

former Caltech Jet Engineer
in Witness Stand in Own Behalf

denial that he was ever a Communist.
Weinbaum, former Caltech jet
research engineer, yesterday when
in his own defense.
was the only witness called to
defense and following his jury
deliberations, both present
resisted. Final
scheduled for today
is expected to

31 Arrested
Caltech
is Ex-Pr
Pasadena
Accused

Jailed on De
of Commie Li
... jury and fraud against...
... investigation as a suspected
... Communist.
... The story begins at the Cali
... fornia Institute of Technology
... where the Russian-born scien
... tist had been a key mathematical
... physicist in the jet propulsion
... laboratory.
... He had worked there since
... February 14, 1945
... as to his F
... July 7, 1949, he
... Army
... Caltech, author
... to Dr. Leo Dull
... were led to
... Dr. Frank Oppenheimer when
... California In

**Weinbaum No
Red, He Says**

(Continued from Page One)
in connection with his denying to
a hearing officer that he

today seized a Caltech scientist
and fraud against the gov
Party membership.
custody on a complaint filed
was Dr. Sidney Weinbaum, 52,
research fellow with

**Music Drew Him to Atom
Savant Home, Weinbaum Says**

It was music and not Communism that attracted him to the Pasadena home of atomic scientist Dr. Frank Oppenheimer when Weinbaum said that Dr. Oppenheimer, now head of the physics department at Chapman College, did not react favorably to his statement that at

FBI NABS CALTECH PROF IN RED GAS

PASADENA

26 PAGES, TWO SEC

ALTECH INSTRUCTOR AK

Communist Meetings in Pasadena Described at Scientist's Trial

description of Communist meetings in the Pasadena home attended by Dr. Sidney Weinbaum, former Caltech physicist, had been given a jury in Los Angeles Federal Court today.

trial of the scientist on perjury charges continued into its second day today with Dr. Weinbaum at the secret jet propulsion laboratory and how inside the an College physics department of the meetings as he d that he joined the Com Party after frequent trips Dr. Weinbaum.



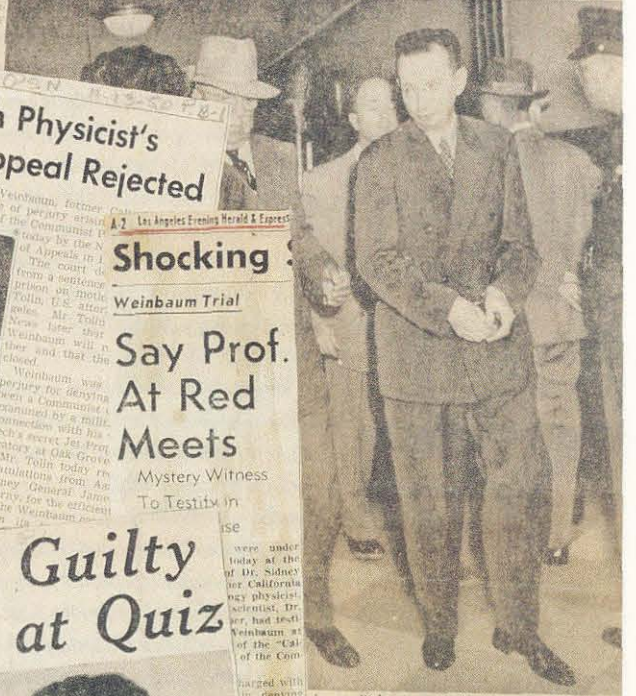
DR. SIDNEY WEINBAUM
Tech Scientist Hears Self Accused of
Communist Party Name 'Sidney Empson'



Ex-Caltech Physicist's Perjury Appeal Rejected

Appeal of Dr. Sidney Weinbaum, former Caltech physicist, against conviction on charge of perjury was rejected today by the U.S. Court of Appeals in Pasadena.

Atomium Led Off to Prison



Shocking

Weinbaum Trial

Say Prof. At Red Meets

Mystery Witness To Testify

Weinbaum Guilty of Perjury at Quiz



U.S. 'Witch Hunt' Charge in Weinbaum 'Red' Trial

BY JACK

Caltech prof nabbed by FBI on Red charge

Sidney Weinbaum

Politics at Mid-Century

You know, people now really cannot realize what those days were like.

Sidney Weinbaum was born in 1898 to a middle-class Jewish family in Kamenets-Podolsk in the Ukraine. As a schoolboy he was interested in mathematics and also became an accomplished pianist and chess player. His university education at Kharkov Institute of Technology was interrupted by the Russian revolution, but a job inspecting sugar beet plantations near the border enabled him to flee first to Germany and then to Poland in 1921. An aunt in Los Angeles and a cousin enrolled at Caltech urged him to keep going, and after being accepted as a student at Caltech (and refused Polish citizenship), Weinbaum emigrated in 1922. He taught piano to pay his way and organized chess teams that included Professors Harry Bateman and Ralph Smythe (Weinbaum was LA chess champion twice in the twenties). In 1924 he earned his BS, and after a series of draftsman jobs and returning briefly to Russia to marry, he came back to Caltech in 1929 to work as a technical assistant for Linus Pauling, whom he had known earlier in advanced math courses. Caltech awarded him a PhD in physics in 1933.

During the 1930s Weinbaum, along with a number of his better-known colleagues, was active in leftist causes that returned to haunt him during the “Red scare” that began in the late 1940s. Although several Caltech people were accused of Communist Party membership, only Weinbaum went to prison for a substantial period of time; one was jailed briefly for contempt, while others cooperated with the FBI or left the country.

In August 1985 Mary Terrall interviewed Weinbaum for the Caltech Archives. Portions of that oral history dealing with his political activity and eventual arrest and trial are excerpted here, beginning with his work for Pauling doing the complicated calculations of crystal structure.

Mary Terrall: Pauling was working on x-ray crystallography at that time?

Sidney Weinbaum: Yes. That’s what I was going to do. He was working on chemical bonds. Because the crystals are formed in a certain definite way, you can calculate the distances between the atoms. Then why is it in some crystals the distance is more, in other crystals less? So that’s experimental data; if you develop a theory for that, you can check and see whether it is correct. Or, if you already have a theory, then you can say the distance should be so-and-so in this crystal, within a certain error.

Pauling had just come back from a fellowship in Europe [1926–27]. I think he worked with Arnold Sommerfeld; I don’t remember where he worked in Europe. But anyway, those were the days when quantum mechanics appeared. And Pauling became interested in whether quantum mechanics could not also be applied to chemistry, to calculate the bonds. In that day only very simple things were done—things that had just one electron in them—but he was interested in molecular problems. And he had a theoretical physicist, Boris Podolski, working on it. He was a Caltech PhD and came to Pauling’s lab after spending a year or two in Russia. You know, in the thirties there were no jobs in the U.S. The problem requires some very extensive algebra. So, besides doing crystal structure, I was also checking his algebra.

MT: When you decided to enter a degree program, how did it happen to be in physics rather than in chemistry?

Local newspaper accounts of Weinbaum’s arrest and trial must have been a public-relations nightmare for Caltech, where he had continued to work as an instructor in chemistry after losing his clearance at JPL. Caltech hired a lawyer to defend Weinbaum before the military board but took no official action on his behalf thereafter. Several faculty members then raised funds for his defense.

INNOCENT PLEA BY WEINBAUM

Caltech Jet Scientist Insists
He Never Was Communist

Dr. Sidney Weinbaum, California Institute of Technology mathematical physicist, pleaded not guilty in Federal Court yesterday to an eight-count indictment charging perjury and fraud.

The indictment charged the Cal-Tech scientist with stating under oath to Army security officials that he had never been a Communist.

According to Federal Bureau of Investigation agents, however, Dr. Weinbaum formerly held card No. 6401 in the Los Angeles Professional Unit of the Communist Party, under the name of Sydney Empson.

The not guilty plea was entered after Judge Ben Harrison had denied motions of Attorney Ben Margolis to dismiss the indictment on technical grounds.

TRIAL AUG. 22—

Margolis formerly represented a group of local Communists who were convicted a year ago on contempt charges for refusing to answer questions before the Federal Grand Jury regarding local Communist activities.

Judge Harrison set tentative trial date of August 22 for Dr. Weinbaum.

Until a year ago, the Russian-born scientist was a research fellow and a key figure in the Army's highly secret jet propulsion laboratory at Cal-Tech.

Following his not guilty plea, Dr. Weinbaum said he was "utterly bewildered" by the charges and insisted that he had never been a member of the Communist Party.

Pending trial he is at liberty under \$5000 bond.

SW: Because my background was not in chemistry and I wasn't particularly interested in it. Also, I was interested more in theoretical things. I graduated in physics and engineering, not in chemistry. And in the years in between, there were big changes in physics, from quantum theory to quantum mechanics, that I missed. And here I came back, and suddenly I got into that and it was very interesting to me. I sort of got acquainted with particular phases of quantum mechanics. And as I say, the main thing was that actually I was doing work in physics.

MT: Was Pauling politically active in the thirties?

SW: At first he was not politically active at all. Even later, I didn't have any political discussions with him. Did I tell you how he got interested in politics? This I heard; I don't know it first hand. Eventually the Paulings had a big place in Sierra Madre or wherever it was, and they had a Japanese gardener who worked for them. And when the war started, and all the trouble started with the Japanese, he came to Pauling very distraught, and Pauling said, "You know, you have no family; you can use that shack, and if you wish, you can live there." So he did. The house stood on a little hill, and the garage was at the bottom. Mrs. Pauling came down one morning to take the car out, and there were all kinds of four-letter words—and "you Jap lovers," and things of that sort. So they called the sheriff, and the sheriff came and took a look at it, and said, "Well, isn't that true?" I was told that that was the beginning of Pauling's political awareness.

But I was quite interested in politics. That's basically why I got into trouble. I circulated very successfully two petitions in Caltech during the middle thirties or early thirties; I don't remember the dates. One was for recognition of Russia; and the other was against the Criminal Syndicalism Act. And for that second one I had very good backing, because Theodore Soares, who was a retired theologian on the campus in the thirties, had an office in Dabney, the humanities building. When somebody gave me a leaflet about this thing, I saw he was among the people who sponsored it. He belonged to a certain parish, and I even went to him to ask whether he knew anyone who might be willing to sign this petition. And in a couple of days I got from him a fairly long list of people. In Caltech, I certainly didn't go to people like Millikan, and I didn't even go to Pauling in those days for his signature, because he was directly my boss, so I didn't want to do it. And, as I say, at that time I didn't even know where he stood politically. I knew that he was

fairly liberal, but you never can tell. For example, [Alfred] Sturtevant was very liberal, but one of these petitions he refused to sign; I don't remember which one it was.

MT: You said you knew the Paulings socially. So your friendship would have been more around cultural things than politics?

SW: Yes. And children, food, things of that sort. We went to their place. I didn't have a car, so it was easier for them to come to us. Several times a year we would get together. But our real social life was in the biology department. Calvin Bridges became a close friend. He was politically very liberal.

In those days Caltech needed money very badly. When Einstein was there, they had a dinner for the people with money. It was a thousand-dollar dinner; Einstein was the guest of honor. And they invited all the top people on the faculty. Calvin Bridges was not on the faculty, but he was also invited. He sat between two ladies, and all during the dinner he discussed the question of the necessity to redistribute the wealth in the United States. He probably was never invited again.

MT: Going back to your graduate work, did you take a class from [Richard C.] Tolman? Didn't he offer a class in quantum mechanics in the chemistry division?

SW: I don't remember. Maybe it was before I came. But I had a very good relationship with Tolman. Also, Tolman was the first man I always went to for his signature on many of these things, because Tolman was a very liberal person.

These political activities never came up against me. But the particular accusation [of Communist Party membership] that was made in 1950, came up for the first time, I would say, about 1941. The war had already started in Europe, and I know that I had just started working for Bendix Aviation. By the way, I was recommended by Professor Sorensen for that job. Anyway, a friend of mine—well, I don't have to hide the names now—Frank Malina, came to me quite perturbed. Frank Malina was a very close friend. He told me that he was at a big party in the aeronautics department, and Clark Millikan had gleefully told him that they were informed that he and I, and another two or three names, were members of the Communist Party. So I went to see a lawyer friend of mine and said, "What can I do?" I was sure that with an accusation like that they were going to refuse me clearance. But no! I was cleared throughout all these years; from '41 to '49, when the trouble

FBI ARRESTS CALTECH SCIENTIST FOR PERJURY

Metropolitan Pasadena
STAR-NEWS

FRIDAY, JUNE 16, 1950

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**DOWNTOWN
TRAFFIC
IN TANGLE**

**Charged With Denying
Communist Party Ties**
FBI Takes Dr. Sidney Weinbaum
Into Custody at Pasadena Home

began, I was cleared for top-secret work. So why did it suddenly come up? I have my explanations for that.

MT: What was this accusation by Clark Millikan based on? Did you know him?

SW: Obviously the FBI gave that information to the authorities in Caltech. And Clark Millikan was way at the top, you see. And I say "gleefully" because I presume there was not too good a relationship between Frank Malina and Clark Millikan. Anyway, I never expected anything to happen to me so much later.

So I got my PhD. I just worked over my thesis a little bit, and it was my first published paper. That was the first application of quantum mechanics to molecular problems—not just when there is one electron, but when there is a whole molecule. And then the same thing was repeated with the helium ion; that also had only two electrons. Pauling had some other ideas, and I spent a lot of time on them, but the amount of work proved to be too great.

MT: Did you continue working on this, then, after you got your degree?

SW: Yes. I continued working with Pauling on this type of problem or any other problem that required mathematics. I was at that time already a research fellow. I came in '29 and stayed until '41.

MT: Did most of the people that you knew also have Caltech connections?

SW: No. My first more or less interesting

connections were those that I made through chess when I came here—some very interesting friends, and some just acquaintances. Then, besides that, I met some friends through [Paul] Epstein. And I also knew the people in the English department pretty well. I went regularly to the group that met at [Clinton] Judy's house. It lasted only a few years; I don't remember why it disbanded. So I knew Judy very well. Any time there was something musical going on—for example, when one of these modern composers, Krenek, gave a talk at Caltech, Judy invited my wife and me to dinner. My contribution to these things at Judy's house was a talk on modern trends in music.

MT: What was the political atmosphere around Caltech, and the climate here, in the thirties?

SW: I would say it was indifferent, as I found out when I went around with the petition for recognition of Russia. I was amazed how little people knew about Russia, about the revolution, about what the situation was. And not just one, but several of these people in the faculty thanked me for talking to them about this. And even our close friends, with the exception of Calvin Bridges, were that way.

MT: So did you find yourself arguing with people?

SW: No. I never argued with people. First of all, they were not interested. And my political interests became finally in support of Roosevelt. That's where I met a number of Communists and a number of them became friends. Because actually, in all these Democratic organizations,

But I was quite interested in politics. That's basically why I got into trouble.

DEFENSE ENDED BY WEINBAUM

Dr. Sidney Weinbaum ended his Federal perjury trial defense late yesterday after steadfastly denying he ever was a Communist Party member, or even knew a Red cell existed on the California Institute of Technology campus.

Day-long arguments to the jury by the prosecution and attorneys for Dr. Weinbaum, a 52-year-old Russian born scientist, will open this morning.

U. S. Judge Ben Harrison announced he will deliver his instructions to the jurors tomorrow.

Weinbaum, in short, clipped phrases, sought to convey the impression to the jury of 11 women and one man that Government witnesses were his enemies for various reasons, in his final testimony.

FORMAL DENIAL

The former Caltech faculty member took the stand after U. S. Attorney Ernest A. Tolin dismissed a perjury accusation and another of fraud on which Weinbaum was indicted.

This left Weinbaum still facing three counts of perjury and one of fraud, based on his denials that he ever was a Communist Party member.

Under questioning of Defense Attorney Ben Margolis Weinbaum formally denied he ever had been a Communist or had used the party alias of "Sydney Empson."

He told of his political interests in the 1937-39 period when the Government charges he was a Communist.

"I was disturbed over the growth of Fascism and the persecution of science and the Jews and felt that the rest of the world should unite to



the people who did the work were the Communists. The Young Democrats in Pasadena, for example. The leadership either was Communist or was somebody who knew Communists. Because otherwise there was no organizational ability and no desire to put any time in. At best, people would come to a meeting. Some work had to be done.

MT: Did you get to know Frank Oppenheimer in this context?

SW: The whole Oppenheimer thing for me is very interesting. Frank Oppenheimer may be one of the reasons why a lot of people got into trouble. Because like all rich people, well, they don't give a damn about anything.

He joined an open group. He was absent-minded enough that when he sent a suit to be cleaned, he had his Party card in that suit. I think he was pretty open among students, not necessarily saying that he was a Party member, but to the extent that when there were big meetings in Los Angeles—he had a truck in those days; to show how proletarian he was, he had a little truck—he would take some of the students in the truck to these meetings, and things like that. Well, naturally, he became a friend after I met him. The most amazing thing was to find him among the witnesses for the government case against me.

We also became, through Frank, very friendly with Robert Oppenheimer. Robert spent very little time in Caltech. A couple of times we invited him and he came to dinner. He used to drop in quite often, because we lived very close to

Caltech, so on his walks he would just stop to say hello. When the thing happened to me, I thought that a few people should know about it. And I wrote to them so that they would know, from the tone of my letter, that I was not going to say anything that might be prejudicial to them.

MT: You were talking about Oppenheimer and how he could afford to be so open about his involvement. Wasn't it also true, though, at that time that no one had any idea what was going to happen later?

SW: But you see, actually, maybe the authorities didn't even know about Frank Oppenheimer; anyway, Robert Oppenheimer was such a respected person that they might not look that way at his brother. So far as Robert Oppenheimer is concerned, I think that all the books and the series on television and so on missed the most important thing about him—of a man who thought that he was God.

Later on he said that he had been a fool; he practically beat on his chest about what a fool he had been. You see, this was such a tragedy for him. He used to look down on everybody. Though nobody spoke about this openly, in Caltech most of the professors didn't like him because he always behaved as if he were so much above them. And, by the way, when he became close to the Communist Party, his manner did change. When he gave a talk, you could understand what he was talking about. Before that, if he gave a talk I think he made it a point to talk so that maybe one or two people would understand him, because he didn't care about the rest of the people.

When I thought that I had only lost my job in the Jet Propulsion Laboratory, before I was actually arrested, I wrote to a few people, and Robert Oppenheimer was among them. I thought that Robert may find a possibility to suggest a job for me.

Well, the next weekend, the doorbell rings. And here he was with Mrs. Tolman. In other words, he came with a protector for the interview. And we talked together. I couldn't talk completely openly, but it was clear to Robert Oppenheimer that there was no danger to him from me. I never heard from either Frank or Robert again. Never! And they knew that I was the sole supporter of my family. I know that my family would not have accepted any help from them. But they didn't make an attempt, because, among other things, they were scared. They wanted to protect themselves as much as possible.

The thing with Oppenheimer was that he

never got a Nobel Prize, because he never contributed anything new. He right away understood a new idea and knew how to go further with this new idea and so on. But this was such a big loss for him. These people that he'd looked down upon, some mere experimental men or something like that, got a Nobel Prize but he did not. So when the opportunity to build an atomic bomb came, that was his great contribution. And when they took his clearance away, what did he need that clearance for anymore? He had made his contribution.

MT: How did it happen that after the war you came back to JPL?

SW: Actually it was [H.S.] Tsien who was responsible for my getting the Jet Propulsion Laboratory job, because [Pol] Duwez was the head of the materials section at JPL, and he was looking for a mathematician. Also, he was a very fine cellist.

MT: Did you have to get clearance to get this job originally?

SW: Well, this is the whole thing. I think I have mentioned that I expected, on account of these rumors that had been circulated in the past, that I wouldn't be cleared for it. But I had no trouble at all. During the war I even spent two weeks at the Wright field in Dayton, Ohio. There they recheck these things, but nothing happened.

But this is the question: Why was I the victim at that particular time? And why was it I and not somebody else? Things were happening in the East, all the arrests of spies and so on. And I think that the FBI here felt that it should show some activity—so they went through their records. Some of the people were already too important, like Frank Malina. But here was a man like myself, who was, first of all, Jewish, and second, still had a mother and sister in Russia. And I knew that something was brewing, because even some of these lawyers remembered that the so-called perjury things have a three-year statute of limitations. Suddenly in 1949 I got a telephone call from the JPL office that they were sending me another application to fill out. And when I asked why, they just got mad on the phone. So I did it, but I found it very strange.

MT: So had you filled out something similar to this in '46, when you first came to JPL?

SW: You see, it was three years old.

MT: Had they asked you these questions in '46?

SW: Yes, the same things. You had to show all

the organizations that you used to belong to. The thing is that in general, it was just like the loyalty oath at the university in Berkeley. Political things were not supposed to be asked. But they selected me as somebody that maybe pressure could be put on. Their approach was this: "We know that you like your family very much and that you would like to support your family. And if you work with us and tell us who are your friends, though you cannot work anymore at the Jet Propulsion Laboratory, we can arrange it so that you will get a satisfactory job someplace else." I had an offer: if I just name names, everything will be smoothed out.

MT: So it was with this new form that you filled out that they were able to accuse you of perjury?

SW: Yes. But they had to formulate the things in many different ways, because the prosecuting attorney said that they didn't quite know what they would be able to prove. It had been tested legally only once before. So it was all a purely legal kind of thing. The main thing that they were asking me was to name the people with whom I had been associated. And when they saw that I didn't go along, they obviously decided that I was the proper person for them to start a court case here. It was unfortunate that they didn't have any real spying case or something of that sort here.

MT: So in '49, they took away the clearance that you already had?

SW: First, they took the clearance only to top secret. I didn't appeal, because I didn't care if I didn't have that. For example, I asked for the reports that I wrote to be declassified, and they appeared afterwards in the *Journal of Applied Physics*. I felt that something was brewing, but I never expected it to come to this kind of thing.

MT: So it was after the hearing in '49 that you lost your job?

SW: And the Institute appealed my case to the military board. They said, if I don't appeal, I cannot work in Caltech anymore. This is where the trouble comes with Caltech. They were under pressure. So the charge of perjury came from my testimony before the military board—because I denied the charges before the military board. Professor [Earnest] Watson was a witness for me and also Verner Shomaker.

There was always a lot of incorrect information—that's putting it mildly—about me. The only thing that personally worried me in all that time was that there were two or three things that came up that couldn't be known about me

Why was I the victim at that particular time? And why was it I and not somebody else? Things were happening in the East, all the arrests of spies and so on.



TESTIFIES—Dr. Frank Oppenheimer, Caltech graduate who told court he did not recall if Dr. Sidney Weinbaum had ever attended Communist meetings at his home. Times photo

WEINBAUM TRIAL

Continued from First Page:
numbered 60491 and a green-covered book with the same number stamped on it.

"Are these like yours?" asked Tolin.

"Yes, they are the same thing—it is the same type of book," the witness replied.

Used by Weinbaum

"This book shows the name Sydney Empson," Tolin pointed out to the witness. "Do you know anyone of that name?"

"Dr. Weinbaum used that as his party name," the witness testified.

Rosanoff said that he was told by Dr. Weinbaum that his party responsibility consisted of keeping his eyes and ears open and encouraging anyone who talked along the party line and if they were sufficiently interested to call them to the attention of other officials.

He said that his own party card was in the Caltech unit which was known as Professional Unit 122 of the Communist Party of America. He said that following the time he joined the party early in 1938 he had discussed numerous possible party prospects with Dr. Weinbaum and others. One of these was no



WITNESS—Richard A. Rosanoff, who testified Dr. Weinbaum admitted Red ties. Times photo

And he said in his letter that the worst that he could think of me was that maybe I voted for Roosevelt.

personally except among very close friends. And I was wondering whose hand I was still shaking who . . . Up to today I do not know who the person was.

MT: But when you were actually arrested, that came as a surprise to you?

SW: Yes. But at the same time, I was more or less prepared for a thing like that. But one doesn't think about these things; one hopes that it won't happen.

MT: Just to go back to the trial for a few minutes, you said that you didn't know during the hearing who it was that was talking to the FBI. But, in fact, there were these people who testified against you. The major portion of the case really rested on this testimony, right? There was Gus Albrecht [previously at Caltech and JPL], Frank Oppenheimer, and Jacob Dubnoff [a senior research associate at Caltech]. What is your interpretation of why these people talked? Do you see it as just being pressure from the FBI?

SW: Well, I knew that Dubnoff was a Communist, and Oppenheimer, and many others that I was friendly with in those days. But the charge was worded that I had been a member. The other charge was that I got some people to join. And the third was that I abetted the Party or something. Well, the third one may have been right. But you see, the whole thing was not that. They didn't give a damn; they just wanted to have a case, to put the FBI on the map. And also, they thought that I would crack, like Dubnoff for example. The day before Dubnoff's testimony, it

Weinbaum Case Jail Term Test

Highest Court May
Rule on Refusal
To Testify

Whether Communists, ex-Reds or suspected Communists can get special treatment from the courts by refusing to testify regarding their present or past affiliations appeared today to be headed for a ruling by the highest courts of the country.

An appeal was being framed today from the decision of District Judge Ben Harrison to send Dr. Eugene Brunner, research chemist, to jail for six months for contempt in refusing to answer questions in the federal court perjury trial of Dr. Sidney Weinbaum.

Brunner, 39, formerly a graduate student at Caltech, was called as a prosecution witness in the trial of Dr. Weinbaum, former physicist in the jet propulsion laboratory at the institute, and refused flatly to answer these two questions:

"Between 1937 and 1939 were you a member of the Communist Party in Pasadena? During the period, did you ever see Dr. Weinbaum at Communist meetings?"

BAIL IS DENIED

Judge Harrison then denied a motion by Brunner's lawyer, William Esterman, that Harrison disqualify himself. He also denied the attorney's request to fix bail pending appeal "because I find that this contempt was deliberate and wilful."

Earlier Dr. Jacob Dubnoff, senior research assistant at Caltech, admitted on the witness stand that he had been treasurer of the "Caltech branch" of the Communist party prior to 1940. He said that his "party name" was "John Kelly," and that he had collected dues from other Pasadena Reds, but he "couldn't remember" whether Weinbaum had been one of them.

appeared in the newspaper that he refused to testify; and the next day, he was the first witness!

But none of these people claimed that I had been a Party member. What I say is this: if I were, one way or the other, then they lied. If I was, then they knew that, they had to know; then, by going all around, but not naming it, they are the ones that perjured themselves. But this is also quite true, that whether I belonged or not was not the problem.

One name that came up was that of the wife of Rudolf Schindler, the famous architect. They said she visited our house and stayed for a long time; they saw her car parked outside. Certainly she did. We were very friendly with her. I don't remember now what was the origin of our meeting. Speaking about the people that I knew—Richard Neutra, you know, the famous architect? Well, his wife played the cello and sang. They were friends of some distant relative of mine, and I have accompanied her a number of times. Actually they lived for a while in a house that Schindler built. The only time I visited the Neutras was in that house, before I even knew of Mrs. Schindler's existence. So, they said, didn't I know that she was a Russian agent? You know, imagining that woman to be an agent was like—I don't know. So it is very, very funny.

MT: Well, it's true that maybe the point wasn't whether you had been a member or not; but, in fact, that was what they had to prove, in order to get this conviction.

SW: So you see, the way the things were worded, even if I wasn't a member, they put the word *abetted*, because it covers the situation and I was certainly working with them. So, if that's a bad thing, in that way, that was true.

MT: In order to convict you of perjury, they had to prove that you had been a member of the Party though.

SW: But it was not only this thing, but also these two other things. In the atmosphere of those days, there was very little question about being convicted. The only explanation is that at that time the climate was such that if you don't have a case of some sort—these are the sort of things I didn't think of at that time.

MT: So, what kind of a defense could you have, then? Did you call witnesses in your favor?

SW: No. But that was an interesting thing. My lawyer wanted to read the letters that had been submitted to the military board. And the district attorney got up and objected to that, saying, "Let

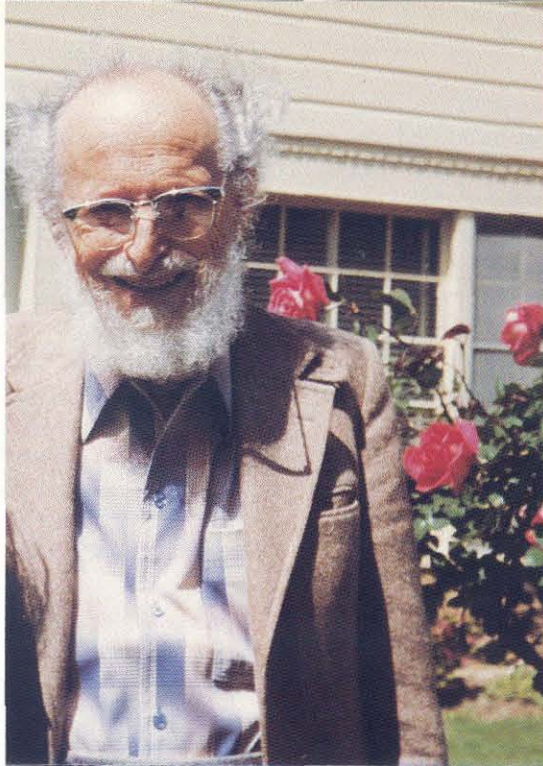
these people appear here as witnesses." However, in his speech, he had quoted some things from the military hearings. So the judge, very reluctantly, I must say, said that he had to allow this. And so my lawyer read some of the selected letters. One was from a man by the name of Miller. He was some kind of a technical electronics man in the seismological laboratory; he was a chess player who played years before on my team. During the war he built up a factory and made a lot of money. I wanted to have a letter from someone working for the military, and I asked him for a recommendation letter. And he said in his letter that the worst that he could think of me was that maybe I voted for Roosevelt.

Frank Oppenheimer did very foolish things. You know, he had a hearing before a congressional committee. Oppenheimer obviously didn't have a very good lawyer, or the lawyer was mostly trying to protect Oppenheimer. When they asked Frank about a number of people in Berkeley, he claimed every time that they were not Communists—that he knew that they were not in the Party. But when the names of Malina, and Tsien, and myself came up, then he refused to answer. By this, you see, he singled us out. Well, because somehow nothing about his brother had yet come up in Caltech—maybe it was on account of that.

MT: Did you see the trial as kind of a foregone conclusion, the outcome of it?

SW: Yes. My lawyer warned me that there was little chance. The district attorney called for ten years, because he grouped the counts into two different bunches. But the judge said that they are all based on just one thing, so the maximum was five years, and he gave me only four. I think I told you the story of the marshal who told me that he was sure that I would get a suspended sentence. So the judge said, "You know, I didn't even give him the maximum. I had to give him four years because he's going to get parole after a short time, and I want to make sure that he is not going to leave this country and give his services to our enemies. By that time, science already will develop further." In other words, my knowledge would be already obsolete. And again, there was that offer, that if I go and tell about people, I could get a suspended sentence. But my scientific career was finished anyway, you see. You know, people now really cannot realize what those days were like.

MT: I know for myself, just reading the newspaper clippings—even though I know something about the period—it's shocking.



Sidney Weinbaum last year at his Santa Monica home.

SW: I didn't read everything. The things I read about myself were actual things that happened in the court, sort of a summary without too much detail. And also, one or two articles in the beginning that told about me in general, that were nice and favorable. There was nothing prejudicial in any way. But seeing that headline in the newspapers, that Weinbaum faces four years in prison—that wasn't very pleasant. No, those were not very pleasant days. A few telephone calls, some abusive. A letter when I was in prison, waiting to be sentenced, was very, very abusive.

When you get to prison, by the time you get through admission, the prison is already dark. And so they take you and give you a pillow or something like that, and push you into a two- or four-man cell. And I had to lie on the floor with my head to the toilet. You see, some of us were only transients, because we were federal, and that was a county prison. One of the trusties who had obviously been there for a long time came over and said, "Oh, I have the two most famous prisoners in my place." Who was the other one? It was a man who had tried to blow up a plane because his wife deserted him or something like that. I talked to that man quite a bit, but he was not quite there. You see what "fame" is; for the trusty we were both famous.

One of the better-educated guards—officers they called them—told me I was there when Mickey Cohen, the underworld king, was there. This guard said, "All these people who are here, when they come out, you know what they will be boasting about? They will say, 'I knew Mickey

Cohen, and I knew Dr. Weinbaum.'" So I had very good company.

Not that there were not some disagreeable things that would happen; but I had to learn to handle these things. And there were not too many personal things that I had trouble with, either with the inmates or the prison.

When the time for my parole came, everybody that I talked to among the guards and some of the younger people said, "Oh, you're certainly going to get parole." Well, I knew otherwise. Because when I appeared before the parole board, they started to ask me who my friends were. The chairman of the parole board said, "Why should we give you parole if you don't know how to cooperate with us?" So, you see, it was a matter of punishment and nothing else.

When I was refused parole, a man who was serving 25 years for being involved in a very famous robbery of a truck that was going to Lockheed with the payroll was working in the officers' dining room. When I was denied parole, I noticed that there was a little package on my bed. When I went in, it was a very nice ham sandwich, the kind we didn't get, and a note was attached: "You may have no standing with the parole board, but you have a standing with me." The reason for that was that I didn't succumb to the FBI. And I was never again interviewed by them while in prison.

I don't know if I mentioned to you that the inmates even elected me as their representative for six months. So I came out of prison ready to become emotionally stabilized; and I did. And I can talk about these things. And also, somehow I tried to fit things that happened to me into the life of the country in the particular time, and also find out why I react emotionally in one way or another. One lives a long life.

Now looking back, I must say that I consider I led an interesting life in many respects. I met so many different people. And where I got my greatest education was in prison. Prison was the thing that is responsible for my living to be an old man. I came out a different person. □

Weinbaum served three years of his sentence with a year off for good behavior. On his release, an old friend from his chess-playing days offered him a job in a dress business. He also met his second wife, Betty, through a chess-club connection; they settled in Santa Monica and lived happily ever after. "I cannot complain," he said near the end of what he considered a very rich life. He had little to do with Caltech, but did make at least one official visit—to be inducted into the Alumni Association's Half-Century Club. Weinbaum died September 1 after a short illness at the age of 93.

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