

1. What is your full name and your age?

Helena Roerich, 58 years.

2. Where do you reside and how long have you resided at that place?  
Naggar, Kulu, Punjab, British India. Since Dec. 1928.

3. Are you married or single; if married state the full name of your husband and where he resides.

Married. Nicholas Roerich. At Naggar, Kulu, Punjab.

4. What is the condition of your health?

For many years I am suffering from heart trouble and high blood pressure. For the last five years I have not been able to leave the house, or estate.

5. Are you able to travel to New York?

No.

6. Are you the owner of certain manuscript diaries written in your handwriting and contained in copybooks containing dates beginning with March 24, 1920 and continuing through to and including Feb. 3, 1935.?

Yes.

7. If your answer to Interrogatory No. 6 is in the affirmative, describe in detail the appearance of said copybooks.

The first lot of manuscript diaries was written mostly in copybooks with black cardboard covers, of American make. They were written in my handwriting, in larger writing and in old Russian orthography. They were sent to America from India, via Italy in 1925. The later lot was written in manuscript books of French make, much thicker, in flexible black oil-cloth covers and the text was written in the new Russian orthography and in smaller handwriting, in order not to make them too bulky. All were throughout in my own handwriting. The last copybook closes with my diary of Feb. 3rd 1935, is of slightly larger size, in blue cover, with gilt frame line on the front cover. The approximate size of the manuscript books is about 9x7 to 10x8 inches.

8. If your answer to interrogatory No. 6 is in the affirmative, are the said manuscripts, contained in said copybooks, in your own handwriting.

Yes, throughout.

9. If your answer to Interrogatory No. 8 is in the affirmative state when and where you wrote the manuscript therein contained.

Since March 24, 1920 till February 3, 1935, in different countries during my travels.

10. State the general nature and substance of said manuscripts contained in said copybooks.

Philosophy and ethics, historical traditions and prophecies, apocryphs and legend lore and private annotations.

11. Was any portion or portions of said manuscript contained in said copybooks published?

Yes. Special selections, chosen and edited by me.

12. If your answer to Interrogatory No.10 is in the affirmative state:

- a) The name or names of such publications
- b) the date or dates of the publications.

* Leaves of M's Garden, Part I.	1924	
Leaves of Morya's Garden, Part II	1925	
Community	1926.	
* Agni-Yoga	1929	
Infinity Parts I & II	1930	
* Hierarchy	1931	
* Heart	1932	
Fiery World, Part I.	1933	
Fiery World, Part II	1934	
Fiery World, Part III	1935	
Aum	1936	
* On Eastern Crossroads	1930	(Published by Pred.Stokes)

The originals were published in Russian. Translations were also published in several other languages, of which the five books indicated with a \* were published in English.

The published texts form only part of each manuscript book and other sections of these manuscript books remain unpublished.

13. Did you ever deliver any of the said copybooks to anyone?

Yes.

14. If your answer to interrogatory No.13 is in the affirmative, did you ever deliver any of the said copybooks to Esther J.Lichtmann and Nettie S.Horch, who are the defendants in this action?

Yes.

15. If your answer to Interrogatory No.14 is in the affirmative, did you have any conversation or conversations concerning said copybooks with Esther J.Lichtman at or prior to the times when you delivered any of the said copybooks to her?

Yes.

16. If your answer to Interrogatory No.15 is in the affirmative, state: a) the place or places where such conversation or conversations took place; b) the date or dates when such conversations or conversation took place; c) what was said by you and what said by Esther J.Lichtmann in such conversation or conversations; and (d) what, if anything, took place at or following said conversation or conversations.

(a) here, in my home in India.

(b) during 1930-1931 during Miss Lichtmann's stay here and before her departure in Sept.1931 to New York and again in Feb.1935 before her departure to New York.

(c) Formerly all manuscript books of earlier dates were kept by Mrs Sina G. Lichtmann in New York, and about 1930 they were all handed over for safe keeping, on my behalf, to the Trustees of Roerich Museum, who kept them in a special place in the Museum's Building in New York for me. In 1930 and 1931 we had here in India a conversation with Miss Esther J. Lichtmann, that Mrs Horch considers the safe keeping of my manuscript books in the special place in the Museum's Building unsafe during the summer time and she, Mrs Horch, has suggested that all manuscript books should be taken over to her, Mrs Horch's apartment in the same building, in order to be transferred later to a safe or vault, taken in my name.

With this I agreed. When handing over further manuscript books to Miss

Lichtmann before her departure in Sept. 1931 to be taken to New-York I told her that these were to be added to the others and were all to be kept as my property in safe keeping until I need them and I told her that they were to be kept sealed. Miss Lichtmann promised to do so and to hand them over for such safe keeping on my behalf, to Mrs Horch. Thus in 1931 all my manuscript books were taken over for safe keeping on my behalf, by Mrs Nettie S. Horch. A vault was then taken in my name for their safe keeping for which purpose I authorized one to be secured from the Chemical Bank in New-York. This was confirmed by Mr. Louis L. Horch in his "resident's Report" of Oct. 1932 signed by him. Further confirmation is found in the following two reports: From Mrs Nettie S. Horch, June 28, 1931 para 3: "before leaving New York for Moriah on June 14th, Mrs Horch asked all Trustees to bring all letters, books and manuscripts of Prof. and Mme Roerich to the place agreed upon, so that we can cable a reply to Kulu that this was done as requested". And a cable was received from New-York #1185/9 dated July 9th 1931: "DLT ROERICH NAGGAR - All manuscripts letters put safe - Sina" (Sina Lichtmann). According to the Chemical Bank's statement the vault was discontinued by Mrs Horch (without my knowledge) on March 16th 1934. In 1934 Mrs Horch wrote me a letter, dated March 31, in which she stated: "Dearest Beloved Mother, It is wonderful to have our beloved Father and George with us and to receive the wise Guidance and advices of our beloved Leader.... I shall take the original books from upstairs into my apartment as was suggested...." Thus my original manuscript books as above stated since March 1934 were in Mrs Horch were in Mrs Horch's sole safe keeping.

In Feb. 1935, when Miss Lichtmann again left from here for New York I again handed over to her further of my manuscript books which were to be added to those previously sent and were also to be kept by Mrs N. Horch in safe keeping on my behalf, and sealed, what Miss Lichtmann again promised to do.

(d) In both cases (Sept. 1931 and Feb. 1935) Miss Esther J. Lichtmann took along on her way to New York manuscript books from me, promising to hand them over, as above stated, for safe keeping, on my behalf.

17. If your answer to interrogatory No. 14 is in the affirmative did you have any conversation or conversations concerning said copybooks with Nettie S. Horch at our prior to the time or times you delivered any of the said copybooks to her?

Yes.

18. If your answer to interrogatory No. 17 is in the affirmative, state (a) the place or places where such conversation or conversations took place; (b) the date or dates when such conversation or conversations took place; (c) what was said by you and what was said by Nettie S. Horch in such conversations and (d) what, if anything, took place at or following said conversation or conversations.

(a) here, in my home, in India.

(b) in Aug. 1930)

(c) It was also said that the manuscripts books are my property, and are taken to New-York only for safe keeping on my behalf. Mrs Horch promised to do so and

(d) took the manuscript books along to New York.

19. Did you ever deliver any of the said copybooks to Nettie S. Horch or Esther J. Lichtmann, except by delivering them direct to either or both of said persons? - Yes.

20. If your answer to interrogatory No. 19 is in the affirmative, state (a) the number of said copybooks; (b) the dates when and (c) the name of the persons by whom you delivered the said copybooks to Nettie S. Horch or Esther J. Lichtmann.

(a) All my previous manuscript books, beginning from March 24, 1920. Thus together with those mentioned in answers No. 16-b and 18-b, the entire unbroken series from March 24, 1920 to and including Feb. 3, 1935 were delivered for safe keeping on my behalf. The total number is several dozens, and being in form of a diary, each subsequent manuscript book is by date a continuation of the previous book and there is no break in this continuity - thus the completeness of all manuscripts can be easily checked from beginning to end - from March 24, 1920 to Feb. 3, 1935. The date of the first page of each manuscript book can be checked with the last date on the last page of the previous book. Besides there is in every manuscript book an inner front page on which the date of the beginning and end of that particular book is given and thus the uninterrupted continuity is easily established.

(b) 1) In 1925 Mr. V. Shibayev took my manuscript books dating from the 24th of March 1920 to Jan. 1925 on his way to Europe and posted them from Venice, Italy to New York to Mrs Sina Lichtmann, who at that time was custodian of these manuscript books for me.

2) In 1927 Mrs Sina Lichtmann took from me personally in Mongolia for same safe keeping on my behalf the next series of manuscript books dated up to spring 1927.

3) In 1929 and 1934 Prof. Nicholas Roerich when visiting New York handed over further manuscript books for safe keeping.

Thus as stated in par 16-c all the above were taken over for safe keeping in America by Mrs Nettie S. Horch, including those she herself took from India to New York in Aug. 1930 and including those two lots which in Sept. 1931 and Feb. 1935 were taken over to America from here, by Miss Esther J. Lichtmann. All these manuscript books together covering the entire unbroken period from March 24, 1920 to Feb. 3, 1935 in my handwriting, are thus in safe keeping of Mrs Nettie G. Horch. Miss Esther J. Lichtmann in two cases was the transmitter.

21. Were you present at a meeting of certain Trustees of Roerich Museum, in Naggar, Kulu, Punjab, British India on April 28, 1931.

Yes.

22. If your answer to Interrogatory No. 21 is in the affirmative, state who besides yourself was present at said meeting.

Prof. N. Roerich, Georges Roerich, Miss E. J. Lichtmann & Mr. V. Shibayev.

23. If your answer to Interrogatory No. 22 is in the affirmative, was anything said or done at said meeting concerning the said copybooks, the subject of this action? - Yes.

24. If your answer to Interrogatory No. 21 is in the affirmative, what was said or done at said meeting concerning said copybooks.

The resolution was passed and sent to New York that "All manuscripts and letters of Prof. and Mme Roerich must be kept in a special vault", and a request was made to New York to confirm this as soon as completed.

And confirmation of this was received in a report by Mrs Nettie S. Horch dated June 28, 1931 and in a cable from New York dated July 9th, 1931.

25. Did you ever instruct anyone on your behalf to make demand for the return to you of said copybooks.

Yes.

26. If your answer to the 25th Interrogatory is in the affirmative, state the name of the person whom you so instructed.

Mr. Herbert Plaut, Attorney. New York.

27. Have any of the said copybooks been returned to you?

No, none .

1. Are you a citizen of the United States?

No.

2. If your answer to Interrogatory No.1 is in the negative, of what country are you a citizen?

Russian born.

3. What is your present residence?

Naggar, Kulu, Punjab, Br. India.

4. What is the total number of copy books and/or manuscript diaries in your handwriting that you made?

The exact number I cannot remember because they were sent over a period of many years. The approximate number is several dozens. But the continuity of the manuscripts can be easily checked as on an inner front page of every manuscript book there is the date of the beginning and end of that particular manuscript book and the uninterrupted continuity of all the manuscript books covers the period from March 24, 1930 to Feb. 3, 1935.

5. Did you make or did you cause to be made any exact duplicates of all of the copy books and/or manuscript diaries which are the subject of this action?

No.

6. Did you make or cause to be made duplicates of any part of the copy books and/or manuscript diaries which are the subject of this action?

Yes, some parts of the manuscripts had been selected by me and were type-written for publication.

7. If your answer to Interrogatory No.5 is in the affirmative, state how many duplicates or copies were made of the copybooks and/or manuscript diaries which are the subject of this action?

No exact copy of the whole exists.

8. If your answer to Interrogatory No.5 is in the affirmative, describe in detail those copy books and/or manuscript diaries which were duplicated, by giving the general content of the entire copy book and/or manuscript diary duplicated, the general appearance of the copy books and/or manuscript diaries, and the dates over which the same covered.

This question does not arise. Besides, I do not claim any copies. I claim the return of my original work, in my own handwriting and in the Russian language, given for safekeeping.

The general appearance of my original manuscript books has been given in my reply to the Direct Interrogatory No.7.

9. In your answer to Interrogatory No.6 is in the affirmative, state how many duplicates or copies were made of any part of the copy books and/or manuscript diaries which are the subject of this action.

Duplicates of parts have been made in several typewritten copies for publication (on my typewriters). I do not claim these.

10. If your answer to Interrogatory No.6 is in the affirmative, describe in detail those parts of the copy books and/or manuscript diaries which were duplicated, by giving the general content of that part of the copy book and or manuscript diary duplicated, the general appearance of the copy-books and/or manuscript diaries, and the dates over which the same covered.

These parts have been printed as stated in my previous reply to direct interrogatory No.12 and the contents can be seen from these books. The dates over which the same cover are on the books.

I repeat that I do not claim any typewritten copies or printed books, but my original manuscript books in my own handwriting.

11. If your answer to Interrogatory No.5 is in the affirmative, state in whose handwriting duplicates were made.

The question does not arise as no exact copy was made.

12. If your answer to Interrogatory No.5 is in the affirmative state how many duplicates of each copy book and/or manuscript diary were made.

The question does not arise.

13. If your answer to Interrogatory No.6 is in the affirmative, state in whose handwriting duplicates were made.

The duplicates of parts, for publication, were made on my two typewriters.

14. If your answer to Interrogatory No.6 is in the affirmative, state how many duplicates of each part of each copybook and/or manuscript diary was made.

Several carbon copies were made, sent to America and other countries.

15. If your answer to Interrogatory No.5 and Interrogatory No.6 is in the affirmative, state how the duplicates were made.

No exact copy of the entire manuscript exists, and the part copies for publication were typewritten with carbon copies.

16. If your answer to Interrogatory No.5 or Interrogatory No.6 is in the affirmative, state whether carbon paper was used in making the duplicates.

Yes, for the part copies used for publication carbon paper was used. I do not claim these carbon copies.

17. If your answer to Interrogatory No.6 and Interrogatory No.6 is in the affirmative, do you still have in your possession any part of the copy books and/or manuscript diaries?

Reference to No.5 does not arise. Typed and carbon copies of parts were usually destroyed after the printed books appeared.

18. If your answer to Interrogatory No.17 is in the affirmative, state which original copy books and/or manuscript diaries you still have in your possession by describing the general content of the copy books and/or manuscript diaries, the general appearance of the copy books and/or manuscript diaries, and the dates over which the same cover.

The question does not arise.

19. If your answer to Interrogatory No.17 is in the affirmative, you have any of the state whether duplicate copy books and/or manuscript diaries in your possession at present time?

This question does not arise.

20. If your answer to Interrogatory No.19 is in the affirmative, state which duplicate copy books and/or manuscript diaries are in your possession by describing the general content of the copy books and/or manuscript diaries the general appearance of the copy books and/or manuscript diaries, and the dates over which the same cover.

The question does not arise.

21. Is it claimed that the defendant Nettie S.Horch has the original copy books and/or manuscript diaries?

Yes.

22. Is it claimed that the defendant Nettie S.Horch has part of the original copy books and/or manuscript diaries?

Mrs Nettie Horch has the whole original uninterrupted series of manuscript books from March 24,1920 to Feb.3,1935.

23. If your answer to Interrogatory No.21 and No.22 are in the affirmative describe which copy books and/or manuscript diaries it is claimed the defendant Nettie S.Horch has in her possession.

All the above mentioned (see reply to question No.22).

24. Is it claimed that the defendant Esther J.Lichtmann has the original copy books and/or manuscript diaries?

Miss Esther J.Lichtmann was twice the transmitter of some of the manuscript books for safe-keeping to New York. She was supposed to hand them over sealed to Mrs Nettie S.Horch for safe-keeping.

25. Is it claimed that the defendant Esther J.Lichtmann has all of the original copy books and/or manuscript diaries?

She was not supposed to be the custodian of these manuscripts, but only acted twice as transmitter.

26. Is it claimed that the defendant Esther J.Lichtmann has part of the original copy books and/or manuscript diaries?

(See above reply to question No.25).

27. If your answers to Interrogatory No.25 and No.26 are in the affirmative describe which copy books and/or manuscript diaries it is claimed the defendant Esther J.Lichtmann has in her possession.

She should not have any of my manuscripts in my handwriting in her possession, as she was only transmitter.

28. If your answer above given indicate that you do not claim that Nettie S. Horch and Esther J.Lichtmann have all or any part part of the original copy books and/or manuscript diaries, who, is it claimed, now possesses all of the original copy books and/or manuscript diaries?

I claim that the entire set of manuscript books, which are subject of this action, should be in Mrs Nettie S.Horch's safe keeping and should be returned to me. If Mrs Horch has not received some of those manuscript books which Mrs Esther J.Lichtmann, astransmitter, took over to her, then Miss Esther J.Lichtman should return such to me.

29. If your answers above given indicate that you do not claim that Nettie S.Horch and Esther J.Lichtmann have all or any part of the original copy books and/or manuscript diaries, who, is it claimed by you, now possess part of the original copy books and/or manuscript diaries?

My above answer to question No.28, applies.

30. If your answers given above indicate that other persons besides the defendants herein possess at the present time all or any part of the original copy books and/or manuscript diaries, describe in detail such original copy books and/or manuscript diaries, possessed by the person or persons indicated, by giving the general content of the copy books and/or manuscript diaries, the general appearance of the copy books and/or manuscript diaries, and the dates over which the same cover.

No, none of the other Trustees have any of these original manuscript books in my handwriting and all of them from March 24, 1920 to Feb.3, 1935 must be with Mrs Nettie S.Horch.

31. If your answers to Interrogatories No.5 and No.6 are in the affirmative state whether it is claimed that Nettie S.Horch has duplicates of the original copy books and/or manuscript diaries.

Mrs Nettie S.Horch has the original manuscript books in my own hand-



writing. These were supposed to be kept sealed and not to be read, used copied, etc. Since Mrs Horch does not know Russian, they were of not use to her. She had voluntarily undertaken to keep them safely for me, until I need them.

32. If your answer to Interrogatory No.31 is in the affirmative, state whether you claim that Nettie S.Horch has a complete set of the duplicate originals of the copy book and/or manuscript diaries.

She has the whole set in original.

33. If your answer to Interrogatory No.31 is in the affirmative, state whether it is claimed that the defendant Nettie S.Horch has only a part of the duplicate originals of the original copy books and/or manuscript diaries in her possession.

She has the whole unbroken set of the ORIGINALS in my handwriting in Russian from March 24,1920 to Feb.3,1935.

34. If your answer to Interrogatory No.31 is in the affirmative, describe in detail exactly which duplicates of the original copy books and/or manuscript diaries are in her possession.

The entire set was described in my reply to direct interrogatory No.7 and it is claimed that she the set of ORIGINALS and not copies or duplicates.

35. If your answers to Interrogatories No.5 and No.6 are in the affirmative state whether it is claimed that Esther J.Lichtmann has duplicates of the original copy books and/or manuscript diaries.

The entire set of originals is in safe keeping of Mrs Nettie S.Horch and Esther J.Lichtmann was only part transmitter (see also my reply to interrogatory No.28).

36. If your answer to Interrogatory No.35 is in the affirmative, state whether you claim that Esther J.Lichtmann has a complete set of the duplicate originals of the copy book and/or manuscript diaries.

(as above)

37. If your answer to Interrogatory No.35 is in the affirmative state whether it is claimed that the defendant Esther J.Lichtmann has only a part of the duplicate originals of the original copy books and/or manuscript diaries in her possession.

(as above).

38. If your answer to Interrogatory No.35 is in the affirmative describe in details exactly which duplicates of the original copy books and/or manuscript diaries are in her possession.

Miss Esther J.Lichtmann being only a transmitter should have no originals

and had no right to make or cause to be made copies nor duplicates.

39. If your answers given above indicate that the originals or part of the original copy books and/or manuscript diaries were given to Nettie S.Horch when were each or all of them so given?

In August 1930 before Mrs Horch's departure from India to New York I personally handed over to Mrs Horch two or three manuscript books for safe keeping, together with all those previously given.

40. If your answers given above indicate that the originals or part of the original copy books and/or manuscript diaries were given to Nettie S. Horch, where and under what circumstances were each or all given to Nettie S.Horch?

This took place here in India. In 1930-31 Mrs Horch expressed many times her concern for the safety of all my original manuscript in the Museum Building and in 1931 she volunteered to keep all my manuscripts for me first in her apartment and later in a vault, which was taken in my name for their safe keeping, for which purpose I authorized one to be secured from the Chemical Bank in New York, what is confirmed in Mr.Horch's President's Report of Oct.29,1932 signed by him. Later more original manuscript books were transmitted to Mrs Horch's safe keeping in 1934 by Prof.Roerich and 1931 and 1935 by Miss Esther J.Lichtmann. According to the Chemical Bank's statement the vault was discontinued by Mrs Horch (without my knowledge) on March 16th 1934. In 1934 Mrs Horch wrote me a letter, dated March 31 in which she stated:

"Dearest beloved Mother,

It is wonderful to have our beloved Father and George with us and to receive the wise Guidance and advices of our beloved Leader..... I shall take the original books from upstairs into my apartment as was suggested....."

Thus my original manuscript books as above stated since March 1934 were in Mrs Horch's sole safe keeping.

41. If your answers given above indicate that the originals or part of the original copy books and/or manuscript diaries were given to Esther J. Lichtmann, when were each or all of them so given?

Part of the original manuscripts (several books) were given by me to Miss Esther J.Lichtmann in Sept.1931 and in Feb.1935, but only for transmittal, to be added to the others previously given, which were in safe keeping of Mrs Nettie S.Horch.

42. If your answers given above indicate that the originals or part of the original copy books and/or Manuscript diaries were given to Esther J. Lichtmann, where and under what circumstances were each or all given to Esther J.Lichtmann?

They were given to her by me personally in Naggar, when she left for the U.S.A. and on the definite understanding that they were to be kept safely on my behalf by Mrs N.Horch.

43. If your answers to Interrogatories No.5 and No.6 are in the affirmative

state whether it is claimed that Nettie S.Horch has duplicate of all or of part of the copy books and/or manuscript diaries.

Mrs Nettie Horch has the complete set of original manuscript books in Russian, covering the period from March 24,1920 to Feb.3,1935. These were supposed to be kept sealed and she had no right to make or cause to be made copies, duplicates, excerpts,etc.

44. If your answers to Interrogatory No.5 and No.6 are in the affirmative, state whether it is claimed that Esther J.Lichtmann has duplicates of all or of part of the copy books and/or manuscript diaries.

Miss Esther J.Lichtmann was only transmitter of parts of the abovementioned original manuscript books and had no right to make or cause to be made copies, duplicates, excerpts,etc. She was to hand the manuscript books over, sealed.

45. Were any of the copy books and/or manuscripts diaries which are the subject of this action, published?

No. Only parts and excerpts from the manuscripts books, at my own choice, & selection, were compiled and edited by myself, and were published in Russian. Later many of the published Russian books were translated into other languages.

46. If your answer to Interrogatory No.45 is in the affirmative, describe which of the copy books and/or manuscript diaries were published.

Not having before me the original manuscript books it is impossible to mark or indicate the actual passages selected.

47. If your answer to Interrogatory No.45 is in the affirmative state whether any of the copy books and/or manuscript diaries were wholly published.

No.

- 48 If you answer to Interrogatory No.45 is in the affirmative, state whether just parts of the copy books and/or manuscript diaries were published.

Parts were published as stated in my reply No.45.

49. If your answer to Interrogatory No.45 is in the affirmative, describe which of the copy books and/or manuscript diaries were published, describing each of said copy books and/or manuscript diaries by their appearance, general content, dates covered and describe in particular the part or parts of such copy book and/or manuscript diary so published.

Not having before me the original manuscript books it is impossible to mark or indicate the actual published passages selected. But from the books submitted, the contents of the selected pages can be seen.

50. If your answer to Interrogatory No.45 is in the affirmative, state whether such publications of part or all of the copy books and/or manuscript

diaries were sold to the general public.

The published books were sold to the general public by the publishers as usual. The published parts form only a part of my original manuscript books.

51. I show you a lavender book approximately 4-3/4" x 6-1/4" entitled "Hierarchy" bearing date on the outside cover "1931", copyrighted in 1933, printed in the United State of America and containing on the third page of the said book, the following "Signs of Agni Yoga" and ask you whether such book is a publication of any part of the copy books and/or manuscript diaries.

Yes.

52. If your answer to Interrogatory No.51 is in the affirmative, state whether such publication entitled "Hierarchy" is a part of one copy book and/or manuscript diary.

It is the American edition of the translation into English from the Russian edition, selected from several manuscript books.

53. If your answer to Interrogatory No.51 is in the affirmative, state whether such publication entitled "Hierarchy" contains parts of more than one copy book and/or manuscript diary in the same form.

Yes, it contains passages selected from several manuscript books.

54. If your answer to Interrogatory No.51 is in the affirmative, state whether such publication entitled "Hierarchy" contains all of one copy book and/or manuscript diary.

No. It contains selected parts from the manuscript books, and other sections are still unpublished.

55. If your answer to Interrogatory No.51 is in the affirmative, state whether such publication entitled "Hierarchy" contains the contents of more than one complete book and/or manuscript diary.

Not having the original manuscript books on hand, I can but state from memory that the selections that entered into the published books were usually taken from more than one manuscript books. Other sections of these manuscript books remained unpublished.

56. If your answer to Interrogatory No.51 is in the affirmative, describe the copy book and/or manuscript diary by giving its general appearance, general content and dates covered.

From some manuscript books of French make, with soft black oil-cloth covers. The Russian edition of Hierarchy was edited in 1931.

57. If your answer to Interrogatory No.51 is in the affirmative, the publication

"Hierarchy" bearing date on the outside cover "1931" copyrighted in 1933, printed in the United State of America and containing on the third page of the said book the following "Signs of Agni Yoga", said book being approximately 4-3/4" x 6-1/4", is herewith offered in evidence.

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58. I show you a blue book approximately 4-3/4" x 6-1/4" entitled "Agni-Yoga" bearing date on the outside cover "1931" copyrighted in 1929 and 1930, printed in the United State of America and containing on the third page a statement as to "The Blessed Mahatma" and ask you whether such book is a publication of any part of any of the copy books and/or manuscript diaries?

Yes. It is an American edition of the English translation from the Russian edition, selected from more than one of the manuscript books.

59. If your answer to Interrogatory No.58 is in the affirmative, state whether such publication entitled "Agni-Yoga" is a part of one copybook and/or manuscript diary.

This English translation was made from a typewritten Russian manuscript. The Russian edition was a selection from more than one manuscript books.

60. If your answer to Interrogatory No.58 is in the affirmative, state whether such publication entitled "Agni Yoga" contains ~~xxxxx~~ one copy book and/or manuscript diary. (parts of more than)

As above stated.

61. If your answer to Interrogatory No.58 is in the affirmative, state whether such publication entitled "Agni Yoga" contains all of one copy book and/or manuscript diary.

Reply as in answer No.59

62. If your answer to Interrogatory is in the affirmative, state whether such publication entitled "Agni Yoga" contains the contents of more than one complete copy books and/or manuscript diary.

As stated in reply No.59.

63. If your answer to Interrogatory No.58 is in the affirmative, describe the copy book and/or manuscript diary by giving its general appearance, general contents and dates covered.

Not having the original manuscript books, I cannot remember from how many manuscript books the contents of the published book has been selected. Agni Yoga in Russian appeared in 1929 (first edition). The manuscript books may be either of French or American make.

64. If your answer to Interrogatory No.58 is in the affirmative, the publi-

cation "Agni Yoga" bearing date on the outside cover "1931", copyrighted in 1929 and 1930, printed in the United States of America and containing on the third page a statement as to "The Blessed Mahatma", being approximately 4-3/4" x 6-1/4", is herewith offered in evidence.

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65. I show you a yellow book approximately 4-3/4" x 6-1/4" entitled "Heart", bearing date on the outside cover "1932", copyrighted in 1934, printed in the United States of America and containing on the third page of said book the following "Signs of Agni Yoga", and ask you whether such book is a publication of any part of any of the copy books and/or manuscript diaries?

Yes. It is the American Edition of the English translation from the Russian book, selected from some parts of the manuscript books.

66. If your answer to Interrogatory 65 is in the affirmative, state whether such publication entitled "Heart" is a part of one copy book and/or manuscript diary.

This translation of the Russian edition is from a selection from more than one manuscript books.

67. If your answer to Interrogatory 65 is in the affirmative, state whether such publication entitled "Heart" contains parts of more than one copy book and/or manuscript diary in the same form.

See answer No.65.

68. If your answer to Interrogatory No.65 is in the affirmative, state whether such publication entitled "Heart" contains all of one copy book and/or manuscript diary.

See answer No.65.

69. If your answer to Interrogatory No.65 is in the affirmative, state whether such publication entitle "Heart" contains the contents of more than one complete copy book and/or manuscript diary.

See answer No.65

70. If your answer to Interrogatory No.65 is in the affirmative, describe the copy book and/or manuscript diary by giving its general appearance, #general content and dates covered.

From some manuscript books of French make, in soft black oil-cloth covers. The English translation was not made from the manuscript book, but from the already published Russian book or from the typewritten pages prepared for the Russian book. The Russian book was completed in 1932.

71. If your answer to Interrogatory No.65 is in the affirmative, the publication

"Heart" bearing date on the outside cover "1932" copyrighted in 1934, printed in the United States of America and containing on the third page of the said book the following "Signs of Agni-Yoga" being approximately 4-3/4" x 6-1/4", is herewith offered in evidence.

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72. I show you a purplish grey book, approximately 4-3/4" x 6" entitled "Leaves of Morya's Gardens", special translation copyrighted 1923, printed in New York, and ask you whether such book is a publication of any part of any of the copy books and/or manuscript diaries?

Yes. It is the American edition of the English translation from a part of the Russian typewritten pages selected from the original manuscript books.

73. If your answer to Interrogatory No.72 is in affirmative, state whether such publication entitled "Leaves of Morya's Garden" is ~~is~~ <sup>is</sup> ~~parts~~ <sup>parts</sup> of ~~one~~ ~~copy~~ ~~book~~ ~~and/or~~ ~~manuscript~~ ~~diary~~. ~~XXXXXXXXXXXXXXXXXXXX~~

It is a translation from part of the Russian edition. The latter is a selection from some of the manuscript books.

74. If your answer to Interrogatory No.72 is in the affirmative, state whether such publication entitled "Leaves of Morya's Garden" contains parts of more than one copy book and/or manuscript diary in the same form.

It contains only a part of the Russian published book of the same title. The Russian selection was from several manuscript books.

75. If your answer to Interrogatory No.72 is in the affirmative, state whether such publication entitled "Leaves of Morya's Garden" contains all of one copy book and/or manuscript diary.

See answers 72-74.

76. If your answer to Interrogatory No.72 is in the affirmative, state whether such publication entitled "Leaves of Morya's Garden" contains the contents of more than one complete copy book and/or manuscript diary.

See answers 72-74.

77. If your answer to Interrogatory No.72 is in the affirmative, describe the copy book and/or manuscript diary by giving its general appearance, general contents and dates covered.

The manuscript books from which the text for the Russian publication had been selected, are of American make. The contents can be seen from the English published translation. And the dates covered are in the printed American edition.

78. If your answer to Interrogatory No.72 is in the affirmative, the publication "Leaves of Morya's Garden", special translation copyrighted 1923, printed in

New York being approximately 4-3/4" x 6", is herewith offered in evidence.

---

79. Are the copy books and/or manuscript diaries which are the subject of this action, the record of your personal and private activities?

The manuscript books contain philosophy and ethics, historical traditions and prophecies, apocryphs and legend-lore and private annotations. They were to be kept sealed, without any violation of my rights.

80.

If your answer to Interrogatory No. 51 is in the affirmative, state in whose name the copyright was obtained.

The copyrights of all the original Russian published books of which the American editions are only English translations, are in my name and were taken in France. The copyright for the American editions of the English translations were handled in the U.S.A. by the "Agni Yoga Publications". The "Agni-Yoga Publications" was authorized by me to take the copyrights for the American translated editions of "Hierarchy" and "Heart" in my name.

81.

If your answer to Interrogatory No. 51 is in the affirmative, state in what country the copyright was obtained..

See answer No. 80.

82. If your answer to Interrogatory No. 58 is in the affirmative, state in whose name the copyright was obtained.

The copyright for the original Russian Book "Agni Yoga", of which the American edition is only a translation, is in my name and was taken in France. The American edition was handled by the Trustees in New-York.

83. If your answer to Interrogatory No. 58 is in the affirmative, state on what country the copyright was obtained.

See answer No. 82.

84. If your answer to Interrogatory No. 65 is in the affirmative, state in whose name the copyright was obtained.

The copyright of the Russian original edition of the "Heart" of which the American edition is only a translation, is in my name and was taken in France. The American edition was handled by the "Agni Yoga Publications" in New York and I had instructed the members of the Committee of the "Agni Yoga Publications" to take the copyright for the American editions of "Heart" and "Hierarchy" in my name.

85. If your answer to Interrogatory No. 65 is in the affirmative, state in what country the copyright was obtained.

See answer No. 84.



86. If your answer to Interrogatory No.72 is in the affirmative, state in whose name the copyright was obtained.

The copyright of the original Russian book "Leaves of Morya's Garden" of which the American edition is only a part translation, was in my name and was taken in France. The American edition was handled by the Trustees in New-York.

87. If your answer to Interrogatory No.72 is in the affirmative, state in what country the copyright was obtained.

See reply to question No.86.

88. Did Nettie S.Horch, one of the defendants in this action, ever lend you any money.

No.

89. If your answer to Interrogatory No.88 is in the affirmative, how much money was loaned, giving the dates of each loan.

The question does not arise.

90. If your answer to Interrogatory No.88 is in the affirmative, were any of said loans repaid by you to Nettie S.Horch?

The question does not arise.

91. Did Louis L.Horch, the husband of Nettie S.Horch ever lend you any money?

No.

92. If your answer to Interrogatory No.91 is in the affirmative, then give the the exact amount of each loan and the dates when the sums were loaned.

The question does not arise.

93. If your answer to Interrogatory No.91 is in the affirmative, state whether any of the loans have been repaid by you to Louis L.Horch.

The question does not arise.

94. Did Nettie S.Horch, the defendant in this action, give any moneys or things of value to you?

Yes, there was an exchange of presents.

95. If your answer to Interrogatory No.94 is in the affirmative, state exactly what was given and the dates and place when each was given.

The only pieces of jewellery I have received from Mrs Nettie S.Horch were a broach set with tiny pearls and a plain silver wrist watch. On my part I gave her a diamond ring, a diamond star broach and a carved amethyst pendent by Lalique. Her broach and wrist watch were received in 1923 in Paris and at the same time I gave her the pendent and broach. My diamond ring, which I had formerly given to her for safe keeping in 1923, was presented by me to her in 1928.

96. Did Louis L.Horch, the husband of the defendant Nettie S.Horch, ever give any money or things of value to you?

I never received any money or things of value from Mr.Horch for my personal use.

97. If your answer to Interrogatory No.96 is in the affirmative, state exactly what was given and the date and place each item was given.

The question does not arise.

98. Did Louis L.Horch and/or Nettie S.Horch ever lent any moneys to your husband, Nicholas Roerich.

Mr.Horch contributed towards the expedition sponsored by the Master Institute of United, Corona Mundi and Roerich Museum.

99. If your answer to Interrogatory No.96 is in the affirmative, state the amount of such loans and the dates when such loans were made.

The question does not arise.

100. If your answer to Interrogatory No.98 is in the affirmative, state whether any such loans were repaid and give the dates of repayment.

The question does not arise.

101. Did Louis L.Horch and/or Nettie S.Horch ever give any money or things of value to you or your husband?

Besides the exchange of presents mentioned in my answer No.95, Mr.L.Horch presented to Prof.Roerich a gold watch, to what Prof.Roerich reciprocated by presenting to him an old gold Breguet watch.

102. If your answer to Interrogatory No.101 is in the affirmative, state exactly what was given and the date and place on which each item was given.

As above, in Paris in 1923.

103. In the copy books and/or manuscript diaries which are the subject of this action, do any of the same or any part of the same refer to "A Mahatma of the East"?

Yes. (See Preface to "Agni-Yoga" book).

104. If your answer to Interrogatory No.103.is in the affirmative,please state who the "Mahatma of the East" is or was.

My Teacher.

105. In the copy books and/or manuscript diaries,which are the subject of this action, do any of the same or any part of the same refer to "Urusvati"?

Very likely.

106. If your answer to Interrogatory No.105 is in the affirmative,state what or who "Urusvati" is or was.

"Ur" and "Swati" are sanskrit names from the Puranas.

107. In the copybooks and/or manuscript diaries,which are the subject of this action, do any of the same or any part of the same refer to "M.M."?

Very likely.

108. If your answer to Interrogatory No.107 is in the affirmative,state who or what "M.M." is.

M.M.,being an abbreviation,may stand for various conceptions; for instance for Mount Morya, Materia Matrix, Mater Mundi,etc. Not having the manuscript books on hand,which are in Mrs Horch's safe keeping, I cannot say to what it may refer.

109. Were any part of the copybooks and/or manuscript diaries,which are the subject of this action,devoted to a discussion of or compilation of spiritualistic seances.

The manuscript books,as well as the published parts of same, cover such a vast field of philosophy and ethics etc.that there may be found in them references to parapsychological research in its manifold manifestations, as well as repeated attestations of the possible danger and harm of mediumship, etc.

110. Were any part of the copy book and/or manuscript diaries which are the subject of this action, devoted to discussing the technique of seances.

See above reply.

111. Were any part of the copy books and/or manuscript diaries,which are the subject of this action,devoted to a discussion of occult names?

The study of occult nomenclature can be found in any works treating philosophical questions. And such terms are mentioned in the manuscripts.

112. Were any part of the copy books and/or manuscript diaries,which are the

subject of this action, devoted to prophecies and/or prediction of events to occur in the future?

There are records of several historical prophecies and traditions which I came across in various countries and literature during my life.

113. Were any part of the copy books and/or manuscript diaries, the subject of this action, devoted to a discussion of the government of any presently existing country.

The manuscripts do not contain any discussions whatsoever. The general content of the manuscript book has already been stated in answer No.79 and can be seen from the 4 books published in English translation, which have been submitted.

114. Do any of the copybooks and/or manuscript diaries, which are the subject of this action, contain any reference to "Fujamä" or "Fuyama" ?

Probably.

115. If your answer to Interrogatory No.114 is in the affirmative, state who "Fujama" or "Fuyama" is?

It is an oriental philosopher (I do not know the correct spelling in English).

The printed parts of the manuscript books do not contain any reference to such words as for instance mentioned in questions No.107 and 114.

The present action calls for the return of my property and not for the discussion on the part of the keeper, Mrs Horch, of the contents of my unpublished writings. The fact that such words are asked proves that my unpublished manuscript books, which were to be kept sealed, have been perused and my author's rights violated.

REPLY TO DIRECT INTERROGATORY .

1. What is your full name and your age?

Helena Roerich, <sup>9</sup> 58 years.

2. Where di you reside and how long have you resided at that place?

Naggar, Kulu, Punjab, British India. Since Dec. 1928.

3. Are you married or single; if married state the full name of your husband and where he resides.

Married. Nicholas Roerich. At Naggar, Kulu, Punjab.

4. What is the condition of your health?

For many years I am suffering from heart trouble and high blood pressure. For the last five years I have not been able to leave the house, or estate.

5. Are you able to travel to New York?

No.

6. Are you the owner of certain manuscript diaries written in your handwriting and contained in copybooks containing dates beginning with March 24, 1920 and continuing through to and including Feb. 3, 1935.?

Yes.

7. If your answer to Interrogatory No. 6 is in the affirmative, describe in detail the appearance of said copybooks.

*mostly*  
The first lot of manuscript diaries was written mostly in copybooks with black cardboard covers, of American make. They were written in my handwriting, in larger writing and ~~in old Russian orthography~~. They were sent to America from India, via Italy in 1925. The later lot was written in manuscript ~~books~~ of French make, much thicker, in flexible black oil-cloth covers and the text was written ~~in the new Russian orthography~~ and in smaller handwriting, in order not to make them too bulky. All were throughout in my own handwriting. The last copybook closes with my diary of Feb. 3rd 1935, is of slightly larger size, in blue cover, with gilt frame line on the front cover. The approximate size of the manuscript books is about 9x7 to 10x8 inches.

8. If your answer to interrogatory No. 6 is in the affirmative, are the said manuscripts, contained in said copybooks, in your own handwriting.

Yes, throughout.

9. If your answer to Interrogatory No. 8 is in the affirmative state when and where you wrote the manuscript therein contained.

Since March 24, 1920 till February 3, 1935, in different countries *of Dr. Engler, France, India* during my travels. *Anna*

10. State the general nature and substance of said manuscripts contained in said copybooks.

Philosophy and ethics, historical traditions and prophecies, apocryphs and legend lore and private annotations.

11. Was any portion or portions of said manuscript contained in said copybooks published?

Yes. Special selections, chosen and edited by me.

12. If your answer to Interrogatory No.10 is in the affirmative state:

- a) The name or names of such publications
- b) the date or dates of the publications.

* Leaves of M's Garden, Part I.	1924	
Leaves of Morya's Garden, Part II	1925	
Community	1926.	
* Agni-Yoga	1929	
Infinity Parts I & II	1930	
* Hierarchy	1931	
* Heart	1932	
Fiery World, Part I.	1933	
Fiery World, Part II	1934	
Fiery World, Part III	1935	
Aum <i>Wetherhood</i>	1936	
* <del>On Eastern Crossroads</del>	1930	( <sup>1927</sup> Published by Fred. Stokes)

The originals were published in Russian. Translations were also published in several other languages, of which the five books indicated with a \* were published in English.

The published texts form only part of each manuscript book and other sections of these manuscript books remain unpublished.

13. Did you ever deliver any of the said copybooks to anyone?  
Yes.

14. If your answer to interrogatory No.13 is in the affirmative, did you ever deliver any of the said copybooks to Esther J. Lichtmann and Nettie S. Horch, who are the defendants in this action?  
Yes.

15. If your answer to Interrogatory No.14 is in the affirmative, did you have any conversation or conversations concerning said copybooks with Esther J. Lichtman at or prior to the times when you delivered any of the said copybooks to her?  
Yes.

16. If your answer to Interrogatory No.15 is in the affirmative, state: a) the place or places where such conversation or conversations took place; b) the date or dates when such conversations or conversation took place; c) what was said by you and what said by Esther J. Lichtmann in such conversation or conversations; and (d) what, if anything, took place at or following said conversation or conversations.

(a) here, in my home in India.

(b) during 1930-1931 during Miss Lichtmann's stay here and before her departure in Sept. 1931 to New York and again in Feb. 1935 before her departure to New York.

(c) Formerly all manuscript books of earlier dates were kept by Mrs Sina G. Lichtmann in New York, and about 1930 they were all handed over for safe keeping, on my behalf, to the Trustees of Roerich Museum, who kept them in a special place in the Museum's Building in New York for me. In 1930 and 1931 we had here in India a conversation with Miss Esther J. Lichtmann, that Mrs Horch considers the safe keeping of my manuscript books in the special place in the Museum's Building unsafe during the summer time and she, Mrs Horch, has suggested that all manuscript books should be taken over to her, Mrs Horch's apartment in the same building, in order to be transferred later to a safe or vault, taken in my name. With this I agreed. When handing over further manuscript books to Miss

Lichtmann before her departure in Sept. 1931 to be taken to New-York I told her that these were to be added to the others and were all to be kept as my property in safe keeping until I need them and I told her that they were to be kept sealed. Miss Lichtmann promised to do so and to hand them over for such safe keeping on my behalf, to Mrs Horch. Thus in 1931 all my manuscript books were taken over for safe keeping on my behalf, by Mrs Nettie S. Horch. A vault was then taken in my name for their safe keeping for which purpose I authorized one to be secured from the Chemical Bank in New-York. This was confirmed by Mr. Louis L. Horch in his "resident's Report" of Oct. 1932 signed by him. Further confirmation is found in the following two reports: From Mrs Nettie S. Horch, June 28, 1931 para 3: "before leaving New York for Moriah on June 14th, Mrs Horch asked all Trustees to bring all letters, books and manuscripts of Prof. and Mme Roerich to the place agreed upon, so that we can cable a reply to Kulu that this was done as requested. And a cable was received from New-York #1185/9 dated July 9th 1931: "DLT ROERICH NAGGAR - All manuscripts letters put safe - Sina" (Sina Lichtmann). According to the Chemical Bank's statement the vault was discontinued by Mrs Horch (without my knowledge) on March 16th 1934. In 1934 Mrs Horch wrote me a letter, dated March 31, in which she stated: "Dearest Beloved Mother, It is wonderful to have our beloved Father and George with us and to receive the wise Guidance and advices of our beloved Leader.... I shall take the original books from upstairs into my apartment as was suggested...." Thus my original manuscript books as above stated since March 1934 were in Mrs Horch's sole safe keeping. *and she again reaffirms it in her letter.*

In Feb. 1935, when Miss Lichtmann again left from here for New York I again handed over to her further of my manuscript books which were to be added to those previously sent and were also to be kept by Mrs N. Horch in safe keeping on my behalf, and sealed, what Miss Lichtmann again promised to do.

(d) In both cases (Sept. 1931 and Feb. 1935) Miss Esther J. Lichtmann took along on her way to New York manuscript books from me, promising to hand them over, as above stated, for safe keeping, on my behalf.

17. If your answer to interrogatory No. 14 is in the affirmative did you have any conversation or conversations concerning said copybooks with Nettie S. Horch at our prior to the time or times you delivered any of the said copybooks to her?  
Yes.
18. If your answer to interrogatory No. 17 is in the affirmative, state (a) the place or places where such conversation or conversations took place; (b) the date or dates when such conversation or conversations took place; (c) what was said by you and what was said by Nettie S. Horch in such conversations and (d) what, if anything, took place at or following said conversation or conversations.
- (a) here, in my home, in India.  
(b) in Aug. 1930)  
(c) It was also said that the manuscripts books are my property, and are taken to New-York only for safe keeping on my behalf. Mrs Horch promised to do so and  
(d) took the manuscript books along to New York.
19. Did you ever deliver any of the said copybooks to Nettie S. Horch or Esther J. Lichtmann, except by delivering them direct to either or both of said persons? - Yes.
20. If your answer to interrogatory No. 19 is in the affirmative, state (a) the number of said copybooks; (b) the dates when and (c) the name of the persons by whom you delivered the said copybooks to Nettie S. Horch or Esther J. Lichtmann.

(a) All my previous manuscript books, beginning from March 24, 1920. Thus together with those mentioned in answers No. 16-b and 18-b, the entire unbroken series from March 24, 1920 to and including Feb. 3, 1935 were delivered for safe keeping on my behalf. The total number is several dozens, and being in form of a diary, each subsequent manuscript book is by date a continuation of the previous book and there is no break in this continuity - thus the completeness of all manuscripts can be easily checked from beginning to end - from March 24, 1920 to Feb. 3, 1935. The date of the first page of each manuscript book can be checked with the last date on the last page of the previous book. Besides there is in every manuscript book an inner front page on which the date of the beginning and end of that particular book is given and thus the uninterrupted continuity is easily established.

(b) 1) In 1925 Mr. V. Shibayev took my manuscript books dating from the 24th of March 1920 to Jan. 1925 on his way to Europe and posted them from Venice, Italy to New York to Mrs Sina Lichtmann, who at that time was custodian of these manuscript books for me.

2) in 1927 Mrs Sina Lichtmann took from me personally in Mongolia for same safe keeping on my behalf the next series of manuscript books dated up to spring 1927.

3) in 1929 and 1934 Prof. Nicholas Roerich when visiting New York handed over further manuscript books for safe keeping.

Thus as stated in par 16-c all the above were taken over for safe keeping in America by Mrs Nettie S. Horch, including those she herself took from India to New York in Aug. 1930 and including those two lots which in Sept. 1931 and Feb. 1935 were taken over to America from here, by Miss Esther J. Lichtmann. All these manuscript books together covering the entire unbroken period from March 24, 1920 to Feb. 3, 1935 in my handwriting, are thus in safe keeping of Mrs Nettie G. Horch. Miss Esther J. Lichtmann in two cases was the transmitter.

21. Were you present at a meeting of certain Trustees of Roerich Museum, in Naggar, Kulu, Punjab, British India on April 28, 1931.

Yes.

22. If your answer to Interrogatory No. 21 is in the affirmative, state who besides yourself was present at said meeting.

Prof. N. Roerich, Georges Roerich, Miss E. J. Lichtmann & Mr. V. Shibayev.

23. If your answer to Interrogatory No. 22 is in the affirmative, was anything said or done at said meeting concerning the said copybooks, the subject of this action? - Yes.

24. If your answer to Interrogatory No. 21 is in the affirmative, what was said or done at said meeting concerning said copybooks.

The resolution was passed and sent to New York that "All manuscripts and letters of Prof. and Mme Roerich must be kept in a special vault", and a request was made to New York to confirm this as soon as completed.

And confirmation of this was received in a report by Mrs Nettie S. Horch dated June 28, 1931 and in a cable from New York dated July 9th. 1931.

25. Did you ever instruct anyone on your behalf to make demand for the return to you of said copybooks.

Yes.

26. If your answer to the 25th Interrogatory is in the affirmative, state the name of the person whom you so instructed.

Mr. Herbert Plaut, Attorney. New York.

27. Have any of the said copybooks been returned to you?

No, none .



REPLIES TO CROSS-INTERROGATORIES.

1.

1. Are you a citizen of the United States?

No.

2. If your answer to Interrogatory No.1 is in the negative, of what country are you a citizen?

Russian born.

3. What is your present residence?

Naggar, Kulu, Punjab, Br. India.

4. What is the total number of copy books and/or manuscript diaries in your handwriting that you made?

The exact number I cannot remember because they were sent over a period of many years. The approximate number is several dozens. But the continuity of the manuscripts can be easily checked as on an inner front page of every manuscript book there is the date of the beginning and end of that particular manuscript book and the uninterrupted continuity of all the manuscript books covers the period from March 24, 1920 to Feb. 3, 1935.

5. Did you make or did you cause to be made any exact duplicates of all of the copy books and/or manuscript diaries which are the subject of this action?

No.

6. Did you make or cause to be made duplicates of any part of the copy books and/or manuscript diaries which are the subject of this action?

*but selections from* *or* *made*  
Yes, (some parts of the manuscripts had been selected by me and were type-written for publication.

7. If your answer to Interrogatory No.5 is in the affirmative, state how many duplicates or copies were made of the copybooks and/or manuscript diaries which are the subject of this action?

No exact copy of the whole exists.

8. If your answer to Interrogatory No.5 is in the affirmative, describe in detail these copy books and/or manuscript diaries which were duplicated, by giving the general content of the entire copy book and/or manuscript diary duplicated, the general appearance of the copy books and/or manuscript diaries, and the dates over which the same covered.

This question does not arise. Besides, I do not claim any copies. I claim the return of my original work in my own handwriting and in the Russian language, given for safekeeping.

The general appearance of my original manuscript books has been given in my reply to the Direct Interrogatory No.7.

9. In your answer to Interrogatory No.6 is in the affirmative, state how many duplicates or copies were made of any part of the copy books and/or manuscript diaries which are the subject of this action.

*Copies* *selections* *Typed*  
~~Duplicates~~ of parts have been made in several typewritten copies for publication (on my typewriters). I do not claim these. *and are also in possession of Mrs. Foster but I do not claim them*

10. If your answer to Interrogatory No.6 is in the affirmative, describe in detail those parts of the copy books and/or manuscript diaries which were duplicated, by giving the general content of that part of the copy book and or manuscript diary duplicated, the general appearance of the copy-books and/or manuscript diaries, and the dates over which the same covered.

*selections*  
 These parts have been printed as stated in my previous reply to direct interrogatory No.12 and the contents can be seen from these books. The dates over which the same cover are on the books.

I repeat that I do not claim any typewritten copies or printed books, but my original manuscript books in my own handwriting.

11. If your answer to Interrogatory No.5 is in the affirmative, state in whose handwriting duplicates were made.

The question does not arise as no exact copy was made.

12. If your answer to Interrogatory No.5 is in the affirmative state how many duplicates of each copy book and/or manuscript diary were made.

The question does not arise.

13. If your answer to Interrogatory No.6 is in the affirmative, state in whose handwriting duplicates were made.

*selections*  
 The duplicates of parts, for publication, were made on my two typewriters.

14. If your answer to Interrogatory No.6 is in the affirmative, state how many duplicates of each part of each copybook and/or manuscript diary was made.

Several carbon copies were made, sent to America and other countries.

15. If your answer to Interrogatory No.5 and Interrogatory No.6 is in the affirmative, state how the duplicates were made.

*H. Selections*  
 No exact copy of the entire manuscript exists, and the ~~part~~ copies for publication were typewritten with carbon copies.

16. If your answer to Interrogatory No.5 or Interrogatory No.6 is in the affirmative, state whether carbon paper was used in making the duplicates.

*Please see my answers to 15 and 6*  
*H. Selections*  
 Yes, for the ~~part~~ copies used for publication carbon paper was used. I do not claim these carbon copies.

17. If your answer to Interrogatory No. 5 and Interrogatory No. 6 is in the affirmative, do you still have in your possession any part of the copy books and/or manuscript diaries?

Reference to No. 5 does not arise. Typed and carbon copies of <sup>rebutals</sup> parts were usually destroyed after the printed books appeared.

18. If your answer to Interrogatory No. 17 is in the affirmative, state which original copy books and/or manuscript diaries you still have in your possession by describing the general content of the copy books and/or manuscript diaries, the general appearance of the copy books and/or manuscript diaries, and the dates over which the same cover.

The question does not arise.

19. If your answer to Interrogatory No. 17 is in the affirmative, <sup>you have any of the</sup> state whether duplicate copy books and/or manuscript diaries in your possession at present time?

This question does not arise.

20. If your answer to Interrogatory No. 19 is in the affirmative, state which duplicate copy books and/or manuscript diaries are in your possession by describing the general content of the copy books and/or manuscript diaries the general appearance of the copy books and/or manuscript diaries, and the dates over which the same cover.

The question does not arise.

21. Is it claimed that the defendant Nettie S. Horch has the original copy books and/or manuscript diaries?

Yes.

22. Is it claimed that the defendant Nettie S. Horch has part of the original copy books and/or manuscript diaries?

Mrs Nettie Horch has the whole original uninterrupted series of manuscript books from March 24, 1920 to Feb. 3, 1935.

23. If your answer to Interrogatory No. 21 and No. 22 are in the affirmative describe which copy books and/or manuscript diaries it is claimed the defendant Nettie S. Horch has in her possession.

All the above mentioned (see reply to question No. 22).

24. Is it claimed that the defendant Esther J. Lichtmann has the original copy books and/or manuscript diaries?

Miss Esther J. Lichtmann was twice the transmitter of some of the manuscript books for safe-keeping to New York. She was supposed to hand them over sealed to Mrs Nettie S. Horch for safe-keeping.

25. Is it claimed that the defendant Esther J. Lichtmann has all of the original copy books and/or manuscript diaries?

She was not supposed to be the custodian of these manuscripts, but only acted twice as transmitter.

26. Is it claimed that the defendant Esther J. Lichtmann has part of the original copy books and/or manuscript diaries?

(See above reply to question No. 25).

27. If your answers to Interrogatory No. 25 and No. 26 are in the affirmative describe which copy books and/or manuscript diaries it is claimed the defendant Esther J. Lichtmann has in her possession.

She should not have any of my manuscripts in my handwriting in her possession, as she was only transmitter.

28. If your answer above given indicate that you do not claim that Nettie S. Horch and Esther J. Lichtmann have all or any part part of the original copy books and/or manuscript diaries, who, is it claimed, now possesses all of the original copy books and/or manuscript diaries?

I claim that the entire set of manuscript books, which are subject of this action, should be in Mrs Nettie S. Horch's safe keeping and should be returned to me. If Mrs Horch has not received some of those manuscript books which Mrs Esther J. Lichtmann, as transmitter, took over to her, then Miss Esther J. Lichtman should return such to me.

29. If your answers above given indicate that you do not claim that Nettie S. Horch and Esther J. Lichtmann have all or any part of the original copy books and/or manuscript diaries, who, is it claimed by you, now possess part of the original copy books and/or manuscript diaries?

My above answer to question No. 28, applies.

30. If your answers given above indicate that other persons besides the defendants herein possess at the present time all or any part of the original copy books and/or manuscript diaries, describe in detail such original copy books and/or manuscript diaries, possessed by the person or persons indicated, by giving the general content of the copy books and/or manuscript diaries, the general appearance of the copy books and/or manuscript diaries, and the dates over which the same cover.

No, none of the other Trustees have any of these original manuscript books in my handwriting and all of them from March 24, 1920 to Feb. 3, 1935 must be with Mrs Nettie S. Horch.

31. If your answers to Interrogatories No. 5 and No. 6 are in the affirmative state whether it is claimed that Nettie S. Horch has duplicates of the original copy books and/or manuscript diaries.

Mrs Nettie S. Horch has the original manuscript books in my own hand-

writing. These were supposed to be kept sealed and not to be read, used<sup>or</sup> copied, etc. Since Mrs Horch does not know Russian, they were of not use to her. She had voluntarily undertaken to keep them safely for me, until I need them.

32. If your answer to Interrogatory No.31 is in the affirmative, state whether you claim that Nettie S.Horch has a complete set of the duplicate originals of the copy book and/or manuscript diaries.

She has the whole set in original.

33. If your answer to Interrogatory No.31 is in the affirmative, state whether it is claimed that the defendant Nettie S.Horch has only a part of the duplicate originals of the original copy books and/or manuscript diaries in her possession.

She has the whole unbroken set of the ORIGINALS in my handwriting in Russian from March 24,1920 to Feb.3,1935.

34. If your answer to Interrogatory No.31 is in the affirmative, describe in detail exactly which duplicates of the original copy books and/or manuscript diaries are in her possession.

The entire set was described in my reply to direct interrogatory No.7 and it is claimed that she/the set of ORIGINALS and not copies or duplicates.

35. If your answers to Interrogatories No.5 and No.6 are in the affirmative state whether it is claimed that Esther J.Lichtmann has duplicates of the original copy books and/or manuscript diaries.

The entire set of originals is in safe keeping of Mrs Nettie S.Horch and Esther J.Lichtmann was only part transmitter (see also my reply to interrogatory No.28).

36. If your answer to Interrogatory No.35 is in the affirmative, state whether you claim that Esther J.Lichtmann has a complete set of the duplicate originals of the copy book and/or manuscript diaries.

(as above)

37. If your answer to Interrogatory No.35 is in the affirmative state whether it is claimed that the defendant Esther J.Lichtmann has only a part of the duplicate originals of the original copy books and/or manuscript diaries in her possession.

(as above).

38. If your answer to Interrogatory No.35 is in the affirmative describe in details exactly which duplicates of the original copy books and/or manuscript diaries are in her possession.

Miss Esther J.Lichtmann being only a transmitter should have no originals

and had no right to make or cause to be made copies nor duplicates.

39. If your answers given above indicate that the originals or part of the original copy books and/or manuscript diaries were given to Nettie S. Horch when were each or all of them so given?

In August 1930 before Mrs Horch's departure from India to New York I personally handed over to Mrs Horch two or three manuscript books for safe keeping, together with all those previously given.

40. If your answers given above indicate that the originals or part of the original copy books and/or manuscript diaries were given to Nettie S. Horch, where and under what circumstances were each or all given to Nettie S. Horch?

This took place here in India. In 1930-31 Mrs Horch expressed many times her concern for the safety of all my original manuscript in the Museum Building and in 1931 she volunteered to keep all my manuscripts for me first in her apartment and later in a vault, which was taken in my name for their safe keeping, for which purpose I authorized one to be secured from the Chemical Bank in New York, what is confirmed in Mr. Horch's President's Report of Oct. 29, 1932 signed by him. Later more original manuscript books were transmitted to Mrs Horch's safe keeping in 1934 by Prof. Roerich and 1931 and 1935 by Miss Esther J. Lichtmann. According to the Chemical Bank's statement the vault was discontinued by Mrs Horch (without my knowledge) on March 16th 1934. In 1934 Mrs Horch wrote me a letter, dated March 31 in which she stated:

"Dearest beloved Mother,

It is wonderful to have our beloved Father and George with us and to receive the wise Guidance and advices of our beloved Leader..... I shall take the original books from upstairs into my apartment as was suggested....."

Thus my original manuscript books as above stated since March 1934 were in Mrs Horch's sole safe keeping.

41. If your answers given above indicate that the originals or part of the original copy books and/or manuscript diaries were given to Esther J. Lichtmann, when were each or all of them so given?

Part of the original manuscripts (several books) were given by me to Miss Esther J. Lichtmann in Sept. 1931 and in Feb. 1935, but only for transmittal, to be added to the others previously given, which were in safe keeping of Mrs Nettie S. Horch.

42. If your answers given above indicate that the originals or part of the original copy books and/or Manuscript diaries were given to Esther J. Lichtmann, where and under what circumstances were each or all given to Esther J. Lichtmann?

They were given to her by me personally in Naggar, when she left for the U.S.A. and on the definite understanding that they were to be kept safely on my behalf by Mrs N. Horch.

43. If your answers to Interrogatories No. 5 and No. 6 are in the affirmative

state whether it is claimed that Nettie S. Horch has duplicate of all or of part of the copy books and/or manuscript diaries.

Mrs Nettie Horch has the complete set of original manuscript books in Russian, covering the period from March 24, 1920 to Feb. 3, 1935. These were supposed to be kept sealed and she had no right to make or cause to be made copies, duplicates, excerpts, etc.

44. If your answers to Interrogatory No. 5 and No. 6 are in the affirmative, state whether it is claimed that Esther J. Lichtmann has duplicates of all or of part of the copy books and/or manuscript diaries.

*Please see my answers to No. 5 and 6*

Miss Esther J. Lichtmann was only transmitter of parts of the abovementioned original manuscript books and had no right to make or cause to be made copies, duplicates, excerpts, etc. She was to hand the manuscript books over, sealed.

45. Were any of the copy books and/or manuscripts diaries which are the subject of this action, published?

*Select*  
No. Only parts and excerpts from the manuscripts books, at my own choice, & selection, were compiled and edited by myself, and were published in Russian. Later many of the published Russian books were translated into other languages. *The remaining part which contains could be unpublished material*

46. If your answer to Interrogatory No. 45 is in the affirmative, describe which of the copy books and/or manuscript diaries were published.

*My answer to No. 45 is in the negative. No full contents*  
~~Not having before me the original manuscript books it is impossible to mark or indicate the actual passages selected.~~  
*of any page No. 6. was ever published*

47. If your answer to Interrogatory No. 45 is in the affirmative state whether any of the copy books and/or manuscript diaries were wholly published.

No.

48. If you answer to Interrogatory No. 45 is in the affirmative, state whether just parts of the copy books and/or manuscript diaries were published.

*only*  
Parts were published as stated in my reply No. 45. *xllb*

49. If your answer to Interrogatory No. 45 is in the affirmative, describe which of the copy books and/or manuscript diaries were published, describing each of said copy books and/or manuscript diaries by their appearance, general content, dates covered and describe in particular the part or parts of such copy book and/or manuscript diary so published.

*My answer to No. 45 is in the negative.*  
Not having before me the original manuscript books, it is impossible to mark or indicate the actual published passages selected. But from the books submitted, the contents of the selected pages can be seen.

- The dates approximate*  
50. If your answer to Interrogatory No. 45 is in the affirmative, state whether such publications of part or all of the copy books and/or manuscript