us what you did, what you arranged with Adams?

A. He asked, I think, if the proposals had come and if they were going forward and there may have been a general idea of what they were, but I do not believe now that they were.

Q. What did you say when you got that request?

A. I think they had come; I said they had come.

Q. I asked you what you did?

A. I just thought of what I could remember because he asked me.

Q. Remember from what?

A. From any document I had seen.

Q. And you had seen some documents?

A. I think so, yes.

Q. There is a file on that subject matter in the High Commissioner's office?

A. Yes.

Q. And you had read the file?

A. Yes.

Q. You do remember it now?

A. I do remember it.

Q. What Mr. Adams asked you with regard to that particular matter, you remember that?

A. I think so, because he did ask about finance.

Q. And you read the file on the matter, either before he asked you or after he asked you?

A. Yes.

Q. And you told him all that you could remember about the contents of that file?

A. Yes, but that could not have been very much.

Q. I just want to know whether you told Mr. Adams all that you could remember about the contents of that file; did you?

A. I suppose so, yes.

Q. You know whether you did or not. Why do you need to suppose? Did you?

A. Yes.

Q. Was that marked "Top Secret"?

A. I do not remember.

- Q. Did that consist of telegrams that had been sent and decoded or was it in the form of memos, prepared by some of the officers of the High Commissioner's office?
- A. I think it was a memorandum, probably.
- Q. Do you know who had prepared that memorandum?
- A. The financial people in our office, I should gather.
- Q. Who are the financial people in your office?
- A. Mr. Munro.
- Q. And that memorandum had come to you to be put in the file?
- A. I suppose so, yes.
- Q. And you read it all?
- A. I suppose so.
- Q. Was there only the one memorandum or a number of memorandums?
- A. I do not remember at all; I do not know.
- Q. Do you remember the contents of that memo?
- A. No.
- Q. Did you know the purpose of the visit that was made here by Lord Keynes?
- A. Yes, to get a second loan or gift.
- Q. Get a loan?
- A. I don't know whether there were two—
- Q. From Canada?
- A. That would be the idea.
- Q. That was the only purpose of the visit?
- A. Yes.
- Q. So the memorandum was about these loans or gifts to be made by Canada to Great Britain?
- A. Yes.
- Q. And that is the information that you conveyed to Mr. Adams?
- A. Yes.

Examined as to this Adams gave the following evidence:—

- Q. You remember the visit of Lord Keynes in the summer and fall of 1944?
- A. I remember that he has been over here two or three times. I don't remember that one specifically
- Q. I put it to you that he came in the summer and fall of 1944 for financial arrangements between Canada and the United Kingdom, arrangements which were to take effect after the end of the war,

- that is after the defeat of Germany. Do you remember that?
- A. No, I don't remember it specifically.
- Q. Do you remember it in any way?
- A. Well, I have said that I remember he has been over here several times.
- Q. Do you remember what brought him here on any of those occasions?
- A. Well, I know that it was financial discussions each time.
- Q. Even I know that. Do you know anything more specific about it than that?
- A. No, I was never in on those discussions.
- Q. What you knew about it was what you read in the papers?
- A. That is right?
- Q. And you had no connection with his visits whatsoever?
- A. No.
- Q. And any matters that he came to discuss while in Canada were not in any way related to any of the employment you may have had at any time in the Dominion Government?
- A. The question is so broad. I might have been asked to prepare a memorandum for the Governor which he used in discussions with Keynes; I don't know, but I never had anything directly to do with him.
- Q. I have to put broad questions, Mr. Adams, to get answers. What would you have to do with it?
- A. I had nothing directly to do with it.
- Q. What would you have to do indirectly?
- A. As I say I may have prepared a memorandum for the Governor or some such, that he would use.
- Q. And what would this memorandum refer to?
- A. Probably something to do with Canada's exchange position. I don't remember doing any; I am saying it is possible I may have.
- Q. How would that be related to the purpose of his visit?
- A. Because he was discussing financial relations.
- Q. And what position that you occupied at the time would render it necessary for you to have anything to do with the purpose of his visit?
- A. The Foreign Exchange Control Board, I suppose.
- Q. How would that come into the subject?

- A. Well, the Foreign Exchange Control Board—we seem to be labouring the obvious—had charge of our exchange position, so if I was asked to write a memorandum for the Governor on our exchange position, that would be within my work.
- Q. All right. You see no other reasons for your connection with his visit but possibly being asked to write a memorandum on the exchange position; or do you see any other reason?
- A. The exchange position, or our balance of payments.
- Q. Anything else?
- A. No.
- Q. All right. Were you required to write a memorandum?
- A. I never recall doing one that I knew was for that purpose; no.
-
- Q. Would you consider that that work would be secret, the memoranda that you may have been asked to prepare and which you do not recall? Would you consider that that document was secret?
- A. Well, no more secret than the usual run of my work which I did. As I say, I was in the habit of working at home.
- Q. All of your work was secret?
- A. To some extent, yes. May I qualify that? All my work at the Foreign Exchange Control Board that had to do with our exchange position was to some extent secret, yes.
- Q. Would you say, Mr. Adams, that the memorandum you think perhaps you were asked to prepare when Lord Keynes visited here would be secret in its nature? Would you say that, or would you say it was not secret?
- A. I cannot say, because I don't remember any specific memorandum. It is possible it would have been secret, and it is possible it would not have been secret. I cannot answer that question.
- Q. It would have been a memorandum dealing with the exchange position of Canada, would it not?
- A. As I said, or possibly with our balance of payments.
- Q. And would those be secret subjects?
- A. The balance of payments, not necessarily; they are published figures.
- Q. And what about the other one?
- A. The exchange position was secret, yes.
- Q. You do not recall having been asked to make any memorandum whatsoever?
- A. No.

Q. And you do not recall having had anything to do with his visits, either?

A. No.

Q. Or anything arising out of his visits, as far as you know?

A. Well, again, after he had been here it is quite possible that I may have had to prepare something else for the Governor which arose from his discussions; but I don't know.

Q. Exactly. I asked you, as far as you know?

A. As far as I know, no.

Adams' desk pad under date September 11, 1944, contains the following entry:—

Keynes' summary report of twelve months Canadian dollar transactions.

Lord Keynes was in Ottawa in July and August, 1944, as well as in the later months of that year. Adams dealt with the above entry as follows:—

Q. Then you will remember that I examined you also on the question as to whether or not you had anything to do with Lord Keynes' visit?

A. Yes.

Q. Will you look at the same exhibit, the page marked September 11, 1944, and do you find that this is your handwriting, in ink?

A. Yes, I believe so.

Q. And what do you read there? Can you make it out?

A. "Keynes' summary report of twelve months Canadian dollar transactions." I don't know what it means, but I assume the Governor asked me to prepare something for him for Keynes' visit. I don't know.

It is not possible to identify items 187 and 190 on Zabotin's mailing list exactly. Looking at the evidence from a negative point of view it does not show that Adams was connected with or had access to records of any other important conference in December, 1944, and the evidence of Miss Willsher does establish his curiosity as to the records in the office of the High Commissioner with regard to the Keynes' conference and that he asked for and obtained from her information regarding it. Any information to which he was properly entitled could have been obtained from his employer, the Foreign Exchange Control Board.

Again on the mailing list there are eight items, numbered 202 and 204 to 210 described as "correspondence with companies" all dated "December". These items follow item 201 which is "correspondence about contracts"; and it is dated "13-12-44".

In his evidence as to his work in the Industrial Development Board which commenced in October, 1944, Adams said:—

A. Yes. I have got industry files in connection with my work in Montreal covering every manufacturing industry that I could get material on. Some of the material I brought from Ottawa; some I have collected since.

Q. Were you carrying on correspondence with companies in connection with your work in the Industrial Development Bank?

A. Yes, some.

Further direct evidence of Adam's participation in the communication of information to the Russians was given by Kathleen Willsher, and particulars of that are given in Section III dealing with her. These occasions were not confined to the visit of Lord Keynes. Suffice it to say here that on his solicitation she gave him from time to time information she obtained in the course of her employment in the Office of the High Commissioner of the United Kingdom. This went on from 1942 to 1945. Willsher first met Adams in a study group or cell of the Communist Party in Ottawa, of which he was the leader. The information she gave him was communicated on the occasions when she met him in this group which met every three weeks. After Adams went to Montreal on January 1st, 1945, further meetings between him and Willsher were made on street corners in Ottawa, arranged, on the instructions of Adams, by Agatha Chapman. In September, 1945, on receiving a message from Chapman that Adams wished to see her in Montreal, Willsher went to his home there. This was the last occasion, she says, on which she saw him. Her expenses for this trip she paid out of \$25.00 which Adams had given her in Ottawa in the previous June.

Adams' evidence with regard to this matter is significant and characteristic. He is a very intelligent and able man. His academic attainments testify to that and there is other evidence. We had the opportunity of observing him in the witness box and we are under no illusion as to his keenness and capacity. Quite patently he was intentionally evasive in his answers on anything that approached his own conduct, his association with other Communists, or his own connection with the Communist Party, as to which latter we have no more doubt than had Kathleen Willsher. She testified:—

Q. Will you look at this photograph and say whether you recognize the person represented there?

A. Yes.

EXHIBIT No. 97 — (*Photograph of Eric Adams.*)

- Q. When did you meet him?
- A. At a private meeting; I don't know whether it was his or somebody else's.
- Q. When was that?
- A. I think it is 1942. I don't know, to be exact.
- Q. In what circumstances?
- A. In a study group.
- Q. Who was present?
- A. Miss Chapman.
- Q. Who is Miss Chapman?
- A. She works in the Bank of Canada, or in the Bureau of Statistics.
- Q. And her full name is Agatha Louisa Chapman?
- A. Well, Agatha; I do not know her second name.
- Q. She was working where?
- A. At the Bank of Canada at the moment. I don't know whether she is in the Bureau as an employee, or the Bank of Canada, but at that time it was the Bank of Canada.
- Q. Who was she working for in the Bank of Canada?
- A. I don't know, except that Mr. Adams was in her office. I don't know whether he was her direct employer or not.
- Q. And who was present the night you met Adams?
- A. Somebody Benning, I think.
- Q. What is his first name?
- A. I have forgotten.
- Q. How old is he, about?
- A. About 30.
- Q. I suggest that his name was James Scotland Benning?
- A. Scott; that's right.
- Q. And where was he employed at the time?
- A. I think it is the Department of Munitions and Supply.
- Q. Who else was there?
- A. I don't know. It is very small. I think there is only one other person.
- Q. How many persons were present?
- A. I couldn't say; I think four or five.
- Q. There was yourself; there was Adams, Chapman, Benning and who else?
- A. I am trying to remember the name. It was _____.

Q. Who?

A. _____

Q. Do you know his first name?

A. He has died now.

Q. You say he is dead?

A. Yes, a year ago.

Q. And what was his position or occupation?

A. I think he was in the Bank of Canada.

Q. Was he working with Adams?

A. I couldn't tell you.

Q. What was the nature of that meeting?

A. It was a study group; economics.

Q. And what took place that night?

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A. Well, we discussed socialist literature, Marxist literature, I suppose you would call it.

Q. I wasn't there, and you were, you know. You say you suppose?

A. It was a study group for that; that is all I remember. I don't know what particular chapter, or what.

Q. Who was in charge of that; who took the initiative in that study group?

A. I don't know.

Q. Who appeared to be in charge when you were there?

A. Mr. Adams, I think.

Q. And how long did the meeting last?

A. About an hour and a half.

Q. And what was decided?

A. To have further ones.

Q. Where?

A. At the houses of the people in the group.

Q. When?

A. Well, within three weeks; two weeks. It varied; it was not regular.

Q. How often?

A. About every three weeks; but then when Christmas came you would have a longer time.

Q. Was that understanding carried out?

A. I think so.

Q. For how long?

A. I think until Mr. Adams probably left here.

Q. Until Mr. Adams left for where?

A. Montreal.

Q. When was that?

A. The end of 1944.

Q. So it started in what year?

A. I think it is during 1942.

Q. And it lasted until the time Mr. Adams left for Montreal, or until 1944?

A. Yes.

Q. Was it at the end or at the beginning of 1944 that he left?

A. The end.

Q. So during those years the persons of that study group met regularly?

A. Yes.

.

Q. Was employment in the Government Service a qualification for membership in this group?

A. Not that I know of.

Q. What was the qualification?

A. Interest in the same kind of study.

Q. Interest in Communistic writings and teachings?

A. Yes.

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Q. How did you make your application to join the Communist Party?

A. I didn't write it, or make it; I was just asked if I was interested in giving a regular donation. There was no form or anything.

Q. To whom did you pay those dues every month?

A. To whoever was treasurer in the group I studied with. I don't know who was treasurer. People changed, and apparently the funds were handed over, and I know nothing more about them as far as that goes.

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As appears by Section III. 6, Willsher had been giving information to Fred Rose during the period from 1935 to 1939. She further testified:—

Q. When did you conclude giving Mr. Rose any information?

A. During 1939.

- Q. Why did you stop?
- A. Because I did not see him any more. The war came and I did not see anybody. I do not know of any time when he said, "This is the last time I will see you," or anything. It just sort of faded out.
-
- Q. Who else asked you to get information from the same source for the benefit of the Party or the Soviet Union?
- A. Mr. Adams.
-
- Q. Did you not say it was in 1942 that you received a similar request from Mr. Adams?
- A. I think it is 1942; it may be 1943.
- Q. When was the first meeting you had with Adams?
- A. I do not know whether it was the first or second; I was not aware there was ever a specific point made that he had to meet me.
- Q. For how long did you continue to give information to Adams?
- A. Until about last September, the last time I saw him.
- Q. From 1942 to last —
- A. 1945.
- Q. September of 1945?
- A. Yes.
- Q. What happened then?
- A. I do not know, I just have not seen him since, that is all.
- Q. He was not in Ottawa during all that period of time, was he?
- A. No, he was in Montreal.
- Q. While in Ottawa how would you convey information to him?
- A. I might see him at the study group.
- Q. That is where you would give it to him?
- A. Before or after the meeting.
- Q. And then —
- A. I did not see him very often.
- Q. Did you ever have occasion to drive with him?
- A. No, not until he had gone to Montreal.
- Q. That is when he had gone?
- A. Because he drove to Ottawa and had his car.
- Q. So while he was in Ottawa you would convey information at these meetings?
- A. Yes.

- Q. Did you ever telephone to him?
- A. No.
- Q. Why?
- A. I did not telephone to him; I have never been asked to telephone to him; I do not take the initiative.
- Q. Why?
- A. I do not know; I never have taken the initiative.
- Q. Why would not you take the initiative?
- A. Unless I was asked, I did not go out and direct the thing. If he wanted something he could ask, but I did not know or say anything.
- Q. Where did he ask?
- A. As I say, at the meetings.
- Q. And any information he was asking for, you would try to obtain that in the course of your employment?
- A. Yes, but he generally just asked me a question or two and I answered them then. I did not have to go and do anything about it. It was just anything I happened to remember.
- Q. You were in a better position, so far as access to information was concerned, at that time than you were in 1939?
- A. Yes, I suppose so.
- Q. Well, you were?
- A. Yes.
- Q. All incoming and outgoing documents, except the ones that might be kept by a particular officer, passed through your hands or were available to you?
- A. Yes.
- Q. Will you tell us what Adams said the first time he asked you to give confidential information; how did he ask you?
- A. Well, he said that they wanted — I was given to believe that the policy of the Party was that they wanted the war to be — the Soviet Union was in the war and they wanted —
- Q. They wanted what?
- A. The war to go ahead and for there to be a second front and did I know anything about that sort of thing because they said that the policy in Canada — there might be a change in public opinion — that we must make the war effort go ahead and —
- Q. In what way did he ask you that?
- A. Well, for any sort of —

- Q. That is not an ordinary question to ask a person. You explained the occasion when Rose was asking for information, that you had to go through certain difficulties before you made up your mind?
- A. Yes.
- Q. Did you have the same difficulties when the request came from Adams?
- A. Yes.
- Q. Why?
- A. Because it always is difficult for me, yet I feel it is expected of me I should do something. It is not easy to explain.
- Q. Well, I would like to understand it a little more clearly. Do you mean, Miss Willsher, that by becoming a member of the Communist Party you are expected to do what you are asked to do regardless of any obligation you may have in any other direction; is that what you mean?
- A. That is the sort of thing, yes.
- Q. And what Mr. Adams asked you in 1942, whatever it was, it was that he wanted you to supply him with information you could get from your office of employment?
- A. Which I felt was relevant to any question he might ask regarding the war effort. That was, as I say, the interest of the Party at that time; it was to —
- Q. To get it in as simple language as possible, the interest of the Party at that time was whatever would be in the interests of the Soviet Union, was it not?
- A. Well, to make plain the unity of the allies.
- Q. I want you to answer my question. I am asking you as to whether what was in the interest of the Party was whatever would be in the interest of the Soviet Union. Is that a fair way of putting it?
- A. Well, I suppose they would want them to have the same interests at that time.
- Q. That is the way you understood it, in any event?
- A. Yes.
- Q. What Mr. Adams asked you to obtain from the office of your employers would be information you thought would be of interest to the Soviet Union.
- A. He did not put it like that. He said the Party policy is to do this, and they would like information, but he never mentioned the Soviet Union.

- Q. I see.
- A. It was always as a member of the Party, it was the Party's policy to support the maintenance of allied unity which included the Soviet Union.
- Q. And therefore he was not satisfied to leave the support of the allies to the allies themselves, he wanted you to get some special information from your office? That is right? He was asking you to get information from your office?
- A. We were allies.
- Q. Mr. Adams was asking you to try to get information from your office of employment?
- A. Yes.
- Q. To give to him?
- A. Yes.
- Q. What I am trying to understand for my own part is what things he did ask. I am asking you if he asked you to get information on particular subjects?
- A. There was the financial angle.
- Q. That was one particular subject that he asked you to get information about?
- A. Yes.
- Q. I suppose there were other particular subjects, were there?
- A. Yes, he asked if I thought — he asked once or twice if I thought the second front would start some time, if I thought all our efforts were being made and it was likely to come soon. That was in a general way. Actually when it did come he had not asked me for some time.
- Q. Not what you thought, but what information you could obtain in the Commissioner's office?
- A. Yes.
- Q. In addition to these particular subject matters did you have a sort of roving commission to get any information that you thought might interest Mr. Adams?
- A. No, not particularly.
- Q. You never obtained any information except what Mr. Adams specifically asked you for?
- A. Yes.

Q. It was always that he gave you —

A. Along the lines.

Q. Just a minute. He gave you jobs to do, did he?

A. More or less, yes.

Q. Suppose, for instance, that Mr. Adams asked you for information on a particular subject. Would you just try to look up the documents in your office on that subject and pass on the information to Mr. Adams? Is that the way it worked?

A. He would ask me and usually it was answered at the time. I do not think there was any looking through a particular file; it was just anything I might be aware of in answering the questions he put.

Q. In any event you gave him such information from time to time?

A. Yes.

Q. Adams was the leader of that group in Ottawa here?

A. Yes.

Q. And it was because he was the leader that you were giving information to him?

A. No. He is the only person who spoke to me.

Q. But he was the leader?

A. I don't think it has any significance, the fact that he was the leader. I don't think it had any significance.

Q. You told us yesterday that you were a group, and that you thought you were helping your Party by giving information to the group; so obviously you gave the information to the leader of the group?

A. As a group we did not discuss those kind of matters. He merely spoke to me as an individual. The group did not discuss this kind of thing. We discussed the theory and practice of Socialism and Communism, and the party program.

Q. But the information was given only to Adams?

A. Yes.

Q. But you knew you were serving your Party by giving information to Adams?

A. He gave me to understand that; yes.

Q. You told us that Adams left Ottawa for Montreal around 1944?

A. Yes.

Q. How did you meet him thereafter?

A. He came to Ottawa sometimes.

- Q. How often?
- A. About three or four times, as far as I can remember.
- Q. Four or five times?
- A. No, I think three or four. I don't remember.
- Q. And how would you get in touch with him then?
- A. Miss Chapman told me that he was coming.
- Q. Every time?
- A. Yes.
- Q. She would phone you?
- A. Yes, or if I happened to see her anywhere.
- Q. Or if you would meet her?
- A. Yes.
- Q. Tell us exactly what procedure was followed?
- A. She would telephone, or tell me if she happened to see me somewhere.
- Q. Miss Chapman would telephone you and tell you she had to see you somewhere?
- A. No. She might telephone me and tell me that he was coming, or she might meet me somewhere in the normal course of events and tell me.
- Q. That Adams was coming?
- A. Yes.
- Q. And then?
- A. I would arrange to meet him.
- Q. How would you arrange to meet him?
- A. He usually was driving, and he would just pick me up.
- Q. That is the way the meeting would take place, but how did you arrange to meet him; through whom? How would you contact him?
- A. I didn't contact him; Miss Chapman just told me he was coming, and she apparently did the contacting.
- Q. She told you he would be in his car at a certain place at a certain time?
- A. Yes.
- Q. And you were to be there?
- A. Yes.
- Q. And what time of the day would these meetings take place?
- A. After work. I think the early evening, as far as I can remember.

- Q. And where would they take place? Any corner? Any place on the street?
- A. I remember at the corner of Lisgar and Bank, at the street car stop. I don't remember any other place, just there or somewhere like that.
- Q. And any time you were notified that he would be at any particular place, you would meet him?
- A. I would try to; yes.
- Q. You did, as a matter of fact?
- A. Yes.
- Q. Any time?
- A. Yes, any time.
- Q. And what would take place from then on?
- A. Just go for a short drive and talk.
- Q. You would board the car with him and go for a short drive?
- A. Yes.
- Q. And what would take place then?
- A. I would just talk to him, or he would ask me questions.
- Q. And you would convey the information he was asking for?
- A. Yes.
- Q. And would he drive you home afterwards, or leave you on the street?
- A. Just drop me wherever we happened to be.
- Q. When the conversation was over?
- A. Yes.
- Q. And when the information was transmitted to him?
- A. Yes.
- Q. And how long would that last?
- A. Ten minutes or a quarter of an hour.
- Q. Why would you not meet him at your place?
- A. Well, he didn't suggest it. He said he had the car, he would meet me at a certain place.

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- Q. Were you requested to meet him in Montreal at all?
- A. Yes, last September.
- Q. In September of — ?
- A. 1945.
- Q. How did you know that you were requested to go there?
- A. Miss Chapman told me.

- Q. What did she tell you?
A. She said he would like to see me during September.
Q. For what purpose?
A. Just to ask me a few things, I suppose. She said he was going away, so would I try to see him before the end of September.
Q. She said he was going away?
A. Yes.
Q. Where?
A. She didn't say where. She said he wouldn't be in Montreal. I suppose that's it; it would be somewhere distant from here.
Q. And he wanted to see you in Montreal?
A. Yes.
Q. So did you proceed to Montreal?
A. Yes, I went down in September.

Willsher drove as far as Dorval, where she took the train to Montreal. Her evidence continues:—

- Q. And you took a train to Montreal, and Adams met you at the Windsor station?
A. Yes.
Q. And drove you to his apartment?
A. Yes.
Q. What took place at the apartment?
A. When I got there I said he seemed to be surprised at me coming, and I said I had been told he was going away and that I should try to come down in September. He said, "Oh, but I'm not going away. There must have been some mistake." He said, "I did go for a short trip west."
Q. Did he say where?
A. No; just west.
Q. And then?
A. And it seemed rather strange. I felt there was something unusual, and it seemed that my visit was purposeless, because he was not going away; there was not any urgency of any kind. So then he took me to dinner, and I met the family and his wife, and most of the time was spent there, and we went back to the station at half-past seven.
Q. You were surprised?
A. Well, it had seemed that it was urgent I should go.

- Q. You were being asked to go to Montreal to meet him, and you expected the interview would be of some importance and urgency?
- A. Yes, or that he would say, "I am going away for a long time," and there was nothing like that.
- Q. He would not call you just to tell you he was going away for a long time. You suspected that possibly he would arrange for some other contact for you to make?
- A. I suppose that might be so.
- Q. Do you suppose, or is that not the fact?
- A. I should think so.
- Q. You did think so, didn't you?
- A. Yes.
- Q. So there was nothing, no information asked or given, and no instructions given of any kind?
- A. No.
- Q. And as you have stated, this trip to Montreal became absolutely without any result? There was no result?
- A. Yes: no result.
- Q. To your surprise?
- A. Yes.
- Q. How did you come back from Montreal to Ottawa?
- A. By train.
- Q. Who paid the expenses for it?
- A. That involves this matter of the \$25 that I mentioned in my statement. During the summer, I think it was the last time I saw him —
- Q. We will finish that question first of all. Who paid for your trip back to Ottawa?
- A. I paid it out of the \$25.
- Q. Which was given to you by whom?
- A. Adams.
- Q. When?
- A. During the summer.
- Q. Where?
- A. At Ottawa.
- Q. Was that during one of these meetings in the car?
- A. Yes.
- Q. And for what purpose did he give the money to you then?
- A. He said, "If you have to go to Montreal you can pay part of your expenses."

Q. And you accepted the money?

A. Yes. I didn't think twice about it. I should have thought twice about it, but I didn't.

Q. And how much of that money did you use?

A. A single fare from Montreal to Ottawa.

Q. Which amounts to about what?

A. I think it is \$4.25.

Q. What did you do with the balance?

A. I have it.

Q. You kept it for further trips?

A. Yes.

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Q. Was it Miss Chapman who gave you the message that Mr. Adams would like to see you in Montreal on this occasion?

A. Yes.

Q. When did she give you that message?

Q. I suppose near the beginning of September.

Q. That would be perhaps two weeks before you actually went?

A. It might be.

Q. And she told you when to go?

A. She didn't lay down any definite time. She said during the month, if I could.

Q. So you could have gone any day after the day she gave you that message?

A. Yes.

Q. Then you went; and did Miss Chapman tell you why you were wanted to go to Montreal?

A. She said Mr. Adams would be leaving Montreal.

Q. That is all she said?

A. Yes.

Q. So what information did you go to Montreal to impart to Mr. Adams?

A. Nothing particular. I expected he had something to tell me, as I had been asked to go.

Q. You expected that you would receive some instructions from Mr. Adams; is that it?

A. Yes, or that he would tell me he was just going away. I don't know why. I suppose instructions.

- Q. Now, Miss Willsher, you would not go down to Montreal to have Mr. Adams tell you he was going away, when Miss Chapman had already told you that?
- A. No. I gathered that he would tell me —
- Q. Then your idea of your trip to Montreal was that you were going to get instructions from Mr. Adams?
- A. Yes.
- Q. Or that Mr. Adams was going to ask you some questions about what you might have learned from your employment in the meantime?
- A. Yes.
- Q. Is that a fair way of putting it?
- A. Yes.
- Q. And then you say that when you got there he told you that this idea that he had proposed to go away was a false alarm?
- A. Yes. Not a false alarm, but he was not going away.
- Q. And after that it was just a nice little family conversation?
- A. Yes.
- Q. Mrs. Adams was there, and the family?
- A. Yes, sir.
- Q. And you had a nice trip to Montreal, and that is all that took place?
- A. Yes.
- Q. And you are serious with that?
- A. Yes.
- Q. Mr. Adams did not give you any instructions?
- A. No.
- Q. Didn't tell you anything?
- A. No.
- Q. You didn't tell him anything?
- A. No.
- Q. To summarize the whole situation, as I understand it, you were disappointed?
- A. Well, I felt it was a waste of time. I didn't think any more of it after that. I thought it was just rather queer, that is all.
- Q. When he gave that money to you, was that given to you in an envelope, in bills? In what form was it?
- A. Loose cash.
- Q. Loose cash?
- A. Yes.

Q. In bills?

A. Yes.

Q. And did you keep those bills?

A. No; I paid them into the Ontario Savings Bank. You will find an entry of \$25.

Q. That is into your own account?

A. Yes.

Q. What is the number of your account?

A. W-883.

Q. What bank?

A. Ontario Savings.

Q. And what branch?

A. On Sparks Street. There is only one. You can see it in my little passbook.

Q. You have not this passbook with you?

A. No, it is at my home.

COMMISSIONER: With relation to the time that you returned from Montreal, when did you make that deposit?

A. I don't know whether I paid it back just like that; I mean I think —

Q. But you came back to Ottawa on Sunday?

A. Yes.

Q. And when did you make the deposit?

A. I got the money in Ottawa, in a car. I then put it into the bank, within a day or two.

Q. I am sorry; I was confused about that.

COUNSEL: So the deposit of \$25 which will appear in your passbook in the summer of 1945 will definitely set the date of the reception of that amount, or the day previous, I suppose?

A. Well, I might have taken two or three days; I couldn't say. I don't remember at all how long. I know I did place it in my bank.

The deposit in the Bank was proved before us as having been made on June 21st, 1945.

Before referring to Adams' evidence as to the above events, other portions of his evidence should be considered.

He displayed the same furtiveness as other witnesses on the subject of Communism and his own position and associations. We have not the slightest doubt as to where he stands and we accept Willsher's evidence as to him unreservedly. The following illustrates Adams' evasiveness:—

Q. Are there some Communist newspapers published in Canada that you know?

A. There is a paper I know of that is quite often referred to as a Communist paper.

Q. What is the name?

A. *Tribune*.

Q. Is that the right name? Is it *Tribune* purely and simply?

A. I think so.

Q. Where would that be published?

A. I think it is published in Toronto.

Q. That is a Communist paper?

A. Well, it is referred to as a Communist paper. I do not know whether it is or not.

Q. Referred to by whom? Do you know yourself whether it is a Communist paper?

A. No, I do not.

Q. Well, American; do you know of any American Communist papers?

A. Yes, I know about the *Daily Worker*.

Q. Where is that published?

A. I think it is published in New York.

Q. And any others?

A. I do not think so.

Q. Do you read the *Tribune* yourself?

A. Yes, occasionally.

Q. Do you mean occasionally or regularly?

A. No, I mean occasionally; I pick them up on the newsstand sometimes.

Q. What is your interest in them?

A. I have been interested in the study of the economics of Socialism and Communism for a good many years, academic, I would say.

Q. When you say "Communist paper" do you make a distinction with a Labour-Progressive paper, or are they the same thing?

A. I did not, because the *Tribune*, I said I have seen referred to as a Communist paper. I guess more correctly it should be called a Labour-Progressive paper now.

Q. Over what period of time have you been interested in these papers?

A. Well, do not confine it to the papers.

Q. I am confining my question to the papers. Just answer the question.

A. Oh, off and on for several years, I guess.

Q. Four, five, ten?

A. Probably as much as ten, yes.

Q. You could not very well study the economics of Communism without knowing something about Communism in a broad sense, could you?

A. No, that is right.

Q. And how long have you been doing that, ten years?

A. I guess possibly ten years.

Q. So that you know something about Communism?

A. Yes.

Q. Well, from what you know about Communism the question that is really put to you is, what is your opinion of it? Do you agree with it in whole or in part or do you not? What is your opinion?

A. I think it is a political movement that has a lot of interest in it in these times, and that it is worth my while if I ever get the time to continue studying it as I started to.

Q. You see in that answer you have not said a word about your opinion. Are you a Communist?

A. No, I am not a Communist.

Q. Are you sympathetic?

A. If that means do they sometimes do something that I think is all right, yes, sometimes they do.

Q. It does not mean that at all. You know perfectly well what it means. Are you sympathetic?

A. I am sorry; I do not understand clearly then what you mean by "sympathetic".

Q. Well, there are certain ideas basic to Communism. Would you agree with that?

A. Yes.

Q. Do you agree with those ideas?

A. Under certain conditions and certain times and places, possibly.

Q. What is the limitation that you indicate by your qualifying language?

A. I do not know how I can answer that question. Can I talk to my lawyer because it is a question of opinion, and opinions differ under different conditions and different times.

- Q. We are asking your opinion on it, not others' opinions.
- A. I am saying my opinion differs at different times and under different conditions.
- Q. I asked you what you meant by that. You are the only one that knows.
- A. Well, I would have to get your definitions of the terms, what you think Communism means so that anything I said would bear direct reference to your question. Communism and these political terms of that nature mean different things to different people. What it means in your opinion may be different from what it means in mine.
- Q. So you find yourself in the position of being unable to answer the question?
- A. Yes.

- Q. And did you have at any time any dealings at all with Communists?
- A. What do you mean by "dealing"?
- Q. What do you understand by "dealings"?
- A. If I go to a book store and get a book and the bookseller is a Communist am I dealing with a Communist?
- Q. I am putting the question. My question is you know what a Communist is, do you?
- A. Well, I think I do. I do not know whether it coincides with what your opinion of a Communist is.
- Q. What is a Communist to you?
- A. A Communist is a member of the Communist Party.
- Q. My question is, did you ever have any dealings with a Communist?
- A. I suppose I probably have because I probably have bought books and things like that from them.
- Q. I am not speaking of books. I am speaking of Communists. I am not in a hurry, you know.
- A. I am sorry; I do not understand clearly what you mean by "dealings".

Coming to the events deposed to by Willsher, Adams said:—

- Q. Do you know Kay Willsher?
- A. Yes, I think I have met her.
- Q. Where?
- A. Some party or other probably.

- Q. What sort of party?
- A. Social gathering.
- Q. Where, in what city?
- A. Here in Ottawa.
- Q. Anywhere else?
- A. I do not recall anywhere else.
- Q. In Montreal?
- A. I am not sure. I think she came to our house once in Montreal.
- Q. Who invited her?
- COMMISSIONER:—For what purpose?
- A. A social call, I guess.
- COUNSEL:—Who called her? Who asked her to go to your house?
- A. I do not know.
- Q. Who invited her to go to Montreal to your place?
- A. I do not know.
- Q. You have no idea?
- A. I suppose it was—she was in Montreal and came to our place either on my invitation or my wife's. I do not remember now.
- Q. Do you know who paid her expenses?
- A. No.
- Q. You have no idea?
- A. No.
- Q. Would you believe that when she is under oath she says the truth?
- A. I do not know.
- Q. You would not be ready to invite her to your home if you would not be sure of that, whether under oath she would speak the truth?
- A. I do not know her very well.
- Q. Well, you invite her to your home, though?
- A. There are lots of people in my house that I do not know very well.
- Q. Well, Miss Willsher testified, Mr. Adams, that you invited her to your home in Montreal and that you gave her \$25 to pay not only for the expenses of that trip but for any other trips she may have to do later. Did she commit perjury or did she say the truth when she said that?
- A. I do not know.
- COMMISSIONER:—Why do you not know?
- A. Because I do not remember giving her any \$25.
- Q. Well, was there any truth in any part of what you have been told she said here?
- A. I am sorry. Would you make —

Q. No, no, you do that too often, Mr. Adams. You heard the question. Is there any truth in any part of it?

A. That she came to Montreal on my invitation?

Q. You heard what was told you that she said, and the question is was there any truth in any part of what she said?

A. I am sorry, I cannot carry it all in my head.

COUNSEL:—How did you happen to know her? Who introduced her to you?

A. I do not remember who introduced her.

Q. Eh?

A. I do not remember who introduced her.

Q. Well, I will read her evidence to you, page 823. This is after having explained that she had been invited to go to Montreal, and I will tell you under what circumstances she was later:—

Q. Who paid the expenses for it?

A. That involves this matter of the \$25 that I mentioned in my statement. During the summer I think it was the last time I saw him—

Q. We will finish that question first of all. Who paid for your trip back to Ottawa?

A. I paid it out of the \$25.

Q. Which was given to you by whom?

A. Adams.

Q. When?

A. During the summer.

Q. Where?

A. At Ottawa.

Now, the question is, was Miss Willsher telling the truth when she said that under oath or was she not?

A. I do not know because I do not remember that.

COMMISSIONER:—You won't deny it?

A. I have no opinion on it because I do not remember it.

Q. Are you so in the habit of handing out \$25 to ladies that you do not recall that occasion?

A. No, I cannot recall doing it to anybody.

Q. But you do not deny it? All right.

COUNSEL:—Now, she also said that she belonged to some study groups in Ottawa and study groups where Communism and Marxism were studied. At page 818 the question is:—

Q. Adams was the leader of that group in Ottawa here?

A. Yes.

Is that true or false? Was she telling the truth when she said that under oath or not?

A. I do not remember being the leader of any group here. I remember meeting socially occasionally and discussing books, as I have told you already, but I do not recall being the leader of any group.

Q. That is not my question. My question is that Miss Willsher testified here that she was a member of a study group on Communism in Ottawa, and the question was asked her:—

Q. Adams was the leader of that group in Ottawa here?

A. Yes.

My question is was she telling the truth when she said that under oath or not?

A. I do not know.

Q. You do not deny it?

A. I do not know.

COMMISSIONER:—He means he will not deny it.

THE WITNESS:—Is that your interpretation of "I do not know", Mr. Ahearn?

MR. AHEARN:—May I speak to my client?

COMMISSIONER:—Yes.

At this point a recess was given to enable the witness and his counsel to consult in private. On resumption no further answer was made by the witness.

The examination then proceeded:—

Q. How often did you attend these study group meetings in Ottawa?

A. Any gathering where books were discussed which you insist on calling a study group meeting that I attended, was fairly infrequently; I do not know — half a dozen perhaps.

Q. Where would they be held?

A. Somebody's house.

Q. Whose house?

A. I do not remember now.

Q. Do you mean to say you were in Ottawa from September 1940, to December 1944, and you do not remember the name of a single place? Is that what you are asking us to believe?

A. I beg your pardon?

Q. Is that what you are asking us to believe?

A. I remember there was discussion of some books once or twice at my own place. I do not remember specifically anybody's place.

Q. You do not remember a single other person who was present at any of those houses on any of those occasions?

A. No.

Q. Perhaps you remember the books that were discussed, do you?

A. No, I do not. I was trying to think.

Q. So your mind is a complete blank?

A. It is some times.

Q. Except that there were those occasions that some of them were at your house, that is all you can tell us about it?

A. Yes; it is some time ago.

Q. I did not ask you that; that is all you can tell us about it?

A. Yes.

Q. Miss Willsher, under oath, was put the following questions:—

Q. What was the qualification?—

meaning the qualification to belong to these groups.

A. Interest in the same kind of study.

Q. Interest in Communistic writings and teachings?

A. Yes.

Did she say the truth when she said that under oath? Or did she not?

A. I do not think there was any qualification to come and discuss a book at any meetings that I was ever at.

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Q. Would you say there was a common interest in studying Communism or matters pertaining to Communism in those groups?

A. I would not say Communism; I would say politics.

Q. That would include Communism?

A. Include Communism, Conservatism and everything else.

Q. I did not ask you about Conservatism or anything else. It did Communism, is that right?

A. It would include Communism with other subjects.

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Q. Then she said at page 768 that there was a treasurer appointed to collect money at these meetings, and this question was put to her:—

Q. You said the treasurer changed, that it was not always the same person.

A. If somebody went away and somebody else became treasurer. There was no stated —

Is that right?

A. I do not recall any treasurer, no.

Q. You deny it?

A. I do not recall that there was any treasurer.

Q. You were asked if you deny it?

A. I cannot make it clearer than that.

Q. You can either deny it or not.

A. I say I do not remember that there was one.

Q. Therefore you cannot deny it?

A. (*No audible answer.*)

Q. You do not remember well enough to be in a position to deny?

A. I won't deny it categorically, no.

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Q. I ask you the question again, Mr. Adams. Did you, or did you not pay \$25.00 to Miss Willsher?

A. I do not recall doing it.

Q. Did you ask Miss Willsher to do anything on any occasion?

A. I cannot recall asking her to do anything on any occasion.

Q. Will you deny that on some occasion you did make a request of Miss Willsher which involved her giving information in connection with the office where she worked?

A. I cannot recollect what —

Q. Will you just listen to the question?

The reporter read:—

Will you deny that on some occasion you did make a request of Miss Willsher which involved her giving information in connection with the office where she she worked?

THE WITNESS:—My answer is, I do not recall ever asking her for information.

Q. But you will not deny that you did?

A. I cannot go further than that.

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Q. Did you ever meet her on street corners in Ottawa?

A. Not that I recall.

Q. Did you ever meet her on street corners and invite her to board your car in order that she would give information to you in Ottawa?

A. Not that I recall.

- Q. Did you ever try to obtain information from her while you were in Montreal, for instance?
- A. Not that I recall.
- Q. Is it not a fact that when you invited her to go to Montreal you made your invitation to her through Miss Agatha Chapman in Ottawa?
- A. I do not recall inviting her to come to Montreal.
- Q. Is it not a fact she went to Montreal to visit you?
- A. I do not believe she ever came to visit my house.
- Q. You said that this morning.
- A. I said she visited my house; I did not say she came to Montreal to do that. That is an entirely different thing. She was in Montreal.
- Q. You had a car, Mr. Adams?
- A. I had, yes.
- Q. You had a car?
- A. Yes.
- Q. When you lived in Ottawa you had a car?
- A. Yes.
- Q. And when you went to live in Montreal?
- A. Yes.
- Q. On the first of January, 1945?
- A. Yes.
- Q. You brought your car to Montreal?
- A. Yes.
- Q. And when you lived in Montreal you came to Ottawa occasionally?
- A. Very seldom.
- Q. You came four or five times, as a matter of fact.
- A. It is possible, but very seldom.
- Q. You saw Miss Chapman when you came?
- A. Not necessarily. I do not recall whether I did or not.
- Q. You phoned Miss Chapman from Montreal?
- A. It is possible; I do not recall.
- Q. Try to be very careful about that, Mr. Adams. You phoned Miss Chapman from Montreal?
- A. It is possible; I do not recall it.
- Q. For what purpose would it be possible?
- A. I cannot recall now.
- Q. You cannot recall. You cannot give any explanation?
- A. Possibly to let her know I was going to be in town.

- Q. When you came to Ottawa also, you saw Miss Willsher.
- A. I do not recall seeing her since I moved to Montreal.
- Q. Do you want us to believe that she is not telling the truth when she says she saw you?
- A. I cannot go further than saying I do not recall seeing her since I moved to Montreal.
- Q. Did you ever take her in your car?
- A. It is possible I have picked her up on the street and driven her home. I have done that to lots of people.
- Q. This is her evidence under oath, on page 810:—
- Q. How did you meet him thereafter?
- A. He came to Ottawa sometimes.
- Q. How often?
- A. About three or four times, as far as I can remember.
- Q. Four or five times?
- A. No, I think three or four. I don't remember.
- Q. How would you get in touch with him then?
- A. Miss Chapman told me that he was coming.
- Q. Every time?
- A. Yes.
- Q. She would phone you?
- A. Yes, or if I happened to see her anywhere.
- Q. Or if you would meet her?
- A. Yes.
- Q. Tell us exactly what procedure was followed.
- A. She would telephone, or tell me if she happened to see me somewhere.
- Q. Miss Chapman would telephone you and tell you she had to see you somewhere?
- A. No. She might telephone me and tell me that he was coming, or she might meet me somewhere in the normal course of events.
- Q. That Adams was coming?
- A. Yes.
- Q. And then?
- A. I would arrange to meet him.
- Q. How would you arrange to meet him?
- A. He usually was driving, and he would just pick me up.
- Q. That is the way the meeting would take place, but how did you arrange to meet him; through whom? How would you contact him?
- A. I didn't contact him; Miss Chapman just told me he was coming and she apparently did the contacting.

What do you think that we are to believe, that Miss Willsher invented all that?

- A. I think she has grossly misconstrued a few casual meetings. I certainly am — I feel certain — I have not come to Ottawa from Montreal in my car several times. I may have come once in the car, that is all.

Q. What about this, for she has given very precise details at the foot of page 811:—

Q. She told you he would be in his car at a certain place at a certain time?

A. Yes.

Q. And you were to be there?

A. Yes.

Q. And what time of the day would these meetings take place?

A. After work. I think the early evening, as far as I can remember.

Q. And where would they take place? Any corner? Any place on the street?

A. I remember at the corner of Lisgar and Bank, at the street car stop. I don't remember any other place, just there or somewhere like that.

Q. And what would take place then?

A. I would just talk to him, or he would ask me questions.

Q. And you would convey the information he was asking for?

A. Yes.

Do you suppose, for one moment, that this is misconstruction, or invention, or the truth?

A. No, I think it is misconstruction.

Q. Of what?

A. Of casual conversation.

Q. Why would you make such an appointment at night at the corner of streets for the purposes of holding casual conversations?

A. I do not recall doing it; I admit it may have happened once or twice that I had some occasion to let Miss Chapman know that I was going to be in Ottawa, and that I would like to see Miss Willsher. I do not know.

Q. Why would you want to see Miss Willsher?

A. For social reasons.

Q. So you telephoned to Miss Chapman from Montreal to say that you were going to be in town, and would like to see Miss Willsher, just for social reasons?

A. I do not say that. I said: I did not recall the circumstances that Miss Willsher apparently recites — that I think she has misconstrued a few casual meetings; that it is not impossible that I may have met her and picked her up some time on the street.

Q. Yes?

A. But I did not say what you said.

Q. Yes, why would you give her money?

A. I cannot think of any reason.

Q. What?

A. I do not know.

It is interesting to compare the statements with regard to Adams in Zabotin's note-book, set out at the beginning of this section, with Adams' own evidence. The notes say that the use of Adams as an agent was on the suggestion of Sam Carr. As to Carr, Adams said:—

Q. Ever heard of Sam Carr? If you did not, just say "no".

A. I think I have heard of him.

Q. Well, tell us what you heard about him?

A. I think he is one of the Communists.

Q. What is his position in the Communist party?

A. I do not know.

Q. Where did you meet him?

A. I never met him.

Q. How long have you known him?

A. I have not known him.

Q. How do you know he is connected with the Communist Party?

A. I told you I think I have seen his name.

Q. Where would you have seen his name as being connected with the Communist Party?

A. It could have been in a newspaper.

Q. What newspaper would that be?

A. Any one.

Q. Any one in particular? Any one in particular that you have in mind?

A. No.

Zabotin also states in his notebook that Benning is "*contacting with*" Martin (Zheveinov of TASS). As to Ernst (Adams) Zabotin says he is "*contacting with*" Foster (Benning), and the same Russian word is used in each case. It will be remembered also that in Motinov's notes of meetings in connection with the matter of the false passport Section V both these men are mentioned as having been connected with that matter in 1944.

As to Adams "*contacting with Foster*" (Benning) Zabotin's notes state also that "*Both live in Ottawa*". That was true between July, 1942, and December, 1944. Adams was transferred to Montreal at the end of December, 1944, having been doing work for the Industrial Development Bank since the previous October. The significance of the entry of Decem-

ber 8, 1944, in Lieutenant-Colonel Motinov's notes, previously referred to, becomes plain. It was necessary, in view of Adams' permanent removal to Montreal to provide a new "contact" for him in the place of Benning. It was still deemed advisable, however, that Adams should himself still "contact" Kathleen Willsher, and for that purpose he drove to Ottawa from time to time.

It is also significant that in the small telephone directory or "finder" which Benning left on his desk, Adams' name and telephone number were entered. Benning said this entry was made by his predecessor, but Benning admitted that he "ran into" Adams "several times when I was in Economics and Statistics" (Department of Munitions and Supply) and that "I also ran into him up at Fortune" (a ski resort).

Gerson testified that he had met Adams at Benning's house in Ottawa.

Miss Willsher testified that when she attended the study group in Ottawa in 1942, of which Adams was the leader, Benning was also a member of that group.

Adams' evidence as to his association with Benning (as is that of Benning) is typically evasive and designed to put their contacts on a purely casual basis. Adams testified:—

Q. I will come back to that later. Do you know this gentleman here, Exhibit 121? (*Photograph of Benning*).

A. Yes, I think so. I have seen him around the yard at the barracks, lately.

Q. What is his name?

A. I think he is the ski instructor for the Recreational Association.

Q. When did you see this man for the first time? Was it at the barracks, do you say?

A. No, I met him at Camp Fortune.

Q. How often?

A. Perhaps two or three times.

Q. When did you first meet him?

A. Three or four years ago.

Q. Was not he a member of this study group in Ottawa?

A. I do not recall that he was at any meeting of any kind that I was ever at.

Q. You do not recall?

A. No.

Q. Is that Scott Benning?

A. I was not sure of his name, whether it was Bennett or Benning.

Q. It is not Bennett, it is Benning, Scott Benning, who was present at those meetings you had — the study group meetings you had in Ottawa?

A. You mean the meetings where we were discussing books?

Q. Where you were discussing Communism and Marxism.

A. I do not remember any other people there.

Q. You do not remember any others; do you remember one?

A. I just said I do not remember any people there.

In Zabotin's notes above referred to, the statement is also made of Adams that:—

**he works in the Joint _____ of Military
_____ (U.S.A. and Canada) co-ordination. He
gives detailed information about all kinds of industries,
plans for the future. Supplies detailed accounts of
meetings.**

In the Russian original of this document, in the two places left blank in the translation, are two abbreviations, one of which is further mutilated and in part missing as a result of a tear in the paper. These two sets of characters might refer to any of several words, which have been placed before us, but as no translation of these two words can be adopted with any confidence we consider it advisable to use blanks as above.

It is therefore not clear to which of the many bodies with which Adams was connected that Col. Zabotin refers. The evidence shows, however, that Adams was in a position where "information about all kinds of industries" and minutes of various committee meetings were available to him. Koudriavtzev reported that Adams gave these materials daily and was a "good worker".

We have no doubt on all the evidence but that Zabotin found in Adams a convinced Communist who considered the communication of information to Russia in line with his ardent beliefs as a member of the Party. We unhesitatingly accept Kathleen Willsher's evidence with regard to him, and indeed Adams does not deny that evidence. He, like Agatha Chapman, merely does not "recall" the events to which Willsher deposed. That, of course, is incredible. Such evidence is typical of a mind which recalls the facts perfectly, and, while not prepared to admit, takes refuge in the fancied security of an assumed inability to remember. This is capable of demonstration: Adams was a member of certain study groups in connection with his work in the Bank. Small groups, made up of members of the staff, were encouraged by the Bank. Adams' memory as to the personnel of these

groups during the same period as that in which he was a leader in the Communist study groups is much better. He said:—

- Q. You will correct me if I am wrong, Mr. Adams, but I understand you had some study groups when you were at the Bank of Canada, in the Foreign Exchange Control Board?
- A. That is right.
- Q. But those conferences were held in Dominion offices?
- A. You mean the study group meetings?
- Q. Yes.
- A. Yes.
- Q. Not in residences?
- A. No, they were held in the Board.
- Q. In the Board Room?
- A. In the Foreign Exchange Control Board building.
- Q. And there was no collection made afterward?
- A. No, there was no collection.
- Q. They are to be differentiated from the other study groups which you have attended and to which you referred yesterday?
- A. Yes, they are quite separate.
- Q. And they are not the same persons who attended?
- A. I don't recall any of the same persons being in both.
- Q. Who attended these study groups; most of the officials, as we will call them—that is, in the Board Room?
- A. Who attended the Board study group meetings?
- Q. Yes.
- A. In general they were the younger, second rank officers on the Board. There were three or four of them going at different times, so there would be a fairly large number of people involved.
- Q. Could you give us a few names?
- A. In the study groups?
- Q. Yes.
- A. I can remember that in the one I was in there were most, or not most; I guess about half the people in my own section that I can remember.
- Q. And that would include how many persons?
- A. In the study group?
- Q. No; the one you remember.
- A. From my own section?

Q. Yes.

A. Perhaps half a dozen.

Q. Of which you could give the names?

A. Yes.

As already pointed out, Adams also had associations with Benning, Chapman and Willsher, all of whom, as well as Fred Rose, were part of Zabotin's espionage organization.

In Adams' home in Montreal there was found a leaflet entitled *Withdraw Canada from the War* published in March, 1940, and signed *Political Committee Communist Party of Canada*; also a mimeographed letter dated December 12, 1939, containing *Speaker's Notes* on the Soviet-Finnish crisis. This letter is merely signed by the initials *J.W.* which, according to the evidence, was the *non-de-plume* of the underground headquarters of the Communist Party of Canada in Toronto. While the Party was not banned officially until June, 1940, the evidence shows that its leaders were already in hiding because of propaganda carried on by them in opposition to the war contrary to the then Defence of Canada Regulations. The following passage in the *Speaker's Notes* is underlined in ink:—

The vigorous fight for peace waged by the U.S.S.R. in which it represented the desires of the masses of the people of all countries, now takes on the form, in the conditions of the world war, of a vigorous class struggle against counter-revolutionary attempts to destroy the U.S.S.R.

As to these documents Adams gave the following evidence:—

Q. Do you know who *J.W.* is?

A. No.

Q. You have no idea?

A. No.

Q. Even under oath?

A. No.

Q. May I suggest that it is a symbol for the centre of the Communist Party in Toronto?

A. I do not know.

Q. Never heard of it?

A.

COMMISSIONER: Will you answer? You were asked a question.

THE WITNESS: No.

COUNSEL:

Q. You never heard of J.W.?

A. No.

Q. How many of these documents do you think you may have in your premises?

A. I have no idea.

Q. You may have them by the hundreds?

A. You mean this document?

Q. Like literature, the same kind of literature.

A. This kind of material?

Q. Yes.

A. I have quite a bit of it, I know, because I told you yesterday—

Q. From J.W.?

A. I do not know about that. I do not recall that, who is J.W.? I have no idea.

Q. What you mean to say is that you received correspondence from J.W. from time to time and you do not know who the man is?

A. No, I did not say I received correspondence from J.W. at all.

Q. We have evidence as to who J.W. was, and you say you do not know, and you received a document from him?

A. I did not say that I received the document from J.W. I do not know when I received it.

Q. My question is: Do you know who J.W. is?

A. No, I do not.

Like other witnesses as to whom we have made the same observation, Adams conducted himself in the witness box as though the fact of his political belief in Communism was something to be hidden. He assumed the attitude merely of a student of its "economics". This attitude is relevant as indicating, in our opinion, an awareness on his part that it was Communism in this country which had furnished Zabotin with his Canadian agents. His evasiveness on this subject indicates also, in our view, that he and the other persons who gave like evidence regarded Communism as containing an element foreign to legitimate political opinion in this country, namely belief in resort to force for the overthrow of government if those directing the Party should ultimately so direct. Willsher made this express admission. The belief in the necessity for concealment is illustrated by the following evidence given by Adams:—

- Q. Is there anything secretive about being a Communist or being sympathetic to the Communist Party, or its ideas?
- A. Anything secretive?
- Q. Yes.
- A. I do not know.
- Q. I was wondering if it was any part of the tenets of that Party, that connection with the Party should be kept secret?
- A. I do not know; not as far as I know.
- Q. I was just wondering why you are not franker in the answers to your questions. I may say we have had in some cases the display of a similar attitude by some witnesses which makes me wonder if there is anything secretive about the organization.
- A. I do not know.
- Q. You do not know. Those study groups, were they secret?
- A. If you are referring to the occasional social meetings and discussion of books that I have attended occasionally in years past, there was nothing secret about them.
- Q. Some of the witnesses have told us that they were. You do not agree with that?
- A. They may not be talking about the same thing that I am.
- Q. I think they were. You do not agree with that?
- A. No, I do not agree with it for the gatherings I am talking about.
- Q. Is there any reason why a person who is a member of the Communist Party or sympathetic thereto would keep that fact secret from his employer?
- A. I do not know, it would depend on the employer's attitude.
- Q. For instance, did you ever tell anybody senior to you in the Dominion Government Service your views on the matter?
- A. Nobody ever asked my views.
- Q. I did not ask you that; I asked you if you ever told anybody?
- A. I cannot recall that I did, for the reason I have just given.
- Q. That reason is that you were not asked?
- A. I considered any political views I might have a personal matter.
- Q. Of course they are. So that so far as you are aware you never knew of any reason why any person who is a Communist or holds sympathetic views should keep the state of his mind secret?
- A. No, I do not know of any reason.
- Q. We have had some evidence, and I just wanted to know what you have to say about it, thank you.

Adams' library was literally full of Communist books, including such authors as Marx, Engels and Lenin. Yet except for Agatha Chapman no one of Adams' associates in his work, so far as the evidence shows, including that of Adams himself, knew he had any such views.

The material found in his possession indicates that he was an important member of the Labour-Progressive Party doing "research" for its leaders. One document reads:—

Draft Outline for Research in Province of Ontario; the following outline is intended as a starting point in the preparation of factual materials, statistics, summaries and memoranda of particular value to the Labor-Progressive Party M.P.P.s. Messrs. Salsberg and MacLeod. . . . This is a task of great political importance to our Party; it is necessary for our researchers to analyze reports and statistics in such a way as to bring out all the political and social implications. . . . Salsberg and MacLeod will, of course, discuss with our researchers from time to time, the special angles that might be pursued on particular subjects.

As to this Adams said:—

- Q. We will mark as Exhibit 247-A a document entitled, *A draft outline for research in province of Ontario*. What was your purpose in preparing this in here?
- A. I did not prepare it.
- Q. Who did prepare it?
- A. I don't know.
- Q. Who put it in your book, Mr. Adams?
- A. I put it in my book.
- Q. Why did you put it in your book? What was your interest in that?
- A. I don't recall now.
- Q. Do you know Salsberg and MacLeod?
- A. No.
- Q. You have no idea who they are?
- A. Yes, I have an idea who they are.
- Q. All right: tell us who they are?
- A. They are Labour-Progressive members of Parliament in the Ontario Legislature, I think.
- Q. They are members of the Communist Party?
- A. I don't know that.

Q. You have no idea?

A. I do; I have heard that they are members of the Labour-Progressive Party.

Q. I am afraid you will have to continue your reading. That is the best answer you can give on that question, is it?

A. Yes.

Q. It never came to your knowledge that Salsberg and MacLeod were Communists?

A. I don't think I ever heard of them before the Labour-Progressive Party came into existence.

Q. I did not hear that answer.

A. I say I don't think I had ever heard of them before the Labour-Progressive Party came into existence, so what they were before, I don't know.

Q. The document says, in the second paragraph:

In order of their importance, these subjects should be assigned to qualified individuals and groups who should immediately pursue the subject to a conclusion having in mind the possibility of a provincial government session being called before the end of the year.

You have no idea why that document was sent to you?

A. No.

Issues of such newspapers and periodicals as *The Clarion*, the *Mid-West Clarion*, *The Worker*, *The Canadian Tribune* and *National Affairs Monthly* were also included in Adams' library.

A Statesman with every means of observation wrote in 1937:—

A Communist is not only the holder of certain opinions; he is the pledged adept of a well-thought-out means of enforcing them. The anatomy of discontent and revolution has been studied in every phase and aspect, and a veritable drill book prepared in a scientific spirit for subverting all existing institutions. The method of enforcement is as much a part of the Communist faith as the doctrine itself. At first the time-honoured principles of Liberalism and Democracy are invoked to shelter the infant organism. Free speech, the right of public meeting, every form of lawful political agitation and constitutional right are paraded and asserted. Alliance is sought with every popular movement towards the left.

(Winston Churchill, "Great Contemporaries")

It is not surprising to find that Adams, as a well-trained Communist, had in his home a file headed *Civil Liberties*. This contained such material as the following:—

- (1) *Notes on the findings of the Dies Committee on Un-American Activities relating to the Communist Party*;
- (2) *Speakers' Notes No. 2 Issued by Education Department National Committee C.P., U.S.A.*, entitled *The Un-American Dies Committee*;
- (3) *The Trial of the Toronto Communists*, by F. R. Scott;
- (4) *Freedom of Speech*, by Carl Becker in an issue of *The Nation* of January, 1934;
- (5) *Armaments and Peace*, by Earl Browder

as well as other material. Adams was interested in civil liberties, but solely from the Communist point of view.

Among the books also in his possession were:—

- (1) *Manifesto of the Communist Party* by Marx and Engels.
- (2) *State and Revolution* by Lenin.
- (3) *On the Road to Insurrection* by Lenin.
- (4) *What is to be Done* by Lenin.
- (5) *The Teachings of Karl Marx* by Lenin.

A number of passages are marked in pencil. A typical one reads:—

But the duty of a truly revolutionary party is not to proclaim an impossible renunciation of every sort of compromise, but to know throughout all compromises, in so far as such are inevitable, how to remain faithful to its principles, to its class, to its revolutionary goal; to its duty of preparing for the revolution and of educating the mass whom it must lead to victory.

(Nikolai Lenin: *On the Road to Insurrection*, published by The Communist Party of Great Britain, p. 12.)

The officers who conducted the search of Adams' residence reported that there were a great many other works of the same character.

In spite of all this Adams gave the following evidence:—

- Q. Who published this *National Affairs*, Mr. Adams?
- A. I think it is the Labour-Progressive Party.
- Q. Again, what difference do you make between the Labour-Progressive Party and the Communist Party of Canada?
- A. I understand that one does not exist at the present time, the Communist Party.

Q. Is that the only difference you make?

A. I do not know enough about it.

Q. Then in volume 6 of this exhibit, at page 194—do you know Jacques Duclos?

A. No.

Q. This is what he says:

Comrade Duclos concluded that the dissolution of the Communist Party of the United States reflected Comrade Browder's erroneous estimation of the post-war perspective. We did not follow the American example; on the contrary, the Communist Party being outlawed by the King Government, we established the Labour-Progressive Party.

Does that help you in any way?

A. No, that is one man's statement. I do not have any opinion on it.

Q. This *National Affairs* is being published by the National Committee of the Labour-Progressive Party and in this issue you have an article by Fred Rose, whom you know, and you have also another one by Tim Buck, both of them being definitely Communists to your knowledge; are they?

A. No, they are not Communists to my knowledge now.

Q. That is the answer you care to give on that?

A. I think it is the answer to your question.

Q. Would the possible overthrow of an existing government be included in your definition of economics?

A. No, I do not think it would.

Q. That took a little consideration on your part, I notice.

A. Most questions here do.

We think that Willsher was unquestionably right in her estimate of Adams as "an ardent Communist". We think also, on the evidence, that as such he was ready material for Col. Zabotin's purposes.

It is very significant that Adams was in February, 1946, apparently on the alert for possible trouble and had a private code of his own arranged with his wife, by which, when he was away from home (and he was away frequently in the course of his work) she could give him warning of it. It

was shown in evidence that the day on which, under Order-in-Council P.C. 6444, his house in Montreal was searched and on which he himself was detained at Prince Albert, Saskatchewan, he there received a telegram from his wife reading:—

Helen's baby dying. Will send you further word.

Sally.

Adams admitted that there never was any such person as "Helen" or "Helen's baby". While Adams' wife was the sender of the telegram her name is Josepha. At first she denied authorship but later admitted it. This incident adds some significance to the message to Willsher which took her to Montreal in September, 1945, because Adams was "going away". He would appear to have postponed that event while still cherishing the intention. Needless to say we do not believe his explanation of the telegram:—

Q. Would you care to explain that telegram?

A. Sure. Ever since I have started travelling, which is a good many years ago, my wife and I have had an arrangement whereby if she is ever in trouble and wants me to come home and does not want to talk about the whole thing in a telegram, she simply sends me a telegram that Helen's baby is sick.

We are satisfied on the evidence that Adams was an important unit in Zabotin's organization. If, as Col. Zabotin states in his notes, and there is no reason for not accepting the statement fully, Adams "gave materials daily" and was "a good worker", the amount of information given by him to the Russians must have been very great. The items on Zabotin's mailing list of January 5, 1945, which according to Gouzenko's evidence covers only one of several batches of mail despatched to Moscow by Col. Zabotin during that month, are an indication.

We are satisfied on the evidence that Adams was an important unit in Zabotin's organization.

Accordingly, being required by the terms of Order in Council P.C. 411 to "inquire into and report upon which public officials and other persons in positions of trust or otherwise have communicated, directly or indirectly, secret and confidential information, the disclosure of which might be inimical to the safety and interests of Canada, to the agents of a Foreign Power and the facts relating to and the circumstances surrounding such communication", we are of opinion that Adams did communicate such information. So far as disclosed by the evidence, the surrounding facts and circumstances are discussed above.

SECTION III. 6

KATHLEEN MARY WILLSSHER, Ottawa

Miss Willsher was an employee of the Office of the High Commissioner for the United Kingdom at Ottawa. She came to Canada in 1930 at the age of twenty-five as a stenographer. In due course she was promoted and in 1944 she became assistant registrar, having been in the registry division of the office since 1939. She is a graduate of the London School of Economics and speaks French, German and some Russian. Her duties as assistant registrar involved the entering or registration of incoming and outgoing letters and telegrams, by reason of which she had access, with a very few exceptions, to all files containing documents of a highly secret nature.

On June 17, 1939, she signed the following document.

CERTIFICATE

I have read the Official Secrets Act of the United Kingdom 1911 and 1920 (1 & 2 Geo. 5 C.28 and 10 & 11 Geo. 5 C.75) and have taken note of the penalties provided in respect of their infringement.

**(sgd) Kathleen M. Willsher,
17 June, 1939.**

By Order in Council P.C. 1860 dated the 17th March 1941 *The Official Secrets Act* 1939 (Canada) was made to apply to employees, in Canada, of the Government of the United Kingdom.

On Zabotin's mailing list of January 5, 1945, there are two items, Nos. 109 and 110 being "copy" and "abbreviated copy", respectively, of letters from the Canadian Ambassador at Moscow, Mr. Dana Wilgress, to the Canadian Prime Minister of November 3, and October 11, 1944. The mailing list describes each as "Secr." and credits "Ellie" as the person furnishing the material. Gouzenko testified that "Ellie" was the cover name for Kathleen Willsher at the Russian Embassy, and that she was one of Zabotin's agents. Gouzenko said that there was at the Embassy a file on Willsher prepared by one of the "door-guards" at the Embassy, one Lieut. Technical Gouseev. This file was kept in the safe in the room where Gouzenko worked and contained a biography and other information with regard to her. Gouzenko also brought with him the following cable from "The Director" in Moscow to Zabotin, dated August 24, 1945:

12200

24.8.45

To Grant

Reference No. 248.

1. In telegram No. 8267 of June 20th you were given instructions on the inadmissibility of disclosing our agency network to the Ambassador.

The handing over to the ambassador by you of the Wilgress report of 3.11.44 concerning financial credits to ensure trade between the USSR and Great Britain after the war, in the very form in which it was received, has uncovered the existence of our source on the object of ELLI.

Furthermore, the translator of the embassy got acquainted with the document inasmuch as the document was in the local language.

2. With regard to urgent political and economic questions affecting the mutual relations of Canada and Great Britain with the USSR, you must keep the Embassy informed, but indicating only that the source is authentic, without revealing to him either source itself or the places from which the information was obtained.
3. The information should be handed over after it has been already prepared to this effect, deleting all passages which might disclose the secret source.
4. All questions on which you are informing the ambassador you are under obligation to bring to my attention in the comments to your informational reports.

Director

21.8

Grant

25.8.45.

From this telegram it appears that Zabotin had given Zaroubin, the Ambassador in Ottawa, item 109 above referred to, and that the latter had had it translated into Russian by one of the staff of the Embassy not on Zabotin's own staff. This was contrary to Moscow's policy of keeping its espionage, diplomatic, commercial, and secret police, activities secret, the one from the other. This is the "inadmissibility" of the act on the part of Zabotin.

The way in which Willsher entered upon her espionage activities is interesting. She was a member of the Communist or Labour-Progressive Party of Canada and had been for a long time. In 1942 she met Agatha Chapman who invited her to join a "study group" for the purpose of studying Marxist literature. She did so and in this group found, in addition to Chapman, Eric Adams, Benning and one Luxton, an employee, since deceased, of one of the Departments of Government. This group with some others who were also in the Civil Service met at various homes at intervals of three weeks until Adams left for Montreal at the end of 1944. Willsher said that the qualification for inclusion in this study group was interest in Communistic writings and teachings. Her own interest goes back some ten years. She joined the Labour Progressive Party in 1936. It was then the Communist Party of Canada. She paid a monthly due to the party through a study group similar to the one she joined in 1942. The earlier group lasted from 1934 to 1939.

In 1935 Willsher met Fred Rose at the study group she was then attending. As to Rose she testified:

- Q. Is he the first one who suggested you could contribute to the promotion of the Soviet Government by giving him in general terms information of value which passed through your hands in the office, the High Commissioner's office?
- A. He didn't say "Soviet Government". He said the Canadian party, the Canadian Communist Party.
- Q. Just what did he say to you?
- A. That the Party would be very glad to have some information sometimes in order that their policy—to affect public opinion—the sort of facts they could have. That is all I know.
- Q. Do I understand you, Miss Willsher, to say that Mr. Rose in 1935 suggested to you that you should furnish, from your sources of information in the High Commissioner's Office, information to him?
- A. He just said any general ideas I might have about things. Nothing ever suggested about giving him data. He said it would be of value to the Party in formulating its program.
- Q. That is not what I understood you to say a few moments ago. Just tell us, please, what Mr. Rose did suggest to you?
- A. That I could give him some general ideas of what was going on.
- Q. What do you mean by "general ideas of what was going on"?
- A. They were pursuing a policy of a united front.

- Q. Who were?
- A. The Communist Party was—and that facts pointing towards that, it would help to know if there was likely to be one or not.
- Q. What facts, now?
- A. I don't know.
- Q. You understood Mr. Rose at the time?
- A. He didn't ask for anything specific.
- Q. I didn't ask you that. You understood him at the time, didn't you?
- A. Yes, any general information.
- Q. Just a moment, and just answer my questions. You understood Mr. Rose at the time; is that so?
- A. I understood him at the time.
- Q. You understood what he said to you at the time?
- A. Yes. That is what he said.
- Q. And you were quite clear on what he said to you at the time?
- A. Yes.
- Q. That was 1935?
- A. Yes.
- Q. Do you want us to understand that Mr. Rose was asking you for original ideas, or information that you might obtain?
- A. Well, a general view of the information; not specific details at all.
- Q. That is information to which you would have access at your employment?
- A. Yes.
- Q. So then, to be quite clear about it, you understood Mr. Rose quite clearly at the time to suggest to you that he or his Party would be glad to have from you information which you might obtain from the High Commissioner's Office in the course of your employment?
- A. Yes.
-
- Q. And did Mr. Rose attend only one of these meetings, or did he go frequently?
- A. I have seen him more than once, but he was not a regular member.
- Q. He went to these meetings where you were?
- A. Sometimes; occasionally, but he did not live in Ottawa, that I was aware of.
- Q. But he came to Ottawa occasionally?
- A. Yes.

- A. And he knew these meetings were going on?
- A. I suppose so.
- Q. And he knew what date and at what place?
- A. Yes, but not through me. I don't know how he got there at all. He just was there.
- Q. Miss Willsher, you recognized, I suppose, when Mr. Rose made that suggestion to you, that he was suggesting an improper thing for you to do?
- A. Well, I did, but I felt that I should contrive to contribute something towards the helping of this policy, because I was very interested in it. I found it very difficult, and yet I felt I should try to help.
- Q. Then you appreciated that from the standpoint of your relationship to your employer it was an improper suggestion. That is right?
- A. Yes. I also felt that I had something I should contribute.
- Q. Would it be right to put it this way; that you felt that there was a higher law, owing to your, let us say, political convictions?
- A. Yes. It was a struggle; it always is a struggle.
- Q. You cannot serve two masters without a struggle; but what I want to put to you, Miss Willsher, is this. You said this group where this suggestion was first made to you was a broad group. If you recognized Mr. Rose's suggestion as an improper suggestion, and this was a broad group, Mr. Rose would not be making his suggestion to you in a loud voice so that all the members of this broad group could hear?
- A. No. As I say, it would be addressed to me. It would not be addressed to anyone else.
- Q. Did you give your answer immediately to Mr. Rose, when he made that request to you?
- A. No; I gave it some consideration.
- Q. And when did you give him your answer?
- A. I couldn't exactly say.
- Q. How long after, about? At the next meeting?
- A. That I don't know. It would not be a great deal of time; perhaps a month.
- Q. And you gave him an affirmative answer. You accepted?
- A. Yes. I found it very difficult, and yet I felt that I was trying to—

- Q. And from then on you conveyed to him whatever information you thought he wanted to obtain from the Department in which you were employed?
- A. Yes. There was not a great deal, as a matter of fact.
- Q. How would you convey that information to him?
- A. Just telling him.
- Q. Where?
- A. At this house, and I don't know where else I saw him.
- Q. At his house?
- A. No, at this house; Mrs. _____'s house.
- Q. That is Mrs. _____?
- A. Yes. I don't know where else, particularly, unless it might have been at Miss _____'s apartment. He went there sometimes.
- Q. Did you arrange to meet him regularly?
- A. No; just occasionally I saw him. There was not any regular arrangement. I suppose I was invited to a place and he would be there, but it wasn't very often. There was a great deal of time in between. It didn't seem that I was of very great importance.
- Q. Were you going to places where you would meet Mr. Rose periodically, or would expect to meet him periodically?
- A. No. I mean he must have known when he wanted to meet me, and I suppose it was arranged, but I was not aware of any regularity or any setting of a future date. There was nothing like that at all.
- Q. But you did in fact meet him from time to time?
- A. A few times. It wasn't very many times.
- Q. For how long?
- A. I suppose till about sometime in 1939, after which I haven't seen him since.
- Q. You have not seen him since 1939?
- A. No, not myself.
- Q. And how often—?
- A. As I say, it was periodical; not very often, that I saw him in that time.
- Q. That would be in something over three years?
- A. It would be three years.
- Q. And how often would you see him in that period of time?
- A. It might be six months. It certainly was not very often.
- Q. Would he require any type of information?
- A. No.

- Q. He left it to you to decide what was the information that you could give?
- A. When I saw him he might ask me a question or two. He would not ask me to prepare stuff or anything like that.
- Q. What kind of question would he ask you?
- A. That is what I can't remember now. Things about the united front, the way events were going, I suppose; the attitude towards the Spanish war.
- Q. Whose attitude?
- A. Well, it would be the attitude of the British, I suppose.
- Q. Of the British Government?
- A. Yes.
- Q. And how would you have that information?
- A. Well, there might be some reference to it somewhere, and there might not be anything. I mean, it might be mentioned in some despatch; something might be mentioned.
- Q. What else do you remember that he asked you about? What other information?
- A. I do not remember all this time—I only know it was along the particular lines.
- Q. About what?
- A. I do not remember any details along certain lines.
- Q. Can you tell us whatever information, generally speaking, he wanted you to gather?
- A. Well, the attitude towards Germany and Italy in view of the crisis that was developing.
-
- Q. This information that you were able to give him, how did you get that, from things that you copied in the course of your work, or typed?
- A. Things I am bound to read through in the course of work. They are not things—there was no record—just things I happened to remember.
- Q. What I am asking you, Miss Willsher, is what things?
- A. If it is—
- Q. Do not let us both speak at once. You would be typing telegrams and letters at that time?
- A. Yes.

Q. And would it be things arising out of the documents that you actually typed, such as telegrams and letters?

A. Probably would be.

Q. That would be one thing?

A. Yes.

Q. Anything else?

A. No, there was not any other source.

Q. What about the files that were in your office?

A. I was not doing the files.

Q. Were you reading the files, the things that were in the files?

A. Only the files with the letters, not general.

Q. Were you reading the letter files?

A. I might have a file if I was doing a letter on that file.

Q. Would you read that file?

A. Not necessarily; I might.

Q. Sometimes you might?

A. Sometimes I might.

Q. For the purpose of seeing if there was anything there you could pass on to Mr. Rose?

A. I had that in view.

Q. You had that in view?

A. Yes.

Q. And you would make notes?

A. No.

Q. You just charged your mind with it?

A. Charged my mind.

Q. And you reported to him orally?

A. Yes.

Q. On all occasions?

A. Yes.

There came a time there was a change in the channel by which information from Willsher was communicated to the Russians. Adams became substituted for Rose. Willsher testified:

Q. Who else asked you to get information from the same source for the benefit of the Party or the Soviet Union?

A. Mr. Adams.

Q. When did he ask you? That is the same person whom you have already identified?

A. Yes.

- Q. When did you conclude giving Mr. Rose any information?
- A. During 1939.
- Q. Why did you stop?
- A. Because I did not see him any more. The war came and I did not see anybody. I do not know of any time when he said, "This is the last time I will see you", or anything. It just sort of faded out.
- Q. Those meetings stopped also in 1939?
- A. Yes.
- Q. Did you not say it was in 1942 that you received a similar request from Mr. Adams?
- A. I think it is 1942; it may be 1943.
- Q. When was the first meeting you had with Adams?
- A. I do not know whether it was the first or second; I was not aware there was ever a specific point made that he had to meet me.
- Q. For how long did you continue to give information to Adams?
- A. Until about last September, the last time I saw him.
- Q. From 1942 to last—
- A. 1945.
- Q. September of 1945?
- A. Yes.
- Q. What happened then?
- A. I do not know, I just have not seen him since that, that is all.
-
- Q. While in Ottawa how would you convey information to him?
- A. I might see him at the study group.
- Q. That is where you would give it to him?
- A. Before or after the meeting.
- Q. And then—
- A. I did not see him very often.
- Q. Did you ever have occasion to drive with him?
- A. No, not until he had gone to Montreal.
- Q. That is when he had gone?
- A. Because he drove to Ottawa and had his car.
- Q. So while he was in Ottawa you would convey information at these meetings?
- A. Yes.
- A. Did you ever telephone to him?
- A. No.

- Q. Why?
- A. I did not telephone him; I have never been asked to telephone to him; I do not take the initiative.
- Q. Why?
- A. I do not know; I never have taken the initiative.
- Q. Why would not you take the initiative?
- A. Unless I was asked, I did not go out and direct the thing. If he wanted something he could ask, but I did not know or say anything.
- Q. Where did he ask?
- A. As I say, at the meetings.
- Q. And any information he was asking for you would try to obtain that in the course of your employment?
- A. Yes, but he generally just asked me a question or two and I answered them then. I did not have to go and do anything about it. It was just anything I happened to remember.
- Q. You were in a better position, so far as access to information was concerned, at that time than you were in 1939?
- A. Yes, I suppose so.
- Q. Well, you were?
- A. Yes.
- Q. All incoming and outgoing documents, except the ones that might be kept by a particular officer, passed through your hands or were available to you?
- A. Yes.
- Q. Will you tell us what Adams said the first time he asked you to give confidential information; how did he ask you?
- A. Well, he said that they wanted—I was given to believe that the policy of the Party was that they wanted the war to be—the Soviet Union was in the war and they wanted—
- Q. They wanted what?
- A. The war to go ahead and for there to be a second front and did I know anything about that sort of thing because they said that the policy in Canada—there might be a change in public opinion—that we must make the war effort go ahead and—
- Q. In what way did he ask you that?
- A. Well, for any sort of—

- Q. That is not an ordinary question to ask a person. You explained the occasion when Rose was asking for information, that you had to go through certain difficulties before you made up your mind?
- A. Yes.
- Q. Did you have the same difficulties when the request came from Adams?
- A. Yes.
- Q. Why?
- A. Because it always is difficult for me yet I feel it is expected of me I should do something. It is not easy to explain.
- Q. Well, I would like to understand it a little more clearly. Do you mean, Miss Willsher, that by becoming a member of the Communist Party you are expected to do what you are asked to do regardless of any obligation you may have in any other direction; is that what you mean?
- A. That is the sort of thing, yes.
- A. And what Mr. Adams asked you in 1942, whatever it was, it was that he wanted you to supply him with information you could get from your office of employment?
- A. Which I felt was relevant to any question he might ask regarding the war effort. That was, as I say, the interest of the Party at that time; it was to—
- Q. To get it in as simple language as possible, the interest of the Party at that time was whatever would be in the interests of the Soviet Union, was it not?
- A. Well, to make plain the unity of the allies.
- Q. I want you to answer my question. I am asking you as to whether what was in the interest of the Party was whatever would be in the interest of the Soviet Union. Is that a fair way of putting it?
- A. Well, I suppose they would want them to have the same interests at that time.
- Q. That is the way you understood it, in any event?
- A. Yes.
- Q. What Mr. Adams asked you to obtain from the office of your employers would be information you thought would be of interest to the Soviet Union?
- A. He did not put it like that. He said the Party policy is to do this, and they would like information, but he never mentioned the Soviet Union.

- Q. I see.
- A. It was always as a member of the Party, it was the Party's policy to support the maintenance of allied unity which included the Soviet Union.
- Q. And therefore he was not satisfied to leave the support of the allies to the allies themselves, he wanted you to get some special information from your office? That is right? He was asking you to get information from your office?
- A. We were allies.
- Q. Mr. Adams was asking you to try to get information from your office of employment?
- A. Yes.
- Q. To give to him?
- A. Yes.
- Q. And do I understand that the information you would get from your office would be such information as you thought would be of interest or of value to the Soviet Union?
- A. I did not think of the Soviet Union; I thought of the Canadian Party.
- Q. You thought of the Canadian Communist Party?
- A. The Party's policy.
- Q. What plan or what idea did you have in mind in selecting this information or that information to pass on to Mr. Adams?
- A. He asked questions. That was the basis on which he asked me.
- Q. I am asking you. How would you determine in your mind what information was of interest to the Party? I am asking you, would it be information which you thought would be of interest to the Soviet Union?
- A. No, I did not think of it in that way.
- Q. How did you cull out the information, on what principle did you work?
- A. I did not think about it a great deal. If he asked me a question, I tried to answer it.
- Q. If he asked you a question, if he said to you, "I want you to get this particular information," you would try to get it, of course?
- A. Yes.
- Q. That would be easy; you would know what you were looking for?
- A. Yes.

- Q. Well, did it always arise in that way, that Mr. Adams asked you to get particular information?
- A. Yes, usually; yes, it was particular, not in the sense of detail, but a particular subject, I suppose—
- Q. For instance, if somebody was visiting in this country, he might ask you to get what information you could on that subject?
- A. Yes. I cannot think of any case where that happened, though. It always seemed to me quite logical the things he asked.
- Q. What I am trying to understand for my own part is what things he did ask. I am asking you if he asked you to get information on particular subjects?
- A. There was the financial angle.
- Q. That was one particular subject that he asked you to get information about?
- A. Yes.
- Q. I suppose there were other particular subjects were there?
- A. Yes, he asked if I thought—he asked once or twice if I thought the second front would start some time, if I thought all our efforts were being made and it was likely to come soon. That was in a general way. Actually when it did come he had not asked me for some time.
- Q. Not what you thought, but what information you could obtain in the Commissioner's Office?
- A. Yes.
- Q. In addition to these particular subject matters did you have a sort of roving commission to get any information that you thought might interest Mr. Adams?
- A. No, not particularly.
- Q. You never obtained any information except what Mr. Adams specifically asked you for?
- A. Yes.
- Q. It was always that he gave you—
- A. Along the lines.
- Q. Just a minute. He gave you jobs to do, did he?
- A. More or less, yes.
- Q. Suppose for instance, that Mr. Adams asked you for information on a particular subject. Would you just try to look up the documents in your office on that subject and pass on the information to Mr. Adams? Is that the way it worked?

- A. He would ask me and usually it was answered at the time. I do not think there was any looking through a particular file; it was just anything I might be aware of in answering the questions he put.
- Q. In any event you gave him such information from time to time.
- A. Yes.
- Q. May I suggest that, for instance, he asked you for information regarding the friendship between the United States of America and the United Kingdom.
- A. Yes.
- Q. That was discussed?
- A. Yes.
- Q. He asked you to supply information in that regard?
- A. Yes, and I did not know—
- Q. What?
- A. I did not get any.
- Q. You tried to supply some?
- A. I think of various things but I can think of no information on that line. Very often I had no answer because I did not know.
- Q. Did he question you on the office organization, the staff and the various functions of the people working in the High Commissioner's Office?
- A. Yes, in a general sense. It was how big it was and the sort of subjects it would deal with, and I gathered he was getting information of that sort on embassies and consulates. I do not know why, but I think—
- Q. You can guess, perhaps?
- A. Not particularly. I was never told why things were—
- Q. You said that he was trying to obtain data about the various embassies?
- A. I am merely making that statement myself; I did not know.
- Q. You had that impression from the various questions he asked you?
- A. I would think that we would not be of any more interest than some of the other offices. I could not make that statement of fact because I did not know.
- Q. I want to have that answered; did he—
- A. He asked me for information about our functions and our size, and that is really all I know on that subject.

Q. To your knowledge was he trying to obtain information in regard to the organization of the staff and their functions in connection with other legations in Ottawa?

A. I cannot say.

Q. What?

A. I cannot say because I do not know.

Q. He limited it to information regarding the High Commissioner's Office? How would that affect the Canadian Communist Party?

A. I thought he would want to know, perhaps.

Q. Why?

A. I do not know why. I did not think very much about "Why". I had no thought it was not just what it appeared. I mean, I had not had any, not having been told anything.

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Q. You remember speaking about the various subjects on which information was given by you to Adams. You remember a visit by Lord Keynes in Ottawa at the end of the year 1944?

A. It has been brought to my attention.

Q. There was some information required from you by Adams on that particular subject?

A. He wanted to know if the proposals, I think, had gone forward to the parties, but on the details he was in position to see himself, I think, because he did finance work.

Q. Where, in his office in the Bank of Canada?

A. I suppose so.

Q. I suppose he was getting information at both ends, at the Bank of Canada as far as the Canadian Government was concerned and from the High Commissioner's Office as far as England was concerned?

A. He would see those proposals because they would be put to the Government of Canada.

Q. Cannot you just tell us what you did, what you arranged with Adams?

A. He asked, I think, if the proposals had come and if they were going forward and there may have been a general idea of what they were, but I do not believe now that they were.

Q. What did you say when you got that request?

A. I think they had come; I said they had come.

- Q. I asked you what you did?
- A. I just thought of what I could remember because he asked me.
- Q. Remember from what?
- A. From any document I had seen.
- Q. And you had seen some documents?
- A. I think so, yes.
- Q. There is a file on that subject matter in the High Commissioner's Office?
- A. Yes.
- Q. And you had read the file?
- A. Yes.
- Q. For the purpose of informing Mr. Adams?
- A. No, but when he asked me I naturally knew something about it.
- Q. Why did you read the file?
- A. Because I would read all the files.
- Q. Why?
- A. Because we are supposed to know what we are filing.
- Q. But you do not have to read all the contents of a paper in order to file it and put a number on it?
- A. We do have to read quite a lot of it; we are expected to more or less.
- Q. But you paid particular attention to that file, did you?
- A. Not particular because I could not give any details.
- Q. I am asking you in view of Mr. Adams' request you paid particular attention to that file?
- A. I do not remember particularly, but I know he did ask about it.
- Q. I did not ask you that at all. Mr. Adams asked you about that particular matter, did he?
- A. Yes.
- Q. And you knew there was a file in your office on that matter?
- A. Yes.
- Q. I am asking you if you went and read that file, and I understood you to say a little earlier that you had read it?
- A. Yes.
- Q. Then I asked you if you paid particular attention to it in view of Mr. Adams' request?
- A. I do not remember, or whether I knew enough at the time to just tell him.

Q. Are you suggesting to us that when you got that request from Mr. Adams it was purely a casual matter and you just passed on what you happened to remember?

A. That is what I usually did.

Q. You remember this occasion I am speaking about?

A. Not very well, no.

Q. Were you passing on information from your files to Mr. Adams with such regularity and with such a matter of course that you do not remember it particularly?

A. Oh, no, but I just do not remember particularly what he asked me after each time. I did not store it up and remember. If he asked me I generally answered it and it was finished.

Q. You do remember it now?

A. I do remember it.

Q. What Mr. Adams asked you with regard to that particular matter, you remember that?

A. I think so, because he did ask about finance.

Q. And you read the file on that matter, either before he asked you or after he asked you?

A. Yes.

Q. And you told him all that you could remember about the contents of that file?

A. Yes, but that could not have been very much.

Q. I just want to know whether you told Mr. Adams all that you could remember about the contents of that file; did you?

A. I suppose so, yes.

Q. You know whether you did or not. Why do you need to suppose? Did you?

A. Yes.

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Q. Mr. Adams was a member of the Party?

A. Was what?

Q. He was a member of the Party?

A. I suppose so.

Q. He attended those meetings?

A. Yes.

Q. So he was a member of the Party?

A. Yes.

- Q. And he had asked you to give him information?
- A. Yes.
- Q. So you know perfectly well he would deliver that to the Party, everything you told him?
- A. Yes, I suppose he would.
- Q. All the information you gave him. You knew that it was for the benefit of the Communist Party here and the Soviet Union?
- A. I did not think of the interest of the Communist Party.
- Q. That was the object, whatever you could do to help the Party. You told us that this afternoon.
- A. We did not—
- Q. You told us when you were giving your evidence this afternoon that you had been asked to give information for the benefit of your Party and that you had hesitated before you decided to do it, so you surely know what the purpose was?
- A. I only gave that to Mr. Adams, I did not give it to anybody else.
- Q. You knew perfectly well what was the purpose of Mr. Adams asking you those questions?
- A. Yes.
- Q. You knew also what was the purpose of Mr. Rose asking you these questions?
- A. Yes.

After Adams left for Montreal at the end of 1944, meetings between him and Willsher were continued on street corners in Ottawa. These were arranged by Adams through the medium of Agatha Chapman. Willsher's evidence is:

- Q. How did you meet him thereafter?
- A. He came to Ottawa sometimes.
- Q. How often?
- A. About three or four times, as far as I can remember.
- Q. Four or five times?
- A. No, I think three or four. I don't remember.
- Q. And how would you get in touch with him then?
- A. Miss Chapman told me that he was coming.
- Q. Every time?
- A. Yes.
- Q. She would phone you?
- A. Yes, or if I happened to see her anywhere.

- Q. Or if you would meet her?
- A. Yes.
- Q. Tell us exactly what procedure was followed?
- A. She would telephone, or tell me if she happened to see me somewhere.
- Q. Miss Chapman would telephone you and tell you she had to see you somewhere?
- A. No. She might telephone me and tell me that he was coming, or she might meet me somewhere in the normal course of events and tell me.
- Q. That Adams was coming?
- A. Yes.
- Q. And then?
- A. I would arrange to meet him.
- Q. How would you arrange to meet him?
- A. He usually was driving, and he would just pick me up.
- Q. That is the way the meeting would take place, but how did you arrange to meet him; through whom? How would you contact him?
- A. I didn't contact him; Miss Chapman just told me he was coming, and she apparently did the contacting.
- Q. She told you he would be in his car at a certain place at a certain time?
- A. Yes.
- Q. And you were to be there?
- A. Yes.
- Q. And what time of the day would these meetings take place?
- A. After work. I think the early evening, as far as I can remember.
- Q. And where would they take place? Any corner? Any place on the street?
- A. I remember at the corner of Lisgar and Bank, at the street car stop. I don't remember any other place, just there or somewhere like that.
- Q. And any time you were notified that he would be at any particular place, you would meet him?
- A. I would try to; yes.
- Q. You did, as a matter of fact?
- A. Yes.

- Q. Any time?
- A. Yes, any time.
- Q. And what would take place from then on?
- A. Just go for a short drive and talk.
- Q. You would board the car with him and go for a short drive?
- A. Yes.
- Q. And what would take place then?
- A. I would just talk to him, or he would ask me questions.
- Q. And you would convey the information he was asking for?
- A. Yes.
- Q. And would he drive you home afterwards, or leave you on the street?
- A. Just drop me wherever we happened to be.
- Q. When the conversation was over?
- A. Yes.
- Q. And when the information was transmitted to him?
- A. Yes.
- Q. And how long would that last?
- A. Ten minutes or a quarter of an hour.
- Q. Why would you not meet him at your place?
- A. Well, he didn't suggest it. He said he had the car, he would meet me at a certain place.
- Q. Why did you not meet him at Miss Chapman's place?
- A. If he suggested it, I would. I had met him at her place when he was in Ottawa.
- Q. What reason could you give us why you would have to meet him in that extraordinary way?
- A. I don't know.
- Q. You have no idea?
- A. No.
- Q. What was Miss Chapman's address?
- A. Somerset West, 392, I think.
- Q. And what was your address?
- A. 225 Kent Street.
- Q. You had met Adams before, at Miss Chapman's?
- A. Yes, because the groups were held there sometimes.

Q. Then why didn't you meet him there?

A. Well, maybe I did meet him there once. I don't remember whether it is since he went to Montreal. As far as I remember it was not. There didn't seem to be any particular reason.

Q. Why did not Adams make his own arrangements to meet you on the street corner?

A. I don't know. He didn't.

In September 1945 Willsher was advised by Miss Chapman that Adams wished the former to meet him in Montreal. Willsher testified:

Q. Were you requested to meet him in Montreal at all?

A. Yes, last September.

Q. In September of—?

A. 1945.

Q. How did you know that you were requested to go there?

A. Miss Chapman told me.

Q. What did she tell you?

A. She said he would like to see me during September, towards the end of September.

Q. For what purpose?

A. Just to ask me a few things, I suppose. She said he was going away, so would I try to see him before the end of September.

Q. She said he was going away?

A. Yes.

Q. Where?

A. She didn't say where. She said he wouldn't be in Montreal. I suppose that's it; it would be somewhere distant from here.

Q. And he wanted to see you in Montreal?

A. Yes.

Q. So did you proceed to Montreal?

A. Yes, I went down in September.

Q. My information is that you went there by car?

A. Yes.

Q. What date would that be?

A. I said the second or third week, but I am wondering—I said the third or fourth week, and I am wondering if it was the second; but that can be checked, because my friend drove me down to Montreal and she would remember.

The witness proceeded by car as far as Dorval and then by train.

Q. And you took a train to Montreal, and Adams met you at the Windsor station?

A. Yes.

Q. And drove you to his apartment?

A. Yes.

Q. What took place at the apartment?

A. When I got there I said he seemed to be surprised at me coming, and I said I had been told he was going away and that I should try to come down in September. He said, "Oh, but I'm not going away. There must have been some mistake." He said, "I did go for a short trip west."

Q. Did he say where?

A. No, just west.

Q. And then?

A. And it seemed rather strange. I felt there was something unusual, and it seemed that my visit was purposeless, because he was not going away; there was not any urgency of any kind. So then he took me to dinner, and I met the family and his wife, and most of the time was spent there, and we went back to the station at half past seven.

Q. You were surprised?

A. Well, it had seemed that it was urgent I should go.

Q. You were being asked to go to Montreal to meet him, and you expected the interview would be of some importance and some urgency?

A. Yes, or that he would say, "I am going away for a long time", and there was nothing like that.

Q. He would not call you just to tell you he was going away for a long time. You suspected that possibly he would arrange for some other contact for you to make.

A. I suppose that might be so.

Q. Do you suppose, or is that not the fact?

A. I should think so.

Q. You *did* think so, didn't you?

A. Yes.

Q. So there was nothing, no information asked or given and no instructions given of any kind?

A. No.

Q. And as you have stated, this trip to Montreal became absolutely without any result? There was no result?

A. Yes, no result.

Q. To your surprise?

A. Yes.

We suspect that Adams did intend to go on a "trip" at the time Chapman was instructed to tell Willsher to go to Montreal. Gouzenko had then left the Embassy. Before Willsher got to Montreal something caused a change in the plan. Courage may have revived.

Q. How did you come back from Montreal to Ottawa?

A. By train.

Q. Who paid the expenses for it?

A. That involves this matter of the \$25 that I mentioned in my statement. During the summer, I think it was the last time I saw him—

Q. We will finish that question first of all. Who paid for your trip back to Ottawa?

A. I paid it out of the \$25.

Q. Which was given to you by whom?

A. Adams.

Q. When?

A. During the summer.

Q. Where?

A. At Ottawa.

Q. Was that during one of these meetings in the car?

A. Yes.

Q. And for what purpose did he give the money to you then?

A. He said, "If you have to go to Montreal you can pay part of your expenses."

Q. And you accepted the money?

A. Yes. I didn't think twice about it. I should have thought twice about it, but I didn't.

Q. And how much of that money did you use?

A. A single fare from Montreal to Ottawa.

Q. Which amounts to about what?

A. I think it is \$4.25.

Q. What did you do with the balance?

A. I have it.

Q. Is it not your idea that it is money that was given to you for that purpose?

A. Yes.

Q. You are sure of that?

A. I think that now; yes, but I didn't think about it until—

Q. Did you not have the same idea at the time, that it was money which was given to you to carry on the purposes of the association, and giving information, and so on?

A. Yes.

Q. Because otherwise you would not have accepted the money from a man?

A. No, certainly not. I had no reason to do so.

Q. You must have assumed at the time that he would be reimbursed for that by his superiors, whoever they might be?

A. Yes.

Q. Was there any other intimation as to when the next trip to Montreal would be made?

A. No.

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Q. Then your idea of your trip to Montreal was that you were going to get instructions from Mr. Adams?

A. Yes.

Q. Or that Mr. Adams was going to ask you some questions about what you might have learned from your employment in the meantime?

A. Yes.

Q. Is that a fair way of putting it?

A. Yes.

Q. And then you say that when you got there he told you that this idea that he had proposed to go away was a false alarm?

A. Yes. Not a false alarm, but he was not going away.

Q. And after that it was just a nice little family conversation?

A. Yes.

Q. Mrs. Adams was there, and the family?

A. Yes, sir.

Q. And you had a nice trip to Montreal, and that is all that took place?

A. Yes.

Q. And you are serious with that?

A. Yes.

- Q. Mr. Adams did not give you any instructions?
- A. No.
- Q. Didn't tell you anything?
- A. No.
- Q. To summarize the whole situation, as I understand it, you were disappointed?
- A. Well, I felt it was a waste of time. I didn't think any more of it after that. I thought it was just rather queer, that is all.
- Q. When he gave that money to you, was that given to you in an envelope, in bills? In what form was it?
- A. Loose cash.
- Q. Loose cash?
- A. Yes.
- Q. In bills?
- A. Yes.
- Q. And did you keep those bills?
- A. No; I paid them into the Ontario Savings Bank. You will find an entry of \$25.
- Q. That is into your own account?
- A. Yes.
- Q. What is the number of your account?
- A. W-883.
- Q. What bank?
- A. Ontario Savings.
- Q. And what branch?
- A. On Sparks Street. There is only one. You can see it in my little passbook.
- Q. You have not this passbook with you?
- A. No, it is at my home.
- Q. With relation to the time that you returned from Montreal, when did you make that deposit?
- A. I don't know whether I paid it back just like that; I mean I think—
- Q. But you came back to Ottawa on Sunday?
- A. Yes.
- Q. And when did you make the deposit?
- A. What do you mean; the change?
- Q. When did you make the deposit?
- A. I got the money in Ottawa, in a car. I then put it into the bank, within a day or two.

- Q. I am sorry; I was confused about that.
- Q. So the deposit of \$25 which will appear in your passbook in the summer of 1945 will definitely set the date of the reception of that amount, or the day previous, I suppose?
- A. Well, I might have taken two or three days; I couldn't say. I don't remember at all how long. I know I did place it in my bank.

The records of the local office in Ottawa of the Province of Ontario Savings Bank show a deposit of \$25.00 on June 21st, 1945, to the credit of Willsher's account.

As to the letter of November 3, 1944, from the Canadian Ambassador at Moscow to the Prime Minister, item 109 on Zabotin's mailing list, Willsher testified:—

- Q. I am exhibiting to you a document which has been filed as Exhibit No. 96. Would you read it and say whether you have seen the document before?
- A. I remember about this post-war credit, but I don't know—
- Q. Just a moment. What do you remember?
- A. I don't remember that figure, but I remember about post-war credit.

COMMISSIONER:

- Q. You are showing what exhibit?

COUNSEL:

- A. That is Exhibit 96, the Wilgress report.

WITNESS:

- A. In our office we would not have a copy of anything like that, I don't think.
- Q. But what makes you remember the document or the figure?
- A. Because I have been told this week about post-war credit, and I do remember a total figure of about that.
- Q. So you remember you had seen—?
- A. Something.
- Q. You would not have seen this very document?
- A. No.
- Q. But you have seen something relating to the substance of this document?
- A. Something like that.
- Q. Is that a fair way to put it?
- A. Yes.

Q. And did you communicate that information?

A. Yes, I did.

Q. You mentioned that to whom?

A. Adams.

Q. You gave him what you could remember of information you had seen in your office?

A. Yes.

Q. And that was when? The document is dated November 3, 1944?

A. It was somewhere about the end of November, I suppose.

Q. Would you remember whether he was in Montreal or whether he was in Ottawa at that time; that is Adams?

A. No.

She said that she did not remember the letter of November 10, 1944, item 110 on the mailing list. The evidence shows that neither of these documents or copies of them were sent by the Department of External Affairs to the Office of the High Commissioner. Copies of these letters were however sent to the Bank of Canada of which Adams was an employee and, in addition, a copy of one of them was sent to him as a member of the External Trade Advisory Committee. It is certain that they found their way into the Soviet Embassy and that Willsher who was reporting to Adams was given the credit as the source of supply.

The following evidence of Willsher is also pertinent with regard to her state of mind:—

Q. Did you ever tell anyone at the Office of the High Commissioner that you were a member of the Communist Party?

A. No.

Q. Where did you obtain the literature that you read on Communism?

A. At the meetings, the group meetings.

Q. Did you ever go yourself to a store to buy any one of those books?

A. No.

Q. Why?

A. I suppose I would get it at the group meetings. I may have put in an order once, if that is the one you are thinking of. The Inspector mentioned that order somewhere.

Q. You might have ordered some books, where?

A. To be got from the book shop, but I would not have got them.

Q. Would you get it yourself or was it through somebody else?

A. Through somebody else.

Q. Through whom?

A. I do not remember; I think it was ordered from Mr. Zeller many years ago.

Q. You never went to the book shop?

A. No, I never went to it.

Q. Why?

A. I did not go.

Q. That is not answering my question. I am asking you why you did not go? I will put it to you that you did not go because you did not want anyone to see you there?

A. Yes.

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Q. I am going to put this question to you, but before I do so I should like to read to you an answer that you gave during your interrogation. This question was asked:

Q. At approximately what stage of what year did Fred Rose suggest to you that you could contribute to the promotion of the United Front and the Soviet Government by giving him in general terms any information of value which passed through your hands in the Office of the High Commissioner for Canada?

A. I think about 1937.

A. It should have been 1935.

Q. Were you asked that question?

A. Yes.

Q. And you answered, "I think about 1937", but it should have been 1935?

A. Yes.

Q. You told us yesterday that when you were asked by Fred Rose to betray your employer and pass on information that it created in your mind and in your heart and in your conscience considerable trouble?

A. Yes, because it should not occur to anybody.

Q. And that you gave thought to it at that time?

A. Yes.

Q. And that being called upon to make a decision as between your master and the country you were working for, on the one hand, and the Communist Party, on the other hand, you told us that you decided in favour of the Communist Party?

A. Yes.

Q. Because you felt that you owed loyalty to the Communist Party first?

A. Yes.

Q. Whom do you think the Communist Party held loyalty to?

A. As I say, I think they are in their own country, they are all connected, because they all have the same aims in view.

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Q. When you made your decision you were fully aware, not only of the ordinary loyalty that you owed to the country for which you were working, but also of the provisions of *The Official Secrets Act*?

A. Yes.

Q. Which you had read. You knew the penalties which were involved?

A. Yes.

Q. Notwithstanding all that you decided to give priority to the duties which were imposed on you by the Communist Party?

A. Yes. I signed that in 1939 so I did not sign it before this; in the second period it would—

Q. Would it have made a difference, anyway?

A. I suppose I had got to the point where I would not—I was already—

Q. You were already—

A. Enthusiastic over it.

Q. You were ready to do anything the Party asked you to?

A. Yes.

Q. I suppose even in 1935 you knew it was an improper thing to do?

A. Yes.

Q. That is what caused this struggle in your mind?

A. Yes. I know I can be shot quite easily, if necessary.

Q. You know you can be what?

A. Shot, if necessary.

Q. Where?

A. The provisions are very strict.

Q. What are you speaking about now?

A. I just mentioned that.

Q. What are you speaking about, what are you referring to?

A. *The Official Secrets Act*—do not they execute people?

COMMISSIONER: I had not heard of that myself in this country.

Q. As you stated, you were ready to put aside loyalty to your master and to the country for which you were working and you were ready to violate the laws of Canada; that is, *The Official Secrets Act*?

A. For international—a party that is international.

Q. To put it in a nutshell. You made yourself the judge of what was right and proper and you put your loyalty to the Communist Party first. It all comes down to that?

A. Yes, it comes down to that. I do not think the Communist Party is necessarily against the interests of Canada and that is why I did not feel—I thought it was in the interests of all in many respects, particularly during the war.

Q. I suppose that viewpoint of yours was shared by Adams and these other people?

A. What I understood to be—

Q. How active a Communist was Adams?

A. I do not know except that he was in the group studying; I did not know what other activities—

Q. Was he studying or teaching you?

A. No, we all studied. I mean everybody took their part in preparing a chapter and explaining it. There was no question of one person sitting and giving a lecture to other people. Everybody had to participate and do their part.

Q. Did you ever state that he was an ardent Communist?

A. I considered that all members of the group were that.

Q. Did you receive any money at any time in addition to this \$25?

A. No.

Q. You did what you did entirely as a result of your membership and sympathy for the Communist Party?

A. Yes.

Q. And the Communist Party, as you say, has branches or independent Parties in a number of other countries?

A. Yes.

Q. And they have common objects?

A. Sometimes, not always, because there are internal problems that are different.

- Q. But have they some objects in common?
- A. I suppose so, yes.
- Q. That is a phrase you use a great deal?
- A. Yes.
- Q. Just a minute, please. You have given a good deal of study to these matters, going back at least four years. From your study and your knowledge and from what you have been told, do you say that those parties have some object or objects in common?
- A. Yes, the founding of scientific socialism and the maintenance of peace.
- Q. By what means are those objects to be attained?
- A. The kind of policies that they support, that they support in getting in their country or hope that their Government will pursue.
- Q. And the use of force?
- A. Well, force is still used. I mean, they supported this last war, in which force was used. They considered that it was the kind of war they should support. Yes.
- Q. I am asking you if the use of force is one of the means recognized by the Communist Party to attain its aims?
- A. Well, I can see it happening.
- Q. I did not ask you what was happening. I asked you if that was an object or a recognized means?
- A. It is not an object. It is sometimes necessary.
- Q. I am asking you if that is a recognized means for attaining the ends or objectives of the Communist Party?
- A. Not unless necessary.
- Q. I see; but if the Party decides it is necessary, then it is a recognized means?
- A. Yes.
- Q. And is it recognized that force may be used even within a country for the purpose of attaining the objects of the Communist Party in that particular country?
- A. Only as a last resort.
- Q. But still recognized as a means?
- A. I suppose so.

Q. Then you would agree that these various Communist parties in these countries have these objects that we have been speaking about in common?

A. Yes.

Q. And if the Communist Party in Canada, for the purpose of advancing the interests of the Communist Party elsewhere, thought it advisable to pass on any information that you had given Mr. Adams, what about that?

A. I suppose that might have happened, but I didn't think of that.

Q. You didn't what?

A. I thought that it was—

Q. Perhaps you will let me put my question. Did you think the Communist Party executive in Canada would use information from all sources other than you for that purpose, if they thought necessary, but they would not use your information? Is that what you mean?

A. No; I don't think I would consider mine any exception. I don't know what they did.

Q. But you did contemplate that they might use your information outside the country, if they thought that by so doing it would advance the interests we have been speaking about?

A. I don't know what they do.

Q. I did not ask you that. I will ask the reporter to read the question again:

(Reporter reads: "Q. But you did contemplate that they might use your information outside the country, if they thought that by so doing it would advance the interests we have been speaking about?")

Q. What do you say?

A. I suppose it is possible that they would.

Q. And you contemplated that?

A. I didn't—

Q. You say you did not contemplate that?

A. I didn't think about it especially, how it would be used.

Q. You mean it did not come clearly into your mind; but would you say that was a possibility that you were bound to recognize?

A. I suppose so; yes.

Q. I am not at all trying to get you to make any particular answers, Miss Willsher. I just want to know what your answers are, so I will understand.

A. Yes.

Q. Is there any explanation further you want to make up to that point, as far as we have gone? Is there anything you want to add or anything you want to explain, or do you think your answers are full enough?

A. I think they are full enough.

Q. Now I just want to ask you this question. You were giving this information to Mr. Adams that you have told us about, and you have told us that Mr. Adams was also a Civil Servant employed in the Bank of Canada?

A. Yes.

Q. And I suppose you would contemplate that if Mr. Adams was interested in getting information from you, he would also be interested in getting such information as he could in his Department?

A. Well, he never did. In his own Department?

Q. In the Bank of Canada. Do you understand my question?

A. Yes. You mean if he wanted—

Q. My question to you is, if Mr. Adams was interested in getting information from you, from the High Commissioner's office, you must have contemplated that Mr. Adams was doing the same thing at the Bank of Canada?

A. Yes.

On her own admission, therefore, Willsher was communicating information which came to her in the course of her employment in the Office of the High Commissioner. We have no doubt that the ultimate destination of these communications was the Soviet Embassy at Ottawa, nor do we doubt that Willsher knew that fact.

On May 3, 1946, Willsher pleaded guilty before the Judge of the County Court of the County of Carleton, to the following charge:

. . . for that she, the said Kathleen Mary Willsher from the First Day of January, A.D. 1942, to the Seventh day of September, A.D. 1945, at the City of Ottawa, in the said County, and elsewhere in the Pro-

vince of Ontario and in the Province of Quebec, being a person having in her possession and control certain information to which she had access owing to her position as a person who held office under His Majesty, did unlawfully communicate such information to a person other than a person to whom she was authorized to communicate with or a person to whom it was in the interest of the State her duty to communicate such information, contrary to Section 4 Sub-Section (1) (a) of The Official Secrets Act, Chapter 49, Statutes of Canada, 1939, 3. George VI, in such case made and provided.

SECTION III. 7

MATT. S. NIGHTINGALE

This man was born in Mobile, Alabama, U.S.A., in 1906 and his parents came from Quebec City. After having attended the University Military School at Mobile, he came to Canada in 1922 and graduated from McGill University as an engineer in 1928. He did some post-graduate study on transmission engineering, specializing in telephone work.

He worked with the Northern Electric Company, the Shawinigan Water and Power Company, and the Bell Telephone Company of Canada.

In 1942, he joined the Air Force, and in the first days of February, 1945, having been discharged from the R.C.A.F., he returned to the Bell Telephone Company as toll plant engineer in Montreal.

While with the R.C.A.F., on account of his engineering qualifications, he occupied a number of positions in the telephone lines sections, and he was for a time liaison officer between the Air Force and Defence Communications, Limited, a Crown corporation organized for the construction of communication facilities. He started as a Pilot Officer, and within three years became a Squadron-Leader.

Although he does not remember having taken an oath of secrecy, he was aware of the "general security" orders, and knew of section 5, which reads as follows:—

5. It is an offence to convey, or to attempt to convey by any method, to unauthorized persons, information or documents, which are, or might be, harmful to security. This specifically includes all Service examination papers, precis, text-books, instructional material, Service publications, forms, and documents, that carry a security category, or any part thereof. It is understood that this order does not apply to official communications which are dispatched in conformity with Service instructions.

The first reference to Nightingale that we find in the notebooks kept at the Russian Embassy, links Nightingale with the "Ottawa-Toronto Group". In one of the documents, from the dossier of Sam Carr, we see the following note, written by Rogov:—

I gave the contact with MAT NANTINGALE. I made (him?) acquainted with doctor HARRIS HENRY. I set the next meeting for 20.1.45 at 21.00 at old place near the hospital if doctor HARRIS does not change it.

The reference to "Dr. Harris Henry" is to Henry Harris, who is reported on in Section V.

In another document, also in the handwriting of Rogov, we read the following:—

Squadron Leader

Mat Nantingale, 155 O'Connor St. Apt. 1. Telephone 2.45.34. Sam is known to him as Walter. The first meeting took place on 19.12.44 at 21 o'clock in the apartment.

Possibilities: 1. Network of Aerodromes throughout the country (on both coasts).

2. Maps of the coasts.

He has been detached from the corporants, that is, he has been reserved for the future. He does not work for the corporation, his contact is only of a control nature twice a year.

He is married to an Englishwoman, is getting divorced, she is going to England to her mother. Reason—she does not like Canada.

Prior to the war he worked at the Bell Telephone Co. On 25.1.45 he informed Brent about his demobilization. He is going to the Bell Company. Regular meeting (arranged) for 24.2.45 at 20:30 at the corner of Elgin-McLeod Sts.

At the meeting of 24.2.45 he gave the address:—Montreal, 1671 Sherbrooke 57(51) Maps. Telephone 1-16-84. Regular meeting 24.3.45 at 20:30 Metcalf-Somerset. He will give the coasts RAF and listening-in on the telephone.

Task—

{	1. Recruiting.
	2. Materials of the Company.
	3. Dubok—GINI—how.

Another entry in one of the notebooks is as follows:—

LEADER

1. **Biography, photo.**
2. **Possibilities.**
3. **Meetings, letter.**
4. **Recruiting.**
5. **Money.**

Of Nightingale, Gouzenko said in his evidence:—

Q. Then you have referred to Nightingale; you have translated the word as Nightingale although it is written slightly differently, is it not? It is written as Nantingale?

A. Yes.

Q. Is there any doubt in your mind as to what the writer intended, whether he intended Nightingale?

A. That is just writing and that is a mistake.

Q. Do you know who Nightingale is?

A. Oh, yes.

Q. Who is he?

A. It is the real name of some agent.

Q. It is the real name of some agent?

A. Yes.

Q. Do you know whether the agent Nightingale has a nickname or cover name?

A. Yes.

Q. What was it?

A. Leader.

Q. How did you learn that?

A. From telegrams.

Q. Do you know who Nightingale was; what was his position; what was he doing?

A. Squadron Leader in the Air Force and he worked in the Bell Telephone Company.

Q. How did you learn that?

A. From telegrams.

Q. At that time was he a Squadron Leader or was he working for the Bell Telephone Company? Is he working for the Bell Telephone Company?

A. When I saw his name the first time, when it was mentioned in telegrams, he was at that time working in the Bell Telephone Company.

- Q. So he was out of the Air Force?
- A. I understand that.
- Q. He was previously in the Air Force before that?
- A. I can only guess at that.
- Q. How long have you known of Nightingale? When did he first appear in the telegrams? When did you run across his name first?
- A. The end of 1944, the beginning of 1945.

Nightingale has associations with Durnford Smith, Agatha Chapman, Scott Benning, Dave Shugar, Freda Linton, Fred Poland, and H. S. Gerson. He also knew Fred Rose, and while he lived in Montreal before joining the R.C.A.F., he had met Sam Carr at a study-group meeting. It was at the time when the Communist Party was banned and Carr was introduced to him under the name "*Walter*" which he then knew was a cover-name. Nightingale attended many study-groups in Montreal, Pointe Claire, and Ottawa, and was definitely a Communist. Speaking of himself and of his friends, Nightingale says:—

- Q. You yourself at that time had Communistic leanings?
- A. I had Communistic sympathies.
- Q. Would it be correct to say that all the persons in those groups had Communistic leanings?
- A. Absolutely, probably, yes.
- Q. You knew and understood that at that time?
- A. I would say so.
- Q. That was really what brought you together?
- A. Yes.

-
- Q. You have been in Ottawa?
- A. Not since 1944.
- Q. What time in 1944?
- A. I imagine the fall or summer; I do not remember. I only went two or three times.
- Q. Those study groups would be made up of the same kind of people?
- A. Yes.
- Q. People with Communistic leanings?
- A. That would seem to be the case, yes.
- Q. But you knew that some of them were full-fledged members of the Communist party?
- A. I would think there might be yes.

Q. And you think that might be true at the time?

A. Yes.

Q. When did they become Communistic?

A. Gradually. I would say sympathies, rather than leanings, or maybe they are the same thing. Over a period, I imagine, from 1939 to 1940-41.

Q. After your attendance at those study-groups began?

A. Yes.

It was Rogov, the assistant to Zabotin, who first contacted Nightingale. They had several meetings, the first one being "on a train" between Ottawa and Montreal. Nightingale tells us in his evidence how he happened to meet Rogov and he relates the conversation he had with him on that first occasion:—

Q. You told us you knew Jan?

A. Yes, as Jean.

Q. That is the cover name for Rogov?

Q. Where did you meet him?

A. I met him on a train to Montreal.

Q. To or from Montreal?

A. To Montreal.

Q. He was travelling a lot as several people seemed to have met him on the train?

A. I have no idea. All I know is that I met him. I met many people on the train because I used to go to Montreal practically every week-end.

Q. Who introduced you?

A. We just sat down together in the same seat. There was no introduction. I used to talk to whoever I sat beside. One or other of us opened the conversation and we would have a haphazard conversation, about things in general.

Q. Where did you get the name of Jean?

A. He introduced himself to me on the way to Montreal.

Q. As who?

A. As Jean something or other. I do not remember the last name.

Q. Was he in uniform?

A. No, he was in civvies.

- Q. He introduced himself to you as Jean?
- A. Yes, Jean and some other name, some long name.
- Q. A Russian name?
- A. No, at the time I thought it sounded French.
- Q. Did you ever hear the name Jean being given to a man before?
- A. Yes, it is usually called Jean (*French pronunciation*).
- Q. Jean would be —?
- A. It would be the English pronunciation of the French.
- Q. Will you tell us what took place then?
- A. We had a general discussion about —
- Q. You were sitting close to him?
- A. In the same seat, yes.
-
- Q. You travelled together from Ottawa to Montreal?
- A. That is right.
- Q. Which is a trip of about how many hours?
- A. Normally it is about three hours, but as I remember it took place at the end of 1944 or the beginning of 1945, and at that time we were not busy, so usually I could go to Montreal on a Friday on a forty-eight, so it was probably Friday afternoon, and those trains usually take about two hours.
- Q. And during those two hours or three hours you were sitting with him?
- A. That is right.
- Q. All right. Will you tell us what took place?
- A. Oh, we had a general discussion about various things. I was in uniform —
- Q. What do you mean by "various things"?
- A. I was going to go into that. I was in uniform, and I forget how the conversation came up. Usually it comes up about the weather, or something of the sort, and all I remember, though, is that during the conversation I gathered that he was in one of the legations or something at Ottawa, and he of course knew I was in the Air Force, and somehow or other in the conversation I mentioned that I was expecting to leave the Air Force in the near future.
- Q. He found out, or he could see, that you were in the Air Force?
- A. That is right.
- Q. As you were in uniform?
- A. Yes.

Q. And he told you he was in a legation in Ottawa?

A. Yes.

Q. And he asked questions about what you were doing?

A. Probably; yes.

Q. Well, he did?

A. Yes.

Q. And you must have asked him a question about what legation he belonged to?

A. No, I didn't, as a matter of fact.

Q. Did you see by his accent that he was a Russian?

A. No. I realized that he was not a Canadian, as a matter of fact, because he had a very bad accent. It was hard to understand what he said.

Q. Then will you explain the various topics that were discussed during that two hour trip?

A. The subject of my leaving the air force came up somehow. I probably mentioned it, and in fact I did tell him that I was expecting to go back to the telephone company as an engineer. Sometime during the conversation I gathered, or he intimated to me, that his country might want telephone engineers after the war; and very vaguely — the whole subject was vague — I gathered he wanted to know whether I would be interested in such a job. Also, just shortly before leaving Montreal he asked me if I would be interested could he see me again.

Nightingale agreed to see Rogov again, although he says that at this first meeting he did not know whether Rogov was a Russian or not, and he did not know either in what country Rogov was offering him a position as a telephone engineer. Nightingale said:—

Q. Shortly before leaving Montreal?

A. I am sorry; before reaching Montreal; he asked if he could see me again sometime in Ottawa, and we arranged to meet at some date or other, a week or so after.

Q. Where?

A. At my apartment, my room. He was to come over at some time during one evening and discuss the matter further. At the time I was not very interested in a job outside of Canada in a foreign country, because I had a good job to go back to in the telephone company.

Although "not interested" in the offers made by Rogov, Nightingale kept his appointment and met Rogov in his apartment:—

Q. You were living at apartment No. 1, 155 O'Connor Street, Ottawa?

A. That is right.

Q. And the meeting was to take place a week after?

A. I would say about a week after.

Q. What time?

A. Oh, sometime in the evening. I had thought when I was asked that it was 8 o'clock. I have since been told it is shown as 9 o'clock. I don't know.

Q. But he told you that he wanted to meet you?

A. We arranged some specific date.

Q. A specific date was arranged?

A. Yes.

Q. And what was the purpose of arranging a specific date? You knew at the time he was living in Ottawa?

A. Yes.

Q. He knew you were living in Ottawa?

A. That is right.

Q. And he could have reached you by telephone, because you had the phone in Ottawa?

A. That is true.

Q. And he has the phone, also, presumably?

A. Presumably.

Q. What was the reason for fixing a definite date there?

A. It never crossed my mind before, but I don't know. It seemed the reasonable thing to do, that was all. If you are going to meet someone or something, you set a date.

Q. And what were you going to meet him for?

A. Well, I gathered, as I remember now, that he was going to discuss the matter with his people.

Q. With his people? What matter was he going to discuss with them?

A. As to whether they could use my services as a telephone engineer.

Q. Where?

Q. In their country?

A. That was my understanding, after the war, not at that time.

Q. In their country?

A. Yes.

- Q. The country must have been named to you?
- A. No, definitely it was not. It seems silly, but I am inclined to take people at their face value and not ask things.
- Q. He was inviting you to go and work in a country, and you never inquired what country it was?
- A. No. That is true.
- Q. It is a good thing you did not go or accept?
- A. Well, I had not accepted. I was not particularly interested, as I was —
- Q. You were not interested, but you made a date with him to meet him a week after, at a definite time and a definite place?
- A. That is true. I was curious.
- Q. Why did you not try to satisfy your curiosity immediately, and ask him what the country was?
- A. Well, I don't know. It is just the way it happened. It does sound silly, I admit, but it is the truth.
- Q. I don't know whether it sounds silly. You had accepted up to that time, without too much questioning, the fact that you had met this man Carr under an assumed name?
- A. Yes.
- Q. At all events you kept that agreement?
- A. Yes; I did meet him.
- Q. You kept that appointment?
- A. Yes, I did.
- Q. And he met you there?
- A. Yes.
- Q. The following week?
- A. Whatever the date was set.
- Q. At the very time?
- A. That is right.
- Q. Did he arrive alone?
- A. Yes.
- Q. And what took place? How long did the meeting last? It was in your room?
- A. Yes, it was in my room.
- Q. He arrived at what time, approximately?
- A. I think it was sometime around 8 o'clock.

- Q. That was the time set when you left him on board the train?
- A. I don't know. It was sometime in the early evening.
- Q. And he left at what time?
- A. It lasted only about half an hour.
- Q. And what took place during that time?
- A. There was again, from my point of view, a very unsatisfactory discussion concerning my experience and what I was able to do as a telephone engineer.
- Q. You say it was unsatisfactory from your point of view?
- A. Because I did not understand a lot he said or tried to say. I had difficulty to make him understand.
- Q. You knew at that time that the last discussion was on his request to have you work in his country as a telephone engineer?
- A. Yes.
- Q. And would you consider that the second meeting was on the same subject?
- A. Well, I thought he would come to my place and give me some sort of definite information as to whether they needed me or wanted me, and if so, what the job would be.
- Q. Did he not tell you the first time that his country needed you?
- A. No, not definitely. I gathered that he had to discuss it with his people in Ottawa here, his superiors.
- Q. How much information did you give him that he would be able to discuss with his superiors in Ottawa, on the first meeting?
- A. On the train? Practically none, except that I was a telephone engineer and going back to the telephone company.
- Q. You told him about your experience with the telephone company?
- A. On the train? Only vaguely.
- Q. All right, then. With all this information, what took place at the second interview?
- A. Well, he went into more detail as to what my actual experience had been, or he tried to; and, as I say, I tried to explain to him the jobs I had done, without very much success because he didn't seem to understand me. This went on for about half an hour. We discussed what I had done in the telephone company and vaguely what I had done in the Air Force, not in detail but that I had been a telephone engineer, and it was decided — he asked me

then if I would meet him again and he would bring a friend along, and I assumed that the friend would be there so he could speak English to me.

Q. Who suggested that a third party should be brought to the meeting?

A. This fellow Jean.

As will be seen, at this second meeting Rogov not only insisted on Nightingale accepting the position, but was definitely much more inquisitive:—

Q. What in the second meeting was discussed that was not discussed at the first meeting?

A. I went into more detail as to my experience.

Q. Your experience with the Bell Telephone Company?

A. Yes.

Q. Or the R.C.A.F.?

A. Yes, only in general terms.

Q. But in more detail than the first time?

A. That is right; that I had done certain types of engineering work, and so on.

Q. Was the question of tapping lines discussed at the first interview?

A. It may have been.

Q. Was the question of the land-line connection system in Canada discussed in the first interview?

A. I don't remember, to tell you the truth.

Q. Was it discussed at the first or second interview?

A. By "first" do you mean the first interview on the train?

Q. Yes.

A. No, there was nothing specific like that discussed on the train.

Q. When were the methods of tapping lines discussed first; was it on the train or at the second meeting?

A. It was at the second meeting at my room.

Q. And you gave him some explanations on that?

A. As I remember it, he asked me if I was able to design telephone equipment, and for an example he gave this question of monitoring systems.

Q. Of what?

A. We call them monitoring systems.

Q. Which you would translate for us as meaning what?

A. Oh, listening-in devices.

.

A. Well, as I say, I tried to give him my experience with the telephone company, and what I was able to do, and he asked questions about this and that and the other thing. I don't remember, but it was that sort of discussion, and during the discussion this question of whether I could design telephone equipment came up, and I told him that I could, to some extent. He brought up this specific item of monitoring or listening-in devices.

.

Q. When you learned at the second interview in what country you were invited to work — ?

A. Yes.

Q. And that your employment agent, or whatever may be the term, was Rogov — ?

A. Yes.

Q. You knew that he was a Russian from the Soviet Embassy here in Ottawa at that time?

A. Yes.

Q. Well, did he not give you his right name then?

A. No; definitely not.

Q. And were you still satisfied to use this fake name Jean there?

A. I was quite satisfied, because I was not interested in his last name.

Although the two first meetings had been quite "unsatisfactory", Nightingale agreed to meet Rogov a third time:—

Q. All right. When did you agree to meet the stranger the third time?

A. Well, at the second meeting he asked if I would meet him again, and he would bring a friend along; he would like me to meet the friend. I said I would do so, and he set a place. I don't remember the place; it was some street corner.

Q. What was the place agreed upon?

A. I don't remember the name. It was some street corner.

Q. Then the next meeting was to be on a street corner?

A. I'm sorry; he told me he would pick me up there in a car with a friend.

.

Q. And he agreed a week in advance that you would meet, both of you, on a corner of a street, at a definite date and at a definite time?

A. That is right.

- Q. What impression did you get from that ?
- A. I got the impression that he did not want this friend of his to be seen talking or coming into my place. I may be an innocent ass, but that is the impression I got, and it did not raise very much question in my mind.
- Q. You said the reason would be, or the reason you suspected, would be that he did not want his friend to know where you were living?
- A. No, no.

Unfortunately, this meeting did not take place, so Rogov telephoned to Nightingale at his office and arranged for another meeting a few weeks later, at the end of January, 1945. This meeting did take place, and Nightingale relates it as follows:—

- Q. At the same place?
- A. No, it was another place, I think.
- Q. On the street?
- A. Yes. He said he would pick me up.
-
- Q. Then what about this appointment? Did you keep this one?
- A. I did keep this one.
- Q. That is, at the time set and the date set you arrived at the corner agreed upon for the meeting?
- A. That is right.
- Q. And who did you find there?
- A. I waited a few minutes, and he came along the street on foot, walking.
- Q. Alone?
- A. Yes. So we walked a few blocks, and by this time I was getting — well, he didn't seem to be bringing his friend along, as I had expected, and again we went over whether I was a telephone engineer or not, though not in those terms, and we did not get any further, as a matter of fact.
- Q. What do you mean when you say you did not get any further? As to what?
- A. As to this proposition which he seemed to have vaguely in front of me, as to whether I would take some job or other as a telephone engineer.
-

- Q. How did you end that meeting on the street with Rogov?
- A. I think I intimated to him, in fact I definitely told him I was leaving Ottawa, because I was expecting to leave very shortly thereafter, I do not know how long, and that I did not — I was going back to work for the Telephone Company and did not — well, I was no longer interested in this proposition he seemed to have, but had never put to me.
- Q. Anyway, you told him at that meeting, as far as you remember it, that you intended to leave, that you were leaving for Montreal?
- A. That is right.

Nightingale left shortly after for Montreal where he joined the Bell Telephone Company, and this is what he said:—

- A. He called me again at the telephone company.
- Q. He called you at the telephone company in Montreal?
- A. That is right.
- Q. At the place where you were working?
- A. That is right.
- Q. How long after your departure from Ottawa did he call you?
- A. Oh, I guess a month or more.
- Q. You guess a month or more?
- A. Because I was away after leaving Ottawa, I was away three weeks skiing and then I went back to the telephone company, so it would be somewhere around a month.
- Q. He may have called you in between but you would not know?
- A. That is correct.
- Q. When you came back to work he called you?
- A. He called me.
- Q. What was the conversation you had with him?
- A. As I remember he called me up and asked me if I would like to go over to his room and have a drink with him. This was, I believe, to take place after work. I was busy that night so I was unable to do so.
-
- A. I told him unfortunately I was busy. So he asked me if I would give him my home address and telephone number, which I did. That would be the Sherbrooke Street one. As I remember, he asked me to make a summary of my experience, to write him a summary of my experience.

Q. Why? Would you tell us what experience you had that he was interested in?

A. Well, I do not know exactly what he was interested in, but I did write him.

Q. You did write a summary?

A. I did write a summary.

Q. And the summary you wrote was the summary that he was asking for?

A. That is right.

A fourth meeting was arranged. Nightingale said:—

A. Finally he did give me a call at home one night about supper time. He asked me this time to again go down and meet him at his room. He asked me to meet him, as a matter of fact, outside the Ritz Carlton Hotel. So I told him I would do so. It so happened that night I had an appointment to play bridge and I met him somewhere around seven o'clock. I went down to meet him.

Q. How long after the meeting when you gave the summary did you meet him outside the Ritz Carlton?

A. This was the meeting I had. I had the summary with me. I had not given it to him as yet.

Q. How long after the meeting when he asked you for the summary did you give him the summary?

A. He asked me for the summary over the telephone at the office, when I was at the office.

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A. This time he asked me to meet him outside the Ritz Carlton Hotel. When I got there he was waiting and he said he had not been able to get a hotel room but had got a room in a rooming house, somewhere down on Mountain Street, I think. That seemed quite reasonable to me because I had tried to get hotel rooms myself in Montreal and never had very much success.

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A. So we went down to his room. I was only with him for about fifteen minutes at the most because I had an appointment at eight o'clock to play bridge. He offered me a drink at his room which we had, and he asked me if I had the summary, that he would like to have it. He also asked me if I had a picture. It just so hap-

pened that in my billfold I had several old chauffeur's licenses and one of them had a picture on it which I tore off and gave to him. It was an obsolete license so it did not matter. At that time I told him I was working at the telephone company. I was not interested in his job because I was quite satisfied, but I gave him this thing sort of thinking that maybe he will come to the point and give me some sort of an offer so I will find out after all this time what his proposition is.

The document in Rogov's handwriting already set out above contains information that Nightingale obviously gave to Rogov. His address, his telephone number, the nature of the work done by Nightingale at the R.C.A.F. and at the Bell Telephone Company; his matrimonial status, and the reference to the giving of information on telephone listening devices, all of which are mentioned in this document, leave little doubt on the matter.

Among Nightingale's "*possibilities*" listed in the document we see "*network of the aerodromes in the country*". Nightingale's knowledge on the subject was complete, he having been partly responsible for providing the land-lines between the airports. On this matter Nightingale says:—

- Q. How did Rogov know that you had some experience or some knowledge of the aerodromes in the country on both coasts?
- A. Well, it would be probably because during the discussion of my experience in the telephone company and at the Air Force I had indicated to him that I was partly responsible for providing the land-lines for the airports.

As the possibility of Nightingale furnishing maps of the coasts, he says:—

- Q. While you were in the Air Force did you have maps of both coasts?
- A. I had drawings of the east coast network, the east coast land-lines network and there were maps of the coasts on the wall of the officer in charge of land-lines.
- Q. And you had access to those maps?
- A. Oh, yes, we had access to the maps.

Some of the information that Nightingale obtained while in the R.C.A.F. was secret, and Nightingale was aware of this fact:—

Q. So that the knowledge that you acquired while you were with the R.C.A.F. would represent most secret knowledge that you obtained while working there?

A. I would think so, yes. I do not know whether it is most secret, but it was my function in the Air Force to provide those land-lines.

Q. You seemed to have some hesitation about most secret. Would you say that the knowledge you had of the network of aerodromes on both coasts was not more important than the knowledge that one would have of the aerodromes inland as far as the security of the country was concerned?

A. I would say so, yes.

Q. And you would consider that as secret?

A. Yes.

Q. So when Motinov wrote this note for Rogov, "*Possibilities: 1. Network of aerodromes in the country (both coasts)*" and "*2. Map of the coast,*" that was true?

A. How do you mean true?

Q. As a possibility?

A. Yes, I had that information at the office.

Q. Up to now everything I have read from the beginning of the exhibit has been true?

A. Yes.

Nothing in the document just referred to shows that the information Nightingale was able to furnish was forwarded to Moscow, but Gouzenko says that information was obtained and sent to "*The Director.*" Gouzenko testified as follows:—

Q. You did know that at some time or other he had worked for the Bell Telephone Company?

A. In the telegrams wherein he was mentioned it was stated that he worked for the Bell Telephone Company and that he gave information concerning the tapping of telephone wires for listening in to conversations.

The first meeting on the train between Rogov and Nightingale, and the later meetings they had in Ottawa and Montreal, are more than sufficient to arouse one's suspicions. Nightingale's explanations are far from satisfactory. It would be conceivable, although very doubtful, that Nightingale might

have met Rogov casually on board the train and might have given him information about his experience as a telephone engineer only, had there been but one casual meeting; but it is hard to accept the astonishing explanations given by Nightingale for the series of meetings he had with Rogov.

All through his evidence Nightingale maintains that he was not interested in the proposition that Rogov made to give him a position in Russia, but although not interested he agreed to meet him four times to discuss, every time, the same subject.

After the meeting on the train, Nightingale, according to his own story, met Rogov the first time in his apartment in Ottawa, a second time on the corner of Elgin Street also in Ottawa, a third time on a street in Montreal and a fourth time in Rogov's room also in Montreal.

Nightingale knew at the second meeting that Rogov was a Russian who was connected with the Embassy in Ottawa, and the secrecy under which all these interviews were held suggests to us that Nightingale did not tell us all the truth and that he discussed with Rogov matters which he did not care to mention in his evidence. His interest in seeing Rogov so often, in giving a summary of his life and handing over a picture of himself, was not solely connected with the position offered in Russia, if in fact any such offer was made. There was, surely, some other interest which he has not revealed frankly.

Nightingale further admitted having discussed with Rogov listening-in telephone devices, linking of airports, land-lines communications, network and allocations of aerodromes, maps of the R.C.A.F., and possibly the Gander project in Newfoundland. All this corroborates to a certain extent what the documents of the Embassy reveal.

The following documents were found in Nightingale's apartment in Montreal on the 15th February, 1946:—

- (a) A technical manual of Common Battery Telephone Equipment issued by the United States War Department.
- (b) A book entitled, *R.C.A.F. Landlines Construction and Maintenance*. This publication was issued by the R.C.A.F. for the information and guidance of construction engineering officers in the preparation of new submissions and the maintenance of Landlines facilities.
- (c) A book entitled *Construction Engineering Division*.

(d) A memorandum relating to the Pacific Coast Programme with Appendices.

(e) A list of test equipment turned over to the R.C.A.F. by Telephone Communications, Limited, on the 24th February, 1946.

These documents, which were improperly retained by Nightingale in his Montreal apartment after he had left the R.C.A.F., did not have equal importance, but some of them were "Secret" or "Confidential".

The document — *R.C.A.F. Land-lines Construction and Maintenance* — was, a short time ago, still a restricted document, and the memorandum relating to the Pacific Coast Programme with Appendices is particularly a document which should not have been in Nightingale's possession after he left the Service.

The fact that Nightingale retained in his possession some of these documents would appear to be a clear violation of *The Official Secrets Act*, 1939. Section 4 (1) subsection (c) says:—

If any person having in his possession or control any secret official code word, or password, or any sketch, plan, model, article, note, document or information which relates to or is used in a prohibited place or anything in such a place, or which has been made or obtained in contravention of this Act, or which has been entrusted in confidence to him by any person holding office under His Majesty or which he has obtained or to which he has had access owing to his position as a person who holds or has held office under His Majesty, . . .

(c) retains the sketch, plan, model, article, note, or document in his possession or control when he has no right to retain it or when it is contrary to his duty to retain it or fails to comply with all directions issued by lawful authority with regard to the return or disposal thereof;

that person shall be guilty of an offence under this Act.

Being required by the provisions of Order in Council P.C. 411 "to inquire into and report upon which public officials and other persons in positions of trust or otherwise have communicated, directly or indirectly, secret and confidential

information, the disclosure of which might be inimical to the safety and interests of Canada, to the agents of a Foreign Power and the facts relating to and the circumstances surrounding such communication", and having regard to Nightingale's association with Rogov and the burden of proof thereby thrown upon him by *The Official Secrets Act*, 1939, together with his lack of frankness before us, which was manifestly an endeavour to hide his real conduct, we are of the opinion that he not only agreed to furnish unauthorized information to the Russians but actually did so. He admits the improper retention of R.C.A.F. documents.

SECTION III. 8

DAVID SHUGAR, Ottawa

This man's name was first brought out in evidence before us by Gouzenko, as follows:—

Q. Then who is Shugar?

A. That is the real name of an agent who was suggested by Sam.

Q. The real name of an agent suggested by Sam?

A. Correct.

Q. Do you know what his initials are?

A. I don't know.

Q. Do you know what he was doing, who he was?

A. He was working in the Naval Department. He is a specialist in anti-submarine detection; Asdic.

Q. And are you aware that he also had a nickname or a covername?

A. Later he was given a nickname, Prometheus, or Promety in Russian.

Q. That would be the Greek Prometheus?

A. Yes.

Q. So he was known as Promety or Prometheus?

A. Yes.

The "SAM" referred to is Sam Carr, and from the above it is established that Carr suggested to the Russians that Shugar would be suitable material for employment as an agent.

Shugar, who on his discharge from the Navy, entered the employ of the Department of National Health and Welfare in 1946, had entered the Canadian Navy on February 5th, 1944, as an Electrical Sub-Lieutenant R.C.N.V.R. He had been born in Poland in 1915, coming to this country at the age of four or five. He received his B.Sc. in physics from McGill University in 1936 and his Ph.D. in 1940. For a short time he was employed in the Department of Physiology of that University and then entered the employ of Research Enterprises, Limited, a Crown Company, at Leaside, near Toronto, in January, 1941, where he remained until he joined the Navy as above mentioned. While with Research Enterprises, Limited, Shugar took the following oath on January 17th, 1941:—

**I, David Shugar, solemnly and sincerely swear that
I will faithfully and honestly fulfil the duties which
devolve upon me as a Director, Officer or Employee of
RESEARCH ENTERPRISES, LIMITED:**

That I will not ask or receive any sum of money, services, recompense or matter or thing whatsoever directly or indirectly in return for what I have done or may do in the discharge of any of the duties of my said offices except my salary or what may be allowed me by law or by an Order of the Governor-in-Council;

And that I will not, without due authority in that behalf, disclose and make known any matter or thing which comes to my knowledge by reason of my association with or employment by RESEARCH ENTERPRISES, LIMITED.

SO HELP ME GOD.

D. SHUGAR.

He also signed a document in the following terms on February 12th, 1944:—

I, David Shugar, fully understand and agree that leaving the employe of Research Enterprises, Limited does not in any way relieve me of my responsibility concerning the oath of secrecy which I signed at the commencement of my employment with this company.

Shugar was thus in Toronto, which city was Sam Carr's headquarters, for approximately three years.

On arrival in Ottawa in March, 1944, he was assigned to the staff of the Director of Electrical Supply. The purpose of this branch was to produce anti-submarine equipment in Canada for the British and Canadian Navies. He became a technical assistant to the Deputy Director and was chosen because he was a physicist. On entering the Navy Shugar also took the usual oaths including the oath of allegiance.

One of the first matters with which Shugar became connected was a difficulty being experienced in the paper used in Asdic equipment on surface ships and in harbour defences to record the location of submarines. In the United States the name used for their equipment corresponding to "Asdic" is "Sonar". The problem with the paper itself was a question of chemistry, not physics, and this problem was given to the University of Toronto, with Professor Beamish in charge. Shugar was, with Lieutenant-Commander Anderson, made liaison officer between the University and the Navy. In connection with this matter, Shugar went to England and was away from October 26th to December 3rd, 1944. In the United Kingdom he visited a number of Admiralty establishments and commercial firms whose chemists were working for the Admiralty. He also had had occasion to visit a number

of establishments in the United States both before and after his trip to England. All this was, of course, secret work.

In the dossier kept by the Embassy on Sam Carr, which was produced before us by Gouzenko, there is the following document:—

TASK No. 1 of "16-12-45"

To Sam for Shugar

1. Tactical and technical facts of the naval and coastal hydro-~~phonic~~ acoustic stations working in ultra-sound diapason. Common review on the "Caproni"s stability of the U.S.A. and Great Britain. *
2. Stability, type of "Asdic" which is used in a new submarines and other ships.
3. Sets of the "Sonar"s type, working on the radio direction finding principle so-called hydro ~~direction~~ location finding sets. *
4. Situation of hydrophonic sets in the ships of different classes.
5. Plants, workshops, Scientific Research Institutes and laboratories in England and in the U.S.A. which are making and planning the hydrophonic apparatus.
6. Passing of the planning and the test of examples of new types of the hydrophonic apparatus.
7. Knowledge of the battle utilization of the hydrophonic means.

The heading of "*Task No. 1 of 16-12-45*" and the sub-heading "*To Sam for Shugar*" is in Russian. The balance of the document is typed in English. The English is quite evidently that of a person not completely familiar with the language. The figures "45" obviously are a mistake for "44". This document, of course, had not been in the Embassy since September 5th, 1945 as it was brought away by Gouzenko. "*Task No. 2*" assigned to Carr, herein after referred to, is dated "*15-6-45*". The words "*acoustic*" in paragraph 1 and "*location*" in paragraph 3 are written in by hand over the typed word, which is struck out.

There is another document in the same dossier entirely in Russian and it must be remembered that Carr, as stated in his dossier, "*knows Russian perfectly*". This has a typed heading, which, as translated, reads:—"Task No. 2 of 15.6.45". The remainder of the document is in manuscript written

* Faint type indicates words crossed out in original documents.

by Rogov. It consists of three pages and contains a number of paragraphs, one of which on page 2 reads:—

2. Inform us where does the matter stand in the execution of the previously assigned tasks for Lieutenant Shugar.

Opposite this paragraph in the left hand margin of the document Rogov wrote the following:—

He works at present in the Naval Staff. He agreed to work for us but with special precautions. He has been under observation.

On the first page Rogov had endorsed "At present he works in the capacity of a scientist in the Naval Staff. Agreed to work". This is struck out, evidently because the paragraph in the document containing the question relating to Shugar was on the second page, and the fuller endorsement, set out above, was then entered on that page.

In Shugar's evidence he says that all his time from May, 1944 until January, 1945 was exclusively devoted to the problem in connection with the detection paper referred to above, and that while this work continued after that time, he then began work on another problem relating to oscillators. His evidence is:—

Q. As far as the paper is concerned, it is the distance only that is recorded there?

A. That is right.

Q. And how long did you work on that?

A. I worked full time on that, all my time was devoted to that problem until January of 1945.

Q. Would you say from May, 1944 to January, 1945?

A. Approximately, yes. My full time was devoted to that during that period, but subsequently to that, in January, 1945, I began the study of another project; but at the same time I used to be called upon for advice in connection with this same problem.

Q. The other project you are referring to is the oscillators, is it?

A. Yes.

Q. Did you not start to work on that subject in December, 1944, and continue until October, 1945?

A. I thought it was the beginning of January.

Q. I am just asking you; and if it will help your memory on that, my information is that you started in December, 1944, and that you carried on that work until October, 1945?

- A. That may be true.
- Q. Would that be correct?
- A. If one put it to the end of 1944, I think that would probably cover it.

- Q. What function is carried on by the oscillator?
- A. The oscillator is a device used for sending out the beam with which you detect the submarine.

- Q. You would get the depth with the oscillator?
- A. The particular type of oscillator we were concerned with, that was the one for recording depth.
- Q. That is what you were working on in those two laboratories?
- A. That is right.
- Q. Depth oscillator, would that be the correct term?
- A. I think that would probably cover it.

Returning to "*Assignment No. 1*", of December 16th, 1944, as has been seen, it relates entirely to "Asdic" and "Sonar", anti-submarine devices, with the exception of the reference to the stability of the Caproni. Whatever knowledge Shugar may or may not have had or been able to obtain on Caproni, he was in a position where he either knew or had available to him at Naval Headquarters the fullest knowledge as to the latest developments in anti-submarine equipment. He had access also, as already mentioned, to naval establishments in the United Kingdom and the U.S.A. Accordingly, he was well qualified to supply the information required by "*Task No. 1*" He himself testified:—

- Q. What is the name you give to it in Canada?
- A. The paper, or the system?
- Q. The system?
- A. Asdic.
- Q. And in the United Kingdom?
- A. Asdic.
- Q. And in the United States?
- A. Sonar; the United States use both terms, but Sonar is the one that is more definitely used.
- Q. Am I right in saying that they all refer to the same thing, if I understand you correctly?
- A. Yes.

Q. How many laboratories did you visit all told in connection with your work?

A. On paper?

Q. In connection with both of them. You might deal with paper first, if you prefer, and then with the oscillator.

A. You mean everywhere?

Q. Yes?

A. Shall I rattle them off by names or give the number?

Q. By name if you prefer, and if it will assist you in answering the question?

A. There were the ones mentioned previously in England. In the United States there was the Bureau of Ships, the Naval Research Laboratory, the laboratory at Orlando, Florida, and at Fort Lauderdale. There was one laboratory at Mountain Lakes, New Jersey. Then there was the one at Sagam and in Springfield, Illinois. There was the University of Toronto, Department of Chemistry, and the Montreal Pulp and Paper Research Institute. Do you want me to include places like Halifax and Cornwallis?

Q. Were there laboratories at those places?

A. Not laboratories.

Q. Or research institutes?

A. If I wanted to try something on a ship I would go to Cornwallis or Halifax.

A. I imagine it would be difficult to find any one person who has visited the specific places that I have.

Referring to the document "*Task No. 1*" itself, he said:—

Q. How do you judge this, then, in Exhibit 19; that your name should be mentioned there in an official document of the Russian Embassy? What is your impression on that?

A. My impression of this would be that somebody was presuming that it was possible to get these facts from me.

Q. And you have already testified that in fact it was possible to get these facts from you?

A. No, sir; it was not.

Q. Well, in the sense that you had most or all of the information, either you had it personally or you could have obtained it. It was possible in that sense, apart from any consent on your part?

A. I would say that it was possible for me to have obtained most of this information.

Q. That, I think, is what Mr. Fauteux meant by his question?

A. Yes, it was possible for me to have obtained this information, or most of it.

Q. And do you not know of anybody else by the name of Shugar?

A. No, I do not.

Q. Who would be in a position to give that information?

A. No.

Q. Well, what is your reaction, then, on this exhibit which comes from the Russian Embassy, with your name on it, and the subjects dealing with the work that you were doing? What is your reaction on that?

A. I do not know what to make of it, sir.

Q. You do not know what to make of it?

A. No.

Q. You must have given some thought to it?

A. Obviously someone was under the impression that they could get that information from me.

The Deputy Director, Operational Intelligence, Navy, who was not called as a witness with relation to Shugar, gave the following evidence however which is relevant here:

Q. Now let me ask you a similar question as to equipment. What during the war in the way of equipment would you anticipate that the Russians would be particularly interested in?

A. I would think undoubtedly in anti-submarine equipment, including both what is known as Asdic equipment, which is the underwater sounding device for detecting submarines, and also Radar, with the particular application of Radar to the spotting of submarines on the surface. In addition there would be offensive weapons for use against submarines, certain types of depth charges and other projectiles which were used.

Q. First of all take Asdic and Radar. Where would a Russian agent who was working through somebody in the services be likely to find information as to the equipment of the Canadian built vessels in regard to Asdic and Radar?

A. Well, taking Asdic first, it would be extremely difficult to get any information on Asdic other than from a naval officer who was familiar with the equipment, who worked with the equipment, or

from some technical agency responsible for the building of some of this equipment. The Asdic is not visible on the ship; in other words, you cannot photograph it the way you can a Radar aerial, and therefore you would have to have somebody who was in close touch with this particular equipment. There is no question, of course, or there has not been a question, of the equipment being captured. It cannot be photographed easily, and therefore I think you would have to obtain the information directly from somebody who was using it or who was working on development of it.

Q. There would be no central office in Ottawa where all that information about Asdic would be collated?

A. Only in the navy there would be. The Anti-submarine Division—there are two Directorates concerned, the Directorate of Scientific Research and the Directorate of Warfare and Training.

Q. And they would have records giving all the information that they had gathered about Asdic?

A. Yes; all developments would be available there.

Shugar met Sam Carr in Toronto, as he says, in or about October, or November, 1943, while the former was with Research Enterprises, Ltd. Shugar says that the last occasion he met Carr was July, 1945. Between those dates he admitted having contacts with Carr "perhaps two or three times." One of these occasions was at a party which Shugar said was "to raise funds for the *Canadian Tribune*". This was shortly after Shugar's return from England in December, 1944.

With regard to his conversations with Carr, whom Shugar described as an "inquisitive" person, he testified:—

A. I am not sure, but I think that when I first met him he asked me what kind of work I did.

Q. Where would that be?

A. That was in Toronto. That was when I was out to lunch with him.

Q. That was in Toronto, when you were out where?

A. When I met him at lunch down town with one trade union man.

Q. While you were at Research Enterprises, Limited?

A. That is correct.

Q. While you were working for Research Enterprises, Limited, or while you were working with the navy?

A. It was just before I was going into the navy. I was still in the employ of Research Enterprises, Limited.

Q. What did he ask you?

A. He asked me what kind of work I did, and I told him I was a physicist and did research and development. That is all I would tell him.

Q. Did you tell him you were going into the navy?

A. At that time I believe I had just received the notice that I would be going into the navy, and I very likely mentioned it.

Q. To Carr?

A. Yes.

Q. Were you not asked by Carr to give information to him as to what type of work you were doing while you were in the navy department?

A. Do you mean whether I was doing research or something else?

Q. Yes?

A. That is possible.

Shugar says the last occasion he met Carr was in Toronto on a Sunday night in July, 1945. He says he was at that time leaving for Ottawa and met Carr by appointment in a restaurant on Spadina Avenue. The official record kept in the Navy of Shugar's movements shows that he was in Toronto from July 14th to 17th, 1945, not having been there since the previous June 4th. On July 24th he left Ottawa for Halifax, and did not return to Ottawa until August 3rd, leaving again on August 13th for New York and Washington where he visited a number of naval establishments. As shown by the "Notes of Meetings" kept by Rogov (set out in full in Section V—*The False Passport*), Rogov met Carr in Toronto at Harris' apartment on July 17th and met him again in Montreal on August 1st. On August 2nd, Zabotin cabled *The Director*:—

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To the Director

1. Have agreed with Sam on handing over to us Shugar the connections with Prometheus. At present the latter is in Florida. The handing over will take place in the city of Sam on his return from Florida. I regard it expedient to entrust to Brent the connection with Prometheus.

*

* Faint type indicates word crossed out in original documents.

2. Sam promised to give us several officers from the central administration of the active forces. At present it is pretty hard to do it, in view of the fact that ~~a reshuffle of personnel~~ a filling of positions in the staff with officers who have returned from overseas is taking place. *

Grant. *

3. We have received from Gray the whole correspondence on the question of the theory of the deformation of the shell in the channel of the barrel. Altogether about 150 pages. We shall send them in rote.

2.8.45

Grant.

In the original Russian the name "Shugar" appears in the first sentence but is struck out and the name *Prometheus* substituted. Toronto is "the City of Sam".

Accordingly, on either July 17th or August 1st, Carr reported to Rogov on his conversation with Shugar on July 15th and the endorsements made by Rogov in the margin of the copy of the document dated June 15th, which he had kept, is the consequence. It is altogether likely, and it would be the probable course of events, that Carr's report was made on July 17th. The document itself concludes as follows:—

P.S.:

1. Regular meeting ~~in your city~~ in 17.7.45. *
- Emergency meeting 24.7.45 at 9.30 in the evening
in your city in the same place (near the hospital),
the doctor knows.
2. After reading through, burn.

In the margin of the first page Rogov had also endorsed "2 copies", and "assigned 15.6.45" indicating that he had given one copy of the document out for Carr on that date, keeping the other in his file. In section V of this report on "The False Passport" the documents there set out show that Rogov met Harris in Ottawa on the evening of June 15, 1945.

At the meeting of August 1st Rogov handed Carr another "Task" dated that day which contains no reference to Shugar, the reason being, no doubt, because Carr's report had been received on July 17th and duly noted by Rogov on the document of June 15th.

As to the statement in Rogov's note that "*he works at present in the Naval Staff*", Shugar did not leave for Halifax until July 24th, but it is

* Faint type indicates words crossed out in original documents.

altogether likely, by reason of the nature of his work, he then knew, as would appear from the contents of the cable of August 2nd, that he would have to go to the United States. He himself deposed:—

“If I wanted to try something on a ship I would go to Cornwallis or Halifax.”

Q. It could mean that you were in Halifax at that time?

A. I guess it could: yes.

“I recall Sam Carr asking me at the time I met him I would have had no hesitation in telling him where I had gone to or where I was planning to go to.”

At this period he was engaged on experimental work in connection with the oscillator.

The document in Naval Headquarters signed by Shugar himself with reference to this particular trip sets out that he had “been directed to proceed on Public Service, namely, A/S Trials at H.M.C. Dockyard, Halifax, N.S.” The letters “A/S” mean “Asdic”.

While Zabotin’s cable of August 2nd states that Shugar was at that time in Florida, he was in fact on his way back from Halifax but left for the United States on August 13th. Shugar testified:—

Q. Would you please listen to my question and answer it? I asked you what you told Carr, not what you may have told anybody else. Please put your mind on that question?

A. I told him where I went to and what places I visited.

Q. What places did you tell him you visited?

A. Springfield, Washington, Florida.

The above does not relate to his talk with Carr in July 1945 but merely sets out that Shugar had no reticence as to where he went in the course of his duty.

The statement in the cable of August 2nd, 1945, is explainable either on the basis that Shugar, as far as he then knew, did expect on his return from Halifax to go to Washington and on to Orlando and Fort Lauderdale, where he had been the previous January and February, and so told Carr, or that what Shugar said as to his intended movements got garbled in the transmission from Shugar to Carr to Rogov to Zabotin. The cable shows, how-

ever, that Zabolin, on the basis of Carr's report of July 17th, was so satisfied with Shugar's agreed status as an agent that he proposed having *Brent* (Rogov) make direct contact with him in the future and dispensing with the intermediaryship of Carr.

However, Moscow, without whose approval no one could be used as an agent and whose approval in detail was also necessary for the method of operation and contact, did not approve of this suggestion. On August 10th *The Director* cabled Zabolin:—

11437
14.8.45

To Grant.

Your telegram No. 232.

1. In my telegram of 19.7, I have advised that until the receipt from Prometheus of information material and the establishment of his possibilities in the Navy Department, the contact with him should be maintained through Frank.

Should it prove that Prometheus is a truly valuable man to us, direct contact may then be established with him. However, it is not desirable to entrust the contact to Brent. If you have no objection, it is better to transfer him to Chester for contact.

Wire in full his name and family name, his duties in the Navy Department and the address of his residence. Collect the remaining data and send forward by mail.

2. We are definitely interested in obtaining people from the departments mentioned. Let Frank, after the staffs have been set up in final form, recommend one or two candidates for our study.

10.8.45. Director

Grant
14.8.45

On this cable Zabolin put his name on August 14th as above. "*Chester*" is Captain Gourshkov, Zabolin's "driver". "*Frank*" is one of the cover names given to Sam Carr.

Following this we find in Carr's dossier "Task assigned 16-8-45", reading as follows:—

The Task

1. To write a report on the technique of making up passports and other documents, indicating precisely who on your side (Frank's) is engaged in this activity.
2. What documents can be made and can be received through you.
3. To give a complete character outline of Prometheus, indicating his position, the department in which he works in the navy and also to write down his basic biographical facts, his home and office addresses and telephones.
4. The proposed place of work of Prometheus in the event of his demobilization.
5. Your possibilities regarding the selection of people in the General Staffs of the armed forces.

Paragraphs 3 and 4 relate to Shugar and carry out the above instructions in the cable of August 10th. The Embassy documents leave the matter here, but leave it in the position that Shugar had agreed to act as an agent, Rogov and Zabotin being completely satisfied that such was the fact.

The remainder of the marginal note on "Task No. 2" with which we have so far not dealt reads:—

"He agreed to work for us but with special precautions. He has been under observation".

We deal with the last sentence first. The presence of this statement in the note, in the light of the evidence to which we will now refer, establishes the complete genuineness of the whole note.

Dr. Beamish, who is Director, Analytical Research Division, University of Toronto, testified that the research work on the recorder paper reached such a stage in or about September 1944, that the Navy suggested that it might be advisable to reveal its composition to Great Britain. He said that Shugar came to him and suggested that he and Professor Beamish should go to England, take the composition with them, and discuss it with the British naval authorities. Dr. Beamish did not think he would be able to go but he arranged that one of his assistants, Dr. Currah, would take his place. It was therefore arranged that Shugar and Currah should proceed to England with the paper. A few days before Shugar left he went to Toronto, saw Dr. Beamish and told him that he had not been able to make arrangements for Dr. Currah to go with him, but that when, having regard to the

other matters he had to attend to, the matter of the paper came up, he would cable for Dr. Currah to come. Shugar however, did not cable and Dr. Currah did not go. It will be remembered that Shugar was a physicist, not a chemist, and that any discussions in England with persons engaged on the corresponding work there, would have to be with regard to a matter of chemistry. Dr. Beamish said:—

Q. Having given to you and your department the requirements, it then became a problem in chemistry?

A. It did, entirely.

Q. Had Shugar any chemical knowledge?

A. Well, I would say practically none.

Q. And he did succeed in going to the United Kingdom alone, although it was considered that you or Dr. Currah would and should have gone with him?

A. It was a very foolish thing, to send him alone.

Q. Assuming that you or Dr. Currah had made the trip to England, you would have been in a position to discuss with the chemists of the United Kingdom the formula?

A. Yes. It was almost ridiculous that a man with so little knowledge, almost no knowledge of the detecting paper, should go to England and discuss the paper. It was ridiculous.

Shugar arrived back in Canada December 3, 1944, and the record shows that he reported to Naval Headquarters at Ottawa that he went to Toronto University on December 6th following. Shugar repeated to Dr. Beamish some oral discussions he had had in England, and then after reminding Dr. Beamish that delay had been experienced in getting paper tested at sea as improvements were developed in the course of the research, and stating that paper which Dr. Beamish had sent to England was still in storage there, he put forward the following proposition:—

“He said he had made some personal contact—it is difficult to say just how he described it—he said he had made a personal contact with a laboratory and he would like from me interim reports so that they could be sent to this laboratory and it would facilitate having the testing made. This was unofficial. I cannot recall what I said to him, but I certainly did not agree. I sent a letter then to Ottawa pointing out that this suggestion had been made and objecting to it.”

The letter referred to by Dr. Beamish is dated January 9, 1945, and addressed to Lt. Comm. Anderson at Naval Service Headquarters. The relevant paragraphs are as follows:—

I recently had a request from Shugar for information on the latest impregnation solution which we have developed. As you know we only revealed our first formulae on the assurance that our compositions would be given adequate protection. At your suggestion we felt that the patenting of the detector would give us the necessary security. We have asked Shugar for information as to the steps which have been taken toward this end, but up to the present we have not been informed of the progress that has been made.

Our most recent paper will require further work before we are satisfied with its performance. Until this stage has been reached we do not feel that the composition can be revealed. I do not wish to provide other laboratories with good ideas only half developed. Lieut. Shugar informed me recently that one British Laboratory is now working on our formula, and it was his hope to send on to them whatever information we made available. I must emphasize that, should the Navy consider this co-operation desirable, I shall authorize sending information on the condition that it proceeds directly through the regular Chemical Warfare channels.

As I mentioned to you during our last telephone conversation I believe that we should have a meeting to discuss the situation as a whole. We would like to have Shugar, Cowan from the Eddy Co., and yourself come to Toronto for this meeting because Currah and I are engaged in other researches and cannot leave Toronto. Could you arrange to come here around the final week of January?

Dr. Beamish followed his letter by a personal visit to Naval Headquarters in Ottawa as to which he said:—

- A. I pointed out that I objected to this kind of behaviour. I requested that Shugar be removed from his liaison position, which meant that he could not visit the laboratory. I recall the statement I made was if he could not be removed, that he not be sent to me unless I requested his presence, and I never would do that. There-

fore, I felt he should not appear in my laboratory at all and Anderson agreed to that.

Q. Why?

A. It is difficult to answer that; it is based on suspicion. I never trusted him after the first few months' experience with him. Little things which were raised, difficulties between him and Anderson which I checked up and found out some things. As a result of the discussions and Anderson's explanations, whatever they were, the sum and substance of the whole thing was that I distrusted him and I did not want him in the laboratory because I felt I could not trust him. That trip to England confirmed that, at least strengthened that suspicion. From that time on I did not want him around at all.

Q. Suspicion of what?

A. Suspicion and distrust, that is all. I can say quite definitely that I had no suspicion that he had any connection such as he has been accused of. I think I can say that. I do not know what the distrust was. I can cite several instances to bear out that feeling. I told the boys when they came to Ottawa, to Hull, to prepare these papers—on each occasion I warned them that they must not under any circumstances reveal anything whatever to Shugar; they must not get into discussions.

Q. That is your own laboratory staff?

A. My own laboratory staff. You may ask me why, but I do not know.

Q. This conversation that you had with him on his return from England in which he referred to a proposition; what was that concrete proposition, as best you can put it?

A. I will repeat what I said before. I am not just quite so sure of what he said, but he called to my attention something, and I knew that there was delay in having our papers tested on sea trials. To avoid that delay he said he had made contacts with certain laboratories, which he did not mention and would not mention, through which reports could be sent and requested interim reports from me, that is, reports having to do with unfinished work which was promising work. Specifically asked for certain formulae which we had never revealed because we felt they were not complete, but they were promising. We refused to give him that.

Q. Was that in relation to this detector paper?

A. It was all related to the detector. We had no other relationship. That strengthened my suspicion. To emphasize that, I wrote to

Anderson and said—I forget just what I said, but it is there. I certainly intended to suggest that I could not agree to that kind of thing.

Q. You have told the Commission about your conversation with Anderson and your suggestion, either that Shugar should cease to occupy his liaison position or, alternatively, that he should not come to your laboratories until you requested that he do so?

A. That is right.

Q. What stand did Commander Anderson take in respect to that?

A. As I recall, he agreed to it. He could not do anything else, he had to agree to it.

Q. From then on you did not see Shugar?

A. No, that is not so. We did not see him officially but he called in, at least on two occasions, and on discussing this with my own assistants they said that he called more often than that, but I can recall two occasions. On both occasions I warned the assistants that he must not get past the office door. The office is set aside from the laboratory and the laboratory is kept locked. They must go into the laboratory through the office and I refused to have him in the laboratory and insisted the door must be kept closed. During that period we had taken over work, certain branches of the work on the atomic energy project and I stressed that to the boys.

Q. That was at what time?

A. It was in 1945.

Dr. Beamish further testified with respect to the matter mentioned in the letter:—

Q. But what I want to get at is, this was written in January of 1945?

A. Yes.

Q. At that time you had a third or fourth formula. The formula that Shugar referred to would not be the latest formula, as it was in January, 1945?

A. I would say no.

Q. Because he did not have it?

A. No.

Q. That was the one he asked for and did not get?

A. He asked for our latest developments on that paper, and in addition he asked for the formula of another paper which we have not recorded, which offers great promise. He wanted that, and that

was the basis of the suspicion in the laboratory that all was not well, because there was no good reason for asking for that.

Q. Was this other paper also submarine detector paper?

A. Yes, and it offered very considerable promise under certain conditions; and he didn't know anything about the formula, except he knew it existed.

Q. How did he know?

A. Because we told him we had it.

Q. You told him you had one?

A. Yes.

Q. Are you still working on that one?

A. No, we have a better one; but it remains for future research in case certain alterations are made in the Asdic recording machine. That is the very point—I recall that now—that we were suspicious when he asked for that particular formula, because the Navy was not interested in it.

Q. The Navy was not interested in it?

A. No. The Navy did not know anything about it.

Q. Then your suspicion would be that he had in mind something outside his duties?

A. Something outside his duty. I can say that, yes; and that might have involved, in my mind, making use of it to some personal advantage.

Q. The last sentence in the paragraph above, Dr. Beamish, refers to this:

I must emphasize that should the Navy consider this cooperation desirable, I shall authorize certain information on the condition that it proceed directly through the regular chemical warfare channels.

Now, what were those channels; what was that channel?

A. The normal procedure was this. The reports would be sent in to Dr. McIntosh, who was secretary to the Director of Chemical Warfare, and he would have a list, a distributing list. They would go out from his laboratory to the various centres.

Q. You have referred to the submarine detector papers, the formulae for them, and the formula for the other paper you were working

on, for which Shugar asked. Did Shugar ever try to get from you any information about any other matters that he should not have had?

A. No. We were on the lookout for that. We rather expected that. I don't know why we expected that, but when we took over the atomic bomb work I did feel like watching out whether or not he would ask for any information; and while he did mention the subject, there was no indication of a request for information.

Q. At that time he was not allowed past the laboratory doors?

A. Nobody was permitted in. We particularly would not have Shugar in. The subject was just not discussed at all with anyone. I don't think I ever discussed fully with Anderson my suspicions of Shugar, because I felt that to a considerable degree my suspicions were not founded on actual data that I could put my fingers on.

Q. Quite so; but you at least told him you did not want Shugar in the laboratory?

A. Very definitely told him that.

This evidence fully satisfies us of the accuracy of both parts of the statement in the note

(1) *"He agreed to work for us"*

and

(2) *"... but with special precautions. He had been under observation."*

No one could possibly have given either Carr or Rogov the information that Shugar had *"been under observation"* except Shugar himself.

The order of events would appear to be as follows: Shugar, on his return from England went to Toronto on December 6, 1944, remaining there until December 11th. Here he saw Carr, as he himself says, and he also saw Dr. Beamish. We think that "Assignment No. 1" of December 16th was prepared as a result of Carr's report. We think it incredible that such a document could have been prepared directed specifically to Shugar as it was, and asking in detail for so much information as to which Shugar himself says:—

A. *Yes, it was possible for me to have obtained this information or the most of it.*

Q. *And do you know anybody else by the name of Shugar who could be in a position to give that information?*

A. *No.*

—had not Shugar given Carr the facts as to the work he was engaged in, and the establishments he visited in the course of his work, and indicated his willingness to answer such questions as the Russians might put to him with regard thereto.

It should be borne in mind that according to Rogov's notes of meetings in connection with the false passport matter, set out in Section V of this Report, it is stated that Rogov made Carr's acquaintance in July, 1945. Up to that time the person on the staff of the Embassy who was contacting Sam Carr or his alter ego, Henry Harris, was first "*Leon*" (*Koudriavtzev*) and then "*Lamont*" (*Motinov*) who in turn relayed these reports to Rogov. With respect to this Gouzenko testified as follows:—

Q. What I wanted to ask you is this. It looks to me as if Rogov would not have been able to make up a document like this for Shugar to answer if he did not already know that Shugar would be able to give that information. Would you agree with that?

A. That is right.

Q. In other words, that Sam Carr must have talked to Shugar, and found out that Shugar could furnish information of this type, and then Rogov prepared the document in detail?

A. That is right. It is absolutely right, and this happened. First of all Sam Carr proposed Shugar. He proposed Shugar, of course, knowing Shugar before. He knew what kind of information Shugar can give, generally at least. He knew that Shugar can give information about Asdic, so he told. If he told this only to Rogov, actually it would be enough for him to create this.

Q. That is Exhibit 19-C?

A. Yes, even without asking Moscow, just to confirm that; and this is actually what has happened. Sam Carr told Rogov about the possibilities of Shugar. Rogov, with the help of Pantzerney, this naval officer, who knew about Asdic and so on, gave this to Sam Carr, and Sam Carr furnished this to Shugar and Shugar looked at this, and he said, "This is too general. Give me more detailed request and I will give you it after, because there were so many books and reports about this Asdic, so give me more details of the request."

Q. I want to understand that. Do you say that after Sam Carr had given that, or had shown the document in front of you, Exhibit 19-C, to Shugar, that Shugar said that request was too general and that he wanted something more specific?

- A. That is right.
- Q. And how long after the date of that document, which is December 16, 1944, do you remember, if you do, when that information got back to Rogov?
- A. That is right. This came back to Rogov, which means that Sam Carr returned this request to Rogov asking more details. Then a telegram was written by Colonel Zabotin to Moscow, asking for more detail. About a week after this, or I think maybe half a month, Moscow obviously confirming its technicians, sent a list with specific numbers of these Asdics, and this was given to Shugar again.
- Q. Just a moment. What do you mean by "specific numbers of Asdics"?
- A. As I remember this telegram, it was "Asdic Nos. 203, 204, 207." There was a big list, each Asdic obviously having a number. So Moscow knew this, evidently, and knew what kind of numbers are in the United States Asdics, and they requested these Asdics. Then there came another instruction about installing Asdics on naval cruisers of the United States naval forces, and so on; specific questions, and this was again sent to Sam Carr from Rogov and again given to Shugar. Obviously he had no time to reply and furnish this information. (That is before September 5, 1945 when Gouzenko left the Embassy.)
-
- A. These questions were written from the telegram and translated into the English language, and they were obviously written for Sam Carr to show to the agent. So I am sure that this particular list was in the hands of Sam Carr and maybe in the hands of Shugar. Afterwards it was glued to this page. During contact with Rogov, Sam Carr told him that he had shown the questions to Shugar and Shugar said that they were too general. Further than that on these questions there has been a great deal of material written. Therefore he asked for more detailed and technical questions on these questions, on these anti-submarine Asdics. Following this Moscow sent a long telegram showing in detail the questions, the numbers, the Asdic, No. 1 Asdic, No. 2 Asdic, and so on—not No. 2 and No. 1 but special numbers of Asdics. These Asdics appeared as separate inventions under definite numbers. So this shows that Shugar

agreed to work, and he was interested in receiving more detailed questions for the work he performed.

It is clear from the above that the numbers "203, 204, 207" are not actual Asdic numbers but are used by way of illustration only.

After Dr. Beamish had returned from his visit to Ottawa, Shugar began to realize the change in the atmosphere at the University of Toronto. We have no doubt that the reception accorded Shugar's request to Dr. Beamish and his exclusion thereafter from the laboratory produced in him the feeling that he was under suspicion and that he reported this in due course to Carr. Dr. Beamish, as he has said, did not suspect what Shugar's real object was. He thought Shugar was proposing to make some use of the information for his personal advantage. Shugar, however, was in fact suspected and realized it. In our opinion therefore Shugar did agree to communicate secret information and actually tried to obtain the above information from Dr. Beamish for that purpose.

It is altogether likely that Shugar would anticipate that Dr. Beamish would not fail to report his suspicion to Naval Headquarters and that this would put them on the watch. We think this is the explanation why the assignment of December 16th, later made specific as Gouzenko says, had not been fully complied with by Shugar by June 15th, 1945, and why Rogov, in "Task No. 2", required Carr to "*Inform us where does the matter stand in the execution of the previously assigned tasks for Lieutenant Shugar*". Shugar would naturally not be prepared to furnish any further ground of suspicion by trying to obtain at Naval Headquarters information asked for in the document but which he himself did not actually have.

We think that the inference which we have drawn from the Embassy document of December 16th, 1944, itself, that it was prepared from information given to Carr by Shugar, is supported by the evidence of Gouzenko, and confirmed by that of Shugar himself. He said:—

Q. On this page is pasted a typewritten document with an inscription in Russian translated 'Sam to Shugar'. You knew that the first name of Carr was Sam, didn't you?

A. Yes.

Q. Did you say yes or no?

A. That is correct.

Q. Do you know of any Shugar who is connected with the department in which you were working, when you worked in the navy?

A. No, I don't know of any other.

Q. You do not know of any other but you?

A. No.

A. He asked me what sort of places I visited.

Q. And with regard to paragraph 3; do you remember that?

A. I recall being asked about Radar; whether I was working on Radar.

Q. I am suggesting as a result of my investigation that Carr's curiosity was not idle but it was paid for curiosity. I am asking you if Carr ever tried to obtain any of this information from you?

A. Yes, of course. In terms of No. 6 or 5. When it comes to 5 my answer would be yes. With regard to the other questions I don't remember the terms. He may have asked general questions relating to that type of work but not in

Q. Not in those terms?

A. Not in those terms.

This last mentioned conversation with Carr, Shugar says, took place in December, 1944, or January, 1945.

Q. What did he ask you then?

A. Well, I recall vaguely having him and one or two other people around, and they were talking in bantering tones about my uniform and the braid, and wondering what kind of work I did; and it was just the same question. I had been accustomed to being asked by many people about my work, and all I would tell anyone was "research and development" although I did, I remember later on I may have said to people I was doing anti-submarine work.

Q. You said that to Carr?

A. I don't know whether I mentioned that to him or not, but I have mentioned to some people that my work was anti-submarine, or A/S work, as it is normally known.

Q. Were you not asked by Carr to give information to him as to what type of work you were doing while you were in the navy department?

A. Do you mean whether I was doing research or something else?

Q. Yes?

A. That is possible.

Q. Would you please listen to my question and answer it? I asked you what you told Carr, not what you may have told anybody else. Please put your mind on that question.

A. I told him where I went to and what places I visited.

Q. What places did you tell him you visited?

A. Springfield, Washington, Florida.

A. The only specific lab that I mentioned—I am sorry if I am a little vague—I do not remember specifically mentioning to Sam Carr or any particular individual the names, but I have mentioned to people that I visited the Naval Research Laboratory in Washington and the United States Navy Laboratory at Orlando, Florida, and Fort Lauderdale, but nothing very specific; saying that I visited Washington and that I was going to Florida.

Q. What I am not quite clear on is why you would tell Carr that you went to Springfield, Washington or Orlando; I cannot understand what his curiosity would be or why you would tell him about those places at all. Can you explain that a little better?

A. I did not think there was anything out of the ordinary about going to Springfield or what was at Springfield or what was at Orlando or what was at Washington. Everyone knows there are United States Naval Laboratories or factories in various towns that are making equipment. So that I really had no hesitation in telling anyone where I was travelling to.

Q. Yes, but why?

A. I think there was only one exception to that; I never mentioned to anyone going to Fairlie.

Q. You had gone to those places, Washington, Orlando, and Springfield, before you went to England, had you not?

A. Yes.

Q. You were not just back from those places when you had your talk with Mr. Carr. It was not just a case of telling Mr. Carr where you had been. I think you understand the purpose of my question much more clearly and much more quickly than you give the impression of doing. If you were just recently back from some one place, say England, Carr might be interested in inquiring and you might be interested in telling him about the places you had been, but these

were places you had been to before your trip to England. You understand my point?

A. I understand your point, but as I said before—

Q. You make your answer.

A. I had no hesitation in telling anyone where I had been.

Q. All right.

A. With one exception, that was Fairlie and Slough.

Accordingly, Shugar says that he told Carr that he was doing anti-submarine or A/S work; that Carr asked him specifically the "plants, workshops, scientific research institutes and laboratories in England and the U.S.A. which are making and planning the hydrophonic apparatus" (item 5 on the document of December 15, 1944); that Carr may have asked him general questions with regard to the other items on the document; that he told Carr "where I went to and what places I visited", and that he had no hesitation about mentioning and did mention to "people" (we have no doubt this includes Carr) that "I visited the Naval Research Laboratory in Washington and the United States Navy Laboratory at Orlando, Florida and Fort Lauderdale". From our observation of Shugar and on all his evidence, including the above express admissions, we think the inference from the document of December 16, 1944 itself is correct, that it was from information about his work given by Shugar to Carr, that the Russians were enabled to draw up the document.

Shugar also deposed:—

Q. All the information that you obtained for the purpose of carrying on this research work was of a secret nature?

A. Yes.

Q. Equally, the results which you achieved were of a secret nature?

A. That is correct.

A. Because my work was of a confidential nature.

Q. And why was it considered of a confidential nature?

A. Well, any work at all in the navy or the army or the air force is considered of a confidential nature.

In his attestation on February 5th, 1944, Shugar had declared:—

2. That I am desirous of being enrolled as an officer of the Royal Canadian Naval Volunteer Reserve Force, and that I accept and abide by all the rules of the said Force.

5. On being enrolled as an Officer in the Royal Canadian Naval Volunteer Reserve I undertake and bind myself:

(a) To serve from the date hereof for as long as my services may be required, being subject to the provisions of the Naval Services Act, and of the regulations made in pursuance thereof for the governing of the Royal Canadian Naval Volunteer Reserve, and to the customs and usages of His Majesty's Canadian Naval Service.

By Section 45 of the Naval Service Act (Revised Statutes of Canada, 1927, cap. 139) it is provided that the Imperial Naval Discipline Act of 1866 and amending Acts and the King's Regulations and Admiralty Instructions shall apply to the Naval Service in so far as these Acts and Regulations are applicable and not inconsistent with the Canadian Act or any regulations made under it.

Section 925a of the above mentioned King's Regulations states that it is a breach of the Official Secrets Act to divulge any confidential information or "any information acquired by him as a member of the Naval Service" unless authorized so to do.

Again, by Section 101 of the regulations passed pursuant to Section 42 of the Canadian Naval Service Act it is noted that the Criminal Code makes provision for the prosecution and punishment upon conviction of persons in His Majesty's service, who being in possession of "knowledge etc." communicate or "attempt" to communicate the information to unauthorized persons. The provisions in the Criminal Code referred to above are now to be found in Section 4(1) of the Official Secrets Act, 1939, which provides that:—

4.(1) If any person having in his possession or control any . . . information . . . which he has obtained or to which he has had access owing to his position as a person who holds or has held office under His Majesty. . . .

(a) communicates the . . . information to any person other than a person to whom he is authorized to communicate with, or a person to whom it is in the interest of the state his duty to communicate it; or

(b) uses the information in his possession for the benefit of any foreign power or in any other manner prejudicial to the safety or interests of the state;
that person shall be guilty of an offence under this Act.

(2) If any person having in his possession or control any . . . information which relates to munitions of war, communicates it directly or indirectly to any foreign power, or in any other manner prejudicial to the safety or interests of State, that person shall be guilty of an offence under this Act.

9. Any person who attempts to commit any offence under this Act or . . . does any act preparatory to the commission of an offence under this Act shall be guilty of an offence under this Act and shall be liable . . . to be proceeded against in the same manner, as if he had committed the offence.

The Deputy Director of Electrical Supply of the Navy testified as follows:—

Q. You do not make public the existence or location of the various laboratories where research work is being carried on because that is considered to be secret in order to protect the nation?

A. That is right.

Q. You do not make public the location of plants or workshops?

A. No.

Q. Where this apparatus was being made?

A. No.

Q. And for the same reason?

A. Right.

Q. Would a man knowing the position that Shugar had and knowing the various places where Shugar would travel to in the course of his duties; if that were known that would defeat the measures of secrecy to a certain extent?

A. Yes.

Q. Because it would indicate the various places, or there would be a possibility of indicating the places where these things were being manufactured?

A. At least the location.

Q. Was he given instructions not to disclose the places where he went to during those trips?

A. I would not say that. Perhaps we were not wary enough, but we never told any officer—

- Q. Without giving him those instructions, would you say that a man in his position should understand that he must not disclose those places to anyone?
- A. I should say so.
- Q. What about warnings about disclosing information?
- A. Well, in the course of his nominal duties any officer in that Directorate knew that Asdic was secret and he knew he was not to talk about it to anybody.
- Q. Did he know that from notices that were circulated?
- A. No. All the drawings are marked Secret. I know at the start every officer that came in, I used to personally tell them that this was a secret job and nothing was to be said about it, but I must say that in Shugar's case I did not do that. He came in toward the end and perhaps he was not specifically told it was secret, but there is no question or a shadow of a doubt that he did not know it was secret, because everything he handled was marked Secret.
- Q. All the documents were marked Secret?
- A. Yes.
- Q. This morning you referred to the oscillator and the record paper device. Am I right in saying that the record paper shows in effect what has been detected by the oscillator?
- A. That is right.
- Q. You said this morning that all that work was secret. Are we to understand that transmission of any information with regard to that work to unauthorized persons is considered to be prejudicial to the safety or interests of the state?
- A. Yes.
- Q. And you also explained this morning that the parts constituting these various devices are manufactured in different plants?
- A. Yes.
- Q. Rather than being manufactured in one place. What is the purpose of that?
- A. Well, there are two purposes, actually. Due to the nature of the equipment, it was first of all impossible to get it made in one place; and also because of the secrecy, it was decided wiser to spread it around through many manufacturers, so that no one had any definite idea of the complete set.

Q. And would that mean also that it would render very remote the chance of anyone knowing where he would have to go to seek the information?

A. That is right.

Q. In other words, if these parts are manufactured in several places, then it would take some time for someone to find out first where the various sources of information could be found?

A. That is right.

Q. And that is also part of the secrecy policy?

A. That is right.

In considering the evidence relating to Shugar, as well as that relating to other individuals, we think that it is to be regarded in the light of the presumptions established by the Official Secrets Act, 1939, and for that reason we have referred to that statute. In the present connection subsection 3 of section 4 of the statute is relevant:—

3.(3) In any proceedings against a person for an offence under this section, the fact that he has been in communication with, or attempted to communicate with, an agent of a foreign power, whether within or without Canada, shall be evidence that he has, for a purpose prejudicial to the safety or interests of the State, obtained or attempted to obtain information which is calculated to be or might be or is intended to be directly or indirectly useful to a foreign power.

The evidence discussed above goes much further affirmatively than the requirements of the above subsection. The Embassy records, which were never intended to see the light of day outside the Embassy are clear. Shugar's admissions as to his intercourse with Carr are equally incontrovertible and we have no difficulty in finding that Carr was a Soviet agent. The evidence of Dr. Beamish, which became available as the result of the publication of our interim report of March 14th, 1946, confirms, but in a most cogent degree, the opinion there expressed. It also establishes that Shugar actually tried, subsequent to the date of "Assignment No. 1" to obtain information as to the formula used in the preparation of the detector paper, a fact we did not have at the time of our interim report.

Shugar was an evasive witness where crucial matters were concerned. As an illustration, he exhibited that same concealment and air of furtiveness

shown by other witnesses with regard to the question as to whether he was or was not a Communist. Dr. Boyer had said of Shugar:—

- Q. How long did you know him?
- A. I have known him since the fall of 1944.
- Q. And how well?
- A. No, I take it back, I met him once in 1943.
- Q. And again in 1944?
- A. Again in 1944; yes.
- Q. How well did you know him?
- A. Well, I know him well.
- Q. And do you know what his political ideology is?
- A. Yes.
- Q. And it is what?
- A. Labour-Progressive, or Communist.

Lunan's evidence regarding Shugar was:—

- Q. Was he also a member of the Communist Party?
- A. He may be. His views are not as completely known to me, but he has Communist leanings, I would say.

One may contrast Shugar's own evidence:—

- Q. And where do you stand?
- A. I am not a Communist. I have certain ideas about unions, about conditions, current conditions and the need for remedying them, which I believe are my right as a Canadian citizen.
- Q. Oh, unquestionably. All we are interested in are the facts. That is all we want to know. Nobody is attacking your opinions. All I am asking you about is, what are they?
- A. I merely have the impression that some of these questions do not bear on the subject under discussion here.
- Q. Is that why you are reluctant to answer them?
- A. No. As a matter of fact I find it a little confusing to answer such questions as, what is a Communist. I am not reluctant to answer anything that I can answer in a clear manner.
- Q. Any questions I have put to you, or any questions counsel have put to you so far you can be sure are all relevant; so if you want to go back over the ground and make any better answers or explanations, go ahead.
- A. No; I would let those answers stand.

Q. You stated that you were not a Communist; that is, if I understood you correctly, you said you did not share all the ideas of the Communists, or of Marx?

A. You understand what, sir?

Q. I understood you to say that if by a "Communist" I meant someone who shares all the views of Karl Marx, and believes in the necessity of world revolution, and so on, which includes the change of government, that you are not one. Is that what you meant?

A. I have not read much of Karl Marx's views. I have read some of his writings.

Q. Then the next question is, would it be fair to say that if you are not a Communist, you have Communist leanings or sympathies? Would you say that this is a fair statement, a fair way to put it?

A. (No answer).

Q. You understand my question?

A. I understand your question.

Q. Would you please answer my question?

A. (No answer).

Q. Why does it take you so long to answer these questions, Mr. Shugar?

A. I do not quite understand the point of it, Mr. Commissioner.

Q. You do not need to understand the point of it. Just answer the question if you understand it, that is all. You are trying to look ahead and see if there is some point involved, but that is not your function. You are here to answer questions. If you do not understand the question you can ask for an explanation. If you do understand it, go ahead and answer it.

Q. What do you mean by a Communist? What do you understand by the term 'Communist'?

A. I would take it that a man who called himself a Communist was one who—I don't know.

Q. When he said you had Communist leanings was he telling the truth or not?

A. I would say not, no, sir.

Q. Have you or have you not Communist leanings?

A. What are Communist leanings?

Q. I am asking you, Doctor.

A. I have been asked this before and I believe I made some statement on it. I ask you what is your opinion of Communist leanings?

With respect to certain discussions he had from time to time with brother officers in the Navy he said:—

Q. And did you, in any of those, from time to time express your own views?

A. I remember several very active discussions on unions and on the Ford strike.

Q. In which you expressed your own views?

A. Yes, Mr. Commissioner. I expressed my own views.

Q. And would it have been a fair or an unfair conclusion for any of the officers who heard you or who took part in those discussions to have concluded that you were either a member of the Communist Party or were at least sympathetic with that Party?

A. I would think so, yes.

Q. You think it would be a fair conclusion, deduction or inference that they could come to such an opinion?

A. No, that was not the way the question was put to me, sir.

Q. Then I will ask the reporter to read back the questions and answers.
(Reporter reads):

Q. And would it have been a fair or an unfair conclusion for any of the officers who heard you or who took part in those discussions to have concluded that you were either a member of the Communist Party or were at least sympathetic with that Party?

A. I would think so, yes.

Q. Will you answer it now? Because I do not understand those answers. I am just asking you whether a person listening to those discussions and hearing you express your views would or would not come to the conclusion that you were either a member of the Communist Party or sympathetic with it? No, do you say they would come to such a conclusion or would not come to such a conclusion fairly?

A. That would of necessity depend upon the person involved.

.

Q. Dr. Shugar, may I ask you this. Is your wife a member of the Communist or Labour-Progressive Party?

A. I am not sure, sir.

On all the evidence we have no doubt whatever that Dr. Boyer's evidence regarding Shugar is correct. We think that Shugar is a convinced and ardent Communist, and realized, as did other witnesses, that Communism was the stream which furnished the agents which the Russians used in this country. For that reason, in accordance with the course he had determined to follow, he decided to keep his position secret if he could. Shugar was a member of at least three Communist study groups or cells in Montreal, Toronto and Ottawa. He characterized these as studying merely "socialism and trade unions." He refused to give the name of any of the members of the Toronto group except one.

In Lunan's office there was found a desk telephone directory containing Shugar's name and number. The diary of Nightingale had the same information. A book kept by Boyer also had Shugar's name and address, and Boyer, as he said, knew Shugar well. Shugar and Durnford Smith knew each other from undergraduate days and they were members of the same cell in Ottawa as was Mazerall. Shugar and Agatha Chapman were also well-known to each other in Ottawa. Shugar, Benning and Gerson were friends and visited back and forth at each other's houses. Shugar also knew Pavlov, the Second Secretary of the Embassy and head of the N.K.V.D. in Canada. He also shared living quarters in Ottawa with Poland.

The Official Secrets Act by section 3 (2) further enacts:—

- 3.(2) On a prosecution under this section, it shall not be necessary to show that the accused person was guilty of any particular act tending to show a purpose prejudicial to the safety or interests of the State, and, notwithstanding that no such act is proved against him, he may be convicted if, from the circumstances of the case, or his conduct, or his known character as proved, it appears that his purpose was a purpose prejudicial to the safety or interests of the state; . . .**

Looking at the evidence from this standpoint, we think that, from the circumstances disclosed in evidence including Shugar's conduct and character as revealed before us by him in the witness box, and in the evidence of other witnesses, Shugar did "agree to work for us" as Rogov recorded and did in fact furnish information which he had learned as a result of the post he occupied, and that his purpose was in furtherance of the objects of Zabotin's organization to the prejudice of the safety and interests of this country.

When the evidence of Dr. Beamish was adduced, as the result of the publication of our interim report referring to Shugar, we communicated with Counsel who had represented Shugar before us, and made the evidence available to him, advising him that his client would have full opportunity to be heard further or adduce further evidence should he desire to do so. In the course of Counsel's remarks on that occasion he took the position that a charge had been made against his client in the interim report and that this charge did not "stand up" later. It appeared that, following the interim report which dealt briefly with Shugar, among others, an information at the instance of the Attorney-General of Canada was laid against Shugar in the criminal courts and that the magistrate holding the preliminary inquiry with respect to this charge refused to commit Shugar for trial. As this matter has been raised before us we think we should deal with it.

We had before us the following evidence:—

- (a) Shugar's admission that he either knew or could inform himself of the information asked for in the document prepared by Rogov dated December 16, 1944.
- (b) Shugar's admission that he had talked with Carr in 1944 and 1945 and as late as July of the latter year.
- (c) Shugar's admission that Carr had questioned him on matters coming within items 3 and 6 of that document.
- (d) Gouzenko's evidence that the document itself had been prepared as the result of information given by Carr, received by the latter from Shugar. This would arise in any event as an inference from the document itself. We drew the conclusion from the document and Shugar's evidence, that he gave Carr information as to the establishments he visited, the kind of work he was engaged upon, and sufficient other information to enable Rogov to prepare the document.
- (e) Gouzenko's evidence that a further and more specific "task" was drawn up by Rogov, on instructions from Moscow, as the result of Carr's report that the questions asked in the document of December 16th, 1944, were stated by Shugar to be too general.
- (f) The statements endorsed on the document of June 15, 1946, that Shugar had 'consented to work for us'. The document was made by Rogov as a record of events for his information and future use and it was not intended for the eyes of anyone outside of the Embassy. All the other statements in the note

which embodies the statement 'he has consented to work for us' have been established to be true in substance and there is no reason to regard this particular statement differently.

No part of the information in the endorsements could have been obtained by Carr from anyone but Shugar himself. We have heard and seen Shugar and have heard all the evidence relating to him and we were and are quite satisfied that the statements referred to correctly reflect the fact of his agreement.

- (g) We also had the evidence of Shugar's background and associations.

We do not know what evidence was before the magistrate but it was on the above evidence that in our interim report of March 14, 1946 we expressed the opinion that there would seem to be no answer "on the evidence before us", to a charge of conspiring to communicate secret information to an agent of the U.S.S.R., in other words, that Shugar had agreed to do something prohibited by the Official Secrets Act.

In considering the evidence and the effect to be given to it, it is necessary to understand the term "conspiracy" and by what evidence it is to be established.

By the Criminal Code "Conspiracy" is defined as an agreement between two or more persons to commit an indictable offence. In the present instance the indictable offence is violation of the provisions of the Official Secrets Act, 1939. As to the evidence by which it is to be made out, Kenney, in his *Outlines of Criminal Law*, 3rd Edition, Page 291, says:—

As to the evidence admissible, the principles are just the same for conspiracy as for other crimes. But, owing to the peculiarity of the circumstances to which they are here applied, there often appears to be some unusual laxity in the modes of giving proof of an accusation of conspiracy. For it rarely happens that the actual fact of the conspiring can be proved by direct evidence; since, naturally, such agreements are usually entered into both summarily and secretly. Hence they ordinarily can only be proved by a mere inference from the subsequent conduct of the parties, in committing some overt acts which tend so obviously towards the alleged unlawful result as to suggest that they must have arisen from an agreement to bring it about. . . . The range of admissible evidence is still

further widened by the fact that each of the parties has, by entering into the agreement, adopted all his confederates as agents to assist him in carrying it out; and consequently that, by the general doctrine as to principal and agent, any act done for that purpose by any of them will be admissible as evidence against him. Accordingly, evidence must first be given of overt acts committed by each individual, sufficient to show that he was a party to the conspiracy; and thereupon, as soon as the conspiracy has thus been brought home to them all, any act done in connection with it by any one of the conspirators will become admissible as evidence against each and all of the others. . . .

That there was an existing conspiracy between members of the Soviet Embassy in Ottawa and certain Canadians is overwhelmingly established. The question is: does the evidence before us establish that Shugar was a party to it? In the first place the Russian documents kept by co-conspirators in furtherance of the common design and necessary thereto do evidence "summarily and secretly" that he "*consented to work for us*". Zabotin's conviction both as to Shugar's willingness and reliability is so strong that in the telegram to *The Director* of August 2nd he recommends that Carr be eliminated as the contact between his organization and Shugar because it was "regarded to be in the best of interests to entrust the contact with *Prometheus* (Shugar) to *Brent* (Rogov)".

In the second place sub-section 3 of section 3 of the Act provides that the fact that a person charged with an offence under the Act:—

has been in communication with . . . an agent of a foreign power . . . shall be evidence that he has, for a purpose prejudicial to the safety or interests of the state, obtained or attempted to obtain information which is calculated to be or might be or is intended to be directly or indirectly useful to a foreign power.

Sub-section 4 of the same section provides that:—

- (a) a person shall, unless he proves the contrary, be deemed to have been in communication with an agent of a foreign power if—
 - (i) he has . . . consorted or associated with such agent.

Clause (b) further provides that:—

an agent of a foreign power includes 'any person who is or has been or is reasonably suspected of being or having been employed by a foreign power'.

We were and are quite satisfied that Carr was a Russian agent. The evidence before us as to that is overwhelming. By the terms of the statute then, Shugar's own evidence of communication with Carr on the very significant occasions when that took place, "shall be evidence that he has for a purpose prejudicial to the safety or interests of the state, obtained or attempted to obtain information which is calculated to be or might be or is intended to be directly or indirectly useful to", Russia. Apart from this presumption, the information which the evidence affirmatively establishes was in fact given by Shugar to Carr in December, 1944, was, on the lowest basis, of use to the Russians in enabling them, as part of the operations they were carrying on, to prepare the document of December 16th, even if that document was regarded by Shugar as too general in its terms to be capable of specific answer.

Section 4 (1) of the Act says this:—

4.(1) If any person having in his possession or control any . . . information . . . which he has obtained . . . owing to his position as a person who holds or has held office under His Majesty. . . .

(b) uses the information in his possession for the benefit of any foreign power or in any other manner prejudicial to the safety or interests of the State;

that person shall be guilty of an offence under this Act.

The use of such information for the benefit of a foreign power is thus declared by Parliament to be "prejudicial to the safety or interests of the state". This is not a question which has been left to the judgment of anyone else.

Accordingly the situation before us resolved itself thus. The Embassy documents state that Shugar did conspire. What is the evidence from his conduct of any "overt act", the inference from which constitutes proof of that agreement? Even leaving out the affirmative evidence referred to above, there was the fact of his being in communication with "an agent of a foreign power" (Carr) which "shall be" evidence that he has obtained or attempted to obtain information for a purpose prejudicial to the safety or interests of the State. That which the statute makes evidence (its weight of course

being a matter for the tribunal concerned) cannot be regarded as no evidence, and as we did not and do not believe Shugar's denial there would seem to be, as we reported, "no answer on the evidence before us, to a charge of conspiracy to communicate secret information to an agent of the U.S.S.R." Not only so, but there was and is this additional affirmative evidence that Shugar gave to Carr the specific information which enabled the Russians to prepare the document of December 16, 1944. It may be that another tribunal might arrive at a different conclusion on the evidence, but it cannot be said that there was no evidence upon which the conclusion to which we came, could not properly be based.

The opinion we expressed is now confirmed by the evidence of Dr. Beamish and adds the additional fact that Shugar endeavoured, after meeting Carr in December, 1944, to obtain the composition of the new recorder paper, information to which he was in no way entitled. We are quite prepared to draw the inference, that this act of his was in order to enable him to pass on this information to Carr. We think that, in the circumstances, there is no other reasonable assumption.

Shugar was, through his Counsel, informed of the depositions of Dr. Beamish and invited to be heard with respect thereto, but elected not to do so. This, in our opinion, is an admission on Shugar's part of the facts deposed to by Dr. Beamish. Shugar's Counsel in his letter declining on behalf of his client, the opportunity to make any answer to the new evidence, took the following position: "I am prepared to answer any charge of misconduct against my client which the Commissioners may see fit to report upon. I do not propose to produce evidence to answer evidence in the absence of such a charge being made."

We think this position misconceives the provisions of the Inquiries Act. That position assumes that a Commission, under the statute, must reach a conclusion unfavorable to a witness before it, and thereafter hear evidence or argument on behalf of that witness directed to inducing the Commission to change its mind. We do not think the statute so irrational.

Having, therefore, been directed by the terms of Order in Council P.C. 411 to "inquire into and report upon which public officials and other persons in positions of trust or otherwise have communicated, directly or indirectly, secret and confidential information, the disclosure of which might be inimical to the safety and interests of Canada, to the agents of a Foreign Power and the facts relating thereto and the circumstances surrounding such communication", we are of opinion that Shugar not only agreed to communicate such information but that the evidence before us shows that he did so communicate.

SECTION III. 9

HAROLD SAMUEL GERSON, Montreal and Ottawa

Gerson (cover-name *Gray*) was born in Montreal on the 17th April, 1905, of Russian parentage, both father and mother having been born in Kiev. He hold the degrees of Bachelor of Science and Master of Science in Geology from McGill University. Previous to his employment with the Canadian Government or Agencies thereof he was engaged as a geological engineer with mining companies.

At the end of December, 1941, he applied for and obtained employment in Montreal with Allied War Supplies Limited, a Crown company incorporated to supervise the construction of facilities for the production of chemicals and explosives and later the production of these materials. Gerson was Assistant to the head of the Production Control Committee. Gerson's duties consisted in analysing production figures for all the filling plants, and maintaining production records. He remained with the Allied War Supplies, Limited, until July, 1944.

Following this Gerson was employed on the staff of the Department of Munitions and Supply in Ottawa, until in or about November, 1945. At that time he was Secretary, and Chief of the Records Division, of the Ammunition Production Branch. He then became, and still was at the outset of this Inquiry, an employee of War Assets Corporation, also a Crown company.

While still with Allied War Supplies, Limited, Gerson was, on occasion, on loan to the Department of Munitions and Supply, and even after going to War Assets Corporation he had still some duties to perform in that Department.

It was on the recommendation of Dr. Boyer, upon whom we report in Section III. 11 that Gerson obtained his first appointment in the Government Service, and it was in turn through Gerson that Benning, his brother-in-law—upon whom we also report in Section III. 12—got his appointment with Allied War Supplies Corporation in June, 1942.

In the course of his various duties Gerson obviously had access to much secret information, and in connection with all his positions he was under an oath of secrecy.

Amongst the Russian documents there are eleven relating directly to Gerson, whose cover-name was *Gray*.

1ST DOCUMENT

From this document it appears that before Zabotin's arrival in Canada in June, 1943, Gerson had already been a member of the Montreal espionage group, part of the Sokolov (*Davie*) organization, under Fred Rose since 1st August, 1942. This is shown by an extract from one of Zabotin's notebooks, which outlines the espionage network as he found it. Part of this outline, which is set out in full elsewhere in this Report, reads as follows:—

Prior to Re-organization

Director Davie

1. Fred — director of corporation.

Previously worked at the neighbours, up to 1924.

.....

Fred's Work

Group in Montreal (activists)

1. Gray

Jew. Head of a section of the Directorate for securing war materials for the Allies. Taken on to the work on 1.9.42. He works well. Gives materials on shells and cannons (on films).

2. Green

.....

From the above it appears that Gerson had been only nine months in the employment of Allied War Supplies, Limited, when he was "*taken on to the work*" for the Russians and was giving them "*materials on shells and cannons on films*" (photos)—all matters with which he had to do in the course of his employment. Questioned on his associations with Rose, (*Fred* or *Debouz*) Gerson said:—

Q. You know him personally?

A. No.

Q. You never met him personally?

A. Well, I would go to a party and he would be there, if that is what you mean by 'personally'.

Q. Would you be introduced to him, and would you know him to speak to?

A. Yes.

Q. And where would you meet him? First of all, how often have you met Mr. Rose under circumstances such as those?

A. Well, that is a hard question to answer, because it might be three or four times or it might be a dozen times.

Q. Just at the present moment — take your time and search your memory, and see if you can tell the Commission somewhere within the three or four up to a dozen times?

A. Well, you can say in ten years, ten times. It might not be for a year or so, and then it might be two or three times. You see, we were living out of town, and when we would come in, if there was a party we might meet.

Q. You have selected a period of ten years. Would that take you back to the time you met Mr. Rose first?

A. The first time I ever met him was, I was invited to a picnic, and I didn't know what it was for but apparently it was for Mr. Rose. That would be at least ten years.

Questioned later on the above document, Gerson said:—

Q. Then under the heading of 'Fred's work' passing over the balance of the first paragraph — this is Mr. Rose's work —

1. Gray—

That again has been identified as the cover name for Harold Samuel Gerson.

Group in Montreal (activists). Jew. Head of a section of the Directorate for securing war materials for the allies. Taken on to the work 1.9.42. Works well. Gives material on shells and cannons (on films).

Can you suggest any reason why the Russian Embassy should credit you with this work?

A. No, sir.

Q. I did not hear that answer.

A. No, sir.

Q. You mean that from September of 1942 you had never given any information of any kind to Mr. Rose?

A. Yes, sir.

Q. But you had met him a number of times?

A. Yes, sir.

Q. And spoken to him?

A. Yes, sir.

2ND DOCUMENT

From the second document, a telegram addressed by Zabotin to *The Director* on 28th April, 1944, it appears that the possibility of using Mrs. Gerson's acquaintances in Roumania for the secret transmission of letters was submitted to Moscow.

The telegram reads as follows:—

To the Director.

Gray's wife has relatives in Bukovina and Bucharest. Apart from relatives she has many acquaintances among doctors and other specialists. Recently Gray handed over to Davie a reply from the Canadian Red Cross of March 1942, wherein it was announced that the relatives of Gray's wife are in their own places, that is, in Roumania. Gray's wife asked through Gray to advise as to whether it is possible to send them money or other things.

Davie replied that this was a complicated and difficult question, and that therefore, I could not promise anything. Would suggest that he secure addresses and letters from Gray's wife with a proposal of contact with a woman for these acquaintances. In the letters it could be proposed (that is through Gray's wife—will agree to that).

That they contact with the person who delivers the letter. If you agree to such an idea—we shall receive the—addresses and letters from the wife of Gray. Roofs—the doctors and other specialists. Letters from Lesovia—there are no suspicions against us.

Grant

28-4-44

As to this document, Gerson said.—

Q. What do you say about that?

A. I don't remember that. I don't remember a letter from the Red Cross

Q. But you might have had such a letter? You do not deny that?

A. No. No; why — I don't know why I should receive anything from the Red Cross. I never applied to them.

Q. But your wife apparently did?

A. It is possible.

* Faint type indicates words crossed out in original documents.

Q. You told us so yesterday.

A. Did I?

Q. Yes. You volunteered the information here yesterday when you were being examined. It is a fact, is it not, that either you or your wife got a letter from the Red Cross about her relatives in Roumania?

A. No. The family may have got a letter. I wouldn't say it was a fact that it came to either me or my wife. It may have come to the family.

Q. We will have to look that up and read it to you, then; but it is a fact that yesterday you did say a letter had been received from the Red Cross about your wife's relatives in Roumania. I don't know whether you received it or your wife received it, but according to your own evidence such a letter was received.

Now, why would Colonel Motinov in the Russian Embassy advise the Director at Moscow that you had handed Sokolov a letter of the Canadian Red Cross about your wife's relatives in Roumania?

A. You got me.

Q. What is that?

A. I don't know sir.

Q. You know Sokolov?

A. No, I don't.

Q. Never met him?

A. No.

Q. How would they know that?

A. I do not know.

Q. Unless you told them. How did they imagine all that? How would they know that, except that you would tell them?

A. Not necessarily. They have a family there, five girls and their husbands; they might have been just as interested as my wife.

Q. Let us look at the next sentence:

Gray's wife asked through Gray to advise as to whether it is possible to send them money or other things.

That indicates that so far as the Russian Embassy was concerned you, on behalf of your wife, had asked whether the Director in Moscow could arrange to send money or other things to your wife's relatives in Roumania. Why should they say that, Mr. Gerson?

A. I do not know.

Q. You have no idea at all?

A. No, I have no idea.

Q. Then it goes on:

Davie —

That is Sokolov.

... replied that this was a complicated and difficult question, and that therefore, I could not promise anything. Would suggest that he secure addresses and letters from Gray's wife—for these acquaintances. In the letters it could be proposed (that is through Gray's wife—will agree to that).

That is, Gray whom they think is Mr. Gerson, will agree to that. *That they contact with the person who delivers the letter. If you agree to such an idea—we shall receive the—addresses and letters from the wife of Gray.*

That is, if Moscow agrees to the suggestion.

Roofs—the doctor and other specialists.

That means that they may go forward under the cover of the Doctor and other specialists.

Letters from Lesovia.

Did you ever hear of Lesovia?

A. No, sir.

Q. Would it surprise you to know that that is the term that is applied to Canada in the secret communications of the Russian Embassy?

A. It would.

Q. It would surprise you?

A. Yes.

Q. *There are no suspicions against us.*

Can you account for that in there in any way?

A. No, sir.

Q. Yesterday, Mr. Gerson, I asked you this question:—

Q: Are Mr. and Mrs. Schlein living in Montreal now?

A. Yes.

Q. Are there any members of their family living in Radautz at the present time?

A. It is possible.

Q. Don't you know?

A. No. I think they got a letter from the Red Cross saying where they were, but just what part of the world they were in, you have me.

You see, you volunteered that the family had got a letter from the Red Cross about relatives in Roumania. How could that have got into the private and secret records of the Russian Embassy, Mr. Gerson?

Q. You are being asked a question.

A. I am sorry. I do not know, sir.

Q. You have no suggestion to make?

A. No.

Q. Mr. Gerson, that is not an answer at all. Did not you come here yesterday and tell us that your wife's people did get a letter?

A. About —

Q. Just a minute — did get a letter from the Red Cross with regard to your wife's relatives. We are referring this morning to an original document from the Russian Embassy which refers to this fact and this morning you have not any recollection about any such letter at all. You are not being quite fair with us.

A. Now, I will tell you what you do — you get in touch with the Red Cross and ask them the date of the letter.

Q. I am just dealing with you at the moment. I am referring to what you said yesterday and referring to the fact —

A. I told you —

Q. Just a minute.

A. I am sorry.

Q. Referring to the fact that you have no recollection of what you said yesterday and the additional fact that what is put before you, that that very letter, an original letter from the Russian Embassy, refers to that and then you say you have no recollection of anything at all, even what you said yesterday, in connection with the matter. Are you being fair with this Commission? You do not mean, Mr. Gerson, that if you were sitting here and I was sitting there and told you a story like that you would accept it?

A. I do not know.

Q. Oh, yes, you do. You just go ahead and tell us about it.

A. There is nothing to tell. I am trying to be —

Q. That is, you have made up your mind you won't tell, is that it?

A. No.

3RD DOCUMENT

In May, 1945, the Deputy Minister of Munitions and Supply, in whose Department Gerson was then employed, addressed the following letter to the organization therein mentioned:—

DEPARTMENT OF MUNITIONS AND SUPPLY

All Crown Plants under Private Management
To: Crown-owned Companies
Directors General of Production Branches
From: G. K. Sheils
Re: Closing down of Crown-owned Plants,
Manual of Procedures,
Appendix III—Engineering,
Production and Technical Data.

May 5, 1945.

With reference to our Circular Letter of 10th March in the above connection, enclosed are five copies of a revision of Appendix III. Please insert each in the appropriate place in the relative manual and destroy the existing Appendix III.

The three arms of the Department of National Defence have agreed to review the available data with a view to a selection of the portions thereof which they may wish to take over. However, they have not a complete list of all the Stores we produce and we should like the Production Branches and the Crown-owned Companies engaged in the supervision of production to supply them with such lists irrespective of whether the Stores were produced for Canadian account or for some other purchaser. Naturally different lists will be needed for each of the Services, containing only those items in which they may be specially interested. The preparation and despatch of these lists should be completed not later than 31st instant. Following receipt of such lists the respective Services will advise the items in which they are particularly interested and request lists of the information available, as set out in Appendix III.

The Post War Arsenals Board, who are interested in the retention of this technical information, have agreed upon the following locations for the storing of the material:—

- | | |
|-----------------------------------|--|
| 1. Guns, Mountings, Etc. | Dominion Engineering Works Ltd.,
Longueuil, Quebec. |
| 2. Gun Ammunition | Lindsay Arsenal,
Lindsay, Ontario. |
| 3. Small Arms and
Machine Guns | Small Arms Limited,
Long Branch, Ontario. |
| 4. Small Arms
Ammunition | Dominion Arsenal,
Quebec. |
| 5. Ammunition Filling | Defence Industries Limited,
Cherrier, Quebec. |

- | | |
|---|---|
| 6. Explosives and Chemicals | Not yet determined. |
| 7. Optical and Fire Control Instruments including Radar | Research Enterprises Limited, Leaside, Ontario. |
| 8. Automotive and Tanks | Orleans Proving Ground, Montreal Road. |
| 9. Radio and Communication Equipment | Signals Workshops, Eastview. |
| 10. Chemical Warfare Equipment | Respirator Assembly Plant, Ottawa, Ontario. |
| 11. Cartridge Cases | Not yet determined. |

The Board suggest that those items of tooling which are to be retained should also be sent to the above points.

(Sgd.) G. K. Shiels

Deputy Minister.

A summary of that letter found its way to Zabotin, who sent it to *The Director* in a telegram dated 2nd August, 1945, which reads as follows:—

234

To the Director,

Gray has received a copy of a letter of the Deputy Minister of Munitions and Supplies G. K. Shiels to all government companies, to government companies which are under private management and to the principal directors of production branches, May 194. I report the contents of the letter:

All three branches of the armed forces of the Department of National Defence have agreed to review all the facts available from the point of view of selection and definition of the necessary arms and munitions which they will need. However, they (the army, navy and air force) still have not got a complete list of the necessary supplies which we are producing. We would like the production branches and government companies to take part in compiling lists of the production turned out, to be forwarded to the corresponding branches of the armed forces, indicating for whom the designated arms and munitions were produced (for the needs of Canada or for orderers?). Naturally each branch of the armed forces needs different lists corresponding to their requirements. The preparation and distribution of these lists must be completed by

the 31st of May of this year. On receipt of the said lists all the three services will indicate the category of the materials of arms and equipment in which they are more interested. The council of the post-war arsenals which is interested in preserving such technical information, has a contract on the following dislocation of supplies and materials:

- (1) Guns, mountings, etc. Dominion Engineering Works Ltd., Longueuil, Que.
- (2) Shells for guns, Lindsay Arsenal, Lindsay, Ontario.
- (3) Infantry arms and machine guns—Small Arms Ltd. Long Branch, Ontario.
- (4) Ammunition for infantry arms—Dominion Arsenal Quebec.
- (5) Ammunition Plant, Defence Industries Ltd., Cherrier, Quebec.
- (6) Explosive materials and chemicals, not decided.
- (7) Optical appliances, instruments for radio locators—Research Enterprises, Ltd.
- (8) Automobiles and tanks—Orleans Proving Ground, Montreal Road.
- (9) Radio and other means of communication—Signal Workshop, Eastview.
- (10) Shell cases—not decided.
- (11) Appliances for chem. defense—Respiration Assembly Plant, Ottawa, Ontario.

Deputy Minister (Signature)
Grant

2.8.45.

Questioned on this matter Gerson said:—

Q. Will you look at Exhibit No. 215, Mr. Gerson, which is a letter of May 5, 1945, from Mr. G. K. Sheils, to All Crown Plants under Private Management; Crown-owned Companies; Directors General of Production Branches. Do you recognize the signature of Mr. Sheils-

A. Yes.

Q. The Deputy Minister of the Department of Munitions and Supply?

A. Yes.

* Faint type indicates word crossed out in original documents.

Q. Just confine yourself to this letter, please. Do you recall having seen that letter before?

A. No.

Q. At that time were you in one of the Departments indicated to which this letter would go? Were you in a Crown Plant under private management?

A. A Directorate General of Production Branch.

Q. So this would go to the Director General of the Production Branch?

A. Yes.

Q. And in May, 1945, Mr. Malley was the Director General of that Production Branch?

A. Yes.

Q. And you were his active assistant?

A. Yes.

Q. You were Secretary?

A. I was everything; I was more than Secretary, actually.

Q. You were at least Secretary?

A. I was Chief of the Records Division.

Q. I think some witness said that you were also Secretary?

A. Yes.

Q. Mr. Gerson, to put it shortly, the information in that letter would have to come to you in some form so that you would understand what was going on?

A. Well, you see there is a —

Q. Is that right or is it wrong?

A. I just wanted to explain how it would get to me.

Q. You answer my question first?

A. Yes.

Q. All right make your explanation.

A. They would have a mailing list. It is pretty hard, probably, for people to understand just how this thing worked. This was addressed to all Crown-owned Companies; all Crown plants under private management and Directors General of Production Branches. The original letter would go over to what they called the mailing room where the girls would type them and they would have the mailing list. They would send this letter—it would go to everybody

on that mailing list, although it was addressed only to the Directors General of Production Branches.

Q. So you would see it?

A. I would be on the mailing list and I would get my own copy.

Q. If you did not see that piece of paper, you saw an absolute copy?

A. I saw this letter.

Q. Exhibit No. 20-CC, which is a translation of the translation, does contain the essence of Sheils' letter, does it not, and a great deal of the detail?

Q. Do you agree with that?

A. Yes.

Q. The telegram sent from the Russian Embassy to the Director makes the statement that *Gray*, by whom they understood Gerson, has obtained a copy of this letter. The first thing is that there is a letter; there is a letter of G. K. Sheils. The second is that the contents of the letter are in essence, as we have agreed, set out in the telegram?

A. Yes.

Q. Now then, what I was getting at is this: Have you any explanation or guess as to why the Russian Embassy here would be telling Moscow that you, Gerson, whom they called *Gray*, had made the contents of Mr. Sheils' letter available to the Russian Embassy? You see how my question is framed? Have you any explanation of why they should tell Moscow, "Here is Sheils' letter and we got it from Gerson, whom we call *Gray* for the purposes of this correspondence."

Q. What do you say?

A. No, sir, I have no explanation.

Q. Have you any knowledge?

A. No.

Q. It is rather extraordinary?

A. It is.

4TH DOCUMENT

The fourth document consists of a page from a looseleaf notebook, handwritten in English on both sides and reading as follows:—

The gun being slightly elevated, some liquid RDX/TNT flowed back along the grooves into the chamber. The

shells were rammed by hand, no great force being necessary. Result was normal.

Firing 1 (c) Five more shells were taken out of the bath and laid on their sides. Exudation was noticed on one shell, but was very slight. This was after three hours' immersion. The first shell was allowed to cool in the gun and the others in the air. Care was taken that the position of the shell was kept the same both outside and inside the gun. One shell (round 15) apparently broke up outside the gun, but the cause could not be ascertained, since the fragments were not recovered.

Firing 1 (d) The remaining shells were treated as in firing 1 (b) except that they were allowed to cool either before or after loading. During the addition of RDX/TNT into the bore, the gun was kept at a slight elevation for 3 rounds; in the final two rounds the liquid was added with the gun in a horizontal position, the shell loaded and allowed to cool in the same position. Firing result was normal.

Observations made during the trial indicate that the filling becomes sufficiently liquid after heating for 1 hour at 100°C for the space above the gaine to be filled with liquid. Exudation from the shell was not observed until the shell had been kept at 100°C for over 3 hours and then only very slightly in the case of one round. After 5½ hours heating all shell showed a slight amount of exudation but in no case did it approach the quantity of explosive added during the trial.

It appears therefore not only that there is very little exudation of RDX/TNT from the 5.25 inch shell at 100°C, even after prolonged heating, but also that artificial fouling of the shell and gun is not likely to endanger the gun when firing either heated or cooled shell. The uniformly satisfactory character of the results is, however somewhat marred by the suspected break-up of round 15, and the possibility of an ignition of the filling leading to a burst well beyond the muzzle cannot be discounted.

The evidence to date from firing trials with heated shell is generally reassuring and gives no evidence for supposing that there is more risk of a bore premature

in 8" than in smaller guns. The case for carrying out a further firing with 8" shell hinges mainly on the quantity of filling that is likely to be exuded under actual hot gun conditions. Useful evidence on the point would be obtained from a "boiling" trial under the conditions proposed by D.N.O. The trial can be undertaken in this department if the Board concur and should preferably include both RDX/TNT and TNT fillings for comparison. Three shell of each filling would suffice. The result of such a trial would enable firmer recommendations to be made regarding a firing trial.

A search in the "Proceedings of the Ordnance Board" reveals that this document is a verbatim excerpt of the remarks made on the conduct of trial of "S. G. 2" and the results obtained. Questioned on this document Gerson testified:—

Q. Now I am showing you Exhibit 209, which is a file binding up certain proceedings of the Ordnance Board. Did you ever see these proceedings, or similar proceedings?

A. Yes.

Q. Where would you see them?

A. In the office.

Q. In which office?

A. What do you mean by that?

Q. Munitions and Supply, or what?

A. Munitions and Supply.

Q. And in what part of the office would these proceedings be kept?

A. They would be kept in a filing cabinet.

Q. And assuming that you wanted to see the proceedings of the Ordnance Board which would be in that record room, what would you do; just go in and look at them?

A. No, you would take them out and put a card in with your name on it, and the date.

Q. And how long could you keep them out of that room?

A. You could keep them out as long as you wanted to, as long as you did not take them out of the building.

Q. They are confidential documents, of course?

A. Yes.

Q. And are so marked-

A. Yes.

Q. Did you say yes?

A. To what?

Q. Are they confidential documents?

A. Yes, they are.

Q. And are so marked on the face of them?

A. Yes.

Q. Did your work in the Department of Munitions and Supply require you ever to get out these proceedings and examine them or make extracts from them?

A. Well, in the sense that I was Secretary of this Production Committee, in which technical matters would come up, and to know what was going on, it would involve that.

Q. And can you recall any occasion when you had to do that?

A. Not any specific occasion.

Q. Do you recall ever having made extracts from any of these proceedings?

A. I imagine so.

Q. We will have to have a little better answer than that. Think it over and see if you can answer it more directly than "I imagine so."

A. O.K. You repeat your question again.

Q. Do you recall ever having made extracts from the proceedings of the Ordnance Board?

A. I do recall -

Q. What is the answer?

A. Are you trying to pin me down to a yes or no answer, and I am trying to get it straight in my mind. Yes.

Q. You do?

A. Yes.

Q. All right. On how many occasions did you do that?

A. I don't remember.

Q. Then can you remember any specific item that you were required to extract or copy?

A. No.

Q. You cannot?

A. No.

- Q. You say you cannot recall any specific item that you were ever obliged to take out of Exhibit 209 or similar proceedings?
- A. That is right.
- Q. And how could you make these extracts? Tell the Commission how you would work; what would you take out?
- A. Well, I might take out the whole thing or I might just take out a section I was interested in, because we were not allowed to take these out of the building.
- Q. And what would you do with the extract when you had made it?
- A. What do you mean by that?
- Q. You have already said that you did make extracts from the proceedings in the course of your duties. That is what you said, is it not?
- A. No.
- Q. Then let us get it clear, because I quite distinctly understood you to say so. We will go back at it again. I asked you if you ever had occasion to copy extracts out of the Proceedings of the Ordnance Board, and I understood you to say you had?
- A. Yes.
- Q. Is that correct?
- A. Yes.
- Q. Then my question was, having made those extracts what did you do with them?
- A. Well, I used them as part — I would not say as part, but to assist me to carry out my duties.
- Q. What would your duties in connection with that extract be; would it be that you took it to a meeting of this Board that you are referring to, this Subcommittee?
- A. No; I took the minutes of the meeting.
- Q. Yes?
- A. And to know what they were talking about, this information would give me a background.
- Q. And it would not be until you were writing up your minutes that you would take these extracts?
- A. No, I wouldn't say that.
- Q. Well, what would you say? I want this clear.
- A. There were problems coming up all the time which were aired at the meeting. It was not as if we ran into a problem and we would

- say, "Well, we are having a meeting at the end of the month, and we will wait for the meeting."
- Q. I think we are perhaps both a bit confused. I know I am, from your answers. Do I understand that you would make these extracts in preparation for a meeting of this Committee?
- A. No.
- Q. You would not make them in preparation for a meeting? Then you later said, as I understood it, that when you were writing up the minutes you would make the extracts so you would understand — ?
- A. No, no.
- Q. Then please explain, because if you did not make them in preparation for the meeting and did not write them for the purpose of writing up your minutes, for what purpose did you get them?
- A. I am telling you, so as to give you the background, to be able to understand what was going on. It might reach a culmination at the meeting, you see; I mean there would be a technical discussion at the meeting, and to know what was being discussed you would have to have a particular background.
- Q. I realize that.
- A. Therefore the thing to do — for instance, if you ran into trouble with something, you would try to get a picture of that whole thing, so as to know what they were talking about.
- Q. So it would be in preparation for discussions at meetings that you would make these extracts?
- A. Yes for my own information.
- Q. And where would you keep the extracts that you made?
- A. Probably in my office.
- Q. Probably in your office?
- A. Yes.
- Q. Certainly, where?
- A. In my office.
- Q. And no place else?
- A. No.
- Q. Would you ever take them to the meetings?
- A. It is possible.
- Q. Can you ever recall ever having done so?
- A. No.

Q. And when they had served their purpose, what did you do with the extracts?

A. I would tear them up or throw them out.

Q. Throw them out?

A. Tear them up.

Q. They were confidential documents?

A. Yes.

Q. You would not just throw them into the wastepaper basket?

A. No, I would probably tear them up.

Q. You would make sure that they could not get into unauthorized hands?

A. Yes.

Q. Did you ever keep any of these extracts after they had served their turn?

A. No.

Q. You never kept any?

A. Not to my knowledge.

Q. So that any extract you ever made, you destroyed when they had served your purpose?

A. Yes.

Q. How long would you keep any particular extract?

A. That is hard to answer.

Q. Would it be a few days, or would you keep them for weeks?

A. I wouldn't know.

Q. Are you satisfied in your own mind that every extract you made from the Proceedings of the Ordnance Board was destroyed by yourself?

A. Yes.

Q. You are satisfied of that?

A. Yes.

Q. Did Mr. Malley know you were making extracts from the Proceedings of the Ordnance Board?

A. Well, I had no occasion to discuss it with him.

Q. You never discussed it with him?

A. No.

Q. Did anybody else know you were making extracts from the Proceedings of the Ordnance Board?

A. I don't know.

Q. Did you ever produce one of your extracts at any meeting of any committee that you were on, or of which you were Secretary?

A. No. I produced the information.

Q. You produced the information?

A. Yes.

Q. But at none of the meetings did you produce the extracts?

A. No.

Q. So nobody at the meeting would see that you had an extract from the Proceedings of the Ordnance Board?

A. I don't think so.

Q. And you never discussed with anybody the propriety or otherwise of making these extracts?

A. No.

Q. You did it on your own responsibility?

A. Yes.

Q. There has been evidence here, Mr. Gerson, that it was part of your duty or function to peruse the proceedings of the Ordnance Board, and the information in the Proceedings was not necessary to you in the exercise of your duties or your functions. What do you say to that?

A. Well, it is a surprise.

Q. Let me put it to you this way. Did Mr. Malley ever ask you to peruse the Proceedings of the Ordnance Board and give him information?

A. No.

Q. Did Colonel Ogilvie ever ask you to peruse the Proceedings of the Ordnance Board and give him information?

A. No, but they would ask questions or there would be discussions about material.

Q. Mr. Malley would have access to the Proceedings, would he not?

A. Yes.

Q. And Colonel Ogilvie would have access to the Proceedings?

A. Yes.

Q. They would know what was in them?

A. If they read them.

Q. And neither of them asked you ever to read them and give them information out of them, did they?

A. Well, they would ask for information. Where it came from, that is another story.

- Q^o. Can you recall either of them asking you for information which had to be taken out of the Proceedings of the Ordnance Board?
- A. Not at this moment; no.
- Q. Can you recall any person in the Department of Munitions and Supply ever asking you for information that you had to take out of the Proceedings of the Ordnance Board?
- A. No, I can't recall right now.
- Q. And you say that you think you can recall that you did this on perhaps four or five occasions; was that what you said?
- A. Possibly.
- Q. Would it be any more than five?
- A. I wouldn't want to state a specific number. I don't remember.
- Q. And you would use these Proceedings only in Ottawa?
- A. That is right.
- Q. Do you know of any other place than this room or library, or whatever you wish to call it, where these documents were kept, where you could get the Proceedings?
- A. No.
-
- Q. And you could consult them at any time?
- A. Yes.
- Q. Why would you make extracts if you could consult them at any time?
- A. Why, you get into the habit of making notes.
- Q. But taking a complete extract of that document?
- A. Well, what we used to do —
- Q. That would not help you to discuss the matter with the other members of the committee, if you could consult the book itself? It was useless work to make an extract?
- A. Except that you wanted to put it back into the file as quickly as possible, and you would have to go back and get it all the time, and somebody else might have it out. You do a lot of things under a set of circumstances which are —
- Q. Did you do that with other documents on which you were working, and that you had to obtain from that room where they were kept in custody, or just with that Exhibit 209?
- A. I don't know why you are saying 209, unless there is some special reason for it.

Q. Exhibit 209 is a good example. I can show you Exhibit 209-A, which is another group.†

Q. Did you make extracts from Exhibit 209-A also?

A. I don't know. I don't remember. I would have to look through it and find out just what the subjects were. It deals with a thousand subjects.

Q. So when you wanted to know something from any of the documents that belonged to your department, did you make extracts of them?

A. Sometimes.

Q. Mr. Gerson, let me read to you from Major Lawrence's evidence. You know Major Lawrence, and who he is?

A. Yes.

Q. He was asked this question:—

Q. Would Gerson's duties in any way ordinarily require him to see these documents?

A. No, sir.

Would you agree with that statement?

A. No, I would not agree with that statement.

Q. You would not?

A. No.

Q. What qualification, if any, would you make in it?

A. What qualification I would make? Because at the same time that I was working for Mr. Lawrence, I was also unofficially, Mr. Scott, the Director of that Division, his general office boy. He would ask all sorts of questions, which he expected answers for.

Q. You have told us that Mr. Malley at no time ever instructed you to make extracts from the Proceedings of the Ordnance Board?

A. Yes.

Q. And that Colonel Ogilvie at no time ever instructed you to make extracts from the Proceedings of the Ordnance Board?

A. Yes.

Q. Did this other gentleman, Mr. Scott, ever instruct you to do so?

A. No, but they asked me — there were problems that came up, and questions that came up, which you had to read in order to get a background.

†Second bound volume of proceedings of the Ordnance Board of the United Kingdom.

- Q. Did anybody ever ask you or instruct you to make extracts from the Proceedings of the Ordnance Board?
- A. The point that you don't get —
- Q. I would like you to answer my question and then give the explanation. Did anybody ever instruct you to make extracts from the Proceedings of the Ordnance Board?
- A. No.
- Q. Now, then, I understood you to say that in order to answer some questions which might be put to you, it was necessary for you from time to time and perhaps on four or five occasions, to read those Proceedings and make extracts?
- A. Yes.
- Q. Then when you answered the question, after having made the extracts, would you carry the extract with you to the person whose question you were going to answer?
- A. No, I would give him the answer.
- Q. You would give him the answer?
- A. Yes; and probably say if they would look up in the Ordnance Proceedings on this, this is where the thing came up, or this is how they dealt with it.
- Q. And then, having given the answer, you would destroy the extract?
- A. Possibly; yes.
- Q. Let us get it definitely?
- A. Yes.
- Q. Definitely you did?
- A. Yes.
- Q. And that would be the practice you would follow on each of these four or five occasions?
- A. Yes.
- Q. And you never at any time told anybody that you were following the practice of making extracts?
- A. Well, they left it —
- Q. Answer the question, and then explain. You never at any time told anybody you were making these extracts?
- A. No.
- Q. I show you Exhibit No. 28,† Mr. Gerson. That document on both sides of the page is written by you in your handwriting, is it not?
- A. Yes.

†Document in Gerson's handwriting containing information re guns and shells.

Q. Then in Exhibit No. 209 I show you the Proceedings of the Ordinance Board, 25th July, 1945, a confidential document of some length. Under the heading "O-B Investigation No. 1,206" we find about two-thirds of the way down the page a sentence beginning with "The gun being slightly elevated." I would like you to follow on Exhibit No. 28 while I read from Exhibit No. 209:

The gun being slightly elevated, some liquid R.D.X./T.N.T. flowed back along the

That document, Exhibit No. 28, which is before you, was undoubtedly copied from No. 31,719 of Exhibit No. 209, or a duplicate of it; is that not so?

A. Yes, sir.

Q. By yourself?

A. Yes, sir.

Q. When did you copy that?

A. I do not remember.

Q. Why did you copy it?

A. I was probably interested in that information.

Q. Why did you retain it and not destroy it?

A. It is news to me it was retained.

Q. Mr. Gerson, this document was found in the Russian Embassy. How did it get there?

A. I do not know.

Q. Can you tell us why you would copy the document word for word, instead of just making notes, as you suggested at an earlier stage of your evidence?

A. No, sir.

Q. You cannot?

A. No.

5TH DOCUMENT

The fifth document is another telegram sent by Zabotin to *The Director*, also on the 2nd August, 1945. The last paragraph, which relates to the same matter, reads as follows:—

To the Director

2.8.45. 3) We have received from Gray the whole correspondence on the question of the theory of the deformation of the shell in the channel of the barrel. Altogether about 150 pages. We shall send them in rote.

2.8.45

Grant

Questioned on this, Gerson said:—

- Q. Had Exhibit 28 anything to do with that?
- A. No; Exhibit 28 was the filling of RDX - TNT.
- Q. The deformation of the shell in the channel of the barrel would be a matter that would be determined by firing tests, is it not?
- A. Yes.
- Q. That is the only way you could determine it?
- A. I wouldn't be an authority on that. You would have to ask somebody else.
- Q. Do I understand, then, that you were interested in the firing tests shown by Exhibit 28, but that you would not be interested in firing tests dealing with the deformation of the shell in the channel of the barrel?
- A. Possibly not.
- Q. What is that?
- A. Possibly no.
- Q. And possibly yes?
- A. No.
- Q. So you would be interested in the subject matter of Exhibit 28?
- A. I was interested in the subject of Exhibit 28, which is RDX - TNT filling.
- Q. Would the Proceedings of the Ordnance Board, which contained the information in Exhibit 28, also contain the records of tests to deal with the deformation of the shell in the barrel?
- A. They could.
- Q. Did they?
- A. Did they?
- Q. Yes?
- A. I don't know.

Q. Now listen, Mr. Gerson, why would you go to these reports, Exhibit 209, and copy the subject-matter of Exhibit 28, in order that you would know the background of all these things that came up, and not read Exhibit 209 for the purpose of knowing about the deformation of the shell in the channel of the barrel? Why not?

A. I don't know.

Q. In your Branch you were dealing with ammunition?

A. Yes, sir.

Q. Loaded with TNT?

A. Yes.

Q. Loaded with RDX?

A. Yes.

Q. And you would be just as interested in the contents as you would be in the casing, the shell?

A. Yes.

6TH DOCUMENT

The sixth document is a telegram addressed on the 9th August, 1945, by *The Director* to Zabotin, requesting further information as to the methods and technical processes of the production of explosives and chemical materials:—

11295

14.8.45

To Grant.

In the mail of 23.8.1944 were received from you Gray's two materials—the monthly reports on the research of separate technical questions in the field of production of war supplies. On the basis of the short and fragmentary data it is impossible to judge the methods and work of the Canadian and English industry of war supplies, powders and chemical materials.

It is desired to obtain the following information:—

1) ~~37~~ methods ~~2507~~ and technical processes of the production of war supplies, BB and powders. *

2) Deciphering of laminated BB, the production of T. H. and H. S. (composition, purpose, technology and specific qualities).

3) The application of picrate and nitrate-gushnidina.

I repeat, picrate and nitro-gushnidina.

*indicates letters crossed out in original Russian document.

4) The technique of producing detonating capsules and igniting capsules. Wire to whom do you consider it possible to give this task.

If Bacon still continues to work in the Artillery ~~Command~~ Committee, this task should be assigned to him.

Grant
14.8.45

9.8.45 Director.

Questioned on this, Gerson said:—

Q. It related to the production of munitions which was a matter that the Department of Munitions and Supply certainly was interested in in 1944; that is correct, is it not?

A. Yes.

Q What would those monthly reports be?

A. You got me, monthly reports on research?

Q. Might it be Mr. Gerson, that those are the monthly reports that were prepared from information on production furnished by you and then worked up by the Economics and Statistics Branch?

A. No.

Q. Those were monthly reports?

A. Monthly reports on production.

Q. This question is directed in part to the production of munitions which would apply to your branch of Munitions and Supply?

A. Yes.

Q. You cannot make any suggestion as to what that might have been?

A. No.

Q. That is the only monthly report you know of in your Branch?

A. Yes, that monthly report of production.

Q. . . . *the methods and work of the Canadian and English industry of war supplies, powders and chemical materials.*

It is desired to obtain the following information:—

(1) *37 methods 2507 and technical processes of the production of war supplies, BB and powders.*

That has been translated as explosives; that is the term that they used in the telegram. In your department in the production branch you would certainly have information as to the production of munitions. Then:

* Faint type indicates words crossed out in original documents.

(2) *Deciphering of laminated BB, the production of T.H. and H.S. (composition, purpose, technology and specific qualities).*

(3) *The application of picrate and nitrate-gushnidina. I repeat: picrate and nitro-gushnidina.*

(4) *The technique of producing detonating capsules and igniting capsules. Wire to whom do you consider it possible to give this task.*

* *If Bacon still continues to work in the Artillery Command, Committee this task should be assigned to him.*

In the Production Department you would have to know about the technique of producing the capsules of the detonators and the igniting capsules?

A. Yes.

Q. That would be something you would know about in the Production Department. Would you know anything about picrite and nitroguanidine?

A. Picrite was an explosive. Picrite and nitroguanidine are used in the manufacture, I think it is either of nitrocellulose or one of the propellants.

7TH DOCUMENT

On the 14th August, 1945, Zabolin answered the request of the Director and advised him that the assignment had been given to Gerson, Halperin, and Boyer, as appears from an excerpt from a telegram of that date, which reads as follows:—

250

To the Director, with reference to No. 11295

(1) The tasks will be assigned to Gray, to Bacon and to the Professor through Debouz. The Professor is still away on a business trip. There will be a meeting with Debouz at the end of this month.

14.8.45

Grant

On this, Gerson testified:—

Q. Then Colonel Zabolin, or Grant, replies to Moscow, and this is Exhibit No. 20-J. I have not the original here just at the moment, but this is a copy. When Zabolin got this list of tasks, this request

* Faint type indicates word crossed out in original documents.

for information that Moscow wanted him to get, he answered the *Director* at Moscow. The practice was that each telegram here was numbered with a consecutive number beginning at the first of the month and carried on, and they used to number the telegrams from Moscow. The one I have is an answer to No. 11295 from Moscow, and Colonel Zabotin says: —

The tasks will be assigned to Gray, Bacon and the Professor through Debouz.

Those are cover names; just as *Gray* is a cover name for you, *Bacon* and *Professor* are cover names for other persons, and *Debouz* is the cover name of the man through whom these tasks were to be given. The evidence is that *Debouz* is Fred Rose. Did you ever have any talks with Fred Rose about information that you were to channel through him to anybody?

A. No, sir.

Q. Think very carefully, Mr. Gerson.

A. No.

Q. Why do you hesitate to give an answer?

A. He told me to think carefully. I was ready to answer right away.

8TH DOCUMENT

The eighth document is another telegram by Zabotin to *The Director*, sent on the 25th August, 1945:—

263

To the Director,

Gray was earlier assigned the task of taking all measures to remain in his old job. At the last meeting the latter stated that in the near future great reductions will begin. In the event that it will be impossible to remain on the old job, Gray proposes to form a geological-engineering consulting office in Ottawa. Gray is a geological engineer by profession and therefore can head this office. The expenses for organizing the office are as follows:—rent of premises—600 dollars a year; wages for one clerk \$1,200.00 a year; office equipment—\$1,000; payment to Gray as director—\$4,200 a year; altogether it will require 7,000 dollars a year. Gray stated that Canada is entering a “boom” period in the mining industry, and it is therefore very likely that within two years the office will be in a posi-

tion of work at the old place. I beg to get your decision.
establishment will be returned in the future.

Gray thinks that it is necessary to begin establishing
such an office gradually, that is, prior to his comple-
tion of work at the old place. I beg to get your decision.

Grant

25.8.45.

Gerson's evidence with respect to this follows:—

Q. In August, 1945, it is a fact, is it not, that great reductions in the
staff of Munitions and Supply were in the offing?

A. Yes, the war was practically over then.

Q. And people were concerned about their jobs?

A. Yes.

Q. *Gray proposes to form a geological-engineering consulting
office in Ottawa. Gray is a geological engineer by profession
and therefore can head this office.*

You are a geological engineer by profession?

A. A geologist by profession.

Q. Have you a degree?

A. Yes.

Q. What degree?

A. B.Sc. and M.Sc.

Q. Where from?

A. McGill.

Q. Bachelor of Science and Master of Science in what?

A. Geology.

Q. In geology?

A. Yes.

Q. *The expenses for organizing the office are as follows: Rent of
premises, \$600 a year; wages for one clerk, \$1,200 a year;
office equipment, \$1,000; payment to Gray as director, \$4,200
a year; altogether it will require \$7,000 a year. Gray stated that
Canada is entering a "boom" period in the mining industry,
and it is therefore very likely that within two years the office
will be in a position to support itself. The initial expenditure
of its establishment will be repaid in the future.*

Gray thinks that it is necessary to begin establishing the office gradually, that is, prior to his completion of work at the old place. I beg to get your decision.

As a matter of fact in August of 1945 you were considering opening your own office, were you not, as a geologist?

- A. I had been considering it for a long time.
- Q. And you were actively discussing it with various persons here in Ottawa at that time?
- A. Here in Ottawa and in Montreal, both.
- Q. And you were also endeavouring to see whether you could get financial backing, and applying to people in Ottawa for that purpose, were you not?
- A. I would say, yes.
- Q. And the figures that are set out here in Exhibit 20-M† are figures that you have discussed with various persons, as to what it would cost to see you through for two years?
- A. They could be.
- Q. But they were, were they not?
- A. No, because this \$4,200, that is the salary I am getting now.
- Q. And the salary you were getting in August, 1945?
- A. The salary I was getting in August, 1945; yes.
- Q. But in the discussions that you had, or what you had in your mind, were you figuring on rent of \$600 a year for an office, if you opened up?
- A. I think it would cost you that much.
- Q. And would you need a clerk at about \$1,200 a year, which is \$25 a week?
- A. You would need a stenographer. I don't know why you would need a clerk.
- Q. A stenographer at \$25 a week?
- A. Yes.
- Q. And you would need some office equipment?
- A. Yes.
- Q. Costing about a thousand dollars?
- A. Yes, possibly.
- Q. Then to keep you in the position that you were in, financially, you would need \$4,200 for yourself?
- A. Not if you were going to open an office—

†See p. 28, telegram No. 263.

Q. I did not ask you that. In order to give you the same income you were then earning, you would have to have \$4,200 over and above those expenses?

A. Yes.

Q. And in August, 1945, was Canada entering a boom in the mining industry?

A. I think so.

Q. Did you think so then?

A. Well, I think so now, too.

9TH DOCUMENT

The ninth document is a telegram dated 25th August, 1945, dealing with certain information also credited to Gerson and having regard to modification of plans on production of war materials:—

265

To the Director,

1. In the change of plans of the output of war materials, sent to you in Gray's materials on 16th August, there was issued an announcement of the Ministry of Supply of England on the production of the following war materials:

Shells for 25-pounder gun—350,000 rounds; the same but only smoke shells—170,000 units; cases for the same guns one million fifty thousand; 6 lb. shells—30,000 rounds; 5.5 inch shells—180,000 rounds; grenades MK-2—221,000; grenades of the make WP—240,000 units; mines for PIAT—450,000 rounds.

(2) On 14th August an urgent announcement on production was issued by the General Staff; 25 pounder shells—850,000 rounds; smoke—150,000 rounds; cases for them—1,000,000; 17 lb. shells—90,000; 2 inch smoke mines—250,000; 3 inch mines—350,000, for PIAT—150,000 rounds and 3 inch smoke mines 31,440 units.

Grant.

25.8.45.

10TH DOCUMENT

The tenth document is another telegram sent by Zabotin to *The Director* on the 28th August, 1945, also crediting Gerson with information on explosives. It reads as follows:—

267

To the Director to No. 11295.

1. Your task on VV we have begun to fulfill. From Gray we received materials on "Torpex" (VV for depth bombs). With the mail of 24th August were sent lamina with the above mentioned materials. In addition to this I sent you correspondence on the use of the double shell (17 lb. and 6 lb.—for cannon). According to what Canadians reported, this shell proved very effective in Europe.

2. All the materials are in laminae.

Grant.

28.8.45.

11TH DOCUMENT

Finally, on the mailing list of material sent to *The Director* in January, 1945, Gerson is again credited with having supplied the following material:—

Nos. P.P.	Source	From where & under what circumstances the material was obtained.	Designation of the Material	Date & Number	Number of pages	Marked
196	Gray	1 - 1	Corrections	7.12.44	1	Secret
197	"	"	"	27.11.44	6	None
198	"	"	"	29.11.44	2	

Questioned on that, the witness said:—

Q. By this list of materials, Items 196, 197 and 198, the Russian Embassy tells Moscow that they have received from *Gray*, by whom they understand Gerson, three documents described as "Corrections", one bearing the date of 27th November, 1944; and one bearing the date 29th November, 1944. These covered work in the Department of Munitions and Supply. It is a fact, is it not, that from time to time "Corrections" were being made both in your production schedules and in other matters?

A. Yes, sir.

Q. Exhibit No. 218,† which we have already gone over, shows corrections in it?

A. Yes.

Q. And in addition to that, from time to time telegrams would come in from the Ministry of Supply, London, addressed to the Secretary of State for External Affairs, Ottawa, and forwarded in that manner to the Department of Munitions and Supply, and copies would go to Mr. Malley?

A. That is right.

Q. All the documents that went forward to Mr. Malley in the Department were available to be seen by you, were they not?

A. I would see them, yes.

That Gerson has, ever since September 1942, been a very active agent in the Soviet espionage organization, is clear from these documents, one of which (Exhibit 28) is in Gerson's own handwriting. That Gerson fully appreciated the implications to be drawn from the presence of this particular document in the Soviet Embassy, was patent to us.

Gerson had been interrogated under Order-in-Council P.C. 6444, and Inspector Harvison, who, on the instructions of his superiors, had conducted that interrogation, was called before us and gave the following evidence:—

Q. Will you tell the Commissioners what he had to say in relation to Exhibit 28?

A. I asked Mr. Gerson if he recognized the handwriting in this exhibit, and he said that it looked very much like his handwriting. I asked him if he had ever made notes from documents, if it was part of his duty to make such notes, and he said it was difficult to define his actual duties but that he had made notes. I asked him how the notes were filed away, and he said there was no filing system in his office for such notes. I asked if he could tell me where in his office I could find the notes that he stated he had made, and he said he could not. He did not know where his handwritten notes would be. That was on February 27, sir.

Q. Did you see him afterwards?

A. At the conclusion of this interrogation I told Mr. Gerson that I was suspending the interrogation for twenty-four hours, and that during that time I would like him to consider if, as a Canadian

†Secret file of forecast of Economics and Statistics Branch, Department of Munitions and Supply.

citizen, he was willing to assist his Government by supplying any information in his possession regarding Soviet espionage.

The following day I had Mr. Gerson brought to my office again, and asked him if he had made any decision. He said that there were a number of personal problems connected with the decision; that he found it extremely difficult, and asked me if I could give him until the following Saturday noon to arrive at a decision.

On the Saturday noon I again had him brought to my office and asked him if he had made a decision, and he said that he had. He said that he realized that the picture ahead was very dark for him; that he had made mistakes; that he would have to face the music himself, and that he would not be able to live with himself if he gave information that so-and-so had done such-and-such; and he used the expression, if I remember well, that he would not be able to live with himself if he 'put the finger on this man and that man'.

The examination of Gerson then being continued, he said:—

Q. In the first place you heard the evidence of the last witness?

A. Yes.

Q. You heard the evidence of the last witness, the gentleman who just went out?

A. You have a text; there was a stenographer in there. She took it, and there is the evidence.

Q. Do you understand the question I am putting to you?

A. No, I do not.

Q. I asked if you heard the evidence of the last witness?

A. I heard what Mr. Harvison said.

Q. Is what he said correct? Did he correctly say what took place in the interviews you had with him?

A. To a large extent, yes.

Q. You say to a large extent. What corrections or amendments do you want to make?

A. I don't want to make any amendments.

It is not difficult to conclude from the whole of Gerson's evidence, that after full consideration he had made up his mind to deny participation and to refuse to give information which in our opinion he was in a position to give and which it was his duty to give.

Gerson was a Communist. In addition to Rose, he had associations with Poland, Benning, Boyer, Lunan, Shugar and Adams.

Having been directed by the terms of Order-in-Council P.C. 411 "to enquire into and report upon public officials and other persons in positions of trust or otherwise who have communicated directly or indirectly secret and confidential information, the disclosure of which might be inimical to the safety and interests of Canada, to the agents of a Foreign Power and the facts relating thereto and the circumstances surrounding such communication", we are of opinion on the evidence that Gerson did communicate, over a considerable period, secret information to agents of the Soviet Union in violation of *The Official Secrets Act*, 1939.

SECTION III. 10

SAMUEL SOL BURMAN, Montreal

Among the documents which Gouzenko brought with him from the Embassy were two sheets torn from a notebook. He testified that they had once formed part of a notebook in which Lieutenant-Colonel Motinov drafted telegrams to Moscow for Colonel Zabotin's approval. One such telegram which Gouzenko said was coded by him and sent off reads as follows:—

Despatched

To the Director, Reference N.

I am communicating to you the arrangements for Berman's meeting in London. The meeting will take place two weeks after Berman's departure from Montreal, counting the first Sunday after his departure as the date of his departure, even if he should have left on a Wednesday. The meeting will take place at 15 o'clock on Sunday, in front of the office of the High Commissioner for Canada, London, S.W.1 (Canada House, Trafalgar Sq.). If on the first Sunday it does not take place, it will be transferred to the next Sunday at the same hour and so on until contact is established. Berman will be in civilian clothes—brown suit (tweed) checkered, without a hat, with a newspaper in his right hand.

Pass-word: "How's Elsie?"

Berman will reply: "She's fine".

Thereupon our man will hand over to him a letter signed "Frank".

If the meeting at the designated place should prove impossible, or inconvenient for us, Berman will send his address to his wife, the latter will give it to Debouz, and the latter to us and it may be possible to undertake the meeting at the address of his living quarters. When you will advise us that the meeting will be more convenient at the apartment, then we will tell Debouz and he will tell Berman's wife. Berman's wife will write him a letter with the following sentence:

"Ben has not been feeling too well". After that he will await the meeting at his apartment.

Supplementary data.

He joined the Party in 1938. ~~Had a business~~ *
Worked as an insurance agent. His wife joined the Party in 1939. During the illegal period he worked in the central apparatus of the Party on organizational work.

This appears in the notebook following the date 28.4.44, which relates to another telegram. The words in the heading "*Reference N*" mean that this telegram is a reply to one from Moscow bearing a number which was not filled in in the draft but which would appear in the cyphered document. The telegram also bears a note in Motinov's writing: "*Despatched*". Debouz is, of course, Fred Rose.

As to Burman, Gouzenko testified as follows:—

Q. The last telegram, a part of Exhibit 34—the last draft telegram refers to Burman. Is Burman a nickname or cover name, or the name of a person, a real name?

A. I think it is a real name.

Q. Do you know anything about Burman other than what is in this document?

A. This was the first time I saw him, in this document.

Q. The first time you ever saw the name Burman was in this document, Exhibit 34?

A. Yes.

Q. Did you hear anything about him, in addition to what you saw in the document?

A. Oh, yes. Colonel Zabotin sent a telegram to Moscow that there was sent to Moscow with Tounkin the biography and photograph of Burman.

Tounkin occupied the post of Counsellor at the Embassy. His name also appears in Section VI dealing with Rabinowitch.

On another page Motinov had started to draft the above telegram but crossed it out before finishing, possibly because it was not clear. This reads as follows:—

To the Director with reference to No.

Today we received through Debouz: a photograph of Berman and a letter signed by Debouz for Berman. Hereunder I am giving the arrangements for a meeting

* Faint type indicates words crossed out in original documents.

worked out by Debouz for Berman. Berman will know one thing, that the letter will be given him by Debouz's man. The latter is known to him as Frank. The meeting must take place two weeks after the departure of B. from Montreal counting Sunday, in front of the building (office) of the High Commissioner of Canada Sunday at 15 o'clock. If it should not take place—it will be carried over to the following Sunday at the same time and so on until the meeting takes place.

From these documents it appears that Burman, who was going to England on duty, was to be brought into contact in London with an agent working there who was to be known to Burman as "*Frank*". This English agent was to hand Burman a letter which would be signed "*Frank*". It does not appear what this letter would contain. It might be that it would give Burman instructions about work that he was to do, or it might be, and we think this to be more likely, that it would serve merely as part of the identification of the English agent, in which case Burman's instructions for the future would come either from the English agent or have been well understood by Burman before he left this country and were perhaps set out in the letter from *Debouz* (Fred Rose) to Burman. Burman had been trained in the army to act on the civil affairs staff in occupied countries and this may explain the interest of the Russians in him.

Burman left Halifax for the United Kingdom on September 7, 1944. He was a resident of Montreal, being engaged in the insurance business at the time of enlistment in April, 1943. His wife's name is Elsa and he has a brother Barnett who, he testified, is known as "Ben". Burman was in England from September, 1944 to March, 1945 and from October, 1945 until repatriated in due course to Canada in November, 1945.

As to the particulars given in the telegram concerning him the following given in evidence by Burman is to be noted:—

- Q. While you were in London did you have occasion to go to Canada House on Trafalgar Square?
- A. I never went there. The only time I was anywhere around there was at C.M.H.Q. I was at C.M.H.Q. two or three times.
- Q. Do you know where Canada House is?
- A. Right at the corner of C.M.H.Q.
- Q. How long after your arrival in London, in England, did you go there?

A. I went up to London, I think we had a day's leave, a day or two, about the 26th September. I think that was a day or two, but I am not certain. I cannot remember the exact dates.

Q. 1944?

A. 1944. It was either the end of September or the beginning of October, some time around then.

Q. Where was C.M.H.Q. located with respect to Canada House?

A. They are both on Cockspur Street. C.M.H.Q. is the centre of the block, right across from the Canadian Officers' Club on the other side of the street, and Canada House, I believe, is right at the corner.

Q. And do you say that when you left Canada on the 7th September you did not bring any civilian clothes with you? May I suggest that you had a brown suit with you?

A. I had a pair of flannels and I had a sports jacket.

Q. What was the colour?

A. Heather tweed; a heather shade of tweed.

Q. Brown?

A. Could be called brown, I suppose; mixed heather.

Q. I will ask you this question and the answer will be quite easy to remember. You were in England and you wore civilian clothes. What kind of hat did you wear?

A. I had no hat.

Q. No hat. What kind of coat did you wear? Was it a raincoat or another kind of coat?

A. The only coat I ever had with me was my army coat.

Q. A raincoat?

A. My trench coat.

Q. And no hat?

A. No hat.

When the telegram which was sent off was read to Burman in the witness box, he said in part:—

(Reading from the telegram):—

If the first Sunday it does not take place, it will be transferred to the next Sunday at the same hour, etc. until contact is established. Burman will be in civilian clothes—brown suit (tweed), a raincoat without a hat, with a newspaper in his right hand.

Q. Just stop there. Where would that information come from, Mr. Burman?

A. I do not know, sir.

Q. It describes your clothing, does it not?

A. I did not have a suit; all I had was a pair of flannels and a sports jacket with me.

Q. I know.

A. I never wore that until August, 1945, the end of August, 1945.

Q. I did not ask you that. I just say that describes your clothing that you had, does not it?

A. In some respects it seems to.

Q. You were in London in September or the early part of October, 1945?

A. 1945?

Q. 1944, I am sorry?

A. I think I was.

Q. Whatever you said before has been taken down, but I have a note about it here. I am asking you where did that information come from and get into the Russian Embassy, if not from you?

A. I have no idea.

Q. Or your wife?

A. It is fantastic, really.

Q. It is not fantastic; it is in the document that is being read to you.

A. I cannot understand it.

Q. Read a little more and maybe it will help you.

Q. "*Password; 'How's Elsie?'*". What is the name of your wife?

A. My wife's name is Elsa.

Q. "*Berman will reply: 'She's fine.'*"

Q. All I am asking you, Mr. Burman, is how that could get into the document. Can you suggest anything except from yourself or your wife?

A. I do not know, sir.

Q. What would be the point of anybody in the Russian Embassy writing that down if that was not real information?

A. I cannot imagine, sir; I do not know.

Q. "If the meeting at the designated place appears impossible or inconvenient for us, Berman will send his address to his wife."
You wrote to your wife, of course?

A. Yes, sir.

.

Q. "If the meeting at the designated place appears impossible or inconvenient for us, Berman will send his address to his wife, the latter will give it to Debouz."

Debouz has been identified as Fred Rose. You know Fred Rose?

A. I have never met Mr. Rose, sir.

Q. No, but you have attended meetings where he was.

A. Yes.

Q. You have attended meetings where he was?

A. Yes, sir, I have.

Q. Did your wife know him?

A. I do not think so, sir; I do not think she does.

Q. She does not tell you everything?

A. I do not know if she does or not, sir.

Q. Does not tell you everything about the West End Club, does she?

A. I do not know whether she does or not.

Q. "The latter will give it to Debouz, and the latter to us and it may be possible to undertake the meeting at the address of his living quarters. When you will advise us that the meeting will be more convenient at the apartment, then we will tell Debouz, and he will tell Berman's wife."

You notice that the writer of that document does not even take the trouble to give you a cover name, and he does it for Rose.

"Berman's wife will write him a letter with the following sentence: 'Ben has not been feeling too well.'"

You stated at the beginning of your examination that you had someone who was known to you and your wife and called Ben.

A. My brother's name is Barnett; known as Ben.

Q. "After that he will await contact at his apartment. Supplementary data. He joined the Party in 1938."

COUNSEL FOR THE WITNESS: That is part of the document?

COUNSEL TO COMMISSION: Yes.

Q. Is that correct?

A. No, it is not.

- Q. What have you to say about that?
- A. About what?
- Q. Entering the Party in 1938?
- A. What Party are they referring to?
- Q. You said "No" without knowing what Party this dealt with?
- A. I never entered any Party. I have never been a member of any Party.
- Q. I will continue with the supplementary data on Burman of Montreal who left for London with a brown tweed suit, without a hat and a raincoat, worked as an insurance agent. You were working as an insurance agent?
- A. That was my business, sir.
- Q. *"His wife joined the Party in 1939".*
What do you say as to that?
- A. As far as I know she is not a member of any Party.
- Q. *"During the illegal period he worked in the central apparatus of the Party on organizational work."*
What do you say as to that?
- A. It is fantastic, sir. I do not know what it refers to at all.
- Q. It refers to a man whose name is "Berman". It refers to a man whose business is insurance, living in Montreal, and who left for London?
- A. Yes, sir.
- Q. It refers to another name which happens to be this man's wife's name. It is fantastic if it is not true, is it not?
- A. Yes, sir, that is right.
- Q. Is that all you have to say to that?
- A. I have nothing else to add.
- Q. Do you know anyone else who would have all that description? Besides all that identification which definitely points to you and nobody else but you, you have that Ben mentioned.
- A. I cannot understand it, sir.
-
- Q. Well, you are identified with the document, first of all by your name. Second, by your wife's name. Then by the name of Rose. Then by the fact that you went to London. Then by the fact that you went close to the place where the place of meeting was. Then by your raincoat. Then by the fact you had come from Montreal. Then by the fact that you were in the insurance business. Besides all that, by the fact that you did not know anyone by that name

that would fit into that description. Is there any explanation that you would care to give to that?

A. I have not any, no; I do not know anything about it.

Q. Do you know anyone who would have an interest in you to give all those details to the Russian people?

A. I do not know why anyone should.

Q. You may have, Mr. Burman, a very reasonable explanation to offer. I do not know. I told you at the beginning of this examination that you may have been an unconscious agent. I am not saying "conscious", I am saying "unconscious". You may have been an unconscious agent. I am asking you if you have an explanation to offer, and any suggestion to give for your own benefit.

A. I know that I have not any; I do not know anything about it.

Q. You have no suggestion; you can give no explanation; you have nothing to say about that document?

A. No, nothing at all.

Q. There is another document that you may care to see, Mr. Burman. It has been filed as Exhibit 35. It is also a document coming from the Embassy, written in Russian by Colonel Motinov whose handwriting has been identified here. This one was written before the previous exhibit, and it was to be sent to Moscow, but the evidence is that it was not, that this one was not sent. The other one was sent to The Director in Moscow. This is addressed to The Director also:—

"Today we received through Debouz—"

That is Fred Rose.

"—a photograph of Berman and a letter signed by Debouz for Berman."

Can you explain how your photograph would reach the Russian Embassy?

A. I don't know. I don't know how it could.

Q. Pardon?

A. I don't know how it could.

Q. My question is—you may have some imagination, I do not know, even if you have no memory; but can you find any suggestion of any explanation for the existence of that document in the Russian Embassy and for the recital of all these facts which are so fitting to your person?

A. I am afraid I cannot.

Q. Do you appreciate the value of what is suggested, of what is implied in these exhibits?

A. I would say that it is pretty serious.

Q. And yet there is no explanation, no suggestion, no idea that you can give the Commissioners here?

A. I have no explanation for it at all. I don't know what it means. I don't know what it refers to.

Q. You are not asked that. You are asked if you understand the purport of the document.

A. I think the document is fairly clear.

Q. And could you know, or could you have any idea of any person using your name?

A. I don't know for what purpose, sir.

Q. So you have no explanation whatsoever to offer for the recital of all those details which are connected to you, or which connect this document to your person?

A. No, I have not.

On the subject of the Communist Party Burman displayed the same evasion and secrecy exhibited by so many of the witnesses on the same subject. We have no difficulty on the evidence, after hearing him and seeing him, in coming to the conclusion that the telegram correctly reflects his political affiliation. Burman knew of Lunan in 1938 (although he says he did not actually meet him) in the *Civil Liberties Union* in Montreal. Lunan's evidence as to this period is as follows:—

Q. Was your wife a Communist? Is your wife a Communist?

A. My wife I think is a member of the Labour-Progressive Party.

Q. Your wife has been a Communist, to your knowledge, since your marriage?

A. Yes.

Q. Since 1939?

A. Yes.

Q. You resided in Montreal for some time at 3610 Oxenden Street?

A. Oxenden Avenue.

Q. And you had several meetings of the Communist group there?

A. Yes.

Q. Was your wife a member of the group, too?

A. No, she was not.

Q. Was she a member of some other group?

A. I don't know. I simply met her as a girl friend.

Q. But since your marriage?

A. Oh, I think she has belonged to various groups.

Q. Various Communist groups?

A. Yes.

Q. Never in the same group as yourself?

A. No.

.

Q. I am covering the whole period you belonged to the Communist Party and you were having these meetings?

A. I can remember distinctly a meeting—not a meeting, but a visit of Tim Buck and Fred Rose sometime in the spring of 1943, because I was in the army at that time, and I had come home on leave.

Q. So you were definitely well known to Rose, and you knew him very well when you met him on the train?

A. Oh, yes.

.

Q. What about Raymond Boyer? When did you meet him?

A. Boyer I met originally through my wife. At the time I think Boyer was in the Civil Liberties Union, which was—

Q. A political organization?

A. If you wish.

Q. And the word "political" in this instance is being used as "Communist"?

A. No; I think that would not truly represent the views of all members of the Civil Liberties Union, to call them Communists.

Q. What?

A. It would not truly represent the views of all members of the Civil Liberties Union to call them Communists.

.

Q. But you say there were several Communists?

A. Oh, yes.

Q. In other words, if I understand the situation correctly, the Communists have their own secret organization, their own groups, which carry on their secret operations, and they also join other groups which are operating in the open?

A. I think they feel free to join any group.

Q. Not only free, but they would be interested?

A. Yes, in special groups.

Q. With the idea of controlling the other organizations, if possible?

A. Well, with the idea of advancing their own opinions.

Burman testified:—

Q. 1938 is just the time that Exhibit 34† says you joined the Communist Party. Is that the time you met Lunan, about that time? You said you did not meet him, but the time you became associated with him?

A. I was active in the Spanish Committee, sir. There was a Spanish Committee and I used to collect funds. I was very much interested in the Spanish Committee.

Q. That was the Committee for sending soldiers over to Spain, was it?

A. It was the Committee that was looking after Spanish children and I think it was supporting sending soldiers to Spain.

Q. What surprises me is that you say you were very active in that Committee, and then you say you think something about it?

A. I was interested in going out and collecting money.

Q. Do you know what the Spanish Committee was doing, to your knowledge?

A. I am afraid I was never on the inner councils or anything. As far as I know, it was supporting—we used to raise funds to support soldiers going over there to Spain.

Q. You knew that?

A. Oh, yes.

Q. Well, a few minutes ago you just thought that?

A. As far as I know, that was the purpose. I never sent them over, or anything like that.

Q. (*A picture of David Gordon Lunan was shown to the witness*). Where did you meet Lunan? Tell the Commissioners what you know about him?

A. I don't know anything about Lunan. I have never met him.

†See p. 2 above.

- Q. Where did you see his picture?
- A. You have just showed it to me.
- Q. But before that?
- A. I have seen it in the papers.
- Q. What did you mean when you said you had never met him officially?
- A. I have seen him.
- Q. Will you develop that idea, that you have not met the man officially, please? Take your time and tell us what you know unofficially about him, and when you met him unofficially?
- A. I have seen him at meetings.
- Q. What meetings?
- A. I think it was in connection with the Civil Liberties Union.
- Q. And then explain that, will you please, Mr. Burman? We are interested to find out what you know about him, so would you mind telling us what you know about him?
- A. I don't know anything about him at all. I know that he was—I think he used to speak for the Civil Liberties Union.
- Q. All right. Where was that? We would get on much faster if you were to tell us what you know about him without forcing me to put the questions to you.
- A. I know, but this is a long time.
- Q. What do you mean by a long time?
- A. Probably away back in 1939 or 1938.

Burman attended meetings of a Communist Club in Montreal after his return from overseas in November, 1945 and is a subscriber to the *Canadian Tribune* and *National Affairs Monthly*. Although the attendance at the club did not exceed fifteen persons, his memory as to these persons is poor. His evidence is characteristic of a good deal of the evidence of other witnesses to which we have listened:—

- Q. Will you tell the Commissioners what you know about the West End Club of the Labour-Progressive Party?
- A. I don't know anything about the West End Club of the Labour-Progressive Party, sir.
- Q. You don't know anything about it?
- A. No sir.
- Q. Well, we will have to inform you that there have been a number of meetings of that club at your own home?
- A. I am not a member of any club like that.

- Q. I am asking you what you know about it, even if you are not a member?
- A. I know there is a club.
- Q. Then tell us what you know about that club?
- Q. You know there is a club by that name?
- A. Yes, sir, I do.
- Q. Then tell us what you know about it. That is what you are asked.
- A. I don't know very much about it, sir. I know it is a club that meets in the west end.
- Q. Of the Labour-Progressive Party?
- A. That is what it is called, sir.
- Q. What is your reluctance in telling us about it? Go ahead.
- A. I don't really know much about it, sir. I have not been associated with it. I know some of the people who belong to it.
- Q. Well, who are they?
- A. I don't know what—I will ask you, sir—
- Q. You just answer the question. You said you knew some people. Now, just answer the question and give the names?
- A. I have seen people around there. I don't know whether they are members or not.
- Q. Don't be sure not to give too many details. You have seen people around there, and you do not know whether they are members or not. My question is, who were the people you knew who belonged to that club?
- A. I am not sure whether they belonged to it or not; people I have seen—
- Q. You said you knew people who belonged to it. I am asking you who they are. Is that clear?
- A. Well, who seemed to belong to it. I am not sure whether they belonged or not.
- Q. I am still asking you who they are. Tell their names, whether you know they belong to it, or not.
- A. I have seen Mr. Bailey.
- Q. What is his first name?
- A. I think it is Max Bailey.
- Q. Have you seen Reuben Ginsberg?
- A. I have seen him around; yes.
- Q. In the same way that you have seen Max Bailey?
- A. They have been in the same group.

Q. And who else?

A. I can't think of the names now.

Q. Is it a secret?

A. No, sir; just that I am trying to think of some of the people that I have seen there.

Q. You said you knew several people. You have mentioned two. You are certainly giving me the impression that there is something secret about it.

A. I have seen Miss Truax there.

Q. Do you know her first name?

A. No, I do not.

COUNSEL FOR THE WITNESS: Beryl Truax. She is a teacher in the Westmount High School, and a former Labor-Progressive Party candidate in my constituency.

COUNSEL TO THE COMMISSION: Is that the name?

A. I believe so.

Q. Where have you seen these people; at your home?

A. No, I don't believe they have ever been at my home.

Q. Where have you seen them to identify them in this club?

A. I have seen them in this group. I have been trying to think of some of the people that I did see.

Q. We will come back to that in a minute. I have asked where you have seen them?

A. At various homes.

Q. Well, where? That is exactly nothing when you say "various homes". Where have you seen them? Don't waste our time, Mr. Burman.

A. I am sorry; I am trying to help. I am trying to think of the places. I can't remember the homes, sir.

Q. These meetings of this club that you have talked about, where you have seen these people—you must have been there yourself?

A. Yes, I have attended some meetings.

Q. Of the club?

A. Yes.

Q. And how many in the club on the occasions that you have been there, if you cannot remember any more names?

A. Well, I should say about fifteen.

Q. That is just a guess. And during what period were you attending these meetings?

A. I attended a couple of meetings since I have been back.

Q. When did you get back?

A. I got back on November 21, 1945.

Q. And you mean to say you cannot remember any place where you attended those meetings since November 21, last?

A. I don't remember the addresses, sir; I don't remember the locations.

Q. I did not ask you the locations. I asked you the names of the homes.

A. No, sir, I don't remember them.

Q. What is there so secret about the meetings of this West End Labour-Progressive Club?

A. I don't know, sir. I haven't any idea. I am not a member of the club myself. I don't know much about it.

Q. But you are interested enough to attend it on a number of occasions, even since you got back from overseas?

A. Yes, sir.

Q. What is there to hide about it?

A. I don't think there is anything to hide about it, sir, frankly. I just don't know much about it.

Q. You cannot even remember where they met, or more than two or three other persons beside yourself who were there, when you say there perhaps were fifteen. I am asking you, what is secret about this thing?

A. I don't think there is anything secret about it at all, sir.

Q. I suppose if you attended meetings of this kind since your return from overseas, you attended similar meetings before you went overseas, did you?

A. I don't think I attended any meetings of the Labour-Progressive Party, sir, before I went overseas.

Q. You are not sure about that?

A. I don't think I did, sir.

Q. Did you attend similar meetings where similar subjects were discussed?

A. I am not sure, sir.

Q. You may have?

A. I may have. I am not sure.

- Q. And at this West End Club, what did they discuss on the occasions you were there; or do you remember that?
- A. If I remember correctly, sir, I think there was a discussion on housing.
- Q. That is all?
- A. I don't remember the rest of the discussion.
- Q. Marxism?
- A. There wasn't any of that when I was there.
- Q. Have you studied Marxism yourself at any time?
- A. I have never studied Marxism, sir, at all.
- Q. Been present at discussions where it was discussed?
- A. It could be. Not as such. How do you mean, sir?
- Q. My question is plain enough; you answer it any way you like.
(*No audible answer*).
- Q. You say you came back from Europe in November of 1945?
- A. Yes, sir.
- Q. And do you remember when you first attended one of these meetings when you came back?
- A. I don't remember, sir.
- Q. Who asked you to attend a meeting?
- A. I don't remember that either, sir.
- Q. Oh, you must have been invited by somebody there, to one of these meetings?
- A. I don't remember.
- Q. Who notified you that there was a meeting being held, and gave you the date on which the meeting would be held?
- A. I don't recall, sir.
- Q. You can't recall that?
- A. No, sir.
- Q. Did you go to these meetings in February, 1946?
- A. I don't know.
- Q. In 1946, you have been to these meetings?
- A. I don't remember; it was in 1945 or 1946.
- Q. But you attended a couple of these meetings since you are back, you said?
- A. I think I have attended two.
- Q. And you could not say where; you do not know who were present, and you do not know who asked you to go?
- A. I would try and remember the places. I can't remember them right now.

Q. It is a complete blank as to who asked you to go?

A. I don't remember at all.

Q. You don't remember at all?

A. No.

Q. And as to who were present, also you do not remember at all?

A. I can't remember now, sir.

Burman also is not sure as to just what kind of paper the *Canadian Tribune* is although he has been a subscriber for some years:—

Q. Well, were you ever a subscriber to the *Canadian Tribune*?

A. Yes, I have—

Q. Since how long?

A. I do not know how long. I have subscribed to lots of things. I have to.

Q. What else did you subscribe to, the same kind of paper, the *Clarion*?

A. No.

Q. *The Worker*?

A. No.

Q. What other papers of a similar trend did you subscribe to?

A. I think I had a subscription to *The Commonwealth*.

Q. What is that?

A. That is a C.C.F. paper.

Q. I am speaking of papers of the trend of the *Canadian Tribune*, Mr. Burman?

A. I do not think there are any other papers like that; I do not think I did.

Q. No other papers like that, all right. What sort of paper is the *Canadian Tribune*?

A. As far as I know it is a left-wing paper.

Q. Would you call it a Communist paper?

A. I suppose you could; I do not know whether it is a Communist paper or not.

Q. You do not know?

A. (no audible answer.)

Q. Are you a subscriber at the present time?

A. I think I have still a subscription there, sir. I have not noticed. I have not made any payments of any kind for—

Q. You do not know whether it is a Communist paper or not?

A. I do not know whether it is a Communist paper. It is a left-wing paper, very definitely.

- Q. What does that mean?
- A. Well, it is a Labour paper.
- Q. How long have you been a subscriber to the paper, how many years?
- A. Frankly I do not know, sir.
- Q. Well, two years, five years, ten years?
- Q. Did you receive it when you were overseas, Mr. Burman?
- A. No.
- Q. Did you receive it since you are back?
- A. Yes, it has been coming.
- Q. Did you subscribe since November, 1945?
- A. No.
- Q. How did you get it then if you did not get it when you were overseas and are getting it since you are back?
- A. It has been coming to the house.
- Q. Coming to the house?
- A. Yes.
- Q. Without a subscription?
- A. No, it has been coming to the house, sir. I must have subscribed some time. I could probably look up my office cheques. I probably have a cheque there somewhere, and I could probably find that out.
- Q. Does it come to you or to your wife?
- A. It is addressed to me, sir.
- Q. Is your wife a member of the Labour-Progressive Party?
- A. I do not think so.
- Q. You do not know?
- A. As far as I know she is not.
- Q. Still you have not answered my question. I asked you how long have you been getting that paper, the *Canadian Tribune*, how many years?
- A. I am afraid I cannot remember that, sir.
- Q. Five years?
- A. I do not think so; I do not think it was that long.
- Q. Four years?
- A. I really do not know.
- Q. What?
- A. I really do not know. I was not—maybe four years.

Q. Did you know that it is the paper which campaigned to have the ban lifted on the Communist Party?

A. I believe so.

Q. You knew that, did you?

A. I think so, sir.

Q. Is there any doubt in your mind as to what sort of paper it is?

A. I say I believe that it is a Labour paper.

Q. You would not go as far as saying it is a Communist paper, would you?

A. I do not know whether it is a Communist paper or not. I believe it is a Labour paper, sir.

Q. That is your answer?

A. Yes, sir.

It is not entirely irrelevant also to note that Burman knew both Benning and Gerson and had associations with them before he enlisted.

All of this evidence establishes that Burman was of the same soil as that from which the other willing agents of Col. Zabotin were drawn. It also establishes the essential accuracy of the statements in the telegram with respect of Burman's family, occupation, political history and civilian clothing. There is no reason to think the other statements in the telegram are any less accurate. The whole document was written in order to have Moscow arrange at that end for the meeting in London.

Burman's name also appears in Section IV (3) of this Report, dealing with Gottheil, and reference may be made to that section. A channel of information to the Soviet Embassy by way of Sam Carr is there indicated.

Being required by the terms of Order in Council P.C. 411 to "inquire into and report upon which public officials and other persons in positions of trust or otherwise, have communicated directly or indirectly secret and confidential information, the disclosure of which might be inimical to the safety and interests of Canada, to the agents of a foreign power" we cannot report in the case of Burman that he did so communicate, but we think the story told by the above documents relates to this witness as there set out. There is no evidence before us showing that the London meeting actually took place.

SECTION III. 11

RAYMOND BOYER, Montreal

In the Embassy records brought away by Gouzenko, references are made to this man. In a notebook written up by Colonel Zabotin himself there is the following:

Prior to Reorganization

Director Davie

1. Fred—director of corporation.

Previously worked at the neighbours, up to 1924. In May-June 1942 came to Davie with a proposal to help. Davie checked up on Fred through New York (Molier). The neighbours proposed to make use of Fred. After this, in 1942 in September, Fred contacted Davie on instructions from Molier. Molier was sent to work in Ottawa, for organizing the work. (At the present time on the electoral lists to parliament in Quebec.)

Fred's Work

Group in Montreal (activists)

1. Gray

Jew. Head of a section of the Directorate for securing war materials for the Allies. Taken on to the work on 1.9.42. He works well. Gives materials on shells and cannons (on films).

2. Green

Works in the administration of the Tank plant "Locomotive" in Montreal. Assistant to the superintendent of the section on contracts. A key position. Gives information on the numbers of tanks being delivered—only.

3. Professor

Frenchman. Noted chemist, about 40 years of age. Works in McGill University, Montreal. Is the best of the specialists on VV on the American Continent. Gives full information on explosives and chemical plants. Very rich. He is afraid to work. (Gave the formula of RDX, up to the present there was no evaluation from the boss.)

Gave about OV.

The words "before reorganization" refer to the net-work of agents headed by Sokolov before Zabotin arrived in June, 1943, to take over. These notes indicate that the *Professor*, the name used to indicate Boyer in the Embassy records at that time, was a member of a group of agents operating under Fred Rose. These notes were evidently written shortly after Zabotin's arrival as Rose was "on the list of Parliamentary candidates in Quebec" by August 9th, 1943, the date of his official nomination.

On the mailing list of January 5, 1945, item 108 is as follows:

Nos. P.P.	Source	From where and under what circumstances the material was obtained	Designation of the Material	Date & Number	Number of Pages	Marked
1	2	3	4	5	6	7
108	Debouz	Notes	Conversation with Profess. decisions secr. session of Parliament	No date	1	None

This document is a note evidently taken by Rose of a discussion he had had with Boyer. It refers to decisions made in the secret session of Parliament which in fact had been held November 28th, 1944.

Boyer is also referred to in certain cables passing between Zabotin and *The Director*.

On August 9th, 1945, *The Director* sent the following telegram to Zabotin:

11295

14.8.45

To Grant.

In the mail of 23.8.1944 were received from you Gray's two materials—the monthly reports on the research of separate technical questions in the field of production of war supplies. On the basis of the short and fragmentary data it is impossible to judge the methods and work of the Canadian and English industry of war supplies, powders and chemical materials.

It is desired to obtain the following information:—

1. 27 methods ~~2507~~ and technical processes of the production of war supplies, VV and powders. *
2. Deciphering of laminated VV, the production of T. H. and H. S. (composition, purpose, technology and specific qualities).

*Faint type indicates words crossed out in original documents.

3. The application of picrate and nitrate-gushnidina.
I repeat: picrate and nitro-gushnidina.

4. The technique of producing detonating capsules and igniting capsules. Wire to whom do you consider it possible to give this task.

If Bacon still continues to work in the Artillery ~~Committee~~ Committee, this task should be assigned to him. *

9.8.45 Director.

Grant

14.8.45

(VV is a Russian abbreviation for high explosive (HE). The reference to T.H. and H.S. was explained in the evidence: it refers to mustard gas. "Nitrate-gushnidina" is nitro-guanidine).

Upon this telegram Zabotin wrote his signature and the date the 14th August, 1945, as above, and on the same date cabled the following reply:

To the Director, with reference to No. 11295

1. The tasks will be assigned to Gray, to Bacon and to the Professor through Debouz. The Professor is still away on a business trip. There will be a meeting with Debouz at the end of this month.
2. Martin received a reply from Dekanozov with permission to leave for home. As a result of Martin's work at the San Francisco Conference and his sickness, about a month, the latter was unable to write reports on your task. The questions of the present-day situation in Canada after the elections and the distribution of the class forces in the country, he will write here and we will send them to you by regular mail, while the remaining questions of the task he will write at the center.

14.8.45

Grant

Martin referred to in the second paragraph is Zheveinov of TASS. Dekanozov is one of the Assistant Commissars of Foreign Affairs. The Centre is Red Army Intelligence Headquarters at Moscow.

In his evidence with regard to Boyer, Gouzenko gave the following testimony:

Q. Before you go to 109, (on the mailing list of January 5, 1945) on the fourth line of 108 you have 'professor'.

A. Yes; I am sorry.

* Faint type indicates word crossed out in original documents.

- Q. Is 'professor' a code name, a cover name?
A. Yes.
Q. Do you know to whom that refers?
A. In this case that applies to Professor Boyer of McGill University.
Q. How do you know that? Where did you get that information?
A. Usually this agent was referred to as *The Professor* only, but on one occasion when there was a discussion about the atomic bomb and the professor's name came up in the discussion, Colonel Zabotin mentioned Professor Boyer.

Further Gouzenko said:

- Q. The reference here to sums of money being sent—in the documents which have already been put in here before the Commission there are references to the payments of moneys to various agents. You have seen those, have you not?
A. That is right.
Q. And that only deals with payments of which we have a record in the documents here. Were other payments being made to agents from time to time?
A. Yes, of course.
Q. And did you at any time see the records of those payments?
A. I coded telegrams in which accounts of those payments were made.
Q. Did you yourself ever have anything to do with making payments to any agents?
A. No.
Q. That went through Grant? All those payments were made through Grant?
A. Grant had charge of the operative funds, which he handed to Motinov for payment. Motinov was responsible for the agency work.
Q. So that on certain telegrams that we have seen up to now we see that certain payments have been made to certain agents; but it is to your knowledge that other payments have been made?
A. That is right.
Q. To persons already mentioned?
A. It is hard to remember. Each agent received money from the contact man who met him.
Q. So do you mean to say that they were all paid?
A. As far as I know they would all receive money, with the exception of such a man as *The Professor*, who was very rich and did not need money.

A. That is right.

Gouzenko also produced from a notebook used by both Zabotin and Motinov, a page containing the following in the handwriting of Motinov:—

Professor

Research Council—report on the organization and work. Freda to the professor through GRIERSON.

Q. That was Professor Boyer of Montreal?

As to this Gouzenko said:—

Q. This will be Exhibit No. 37, and I will read you a translation and ask you to say if it is correct. 'Professor, Research Council—report on the organization and work.

Freda to the Professor through Grierson.'

A. That is right.

Q. Who is Grierson?

A. From the documents which I have read I have assumed that that is Grierson of the Canadian Film Board, Chairman of the National Film Board.

Q. That is the Canadian National Film Board?

A. Yes.

Q. What is the meaning of that: 'Freda to the Professor through Grierson'?

A. I understand it means that they wished to appoint Freda to work with *The Professor*, through Grierson. I want to explain.

Q. Yes, I would like you to explain that.

A. The work that Freda was doing in the Film Board was not satisfactory to Moscow. Therefore they asked Colonel Zabotin to place her in some more important department. Therefore it looks as if Colonel Zabotin was to place Freda to work with *The Professor*, using Grierson's influence to get her into the position.

RDX is an explosive, the new method of preparing which had been improved in England up to 1942. Its full name was Research Department Explosive, of which the letters RDX are a contraction. The work done on this explosive in Canada is described by Dr. Cambron, the Assistant Director of the Chemistry Division of the National Research Council, as follows:—

Q. Did the National Research Council develop or improve RDX between 1942 and the close of the war?

A. Yes, to a very large extent. Actually the work started before 1942.

Q. So I understand.

A. And as a result of that work and the work done after 1942 a practical method of producing the explosive on a large scale was developed. But it might be added at this point that considerable assistance was obtained from the United States in that development. It was actually a joint effort. It becomes a joint effort after the initial work at Montreal.

Q. The National Research Council was doing the work in Canada?

A. That is right.

Q. What was the opposite number in the United States?

A. N.D.R.C.; that is the National Defence Research Committee, which was a division of O.S.R.D., the Office of—I don't remember what that means, actually.

Q. And was there a free exchange of information between the two, the O.S.R.D. and the National Research Council?

A. Yes, very full.

What was effected as a result of this work was a new method of producing the explosive. This was a Canadian development. This work was classified as secret during the war and information with regard to it was restricted to a definite number of authorized persons. As late as March, 1946, information with regard to RDX had not been released. The work done in Canada was done for the National Research Council by its Associate Committee on Explosives and its Sub-Committee on Research and Development. Dr. J. H. Ross, the Chairman of this Sub-Committee, and Boyer, working under him, were directly in charge in Canada for the Research Council in connection with the main project of the development of this new process for producing RDX. This work was carried on at McGill University, Montreal.

In addition to this project, there were a number of other projects on explosives undertaken during the war, the information with respect to which came to Boyer by reason of his membership on the Sub-Committee. On some of these projects he also worked himself. In connection with RDX a number of written progress reports were made from time to time commencing in November, 1942, many of which were written by Boyer. All were secret documents. Dr. Cambren described Boyer as an outstanding man in Canada on the chemistry of explosives.

Boyer, who was born in Montreal, graduated in 1930 from McGill University with the degree of B.Sc. and in 1935 received his Ph.D. in

chemistry. He did postgraduate work at Harvard, Vienna and Paris, returning to Canada in 1937. Until the outbreak of war he did no work.

With regard to himself he testified:

A. I have worked in organizations in which there were Communists and in which I knew there were Communists, and I have worked very closely with Communists, but I have never held a party card nor paid dues, etc.

Q. Have you ever made contributions to the work of the Communist party?

A. I made contributions.

Q. Financial contributions?

A. Yes.

In the fall of 1939 he offered his services to the Canadian Government in any capacity and suggested that

I be sent to Russia without any diplomatic status or anything, in order to try and find out what Russia's real attitude to the war was.

Although Boyer had taken "some lessons" in the Russian language, he says he had no reason to believe at that time that he would be received in Russia and that he had met no Russians and made no contacts. He was not sent.

In June, 1940, Boyer offered his services to the head of the Chemistry Department at McGill, who suggested he go to the University of Toronto where research had commenced. Boyer did so, in July of that year, and worked there on explosives research until September 1st, 1940, without salary and paying his own expenses. He is, as Gouzenko said, financially independent. His particular research work at this time included work on a method of preparing picric acid, a high explosive (H.E.).

As arranged before he went to Toronto, Boyer returned to McGill in September, where he began work under Dr. Ross. Here he worked on a number of projects, including picric acid, and he says that:

it was almost at the very start that we had the idea that we might be able to make RDX in a way that it had never been made before.

He also testified:—

Q. May I ask you now if at the time this thought came to you, RDX had been used at all since the outbreak of the war on September 1, 1939, down to the time you are speaking of?

A. I don't think it had been used.

- Q. Were there reasons why it was not used? Had it not reached a stage of development that permitted its use?
- A. No, I think production was not sufficiently great. There was not enough of it.
- Q. Then you say, 'We thought it might be made in an entirely different way.' When you say 'we' are you speaking of Dr. Ross and yourself?
- A. And a student, a graduate student.
- Q. What was his name?
- A. Schiessler.
- Q. That idea came to you when in 1940?
- A. In September or October; October, I should say.
- Q. And did you start at that work at once?
- A. Yes.

- Q. Do you use the same elements to produce your RDX as the British use?
- A. Oh, no, that was the main difference.
- Q. There were different elements?
- A. Different elements.
- Q. But you produced practically the same thing?
- A. That is correct."

As to reports made in connection with this work, he said:—

- A. We reported—well, the reports were not made out to anybody, but they went to the National Research Council. By then Toronto was reporting and McGill was reporting regularly.
- Q. To National Research?
- A. To the National Research Council.
- Q. But if you did make a report personally, did you give it to McGill or did you send it to Ottawa here?
- A. No. I would write the report and it would be typed by Dr. Maass' secretary; duplicated in McGill, and then forwarded to Ottawa.
- Q. To the National Research Council?
- A. That is right.
- Q. A copy of that would be retained in your hands at McGill?
- A. Oh, yes.
- Q. And it would be secret to you, Dr. Ross, Schiessler, Dr. Maass and Dr. Maass' secretary, who typed it?
- A. Yes.

Early in his employment in connection with the work, Boyer took the oath of secrecy. In the fall of 1941 he became a member of the staff at McGill as lecturer in chemistry, being promoted to assistant professor in the fall of 1944. The results of the work in RDX are best described by Boyer himself:—

Q. As you proceeded with your work and found that your belief that a new method would be more successful, did that mean that RDX could be used to a greater extent?

A. Well, what it meant was that it could be produced in Canada and later in the United States by this new method which at least at that time seemed a far better method.

Q. And it enabled much larger quantities to be produced?

A. Yes.

Q. So that as a result of your work it did mean that RDX could be used much more extensively than it had been?

A. Yes. You understand, not just my work; there were hundreds of people involved.

Q. I quite understand that, Dr. Boyer. You continued to experiment with the project at least down to the end of 1944, did you?

A. Yes.

Q. I take it that even then it was a matter that could be pursued further and developed?

A. Oh, definitely.

Q. It still has possibilities?

A. Yes.

Q. Very great possibilities?

A. Yes.

Q. But whether you were employed by McGill or whether you were ever paid or whether you had received an actual grant, from the time that you began to work on RDX research in McGill, commencing in September, 1940, you were doing that work for the National Research Council and reporting the results to the National Research Council?

A. Definitely, yes.

He says that by May, 1945, he had finished his work. A plant to manufacture this explosive was commenced outside Shawinigan Falls in the fall of 1941 and Boyer says that production by the St. Maurice Chemical Company began in the spring of 1942 approximately. Previously in June, 1941, a pilot plant was built. Boyer said:—

Q. Do you know anything about the pilot plant at Grand'Mère?

A. Yes—well—

Q. First of all, describe what a pilot plant is.

A. Well, after the reaction has been completed in the laboratory, in the research laboratory, in beakers and small flasks, and that reaction is to be put into production, before the actual building of a plant, a pilot plant is usually built. That may have a capacity of anywhere from a few pounds to perhaps a ton, depending on the scale in which the reaction is to be carried out. That pilot plant is really a sort of working model of the plant which it is expected will follow as the plant procedure, as it were, is worked out in the pilot plant. In 1941, around June I would say, or July, a pilot plant was built outside Shawinigan Falls—no, I beg your pardon, in Shawinigan Falls, in order to bring this reaction which we had worked out in the laboratory on to a pilot plant scale.

At this point, although it bears a date much later than the period under discussion, we reproduce a draft telegram prepared by Motinov to be sent by Zabotin.

To the Director,

The Professor advised that the Director of the National Chemical Research Committee Stacey told him about the new plant under construction: Pilot Plant at Grand Mere, in the Province of Quebec. This plant will produce 'Uranium'. The engineering personnel is being obtained from McGill University and is already moving into the district of the new plant. As a result of experiments carried out with Uranium it has been found that Uranium may be used for filling bombs, which is already being done in a practical way. The Americans have undertaken wide research work, having invested 660 million dollars in this business.

(sgd.) Grant.

Whether it was actually sent Gouzenko could not say. The only importance of this document is that it shows that Boyer was communicating information with respect to the RDX plant, although this cable shows that in this particular instance in the transmission of the information from Boyer to Rose to Motinov, by word of mouth, a confusion developed between the RDX plant and the plant at Chalk River for the production of uranium. Examined on this subject, Boyer said:

Q. Then I refer you to Exhibit 35. This is a telegram, or what is believed to be a telegram, in the handwriting of one of the employees of the Russian Embassy, addressed to *The Director*, and it reads this way:

The Professor advised that the director of the National Chemical Research Committee Stacey told him about the new plant under construction; Pilot Plant at Grand'Mère in the province of Quebec.

The pilot plant that you have referred to is the pilot plant for the manufacture of RDX, some three or four or five miles outside of Shawinigan?

A. Yes.

Q. That would be what; eight or ten miles from Grand'Mère?

A. That is possible; I am not sure how many miles there are between Shawinigan and Grand'Mère.

Q. Do you know of a pilot plant for anything at Grand'Mère itself?

A. No.

Q. There is a pilot plant for RDX where?

A. In Shawinigan.

Q. In Shawinigan itself?

A. Yes.

Q. I think you said about five miles away?

A. No, the pilot plant was in Shawinigan.

Q. You know of no pilot plant at Grand'Mère or anything?

A. No.

Q. Then it goes on:—

'The engineering personnel is being obtained from McGill University and is already moving into the district of the new plant.'

Does that make sense to you, even in connection with the pilot plant at Shawinigan?

A. No.

Q. Did any of the engineering personnel from McGill take part in constructing the plant?

A. No.

Q. Or in installing the equipment in it?

A. No.

Q. All that would be done, as far as the McGill people were concerned, including yourself, might be certain discussions with the engineers as to the advisability of a certain form of plant or installation?

A. That is correct.

Q. Then it goes on:—

As a result of experiments carried out with uranium it has been found that uranium may be used for filling bombs, which is already being done in a practical way.

Did you ever convey that information to Fred Rose?

A. No, but one day Steacie did talk to Dr. Winkler and me at McGill, and did say that the Americans had spent a great deal of money on this atomic research, and he added that none of it was a secret except the engineering and the chemistry. I may well have mentioned to Fred Rose what he said.

Q. The last sentence on Exhibit 35 is:—

The Americans have undertaken wide research work, having invested in this business 660 million dollars.

Having in mind the information you got from Steacie; the fact that what Steacie told you is said to be set out here, and the reference to the investment of the Americans of \$660,000,000 in the business, would indicate this, would it not—and I want you to correct me if I am wrong; that Rose did transmit at least part of a conversation which you had had with him, where you spoke of Steacie telling you certain things, including the investment of the Americans? That part might be an accurate transcription?

A. That might be a highly garbled account of what I said.

Q. There was a talk between Steacie and yourself and somebody else?

A. Yes.

Q. And reference was made in that talk to the amount being invested by the Americans?

A. I don't know the amount.

Q. Does the \$660,000,000 register with you?

A. He may have mentioned it; I don't remember.

Q. So there is that much in it; a talk between Steacie and yourself and a third person; a large American investment for the purpose of manufacturing the atomic bomb, or experimenting with it; and would it be a fair assumption from the fact that this is in the

records in the Russian Embassy that Rose had transmitted the general conversation with you along those lines?

A. It might well be, yes.

Q. But it looks as though he had mixed up the pilot plant in connection with RDX and the pilot plant in regard to uranium; is that right?

A. Yes.

Boyer testified as to his acquaintance and association with the following persons;

SAM CARR

Q. 60-G? (*a photograph*)

A. Yes. That is Sam Carr.

Q. And who is Sam Carr?

A. Sam Carr is national organizer of the Labour-Progressive Party.

Q. How long have you known him?

A. For three or four years; I am not sure.

Q. Where did you meet him first, Dr. Boyer?

A. I met him at someone's house. I don't know whose house.

Q. In Montreal?

A. Yes.

Q. Did you meet him after that again? Have you met him on occasions?

A. Yes, I have met him either two or three times.

Q. And how recently have you met him? When was the last time, do you recall?

A. I can say a year ago. I am not sure.

Q. Had you ever known him prior to the formation of the Labour-Progressive Party?

A. No.

Q. Do you remember there was a time when there was a Communist Party — ?

A. I had heard of him.

Q. My question was, had you met him. There was a time when there was a Communist Party in Canada, officially so-called. Do you recall that?

A. Yes.

Q. And at a period it became an illegal organization?

A. Yes.

Q. And sometime in 1943, I think it was, the Labour-Progressive Party came into existence?

A. Yes.

- Q. And what would you say as to the Labour-Progressive Party being the former Communist Party under another name?
- A. Well, I think it has all of the members of the former Communist Party in it, or most of them, and certainly a good many people who were not members of the Communist Party, as far as I know.
- Q. Before you met Sam Carr, had you known of him as an active member of the Communist Party?
- A. Yes.
- Q. Before it became illegal?
- A. Yes.
- Q. And is it within your memory that when the Communist Party became illegal, Mr. Carr disappeared for a while, as far as the general public knew?
- A. Yes.
- Q. During the time between the period when the Communist Party became illegal and the Labour-Progressive Party was formed, did you have occasion to see Sam Carr?
- A. No.
- Q. Do you see any difference, Dr. Boyer, between the ideology of the Labour-Progressive Party and that of the Communist Party?
- A. Frankly, no.

FRED ROSE

- Q. Then will you look at Exhibit 60-H? (*a photograph*)
- A. Yes.
- Q. Who is that?
- A. Fred Rose.
- Q. And you know him personally?
- A. Yes.
- Q. How long have you known Mr. Rose?
- A. Since 1938.
- Q. Had you known of him before you met him personally?
- A. Yes.
- Q. And in 1938 when you met him you had known of him as what?
- A. As one of the leaders of the Communist Party. I don't know whether he had an official title or not.
- Q. But he was extremely active in the Party?
- A. Yes.

- Q. So you met him immediately after you came back from Europe?
- A. No. I met him a year and a half after.
- Q. You came back in 1937?
- A. That is right; I came back in February, 1937, and I met Fred Rose, as near as I can recall, in the fall of 1938.
- Q. And at that time you knew of him as an extremely active member of the Communist Party?
- A. That is correct.
- Q. And from then on did you see him often?
- A. No. I have seen him, I would say, ten or twelve times since then.
- Q. During the time between the declaration of illegality of the Communist Party and the formation of the Labour-Progressive Party, during that period did you ever see him?
- A. No.
- Q. So there would be a period, then, when he passed out of your knowledge?
- A. That is correct.
- Q. How soon after the formation of the Labour-Progressive Party at the Toronto convention, I think it was in 1943, did you next meet him?
- A. I am not sure. I can't recall.
- Q. And how many times have you seen him, say, in the last two years?
- A. Three or four times.
- Q. Did you meet him only on the one occasion?
- A. No, I didn't, although when he was elected apparently his real name was Moses Rosenberg.

MAJOR SOKOLOV

- Q. Who is that? (*Showing witness a photograph*)
- A. I met him once under the name of Sokolov.
- Q. And where did you meet him?
- A. He and his wife came to our flat.
- Q. In Montreal?
- A. Yes.
- Q. Did you meet him only on the one occasion?
- A. Yes.

- Q. And he was going by the name of Sokolov, was he?
- A. Yes.
- Q. You knew that he was what?
- A. I knew him as a tank inspector at the Angus shops.
- Q. Did he wear a uniform?
- A. No, but I have seen him in uniform.
- Q. You have seen him in uniform?
- A. Yes.
- Q. Was he in uniform when he came to your flat?
- A. No.
- Q. Was he introduced by a military title, as Major Sokolov or Captain Sokolov?
- A. No.
- Q. Just Mr. Sokolov?
- A. That is right.
- Q. And his wife was with him?
- A. Yes.
- Q. At that time did you know he was inspecting tanks at the Angus shops?
- A. I was told that.
- Q. And did you know what nationality he was?
- A. Yes.
- Q. And that was what?
- A. Russian.
- Q. Were they manufacturing tanks in the Angus shops for Russia.
- A. That is what I thought.

FRED POLAND

- Q. Who is that? (*Showing witness a photograph*)
- A. Fred Poland.
- Q. How long have you known him?
- A. Ever since he came to Montreal, which I think was in the summer of 1939; 1938 or 1939, I am not sure.
- Q. And do you know anything about his political sympathies?
- A. Well, I know he is sympathetic to the old Communist Party and the present Labour-Progressive Party, or that he was when I last saw him, which is a few years ago now.

- Q. What was the last year you saw him that you can recall?
- A. Oh, I saw him once since he entered the Air Force. I saw him about two years ago, I think, once.
- Q. That was the last time you have seen him?
- A. Yes.
- Q. But he never made any secret of his political leanings?
- A. No.

DURNFORD SMITH

- Q. Do you know a man named Durnford Smith?
- A. Yes. Oh, yes; I can recognize him now.
- Q. How long have you known Smith?
- A. Oh, I have seen him perhaps three times in my life.
- Q. When did you see him last?
- A. He dropped into my office a few months ago, when he was in Montreal. I have seen him perhaps once a year in the last three years.
- Q. Are you aware of what his political ideas are?
- A. Not too well.
- Q. Have you any idea as to what they are?
- A. Well, I know he reads *The Tribune*; that is all he has ever told me about his political views.
- Q. *The Tribune* is the newspaper published in Toronto by the Labour-Progressive Party?
- A. That is correct.
- Q. And has a strong Communist ideology?
- A. That is correct.
- Q. How do you know he reads it? Does he carry it around in his pocket?
- A. He told me.

SCOTT BENNING

- Q. Who is that? (*Showing a photograph*)
- A. That is Scott Benning.
- Q. Do you know him?
- A. Yes.
- Q. How long have you known him?
- A. Oh, I have known him for a good many years, but I have not seen him for several years. I met him, I think, in 1938, in Montreal.

- Q. Do you know what his political leanings are?
 A. I think I do.
 Q. And what would you say they were?
 A. Labour-Progressive.
 Q. Or in other words, Communist?
 A. Yes.
 Q. And he has expressed himself to you on the subject, has he?
 A. Well, he has never told me he was a Communist.
 Q. What has he told you?
 A. From the way he spoke, from his views on various things, I would say he was.

GORDON LUNAN

- Q. Who is that? (*Showing a photograph*)
 A. Gordon Lunan.
 Q. How long have you known him?
 A. I have known him since the same period, 1938 or 1939.
 Q. And how long is it since you saw him last?
 A. I saw him last just before he flew to England.
 Q. That would be this year? (1946).
 A. Oh, yes.
 Q. Early in January?
 A. Was it early in January? I would have said late.
 Q. Sometime in January, anyway?
 A. Yes.
 Q. And what was the occasion of your seeing him then?
 A. I had written an article for *Canadian Affairs*.
 Q. And he was —?
 A. Editor. It was published in September, and I had not received the cheque, so I had lunch with him and his wife, and asked him, since he was leaving, how I should go about getting the cheque.
 Q. And as a result of that, did you get your cheque?
 A. Yes. Before that, I had not seen him since he joined the army.
 Q. Had you occasion to learn what his political ideology was?
 A. Yes.
 Q. And what was that?
 A. Labour-Progressive.
 Q. Or Communist, whichever you like to call it?
 A. Yes.

Q. Is the "Labour-Progressive" label deemed a more respectable label?

A. That is the current one.

H. S. GERSON

Q. Who is that? (*Showing photograph*)

A. Sam Gerson.

Q. And how long have you known him?

A. Well, I have only met him once.

Q. And when was that, Dr. Boyer?

A. I think it was in 1942; I am not sure.

Q. And what was the occasion?

A. Well, his brother-in-law, Norman Lee, told me that he had come to Montreal and was seeking technical work, so could he come over and see me, which he did; and I telephoned Dr. Ross down at the Department of Munitions and Supply and asked him whether he needed someone who had this man's training, and this man went down to see him.

Q. And as a result of that, he did start to work for Dr. Ross?

A. I don't know whether he started to work for Dr. Ross, but he worked in the Department of Munitions and Supply.

Q. You spoke of him and Mr. Lee as being brothers-in-law. Does that mean they had married sisters?

A. Yes.

Q. So that Mrs. Lee and Mrs. Gerson were sisters?

A. Yes.

Q. And at the time you saw Mr. Gerson did you have any discussion as to political ideology?

A. No; none whatever.

DAVID SHUGAR

Q. Who is that? (*Showing photograph*)

A. David Shugar.

Q. How long did you know him?

A. I have known him since the fall of 1944.

Q. And how well?

A. No, I take it back. I met him once in 1943.

Q. And again in 1944?

A. Again in 1944; yes.

- Q. How well did you know him?
- A. Well; I know him well.
- Q. And do you know what his political ideology is?
- A. Yes.
- Q. And it is what?
- A. Labour-Progressive, or Communist.
- Q. If you know Shugar well, you must have met him more than twice?
- A. I did not mean to say I met him only twice. I say I met him first in 1943; then I did not meet him again until 1944.
- Q. Since then you have met him frequently?
- A. Since that time I have met him a good many times, say fifteen times.
- Q. And how was it; what was the occasion that you got to know him so well?
- A. Through the Canadian Association of Scientific Workers.
- Q. That is an organization which was formed how?
- A. Well, that is how I first met Shugar. He came to Montreal in the fall of 1943, and made the suggestion that there should be such an organization formed. We talked about it all that fall and winter, but nothing happened. Then in the summer of 1944 a group of us in Montreal formed a Montreal branch, and then other branches were formed. Since that time I saw Shugar a good many times.
- Q. So it was Shugar who was responsible for the formation of the organization, which was first formed in Montreal and then branches were formed in different parts of Canada. Is that right?
- A. Well, I would not say he was responsible. He was the first person I heard speak of it.
- Q. As far as you know, it was his idea?
- A. Yes.

FRANK CHUBB

- Q. And who are on that? (*Showing picture*)
- A. Frank Chubb was the secretary. He should have left now and resigned, but he was the secretary up till now.
- Q. And what were his political affiliations?
- A. Labour-Progressive.
- Q. Communist?
- A. Yes.
- Q. Definitely so, I imagine?
- A. Definitely so.

NORMAN VEALL

Q. And the Executive consist of whom?

A. There are two others; there is Dr. P. R. Wallace, whom I have already mentioned as chairman of the Montreal branch, and Norman Veall.

Q. Oh, you know him?

A. Yes.

Q. And what are his leanings?

A. Definitely L.P.P., Communist. He is British.

A. NUNN MAY

Q. Then I show you Exhibit 142. (*Photograph*) Do you know that gentleman?

A. Yes.

Q. Who is that?

A. His name is May; I do not know his first name.

Q. Do you know him personally?

A. Yes. He was a member of the Montreal branch of the Canadian Association of Scientific Workers while he was in Canada.

Q. How well did you know him?

A. I met with him as a member of the executive once a week for several months.

Q. And did you learn during that time what his political ideology was?

A. I did not learn it, I suspected that he was also Communist.

FREDA LINTON

Q. Then I show you Exhibit 163. (*Photograph*) Do you know who that lady is?

A. Yes, I think that is Freda Linden, (Linton).

Q. Do you know her personally?

A. Yes.

Q. How long have you known her?

A. Fred Rose came to our house one night with her. I remember that it was Christmas Eve; I think it was 1941.

Q. 1941?

A. Or 1943; I am not sure which.

Q. At that time was Fred Rose in circulation?

A. Oh, it must have been after that, then.

- Q. It must have been after the Labour-Progressive Party was formed, or would it be before?
- A. Well, it must have been after it was formed, or at least after his reappearance.
- Q. Did he reappear before the Toronto convention, do you know?
- A. Oh, yes.
- Q. He did, even though the Communist Party was banned?
- A. Yes, but those Communist members of the Communist Party were released.
- Q. After Russia came into the war; is that it?
- A. I don't remember exactly when it was; sometime, I think, before the Labour-Progressive Party was formed.
- Q. So that at some time around that period he came to your house with Miss Linden?
- A. Yes.
- Q. It is Miss Linden, is it not; not Mrs.?
- A. As far as I know, it is Miss Linden.
- Q. And what was the purpose of that visit?
- A. Merely social.
- Q. Did you see her again after that?
- A. Yes, I have seen her a few times on the street, because she worked in the International Labour Office, which is on McGill Campus.
- Q. Was she ever in your house again?
- A. No.
- Q. Did you have occasion to meet her after that introduction to her at your house?
- A. No. I beg pardon?
- Q. Did you have occasion to meet her after the interview with her at your house? The time Fred Rose brought her to your house?
- A. I met her on the street, yes.
- Q. But other than just meeting on the street, did you have occasion to talk to her?
- A. Just casually on the street.
- Q. Do you know what her political leanings were?
- A. Well, I assumed what they were, since she was with Fred Rose.
- Q. Did she ever say anything in your hearing which could lead you to form an opinion, apart from the company she was keeping?
- A. I don't remember what she said the night she came to our house, but she may have. I don't remember.

Q. But you distinctly catalogued her in your own mind as a Communist?

A. Definitely.

Reference may here be made to an entry in Col. Zabotin's above mentioned notebook made after his arrival in Canada when he was gathering up the threads of the previously existing espionage organization headed by Sokolov. This entry reads:

Contact

1. Freda

Jewess—works as a co-worker in the International Bureau of Labour.

A lady friend of the Professor.

Boyer also belonged to a Communist "study group" in 1938. He testified:—

Q. You are familiar with the process that the Labour-Progressive Party and the Communist Party follow, of building up study groups of various individuals for purposes of studying Marxian ideology?

A. Yes.

Q. Have you ever been a member of one of those groups yourself?

A. Yes.

Q. More than one, or just one?

A. Just one.

Q. When was that?

A. That was in 1938.

Q. In Montreal?

A. Yes.

Q. How long did that group function?

A. Oh, from October till the spring, I would say.

Q. Of what year?

A. Of 1939.

Q. And what happened to it? Would you just cease?

A. Yes.

Q. And have you been a member of any group of that kind since?

A. No.

Q. Where did it used to meet?

A. At various houses.

Q. Would it be at your house at times?

A. Yes.

Q. You told us earlier about having been a member of a study group in Montreal in 1938 when you returned to this country?

A. Yes.

Q. How did you come to become a member of that group?

A. I was invited to participate.

Q. By whom?

A. By Norman Veall; I beg your pardon, Norman Lee.

Q. I have just forgotten, but have you told us already about Lee's ideology?

A. Yes, Communist.

Q. And so that was a Communist group or a group which was, we will say, organized by a Communist or Communists?

A. Yes.

Q. Was that your first introduction to the subject?

A. Yes.

On the solicitation of Rose, Boyer communicated complete information with regard to RDX. We think it best to quote Boyer himself:—

Q. I should like to go a little more fully with you into your relations with Fred Rose, and certain conversations you had with him at which certain of the things you were working on were discussed. Will you tell me how the first of those occasions arose, please, and when?

A. I am not sure when. I think it was early in 1943.

Q. And how did he approach you?

A. He telephoned me and asked me to go to his apartment, and asked me to reveal to him what we were doing in RDX. I told him we had worked out a new process; what materials went into that reaction—mind you, I am not sure that this is the first time I had those conversations with him, but I also told him all the ways in which RDX were used.

Q. This was a conversation in his residence?

A. Yes.

Q. Just the two of you present?

A. Yes. His wife may have been in the apartment somewhere.

Q. But she was not present at the immediate conversation?

A. No.

Q. You and he were in a room by yourselves?

A. Yes.

Q. And did you understand from him at that time that he was asking for this information, and why?

A. Yes.

Q. You were willing to give the information you did give to Mr. Rose, knowing that it would be transmitted by him to the Russians?

A. Yes.

Q. Did you know it was to be transmitted by him through somebody in the Soviet Embassy here in Ottawa?

A. That I did not know. I didn't know —

Q. But you did know it was to go to the Russians in some way or other?

A. Yes.

Q. He made that quite clear?

A. Yes.

Q. Then just to make sure we have it, you first of all told him that a new process had been worked out?

A. Well, as I remember it, that was already known; that release had already been made.

Q. That is, that the newspapers had said that the Canadians had worked out a new process?

A. Yes.

Q. Then you told him all the chemical components of that process?

A. Yes.

Q. That had not appeared in the newspapers?

A. That is correct.

Q. So that was information that could only have been obtained either through official sources or through some person like yourself who knew it?

A. That is correct.

Q. How many components are there in the process?

A. Three.

Q. And you gave him those three?

A. Yes.

The witness was then asked to name the three components and started to do so. He then corrected himself and said there were four components; but we think it not proper to give them here.

The witness also said:—

- Q. You say, Dr. Boyer, that even with that information they could not have manufactured RDX in that formula; am I correct in understanding that?
- A. They could have manufactured it in flasks in a laboratory, but I mean they could not build a plant around that information.
- Q. It would be a good start, would it?
- A. They could then design a plant, I imagine.
- Q. In other words, there are different stages; there is the laboratory stage, the pilot plant stage and the mass production stage?
- A. That is correct.
- Q. What you gave Rose was the laboratory stage?
- A. That is right.
- Q. And many of the Russian chemists are men of very considerable capacity, are they not?
- A. There is some doubt about that.
- Q. You were concerned only with the laboratory stage?
- A. That is right.
- Q. You told us a little earlier in the day that when you had finished your stage the engineers who were designing the plant would get in touch with you to see whether what they were designing would carry out what you had in mind, so far as your process was concerned?
- A. Yes, but once it goes into the plant the engineers are the men who make the decisions, really.
- Q. If the Russian chemists came to the Russian engineers with the information you gave, they could get to work and design a plant by which they could make RDX according to your formula?
- A. They might and they might not. I suppose the answer is yes. I mean the engineering for this reaction was quite unique. It required a different kind of reactor altogether from the ordinary reactor.
- Q. Is the doubt in your mind doubt as to the capacity of the Russian engineers?
- A. No.
- Q. Do you not think that if they had that formula they could design a plant, eventually at least?
- A. Oh, yes.

- Q. That would manufacture RDX?
- A. I should like the Commission to take under consideration, if it will, that by that time the chemicals which went into that process were fairly well known, not only to those working who were working on it, because the plant at Shawinigan Falls was already in operation and once a plant begins to operate, then of course carloads of material come in, hundreds of workmen are employed, and it is generally considered that it is no longer possible to keep the process secret.
- Q. That is as to the ingredients, but the formula is still secret?
- A. That formula is not, my, no; the formula was published, the formula for RDX was known in 1904, as I mentioned.
- Q. But not the formula you worked out?
- A. Oh, yes, it is the same formula.
- Q. I understood you to say that the formula you had worked out was the one you had to satisfy the British would work and that you had to satisfy the Americans it would work?
- A. We had to satisfy them that the material we were making, the actual white powder we were making was the same white powder as was made by the other process.
- Q. You told me that in your process you required different materials?
- A. Yes.
- Q. You told Mr. Williams a few minutes ago about the four materials entering into your process, and that they were different from the British process?
- A. Yes.
- Q. The formula was not known as to the proportions but as to the materials entering into it?
- A. That is right.
- Q. You say that in 1904 German scientists evolved a formula? Do I understand you correctly?
- A. May I interrupt?
- Q. Yes.
- A. Let us make sure what we mean by formula.
- Q. Yes?
- A. What I mean by formula is the actual spacing of the atoms in RDX. It has nothing to do with the process or how to make it. It is just the picture of it, in other words.

- Q. I was using formula in a different sense, to mean the ingredients and the proportions.
- A. I see.
- Q. Using formula in my sense, for the time being, that was not known in 1904?
- A. Oh, no.
- Q. It was not known until you devised it?
- A. That is correct.
- Q. And you say that this Shawinigan Falls plant got operating and anybody who took some trouble to find out what they were using could find out the four items you had been using?
- A. Definitely. In fact, one of my students who went to Shawinigan Falls was told by someone not connected with that plant what was going into the plant and what they were making.
- Q. But neither that student nor anybody else could ascertain from Shawinigan Falls, except improperly, the formula of the product being made in Shawinigan Falls, using formula in the sense I am using it?
- A. That is correct.
- Q. And that is part of the information you gave to Rose?
- A. That is correct.
- Q. You also gave him, as I recall, the different ways in which RDX was used?
- A. Yes. They were not new, of course. They were worked out by the British prior to this last war.
- Q. You say they were published?
- A. No, oh, no, they were not.
- Q. They were still secret?
- A. Oh, yes.
- Q. Perhaps we should know what you told him about that?
- Q. Just go ahead and detail as much as you can of that conversation?
- A. I told him that RDX was used as a high explosive in the form of what is known as Composition A, which is a composition of RDX and beeswax. I told him that RDX was used in the form of Composition B, which was RDX, TNT and beeswax. I told him that RDX was used in the form of torpex, which is the same as Composition B with aluminum dust added. I told him RDX was used in the form of a plastic explosive.

Q. Were those uses existing uses?

A. Yes.

Q. By whom?

A. By the British.

Q. And — ?

A. And the Americans.

Q. And the Canadians?

A. We did not make all of those four in Canada, no.

Q. That information came to you in connection with the Research work you were doing?

A. Yes.

Q. And as a result of that?

A. Yes.

Q. And it would be just as secret as the formula for RDX, using formula in the sense I have used it?

A. I would not consider it so, no, since it was not new.

Q. It was not as secret?

A. Let us put it this way: The Germans were using those same compositions. I think that brings the distinction out.

Q. Were the Russians?

A. Not so far as I know or knew.

Q. That was another thing they wanted to learn about?

A. Yes.

Q. So far as these combinations and methods of use that you have been mentioning and that you told Rose, so far as you knew at that time you were telling him something that was new to the Russians?

A. That is correct.

Q. How long did that conversation take, Dr. Boyer?

A. Perhaps half an hour.

Q. Could you fix the date more accurately than you have done, the date of this conversation in Rose's apartment?

A. I am sorry, I cannot.

Q. You said it was in what year?

Q. Early 1943?

A. That is what I thought.

Q. Was Rose taking notes?

A. Yes.

- Q. Are we to understand that the first time you talked to him about RDX was at his apartment pursuant to his request?
- A. That is correct.
- Q. You met him more than once at his house, did you?
- A. Yes.
- Q. How many times did you meet him?
- A. Three or four times.
- Q. During those three or four times did you discuss RDX?
- A. That is correct.
- Q. Did you discuss anything else with him, Dr. Boyer, of a similar nature?
- A. Nothing confidential. We would discuss the course of the war, any new weapons that were used, the strategy that was used and any of the technical aspects of the war, but not anything confidential.
- Q. Why was it necessary to have three or four conferences with him to give him the RDX story?
- A. As I say, I did not give him all that material the first time.
- Q. The material you gave him the first time you knew he was going to transmit to Russia in some way?
- A. Yes.
- Q. At the next meeting you gave him more information which you knew he was going to transmit to Russia?
- A. Yes.
- Q. Would it be three or four meetings that it took you to turn over all that material?
- A. Well, no; at least once he asked me whether there was anything new in RDX and I simply said, "No."
- Q. How far apart were those meetings?
- A. Oh, I would say six months.
- Q. Do you mean to say six months would cover the three or four meetings or would each meeting be about six months apart?
- A. That each would be about six months apart.
- Q. During all that time you were still working continuously on the development of RDX?
- A. Yes.
- Q. And each six months you would have a little more to tell him? Would that be right, would that be putting it fairly?
- A. No, that represents all the story that I told him.

Q. What I am getting at is this: Could you have told all to him at the first meeting, or had developments taken place that enabled you to add to what you told him at subsequent meetings?

A. I think I could have told him all of that information at the first meeting.

Q. You think you could?

A. Yes.

Q. Prior to this meeting at the house, at Rose's apartment, when he first asked you for RDX, had he shown any inclination of asking you for some information before that?

A. No.

Q. Well, when he broached this subject to you on that first occasion, when he definitely asked for information, did it come to you as a surprise?

A. Yes.

Q. But you did give it to him on that first occasion?

A. Yes.

Q. You are not sure on that; you say it might have taken two or three interviews?

A. That is right. I did not give him all of that. I have told you now that I did not give him all of that on that first occasion.

Q. Was there a little more six-months later; did you convey information also in 1944?

A. Yes.

Q. And through 1945?

A. No.

Q. When did you see him last?

A. Late summer of 1945.

Q. Did you ever transmit any information of a secret nature to him other than at his own house?

A. No.

Q. You did not meet him any place else?

A. No.

Q. He did not come to your house for it?

A. No. He came to our house but not —

Q. Not for the purpose of the transmission of information?

A. That is right.

- Q. Was it agreed that you would come back in six months or did he phone you for the second meeting?
- A. He would telephone me each time.
- Q. During the interval I presume you would see him personally?
- A. I saw him once or twice, perhaps.
- Q. You were handing over to somebody, who was obviously an emissary of the Russians, information which your oath of secrecy forbade you to give?
- A. That is correct.
- Q. Would you like to tell the Commission what moved you to do that, why you did it? I mean that any statement or explanation you feel that the Commission should have, I know they would like you to make.
- A. I have already made a statement how Mr. Howe was willing to give it to the Russians and was not allowed to do so by the Americans. I felt throughout the work that it was unfortunate that the Russians, that there was not closer scientific liaison in connection with such information between the Russian war effort and ours. In fact I mentioned that a good many times. I was very anxious to see a technical mission, a British-American-Canadian technical mission in Russia and a similar Russian mission in Canada. I felt it was of great importance that the scientific war effort on the two fronts should be coordinated. That is all I have to say.
- Q. At that time, when you gave that information to Fred Rose, you knew that Mr. Howe did not have permission to give it to the Russians?
- A. Yes.
- Q. You realized, Dr. Boyer, that what you were doing was contrary to the oath that you had taken?
- A. Yes.
-
- Q. Before you proceed to the next point, Dr. Boyer, when you gave that information to Rose, you told us that you had some information from Dr. Ross as to Mr. Howe's views as to whether or not it should be disclosed to the Russians. At the time you gave that information to Rose, did you tell Dr. Ross or anybody else in the National Research Council that you had done so?
- A. No.

- Q. Would you have been prepared at that time to tell anybody that you had done so?
- A. I don't understand.
- Q. Would you have been prepared to tell Dr. Ross or anybody else in the National Research Council that you disclosed that information?
- A. Under what circumstances do you mean? If I had been asked?
- Q. If you had been asked, or would you have volunteered it?
- A. No.
- Q. In other words you did not want to let it be known to anybody that you had given that information to Rose?
- A. That is correct.

The kernel of Boyer's evidence is contained in the following:—

- Q. It has also been made to appear before us that other persons who were giving secret information, either directly to the Russians or for transmission to the Russians during the last few years, were either Communists or had definite Communist leanings. It would seem apparent that when Rose asked you for information as to the work that you were engaged in that he did that because he knew you for some considerable time. Would that be a fair deduction?
- A. Well, I have known him ever since 1938.
- Q. Not only have you known him, but you were known to him; is that so?
- A. I had worked in many organizations with Communists, yes.
- Q. And would it be a fair deduction to say that Rose spoke to you because he knew how you stood with regard to the Communist Party?
- A. Yes.
- Q. Would it also be a proper inference to say that you gave Rose information because of that same Communist leaning or sympathy which you had?
- A. Yes, I think that is a proper inference.
-
- Q. You spoke of this Committee for Allied Victory, and I think you said that was an organization that was organized by Communists or persons with Communist leanings; am I right in that?
- A. I think it may have been; I was not present at the first few meetings.
- Q. Was that not your judgment later?
- A. Yes.

Q. There would be no question that the interests of that Committee at that time and its expressed object of allied victory coincided with the interests of Canada at that time?

A. In my opinion that would be so.

Q. So that there are times when the interests of the members of the Communist Party or its sympathizers do coincide with the interests of Canada in which they are citizens?

A. Every time so far as my work is concerned.

Q. Just let us deal with that for a minute. There was no question about that?

A. That is right.

Q. In your mind, and there is none in mine. But when it came to imparting information with regard to RDX to Rose, you could not say the same thing about that, could you?

A. Well, I still felt that it was of tremendous importance that there should be a full exchange of information between Russia and Canada and the United States and England.

Q. I know, but, Dr. Boyer, you have already said that the thing that influenced you in actually giving that information was your Communistic sympathies, and in so doing it you knew at that time that it was the official policy of Canada not to impart that information to unauthorized persons; that is right?

A. That is correct.

Q. In fact you had taken an oath not to do that very thing?

A. That is correct.

Q. So in doing that in that particular instance you were put in a position where you had to act contrary to the interests of Canada as laid down officially?

A. That is correct.

It was on this evidence that in our interim report of March 14, 1946, we said:

“We have now heard Dr. Boyer and he has told us that commencing early in 1943, and continuing into 1944, he gave, for transmission to the Soviet Union, full information with regard to his work which he himself admits was secret. He said that with this information competent persons would be in a position to design a plant to produce the material in quantity.”

Being required by Order in Council P.C. 411 to “inquire into and report upon which public officials and other persons in positions of trust or

otherwise have communicated directly or indirectly secret and confidential information, the disclosure of which might be inimical to the safety and interests of Canada, to the agents of a Foreign Power and the facts relating to and the circumstances surrounding such communication" we report that Boyer, on his own admission, did so communicate.

SECTION III. 12

J. S. BENNING, Montreal and Ottawa.

This man, who was born in Montreal of parents born in Newfoundland, entered the employ of Allied War Supplies Corporation, a Crown Company, in June, 1942, taking an oath of secrecy on July 7th "not to divulge any knowledge or information obtained by me in the course of my employment to anyone not employed by this Corporation unless expressly authorized by my superior officers". Shortly thereafter he was transferred from Montreal to the Department of Munitions and Supply in Ottawa. Benning had been hired by Allied War Supplies Corporation on the recommendation of Gerson, his brother-in-law, upon whom we are also reporting. His service with Allied War Supplies Corporation was for training purposes only. It was understood that he would shortly go to Ottawa. The following evidence by an official of the Corporation, describes the situation:—

A. He was hired by me at the suggestion of Mr. Gerson, his brother-in-law. Colonel Ogilvie wished to get a reliable man in his office in Ottawa. He was having difficulty getting a satisfactory man and he had tried two or three people and he was getting rather disgusted. He asked us if we could do anything to help him out and Gerson suggested he had a man available who happened to be this Scott Benning. I was asked to give him a job and teach him something about the game in my office so that when he went to Ottawa he would have that background . . . I think there was some difficulty of that nature in Ottawa, which did not concern me, at any rate. I employed him with the understanding that after a few weeks' training he would go to Ottawa, and that was carried out.

Q. He trained with you two months, I understand?

A. Well —

.

Q. What was the nature of his work?

A. With me?

Q. Yes?

A. Just getting all the information he could about what we were doing, how we kept our records, so that when he went to Ottawa

Ogilvie's department.

— we had to keep very closely in touch with the work in Colonel

Q. I would just like you to explain to the Commission the relation between Allied War Supplies Limited and the Department of Munitions and Supply, the Filling Branch of that department, of which I understand Colonel Ogilvie was the head?

A. Yes, sir. The Department of Munitions and Supply was responsible for all ammunition and the supplying of many other things, including filling. But they found it advisable, for contractual purposes, to set up Allied War Supplies to do certain things for them, including the looking after of ammunition filling. They retained the right of placing contracts for the shells, cartridge cases, fuses and other metallic components which we would use. The Ammunition Production Branch in Ottawa saw that we were supplied with components as they became available. They had to keep up with the program they set out for us to carry on, but it did not always happen that way and that was one reason why we were kept so busy in dealing with these supplies of components. Colonel Ogilvie was very much interested in knowing how we were getting along with our production and in knowing how we were getting along with our components, how we were getting them, whether we had any difficulty in connection with shipments that were being handled by other departments of Department of Munitions and Supply. He wanted to be kept familiar with all this.

In addition to that he had to pretty nearly duplicate some of our records because he had to answer so many questions put by other Departments in Ottawa. They were always asking for information so he could not just leave it and say, "Well, it is probably your baby, you carry on with the production and keep your records." He had also to duplicate our records in Ottawa in order that he could answer questions that were thrown at him from various sources.

Q. How would you contrast the work that Gerson was doing with Allied War Supplies with the work he was doing with the Department of Munitions and Supply?

A. Very similar. It was just taken over, that work was taken over by the Department of Munitions and Supply on a certain date and he carried on there.

Q. Would the same thing apply to Benning?

A. Benning was looking after these records, the duplicate records in Ottawa, for Colonel Ogilvie all along; that was his employment.

Q. So that the training he got with you at Allied War Supplies was just to fit him to do the work in the Department of Munitions and Supply?

A. Yes, sir.

On Benning's transfer to Ottawa he took another oath of secrecy in terms similar to the first, on July 21st, 1942, which was the date of his transfer. Benning was employed in the Ammunition Production Branch of the Department, of which H. R. Malley and Colonel Ogilvie were directors. In 1943 he was promoted. What was being mooted for him at that time is set out in a letter of August 7, 1943, to the Director-General of the Organization and Personnel Branch of the Department as follows:—

"In July 1942, Mr. Benning was engaged to understudy G. S. Holland, who maintained all records and reports for the Division without assistance.

"There have been no changes or improvements in the methods of recording or reporting since Mr. Benning took over. An additional clerk, grade 3, was engaged last fall to assist with the records and this clerk is now capable to do any of the records or reports.

"Mr. Benning also spends considerable part of his time answering inquiries and making arrangements in connection with the shipment of filled ammunition and advising the production divisions in connection with programme changes, and component requirements of the filling plants. He has a keen grasp of his duties and is doing an excellent job.

"The Ammunition Filling Division acts as liaison office between the Production Divisions and Allied War Supplies. All inquiries from either are funnelled through the Filling Division. The records kept by this Division are really a duplication of information kept at Allied War Supplies. If the latter organization issued detailed statements in conformity with Filling Division requirements, it would not be necessary to maintain records here."

As of April 30, 1945, Benning became joint Secretary of the Canadian Munitions Assignment Committee. This Committee consisted of representatives of the three armed services, the British Army, and Allied War Supplies Limited. This Committee allocated munitions on the basis of statistics supplied by the Economics and Statistics Division of the Department of Munitions and Supply.

An official testified regarding this Committee as follows:—

Q. And there were monthly meetings of the Committee, were there not?

A. Yes, there were.

- Q. What was done at those monthly meetings?
- A. At the meetings all parties were represented, and they allocated the stores that were on the allocation list to these different services and to the British and Americans.
- Q. The allocation would be made on the basis of a forecast of the following month's production. Is that correct?
- A. That is correct. They would get a four-month forecast, but only allocate on the first month following the forecast.
- Q. So the full name is *Canadian Munitions Assignment Committee (Army)*?
- A. That is right.
- Q. And that Committee would make its allocations, and then Benning would receive a directive from it?
- A. From the Committee he would receive a directive, which in turn he would turn over to the different Directors General of the Munitions and Supply, and those Directors General would direct the companies making the munitions and tell them where to send the munitions.
- Q. That is, Benning would get a directive showing the allocation of the munitions?
- A. Correct.
- Q. And he would pass that on to the Directors General of production?
- A. That is right.
- Q. And they would see that the munitions were sent to the persons named in the directive to receive them?
- A. That is right.
- Q. And those forecasts were made up in what way?
- A. Those forecasts relating to the Committee, they were just four-month forecasts. You see, all Canadian munitions were not assignable. Whenever there were different services or different countries wanting the same store, for instance the same type of ammunition, the 40 millimetre, for instance, we would get a forecast for the next month of what the Canadian plants would make, and then for four months after.
- Q. So that a week before each of the monthly meetings—
- A. Yes.
- Q. — Benning would get the forecasts?
- A. Of all the stores that were assignable.

- Q. When you use that expression, do you mean all the stores that were assignable to branches of the Canadian forces, or assignable to other countries?
- A. Whenever a store was wanted by more than two branches or two countries, there was a request that it would be put on the assignment list, and that store then would be forecast.
- Q. In addition to his work with the Assignments Committee, Benning fulfilled other functions, did he not?
- A. Yes, he did.
- Q. What were those?
- A. He helped get information and compile a quarterly report that we called *Forecast of Canadian War Production*. It was quite a big report, and we were all allocated different programs to look after, and he was taking care of gun ammunition, small arms ammunition, mechanical transport, and armoured fighting vehicles. That would mean to say that he would go to the different Directors General of these branches I have just named and get the Forecasts for the following eighteen months on all stores produced by those branches.
- Q. Then in the event of failures, in the Forecasts, that is in the event of failure to produce what was forecast for that period, what duties had Benning?
- A. Every month we had to go back to these different Directors General and get a revised Forecast on all the stores; and if there were any revisions we would make another report called a supplement to the quarterly Forecast, and every month we would put out a supplement.
- Q. Now I show you a document which is marked as Exhibit 218, *Forecast of War Production in Canada for 1944 and First and Second Quarters of 1945, July 1, 1944*. That is the Forecast to which you are referring?
- A. That is right.
- Q. Benning would work on the preparation of this document?
- A. Yes, he would work on the preparation of the document, but especially on those four points I named.
- Q. The four points you have named: first, gun ammunition; second, small arms ammunition; third, mechanical transport; fourth, armoured fighting vehicles?
- A. That is right.

- Q. And would you also work on those statistics in connection with the preparation of reports like Exhibit 218?
- A. Yes. You see, it is a big one, and I had other programs. He had those four I have just named, and I was looking after others.
- Q. Then I show you a document which has not yet been marked, but which I suggest we mark as Exhibit 218-A. This document is marked *Secret* and is headed *Department of Munitions and Supply. Economics and Statistics Branch. Monthly supplement to quarterly Forecast of War Production. Supplement for October 1, 1944.* That is the monthly supplement to which you have just referred?
- A. That is right.
- Q. That would be prepared in the same way, by Benning and yourself?
- A. That is right.
- Q. And would take in —?
- A. Just take in the stores on which there are changes.
- Q. Then a number of copies of these monthly supplements would be made, I understand?
- A. Yes, sir.
- Q. And out of them would be cut slips which would be pasted in the main Forecast report, in the manner indicated in Exhibit 218?
- A. Yes. Well, we wouldn't do it that way.
- Q. Just explain how that would be done?
- A. This, I think, is one of Mr. Carmichael's, the Co-ordinator of Production, his copy of our Forecast. We would send him a copy of this.
- Q. A copy of Exhibit 218-A?
- A. Yes; and instead of changing the whole thing, what he would do would be to paste it the way it is there.
- Q. The way it is in Exhibit 218?
- A. Yes. What we would do, we would take our Forecast up to see the branch concerned, and we would say, "Are there any changes on this Forecast?" If there were, then we would just write it down in pencil in our own Forecast, and then have that supplement typed from that.

Q. Would any of the information contained in Exhibit No. 218 or Exhibit No. 218-A come to you from the United Kingdom?

A. No, we sent it to the United Kingdom.

Q. You sent it to the United Kingdom?

A. That is right.

Q. Both of these deal with production in Canada?

A. That is right. That is only the Canadian production, but we do get information apart from that from the United Kingdom.

Q. In what form does that information come?

A. It would be just reports. We would get reports monthly from the United Kingdom on their production of different stores. They would not give us their whole production, but they would give us all the aircraft and all the ammunition and a few more programs like that in which we were interested to compare with Canadian production.

Benning was at the same time made Assistant Secretary of the Depreciation Committee under the jurisdiction of the Co-ordinator of Production. His duties in this post were:

Duties: Under the direction of the Secretary to be responsible for the processing of the applications received from industry for depreciation under P.C. 8640 of Nov. 10/44, and to implement policy and procedural directions. In addition, to be responsible for the Agenda and the Minutes of the Weekly Meetings, and Weekly Report to the Deputy Minister. Finally, to assist in maintaining liaison with industry and other Government Departments through correspondence and personal interviews with a view to dissemination of information in connection with the depreciation.

On October 15, 1945, Benning became Secretary of the Production Board.

In the notebook kept by Colonel Zabotin in which he entered information given him by Koudriavtzev as to the espionage organization operated by the latter and Major Sokolov, the following relating to Benning appears:

Foster—Englishman. Assistant to the superintendent of the Division of distributing of war production at the ministry of Munitions and Supplies.

Has been giving materials on war supplies: guns and other kinds of supplies.

He obtained different work with promotion. Can better give materials.

He is contacting with Martin.

(Ours).

Zabotin began to make these notes sometime after his arrival in Ottawa in June 1943 on information received from Sokolov and Koudriavtzev. They would appear to have been added to at different times. As appears by the letter of August 7th above† Zabotin's or Koudriavtzev's description in the above notes of Benning's then position is quite recognizable. Benning was then under consideration for transfer or promotion to the Economics and Statistics Branch.

Foster was the cover name given to Benning in the Embassy and *Martin* was the cover name for Zheveinov, one of the TASS representatives in Ottawa. That Benning was "contacting with" Martin means that Martin was the person to whom Benning was making his communications.

Colonel Zabotin's mailing list to Moscow of January 5, 1945, credits Benning as the source of supply of items 111 to 173, inclusive, 177 to 179 inclusive, and 191 to 194, inclusive, of which thirty-two items are expressly stated to have originated in the Department of Munitions and Supply. Many others from the descriptions given are also identifiable as originating in that Department.

Item 112 is described as a manuscript as to aeroplane production of October 1944. The evidence shows that for the month of October 1944, (a practice that was followed each month), there was prepared by Federal Aircraft Limited and sent to the Economics and Statistics Branch—

- A. . . . the complete production program of aircraft for the month of October, 1944, by the different plants which are set out here. You have the Boeing Aircraft plant in Vancouver, the Canadian Associated Aircraft in Montreal, the Canadian Car and Canadian Vickers and so on down the line, with the type of aircraft, such as P.B.Y., Hampton, Grumman, Hurricane, Curtiss; this is what they call the Curtiss Hellcat, and so on. They have the complete story. In addition at the bottom here we have deliveries on orders for aircraft not produced in this country, and you have the same story.

†See p. 413 above.

Q. That is the column under the heading "*United States Orders and Deliveries*".

A. That is correct.

Q. I did not follow that. What is the story at the bottom of that sheet?

A. Those are deliveries of orders placed outside this country. In other words, production in the United States.

Q. And delivered in Canada?

A. And delivered to Canada.

Q. So the first part is what is manufactured in Canada?

A. Correct.

Q. And the second part is what is manufactured for Canada in the United States?

A. That is right.

Q. What use does the Economics and Statistics Branch make of those documents?

A. That is used in the preparation, or they are used in the preparation of the monthly production report.

Q. That would be this document, Exhibit 218?

A. That is the *Forecast*.

Q. There is a report made of actual production?

A. Actual production.

Q. And Mr. Benning was working on the reports of actual production?

A. Yes, that is correct.

Q. And on the *Forecasts* also?

A. On the *Forecasts*, yes.

Item 113 on the mailing list is also a manuscript dealing with production of ships dated October 1944.

As to this an officer of the Department deposed:—

Q. Then Exhibit 16, Item 113, is manuscript, *production of ships*, October, 1944, and you produce a document which will be marked No. 403?

A. Yes.

Q. The first sheet is headed, *Estimated sequence of completion dates up to February 28, 1945, for naval escort vessels*. It is actually dated December 6, 1944, but under the heading "Vessels delivered to November 30, 1944" it shows the delivery of vessels for the month of October, 1944, as well as other months. That is correct, is it not?

A. Yes.

Q. Then below the monthly deliveries there is a heading *Deliveries by yards*. That does not show it broken up as to months, but only as to numbers; that is correct?

A. Types of ships.

Q. The third sheet is headed *Wartime Shipbuilding, Limited; Montreal, Cargo Ships, Monthly Report. October, 1944*.

A. Correct.

Q. That shows all the cargo ships delivered in October, 1944, their actual gross tonnage, the shipyard in which they were built, the delivery date and to whom they were delivered.

Q. Are the figures on the third sheet included in the first two sheets?

A. There is a second sheet here covering the production of cargo ships similar to this one. This one covers the naval ships.

Benning had access to this document but he had no occasion to require this particular information for his work as he was not concerned with ships.

Item 114 is thus described in the mailing list:—

Nos. P.P.	Source	From where and under what circumstances the material was obtained.	Designation of the Material	Date and Number	Number of pages	Marked
1	2	3	4	5	6	7
114	Foster	Copy	Telegram No. 2151	29.11.44	5	—

This telegram was produced from the departmental files and is a telegram from the Ministry of Supply, London, to the Secretary of State for External Affairs dated November 29, 1944, bearing Number 2151. A copy was sent to the Department of Munitions and Supply but owing to its contents its circulation was restricted to a very few officials. Benning had to see it for his work.

Q. Is that a matter that Mr. Benning would have to deal with in the course of his duties?

A. He would see this telegram, or rather he would see the copy of the telegram received by Mr. Carmichael. A copy of it was sent to the Economics and Statistics Branch and it was consolidated into the forecast.

A number of items on the mailing list, 118, 120, 124, 126, 129, are described variously as *corrections and correction of contracts*. In the Economics and Statistics Branch the Forecast of War Production was maintained from information supplied through the Ammunition Production Branch of

the Department. As new information was received by the Economics and Statistics Branch corrections were made in the *Forecast*. Such corrections sometimes were received in the form of cables and the information was then entered on the *Forecast*. Each quarter a new document was prepared and treated similarly. After July 1st, 1944, there was a change in practice, described as follows:—

A. Exhibit 218 is described as *Forecast of War Production in Canada for 1944 and the First and Second Quarters of 1945*, dated Ottawa, July 1st, 1944; now, it was the practice for the Economics and Statistics Branch to prepare these reports quarterly; but at the late summer of 1944, as you know, it appeared possible that the European war might suddenly end; accordingly, the production programs might be described as very fluid; in other words, they were changed every hour, nearly; accordingly we did not prepare those *Forecasts* for the first of October.

Q. 1945?

A. No, 1944.

Q. 1944, yes.

A. And accordingly, any changes that took place after the first of July, were recorded in the supplement. Now, this particular document, exhibit 218, was the personal property of Mr. H. J. Carmichael, and the changes in production were recorded to the Economics and Statistics Branch; then the document was sent to the Economics and Statistics Branch and the corrections were made on this document—were for Mr. Carmichael's personal use in connection with his business. Now, attached at the various backs of various sheets, you will notice there are excerpts from this supplement.

Q. From 407?

A. That is correct; you will notice that a number of these came from the October supplement, and a number from the November supplement. Now, the November supplement was number 407, and the October supplement was 218-A; this, 218-A, was submitted by myself, which is to indicate the basis of these corrections.

Q. You are referring now to the corrections that have been pinned on to the back of the index sheet, that page facing sheet No. 1?

A. That is correct. And I might add that, throughout the document, there are a great many of these items.

Q. So that —?

A. Now, I may add further, in connection with this whole problem of corrections, that the corrections as noted would appear, rather the corrections described in Exhibit 16 (*the mailing list*) are based on the cables; they, in turn, are put in statistical form by means of these supplements to the quarterly Forecast, and, in the case of the document which I now have before me, Exhibit 218, corrections as indicated in this quarterly, in this monthly statement.

Q. Which is number —?

A. 407.

Q. 407?

A. Were marked in ink in this copy, which was —

Q. 218?

A. — which was the personal property of Mr. Carmichael, and is Exhibit 218; and that Mr. Benning would have access to this document.

Q. The group of cables, Exhibit 405, they came from England and dealt with stage 2 of Imperial Programme?

A. That is correct, as it affected the Canadian programme facilities.

Q. Oh, only as it affected the Canadian production facilities?

A. That is correct.

Q. And then, with the information in those cables, and the memoranda which Mr. Carmichael made on the basis of them, Exhibit 406, then we have a monthly supplement of the type of exhibit 407 and, they in turn were put on small strips and attached to Exhibit 218?

A. For the personal use of Mr. H. J. Carmichael.

Q. Yes, and Mr. Benning would be familiar, and have access to that information all the way through that process.

A. That is correct.

Items 131, 139, 141, 143-5, 147, 149, 151 and 153 are described in the mailing list as *Supplement to contract* all dated in November 1944. These documents were undoubtedly cables from the Ministry of Supply, London to the High Commissioner for the United Kingdom in Ottawa. Item 139 for instance is described in the mailing list as:—

D.M. and S. Supplement to contract 22.11.44,
3 pages.

On November 22nd, 1944, the High Commissioner's office received a cable from the Ministry of Supply which is properly described as "Supplement to Contract" and dealt with a revision of Canadian production "which", as the cable says, "subject to necessary reservations as to need for periodic readjustment can be taken by D.M.S. for planning purposes as probable scale of production to be brought into operation when Stage 2 begins". The interest of the Russians in "Stage 2" was thus described by an officer of the Economics and Statistics Branch:—

A. Exhibit 16†, they were interested in the Stage 2 Programme of the United Kingdom. From what information they could get in Canada they would be able to judge to some extent the extent of the participation of the United Kingdom in the war in the Pacific. Accordingly I concentrated my efforts in trying to locate the various items described in Exhibit 16 by searching through the information that we had concerning this Stage 2 Programme of the United Kingdom.

Q. What does the Stage 2 Programme mean?

A. It meant the program, the production program for the calendar year following V-E Day.

A. This cable was added to the group just to indicate that there was a very serious situation developing with respect to ammunition and that Mr. Banks, who was attached to the London Office of the Department of Munitions and Supply, advised Mr. Carmichael to send Mr. Berry and Mr. Malley to England to attend a series of meetings which started on Monday, 6th November.

A number of November 1944 cables of this character were produced from the files of the Branch by this officer. Some bear as many as three dates, the date they left London, the date they were received in Ottawa and the date they were received in the Department. For this reason they can only be identified generally and not specifically with any particular item in the mailing list. Benning had all of these documents for the purpose of his work in making up his part of the monthly Forecasts and entering the corrections. Benning's evidence in connection with this matter is as follows:—

Q. I show you a document which has been marked Exhibit 218, *Forecast War Production in Canada, in 1944, and the First and Second Quarters of 1945, Ottawa, July 1st, 1944*. Now, the evidence

†List of materials sent to the Director at Moscow, dated Jan. 5, 1945.

is that this document, Exhibit 218, would be compiled from information gathered together by yourself and others; that is correct, is it not?

A. Yes.

Q. And you observe this particular document is one in which corrections have been made from time to time in pen and ink on the sheets, the original sheets, and that there have been fastened in opposite a number of entries, pieces cut out of the supplement?

A. That is right, sir.

Q. Yes. And the supplement, in turn, would be prepared from statistics and information gathered by yourself and others?

A. That is correct.

Q. Yes, that was part of your duties in the Department in which you worked. Now, was your work such as to cover all of the matters in Exhibit 218, or only part of the matters in Exhibit 218?

A. That would depend mostly upon the date, sir. I joined the Economics and Statistics Branch of the Department of Munitions and Supply in September of 1943, and I was charged specifically with the preparation of statistical reports and certain programmes; the specific ones I was responsible for at all times were; mechanical transport—

Q. Number 5?

A. Number 6, armoured fighting vehicles; number 11, naval instruments and equipment; number 13, ammunition, including empty components, number 14, small arms and munitions. The other programmes I have worked on at various times, and it was a question if somebody was busy, you would take it over, and as the amount of work reduced at various times, I have done a lot more.

A. At this juncture, with regard to 407 and 218, I would like to make a statement that there were several people in our office working on them. Then they were turned over in some cases to our own typists and in other cases up to a pool, where the ditto or the stencil was cut. That stencil in turn was taken over to Slater Street or some such place, because the Printing and Stationery Department was kept pretty well on the hop, where it was run off. It was customary in connection with these particular documents to prepare—oh, upward of 80 to 85 copies. It varied. Invariably, when

you would make out this requisition for the number of sheets you wanted run off, you would tack on another ten or so more than was actually required for your distribution list, because quite often they were spoiled and you had to piece together enough to make a complete set, and more frequently than not we received far more than we had ever ordered.

In the earlier stages, when I was there, there was an attempt made to destroy them properly. You could either sit down and tear them into fine shreds, or dispose of them in the legal manner by calling some janitor or other who would take them and see that they were burned.

Toward the latter stages I am afraid that practice pretty well went by the board, and they were just tossed around. Then the legal distribution of the documents came up to 60 to 65, I forget the exact distribution just at the moment, but I know it gradually diminished over the period I was in the Branch. Therefore there would have been literally hundreds of people who could have had access to those documents.

Q. That is these supplements?

A. Yes, the supplements and these specific documents.

Q. So that if anybody wanted to hand out a copy of Exhibit 218, or any of the supplements, they would not have to go to the work of copying it but there would be copies to be had in the department that never would be missed?

A. Yes; that also is true, sir.

Items 155 and 157 on the mailing list are there described as follows:—

155	Foster	North Amer. Committee of Coordin.	Report of 23.11.44		14	See who was Secr. Meet.
157		North Amer. Committee	Notes and report	23.11.44	8	none

Item 155 is undoubtedly a copy of the minutes of a meeting of the Joint Gun Ammunition Department Filled and Empty, North American Coordinating Committee held on November 23, 1944, signed by H. S. Gerson, the Secretary. Identification is the more sure in that in the column of the mailing list headed "*Marked*" there is this entry *See who was Secr. Meet.* This note calls the attention of "The Director" to the interesting fact that

the secretary of the committee is none other than their own agent "Gray" (Gerson).

Item 157 is undoubtedly an amendment made to the minutes of the above meeting, also signed by Gerson the secretary.

As to these documents Benning said:—

Q. Looking at Exhibits 411-A, 411-B and 411-C, did you ever see those documents before, or copies of them?

A. It is conceivable that this document or a copy of it came to our office, and if it had and I was reading up at the time on any particular information relative again to the preparation of documents such as Exhibit 218, I think I probably would have seen it. Whether I saw that specific one, I am not sure.

Q. That does contain information relative to Exhibits such as 218?

A. Correct. It contains information that I would be able to use in preparing reports such as those.

Q. I would like you to look at items 155 and 157. You see what has been done in connection with these two items. They refer to the same thing, the report of the same date, and evidently they have been divided into two sections and sent forward in sections.

A. Uh-huh!

Q. And in connection with item 155, again we have that notation, "See who was the secretary of the meeting"; in other words, "Note who was the secretary of the meeting." Again it was Mr. Gerson?

Q. And again it is Mr. Benning who hands the document out?

A. No, sir.

Q. According to Exhibit 16 it is.

Item 157 is undoubtedly an amendment made to the minutes of the above meeting also signed by Gerson the secretary.

Item 156 on the mailing list is described as *D.M. and S. Report of 24.11.44* with the same comment *See who was secr. meet.* This was evidently minutes of the same committee held November 24, 1944.

Benning's evidence on this is:—

Q. I show you Exhibit 412, and ask you if you have ever seen that document or a copy of it?

A. It is conceivable that I might have, because the minutes of production meetings held between division chiefs of the Department of Munitions and Supply, and also meetings held between the Depart-

ment and Allied War Supplies and their directors, as a matter of course, were routed into our office, because it gave us up-to-date information for the preparation of such reports as Exhibit 218. Whether I have specifically seen this report, or a copy of it, I am too hazy to state exactly; it is more than likely I did, but I could not be positive in my assertion.

Q. I draw your attention to the fact, Mr. Benning, that this is item 156 which is also in Exhibit 16, which is also credited to you. And you will notice that the secretary of the committee is Mr. H. S. Gerson?

A. I would like to suggest to the Commissioners, with regard to that particular document, that after a meeting was held, the minutes were written and distributed, and if I had need of any information of that type, I would find it more convenient and up-to-date to interview the Director-General or the directors of any given division, rather than to rely on documents which were always four or five days old before you got them.

Again Item 166 in the list is thus described:—

166	Foster	Copy	Notes on the Conference of	31.5.44
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This would appear to be the minutes of a meeting—

Q. called at the request of the chairman of the Canadian section, Joint War Production Committee, Canada and the United States—Mr. Carmichael—to consider the advisability of establishing in Canada an organization similar to the Container Co-ordinating Committee in Washington and the Anglo-American Packaging Committee in London, and to consider the necessity for co-operation between committees?

A. Yes.

Q. This, in a sense, was a preliminary organization meeting?

A. That is right.

Q. Looking to the setting up of a Packaging Committee, or something like that?

A. That is correct.

Q. What sort of a Packaging Committee is that?

A. It is in connection with the packing of military stores for use in the Pacific theatre. One of their greatest difficulties was in connection with moisture.

Again item 167 in the list is thus described:—

167	Foster	Copy	Notes on the Conference of	13 and 24 7.44
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These undoubtedly are the minutes of two combined meetings of appointees to the Canadian Container Co-ordinating Committee and the Inter-departmental Committee on Tropical Packaging and Proofing held July 13th and 24th, 1944.

Benning's testimony continued:—

Q. I show you a document, two exhibits, 414-A and 414-B, minutes of two meetings; have you ever seen those or copies of them before?

A. It is conceivable that I have, because, after Sid Stenning had left the branch, I inherited an old book case that was chuck full of various documents; I saved a few bound volumes that existed, and threw the rest away.

Q. You would not need to refer to either of these, 414-A or 414-B for the purpose of your work?

A. No, sir.

Again items 168 and 169 in the list are described as:—

168	Foster	Copy	Notes on the conference of	21.11.44	3	Secret
169	Foster	Copy	Composition of Packing Commission	22.11.44	3	Secret

On November 21, 1944, a meeting of the Canadian Packaging Committee was held. Item 168 would appear to relate to the minutes of this meeting while 169 would relate to the personnel of the Committee. On this matter Benning said:—

Q. I show you Exhibit 415†, Mr. Benning, and ask you if you have ever seen that document before?

A. It is conceivable that I might have seen a copy of it, but it would not have been of any real interest to me whatsoever.

†Minutes of Meeting of Canadian Packaging Committee, Nov. 21, 1944.

- Q. You will observe that this document, 415, is items 168 and 169 of Exhibit 16, which are credited to you as the source?
- A. Well, I can assure you that with the little I know about the Packaging Committee,—all I knew was that at one time Jack Brunke with whom I used to work in the office of the Coordinator of Production, was, I think, secretary of the Packaging Committee when it was first set up, or, if not secretary, as Director of Administration of the Office or Coordinator of Production, and that Jack Brunke, for whom and with whom I used to work,—and I was charged with certain administrative responsibilities relating to the Packaging Committee.
- Q. The chairman of that committee was Mr. L. K. Webber? Who was he?
- A. Lyle Webber. When I first came to Ottawa, he was division chief of the Packaging Commission. After that he became Director of Component Production of the branch, of the Ammunition Production Branch, of the Department of Munitions and Supply.
- Q. And did you ever work with him?
- A. Not directly, I was on the filling side, but I had a lot of discussions on the side in contacts with him. Yes, I worked with him in that sense.
- Q. But you knew Exhibit 418 for the purpose of your work in that department?
- A. Not at all, sir. It is conceivable that it would be present in the file of the Office of the Coordinator of Production, but where, or under what particular heading, I would not know.

Item 178 in the list is *Copy Arm. Committee of Orders 16.12.44*. This is undoubtedly a summary issued December 16, 1944, of the United States Army Ordnance Committee minutes.

Item 191 is:—

191	Foster	Copy	Report (X) 30.11.44	8.12.44	3	Secret
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This is undoubtedly a document headed *Department of Munitions and Supply Production Forecast and Shipment Inventory, Report Ammunition Filling Period Month Ending November 30, 1944*. On the last page it also bears date December 8, 1944. As to this Benning said:—

Q. You will notice that that is item 192 which is credited to you? I show you exhibit 418, and ask you if you have ever seen that document or a duplicate of it?

A. Yes, I have; we received either one or two copies of the X-report.

Q. And that would be for the purpose of your work?

A. Actually, at first I used it; then I did not bother, because the *Forecast* was the only information of value to me; it was purely one which the Director General and some other people were interested in, as it was more fictitious than real.

Q. Now, you will notice, Mr. Benning, that is document 191, which is credited to you as the source?

A. Yes.

Q. Was there a report X for more than one month?

A. On deliveries, there was a monthly report.

We do not think it necessary to detail further in this report our examination of the items on the mailing list credited to "Foster" (Benning). All the identifiable documents were either those with which Benning was directly concerned or which were available to him or to Gerson, his brother-in-law and fellow spy, in the Department of Munitions and Supply where both worked.

We think the note made by Colonel Zabotin in his book as to Benning was accurate then and continued to be so:—

**Has been giving materials on war supplies: guns
and other kinds of supplies.**

He obtained different work with promotion.

Can give better materials.

Benning's move to the Economics and Statistics Branch gave him access to a wider supply of information than was available to him in the Ammunition Filling Division of the Ammunition Production Branch.

Zabotin also makes the note that Benning "*is contacting with Martin*" (Zheveinov). Benning admitted having met Zheveinov but only late in 1945.

Zabotin's note-book also contains this item:—

2. MARTIN—(With Ernst and Foster).

**Basic task—information on the army and looking
for new people.**

"*Ernst*" of course is Adams. Zabotin's note-book shows that Koudriavtzev met Sam Carr in October 1942 and that both Adams and Benning were "*taken on to work at the end of January*" (i.e. 1943).

Benning's activities were apparently not confined to the supply of information. In the notes made by Colonel Motinov dealing with meetings leading up to the issue of the forged passport to the Russian agent in the United States, Witzak, dealt with in Section V there is this entry under date December 5, 1944:—

asked for a meeting through Foster.

As these notes indicate, Sam Carr in Toronto was in charge of the passport project and his right hand man there was Henry Harris. Telephonic calls from *Leon* (Koudriavtzev) in Ottawa to Toronto were not made direct to Carr but to Harris. To cut down the number of these calls by Koudriavtzev and also to hide the identity of the real caller the notes show that Adams sometimes used the direct line of the Bank of Canada, and on the particular occasion here being dealt with, Benning was evidently used to make arrangements for one meeting.

Benning's explanation of the fact that the Embassy records credited him with the giving of information is interesting.

Q. Now, Mr. Benning, can you suggest any reason why a record from the Russian Embassy that was never to see the light of day should credit you with having given information through those channels?

A. Yes, I could. I have given this matter a considerable bit of thought. As a matter of fact, I took occasion to re-read certain portions of *Out of the Night*. I realized that an awful lot of the book was a complete fabrication, but there were certain portions about it that were authentic. It is not unusual, as far as I can gather in other reading I have done in espionage, to create the raising—I grant you that this is fiction or fact according to the credence that any individual wants to put into it—but I find it in several books, presumably written as facts, that when a nation or a party who is resident in a country, such as this, let us say, desires certain material things that his salary does not provide for, it is a comparatively simple operation for him to find out who the people are, where they could possibly be located and then put their names down as persons whom they are receiving information from and presumably paying money for it. Presumably when their immediate chiefs come over and they are asked, let us say, in this case, "Who is this man Foster? What is his position? What has he done?", it is an authentic person, it is not a fictitious name. That is one explanation that went through my mind after my interrogation by Inspector Anthony.

The odd thing about this explanation is that it should have been advanced at all. None of the Embassy records relating to Benning contain any reference of payment to him, although Gouzenko testified that all the agents, with the single exception of Boyer, were in fact paid. Benning did not know of Gouzenko's evidence on this point. Benning's demeanour before us was one of levity until he was confronted toward the close of his testimony with an entry made by him in his own desk book. His attitude immediately underwent a swift and obvious change and he exhibited very definite concern. We shall refer to this at a later stage.

Gouzenko said in his evidence:—

Q. Do you know who Foster is? Is that a cover name or a nickname?

A. A nickname.

Q. And do you know whose nickname it is?

A. Scott Benning.

Q. How do you know that Foster was Scott Benning?

A. I read the file compiled on him by Gousev.

Q. And that file was also in the safe in room 12?

A. That is right.

Q. And that disclosed the real name and the cover name.

A. Yes.

Q. The file would be kept under which, the real name or the cover name?

A. Always the nickname.

Q. On the cover of the file?

A. Yes.

Benning made the following admission:—

Q. You have told Mr. Williams this afternoon and tonight that practically all that material that was sent to the Russians formed part of your work?

A. That is correct, sir.

This referred to the items on Zabotin's mailing list credited to "*Foster*". There were some items already referred to which Benning did not need for his work.

Benning's "*conduct*", "*his known character as proved*" to use the language of subsection (2) of Section 3 of *The Official Secrets Act 1939* may now be considered. Benning knew and had associations with almost all the other persons mentioned in this report who were acting as Zabotin's agents,

viz: Poland, Nightingale, Boyer, Durnford Smith, Sam Carr, Lunan, Fred Rose, Gerson, Willsher, Shugar, Adams, Freda Linton, Agatha Chapman and Mazerall. He had known Poland for eight years both in Montreal and Ottawa. He had known Nightingale since 1942; he testified:—

Q. Matt Nightingale. How long have you known him?

A. I first met Matt, I think it was around the latter part of 1942, some time in the fall or early winter of 1942. I think his first wife and my sister knew each other, and I had met Mary, his first wife, in Montreal, and she ran into me up here. In those first days—and I just came here, so anybody I met from Montreal was extremely acceptable; so she asked me to keep an eye on Matt, so I had him up to the house a few times, and I was very pleased to do so.

Q. The sister you refer to is Paulette, I understand?

A. Yes.

Boyer knew Benning well and knew his views. Benning was not quite frank regarding his association with Boyer and we do not think the cause was lack of memory. Benning's evidence is as follows:—

Q. Then I show you Exhibit 117†; is that the photograph of anybody you know?

A. There is a certain familiarity with somebody pointed out to me in Montreal a few times.

Q. Supposing you look at 118 at the same time?

A. No. 118 I have never seen.

Q. They are photographs of the same man; in one, he has a moustache, and in the other he has none.

A. No, I am sorry; conceivably I might know him.

Q. If I told you they were photographs of Professor Raymond Boyer, would you recognize them?

A. I would not recognize the photograph; I am sorry; but I recognize the name. I think I met Boyer once. I have seen him around Montreal at various times. He was slightly out of my class, speaking financially.

Q. Did you say that you knew Dr. Boyer?

A. I knew him very, very casually. I think I met him once in Montreal slightly. He was pointed out to me as being a rather wealthy individual, and I have seen his picture in the paper. I know he was associated with the development of RDX.

†Photograph of Raymond Boyer.

Q. When your picture was shown to Dr. Boyer, this question was put to him:

Q. Who is that?

A. That is Scott Benning.

Q. Do you know him?

A. Yes.

Q. How long have you known him?

A. Oh, I have known him for a good many years, I met him, I think, in 1938, in Montreal.

Q. Do you know what his political leanings are?

A. I think I do.

Q. And what would you say they are?

A. Labour-Progressive.

Q. Or in other words, Communist?

A. Yes.

Q. And he has expressed himself to you on the subject, has he?

A. Well, he has never told me he was a Communist.

Q. What has he told you?

A. From the way he spoke, from his views on various things, I would say he was.

How is it that Boyer would say he has known you for many years, and he recognized your picture, if you say you met him only once?

A. I didn't say I met him only once. I said I met him in Montreal, and at the particular time when I was moving in the circles I talked about.

Q. You knew him well?

A. I didn't know him well, sir.

Q. He seems to know you pretty well?

A. That is not my fault.

Q. So you say his evidence, like that of the two others, is not accurate?

A. I would suggest that a man with his training might have a more retentive memory than mine.

Q. All right, thank you.

Benning has also known Lunan for a considerable time. He said:—

Q. How long have you known him?

A. I think I first met Lunan some time around 1938. Those were the days of the Spanish Medical Aid, China Relief, the League against Fascism and War.

Q. You and he were interested in all those organizations?

A. I do not quite like the wording of that question—"you and he were interested in that". I was what you would call a parlour-pink, I believe, or as some of the more orthodox would call an arm-chair Bolshevik.

I think shortly after that I did a fair amount of reading, mostly of a left wing nature. I started off with—I think the first book that made a real impression on me was Beverley Nicholls' *Cry Havoc*. From there I graduated to *The Merchants of Death*. After that I had some of Laski and some of Strachey. Several times I started to read Marx, but I must admit that it proved a bit too cumbersome. The same with most of the more orthodox of the Communist writers, with the possible exception of another book that remained very clearly in my mind; I think it was called: *The Coming Struggle with Fascism* written by Palme Dutt.

On the basis of that particular kind of reading I gravitated, let us say, more naturally to people holding rather liberal viewpoints, and thus became quite interested at one time in the Civil Liberties League or Union, I forget what the Montreal one was called. I think the Toronto one was Union and the Montreal one was League, or vice versa. I attended some of their meetings.

From there I was interested in the Spanish Relief Committee. I am not entirely sure, mind you, of some of the various names, but the rough idea is the same; and the Chinese Relief Committee; and in the closing stages, before the war finally broke, the League against War and Fascism; and during that period I ran into Lunan, and I did a certain amount of work such as stuffing envelopes, and things of that nature. But I am afraid I did not allow it to interfere with my more social activities.

In spite of this we think Boyer's judgment as to Benning was reasonably accurate.

As to his relationship with Gerson, Benning testified:—

- Q. Then Exhibit 125. Is that a photograph of your brother-in-law?
- A. Technically not my brother-in-law; my wife's brother-in-law.
- Q. That is —?
- A. Sam Gerson.
- Q. And you and he are married to sisters?
- A. Correct.
- Q. Your wife was a Miss Schlein?
- A. Correct.

.

Q. What are your relations with Gerson?

A. Oh, fairly good. We have had the odd scrap. We are rather different in temperament, sir. He is inclined to be a bit more lethargic than I am, a little slower, and I am inclined to be a little more volatile and fly off the handle more readily; but pretty sound.

Q. Do you see him often?

A. Quite frequently since his wife has moved up here. They took a place, I think it was last April, up at Gleneagles, and my wife and I would go up quite often and spend the week-end.

Q. And did you meet the same friends?

A. Oh, well, sir, Sam bowled, and he knew a lot of other people. I didn't do very much bowling or things like that. We both know Agatha Chapman. Sam was not a great person to get around an awful lot. I was more inclined to go out and have people in more frequently than he was, due to the fact that he lived in the country, and it was very awkward for people to get out there.

The following evidence given by Benning strikes us as being significant:—

Q. Did you know that Gerson was giving information?

A. I was not aware of it, sir, and I find it very difficult to believe it, sir, too.

Q. Did you ever discuss such matters with him?

A. No, I found it preferable and more convenient not to discuss *it* with anybody — not even my wife, nor questions of the type of work I was doing because . . .

A document in Gerson's handwriting was produced by Gouzenko from the Russian Embassy. This was put to Benning and he testified as follows:—

Q. Mr. Benning, I would like to ask this. 'Mr. Gerson made certain admissions to us and documents in his handwriting were produced from the Russian Embassy which he admitted to be in his handwriting, and he made certain other admissions to us. Then he also very clearly admitted to us, perhaps in what he did not say as well as in what he did say, and in fact he said he did not want to say any more than he had said because, he said, he did not want to put the finger on anybody for certain personal reasons. Knowing him as you do, what interpretation would you put on that?

A. He did not want to put the finger on anybody for certain personal reasons?

Q. Yes?

A. Really, I do not know.

Benning also was a member of certain study groups or "cells" to which some of these others belonged. Willsher testified:—

Q. Will you look at this photograph and say whether you recognize the person represented there?

A. Yes.

COMMISSIONER:—Whose picture is that?

COUNSEL:—Eric Adams.

Q. When did you meet him?

A. At a private meeting; I don't know whether it was his or somebody else's.

Q. When was that?

A. I think it is 1942. I don't know, to be exact.

Q. In what circumstances?

A. In a study group.

Q. Who was present?

A. Miss Chapman.

Q. Who is Miss Chapman?

A. She works in the Bank of Canada, or in the Bureau of Statistics.

Q. And her full name is Agatha Louisa Chapman?

A. Well, Agatha; I do not know the second name.

Q. She was working where?

A. At the Bank of Canada at the moment. I don't know whether she is in the Bureau as an employee, or the Bank of Canada, but at that time it was the Bank of Canada.

Q. Who was she working for in the Bank of Canada?

A. I don't know, except that Mr. Adams was in her office. I don't know whether he was her direct employer or not.

Q. And who was present the night you met Adams?

A. Somebody Benning, I think.

Q. What is his first name?

A. I have forgotten.

Q. How old is he, about?

A. About 30.

Q. I suggest that his name was James Scotland Benning?

A. Scott; that's right.

Q. And where was he employed at the time?

A. I think it is the Department of Munitions and Supply.

According to Willsher this group met every three weeks up to the end of 1944.

Benning's evidence as to this is:—

Q. Then Exhibit 126; that is the photograph of a woman. Do you know her?

A. I have met her in my days as a ski instructor. I remember she was in a ski class.

Q. Do you remember her name?

A. Yes, it is Willshire, I think; either Wiltshire or Willshire. I think she was up at my house once, when I ran a listening group on this program *Things to Come*.

Q. Do you know what she did, what her occupation was?

A. I am not entirely sure; I think she worked for the British Government, in some particular position.

Q. In Ottawa?

A. In Ottawa.

In Benning's treatment this group becomes merely a group listening to the radio. However, he subsequently broadened this out somewhat:—

Q. Did you know Miss Willsher?

A. Yes, sir.

Q. Where did you meet her?

A. I think the first time I met Miss Willsher was when she attended a meeting of the listening group at my home. I also met her skiing, going skiing with Agatha. She was in the car several times.

Q. Did you ever attend a meeting at Agatha Chapman's apartment with her, a study group?

A. I have been there for a social evening, where the general course of the discussion was primarily of an economic and political nature.

.

Q. Did you ever belong to any study groups, limited in numbers, that used to meet at Agatha Chapman's house?

A. I have attended what to me was an informal group, where we discussed casually topics very much in the same nature as the *Things to Come*; I mean current economic and political problems; but I was not aware of its having any particular significance or of being limited to any particular degree.

- Q. Do you recall attending a meeting at Miss Chapman's house, where you attended as representative of one of these small study groups, at which there were representatives of some five or six other Ottawa groups, which met to discuss questions of policy?
- A. What type of study group are you referring to there, sir?
- Q. I am referring to study groups that have been described by witnesses here as Communist cells?
- A. Well, my answer to that is no, sir.
- Q. Did you belong to any small study group in which the Marxist ideology and economic principles were discussed?
- A. Again my answer to that would be, I have, in the days in Montreal, belonged to an organization or a study group that was known as the *Left Book Club*, where we discussed the current publications and most of them, or I should say all of them, were of a left wing character; and the odd time I have been to Agatha's house and we have had casual discussions. My wife and I have dropped in, and there were other people there, and we have discussed things casually; but it was never on a regular or fixed nature.
- Q. Are you aware that at these study groups, the ones I am referring to, which have been described here as Communist cells, small fees are paid to a treasurer and then by the treasurer paid into a central fund?
- A. I could well believe it.
- Q. You say you could well believe it. Are you not aware of the fact that that is the way these study groups work?
- A. The study groups that I have been associated with, we have been solicited for funds for *The Tribune*, and things of that nature, but I was not aware of the fact that the funds were being used for the advantage of any specific political party.
-
- Q. Miss Willsher, in giving her evidence before this Commission, Mr. Benning, referred to being a member with Miss Chapman and with others of a study group in Ottawa in the year 1942. She stated that Miss Chapman, Mr. Eric Adams, yourself and a man named George—and perhaps one or two others, were members of a study group which you attended in Ottawa regularly for the purpose of studying Marxist ideology; what would you say about that?
- A. I would say that I have attended social evenings in Agatha's house when George was alive.

- Q. Did you attend a study group in 1944 of which Matt Nightingale was a member?
- A. I think it was in 1944 I had a listening group in my own house, and Matt used to turn up on Tuesday evenings fairly regularly.

Benning's evidence as to his acquaintance with Shugar is as follows:—

- Q. Then Exhibit 128; is that a photograph of anybody you know?
- A. I have met him. He used to be in the navy. I have met him at Fortune, skiing. His name is Dave Shugar.
- Q. Is he a friend of yours?
- A. No, I would call it more an acquaintance.
- Q. How long have you known him?
- A. In the last year and a half I would say I have run into him about eight or nine times skiing.
- Q. Only on that basis?
- A. Yes, sir.
- Q. When you speak of skiing, did you leave Ottawa with him to go skiing or just meet him there?
- A. I met him, and once I drove down with him. I forget who it was, but we were waiting for a bus and somebody gave us a lift into town.
- Q. But your trip together was not fixed previously?
- A. No, sir.
- Q. You always met there without telephoning or anything?
- A. Yes, sir.
-
- Q. I think you said you had also met or knew Shugar?
- A. I have met Shugar skiing.
- Q. Skiing?
- A. That is correct.
- Q. Are those the only occasions that you have run into him?
- A. To the best of my knowledge. I have run into him on the street or in the restaurants. As a matter of fact I have had lunch with him, but through meeting him accidentally at Murphy-Gamble's, and things like that. We would wait in the line-up, and they would ask if four people would pair up.
- Q. All your contacts with him were accidental?
- A. Were incidental.

Q. I said "accidental"?

A. Yes, sir.

Q. Purely accidental?

A. That is correct.

Q. You had no business with him; you had no occasion to communicate with him apart from these accidental contacts?

A. No, sir.

However, Shugar's name and telephone number at Naval Service Headquarters were found entered in Benning's writing in the telephone number finder which Benning kept on his desk. Faced with this Benning then explained:—

Q. And you say that the only time you ever met Shugar was skiing, and you never had any communication with him except that. Will you explain why Shugar's name and telephone number is in there, in your handwriting?

A. Yes, sir. I was trying to get an apartment, and I made it a practice at that time — and I think that can easily be substantiated by practically everybody I met — I inquired their telephone number, in which event I would have that telephone number because at that particular time I don't think he was looking for one.

Q. And being up skiing, where would you make the entry?

A. I would probably jot it down on the back of a package of cigarettes, or some such thing, and put it in my phone index when I came back. Or I might have called him, conceivably, because I have very vague recollections of having heard him mention having seen an apartment, or something like that.

Q. And is that why you had Rose's telephone number in the previous exhibit also?

A. I don't think so.

Q. The question of an apartment?

A. I don't think so, sir.

As to his contacts with Fred Poland and Fred Rose, Benning testified:—

Q. What about Poland?

A. The same answer would go there. Fred (Poland) I saw around less often. I quite considered them as being very much as I was, interested onlookers interested with them to do a certain amount of work in things that they believed in.

Q. Then Exhibit 124. Is that a photograph of anyone you know?

A. That is Fred Rose, M.P.

Q. Do you know him personally?

A. Oh, about the same way that I know Sam Carr. I have heard him speak, and I have bumped into him at these cocktail parties and musicales that the left wing circles used to hold to raise funds for—what was the Communist paper called in those days? I think it was *The Clarion*, and then it became *The Tribune*. They had various fund-raising stunts.

Q. And you would meet him at those?

A. That is right.

.

Was that your only contact with him?

A. Yes; purely a social contact.

Q. At cocktail parties.

A. I have heard him speak, as I said before, at public meetings, and I have run into him at cocktail parties, and I have also noticed him walking around Ottawa, going into the House, and things like that.

Q. Any other contact with him?

A. No, sir.

However in an alphabetical notebook found in Benning's desk he had entered in his own writing on the appropriate page the following, after other names and numbers:—

Fred 3-8605 4394.

These numbers are respectively the telephone numbers of Fred Rose at his Ottawa apartment 30 Beechwood Ave. and at Room 639 in the House of Commons.

When this fact was brought to Benning's attention in the witness box his demeanor underwent the change to which we have already referred. He lost his care-free manner and became visibly agitated. Thereupon he gave the following explanation:—

Q. Do you recognize this booklet, exhibit 397?

A. Not from here, sir.

Q. Then take it and look at it.

A. Oh, yes.

Q. That is yours, is it?

A. Yes, sir.

Q. The entries in there are your handwriting?

A. Yes, sir.

Q. Let me see it, please. On the page that has the letters E and F on it, the last entry is, *Fred. 3-8605. 4394*, and the evidence here is that those are the telephone numbers of Fred Rose in Ottawa at Beechwood Avenue and in the House of Commons. Will you explain why those entries are in your handwriting, if the only contacts you had with Fred Rose were accidental as you have explained?

A. No, I am afraid I cannot, sir. I may have put the numbers down as I was in the habit of putting down the numbers of everybody I had known or met at various times.

Q. You did not put down the numbers of everybody you met at cocktail parties or saw going along the street, did you?

A. Not as a general rule.

Q. Then will you explain frankly, Mr. Benning, without any equivocation or reserve, why these entries are there?

A. I would like to, sir. If you say they are in my handwriting, they must be.

Q. You said they were. Look at it. I asked if the entries in the book were in your handwriting. You said they were. Do you want to change that?

A. No, sir; that is my writing.

Q. Then explain the circumstances under which you put them there?

A. I am afraid I cannot, sir, because I do not recall having put it in there.

As we have occasion to point out elsewhere, *The Official Secrets Act 1939* makes the fact that a person has been in communication with an agent of a foreign power "*evidence that he has, for a purpose prejudicial to the safety or interests of the State, obtained or attempted to obtain information which is calculated to be or might be or is intended to be directly or indirectly useful to a foreign power*", (sub-section 2 of section 3).

By sub-section 4 a person shall "*unless he proves the contrary*" be deemed to have been in communication with an agent of a foreign power

if, among other things, the name or address or any other information regarding such an agent has been found in his possession. We have no doubt that Fred Rose was such an agent.

Regarded therefore from the standpoint of the Statute, there is evidence that Benning obtained information from the Department of Munitions and Supply for a purpose prejudicial to the safety or interests of Canada, that purpose being to communicate it as the documents produced from the Embassy say he actually did. We are unable to say that Benning has met the burden so placed upon him. For our part we do not believe his denial.

In Benning's house there was found a number of sheets written in manuscript in the German language containing names, numbers and camps of some thirty-three German prisoners of war in Canada, with certain extracts from letters evidently written to them, and the names and addresses of the senders, all of whom appear to live in Germany. These letters bear dates from December 1942 to September 1944. There is also a list of names of some of these German residents with such comments as "morale high" or "low" followed by the name of the prisoner of war in which each person was interested.

When Benning was asked about these documents he said they were in the handwriting of his wife, that she had worked in the Censorship Branch of the Post Office, and that in this way she "practised" her German in her lunch hour when she *first* secured that position. This explanation will hardly do for the reason that while Benning's wife was first employed on December 1st, 1942, she continued to be employed until September 1945 and the letters referred to bear dates in 1942, 1943 and up to September 1944. Moreover the analysis of the morale of the letter-writers hardly comes under the head of brushing up on a language.

It may be pertinent in this connection to call attention to sub-section 2 of section 3 of *The Official Secrets Act, 1939*, which provides that if any note, document or information relating to any "prohibited place" or anything in such a place is made, obtained, collected, recorded, published or communicated by any person except a person acting under lawful authority, it shall be deemed to have been made, obtained, collected, recorded, published or communicated for a purpose prejudicial to the safety or interests of the State "*unless the contrary is proved*". A prisoner of war camp would seem to come within the definition of a "prohibited place" in section 2 (i) (i) of the statute.

Having, therefore, been directed by the terms of Order in Council P.C. 411 to "inquire into and report upon which public officials and other persons in positions of trust or otherwise have communicated, directly or indirectly, secret and confidential information, the disclosure of which might be inimical to the safety and interests of Canada, to the agents of a Foreign Power and the facts relating thereto and the circumstances surrounding such communication" we are of opinion that the evidence before us throws upon Benning the burden of reasonably satisfying us that he has not so communicated information and we are not so satisfied; on the contrary our opinion on the evidence before us is that he was engaged in these operations.

SECTION III. 13

ALLAN NUNN MAY

One of the many objectives of the Russian organization in Ottawa was the atomic bomb. The exhibits produced reveal how anxious the organization was to obtain as full information as possible about the work done by the nuclear physicists, in connection with the use of atomic energy.

As far back as March 28th, 1945, Lunan reported to Rogov:—

Badeau (~~Smith~~) informs me that most secret work at present is on nuclear physics (bombardment of radioactive substances to produce energy). This is more hush-hush than radar and is being carried on at the University of Montreal and at McMaster University at Hamilton. Badeau thinks that government purchasing of radium producing plant is connected with this research. *

Lunan was here transmitting a report from Durnford Smith (Badeau) on the work of the National Research Council.

In mid-April of the same year one of the tasks given to Lunan and set out in the "*Organizational Directives*" for his group was:—

5. . . . Ask Badeau whether he could obtain Uran No. 235, let him be cautious. If he can, let him write in detail about the radium producing plant.

At about the same time, Motinov prepared a draft of a telegram for Zabotin to send to Moscow, which reads:—

To the Director,

The Professor reported that the Director of the National Chemical Research ~~Institute~~ Committee, Stacey, told him about the new plant under construction: Pilot Plant at Grand'Mere, in Province of Quebec. This plant will produce "Uranium". The engineering personnel is being obtained from McGill University and is already moving into the district of the new plant. As a result of experiments carried out with Uranium, it has been found that Uranium may be used for filling bombs, which is already in fact being done.

The Americans have developed wide research work, having invested in this business 660 million dollars.

"Grant"

* Faint type indicates words crossed out in original documents.

This telegram was probably not sent. "*The Professor*" is Raymond Boyer. The location of the plant is wrongly given; it was at Chalk River and not at Grand Mere. The mistake evidently occurred when Motinov later made his notes of what Rose had told him of Rose's conversation with Boyer, which had also dealt with R.D.X.

At this time, according to another document, Angelov ("*Baxter*") was given instructions to approach May (*Alek*) and to obtain from him a sample of Uran. 235, and information as to the location of the United States Atomic Bomb Plant. The same mistake as to the location of the plant appears in this exhibit.

There was some talk, too, that Smith might get into atomic research work. A report in Russian on one of the meetings of Lunan's Group, probably that of April 18th, says—

Badeau asks for permission to change to work on uranium. There is a possibility either by being invited or by applying himself, but he warned that they are very careful in the selection of workers and that they are under strict observation.

The same exhibit records Motinov's "*Conclusion*":—

... 2. Not to recommend the transfer of Badeau to the production of uranium but to develop more widely the work in Research. In the future, for the purpose of more efficient direction, it is expedient to detach him from Back's group and to key him up as an independent contact man.

The matter was also taken up with Halperin (*Bacon*) because Lunan records, in a report dated 5th July, 1945:—

Bacon . . . He is himself curious about the Chalk River Plant and the manufacture of Uranium. He claims that there is a great deal of talk and speculation on the subject but that nothing is known outside of the small and carefully guarded group completely in the know. He emphasized that he himself is as remote from this type of information as I am myself.

Evidently Lunan pressed Halperin to get Uranium-235 because another document records a report from him on Halperin (*Bacon*) as follows:—

Bacon.

It has become very difficult to work with him, especially after my request for Ur 235 (Uran 235). He said that as far as he knows, it is absolutely impossible to get it. Thus for instance he declared that perhaps it (Uran) is not available in sufficient quantity. Bacon explained to me the theory of nuclear energy which is ?

probably known to you. He refuses to put down in writing anything and does not want to give a photograph or information on himself. I believe I think that at present he has a fuller understanding of the essence of my requests and he has a particular dislike for them. With such a trend of thought as he has, we ~~cannot~~ not obtain it is impossible to get anything from him except with the exception of verbal descriptions, and I am not in a position to ~~unable~~ understand everything fully where it concerns technical details.

I asked him what is taken into consideration in the construction of the very large plant (Chalk River, near Petawawa, Ontario), in the general opinion the principle of production of which is based on the physical properties of the nucleus; with regard to his expression of opinion that it is impossible to get Uran 235. He replied that he does not know. He believed that the project is still in the experimental stage.

In July, 1944, Dr. Cockcroft, who holds the chair of Jacksonian Professor of Natural Philosophy at Cambridge, England, and who is a scientist of international reputation, had been made director of Atomic Energy Project, Montreal and Chalk River, and worked in collaboration with Canadian scientists at the Montreal Laboratory of the National Research Council.

Dr. Allan Nunn May, a British temporary civil servant, formed part of the research group that came over to Canada, and was at the Montreal Laboratory as a group leader under Dr. Cockcroft. In the performance of his duties, May had access to a substantial amount of knowledge of the work that was being done in connection with the Atomic Energy Project. The evidence shows that before coming to Canada, he was an ardent but secret Communist and already known to the authorities at Moscow. Not

* Faint type indicates words crossed out in original documents.

long after his arrival here he was contacted on instructions from "*The Director*", and given the cover name "*Alek*" by the organization of Colonel Zabotin. In view of his background and the position he occupied, he was a logical person from whom the Russians could expect to obtain the available knowledge on atomic energy. By telegram dated July the 28th, 1945, "*The Director*" at Moscow sent a telegram to Colonel Zabotin with reference to Dr. Allan May ("*Alek*"), reading in part as follows:—

No. 10458

30.7.45

To Grant

Reference No. 218.

. . . Try to get from him before departure detailed information on the progress of the work on uranium. Discuss with him: does he think it expedient for our undertaking to stay on the spot; will he be able to do that or is it more useful for him and necessary to depart for London? ~~In the first half~~

*

Director. 28.7.45

These instructions were promptly followed in Ottawa, for a few days later, on the 9th August, 1945, the following telegram was sent to Moscow by Zabotin:—

241

To the Director,

Facts given by Alek: (1) The test of the atomic bomb was conducted in New Mexico, (with "49", "94-239"). The bomb dropped on Japan was made of uranium 235. It is known that the output of uranium 235 amounts to 400 grams daily at the magnetic separation plant at Clinton. The output of "49" is likely two times greater (some graphite units are ~~established~~ planned for 250 mega watts, i.e. 250 grams each day). The scientific research work in this field is scheduled to be published, but without the technical details. The Americans already have a published book on this subject.

*

(2) Alek handed over to us a platinum with 162 micrograms of uranium 233 in the form of oxide in a thin lamina. We have had no news about the mail.

9.7.45.

Grant.

* Faint type indicates words crossed out in original documents.

On the same date, another telegram was forwarded by Zabotin giving information obtained from May on a man by the name of Norman Veall, upon whom we are also reporting (see Section IV, 1). This telegram disclosed that May advised against accepting any information about the atomic bomb from Veall.

243

To the Director,

Alek reported to us that he has met Norman Veal (he was at his home). Veal works in the laboratory of the Montreal branch of the Scientific Research Council . . . He asked the opinion of Alek: Is it worth while for him (Veal) to hand over information on the atomic bomb. Alek expressed himself in the negative. Alek stated that Veal occupies a fairly low position and knows very little. . . .

Grant.

9.8.45.

A few days after May had handed over to the Russians information concerning the atomic bomb, and the above-mentioned quantity of uranium 233, Zabotin paid a social visit to a friend living in the vicinity of Chalk River. He then had the opportunity of seeing the plant from the river during a motor-boat cruise, and reported to "*The Director*" what he had seen. The latter, on the 14th of August, 1945, sent him a telegram which included the following:—

11438.

14.8.45.

To Grant

1. Your No. 231.

Wire what connections F—— has with the plant indicated by you, where is he working at present, and what are your mutual relations with him?

If possible, give a more detailed description of the exterior of the plant. . . .

Director.

May made two visits to the same plant: the first on the 16th August, 1945, and the second on the 3rd September. He also went on several occasions to the Chicago plant, doing experiments in collaboration with American scientists.

On August 22nd, 1945, "*The Director*" telegraphed Zabotin:—

Supplement to No. 11923

N 11931

22.8.45

To Grant

Take measures to organize acquisition of documentary materials on the atomic bomb!

The technical process, drawings, calculations.

Director,

22.8.45.

On the 31st August Zabotin, not having received any reply from Moscow as to the value of the information on the atomic bomb which he had sent, telegraphed to "*The Director*" as follows:—

275

To the Director

I beg you to inform me to what extent have Alek's materials on the question of uranium satisfied you and our scientists (his reports on production etc).

This is necessary for us to know in order that we may be able to set forth a number of tasks on this question to other clients. Have you received all NN mail up to July of this year?

Grant

31.8.45

The evidence shows that May provided the Soviet espionage leaders with information on other subjects as well as on the atomic bomb. One of the documents is a telegram from Zabotin to Moscow, reading as follows:—

242

To the Director

On our task Alek has reported brief data concerning electronic shells. In particular these are being used by the American Navy against Japanese suicide-fliers. There is in the shell a small radio-transmitter with one electronic tube and it is fed by dry batteries. The body of the shell is the antenna. The bomb explodes in the proximity of an aeroplane from the action of the reflected waves from the aeroplane on the transmitter. The basic difficulties were: the preparation of a tube

and batteries which could withstand the discharge of the shell and the determination of a rotation speed of the shell which would not require special adaptation in the preparation of the shell. The Americans have achieved this result, but apparently have not handed this over to the English. The Americans have used a plastic covering for the battery which withstands the force of pressure during the motion of the shell.

Grant.

9.7.45.

After his second visit to the Chalk River plant on September 3rd, 1945, Dr. May departed for England. The documents that have been produced reveal that Colonel Zabotin's organization was aware of this departure and that May was instructed to contact a person in London, England. This contact was being organized between Moscow, London and Ottawa.

The following telegrams were exchanged between Zabotin and "The Director" on this matter:—

No. 10458

30.7.45

To Grant

Reference No. 218.

~~28.7.45~~

*

Work out and telegraph arrangements for the meeting and the password of Alek with our man in London.

Director. 28.7.45

Grant

31.7.45

244

To the Director,

We have worked out the conditions of a meeting with Alek in London. Alek will work in King's College, Strand. It will be possible to find him there through the telephone book.

Meetings: October 7.17.27 on the street in front of the British Museum. The time, 11 o'clock in the evening. Identification sign:—A newspaper under the left arm. Password:—Best regards to Mikel (Maikl). He cannot remain in Canada. At the beginning of

* Faint type indicates word crossed out in original documents.

September he must fly to London. Before his departure he will go to the Uranium Plant in the Petawawa district where he will be for about two weeks. He promised, if possible, to meet us before his departure. He said that he must come next year for a month to Canada. We handed over 500 dollars to him.

Grant.

11955
22.8.45

To Grant

Reference No. 244.

The arrangements worked out for the meeting are not satisfactory. I am informing you of new ones.

1. Place:

In front of the British Museum in London, on Great Russell Street, at the opposite side of the street, about Museum Street, from the side of Tottenham Court Road repeat Tottenham Court Road, Alek walks from Tottenham Court Road, the contact man from the opposite side—Southampton Row.

2. Time:

As indicated by you, however, it would be more expedient to carry out the meeting at 20 o'clock, if it should be convenient to Alek, as at 23 o'clock it is too dark. As for the time, agree about it with Alec and communicate the decision to me. In case the meeting should not take place in October, the time and day will be repeated in the following months.

3. Identification signs:

Alek will have under his left arm the newspaper "Times", the contact man will have in his left hand the magazine "Picture Post".

4. The Password:

The contact man: "What is the shortest way to the Strand?"

Alek: "Well, come along. I am going that way."

**In the beginning of the business conversation
Aleks says: "Best regards from Mikel".**

**Report on transmitting the conditions to Aleks.
18.8 Director.**

22.8.45

Grant.

The evidence before us does not reveal whether the contact referred to in the above telegram was made.

In February, 1946, while our investigation was in progress, May was arrested in London on a charge of violating the Official Secrets Act. Before being arrested, Dr. May confessed his guilt. His written statement, signed by him, reads as follows:—

About a year ago whilst in Canada, I was contacted by an individual whose identity I decline to divulge. He called on me at my private apartment in Swail Avenue, Montreal. He apparently knew I was employed by the Montreal laboratory and he sought information from me concerning atomic research.

I gave and had given very careful consideration to correctness of making sure that development of atomic energy was not confined to U.S.A. I took the very painful decision that it was necessary to convey general information on atomic energy and make sure it was taken seriously. For this reason I decided to entertain proposition made to me by the individual who called on me.

After this preliminary meeting I met the individual on several subsequent occasions whilst in Canada. He made specific requests for information, which were just nonsense to me — I mean by this that they were difficult for me to comprehend. But he did request samples of uranium from me and information generally on atomic energy.

At one meeting I gave the man microscopic amounts of U.233 and U.235 (one of each). The U.235 was a slightly enriched sample and was in a small glass tube and consisted of about a milligram of oxide. The U.233 was about a tenth of a milligram and was a very thin deposit on a platinum foil and was wrapped in a piece of paper.

I also gave the man a written report on atomic research as known to me. This information was mostly of a character which has since been published or is about to be published.

The man also asked me for information about the U.S. electronically controlled A.A. shells. I knew very little about these and so could give only very little information.

He also asked me for introductions to people employed in the laboratory including a man named Veale but I advised him against contacting him.

* *The man gave me 200 ANM some dollars (I forget how many) in a bottle of whiskey and I accepted these against my will.*

Before I left Canada it was arranged that on my return to London I was to keep an appointment with somebody I did not know. I was given precise details as to making contact but I forget them now. I did not keep the appointment because I had decided that this clandestine procedure was no longer appropriate in view of the official release of information and the possibility of satisfactory international control of atomic energy.

The whole affair was extremely painful to me and I only embarked on it because I felt this was a contribution I could make to the safety of mankind. I certainly did not do it for gain.

As it will be seen, May clearly admits having done what has been revealed by the official documents from the Embassy, namely, the giving of uranium and a written report on atomic research as known to him. He denies having made the pre-arranged contact previously mentioned. The person who contacted him in Montreal and obtained the uranium and other information concerning the atomic bomb has been identified by Gouzenko as being Lieut. Angelov, one of the Secretaries of the Military Attache. It has also been established by the documents that the amount of money which May received was at least \$700. plus two bottles of whisky.

After having elected to be tried by a jury in London, May, on the day set for his trial, pleaded guilty and was sentenced to ten years penal servitude.

After he had pleaded guilty and the United Kingdom Attorney-General had summarized the facts of the case, defending Counsel put in a plea for leniency. In passing sentence Mr. Justice Oliver said:—

Alan Nunn May, I have listened with some slight surprise to some of the things which your learned counsel has said he is entitled to put before me: the picture of you as a man of honour who had only done what you believed to be right. I do not take

* Faint type indicates words crossed out in original documents.

that view of you at all. How any man in your position could have had the crass conceit, let alone the wickedness, to arrogate to himself the decision of a matter of this sort, when you yourself had given your written undertaking not to do it, and knew it was one of the country's most precious secrets, when you yourself had drawn and were drawing pay for years to keep your own bargain with your country — that you could have done this is a dreadful thing. I think that you acted not as an honourable but a dishonourable man. I think you acted with degradation. Whether money was the object of what you did, in fact you did get money for what you did. It is a very bad case indeed. The sentence upon you is one of ten years' penal servitude."

We have no doubt of the importance of the information given by Dr. May on atomic energy; for that purpose we had the advantage of hearing Dr. Cockcroft whose collaboration has been most helpful in the determination of the extent and value of the secret data communicated. This is further dealt with in Section VII.

SECTION III. 14

AGATHA CHAPMAN, Ottawa

Miss Chapman was born in England, May 6th, 1907, and came to Canada in 1918. She is a graduate of the University of British Columbia having obtained her Bachelor's Degree in commerce and subsequently in 1931 her Master's Degree. After some intermediate employment she entered the employ of the Bank of Canada in 1940. When testifying before us, while still on the staff of the Bank, she was on loan to the Bureau of Statistics.

The name of Agatha Chapman was first mentioned in evidence by Kathleen Willsher when she deposed that she had met Eric Adams for the first time in 1942 in a study group in Ottawa when Chapman, Adams, and Benning were present. It was Chapman who invited Willsher. The subject under discussion that evening was, "socialist literature, Marxist literature I suppose you would call it." Adams was in charge of the meeting. The group met regularly every three weeks until Adams left for Montreal at the end of 1944. As to the nature of these groups, Willsher testified:—

Q. Was employment in the government service a qualification for membership in this group?

A. Not that I know of.

Q. What was the qualification?

A. Interest in the same kind of study.

Q. Interest in Communistic writings and teachings?

A. Yes.

Q. And did she (*a mutual friend*) mention any names that you should see, and persons that you should see in order to join the group?

A. Miss Chapman.

Q. She mentioned Miss Chapman?

A. Yes.

Q. And you didn't know her before?

A. Yes, but not in that connection.

Q. But you knew her?

A. Yes.

Q. You phoned her, or you went to see her?

A. I think she phoned me.

Q. And she asked you to join?

A. She asked me if I would like to go to this study group.

Q. And you accepted?

A. Yes.

Q. She knew you were working in the Office of the High Commissioner?

A. Yes.

Q. She knew Adams was in the Communist Party also?

A. Yes.

Q. And she arranged it so that you and Adams would meet?

A. Yes.

Q. And she kept it secret?

A. I suppose so.

On this same matter Mazerall testified:—

Q. Mr. Mazerall, will you tell us when you first met Fred Rose; tell the Commissioners when you first met Fred Rose?

A. I really cannot give you any date. It was shortly after he was elected the first time, if I remember correctly.

Q. Shortly after he was elected where?

A. To the House of Commons.

Q. And where did you meet him?

A. I believe it was at the home of Miss Agatha Chapman.

Q. In Ottawa?

A. That is correct.

Q. On what street?

A. Somerset Street, I believe; yes, Somerset Street.

Q. And how did you come to go there?

A. It was a meeting of representatives from various study groups who were sympathetic to the Labour-Progressive Party.

Q. Was that the name of the Party at that time?

A. I believe so.

Q. What was the occasion of the meeting?

A. It was to hear Fred Rose give an analysis of the difference in the stand taken by the Labour-Progressive Party and the C.C.F.

Q. And that is the first occasion when you met Fred Rose?

A. To the best of my knowledge it is.

Q. But it was not the first occasion that you had assisted at these meetings?

A. No.

Q. So that would be approximately when?

Q. In 1943, I imagine?

A. Yes, I imagine it would be about that.

Q. And the first meeting at which you assisted, what was decided? Would you explain the nature of those meetings to the Commissioners, Mr. Mazerall?

A. Mainly the study of Marxist philosophy.

Q. What sort of philosophy?

A. Marxist.

Q. To cut it down to the shortest possible description, you considered that was a cell of the Communist Party?

A. You might consider it so.

Q. I want to have your views on that, your honest views, Mr. Mazerall?

A. I really never did consider that I belonged to the Communist Party.

Q. I am not speaking of you; I am speaking of the organization, the study group there.

A. Yes, it might have been.

Q. I want a better answer than that, if it is possible. You say it might; I want to have your views on it.

A. Yes. Well, I think it was; yes.

A. Subsequent to the forming of that group at that time, Durnford Smith joined; then David Shugar, and still later this chap Gordon Lunan.

Q. Would you give us the approximate times when these three groups existed; the periods. Take the first group?

A. The first group would have been from about 1941 to possibly the end of 1941. The next one, through part of 1942 — no, all of 1942, and possibly 1943, and the third one from 1943, I think.

Q. The third one in 1943 until —

A. No; the first one might have gone into 1942, and the second one on into 1943.

Q. And when you met Fred Rose for the first time it was at a meeting of what group?

A. That was at a meeting of the representatives from each of the other groups.

Q. A number of groups?

A. Yes.

- Q. Of the three groups?
- A. There were more than three groups, actually. I had had personal contact at that time with only two of them, and subsequently with the third one.
- Q. The period covered by the third group was from sometime in 1943 down to the present?
- A. 1943 or early 1944.
- Q. To the present?
- A. Yes.
- Q. So how many groups were represented when you met Fred Rose for the first time?
- A. Four and possibly five.
- Q. Were they all groups from Ottawa?
- A. Yes.
- Q. There is one answer I do not understand. You said you never considered yourself a Communist, although you had been attending these group meetings twice a month since 1941 until sometime in 1945, when it became more irregular. You say you never did become a member of the Party?
- A. No. Well, it was a sort of tacit consent, you might say, but there was no official Party, and no official membership.
- Q. There was no formal act of your becoming a member?
- A. No.
- Q. But did you consider yourself a member?
- A. Actually I did not.
- Q. You were still unconvinced, with all this education you were receiving?
- A. I don't think I received very much, frankly. It was primarily — the meetings were primarily to study various books by Karl Marx.
- Q. Did you pay a monthly fee?
- A. Yes, we did subscribe subsequently to the Labour-Progressive Party.
- Q. How much did you pay?
- A. I think it was around a dollar or so.
- Q. A dollar a month or a dollar a meeting?
- A. No, a dollar a month.
- Q. To whom did you pay that?
- A. To the person who was the secretary of the meeting.

Q. And did you change secretaries at each meeting, or was there a permanent secretary?

A. No, they didn't change at each meeting. It was a more or less permanent secretary.

Q. And you turned in the money then to whom?

A. To the chairman of that group.

Q. Who was —?

A. I believe that was Miss Chapman.

Q. Miss Chapman?

A. I think so.

Q. When you say that representatives of the group attended this Rose meeting, did you actually mean that, or did you mean all the members?

A. No; the same people who would have normally gone to the group meeting if Fred Rose had not been there.

Q. That is, the entire membership of the groups went?

A. No, just the secretaries. Actually it was not necessarily the secretaries; it was some person picked from the group.

Q. Picked by whom?

A. By the group.

Q. To act as a delegate?

A. That is right.

Q. And how many of these central meetings did you attend?

A. Possibly half a dozen.

Q. And where did they take place?

A. All of them at Miss Chapman's.

Miss Chapman in her evidence was not equally frank. She said:—

Q. We might save time, Miss Chapman, if I put this question to you directly; evidence has reached this Commission that you had at your place, and you followed elsewhere, various study groups. Would you mind telling us what you know about that?

A. Since I have been in Ottawa, before I came to Ottawa, I have been in a number of different study groups with different people. The purpose of them was not to study definitely what you call Communism, but to discuss, as I understood it, current affairs and

political ideas in general, or different viewpoints. I have always been interested in that sort of thing, and I have been to various study groups in my own home and other places, too.

Q. All right. How often at your home?

A. Oh, it used to vary; sometimes it would be once a month, or something like that.

Q. During what period of time?

A. Well, ever since 1938.

Q. Ever since 1938, up to what time, up to the present?

A. Up to the present. I have had most of them on a very informal basis.

Q. Are you still carrying them?

A. Sometimes, but not so much recently.

Q. When did you diminish the number of these meetings?

A. When did I diminish the number of these meetings?

Q. Yes.

A. It depends partly on how busy you are, and how busy other people are, and so on. It is up and down. In the summertime, people do not feel like sitting around and talking.

Q. I gathered from your previous answer that recently you were not as active as in the past; is that what you said, or have I misunderstood you?

COMMISSIONER: That is the impression I got.

COUNSEL FOR WITNESS: Mr. Fauteux says that the impression—that is his impression, and that is what I got too, that the frequency of these meetings had decreased.

THE WITNESS: Oh no, I am sorry if I gave you that impression; they varied from time to time because it depends on how busy people are, how busy other people are; I did not mean to give the impression that there has been any change in the frequency. There was one group I used to attend a while ago which dropped altogether, some time back.

Q. How many people were in your group?

A. In my group?

Q. In your study group?

A. I have had various study groups, been in various study groups. I have been in various study groups.

Q. How many various study groups have you been in?

A. I could hardly count them.

.

- Q. And at this group did you study Marxism?
- A. We would sometimes read some Marxism, but most of our discussions would be on current topics.
- Q. I was not asking you about anything else. At these groups I asked you if you would study Marxism?
- A. We did sometimes discuss Marxism.
- Q. Quite frequently?
- A. Sometimes—I do not know what you call frequently. We usually got ourselves so involved in discussions on current developments.
- Q. Would you collect any moneys?
- A. We would sometimes take collections for special occasions.
- Q. For what?
- A. We took a collection one time for the Windsor strike.
- Q. That is the Ford strike?
- A. Yes.
- Q. Any other moneys collected for any other purpose?
- A. Let us see. We took one for the Aid to Russia at one time, the Canadian Soviet Friendship Council.
- Q. Anything else?
- A. No; I don't remember any.
- Q. Any moneys collected to buy papers or periodicals or books?
- A. We would sometimes if somebody was going to Montreal or Toronto—they would get some papers for us.
- Q. What papers?
- A. We would like to read *National Affairs Monthly*, for instance. You cannot get it—some of us—you cannot get it on the news-stands.
- Q. *National Affairs Monthly*; is that a paper or a periodical?
- A. It is a magazine.
- Q. Who publishes that?
- A. I am not sure actually who publishes it. I read it in the Bank of Canada library myself.
- Q. What organization is responsible for it?
- A. I think it is not the official organ of the Labour-Progressive Party.
- Q. But it is an organ, is it?
- A. I don't know whether it is an organ. I know people connected with it.

- Q. All right, Miss Chapman, you are not doing anything. We have the paper here. Any other papers or books?
- A. Sometimes they would bring *New Masses*, too, which is a United States paper.
- Q. *New Masses*, is that also a Communist paper?
- A. I believe you would call it Communistic.
- Q. Would *you* call it Communistic?
- A. Well, I know it is understood to be Communistic. I do not understand the question, whether I call it Communistic.
- Q. I think you understand it well enough. Anything else, now?
- A. No.
- Q. Miss Chapman, did you hold any office in this study group?
- A. No.
- Q. Did it have a secretary?
- A. It did not have formal officials. It was just an informal group.
- Q. Who collected the money?
- A. Oh, some individual would take the responsibility of collecting money.
- Q. You did sometimes?
- A. No, I never have. I don't remember ever collecting it.
- Q. Who can you remember as having received money at any time?
- A. I suppose it is possible I may have taken some and handed it out. I don't remember because it was on a very informal basis.
- Q. I am not asking what you don't remember. Do you remember anybody who received any of these moneys?
- A. No, I do not.
- Q. And you have spoken of other study groups going back to 1938. Would they be similar to the one you have described of 1945?
- A. Along the same sort of line.
- Q. And has Poland ever been a member in these groups with you?
- A. I don't ever remember him.

- Q. Mazerall?
- A. No.

- Q. Just a minute; let me read this to you, Miss Chapman, from Miss Willsher's evidence:

- Q. Whose picture is that?
- A. Eric Adams.

- Q. When did you meet him?
- A. At a private meeting; I don't know whether it was his or somebody's else's.
- Q. When was that?
- A. I think it is 1942. I don't know, to be exact.
- Q. In what circumstances?
- A. In a study group.
- Q. Who was present?
- A. Miss Chapman.
- Q. Who is Miss Chapman?
- A. She works in the Bank of Canada, or in the Bureau of Statistics.
- Q. And her full name is Agatha Louisa Chapman?
- A. Well, Agatha; I do not know the second name.
- Q. She was working where?
- A. At the Bank of Canada at the moment. I don't know whether she is in the Bureau as an employee, or the Bank of Canada, but at that time it was the Bank of Canada.
- Q. Who was she working for in the Bank of Canada?
- A. I don't know except that Mr. Adams was in her office. I don't know whether he was her direct employer or not.
- Q. And who was present the night you met Adams?
- A. Somebody Benning, I think.
- Q. What is his first name?
- A. I have forgotten.
- Q. How old is he, about?
- A. About thirty.
- Q. I suggest that his name was James Scotland Benning?
- A. Scott; that's right.
- Q. What would you say about that?
- A. I just do not remember it. I have not any recollection of those three people being at my house.
-
- Q. Do you know this gentleman here? (*showing photograph*)
- A. That is Mr. Fred Rose.
- Q. How long have you known him?
- A. I have met him a few times since he came to Ottawa, as I remember it.
- Q. What year was that?
- A. I do not remember, when he was elected.
-
- Q. How often did you meet Rose?
- A. Oh, in the course of time he was here, perhaps, half a dozen times.
-

- Q. On what occasion, at your place?
- A. He would drop in and have supper, once or twice.
- Q. Is that all?
- A. Yes, or he would drop in and talk, not necessarily to have supper.
- Q. Talk to —?
- A. To me.
- Q. Anybody else?
- A. Or anybody else,—anybody else who happened to be there.
- Q. Anybody else?
- A. I do not remember any specific people; there were different people in and out of my place, and he would talk to anybody who happened to be there.
- Q. People who would be invited for that purpose?
- A. No.
- Q. How many people would be there when he would talk?
- A. He did not ever deliver talks. He would just converse.
- Q. On what subject?
- A. On what is going on in the world, current events, what he thought about the state of Canada, conditions and affairs.

- Q. I am exhibiting to you a number of issues of *National Affairs*. That is the periodical you have been referring to, is it not?
- A. Yes.
- Q. You can find by whom it is published?
- A. Yes.
- Q. The National Committee of the Labour-Progressive Party?
- A. That is right.
- Q. It is very clear, is it not?
- A. That is right.
- Q. You knew that?
- A. When I said it was not the organ I did not know whether it was the official organ, whether it speaks officially or not. I knew it was connected.
- Q. And can you read that at page 194:

We did not follow the American example; on the contrary, the Communist Party being outlawed by the King government we established the Labour-Progressive Party with a Marxist programme, and

utilized the possibilities and the widespread progressive sentiment to strengthen our Party and extend its influence.

You knew that, too?

A. I read it there.

Q. I am asking you, do you know that the Labour-Progressive Party is the current label for the old Communist Party?

A. I do not think they have made any secret about it.

Q. That is not the question you are asked. Would you answer the questions?

A. Yes, I understand —

Q. You would save a lot of time if you would answer the question directly.

Q. Will you answer the question?

A. Yes, I understand that.

Q. You knew that?

A. I know it, yes.

Q. You knew it since when?

A. Oh, I do not remember when I knew that.

Q. But it has always been to your knowledge?

A. It was my understanding.

Q. And to make it clear, Miss Willsher testified here when she was asked what qualification was needed to belong to any of these groups, especially the one she was with, the group to which you belonged yourself;

Q. What was the qualification?

A. Interest in the same kind of study.

Q. Interest in Communistic writings and teachings?

A. Yes.

Is that right?

A. That is putting it more specifically.

Q. Were there regular dues collected in these study groups?

A. No.

Q. We have information that some were requested to pay \$1.00 a month?

A. No.

- Q. Were there any sorts of contributions?
- A. Not where I was. As I described, there were special contributions for special occasions. Sometimes we would decide we would like to take up some money, as I gave an example, for the Windsor strike, and we might take it up over a period of months.
- Q. Did you ever pay a due or fee or anything of that kind to the Communist Party or Labour-Progressive Party?
- A. No.
- Q. Or any organization in connection with it?
- A. No.
- Q. Or for the support of any of its objects?
- A. Pardon?
- Q. Or for the support of any of its objects?
- A. That is such a broad definition I find it very hard to say whether or not. I might have given money to the Red Cross organization which is in support of the war, and is in support of the Red Cross.
- Q. I see. I will take that answer.
- Q. Now, what other groups besides the one you have described did you belong to?
- A. What other group?
- Q. Yes, what other groups? You have the names of certain persons belonging to one group and you stated you belonged to several groups?
- A. At different times.
- Q. What are the other groups?
- A. Well, a while ago there was a group or a couple of study groups here called the Fellowship for a Christian Social Order. I was connected with it, and we used to have discussion groups.
- Q. What else?
- A. I belonged to the Canadian Soviet Friendship Council. I am on the executive.
- Q. What else?
- A. Those are all that have any formality that I can think of now. I belong to the Ottawa Public Affairs Council.

Miss Chapman's attention was also called to the following evidence given by Mazerall:

Q. You have me a little confused there, Mr. Mazerall. I understood that the meetings at Miss Chapman's were meetings of the secretaries of the various groups?

A. That is correct.

Q. How many groups?

A. Possibly five, at the outside.

Q. Then at the Rose meeting, how many groups were represented?

A. The same five. I believe it was five; it may have been four or six, I couldn't say definitely; and that is all.

Her answer was:—

A. I do not remember it at all.

Q. You deny it?

A. I do not remember it at all. I have no recollection of it. Mr. Mazerall has been at my house, but I have no recollection of a meeting of secretaries of groups at which he was at my house.

Q. Would you suggest that Mazerall is not telling the truth then?

A. As I say, I want to go on record as having no recollection of any meeting of secretaries of groups that Mr. Mazerall was at at my house or anybody else.

Q. Would you have any reason to suggest that Mazerall is not telling the truth there?

A. I do not know.

Nightingale had also testified:—

Q. You told us yesterday that you attended some study groups?

A. Yes.

Q. I believe with Communist leanings, to put it as you did, in Ottawa? Where did you attend these meetings?

A. It was at some house out toward Holland Avenue. I don't know the direction, and I don't know the streets.

Q. Always at the same place?

A. I think so. It was only two or three times.

Q. I thought yesterday you said you were going to various places?

A. I don't really know.

Q. But on Holland Avenue?

A. It was not on Holland; it was on one of those little streets near Holland.

Q. You do not know where it is?

A. No, I don't know Ottawa very well.

- Q. Who showed you the place?
A. I went out in a car.
Q. The street car?
A. No, an automobile.
Q. Who was driving the car?
A. Agatha Chapman drove me out.
Q. She is the one who brought you there?
A. Yes.

This evidence being put before Miss Chapman she was asked:—

- Q. Do you remember that?
A. It is quite possible I may have taken him visiting to some house out there; I do not remember it as you describe it.
Q. Not as I described it, but as he describes it, because I quoted the evidence given by the witness; and you say you do not remember?
A. I do not remember taking him to Communist study groups.
Q. Well, did he — may I take it, Miss Chapman, that as to these parts of the evidence of Miss Willsher which were read to you, of Nightingale, of Mazerall, which refer to study groups, Communism, at your house, that you say that you do not remember?
A. How should I answer that?

COUNSEL FOR WITNESS: I do not know.

THE WITNESS: I have not denied.

Kathleen Willsher testified that it was Chapman who arranged with her for meetings with Adams on street corners in Ottawa in 1945 after Adams had been transferred to Montreal. Adams drove in his car to Ottawa and picked up Willsher on the street and on these occasions she communicated to him confidential information obtained in the course of her work in the Office of the High Commissioner for the United Kingdom. She said:—

- A. I didn't contact him; Miss Chapman just told me he was coming, and she apparently did the contacting.
Q. She told you he would be in his car at a certain place at a certain time?
A. Yes.
Q. And you were to be there?
A. Yes.

It was Chapman also who arranged with Willsher for Willsher to go to Montreal to see Adams. Willsher's evidence is:—

Q. Why did not Adams make his own arrangements to meet you on the street corner?

A. I don't know. He didn't.

Q. Were you requested to meet him in Montreal at all?

A. Yes, last September.

Q. In September of — ?

A. 1945.

Q. How did you know that you were requested to go there?

A. Miss Chapman told me.

Q. What did she tell you?

A. She said he would like to see me during September, towards the end of September.

Q. For what purpose?

A. Just to ask me a few things, I suppose. She said he was going away, so would I try to see him before the end of September.

Q. She said he was going away?

A. Yes.

Q. Where?

A. She didn't say where. She said he wouldn't be in Montreal. I suppose that's it; it would be somewhere distant from here.

It is not surprising, in view of the evidence given by Miss Chapman and quoted above, that on this subject she should give the following typical evidence. She will not deny. She "does not remember".

Willsher had said:—

Q. You told us that Adams left Ottawa for Montreal around 1944?

A. Yes.

Q. How did you meet him thereafter?

A. He came to Ottawa sometimes.

Q. How often?

A. About three or four times, as far as I can remember.

Q. Four or five times?

A. No, I think three or four times. I don't remember.

Q. And how would you get in touch with him then?

A. Miss Chapman told me he was coming.

Q. Every time?

A. Yes.

- Q. She would phone you?
- A. Yes, or if I happened to see her anywhere.
- Q. Or if you would meet her?
- A. Yes.
- Q. Tell us exactly what procedure was followed?
- A. She would telephone, or tell me if she happened to see me somewhere.
- Q. Miss Chapman would telephone you and tell you she had to see you somewhere?
- A. No. She might telephone me and tell me that he was coming, or she might meet me somewhere in the normal course of events and tell me.
- Q. That Adams was coming?
- A. Yes.
- Q. And then?
- A. I would arrange to meet him.
- Q. How would you arrange to meet him?
- A. He usually was driving, and he would just pick me up.
- Q. That is the way the meeting would take place, but how did you arrange to meet him; through whom? How would you contact him?
- A. I didn't contact him; Miss Chapman just told me he was coming, and she apparently did the contacting.
- Q. She told you he would be in his car at a certain place at a certain time?
- A. Yes.
- Q. And you were to be there?
- A. Yes.

Chapman's evidence is as follows:—

- Q. Do you know this gentleman here? (*showing photograph*)
- A. Yes, Mr. Eric Adams.
- Q. — how long have you known him?
- A. I knew him because he worked in the Bank of Canada when I was coming in.
- Q. You met him very often?
- A. No.
- Q. Yes?
- A. I got to know him better when we were both working for National Selective Service, under great pressure, and I saw quite a lot of him at that time.

Q. Did you ever meet him at your place?

A. He has been to my place once or twice.

Q. Once or twice altogether?

A. Not many times.

Q. About how many times a month?

A. Not as often as once a month, certainly.

Q. Do you remember a trip by Miss Willsher to Montreal?

A. She has been in Montreal a number of times.

Q. How do you know that?

A. She would tell me she had gone down for a week-end.

Q. Why would she tell you?

A. Well, she has this mutual friend, for one thing.

Q. Who is the mutual friend?

A. Helen _____.

Q. Did you say Miss Willsher told you very often she was going to Montreal?

A. I do not remember. I just remember occasionally she would say she had been there.

Q. How often would that be?

A. Oh, very seldom.

Q. All right. How often would that be? How many times?

A. I cannot remember any specific occasion. When you asked me if she had ever told me she had been there I know she has been there, but I cannot remember when.

Q. Or that she was going there? Did you know she was going?

A. I imagine she must have told me sometimes she was going, but I do not remember that either specifically in regard to specific questions.

Q. Miss Chapman, my question was not limited to what Miss Willsher may have told you. I asked you if you knew she was going to Montreal on occasions.

A. I cannot deny that because I think it is very likely she did tell me at some particular times but as I say I do not remember any specific occasions. I could not give you dates or how many times or anything else because as far as I was concerned it is very unimportant to me if she went to Montreal or did not.

Q. Did you arrange any meetings between Miss Willsher and Eric Adams?

A. I have not any recollection of having done so.

Q. Well, the memory of Miss Willsher is better than yours. She says referring to these meetings, she said you had arranged:

Q. Did you tell Miss Chapman; of course, Miss Chapman —

A. She knew because she arranged it.

A. I do not remember that at all.

Q. You do not remember having arranged any meetings between Miss Willsher and Eric Adams?

A. No.

COMMISSIONER: Since Adams left?

COUNSEL: While Adams was in Ottawa first.

A. I do not remember that at all. Since I knew them both they might very well have seen each other with me at any particular time but I do not remember arranging any specific meeting.

Q. Did you relay any message or messages to Miss Willsher in connection with any meeting between Miss Willsher and Adams?

A. I do not remember having done so.

Q. You do not deny that you may have?

A. I cannot remember having done so at all.

Q. You do not deny that you may have?

COUNSEL FOR WITNESS: I suggest, Mr. Commissioner, you have the witness' answer, she does not remember.

COMMISSIONER: I have not got the witness' answer. If the witness answered that question I will take it, but I did not hear the answer to my question.

Q. I asked you if you deny that you had?

A. I answered that by saying I have no recollection of having done so.

Q. That is the same answer you made before. I will put it this way. If Miss Willsher says you did and that she kept an appointment or appointments with Adams on messages from you would you deny that?

A. Well, I told you I cannot remember. When you say Miss Willsher said so —

Q. Yes, and the question is, if Miss Willsher says that do you deny it?

A. I think Miss Willsher is wrong.

Q. Do you deny it? Will you deny it?

A. Specifically I do not remember.

Q. That is as far as you will go?

A. Yes.

Miss Willsher's evidence was:—

A. He usually was driving and he would just pick me up.

Q. That is the way the meeting would take place, but how did you arrange to meet him; through whom? How would you contact him?

A. I didn't contact him; Miss Chapman just told me he was coming, and she apparently did the contacting.

This was put to Miss Chapman as follows:—

Q. What do you say about that?

A. I do not remember that at all.

Q. You deny that?

A. I do not remember. I have no recollection of it at all.

Q. Do you deny what Miss Willsher said?

A. If not remembering it is denying it then I deny it. I have not any recollection of it.

Willsher' had also said:—

Q. What did she tell you?

A. She said he would like to see me during September, towards the end of September.

Q. For what purpose?

A. Just to ask me a few things, I suppose. She said he was going away, so would I try to see him before the end of September.

Q. She said he was going away?

A. Yes.

Q. Where?

A. She didn't say where. She said he wouldn't be in Montreal. I suppose that's it; it would be somewhere distant from here.

Q. And he wanted to see you in Montreal?

A. Yes.

This was also put to Chapman as follows:—

Q. What do you say to that, Miss Chapman?

A. I do not remember that at all.

We do not believe that the recollection of this witness was as faulty as she suggests. The following evidence of Willsher is significant:

- Q. Did Miss Chapman know what was the purpose of your seeing Adams?
- A. I don't know.
- Q. Oh?
- A. I don't know at all. I don't think so.
- Q. Why would she take the trouble of phoning you when Adams was coming if she didn't know it was for the purpose of conveying information?
- A. Well, she probably knew; she might have known, and she might not have known what sort of information.
- Q. She knew you were working in the Office of the High Commissioner?
- A. Yes.
- Q. She knew you were in the Communist Party?
- A. Yes.
- Q. She knew Adams was in the Communist Party also?
- A. Yes.
- Q. And she arranged it so that you and Adams would meet?
- A. Yes.
- Q. And she kept it secret?
- A. I suppose so.
- Q. You hoped so?
- A. I should think so.

We think that Willsher, and also Adams, knowing the nature of the operations upon which they were engaged, did not choose as their contact a person who did not know what was on foot and who would therefore be naturally curious, but one who knew all about what was going on and was to be trusted by reason of holding the same views and sympathies as they, and holding such a responsible position in the pyramid of study groups or cells. The evidence discloses also the close association of Chapman with Lunan, Shugar, Gerson, Durnford Smith, Poland and Boyer, as well as with Adams, Nightingale, Benning, Mazerall, Rose and Willsher. With the knowledge of what these people were engaged in we think that Chapman did not assist in furthering the surreptitious meetings between Adams and Willsher, without knowing their object. Her own evidence describes her association with all these people. We think her conduct should be considered in the way prescribed by the Official Secrets Act 1939.

By section 3 (2) it is provided that

it shall not be necessary to show that the accused person was guilty of any particular act tending to show a purpose prejudicial to the safety or interests of the State, and, notwithstanding that no such act is proved against him, he may be convicted if, from the circumstances of the case, or his conduct, or his known character as proved, it appears that his purpose was a purpose prejudicial to the safety or interests of the State.

Section 9 enacts that any person who "*solicits or incites or endeavours to persuade another person to commit an offence or aids or abets or does any act preparatory to the commission of an offence under this Act*" is himself guilty of an offence under the Statute. We think the evidence before us is sufficient to support a conclusion that Agatha Chapman aided in the communication by Willsher to Adams, knowing the nature of the operations in which these persons were engaged.

We add one further comment on the evidence of this witness as illustrative of the way in which her mind works, or rather of the way in which she endeavoured to conceal the way in which it actually worked. When asked what kind of a newspaper the *Clarion* was she said "It is a left-wing newspaper I understand". Then when asked: "What do you mean by 'left-wing'?" she said "I cannot define the term 'left-wing'". Then when asked "What do you understand by it" she replied "Another word that people use in connection with it is 'Progressive' but again how do you define the word 'Progressive'?"

Being required by Order in Council P.C. 411 to "inquire into and report upon which public officials and other persons in positions of trust or otherwise have communicated, directly or indirectly, secret and confidential information, the disclosure of which might be inimical to the safety and interests of Canada to the agents of a foreign power, and the facts relating to and the circumstances surrounding such communications", we report that in our opinion Chapman was a party to the communication by Willsher and Adams of such information.

SECTION III. 15

FREDA LINTON, Montreal and Ottawa

As referred to elsewhere in this report, Colonel Zabotin's note-book contained entries made by him of information on the espionage organizations operated by Sokolov and Koudriavtzev, existing on Zabotin's arrival in this country in June, 1943. Part of these notes reads as follows:—

Prior to Re-organization

Director Davie

1. Fred—director of corporation.

Previously worked at the neighbours, up to 1924. In May-June 1942 came to Davie with a proposal to help. Davie checked up on Fred through New York (Molier). The neighbours proposed to make use of Fred. After this, in 1942 in September, Fred contacted Davie on instructions from Molier. Molier was sent to work in Ottawa, for organizing the work. (At the present time on the electoral lists to Parliament in Quebec.)

Fred's Work

Group in Montreal (activists)

1. Gray

Jew. Head of a section of the Directorate for securing war materials for the Allies. Taken on to the work on 1.9.42. He works well. Gives materials on shells and cannons (on films).

2. Green

Works in the administration of the Tank plant "Locomotive" in Montreal. Assistant to the superintendent of the section on contracts. A key position. Gives information on the numbers of tanks being delivered—only.

3. Professor

Frenchman. Noted chemist, about 40 years of age. Works in McGill University, Montreal. Is the best of the specialists on VV on the American

Continent. Gives full information on explosives and chemical plants. Very rich. He is afraid to work. (Gave the formula of RDX, up to the present there was no evaluation from the boss.)

Gave about OV.

1. Gini—(Jew)

Auxiliary Group)

~~Photographer~~. Owner of a drug store. He provided a place for photography. He has a photo-laboratory. *

There are working at his place:

- (a) Golia, a young artist, works in the photographic studio.

Contact

1. Freda

Jewess. Works as a fellow-worker in the International Labour Office.

A lady-friend of the Professor.

2. Galya

A housewife. Occupies apartment adjoining that of Davie. Her husband works as a merchant. Is establishing contact with Fred. After the reorganization she was a contact with Gray.

Nobody in the group knows Leon.

Davie's wife was the contact between Leon and Davie. Galya was at times connected with her.

"Davie" is Sokolov. "Fred" is Fred Rose. "Molier" was a Soviet Consul in New York. "The neighbour" is the Soviet secret police, the N.K.V.D. "Gray" is H. S. Gerson. "Leon" is Koudriavtzev. We have not been able to identify "Green" and a tentative identification of "Galya" is too uncertain for us to report definitely. "Freda" calls herself Freda Linton but appears to be known also as Freda or Fritzie Linden. Her name was originally Lipchitz later changed to Linton and she was born in Montreal on March 6th, 1916, of Polish parentage.

It is reasonably plain that "Freda" was not communicating information herself, but was a "contact" or medium through whom information was received from various agents and funnelled through Fred Rose or otherwise to the Embassy.

* Faint type indicates word crossed out in original documents.

As to this woman Dr. Boyer gave the following evidence:—

Q. Then I show you Exhibit 163. (*a photograph of Linton*).
Do you know who that lady is?

A. Yes.

Q. How long have you known her?

A. Fred Rose came to our house one night with her. I remember that it was Christmas Eve; I think it was 1941.

Q. 1941?

A. Or 1942; I am not sure which.

Q. At that time was Fred Rose in circulation?

A. Oh, it must have been after that, then.

Q. It must have been after the Labour-Progressive Party was formed, or would it be before?

A. Well, it must have been after it was formed, or at least after his reappearance.

Q. Did he reappear before the Toronto Convention, do you know?

A. Oh, yes.

Q. He did, even though the Communist Party was banned?

A. Yes; but those Communist members of the Communist Party were released.

Q. After Russia came into the war; is that it?

A. I don't remember exactly when it was; sometime, I think, before the Labour-Progressive Party was formed.

Q. So that at some time around that period he came to your house with Miss Linden?

A. Yes.

Q. It is Miss Linden, is it not; not Mrs.?

A. As far as I know, it is Miss Linden.

Q. And what was the purpose of that visit?

A. Merely social.

Q. Did you see her again after that?

A. Yes, I have seen her a few times on the street, because she worked in the International Labour Office, which is on McGill campus.

Q. Was she ever in your house again?

A. No.

Q. Did you have occasion to meet her after that introduction to her at your house?

A. No. I beg pardon?

- Q. Did you have occasion to meet her after the interview with her at your house? The time Fred Rose brought her to your house?
- A. I met her on the street, yes.
- Q. But other than just meeting on the street, did you have occasion to talk to her?
- A. Just casually on the street.
- Q. Do you know what her political leanings were?
- A. Well, I assumed what they were, since she was with Fred Rose.
- Q. Did she ever say anything in your hearing which would lead you to form an opinion, apart from the company she was keeping?
- A. I don't remember what she said that night she came to our house, but she may have. I don't remember.
- Q. But you distinctly catalogued her in your own mind as a Communist?
- A. Definitely.
- Q. And did you know of her as doing any other work than what she was doing in the International Labour Office?
- A. No.
- Q. Do you know anything of her as a means of transmitting information?
- A. No.
- Q. Or a contact?
- A. No.
- Q. Did you ever know of her by any other name than Freda Linden?
- A. No.
- Q. Did you ever hear her called Fritzie?
- A. No.
- Q. Then still reading from the same record, there is a reference to Freda, who is described as a Jewess who works as a co-worker in the International Bureau of Labour, and as a lady friend of the Professor. "The Professor" is the name that they used to cover you, do you see? Could there be any other Freda that you know than Freda Linden, who could be described as a friend of yours?
- A. No.
- Q. And have you told us all about your meetings with her, the way you met her?
- A. Yes.

Q. And the contacts you had with her?

A. Yes.

Q. There is nothing further you can add to throw any light on why this statement would be made?

A. No.

Benning also knew her. He was shown a photograph of Linton, and deposed as follows:—

Q. Does the name "Freda" mean anything to you?

A. Yes, that is her name; Freda.

Q. Freda Linton?

A. The second name I was never informed of. That is Freda.

Q. Your idea is that at one time she was Fred Rose's secretary?

A. That, I think, was the information that was given to me.

Q. Did you ever hear her called "Fritzie"?

A. No, sir.

Q. And did you ever have any conversation with her, meet her personally?

A. I think it is conceivable I met her at a cocktail party in Montreal, in the days of the left wing circling, but I wouldn't say positively either yes or no.

It was established that this woman was formerly in the employ of the National Film Board at Ottawa and also in the International Labour Office, in Montreal.

On being shown her photograph Gouzenko testified that he had met her in the home of Major Sokolov in Ottawa in the fall of 1943 and that the following day Sokolov had written Zabotin concerning material he had received from Freda.

It has proved impossible to subpoena Linton. She is reported "out of town." The officer who endeavoured to serve her on May 12, 1946, reported as follows:—

"Regarding the subpoena which was issued for Freda Linton of 109 Laurier Avenue, West, Montreal, it has as yet been impossible to serve same on her. In this connection, I wish to inform that upon calling at the aforementioned address at approximately 6.30 p.m. of the 12th instant I was informed by the subject's sister that Freda Linton is presently out of town, and it is not known when she is

expected to return. I was informed by her sister that Freda left for unknown destination about two weeks ago taking all her belongings along with her, and she has not heard from her sister."

The inference is obvious.

In a note-book containing entries in the handwriting of Lieutenant Colonel Motinov there is the following item relating to Freda Linton:—

Professor.

**Research Council—report on organization and work.
Freda to the Professor through Grierson.**

As to this Gouzenko testified:—

Q. This will be Exhibit No. 37, and I will read you a translation and ask you to say if it is correct.

"Professor. Research Council—report on the organization and work.
Freda to the Professor through Grierson."

A. That is right.

Q. Who is Grierson?

A. From the documents which I have read I have assumed that that is Grierson of the Canadian Film Board, chairman of the National Film Board.

Q. That is the Canadian National Film Board?

A. Yes.

Q. What is the meaning of that: "Freda to the Professor through Grierson"?

A. I understand that they wished to appoint Freda to work with the Professor, through Grierson. I want to explain.

Q. Yes, I would like you to explain that.

A. The work that Freda was doing in the Film Board was not satisfactory to Moscow. Therefore they asked Colonel Zabotin to place her in some more important department. Therefore it looks as if Colonel Zabotin was to place Freda to work with the Professor, using Grierson's influence to get her into the position.

Q. So Freda, who has not been identified yet, is a person who lived in Ottawa?

A. I understand yes.

Q. And had worked for the National Film Board?

A. The last time; yes.

Q. But do you know if she changed her position?

A. From telegrams, I understand yes, she changed.

- Q. And she went to work, after she left the Film Board, where?
- A. At first I understand from telegrams she was working in the International Labour in Montreal, and then in the National Film Board.
- Q. But Colonel Zabotin was not satisfied with her work at the National Film Board, and he could obtain nothing, so he suggested that she should work somewhere else?
- A. Yes, in scientific work.
- Q. And that she would be helped to get that new position by Grierson?
- A. I understand so from this.
- Q. And do you know if she got this new job?
- A. No, I don't know.

In a diary found in the possession of M. S. Nightingale who is reported on elsewhere in this Report, there was a list of names, addresses and telephone numbers including those of Durnford Smith, Scott Benning, Agatha Chapman, David Shugar and Bert Hughes. There was also the following entry:—

Fritzie Linden, Greerson's Secreta.

Nightingale identified the photograph of Freda Linton as the same person he knew as "Fritzie Linden".

Linton was, as Nightingale's note says, the secretary of John Grierson, Film Commissioner of the National Film Board. Grierson testified:—

- Q. I am showing you a photograph. Do you recognize that person?
- A. It is Freda Linton. She was my secretary for about a year.
- Q. When you say "my secretary" that is when you were with the Film Board, was it?
- A. This would be about then; but I think the Linton girl went with me to W.I.B., but I wouldn't say for a year; I think she was with me for about six months.
- Q. I am not quite clear, Mr. Grierson. Had she been with you in the Film Board?
- A. That would need to be established; it was just about that period, but I merely associate her with my office for about six months.
- Q. At the time you went to W.I.B. you also retained your connection with the Film Board, did you?
- A. Yes, indeed.

- Q. You might explain to the Commission what those two positions were, and approximately the times you held them?
- A. I became acting Film Commissioner along about the end of 1939. That position was maintained—I took it only two or three months at a time, but in 1941, when the Motion Picture Bureau was taken over by the Film Board, I became the first properly appointed Film Commissioner. It is a three year appointment, under the Films Act. In 1942 the Wartime Information Board was in a bit of a mess, and I was invited to succeed Vining as general manager. The authorities—both offices are maintained, in one case under the National Film Board, which is the administrative body or authority, directly under Parliament; and the authority of the second, the Wartime Information Board, is a Board set up for war purposes. The National Film Board, of course, is a continuing authority.
- Q. Are you connected with either of those now, or have you left the government service?
- A. No, I retired on V-J Day.
- Q. This photograph I show you is a copy of Exhibit 163, the original of which is in use in another court at the present time; and you recognize this?
- A. Yes, indeed.
- Q. As Freda Linton?
- A. Yes.
- Q. How long was she your secretary?
- A. I should say no more than six months.
- Q. Now, let us come back to Exhibit 37. This, then, means Freda Linton to Professor Boyer through Grierson; and the evidence is that that is not a cover name, but you are identified by name and by occupation. The suggestion is, the evidence is, that Freda Linton, who was an agent of the Russian organization, was intended to be placed out of the Film Board in which she was working, the Film Board offices, in National Research to work with Raymond Boyer, and that her move was to be made from the Film Board through your good offices so that she could get into National Research.
- A. Uh-Uh.
- Q. That is the evidence before the Commission. Can you throw any light on it?

- A. I must say it is the most sterile document in this sense, that the Linton girl asked for no offices and no services in that matter. I merely think of her now as an ambitious girl who certainly wanted to get on in terms of the Film Board.
- Q. But was that ever suggested to you, that she wished to change from the work that she was doing?
- A. Only to get a better job inside the organization.
- Q. That is inside—
- A. The Film Board.
-
- Q. Was Miss Linton still your secretary up to V-J Day?
- A. Oh, no.
- Q. When did she leave?
- A. I think she belonged to about the 1942 period.
- Q. Back in 1942?
- A. Or 1943 at the latest.
- Q. Then where did she go, from being your secretary?
- A. She was promoted to a job in our Distribution Branch; not a high job, a junior distribution job connected, I think, with American circulation.
- Q. And is she still holding that position?
- A. To my knowledge, I don't know of her leaving.
-
- Q. Just let me repeat the theory behind this. The evidence shows that this is what was intended: that Freda Linton had not the opportunity in the Film Board to be a great deal of use to an organization such as Zabotin's. They thought that she might be more useful for them if they could get her into the National Research Council in some way. The idea was to get her out of the Film Board into the National Research Council, where she could be a contact with Raymond Boyer, and that that could be done through your good graces.
- A. It is a presumption, I take it, on the part of the Russian Embassy, or somebody there, that I would be of service to them?
- A. Yes.
- A. The basis of the presumption, I say, is not very considerable.
- Q. That is another thing I want you to help us on, if you can. Did you yourself know Zabotin?
- A. I have met Zabotin once.

Q. And did you know Motinov?

A. No. You mean his assistant?

Q. Yes.

A. No.

Q. Sokolov?

A. No.

Q. Did you know any of the officials of the Russian Embassy at all?

A. Yes; of course I knew the Ambassadors. I am only talking of meeting people in the usual diplomatic level.

Q. Quite.

A. I knew Zheveinov, the TASS man. I liked Pavlov; he is the only person I had any kind of personal interest in. That is the boy who is still here, I think, is he, the First Counsellor?

Q. He is acting as Secretary, I think.

A. The only person I knew really was Pavlov.

Q. Just casting your mind back, can you recall any of those men even intimating to you or suggesting to you that they would like to have somebody—

A. All I can say is that the Russians, as far as I am concerned, were correct.

Q. Were correct?

A. Yes. I had no reason to associate them with anything like that.

Q. Then let me put another question to you. We are trying to find answers to these things. Did you ever have an inquiry from anybody in the National Research Council as to whether Miss Linton could be used in any type of their work?

A. No. I just don't associate Linton with any National Research Council reference.

Q. Did you know a woman named Agatha Chapman?

A. No.

Q. Then it comes down to this, I take it, Mr. Grierson, that this entry which I have shown to you, Exhibit 37, is something that you cannot make any suggestion on that you think might be helpful to the Commission?

A. I am afraid not, sir.

Q. You cannot make any suggestion at all; that is what you mean?

A. I mean it has no reference to me that I can think of, either through Linton or directly.

There is additional evidence as to the activity of Freda. In the same book in which the last-mentioned entry was, there is also the following:—

To Debouz

Steinberg—"Berger". 4133

Debouz is to tie up with Berger and depending on the circumstances is to make a proposal about work for us or for the corporation. Contact in Washington with Debouz's person. To work out arrangements for a meeting and to telegraph. To give out 600 dollars. If Debouz should be unable to go to U.S.A. then there should be a letter from Debouz to Berger containing a request to assist the person delivering the letter to Berger.

12.5.45 22.00 St. Patrick Cumberland.

"St. Patrick and Cumberland" is a street corner in Ottawa.

This outlines a plan under which Fred Rose is to contact "*Berger*" (Steinberg) who was then in Washington, with a proposal that Steinberg "*work for us or for the corporation*". "*The corporation*" is the cover name for the Communist Party. As appears below, the contact was made and Freda was the emissary.

Gouzenko testified:—

Q. Who is Steinberg, do you know?

A. That is a scientist in the United States.

Q. How did you learn that?

A. In previous telegrams.

Q. Is it the real name of the man or is it a cover name?

A. It is the real name.

Q. Do you know anything more about him than that?

A. Yes; there were further telegrams about him.

Q. Did you ever hear him discussed by Zabotin or Motinov or any of the others in the Embassy?

A. There were telegrams which were written by Colonel Zabotin.

Q. So of your own knowledge, it all comes from telegrams?

A. Yes.

Q. "*Berger*" then is the cover name for Steinberg?

A. That is right.

COMMISSIONER: I suppose that there is no doubt that where we use time recorded as it is here, for instance, "2200", that this means 10 p.m., as the witness understands it?

THE WITNESS: Yes, that is 10 p.m.

COUNSEL:

Q. In Russia do you compute the day on the basis of twenty-four hours?

A. Yes.

Q. You take it from one to twenty-four hours?

A. Yes.

Q. So as the Commissioner points out, 2200 would be—

A. 10 p.m.

Q. Do you know in what city in the United States Steinberg lives?

A. No.

A. In the telegrams which Colonel Zabotin sent to Moscow he described him as a scientist who was a friend of Debouz. . . .

Q. Do you know if Debouz went to Washington, or was it his friend who made the contact with Steinberg?

A. In later telegrams that were sent it was pointed out that Debouz's man had handed over Steinberg to the Military Intelligence in Washington.

Q. That is the Russian Military Intelligence in Washington?

A. Yes.

Q. And the contact was to be made in Washington?

A. Yes, sir.

Q. Through the officials of the Russian service?

A. Yes.

Q. So Debouz did not go himself; it was his man who made the contact in Washington?

A. This telegram to which I refer was sent much later, and it was not indicated whether Debouz had made the contact, but the contact was established.

Q. Do you know the name or the cover name of Debouz's man in Washington?

A. No, but in the telegram that reported the handing over of Berger, it mentioned that it was done through Freda. It was not a contact; it was handing over.

Steinberg had previously worked in Canada, and he and "*The Professor*" (Boyer) had become close friends. Boyer said:—

Q. Then here is a letter, Exhibit No. 177, which appears to have been written by two people, one Arthur and the other Edith. From whom was that letter received, Dr. Boyer?

A. Arthur and Edith Steinberg.

Q. Who is Arthur Steinberg?

A. He is an American geneticist who came to Montreal to teach genetics, I think in 1940 or 1941. However, I did not meet him until 1942 when we became close friends. We moved to where he and his wife lived. He left Canada in June, 1944, and went to a job with the American Navy, a research job, and he has been in Washington ever since.

Q. Is he a Communist?

A. I do not know; he has never said so: I know he has certain sympathies.

Q. He is sympathetic to the Communists?

A. Yes.

It would appear to us that Freda, Boyer, Steinberg and Rose well understood one another.

Being required by the terms of Order in Council P.C. 411 to "inquire into and report upon which public officials and other persons in positions of trust or otherwise have communicated, directly or indirectly, secret and confidential information, the disclosure of which might be inimical to the safety and interests of Canada to the agents of a foreign power, and the facts relating to and the circumstances surrounding such communications", we think that Linton was used by Rose as a "contact" in his operations for the Russians in obtaining and communicating information from secret and confidential sources. The flight of Linton is, in our opinion, as significant as that of Sam Carr. The reasons are doubtless the same in both cases.

SECTION III. 16

EMMA WOIKIN, Ottawa

Among the materials brought away from the Embassy by Gouzenko was a mailing list of documents sent by Zabotin to "*the address of The Director*", in Moscow, dated in ink January 3. The list itself was typed on a mimeographed form, and the latter was headed "*LIST OF MATERIALS SENT*", with a blank space for the day and month followed by the mimeographed figures "*1944*". From the dates of various documents listed in it, this list was evidently made out in January, 1945. As Woikin did not become a member of the Cipher Division of the Department of External Affairs until February, 1944, and as this list included the documents mentioned below, the date of the list is clearly 1945. Gouzenko explained that such lists were kept for some time in case any question arose with regard to the sending of any particular document. This particular list contained seven columns. Each document sent was given a number and that number was entered in the first column. There were then entered in order, the cover-name of the agent providing the document, the place where it had been obtained with the attendant circumstances, a description of the document, its date and any number borne by it, the number of pages and the markings such as "secret" or "registered".

No. 175 on this list is credited to "*Nora*", the cover name for Emma Woikin. It is said to be "*copies, telegrams, questionnaires, and photos*", to bear date "*Nov.-Dec.*" and to consist of pages as follows: "*telegrams 10, questionnaires 3, photos 11*".

Gouzenko also brought with him five sheets of notepaper written in English manuscript. He testified that when Zabotin translated these into Russian for the purpose of having Gouzenko encipher them for transmission to Moscow he said "material given by Nora". Gouzenko was aware that Nora was Woikin. It was September 5th, 1945, that Zabotin wired the contents of these sheets to Moscow and the sheets themselves he placed in the safe in Room 12 in the Embassy where Gouzenko worked. That evening the latter removed them and brought them away with him.

These documents are copies in whole or in part or summaries of secret and top secret telegrams received from another Government by the Department of External Affairs where Woikin was employed. She has acknowledged in evidence before us that the handwriting is hers. Some of these

secret telegrams cannot yet be disclosed and we do not therefore refer to their contents.

Emma (Gruna) Woikin was born December 30, 1920, at Blaine Lake, Saskatchewan of Russian Doukhobor parents. She applied in 1943 in Saskatchewan for a position in the Civil Service, and there wrote and passed the examination of the Civil Service Commission for a position as stenographer Grade 1. She was at that time a widow and spoke Russian as well as English. On 10th September, 1943, she was appointed by the Commission to a position with the Passport Division of the Department of External Affairs, and began to work there on September 28th. She was transferred to the Cipher Division on February 25th, 1944, as a cipher clerk, remaining there until she was retransferred back to the Passport Office in September 1945, after Gouzenko made his disclosures, and she continued to work as a clerk in the Passport Office up to the date when this Enquiry was begun. In March, 1944, Woikin had already applied to the Government to be sent abroad to Russia as a typist in Government service. She was in a position therefore to make disclosure of the contents of telegrams received and sent by that Department, as well as something of the secret cipher system itself, with which she had to be familiar in the discharge of her work. The materials which Zabotin wired to Moscow on September 5th, 1945, were all telegrams received in Ottawa between August 25th and September 1st, 1945, so that Zabotin in this instance at least, was receiving reasonably prompt service.

The tapping of this information illustrates as well as anything the extremely serious nature of these espionage activities. What was being obtained was not something belonging exclusively to the Canadian Government, but matter entrusted to the Canadian Government by other Governments. The discovery of the identity of all persons concerned in these activities, therefore, was a prime necessity. Otherwise, other Governments could not continue to give to the Government of this country confidential information with the risk that it might become open to the gaze of a Government not intended to see it. If other Governments discontinued giving Canada confidential information for that reason, such a result would seriously hamper the business of government in this country.

On entering the public service Emma Woikin took the required oaths of secrecy and allegiance. She explained that her method of operation with respect to the disclosure of cables coming into or going out of the Department was to memorize the contents of any document she thought would be of interest to her Russian employer and commit it to writing in the room

where she lived. She would admit having disclosed information to the Embassy on only three occasions in addition to that of August-September, 1945. She says she commenced these operations during the summer of 1945, but, as shown by the Embassy mailing list of January 5th, 1945, she had commenced at least by "November-December" of 1944. She admitted that her disclosures were not limited to telegrams she herself deciphered but that they extended to telegrams deciphered by other clerks in the Division.

She objected at some length to being obliged to disclose the name of the person to whom, on behalf of the Embassy, she communicated the above information, but finally stated it was Mrs. Sokolov, the wife of Major Sokolov. According to the evidence, she met Sokolov at dinner in the spring of 1944 at a private house in Ottawa where she had gone with a group of friends from Montreal who were engaged in putting on a concert that evening under the auspices of The Federation of Russian Canadians. She professed to know most of these people from Montreal only by their first names, but she says she knew them better than the Ottawa people who were her hosts at dinner. We mention this only as it indicates in some slight degree the same element of secrecy and reluctance to disclose names displayed by many of the witnesses who were called before us, as to the membership in study groups or the persons with whom they were associating.

Concerning Woikin, Gouzenko testified as follows:—

A. All I know about Emma Woikin is that first she came—I do not know whether she came to the embassy or not, but she became acquainted with Major Sokolov and very soon after they became friends and Major Sokolov proposed to Colonel Zabotin to develop her. This is the time when Milstein was in Ottawa, and they were together, Milstein, Sokolov and Colonel Zabotin. They discussed how to develop her.

Q. You were present, were you?

A. Yes, I was in the room. They made the plan that he must be more friendly with her, invite her to visit him. Moscow said that it was a mistake to make visits in the home, better in a restaurant. Zabotin and Milstein answered, "This is crazy, the best way is in the home." Later, after they had had some meetings—she was doing water colour painting, so she gave a painting to Sokolov and he gave some presents to her. They had friendly relations at that time, in the summer of 1944.

In that time Sokolov suggested that he make her a proposal to work as agent, in October, 1944. However, he developed her much sooner. The first time they had such a conversation, Sokolov had Zabotin send to Moscow the contents of the conversation, that she thought she could perhaps work as a stenographer or some kind of clerk in the Commercial Counsellor's office. She had said that she liked Russia, that she wanted to help Russia. So Sokolov said, "You can help Russia much better if you remain where you are."

Woikin herself testified:—

Q. Did you not try in 1944 to obtain some work at the Soviet Embassy?

A. Yes, I did.

Q. Whom did you apply to then?

A. I applied to Krotov; I wrote a letter.

Q. To Krotov?

A. I wrote a letter and then I was referred to see Pavlov, but I never heard about it any more.

Q. How were you referred to see Pavlov?

A. After I wrote the letter I phoned and asked whether they received my letter and whether they considered it and they told me yes, they would give me an appointment with Pavlov. So I did see him but I never heard anything about it.

Q. You saw Pavlov on that occasion?

A. Yes, but I never heard about it later.

She says she was invited to dinner at the Sokolovs' home and had similar engagements with them in other places. Ultimately Sokolov asked her at his home if she would be willing to convey to him information that would be of interest to the Soviet and she agreed to do so a few days later. Some time later, she says he offered to pay her but she refused to accept money. The arrangement made was that she would meet Mrs. Sokolov at prearranged times and places and transmit the information to her. This, the witness said at first, was done exclusively on occasions when the two women went to the theatre together. Being further examined, however, as to visits made by her to the office of a professional man in Ottawa, the following took place:—

Q. You never met there, you never met anyone there in connection with the transmission of information?

A. Well, seeing that you know, yes.

Q. Pardon?

A. Seeing that you know that, I did.

She had, according to her evidence, no dealings with the professional man, but the waiting-room, which was apparently used in common by three practitioners, was used under the direction of Moscow as a place of meeting between Woikin and Captain Gorshkov, one of the "drivers" for Colonel Zabotin. The information which enabled Woikin to be examined on this phase of her activities came from Gouzenko. Woikin's answers established its accuracy. Gouzenko had testified as follows:

Q. This name of *dubok*, you say it is a general word for any hiding place?

A. That is right.

Q. Did you have any particular names for special hiding places where meetings were to take place?

A. No.

Q. There was no such place in Ottawa or Montreal?

A. As explained in my report, I said that Colonel Zabotin sent descriptions of possible hiding places under numbers.

Q. But you do not know where the places were?

A. I heard about this; I do not know particularly.

Q. By hiding place do you mean a place where documents are hidden or where people meet?

A. I will explain it more. I learned from telegrams where one such *dubok* was, a place in a washroom of a doctor.

Q. In Ottawa?

A. Yes, in Ottawa. That served as a place for handing over material.

Q. Do you know what doctor that was in Ottawa?

A. I understand from that telegram that this doctor lived on _____ Street. I do not remember his address.

Q. The doctor did not know it?

A. Of course not. In this particular case, I remember it because it was quite a strange situation. One of the members of the military attache, one of the staff, Driver Gorshkov, one time was having his teeth fixed by this doctor.

Q. He was a dentist, then?

A. Dentist. At the same time one of the agents, I think it was Nora, was having her teeth fixed at the same place. Moscow found it convenient therefore that during this time the materials would be placed in the washroom and after an hour or more Gorshkov would

go and take the materials out of the washroom. Their visits to the dentist or doctor would be explained by having their teeth attended to.

Woikin's evidence in this matter is as follows:

Q. You never met there, you never met anyone there in connection with the transmission of information?

A. Well, seeing that you know, yes.

Q. Pardon?

A. Seeing that you know that, I did.

Q. Just what do you mean by your answer? Give the answer.

Q. Will you just give your answer and give us all you know, please?

A. *(No audible answer.)*

Q. What is the name of the dentist?

A. I do not know.

Q. What is his address?

A. I do not know the actual number, the address; I know it is past the _____, that is all.

Q. Were you being treated by this dentist?

A. No.

Q. You simply went to this office, you used the office as a means of transmitting information; is that it?

A. Yes.

Q. How could you get to the office if you did not know the dentist's name?

A. I might have known the number.

Q. What did you say? I did not ask you what you might have known; what did you know?

A. It is right next to the _____; there was a place there, that was all.

Q. On _____ Avenue?

A. Yes.

Q. You were asked whom you met there. You have taken a long time to answer that question. Will you answer it now?

A. I beg your pardon?

Q. You were asked whom you met there?

A. I do not know who it was.

Q. As I understood it, the procedure was that you would go there and you would leave your information somewhere on the premises?

A. Yes.

- Q. Or were you to hand your information directly to a person there?
- A. I was to leave it, yes.
- Q. You were to leave it there?
- A. Yes.
- Q. In what particular place?
- A. In the washroom.
- Q. In the washroom?
- A. Yes.
- Q. Whereabouts in the washroom?
- A. Under the cover; I do not know what it is really, what you call it.
- Q. You mean the tank?
- A. Yes.
- Q. Under the cover of the tank?
- A. Yes.
- Q. You raised the cover of the tank and put it under there?
- A. Yes.
- Q. How often did you go there?
- A. Only once.
- Q. Under whose instructions did you go there?
- A. Mr. Sokolov's.
- Q. When was that decided?
- A. I cannot remember when it was decided actually.
- Q. Was that decided after you had transmitted some other information to his wife, or was it discussed at the first conversation that that system would also be adopted?
- A. I think I met his wife once before.
- Q. You met his wife once before?
- Q. If you only met his wife three times for the purpose of handing her information, what was the necessity of going to this dentist's only once and acting in this mysterious manner?
- A. I do not know.
- Q. You simply carried out Sokolov's instructions?
- A. Yes.

Whether these visits were limited to the one occasion, as Woikin testified, it is impossible to say.

The meetings with Mrs. Sokolov were not arranged by a message to Sokolov or his wife as Woikin had information to give, but on each occasion

on which they met a new date was set on which to meet again. The meetings, according to Woikin, were "about once a month".

Woikin ultimately admitted that she had received what she called a "gift" of \$50.00. This was handed to her in bills in an envelope by Mrs. Sokolov on one occasion when they were at the theatre together. Woikin did not know what was in the envelope until she opened it at home. The envelope carried an endorsement in the handwriting of Mrs. Sokolov that the contents were a gift. Woikin thinks that this incident took place on the second occasion when she handed over information.

About the middle of September, 1945, Woikin was told by Mrs. Sokolov that they would not be meeting any more because there was some trouble. Mrs. Sokolov did not particularize and Woikin said they did not meet again. On September 28th she was transferred from the Cipher Division so that she was no longer in a position to obtain secret information.

The evidence of this witness as to why she had agreed to communicate information in the first place is of importance and is as follows:—

Q. Miss Woikin, when you had the proposition put up to you the first time by Mr. Sokolov, and you say in a few days you agreed, why did you agree?

A. Well, that is a feeling one can't quite express.

Q. What is that?

A. That is a feeling that you cannot quite express.

Q. I do not understand that. You were born in this country?

A. Yes.

Q. Your parents have been here since before 1900?

A. Yes.

Q. Then would you explain why you were willing to do what Sokolov asked you to do?

A. Perhaps it is because I have a feeling of love for that country. Perhaps it is because we think that there is—we may be wrong or we may be right, but there is hope for the poor or something.

Q. Yes?

A. I don't know why I had that, but I did.

Q. If I understand what you mean, it is that you were sympathetic with the Soviet Union?

A. Yes.

In January, 1946, Woikin went to the Russian Embassy where she saw Vitali Pavlov, the Second Secretary, and Mrs. Veronina, a secretary in the

Consular Division which is headed by Pavlov, and there made application to become a Soviet citizen. She had not heard at the time of giving evidence whether or not her application had been accepted. Woikin said she wanted to go to Russia to live and for that reason had made her application. She deposed:—

Q. Now you would like to be a Soviet citizen?

A. Yes.

Q. Why?

A. I cannot answer that, I do not know how to answer it.

Q. Take your time and tell us what you believe and what you think?

A. Maybe it was just from the kind of life I had, maybe—just that I look to that country for security and I would like to live there.

Q. Who told you that there was security in that country? How do you know that?

A. Well—

Q. How did you reach that conclusion?

A. I do not know how I reached that conclusion.

Q. You must have had some reason?

A. Well, maybe it was from what I read—what I read, really that is what I mean.

Q. What do you mean by security?

A. Well, there was a time when I was quite poor, I guess, and my baby died because we had no medical care and nobody seemed to care. My husband was sick and to such a stage where nobody seemed to intervene at all.

Q. There was no public health service out where you were living?

A. No, there was not.

She denied being a member of the Communist Party. Her evidence indicates, however, that she had formed a view of life in Russia from what she read and believed. Her attitude of mind thus produced was sufficient to cause her to disregard the oaths of allegiance and secrecy which she had taken. For her they ceased to have any moral force, assuming they had, for her, ever been attended by any. When completing her National Registration application on August 20, 1940, she stated she was a citizen of "no country". When applying for civil service employment in September, 1943, however, she declared she was a British subject of Russian origin.

On April 10, 1946 Woikin pleaded guilty before a Judge of the County Court of the County of Carleton to the following charges:—

For that she, the said Emma Woikin, from the First day of May, A.D. 1945 to the Seventh day of September, A.D. 1945, at the City of Ottawa, in the said County, and elsewhere in the Province of Ontario, did unlawfully being a person having in her possession and control certain documents and information to which she had access owing to her position as a person who held office under His Majesty, communicate such documents and information to a person other than a person to whom she was authorized to communicate with or a person to whom it was in the interests of the State her duty to communicate such documents and information, and did hereby commit an offence under Section 4 (1) (a) of The Official Secrets Act, Chapter 49, Statutes of Canada, 1939.

For that she, the said Emma Woikin, from the First day of May, A.D. 1945 to the Seventh day of September, A.D. 1945, at the City of Ottawa, in the said County, and elsewhere in the Province of Ontario, did unlawfully being a person having in her possession and control certain documents and information to which she had access owing to her position as a person who held office under His Majesty, use the information in her possession for the benefit of a foreign power, to wit, The Union of Soviet Socialist Republics, and did thereby commit an offence under Section 4 (1) (b) of The Official Secrets Act, Chapter 49, Statutes of Canada, 1939.

SECTION IV. 1

NORMAN VEALL, Montreal

In a document of instructions for Sam Carr, drawn up by Lieutenant-Colonel Rogov, headed *Task No. 2 of 15.6.45*, referred to elsewhere in this Report, are included the following relating to this man:—

FRANK: 1. On the ground of data previously communicated with respect to A. N. Veale (an Englishman), it is known to us that up to 1942 he worked in the meteo-service of the Royal Air Force in Cambridge. Following this he went to Canada on a scientific mission. Before leaving Veale ~~received~~ allegedly received instructions from his director to get in touch with your corporation.

2 copies
Assigned
15.6.45

* At present we would like to know more details about Veale and therefore it is desired that for the forthcoming meeting (15.7.45) you should in written form enlighten us on the following questions:

(a) Did Veale really work in the meteo-service of the Royal Air Force in Cambridge and has his mission (stay) in Canada a direct connection with his service in England.

(b) If these facts are confirmed, you should try to draw ~~him~~ Veale into a frank discussion and ~~put~~ put the question straight to him, what he wants from you.

(c) However, should Veale in the course of the conversation refer to his corporation membership and to the instructions of his director in England to get connected with the Canadian Corporation, then let him give the name of the person who gave him these instructions.

(d) Do not take from Veale any material and do not show any interest in any information whatever.

The details will be cleared up through the engineer Chub-chemist, a friend of Sam, and also by Debouz, both of them along trade-union lines.

The above occupies a page and one-half of the original document. The note in the margin, in accordance with Rogov's practice, is evidently the first information received from "Frank" (Sam Carr) in answer to the instructions

* Faint type indicates words crossed out in original documents.

With regard to Veall, Gouzenko testified as follows:—

- Q. Just stop there for a moment. Do you know anything about Veall?
A. Yes.
Q. Will you tell the Commissioners what you know about Veall?
Is that his real name?
A. Yes, that is his real name.
Q. What do you know about him?
A. Sam Carr told Motinov that a certain Veall had applied to him for work, and that he was a member of the Communist Party in England; he said he was a member of the Communist Party, and he showed Carr a certificate written by a Communist who had been arrested in England.
Q. Where did you get this information?
A. From a telegram that Colonel Zabotin sent to Moscow, writing about this meeting of Motinov with Carr.
Q. That was a telegram which you coded in the course of your duties?
A. Yes.

On August 9, 1945, Zabotin telegraphed "*The Director*" as follows:—

To the Director,

243

Alek reported to us that he has met Norman Veal (he was at his home). Veal works in the laboratory of the Montreal branch of the Scientific Research Council where he is responsible for the making of testing utensils and other glass work. He came from England in 1943, where he was a member of the party for several years. He worked on meteorology in the British R.A.F. He takes part in the Canadian Association of Scientific Workers and works there as foreign correspondent. In connection with this he visited our embassy and talked with one of our press-attaches who is in charge of the press, distribution of periodicals, etc. He asked the opinion of Alek: Is it worth while for him (Veal) to hand over information on the atomic bomb.

Alek expressed himself in the negative. Alek stated that Veal occupies a fairly low position and knows very little. He is inclined to be careless, as he began this conversation in the presence of his wife. He is pretty well known in the laboratory as a "Red". His age is about 25 years. He is married and has one child. His address is: 2870 Van Horne, Apartment 5, Telephone—

Atlantic 2084. We gave Alek no tasks concerning Veal. The possibility is not excluded that he may have already tied up with the neighbour. I consider it necessary to warn the neighbour. Please correct.

Grant.

9.8.45.

"Alek" is Professor Alan Nunn May, on whom we are also reporting, who, with Veall, was a member of the party of English scientists who came to Canada during 1943 to work on the atomic bomb project under the auspices of the National Research Council in Montreal. The "neighbour" is the pseudonym used by the Russians to refer to their secret police, the N.K.V.D. which in Canada is headed by Vitali Pavlov, the Second Secretary of the Embassy at Ottawa.

On August 22nd, 1945, "The Director" telegraphed to Zabotin in part as follows:—

11924.

22.8.45

To Grant.

1. Your 243.

We have here no compromising data against Veal, nevertheless the fact that he has in his hands a letter of recommendation from a corporant who was arrested in England (which he did not take care to destroy) compels us to refuse to have any contact with him whatsoever, the more so that many already call him "a Red".

To the neighbour he must surely be known; if not, inform him of the break in my instructions.

Warn Alek that he should have no conversations whatever with him about our work.

"A corporant" means "member of the Communist Party of any country except the Soviet Union itself". "Corporation" is the name used by the Russians for the Party itself.

In a book kept by Dr. Boyer in 1944, one page has the names "Norman Veall, Steinberg, Gerson".

Steinberg's cover-name was "Berger" and Gerson's "Gray".

In speaking of the membership of the Canadian Association of Scientific Workers, Dr. Boyer said:—

Q. And the executive consists of whom?

A. There are two others; there is Dr. P. R. Wallace, whom I have already mentioned as Chairman of the Montreal branch, and Norman Veall.

Q. Oh, you know him?

A. Yes.

Q. And what are his leanings?

A. Definitely L.P.P., Communist. He is British.

Shugar also knew Veall. Both were members of the Association as was Frank Chubb through whom as Carr reported to Rogov "the details will be cleared". Chubb testified in part:—

Q. It refers first of all to a man named Veall, whom I may say to you has appeared here and has given evidence before this Commission. Do you know Veall?

A. Yes, I know Mr. Veall.

Q. How long have you known him?

A. I have known him since the fall of 1943, I would say.

Q. How did you come to know him?

A. I met Mr. Veall in the course of the organization of the Canadian Association of Scientific Workers.

Q. You are a member of that?

A. I am a member of their executive of the Montreal Branch.

Q. Are you a member of the Dominion executive or merely of the Montreal executive?

A. Merely of the Montreal branch.

Q. How long have you held a position on that executive?

A. I held the position from the time I was formally elected, which if I remember correctly was November, 1943, until I resigned prior to leaving for the United States.

Q. Did you hold any other position than that of a member of the executive; were you secretary?

A. I was Recording Secretary or Membership Secretary.

As to Chubb, Dr. Boyer said:—

Q. And what were his political affiliations?

A. Labour-Progressive.

Q. Communist?

A. Yes.

Q. Definitely so, I imagine?

A. Definitely so.

Veall also said as to Chubb:—

A. I knew Chubb was a member of the Labour-Progressive party and I am not sure whether he raised the possibility of my joining. I think Chubb is about the only member of the L.P.P., the only person I knew was a member of the L.P.P.

We find Chubb in association with other persons mentioned in this report who were not members of the Canadian Association of Scientific Workers. For instance in a note-book found in a trunk in Gerson's home the names "*Mrs. Benning, Bert Gerson, Mrs. Schlein, Chubb, Ben B.*" (Burman) "*Agatha*" (Chapman) "*Nightingale*" together on one page. Gerson said this was a list of persons who bought tickets for a raffle of Victory Bonds. As to this Chubb's evidence is:—

Q. It is rather astonishing that your name should be entered in Mr. Gerson's book, with a note that you had paid some money, and yet you never even heard of Gerson. Is that so?

A. That is right.

Q. Did you ever buy any Victory Bonds?

A. Yes, I bought Victory Bonds through the company that I worked for.

Q. What company was that?

A. The Dominion Oilcloth and Linoleum Company.

Q. And when was that?

A. Oh, I bought them in the last two or three loans. I think you could check that with the company's records.

Q. To whom did you make your payments?

A. They were deducted from my salary.

Q. And you never came in touch with Gerson in connection with that matter?

A. No, sir.

Q. Were they the only Victory Bonds you bought?

A. Yes, sir.

Q. Well, in this same Exhibit, Mr. Chubb, under the heading *Victory Bonds \$50. Five tickets*, which we were told was a raffle, there are a number of names and one of them is Chubb and opposite that name is the word "Pd." Do you know anything about that?

A. No, sir.

- Q. Then on another page there is a list, and they are all numbered. No. 16 is *F. Chubb. Pd.* No. 18 is *Frank Ch. Pd.* No. 22 is *F. Chubb. Pd.* and No. 24 is *F. Chubb. Pd.* and 26 is *F. Chubb. Pd.*, if you do not know anything about it?
- A. No, sir.
- Q. In this list you are in pretty good company. There are a lot of names which have been mentioned here; and you know nothing about it?
- A. No, sir.
- Q. And equally you know nothing about how your name comes to be in a record in the Soviet Embassy?
- A. That is correct.

The following further evidence of Chubb may be referred to:—

- Q. Mr. Chubb, it may have come to your attention through the public press that certain original and secret documents from the Russian Embassy have been placed before this Royal Commission. In one of them your name is mentioned and it is in connection with that that we want you to assist the Commission, if you can. First of all, what is your present occupation?
- A. Well, I am an organic chemist; I am presently a graduate student at the University of Southern California and I am also doing a little teaching at the time there.
- Q. You went to California when?
- A. I left Montreal on March 1.
- Q. What year?
- A. This year.
- Q. You have been in California continuously since?
- A. Yes, sir.
- Q. You left here on the 1st March?
- A. Yes.
- Q. Prior to leaving for California what were you doing?
- A. I was employed as a chemist with the Dominion Oilcloth and Linoleum Company.
- Q. How long had you been with them?
- A. Ten years; well, eleven years, since August, 1935.
- Q. How old are you?
- A. I am thirty-two years old.

Q. Were you born in Montreal?

A. I was born in Quebec City.

Q. What present qualifications and degrees do you hold, Mr. Chubb?

A. I possess the degree of Bachelor of Science from McGill University.

Q. And you got that in what year?

A. 1935.

Q. Are there various types of chemistry?

A. Well, there is organic chemistry and physical chemistry; then there is a distinction between the straight chemist and the chemical engineer.

Q. What description of yourself do you prefer?

A. I would be a chemist.

Chubb also deposed:—

Q. Does the witness know Sam Carr?

A. No, sir.

.

Q. Do you know Fred Rose?

A. No, sir.

.

Q. Did you know Veall as a member of the Communist party?

A. No, sir.

Q. Did you know him as a person interested in the ideology of the Communist party?

A. Not particularly.

.

Q. Are you a member of the Communist party?

A. No, sir.

Q. Could you be described as a Communist?

A. No, sir.

Q. The reason I am asking you this is that you have been described by witnesses before this Commission as a Communist. What have you to say to that?

A. I would say I am not a Communist.

Q. Have you any leanings toward or sympathy for Communism or Marxist ideologies?

A. No, not particularly.

.

Q. Did you know Professor Allan Nunn May?

A. I did.

.

Q. Did you know a man named David Shugar?

A. Yes, I knew Dr. Shugar.

Q. How did you come to know him?

A. In the Canadian Association of Scientific Workers.

.

Q. You did say in your evidence a little earlier that you had either read or listened to some Marxist doctrines, did you not?

A. I don't recall it.

Q. You do not recall saying that?

A. No, sir.

Q. Well, did you?

A. Well, I have read — the only thing — no, I can't recall any outright Marxist literature. I am quite a reader and a student; at least I have read various books on politics and I might have read — perhaps I have read some things which might be called —

Q. Mr. Chubb, you did the reading and I did not, and I have asked you whether you read any Marxist literature or documents?

A. Yes.

Q. You have? All right. Have you done that reading once, or more than once?

A. I would say once.

Q. Just once?

A. Yes.

Q. And when was that?

A. Oh, I would say in about — maybe six or seven years ago.

Q. And what was it you read?

A. It was some extract, I believe, of Karl Marx. I don't recall exactly.

Q. Where did you get it?

A. I bought it at a bookstore.

Q. In Montreal?

A. Yes.

Q. When you were at McGill?

A. No, sir; subsequent to that.

Q. What year would that be?

A. Oh, 1936 or 1937, possibly.

Q. Do you remember the name of the store?

A. No, sir.

Q. What aroused your interest?

A. I just thought I would like to read something about it.

We think the evidence of Veall and Boyer as to Chubb's views is correct. We also think the statement in the Embassy record that Chubb did know Sam Carr and that the "*details would be cleared up*" through Chubb is correct. Chubb, in our opinion, was not a trustworthy witness.

Returning to the document headed "Task No. 2, 15.6.45", Veall deposed that from the beginning of 1939 he worked in the Meteorological Service of the Air Ministry in England until December, 1941, when he was transferred to the atomic energy project, coming to Canada in January 1943. Veall's work was concerned with the production of glass instruments. Veall testified:—

Q. Now, then, was Dr. May, Allan Nunn May, a member of the mission?

A. Yes.

Q. Had you known him in England?

A. Yes, he was working on the project at Cambridge when I was working there.

.

Q. What are your associations with the Communist Party at any time or at any place?

A. Well, back in 1937 — 1938, I am not quite sure which year it was, I did associate with some organization known as the Young Communist League. A number of my school friends were in it and during the summer holidays I used to go to camp or cycling on week ends. I was about eighteen at the time. I should point out that at that time I was studying for my degree at evening classes and it was just a question that most of the people, at least some of my school friends, were in the Young Communist League and I was connected with them about three months.

Q. You mean you were a member of the League for that time?

A. Yes.

Q. And only for about three months, you say?

A. I would estimate it at that. It was only the time I went around with these people — it was during the summer holiday months.

- Q. Did you then dissociate yourself from the Young Communist League?
- A. Well, I still maintained contact with one or two of my friends.
- Q. Did you as a member of the Young Communist League for the time you belonged to it pay a membership fee?
- A. Yes.
- Q. When did you discontinue paying a membership fee to the Young Communist League?
- A. I cannot say whether it was a weekly or monthly fee, I cannot remember now, but when I stopped going around with them I stopped paying my fee.
- Q. What was the amount of the fee, do you recall?
- A. I cannot remember the exact fee. It was something purely nominal, 3d. a week, or something like that.
-
- Q. How many members would there be in that particular branch, Mr. Veall?
- A. I would think at that time there was about fifteen or twenty people, and their ages ranged from sixteen to about twenty.
- Q. Had it a name? Was it called any particular name?
- A. The Hendon Branch of the Young Communist League.
- Q. Did you ever hold office in it yourself?
- A. No, I did not hold any official office.
- Q. Do you know what those weekly payments were used for; can you tell us anything about it?
- A. Well, part of them were retained by the branch and the rest went to the head offices and went to support a newspaper.
- Q. What was the name of the paper?
- A. *The Challenge*. From what I can gather, as far as finance goes, practically every meeting I went to there was always a collection, either to pay the rent of the room or to send more money to *The Challenge*. They never had enough money.
- Q. That is in addition to the 3d. per week, there were requests for money each time you foregathered?
- A. And then always there were collections of money for the dependents of the men in the International Brigade and collections for medical supplies for Spain and China, and so forth. I can assure you it was quite an expensive business.
-

Q. That group to which you belonged, did it make any report to the Communist Party in Moscow?

A. Certainly not.

Q. To whom was the money sent?

A. It went to the National office in London.

Q. In London?

A. Yes.

Q. And the National office in London had connections with Moscow?

A. Yes, I assume so.

Q. So indirectly Moscow knew of the existence of your group?

A. Certainly.

Q. Then Exhibit 19-D goes on:—

At the present time we would wish to know with more detail regarding Veale, and it is therefore desirable that you enlighten us in written form for the next meeting (15th July, 1945) on the following.

I would like you to keep in your mind those dates. The first one when the task was assigned to Sam Carr, is the 15th June, 1945?

A. Yes.

Q. One month later. These meetings were being held at regular intervals. So on the 15th July Carr was to report to Rogov on the following questions:—

(a) Does Veale actually work in the Meteorological Service of the Royal Air Force in Cambridge, and has his sojourn in Canada a direct connection to his service in England.

That was the first thing Carr was to find out. That is, at the time while you were working in Canada, at that time were you still connected with the Meteorological Service in England, and what was the relationship between what you had been doing in England with what you were doing in Canada? When you came over here on this mission did you still remain attached to the service that you were with in England?

A. Yes, the atomic energy project.

Q. And the work that you were doing in Canada was a continuation of the work you had been doing in England?

A. Yes.

Q. That was the first thing that Carr was to find out and report to Rogov. The second is:—

If these data are confirmed then try to draw Veale out in frank conversation and put the straight question to him: 'What does he want from you?'

Then on the margin this is written, Mr. Veall:—

The details will be explained through the Engineer Chubb, a chemist, . . . friend of Sam.

That is a friend of Sam Carr.

And also through Debouz, both along the lines of trade unions.

First of all, did you know a man named Chubb?

A. Yes.

Q. Who is he?

A. He is — I met him as a member of the Canadian Association of Scientific Workers.

Q. He is not an Englishman?

A. No.

Q. And you met him after you came to Canada?

A. Yes, I met him about eighteen months ago.

Q. In Montreal?

A. In Montreal.

Q. Under what circumstances did you meet him, in connection with the Canadian Association of Scientific Workers?

A. Yes.

Q. When did you join that organization?

A. Actually I took an active part in the formation of that Association. That would be in something like July of 1944, I think.

Q. And did Chubb attend that meeting?

A. Yes.

Q. Was that the first time you had met him?

A. That was the first time I had met him. I think before that meeting there had been one or two informal meetings in Dr. Boyer's house, which were attended by the people whose names I have mentioned.

Q. Was Chubb at any of those?

A. Chubb was at one or two of those. I cannot remember who introduced him.

Q. Then I come back to Exhibit 19-D:—

The details will be cleared (or explained) through engineer Chubb—

That is Frank Chubb?

A. Yes.

Q. —a chemist — friend of Sam —
that is Sam Carr.

—and also through Debouz —

The evidence before the Commission is that *Debouz* is the cover name for Fred Rose.

A. Yes, so I hear.

Q. Do you know Fred Rose?

A. I have met him twice.

As stated in Zabotin's telegram of August 9th, 1945, Veall did visit the Soviet Embassy in connection with the Canadian Association of Scientific Workers.

Q. Having started your correspondence with Volenko, did you from time to time see him at the Embassy?

A. I never saw him at the Embassy except on the occasion of this official reception. And one day last summer — and again I cannot give you the date — he was in Montreal. He used to send — when we established contact, he used to send me Soviet scientific journals; I have about two or three hundredweight of them at home, and he happened to be in Montreal and he called me up on the telephone and said he had a couple of parcels of books for me, and I met him at the Windsor Hotel and we had lunch together.

Q. On how many occasions have you been in the Russian Embassy?

A. Once.

.

Q. Had you met outside of the Embassy —?

A. Perhaps before you go on with that, I also met Volenko some three or four months ago. We had lunch together at the Chateau Laurier.

Q. Just the two of you?

A. Yes.

Q. What month would that be, Mr. Veall?

A. Probably February.

Q. That was in February of this year?

A. Yes.

Q. Lunch with Volenko?

A. Yes.

Q. What was the occasion of that?

A. I happened to be passing through Ottawa, and there were one or two points I wanted to discuss with him, chiefly in connection with the United Nations Food and Agricultural Organization. As you know, the Russians did not co-operate in that, and I was rather anxious to find out why the Russians were not co-operating; and also being rather interested in the United Nations Educational, Scientific and Cultural Organization, and again the Russians were not co-operating in that, and I wanted to try and find out the reasons.

Q. Did you find out?

A. To get any information out of Volenko was the most difficult thing I have ever come across.

Q. Did you find out?

A. He just would not talk.

Q. And you got nothing?

A. He just wouldn't talk.

Q. You got nothing?

A. No.

The endorsement on *Task No. 2* that "*the details will be cleared up . . . along trade union lines*" should be read in connection with the following evidence of Veall.

Q. Coming back to Exhibit 19-D, the memo that I was reading:—

The details will be cleared (or explained) through engineer Chubb, friend of Sam, and also through Debouz—

I told you *Debouz* is really Fred Rose.

—both along the lines of trade unions.

Does that mean anything to you, "along the lines of trade unions"?

A. Frank Chubb, I believe, who was a member of a trade union; that is, the Association of Technical Employees.

Q. And the British Association of Scientific Workers, you told us, became a trade union in 1941?

A. In 1940, I think; and affiliated to the Trade Union Congress in 1941.

Q. And was there a discussion as to whether the Canadian Association of Scientific Workers should become a trade union?

A. Yes.

The common membership of Veall and Chubb in the Canadian Association of Scientific Workers was the contact through which Chubb would communicate with Veall.

We return to Veall's evidence:—

Q. You see, Moscow says that you have this in your own hands, and one of the reasons that they were apparently afraid to work you here was because you had this letter and had shown it to somebody. What could that be?

A. Well, I have quite a lot of books and papers and so forth, some of which I brought from England. Several people have told me, in fact May himself, in a conversation which could be the only one referred to there, told me that I was rather foolish to be so outspoken in my political opinions.

Q. May told you that?

A. Yes.

Q. As a matter of fact, you were pretty outspoken, were you not, in your political opinions?

A. Yes.

Q. And those political opinions were ones which, without a great deal of difficulty, could be designated as Red?

A. Well, put it this way; I would not be offended if anybody called me a Red.

Q. Would you be offended if anybody called you a Communist?

A. No, in fact, except that I don't believe that it is an undesirable label on a person. In my own case, my political views change from day to day. I might read a new book, and I like to consider each question on its merits and form an opinion on all the facts I have. If I read a book by somebody and got more facts, I might modify my opinion accordingly. I think it would be fair to say in general I am. I would say that a Communist would closely correspond with my political sympathies, at least the basis of Marxism.

Q. At least what?

A. At least I could call myself a Marxist.

.

Q. Let us go back to Exhibit 20-F for a few minutes.

Alec reported to us that he met Norman Veale (he was at his home).

The address given in the same telegram is 2870 Van Horne, Apartment 5. Is that your address?

A. That is my address.

Q. The telephone is Atlantic 2084?

A. Yes.

Q. What is your age?

A. I was born in 1919; that makes me twenty-seven.

Q. You are married?

A. Yes.

Q. You have one child?

A. Yes.

Q. So that information was accurate?

A. Yes.

Q. Now, Alec is reporting, do you see, and it is quite conceivable Sam Carr was using May to get information from or about you.

Veale works in the laboratory of the Montreal Branch of the Scientific Research Council.

That was correct at that time?

A. Yes.

Q. *Where he is in charge of the preparation of experimental glass recipients and such other glass work.*

Is that an accurate statement?

A. Partly. It is not a description I would apply to my work. I am working on measuring instruments. The word "recipient" is rather —

Q. You have to bear in mind this is a translation from a Russian document written by a man who probably is not familiar with technical language. It is substantially correct, is it?

A. Yes.

Q. *He arrived from England in 1943.*

That is correct?

A. Yes.

Q. *In England he was a member of the party for several years.*

You say that you were a member for several months?

A. Yes, of the Young Communist League.

- Q. Of the Young Communist League, yes. Do you see a distinction between it and the Communist Party?
- A. Definitely, I think so.
- Q. You definitely think so?
- A. There is a distinction.
- Q. What is the distinction?
- A. For one thing they are completely separate organizations, and apart from that the Young Communist League, at least at the time I was in it, was largely just a youth club, more a social organization.
- Q. We have evidence here before the Commission that in Russia there is the official Communist Party and in addition to that there is the Komsomol, which is the Young Communist League.
- A. Yes.
- Q. The organization in England was similar?
- A. I would say so.
- Q. Apparently?
- A. Yes.
- Q. And you did not belong to the Communist Party in England but you belonged to the Young Communist League for a period?
- A. Yes.
- Q. These people say for several years, but you told us this morning for several months. But you did keep in contact with a number of your friends who were members and who continued as members of the Young Communist League. That is correct, is it not?
- A. Yes, and of course when I was at Cambridge my natural inclinations I think tended to gravitate toward the left wing circles. That is to say, I knew quite a few Communists in Cambridge, and one or two at least were close friends of mine and continued to work in the same lab.
- Q. Were any of those men with whom you came in contact in England Russians?
- A. No.
- Q. They were all native British?
- A. Yes.
- Q. I would rather understand, Mr. Veall, that having the views you had or the associations you had in connection with the Young Communist League in 1938, and having your present views, and having had those views more or less throughout the period you

would be in association with persons holding similar views throughout that period?

A. That is correct.

Q. Even though you were not a member of the Party?

A. Yes.

Q. But you were in close association with other Communists and other Communist organizations even though you were not a member?

A. I never had time for any association with any organization whatsoever. The only people I had association with were people I met in the course of my work or neighbours or people I have met at school.

Q. Individuals?

A. Yes.

Q. But you tended naturally to gravitate toward persons holding views similar to your own?

A. Yes.

Q. How often did you meet Allan Nunn May apart from your contact with him in your work?

A. I first met May in Cambridge. I only saw him in contact with my work. I used to see him at meetings of the Association of Scientific Workers in England. When we came to Canada he was working on the same floor as I was and I naturally saw him if I met him in the lab. At that time the whole team knew each other fairly well. I did not associate much with him socially.

Q. On one occasion at least May came to your house. How often did that happen?

A. That is when we first came over, but then about — I would say the 1st January, 1943, after we had got settled. May was an instructor of the University of London and I was studying for my degree at the University, and I naturally went to him for advice and assistance with my studies and he used to come to my house on an average of about once a week or so to spend an evening with me tutoring in physics.

Q. *Alec expressed himself in the negative.*

Alec reported that you occupied a minor position and that you knew very little. Do you care to make any comment on that statement?

A. Minor position, I think, is correct. I know very little officially of what is going on in the project, but unofficially I have a pretty good idea of what is going on. I know pretty nearly all the divisions. My situation in the lab is that when somebody in one of the other divisions wants to do an experiment he comes along to me to talk about a particular instrument. Usually the instrument needs to be tailor-made for the experiment, designed to suit his requirements, and he has to tell me what his requirements are before I can design the instrument for him, and consequently I have a pretty good idea of what the experiment is.

Q. So that May was slightly depreciating the knowledge that you had available when he reported that you knew very little?

A. As I say, I had very little to do with May apart from my work. May was rather a senior man and I am a junior man in the lab. and we do not move in the same social circles.

Q. Would this be right: May would have more technical information with regard to the atomic project?

A. May would have access to practically every document in the lab. where I had no access to documents. I picked up quite a bit of information there in the course of my work.

Q. In other words, anybody who wanted to know anything about the atomic project could get all you knew from May himself?

A. Yes.

Q. Then we come to the next sentence, which is a rather significant one, Mr. Veall.

Moreover he — that is you — is inclined to be careless as he started the conversation in the presence of his wife.

Alec has reported about your qualifications, your source of knowledge, and he has also reported that you are inclined to be careless because you started a conversation in the presence of your wife. This is what I put to you: there would be no reason why you should not start a conversation in the presence of your wife except for the fact that May was coaching you, as it were?

A. That was until 1943, of course.

Q. But not since then?

A. May has visited my house rather occasionally.

Q. Your house in Montreal?

A. Yes.

Q. At this address?

A. He used to come to dinner, occasionally.

Q. Can you suggest why it is that Colonel Zabotin is reporting that May suggests that you were careless because you started a conversation in the presence of your wife? That would indicate on the face of it that there was a conversation between you and May of a secret character that any third person, even your wife, should not hear. Can you throw any light on that at all?

A. As you know, since the atomic bomb dropped there has been considerable discussion. I mean, you have only to look at the various journals. The whole question of secrecy in connection with the atomic project and so forth — when any atomic scientists get together there is sure to be conversation on something not to be mentioned. I mean, it has been the opinion of most scientists that it is going to be impossible to keep the secret. You cannot keep scientific information secret because it will be discovered anyway. It may be — I mean May has been to our house and certainly the chief topic of conversation going on in our circle, in all our group, when one or more people get together, is atom politics, as we call it.

Q. Do you remember the day the atomic bomb was dropped first?

A. It was about August, was it? Of course, you know, this whole business has been discussed about a year before that in the lab.

Q. I realize that.

A. It was an open subject of discussion.

Q. This report, Exhibit 20-F, to Moscow is dated 9th August, 1945. Does that relate it in your mind to the date of the dropping of the atomic bomb?

A. No, I do not think so.

Q. So that your suggestion to the Commission is that the reference to carelessness must refer to some talk that you and May had about the atomic bomb?

A. Quite possible.

Q. Then it goes on to say that you are well known in the laboratory "as a Red". Then it gives your age and we have checked on that. I think you said you have never made any secret of your Communist ideas or leanings or whatever way you want to put it?

A. Yes.

Q. In fact, Dr. Boyer swore here that you were definitely a Communist.

A. Yes.

Q. That does not meet with any negative response from you?

A. Well, as I say, the way of defining it; I am certainly not a member of the Communist Party. Putting it this way: for any definition as far as you are concerned, you can call me a Communist. I am suggesting a distinction, but I have rather private distinctions of my own.

Q. When Professor Boyer was expressing his opinion here that you were a Communist, it was his opinion?

A. Yes, and I think he was justified in saying that.

The information concerning Veall in the documents in the Embassy is shown by Veall's own evidence to be substantially correct. We think that that and the following evidence given by Veall indicates the trustworthiness of the statement in Zabotin's telegram that *He asked the opinion of Alek: is it worth while for him (Veale) to hand over information on the atomic bomb.* Veall deposed:—

Q. Let me put this question to you. Assuming that you had met Rogov and Rogov had asked you to turn over to him information that you had got working in the National Research Council and which was secret, would you have turned it over to him?

A. I do not think I would.

Q. Have you any doubt in your mind as to whether you would or not?

A. Well, it would naturally depend on the circumstances and the situation at the time.

Q. What do you mean by that?

A. Well, it is rather difficult to sort of just say you would do this. I cannot say quite categorically "No." There may be some doubt in my mind, but certainly if somebody had approached to me in the last six or twelve months to hand over information of this nature I most certainly would not have done it, because I believe that we have to put an end to secrecy in scientific work and —

Q. You believe what?

A. We have to put an end to secrecy in scientific work and that there is no official organization being set up for the purpose of international scientific co-operation under the United Nations Organization. I have done quite a lot of work on the study of

that question since the idea was first mooted over a year ago and I feel I could do very much more good and ultimately get very much more scientific information from the U.S.S.R. if I were to work to build up and to help in building up this international organization in the United Nations Organization.

Q. Would you say in that period you mentioned if somebody had asked you that you would or would not have given it?

A. I would definitely have not.

Q. Why do you limit it to that period?

A. Because prior to that period I might have had some doubt in my mind as to the moral justification of holding out information which might have helped to shorten the war. After all, I have a brother in the army and a lot of my friends were being killed during the war. I have also had the unpleasant experience of digging dead children out of bombed buildings and if I felt anything I could do would help shorten the war I might have possibly done it.

Q. Regardless of any oath of secrecy you might have taken?

A. I have no oath of secrecy.

Q. You were working without any oath of secrecy?

A. I am employed by the British Government and when you join the British Government on secret work you sign a declaration that you have read the Official Secrets Act.

Q. Then substitute that in my question. Notwithstanding that undertaking, that acknowledgement, you would still have given the information?

A. I think I can honestly say I might have given that information, assuming that I had any information that was worth giving.

In our opinion this evidence indicates that Veall did not communicate information with respect to the atomic work for the reason that the Russians designedly did not ask him.

SECTION IV. 2

"SURENSEN"

One of the Exhibits is a page from a small, personal, notebook kept in his own handwriting by Colonel Zabotin. It is one of several pages, which are all exhibits, in which he put down information given to him by Sokolov and Koudriavtzev about the groups which were functioning before his arrival. The notes were obviously made at different times and were added to by Zabotin himself from other sources. Probably they became unnecessary after the system instituted by Rogov of maintaining a file on each agent had been put into full operation. Zabotin gave the pages, torn from his notebook, to Gouzenko with instructions that they be destroyed.

The Exhibit deals with what was called the "Second Group" or the "Ottawa-Toronto" group, of which the Organizer was Sam Carr who lived in Toronto, while the members, Benning, Adams, Poland and *Surensen* lived in Ottawa.

A portion of the notes reads as follows:

4. **Surensen. He works in the Naval Department. He works in Intelligence. Used to give material on the construction of ships. He has left for overseas.**

This is followed by a note which applies to "Surensen" and Poland who is mentioned in the same exhibit:

Both worked up to April. Did not work for us directly but for Sam's Organization.

"Sam" is Sam Carr.

The reference is clearly to a person who was in the Navy and in the Intelligence Service. There was no person named Surensen in the Navy. There are two Sorensens, both Lieutenants, in the Navy, but only one in the Intelligence Service. This is a Lieutenant Henning I. Sorensen whose history follows.

Henning Ingemann Sorensen born in Copenhagen, Denmark, came to Canada first on May 5th, 1929. In 1937 he served as a liaison officer in Spain between Dr. Bethune's hospital group and the Spanish Republican Army during the Spanish Civil War. After about a year of this service he returned to Canada in January 1938. In April 1940 he became naturalized. His certificate is dated the 11th of April, 1940. In July, 1940, he left Canada and spent the next two years in South America, returning to Canada on November 6th, 1942.

He applied at once to join the Navy receiving his commission November 23rd, 1942. After a month's course at Halifax he returned to Ottawa and was attached to the Operational Intelligence centre at Naval Headquarters. He is an accomplished linguist speaking Danish, English, French, Spanish and German and having a certain knowledge of the Scandinavian languages other than Danish, and of Portuguese.

The Operational Intelligence Division was mainly concerned with enemy operations, the whereabouts of enemy U-boats and so forth. In the section in which he was working he would acquire information of a highly secret nature, and most of it is still highly secret.

Sorensen served in this Division a little over a year when he requested to be moved to some other branch where his knowledge of languages would be of greater use. At that time a joint-service scheme was being set up to provide Intelligence Officers to serve in prisoners-of-war camps in Canada but it was not ready to function at that time.

He was given a temporary appointment with the Director of Trade Division and was attached to the Convoy Section which handled all convoy movements, orders, special directives from Headquarters concerning routing—routing being the main consideration. He served in this Division for three months until May 1944 when he was lent to the Army and went into the Psychological Warfare Division. He was then sent to England on a short training course in this work and was away approximately 45 days in September and October 1944. On his return he was attached to the Farnham Internment Camp where he has remained. His work at this camp has been concerned mainly with the classifying of German prisoners of war, according to their political leaning, and re-educating the prisoners.

It should be mentioned that his duties would at no time require him to possess or acquire any information about the "construction of ships".

Sorensen, after reading in a newspaper the part of the Exhibit (which was made public in the Third Interim Report of this Commission) referring to "Surenson", asked to be heard before the Commission. His evidence was taken; he stated that if the Exhibit referred to him he had done none of the things referred to in it, he did not know Sam Carr, and was at a complete loss to understand the entry if it did refer to him.

The documents brought by Gouzenko have been proved to be substantially accurate, allowance being made for clerical errors, and errors in verbal transmission referred to in other cases dealt with elsewhere in this report. The document states that a Naval Officer in the Intelligence Service, and one who at some time left for overseas had been a member of "Sam's

Group", had worked for Sam's Organization, had furnished materials about construction of ships, and had worked up to April of 1943 at least.

The question is whether this applied to Henning I. Sorensen or to some other person?

It has been pointed out that the witness Sorensen was not required to have any knowledge about construction of ships in the course of his work, but other agents were furnishing materials which they were not required to have, and which they should not have had, but which they were in a position to get in one way or another.

We had to ask then what information about the construction of ships would be likely to be wanted by the Russians, where could it be obtained and would Sorensen have access to it? The evidence is that the Navy had developed certain types of war-vessels especially suitable for use in certain waters and climates, and that information about these designs would be of value to the Russians; and this probably was what they wished to know about. It was also shown that information about these designs was readily available to a man in Sorensen's position and that no comment would be made if he sought it out. This evidence was placed before Sorensen and he said:

"Personally I do not know how easy it would have been for me to get access to the files of the Naval Construction Department. In Naval Intelligence we did not have much contact with the other Departments. The only files I have ever drawn affected my own work and I actually don't know how correct the statements of _____ are as to the facility with which one could get these documents. I have never been in the Naval Construction Section. I do not know who worked there."

In the Exhibit the name "Sorensen" immediately follows a note on "Polland" identified as F. W. Poland who is the subject of report by this Commission. The names are linked together as already shown. Sorensen met Poland when he entered the Intelligence Branch and their work brought them into contact. We have mentioned that Sorensen came voluntarily before the Commission after he had seen the Exhibit previously referred to in the newspapers. He said:

"I noticed it" (the third Interim Report) "said about Squadron Leader Poland or Polland that he worked in Toronto. Then further down there was a note that Poland worked in Toronto in '42 in April and May. That would indicate, at least, to an outsider, that that was written in '42 in the summer. It was at a time when I was down in South America."

When told that the portion of the exhibit referring to "Surenson" could not have been written in 1942 he said, "That is too bad". The record continues:

- Q. In fact it is practically impossible it could have been written before August 1943.
- A. I mean I just read the newspaper and I said to myself: "At least in that respect I can prove off the bat that was not me."
- Q. Assuming that this was written in August 1943 can you make any suggestion that would throw any light?
- A. In August 1943; what was I doing in August 1943? I was in Operational Intelligence. I certainly did not have anything to do with the construction of ships or anything of that kind.

Zabotin did not come to Canada until June 1943. It is inconceivable that he should have written these notes before he came. The men from whom he would get his information, Koudriavtzev and Sokolov, were in Canada. The internal evidence shows that the notes were probably compiled at different times and added to as more information was obtained. Some of them would appear to have been copied textually either from written memoranda given to Zabotin by Koudriavtzev or Sokolov or some other person.

This is shown by the references to Poland and Sorensen. The original note or original information relating to Poland must have been recorded by some one in May or June 1942 when Poland was being transferred to Ottawa from Toronto. It could not have been copied or written by Zabotin before June 1943 for reasons already given. The informant records that Poland had given a map of the training schools and that he was not then working.

The note about "Surenson" also could not have been written by Zabotin before June 1943. The first three sentences could have been written any time between then and September 1944 or later. The last sentence "Left for overseas", could not have been written before September 1944 if it applies to H. I. Sorensen because he did not leave for his special course in England until September 1944.

In our opinion the notes made by Zabotin were made from various earlier notes made by various people at different times, and from verbal information from the same sources, and were added to by himself from time to time. Rogov's system of keeping a separate file on each agent, which he instituted in January 1945, and put into operation over the following months,

would render Zabotin's "bookkeeping" unnecessary, although it was not until August 1945 that he instructed Gouzenko to destroy the sheets.

We now come to the balance of the memorandum, "Did not work for us directly but for Sam's organization". How then did they work? The answer we think appears in the Exhibit. One of the "organization" was Benning, upon whom we are also reporting, who appears in the Exhibit under his cover name *Foster*. Benning contacted with Zheveinov (*Martin*) and is significantly marked by Zabotin as "our", meaning he was one of Zabotin's organization too.

Now Sorensen knew Benning well, as did Poland. He told us that he first met Benning in Montreal after he came back from Spain in connection with the Spanish Committee or the Civil Liberties Union. When Sorensen came to Ottawa it was Benning who got him a room in a house "and the landlady there is a sister of his (Benning's) on Sunnyside."

It is apparent from the desk telephone finder and a notebook, both kept by Benning, that the latter kept in close touch with Sorensen. In the notebook there is the entry "Henning" followed by three telephone numbers, two being struck out, no doubt as there was a change in Sorensen's location, while the telephone finder has the entry "Sorensen" followed by two numbers, one having been struck out.

While the limited facts as to the post in the navy occupied by the "Sorensen" described by Colonel Zabotin, and his departure overseas, do describe facts equally applicable to the witness Sorensen, we do not feel certain that the name "Sorensen" is an actual and not a cover name. It is to be noted that Gouzenko knows nothing about this person beyond what appears in the Embassy document. He testified:

Q. Do you know Sorensen?

A. This is the only time I saw it.

Q. That is the only time you saw that name?

A. Yes, in this exhibit.

Q. You do not know whether it is a real name or a cover or nickname?

A. No.

Accordingly, in discharging the duty laid upon us by the terms of Order in Council P.C. 411 to "inquire into and report upon which public officials and other persons in positions of trust or otherwise have communicated, directly or indirectly, secret and confidential information, the disclosure of which might be inimical to the safety and interests of Canada, to the agents of a Foreign Power and the facts relating to, and the circumstances surrounding such

communication", so far as this witness is concerned we report that we are unable to say he has so communicated.

We have been under the necessity of scrutinizing the facts relating to the witness in discharging our duty under the Order in Council, and the witness' request to be heard and to have his case passed upon by us.

SECTION IV. 3

JACK ISADORE GOTTHEIL, Montreal

In the document headed "Task No. 2 of 15.6.45" referred to in Section III. 8 on David Shugar and elsewhere in this Report, which document comes from Sam Carr's dossier in the Embassy and is addressed to *Frank*, one of the cover-names for Carr, there is the following paragraph:—

3. **How does the matter stand with Captain Gothell (Kingston); where is he at present, and are there possibilities to use him in our work.**

Opposite this there is a note in Rogov's writing, which is evidently Carr's answer to the above query:—

He was transferred from the college to a training unit in Brit. Columbia for political considerations. He now is in the stage of demobilization.

Captain Gottheil was born on July 2, 1917 at Lachine, Quebec, of a Polish father and Russian mother. Originally an artillery officer, he transferred to the Canadian Infantry in or about January 1945 and for that purpose took a course at Brockville Training-School where he remained, as he says, until May or June 1945, and then went out to Vernon, B.C. for further training. He was at this latter post for about five weeks, returning to Montreal, where his wife lived. From there he went to Winnipeg. In 1943 had been in Kingston where he took a military intelligence course.

Gottheil said that while he had heard Sam Carr speak he did not think he had met him.

The relevant evidence given by this man is as follows:—

Q. That is what I am trying to get at. You see, there was some reason, quite obviously some reason for considering you as a possibility, no matter how remote. What we want to find out is what that reason was?

A. I cannot—I do not know particularly what I could say—I cannot—I know definitely I have never expressed anything of that sort.

Q. Let me put it this way: first of all, are your own political ideologies Communist?

A. I do not know how you would describe them.

Q. Well, supposing you tell the Commission what your own political ideologies are?

A. I am interested in what is going on.

Q. I think we all are.

A. Yes, I know. I am—you read the various things, liberal journals and so on.

Q. Would this be a fair way to put it? Your own leanings are toward, we will start off with, socialism of some kind?

A. Well, I mean that is a broad definition. Well, shall we say along in certain platforms put forward by—

Q. If you know what you mean, I do not. Are you sympathetic with the views of the Labour-Progressive Party?

A. With the left wing, if you want to put it, left-wing liberalism.

Q. I do not want to put it any way. I am trying to get you to put it. Are you sympathetic with the views of the Labour-Progressive Party?

A. I do not know whether I would put it sympathetic.

Q. How would you put it?

A. I may—I mean—I know that there are certain proposals made, there are certain interests that one does tend to, or rather that one recognizes the C.C.F. and Labour Party in Britain—

Q. Perhaps we can get it from another point of view. This is all directed to trying to find out why the Russians thought that you, an officer in the Canadian forces, might probably—that is all they put it at—be used by them in their work of getting, improperly and dishonestly, some information that you might have in the course of your duties. The only reason I am asking you about your political ideology is because I want to find out if there was any reason or even a suspicion that you might help them. The primary thing that we want to find out before this Commission is who the person was who was going to come to you some day and say, "Now, Captain Gottheil, we want you to work in this organization and get information to pass on to Russia." My question is directed to this. Have you at any time given expression to political ideas that

would justify anybody in saying, "Now, here is a man we can use in our organization." You see what we are trying to do?

- A. I appreciate that, sir. I don't know—I mean in the course of time statements that one makes may be interpreted by some as saying, "There is somebody they want to use to work for them."

Q. And are you about to be demobilized?

A. Within about a month or so, sir, I believe.

Q. Has there been a possibility of your being demobilized before this?

A. No, sir.

Q. You have ever discussed it with anybody?

A. I did. The question of demobilization—I did bring it up last August.

Q. August of 1945?

A. August of 1945. I wanted to get back to school, sir, but they pointed out to me I couldn't and I was held on and frozen.

Q. Whom did you take it up with?

A. My superior officer in Winnipeg, sir.

Q. Who was that?

A. Captain Patrick.

Q. Where is your home?

A. Montreal, sir.

Q. Are you married?

A. Yes, sir.

Q. And does your wife live in Montreal?

A. That is right, sir.

Q. And did in 1945?

A. That is right, sir.

Q. Throughout the year?

A. Right, sir.

Q. And she would be familiar in 1945 with your desire to be discharged?

A. That is right, sir.

Q. And you went out to Vernon, you think, towards the end of May, 1945?

A. It was the end of May, sir, the middle of May, the second or third week of May.

Q. And did you have the idea of perhaps obtaining your discharge shortly after V-E Day?

A. That was after V-J Day, sir.

- Q. I asked you if you had that intention shortly after V-E Day?
- A. No, sir, not after V-E Day.
- Q. When would you say you first formed the idea to obtain your discharge if you could?
- A. That was about the second day after a routine order came out saying that personnel who wanted to go back to college, or who could get back to college, could be discharged.
- Q. And that was when?
- A. That was about—I would say the second or third week of August, just prior to the opening of the college term.
-
- Q. You spoke of having been to Burman's. Have you been there once or more than once?
- A. I have been there about—I would say about two occasions or so.
- Q. Two occasions or so?
- A. About twice, sir, I think.
- Q. It might be more than twice?
- A. It could be, sir.
- Q. And what could it be at the maximum?
- A. I think I have been up there—I would say about on three occasions, and leave it at that.
- Q. And your wife also?
- A. I think she was up with me once. I think we were up one evening.
- Q. And during what period did these visits to Burman's take place?
- A. That would be in the last two or three months.
- Q. That would be all in 1946?
- A. 1946, yes, sir.
- Q. Did you know Burman before that?
- A. I had met him before, sir, as I pointed out, through the Y.
- Q. When did you meet him for the first time?
- A. At the Y, sir—about 1940.
- Q. When you were transferred to Vernon, British Columbia, where were you?
- A. I was at Brockville, sir, was posted at Brockville.
- Q. Brockville was a training establishment?
- A. That is right, sir.

- Q. Well then, it would be right to describe you or refer to you in connection with Kingston if a person had known you when you were at Kingston, would it not?
- A. I am sorry, sir—
- Q. I say it would be not inaccurate to put "Kingston" after your name, in brackets, if a person was making a note on you, if that person had known that at one time you had been stationed at Kingston for some weeks? That would not be inaccurate?
- A. Well, I have been there. I had been stationed at Kingston.
- Q. All right. I say it would not be inaccurate if a person was making a note with regard to Captain Gottheil to put "Kingston" after the name if that person had known that you had been stationed at Kingston? I say that would not be inaccurate, would it?
- A. I imagine not.
- Q. And it would not be inaccurate either to say that you were being transferred to a training detail in British Columbia in May of 1945?
- A. In May, 1945, sir, that I was going out to Vernon—
- Q. That you were being transferred to a training detail in British Columbia; that would not be inaccurate in May of 1945?
- A. In May of 1945, yes, I went out to—
- Q. Will you listen to my question? My question is—and I put it to you for the third time—that it would not be inaccurate to have referred to you as being transferred to a training detail in British Columbia in May, 1945?
- A. Yes, sir.
- Q. You say that would be inaccurate? It would not be inaccurate?
- A. No, I am sorry, sir.
- Q. And in August of 1945 if a person knew that you were desirous of getting your discharge and had taken it up with your superior officer, to say that you were in the process of demobilization, that would not be too inaccurate either?
- A. Actually, sir, I believe I should point out that when he asked me whether I wanted to be demobilized it was a half-hour interview.
- Q. But you had reported to your wife that you had asked for your discharge?
- A. Just to my wife; that is right.
- Q. You had asked your superior officer for your discharge, and you reported that fact to your wife?
- A. That is right, sir.

- Q. Then I say, would it be inaccurate for a person, knowing these facts, to say of you that you were in process of demobilization?
- A. No, sir.
- Q. Then, would you explain to us how the information that I have called to your attention, which you say would not be inaccurate, could get on the books of the Russian Embassy?
- A. I don't know, sir.
- Q. You don't know that, but nobody but you, your superior officer and your wife knew that you had applied for a discharge?
- A. No, sir; I never mentioned it to anyone. It was a thought that came up when the routine order came out affecting demobilization. It was merely a talk for a few moments, and I was told I would be frozen and let it go at that.
- Q. All I asked you is if anybody else knew?
- A. No, sir; I am sorry, sir.
- Q. Then the Russians had pretty good information? It was not very widespread if they knew that fact, was it?
- A. I don't know. I mean if they have got that I don't know how they—
- Q. If that information was limited to such a narrow circle as you say it was, somebody in that circle was communicating with somebody who was passing that on to the Russian Embassy? Doesn't that follow?
- A. I don't know. All I know is it was merely a thought in my mind, as I say.
- Q. You do not like to answer the question as put to you, do you?
- A. I am sorry, sir. I don't know how it got there if it got there.
- Q. Would you read the question.
- Q. If that information was limited to such a narrow circle as you say it was, somebody in that circle was communicating with somebody who was passing that on to the Russian Embassy? Doesn't that follow?
- Q. What do you say?
- A. Well, in speaking—I don't think so, sir. I mean I am trying to think now of that particular point. I don't know. I know we were all talking of demobilization then.
- Q. Captain Gottheil, is your wife a member of the Labour-Progressive Party?
- A. No, sir; I don't think so.
- Q. Is she sympathetic?
- A. I think—I would say I would have sort of expressed her views before?

Q. Her views are much the same as yours?

A. I would think by and large.

Q. So she might have reported to the Burmans your intention to be discharged? Would that be so?

A. I don't know, sir.

Q. Could that have been so?

A. Well, as I remember I think I just wrote her and said there was a routine order out and I would like to get discharged. Whether she sent it on or not I don't know.

Q. Could it be so that she might have mentioned that fact to the Burmans?

A. It might be.

Q. It might have been. She knew Burmans in the summer of 1945, did she?

A. She knew Burman's wife. They worked in the same place.

Q. How long have they worked in the same place?

A. I would say about two years or so.

"The Burmans" are Samuel Sol Burman, reported on in Section III. 10 of this Report, and his wife Elsa Burman.

The channel by which the information endorsed on the document "*Task No. 2 of 15.6.45*" reached the Embassy seems obvious.

Being required by the terms of Order in Council P.C. 411 to "inquire into and report upon which public officials and other persons in positions of trust or otherwise have communicated directly or indirectly secret and confidential information, the disclosure of which might be inimical to the safety and interests of Canada, to the agents of a foreign power" we think that Gottheil is not one of those who furnished information to the Russians. He was being cultivated for that purpose but there is no evidence that he did so.

SECTION V

THE FALSE PASSPORT

On the 29th of August, 1945, in a telegram from Colonel Zabotin to "The Chief of the Main Administration", identified by Gouzenko as Colonel-General Kouznetsov, Chief of the General Intelligence Headquarters at Moscow of the Red Army, Zabotin suggests that he be allowed to go to Moscow for a period of from two to three weeks. In the course of the telegram the following occurs:—

I would like to ~~full~~ complete the fairly complicated task of obtaining ~~the~~ a passport for our man in America (the Director knows about ~~this~~ it) and after this to leave for the Centre. The receipt of the passport is expected in the next few days. I will ~~advise~~ report the receipt of the latter immediately. *

The "Centre" referred to is Military Intelligence Headquarters, Moscow.

In his evidence with regard to this matter, Gouzenko said that the passport referred to was a passport for a Russian undercover agent then living in Los Angeles who went under the name of Witczak, (pronounced Vitczak), and that the efforts to obtain a Canadian passport for this man had been in progress for approximately half a year at the date of Colonel Zabotin's telegram. To obtain this passport Zabotin worked through Sam Carr. The full story with regard to this matter is as follows:

The real Witczak, whose full name is Ignacy Witczak, came from Poland and landed in Halifax from the S.S. *Frederick VIII* in April, 1930. He had been born in the village of Kurowo, Poland, on the 14th of October, 1906. From Halifax he proceeded to Toronto and after a short stay there went to the Leamington district of Ontario where he became a farm labourer.

In May of 1935 he applied for naturalization, and a certificate of naturalization was granted to him on the 3rd of March, 1936.

In February, 1937, Witczak desired to participate in the Spanish Civil War on the side of the Republican Government, and he applied for a Canadian passport on the 1st of March, 1937, his statutory declaration in connection therewith having been made previously on the 25th of February. The application was taken by a local steamship agent at Windsor. He, in turn, forwarded the documents to the French Line at Toronto, which forwarded them to the Passport Office at Ottawa. At that time of the year, when there was no work on the farm, Witczak was working in a shoe repair

* Faint type indicates words crossed out in original documents.

shop in Windsor. The passport was in due course issued, after some correspondence between the Passport Office and the local manager of the Canadian Bank of Commerce at Windsor, who had vouched for Witczak. It was dated the 12th of March, 1937, and was forwarded to the French Line at Toronto by letter dated the 13th of March, 1937.

Witczak himself, the bank manager, the steamship agent and the notary public before whom Witczak made his statutory declaration, all appeared and testified before us.

In due course Witczak, who was then and still is an unmarried man, proceeded to Spain as a member of the MacKenzie-Papineau Battalion of the International Brigade. At the military base of Albacete he and some others were relieved of their passports by an officer who stated that such documents should not be taken into the front line as they might be destroyed. When his term of service was through, Witczak applied for his passport but was told at Brigade headquarters that the trucks which had carried the passports had been bombed and that "probably" they had been destroyed. The same reason was given to a number of others for the non-return of their passports.

Witczak returned to Canada on the *Duchess of Richmond*, without his passport, arriving at Halifax on the 3rd of February, 1939. He did not at any time apply for a new passport. He did, however, apply for and receive a new naturalization certificate, which was issued on the 4th of March, 1941. His original certificate, he said, had been lost at Helicoursi, Spain, in 1938 while he was engaged in swimming a river.

The known facts as to "*our man in America*" to use the language of Col. Zabolin in his telegram of August 29th, 1945, may be sufficiently stated as follows:

The records of the United States immigration authorities show that on September 13, 1938, a man and a woman using the names "Ignacy Witczak" and "Bunia Witczak", giving their nationality as Canadian, landed in New York from the S.S. *Veendam* having sailed from Boulogne on September 3rd. On September 19, 1940, one Ignacy Samuel Witczak registered in Los Angeles, California, as an alien in the United States and in this declaration he described himself as "merchant" and stated he had "last arrived in the United States at Detroit, Michigan on September 25, 1938. I came in by railroad unknown". He also stated he had no relatives in the United States.

On the same date, September 19, 1940, Bunia Witczak made a similar declaration, but stated she had a husband living in the United States. Both

declarations showed both persons to be living at the same address in Los Angeles. The man's declaration also states that he was born at Kurowa on October 13, 1910, while the woman's states that she was born at Vilno, Poland on March 29, 1914. A search of the immigration records at Detroit for the relevant time shows no entry of these persons. This was to be expected.

The story now shifts to the files produced by Gouzenko from the Soviet Embassy at Ottawa. Among these files there is a "dossier" on Sam Carr. The first document in the dossier is a form of registration card, upon which is pasted Carr's photograph. The card reads as follows:—

REGISTRATION CARD

No. _____

(Photo)

1. SURNAME, NAME, PATRONYM SAM CARR
2. PSEUDONYM "FRANK".
3. SINCE WHEN IN THE NET _____
4. ADDRESS:
 - a) OFFICE _____
 - b) HOME 14 Moutrose, TORONTO. Tel. Ll-7847 (brook).
5. PLACE OF WORK AND POSITION "LABOUR PROGR. PARTY" - polit. worker.
6. FINANCIAL CONDITIONS Financially secure, but takes money. It is necessary occasionally to help.

BIOGRAPHICAL DATA:

Detailed material on his biography is available in the CENTRE in the COMINTERN. Has an excellent knowledge of the Russian language, he graduated from the LENIN school in Moscow.

The file also contains a record of meetings and dates for meetings between Carr and other persons. In these notes Carr is referred to as "Sam" and also by the cover name of *Frank*. The narrative of events is best disclosed by a reference to these notes.

The first page of the notes made by Lt. Col. Motinov is headed "Miscellaneous" with the sub-heading "Sam, 14 Montrose, Lloydbrook, 7847". It then proceeds:—

14.6.44 The Commandor met Sam and agreed on meetings between him and Leon once in 3 months. The regular meeting was fixed for 15.9.44 at 21.00, Dominion Boulevard (opposite Windsor Hotel) in Montreal. On 15.9.44 to discuss:

1. Who prepares passports, i.e. what kind of people are they. Are they not the old shoemakers who a few years ago fell through.
2. To take money to the meeting.

In the future the meetings and extra calls are to take place in Toronto at 21.00 in the apartment.

Password—Leon to ring on the telephone Midway 9553 of doctor Harris, 279 College St., Toronto. "I want to say Hollow to Frank". Following this Leon goes out for the meeting at Eaton's Store (Corner College and Young).

Eric calls through Skelton.

13.9.44 to Leon 350 dollars for Sam. A receipt for 200 dollars received, 150 dollars in cash with Leon.

4.10.44 Sam informed that he has handed over the material to Ernst, that he will not be obtaining, he asked to communicate.

5.12.44 asked for a meeting through Foster.

8.12.44 he left— Met 11.12.44. Fixed for 16.12 in my city at 21.00 Somm. Bay.

Handed over 200 dollars. The passport has been detained. The forms were badly filled in. On the 16.12 he will give new ones. 16.12 at 21.00 I met (him) normally. He gave the new forms. We agreed on the transfer of Ernst. I gave the contact with MAT NANTINGALE. I made (him?) acquainted with doctor HARRIS HENRY. I set the next meeting for 20.1.45 at 21.00 at the old place near the hospital if doctor HARRIS does not change it.

(Sketch in original)

To assign the question of obtaining a certificate of naturalization and marriage.

20.1.45 meeting was missed, fixed for 7.3.45.

The regular meeting on 15.6.45 at 21.30 on Somerset at the corner of the park. The emergency on 21.6.45. A call by telephone—by the hospital.

3.7.45—Meeting has taken place out of the ordinary schedule with respect to the passport. Everything was normal. The place—at the doctor's. Account of it see in telegram 5.7.45. Handed out 200 dollars.

17.7.45—Regular meeting in the apartment of the doctor. Time 21.00.

The meeting of 17.7.45 took place normally.

The regular meeting on 1.8.45 in Montreal at corner Sherbrooke and Guy near Medical Art. Bldg. Time 21.30.

Emergency meeting on 2.8.45 at the same place and at the same time.

Prior to the Toronto Telephone Directory issued in July, 1945, Sam Carr had resided at 14 Montrose Avenue, Toronto, his telephone number being Lloydbrook 7847. As shown by that directory, he was then living at 74 Rusholme Road, his telephone being the same number however.

The above notes are in the handwriting of Lieutenant-Colonel Motinov down to and including the words and figures "20.1.45 meeting was missed, fixed for 7.3.45", and the balance is in that of Lieutenant-Colonel Rogov. "Commander" is the cover name for the Assistant Chief of the First Intelligence at Moscow whose name is Milstein, while *Leon* is the cover-name for the First Secretary of the Embassy at Ottawa, Koudriavtsev. Milstein arrived in Canada under the cover-name of Milsky in the guise of a diplomatic courier. His purpose was to check up on the whole military spy system on the American continent. He came in company with another alleged courier who, Gouzenko says, was checking up on the parallel spy system operated by the N.K.V.D. on the American continent. Gouzenko did not know the name of this man. Milstein was in Ottawa for a period of about fifteen days.

As the above notes show, Milstein met Carr on the 14th of June, 1944, and arranged for future meetings between Koudriavtsev and Carr every three months, the next meeting being set for the 15th of September, 1944, in Montreal at the time and place indicated. The question of the issue of Canadian passports was to the fore as the object of these meetings.

The reference to "*old shoemakers*" is the expression used by Milstein, who reported his meeting with Carr directly to Moscow through Gouzenko. Gouzenko said in evidence:—

Q. Will you look at this in Exhibit 19-F:—

1. Who prepares passports, i.e. what kind of people are they. Are they not the old shoemakers who a few years ago fell through.

I understand that that is a literally correct translation, that the words '*old shoemakers*' are used?

A. That is right.

Q. Has it any other meaning in Russian?

A. It is the cover name for sabot or shoe, the cover name for passport. Shoemakers is the cover name for the man who can arrange to make these passports. In this case it is Sam Carr or somebody else who makes the passport, or it is the civil servant, the man who makes the passport, who is the shoemaker. That is a cover name.

Q. It says, 'Who prepared the passports.' Does that refer to the people who are working in the Passport Office. Check that over carefully?

A. I know what is here. This is by the Assistant Chief of the Intelligence Headquarters who arrived in Canada under cover as a diplomatic courier.

Q. Is that Milstein that you are referring to?

A. Milstein. He checked the whole intelligence system of Colonel Zabotin and he took very strong precautions. There was only one meeting with Sam Carr. He sent the details of that meeting to Moscow without the knowledge of Colonel Zabotin, he sent it through me. In that telegram he said that he talked about the trouble of getting a passport from here for a man who would be sent to Canada and to the United States. I remember the exact words in the telegram; he said that there were great possibilities of establishing this production of passports.

That telegram was sent under the name of the Chief of Intelligence in Moscow and he referred in general terms to the production of passports. When Milstein met him they had a conversation for not more than half an hour and he gave him the details about this production of passports. Then Lieutenant-Colonel Motinov mentioned this task which he must put to Sam Carr, to have passports prepared. The people who do that are really passport makers or "shoemakers"; and the old ones had failed.

Q. In other words, is this the sense of your answer, that that is directed to the type of clerk employed in the Passport Office, whether they were efficient or whether they were just people who had failed in other businesses or other walks of life?

A. Yes, it is like this: if these people who make up the passports for Sam Carr or for somebody else or for Moscow—it is obvious there were people in Canada or in this Passport Office who made up these passports before this time, but that was several years ago, and they had failed.

Q. They were no good?

A. They were discovered or the passports were discovered or something. They failed, so Moscow asked Motinov to be careful, to look up these new people.

Q. Do you mean that sometime before 1944 the Soviet Government had been getting false passports out of the Canadian Passport Office?

A. It is obvious.

Q. That is the meaning you take from that?

A. That is what I understand.

Q. Now in 1944 they wanted to know if the same people were still there?

A. That is right.

Q. Apparently the people with whom they had had dealings prior to 1944 were not satisfactory?

A. That is right.

Q. Or they had been discovered?

A. Yes, or the passport was discovered or the people were discovered. They had failed, the passports they made were not so good and they were discovered.

The "Doctor Harris" referred to is Henry Harris, an optometrist whose business address is 279 College St., Toronto, telephone Midway 9553. He resides in an apartment at 215 College St., Midway 6974, and he had occupied both the above premises for some years. Harris came to Canada about twenty-five years ago, having been born in New York of Russian parentage, and was naturalized in Canada about five years later. Harris says he has known Carr for about ten years and they are on very friendly, if not intimate, terms. Harris claims he first knew Carr as a salesman of advertising in Communist newspapers. Later Carr became a patient of Harris and ultimately contracted the habit of visiting Harris' office, as the latter put it,

"possibly every day for the last five or six years, anyway". Carr is the National Organizer of the Labour-Progressive Party. We have no difficulty on the evidence in concluding that Harris is either a member of or an active sympathizer with that Party. He displayed the same furtiveness and lack of frankness on this subject as was displayed by a number of other witnesses with regard to this same matter.

It is apparent also from the passage in the above notes "*Eric calls through Skelton*" that Eric Adams (whose cover name was *Ernst* by which he is referred to later on in the document) was using his position on the staff of the Bank of Canada to place calls to Toronto over the private line of the bank for the purposes of the espionage organization. "*Through Skelton*" became clear to us through the evidence of Mr. D. A. Skelton, Research Adviser to the Bank of Canada, who stated that the Bank of Canada has direct line communication between Ottawa and Toronto, by which certain employees of the Bank are able to place direct calls to Toronto through the agency of the switchboard of the Bank in Toronto, which in turn connects the caller with local telephone numbers at that point. Adams was thus able to communicate with Harris and by using Mr. Skelton's name, he could cover up the fact that he was connected with these calls.

It is also apparent that *Foster* (J. S. Benning) was also being used in connection with these meetings.

The entry opposite 8.12.44 records a meeting with Sam Carr on the 11th of December, 1944, apparently in Toronto, at which Carr produced some passport forms which were "*badly filled in*", and as a result a new meeting was set for the 16th of the same month when new forms were to be produced. Arrangements were also made for a further meeting to be held on the 20th of January, 1945, "*at the old place near the hospital*", at which, if Carr himself did not attend, Harris would substitute for him and the subject to be discussed was "*the question of receiving the evidence of naturalization and marriage*". This reference is very significant, in that the real Witczak was an unmarried man who had been naturalized in Canada, while the spurious Witczak was married and had not been naturalized. The plotting, as will appear, was as to the best means by which the spurious Witczak could continue to impersonate the real, so as to obtain the benefit of the fact that a Canadian passport had been issued to the real Witczak, which passport, although it had expired in 1942, could be renewed at any time prior to March, 1947.

The notes indicate that the projected meeting in January, 1945, did not take place, but a new meeting was set for the 7th of March following, and a further meeting for the 15th of June in Ottawa on Somerset St. at the park. If for any reason the last mentioned meeting did not take place, there was in reserve an "emergency" meeting set for the 21st of June "by the hospital" which would be in Toronto.

Koudriavtsev left for London in the spring of 1945, at which time his place was taken by *Lamont*, the cover-name for Motinov. This change is indicated on a slip pasted on top of one of the pages of these notes which is in Motinov's writing and reads as follows:—

Urgent call for Sam. Is accomplished through the optical doctor Harris Henry, residing at 279 College St., Toronto. Lamont calls the doctor by teleph—Midway 95-53. Password—"I want to say Hollow to Frank". This is to mean that the meeting will take place in the hospital area, behind the Eaton Store on the corner of Yonge-College St. at 21.30.

(Sketch on original)

The meeting place in the vicinity of the hospital behind Eaton's College St. store is indicated in the notes by two sketches, one sketch on the slip and the other on the page proper, showing Yonge St. between King and College Streets and Eaton's store. The particular hospital referred to was evidently well known to those concerned, as it is not specifically indicated on these sketches. Both the Sick Children's Hospital and the Toronto General Hospital are in the vicinity.

The dossier also contains the following pages in Rogov's handwriting, and these notes indicate that *Brent*, that is Rogov, had taken over from Motinov on the 7th of May, 1945:—

COURSE OF MEETINGS

No. P.	No. P.	Substance of the meetings	Remarks
1.		<p>Urgent call for Frank (through the doctor):</p> <p>(a) Ring on the telephone Midway-9553.</p> <p>(b) <u>Brent</u> says: "Hallo Dr. Henry. How are you? How is your wife?"</p> <p>(c) <u>The Doctor</u> answers: "Very well, I shall see you later." This means that the meeting shall take place at the corner of <u>Lowther and Admiral Rd at 21.00.</u></p> <p>Should, however, the doctor answer: "I am glad to see you again"—it means, that the meeting shall take place at the above mentioned place and at the same time, <u>but on the next day.</u></p>	
2.		<u>7.5.45</u> —The handing over took place of the Doctor from Lamont to Brent. The meeting took place near the hospital, everything was normal.	
3.		<u>15.6.45</u> —The regular meeting took place at the corner of Somerset and the square (Park). Everything was normal. The doctor reported that no progress was made with the passport because of lack of authentic data (see telegram of 16.6.45).	<p><u>Handed out:</u></p> <p>To Frank— 200 dol.</p> <p>To the Doctor— 100 dol.</p> <p>The meeting took place through the doctor.</p>
4.		<p>Regular meeting—17.7.45 } T=21.30</p> <p>Emergency meeting—24.7.45 }</p> <p>The place—by the hospital</p>	
5.		<p><u>3.7.45</u>—An urgent meeting took place with regard to the passport. Also here, in the apartment of the doctor, got acquainted with Frank. Everything was normal (see telegram of 5.7.45).</p> <p>Regular meeting—17.7.45 } T=21.30</p> <p>Emergency meeting—24.7.45 }</p> <p>The place—in the apartment of the doctor.</p>	

COURSE OF MEETINGS

No. No. P. P.	Substance of the meetings	Remarks
5.	<p><u>17.7.45</u>—The usual meeting took place. Everything was normal (see telegram of 18.7.45). Regular meeting—1.8.45 } T=21.30 Emergency meeting—2.8.45 }</p> <p>The place—Montreal at the corner of Sherbrooke and Guy, near the Medical Art Bldg.</p>	<p>Handed out to Frank 200 dol.</p>
6.	<p><u>1.8.45</u>—The regular meeting took place. Everything was normal. The doctor was at the meeting. All the business was transacted in the automobile.</p> <p>Handed over V . . . 's passport and four snapshots with his wife. Putting it completely into shape may be accomplished in the first half of September.</p> <p><u>The idea of the substitution:</u> The former photo of V. (not our man) is removed, in its place is put a photograph of our man with wife, but everything is dated from 1937. This is necessary in order to be watertight. After this the exchange is made for a new passport, for this it is necessary to fill out two questionnaires, which afterwards will be attached to the old one.</p> <p>Consequently it is necessary for V, to have signatures on four questionnaires, two of which are for the 1937 form and two for the exchange of 1945.</p> <p>In the case of an exchange it is necessary to find a reason for it. He (Frank) proposes to burn half of the passport, and to leave only the number, but this has not yet been decided; it is possible that it will not be necessary to do this, as the man who is doing the job will do everything himself and not depend on others.</p> <p>The executor has agreed to everything and is ready for the work.</p> <p>As to the costs, Frank confirmed once more that it will not be below three.</p>	<p>Gave a bottle of whisky.</p>

COURSE OF MEETINGS

No. No. P. P.	Substance of the meetings	Remarks
	<p>Detailed material concerning the meeting, see telegram of 2.8.45.</p> <p>The regular meeting will take place through the doctor in our city. Regular meeting—8.8.45</p> <p>Place—Corner of Somerset and Metcalf (Ottawa)</p> <p>Time—21.30</p>	<p>The meeting proceeded normally. See the file of "the doctor."</p>

In the notes in the handwriting of Lt.-Col. Motinov already reviewed, a meeting was set for the 15th of June, 1945, in Ottawa. This meeting was kept apparently by Rogov, as his substitution for Motinov, as already mentioned, had taken place on the 7th of May. According to Rogov's notes the meeting on the 15th of June, 1945, was kept at the rendezvous in Ottawa which had been fixed as early as the 20th of January, 1945, and Harris attended with him in the place of Carr. The marginal note confirms that this meeting took place "*through Harris*" and it records that Rogov paid out \$300, of which \$200 was for Carr and \$100 was for Harris. At that meeting a new date was set for a meeting on the 17th of July in Toronto, which Rogov records as having taken place. Before the 17th of July, however, a special meeting appears to have taken place on the 31st day of July, recorded as number "4" of the above and also under date of 3.7.45 in the previous notes, at which meeting Rogov made the acquaintance of Carr.

At the meeting of the 17th of July, Rogov gave Carr another \$200 and a new date was set for the 1st of August, 1945, in Montreal with the 2nd of August "*in reserve*". The notes indicate that this meeting took place and that Harris was in Montreal for the occasion. At this meeting "*Task No. 3*" for Carr was evidently delivered. This document is in Colonel Zabotin's handwriting and reads as follows:—

TASK NO. 3 of "1.8.45"

1. Requirements which a person living as an "illegal" must meet (nationality, citizenship, occupation, education, knowledge of languages, family and financial conditions etc.)
2. Ways of legalisation (organization of a commercial undertaking, joining a business firm as a partner, what kind of firm, joining as a member any office, joining the army as a volunteer, accepting employment.)
3. Documents which an "illegal" must possess (passport, different kinds of certificates, references, recommendation letters, etc.)
4. More expedient methods to slip into the country.
5. To provide for secure living quarters and financial means during the period when the "illegal" gets acquainted with the local set-up and conditions.
* The possibilities of attracting.
6. To reveal the channels of influence of the English government on the foreign policy of Canada.

* Faint type indicates words crossed out in original documents.

7. Conditions of entry into the country and of moving about in the country.
8. Conditions of adaptation and living in the country.
9. Methods of work of the counter-espionage. The organization of the Federal and provincial counter-espionage services.

The intent of this document is manifest without comment.

On August 16, 1945, a further task was ready for Carr, along the same lines as Task No. 3. It reads:—

Assigned personally 16.8.45

The Task

1. To write a report on the technique of making up passports and other documents, indicating precisely who on your side (Frank's) is engaged in this activity.
2. What documents can be made and can be received through you.
3. To give a complete character outline of Prometheus, indicating his position, the department in which he works in the navy and also to write down his basic biographical facts, his home and office addresses and telephones.
4. The proposed place of work of Prometheus in the event of his demobilization.
5. Your possibilities regarding the selection of people in the General Staffs of the armed forces.

This was prepared for Carr in accordance with instructions to Zabotin in a cable from *The Director*, dated August 14, 1945, as follows:—

Supplement to No. 11438

11436

14.8.45

To Grant.

Reference No. 227.

1. There can be no further delay in obtaining the passport. Therefore the signature on the new application form should be made by Frank's man himself.

2. Prepare for the next regular mail a short report on the procedure of obtaining and putting into shape of passports and of the other documentation for our objectives, indicating exactly who on Frank's side will be engaging in this work.

10.8.45. Director.

Supplement: The pseudonym "Sam" has long ago been changed to "Frank". In the future use the latter.

10.8 Director

Grant
14.8.45

By the time the meeting of the 1st of August took place, plans for the issue of the fictitious passport to the spurious Witczak had become pretty definite. The sentence "I handed over V . . . 's passport" indicates clearly, we think, that Rogov handed over to Harris for delivery to Carr the original Canadian passport for the real Witczak, which had escaped the fate which the officer of the International Brigade in Spain had indicated to the real Witczak that it had suffered. There is no "W" in the Russian alphabet.

The plan as unfolded by the notes is that the picture of the real Witczak "*(not our man)*" on the files of the Passport Office, would be taken from those files and in its place would be substituted photographs of the spurious Witczak and his wife, but "*everything is dated from 1937*". After this had been done a new 1945 passport would be issued for the spurious Witczak on the basis that he was the holder of the earlier passport of 1937. To effect this it was necessary to have two 1937 forms and two 1945. One in each case would find its way to the Passport Office, and the other two would be kept. The manufactured 1937 form would be substituted for the original 1937 form on the file, and would be used as the basis for the issue of the new passport.

In anticipation that it might be necessary to surrender the old passport or to produce it for inspection at the Passport Office, Carr made the suggestion that it should be burned leaving nothing but the number and therefore nothing by which a comparison with the 1937 application, which would then be on file, would show to be wrong. The notes suggest that this might not be necessary as the person "*who is doing the job*" was going to see to everything, as events show he did. The price demanded for bringing about the issue of the forged passport which was "*not to be less than three*" was cleared up by Gouzenko as \$3,000.00. Sam Carr had originally demanded \$5,000.00, but Moscow, in a cable, said this sum was "*fantastic*" and Carr agreed to bring it about for "*not less than three*" thousand.

'The detailed material concerning the meeting' were apparently reported in a telegram to Moscow of the 2nd of August, 1945, which we do not have. The last recorded meeting was on the 8th of August in Ottawa and the marginal note indicates that it went off *"normally"*.

In a telegram of the 14th of August, 1945, to Zabotin *the Director* instructed him that *"there can be no further delay in obtaining the passport. Therefore the signature on the new application form should be made by Frank's man himself"*. Colonel Zabotin's telegram of the 29th of August, 1945, to Kouznetzev, to which we have already referred, indicated that Zabotin expected to receive the forged passport in a few days.

Gouzenko says that when this passport job was first presented to Carr, the latter demurred on the ground that the actual Witzak might be alive, and that this might prove embarrassing later on. This produced a cable from Moscow stating that the real Witzak had died in 1937 in the Spanish War and that Carr need not be afraid. The fictitious Witzak was at this time in attendance at a university in Los Angeles. From a further exchange of cables, Gouzenko learned that the signature of the fictitious Witzak differed from that on the 1937 application of the real Witzak in the files of the Passport Office. In view of this, Moscow directed that the signature on the new application must be forged by Sam Carr's man himself. At this time, Gouzenko said, the 1937 application had been abstracted from the files and was in Carr's possession. It was at this time evidently intended to have the fictitious Witzak apply for a renewal of passport and to replace the 1937 application, with the addition of the wife of the fictitious Witzak, on its file, in the meantime having substituted the pictures of the fictitious Witzaks for that of the real Witzak. This proved unsatisfactory as the photographs to be substituted were new and the paper of the 1937 application was old, and the contrast would arouse suspicion as the documents were being examined in the course of the passage of the renewal application through the Passport Office. Moscow, therefore, suggested the substitution of an entirely new application in place of the one on the files. This would require that it should be dated back. As will be seen this course was followed.

Gouzenko says that the false Witzak was regarded by Moscow as a very important agent whose continued presence in America was highly desirable, and that Colonel Zabotin had said that a payment of \$5,000.00 was a mere nothing in such circumstances.

Coming now to the Passport Office itself, investigation shows that the 1937 application of the real Witzak is missing from its file. In its place is

a document purporting to be that application. This document is dated the 1st of March, 1937, but a cursory examination reveals its spuriousness. The address of the applicant is given as Stop 31, West Hill, Ontario, the date of birth as the 13th October, 1910, his height 5'8", and occupation merchant. The copy of the passport actually issued in 1937, which was left in the file, shows that the real Witczak was born on the 13th October, 1906, that his occupation was a farmer, and his height 5'9". This file copy of passport in its turn was interfered with by adding (but by the use of a different typewriter from that used when the document was made out in 1937) the name of Bunia Witczak as wife of the applicant with the following description: "profession, housewife; place and date of birth, Kurowo, Poland, March 29, 1914; domicile, Canada; height, 5'2"; colour of eyes, gray; colour of hair, brown".

Returning to the spurious application for passport, the same information with regard to the wife is found on it. As already mentioned, the real Witczak has been at all times an unmarried man. The voucher on the spurious application for passport is signed by John Soboloff, M.D., Toronto, Ontario, who therein declares that he has been acquainted with Ignacy Witczak for three years and believes that the statements made in the declaration are true and that he can from his personal knowledge of the applicant vouch him as a satisfactory and proper person to receive a passport.

Soboloff, who is a medical practitioner carrying on his profession at 583 Bathurst Street, Toronto, was called before us on the 5th of April, the same day on which Witczak gave his evidence. Soboloff admitted that he had not known Witczak nor the applicant for passport at any time and that he had signed the application in April or May of 1945 on the personal request of Sam Carr, who was a friend and patient of his and asked him to do so as a "favour". As he explained it, "he (Carr) was a patient of mine and a public figure and when he asked me to do it, without questioning it at all and without giving it any thought, I did so". He said Carr gave him to understand that it was a question of helping someone to leave the country or to get into the country, he was not sure which.

It is the practice in connection with applications for passports that two photographs of the applicant and two of the wife, if there is a wife to be included in the passport, should accompany the application, one photograph of each being certified by the voucher. The certified photographs remain with the application on file in the Passport Office while the uncertified photographs are attached to the issued passport. In the file in the Passport Office there is no photograph of the real Witczak, but there are photographs

of a man and a woman but neither is certified. The photograph of the man is not that of the real Witczak. Soboloff deposed that no photographs were shown to him when he signed at Carr's request. He also said that he observed when he signed the voucher on the application that the document was dated March 1937.

Under the system in force in the Passport Office for some years, an application for passport passes through a number of divisions and in its course the application is initialed by various employees. There are no initials at all on the application now produced from the Witczak file. Early in its progress through the Office an application receives a file number, and when the passport is issued the number of the passport as well as the file number are placed on a record opposite the name of the person to whom the passport is issued; and an index card is also kept under that name with file number. However, the index card for Witczak is missing, although the file as now produced is duly numbered 3699 of the year 1937; and the index for that year, which according to the usual practice was photographed at the end of that year, shows that originally there was an index card.

The records of the Passport Office also show that on the 30th August, 1945, a passport was issued to the spurious Ignacy Witczak, but although the file number is shown in the records as 2979-45, when that file is produced it is for another person altogether whose passport was regularly issued on the basis of documents duly entered in file numbered 2979-45. It is apparent that when this Witczak passport was issued it was done by some person in the Passport Office who attached the application to the other file and used it to pass the spurious document through the office.

The Passport Office is located at 38 Bank Street, Ottawa, but files more than three years old are kept in the basement of a church located some distance away, and a clerk in the Passport Office is charged with the duty of procuring files from storage from time to time as they may be required and of returning them. For this purpose she has a key of these other premises. This clerk, Mrs. Adrienne Souliere, entered upon her duties in or about the month of October, 1942, and on her own initiative began the keeping of a record of files taken out of and returned to the church. In this record she entered the file number and the name of the person requisitioning it, with the exception of those files requisitioned by a particular clerk in the Filing Section of the Passport Office who, because of her functions in dealing with correspondence, required files practically every day. While her name was not entered, the absence of any name indicated that such files had been given to this clerk.

This record was produced before us and shows that on the 14th of May, 1945, the Witczak file of 1937 numbered 3699-37 and another file in the name of three people by the name of Shepherd, No. 4019-37, were drawn by W. M. Pappin, a clerk in the Passport Office. The function of the section which he heads is, upon the receipt of applications for passports, to enter upon the back of the application the amount of the fee together with the medium in which payment is made. These payments and the names of the applicants are then entered upon cash sheets. It is Pappin's duty each day to sign these sheets. He does not do all this work personally and would not have personal knowledge of all the entries on the sheets he signs.

Investigation shows that so far as the real Witczak and the Shepherds are concerned, no reason had existed for reference to their file at any time since the date of the issue of their respective passports in 1937, except in the case of Mrs. Shepherd who in 1944 applied for a renewal of her passport.

The record kept by Mrs. Souliere shows further that on the 27th August, 1945, these two files, namely, 3699-37—Witczak and 4019-37—Shepherd, were again drawn from their place in the church, this time by the clerk in the Filing Section to whom we have already referred, who almost daily required a considerable number of files. It was on the 30th of August following that the passport to the spurious Witczak was issued. The fee for the issue of the passport was duly entered on the cash sheet for the 31st August and the sheet was signed by Pappin. The clerk referred to gave evidence before us, but has no recollection whatever of having asked for either of the above files although she must have done so. She says there is no reason she can think of why they would be required by her. The inference is that someone in the office used her to obtain the files for him.

Pappin gave evidence before us. He denied receiving either file on either the 14th of May or the 27th of August. He did not know there was any such record as that kept by Mrs. Souliere. On being shown it he nevertheless repeated his denial. Mrs. Souliere stated in evidence that she remembered handing both the files on May 14th, 1945, to Pappin. It is necessary for us to choose between the evidence of these two witnesses. We prefer the evidence of Mrs. Souliere supported as it is by the written record. When advised of Mrs. Souliere's testimony, Pappin did say that he had no reason to doubt her word, but he persisted in his denials.

On the 4th of April, 1946, a subpoena requiring Carr's attendance as a witness before us was served upon his wife, Julia Carr, as it was not possible to serve Carr personally. Subsequently, a further subpoena was served upon Carr by serving his wife, requiring his attendance before us on

April 15th, 1946, and a letter was written to Carr by the Secretary of the Commission advising him that his name appeared in records produced before us from the Russian Embassy and that it was desired to have his attendance so that he could be examined with regard to his activities and to make any explanation in person, or by counsel, that he desired. Carr did not appear and we have received no response to the above letter. According to Harris, Carr left for Cuba in January of 1946 and neither his wife, nor Harris, knows his address or when he is expected back. We have no difficulty in concluding on the evidence with regard to Carr's absence, that he has chosen to absent himself deliberately. With regard to this Harris testified:—

Q. And your conclusion from all that you have seen and read, and your talks with Mrs. Carr is that her husband is hiding some place and even she does not know where he is?

A. That is a question I would not ask her.

Q. But that is your conclusion?

A. Yes.

Carr himself applied for naturalization in Canada before 1937, and in March, 1945, and a certificate of naturalization was issued to him dated the 2nd of that month. He immediately applied for a Canadian passport and the records of the Passport Office contain a receipt signed by him for a passport issued to him over the counter of the Office on the 3rd day of March, 1945. According to the application for this passport, Carr's name at birth was Samuel Kogan, and it states that he was born in Kharkov, Russia, on the 7th of July, 1906.

That the Embassy records produced by Gouzenko deal with actual events has, as we have from time to time pointed out, been substantiated in many ways and by a number of witnesses. These records, of course, were never intended for the eye of any person outside the staff of the Military Attaché in the Russian Embassy and their superiors in Moscow. They are contemporaneous records made at the time by the directors of these activities as the events actually occurred. The truth of these records with regard to the participation of Carr in this passport matter is established by the evidence of Soboloff and, further, by Carr's own flight and concealment.

The accuracy of the records with regard to Carr is established.

As for Harris, he denied any participation in these activities. The evidence of Harris himself shows that he and Carr were intimates, seeing each other continuously in their respective offices or residences. They were also of the same ideology.

In Carr's dossier Motinov reports a meeting held in Ottawa on the 16th December, 1944, between himself, Carr and Harris in connection with passports. The records of a local hotel show that on that date Carr and Harris shared the same room, having arrived in Ottawa on the 16th and departed on the 17th of December, 1944. Harris admitted his handwriting on the hotel registration card and the facts it evidenced.

In the same dossier an entry by Rogov dated May 7th, 1945, indicates that Motinov (*Lamont*) handed over his contact with Harris (*The Doctor*) to Rogov (*Brent*) in Toronto. The records of one of the hotels in Toronto show that on 8th May, 1945, Rogov and Motinov had registered there.

It is also established that Harris was in Ottawa on June 16th, 1945, the date of the "regular meeting" described in the notes set out above, which took place on that date where "*The Doctor reported no success with the passport because of the absence of authentic data.*"

These notes contain a further entry under date "1.8.45" that "*the regular meeting took place. Everything was normal. The Doctor was at the meeting.*" This was in Montreal at "*the corner of Sherbrooke and Guy near the Medical Arts Bldg.*" We were not in possession of any evidence showing Harris' registration in any Montreal Hotel on that date, but he himself admitted being in Montreal in July or August. He was vague about this, as about most other things where independent evidence was lacking. We think this stay in Montreal in "*July or August*" 1945 embraced the date mentioned in the notes.

Harris' explanation of his visits to Ottawa and Montreal were that he came from Toronto to rest.

From all the evidence, regarded from the point of view of *The Official Secrets Act*, 1945, we are of opinion that Harris did what Rogov and Motinov said he did.

He stated that, although he had written to Carr more than once since the latter's departure for Cuba in January last and had received two or three letters from him, he had destroyed these and could not remember the address to which he had sent his letters although his last letter to Carr was within a month of his appearance before us. Harris also told us that, notwithstanding his intimacy with Carr, he never discussed politics with him. We think this too great a strain on the credulity of any ordinary person. He said also that he had known Tim Buck for almost as long as he had known Carr and saw him frequently. But, according to Harris, although he and Buck visit each other's houses back and forth, and while the latter had been in Harris' office within a month of Harris' appearance before us,

they had never discussed Carr's absence nor this investigation. We think this evidence is of the same order as the above. There were other unsatisfactory features of Harris' evidence which we do not mention in detail, but upon which also we have based our conclusion as above.

Before parting with this subject we think it of interest to point out that in a book which appeared in 1939 written by W. G. Krivitsky, former Chief of the Soviet Military Intelligence in Western Europe, entitled *In Stalin's Secret Service*, the author describes the high value placed upon Canadian and American passports by the Soviet authorities from the standpoint of the use to be made of them by Russian agents in foreign countries parading as their true owners. On pages 56 and 57 the author refers to a conversation between himself and a Soviet official named Piatnitsky, as follows:—

I am reminded in this connection of a conversation I had with Piatnitsky. He had a man working for him named Lobonovsky, whose incompetence was always the subject of anecdotes in our circle. I would often run into Lobonovsky in one of the capitals of Europe as he scurried about on seemingly important missions. Later I had occasion to discuss him with Piatnitsky, "Tell me frankly, Comrade Piatnitsky," I said, "why do you keep that idiot on your staff?" The veteran Bolshevik leader smiled tolerantly and replied: "My dear young Walter, the question here is not Lobonovsky's capability. What is important is that he has a Canadian passport and I need a Canadian for the missions on which I send him. No one else will do." "Canadian!" I exclaimed, "Lobonovsky isn't a Canadian. He's a Ukrainian born in Shepetovka." Piatnitsky bellowed. "What do you mean, a Ukrainian born in Shepetovka! He has a Canadian passport. That's good enough for me. Do you think it's so easy to find a real Canadian? We've got to make the best of a Canadian born in Shepetovka!"

At page 95 the author indicates that what happened in the case of the passports held by the real Witczak was a well settled practice. He says:—

All the volunteers' passports were taken up when they arrived in Spain, and very rarely was a passport returned. Even when a man was discharged, he was told that his passport had been lost. From the

United States alone about 2000 volunteers came over, and genuine American passports are highly prized at Ogpu headquarters in Moscow. Nearly every diplomatic pouch from Spain that arrived at the Lubianka contained a batch of passports from members of the International Brigade.

Several times while I was in Moscow in the spring of 1937, I saw this mail in the offices of the Foreign Division of the Ogpu. One day a batch of about a hundred passports arrived; half of them were American. They had belonged to dead soldiers. That was a great haul, a cause for celebration. The passports of the dead, after some weeks of inquiry into the family histories of their original owners, are easily adapted to their new bearers, the Ogpu agents.

Another passage from page 57 is highly illuminative:—

Practically all matters regarding the manufacture and doctoring of passports and other documents are entrusted to native Russians. Pre-war conditions in Czarist Russia gave them exceptional training in this art. The elaborate passport regulations which have become prevalent in most European countries since 1918 found the Bolsheviks well prepared. In the offices of the Ogpu and the Fourth Department of the Red Army there are experts who can forge consular signatures and government seals wholly indistinguishable from the genuine article.

In the present instance this technique has been extended into Canada and has reared its head in the Canadian Passport Office in Ottawa.

In concluding this Section of our Report, it should be stated that on the evidence before us, there would appear to have been only four male members of the Passport Office, who, as a practical matter, could have obtained the issue of the false passport. Of these four, the evidence which we have discussed above connects only one, W. M. Pappin, with the matter.

SECTION VI

GERMINA (HÉRMINA) RABINOWITCH, Geneva and Montreal.

This person was for many years associated with the International Labour Organization, an international body set up, after World War I, in pursuance of Article 23 (a) of the Covenant of the League of Nations. A special Part of the Peace Treaties was devoted to Labour, establishment of the permanent International Labour Organization, consisting of a General Conference of Representatives of the members and an International Labour Office controlled by a Governing Body and a Director.

The principal functions of the International Labour Office, in addition to those assigned to it by the Conference, are: (1) the collection and distribution of information relating to industrial life and labour; (2) the examination of subjects proposed by the Conference; (3) the publication of a periodical paper; (4) the receipt of annual reports to give effect to the conventions to which they are party; (5) duties in connection with complaints. (*Oppenheim, International Law, Volume I page 575*).

Customary International Law confers certain immunities and privileges upon diplomatic persons. Members of the I.L.O. are given by treaty similar status. As such, Miss Rabinowitch was the holder of a Canadian diplomatic card bearing No. A-45, exempting her from the provisions of the National Registration Regulations.

As soon as we were notified that the proper authorities had, in her case, waived such immunities and privileges, Germina Rabinowitch was summoned and appeared before us on the 20th and on the 21st of May, 1946, accompanied by Counsel.

Born in Kaunas, Lithuania, on the 5th October, 1901, she was educated in Moscow, Paris, Geneva and Heidelberg. She holds the degree Ph.D. in Economics and Social Science. She speaks Russian, English, French, Italian and German.

She joined the International Labour Organization at its headquarters in Geneva in 1929, and arrived on this continent, travelling from Lisbon to New York, on a Greek boat, in the early days of September, 1940, to work in the headquarters of the I.L.O. then temporarily transferred to Montreal.

With the exception of several trips to the United States, she always remained in Montreal where she had in fact permanent residence at 539

Pine Avenue, West. The office of the I.L.O. was at 3480 University Street, Montreal.

Most of her relatives are in Europe, but a few are in the United States of America. She had a mailing address care of Leonard Carleton, New York, who is a son-in-law of one Kulischer, a former member of the Russian Economic Institute. She keeps funds in a bank in New York.

As soon as she arrived in the United States she applied there for citizenship; she said that her case is presently under advisement. Her intentions, she said, are to go to the United States and seek employment with the United Nations Organization if and as soon as United States citizenship is granted to her.

Amongst the Russian documents there are five which deal with her.

1. Four pages written in Russian by Motinov headed "*Germina*" and with the marginal note "*History*" and ending "*I await instructions about next meeting also money*" and the addresses and telephone numbers of Rabinowitch.
2. A typewritten letter in English addressed "*Dear Hermina*" and signed "*Gisel*", with an inscription in Russian on the back of it in the handwriting of Motinov.
3. A Report in Russian of an interview between *Leon* (Koudriavtzev) and *Hermina* (Germina Rabinowitch) on the 5th of May, 1944, ending as follows:—"I request your further directives 6.5.44. *Lamont*" (i.e. Motinov).
4. A Report in Russian of other meetings between *Leon* and *Hermina* and task assigned to her.
5. A typewritten letter in English dated August 28th, 1944, and signed "*Germina Rabinowitch*".

Some of the information contained in one of these documents was published in the press in the course of the trial of Mazerall in Ottawa. It was evident during the early part of her testimony that she had come prepared to tell a certain story based on her assumption that what she had thus read comprised all the information with regard to her in the possession of the Commission. When faced with all the documents she became embarrassed and stood mute. She was then asked whether she wanted to consult with her Counsel, who was present throughout her examination, to decide her line of conduct. Both of them withdrew, and after a short recess she changed her story and reluctantly admitted the substance of the documents and furnished many details which they did not mention.

The first of the documents above mentioned relates the history of the phase of Soviet operations involving Germina Rabinowitch and others:—

Hermina

R.H.—513 Grosvenor WA-Inut	3383
R.H.—6050 Darlington AT-lantic	3724
R.H.—4906 Queen Mary Rd. AT-	9148

14.4.44 Davie rang her up on these telephones but she was not there.

History. In December 1943 she rang up Tounkin and asked to be received on an urgent matter. T. refused, but afterwards received her. She outlined to him the gist of the matter. Tounkin inquired, but what she replied to him is not known. After that she wrote him a letter in which she wrote (9.3.44) that she had received through a reliable channel a letter from a friend in Geneva and attached it. The contents of the attached letter:

“We live in the former apartment and are working as previously in the old firm. Some two weeks ago Sisi sent you a telegram. Tell us how did your journey to Gisel’s parents turn out. My health is excellent. Albert is sick and will probably leave his profession for a long time, he is laid up in bed. Relations with Lucy are good, she is a very good woman. Gisel’s family is for some reason no longer interested in her, although up to this time there was support. Lucy’s situation has improved. Sisi’s position is sad. Please inform Gisel’s parents that they must remit 6,700 dollars. This sum must be handed over through you. There are no other possibilities. The Gisels must bear these expenses. Advise me about Aleksander where is he”. Rachel.

After this Pavlov, 2nd Secr. neighbour, asked his boss who, according to Pavlov, allegedly replied that this is their man and you (Pavlov) should do nothing. At the same time he asked Pavlov for her address, which he did not and does not know. To Lamont’s question why they did not inform us about this for so long, Pavlov replied, I had these instructions to do nothing. Not having received a reply to the letter and the inquiries by telephone 13 April, that is on the

day of Davie's journey to Hermina's city, the latter wrote a second letter to Tounkin with a request to take measures in the matter of her first letter and for convincing she attached to this letter a second letter from Rachel of the following contents:—

"I have received your (Hermina's) telegram of 23.1.44. Please inform Gisel's family, that she should advise Znamensky 19. that Sisi is alive and works as of old with Lucy. Lucy wanted to change the personnel, but funds ran out. Albert is sick and is not interested in business. For the work of Sisi, Gisel's family must transfer 10,000 dollars. The transfer must be made by Hermina personally through N.Y. in connection with the wishes of Mr. Helmars". R.D.

Only after receiving this letter 15.4.44 did Pavlov 17.4.44 advise Lamont that there is a certain Rabinovich. After receiving these data on 19.4 we decided to contact her by telephone, as the latter was on her letterhead and to warn her that she must not write, nor ring up, and that in two weeks Gisel's man will visit her. ~~She was very satisfied~~ 19. This was carried out by Leon as Davie was in Vancouver. We consider that if there is to be a transfer of money, then the money must be transferred Washington and hand it over to Hermina in New York, as it is dangerous to cross the border with such a sum. For one thing our banks are not releasing American dollars.

The letters with copies of Rachel's letters have been sent by mail by Hermina and in all probability passed through the censorship, although there was no censor's stamp. The copy of the second letter, which deals with Znamensky 19, was particularly prejudicial.

Please appoint a man for future procedure, bearing in mind that Davie will not be able to go to New York and Washington. I await instructions about the next meeting, also money. ~~We have~~ *

Home telephone—Lancaster 76.28

Business—Plateau 25.07

Address. Apt. 539 Pine Av. not far from University St. (2 weeks from 19.4)

* Faint type indicates words crossed out in original documents.

The following facts are revealed by this document and the evidence.

In December, 1943, Rabinowitch, complying with instructions both cabled and written to her by Rachel D_____ (Sisi), a Soviet agent in Geneva and one connected with the I.L.O., proceeded from Montreal to the Soviet Embassy in Ottawa seeking to obtain several thousands of dollars for a group of Soviet agents operating in Europe.

After some difficulties she obtained an interview with the Counsellor of the Embassy, Tounkin. She said in her evidence:—

Q. Then would you please follow the Russian document, the original brought from the Embassy, and I will read the translation to you.

If you find occasion to correct it, please do not hesitate to say so.

'In December 1943 she rang up Tounkin and asked to be received on an urgent matter.'

Is that right?

A. Yes.

Q. You did phone Tounkin and asked to be received on an urgent matter?

A. That must have been before I went there.

Q. That was in December, 1943?

A. Yes.

Q. This is the history they give in the Russian Embassy?

A. Yes.

Q. *'Tounkin refused, but afterwards received her.'* Is that right?

A. Yes.

Germina Rabinowitch then explained to him her mission, but much to her surprise and disappointment had no success, and so reported to Rachel D_____ by letter. She also cabled on the 23rd January, 1944. Her evidence is:—

Q. What took place at the Embassy there?

A. I saw this man there, and we were not very friendly received at all.

Q. For whom did you ask when you arrived at the Embassy?

A. I asked for the Chargé d'Affaires.

Q. You asked for the Chargé d'Affaires?

A. Yes.

Q. And you were introduced to—

A. I don't know whom. I don't know whether he was the Chargé d'Affaires.

- Q. Did he have on a military uniform or was he dressed in civilian clothes?
- A. Civilian clothes.
- Q. And what language did you employ?
- A. Well, I speak Russian, so it was either Russian or English; I don't know.
- Q. You speak Russian?
- A. Yes. We spoke Russian at home. And I discussed with him also I.L.O. matters. I asked him what publications he received, because we were interested to receive newspapers from Russia, for the office work. It was a very unpleasant interview, and I was rather furious and went away, and that was the end of it.
- Q. All right. You explained to us what took place as far as the I.L.O. situation was concerned, but would you give us the conversation you had with the gentleman as far as the request was concerned?
- A. I showed him the cable.
- Q. You showed him the cable?
- A. Yes.
- Q. Have you still got the cable?
- A. No, sir.
- Q. What happened to it?
- A. He did not quite understand, and it was—
- Q. I say, what happened to it, to the cable?
- Q. Where is the cable?
- A. I don't know. I must have thrown it away.
- Q. All right. Go ahead.
- A. He didn't know who these people were, and we dropped it. I saw that he didn't know what it was about, and I dropped the conversation. The whole interview lasted perhaps five or ten minutes, because when I saw that he was not prepared to speak with me, I left and went back to Montreal.
- Q. And did you tell your cousin in Geneva the result of the interview you had with the Chargé d'Affaires, or with any other person at the Embassy here?
- A. As far as I remember I must have written to him that the interview was unpleasant, and I didn't think that any kind of result would come out of it. I must have written to him.

She later received from Rachel D_____ a letter which, as requested by the latter, she sent to the Soviet Embassy on the 9th of March, 1944:—

Q. And what was in the letter?

A. The letter—it was a letter to me, which I received in the office, and in the envelope was another note which he asked me to forward to the Embassy. That note was not very clear to me, the contents; and I must say that I probably was rather careless in doing what I did.

Q. What did you do?

A. Because I put it in an envelope and wrote a few words and sent it to the Embassy here.

The letter, recited in the above document, is as follows:—

We live in the former apartment and are working as previously in the old firm. Some two weeks ago Sisi sent you a telegram. Tell us how did your journey to Gisel's parents turn out. My health is excellent. Albert is sick and will probably leave his profession for a long time, he is laid up in bed. Relations with Lucy are good, she is a very good woman. Gisel's family is for some reason no longer interested in her, although up to this time there was support. Lucy's situation has improved. Sisi's position is sad. Please inform Gisel's parents that they must remit 6,700 dollars. This sum must be handed over through you. There are no other possibilities. The Gisels must bear these expenses. Advise me about Aleksander where is he.

Rachel.

At one stage of her examination about the various names mentioned in that letter she testified as follows:—

Q. You say that you did not understand as to who these people were?

A. I did not know who they were."

Later, however, she identified *Aleksander* and *Paul*, and stated that *Gisel* is a man in the Soviet Embassy, most likely from Moscow. We know from Gouzenko that *Gisel* is a cover name for the Red Army Intelligence Service.

On being questioned again on this point at another stage of her examination she said:—

Q. If we go back to Exhibit 39†, in addition to the context of the letter which you said you remembered having received, on page 2 I see:

'I received your telegram of 23.1.44. Please inform Gisel's family. . .'

You are asked to inform the Soviet in Ottawa, is that not it? That is the Gisel family?

A. Yes.

Q. That is it, is it not? I am reading from Exhibit 39:

'I received your telegram of January 23, 1944.'

That is the telegram which you had sent. Do you remember that?

A. Yes.

Q. It goes on:

'Please inform Gisel's family. . .'

Gisel's family; that is the Soviet Embassy people here, is it not?

A. Yes.

Gouzenko also said that *Lucy* is a very active agent in Geneva and he added that *Sisi* is quite a famous agent in Geneva.

As to the substance of that letter Rabinowitch testified:—

Q. And he asked you to deliver that to the Russian Embassy here?

A. Yes. It was in the same business, the same aim, to obtain help, financial help to that person.

Q. And was an amount of money mentioned, as a matter of fact?

A. Yes, there was an amount mentioned.

Q. Which was what?

A. Which was quite high; which astonished me somehow.

Q. What was the amount?

A. I saw the papers here, so what I say now is what I read in the *Star* and the *Gazette*. The papers said it was \$10,000. I could not guarantee that that was the amount mentioned in the letter.

The interest of the Soviet Embassy and the use to be made of that money requested from the Soviet Embassy is very clearly shown in the following excerpt from the evidence of Miss Rabinowitch:—

Q. Why would the Russians have an interest in Rachel?

A. Because she probably was working for them. That I could quite understand now.

Q. She was?

A. I do not know what she did.

†Quoted above, p. 568.

Q. You had the idea that *Sisi* was working for the Russians at the time since she could apply to the Russians for money to help her?

A. Yes.

The cautious attitude of the Soviet officials at Ottawa towards Miss Rabinowitch was not modified by the communication she made to them of that first letter from abroad: however, the matter was, according to the Russian document, turned over to Pavlov, whom Motinov further identifies by his official position in the Embassy, "*2nd Secretary*", and then by the use of the word *Neighbour*, the cover-name for the N.K.V.D.

Pavlov communicated with Moscow on the matter and requested instructions. He was eventually "*directed to do nothing*" because Moscow considered "*that this is their person*".

Sisi wrote again to Rabinowitch and her letter is also recited in the above document, as follows:—

I have received your (Hermina's) telegram of 23.1.44. Please inform Gisel's family, that she should advise Znamensky 19. that Sisi is alive and works as of old with Lucy. Lucy wanted to change the personnel, but funds ran out. Albert is sick and is not interested in business. For the work of Sisi, Gisel's family must transfer 10,000 dollars. The transfer must be made by Hermina personally through N.Y. in connection with the wishes of Mr. Helmars.

R.D.

Following its receipt Rabinowitch telephoned to Tounkin on the 13th April, 1944, and also wrote him a letter received at the Embassy on the 15th April requesting him to take action and, in order to convince of the genuine and urgent character of the request, she enclosed the letter.

The following extracts from the evidence of Rabinowitch relate to the Russian document:—

Q. But if the document says you wrote a second letter, you are not in a position to deny what the document says?

A. No.

Q. I continue reading:

'... a second letter to Tounkin, with a request to take measures about her first letter and for convincing attaches to this letter a second letter from Rachel of the following context.'

This is the letter that it is said in the document you received from Rachel, and which you attached to the second letter you wrote to Tounkin:

'I received your telegram. . . .'

That is, Rachel says she has received a telegram.

' . . . of 23.1.44. Please inform Gisel's family that she advise Znamensky 19 that Sisi lives and works as of old with Lucy. Lucy wished to change the personnel but finances came to an end. Albert is sick and is not interested in business. For the work of Sisi, Gisel's family must transfer 10,000 dollars. Hermina must make the transfer personally through N.Y. in connection with the wishes of Mister Helmars.'

Then there are the initials; this is 'P' in Russian, which is 'R' in English?

A. Yes.

Q. And the initials "R.D." would stand for Rachel D. _____
Is that right?

A. Yes.

Q. All right. Do you remember having read the context of that letter, which the document says you transmitted to them?

A. I don't remember the fact of two letters. It is driving me completely crazy, but I cannot remember that. I was telling Mr. Charlap (*Counsel for the Witness*) the whole time I was thinking about that, for the two hours, and I can't just remember there were two letters.

Q. Is it not in this letter that you found that \$10,000 that you were speaking about this morning?

A. Maybe it was this letter I only remember receiving. They are very similar.

Q. I suppose if you had taken notes like Motinov did you would not have to worry about recalling things?

A. No.

Q. But the document is there, and you are not in a position to deny what it says?

A. I am not in a position to deny, but I have my doubts.

Q. All right. Then Motinov goes on to say:

'Only after receiving this letter 15.4.44 Pavlov 17.4.44 advised Lamont that there is a certain Rabinowitch. After receiving these data on 19.4 we decided to contact her by telephone, as

the letter was on her letter form and to warn her that she must not write nor ring up and that in two weeks Gisel's man will visit her. 19. This was established by Leon as Davie was in Vancouver. We consider that if there is to be money handed over the money must be transferred by Washington and hand it over to Hermina in New York as it is dangerous to cross the border with such a sum. For one thing, our banks are not releasing American dollars.

The letters with copies of Rachel's letters have been sent by mail and in all probability passed through the censor although there is no censor's stamp. The two copies of the letters where the subject touches Znamensky 19 are specially harmful. Please appoint a man for future procedure bearing in mind that Davie cannot go to New York and Washington. I await instructions about next meeting also money.

Home telephone—Lancaster 7628

Business telephone—Plateau 2507

*Address—Apartment 539 Pine Avenue,
not far from University Street.'*

Then a date is fixed for the meeting: Two weeks from April 19 the meeting was to take place with you in Montreal. What do you say as to that?

- A. It is a fantastic story, completely.
- Q. It is not fantastic. It is your own address, is it not; your own telephone number?
- A. I gave my address on the letter I wrote to them.
- Q. What is fantastic about it?
- A. This story about all these people visiting me.
- Q. There is nothing fantastic about it. They are only following your telephone conversation, that you have admitted with them; your visit, that you have admitted to them. Then the fact that nothing was coming through, that you had not got the reception that was expected, and that to convince them you have admitted that you sent them a letter that you had received from Switzerland. That was not fantastic. You admitted that, and that is only the sequence of that, is it not? There is nothing fantastic. The sequence is there?
- A. But why didn't I remember the second letter, and I don't remember

Later in her evidence she admitted that letter and the facts connected thereto as related in the document.

So far as the Soviet officials in Ottawa are concerned, they were definitely disturbed by this second letter from Montreal sent to them through ordinary mail by Rabinowitch, and Motinov wrote with regard to this the following comments:—

The letters with copies of Rachel's letters have been sent by mail by Hermina and in all probability passed through the censorship, although there was no censor's stamp. The copy of the second letter, which deals with Znamensky 19, was particularly prejudicial.

There was evidently some discussion on the matter and a conflict of jurisdiction seems to have arisen for the Russian document says:—

Only after receiving this letter 15.4.44 did Pavlov 17.4.44 advise LAMONT (~~Motinov~~) that there is a certain Rabinowitch. . . . To LAMONT'S question why they did not inform us/about this for so long, Pavlov replied, I had these instructions to do nothing.

*

"Znamensky 19" is the street address in Moscow of the Red Army Intelligence Headquarters, which made it unmistakeably clear to Pavlov that Rabinowitch could not be used by his N.K.V.D. network. Zabotin's Organization, however, without referring the matter to Moscow, thought it to be so urgent that as Motinov puts it in the Russian document:—

Rabinovich. After receiving these data on 19.4 we decided to contact her by telephone, as the latter was on her letterhead and to warn her that she must not write, nor ring up, and that in two weeks Gisela's man will visit her.

It was then that Sokolov (*Davie*) tried to contact "that certain Rabinowitch" with the assistance of the Montreal Telephone Directory, as shown by the document. On this point the witness said:—

Q. Then it refers to 513 GROSVENOR, WALNUT 3383; then to 6050 DARLINGTON, ATLANTIC 3727 and then to 4906 QUEEN MARY ROAD, ATLANTIC 9148. None of these was your address?

A. No, sir.

Q. But if we look in the Montreal Telephone Directory, the edition of 1943, which will be filed as Exhibit 559, all these addresses and

* Faint type indicates word crossed out in original documents.

- telephone numbers are referred to on page 397. H. RABINOWITCH,
513 GROSVENOR?
- A. Yes.
- Q. WALNUT 3383?
- A. Yes.
- Q. Which is the first name and number mentioned in the Russian document?
- A. Yes.
- Q. Then H. RABINOWITCH, 6050 DARLINGTON?
- A. Yes.
- Q. ATLANTIC 3727?
- A. Yes.
- Q. Which is the second name mentioned in the Russian document?
- A. Yes, sir.
- Q. And then MRS. H. RABINOWITCH, 4906 QUEEN MARY ROAD, ATLANTIC 9148?
- A. Yes.
- Q. Which is the third name mentioned in the Russian document?
- A. Yes, sir.
- Q. And you notice that these names and telephone numbers and addresses mentioned in the Russian document are mentioned in exactly the same order in the Montreal Telephone Directory for the year 1943, which has been filed as Exhibit 559?
- A. Yes, sir.
- Q. So that would suggest that they were at that time trying to find out who that Hermina or H. Rabinowitch was?
- A. Yes.
- Q. That is clear, is it not?
- A. Yes.
- Q. Then this document goes on:
- Davy rang her up on these telephones but she was not there.*
- A. Yes, sir.
- Q. There was a good reason why you could not be found there, the main one being that that was not your residence, that none of these numbers was your residence?
- A. No.
- Q. Is that right?
- A. That is right.

- Q. *Davie* was apparently looking for you through the telephone directory. Would you say that was right?
- A. I guess so. Yes. I don't know who he is.
- Q. And as you said a little earlier, Rabinowitch is a rather common name?
- A. Quite a common name.
- Q. But you can find in Exhibit 39, on page 3, that they found you?
- A. In the office?
- Q. Both places, as a matter of fact, is it not? It says *Home telephone, Lancaster 7628* which you told us a moment ago was your telephone number?
- A. Yes.
- Q. And your residence on Pine Avenue?
- A. Yes, sir.
- Q. And *Business — Plateau 2507*, which you admitted was your telephone number?
- A. Yes, sir.
- Q. At the place you were working?
- A. Yes, sir.
- Q. And the address: 539 Pine Avenue, was also?
- A. Is my address.
- Q. Is your address?
- A. Yes.
- Q. So at the beginning they did not know where to locate you, and the document says that *Davie* tried hard to locate you at these various phone numbers without success; but in the other document mentioned, that which you are seeing now, written in Russian also —
- A. Yes.
- Q. They located Hermina Rabinowitch?
- A. Yes. I guess they can trace a phone number.
- Q. I just wanted to show you that their records are in order. Then they gave on this page a history, is it not?
- A. Yes.

Two weeks later, that is on the 5th May, 1944, Koudriavtzev went to Montreal and had a meeting with Germina Rabinowitch and allowed her to read a letter addressed "*Dear Hermina*" and signed "*Gisel*". Evidently Koudriavtzev kept this because Gouzenko produced it. It reads as follows:—

Dear Hermina,

Thank you very much indeed for your care in our affairs and we hope that you will help us in future. It is important for us to send a letter to Geneva to Sisi. Can you send this letter with a reliable man to whom you trust. All expenses will be paid. Please let us know about your proposals in this connection as soon as possible. Please inform us about delivery of your service mail to Geneva and why are you sure that it is not censored. Please wire to Rashel or Alexander that Gisel's parents are interested about the health of Sisi and Paul and that they will help them. We ask you to forward 10,000 \$ to that watch company according to the Sisi's instructions. Make arrangements with our representative about forwarding of this sum of money to you in USA. All your personal expenses will be paid.

With best regards

Gisel

Before being shown this document Germina Rabinowitch was questioned on this transfer of money and she then admitted having made a trip to New York to have an amount of \$10,000 conveyed to Geneva by the watch company referred to in the evidence now to be quoted:—

Q. Did you send money to Switzerland?

A. I did send money to Switzerland.

Q. How much?

A. I do not know; he was always in difficulties.

Q. You what? You do not know? What do you mean you do not know? How much money did you send to Switzerland in 1944?

A. I did not send any money. I asked somebody to help my cousin out with money if possible.

Q. Listen —

A. I do not know exactly the amount.

Q. Will you listen; you are not going to trifle with this Commission. You just said a few minutes ago you did send money to Switzerland, to that cousin, and then you said you did not remember the amount.

A. I did send but not in that sense that I went and sent it.

Q. I do not care anything about the sense. You did send money?

A. No.

- Q. Now you have said "yes" and you have said "no"; which is it?
- A. May I explain?
- Q. Yes.
- A. I asked somebody who had connections, who had business between Switzerland and the United States to give A_____ if possible some money because he also was cut off from his funds in the States which were blocked.
- Q. Never mind the reason; who was the somebody you asked?
- A. That was a big firm.
- Q. What is the name?
- A. *(No audible answer).*
- Q. Was that a watch company?
- A. Yes.
- Q. What is the name of the company?
- A. I do not remember.
- Q. You will make an effort to remember the name of the watch company, will you?
- A. Well, it is a long time ago.
- Q. Yes, all right, but you think of it and you give us the name of the firm.
- A. *(No audible answer.)*
- Q. New York?
- A. Yes, New York-Geneva. It was not—well, can you help me?
- Q. No, we are waiting for your assistance.
- Q. There are not such a large number of watch companies in New York that would send money to Switzerland on your request. You say that you cannot remember the name; what is the name?
- A. Well, I do not know because—
- Q. What is the name?
- A. I know it is "H-e", something like Herman, but not Herman.
- Q. And the amount you sent was \$10,000?
- A. I do not know that he could give him \$10,000.
- Q. The amount you sent was \$10,000?
- A. No, I asked him to give him some money.
- Q. You asked him to give him how much?
- A. I do not know how much he would give him.
- Q. How much did you ask him to give?
- A. Up to \$5,000 or \$6,000.

Q. Up to five or six thousand?

A. Yes.

Q. You wanted to have some assistance as far as the name of that company was concerned?

A. Yes.

Q. You stated that the name of the company was "H-e" and something?

A. Yes.

Q. Helbein?

A. Yes, I remember that.

Q. What is the address?

A. It is somewhere on Fifth Avenue.

Q. Whom did you communicate with there?

A. With a gentleman—Mr. Helbein.

Q. What is his first name?

A. William.

Q. What is his occupation?

A. He is the head of the watch company.

Q. He is the head?

A. Of this company.

Q. What is the name of the company?

A. Helbein Watch Company.

Q. Helbein Watch Company, and what is the address of the company?

A. It is on Fifth Avenue in one of the 40's.

Q. What is the name of the building where the company has its office?

A. I do not know.

Q. Why did you wait so long to tell us the address of the company, you knew it?

A. The address; I did not know the exact address.

Q. You just gave it to us.

A. Fifth Avenue in the 40's. You did not ask me for the address.

Q. May I recall that when you are under oath you have to say the whole truth and nothing but the truth, you should not limit yourself to answering the questions but should tell everything that is implied in the question. You understand that?

A. Yes. You asked me the name, and I could not remember; the address I remember.

Q. How long have you known that firm?

A. I knew it in Geneva.

A. Yes. It is 5th Avenue and one of the forty streets.

Q. 6 West 48th Street?

A. Yes. That is at the corner of Fifth Avenue.

Q. You remember it was at the corner of Fifth Avenue?

A. Yes.

Q. So there is no doubt in your mind as to where the company had its office?

A. I said so before.

Later, and still before being shown the document, Rabinowitch stated that her trip to New York and her visit to the Soviet Embassy were two different things and had nothing in common:—

Q. That is not the question. Why did you go to the Embassy?

A. To transmit the cable A_____ sent me to ask for money for this woman, Rachel.

Q. Why did you not go to New York City directly? Why did you trouble the Soviet people here in Canada for that?

A. Well, they had nothing in common, those things. The two things have nothing in common.

Faced with the document, she then testified:—

Q. So we will continue, reading Exhibit 40:—

Dear Hermina,

Thank you very much indeed for your care in our affairs and we hope that you will help us in future. It is important for us to send a letter to Geneva to Sisi. Can you send this letter with a reliable man to whom you trust. All expenses will be paid. Please let us know about your proposals in this connection as soon as possible. Please inform us about delivery of your service mail to Geneva and why are you sure that it is not censored. Please wire to Rashel or Alexander that Gisel's parents are interested about the health of Sisi and Paul and that they will help them. We ask you to forward \$10,000 to that watch company according to the Sisi's instructions. Make arrangements with our representative

about forwarding of this sum of money in U.S.A. All your personal expenses will be paid.

*With best regards,
GISEL.*

What do you say to that?

A. *It didn't reach me.*

Q. You see the connection between the \$10,000?

A. Yes.

Q. The Soviet Embassy; the watch company; you were travelling to New York; Sisi; A_____?

A. *(No answer.)*

Q. Now you might tell us all about it, and take your time, Miss Rabinowitch?

A. But I don't see it exactly.

Q. Just take your time and tell us all about it?

A. I see that they tried to use me as if I would have been their agent, and they put me in a nice mess. That is what I see, but I never was close to them and I don't want to be their agent and I didn't want to be their agent.

Q. Would you care to tell us what took place, then, or if you would prefer not to; and if so, why?

A. *(No answer.)*

Q. Would you like to consult your Counsel?

A. If I might have time to clear my memory. Am I permitted?

Q. Yes; I am waiting for you.

Q. Do you want to talk to your lawyer?

A. Yes.

COUNSEL FOR WITNESS:—Would you like to talk to me?

WITNESS:—Yes.

COUNSEL FOR WITNESS:—In here or outside?

WITNESS:—I would like to talk outside. I could not talk here.

After the return of the witness with her Counsel, the examination continued:—

Q. Well, Miss Rabinowitch, you have had the opportunity to withdraw from the room and consult with your solicitor. What is your decision?

A. I will explain it to you exactly, and explain why I didn't say this.

Q. Will you speak a little louder?

A. Why I didn't say it before; the New York business. But please believe me that I don't remember two letters; I definitely don't remember two letters. I rather remember the second letter, because of the amount of \$10,000. I didn't want to say this about New York, because I didn't want to say about the watch company, which did a favour; but as it is already known I don't change anything, as I see —

Q. But what is already known?

A. That you have the information about Helbein's Watch Company. I don't see why I must be too careful.

Q. Why should you be careful anyway?

A. I don't know.

Q. Do you intend to tell us only things that we know?

A. I didn't want to bring in other people if possible.

Q. But you are here to tell the truth, you see, and all the truth. You are under oath, whether you implicate others or not.

A. That is true.

Q. Go ahead and tell us the story now?

A. I was approached — I went to New York on one of my trips. I went there several times a year, as I have said, and I was approached in New York by a man I don't know. I don't know his name, and he handed me \$10,000, with a request to give it to the watch company, to Helbein, for A_____; and I did that.

Q. So what you told us this morning was false; and when you said that now you did not think you had to be too careful, will you explain that?

A. Excuse me.

Q. Why did you tell us something this morning that was untrue?

A. I was confused. I am sorry.

Q. That is no answer. A person does not tell something deliberately untrue because they are confused, but because they have a very definite purpose in mind. Why did you tell us something this morning that was untrue?

A. Because I did not want to implicate Helbein.

Q. To implicate whom?

A. Helbein.

- Q. What you say now is this. You say that you had that letter, which is Exhibit 40, and which refers to a watch company?
- A. Which what?
- Q. Which refers to the watch company?
- A. Yes.
- Q. *You had that letter?*
- A. *Yes, sir.*
- Q. You received it from *Gisel*; and you say in addition to that you went to New York and that someone in New York whom you do not know — ?
- A. Exactly.
- Q. Just a moment; just listen to my question carefully. You say that someone in New York, whom you did not know, approached you with \$10,000 and asked you to give that amount of money to the watch company. Is that what you say?
- A. Yes, sir.
- Q. And then that person must have known that you were coming to New York?
- A. Yes.
- Q. Because you do not meet people in New York — any person in New York would not meet at the very moment in that city a person going there, to arrange a transaction of that kind, which would fit in so beautifully with that document, and all that as a coincidence?
- A. They knew I was going there.
- Q. They knew? How did they know? You told them that?
- A. I told them.
- Q. You told who?
- A. I told the man who brought me this letter.
- Q. Who was the man who brought you the letter?
- A. I don't know him.
- Q. That is Exhibit 40?
- A. I don't know his name.
- Q. Where did he bring you the letter?
- A. It was in Montreal.
- Q. He brought you the letter in Montreal?
- A. Yes.
- Q. He is a Russian, but you don't know his name. Is that it?
- A. I don't know even if he is Russian.

- Q. What did he tell you when he brought the letter to you?
- A. He asked me my name, and he said he had a letter for me.
- Q. And he gave you that letter?
- A. Yes.
- Q. When was that?
- A. That must have been in the spring of 1944.
- Q. And where were you when he handed the letter to you?
- A. In the office.
- Q. In your office?
- A. Yes.
- Q. Had you ever seen this man before?
- A. No, sir.
- Q. How did he introduce himself?
- A. Just brought me that letter.
- Q. He said he had a letter for you?
- A. Yes.
- Q. And handed you the letter?
- A. Yes.
- Q. And Exhibit 40 is the letter?
- A. Excuse me? This letter.
- Q. Exhibit 40; and did he tell you anything else?
- A. He asked me whether I will be going to New York soon, and I said I would be going in the spring; and then he said that a man will approach me and give me the money for A_____, and would I transmit it to Mr. Helbein for transfer to A_____, and I said yes, I would.
-
- Q. But you had had Exhibit 40 and had read it?
- A. Yes. I knew it was to be given to her, but the money was going to A_____.
- Q. Just to hand over to D_____. Is that so?
- A. Yes.
- Q. And who was *Gisel*?
- A. I think that must be a friend of Rachel's.
- Q. Anybody ever tell you who *Gisel* was?
- A. No.
- Q. Did you ever ask?
- A. No.

Q. I see. So you got this letter signed *Gisel*, and you got these instructions about going to New York and everything you have told us, and you never even asked anybody who the person was who signed the letter. Is that so?

A. Yes, sir.

Q. I see. So you must have been satisfied where the letter came from; quite satisfied in your own mind. Would that be right?

A. Yes, sir.

Q. And satisfied that it came from somebody who knew you well enough to address you as "*Dear Hermina*." Is that so?

A. I didn't quite understand that the letter came from somebody—

Q. Who knew you well enough to address you as "*Dear Hermina*"?

A. It doesn't mean that that person knows me well enough if she writes "*Dear Hermina*".

Q. And following that meeting in New York, did you send any cable or write any letter?

A. I sent a cable saying that I saw Helbein and that I did what was asked, or something like that.

Q. You sent a cable to whom?

A. A _____.

Q. What did you say?

A. That I saw Mr. Helbein in New York and I did what I was asked to do.

Q. Did they offer to pay your expenses?

A. Yes.

Q. Who did?

A. The fellow who brought the letter.

Q. Who brought the money?

A. Who brought the letter.

Q. But the one who brought the money did not mention anything about it?

A. No.

Q. And you did not ask him?

A. No.

Q. When you got the money you went to see the watch company?

A. Yes, sir.

Q. And you saw the President of the company?

A. Yes, sir.

.

Q. You said, Miss Rabinowitch, that the man who brought you that letter in Montreal came from the Russian Embassy in Ottawa?

A. Yes, sir. Well, I don't know whether he came from the Embassy.

Q. You stated he was a man from the Embassy?

A. Well, I assumed that.

Q. You had good reason to assume that?

A. Exactly.

.

Q. I want to have that clear. When this man brought this letter to you in Montreal, was the letter sealed or not sealed?

A. Not sealed.

Q. Did the man ask you to read the letter, or did he just hand an envelope to you with the letter in it?

A. No, he asked me to read the letter.

Q. The man from the Soviet Embassy in Ottawa brought a letter to you and asked you to read it, and you read it?

A. Yes, sir.

Q. After you read that letter did you speak to him or did he speak to you?

A. He asked me whether I would be going to New York.

Q. He asked you whether you would accept to do what was asked of you in the letter?

A. Yes.

Q. And you agreed?

A. Yes, sir.

Q. And you told him so?

A. Yes, sir.

Q. What did he say to that?

A. He asked when I would be going to New York.

Q. He asked what time you would be ready to accomplish the task, and you gave him a date when you would leave?

A. Yes, sir.

Q. And what else was said?

A. Where I could meet that man.

Q. Did you ask him where you could meet the man, or did he ask you where you would suggest the meeting take place?

A. (No answer.)

Q. Put it this way. Whether you suggested it or whether he suggested it, you agreed with him as to the time of the trip, as to the time of the meeting, and as to the place of the meeting?

A. Yes, sir.

Q. That is right?

A. Yes, sir.

Q. And you came to that agreement after having read the letter at the request of the man who brought it to you?

A. Yes.

Q. You did not ask the man who is *Gisel*?

A. No.

Q. Because you knew who he was? You do not take instructions that way from anyone, do you?

A. No.

Q. You knew that *Gisel* was the man in charge of the Intelligence Service at the Soviet Embassy here?

A. No. I don't know that.

Q. You knew he was connected with these activities, didn't you?

A. Who?

Q. The man who signed "*Gisel*"?

A. No, I didn't know.

Q. Who did you think that *Gisel* was, then?

A. I knew that it was somebody connected with the Soviet —

Q. The Soviet Embassy in Ottawa?

A. Or maybe in Moscow.

Q. All right; maybe in Moscow. You read the letter, as you stated. It said, *thank you very much indeed for your care in our affairs*. What care did you have in their affairs up to then?

A. Transmitting the letter.

Q. That was not agreed yet?

A. Transmitting the letter I got from Geneva.

Q. That is right; you had already transmitted the letter; so this man, either from Moscow or from the Soviet Embassy, was thanking you indeed for the care you had in their own affairs; and he con-

tinues, *We hope you will help us in the future.* That is along the same line of business, is it not?

A. That means to transmit the money.

Q. Yes, but it is not qualified; it is not limited. What *Gisel* says is that he hopes you will continue to help in the future; isn't that it?

A. That is what it says.

Q. And that is what you understood, too?

A. No.

Q. What did you understand, then?

A. I was prepared to come and to transmit that money.

Q. You thought it was in connection with the balance of the letter?

A. Yes. I was not prepared to do anything any more; I had enough to do.

Q. I think you were doing your share?

A. More than that.

Q. I continue:

It is important for us to send a letter to Geneva to Sisi. Can you send this letter with a reliable man to whom you trust?

Was that letter, the letter directed to *Sisi*, handed over with this letter, or were they speaking about a future transaction?

A. I believe they referred to something more, and I refused to do anything more.

Q. You did not tell me that when I asked you what took place between you and the man. If you refused, you refused afterward, but not at that time?

A. At that time I told him I can't do that.

Q. You told him that?

A. Yes.

Q. You told him you could not arrange for a letter?

A. No.

.

Q. All right. Did you tell the man from the Embassy who handed you Exhibit 40 why you were sure that such material was not censored?

A. Well, I told him —

Q. You must have told him, because you read the letter in his presence, at his request, and you must have given him the reason why you were sure that it was not censored?

A. Maybe.

Q. Well, did you tell him, as a matter of fact? Here is a man who comes to your place?

A. Yes.

Q. With a request in writing; and who asked you to read the letter. You read the letter, and you agreed to what is asked in the letter, and there is a query in the letter about your assurance about the fact that these letters are not censored?

A. Yes.

Q. Is it not reasonable to deduce, and is not that the only deduction possible, that you explained why to him?

A. Yes, I explained to him, saying that such facilities exist, but that I refused to use them.

Q. All right; we will leave it at that, and we will continue the reading of the letter. In the letter the man from the Embassy asked you:

Please wire to Rachel or Alexander that Gisel's parents are interested about the health of Sisi and Paul and that they will help them.

That is in connection with the \$10,000 is it?

A. Yes, sir.

Q. As a matter of fact, Sisi was not sick, but she was in financial difficulties?

A. Does it say that she is sick?

Q. Yes; about her health. It is a word to cover the financial assistance to which reference was made in the previous documents. Is that right?

A. I don't know.

Q. Well, is it what you understood yourself? You are asked by Gisel, the man from the Embassy, to wire Rachel, which is Sisi, or Alexander; which is A_____?

A. Yes.

Q. That Gisel's parents — that is the friends of the man in the Embassy here — are interested about the health of Sisi. That is about her financial position?

A. Yes, her financial position.

Q. And that they will help her. In other words, it means to inform these people that "we have agreed to do what was asked of us; that is, to get financial assistance"?

A. Yes.

Q. But who is *Paul*?

A. *Sisi's* husband.

Q. Did you wire *Rachel* or *Alexander*, as you were asked in this letter, that finally you had succeeded in interesting the people in the Soviet Embassy here, and they would look after them and send \$10,000 to them?

A. I think so. I am not very sure, but I think so.

Q. It is reasonable to deduce that you did?

A. Yes.

Q. It goes on:

We ask you to forward \$10,000 to that watch company according to the Sisi's instructions. Make arrangements with our representative about forwarding of this sum of money to you in USA

In that letter they are asking you to make arrangements with the Soviet representative in New York—?

A. Yes.

.

Q. When you gave the money, the \$10,000, to William Helbein, what did you tell him? What did he say?

A. That he would try to do his best to transfer it.

Q. You stated a moment ago that you did not want to implicate him, so you have a conviction that he knew the nature of the transaction?

A. No. I don't know.

Q. You don't know whether he did or not?

A. No. I really don't know.

Q. But did you explain it to him?

A. Explain what?

Q. You did not give \$10,000 without telling him what you want to do with it. Did you explain to William Helbein the nature of the transaction?

A. I explained to him that I would like him to transmit it to A_____; that is all.

Q. Would you tell me why the Russians would have to go through you to do that? Could they not do that in New York, without you going there? That gentleman who came to see you at the

hotel with the \$10,000 could have gone to the watch company and asked them to do that. Why did they have to use you?

A. I really don't know.

Q. You have no idea?

A. Perhaps because I was the cousin of A_____, and there was nothing so particular about that.

Q. Well, you were the cousin of A_____, but that was not a gift as between relatives, was it?

A. No.

Q. Then why would they have to use you to do that?

A. I don't know why.

Q. Is it because they wanted to avoid suspicion of that?

A. Maybe.

Q. Well, what is your idea? Or was it because you were known to them?

A. I think rather that they wanted to avoid suspicion.

Q. That is the impression you had?

A. Yes.

Q. Suspicious of what?

A. Of Helbein, perhaps.

Q. You speak of secrecy and of suspicion, but what did you think the suspicion would be about? You believed that other people would find it strange?

A. Yes.

Q. That the Russian Embassy would send \$10,000 to *Sisi* in Switzerland?

A. Yes.

Q. But did you not find it strange yourself?

A. I did.

Q. You thought it was for what? Strange in what way?

A. Strange because the amount of money was high, and because of this whole secrecy.

Q. So the high amount of money and the secrecy brought in your mind that there must be something behind that, so that is why you found it strange?

A. Yes.

Q. What did you think was behind that?

A. I thought that *Sisi* must be working for the Russians.

Q. Be working for the Russians?

A. Yes.

In document number three already referred to†, Motinov has recorded the report made to him by Koudriavtzev, upon the latter's return from Montreal, of his interview with Rabinowitch referred to in the evidence just quoted. This document reads:—

On May 5 Leon met Hermina, the latter reported:

1. The correspondence with Geneva is carried on by means of letters and telegrams. The letters are sent as part of the mail of her organization and are not subject to scrutiny. The letters take from three weeks to a month to come. Telegrams a few days. The last letter took about one month to arrive, she does not know the exact number of days.
2. She knows not Geta A _____ but Aleksander A _____. She does not correspond with him, but she could. She knows that everything is in order with him. She also informed that in June 1941 he intended to go to Moscow but the beginning of the war interfered and he remained there. His visa was of 24 June.
3. She knows Sisi as a good friend and she helped her as a good acquaintance. She did not know anything about Sisi's work previously. Sisi's first letter was for me unexpected. She knows nothing of the change in Sisi's life.
4. She is completely certain that the letters were written personally by Sisi. Indications:—hand-writing and signature, which were well known to her.
5. The insistent request of Sisi to deposit the money in the company was unknown to her, and furthermore she does not know anybody in the said company. As for herself she considers that Sisi told the firm about me (Hermina).

Hermina will be able to deposit the money, however she would like to receive a cheque, as it is difficult to carry such a large sum over the border. Hermina enjoys rights equal to persons who have diplomatic passports.

†See p. 566 above.

Conduct—natural. She wrote the letters to Tounkin because Tounkin had received her very severely once, while the other requests about a meeting and the telephone conversations were rejected, which sharply contrasts with my reception in Moscow where the reception was very warm.

She considers that there is no suspicion whatsoever about her. In her opinion letters sent from her town to our town appear to be not subjected to censorship.

The regular meeting was set for 17 of May, on May 20 she leaves for Philadelphia on her own office business and could take advantage of this journey as a good pretext, for handing over the money.

Appearance—A stout woman about 45 years, lame in both legs, moves with the aid of two sticks, but at the same time drives her own car.

Conclusion—the meeting under the cover of both contacts passed entirely normally.

I request your further directives.

6.5.44 Lamont.

On this Rabinowitch testified as follows:—

With regard to the first paragraph:—

Q. . . . I refer you now to Exhibit 41, another Russian document brought by the cipher clerk. It is headed *5 May Leon*—that is Koudriavtzev—*met Hermina*. The latter reported:—

1. The correspondence with Geneva is carried on with the aid of letters and telegrams. The letters we sent as part of the mail of her organization . . .

That is, the I.L.O.

. . . and are not subject to scrutiny. The letters take from three weeks to a month. Telegrams several days. The last letter took about one month, she does not know the exact number of days.

That is in the documents of the Russian Embassy, a recital of a conversation, of information that you gave to that Russian gentleman, and which was asked, as you can see, in the letter that was addressed to you and which is signed *Gisel*. Do you remember now having had that conversation?

A. That is the conversation I referred to.

- Q. And that is the information you gave to the man as indicated by this Russian document here?
- A. Yes.
- Q. All right.
- Q. Does that, paragraph No. 1, which has been read to you, correctly set out that part of the interview between you and Koudriavtzev?
- A. What should I say?
- Q. The truth.
- A. Yes.
- Q. All right. We will go to the next one.
- Q. Then if that sets out the truth, there is a statement in there:—
- The letters we sent as part of the mail of her organization—*
- That means that the letters which the Russian Embassy sent as part of the I.L.O. mail?
- A. Excuse me? I did not understand the question.
- Q. That says:—
- The letters we sent as part of the mail of her organization—*
- That says that the Soviet Embassy sent letters through the I.L.O. organization?
- A. No, sir.
- Q. And you said —?
- A. No. That does not say it.
- Q. You read that, and you said that correctly —?
- A. No, he doesn't — it is not that.
- Q. Then what do you say it is?
- A. It doesn't say anything about letters of the Embassy through the I.L.O.
- Q. Then will you translate the Russian for me and tell me what it does say, that second sentence?
- A. It speaks in general about letters.
- Q. Will you translate it, please?
- A. *The correspondence with Geneva is carried on through letters and telegrams.*
- Q. I asked you to translate the second sentence.
- A. It is a kind of code.
- Q. Never mind; just translate it?
- A. I can't translate it word for word. *The letters are sent—* I don't understand. There are words missing. I don't understand what it means.

Q. The translation we have, and to which you agreed, is this:—

The letters we sent as part of the mail of her organization and are not subject to scrutiny.

A. But it does not say *we sent*. It says *sent*, in the third person. It does not say *we sent*.

Q. That is what you have to say about the translation?

A. Yes.

Q. But other than that, you accept that as being correct?

The letters take from three weeks to a month.

A. Yes.

Q. And:—

Telegrams several days.

A. Yes.

Q. And:—

The last letter took about one month, she does not know the exact number of days.

A. Yes.

In fact Rabinowitch had received the two letters from Geneva which are recited in first of the above-mentioned documents; the first about 9th March and the second before the 13th April, 1944.

2. *As to the second paragraph:—*

Q. Then let us go to the second paragraph:—

2. She knows not Geta A_____ but Aleksander A_____. She does not correspond with him but she could.

Q. Meaning that you can in the future?

A. (No answer.)

Q. Are you satisfied with the translation now, witness?

A. It is difficult, because there are words missing in the Russian.

Q. Are you satisfied with the translation of the sentence, *She does not correspond with him, but she can do so?*

A. I can't say satisfactorily, because I don't understand the Russian text. It was done — you see what I mean; there are words missing in the Russian. Therefore I have no opinion on the translation.

Q. I see.

Q. You agree that whatever the translation of the document may say, the document as we have it says that you reported to Koudriavtzev

on May 5 that you did not know Geta A_____ but Alexander A_____. Is that true?

A. I don't remember that we spoke about that, but I know now that I don't know anybody by the name of Geta A_____.

Q. All right. The report also says that you stated to Koudriavtzev that you did not correspond with A_____ but that you could in the future?

A. I don't agree with that.

Q. Continuing to quote:—

She knows that everything is in order with him. She also informed that in June 1941 he intended to go to Moscow but the beginning of the war interfered and he remained there. His visa was of 24 June.

Do you remember having said that to Koudriavtzev in the course of that interview between you and him on May 5?

A. I don't remember.

Q. But you do not deny it?

A. I don't deny the fact that A_____ was supposed to go to Moscow.

Q. That is not the question. Do you deny the facts which are stated in that paragraph, which I read to you; that on the occasion of the meeting you had with Koudriavtzev of the Soviet Embassy, you reported to him that you did not know Geta A_____, but that you knew Alexander A_____? That you did not correspond with him, but that you could? That you knew he was all right, that everything was in order with him, and that you informed that in June of 1941 he intended to go to Moscow but the war interfered and he remained there, and that his visa was of 27 June? Is that right? Did you give that information to Koudriavtzev on May 5?

A. No, I don't remember that.

Q. You don't remember, but do you deny that you did; or do you just say that you don't remember?

A. I just say I don't remember.

Q. Did you know that he intended to go to Moscow in 1941?

A. Yes. That is what I mean; I knew the fact that he was supposed to go to Moscow in 1941.

Q. You knew that fact, but the Russians did not? Who told them?

A. I don't know. It is astonishing that they would know. They didn't know me.

Q. It is astonishing that they would know it, unless you told them?

A. No. They could have known all about it without me.

Q. How did you know he was going to Moscow in 1941, or that he intended to go to Moscow in 1941?

A. He told me so. He wrote me so. It is long ago, in 1941.

Q. And did you know his visa was of June 27?

A. I don't know that. That is what I think I could not have told that.

3. *As to the third paragraph:—*

Q. The third paragraph goes:—

3. She knows Sisi as a good friend and helped her as a good acquaintance. She did not know anything about Sisi's work previously. Sisi's first letter was for me unexpected. About Sisi's circumstances she knows nothing.

Did you report that to Koudriavtzev, or did you not?

A. Yes, I told him that I didn't know what Sisi was doing.

Q. So you agree with that paragraph?

A. Yes, sir.

4. *As to the fourth paragraph:—*

Q. Then paragraph 4:—

She is fully convinced that the letters were written personally by Sisi.

That is the letter which you received.

Indications:—handwriting and signature, which are well known to her.

A. I didn't say that, because as I said before the letter was typed; I remember.

Q. It is a fact that Sisi's handwriting was well known to you?

A. No. I never corresponded with Sisi. That I affirm definitely, that can't be true. I never had in my life a letter from her.

5. *As to the fifth paragraph:—*

Q. Then paragraph 5:—

5. The insistent request of Sisi to deposit the money in the company is unknown to her and furthermore she does not

know anybody in the said company. As for herself she considers that Sisi told the firm about me.

That is about Hermina?

A. Yes.

Q. Is that right; did you tell him that?

A. Yes.

6. *As to the sixth paragraph:—*

Q. Then the next paragraph:—

Hermina will be able to deposit the money, however she would like to receive a cheque as it is difficult to carry such a large sum over the border. Hermina enjoys rights equal to persons who have diplomatic passports.

That you told him also during the interview?

A. No. I refused to carry money across the border.

Q. That is what he says. Is that right?

A. Yes. I refused to carry money, but also cheques I refused.

Q. That is what the document says you told him?

A. Yes, sir.

Q. So that is right?

A. Yes.

Q. I will read it to you again:—

Hermina will be able to deposit the money, however she would like to receive a cheque as it is difficult to carry such a large sum over the border. Hermina enjoys rights equal to persons who have diplomatic passports.

So you say what appears in that paragraph is right?

A. Yes.

7. *As to the seventh paragraph:—*

Q. Then the next paragraph apparently says that your conduct is natural?

A. (No answer).

Q. It goes on:—

She wrote the letters to Tounkin because Tounkin had received her very severely once—

That is right?

A. Yes.

Q. It goes on:—

—while the other requests about a meeting and the telephone conversations were rejected,—

That is right, too?

A. Yes.

Q. It goes on:—

—which sharply contrasts with my (Hermina's) reception in Moscow, where the reception was very warm.

A. What?

Q. Is that right?

A. No.

Q. Well, maybe the weather is different in Moscow than in Montreal, but what do you say to that last part? You say that all the paragraph is right except that particular sentence about the reception in Moscow?

A. No; there are other paragraphs.

Q. No; I am talking about that paragraph. Let us talk about it. We took long enough about the other things. You say everything in it is right, except about the reception in Moscow, which was very wrong. I did not write that; the Russian gentleman in the Soviet Embassy wrote it, and that is what they say you reported to Koudriavtzev during the interview you had with him in Montreal?

A. (No answer.)

Q. What do you say?

A. I say that I don't see what kind of reception he refers to.

Q. That is not what you are asked. You are asked if everything else in that paragraph but the reference to the reception you received in Moscow is correct?

A. I don't understand it. I don't know what it means.

Q. Would you listen to the question. Is the paragraph, with the exception of the reference to your reception in Moscow, correct?

A. Yes.

Q. And how do you explain that Koudriavtzev would have made that report about your conversation in relation to Moscow, unless you referred to that?

A. In a very general way I told him it could have been. That is the way I understand it, but that is not the way I think people generally meet somebody.

Q. So the whole paragraph, with that qualification, recites exactly what you told him? The whole paragraph, with the qualification that you make about what is said about Moscow, is true?

A. With that qualification, yes; it could be true.

Q. I am not asking you whether it could be. I am asking you whether you did not in fact, as it is reported in that Russian document, tell that to Koudriavtzev while he visited you in Montreal on May 5?

A. Yes, I could.

Q. It continues:—

She considers that there is no suspicion whatsoever about her.
Did you tell Mr. Koudriavtzev that you considered yourself not suspected?

A. Yes, sir.

Q. Then, it says:—

In her opinion letters being sent to her town from our town —
COMMISSIONER:—That is from Ottawa to Montreal.

Q. —*appear to be not subject to the censor.*

A. What does that mean?

Q. Koudriavtzev reports that you told him on the occasion of the visit on May 5, that the letters coming from Montreal to Ottawa were not censored. Do you remember having said that to him?

A. No.

Q. You might, but you don't remember?

A. I don't remember.

Q. It goes on:—

The regular meeting was set for 17 of May, on May 20 she leaves for Philadelphia on her own office business and could take advantage of this journey as a good pretext, for handing over the money.

Is that true? You remember that this morning we had a few references to that Philadelphia trip of yours?

A. Yes, as I said, I went to Philadelphia.

Q. And what this man reports that you told him during that interview of May 5, then, is correct?

A. Yes.

8. *As to the eighth paragraph:—*

Q. All right. It goes on:—

Appearance — stout woman 45 years, lame in both legs, moves with the aid of two sticks, but at the same time drives her own car.

Conclusion — the meeting under the cover of both contacts passed entirely normally.

Is that right, what I have just read to you?

A. Yes.

With regard to the first sentence just above quoted Germina Rabinowitch testified:—

Q. What is the make of car that you were driving?

A. Ford.

Q. Ford, what year?

A. 1939.

Q. Have you your licence?

A. Yes, sir.

Q. Will you show it to me, please? You are exhibiting licence 4913 as issued by the Quebec Revenue Office for coach, Ford serial G-5719105, issued to Miss Germina Rabinowitch, Montreal, 539 Pine Avenue West, on April 25, 1946. The other licence bears No. 59162 issued by the same bureau in the same province. That is your driver's licence?

A. Yes.

Q. Which was issued on the same date?

A. Yes, sir.

Reverting to the eighth paragraph mentioned above:—

Q. And then Mr. Motinov says, possibly, to *Gisel*:—

I request your further directives.

This is quite accurate, this document, is it not?

COMMISSIONER:—Miss Rabinowitch, you told Mr. Fauteux a few moments ago that you had told Koudriavtzev that you considered that there was no suspicion whatever about you. That was true? You told him that?

COUNSEL:—Yes, she told me that.

COMMISSIONER:—Mr. Fauteux read you the following sentence:—

She considers that there is no suspicion whatsoever about her.

You told that to Koudriavtzev?

A. That was in the letter. I don't remember.

COMMISSIONER:—Now don't start to change that. You understand perfectly the questions put to you.

COUNSEL:—In the interview of May 5 you told Koudriavtzev that you considered you were not suspected. You told that to me a moment ago?

A. Yes, sir.

COMMISSIONER:—You were not suspected of what?

A. I don't know.

Q. Why would you tell him you were not suspected if there was no possibility of your being suspected?

A. I really don't know. I am not suspected; that is all.

Q. Well, I do. It is as plain as anything. You told him you were not suspected of working in collaboration with the Russians. That is what you meant, didn't you?

A. If I meant it, it is true.

The fourth document, written in Russian by Motinov, reads as follows:—

31.7.44. Leon met Hermina, the latter reported that she had handed over the money to the owner of the firm, but he did not know anything about this money. After this she sent a telegram to A _____ and a few days later he answered her that he had not received the money. Leon advised her to send another telegram to A _____ and one to the owner of the firm.

Regular meeting on 1 or 4.9.44 at 21 (possibly 15?) Leon has the times of the meeting smudged. On McTavish St.

Task—the characteristics of the institution.

28.8.44. Leon met Hermina, the latter reported that she had not received confirmation from A _____ about receipt of the money, but she received a telegram from the head of the firm in New York, who advised that he had received a telegram from A _____ with the contents "Thanks for the warm

greetings." She considers that the money has been received. At the present time it does not seem possible to send a man to Geneva. There is no reliable man and link with Geneva.

Address of A _____:

Business: Geneva International Labour Office.

Home: _____ Chemin _____, Geneva

Regular meeting 28.9 at 9.00 (21) McTavish St.

Questioned on this document, Rabinowitch testified:—

Q. It says "*Leon*" — that is Koudriavtzev — "*met Hermina*".
Is that right?

A. Yes.

Q. And it goes on:—

... the latter reported that she had given the money to the owner of the firm but he did not know anything about this money.

Is that right?

A. Yes.

Q. And it goes on:—

After this she sent a telegram to A_____.

Did you?

A. Yes.

Q. And it goes on:—

... and after a few days, he answered that he had not received the money.

Is that right?

A. Yes.

Q. Then it says that *Leon*, which is Koudriavtzev, —
—advised her—

That is, advised you

—to send another telegram to A_____ and one to the owner of the firm.

Is that right? Did you send a telegram to A_____, and a telegram to the owner of the firm, to William Helbein?

A. I don't remember.

Q. You don't remember, but you don't deny it?

A. I don't deny it.

Q. All right. Then there is another meeting on August 4, 1944, at 21 hours. Koudriavtzev arranged a meeting on McTavish Street; the time of the meeting is apparently smudged.

Q. Did you meet him on McTavish Street?

A. I met him once there.

Q. That is the third time?

Q. The next paragraph starts with the word *Task* so you were given a task. It goes on:—

The characteristics of the institution.

Presumably that is the place you were working. Do you remember that he asked you that?

A. He asked me some information about the I.L.O.; that is all.

Q. So the document is true, then?

A. Yes.

Q. Did you furnish that information?

A. Yes.

Q. In what form?

A. I gave him some publications of the I.L.O. which are public; and I gave him a short description of the structure.

Q. Written by yourself?

A. Yes.

Q. Anything else?

A. No.

Q. Did you express any opinions?

A. No.

Q. As to the staff; as to their abilities; as to their ideas; as to their political views?

A. I gave certain characteristics of some of the members of the staff.

Q. That is not my question. Did you give your opinion —

A. I gave some characteristics as to the various persons on the staff.

Q. And their political views?

A. No.

Q. Their sympathy with Russia?

A. I don't think so. No.

Q. Their sympathy with Communism?

A. No.

Q. You say you don't think so?

A. Certainly not Communism.

Q. But Russia, perhaps?

A. Russia, perhaps.

Q. Exhibit 42[†] goes on to say that on August 28, 1944, Koudriavtzev again met Hermina. Is that true? Is that right?

A. Maybe.

Q. All right; let us see what took place:—

The latter informed that she had not received confirmation from A_____ about receipt of the money—

Is that right?

A. Yes.

Q. It goes on:—

—but she received a telegram from the head of the firm in New York, who advised that he had received a telegram from A_____ of the contents, "Thanks for the warm greetings."

Do you remember that?

A. No.

Q. It goes on:—

She considers that the money has been received.

Did you tell him that?

A. (No answer.)

Q. I think if you read the document very slowly you will agree to all that is there?

A. Yes.

Q. Do you agree to that? I don't want to go through all the process of putting questions to you?

A. Yes.

Q. You remember that?

A. Yes.

Q. You remember that you met him; you met Koudriavtzev on August 28, 1944?

A. Yes.

Q. And that you informed him that you had not received confirmation from A_____ about receipt of the money, that is the \$10,000, but had received a telegram from the head of the firm in New York, that is William Helbein, who advised that he had received a telegram from A_____ of the text, "Thanks for the warm greetings", and that you considered that the money had been received?

[†]The fourth document; see p. 604 above.

- A. Yes. I don't remember the details, but that is the substance.
- Q. That is the substance of what took place at that interview on that date?
- A. Yes.
- Q. Then this exhibit goes on:—
At the present time it does not seem possible to send a man to Geneva. There is no reliable man and link with Geneva.
 Is that right?
- A. Yes.
- Q. And it continues:—
Address of A_____: business: Geneva, International Labour Office.
 That is a good address?
- A. Yes.
- Q. And Sisi was also working there, in the I.L.O.?
- A. Years ago.
-
- Q. . . . I want to ask this. You told us a little earlier that you handled this \$10,000 transaction, and that you did not want to have anything more to do with the matter. The \$10,000 transaction was all over and done with on August 28th, when you had this last meeting with Koudriavtzev; and if you did not want to have anything further to do with Mr. Koudriavtzev, why did you arrange with him on August 28th to meet him on McTavish Street on September 28th?
- A. There is one thing; I don't remember dates. The last time I saw him I gave him this information on the I.L.O., and after that I didn't see him any more.
- Q. I did not ask you that at all. I suppose we will have to go through all this again. You just got through telling us that at your last interview with Koudriavtzev you made an arrangement to meet him on September 28th. Is your answer still the same, that you did make that arrangement, or do you want to change that?
- A. No, I don't want to change it.
- Q. All right, then; you did make that arrangement to meet him on the street, on McTavish Street, on September 28th, at nine p.m.?
- A. He suggested that.
- Q. And you agreed to it?
- A. Maybe.

- Q. That is what I am asking you, and I thought you just got through saying you did agree to that. Did you, or did you not?
- A. Yes, I did.
- Q. All right. Then will you go back and pay attention to the question I asked you a few minutes ago? If, as you say, you did not want to have anything further to do with this business, and the \$10,000 transaction was all over and done with, what were you proposing to meet Mr. Koudriavtzev on the street in Montreal on September 28th for?
- A. I just said that I don't remember was it that time that I promised him to give the information on the I.L.O. and then I met him once more. If it was after that when I made the arrangement I changed my mind afterwards, but I didn't see him after the meeting when I gave him the information on the I.L.O.
- Q. But I put the question to you in this form. You made an arrangement to meet him on McTavish Street in the month of September, and for what purpose was that meeting; to discuss what?
- A. I don't know. I don't remember.
- Q. And you made up your mind in the meantime not to go, and you did not go?
- A. I didn't see him again.
- Q. The task about the characteristics of the institution, of the I.L.O., was given to you previously, at the meeting previous to the one of August 28th, as you can see?
- A. Yes, I see.
- Q. So you must have given the characteristics on the occasion of the meeting of August 28th?
- A. Yes; so that was the last talk.
- Q. But when you had that meeting on August 28th, 1944, you agreed to meet him again?
- A. Yes, sir.
- Q. And the meeting was set for September 28th?
- A. Yes, sir.
- Q. And you promised you would give him any other information he would like to have?
- A. No, I didn't promise anything.
- Q. Didn't promise that?
- A. No.

Q. Didn't make any offer to him?

A. No.

The last of the above-mentioned documents is a letter written by herself August 28th, 1944, and reading as follows:—

Enclosed a short Memorandum on the International Labour Organization.

I am entirely responsible for the views and opinions expressed in it. They are based on a long experience in the I.L.O. and on personal knowledge of most of the members of the staff.

I am, of course, at your disposal for any supplementary information as well as for the translation into Russian. Enclosed also a certain number of annexes.

Germina Rabinowitch

August 28, 1944.

Questioned on the above exhibit she testified:—

Q. Then let us read Exhibit 38 together. That exhibit was shown to you when you recognized your signature this morning?

A. Yes, sir.

Q. And it is dated August 28, 1944, the same day you had that meeting which you say was the last?

A. Yes.

Q. In that letter you said:—

Enclosed a short memorandum on the International Labour Organization.

A. Yes.

Q. Then you go on:—

I am entirely responsible for the views and opinions expressed in it. They are based on a long experience in the I.L.O. and on personal knowledge of most of the members of the staff.

I am, of course, at your disposal for any supplementary information as well as for the translation into Russian.

Enclosed also a certain number of annexes.

Then you signed that, *Germina Rabinowitch* and dated it August 28, 1944?

A. Yes, sir. I told him if he wants some more information on the I.L.O. he could have it. That is no secret.

Q Well, I don't know whether there was any secret or not. You knew. You were in the habit of meeting people on street corners, and setting meetings in advance, and so on; or is this the only person with whom you did that?

A. The only person.

Q. It is quite a strange procedure, is it not?

A. Yes, sir.

Q. It is a secret procedure, is it not?

A. Yes.

Q. And why does it have to be secret?

A. That was not my idea.

Q. You shared the idea, did you not?

A. Well, I agreed.

Q. The question you are asked is, why did it have to be secret?

A. It doesn't need to be secret as far as I am concerned.

Q. Then why did you not send the gentleman all that information from the office of the I.L.O. on the stationery of the I.L.O. instead of giving him this information on a street corner, at street corner meetings?

A. Because Russia is not a member of the I.L.O.

Q. And was not entitled to this information?

A. Yes, anybody is entitled to it.

Q. Why did you not send it through the regular channels, then?

A. He asked personally for this information.

Q. That is not my question. Even if he asked personally for it, you could have written that from your office.

A. I could have.

Q. Why did you not?

A. Because he asked me to give them to him personally.

Q. Why did you persist in having meetings on street corners?

A. He asked for them, not I.

Being offered the opportunity to make any explanation she cared to, she said:—

Q. . . . Now, is there anything that you did not have the occasion to say, and that you would like to say to the Commission; or any explanation or any excuse, or anything? You may feel free to say anything you like; and if there are some questions that you thought should have been asked you and have not been asked, you may be free to make any statement.

A. Thank you. I would like to say first of all that whatever I did was very careless; I admit it, and I am very sorry for it. It was never done in any way to harm anybody or any country. I was very happy about being in Canada, and I never had the slightest thought or act to do anything against the hospitality which I received here, or which could do any harm to this country.

I never was connected with any political activities here. I did not know anybody mixed up with any political activities; and when I had certain contacts with the Soviet Embassy, there were certain ideas behind it which have nothing to do with being an agent or no agent.

As I said before, I had seen my family at that time in Russia, and I once already had a visa for them to come to this continent; and because of the Russians they were not released out of Lithuania and perished there later on. But at that time I still had reason to hope they were still there and still alive, and as a matter of fact I learned only much later that they died just at the end of the German occupation.

I had perhaps the foolish idea that with rendering service to A_____ and to Rachel I might have some kind of possibilities in helping my parents, who were in very great danger there in Lithuania. My parents were already old at that time, and also some younger people; but of course I thought mainly of my father and mother.

As I said before, this whole business, I was used just like a tool, and was foolish enough to let myself into that business. I did not get anything from them, because the small service I asked for they did not render it to me, even when I asked for my parents.

The other thing is that I did not do anything disloyal to the International Labour Office, nor the United States, either. I should like to say that I feel very sorry about being so careless, but at that

time that was the whole attitude during the war still. I didn't feel that I was doing any harm in contacting these people. Only later, when I saw all this secrecy and all that business, I disliked it very much, and I have never seen them again and I hope never to see them any more, and I don't know their names and I didn't care to know their names.

We consider that the evidence of this witness substantiates the documents brought by Gouzenko relating to Rabinowitch. It is unnecessary to elaborate.

SECTION VII

EVALUATION OF INFORMATION AND MATERIAL HANDLED OVER

Questions which naturally arise are how much information was obtained by the Russians by means of the illicit operations described in this Report, and what was the importance of that information.

It is impossible to say how much information was obtained, or of what it all consisted. These operations have been going on for a number of years, and the evidence does not by any means disclose the full extent of the information given, even within that one of the networks which we have been able to investigate in some detail. Enough is disclosed, however, to show that a very great deal of secret information from a number of Departments and Agencies of Government was regularly finding its way to the Russians.

The statement handed by Mr. Lozovski, the Soviet Deputy Commissar of Foreign Affairs, to the Chargé d'Affaires of the Canadian Embassy at Moscow on February 21, 1946, which is set out fully in Section IX, contains the following:—

"In this connection, after appropriate investigation, the Soviet Government consider it necessary to make the following statement:

"Soviet organizations have become aware that in the latter periods of the war certain members of the staff of the Soviet Military Attaché in Canada received, from Canadian nationals with whom they were acquainted, certain information of a secret character which did not, however, present great interest for the Soviet organizations. It has transpired that this information referred to technical data of which Soviet organizations had no need in view of more advanced technical attainment in the U.S.S.R., the information in question could be found in published works on radio location, etc. and also in the well known brochure of the American J. D. Smyth, "Atomic Energy".

"It would, therefore, be ridiculous to affirm that delivery of insignificant secret data of this kind could create any threat to the security of Canada.

"None the less, as soon as the Soviet Government became aware of the above mentioned acts of certain members of the staff

of the Military Attaché in Canada, the Soviet Military Attaché, in view of the inadmissibility of acts of members of his staff in question, was recalled from Canada."

While it admits the operation of the Military Attaché, this statement is also significant because of its attempt to minimize the importance of the information and data obtained.

We did not consider it part of our duty to inquire whether there is in fact "more advanced technical attainment in the U.S.S.R.", but we are impressed by the elaborate nature of the organization set up by Russians to obtain information, and by the lengths to which their agents were prepared to go in the furtherance of that purpose.

We can say that our investigation has satisfied us that none of the secret information and data which the evidence shows was handed over could, at the time it was handed over, be found in any published works. If it could, it would not be secret as the Russian statement admits it was. The Smyth report is dealt with in Section VIII.

The witnesses who appeared before us were not able to speak with any authority about what the Russians knew or had achieved along scientific lines because they were unanimous that the Russians told no one what they knew or what they were doing. As one witness put it, the Russians "took everything and gave nothing out". It is clear that the information sought was considered of the greatest importance by the Russian espionage leaders, and that alone might be a fair test on the question of value.

But the evidence is that some of the information supplied standing alone would appear to have little, if any value. This, however, does not mean that it was in fact valueless. The evidence indicates that there were agents working along the same lines in the United Kingdom, the United States, and elsewhere. The Russians would know from their agents in Canada that information was being pooled: by getting some information on a subject here, some in England and some in the United States, and then assembling it, a very large body of data could be built up. It is therefore impossible to say that any information handed over, no matter how trivial it might appear by itself, was not of some value.

Furthermore the fact that work carried to a certain stage in one country, would be carried a stage further or to completion in another, would mean that for adequate evaluation the material obtained in one place would have to be checked against that obtained in another.

However much secret and valuable information was handed over. Some of it is so secret still, that it can be referred to only obliquely and with

the greatest care, and this is especially so in the case of certain secret information shared by Canada, the United Kingdom, and the United States.

From the beginning there was the closest co-operation in scientific research between Canada, the United Kingdom and, later, the United States. While some secrets were not fully shared, as in the case of some details concerning the atomic bomb, the results of continuing research work by scientists in one country was in almost all cases at once communicated to their opposite numbers in the other two. Work carried to a certain stage in one would be further advanced in another; and experimentation and research did not stop when a reasonably satisfactory result appeared to have been achieved but further improvements were sought and frequently made.

As to the question of atomic energy and the work done by nuclear physicists, we are able to say in the first place that on the evidence before us no one in Canada could have revealed how to make an atomic bomb. There was no one in Canada who had that information. In the second place there is no suggestion in the evidence that anyone who had any information on the subject made any disclosures except May. As to May, he did have certain information that would be of value to the Russians. He was in a position to get, where we do not know but possibly in Montreal, samples of Uranium 235 enriched and Uranium 233; he did get them and did deliver them to Lt. Angelov. These samples were considered so important by the Russians that upon their receipt, Motinov flew to Moscow with them. May also possessed considerable knowledge of the experimental plant at Chalk River, Ontario, which was described as "unique". In addition to May's work in Canada, he also did some work in the United States in collaboration with American scientists, but the evidence before us is that in such work also he could not properly have obtained the full story. How much of his information he handed over we are not able to say, but what he is known to have given, as shown by the documents and by his own written statement, we are told would be of considerable help to the Russians in their research work. May, in his written statement, did not particularise about the extent of the information he gave, but stated in effect that it was more than has since appeared (i.e. in the *Smyth* Report). He said that he gave his "contact" a "written report on atomic research as known to me. This information was mostly of a character which has since been published or is about to be published."

Next to the atomic bomb it would appear to us that the development of Radar was perhaps the most vital work accomplished by the English-

speaking Democracies in the technical field during the period in question. British scientists had already done valuable pioneering work before 1939, but the improvements made since then have been considerable and many of these are still in the Top Secret category. Information of the greatest importance in this field was communicated to the Russians by agents.

The work done in connection with anti-submarine devices, Asdic, is as important as the work done on Radar—some authorities say that it is more important. Much of it is still in the Top Secret category. The information before us leads us to the conclusion that much, and very possibly all, of the information available in Canada on this subject has been compromised. It would at least be unwise to assume anything else.

The advances made in Canada by Canadians in developing and improving explosives and propellants were outstanding. Canadian scientists were given very full information on the work being done in the same fields in the United Kingdom and the United States. The very names of many formulas are still supposed to be secret: the production methods even more so. But the names and much of the secret information were given to the Russians as well as continuing information about trials, experiments and proposed future research. This information was of great value.

Another development in which Canada played a leading role is the "V.T. Fuse", the name being a code name. "This is the fuse that knocked the Japanese Air Force out of the air", and it was used against the Germans in the latter part of the European War. The wiring details and the details of manufacture are still classified as secret. This fuse was developed in Canada. "We started to work in 1943", said a witness, "and developed it to the place where we had to put it into manufacture; but we had no place to manufacture it so we gave this secret to the Americans, and they, with their own knowledge and ours, produced this fuse. Canadians have been in on this right from the very beginning". One of the agents upon whom we are reporting had the wiring diagram of this fuse. There are certain details of the manufacture which were known only to the Americans; and the United States of America is, we are told, the only country that can build the fuse at the present time. This fuse is the "electro bomb" referred to in some of the Russian documents. None of the armaments sent to Russia during the war included this fuse.

In conclusion, therefore, we can say that much vital technical information, which should still be secret to the authorities of Canada, Great Britain and the United States, has been made known to the Russians by reason of the espionage activities reported on herein. The full extent of the

information handed over is impossible to say; as we have already pointed out, these operations have been going on for some time. We should emphasize that the bulk of the technical information sought by the espionage leaders related to research developments which would play an important part in the *post-war* defences of Canada, the United Kingdom, and the United States.

Much of the information handed over by agents such as Adams, Benning and Gerson comes in a different category from the technical and scientific information dealt with above. This second category may be described briefly as economic information. It included information on production, location of industries, transportation, and planning. It included also information regarding a wide variety of financial matters and matters pertaining to international trade and commercial policy. It is sufficient to say here that the amount of material in this category which was handed over was very great indeed, and that much of it was classified as Secret or Top Secret. Regarding the evaluation of this material, we will say only that this information appears to have been such as would be designed to facilitate detailed estimates of Canada's post-war economic and military potential. Parts of this information could also be useful in connection with possible sabotage operations.

There is a further category of information which we should mention briefly. In addition to material on technical, scientific and economic subjects, the espionage leaders also sought—and obtained from agents in the cipher division of the Department of External Affairs and in the registry of the Office of the United Kingdom High Commissioner at Ottawa—political information. Much of the political information obtained was classified as Top Secret and related not only to the policies of the Canadian Government but to those of the Governments of the United Kingdom and the United States. The value of information of this type needs no particularization.

Again, Canadian citizenship documents such as passports, naturalization certificates, and marriage or birth certificates were sought for illegal purposes and in some cases obtained. Such documents were sought not only for use in Canada but also, as illustrated for example by the Witczak passport case dealt with in Section V of this Report, for use in the United States. Sam Carr accepted in 1945 an assignment to facilitate the entry of other planted agents into Canada in the future, and it is clear that this type of operation, which was not a new development, was intended to be used more extensively in the future. Such planted agents could in time be used not only for espionage but for sabotage, leadership of subversive political groups, and other

purposes. It is unnecessary to comment on the possible gravity of these operations.

The other aspect of this whole matter should not be lost sight of. Of paramount importance is the fact that Canadians were willing to give secret information no matter what its importance, and were carrying out their agreements. Some gave all they had or all they could get; others apparently gave only some of what was in their possession; some had not much to give but were in positions where they would, in the future, have been able to give more and they would undoubtedly have done so. The most important thing is the agreement of certain Canadian Communists to work under foreign orders in a conspiracy directed against their own country.

SECTION VIII

ARRANGEMENTS MADE BY THE CANADIAN DEPARTMENT OF NATIONAL DEFENCE FOR SUPPLYING INFORMATION OFFICIALLY TO THE SOVIET MILITARY ATTACHE

The Canadian Department of National Defence had set up an organization to maintain liaison with the Military Attachés of the various foreign governments represented in Ottawa, including the Soviet Military Attaché, and to supply them officially with all authorized information which they might seek.

This official system was described in a directive of 18th December, 1943, sent to all foreign Military Attachés in Ottawa and to the various branches of the Canadian armed forces, and was reprinted in booklet form in July, 1945. Requests for information or for permission to visit any officer in National Defence headquarters were to be made to the Secretary, Department of National Defence. Requests for technical information would then be referred to the technical directorate concerned to assemble the information and then to the Directorate of Intelligence which was responsible for deciding whether or not such information could be handed over.

Colonel Jenkins, the Canadian staff officer in charge of liaison with foreign Military Attachés in Ottawa, has stated to us that this system worked very well in general. He mentioned that his Department was slightly concerned about the activities of Major Sokolov. This Soviet officer, while wearing uniform, was not officially on the staff of the Military Attaché of the Soviet Embassy but on that of the Commercial Counsellor. (As has been stated in Section II, Sokolov was in fact one of Zabotin's espionage agents, and his ostensible position on the staff of another section of the Embassy was deliberate).

Major Sokolov disregarded the official procedure laid down for foreign Military Attachés and officers of their staffs, and made direct enquiries of technical units. Colonel Jenkins drew Colonel Zabotin's attention to this breach of regulations on October 25, 1944. Zabotin replied that he had no authority over Sokolov as the latter was working for the Commercial Counsellor although wearing a uniform. Colonel Jenkins stated before us:—

"Other foreign officers in Canada with other Governments, we were able to bring under the control of the Military Attaché but not in the case of the Russians."

Colonel Jenkins has testified that his Department had been aware of certain irregularities by Major Sokolov in connection with minor abuses of Canadian business contacts made in the course of his duties in connection with the Mutual Aid programme.

Regarding official requests from Colonel Zabotin for information, Colonel Jenkins detailed such requests and submitted a complete list, which we reproduce:—

Date	Request	Result
1943		
Sept.	Authorization for Col. Zabotin to visit Artillery and Engineer Demonstrations at Petawawa Military Camp and Armament Corps Training at Camp Borden.	Granted.
Dec.	Authorization for Col. Zabotin to visit anti-aircraft defences at Arvida.	Granted.
1944		
June	Miscellaneous Canadian Training pamphlets.	Supplied.
June	Authorization for Col. Zabotin to visit certain military establishments in Halifax in connection with his trip there with R.C.A.F.	Granted.
Nov.	Cold weather reports.	Supplied.
Nov.	Comparative ranks of the three services' badges, etc.	Supplied.
Nov.	Canadian Army Manual of Maintenance and Lubrication.	Supplied.
Dec.	Publications dealing with infantry weapons used in the Canadian Army.	Supplied.
Dec.	List of Canadian Army Uniforms.	Supplied.
Dec.	Authorization for visit of Col. Zabotin to R.M.C.	Granted.
Dec.	Authorization for visit of Lt.-Col. Motinov and Major Rogov to Paratroop Training Centre.	Granted.
1945		
Mar.	List of German Divisions on the Western and Eastern fronts.	Supplied.
May	Miscellaneous Training pamphlets.	Supplied.

Date	Request	Result
1945		
Oct.	Information about the expedition "Mulberry".	Press release supplied and Col. Zabolin invited to exhibition of model.
Nov.	Information on Canadian post-war army organization.	Given copy of Minister's speech in House of Commons 16 October 1945.

In June, 1945, Col. Zabolin was advised that the Department of Munitions and Supply had given permission for him to visit Scarbow Fuse Loading Plant at the invitation of the President of General Engineering Co. In September, 1945, he was advised of an invitation by the R.C.A.F. to all foreign Military Attachés to attend a demonstration of jet-propelled aircraft (*Meteor*).

In fact no information whatsoever, officially asked by Colonel Zabolin was refused.

Zabolin apparently considered this surprising even between allies, and attributed it to what he considered an unusual personal generosity on the part of Colonel Jenkins. This is illustrated by the following document, a telegram signed by Zabolin and sent to Moscow on 23rd August, 1945:—

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To the Director,

1. In your letter is indicated as No. 1—the Chief of the operational division, Colonel Jenkins—but the character outline was taken from the file of Dick. Colonel Jenkins has not been a candidate of ours for development. With Jenkins have been established good mutual business relations. From him I am getting quite valuable materials. Thus for example, recently I received from him a series of materials on the tasks mentioned in your telegram No. 10921. I have never planned the development of the latter, as he is a Reserve Officer and must soon retire. His retirement is not in our interest as it is hardly likely that his future replacement will be as good a man as he is. So far there has been no occasion when Jenkins refused us anything whatsoever. I consider that the

subject of your letter was about Dick. Please elucidate.

Grant.

23.8.45.

("Dick" is the cover-name of another Canadian Colonel, referred to in Section II, 5. a).

On 26th September, 1944, Colonel Zabolin wrote asking permission to visit German prisoner-of-war camps across Canada. While this request was under consideration, the Soviet Ambassador approached the Department of External Affairs on the matter, which was then handled by that Department and is dealt with elsewhere in this Report.

The Soviet Military Attaché accompanied the other foreign Military Attachés on conducted visits to Canadian Army Exercises at Wainwright in August of 1944 and at Churchill in January, 1946.

The evidence showed that Zabolin did not make any official enquiries in respect of important matters, and Colonel Jenkins' comment to us was that the list above quoted "brings out the point which we had often discussed among ourselves, and that is how, not futile, but how reasonable were . . . (Zabolin's) . . . official requests. We see the reason now".

The reason, or rather reasons for this official restraint on Zabolin's part are obvious. The very innocuous nature of the official requests was calculated to lull the Canadian authorities into a sense of security, so they would have no suspicion of the secret activities of Zabolin and his assistants or the staff of the Soviet Embassy, and also to convince them how correct the Russian attitude was.

When asked whether any of the official requests for information indicated that the Russians were in possession of information that they could not properly have obtained, Colonel Jenkins replied, "No, as far as we were concerned we were absolute fools, had no idea at all."

The evidence further shows that Zabolin at no time ever indicated a desire to exchange information. Colonel Jenkins said that all his section got from Zabolin was bundles of pamphlets or magazines, *Military Thought* and *Air Fleet News*, which Zabolin would bring in every three months or so.

In fact, it appears that Zabolin was embarrassed by an official invitation from the Canadian General Staff to lecture at the Royal Military College, Kingston, on the organization of the Red Army. He was afraid that any misleading information which he might give might not tally with informa-

tion given in Moscow to the foreign Military Attachés there. He decided, however, that this difficulty could be solved by limiting himself to material published in a Soviet magazine. On 22nd August, 1945, he sent the following telegram to Moscow on this matter:—

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To the Director,

A letter was received from the General Staff, signed by Colonel Jenkins, asking us to give a lecture on the organization of the Red Army, at the Military College in Kingston. I visited that place in the spring of this year. I consider that no lecture on that subject should be given. There is a plan at the General Staff whereby all Military Attaches were requested to make reports. A number of attaches have already made these reports. I therefore find myself in a disadvantageous position. I think it expedient to make a report along the lines of two articles from No. 3 of the magazine "Voyennaya Mysl" ("*Military Thought*"), namely the article by Marshal Rotmisterov of the tank troops and the one by Colonel General Samsonov. After this I will be able to press Jenkins and get a series of materials to fulfill your tasks for 1945.

A somewhat similar report to be made by Rogov on the materials from the magazines "Vestnik Vozdooshnovo Flota" ("*Air Force News*"), and to make use of the occasion I should together with him visit the Staff College of the Air Force in Toronto. I beg you to make the desired corrections.

N. Zabotin.

22.8.45

It will be observed that Zabotin signed official telegrams to Moscow, the subject matter of which did not concern his espionage activities, with his real name. It is not surprising, however, that he occasionally became confused. One of his telegrams laid before us by Gouzenko, dealing with purely personal matters, is significant. It is in Zabotin's handwriting and he had signed it *Grant*. Realizing his error, Zabotin then crossed out *Grant* and substituted his real signature, "N. Zabotin". We give this telegram because of its significance in further authenticating the documents:—

To the Director,

My son Vladimir has successfully completed his Ten-Year School. He declined to enter the institute of international relations and is preparing to enter the first Moscow Artillery School which is named after Krasin, from which I graduated in 1924. In order to send my son off I ask to leave for a very short term. It appears to me that the time has come also for me to be at the centre to discuss a series of questions regarding our work. If it is indeed impossible for me to leave, I ask to send my wife with my son. I beg you facilitate the entry of my son in the Artillery school and to advise me of the time of departure. My wife cannot fly in an aeroplane.

*

Grant N. Zabotin

*

2.8.45.

In this section we have referred to one of the arrangements made by the Canadian authorities for the official supply of information to the Soviet military authorities. This has been necessary because of the light it throws on the abuse which Zabotin made of his official position in Ottawa. We have, therefore, not considered it necessary to deal in this Report in any other way with the official supply by Canada of material or information to the Soviet Union through the various channels set up for this purpose. In particular, we are not here concerned with the material or information supplied during the war by Canada to the Soviet Union through the Canadian Mutual Aid programme or through the joint arrangements made for this purpose by Canada, the United Kingdom and the United States.

* Faint type indicates words crossed out in original documents.

SECTION IX

AUTHENTICITY AND ACCURACY OF THE RUSSIAN DOCUMENTS

Gouzenko carried away with him on the night of the 5th September, 1945, when he permanently severed his connection with the Soviet Embassy, the documents which have already been referred to in this Report.

No occasion was neglected throughout the inquiry to test their authenticity and accuracy. We were, however, steadily and increasingly impressed by the evidence as it developed during these numerous and lengthy sessions. It brought to light an unhappy but unfaded picture of organized and progressing spying activities in Canada.

We have before us certain admissions made by the Soviet Government; admission by conduct of certain members of the Soviet Embassy at Ottawa; and express admissions by certain persons in the service of the Canadian Government. We have before us other relevant evidence which we shall also discuss.

The Admissions Made in Moscow by the Soviet Government

In the capital of the Soviet Union, on the 20th February, 1946, at 10.15 p.m. Deputy Commissar of Foreign Affairs, Solomon Lozovski, invited Leon Mayrand, Chargé d'Affaires at the Canadian Embassy in Moscow, to call at his office and then read to him a two-page statement from the Soviet Government in reply to that made by the Canadian Prime Minister of Canada on the 15th of the same month. A copy of this note recited in a telegram has been filed before us as Exhibit No. 519, the text of which is as follows:—

On February 15th this year the Canadian Government published a statement about the delivery in Canada of secret information to persons not having the right of access to this information, including certain members of the staff of a foreign Mission in Ottawa. On handing this statement to the Soviet Charge d'Affaires, N. D. Belokhovostikov, the Prime Minister, Mr. King, stated that the reference in the Canadian Government's statement to certain members of the staff of a foreign Mission referred to members of the staff of the Soviet Embassy in Ottawa.

In this connection, after appropriate investigation, the Soviet Government considers it necessary to make the following statement:

Soviet organizations have become aware that in the latter periods of the war certain members of the staff of the Soviet Military Attache in Canada received, from Canadian nationals with whom they were acquainted, certain information of a secret character which did not, however, present great interest for the Soviet organizations. It has transpired that this information referred to technical data of which Soviet organizations had no need in view of more advanced technical attainment in the U.S.S.R.; the information in question could be found in published works on radio location, etc., and also in the well-known brochure of the American, J. D. Smyth, *Atomic Energy*.

It would, therefore, be ridiculous to affirm that delivery of insignificant secret data of this kind could create any threat to the security of Canada.

None the less, as soon as the Soviet Government became aware that the above-mentioned acts of certain members of the staff of the Military Attache in Canada, the Soviet Military Attache, in view of the inadmissibility of acts of members of his staff in question, was recalled from Canada. On the other hand, it must also be borne in mind that the Soviet Ambassador and other members of the staff of the Soviet Embassy in Canada had no connection with this.

At the same time the Soviet Government finds it necessary to draw attention to the unbridled anti-Soviet campaign which began in the Canadian press and on the Canadian radio simultaneously with the publication of the Canadian Government's statement. In spite of the complete lack of significance and importance of the circumstances which gave rise to the Canadian Government's statement of February 15th, this anti-Soviet campaign is being supported by many Canadian organizations, and at the same time the position taken up by the Canadian Government is directly aimed at encouragement of this anti-Soviet press and radio campaign which is incompatible with normal relations between the two countries.

In this connection, surprise is occasioned by the unusual fact that the Canadian Government published its statement on February 15th instead of, as is customary between countries in normal relations, previously asking for an explanation from the Soviet Government. Inasmuch as the Canadian Government did not consider it necessary to approach the Soviet Government for a previous explanation, it must be admitted that the Canadian Government herein was pursuing some other ends having no relation to the security interests of Canada.

It must be admitted that the above-mentioned unbridled anti-Soviet campaign formed part of the Canadian Government's plan aimed at causing the Soviet Union political harm.

It cannot be considered a mere chance that Mr. King's statement was made to coincide with the ending of the session of the Assembly of the United Nations where the Soviet Delegate spoke in defence of the principle of democracy and independence of small countries. Evidently Mr. King's statement and the anti-Soviet campaign in Canada which has been developed in connection with it are something in the nature of an answer to the unpleasantness caused to Mr. King's friends by the Soviet Delegate at the session of the Assembly.

The fact that the Soviet Government made the admissions contained in this document within five days after the public announcement of the Canadian Prime Minister is cogent evidence that the documents taken from the Russian Embassy by Gouzenko were genuine and that the statements in them were true.

Admission by Conduct of Certain Russian Officials in Ottawa

Two sets of circumstances in immediate sequence of Gouzenko's sudden departure from the Embassy, established by several witnesses, have now to be considered in relation to the question of authenticity and accuracy of the documents brought before the Commission by Gouzenko.

The first lies in the extraordinary steps taken by night by certain members of the Soviet Embassy staff, led by Pavlov, the head of the N.K.V.D. in Canada, at apartment 4 of 511 Somerset Street in the City of

Ottawa, the residence of the Gouzenko family, evidencing an anxiety over the situation that had arisen.

The second set of circumstances following immediately these nocturnal activities consists in the exchange of official communiques between the Soviet Embassy and the Department of External Affairs in Ottawa.

These two sets of circumstances, which are fully dealt with in Section X, establish, we think, the authenticity of the documents, the knowledge of their disappearance contemporaneously with Gouzenko's departure, and the extreme eagerness to repossess them.

We think also that Colonel Zabolin's departure from Ottawa in December 1945, without notifying the Canadian authorities to whom he was accredited, and his departure from New York on a Soviet ship, S.S. *Alexander Suvorov*, which sailed clandestinely at night without complying with port regulations, is also significant from the point of view here being considered.

Some of the Stationery Traced to Soviet Embassy

While activities of the kind with which this report deals are conducted very secretly, they involve a certain amount of unavoidable recording, written communications, notes and reports.

Oral and documentary evidence (invoices and ledger sheets) show that during 1945 the Military Attaché purchased, from a local dealer in Ottawa, black folders of the same make and type as those produced by Gouzenko marked *Back, Badeau and Frank* which record the activities of Gordon Lunan, Durnford Smith, Sam Carr, and those working with them.

The evidence also established that similarly there was purchased in Ottawa in 1945 by the Soviet Embassy, blue sheets and pink sheets of paper identical with those produced by Gouzenko on which the telegrams to and from Moscow he brought were written. The sheets of paper produced by Gouzenko were examined by a witness who testified that the ruling and perforation on the same were specially made by his firm on the order of a representative of the Soviet Embassy.

Handwriting of Colonel Zabolin, Colonel Rogov and Lieutenant Colonel Motinov Identified

Gouzenko identified the handwritings on the various documents he produced.

While in Canada, Colonel Zabolin, Colonel Rogov and Lt. Colonel Motinov were extended hospitality by Canadians. We had before us several

pages with the printed heading "*Friends of Ours*", extracted from a guest-book kept by an Ottawa resident at his hunting lodge. Colonel Zabotin on the 15th October, 1944 and Colonel Rogov and Lt. Colonel Motinov on the 26th October, 1944, were guests at this Lodge, and each wrote several sentences, in addition to his signature, in the guest-book.

A handwriting expert, having compared the handwritings in the guest-book with the handwritings in the Russian documents, testified that the handwritings in the documents were rightly attributed by Gouzenko to Zabotin, Rogov and Motinov respectively. We accept this evidence.

Handwritten and Typewritten Documents from the Russian Embassy Traced to Employees of the Canadian Government or Agencies Thereof

1. Gouzenko filed with us as Exhibits 24-a, 24-b, 24-c and 24-d four documents written in English on common correspondence stationery, which he says he took from the vault in room 12 of the Soviet Embassy. These documents were found to be in fact copies or summaries of actual telegrams from the Secretary of State for Dominion Affairs, London, to the Secretary of State for External Affairs, Ottawa, respectively dated August 24th, 1945, August 24th, 1945, August 25th, 1945 and August 31st, 1945, as the Russian documents purported to be.

Emma Woikin was, on all these dates, a cipher clerk on duty in the Department of External Affairs, and she admitted that the documents brought by Gouzenko had, in fact, been written by her and given by her to Mrs. Sokolov.

2. A single photostat sheet of a document handwritten in English, filed as Exhibit 27, also came, said Gouzenko, from the brief case of Lt. Col. Rogov kept in the vault in room 12 of the Embassy.

This document purports to be a report on the activities of an agent named *Badeau* later identified as Durnford Smith.

David Gordon Lunan admitted before us that he had written the original of this photostat document, and had handed it to Rogov.

3. Three photostat sheets, handwritten in English, filed as Exhibits 26-a, 26-b and 26-c, Gouzenko also said he took from Rogov's brief case.

These documents contained notes, formulae and drawings, the substance of which was, after investigation, traced and related to a certain project of the Micro-wave Section of the Radio Branch of the National Research Council.

A handwriting expert testified before us that these three documents were in the handwriting of Durnford Smith, a member of that Section.

Heard as a witness, Smith did not deny that it was his handwriting. He said it "looked like" his.

4. Filed as Exhibit 28 is one sheet of ruled paper written in English on both sides with perforations on the left-hand side, which Gouzenko said he took from the same safe. This document, handwritten, describes the operation of a gun and a method of filling shells with RDX/TNT.

Searches were made in the files of the Ammunition Branch of the Department of Munitions and Supply with the result that the original of the above document was located in a secret file of the Ordnance Board. This particular document is No. 31,719 and is dated 25th July, 1945.

Harold Samuel Gerson, an employee of the Department at that date, admitted that the document filed with us by Gouzenko had been written by him.

5. Two sheets from a small loose-leaf notebook, each written on both sides in English, and purporting to give the names of the Heads and Assistant-heads of the Radio Section, the Air Force Section, the Naval Micro-wave Section, and the Special Research and Development Section of the National Research Council, were filed by Gouzenko as 17-k, 17-l, 17-m and 17-n.

A handwriting expert gave evidence that these documents had been written by Durnford Smith. Smith himself, connected with the Micro-wave Section, would not admit but would not deny that these documents had been written by him.

6. Gouzenko also brought several sheets pasted into a black-folded file headed *Back*. These were typewritten in the English language, and have been marked as Exhibits 17-d, 17-e and 17-f. These purport to be reports from *Back* to *Jan*.

Captain David Gordon Lunan, identified by Gouzenko as the agent acting under the cover-name of *Back* was shown these documents and admitted having typed them himself on his own typewriter and delivered them to Rogov.

The Connection Shown in the Russian Secret Documents between the various Canadian Agents is reflected and amplified in the private documents found in their possession.

The majority of names appearing in the documents brought by Gouzenko have been identified by him as being cover names for places, organizations and persons.

Gouzenko easily identified the cover names used for all the Russians and from information which he had obtained by perusing the dossiers on individual agents, and the notebooks, incoming and outgoing telegrams and other documents, and from conversations in which he took part or which he heard at the Soviet Embassy, he was able to identify some of the persons who were not Russians and were mentioned under cover names, although with one exception he had not met any of them. A few of the names, he said, were real names, though inaccurately and phonetically spelled by the Russians in the English or in the Russian language.

The searches carried on in the respective residences or offices of those who were detained under Order in Council P.C. 6444, revealed that many of them had been in close contact with each other.

SUMMARY OF EXHIBITS ON THE MATTER

<i>Found at residence or office of</i>	<i>Nature of document</i>
MAZERALL	Calendar pad taken from office desk—mention of LUNAN.
LUNAN	Telephone number finder taken from office—mention of MAZERALL, MISS CHAPMAN, DURNFORD SMITH, POLAND, SHUGAR.
LUNAN	Book of addresses and telephone numbers—mention of NIGHTINGALE, POLAND, ROSE, BOYER et al.
LUNAN	Small book of addresses—mention of BOYER, AGATHA CHAPMAN, POLAND et al.
NIGHTINGALE	Diary—mention of AGATHA CHAPMAN, FRITZIE LINTON (Grierson's Secy.), SHUGAR, BENNING et al.
BOYER	Diary—mention of SHUGAR, LUNAN.
BOYER	Booklet—mention of SHUGAR.
BOYER	Letter—ROSE to BOYER "Dear Comrade".
BOYER	Letter—signed "Arthur & Edith" (Steinberg).
BOYER	Letter—signed "D. S. SHUGAR".
	Letters between BOYER and LUNAN.
BOYER	Book containing names of STEINBERG, NORMAN VEALL, GERSON, LUNAN et al.
BOYER	Group photo. of BOYER, LUNAN et al.
	Letter "Dear Nicholls" signed "STEINBERG".

<i>Found at residence or office of</i>	<i>Nature of document</i>
GERSON	Notebook from Gerson's home—mention of Mrs. BENNING, CHUBB, AGATHA CHAPMAN, NIGHTINGALE et al.
ADAMS	Booklet found in Adams' home—mention of DURNFORD SMITH.
ADAMS	Calendar pad from Adams' office—mention of BOYER.
ADAMS	Calendar pad from Adams' office—mention of SAM.
ADAMS	Calendar pad from Adams' office—mention of AGATHA CHAPMAN.
SMITH	Notebook found in bedroom of DURNFORD SMITH—mention of DAVID SHUGAR.
HALPERIN	Address book found at Halperin's home—mention of ERIC and JO ADAMS, DR. BOYER, NIGHTINGALE, FRED ROSE, DAVE SHUGAR et al.
BENNING	Notebook from Benning's office—mention of AGATHA CHAPMAN, FRED ROSE, NIGHTINGALE, POLAND, ADAMS, GERSON, SHUGAR et al.
POLAND	Telephone finder from Poland's office—mention of AGATHA CHAPMAN, LUNAN.
POLAND	Calendar pad for 1945 from Poland's desk—mention of PAVLOV.
POLAND	Calendar pad for 1946 from Poland's office—mention of PAVLOV.
POLAND	Notebook from Poland's home—mention of NIGHTINGALE.
POLAND	Ottawa-Hull Telephone Directory for 1945 from Poland's home—AGATHA CHAPMAN'S name written in.
POLAND	Letter found in Poland's home—mention of LUNAN.

Conclusion

The conclusion that the documents which Gouzenko brought are authentic, is inescapable. We have given as illustrations some of the factors which establish the authenticity of particular documents. Many other illustrations could be given, and perusal of the Sections of this Report dealing with the illicit activities of the Russian Fifth Column agents will provide further instances. In addition to the admissions of the accuracy of statements in the documents regarding their participation in illicit activities made by the persons concerned, and already set out in this Section, Boyer, Mazerall, Willsher, Rabinowitch and May made similar admissions, the last named when questioned after his return to the United Kingdom. These admissions are dealt with in the relevant Sub-Sections of Section III of this Report.

On the other hand no evidence has been forthcoming from any source which casts the least doubt on the genuine nature of any of the documents.

There are instances, of course, of inaccuracies in matters of fact due to the human element; had such been entirely absent, there would have been cause for suspicion. It is in some of the small things which the documents record, that there is furnished significant confirmatory ground for our conclusion. Two examples may be given:—

1. Opposite an entry of August 25th, 1945, in Motinov's handwriting, in the Smith (*Badeau*) dossier, which entry records a street-corner meeting in Ottawa, there is a marginal note, under the heading "*Remarks*" reading:—

**Was a torrential downpour, but he nevertheless came.
Gave instructions not to come in the future in such
weather; it is not natural.**

The meteorological records for Ottawa, including an automatic rain gauge chart, for the 25th August, 1945, and a rainfall chart for the entire month of August, show that there was very heavy rainfall on the evening of the 25th August, and that this was by far the heaviest rainfall of any day during the month.

2. In Lunan's (*Back's*) dossier, a Russian record of another secret meeting between Lunan and Rogov held on the 6th August, 1945, includes the statement:—

**Concerning Bacon and Badeau he communicated that
he had not seen them, that both are on an official
journey; he also communicated that both to him and to
Bacon a child had been born.**

The fact of these births was confirmed in evidence by both Lunan (referred to as "*he*" in the document) and Halperin (*Bacon*). We think we need not say more on this subject.

SECTION X

IGOR GOUZENKO

As we have already said, this witness, Igor Gouzenko, arrived in Canada in June, 1943, to act as cipher clerk for the Military Attaché, Colonel Zabolin, who came at the same time. Gouzenko's duty was to decipher messages from Moscow for the Military Attaché and to encipher Zabolin's messages for transmission to Moscow. Gouzenko also had charge of a safe in the room where he worked, in which papers of the Military Attaché and members of his staff were kept from time to time, and it was part of his duty to burn such papers as Zabolin indicated should be destroyed. On September 7th, 1945, under circumstances hereinafter set out, Gouzenko turned over to the Royal Canadian Mounted Police a number of papers from the Embassy relating to espionage activities of certain members of the Embassy, and made disclosure of the facts within his knowledge relating to the matter.

It will, perhaps be convenient that we should, at this point, deal with the facts leading up to the making of these disclosures by Gouzenko. We propose to deal with this branch of the evidence rather fully, for it has a bearing upon the weight to be attached to Gouzenko's evidence. Having heard that evidence and the evidence of other witnesses who came into contact with Gouzenko on September 6th and 7th, 1945, we have been impressed with the sincerity of the man, and with the manner in which he gave his evidence, which we have no hesitation in accepting.

Gouzenko is a young man, born in Russia in 1919. He holds the rank of Lieutenant in the Red Army and received special training in Russia leading up to his coming to this country. When he was sent out from Russia he says he had the understanding that he was being sent out for a two or three year period. In or about September of 1944, a telegram was received from Moscow by Colonel Zabolin indicating that Gouzenko's return to Russia was required. Owing to representations then made by Colonel Zabolin, this did not take place and Gouzenko was allowed to remain. Ultimately however, in August, 1945, definite instructions came from Moscow that Gouzenko must return with his wife and child. Gouzenko says that he had been having a struggle with himself as to whether or not he should return to Russia. He says that when he arrived in Canada he was impressed by the complete freedom of the individual which he found existing, which was utterly foreign to his experience in Russia and foreign to the information which he

had received in Russia as to life in the democratic countries. He was impressed with the things that were on sale in the stores and the fact that these things were there to be purchased by anybody who wanted to buy. He was also greatly impressed with the freedom of elections in Canada and the contrast between the freedom of nominating candidates and voting in Canada and the system which he had known in Russia, where one name only appeared on the ballot. He also says that he had seen how the Canadian people had sent supplies to the Soviet Union and collected money for the welfare of the Russian people, while all the time members of the Russian Embassy were developing under-cover espionage activity directed against Canada.

He says that in the Embassy, the fact that the Soviet Union was preparing for a third world war was freely talked about. He says there were two schools of thought there. Those who were not really tied in with the Communist Party feared another world war, while those who were ardent Members of the Party and its subsidiary organizations really wished for it, because they thought that to be part of the process leading toward a general upheaval throughout the world which would result in the establishment of Communism. Asked as to what antagonist was considered in these conversations to be facing Russia, he says that capitalism still remained to be overthrown. He further said that the announced abolition of the *Comintern* was merely a sham; that the work of the *Comintern*, which formerly, by reason of its preponderance of representatives therein, had always been controlled by Russia, is now directed exclusively by the Central Committee of the Communist Party of the Soviet Union.

We report this evidence without comment, except to say that we see no reason to doubt that Gouzenko has reported what he in fact heard, and that he regards what he heard as serious. He has said, and we believe that he thinks, that any such ideas are not in the true interests of the Russian people themselves. On the 10th of October, 1945, he made a formal statement, upon which he was examined before us. We reproduce that statement here:—

I, Igor Gouzenko, wish to make the following statement of my own will:

Having arrived in Canada two years ago, I was surprised during the first days by the complete freedom of the individual which exists in Canada but does not exist in Russia. The false representations about the democratic countries which are increasingly propo-

gated in Russia were dissipated daily, as no lying propaganda can stand up against facts.

During two years of life in Canada, I saw the evidence of what a free people can do. What the Canadian people have accomplished and are accomplishing here under conditions of complete freedom—the Russian people, under the conditions of the Soviet regime of violence and suppression of all freedom, cannot accomplish even at the cost of tremendous sacrifices, blood and tears.

The last elections which took place recently in Canada especially surprised me. In comparison with them the system of elections in Russia appear as a mockery of the conception of free elections. For example, the fact that in elections in the Soviet Union one candidate is put forward, so that the possibilities of choice are eliminated, speaks for itself.

While creating a false picture of the conditions of life in these countries, the Soviet Government at the same time is taking all measures to prevent the peoples of democratic countries from knowing about the conditions of life in Russia. The facts about the brutal suppression of the freedom of speech, the mockery of the real religious feelings of the people, cannot penetrate into the democratic countries.

Having imposed its communist regime on the people, the Government of the Soviet Union asserts that the Russian people have, as it were, their own particular understanding of freedom and democracy, different from that which prevails among the peoples of the western democracies. This is a lie. The Russian people have the same understanding of freedom as all the peoples of the world. However, the Russian people cannot realize their dream of freedom and a democratic government on account of cruel terror and persecution.

Holding forth at international conferences with voluble statements about peace and security, the Soviet Government is simultaneously preparing secretly for the third world war. To meet this war, the Soviet Government is creating in democratic countries, including Canada, a fifth column, in the organization

*Sentence underlined in original document.

of which even diplomatic representatives of the Soviet Government take part.

The announcement of the dissolution of the Comintern was, probably, the greatest farce of the Communists in recent years. Only the name was liquidated, with the object of reassuring public opinion in the democratic countries. Actually the Comintern exists and continues its work, because the Soviet leaders have never relinquished the idea of establishing a Communist dictatorship throughout the world.

Taking into account least of all that this adventurous idea will cost millions of Russian lives, the Communists are engendering hatred in the Russian people towards everything foreign.

To many Soviet people here abroad, it is clear that the Communist Party in democratic countries has changed long ago from a political party into an agency net of the Soviet Government, into a fifth column in these countries to meet a war, into an instrument in the hands of the Soviet Government for creating artificial unrest, provocation, etc., etc.

Through numerous party agitators the Soviet Government stirs up the Russian people in every possible way against the peoples of the democratic countries, preparing the ground for the third world war.

During my residence in Canada I have seen how the Canadian people and their Government, sincerely wishing to help the Soviet people, sent supplies to the Soviet Union, collected money for the welfare of the Russian people, sacrificing the lives of their sons in the delivery of these supplies across the ocean—and instead of gratitude for the help rendered, the Soviet Government is developing espionage activity in Canada, preparing to deliver a stab in the back of Canada—all this without the knowledge of the Russian people.

Convinced that such double-faced politics of the Soviet Government towards the democratic countries do not conform with the interests of the Russian people and endanger the security of civilization, I decided to break away from the Soviet regime and to announce my decision openly.

*Our underlines.

I am glad that I found the strength within myself to take this step and to warn Canada and the other democratic countries of the danger which hangs over them.

(sgd) Gouzenko.

I have read the foregoing translation which was made from my original statement in Russian, and have found it to be correct.

October 10th, 1945.

(sgd) Gouzenko.

It was under the influence of such considerations as we have mentioned, that Gouzenko finally decided to leave the Soviet service and to take with him documents which would establish the kind of activity being carried on under the cover of the Russian Embassy.

During the last few weeks prior to his departure from the Embassy on the 5th of September, 1945, he selected a number of documents which he left in their places in the files, the edges or corners of which he turned over in order that he might pick them out quickly at any time. On the 5th of September he left the Embassy, with the documents, at about 8.00 p.m.

The first thing he did was to go immediately to one of the daily newspapers published in the city, with the intention of asking that newspaper to publish his decision and the reasons for reaching it. Whoever he interviewed at the newspaper office did not act in accordance with his desire. On leaving the newspaper office he proceeded to the apartment where he resided, and the next morning, September 6th, he, his wife and child, left the apartment to remain away until between 6.00 and 7.00 o'clock in the evening.

He made a number of calls during the day to various official offices and called again upon the newspaper. He was unable that day to have anyone accept him seriously.

On returning to his apartment he was evidently under some apprehension as to his personal safety and that of his wife and child. He says that he had not been long in the apartment, which is No. 4, when he noticed two men standing on the opposite side of the street who appeared to be keeping it under observation. Shortly after that someone knocked on his door and called his name. While he did not answer the door, his presence in the apartment was disclosed by the noise of his child running across the

room. He says he recognized the voice of the person at the door as that of Under-Lieutenant Lavrentiev, one of the drivers for the Military Attaché.

Gouzenko thereupon went out through the back door to the adjoining apartment, No. 5, occupied by a Non-Commissioned Officer of the R.C.A.F., and asked if this officer and his wife would be willing to keep his child for them overnight. The Non-Commissioned Officer and his wife have both appeared and given evidence before us.

He said:—

“Well, my family and I were out on our balcony at about 7 o'clock in the evening, between 7 and 7.30, and Mr. Gouzenko came over from his balcony and asked if he could speak with me. I told him sure he could speak with me, if he had something to say; so he asked me if the wife and I would look after their little boy if anything should happen to him and his wife. So about that time I figured maybe we should go inside, so we went into our apartment, and while in there he said he figured that the Russians were going to try to kill him and his wife, and that he wanted to be sure that somebody would look after his little boy if anything should happen to them.

So after a bit of a conference my wife and I decided we would look after him, because we didn't want to see him stuck with nobody to look after him should anything happen to them.”

On coming out the back door of the R.C.A.F. Non-Commissioned Officer's apartment, which opens on to a balcony, both men saw a man walking along a lane at the back of the apartment house. As a result of this incident, Gouzenko became so apprehensive that he asked the N.C.O. if he, Gouzenko, and his wife could also be taken in by them and they agreed to do that. At this juncture the wife of the tenant in another apartment, No. 6, on the same floor, appeared and, on hearing the story, agreed to take the whole Gouzenko family for the night as she was alone in her apartment. The R.C.A.F. man thereupon, on his own initiative, set off on his bicycle for police assistance.

The lady who took in the Gouzenkos was also called as a witness before us, and we have heard her evidence as to these and the later events of the night. These later events were also described to us by the police officers who subsequently appeared on the scene, and may be summarized as follows:—

As the result of the request for the assistance of the municipal police, two constables, Walsh and McCulloch, in a prowler car were sent to the apartment and arrived there sometime after 7.00 p.m. They interviewed Gouzenko in Apartment 6 and he told them he was a member of the Russian Embassy and had information of value to Canada. He told the police officers he thought he was being trailed and he wanted protection. Arrangements were accordingly made that the police officers would keep the apartment building under surveillance and that, if their help was needed, the light in the bathroom of apartment 6 was to be turned out. In the meantime it was to be kept on.

Between 11.30 and midnight four men arrived in the building and proceeded to Gouzenko's apartment, No. 4, on the door of which they knocked. The Non-Commissioned Officer occupying apartment 5, thinking it was the police returning, opened his door. The men in the hall asked if he knew where Gouzenko was, but he said he did not. Then they continued knocking, but, not getting any answer, went downstairs, as though to leave. Instead of doing so, however, they returned quietly, knocked again, and then broke in the door and entered. The Non-Commissioned Officer, who had in the meantime gone into his apartment, could hear this operation.

In the meantime the police had been summoned and they arrived. The door was not closed tight and the two constables entered and found the lights on and the four men evidently ransacking the apartment. One who turned out to be Vitali Pavlov, the Second Secretary and Consul of the Embassy proper, and head of the N.K.V.D. in Canada, was in a clothes closet. One, in uniform, identified as Lieutenant-Colonel Rogov, the Assistant Military Attaché, Air, was in a closet just off the room into which the constables entered, which in the opinion of the constables he was engaged in ransacking.

Walsh asked what the men were doing there. Pavlov, who did practically all the talking, said they were Russians and they were looking for papers which belonged to the Russian Embassy; that the owner of the apartment had left town and was in Toronto and they had his permission to go into the apartment and get what they wanted. Walsh remarked that it was funny if they had permission that they had broken the lock to get in, and he picked up from the floor the keeper of the lock and said "This does not look as if it has been done with a key. You must have used a bit of pressure to get in and from the marks on the door you did not put them there with your fingers." Constable McCulloch testified that Pavlov

said they had "lost the key but there was something in there they had to get." Pavlov then said the premises were Russian property and they could do as they liked. Rogov said the constables had insulted them and Pavlov ordered them out, but the policemen refused to go until their Inspector arrived. Walsh asked for their identification cards and they identified themselves as:—

Vitali G. Pavlov, 2nd Secretary, Embassy U.S.S.R., 285 Charlotte Street,

Lieutenant Angelov, Member of the staff of the Military Attaché,
Lieutenant-Colonel Rogov, Military Attaché, Russian Air Force,
Alexandre Farafontov.

The last named is one of the cipher clerks of the Embassy used by Pavlov for the purposes of his communications to and from Moscow.

The Inspector ultimately arrived and sized up the situation. He asked the members of the Embassy to remain while he went out to make some inquiries, but while he was gone they left. No attempt was made by the police to hold them.

Pavlov took an ordinary door key out of his pocket and locked the ordinary lock in the door, the Yale lock of course being out of commission. Both Constables, Walsh and McCulloch, as well as the Non-Commissioned Officer of the R.C.A.F., all stated that the door of apartment 4 was locked and in good condition at the time of the previous visits of the constables. McCulloch, on arriving with Walsh the first time, had been met by the R.C.A.F. Non-Commissioned Officer at the top of the stairs and, on McCulloch asking for Gouzenko, they were referred to apartment 6 and apartment 4 was indicated to them as Gouzenko's apartment. McCulloch tried the door of apartment 4 before proceeding to number six.

Gouzenko, his wife and child, remained in apartment 6 for the rest of the night, under the care of the city police. There was a later caller at apartment 4 in the night but he retired in a short time without incident. On the morning of the 7th of September, Gouzenko was taken to the office of the R.C.M.P. where he turned over his documents, told his story and asked to be kept in protective custody as he feared for his safety and that of his wife and child.

On the 8th of September, 1945, the Department of External Affairs received from the Soviet Embassy at Ottawa a note, dated September 7th, a translation of which reads as follows:—

The Embassy of the U.S.S.R. in Canada presents its compliments and has the honour to inform the Department of External Affairs of the following:

A colleague of the Embassy, Igor Sergeievitch Gouzenko, living at 511 Somerset St., failed to report for work at the proper time on the 6th September.

In connection with this and for the purpose of clarifying the reasons for the failure of I. Gouzenko's reporting for work, Consul V. G. Pavlov and two other colleagues of the Embassy visited the apartment of I. Gouzenko at 11.30 on the 6th September.

When Mr. Pavlov knocked at the door of Gouzenko's apartment no one answered. After this the apartment was opened by the above-mentioned colleagues of the Embassy with Gouzenko's duplicate key, when it was discovered that neither Gouzenko, nor his wife, Svetliana Borisovna Gouzenko, nor their son Andrei, were in the apartment.

It was later established that I. Gouzenko robbed some money belonging to the Embassy and had hidden himself together with his family.

At the time when Consul Pavlov and the two other colleagues of the Embassy were in Gouzenko's apartment, i.e., about 11.30 p.m., Constable Walsh of the Ottawa City Police appeared together with another policeman and tried in a rude manner to detain the diplomatic colleagues of the Embassy, in spite of explanations given by Consul Pavlov and the showing of diplomatic cards.

As a result of the protest expressed by Mr. Pavlov, Walsh called Inspector of the City Police Macdonald, who appeared at the Gouzenko apartment in fifteen minutes, and also in a rude manner demanded that Consul V. G. Pavlov and the other diplomatic colleagues of the Embassy go with him to the Police Station, refusing to recognize the diplomatic card shown by Consul Pavlov.

Upon the refusal of Mr. V. G. Pavlov to go to the Police Station, Mr. Macdonald went away, leaving a policeman in the Gouzenko apartment with the colleagues of the Embassy, for the alleged purpose of

finding out who it was who had notified the police of the forced entry into the Gouzenko apartment.

Consul V. G. Pavlov and the other two colleagues of the Embassy, after waiting for Mr. Macdonald to return for 15 minutes, left, having locked the Gouzenko apartment.

The Embassy of the U.S.S.R. asks the Department of External Affairs to take urgent measures to seek and arrest I. Gouzenko and to hand him over for deportation as a capital criminal, who has stolen money belonging to the Embassy.

In addition the Embassy brings to the attention of the Department of External Affairs the rude treatment accorded to the diplomatic colleagues of the Embassy by Constable Walsh and Inspector of the City Police Macdonald, and expresses its confidence that the Department will investigate this incident and will make those guilty answerable for their actions.

The Embassy asks the Department that it should be informed of action taken in relation to the above.

Ottawa, 7th September, 1945.

The reference in the above note to Gouzenko as a *capital* criminal may be noted. We are satisfied that the suggestion that there was a theft of money was an afterthought. Gouzenko, whose evidence we accept, denied it.

In a note of the 14th of September, 1945, from the Russian Embassy to the Department of External Affairs, the following, as translated, appears:—

Confirming its communication in the Note No. 35 of Sept. 7th of the fact that Gouzenko had robbed public funds, the Embassy, upon instructions from the Government of the U.S.S.R. repeats its request to the Government of Canada to apprehend Gouzenko and his wife, and without trial, to hand them over to the Embassy for deportation to the Soviet Union.

The Soviet Government expresses the hope that the Government of Canada will fulfill its request.

It only remains to add that Pavlov settled for the damage done to the door and frame of apartment No. 4 and paid the owner of the premises \$5.00 therefor. Further, although the Department of External Affairs

asked the Soviet Embassy for particulars of the monies stolen, this inquiry was never answered. We think these circumstances dispose of the theft suggestion.

We may add that the evidence of the witnesses we have heard respecting the happenings of the 6th and 7th of September fully corroborates that of Gouzenko.

It seems pertinent at this point to amplify what is said of Gouzenko's history in Section II. He was born in 1919 in Russia. He received education in primary and secondary schools and later entered the Academy of Engineering in Moscow, but after two months was sent to a special school conducted under the aegis of the General Staff of the Red Army. Gouzenko never became a member of the Communist Party, but became a member of the *Komsomol*, or *Young Communists*, at the age of seventeen. According to him, it was not usual in peacetime to admit *Young Communists* to this Academy, but during the war, owing to shortage of suitable candidates, it was decided to admit *Young Communists* for training.

It was in this school that he learned the secret codes he later employed. From here he was sent to the Main Intelligence Division of the Red Army in Moscow, and was then sent to the front in May, 1942, where he remained for about one year. The Soviet authorities decided toward the end of 1942 to send Gouzenko abroad, but had not then decided to which country to send him. His "documentation" took approximately six months to complete and included a very careful investigation of him by the N.K.V.D., the Russian Secret Police. The final stage in such investigation of Soviet officials about to be sent abroad was the approval of the head of the Foreign Branch of the Central Executive Committee of the Communist Party, or one of his assistants. In the case of Gouzenko, he was attended to by one Goussarov, who later became one of the Secretaries of the Embassy at Ottawa. It has been observed in Section II that Goussarov was the representative of the Communist Party in the Soviet Embassy in Ottawa, and that communications between him and Moscow were through the medium of a secret cipher also independent of the Ambassador. Goussarov's particular cipher clerk was one Patony.

Gouzenko says that all persons of his category, at least, sent abroad, were given a "*legend*" for the purpose of covering the fact that they were engaged in intelligence work.

This "*legend*" is a fictitious biography which the person concerned had to commit to memory. By this means, inquiry in Moscow by representatives of foreign powers there, as to the antecedents of such individuals, would be rendered fruitless. All documents made up for use abroad by such an individual are made up from this "*legend*".

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In our opinion Gouzenko, by what he has done, has rendered great public service to the people of this country, and thereby has placed Canada in his debt.

SECTION XI

LAW AND PROCEDURE

1. P.C. 6444

Some months before the date of the Order in Council by which we were appointed, Order in Council P.C. 411 of February 5th, 1946, namely, on October 6th, 1945, Order in Council P.C. 6444 had been enacted by the Governor General in Council. This order recites that:—

It has been ascertained that agents of a Foreign Power have been engaged in a concerted effort to obtain from public officials and other persons in positions of trust, secret and confidential information, the disclosure of which might be inimical to the safety and interests of Canada and friendly Powers, and that secret and confidential information has been communicated, directly or indirectly, by certain persons to the agents of the aforesaid Foreign Power to the prejudice of the public safety or interests of Canada and of friendly Powers;

and that:—

It is deemed necessary for the security, defence, peace, order and welfare of Canada that the Acting Prime Minister or the Minister of Justice should be authorized to order the detention of such persons in such places and under such conditions as the Acting Prime Minister or the Minister of Justice may from time to time determine.

The Order thereupon proceeds to enact as follows:—

1. The Acting Prime Minister or the Minister of Justice, if satisfied that with a view to preventing any particular person from communicating secret and confidential information to an agent of a Foreign Power or otherwise acting in any manner prejudicial to the public safety or the safety of the State it is necessary so to do, may make an Order that any such person be interrogated and/or detained in such place and under such conditions as he may from time to time determine.

2. Any person shall, while detained by virtue of an order made under this Order, be deemed to be in legal custody.
3. The Minister of Justice if satisfied that the detention of any person so detained is no longer necessary for the public safety or the safety of the State may make an Order releasing him.
4. The Acting Prime Minister or the Minister of Justice may authorize any member of the Royal Canadian Mounted Police to enter any premises occupied or used by a person whose detention is ordered at any time or times and to search the premises and every person found thereon and to seize any article found on the premises or any such person which the said member of the Royal Canadian Mounted Police has reasonable grounds for believing to be evidence that secret and confidential information has been communicated to agents of a Foreign Power.

It is to be observed that this Order lays down as the one condition precedent for the exercise by either of the Ministers referred to of the authority conferred by the Order, that such Minister shall be satisfied that it is necessary to detain any person "with a view to *preventing* such person from communicating secret and confidential information . . . or otherwise *acting* in any manner prejudicial to the public safety or safety of the State". The exercise of the authority conferred by this Order will be seen to be purely *preventive* in its nature and not *punitive* with respect to past conduct. It is not concerned with and leaves untouched the question of accountability for such conduct under the general law.

On the 14th of February, 1946, Commission Counsel, one of whom had, prior to our appointment, been advising the Government in connection with the matter for sometime, stated to us that they had advised the Minister of Justice that, in their opinion, the circumstances were such that he should exercise the power conferred upon him by Order in Council P.C. 6444, and they advised us the Minister desired our opinion.

In considering the situation thus arising, it may, in the first place, be pointed out that the disclosure of secret or confidential information to a foreign power is a subject which is not regarded either here or in England as on a level with what may be called ordinary domestic offences. Parlia-

ment has seen fit to mark out this subject in *The Official Secrets Act*, 1939, which is not limited to the existence of war, as one in which the safety and interests of the State are to be regarded as in danger because of which special provisions are deemed necessary. Some of the provisions of the statute, which is modelled upon the British Acts of 1911 and 1920 (1-2 Geo. V., cap. 28, and 10-11 Geo. V., cap. 75), illustrate what we have just said and should be referred to. By sub-section (1) of section (3) it is enacted that:—

If any person for any purpose prejudicial to the safety or interests of the State, . . .

- (b) **makes any sketch, plan, model or note which is calculated to be or might be or is intended to be directly or indirectly useful to a foreign power; or** *
- (c) **obtains, collects, records, or publishes, or communicates to any other person any secret official code word, or pass word, or any sketch, plan, model, article, or note or other document of information which is calculated to be or might be or is intended to be directly or indirectly useful to a foreign power,** *

such person commits an offence under the Statute.

The people of Canada in self-protection have, through Parliament, also enacted strong presumptions against persons charged under *The Official Secrets Act* shifting the burden of proof from the State to the accused, and in such cases it is for the person, against whom an offence under the statute is alleged, to establish his innocence to the reasonable satisfaction of the tribunal charged with the responsibility of deciding. We refer to the following provisions:—

Sec. 3(2) On a prosecution under this section, it shall not be necessary to show that the accused person was guilty of any particular act tending to show a purpose prejudicial to the safety or interests of the State, and, notwithstanding that no such act is proved against him, he may be convicted if, from the circumstances of the case, or his conduct or his known character as proved, it appears that his purpose was a purpose prejudicial to the safety or interests of the State; . . . *

*Our underlines.

(3) In any proceedings against a person for an offence under this section, the fact that he has been in communication with, or attempted to communicate with, an agent of a foreign power, whether within or without Canada, shall be evidence that he has, for a purpose prejudicial to the safety or interests of the State, obtained or attempted to obtain information which is calculated to be or might be or is intended to be directly or indirectly useful to a foreign power. *

(4) For the purpose of this section, but without prejudice to the generality of the foregoing provision:—

(a) a person shall, unless he proves the contrary, be deemed to have been in communication with an agent of a foreign power if— *

(i) he has, either within or without Canada, visited the address of an agent of a foreign power or consorted or associated with such agent; or

(ii) either within or without Canada, the name or address of, or any information regarding such an agent has been found in his possession, or has been supplied by him to any other person, or has been obtained by him from any other person;

(b) the expression 'an agent of a foreign power' includes any person who is or has been or is reasonably suspected of being or having been employed by a foreign power either directly or indirectly for the purpose of committing an act, either within or without Canada, prejudicial to the safety or interests of the State, or who has or is reasonably suspected of having, either within or without Canada, committed, or attempted to commit, *

*Our underlines.

such an act in the interests of a foreign power;

- (c) any address, whether within or without Canada, reasonably suspected of being an address used for the receipt of communications intended for an agent of a foreign power, or any address at which such an agent resides, or to which he resorts for the purpose of giving or receiving communication, or at which he carries on any business, shall be deemed to be the address of an agent of a foreign power, and communications addressed to such an address to be communications with such an agent.

Sec. 4(3) If any person receives any secret official code word, or pass word, or sketch, plan, model, article, note, document or information, knowing or having reasonable ground to believe, at the time when he receives it, that the code word, pass word, sketch, plan, model, article, note, document or information is communicated to him in contravention of this Act he shall be guilty of an offence under this Act, unless he proves that *
the communication to him of the code word, pass word, sketch, plan, model, article, note, document or information was contrary to his desire;

he shall be guilty of an offence under this Act.

Sec. 9 Any person who attempts to commit any *
offence under this Act, or solicits or incites or endeavours to persuade another person to commit an offence, or aids or abets and *
does any act preparatory to the commission
of an offence under this Act, shall be guilty of an offence under this Act and shall be liable to the same punishment, and to be proceeded against in the same manner, as if he had committed the offence.

*Our underlines.

The provisions of section 10 are particularly important and show that the statute is preventive as well as retributive. By this section any person reasonably *suspected* of "*being about to commit*" an offence may be arrested without warrant and detained by any constable or police officer. The section follows:—

10. Any person who is found committing an offence under this Act, or who is reasonably suspected of having committed, or having attempted to commit, or being about to commit, such an offence, may be arrested without a warrant and detained by any constable or police officer. *
*
*

It will be observed that while by section 9 an attempt to commit an offence or an act preparatory to the commission of an offence is in each case constituted an offence itself, nowhere in section 9 nor elsewhere in the statute is the fact of being "about to commit" an offence constituted an offence with which any person may be charged or for which he may be convicted. Section 10 provides for detention in such case and nothing more and the section places no time limit upon such detention. Neither does it contain any provision corresponding to such provisions as are found in sections 652 and 664 of the Criminal Code which provide that the person detained under those sections must be brought before a judicial officer within a certain time limited by the sections to be dealt with by him.

As to the provision for interrogation at the instance of the Minister, provided for in sub-paragraph 1 of the Order, such a provision, although not in the Canadian statute, is not new in matters within this field. Section 6 of the British Act of 1920 for instance provided:—

that it shall be the duty of every person to give on demand to a chief officer of police, or to a superintendent or other officer of police not below the rank of inspector appointed by a chief officer for the purpose, or to any member of His Majesty's forces engaged on guard, sentry, patrol or other similar duty, any information in his power relating to an offence or suspected offence under the principal Act or this Act. . . .

With respect to paragraph 4 of Order in Council P.C. 6444, this is in substance a reproduction of section 11 of *The Official Secrets Act*, 1939.

As already noted above, section 10 is silent as to the length of time during which a person reasonably suspected of *being about to commit an*

*Our underlines.

offence, may be detained by the constable who arrests him. It may be suggested, therefore, that the common law rule would apply and that the person detained must be brought before a judicial officer within a reasonable time. A "reasonable time" within the meaning of the common law rule is such time as is reasonably necessary in the ordinary course to bring the person before a magistrate. The jurisdiction of the magistrate at common law, as under section 668 of the Code, is limited to an inquiry into the matters "charged". In the case of a person arrested and detained on suspicion merely of being "about to commit" an offence, there is no charge and, therefore, nothing for the magistrate to inquire into. If it could be said, therefore, that in such case, there being no charge, the magistrate assuming a non-existent jurisdiction must direct the release of the person detained, the preventive purpose of *The Official Secrets Act* might well fail, as the person, by his release, would be then given an opportunity to commit the actual offence; and it is provided by section 15 of the Interpretation Act, 1927, R.S.C., cap. 1, that every Act and every provision thereof shall be deemed remedial whether its immediate purport is to direct the doing of anything which Parliament deems to be for the public good, or to prevent or punish the doing of any thing which it deems contrary to the public good and "shall accordingly receive such fair, large and liberal construction and interpretation as will best ensure the attainment of the object of the Act and of such provision or enactment, according to its true intent, meaning and spirit".

The release of a person reasonably suspected of being about to communicate information contrary to the statute merely because no charge has been made where no charge could in law be made, would not be in accord with the purpose of the authority given by section 10 to arrest and detain such a person.

On the other hand, is the duration of the detention authorized by the section to be considered as during such period, in the discretion of the arresting constable, as he thinks reasonably necessary to prevent the commission of the offence, and is his discretion subject to review by the court on any application brought by the person detained to secure his freedom? If the detention were not to be for a sufficient period to prevent the commission of the actual offence or to remove the suspicion, the preventive purpose of the statute might be defeated, but the Governor General in Council provided by Order in Council P.C. 6444 that the Minister of Justice, with whose consent alone, as provided by section 12 of *The Official Secrets*

Act, a prosecution for any offence under the statute may be instituted, should determine when detention shall be no longer necessary.

If then, as laid down in section 10 of the Canadian statute above, Parliament contemplated that, in the case of a single individual suspected by "any" constable or police officer of "being about to commit" the offence of communicating information to a foreign power, such person might be arrested without warrant, it would seem that in a case where there was not just one individual but many suspected, their detention at the instance not of a constable or police officer but under the authority of an Order in Council, would certainly be within the contemplation of the statute.

In concurring in the advice tendered the Minister by counsel, we had before us the secret records of the Russian Embassy itself with regard to the persons proposed to be detained. We had also heard the evidence of Gouzenko in part and had perused a precis of the additional evidence he had to give. Up to this time, February 14th, so far as we are aware, there had been no publication of the fact that an investigation of any kind was proceeding. The only fact known to the staff of the Russian Embassy, and through them to their Canadian agents, was the fact of Gouzenko's disappearance with some records, of the particulars of which the Embassy could not be certain. The Embassy no doubt may have suspected that Gouzenko had made disclosures to the Canadian authorities, and the slowing up or discontinuance of some of the operations noticeable in the cases of Woikin, Willsher and Adams is evidence of that.

The long period of silence following September 7th however might well have had some reassuring effect and the case of Adams would seem to be in point. While the espionage organization would observe every caution other circumstances indicated strongly that it was still functioning with the consequent continued communication of the information which it had been designed to obtain.

In a cable of August 25th, 1945, Zabotin reported to "*The Director*" that Krotov, the Commercial Counsellor of the Embassy, who had been in Moscow for a time, had arrived back in Ottawa, and that Zabotin had learned from him that he would have a staff of 97 persons. Up to that time, according to the return made by the Embassy to the Department of External Affairs, the Commercial Counsellor's staff amounted to approximately fifty persons.

The cable goes on to state that a part of this staff had been selected by Krotov and were to be "*trained in the Centre*"—i.e. Red Army Intelligence Headquarters—but that the selection of staff had not been completed. It is also stated that Sokolov was to remain in Krotov's organization but to

be under instructions of "his boss", namely, Zabolin. The cable further states that this organization of Krotov is to move to Montreal. Zabolin's staff was also to be increased:—

" . . . In connection with the increase of our staffs it would not be bad to occupy the house of the Economist after their departure. . . . The House of the Economist is almost twice as large as ours."

Zabolin occupied premises on Range Road while Krotov's establishment was on Blackburn Avenue. The cable itself is as follows:—

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To the Director,

The Economist has arrived. In a conversation with him I learned that his staff will consist of 97 persons. A part of the persons selected by him will be trained in the centre, but the staff was not fully selected. Davy will remain in the apparatus of the Economist on the instructions of his boss. The establishment of the Economist will move to Montreal. In connection with the increase of our staffs it would not be bad to occupy the house of the Economist after their departure. The Economist promised to let me know in time. The boss of metro is also aspiring to occupy this house, although they have no particular need. Please support my proposal in the future, if it is made by me to you or to the Chief Director in a telegram. The house of the Economist is almost twice as large as ours.

Grant

25.8.45

It is apparent then that both Zabolin and Krotov were in the process of augmenting their respective staffs. Zabolin's staff was largely concerned with espionage. Krotov was to have at least one espionage agent, Sokolov. The name *Economist* itself is the cover-name used by the Red Army Intelligence for Krotov who himself, according to the documents, had at one time been active in the espionage organization.

The significant thing is that no change in these plans took place after Gouzenko disappeared from the Embassy. On 28th August the Soviet Ambassador had pressed the Canadian Government for permission to open trade offices in Montreal or Toronto *with diplomatic immunity*. He again pressed this in October. In connection with this matter a senior official of the Canadian Department of External Affairs testified as follows:—

Q. The evidence given before the Commission indicates a policy on the part of the Russian Government largely to increase the staff of the Commercial Counsellor's office here in Ottawa, with the possible intention of moving it either to Toronto or Montreal, and also to increase Zabotin's staff; and there is some evidence that at least part of the increase was for the purpose of having additional people to work in these subversive activities. Would it be necessary for the Russian Government, we will say, to increase the staff of the Commercial Counsellor's office from fifteen or twenty to ninety or one hundred; and, if so, was such a request made? Can you give the Commission any information on that?

A. No request was made to increase the staff of the Commercial Counsellor's office in Ottawa, and it would not be necessary for them to secure consent. They would have to notify us, and of course any entrant would have to have a visa if he was coming from Russia, so we would know in general what they were doing and we would also require all diplomatic missions in Ottawa to make periodical returns showing their entire staff, everybody in the employ of the Mission, so we could keep an eye on the number.

Q. Can you give the Commission any information as to a recent request from the Russian Government to open a trade mission in Montreal with diplomatic immunity?

A. The request did not come forward in quite that form. The location was never settled. We heard about it first on the 28th August, 1945, when Mr. Zaroubin and Mr. Krotov called on Mr. Norman Robertson, as they put it, to discuss the suggestion that they were proposing to speak to their government — that is, they made it clear that they were not acting on instructions from Moscow, — for the reorganization of their commercial representation in this country.

They said that they had in mind the establishment of a trade delegation under the supervision of the Embassy but separate from the Embassy, with headquarters possibly in Montreal or Toronto. I think they made it clear they were thinking only of one office, not one in both places, at that stage.

They said that this was the sort of standard form of commercial representation that they had in the United Kingdom and other countries, and that they felt that with the end of the war the

centralization of commercial activities in Ottawa would cease, and they would be in a better position to conduct their activities with some decentralization.

Mr. Robertson at that time queried them on the question of immunities and privileges for any such Mission. He promised to look into the matter and let them know what our general attitude was. This was entirely verbal; there was no written request at any time from the Soviet Embassy on this point.

We made inquiries as to the practice in other countries. Before we received any answer, Krotov's legal adviser, whose name was Pianov, saw the head of our Economic Division in my Department and made a lot of detailed requests for information on Canadian laws and regulations applicable to trade missions of other Governments. We did not do anything very much about this in view of the time at which these requests were made.

However, I had occasion to see Mr. Zaroubin and Mr. Krotov again on October 13 about some difficulties we were having over the payment of contracts, and they started the ball rolling by tackling me vigorously on the fact that they had made this request and had not received any answer. I do not know that I got much in the way of new information from them.

They then asserted that they were asking the same privileges that had been granted in Europe and that such organization was not intended to be a purchasing or selling agency and that it was intended to establish it only in the one place, either Montreal or Toronto. They added that it was the custom of the Soviet Government to request diplomatic status for such Missions dealing with trade questions in other countries.

I answered that if it was not going to buy or sell, but was going to deal with intergovernmental trade matters, I could see no good reason why it should not be in Ottawa where, after all, the Government was situated, but I did not get any very convincing answer.

Q. Did you get any answer?

A. The Ambassador's answer was that they felt that in any case they would need some commercial agent in Montreal or Toronto or perhaps in both eventually. I then told Zaroubin that we wanted to look at our own position about the status of our own trade commissioners abroad, and suggested that if we would meet them

in any way at all it would be on a reciprocal basis and if we could be assured that we would receive permission if we wished to open a commercial agency in Leningrad or Vladivostock, for example. It was left there for some time.

We had given considerable thought to this matter of reciprocal agreements, and I expect that they might have been turned down, but we never presented any further proposals to them. The last I heard of it from the Soviet side was one day when Mr. Zaroubin was leaving Ottawa to return to Moscow on what he described as a brief visit for consultation. I think this was early in December. He paid a farewell call on Mr. Robertson and myself and mentioned his desire to receive an answer as to what we were ready to agree to so that he would, when he was in Moscow, be able to make arrangements with the Commissar of Foreign Trade.

Q. That was December, 1945?

A. I am afraid I have not the exact date here.

Q. Mr. Zaroubin has not yet returned?

A. Mr. Zaroubin has not yet returned.

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Q. In connection with this suggestion of Zaroubin and Krotov for a trade body in Montreal or Toronto which was not going to buy or sell; not having much imagination about these things, what could it do? What was the suggestion?

A. That, Mr. Commissioner, was what was rather puzzling me. I found I was in error in saying we had no written communications with the Soviet Ambassador. I saw him some time early in October, October 26th, and during a talk on another matter he pressed me for an answer. I said, "Please let us have your detailed plans in writing on this point because otherwise we cannot consider them fairly in consultation with other Departments of Government, as to what reply we should give." I had an answer on November 13, 1945, which contains this paragraph:—

The principal functions of the trade representatives of the U.S.S.R. in the countries in which they exist are, briefly, as follows:—

(1) To represent the interests of the U.S.S.R. in respect of foreign trade and to facilitate and encourage

the development of trade and other economic relations between the U.S.S.R. and a respective country;

(2) To control and regulate foreign trade of the U.S.S.R. with a respective country;

(3) To effect the transactions in foreign trade on the basis of state monopoly of foreign trade.

... not very informative.

During the war because of the different processes of manufacture at many different points in Canada for the U.S.S.R. they were under some necessity of having people visit factories to discuss specifications and so on with manufacturers. We certainly did not prevent that; we rather encouraged them to do that at times, and we were contemplating that there would be a continuation of this manufacturing account with the U.S.S.R. after the war. However, this would be on a commercial basis in which the Soviet Government would be dealing directly with the Canadian manufacturer concerned and would not justify, therefore, the creation of a Mission with full diplomatic privileges and immunities, although it might justify the creation of some representation in various centres of industry in Canada.

The extent of the ramifications of the espionage organization and the identity of all its agents was not known on February 14th. There were a number of agents designated in the Embassy records by cover names only whom Gouzenko could not identify. The provisions of the Order in Council being preventive, it was of the utmost importance that the identity of as many agents as possible should be discovered together with the method by which each functioned. Detention of those under suspicion would not only prevent further communication by them if it turned out that they were in fact agents, but there was every reasonable expectation that their evidence would lead to other discoveries. We felt that the exercise by the Minister of the power conferred upon him by Order in Council P.C. 6444 would have much more chance of effectuating the preventive intent of that Order and of the Statute by the discovery of the full ramifications of the espionage organization, than failure to exercise it, the result of which would be to leave to these persons the fullest opportunity, once one of them had been called to testify before us, to collaborate with each other and to receive

"instructions" from those directing their organization as to what they should or should not reveal.

If they had been left free to do this it would have hampered the work of this Commission, if it did not render it at least partly ineffective. Ascertaining the scope and determining the organization of the Fifth Column and the various spy rings and identifying the Canadians who were already at work as agents, or who were being drawn into the net would enable an immediate stop to be put to the subversive activities, would prevent many others from being corrupted, at the same time exonerating those who had been placed under suspicion but who in fact were innocent. Failure to prevent such collaboration would also disclose the information in the possession of the Commission and particularly the nature of the documents Gouzenko had brought with him. The lengths to which the Russians were prepared to go to recover these documents or to ascertain what he actually had in his possession reveals the importance they attached to this information. In fact even under the procedure adopted it will be seen that the agents were able to arrange for the destruction of material evidence, to prevent the return to Canada of at least one material witness, and to cause at least one material witness in Canada to disappear. We have found one case where an agent was warned by a telegram which while innocent on its face was in fact a code warning. This, fortunately, came too late to be of use to him.

It is merely to state cold fact to say that if the documents brought by Gouzenko on the 14th of February were found to be authentic, there had been laid bare before us, not just the case of a foreign agent having broken into a government department and committed theft, but a malignant growth, the full penetration of which we did not know, but which was alive and expanding, working in secret below ground, directed against the safety and interests of Canada by a foreign power and made up of Canadian citizens who, while giving lip allegiance to this country and the oaths of allegiance and secrecy they had taken, were in truth and in deed solely devoted to that foreign power, believing it to be the supreme exponent of ideas to which they had given themselves as much as if they were its citizens, and not citizens of this country. We have found Gouzenko's evidence to be reliable wherever it relates to the various Russian organizations and the operations directed by Sokolov and Zabotin, and it is verified by other independent evidence to a remarkable degree. On the 14th of February we had before us his written statement in which he said:—

Having imposed its communist regime on the people, the Government of the Soviet Union asserts that the Russian people have, as it were, their own particular understanding of freedom and democracy, different from that which prevails among the peoples of the western democracies. This is a lie. The Russian people have the same understanding of freedom as all the peoples of the world. However, the Russian people cannot realize their dream of freedom and a democratic government on account of cruel terror and persecution.

Holding forth at international conferences with voluble statements about peace and security, the Soviet Government is simultaneously preparing secretly for the third world war. To meet this war the Soviet government is creating in democratic countries, including Canada, a fifth column, in the organization of which even diplomatic representatives of the Soviet government take part.

The announcement of the dissolution of the Comintern, was, probably, the greatest farce of the Communists in recent years. Only the name was liquidated, with the object of reassuring public opinion in the democratic countries. Actually the Comintern exists and continues its work, because the Soviet leaders have never relinquished the idea of establishing a Communist dictatorship throughout the world.

Taking into account least of all that this adventurous idea will cost millions of Russian lives, the Communists are engendering hatred in the Russian people towards everything foreign.

To many Soviet people here and abroad it is clear that the Communist party in democratic countries has changed long ago from a political party into a fifth column in these countries to meet a war, into an instrument in the hands of the Soviet government for creating artificial unrest, provocation, etc., etc.

Through numerous party agitators the Soviet government stirs up the Russian people in every possible way against the peoples of the democratic countries, preparing the ground for the third world war.

*Underlined in original written statement by Gouzenko.

†Our underlines.

During my residence in Canada I have seen how the Canadian people and their government, sincerely wishing to help the Soviet people, sent supplies to the Soviet Union, collected money for the welfare of the Russian people, sacrificing the lives of their sons in the delivery of these supplies across the ocean—and instead of gratitude for the help rendered, the Soviet government is developing espionage activity in Canada, preparing to deliver a stab in the back of Canada—all this without the knowledge of the Russian people.

We also knew at that time what Gouzenko had said to the officers to whom he first told his story. One of these officers related Gouzenko's first statements as follows:—

“‘Why should Russia now be preparing for a third world war?’ He said, ‘Well, there is one great enemy to defeat, and that is capitalism’, and everything in the Soviet Union, at least what the regime is doing now, is designed for that purpose.

“He insisted that the abolition of the Comintern was a farce, that in reality the Comintern continues to function, not in the old form but in a new and possibly slightly camouflaged form.

“In relating certain things he stated that the people at the Embassy if they are really asked and are in a position to express a true opinion, those that are not really tied in with the communist ideology, fear another world war and those who are really members of the Communist Party and subsidiary organizations, they think that that is part of the process leading toward a general upheaving throughout the world resulting in the establishment of communism the world over.”

We might mention here that Gouzenko elaborated before us at a later date on his earlier evidence, but without changing its substance. He deposed as follows:—

“Then take the situation in Russia. There is a preparation for war there. They are educating the people. They are telling the people that everything that is outside the borders of Russia is an enemy. Even during the most dangerous moments during the last war they told the people that even though the allies were fighting at their side, they might still be enemies.

"There was one last conversation that Colonel Zabotin had with us. This was before the 5th of September. He gathered us in this room at 14 Range Road and said, 'Yesterday they were allies, today they are neighbours, tomorrow they will be our enemies.' In Russia there is a great deal of propaganda carried on by conversation of the propagandists and sometimes even in the press. It is all done to train the people to think that they must fight another war, that maybe it will be our final war."

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"Decoding these telegrams I involuntarily know these facts of the secret side of the policy of the Soviet government. The Russian people, thanks to the enforcement of the Soviet government, is isolated from life in the democratic countries. They do not know the reality beyond the bounds of the Soviet Union border. They are imbued with the idea that the people in democratic countries live in some kind of chaos. Prior to the war the word 'democracy' even had a bad meaning. If you were to call a man in Russia a democrat he will be offended.

"The Russian people are being brought up in the single-minded idea that the system existing in Russia is the only system having a future; the systems of the democratic countries, in accordance with this teaching, are doomed to defeat and will be destroyed by force and replaced by communism."

We believe Gouzenko reported what he heard at the Ottawa Embassy honestly and accurately, but we have no way of knowing to what extent these views are held by Russians other than those in the Embassy who expressed them. In so far as the opinions expressed by him are concerned we are impressed by his sincerity, and conscious of the opportunities he had to be well informed whereof he spoke. Whether the international situation at that time (or since) makes the accuracy of his opinions more or less probable, is not the point. We felt on the 14th of February we could not take the responsibility of ignoring this evidence. It may be that others, called upon at that time to exercise their judgment in the circumstances presented to us, might have felt differently — such was not our judgment.

In a book, published in 1945, Alexander Barmine, a member of the Soviet Diplomatic Service up until 1937, thus expresses his judgment with regard to purpose of the kind of activities reviewed in this report. At page 319 he says:—

"All this does not mean that Stalin has withdrawn his support from the so-called 'communists' who are manoeuvring for power in other countries. If he wanted to do that, he need only speak in the right quarters a single word. But it does mean, in my opinion, that he is using their manoeuvres only to weaken these countries and enhance his own and Russia's power. He will extend his totalitarian caste system to as many other countries as he can, and it is fantastic to pretend that he is 'fostering democracy' or 'going back toward capitalism' in Russia or anywhere else. He cannot do that without weakening his own position. His instinctive drive is toward power, and he will defend Russia's power in the world by undermining the democracies, just as he defended his own power within Russia by killing all those who began to see that democracy was the true solution of her problems."

(From the book *One Who Survived*)

We quote this without comment.

Accordingly, with our concurrence, counsel wrote to the Minister of Justice as follows:—

Ottawa, February 14th, 1946.

Dear Sir:

Re: Royal Commission—P.C. 411

By reason of the nature of the evidence already submitted to the Royal Commission, the undersigned counsel to the Commission have recommended to the Commissioners that you should be requested to exercise the powers conferred upon you by P.C. 6444, 6th October, 1945, and to issue Orders for interrogation and, for that purpose, detention of the following persons:

Isidore Halperin	Raymond Boyer
David Shugar	James Scotland Benning
M. S. Nightingale	H. S. Gerson
F. W. Poland	Eric Adams
Ned Mazerall	Emma Woikin
Durnford Smith	Gordon Lunan

The reasons which impel the Commissioners to accept our advice as above is the extremely serious nature of the disclosures so far made and indicated by the evidence, the fact that cover names of persons

who have not so far been identified also appear in the evidence and indicate that the full extent of the ramifications of the disloyal practices and the persons engaged therein may be even greater than is already known and may be continuing; in effect the matter appears to be so serious from the national standpoint that the Commissioners believe that the course we advise should be pursued in these exceptional circumstances.

Yours sincerely,

(Sgd.) E. K. Williams,
Gerald Fauteux,
D. W. Mundell.

The Rt. Hon. Louis St. Laurent,
Minister of Justice,
Ottawa.

With regard to the expectation that the exercise by the Minister of his authority under Order in Council P.C. 6444 would lead to the discovery of others concerned in these activities, we are able to say that this has been the result. For reasons which will appear such a result may have been attained to a much greater degree than can be demonstrated.

In the first place, Lunan, when he appeared before us, gave his evidence, we think, pretty fully, making allowance for the natural reluctance which we have no doubt he felt in describing what he had done, to say nothing of his reluctance to speak of what he knew of the actions of others. When later at large he had the opportunity of discussing matters with others and of receiving instructions from others, he fell mute when called as a witness in the proceedings instituted against Fred Rose and Mazerall.

Adams, Gerson, and Nightingale also, who had given evidence before us, refused to testify when called by the Crown as witnesses at the trial of Fred Rose. Woikin, in the course of her evidence at the same trial, took a somewhat similar attitude and was designated a hostile witness by the Court.

Further, the typewriter which Lunan had used to type his reports to Rogov and which he had taken with him to England where he was until shortly preceding his detention, was found in his father's home in the United Kingdom by members of Scotland Yard, who entered on a search warrant issued under the *British Official Secrets Act*, broken up into pieces, the result of which, as he no doubt intended, would render it difficult, if

not impossible, to prove if he remained mute, that he was the author of the reports. We think it very likely that the evidence he gave before us touching himself, Halperin, Mazerall and Smith, would not have been available had Order in Council P.C. 6444 not been acted upon with regard to him. Whether that would have been a desirable result, having regard to the provisions of *The Official Secrets Act*, 1939, to which we have referred, admits of no answer other than a negative.

It is perhaps merely a matter of comment in this context for us to say that, from the position we have occupied enabling us to observe the persons who were detained as they gave evidence before us, opportunity to deliver such confidential information as they were able from time to time to obtain, was the only conditioning fact for its actual delivery. Veall was especially frank:—

Q. Let us be perfectly clear. You say with the exception of the last — I think you said the last six or twelve months:

A. Yes.

Q. If somebody had asked you for secret information that you would have given it notwithstanding any acknowledgment or understanding there was between you and your employer, the British Government?

A. Yes.

The evidence also contains instances of where the decision to enter upon the work of espionage was not made except upon reflection. All such persons needed for action was opportunity.

We are satisfied that Freda Linton would not have been the only witness who disappeared, with the consequent loss of testimony, had not Order in Council P.C. 6444 been acted upon. Freda Linton appeared on the Embassy records only as *Freda* and Gouzenko could give her no other name nor could he identify her in any other way. The evidence of Nightingale, however, identified *Freda* as Freda Linton and Gouzenko subsequently identified her photograph as that of a woman he met at Sokolov's. We are confirmed in our view as above by the fact that if Sam Carr ever returned to Canada from the trip he made to the United States and Cuba on January 15th he also disappeared, and he cannot be found although his evidence was sought by the Commission. It is doubtful if the provisions of Order in Council P.C. 6444 extended to Carr so as to permit his detention as he is not within the class of "public officials and other persons in positions of trust". In any event he was not, so far as can be ascertained, in Canada on February 14th, 1946. The existence of Agatha Chapman, to whose activities we attach a great deal of importance, was

disclosed for the first time by Willsher. Frank Chubb is the "Chub" named in the Embassy records. Gouzenko could not identify him but Boyer did so and he has appeared before the Commission. Further, large numbers of important documents were found in the possession of important witnesses which would never have been available to the Commission if the powers given by section 4 of Order in Council P.C. 6444 had not been exercised. These documents furnished a great deal of valuable information.

From our observation of and experience with the persons engaged in these espionage activities who appeared before us as witnesses, it became apparent to us that they had been purposefully educated to a condition of mind in which they regarded obedience to the rules of Communist bodies as their highest duty and that, if their immediate objects could be advanced or protected by mendacity or concealment, including refusal to testify at all, they were quite prepared for such a course and recognized it as a requirement expected of them. Halperin, at an early stage of his examination, refused to testify further, notwithstanding the provisions of *The Inquiries Act*, which required him to do so, and notwithstanding the advice of his own counsel as to his obligation to testify. Upon his refusal to accept his Counsel's advice, that Counsel therefore withdrew. Again, Poland refused to be sworn, or to testify at all.

There were mentioned in the Embassy records brought by Gouzenko a number of other names of persons, both cover-names and real names, whom Gouzenko did not know. The identity of some of these, and others, has, however, as a result of the testimony given, now been ascertained. However, there are some seven agents designated by what appear to be cover-names who were, according to the records, working in Canada, and a number employed outside of Canada, whose identity we have not been able to discover.

There is also this further consideration to be kept in mind. As we have indicated in this Report, motivation for espionage was the result of careful and widespread preparation in secret study groups. Many more persons in the public service were being conditioned along these lines than were as yet actively participating in espionage. To obtain the evidence of those who had actually participated, independent of any consultation between them and free from "instructions" by others, seemed most likely to secure the disclosure of the names of a considerable number of members of these secret groups in the public service being "developed" for future use. It is to be remembered, as the documents show, that the agency organization was designed for expansion and for even greater use in the future.

We think it unnecessary to mention in this Report the names of such persons. Many, we have no doubt, would be unaware of the real object for which they were being "developed". The names, however, in so far as such persons have been identified, appear in evidence, and the situation may be reviewed by the proper authorities.

On February 14th, also we were apprised of the contents of the following letter written by the High Commissioner for the United Kingdom in Canada to the Minister of Justice. The letter itself was subsequently placed in evidence. It reads:—

**OFFICE OF THE HIGH COMMISSIONER FOR THE
UNITED KINGDOM**

SECRET

Ottawa, 14th February, 1946.

Sir,

In connection with an enquiry which is in progress by a Royal Commission, I understand that it has been decided to detain for interrogation a number of persons in Canadian Government employment. I am authorized by the United Kingdom authorities to request that, in view of evidence that a member of the staff of my Office may be involved in the particular activities which the Commission is investigating, she also should be detained for interrogation. Her name is Miss K. M. Willsher and her address is known to the appropriate Canadian authorities.

I therefore wish to request that, if the Canadian authorities are agreeable to this course, you will be good enough to have arrangements made according for her interrogation and detention for that purpose.

Yours sincerely,

(Sgd.) Malcolm MacDonald

**Rt. Hon. L. S. St. Laurent,
Minister of Justice,
Ottawa.**

In terminating our comments with respect to our concurrence in counsel's advice with respect to the exercise by the Minister of the authority conferred upon him by Order in Council P.C. 6444, it remains only to point out that by the express provisions of that Order the persons detained under those provisions were to be detained "in such place and under such conditions" as should from time to time be determined by the Minister.

The interrogation of which the Order speaks is not the examination conducted before us pursuant to Section 4 of *The Inquiries Act*. We had no jurisdiction with regard to such interrogation, and the transcription of whatever interrogation took place under the provisions of the Order was not made available to us, nor was it referred to by Counsel, except that in a very few instances in connection with certain points which arose, the witness was referred to statements made by the witness during interrogation under Order in Council P.C. 6444.

We may mention that none of the witnesses who had been detained under Order in Council P.C. 6444 made or suggested any complaint to us about their interrogation, the methods of their interrogation, the living conditions in their places of detention, or their treatment by their custodians, the Royal Canadian Mounted Police.

2. Order in Council P.C. 411

Dealing now with Order in Council P.C. 411, the law governing the discharge of our duty under it is laid down by *The Inquiries Act*, R.S.C. 1927, c. 99, pursuant to which we were appointed, and by the express terms of Order in Council P.C. 411 itself. We should say something with respect to these provisions and their application to the Inquiry.

Before referring to the provisions of the law in detail, it should be pointed out that a Commission under *The Inquiries Act* is, as provided by Section 2 of that statute, appointed for the purpose of making an inquiry whenever the Governor in Council deems it expedient to cause an inquiry to be made "into and concerning any matter connected with the good government of Canada or the conduct of any part of the public business thereof".

The position of persons summoned to give evidence before the Commission is governed by Sections 4 and 5. They are as follows:—

4. The commissioners shall have the power of summoning before them any witnesses, and of requiring them to give evidence on oath, or on solemn affirmation if they are persons entitled to affirm in civil matters, and orally or in writing, and to produce such documents and things as the commissioners deem requisite to the full investigation of the matters into which they are appointed to examine.

5. The commissioners shall have the same power to enforce the attendance of witnesses and to compel them to give evidence as is vested in any court of record in civil cases.

In view of this statutory obligation to speak, any idea that all persons whose conduct is being investigated before a Commission under the Statute should be cautioned before being required to give evidence, is based on a misconception. Of course, the ordinary warning that a person is not obliged to speak, but that if he does, anything that he might say may be used at his trial, must at common law be given to a person who is accused, or to a person who is so strongly suspected of having committed a crime that it is the intention of the authorities to prosecute him before the Criminal Courts (*Gach v. The King*, 1943, S.C.R. 250), which have the power to punish for the crime: a power which a Commission does not possess.

This rule of law is based on the sound principle that confessions must be free from fear and not inspired by hope of advantage which a person may expect from a person in authority, but it finds its application only when the person about to be interrogated is free to remain silent and is not under the compulsion of law to speak. It does not and cannot be applied to a person who is under the compulsion of a statute to reveal to a Commission or other body the existence of facts of which he is aware. *The King v. Walker*, 1939 S.C.R. 214; *Reg. v. Coote*, L.R.4 Privy Council 599.

Under *The Inquiries Act*, Commissioners are given power by the sections above quoted to compel a witness to speak, and to impose sanctions in case of a refusal. It would be a mockery of the law, and a derisive pronouncement, to hold that a witness must be given the warning "that he is not obliged to speak . . ." and yet that he should be liable to imprisonment if he did not comply with the compulsory sections of the Act, which provide that he is liable to imprisonment if he refuses to take the oath and answer the questions put to him. In not warning the witnesses, we have followed the only legal course open to us.

It will be convenient here to deal with a slightly different point, namely, whether any duty rested upon us as Commissioners to advise witnesses that they might, if they desired, avail themselves of the provisions of Section 5 of *The Canada Evidence Act*, Revised Statutes of Canada, 1927, cap. 59. It will be sufficient to refer, in this connection to the judgment of the Privy Council in *Regina v. Coote*, L.R. already referred to above. Sir Robert Collier at p. 607 said:—

"The Chief Justice indeed suggests, that Coote may have been ignorant of the law enabling him to decline to answer criminating questions, and that if he had been acquainted with it he might have withheld some of the answers which he gave. As a matter of fact, it would appear that Coote was acquainted with so much of the law; but be this as it may, it is obvious, that to institute an inquiry in each case as to the extent of the Prisoner's knowledge of law, and to speculate whether, if he had known more, he would or would not have refused to answer certain questions, would be to involve a plain rule in endless confusion. Their Lordships see no reason to introduce, with reference to this subject, an exception to the rule, recognized as essential to the administration of the Criminal Law, "*Ignorantia juris non excusat*." With respect to the objection, that Coote when a Witness should have been cautioned in the manner in which it is directed by Statute, that persons accused before Magistrates are to be cautioned (a question said by Mr. Justice Badgley not to have been reserved, but which is treated as reserved by the Court), it is enough to say, that the caution is by the terms of the Statutes applicable to accused persons only, and has no application whatever to Witnesses."

We may point out, that in more than one case, where witnesses were represented by counsel from the outset of their appearance before us, they gave their evidence without any appeal to the Canada Evidence Act. Be that as it may, no duty with respect to the matter rested upon us. The privilege given by the Statute, to a witness who wishes to claim it, is said by Phipson in his leading work on Evidence, 7th Edn. at page 206, to be "*based on the policy of encouraging persons to come forward with evidence . . .*" The author does not say that it is aimed against self-incrimination. We feel it is too often lost sight of that the law is not designed to handicap society in its endeavour to protect itself against those of its members who commit offences against it, nor to give advantage to such persons. The language of Riddell J., in the case referred to below, *Rex v. Barnes*, at page 390, may be studied with profit:—

"Much has been said as to the alleged hardship upon Barnes in being compelled to give evidence — it is, however, to be hoped that we have not arrived at the point that one accused of crime has so many and so high rights that the people have none. The administration of our law is not a game in which the cleverer and

more astute is to win, but a serious proceeding by a people in earnest to discover the actual facts for the sake of public safety and the interest of the public generally. It is the duty of every citizen to tell all he knows for the sake of the people at large, their interest and security, and I am not inclined to stretch in any way rules which permit any one to escape from the duties which all others admit and perform — it is for Parliament to frame rules and exceptions, not for the Court.”

The possibility that some charge may be laid in the courts against any person required to attend and testify pursuant to *The Inquiries Act*, or the fact that such a charge has already been laid at the time any person has been required to attend for the purpose of testifying, does not affect the position of such person under the law, or create any immunity from testifying. The point is illustrated by the decision of the Appellate Division of the Supreme Court of Ontario in *Rex v. Barnes*, 49 O.L.R. 374. In that case the obligation of Barnes to testify in the proceedings there in question arose under an Ontario statute in somewhat the same terms as Section 5 of *The Inquiries Act*, namely, R.S.O., 1914, cap. 92, sec. 35, which provided that:—

in addition to any other powers which he may possess, a coroner shall have the same power to issue summonses to witnesses, Form 8, to enforce their attendance and to punish for non-attendance or refusing to give evidence as is possessed by the Supreme Court.

The language of the late Mr. Justice Riddell at p. 390 *mutatis mutandis*, applies:—

The fact, then, that it is possible, probable or certain that one has caused the death of another does not take away his right to give evidence of the facts before the coroner, and at the Common Law the right and duty to give evidence are correlative. If one who had the right to give evidence should for any reason refuse, he could be compelled.

Had Barnes been in fact arrested and detained under the warrant of the coroner there in question, the same principle applied. The Court refused to set aside the warrant or prohibit its enforcement against Barnes, who at the time was evading arrest.

With respect to the representation of persons called to give evidence before a Royal Commission the English law is stated in Halsbury's Laws of England, 2nd Edition, Vol.2,p.501, as follows:—

Sub-Section 5—Non-Judicial Proceedings.

679. There are some proceedings, such as inquiries by Royal Commissioners, etc., where there may be no right for any one to appear except persons summoned, and where, therefore, counsel have no right to appear. But at such inquiries counsel, by leave of the commissioners, are often present, and examine and cross-examine witnesses. Tribunals of inquiry to which the Tribunals of Inquiry (Evidence) Act, 1921, has been applied, have power to authorize the representation before them of any person appearing to them to be interested by counsel or solicitor or otherwise, or to refuse to allow such representation.

The English statute referred to in the above text, namely, *The Tribunals of Inquiry Act, 1921*, 11 Geo. V., cap. 7, provides by Section 2 (b) that the Tribunal:—

shall have power to authorize the representation before them of any person appearing to them to be interested to be by counsel or solicitor or otherwise, or to refuse to allow such representation.

It is of interest to observe that under the common law also, a person in the position of Barnes in the case above referred to, although committed for trial on a charge of manslaughter has no right to be represented by Counsel in the coroner's court investigating the death of the person whose death was the subject of the charge against Barnes. This was decided in Ontario as long ago as *Agnew v. Stewart*, 21 U.C.Q.B. 396.

The position at law, apart from statute being as above stated, *The Inquiries Act*, contains an express enactment on the subject by which the Commissioners have a discretion to allow any person whose "conduct is being investigated" to be represented by Counsel before them. It is only "if any charge" is made against any person in the course of such investigation that such person is then entitled to Counsel if he so requests.

Further, the statute provides that the Commissioners shall not report against any person until reasonable notice shall have been given to him of the charge of misconduct alleged against him and he shall have been allowed full opportunity to be heard in person "or" by counsel. These provisions, found in sections 12 and 13, are as follows:—

12. The commissioners may allow any person whose conduct is being investigated under this Act, and shall allow any person against whom any charge is made in the course of such investigation, to be represented by counsel.
13. No report shall be made against any person until reasonable notice shall have been given to him of the charge of misconduct alleged against him and he shall have been allowed full opportunity to be heard in person or by counsel.

The statute does not require that the Commission shall *assign* Counsel to persons called to testify. The Commission is given a discretion to allow or refuse representation by Counsel where a witness "whose conduct is being investigated under this Act", asks permission to be so represented, up to the time when a charge is made against him in the course of the investigation. Where the Commission proposes to report against any person against whom a charge has been made, such person must first "have been allowed full opportunity to be heard in person or by counsel". In our conduct of the inquiry committed to us we followed these statutory provisions.

In some instances we considered it expedient, in the exercise of the discretion given us by the statute, not to accede immediately to the request of a witness for representation, although in most instances we did so upon the request being made.

By Order in Council P.C. 411, paragraph 3, it is proposed as follows:—

That the said Commissioners may adopt such procedure and method as they may deem expedient for the conduct of such inquiry and may alter or change the same from time to time;

For reasons which appear in this Report we determined that the Inquiry should be held *in camera* and in order to effectuate the purpose which dictated that decision, at the beginning of the inquiry we required all persons concerned in the inquiry, including witnesses, to take an Oath of Secrecy as to their evidence. All counsel also were in accordance with the custom in such cases required to give their undertaking. This course was followed until in our opinion it was no longer necessary by reason of publication and it was then discontinued. At the same time that the Oath was required of any witness, who expressed any objection on the ground

that it would prevent his consulting with counsel in connection either with the inquiry before us or in any proceedings which might be later initiated concerning such person, or from testifying in such proceedings we gave to such witness a release for such purposes; and in every case where such objection was not made immediately, but a request for a release was later made, such release was given. Further, on the 20th March, 1946, we placed upon the record a general release in the following terms with respect to persons testifying before us and their Counsel:—

In any case where prosecutions may be had in relation to the subject matter of this inquiry the oath of secrecy taken by witnesses and the undertaking of counsel not to divulge to any person any of the evidence of which they were apprised touching the matters in question, nor any document or information coming to them touching the said matters shall cease to have effect to such extent as may be needed to ensure to any accused the exercise of the right of full answer and defence and to enable any witness to give evidence in any of such prosecutions.

Before parting with this phase of the matters before us, it may not be amiss to point out something which some of the witnesses evidently failed to appreciate, if one is to judge by the attitude of witnesses such as Poland and Rose, who refused to testify at all, and Halperin, who testified up to a point only and refused to answer further questions. These witnesses seemed to think that to be required to testify was opposed to some fancied right they regarded themselves as having. We did not think in the particular circumstances that our duty required us to insist on their answering or to impose sanctions for refusal. But we think that the utter absence in law of any basis for their attitude should be pointed out.

The Orders in Council to which we have referred, as well as *The Inquiries Act* and *The Official Secrets Act* and *The War Measures Act* are as much the law of the land as any other law, ancient or modern. While this is obvious, it was not apparently obvious enough to these persons. The enactment of the above statutes was exclusively a matter for Parliament. The provisions of the Orders in Council were equally a matter for the Executive acting under powers conferred by Parliament. Once enacted they are law.

As stated by Lord Haldane L.C. in *The Fort Frances* case (1923 A.C. 695 at p. 706):—

"No authority other than the central Government is in a position to deal with a problem which is essentially one of statesmanship."

The language of Lord Atkinson in *Rex v. Halliday*, 1917, A.C., 260, may also be referred to. He said at page 272:—

"It was also urged that this Defence of the Realm Consolidation Act of 1914, and the regulations made under it, deprived the subject of his rights under the several Habeas Corpus Acts. That is an entire misconception. The subject retains every right which those statutes confer upon him to have tested and determined in a Court of law, by means of a writ of Habeas Corpus, addressed to the person in whose custody he may be, the legality of the order or warrant by virtue of which he is given into or kept in that custody. If the Legislature chooses to enact that he can be deprived of his liberty and incarcerated or interned for certain things for which he could not have been heretofore incarcerated or interned, that enactment and the orders made under it, if intra vires, do not infringe upon the Habeas Corpus Acts in any way whatever, or take away any rights conferred by Magna Charta, for the simple reason that the Act and these Orders become part of the law of the land. If it were otherwise, then every statute and every intra vires rule or by-law having the force of law creating a new offence for which imprisonment could be inflicted would amount, pro tanto, to a repeal of the Habeas Corpus Acts or of Magna Charta quite as much as does this statute of November 27, 1914, and the regulations validly made under it."

Reference may be made also to an extract from the judgment of Lord Justice Scrutton in *Ronnfeldt v. Phillips*, 35 Times Law Reports, 46 at 37:—

"Very wide powers had been given to the Executive to act on suspicion in matters affecting the interests of the State. The responsibility for giving those powers rested not with the Judges but with the representatives of the people in Parliament."

"Salus populi suprema lex" is "a good maximum and the enforcement of that essential law gives no right of action to whomsoever may be injured by it" as was said by Darling J. in *Shipton's Case* (1915) 3 K.B. 676 at 684. The maxim finds expression in time of war in such measures as the Defence of Canada Regulations where personal liberty may be interfered with and the person detained on the order of a Minister of the Crown if of opinion

that the interests of the State require it. As has been said the State must, in such cases, act first and investigate afterwards. Meredith C. J. C. P. in *Re Beranek*, 33 O.L.R., 139, said at 141:—

“It is not a time when a prisoner is to have the benefit of the doubt; it is a time when, in all things great and small, the country must have every possible advantage; a time when it must be the general safety first in all things always; until the final victory is won; even though individuals may suffer meanwhile.”

The Official Secrets Act, 1939, is an expression of the same principle, and its provisions are not limited to a time of war. The author of the Introduction to Dicey's *Law of the Constitution*, 9th Edition, at page lxxii says:—

“... A system of law, which like the common law is based on the protection of individual rights, is not readily comparable with legislation which has for its object the welfare of the public, or a large section of it, as a whole. The common law rests upon an individualistic conception of society and lacks the means of enforcing public rights as such. The socialisation of the activities of the people has meant restriction of individual rights by the conferment of powers of a novel character upon governmental organs. But these powers are exercised by an authority which is unquestionably as lawful as that by which the courts impose control in their own sphere. So far as the provision of State social services and the regulation of economic conditions have become part of the accepted philosophy of government, the rule of law still means the supremacy of Parliament. It is only, where constitutional law is concerned, in that small but vital sphere where liberty of person and of speech are guarded that it means the rule of the common law. For here alone has Parliament seen fit to leave the law substantially unaltered and to leave the protection of the freedom of individuals to the operation of the common law. Even so there are many examples today of interference with liberty by statutes. The Official Secrets Acts, 1911 and 1920, are outstanding examples.”

Professor Dicey in the text at page 581 thus describes *The Official Secrets Acts* of the United Kingdom:—

“To ensure the safety of the State the Administration possesses ample powers under the Official Secrets Acts, 1911 and 1920, which

are primarily, but not exclusively, directed to the prevention of espionage and the wrongful communication of information calculated to prejudice the safety of the State if communicated to a potential enemy. These enactments are in fact framed in the widest terms to prevent the publication of any matter which is detrimental to the public interest. They contain some provisions which are capable of being used to stifle freedom of discussion. But abuse of these provisions is to some extent safeguarded by the requirement of consent to a prosecution by the Attorney-General. The avowed object of the Acts is not, of course, to control the liberty of the Press or to restrict discussion of matters of political interest, but to prevent the betrayal to a potential enemy of matters relating to national defence."

By reason of the fact that the circumstances brought to light by the disclosures made by Gouzenko are unprecedented in this country, it is not surprising that the provisions of *The Official Secrets Act, 1939*, are not well known. These circumstances have also demonstrated how necessary such legislation is when occasion demands.

3. EVIDENCE

In deciding on the evidence to be followed we had to consider whether or not we should receive either of the classes of evidence technically designated as "hearsay" and "secondary", a matter solely within our discretion, under the terms of paragraph 3 of Order in Council P.C. 411 above set out. There were many cogent reasons why we should receive and consider any evidence that could be made available, whether direct, hearsay, or secondary.

The situation which we have been called upon to investigate was an extraordinary one in many ways. The organization headed by Zabotin was actually working in the Russian Embassy, taking full advantage of the diplomatic privileges enjoyed by the diplomatic members, which it was obviously considered, made assurance from detection doubly sure, and gave a guarantee of additional secrecy. The members of the Embassy staff engaged in the spying activities were undoubtedly committing breaches of the Criminal Law of Canada, and if not immune, could be prosecuted for these breaches. They were engaged in criminal conspiracy with Canadian citizens and we were charged with the responsibility of ascertaining their identity. It was apparent that members of the staff of the Embassy could not be brought before us.

Other questions of the scope and effect of the immunity arose. For example, while *The Official Secrets Act* contains provisions for obtaining from telegraph and cable companies, originals and transcripts of telegrams, and that would in an ordinary case be done at once, in this case it would be inadvisable to do it, although many of the documents produced by Gouzenko were originals or transcripts of telegrams, and it was clear that many more had been exchanged. Had these been obtained from the companies a great deal more information would undoubtedly have come to light, provided of course the ciphered messages could be deciphered.

While there were at least five different codes being used by the different divisions of the Embassy, all messages were sent out by or received by it. Not only would it have been impossible to obtain production of any of these messages, because of diplomatic immunity, but if it had been possible it would have been necessary to try to decode them and that was something we felt should not be attempted.

On that side therefore we were prevented from making the investigation that would at once be made in any ordinary case. The extent to which we were thus hampered is obvious.

It was necessary, then, to consider how, handicapped at the outset, the situation could best be dealt with. In the first place we had the great advantage of having a relatively large number of secret documents, selected by Gouzenko with remarkable skill and judgment.

In addition Gouzenko was able to give information of great importance gained in the course of his work as cipher clerk to the Military Attaché, and in the course of conversation and discussions with other members of the staff of the Embassy.

The documents primarily recorded the activities of Zabolin's organization which he began to build up on his arrival in Ottawa in June, 1943, but did disclose important facts about earlier organizations which Zabolin took over, in whole or in part, and reorganized, and also some evidence of the existence of other rings.

The use of "cover names" created further difficulties. In some few cases both real and cover names appeared in the documents, in others where only "cover names" were used, Gouzenko was able to supply the real names, but there were "cover names" of persons whose real names Gouzenko did not know, and whom it was necessary to identify in some other way if at all possible. It was unfortunate that Gouzenko had, so far as he knew at that time, never seen a single Canadian agent. This

meant that he could not point to any person and say: "This is the person named as so-and-so in such-and-such a document."

It was evident also that we should have to investigate the conduct of at least one employee of the International Labour Office who also enjoyed diplomatic immunity and the documents indicated that the operations in Canada were linked with similar activities in other countries and the persons outside of Canada would not be subject to the subpoena of this Commission. The profound secrecy which cloaked the operations, and would have continued to cloak them but for Gouzenko's action, made it impossible to obtain direct evidence on many points. We realized that the admission of hearsay or secondary evidence might mean that conclusions would be come to about certain individuals which, while entirely sound and incontrovertible, might not be possible of proof in subsequent proceedings where the stricter rules of evidence were applied. But, after full consideration, we had no hesitation in deciding that all evidence available, direct, hearsay or secondary, should be considered by the Commission. In fact, if this were not done, it was doubtful whether the purposes of the Commission could be achieved. Regarded from the standpoint of the strict rules of evidence referred to above, the documents brought away by Gouzenko might not of themselves be admissible evidence in all cases, but in the circumstances in which they were prepared — where there was not the slightest contemplation that they would ever fall under the eye of any "unauthorized person" — the presumption in favour of their dependability was obvious. Earlier in this Report we had occasion to deal with the rules of evidence in cases of conspiracy and need not repeat here what we have already said. For this reason we decided to accept them, at the same time subjecting them to every test that other evidence made possible. In retrospect, it is remarkable the extent to which the contents of these documents have been substantiated.

It might be observed, too, that we were conducting an inquiry, and not trying an issue. Once we had decided the question of what evidence we would receive, the only question remaining was that of the weight to be given to it. An examination of the sections of this Report in which we deal with persons upon whom we report adversely will show the limited extent to which we rely exclusively on evidence other than direct evidence.

4. STATUS OF THE COMMISSION.

In this Section we have dealt with various matters with respect to which there would appear to have been misunderstanding on the part of some. There is one other matter upon which we think we should say something, namely, the status of a Royal Commission.

In the first place such a Commission is a primary institution, though of a temporary kind, and is upon a formal equality with the other institutions of the State such as the Courts, Houses of Parliament and Privy Council. Reference may be made to Clokie & Robinson "Royal Commissions of Inquiry" (1937) pp. 150, 151.

While it is sitting, and until its existence terminates, it is not subordinate to any body. It is independent in every sense. It is not subject to, or under the control of the Courts. Its function is to conduct the investigation committed to it and to make its report to the Governor in Council. Its report is not subject to review by any Court, nor is it subject to appeal.

The Commission's findings are as authoritative as those of any Court, and, as it is the sole judge of its own procedure, and may receive evidence of any kind in its discretion, it is sometimes in a better position than a Court subject to strict rules as to the admissibility of evidence, to ascertain facts.

In the present inquiry the Commission has had an advantage in that it had before it the full story, as far as it could be learned, of the widespread, but closely interlocked, secret organizations, something no court of criminal jurisdiction, trying individual persons or even small groups of persons could ever have.

The use to be made of its Reports when made was something over which the Commission had no control: but the fact that as a result of its Interim Reports, the proper authorities decided to prosecute certain persons reported upon, did not affect the Commission's duty to pursue the inquiry with which it was charged under the Order in Council by which it was established, namely, to:—

... inquire into and report upon which public officials and other persons in positions of trust or otherwise have communicated, directly or indirectly, secret and confidential information, the disclosure of which might be inimical to the safety and interests of Canada, to the agents of a Foreign Power and the facts relating to and the circumstances surrounding such communication.

In carrying out such duty the Commission is entitled to follow the process of logical reasoning, to draw inferences from facts and from the demeanour of witnesses, and to set out its conclusions and the facts as found by it in such a way that the weight of those conclusions may be examined.

There is, however, one power a Commission does not possess. That is the power to enforce its findings. If it makes findings upon which the proper authorities conclude that certain persons should be punished, those authorities must resort to the courts or tribunals which alone possess the power to punish. Whatever the view there taken, the findings of the Commission, arrived at under its own procedure, and on the evidence before it, are not affected and remain valid.

SECTION XII

SUMMARY OF FINDINGS

I. We report that the following public officials and other persons in positions of trust or otherwise have communicated, directly or indirectly, secret and confidential information, the disclosure of which might be inimical to the safety and interests of Canada, to the agents of a foreign power:—

1. Eric Adams
2. J. Scotland Benning
3. Raymond Boyer
4. H. S. Gerson
5. Israel Halperin
6. David Gordon Lunan
7. Allan Nunn May
8. Edward W. Mazerall
9. Matt. S. Nightingale
10. F. W. Poland
11. David Shugar
12. Durnford P. Smith
13. Kathleen Mary Willsher
14. Emma Woikin

II. We report that we have been unable to identify the following persons named under "cover-names" in the documents and there definitely stated, to have been members of Zabotin's ring:—

"Galya"
"Gini"
"Golia"
"Green"
"Surensen"

III. We also report the following facts relating to and the circumstances surrounding such communication:—

1. There exists in Canada a Fifth Column organized and directed by Russian agents in Canada and in Russia.
2. Within the Fifth Column there are several spy rings.

3. We have been able to identify many of the members of one of these rings, namely, that of which Colonel Zabotin was the head in Canada.
4. Membership in Communist organizations or a sympathy towards Communist ideologies was the primary force which caused these agents to agree to do the acts referred to in their individual cases.
5. The persons named in paragraph I were members of Colonel Zabotin's organization.
6. Without documents such as Gouzenko placed before us we cannot identify any non-Russian members of the other rings.
7. There was an organization whose duty it was to procure false Canadian passports and other citizenship documents for the use of agents engaged in Fifth Column activities, in Canada or elsewhere.
8. Zabotin and his assistants were helping to supervise and finance the work of an organization of agents operating in certain European countries. At least one person temporarily in Canada as an employee of the International Labour Office was a member of this organization, namely, Germina (Hermina) Rabinovitch.
9. Members of the staff of the Russian Embassy at Ottawa who were actively engaged in inadmissible espionage activities are named in Section II. 7.

IV. The following persons who may not come within the category of "*public officials and other persons in positions of trust or otherwise*" were members of Zabotin's organization and took an active part in recruiting agents, acting as contacts and securing and transmitting such secret and confidential information:—

Sam Carr
Fred Rose

V. Many of the persons named in paragraph I hereof were also actively engaged in the organization of "cells" from which agents were recruited, and in addition the following persons were organizers of such cells, or media of communication between espionage agents, or both:—

Agatha Chapman
Freda Linton
S. S. Burman
Henry Harris

VI. The following were active in procuring a false Canadian passport for a Russian agent who was operating in the United States:—

Sam Carr
Henry Harris
John Soboleff, M.D.
W. M. Pappin

VII. The following persons named in the documents did not so far as the evidence discloses take any active part in the subversive activities but would have done so if required:—

Norman Veall
Fred Chubb
Jack Isidor Gottheil

VIII. The names of certain other persons are mentioned in the documents merely because Moscow desired the names of all members of certain government staffs. Outside of those specifically named elsewhere in this Report, there is no necessity for these names to be mentioned.

IX. The names of certain other persons were mentioned in such a context that it was considered advisable to examine them and to investigate their activities. In each case we were satisfied that their conduct has been entirely proper and that while the Russians designed to draw some of them *into the net* in future, having in anticipation of doing so actually given them cover-names, such hopes were in our opinion completely without foundation and the objects of those hopes were unaware that they were being considered. Among these we refer to Col. Jenkins by name, because he has been mentioned by name in the public press.

X. The names of a number of persons, in Government service and otherwise, who were members of secret Communist cells have been disclosed by this Inquiry. These names appear in the volume of evidence. As there is no evidence that these persons were implicated in, or aware of, the espionage networks, we do not consider it necessary to mention these names in this Report.

SECTION XIII

RECOMMENDATIONS

We respectfully recommend:—

1. That, because of the introduction into the evidence, necessarily and unavoidably of secret technical data, the publication of which, according to the witnesses most concerned, would not be in the public interest at this time, none of the Evidence or Exhibits relating to any top secret, secret, restricted or confidential matters be published except with the approval of the Government in consultation with the Heads of the Services, Departments or Organizations concerned.

2. That the proper authorities in each Service, Department and Organization take such steps as may be considered desirable and effective, in the light of this Report and of the Evidence and Exhibits, to prevent further unauthorized transmission of information and to set up further safeguards.

3. That all security measures should be co-ordinated and rendered as uniform as possible.

4. That the Evidence and Exhibits accompanying this Report be placed before the proper persons in the various Services, Departments and Organizations affected, for study so that a complete evaluation of the information and material handed over can be made in each case to ascertain in detail what has, and what has not, been compromised. That consideration be given to whether the findings so made should be communicated to the proper authorities in the United Kingdom and the United States.

5. That *The Official Secrets Act, 1939*, be studied in the light of the information contained in this Report and in the Evidence and Exhibits, and, if it is thought advisable, that it be amended to provide additional safeguards.

6. That consideration be given to any additional security measures which would be practical to prevent the infiltration into positions of trust under the Government of persons likely to commit acts such as those described in this Report.

7. That the practice and procedure in connection with the issue of Canadian passports be revised. While not elsewhere referred to in this Report, we have had evidence indicating that naturalization and birth certificates have also been improperly obtained. We therefore suggest that the conditions surrounding the issue of these documents might be the subject of consideration by the proper authority.

SECTION XIV

CONCLUSION

We have now completed the Inquiry directed by Order in Council P.C. 411.

We think, however, we should not close this Report without recording our appreciation of the work of the staff of the Commission and the Officers and men of The Royal Canadian Mounted Police who were detailed to assist us in the discharge of our duty.

The services rendered by Mr. W. K. Campbell as Clerk of the Commission are beyond all praise and his intelligent and devoted work did much to assist us in our task. When he had to leave to accompany Sir Lyman Duff to England Mr. J. H. Pepper worthily carried on in the manner followed by Mr. Campbell.

To the Chief Reporters, Mr. Featherston and Mr. Buskard, their assistants and staffs, we are also grateful. No matter how long or how late the Commission sat the transcript of each day's evidence was available to us next morning. This greatly facilitated our work.

The work done by The Royal Canadian Mounted Police was up to its usual extremely high standard, and we perhaps do not need to say more than that. But while it might be invidious to mention names, where all were so efficient, we feel that we should say that Inspector Leopold, who was in immediate charge of those assisting this Commission, rendered particularly valuable service.

The work of the Commission proceeded under great pressure, for a period literally day and night, to enable us to complete the Inquiry and to report in as short a time as was possible having regard to the magnitude of the task.

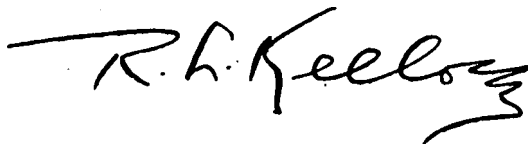
The extreme gravity of the situation disclosed by the documents brought by Gouzenko from the Russian Embassy as well as by his evidence and the other evidence, oral and documentary, placed before us, made it imperative that we should deal with all the many aspects of the matter in

this our Final Report. This accounts for the length of the Report, but we considered it of paramount importance that there should be available for all to read as complete an account as possible of the illegal activities which had already so seriously affected, and were designed even more seriously to affect, the safety and interests of Canada.

All of which is respectfully submitted.

A handwritten signature in cursive script, appearing to read "Robert A. Brown". The signature is written in dark ink on a white background.

Commissioner.

A handwritten signature in cursive script, appearing to read "R. H. Keeloy". The signature is written in dark ink on a white background.

Commissioner.

APPENDIX A

FIRST INTERIM REPORT

FIRST INTERIM REPORT OF THE ROYAL COMMISSION TO THE
GOVERNOR GENERAL IN COUNCIL, MARCH 2, 1946

Ottawa, Ontario,
2nd March, 1946.

YOUR EXCELLENCY:—

Pursuant to Order in Council P.C. 411, dated the 5th day of February, 1946, we have been conducting the investigation thereby provided for, having commenced our sittings on Wednesday, the 13th day of February, 1946. We have now reached a stage in the hearing of evidence which permits us and renders it advisable for us to make an Interim Report.

The evidence establishes that a network of under-cover agents has been organized and developed for the purpose of obtaining secret and confidential information particularly from employees of departments and agencies of the Dominion Government and from an employee of the Office of the High Commissioner for the United Kingdom in Canada. The evidence reveals that these operations were carried on by certain members of the staff of the Soviet Embassy at Ottawa under direct instructions from Moscow. The person directly in charge of these operations was Colonel Zabotin, Military Attaché of the Embassy, who had as his active assistants in this work Lieutenant-Colonel Motinov, Chief Assistant Military Attaché, Lieutenant-Colonel Rogov, Assistant Military Attaché for Air, Major Sokolov, of the staff of the Commercial Counsellor of the Embassy, Lieutenant Angelov, one of the Secretaries of the Military Attaché as well as other members of the staff of the Military Attaché, all of whom, as well as the agents whom they employed in the pursuance of their activities, were, in the interests of secrecy, known by under-cover names. We have noticed that each of the dossiers compiled by the staff of the Military Attaché with respect to the Canadian agents contains this significant question: "Length of time in net." We think that the word "net" well describes the organization set up under development by Colonel Zabotin and his predecessor.

We have had before us a former employee of the Russian Embassy at Ottawa, Igor Gouzenko, the cipher clerk of the Military Attaché, who has described this organization and its functioning, and who has produced original documents, the authenticity of which we accept.

As shown by these documents, the specified tasks committed to Colonel Zabotin were the following:—

- (1) As described in telegrams from "The Director" at Moscow addressed to Colonel Zabotin under his cover name of "Grant", in August, 1945.
 - (a) The technological processes and methods employed by Canadians and the English for the production of explosives and chemical materials.
 - (b) Instructions as to which of the Members of the Staff of the Military Attaché should contact particular Canadian agents and the suggestion of names of persons in the Department of National Defence for Naval Affairs who might act as agents.

- (c) Information as to the transfer of the American troops from Europe to the United States and the Pacific also the Army Headquarters of the 9th Army, the 3rd, 5th, 7th, 13th Army Corps, the 18th Armoured Division, the 2nd, 4th, 8th, 12th, 30th, 44th, 45th, 104th Infantry Divisions and the 13th Tank Division, together with the dates of their moves, the location of the Army Headquarters of the 8th and 16th Armoured Corps, the 29th and 89th Infantry Divisions, the 10th Tank Division and the location of the Brazilian Infantry Division. Whether or not there had been organized a staff for the American Troops in Germany and, if so, its location and the name of the Officer-in-Command.

The location of the 1st Parachute Troops and the plans for their future use.

- (d) Instructions to take measures to obtain particulars as to the materials of which the atomic bomb is composed, its technological process and drawings.

(2) As described in writings under the hands of Zabotin, Motinov and Rogov, during the period March to August, 1945.

- (a) To obtain from the National Research Council models of developed radar sets, photographs, technical data, periodic reports characterizing the radar work carried on by the Council and future developments planned by the Council.
- (b) Particulars of the explosives establishment at Valcartier and its work, including the obtaining of formulas of explosives and samples.
- (c) A full report on the organization and personnel of the National Research Council: "Give more details of organization of Research Council. Manipulate so as to get to their leaders and find out what they do."
- (d) Particular work of specified employees of the Research Council.
- (e) The obtaining of documents from the library of the National Research Council so that they might be photographed, with the expressed intention of ultimately obtaining the whole of the library of the National Research Council.
- (f) Particulars as to the plant at Chalk River, Ontario, and the processing of uranium.
- (g) The obtaining of a sample of uranium 235, with details as to the plant where it is produced.
- (h) Specifications of the electro-projector of the "V" bomb.
- (i) Research work being carried on with relation to explosive materials and artillery.
- (j) The obtaining of material on the American aeroplane radar locator type, navigation periscope.
- (k) A list of the Army Divisions of the Canadian Army which have returned from overseas and the names, or numbers, of the Divisions which have been divided, or re-shaped, or are undergoing re-shaping.
- (l) The number of troops in the Canadian Army in the post-war period, together with the system of its organization.
- (m) Information from the Department of Munitions and Supply of various kinds relating to guns, shells, small arms, ammunition for small arms, arsenals, optical and radio appliances, automobiles and tanks, apparatus for chemical warfare and particulars of plants producing same.
- (n) Information as to electronic shells used by the American Navy.

(o) To endeavour to keep agents in Government Departments threatened with discharge as a result of shrinkage in size of the Departments, in order to maintain their usefulness for the future.

(p) Information with regard to depth bombs and double charge shells for cannon.

(q) Information as to telegrams passing into and out of the Department of External Affairs and the Office of the High Commissioner for the United Kingdom.

It must not be assumed that the above list is exhaustive, but it illustrates the nature of the objective of these operations.

It has been stated to us by Commission Counsel that the method of presentation of the evidence before us is with the object of ultimately establishing the identity of the greatest number of those persons who have acted as agents, but the question of the relative importance of the above subject matters has not been dealt with to an extent where we are yet able to pronounce upon it. To proceed in any other manner might have been prejudicial to the ultimate attainment of the purposes of the investigation.

It has taken considerable time to hear the evidence relating to the general scheme of the operations being carried on, which evidence it was necessary to hear before dealing with the activities of particular agents. The evidence heard so far, however, establishes that four persons, namely,

Mrs. Emma Woikin

Captain Gordon Lunan

Edward Wilfred Mazerall

Miss Kathleen Mary Willsher

all employees of the Dominion Government, except Kathleen Mary Willsher, who is an employee of the Government of the United Kingdom, have communicated directly or indirectly secret and confidential information to representatives of the U.S.S.R. in violation of the provisions of the *Official Secrets Act*, 1939, 3 Geo. VI, Cap. 49.

Emma Woikin

This person was employed as a cipher clerk in the Department of External Affairs, having taken the usual oath of secrecy required in such cases. Taking advantage of the position she occupied, she communicated to Major Sokolov the contents of secret telegrams to which she had access in the course of her duties.

Captain Gordon Lunan

This man, a Captain in the Canadian Army, on loan to the Wartime Information Board, now the Canadian Information Service, was the head of a group of agents acting under the personal direction of Lieutenant-Colonel Rogov. In the course of his own particular duties with the Information Board, no secret information came to him, but he was the intermediary through whom the information furnished by the group reached Rogov, which information was, in our opinion, furnished and transmitted in violation of the statutory provisions already referred to. The members of the group headed by Lunan were scientists employed by the National Research Council and the Department of National Defence, Research Division, and their concern under Lunan, was to obtain for Rogov information on technical matters in connection with the work of those agencies. Some of the information obtained and transmitted to Rogov related to the latest developments in radar. Through this group also secret documents in the library of the National Research Council were handed over.

Edward Wilfred Mazerall

He is an electrical engineer in the National Research Council working in the field of radar, who also had taken an oath of secrecy. He was one of the group headed by Lunan and he furnished to the latter on one occasion, for transmission by the latter, two reports of the National Research Council on certain developments, actual and projected, in the field of radar, at a time when the disclosure of these documents was still unauthorized. The fact that these reports were shortly thereafter presented to the Third Commonwealth and Empire Conference on Radio for Civil Aviation should be considered as an extenuating circumstance in Mazerall's favour.

Kathleen Mary Willscher

She was employed in the Office of the High Commissioner for the United Kingdom as Deputy Registrar, having subscribed to a document in which she acknowledged having read the Official Secrets Act of the United Kingdom. She had access to practically all secret documents in that office and made disclosure of the contents of some secret documents from that office.

In our final report we shall deal more fully with the evidence and our findings with regard to the above named persons. Each of these persons has given evidence before us and has admitted the substance of the above. To each, in accordance with the provisions of Sections 12 and 13 of *The Inquiries Act*, R.S.C., cap. 99, an opportunity was given to have counsel, but none desired to be represented by counsel or to adduce any evidence in addition to his or her own testimony.

We propose from time to time, as circumstances permit, to make further interim reports before reporting finally. We are reporting now with regard to the above named persons as we have concluded our investigation as to their part in the activities mentioned, and we have been assured by Commission Counsel that they have no further evidence to offer which can affect the opinion we have formed on the evidence regarding these persons.

As already pointed out, we have been able to review the complete activities of four only of the agents used by the officers of the Soviet Embassy. The evidence indicates that, in addition, many other agents were active and that information more intrinsically important has been disclosed. We are not, however, as yet in a position to report with regard thereto, as the evidence has not been fully developed.

Respectfully submitted,

(Sgd.) ROBERT TASCHEREAU,
Royal Commissioner.

(Sgd.) R. L. KELLOCK,
Royal Commissioner.

His Excellency,
The Governor General in Council,
Parliament Buildings,
Ottawa.

APPENDIX B

SECOND INTERIM REPORT

SECOND INTERIM REPORT OF THE ROYAL COMMISSION TO THE
GOVERNOR GENERAL IN COUNCIL MARCH 14, 1946

(Made Public March 15, 1946)

Ottawa, Ontario,
14th March, 1946.

YOUR EXCELLENCY:—

Re: *Order in Council P.C. 411*

Since the date of our interim report of the 18th of February last, we have heard a great deal of evidence without as yet having been able to hear all the witnesses whom it will be necessary to hear to complete the investigation with which we have been charged. Forty-eight witnesses have been heard in some forty-four different sittings of evidence which affects an additional number of persons concerning whom we now report.

Dr. Raymond Boyer, Assistant Professor of Chemistry at McGill University, was, since 1940, under an oath of secrecy, engaged in secret research on explosives under the National Research Council, the most important part of which concerned the making, by a process different from that previously employed anywhere else, of the explosive known as R.D.X. While so engaged; *Dr. Boyer* was secretary of a sub-committee of the Associate Committee on Explosives of the National Research Council, which was directly charged with the project. This sub-committee was at first called the Research sub-committee and later the Research and Development sub-committee.

This project, carried on between the years 1940 and 1945, was successful and resulted in the building of a substantial plant in Canada where the product was manufactured in substantial quantities. Large quantities were also manufactured in the United States.

All the reports on the progress of this project were secret reports prepared for the National Research Council and they are still secret, their distribution being limited to a comparatively few persons. Most of these reports were written by *Dr. Boyer* himself.

His name, and the fact that he had disclosed information with regard to this secret project, appear in documents in the Russian Embassy produced before us by the witness *Gouzenko*. We have now heard *Dr. Boyer* and he has told us that commencing early in 1943, and continuing into 1944, he gave, for transmission to the Soviet Union, full information with regard to his work which he himself admits was secret. He said that with this information competent persons would be in a position to design a plant to produce the material in quantity.

Harold Samuel Gerson was employed from January, 1941, to July, 1944, by Allied War Supplies, Limited, a Crown Company incorporated to supervise the construction of facilities for the production of chemicals and explosives, and later the production of these materials. *Gerson* was assistant to the head of the production control department. Following this *Gerson* was employed by the Department of Munitions and Supply until in or about November, 1945, when he became an employee of the War Assets

Corporation, also a Crown Company. In the Department of Munitions and Supply he was Secretary and Chief of the Records Division of the Ammunition Production Branch. While still with Allied War Supplies, Limited, he was on loan to the Department of Munitions and Supply on occasion and, after going to War Assets Corporation, had still some duties to perform in the Department. In connection with all of these positions he was under an oath of secrecy.

In the notebook of Colonel Zabotin there is a page which reads in part:—

"GRAY . . . chief of the branch of the Directorate for procuring war material for the allies. Taken to work on 1.9.42. Works well. Gives material on shells and cannon on photos."

"GRAY" is the cover name used by the Embassy for Gerson. The material Gerson supplied was not, however, later on limited to photos.

Gouzenko also produced a document from the Embassy in the handwriting of Gerson, as he admits to be a fact, which is a copy of part of a report dealing with the testing of certain projectiles in England by the United Kingdom authorities. These reports were sent regularly to the Canadian authorities from England and were secret documents.

In a telegram of August 25, 1945, from Colonel Zabotin to "The Director" in Moscow it is stated:—

"GRAY was earlier given the task of taking all necessary measures for staying on his old job. At the last contact the latter stated that in the near future great reductions will begin. In the event that it will be impossible to remain on the old job GRAY proposes to form a geological-engineering consultative office in Ottawa. GRAY is a geological engineer by profession and therefore can head this office. The expenses for organizing the office are as follows: rent of premises 600 dollars a year; wages for one clerk, \$1,200 a year; office equipment, \$1,000; payment of GRAY as director—\$4,200 a year; altogether it needs \$7,000 dollars a year. GRAY said that Canada is entering a 'boom' period in the mining industry and it is therefore very likely that within two years the office will be in a position to support itself. The initial expenditure of its operation will be returned in the future.

GRAY thinks that it is necessary to begin establishing the office gradually, that is, prior to his completion of the work at the old place. I beg to get your decision."

In August, 1945, reductions in staff of the Department of Munitions and Supply were being made on an increasing scale and Gerson did discuss with his superior staying on in the Government service. He is an M.Sc. in geology of McGill University and contemplated going into private practice if he could not remain in the Civil Service. The figures mentioned in the telegram, he admits, constitute expenses he would incur in setting up private practice, \$4,200 being his then salary in the Department. Gerson's continuance in the public service was evidently desirable to the U.S.S.R. so as to ensure the continuance of the flow of information from him.

In a further telegram from Moscow, "The Director" telegraphed Colonel Zabotin as follows:—

"In the mail of 23.8.1944 were received from you GRAY's two materials, the monthly reports on the research of technological questions in the field of production of war materials. On the basis of short and unrelated data it is impossible to judge the method and work of the Canadian and English production of explosives, powders and chemical materials. It is therefore desirable to obtain the following information:

1. The method and technological process of the production of munitions, explosives. 2. The formula for plastic explosives, the production of T.H. and H.S. (their composition, purpose and specific qualities). 3. The application of picrite and nitro-guanidine. 4. The technique of producing the capsules of detonators and igniting capsules. Wire to whom do you consider it possible to give the said task.

If BACON still keeps on working in the Artillery Committee, this task should be handed over to him."

Colonel Zabotin replied to this telegram as follows:—

"(1) The tasks will be detailed to GRAY, BACON and the PROFESSOR through DEBOUZ. The PROFESSOR is still on duty away from home. DEBOUZ will meet at the end of the month.

(2) MARTIN received reply from DEKANOZOV with permission to return home. As a result of MARTIN's work at the San Francisco Conference and his sickness about a month, the latter was unable to write all his reports on your task. The question of the current situation in Canada after the elections and the interruption of the class forces in the country, he will write at our place and we will send them to you by courier, while the remaining questions of the task he will write at the centre."

The "PROFESSOR" was the cover name for Dr. Boyer. "BACON" was the cover name for one of the persons detained whom we have not as yet been able to hear, while "DEBOUZ" is the cover name for the intermediary who obtained the information, already referred to, given by Dr. Boyer. "MARTIN" was the cover name of Zheivinov, the head of the Tass agency in Ottawa.

Another telegram from Zabotin to "The Director", bearing date 28.4.44, reads in part as follows:—

"GRAY's wife has relatives in Bukovina and Bucharest. Apart from the relatives she has many acquaintances among doctors and other specialists. Recently GRAY handed DAVIE a reply of the Canadian Red Cross of March, 1942, wherein it is announced that the relatives of GRAY's wife are in their own places, that is in Roumania. GRAY's wife, through GRAY, asks advice as to whether it is possible to send them money or other things.

DAVIE replied that this was a complicated and difficult question, and that he could not promise anything. He suggested he be furnished with addresses and letters from GRAY's wife for these acquaintances. In the letters it could be proposed (that is through GRAY's wife—he will agree to that) that they contact the man who delivers the letter. If you agree to such an idea we shall receive the addresses and letters from the wife of GRAY. Roofs of the doctor and other specialists."

"DAVIE" is the cover name of Major Sokolov. "Roofs" is a cover expression indicating secret activities. Gerson's wife, or her family, he has told us, did receive a letter from the Canadian Red Cross in reply to inquiries made regarding relatives in Europe. The telegram indicates that Mrs. Gerson's acquaintances among professional people in Bukovina and Bucharest might be employed to receive and transmit letters in secret.

Another document produced before us by Gouzenko shows that correspondence on one single subject handed over by Gerson amounted to one hundred and fifty pages.

On all the evidence, including certain admissions made by Gerson himself, it is clearly established that the latter has communicated, over a considerable period, secret information to the representatives of the Soviet Union in violation of the *Official Secrets Act* and we so report.

Squadron Leader Matt Simons Nightingale attended Military School in Mobile, Alabama, and graduated from McGill University in 1928 with the degree of B.Sc. in engineering. He also attended a private course at the same institution on transmission and engineering telephone work, and later was employed as a draughtsman with the Northern Electric Co., a company manufacturing telephone equipment.

In 1928 he joined the Bell Telephone Co. of Canada as telephone transmission engineer, where he remained until 1942, when he enlisted in the R.C.A.F. and was posted to the Branch Land Lines, Technical Section, until the early months of 1945 when he returned to the Bell Telephone Co. of Canada on his discharge.

While in this special branch of the R.C.A.F. he was mainly concerned with land lines communication on both the east and west coasts and also worked on the Gander project, which embodies one of the main systems of communication on the east coast. He acknowledged the secret nature of the duties entrusted to him throughout.

The original telegrams from the Russian Embassy to Moscow give, as to Squadron Leader Nightingale, known in these telegrams under the cover name of "LEADER", items which he admitted having supplied, to wit, his photograph and information as to the nature of his experience with the Bell Telephone Co. and the R.C.A.F. One document from the Embassy reads in part as follows:—

"Squadron Leader

Mat Nantingale, 155 O'Connor St., Apt. 1, Telephone 2-4545. SAM is known to to him as WALTER. The first meeting took place 19.12.44 at 21 o'clock at the house.

Possibilities: 1. Network of Aerodromes in the country (both coasts).

2. Map of the coast.

Prior to the war he worked with the Bell Telephone Co. On 21.1.45 he advised BRENT about his demobilization. He is going to the Bell Company. Next contact on 24.2.45 at 20.30 at the corner of Elgin-Macleod Sts. At the contact on 24.2.45 he gave the address Montreal, 1671 Sherbrooke 57 (51). Telephone 1.1684. Next contact 24.3.45 at 20.30 Metcalfe-Somerset. He will give the coast (RAF) and listening-in on the telephone.

Task—1. Recruiting (call-up).

2. Materials of the company.

3. DUBOX—GINI—how."

"BRENT" is the cover name for Lieutenant-Colonel Rogov. "DUBOX" means a hiding place. "GINI" is a cover name for an individual.

Heard as a witness, Nightingale said that after meeting Lieutenant-Colonel Rogov by accident on a train between Ottawa and Montreal he had several meetings with Rogov at his own apartment and on the street in Ottawa and Montreal and in Rogov's room in Montreal on one occasion. In these conversations he says various subjects were referred to in a general way amongst which were the following, namely, listening-in telephonic devices, linking up of airports, land lines communications, network and location of aerodromes, maps of the R.C.A.F., possibly, the Gander project, some of which matters were of a secret nature.

His interview with Rogov, his explanation of those interviews which we are unable to accept, his association with other persons involved in the matter which is the subject of the present investigation, the references to him in the documents found in the Russian Embassy, as well as the fact that documents of a secret nature belonging to the R.C.A.F. which he should not have retained were found in his possession after his

discharge, suggest to us that, if he did not in fact give to the U.S.S.R. secret and confidential information, he may very well have conspired to furnish such information. Furthermore, his unauthorized retention of the above mentioned documents would appear to have been in violation of the provisions of the *Official Secrets Act*.

Dr. David Shugar is a Ph.D. in physics, McGill University, having been born in Poland in 1915. From January, 1941, until February, 1944, he was employed at Research Enterprises, Limited, Toronto, when he entered the Navy, becoming a Lieutenant in the Directorate of Electrical Supply. He remained in the Navy until his discharge January 31, 1946. Subsequently he was employed in the Department of Health and Welfare. While in the Navy, Shugar was engaged in research with respect to certain equipment used in anti-submarine detection. In the course of his duties he had to visit various naval establishments, including laboratories, in Canada, the United States and the United Kingdom.

Although Gouzenko had never seen him, he knew who Shugar was and the work in which he was employed. In a document produced by Gouzenko headed "Assignment No. 1, SAM to SHUGAR" outlining information desired from Shugar, seven subjects of inquiry relating to anti-submarine detection are laid down, all of which information, Shugar has told us, was either in his possession in connection with his work, or accessible to him at Naval Headquarters.

In a later document headed "Task No. 2" assigned to the same agent, the following item appears:—

"Communicate how the matter stands of the former assignment for Lieutenant Shugar."

The answer made by the agent to Rogov is indicated by what Rogov wrote on the document against the above item, namely,

"At the present time he is working maritime staff. He has consented to work for us but with special caution. He has been under observation."

SHUGAR admitted having met the agent to whom we have referred above on at least three occasions, and that the agent was inquisitive.

A telegram from Colonel Zabotin to Moscow, No. 232, reads in part as follows:—

"We have agreed with SAM about the transfer of connections to us with PROMETHEUS. The latter is at present in Florida. The transfer will take place in the town of SAM. I consider it expedient to give BRENT the connection with PROMETHEUS. SAM promised to give us several officers from central headquarters of the active forces. At the present time it is fairly difficult to do this, as changes in the staffs are taking place by officers returning from overseas."

"PROMETHEUS" is the cover name used to denote Shugar and "BRENT" was Rogov. In reply the "Director" telegraphed to Zabotin:—

"To Grant,

Your telegram 232

(1) In my telegram of 19.7, I have advised that until the information is received from PROMETHEUS and until his possibilities in the Navy Department are established, contact with him should be maintained through FRANK. Should it prove that PROMETHEUS is a truly valuable man to us, direct contact may then be established with him. However, it is not desirable to entrust BRENT with making the contact. If you should find no objection, it is better to let CHESTER make this contact. Have

in mind that we have here almost no other information on PROMETHEUS except his family name and his place of employment.

Wire in full his name and family name, his position in the Navy Department and the address of his residence. Collect the remaining data and send by mail.

(2) As for obtaining persons from the said departmental services, we are interested. Let FRANK, after the staffs have been set up, recommend one or two candidates for our consideration."

"CHESTER" was the cover name for Captain Gorshkov who acted as chauffeur for the Soviet Military Attaché in Ottawa.

Shugar denies having given, or having agreed to give any secret information, but has no explanation for the existence, in the documents above referred to, of the references to himself. We were not impressed by the demeanour of Shugar, or by his denials, which we do not accept. In our view we think he knows more than he was prepared to disclose. Therefore, there would seem to be no answer on the evidence before us, to a charge of conspiring to communicate secret information to an agent of the U.S.S.R.

These four persons are or were all government officials, or persons holding positions of trust. All have been heard before us as witnesses and, in accordance with Sections 12 and 13 of *The Inquiries Act*, Cap. 99, R.S.C. 1927, have been offered the opportunity of having counsel. Two of them declined and two others, after consultation with counsel, stated that they did not wish to call evidence or to have representations made to the Commission by counsel on their behalf. Accordingly we have been free to report with regard to them as above.

We may also point out that under Order in Council P.C. 411, which is our authority for the present inquiry we are required to report not only "upon which public officials and other persons in trust or otherwise have communicated, directly or indirectly, secret and confidential information", but also upon "the facts relating to and the circumstances surrounding such communications".

The evidence discloses that one of these circumstances is that other Canadians, who are not government officials, have been the intermediaries through whom secret and confidential information has reached the Russian Embassy, as in the case of Dr. Raymond Boyer. As the evidence develops, we shall be in a better position to deal with these intermediaries at a later stage.

In conclusion, we may add that we regret not having been able to complete as yet the hearing of evidence with regard to the five other persons who are detained under the provisions of Order in Council P.C. 6444, passed on October 6, 1945, but we hope that we will be able to do so shortly. On February 14 last we concurred in the advice given by counsel for the Commission to the Honourable the Minister of Justice that certain named persons should be detained, and we did so because of the serious nature of the disclosures then indicated by the evidence we had heard, and the fact that cover names of persons who had not been identified appeared in the evidence which indicated that the ramifications of the disloyal practices and the persons engaged therein might be even greater than then appeared and might well be continuing. In effect the matters with which the inquiry was concerned appeared to us to be of so serious a nature from the national standpoint that we believed the course advised by counsel should be pursued in the exceptional circumstances existing. The further evidence which we have heard has not caused us to change this view but, on the contrary, has confirmed it.

In a case of this nature where the evidence has revealed the existence of an organization constituting at least a threat to the safety and interests of the state, as evidenced by the fact that some witnesses holding strategic positions have made the significant statement under oath that they had a loyalty which took priority over the loyalty owed by them to their own country, and for that reason they acted as they did, and would unquestionably have continued so to act had they not been detected, we are of opinion that should these persons be allowed communication with outsiders or between themselves until their activities have been fully investigated, some of the basic purposes of this inquiry would be entirely defeated.

Respectfully submitted,

(Sgd.) ROBERT TASCHEREAU,
Royal Commissioner.

(Sgd.) R. L. KELLOCK,
Royal Commissioner.

His Excellency,
The Governor General in Council,
OTTAWA,

APPENDIX C

THIRD INTERIM REPORT

THIRD INTERIM REPORT OF THE ROYAL COMMISSION TO THE GOVERNOR IN COUNCIL

(Made public March 29, 1946)

OTTAWA, Ontario,
March 29th, 1946.

YOUR EXCELLENCY:—

Re: *Order in Council P.C. 411*

We desire further to report as follows:—

Eric Adams entered McGill University in 1925, graduated in engineering in 1929, and obtained the degree of Master of Business Administration at Harvard in 1931. His first employment was with the advertising agency of Cockfield, Brown and Company, of Montreal. In 1934 he made, as a tourist, an extended trip to Russia, and, after having occupied several positions in Canada, in 1936 he went to the United States for three years, where he was employed as an engineer with Coverdale and Colpitts in New York. In 1940 he joined the Wartime Requirements Board, in 1941 the Foreign Exchange Control Board, in 1944 the Bank of Canada, all in Ottawa, and in 1945 the Industrial Development Bank with residence in Montreal. While occupying these various positions of trust, he was a member of several committees and secretary of the Main Examining Committee of the Inventions Board during the war.

Documents coming from the Russian Embassy show that *Eric Adams* was known under the cover name of "ERNST". He is referred to as follows in a document written in Colonel *Zabotin's* handwriting:—

"He gives detailed information about all kinds of industries, plans for the future. Supplies detailed accounts of sessions. Gives materials daily. Good worker.

He is connected with Foster. Both live in Ottawa. Taken to work at the end of January."

In a mailing list sent by *Zabotin* to Moscow on the 5th of January, 1945, he is credited with having furnished the following information:—

Name	Material	Date
ERNST Review	Despatch of Munitions to England	November
" "	"	"
" "	"	"
" "	"	"
" "	"	"
" "	Central Branch	July-September
" Copy	Invention of Waterproofing (Page 5 of original)	8-12-44
" Manuscript	Notes on the conference	20-12-44
" Copy	Central Branch	Sept.-October
" "	Unloading of m. stor. for month of November	14-12-44

<i>Name</i>		<i>Material</i>	<i>Date</i>
ERNST	Copy	Report of 24-11-44	24-11-44
"	"	Inspection Br.	2-12-44
"	"	Inspection Br.	28-11-44
"	"	Inspection Br.	2-12-44
"	"	Correspondence about contracts	12-12-44
"	"	Correspondence with companies	December
"	"	Corrections	"
"	"	Correspondence with companies	"
"	"	"	"
"	"	"	"
"	"	"	"
"	"	"	"
"	"	"	"
"	"	"	"
"	"	(Page 6 of original)	
"	"	Enquiries	"
"	"	"	"
"	"	Correspondence	"

the whole comprising a total of 203 pages.

This list cannot be considered as exhaustive of the information furnished by him, for he appears to have been quite active while in Ottawa, and also after the 1st of January, 1945, when he joined the Industrial Development Bank in Montreal. Miss Willsher has stated before us, very frankly we think, that he asked information about her work at the British High Commissioner's Office, which she gave, not only while he was in Ottawa, in 1942 and 1943 and 1944, but also in 1945.

For that purpose he made special trips to Ottawa in 1945, the contacts being arranged through an intermediary, and the meetings taking place at pre-arranged places, or in his automobile when the information was given. In one instance Adams gave Miss Willsher \$25.00 for the purpose of going to Montreal.

Adams has been called by Miss Willsher the leader of an Ottawa group, and it was to him naturally that the information should be given,—

"in the interest of the Communist Party"

when they met with others of the group to discuss the—"theory and practice of socialism and communism and the party program." These meetings were the occasions when she would convey information to Adams.

When confronted with the evidence given by Miss Willsher, Adams gave evasive answers, stating that his questions had been misconstrued by Miss Willsher. He professed throughout his evidence to having a poor memory and attributed to it his hesitancy in answering very many questions. He made no clear denial of the evidence given by Miss Willsher, taking refuge in his professed view that she had misinterpreted the situation.

Adams' conduct and associations with Soviet agents, his personal sympathies dating back at least to 1935 which made him easily receptive to the suggestions of Messrs. Zabolin and Rogov, his endeavours to obtain information of a secret nature, which turned out in many instances to be fruitful, as evidenced by the testimony of Miss Willsher, and the documents from the Embassy, leave little doubt in our minds that he

has conspired to commit offences in violation of the *Official Secrets Act*, and that he has also committed the substantive offences of obtaining for the benefit of a foreign power, secret information, and of inciting others to commit such offence.

Israel Halperin, of Russian descent, was born in 1911. He is 35 years old and is a professor of mathematics at Queens University, Kingston, Ontario.

At the Russian Embassy, he was known as "Bacon", and formed part of the group which was to operate under the direction of Captain Gordon Lunan. In the original assignment given to Lunan by Lieutenant-Colonel Rogov, it was Lunan's duty to obtain from Halperin information concerning "Valcartier" and "the formulas of explosives and samples".

Halperin joined the army in 1942. In 1943 he was attached to the Directorate of artillery, became a Captain in 1944 and a Major in 1945. In that branch of the army, he worked on a considerable number of secret projects, some of which were so important that they were known, even amongst the few who were aware of them, under code names. In his position he had access to all the files and documents concerning explosives and weapons and all the new discoveries made available to the artillery.

Lunan contacted Halperin several times and reported in writing to the Embassy the results of his conversations. At first, according to Lunan, Halperin did not seem sufficiently impressed with the "conspiratorial" nature of the work, but later gave the information asked for including information on the Canadian Army Research and Development Establishment, called C.A.R.D.E. and the various plants and laboratories that would be operated by this organization. This included information about the Pilot Explosive Plant, the Ballistics Laboratory, the Designs Branch and the Field Trials Wing. He emphasized the work done at the Ballistics Laboratory, with particulars as to new explosives. This latter information conveyed to Lunan by Halperin was of a highly secret nature.

Another assignment given to Lunan by the Russian organization was to obtain information through Halperin on the "electro-projector", which was at that time a fuse newly developed by British and Canadian scientists and manufactured by the Americans. Halperin promised to comply with the request made to him, and later informed Lunan of the existence of this new projectile and the general principles of its operation. This device, developed by co-operation between the United Kingdom, the United States and Canada, was one of the most devastating projectiles used in the Japanese war, and is of such a secret nature that we have been asked by the military authorities not to report with more particularity than as above.

Halperin had associations with other persons involved in the agency organization. He was known to many of them and kept in a pocket book the telephone numbers of Adams, Boyer, Nightingale, Rose, Shugar and Poland. When Lunan received his first assignment to contact Halperin he did not know him, but it is a significant fact that, on the document written by Rogov, Halperin's name appeared—he was already known at the Embassy.

When Halperin appeared before the Commission, assisted by Counsel, full opportunity was given him to explain all this direct and circumstantial evidence against him, but his refusal to furnish any explanation and his general demeanour, fully convince us that he violated the *Official Secrets Act* on more than one occasion.

Durnford Smith is a member of the microwave section of the Radio Branch of the National Research Council. He is an honour graduate of McGill University in mathematics and physics and holds his Master's degree obtained for work in connection with radio-activity. In 1936 he applied for a post in the National Research Council, but not until 1942 was he finally successful in obtaining a temporary position as Junior Research Engineer in the radio laboratory. On January 12, 1946, he was engaged for a three year term. Before entering the employ of the National Research Council he was with the Bell Telephone Company for some five years. His work in the Council was secret and on his appointment he took the usual oath of secrecy.

Smith, as the evidence shows, was one of the group of agents reporting through Lunan to Lieutenant-Colonel Rogov. He was referred to in the Embassy records under the cover name of "BADEAU". In July, 1945, he was brought into direct contact with Rogov. Smith did not admit participation, but a great deal of the evidence he would not deny. From the Embassy two documents, one of them containing notes, formulae and drawings, established to be in the handwriting of Smith, were produced by Gouzenko. The handwriting of these, Smith says, is "like" his. He had no explanation for the presence of the documents in the Embassy. He himself furnished to the Embassy his picture and biographical material for its dossier on him.

Certain definite tasks were assigned to Smith from time to time. As an example, on August 6, 1945, the following memorandum was given to him:—

"ASSIGNMENT FOR BADEAU, NUMBER 3

Given through Back 6-8-45

Obtain the following literature for photographing: GL 14003, Som. 14032, A.S.V. 14040, B and N.S. 13960.

NOTE: If the special material is bulky or if it is not convenient to take such a number of books, then the given number can be reduced at your discretion, but everything must be very careful.

P.S. After reading burn."

The numbers are the numbers of secret documents in the Radio Branch of the National Research Council.

Between August 8th and 22nd, Smith drew from this library ten documents and he had previously drawn fifteen others. All of these remained in his possession till after August 26th. Included in those drawn by him on August 20th were Nos. 14003 and 14032.

Colonel Rogov's notebook contains the following entry:—

"3. 25-8-45 Regular (meeting), everything normal. Handed over a large quantity of radio literature and various reports, all told about ten books. He gave notice that he was going on a two-weeks' vacation. Was given the assignment on radio material and other things. (See assignment No. 4). The meeting to return the material will be on 26-8-45 on the corner of Osgoode and Cumberland at 22.00".	There was an awful rain. He came, however, gave notice that in future he would not come during such kind of weather—not naturally.
--	--

The evidence shows that on the evening of August 25th, the heaviest rain of the month occurred; Smith himself admits that at that date he was looking forward to his vacation shortly thereafter.

On August 27th, Zabotin wired the "DIRECTOR" in Moscow as follows:—

"We have received from BADEAU 17 absolutely secret and secret documents (British, American and Canadian) on the question of magnet, radio-locators for field artillery, three secret scientific research journals of 1945. Altogether about 700 pages. In the course of the day we were able to photograph all the documents with the help of the Leica and the photofilter. In the next few days we will receive almost the same amount of documents for 3 to 5 hours and with one film we will not be able to do it. I consider it necessary to examine the whole of the library of the Scientific Research Council.

Your silence on My No. 156 may disrupt our work on photographing the materials. All materials have been sent by mail in turn."

The Embassy records show that these documents were returned to Smith on August 26th.

The "library of the Scientific Research Council" mentioned in the above telegram, is not, as may well be imagined, the library of that body which is open to members of the public, but the library of secret documents kept in the various branches of the Council and notably in the Radio Branch.

We are satisfied on all the evidence, documentary and otherwise, including the evidence of Lunan and Mazerall, as well as the evidence of Smith himself, that Smith was an active agent of the Embassy.

J. S. Benning became an employee of the Department of Munitions and Supply in July, 1942, and was placed in the Ammunition Production Branch. Prior to that for a short time he had been with Allied War Supplies Corporation, a Crown company. In both these positions he took an oath of secrecy. Later in his employment he was transferred to the Economics and Statistics Branch of the Department. In April, 1945, he went to the Department of Reconstruction where he became Assistant Secretary and later Secretary of the Depreciation Committee. While in the Department of Munitions and Supply he was Joint Secretary of the Canadian Munitions Assignment Committee.

On the mailing list for one day, January 5, 1945, which details documents mailed by the Embassy to Moscow on that day, "FOSTER" is credited as being the source of supply of seventy separate documents. It has not been possible to identify each of these documents from the descriptions given in the mailing list but more than half of this material may be identified either in particular or generally. The evidence establishes that Benning, whose cover name, according to Gouzenko, was "FOSTER", had to do with this material in connection with his work or was in a position where it was possible for him to have access to such material either by himself or through Gerson, who was his brother-in-law.

Three items on the mailing list may be referred to:—

"No.	Name	Material	Date
155	FOSTER North Amer. Comm. of Coordin.	Report of 23.11.44	
156	FOSTER D.M. and S.	Report of 24.11.44	
157	FOSTER North Amer. Committee	Notes and Report	23.11.44"

There was put in evidence before us the minutes of a meeting of the North American Co-ordinating Committee of the Joint Gun Ammunition Production Committee held November 23, 1944, and minutes of the same committee of November 24, 1944. These proceedings were secret. H. S. Gerson was the Secretary of these meetings and Benning says that the minutes of this Committee came to him in the Economics and Statistics Branch.

In a column of the list, not copied in the above, it is noted "See who was Secr. Meet." The writer evidently desired to emphasize the source of the material as a guarantee of future supply. For some devious reason it was apparently thought better to have "FOSTER" deliver these documents rather than Gerson himself.

A number of items on the mailing list consists of "corrections" or "supplements" to contracts. Benning was, with others, engaged in preparing quarterly production reports in the Economics and Statistics Division which were amended from time to time on the basis of, including other items, cables from the United Kingdom authorities. Several of these "corrections" on the mailing list coincide in date with the dates of certain of these cables.

The evidence also shows that Benning was in communication with Nightingale, Gerson and Shugar as well as with an intermediary not in the Government service, who was engaged in supplying information to the Russian Embassy.

The *Official Secrets Act*, 1939, Sec. 3 (1) in part is as follows:—

3. (1) "If any person for any purpose prejudicial to the safety or interests of the State,

(b) makes any . . . note which is calculated to be or might be or is intended to be directly or indirectly useful to a foreign power: or

(c) obtains, collects, records, or publishes, or communicates to any other person any secret . . . article, or note, or other document or information which is calculated to be or might be or is intended to be directly or indirectly useful to a foreign power;

he shall be guilty of an offence under this Act.

(2) On a prosecution under this section, it shall not be necessary to show that the accused person was guilty of any particular act tending to show a purpose prejudicial to the safety or interests of the State, and, notwithstanding that no such act is proved against him, he may be convicted if, from the circumstances of the case, or his conduct, or his known character as proved, it appears that his purpose was a purpose prejudicial to the safety or interests of the State;

(3) In any proceedings against a person for an offence under this section, the fact that he has been in communication with, or attempted to communicate with, an agent of a foreign power, whether within or without Canada, shall be evidence that he has, for a purpose prejudicial to the safety or interests of the State, obtained or attempted to obtain information which is calculated to be or might be or is intended to be directly or indirectly useful to a foreign power.

(4) For the purpose of this section, but without prejudice to the generality of the foregoing provision—

(a) a person shall, unless he proves the contrary, be deemed to have been in communication with an agent of a foreign power if—

(i) he has, either within or without Canada, visited the address of an agent of a foreign power or consorted or associated with such agent; or

- (ii) either within or without Canada, the name or address of, or any other information regarding such an agent has been found in his possession, or has been supplied by him to any other person, or has been obtained by him from any other person;
- (b) the expression 'an agent of a foreign power' includes any person who is or has been or is reasonably suspected of being or having been employed by a foreign power either directly or indirectly for the purpose of committing an act, either within or without Canada, prejudicial to the safety or interests of the State, or who has or is reasonably suspected of having, either within or without Canada, committed, or attempted to commit, such an act in the interests of a foreign power;
- (c) any address, whether within or without Canada, reasonably suspected of being an address used for the receipt of communications intended for an agent of a foreign power, or any address at which such an agent resides, or to which he resorts for the purpose of giving or receiving communications, or at which he carries on any business, shall be deemed to be the address of an agent of a foreign power, and communications addressed to such an address to be communications with such an agent."

Benning denied giving any information and denied he was the source of the material credited to "Foster" in the mailing list referred to. However, the name and telephone numbers of the intermediary referred to were found in a notebook belonging to him. This intermediary, in our opinion, in the evidence comes clearly within ss. 4 (b). Benning has no explanation of any kind for the presence of the name of this person in his book, although he admits the entries are his.

While Benning was giving evidence as to his work there was no reason for us to think he was speaking other than frankly. Other aspects of his evidence, however, were not as satisfactory and his failure to account for the presence in his book of the information pertaining to the intermediary in question, is, in our view, significant. While there is no direct evidence that he gave information we do not attach any weight to his denial.

Squadron Leader F. W. Poland became in April, 1942, an administrative intelligence officer in the R.C.A.F. in the Directorate of Intelligence, R.C.A.F. Headquarters, Ottawa. As from November 10, 1944, he was seconded to the Armed Forces Section of the Wartime Information Board and from May, 1945, was Executive Secretary of the Psychological Warfare Committee. He sat at all meetings of the Committee, carried out its directions in prisoner of war camps, directives issued by the Political Intelligence Department passed through his hands, and he had access to all documents to which the Committee had access. While in the Directorate of Intelligence he had supervision of security education throughout the R.C.A.F. He drafted orders affecting security information and was secretary of the Security Sub-committee of the Canadian Joint Intelligence Committee, which in turn, was a sub-committee of the Chiefs of Staff. He was also, for a short time, a member of a committee on the grading of documents from a standpoint of security.

On a page from Col. Zabotin's notebook which Gouzenko produced the following appears under the heading:—

"Second Group (Ottawa-Toronto)

3. POLLAND. Ministry of Aviation.

Works in Toronto in the Intelligence Branch. He gave a map of the training schools. Up to the present is not working.

4. SURENSEN. He works in the Naval Ministry. He works in Intelligence. Gave materials about construction of ships. Left for Overseas.

Both worked up to April."

Gouzenko testified that in a telegram sent by Zabotin to Moscow in 1943, Zabotin suggested that "POLLAND" be turned over to the N.K.V.D. We have evidence that that organization, the Russian Secret Police, had an organization under its direction working in Canada long before Zabotin arrived in July, 1943. Moscow replied to this telegram that it was not worth while doing so as "POLLAND" might develop into a good worker. Gouzenko was unable to say whether "POLLAND" was a cover name or a real name. The evidence shows that on enlistment in the R.C.A.F. Intelligence Poland was in Toronto in May-June, 1942, and was then transferred to the Directorate of Intelligence, Ottawa. The evidence shows that there was no other person by the name of "Polland" or "Poland" who answers to the above.

There is also other evidence. The names and telephone numbers of Lunan, Nightingale and Pavlov were found entered in the desk telephone directory or desk calendar pad belonging to Poland. The names of Lunan and Nightingale have been mentioned many times. Pavlov is the second secretary and consul of the Russian Embassy and the telephone number in the desk pad is the telephone number of the Embassy on Charlotte Street in Ottawa. Pavlov, according to the evidence of Gouzenko, is one, and perhaps the chief, of the N.K.V.D. men there.

Poland appeared before us with Counsel and refused to be sworn, to answer any questions, or to make any explanation, although offered the opportunity of seeing the evidence referred to above.

Having regard to these circumstances and the provisions of the *Official Secrets Act* cited in dealing with Benning, it would appear to us that Poland has brought himself within those provisions, although so far as the evidence before us goes, the map indicated by Col. Zabotin's notebook would not appear to have been very important; but with information available to Poland it was capable of being made very useful.

There remain a number of witnesses yet to be heard, many of whose names are mentioned in the documents placed before the Commission by Gouzenko. The names of others appear in other documents filed as exhibits, or in the evidence of the various witnesses whom we have heard. With this report we have completed the hearing of the evidence of those persons who were detained under Order in Council P.C. 6444.

Respectfully submitted,

ROBERT TASCHEREAU,
Royal Commissioner.

R. L. KELLOCK,
Royal Commissioner.

His Excellency,
The Governor General in Council,
Ottawa.

APPENDIX D

Facsimile of "Registration Card" in Soviet Embassy dossier for 1945 on Sam Carr, National Organizer of the "Labour Progressive" (Communist) Party of Canada. Translation opposite.

КАРТОЧКА УЧЕТА.

№ _____



1. Фамилия, имя, отчество SAM CARR.

2. Псевдоним "FRANK".

3. С какого времени в сети _____

4. Адрес:
а) Служебный _____

б) Домашний 14 Mountrose, TORONTO. Tel. Ll-7847 (brook).

5. Место работы и должность "РАБОЧЕ-ПРОГР. ПАРТИЯ"-полит. деятель.

6. Материальные условия Материально обеспечен, но деньги берет.

Необходимо иногда помогать.

Биографические данные:

Подробный материал по биографии имеется в ЦЕНТРЕ в КОМИТЕТЕ.
Прекрасно знает РУССКИЙ язык, окончил ЛЕНИНСКУЮ школу в МОСКВЕ.

No. _____

PHOTO
OF
CARR

1. SURNAME, NAME, PATRONYM SAM CARR
2. PSEUDONYM "FRANK".
3. SINCE WHEN IN THE NET _____
4. ADDRESS:
 - a) OFFICE _____
 - b) HOME 14 Moutrose, TORONTO. Tel. L1-7847 (brook).
5. PLACE OF WORK AND POSITION "LABOUR PROGR. PARTY" -
polit. worker
6. FINANCIAL CONDITIONS Financially secure, but takes
money. It is necessary occasionally to help.

BIOGRAPHICAL DATA:

Detailed material on his biography is available in the CENTRE in the COMINTERN. Has an excellent knowledge of the Russian language, he graduated from the LENIN school in Moscow.

APPENDIX E

Facsimile of form headed "Course of Meetings", from Soviet Embassy dossier on Sam Carr. Translation opposite.

КОЛ ВСТРЕЧ.

№ п/п	Содержание встречи	Примечание
1.	<p>Срочный вызов Фрэнсиса (через Доктора):</p> <p>а) Звонит по телефону Midway-95-93.</p> <p>б) Брент говорит: "Hello Dr. Henry How are you? How is your wife?"</p> <p>в) Доктор отвечает: "Very well, I shall see you later." Это означает, что встреча состоится на улице Lowther and Admiral Rd в 21.00</p> <p>Если же доктор отсутствует: "I am glad to see you again". Это значит, что встреча состоится на всеукраинском митинге и в это же время, но на другой день.</p>	
2.	7.5.45 состоялось переписка Доктора с Лейтенанта Бренту. Встреча происходила около 10 часов, все нормально.	
3.	15.6.45 - состоялось свидание на улице Сомерсет и Кингсдей (парк). Все нормально. Доктор сообщил, что с напарником не получается из-за отсутствия достаточных данных (см. телеграмму от 16.6.45)	Выдано: Франку-2000, Доктору-1000. Встреча состоялась через 60 мин.
4.	<p>Ожидает - 17.7.45 } t = 21.30</p> <p>Знакомит - 24.7.45 }</p> <p>Место - у Лейтенанта.</p>	
4.	<p>3.7.45 - состоялось срочное свидание по напарнику. Здесь же на квартире у Доктора, познакомился с Франком. Все нормально (см. телеграмму от 5.7.45)</p> <p>Ожидает - 17.7.45 } t = 21.30</p> <p>Знакомит - 24.7.45 }</p> <p>Место - на квартире у Доктора.</p>	

COURSE OF MEETINGS

No. P.	No. P.	Substance of the Meetings	Remarks
1.		<p>Urgent call for Frank (through the doctor):</p> <p>a) Ring on the telephone Midway-9593.</p> <p>b) <u>Brent</u> says: "Hallo Dr. Henry. How are you? How is your wife?"</p> <p>c) <u>The Doctor</u> answers: "Very well, I shall see you later." This means, that the meeting shall take place at the corner of <u>Lowther and Admiral Rd.</u> at <u>21.00</u></p> <p>Should, however, the doctor answer: "I am glad to see you again"—it means, that the meeting shall take place at the above mentioned place and at the same time, <u>but on the next day.</u></p>	
2.		<u>7.5.45</u> The handing over took place of the Doctor from Lamont to Brent. The meeting took place near the hospital, everything was normal.	
3.		<u>15.6.45</u> —The regular meeting took place at the corner of Somerset and the square (Park). Everything was normal. The doctor reported that no progress was made with the passport because of lack of authentic data (see telegram of 16.6.45.)	<p><u>Handed out:</u></p> <p>To Frank—200 dol.</p> <p>To the Doctor—100 dol.</p> <p>The meeting took place through the doctor.</p>
4.		<p>Regular meeting—17-7-45</p> <p>Emergency meeting—24.7.45</p> <p>The place—by the hospital</p> <p>} T = 21.30</p>	
4.		<p><u>3.7.45</u>—An urgent meeting took place with regard to the passport. Also here, in the apartment of the doctor, got acquainted with Frank. Everything was normal (see telegram of 5.7.45)</p> <p>Regular meeting—17.7.45</p> <p>Emergency meeting—24.7.45</p> <p>} T = 21.30</p> <p>The place—in the apartment of the doctor</p>	

APPENDIX F

Facsimile of telegram 11436 from the Director, Moscow, to Colonel Zabotin (cover-name Grant), dated 14th August, 1945. This telegram is in the handwriting of Zabotin's cypher clerk who decyphered the message. It is signed by Zabotin in the lower left-hand corner under his cover-name. Translation opposite.

абзац к н. 11438.

11436

14.8.45

Грант

Кс. канц. 227

1. Заниматься делом нацгениз паспортов
Болхаче кенз, по этому подниме кс. новоб
анкете кс. человек Франк сдается сам.
2. К озерскому поше - подготовке Кракки
доклад техники нацгениз и одержимки
паспортов и другой ~~документации~~ ^{документации}
для нац. целей с указанием кто конкретно со
стороны Франк этим делом будет заниматься.

10.8.45: Директор

Абзац Псевдоним "Сэм" давно изменен
кв. "Франк". Дальнейшее ~~покрытие~~
пользуется последним.

Иванов
14.8.45.

10.8 Директор

Supplement to No. 11438

11436

14.8.45

To Grant.

Reference No. 227.

- 1. There can be no further delay in obtaining the passport. Therefore the signature on the new application form should be made by Frank's man himself.**
- 2. Prepare for the next regular mail a short report on the procedure of obtaining and putting into shape of passports and of the other documentation for our objectives, indicating exactly who on Frank's side will be engaging in this work.**

10.8.45. Director.

Supplement: The pseudonym "Sam" has long ago been changed to "Frank". In the future use the latter.

10.8 Director

Grant

14.8.45

APPENDIX G

Facsimile of "Task No. 2 of 15/6/45", prepared by Colonel Zabotin's staff for assignment to Sam Carr. The marginal notations on the left record Carr's reports on the various orders listed in the body of the assignment. Translation opposite.

ЗАДАНИЕ № 2 от 15.6.45

Задание 1. На основании рапорт составленного
данных описано А. Н. Теале
(англикан); нам известно, что до 1942,
он работал в индустриальном Королев-
стве в Кембридже. После этого
он ушел в Канаду в качестве ко-
мандированного. После отъезда Теале
якобы, получил задание от своего
руководителя связаться с бывшим
Королем.

В настоящее время мы хотим от-
знать описанного Теале более
подробней, а потому к следующему
встречи (15.7.45). Немаловажно то,
что в настоящее время сведения
следующие данные:

а. Действительно ли Теале работает
в индустриальном Королевстве в
Кембридже и имеет ли какое
то командированное (предназначен) в
Канаду к его службе в Канаде.

б. Если эти данные подтвердятся,
то необходимо его связать
на английском языке и посто-
янно ему прямо сказать,
что он сам не хочет.

2. Зам.

15.6.45

Каналы связи с работниками
Кембриджа. Встречи с
Теале. Составляет рапорт.
Получено было известие
от Теале, что он ушел в
Канаду, а также что
он имеет задание.

TASK NO 2 of "15.6.45"

FRANK:

2 copies

Assigned

15.6.45

At present he works in the capacity of a scientist in the Naval Staff. Agreed to work.

The details will be cleared up through the engineer Chub—chemist, a friend of Sam, and also by Debouz, both of them along trade-union lines.

1. On the ground of data previously communicated with respect to A. N. Veale (an Englishman), it is known to us that up to 1942 he worked in the meteo-service of the Royal Air Force in Cambridge. Following this he went to Canada on a scientific mission. Before leaving Veale ~~received~~ allegedly received instructions from his director to get in touch with your corporation.

At present he would like to know more details about Veale and therefore it is desired that for the forthcoming meeting (15.7.45) you should in written form enlighten us on the following questions:

- a. Did Veale really work in the meteo-service of the Royal Air Force in Cambridge and has his mission (stay) in Canada a direct connection with his service in England.
- b. If these facts are confirmed, you should try to draw him Veale into a frank discussion and ~~put~~ put the question straight to him, what he wants from you.

9-1-2-

Если же в процессе исследования
боясь сомнений на своем карто-
графическом приращивании, и на
указаниях ~~связанных~~ ^{свое} ~~свое~~
данных в анализе соотношений с ка-
надами карт, а не, и есть
называет границами той точки,
которой ~~зависит~~ ^{зависит} от этих указаний.

д). Никанос маңына от басы
не барыты и никос иңдеме
не қоядыты ы қанан иңде
иңдемамы.

наших детей. Если
потребуются расходы на
их образование, то
наши родители, по
привычке, будут
оплачивать их.

Сообщите как обещали уже
с выполнением всех условий.
Наша работа уже митингов
спидеах.

[illegible]

3. Как обстоит дело с капитаном Готфрех (Кингдан), с которым сейчас находится и ищется ли возможность его использования в нашей работе.

He was transferred from the college to a training unit in Brit. Columbia for political considerations. He now is in the stage of demobilization.

He works at present in the Naval Staff. He agreed to work for us but with special precautions. He has been under observation.

- c. However, should Veale in the course of the conversation refer to his corporation membership and to the instructions of his director in England to get connected with the Canadian Corporation, then let him give the name of the person who gave him these instructions.
 - d. Do not take from Veale any material and do not show any interest in any information whatever.
2. Inform us where does the matter stand in the execution of the previously assigned tasks for Lieutenant Shugar.
 3. How does the matter stand with Captain Gothell (Kingston), where is he at present and are there possibilities to use him in our work.

Everything shall be clarified in July-August, for at the present time the staffs are being replaced by front line men.

4. Is there any possibility for you of developing our work in the Ministry of National Defense, in the Ministry for Air, in the Ministry of the Navy or else in their military staffs.

At the present time these fields are of great interest to us and we want you to put forth maximum efforts in this matter.

- P.S.: 1. Regular meeting in your city on 17.7.45.
Emergency meeting 24.7.45 at 9.30 in the evening in your city in the same place (near the hospital), the doctor knows.
2. After reading through, burn.

APPENDIX H

Facsimile of first of six pages of one of Zabotin's mailing lists recording material collected by his espionage agents and sent to Moscow in January, 1945. On the original, the column headings and head of the lists are in mimeographed form. The items are typed in and the date written by hand.

Translation opposite.

О П И С Ь

материалов отправленных в адрес Директора

8 Января (5) 1944 года.

№-п.п.	Источник	Откуда и при каких обстоятельствах материал добыт.	Название материала.	Дата и №	Кол-во листов	Гри
1.	2	3	4	5	6	7
105	Грин	Из Департ. вооружения и снабж. арм. инж. отдел.	Чертеж	2.11.44	1	б-г
106	"	"	"	б.д.	1	"
107	"	Рукопись.	Заметки к "	б.д.	2	"
108	Дебоуз	Записи.	Беседа с професс. рез. секр. сессии, парламента.	б.д.	1	"
109	Эли	Копия.	Письмо Уилгресса Книгу.	В-386 от 3.11.44	2	Сек
110	"	Сокращенная копия.	"	В-351 от 1.10.44	1	Сек
111	Фостер	Рукопись.	Канадско-Британские отношения.	4. XII.44	3	б.г
112	"	"	Продукция Сам.	Окт. 1944	2	-
113	Фостер	Рукопись.	Продукция кораб.	" 1944	5	б.г
114	"	Копия.	Телегр. В-2151	29.11.44	5	-
115	"	Документ.	Арм. комис. заказ.	20. XI.44	9	Сек
116	"	"	Доклад.	20.11.44	4	"
117	"	Копия.	Переп. с компан.	29.11.44	4	б.г
118	"	"	Исправления.	20.11.44	3	-
119	"	Департ. воор. и снабж.	Контракты.	21.11.44	2	-
120	"	"	Испр. контрактов.	Ноябр. 44	18	-
121	"	Копия.	Замеч. к контр.	28.11.44	1	Зар.
122	"	"	Переп. с компан.	24.11.44	9	б.г
123	"	Деп. вооруж. и снабжения	"	15.11.44	2	"

LIST
OF THE MATERIALS SENT TO THE ADDRESS OF THE DIRECTOR
in January (5) 1944

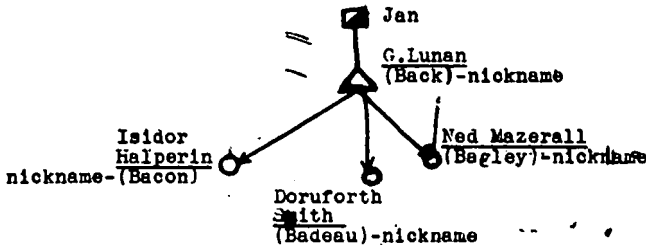
Nos. P.P.	Source	From where and under what circumstances the material was obtained.	Designation of the Material	Date and Number	Number of pages	Marked
1	2	3	4	5	6	7
105	Green	From Dept. of Munitions and Supply Army Eng. Div.	Plan	3.11.44	1	none
106	Green	From Dept. of Munitions and Supply Army Eng. Div.	Plan	no date	1	none
107	Green	Manuscript	Notes on Plan	no date	2	none
108	Debouz	Notes	Conversation with Profess. decisions secr. session of Parliament	no date	1	none
109	Ellie	Copy	Letter of Wilgress to King No. 386	3.11.44	2	Secr.
110	Ellie	Abbreviated copy	Letter of Wilgress to King No. 351	11.10.44	1	Secr.
111	Foster	Manuscript	Canadian-British relations	4.12.44	3	none
112	Foster	Manuscript	Production of aeroplanes	Oct.1944	2	—
113	Foster	Manuscript	Production of ships	Oct.1944	5	none
114	Foster	Copy	Telegram No. 2151	29.11.44	5	—
115	Foster	Document	Arm. Comis. orders	20.11.44	9	Secr.
116	Foster	Document	Report	30.11.44	4	Secr.
117	Foster	Copies	Correspond. with Compan.	29.11.44	4	none
118	Foster	Copies	Corrections	20.11.44	3	—
119	Foster	Dept. Munitions and Supp.	Contracts	21.11.44	2	—
120	Foster	Dept. Munitions and Supp.	Correct. of contracts	Nov.1944	13	—
121	Foster	Copy	Notes to contr.	28.11.44	1	Reg.
122	Foster		Correspond. with compan.	24.11.44	9	none
123	Foster	Dept. Munitions and Supp.	Correspond. with compan.	15.11.44	2	none

APPENDIX I

Facsimile of the first task as prepared by Lt.-Col. Rogov and kept in the files of the Soviet Military Attaché's office. In the spring of 1945, Lunan received his copy in English and burned it as instructed.

СХЕМА ГРУППЫ "ПЕЧЕРЫ".

1. The scheme of your group will be approximately such as it is shown below



You only will know me (as Jan) out nobody else.

2. What we would like you to do:
- To characterize the scales and works carrying out at National Research and also the scheme of this Department.
 - To conduct the work of "Bacon", "Badeau", and "Bagley".

It is advisable to put the following tasks to them separately:

Bagley- to give the models of developed radio-sets, its photographs, technical (data) facts and for what purpose it is intended. Once in three month to write the reports in which to characterize the work of Radio Department, to inform about the forthcoming tasks and what new kinds of the models are going to be developed.

Bacon- to give the organization and characters of Valcartier Explosives Establishment's Direction. To write the report on subject: "what kind of the work is this organization engaged in?" If possible to pass on the prescriptions (formulas) of explosives and its samples.

Badeau- to write the report: What kind of the work is his Department engaged in and what Departments it is in contact with (by work).

All the materials and documents to be passed by Bagley, Bacon, and Badeau have to be signed by their nicknames as stated above.

If your group have the documents which you will not be able to give us irrevocably, we shall photograph them and return back to you.

I beg you to instruct every man separately about conspiracy in our work. In order not to keep their materials (documents) at your place, it is advisable that you receive all their materials (documents) the same day you have the meeting with me.

To answer all the above questions we shall have the meeting on March 28.

J.

P.S. After studying burn it. /

APPENDIX J

ALPHABETICAL KEY TO COVER-NAMES

COVER-NAME	IDENTITY
<i>Albert</i>	A. Soviet agent in Switzerland.
<i>Alek</i>	Dr. Allan Nunn May, a British nuclear physicist.
<i>Back</i>	David Gordon Lunan, Editor, " <i>Canadian Affairs</i> "
<i>Bacon</i>	Israel Halperin, Professor of Mathematics, Queens University, Kingston; formerly Major, Directorate of Artillery.
<i>Badeau</i>	P. Durnford Pemberton Smith, National Research Council, Ottawa.
<i>Bagley</i>	Edward Mazerall, National Research Council, Ottawa.
<i>Baxter</i>	Lieutenant Angelov, Assistant to Soviet Military Attaché, Ottawa.
<i>Berger</i>	Arthur Steinberg, an American scientist.
<i>Berman</i>	Samuel Sol Burman, insurance salesman, formerly Major in Canadian Army.
<i>Brent</i>	Major Rogov, Soviet Embassy.
<i>Butler</i>	Lieutenant Koulakov, Soviet Military Attaché's new cipher clerk, Ottawa.
<i>Chester</i>	Captain Gorshkov, "Chauffeur" to Soviet Military Attaché, Ottawa.
<i>Chub</i>	Frank Chubb, a Canadian chemist.
<i>The Commander</i>	Colonel Milstein, alias Milsky, of Red Army Intelligence Headquarters.
<i>Corporation</i>	Communist Party of any country except the U.S.S.R.
<i>Corporant</i>	Member of Communist Party.
<i>Corporator</i>	Member of Communist Party.
<i>Davie, Davy</i>	Major Sokolov, of Commercial Section, Soviet Embassy.
<i>Deboise, Debouz</i>	Fred Rose, M.P., Quebec Organiser, "Labour-Progressive" (Communist) Party of Canada.

COVER-NAME	IDENTITY
<i>Dick</i>	A Canadian Colonel.
<i>Dubok</i>	Cover name used for any hiding place.
<i>The Economist</i>	Krotov, Soviet Commercial Attaché, Ottawa.
<i>Elli</i>	Kathleen Willsher, Assistant Registrar, Office of United Kingdom High Commissioner, Ottawa.
<i>Eric</i>	Eric Adams, Bank of Canada, etc., Ottawa and Montreal.
<i>Ernst</i>	Eric Adams, Bank of Canada, etc., Ottawa and Montreal.
<i>Foster</i>	James Scotland Benning, Department of Munitions and Supply, Ottawa.
<i>Frank, also Sam</i>	Sam Carr, National Organizer, "Labour-Progressive" (Communist) Party of Canada.
<i>Fred, also Debouz</i>	Fred Rose, M.P.
<i>Freda</i>	Freda Linton (Lipchitz), a secretary, formerly with National Film Board, Ottawa.
<i>Galya</i>	Unidentified espionage "contact" in Montreal.
<i>Gini</i>	Unidentified espionage assistant in Montreal.
<i>Gisel</i>	Soviet Military Intelligence Service.
<i>Gisel's parents, or Gisel's family</i>	Members of Soviet Military Intelligence Service.
<i>Golia</i>	Unidentified "Mail Drop" and contact in Montreal.
<i>Grant</i>	Colonel Zabolotin, Soviet Military Attaché, Ottawa.
<i>Gray</i>	Harold Samuel Gerson, Department of Munitions and Supply, Ottawa.
<i>Green</i>	Unidentified Soviet agent in Montreal.
<i>Helmars</i>	William Helbein, New York.
<i>Henry</i>	Lt. Gouseev, "doorman" attached to Soviet Military Attaché's staff in Ottawa.
<i>Jack</i>	A Canadian Colonel.

COVER-NAME	IDENTITY
<i>Jan</i>	Major Rogov, of Soviet Embassy, Ottawa, so known to D. G. Lunan.
<i>Lamont</i>	Lt. Col. Motinov, Soviet Embassy, Ottawa.
<i>Leader</i>	Squadron Leader M. S. Nightingale, of R.C.A.F. and Bell Telephone Co., Montreal.
<i>Leon</i>	Sergei N. Koudriavtzev, First Secretary of Soviet Embassy, Ottawa.
<i>Lesovia</i>	Canada.
<i>Lucy</i>	A Soviet agent in Geneva.
<i>Martin</i>	Zheveinov, TASS Correspondent, Ottawa.
<i>Metro</i>	The Embassy of the U.S.S.R.
<i>Molier</i>	Mickhailov—An official of the Soviet Consulate, New York.
<i>Neighbour</i>	} N.K.V.D., the Russian secret political police; formerly known as CHEKA and O.G.P.U.
<i>The Neighbours</i>	
<i>Nora</i>	Emma Woikin, cypher clerk, Department of External Affairs, Ottawa.
<i>Paul</i>	A Soviet agent in Switzerland.
<i>The Professor</i>	Professor Raymond Boyer of McGill University, a specialist in explosives.
<i>Prometheus</i>	Lieutenant David Shugar, formerly of the Royal Canadian Navy.
<i>Rachel</i>	A Soviet agent in Switzerland.
<i>Roof</i>	A legal "front" used to cover up illegal activities.
<i>Runy</i>	Under-Lieutenant Levin, Soviet Embassy, Ottawa.
<i>Sam</i>	Sam Carr, National Organiser, "Labour-Progressive" (Communist) Party of Canada.
<i>Sisi</i>	Rachel D_____, a Soviet agent in Switzerland.
<i>Surensen</i>	Unidentified Soviet agent in Naval Intelligence.
<i>Walter</i>	Sam Carr, so known to M. S. Nightingale.
<i>Znamensky 19</i>	Address—Red Army General Intelligence Headquarters, Moscow.