

The People of the State of New York  
to Henry John Bosanquet Taylor, Magistrate of the First Class  
Subdivisional Officer, Naggar, Kulu, Punjab, British India.

Noo3/36

Commission to be returned to

Clerk of the Supreme Court,  
New York County  
County Courthouse  
Center and Pearl Streets  
Borough of Manhattan  
City of New York  
United States of America.

Honorable Charles Poletti

one of the Justices of the said Supreme Court, the 8th  
day of December 1937.

By the Court  
Andrew B. Keating  
Acting clerk.

County Clerk New York County  
Comparing desk  
12822 Date Dec. 2, 1937  
Index No. 26003 Year 36  
27867

Fee recd. 50¢ Name Plaut

No. 27867

I Albert Marinelli, Clerk of Supreme Court  
that I have compared with the original  
order.

Sept. 3, 1937.  
2 Dec. 1937

## D E P O S I T I O N .

Deposition of HELENA ROERICH, produced, sworn and examined the 14th day of FEBRUARY in the year one thousand nine hundred and thirty eight at NAGGAR, Kulu , Kangra Distt, Punjab, British India under and by virtue of a Commission issued our of the Supreme Court of the State of New York, County of New York, United States of America to HENRY JOHN BOSANQUET TAYLOR, Magistrate of the First Class, Subdivisional Officer, Kulu Subdivision, Kangra Distt., Punjab, British India, in a certain cause therein depending and at issue between HELENA ROERICH , Plaintiff against NETTIE HORCH and ESTHER J. LICHTMANN, Defendants, as follows;

HELENA ROERICH, of Naggar, Kulu, Kangra Distt., Punjab British India, aged 59 and upwards, being duly and publicly sworn pursuant to the directions hereto annexed and examined on the part of plaintiff's and defendants' attorneys, doth depose and say as follows:

FIRST - To the first interrogatory he saith: Helena Roerich, 59 years.

SECOND - To the second interrogatory he saith: Naggar, Kulu, Punjab, British India, since Dec. 1928

THIRD - To the third interrogatory he saith: Married; Nicholas Roerich; at Naggar, Kulu, Punjab

FOURTH - To the fourth interrogatory he saith: 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.

FIFTH - To the fifth interrogatory he saith: No.

SIXTH - To the sixth interrogatory he saith: Yes.

SEVENTH - To the seventh interrogatory he saith: The first lot of manuscript diaries was written in copybooks with black cardboard covers, of American make. They were written in my handwriting, in larger writing. They were sent to America from India, via Italy in 1925. The later lot was written in manuscript books mostly of French make, much thicker, in flexible black oil-cloth covers and the text was written 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.

EIGHTH - To the eight interrogatory he saith: Yes, throughout.

NINTH - To the ninth interrogatory he saith: Since March 24, 1920 till February 3, 1935, in different countries.

TENTH - To the tenth interrogatory he saith: Philosophy & ethics, historical traditions and prophecies, apocryphs and legend lore and private annotations.

ELEVENTH - To the eleventh interrogatory he saith: Yes; special selections, chosen and edited by me.

TWELFTH - To the twelfth interrogatory he saith:

* Leaves of M's Garden, Part I	1924
Leaves of Morya's Garden, 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
Brotherhood	1937

The originals were published in Russian. Translations were also published in several other languages, of which the four books indicated with a \* - were published in English. The published texts form only part of each manuscript book and other sections of these manuscripts remain unpublished.

THIRTEENTH - To the thirteenth interrogatory he saith: Yes.

FOURTEENTH - To the fourteenth interrogatory he saith: Yes.

FIFTEENTH - To the fifteenth interrogatory he saith: Yes.

SIXTEENTH - To the sixteenth interrogatory he saith:

- (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. 1925 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 conversations 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 Nettie Horch. Thus in 1931 all my manuscript books should have been 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

authorised one to be secured from the Chemical Bank in New York. This was confirmed by Mr. Louis L. Horch in his "President's Report" of Oct. 1932 signed by him. Further confirmation is found in Mrs Nettie S. Horch's Report, 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 on July 9th confirming this. 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 31st, 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, as she again re-affirms it in her letter. In Feb. 1935 when Miss Lichtmann again left from here to 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 Nettie 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.

SEVENTEENTH - To the seventeenth interrogatory he saith: Yes

EIGHTEENTH - To the eighteenth interrogatory he saith:

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

(b) in Aug. 1930.

(c) it was also said that the manuscript 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

NINETEENTH - To the nineteenth interrogatory he saith: Yes.

TWENTIETH - To the twentieth interrogatory he saith:

(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 of the dates of the beginning and ending of that particular book and thus the uninterrupted continuity is easily established.

(b) 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. 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. In 1929 and 1934 Prof. Nicholas Roerich when visiting New York handed over further manuscript books for safe keeping. Thus as stated in reply 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 S. Horch. Miss Esther J. Lichtmann in two cases was the transmitter.

TWENTY-FIRST - To the twenty-first interrogatory he saith: Yes.

TWENTY-SECOND - To the twenty-second interrogatory he saith: Prof. N. Roerich, Georges Roerich, Miss Esther J. Lichtmann and Mr. V. Shibayev.

TWENTY-THIRD - To the twenty-third interrogatory he saith: Yes.

TWENTY-FOURTH - To the twenty-fourth interrogatory he saith: 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.

TWENTY-FIFTH - To the twenty-fifth interrogatory he saith: Yes.

TWENTY-SIXTH - To the twenty-sixth interrogatory he saith: Mr. Herbert Plaut, Attorney, New York.

TWENTY-SEVENTH - To the twenty-seventh interrogatory he saith: No, none .

(End of direct interrogatories)

(Cross-  
-Interrogatories -

CROSS-INTERROGATORIES .

- FIRST - To the first cross-interrogatory he saith: No.
- SECOND - To the second cross-interrogatory he saith: Russian born.
- THIRD - To the third cross-interrogatory he saith: Naggar, Kulu, Kangra Distt., Punjab, British India.
- FOURTH - To the fourth cross-interrogatory he saith: 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 manuscript books can be easily checked, since 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
- FIFTH - To the fifth cross-interrogatory he saith: No.
- SIXTH - To the sixth cross-interrogatory he saith: Selections from the manuscripts have been made by me and were type-written for publication.
- SEVENTH - To the seventh cross-interrogatory he saith: My answer to cross-interrogatory No. 5 is in the negative. No exact copy of the whole exists.
- EIGHTH - To the eighth cross-interrogatory he saith: Since my answer to cross-interrogatory is in the negative this question does not arise. Besides I do not claim any copies. I claim the return of my original work, in my own handwriting, in the Russian language, given for safe keeping. The general appearance of my original manuscript books has been given in detail in my answer to direct interrogatory No. 7.
- NINTH - To the ninth cross-interrogatory he saith: Selections have been typewritten in several copies for publication (on my typewriters) and are also in possession of Mrs Nettie Horch, but I do not claim these.
- TENTH - To the tenth cross-interrogatory he saith: These selections have been printed as stated in my answer 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.
- ELEVENTH - To the eleventh cross-interrogatory he saith: Since the answer to cross interrogatory No. 5 is in the negative, the question does not arise.
- TWELFTH - To the twelfth cross-interrogatory he saith: Since the answer to cross interrogatory No. 5 is in the negative, the question does not arise.
- THIRTEENTH - To the thirteenth cross-interrogatory he saith: The duplicates of selections for publication were made on my two typewriters.
- FOURTEENTH - To the fourteenth cross-interrogatory he saith: Several carbon copies of the selections were

made, sent to America and other countries.

- FIFTEENTH - To the fifteenth cross-interrogatory he saith: My answer to cross-interrogatory No.5 is in the negative. No exact copy of the entire manuscript exists and the selections for publication were typewritten with carbon-copies.
- SIXTEENTH - To the sixteenth cross-interrogatory he saith: My answer to cross-interrogatory No.5 is in the negative. As regards the selections for publication, carbon paper was used when typing these selections. I do not claim these carbon copies.
- SEVENTEENTH - To the seventeenth cross-interrogatory he saith: Since my answer to cross-interrogatory No.5 was in the negative, reference to this does not arise. Regarding typed and carbon copies of selections, these were destroyed after the printed books appeared and I have none in my possession.
- EIGHTEENTH - To the eighteenth cross-interrogatory he saith: Because my answer to cross-interrogatory No.17 is in the negative, this question does not arise.
- NINETEENTH - To the nineteenth cross-interrogatory he saith: Since my answer to cross-interrogatory No.17 is in the negative, this question does not arise.
- TWENTIETH - To the twentieth cross-interrogatory he saith: The question does not arise.
- TWENTY-FIRST - To the twenty-first cross-interrogatory he saith: Yes.
- TWENTY-SECOND - To the twenty-second cross-interrogatory he saith: Mrs Nettie Horch has the whole original handwritten uninterrupted series of manuscript books from March 24,1920 to Feb.3,1935.
- TWENTY-THIRD - To the twenty-third cross-interrogatory he saith: She has my whole original handwritten uninterrupted series of manuscript books from March 24,1920 to Feb.3,1935, described in detail in my answer to direct interrogatory No.7.
- TWENTY-FOURTH - To the twenty-fourth cross-interrogatory he saith: 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 Horch for safe-keeping.
- TWENTY-FIFTH - To the twenty-fifth cross-interrogatory he saith: No.
- TWENTY-SIXTH - To the twenty-sixth cross-interrogatory he saith: She was not supposed to be the custodian of these manuscripts, but only acted twice as transmitter.
- TWENTY-SEVENTH - To the twenty-seventh cross-interrogatory he saith: She should not have any of my manuscripts in my handwriting in her possession, as she was only transmitter.

- TWENTY-EIGHTH - To the twenty-eighth cross-interrogatory he saith: I claim that the entire set of manuscript books, which is subject of this action, should be in Mrs Nettie Horch's safe keeping and should be returned to me. If Mrs Horch has not received some of those manuscript books which Miss Esther J. Lichtman, as transmitter, took over from here to her, then Miss Esther J. Lichtmann should return such to me.
- TWENTY-NINTH - To the twenty-ninth cross-interrogatory he saith: The same above answer to cross-interrogatory No.28 applies.
- THIRTIETH - To the thirtieth cross-interrogatory he saith: 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.3rd 1935 must be with Mrs Nettie S.Horch.
- THIRTY-FIRST - To the thirty-first cross-interrogatory he saith: My answer to cross-interrogatory No.5 is in the negative. Mrs Nettie S.Horch has the original manuscript books in my own handwriting. These were supposed to be kept sealed and not to be read, used or copied, etc. Since Mrs Horch does not know Russian, they were of no use to her. She had voluntarily undertaken to keep them safely for me, until I need them.
- THIRTY-SECOND - To the thirty-second cross-interrogatory he saith: She has the whole set in original.
- THIRTY-THIRD - To the thirty-third cross-interrogatory he saith: She has the whole unbroken set of the originals in my handwriting in Russian from March 24, 1920 to Feb.3, 1935.
- THIRTY-FOURTH - To the thirty-fourth cross-interrogatory he saith: The entire set was described in my answer to direct interrogatory No.7 and it is claimed that Mrs Nettie Horch has the whole set of originals in my own handwriting and not copies or duplicates.
- THIRTY-FIFTH - To the thirty-fifth cross-interrogatory he saith: The entire set of originals is in safe keeping of Mrs Nettie Horch; and Miss Esther J. Lichtmann was only part transmitter. I have explained this in my answer to cross-interrogatory No.28.
- THIRTY-SIXTH - To the thirty-sixth cross-interrogatory he saith: My above answer to No.35 applies.
- THIRTY-SEVENTH - To the thirty-seventh cross-interrogatory he saith: My above answer to No.35 applies.
- THIRTY-EIGHTH - To the thirty-eighth cross-interrogatory he saith: Miss Esther J. Lichtmann being only a transmitter should have no originals and had no right to make or cause to be made copies or duplicates.
- THIRTY-NINTH - To the thirty-ninth cross-interrogatory he saith: 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.



- FORTIETH - To the fortieth cross-interrogatory he saith: This took place here in India. In 1930-1931 Mrs Horch expressed many times her concern for the safety of all my original manuscripts 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 in 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.
- FORTY-FIRST - To the forty-first cross interrogatory he saith: 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.
- FORTY-SECOND - To the forty-second cross-interrogatory he saith: 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.
- FORTY-THIRD - To the forty-third cross-interrogatory he saith: 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.
- FORTY-FOURTH - To the forty-fourth cross-interrogatory he saith: My answer to cross-interrogatory No. 5 was in the negative. - 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.
- FORTY-FIFTH - To the forty-fifth cross-interrogatory he saith: No. Only selections and excerpts from the manuscript books, at my own choice, were compiled and edited by myself, and were published in Russian. Later many of the published Russian books were translated into other languages. Each manuscript books contains considerable unpublished material.

- FORTY-SIXTH - To the forty-sixth cross-interrogatory he saith: My answer to number 45 is in the negative. No full contents of any single manuscript book was ever published.
- FORTY-SEVENTH - To the forty-seventh cross-interrogatory he saith: No.
- FORTY-EIGHTH - To the forty-eighth cross-interrogatory he saith: Only selections were published as stated in my answers 45 & 46.
- FORTY-NINTH - To the forty-ninth cross-interrogatory he saith: My answer to number 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 approximate dates and the contents of the selected passages can be seen.
- FIFTIETH - To the fiftieth cross-interrogatory he saith: The published books were sold to the general public by the publishers as usual. The published books form only a selection from several original manuscript books and the remaining material of the manuscript books was never published.
- FIFTY-FIRST - To the fifty-first cross-interrogatory he saith: Yes.
- FIFTY-SECOND - To the fifty-second cross-interrogatory he saith: It is the American edition of the translation into English from the Russian edition, selected from several manuscript books.
- FIFTY-THIRD - To the fifty-third cross-interrogatory he saith: Yes, it contains passages selected from several manuscript books.
- FIFTY-FOURTH - To the fifty-fourth cross-interrogatory he saith: No, it contains only selections from the manuscript books and other sections are still unpublished.
- FIFTY-FIFTH - To the fifty-fifth cross-interrogatory he saith: I can but state 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.
- FIFTY-SIXTH - To the fifty-sixth cross-interrogatory he saith: Selections were made from some manuscript books probably of French make, with soft black oil-cloth covers, or perhaps from American made copy-books with hard black covers. The Russian edition of "Hierarchy" was edited in 1931.
- FIFTY-SEVENTH - To the fifty-seventh cross-interrogatory he saith: ---
- FIFTY-EIGHTH - To the fifty-eighth cross-interrogatory he saith: Yes. It is an American edition of the English translation from the Russian edition, selected from more than one of the manuscript books.
- FIFTY-NINTH - To the fifty-ninth cross-interrogatory he saith: This English translation was made

from a typewritten Russian manuscript. The Russian edition was a selection from more than one manuscript books.

- SIXTIETH - To the sixtieth cross-interrogatory he saith: Yes.
- SIXTY-FIRST - To the sixty-first cross-interrogatory he saith: no.
- SIXTY-SECOND - To the sixty-second cross-interrogatory he saith: Selections from more than one, other sections of the manuscript books remaining unpublished.
- SIXTY-THIRD - To the sixty-third cross-interrogatory he saith: Not having the original manuscript books, I cannot remember from how many manuscript books the contents of the published book had been selected. "Agni Yoga" in Russian appeared in 1929 (first edition). The manuscript books may be either of French or American make.
- SIXTY-FOURTH - ---
- SIXTY-FIFTH - To the sixty-fifth cross-interrogatory he saith: Yes. It is the American Edition of the English translation from the Russian book, selected from some parts of the manuscript books.
- SIXTY-SIXTH - To the sixty-sixth cross-interrogatory he saith: No.
- SIXTY-SEVENTH - To the sixty-seventh cross-interrogatory he saith: This translation of the Russian edition is from a selection from more than one manuscript books. Other sections of manuscript books remain unpublished.
- SIXTY-EIGHTH - To the sixty-eighth cross-interrogatory he saith: No.
- SIXTY-NINTH - To the sixty-ninth cross-interrogatory he saith: From selections from more than one.
- SEVENTIETH - To the seventieth cross-interrogatory he saith: From some manuscript books of French make, in soft black oil-cloth covers. The English translation was not made from the manuscript books, from the already published Russian book or from typewritten pages prepared for the Russian book. The Russian book was completed in 1932. The American edition was published later.
- SEVENTY-FIRST - To the seventy-first cross-interrogatory he saith: ---
- SEVENTY-SECOND - To the seventy-second cross-interrogatory he saith: Yes. It is the American edition of the English translation from a part of the Russian typewritten pages selected from the original manuscript books.
- SEVENTY-THIRD - To the seventy-third cross-interrogatory he saith: It is the translation from part of the Russian edition. The latter is a selection from several of the manuscript books. Each manuscript book contains unpublished material.

- SEVENTY-FOURTH - To the seventy-fourth cross-interrogatory he saith: It contains only a part of the Russian published book of the same title. The Russian selection was from several manuscript books.
- SEVENTY-FIFTH - To the seventy-fifth cross-interrogatory he saith: No.
- SEVENTY-SIXTH - To the seventy-sixth cross-interrogatory he saith: The Russian selection was from more than one manuscript books. Other sections of these manuscript books remain unpublished.
- SEVENTY-SEVENTH - To the seventy-seventh cross-interrogatory he saith: The manuscript books from which the text of 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.
- SEVENTY-EIGHTH - ---
- SEVENTY-NINTH - To the seventy-ninth cross-interrogatory he saith: 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.
- EIGHTIETH - To the eightieth cross-interrogatory he saith: 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", of which I am Founder and Head. The "Agni Yoga Publications" was authorized by me to take the copyrights for the American translated editions of "Hierarchy" and "Heart" in my name.
- EIGHTY-FIRST - To the eighty-first cross-interrogatory he saith: The original Russian publication was copyrighted in France. The American translated edition - in the United States.
- EIGHTY-SECOND - To the eighty-second cross-interrogatory he saith: 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.
- EIGHTY-THIRD - To the eighty-third cross-interrogatory he saith: The original Russian publication was copyrighted in France. The American translated edition - in the United States.
- EIGHTY-FOURTH - To the eighty-fourth cross interrogatory he saith: 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.

- EIGHTY-FIFTH - To the eighty-fifth cross-interrogatory he saith: The original Russian publication was copyrighted in France. The American translated edition - in the United States.
- EIGHTY-SIXTH - To the eighty-sixth cross-interrogatory he saith: 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 translated edition was handled by the Trustees in New York.
- EIGHTY-SEVENTH - To the eighty-seventh cross-interrogatory he saith: The original Russian publication was copyrighted in France. The American translation edition - in the United States.
- EIGHTY-EIGHTH - To the eighty-eighth cross-interrogatory he saith: No.
- EIGHTY-NINTH - To the eighty-ninth cross-interrogatory he saith: Since my answer to number 88 was in the negative, the question does not arise.
- NINETIETH - To the ninetieth cross-interrogatory he saith: Since my answer to number 88 was in the negative, the question does not arise.
- NINETY-FIRST - To the ninety-first cross-interrogatory he saith: No.
- NINETY-SECOND - To the ninety-second cross-interrogatory he saith: Since my answer to number 91 was in the negative, the question does not arise.
- NINETY-THIRD - To the ninety-third cross-interrogatory he saith: Since my answer to number 91 was in the negative, the question does not arise.
- NINETY-FOURTH - To the ninety-fourth cross-interrogatory he saith: There was only an exchange of presents.
- NINETY-FIFTH - To the ninety-fifth cross-interrogatory he saith: 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.
- NINETY-SIXTH - To the ninety-sixth cross-interrogatory he saith: I never received any money or things of value from Mr. Horch for my personal use.
- NINETY-SEVENTH - To the ninety-seventh cross-interrogatory he saith: Because my answer to number 96 was in the negative, the question does not arise.

- NINETY-EIGHTH - To the ninety-eighth cross-interrogatory he saith: Mr.Horch contributed towards the expedition sponsored by the Master Institute of United Arts, Corona Mundi and Roerich Museum.
- NINETY-NINTH - To the ninety-ninth cross-interrogatory he saith: Since my answer to number 98 was in the negative, the question does not arise.
- HUNDREDTH - To the hundredth cross-interrogatory he saith: Since my answer to number 98 is in the negative, the question does not arise.
- HUNDRED-FIRST - To the hundred-first cross-interrogatory he saith: Besides the exchange of presents mentioned in my answer number 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.
- HUNDRED-SECOND - To the hundred-second cross-interrogatory he saith: The watch was given in Paris in 1923.
- HUNDRED-THIRD - To the hundred-third cross-interrogatory he saith: Yes, in the Preface to the Agni Yoga book.
- HUNDRED-FOURTH - To the hundred-fourth cross-interrogatory he saith: My teacher.
- HUNDRED-FIFTH - To the hundred-fifth cross-interrogatory he saith: Very likely
- HUNDRED-SIXTH - To the hundred-sixth cross-interrogatory he saith: "Ur" and "Swati" are sanskrit names from the Puranas.
- HUNDRED-SEVENTH - To the hundred-seventh cross-interrogatory he saith: Very likely.
- HUNDRED-EIGHTH - To the hundred-eighth cross-interrogatory he saith: M.M.being an abbreviation, may stand for various conceptions; for instance Mount Morya, Materia Matrix, Mahatmas, Mater Mundi. Not having the manuscript books on hand, which are in Mrs Horch's safe keeping, I cannot say to what it may refer.
- HUNDRED-NINTH - To the hundred-ninth cross-interrogatory he saith: 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.
- HUNDRED-TENTH - To the hundred-tenth cross-interrogatory he saith: The reply is the same as in my previous answer.
- HUNDRED-ELEVENTH - To the hundred-eleventh cross-interrogatory he saith: The study of occult nomenclature can be found in any works treating philosophical questions. And such terms are mentioned in the manuscripts.

HUNDRED-TWELFTH - To the hundred twelfth cross-interrogatory he saith: There are records of several historical prophecies and traditions, which I came across in various countries and literature during my life.

HUNDRED-THIRTEENTH - To the hundred-thirteenth cross-interrogatory he saith: The manuscripts do not contain any discussions whatsoever. The general content of the manuscript book has already been stated in my answer 79 and can be seen from the 4 books published in English translation, which have been submitted.

HUNDRED-FOURTEENTH - To the hundred-fourteenth cross-interrogatory he saith: Probably.

HUNDRED-FIFTEENTH - To the hundred-fifteenth cross-interrogatory he saith: It is an oriental name. - The printed parts of the manuscript books do not contain any reference to such words as for instance mentioned in questions numbers 107 or 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 by her proves that my unpublished manuscript books, which were to be kept sealed, have been perused and my author's rights violated.

State of \_\_\_\_\_ }  
County of \_\_\_\_\_ } ss.:

I, \_\_\_\_\_, do certify that \_\_\_\_\_, the witness, personally appeared before me on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, \_\_\_\_\_ at the \_\_\_\_\_, in the State of \_\_\_\_\_; that he was duly sworn to testify the truth, the whole truth and nothing but the truth, and did depose to the matters contained in the foregoing deposition, and did, in my presence subscribe the same and endorse the exhibitis annexed thereto. And I further certify that the deposition was duly taken and is a true record of the testimony of the witness and of all questions

and answers required to be inserted; that the signature of the witness to the deposition and to the exhibits attached is genuine; that I have subscribed my name to each single sheet thereof, and to each exhibit. And I further certify that \_\_\_\_\_ appeared in behalf of the \_\_\_\_\_ and that \_\_\_\_\_ appeared in behalf of the \_\_\_\_\_

\_\_\_\_\_  
Commissioner.



D E P O S I T I O N .

Deposition of HELENA ROERICH, produced, sworn and examined the 14th day of FEBRUARY in the year one thousand nine hundred and thirty eight at NAGGAR, Kulu , Kangra Distt, Punjab, British India under and by virtue of a Commission issued our of the Supreme Court of the State of New York, County of New York, United States of America to HENRY JOHN BOSANQUET TAYLOR, Magistrate of the First Class, Subdivisional Officer, Kulu Subdivision, Kangra Distt., Punjab, British India, in a certain cause therein depending and at issue between HELENA ROERICH , Plaintiff against NETTIE HORCH and ESTHER J. LICHTMANN, Defendants, as follows;

HELENA ROERICH, of Naggar, Kulu, Kangra Distt., Punjab British India, aged 59 and upwards, being duly and publicly sworn pursuant to the directions hereto annexed and examined on the part of plaintiff's and defendants' attorneys, doth depose and say as follows:

- FIRST - To the first interrogatory he saith: Helena Roerich, 59 years.
- SECOND - To the second interrogatory he saith: Naggar, Kulu, Punjab, British India, since Dec. 1928
- THIRD - To the third interrogatory he saith: Married; Nicholas Roerich; at Naggar, Kulu, Punjab
- FOURTH - To the fourth interrogatory he saith: 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.
- FIFTH - To the fifth interrogatory he saith: No.
- SIXTH - To the sixth interrogatory he saith: Yes.
- SEVENTH - To the seventh interrogatory he saith: The first lot of manuscript diaries was written in copybooks with black cardboard covers, of American make. They were written in my handwriting, in larger writing. They were sent to America from India, via Italy in 1925. The later lot was written in manuscript books mostly of French make, much thicker, in flexible black oil-cloth covers and the text was written 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.

EIGHTH - To the eight interrogatory he saith: Yes, throughout.

NINTH - To the ninth interrogatory he saith: Since March 24, 1920 till February 3, 1935, in different countries.

TENTH - To the tenth interrogatory he saith: Philosophy & ethics, historical traditions and prophecies, apocryphs and legend lore and private annotations.

ELEVENTH - To the eleventh interrogatory he saith: Yes; special selections, chosen and edited by me.

TWELFTH - To the twelfth interrogatory he saith:

- \* Leaves of M's Garden, Part I 1924
- Leaves of Morya's Garden, 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
- Brotherhood 1937

The originals were published in Russian. Translations were also published in several other languages, of which the four books indicated with a \* - were published in English. The published texts form only part of each manuscript book and other sections of these manuscripts remain unpublished.

THIRTEENTH - To the thirteenth interrogatory he saith: Yes.

FOURTEENTH - To the fourteenth interrogatory he saith: Yes.

FIFTEENTH - To the fifteenth interrogatory he saith: Yes.

SIXTEENTH - To the sixteenth interrogatory he saith:

- (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. 1925 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 conversations 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 Nettie Horch. Thus in 1931 all my manuscript books should have been 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

authorised one to be secured from the Chemical Bank in New York. This was confirmed by Mr. Louis L. Horch in his "President's Report" of Oct. 1932 signed by him. Further confirmation is found in Mrs Nettie S. Horch's Report, 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 on July 9th confirming this. 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 31st, 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, as she again re-affirms it in her letter. In Feb. 1935 when Miss Lichtmann again left from here to 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 Nettie 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.

SEVENTEENTH - To the seventeenth interrogatory he saith: Yes

EIGHTEENTH - To the eighteenth interrogatory he saith:

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

(b) in Aug. 1930.

(c) it was also said that the manuscript 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

NINETEENTH - To the nineteenth interrogatory he saith: Yes.

TWENTIETH - To the twentieth interrogatory he saith:

(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 manuscripts book an inner front page of the dates of the beginning and ending of that particular book and thus the uninterrupted continuity is easily established.

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

Thus as stated in reply 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 S. Horch. Miss Esther J. Lichtmann in two cases was the transmitter.

TWENTY-FIRST - To the twenty-first interrogatory he saith: Yes.

TWENTY-SECOND - To the twenty-second interrogatory he saith: Prof. N. Roerich, Georges Roerich, Miss Esther J. Lichtmann and Mr. V. Shibayev.

TWENTY-THIRD - To the twenty-third interrogatory he saith: Yes.

TWENTY-FOURTH - To the twenty-fourth interrogatory he saith: 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.

TWENTY-FIFTH - To the twenty-fifth interrogatory he saith: Yes.

TWENTY-SIXTH - To the twenty-sixth interrogatory he saith: Mr. Herbert Plaut, Attorney, New York.

TWENTY-SEVENTH - To the twenty-seventh interrogatory he saith: No, none .

(End of direct interrogatories)

(Cross-  
-Interrogatories -

CROSS-INTERROGATORIES .

- FIRST - To the first cross-interrogatory he saith: No.
- SECOND - To the second cross-interrogatory he saith:  
Russian born.
- THIRD - To the third cross-interrogatory he saith: Naggar,  
Kulu, Kangra Distt., Punjab, British India.
- FOURTH - To the fourth cross-interrogatory he saith: 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 manuscript books can be easily checked, since  
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
- FIFTH - To the fifth cross-interrogatory he saith: No.
- SIXTH - To the sixth cross-interrogatory he saith: Selec-  
tions from the manuscripts have been made by me  
and were type-written for publication.
- SEVENTH - To the seventh cross-interrogatory he saith: My  
answer to cross-interrogatory No. 5 is in the  
negative. No exact copy of the whole exists.
- EIGHTH - To the eighth cross-interrogatory he saith: Since  
my answer to cross-interrogatory is in the nega-  
tive this question does not arise. Besides I do  
not claim any copies. I claim the return of my  
original work, in my own handwriting, in the Russian  
language, given for safe keeping. The general ap-  
pearance of my original manuscript books has been  
given in detail in my answer to direct interroga-  
tory No. 7.
- NINTH - To the ninth cross-interrogatory he saith: Selec-  
tions have been typewritten in several copies for  
publication (on my typewriters) and are also in  
possession of Mrs Nettie Horch, but I do not claim  
these.
- TENTH - To the tenth cross-interrogatory he saith: These  
selections have been printed as stated in my answer  
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 hand-  
writing.
- ELEVENTH - To the eleventh cross-interrogatory he saith:  
Since the answer to cross interrogatory No. 5  
is in the negative, the question does not arise.
- TWELFTH - To the twelfth cross-interrogatory he saith: Since  
the answer to cross interrogatory No. 5 is in the  
negative, the question does not arise.
- THIRTEENTH - To the thirteenth cross-interrogatory he saith:  
The duplicates of selections for publication  
were made on my two typewriters.
- FOURTEENTH - To the fourteenth cross-interrogatory he saith:  
Several carbon copies of the selections were

made, sent to America and other countries.

FIFTEENTH - To the fifteenth cross-interrogatory he saith: My answer to cross-interrogatory No.5 is in the negative. No exact copy of the entire manuscript exists and the selections for publication were typewritten with carbon-copies.

SIXTEENTH - To the sixteenth cross-interrogatory he saith: My answer to cross-interrogatory No.5 is in the negative. As regards the selections for publication, carbon paper was used when typing these selections. I do not claim these carbon copies.

SEVENTEENTH - To the seventeenth cross-interrogatory he saith: Since my answer to cross-interrogatory No.5 was in the negative, reference to this does not arise. Regarding typed and carbon copies of selections, these were destroyed after the printed books appeared and I have none in my possession.

EIGHTEENTH - To the eighteenth cross-interrogatory he saith: Because my answer to cross-interrogatory No.17 is in the negative, this question does not arise.

NINETEENTH - To the nineteenth cross-interrogatory he saith: Since my answer to cross-interrogatory No.17 is in the negative, this question does not arise.

TWENTIETH - To the twentieth cross-interrogatory he saith: The question does not arise.

TWENTY-FIRST - To the twenty-first cross-interrogatory he saith: Yes.

TWENTY-SECOND - To the twenty-second cross-interrogatory he saith: Mrs Nettie Horch has the whole original handwritten uninterrupted series of manuscript books from March 24,1920 to Feb.3,1935.

TWENTY-THIRD - To the twenty-third cross-interrogatory he saith: She has my whole original handwritten uninterrupted series of manuscript books from March 24,1920 to Feb.3,1935, described in detail in my answer to direct interrogatory No.7.

TWENTY-FOURTH - To the twenty-fourth cross-interrogatory he saith: 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 Horch for safe-keeping.

TWENTY-FIFTH - To the twenty-fifth cross-interrogatory he saith: No.

TWENTY-SIXTH - To the twenty-sixth cross-interrogatory he saith: She was not supposed to be the custodian of these manuscripts, but only acted twice as transmitter.

TWENTY-SEVENTH - To the twenty-seventh cross-interrogatory he saith: She should not have any of my manuscripts in my handwriting in her possession, as she was only transmitter.

- TWENTY-EIGHTH - To the twenty-eighth cross-interrogatory he saith: I claim that the entire set of manuscript books, which is subject of this action, should be in Mrs Nettie Horch's safe keeping and should be returned to me. If Mrs Horch has not received some of those manuscript books which Miss Esther J. Lichtman, as transmitter, took over from here to her, then Miss Esther J. Lichtmann should return such to me.
- TWENTY-NINTH - To the twenty-ninth cross-interrogatory he saith: The same above answer to cross-interrogatory No.28 applies.
- THIRTIETH - To the thirtieth cross-interrogatory he saith: 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.3rd 1935 must be with Mrs Nettie S.Horch.
- THIRTY-FIRST - To the thirty-first cross-interrogatory he saith: My answer to cross-interrogatory No.5 is in the negative. Mrs Nettie S.Horch has the original manuscript books in my own handwriting. These were supposed to be kept sealed and not to be read, used or copied, etc. Since Mrs Horch does not know Russian, they were of no use to her. She had voluntarily undertaken to keep them safely for me, until I need them.
- THIRTY-SECOND - To the thirty-second cross-interrogatory he saith: She has the whole set in original.
- THIRTY-THIRD - To the thirty-third cross-interrogatory he saith: She has the whole unbroken set of the originals in my handwriting in Russian from March 24, 1920 to Feb.3, 1935
- THIRTY-FOURTH - To the thirty-fourth cross-interrogatory he saith: The entire set was described in my answer to direct interrogatory No.7 and it is claimed that Mrs Nettie Horch has the whole set of originals in my own handwriting and not copies or duplicates.
- THIRTY-FIFTH - To the thirty-fifth cross-interrogatory he saith: The entire set of originals is in safe keeping of Mrs Nettie Horch; and Miss Esther J. Lichtmann was only part transmitter. I have explained this in my answer to cross-interrogatory No.28.
- THIRTY-SIXTH - To the thirty-sixth cross-interrogatory he saith: My above answer to No.35 applies.
- THIRTY-SEVENTH - To the thirty-seventh cross-interrogatory he saith: My above answer to No.35 applies.
- THIRTY-EIGHTH - To the thirty-eighth cross-interrogatory he saith: Miss Esther J. Lichtmann being only a transmitter should have no originals and had no right to make or cause to be made copies or duplicates.
- THIRTY-NINTH - To the thirty-ninth cross-interrogatory he saith: 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.

FORTIETH - To the fortieth cross-interrogatory he saith: This took place here in India. In 1930-1931 Mrs Horch expressed many times her concern for the safety of all my original manuscripts 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 in 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.

FORTY-FIRST - To the forty-first cross interrogatory he saith: 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.

FORTY-SECOND - To the forty-second cross-interrogatory he saith: 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.

FORTY-THIRD - To the forty-third cross-interrogatory he saith: 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.

FORTY-FOURTH - To the forty-fourth cross-interrogatory he saith: My answer to cross-interrogatory No. 5 was in the negative. - 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.

FORTY-FIFTH - To the forty-fifth cross-interrogatory he saith: No. Only selections and excerpts from the manuscript books, at my own choice, were compiled and edited by myself, and were published in Russian. Later many of the published Russian books were translated into other languages. Each manuscript books contains considerable unpublished material.



- FORTY-SIXTH - To the forty-sixth cross-interrogatory he saith: My answer to number 45 is in the negative. No full contents of any single manuscript book was ever published.
- FORTY-SEVENTH - To the forty-seventh cross-interrogatory he saith: No.
- FORTY-EIGHTH - To the forty-eighth cross-interrogatory he saith: Only selections were published as stated in my answers 45 & 46.
- FORTY-NINTH - To the forty-ninth cross-interrogatory he saith: My answer to number 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 approximate dates and the contents of the selected passages can be seen.
- FIFTIETH - To the fiftieth cross-interrogatory he saith: The published books were sold to the general public by the publishers as usual. The published books form only a selection from several original manuscript books and the remaining material of the manuscript books was never published.
- FIFTY-FIRST - To the fifty-first cross-interrogatory he saith: Yes.
- FIFTY-SECOND - To the fifty-second cross-interrogatory he saith: It is the American edition of the translation into English from the Russian edition, selected from several manuscript books.
- FIFTY-THIRD - To the fifty-third cross-interrogatory he saith: Yes, it contains passages selected from several manuscript books.
- FIFTY-FOURTH - To the fifty-fourth cross-interrogatory he saith: No, it contains only selections from the manuscript books and other sections are still unpublished.
- FIFTY-FIFTH - To the fifty-fifth cross-interrogatory he saith: I can but state 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.
- FIFTY-SIXTH - To the fifty-sixth cross-interrogatory he saith: Selections were made from some manuscript books probably of French make, with soft black oil-cloth covers, or perhaps from American made copy-books with hard black covers. The Russian edition of "Hierarchy" was edited in 1931.
- FIFTY-SEVENTH - To the fifty-seventh cross-interrogatory he saith: ---
- FIFTY-EIGHTH - To the fifty-eighth cross-interrogatory he saith: Yes. It is an American edition of the English translation from the Russian edition, selected from more than one of the manuscript books.
- FIFTY-NINTH - To the fifty-ninth cross-interrogatory he saith: This English translation was made

from a typewritten Russian manuscript. The Russian edition was a selection from more than one manuscript books.

- SIXTIETH - To the sixtieth cross-interrogatory he saith: Yes.
- SIXTY-FIRST - To the sixty-first cross-interrogatory he saith: no.
- SIXTY-SECOND - To the sixty-second cross-interrogatory he saith: Selections from more than one, other sections of the manuscript books remaining unpublished.
- SIXTY-THIRD - To the sixty-third cross-interrogatory he saith: Not having the original manuscript books, I cannot remember from how many manuscript books the contents of the published book had been selected. "Agni Yoga" in Russian appeared in 1929 (first edition). The manuscript books may be either of French or American make.
- SIXTY-FOURTH - ---
- SIXTY-FIFTH - To the sixty-fifth cross-interrogatory he saith: Yes. It is the American Edition of the English translation from the Russian book, selected from some parts of the manuscript books.
- SIXTY-SIXTH - To the sixty-sixth cross-interrogatory he saith: No.
- SIXTY-SEVENTH - To the sixty-seventh cross-interrogatory he saith: This translation of the Russian edition is from a selection from more than one manuscript books. Other sections of manuscript books remain unpublished.
- SIXTY-EIGHTH - To the sixty-eighth cross-interrogatory he saith: No.
- SIXTY-NINTH - To the sixty-ninth cross-interrogatory he saith: From selections from more than one.
- SEVENTIETH - To the seventieth cross-interrogatory he saith: From some manuscript books of French make, in soft black oil-cloth covers. The English translation was not made from the manuscript books, from the already published Russian book or from typewritten pages prepared for the Russian book. The Russian book was completed in 1932. The American edition was published later.
- SEVENTY-FIRST - To the seventy-first cross-interrogatory he saith: ---
- SEVENTY-SECOND - To the seventy-second cross-interrogatory he saith: Yes. It is the American edition of the English translation from a part of the Russian typewritten pages selected from the original manuscript books.
- SEVENTY-THIRD - To the seventy-third cross-interrogatory he saith: It is the translation from part of the Russian edition. The latter is a selection from several of the manuscript books. Each manuscript book contains unpublished material.

- SEVENTY-FOURTH - To the seventy-fourth cross-interrogatory he saith: It contains only a part of the Russian published book of the same title. The Russian selection was from several manuscript books.
- SEVENTY-FIFTH - To the seventy-fifth cross-interrogatory he saith: No.
- SEVENTY-SIXTH - To the seventy-sixth cross-interrogatory he saith: The Russian selection was from more than one manuscript books. Other sections of these manuscript books remain unpublished.
- SEVENTY-SEVENTH - To the seventy-seventh cross-interrogatory he saith: The manuscript books from which the text of 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.
- SEVENTY-EIGHTH - ---
- SEVENTY-NINTH - To the seventy-ninth cross-interrogatory he saith: 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.
- EIGHTIETH - To the eightieth cross-interrogatory he saith: 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", of which I am Founder and Head. The "Agni Yoga Publications" was authorized by me to take the copyrights for the American translated editions of "Hierarchy" and "Heart" in my name.
- EIGHTY-FIRST - To the eighty-first cross-interrogatory he saith: The original Russian publication was copyrighted in France. The American translated edition - in the United States.
- EIGHTY-SECOND - To the eighty-second cross-interrogatory he saith: 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.
- EIGHTY-THIRD - To the eighty-third cross-interrogatory he saith: The original Russian publication was copyrighted in France. The American translated edition - in the United States.
- EIGHTY-FOURTH - To the eighty-fourth cross interrogatory he saith: 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.

- EIGHTY-FIFTH - To the eighty-fifth cross-interrogatory he saith: The original Russian publication was copyrighted in France. The American translated edition - in the United States.
- EIGHTY-SIXTH - To the eighty-sixth cross-interrogatory he saith: 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 translated edition was handled by the Trustees in New York.
- EIGHTY-SEVENTH - To the eighty-seventh cross-interrogatory he saith: The original Russian publication was copyrighted in France. The American translation edition - in the United States.
- EIGHTY-EIGHTH - To the eighty-eighth cross-interrogatory he saith: No.
- EIGHTY-NINTH - To the eighty-ninth cross-interrogatory he saith: Since my answer to number 88 was in the negative, the question does not arise.
- NINETIETH - To the ninetieth cross-interrogatory he saith: Since my answer to number 88 was in the negative, the question does not arise.
- NINETY-FIRST - To the ninety-first cross-interrogatory he saith: No.
- NINETY-SECOND - To the ninety-second cross-interrogatory he saith: Since my answer to number 91 was in the negative, the question does not arise.
- NINETY-THIRD - To the ninety-third cross-interrogatory he saith: Since my answer to number 91 was in the negative, the question does not arise.
- NINETY-FOURTH - To the ninety-fourth cross-interrogatory he saith: There was only an exchange of presents.
- NINETY-FIFTH - To the ninety-fifth cross-interrogatory he saith: 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.
- NINETY-SIXTH - To the ninety-sixth cross-interrogatory he saith: I never received any money or things of value from Mr. Horch for my personal use.
- NINETY-SEVENTH - To the ninety-seventh cross-interrogatory he saith: Because my answer to number 96 was in the negative, the question does not arise.

- NINETY-EIGHTH - To the ninety-eighth cross-interrogatory he saith: Mr. Horch contributed towards the expedition sponsored by the Master Institute of United Arts, Corona Mundi and Roerich Museum.
- NINETY-NINTH - To the ninety-ninth cross-interrogatory he saith: Since my answer to number 98 was in the negative, the question does not arise.
- HUNDRETH - To the hundredth cross-interrogatory he saith: Since my answer to number 98 is in the negative, the question does not arise.
- HUNDRED-FIRST - To the hundred-first cross-interrogatory he saith: Besides the exchange of presents mentioned in my answer number 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.
- HUNDRED-SECOND - To the hundred-second cross-interrogatory he saith: The watch was given in Paris in 1923.
- HUNDRED-THIRD - To the hundred-third cross-interrogatory he saith: Yes, in the Preface to the Agni Yoga book.
- HUNDRED-FOURTH - To the hundred-fourth cross-interrogatory he saith: My teacher.
- HUNDRED-FIFTH - To the hundred-fifth cross-interrogatory he saith: Very likely
- HUNDRED-SIXTH - To the hundred-sixth cross-interrogatory he saith: "Ur" and "Swati" are sanskrit names from the Puranas.
- HUNDRED-SEVENTH - To the hundred-seventh cross-interrogatory he saith: Very likely.
- HUNDRED-EIGHTH - To the hundred-eighth cross-interrogatory he saith: M.M. being an abbreviation, may stand for various conceptions; for instance Mount Morya, Materia Matrix, Mahatmas, Mater Mundi. Not having the manuscript books on hand, which are in Mrs Horch's safe keeping, I cannot say to what it may refer.
- HUNDRED-NINTH - To the hundred-ninth cross-interrogatory he saith: 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.
- HUNDRED-TENTH - To the hundred-tenth cross-interrogatory he saith: The reply is the same as in my previous answer.
- HUNDRED-ELEVENTH - To the hundred-eleventh cross-interrogatory he saith: The study of occult nomenclature can be found in any works treating philosophical questions. And such terms are mentioned in the manuscripts.

HUNDRED-TWELFTH - To the hundred twelfth cross-interrogatory he saith: There are records of several historical prophecies and traditions, which I came across in various countries and literature during my life.

HUNDRED-THIRTEENTH - To the hundred-thirteenth cross-interrogatory he saith: The manuscripts do not contain any discussions whatsoever. The general content of the manuscript book has already been stated in my answer 79 and can be seen from the 4 books published in English translation, which have been submitted.

HUNDRED-FOURTEENTH - To the hundred-fourteenth cross-interrogatory he saith: Probably.

HUNDRED-FIFTEENTH - To the hundred-fifteenth cross-interrogatory he saith: It is an oriental name. - The printed parts of the manuscript books do not contain any reference to such words as for instance mentioned in questions numbers 107 or 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 by her proves that my unpublished manuscript books, which were to be kept sealed, have been perused and my author's rights violated.

\_\_\_\_\_  
State of \_\_\_\_\_ }  
County of \_\_\_\_\_ } ss.:

I, \_\_\_\_\_, do certify that \_\_\_\_\_, the witness, personally appeared before me on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, \_\_\_\_\_ at the \_\_\_\_\_, in the State of \_\_\_\_\_; that he was duly sworn to testify the truth, the whole truth and nothing but the truth, and did depose to the matters contained in the foregoing deposition, and did, in my presence subscribe the same and endorse the exhibitis annexed thereto. And I further certify that the deposition was duly taken and is a true record of the testimony of the witness and of all questions

and answers required to be inserted; that the signature of the witness to the deposition and to the exhibits attached is genuine; that I have subscribed my name to each single sheet thereof, and to each exhibit. And I further certify that \_\_\_\_\_ appeared in behalf of the \_\_\_\_\_ and that \_\_\_\_\_ appeared in behalf of the \_\_\_\_\_

\_\_\_\_\_  
Commissioner.