

DAILY NEWS, WEDNESDAY, MARCH 23, 1955

Witness at Jelke Trial Cites Pressure by DA

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men from the DA's office in April, 1952. "If I didn't cooperate my child could be taken away from me."
"You loved your child very dearly?"
"Yes," she said in a choked voice.
Objection Sustained
"You were prepared to do anything to prevent your child being taken from you?" Herz asked, but an objection from Assistant District Attorney Anthony J. Liebler was sustained.
"You were in a panic?" Herz asked, and Virginia said tearfully, "Of course!"
"Up to that time, had you answered the district attorney's questions?"
"I don't believe so."

At that time, said Virginia, her baby was 4 months old and was with her husband, who put up her bail money before Jelke's first trial. (Virginia now is divorced; she told a reporter between trials that the Jelke case "ruined" her marriage to a man she loved very much.)

She had testified under direct examination by Liebler that she had been sent on a double date with Pat Ward to the Warwick Hotel after a conversation with Pat, Jelke and Ray Russell Davison (a convicted procurer) in Jelke's apartment in the fall of 1951.

Tells of \$29 Gift

Herz questioned her about this date. She said there were five men at the Warwick when she arrived



Assistant DA Burton Roberts He questioned Virginia Dee

there with Pat. One was named Max and he gave her \$29, she said, although she did not have relations with anyone "under the circumstances."

(Nobody explained that "circumstances." Pat testified last week that the men didn't like Virginia Dee, but it is understood that an argument developed at the Warwick and Virginia left because she didn't want to take part in what was planned for her there.)

Virginia told Herz that she left Pat at the Warwick. When he asked her if she had ever seen Jelke after that, she said "No," and glared at the defendant.

Lived Off Wife's Earnings

She also told Herz that she met another convicted procurer, Robert Merritt, in 1950. Asked what he did, she said: "He was living off Carol Sutton's earnings." Carol Sutton was Merritt's wife.

"Did you ever work for Bob Merritt?"
"Yes."
"Did you go out on dates with men for Bob Merritt?"
Virginia looked at her attorney, then said rapidly, "I invoke my Constitutional privilege and refuse to answer on the ground that it might incriminate me."

"Did you memorize that little speech?" Herz asked, Liebler objected, saying, "That's not a speech."
"It's the Fifth Amendment," Virginia informed Herz earnestly.

Next Virginia said she didn't want to talk about a meeting she had with Barbara Harmon, but she refused to say whether it might "degrade or disgrace" her. The



Pat Ward's face is expressionless as she enters court yesterday.

party with Barbara Harmon, she finally said, took place at the Empire Hotel with a group of men and women.
She turned to Judge Valente and asked, "Do I have to answer?"
"Yes," said Valente.
"Why?" asked Virginia.
"Because I direct it," Valente said, and allowed himself one of his rare grins. Virginia stood on her Constitutional rights later, however, and refused to tell Herz whether the women at the party were prostitutes.

Told the Truth

On redirect examination, Liebler established that Virginia told the "truth" when she gave the DA's office information in 1952. What she told them three years ago was the same testimony she gave Jelke's jury today, she said.



Ray Russell Davison His cut 30% call got away.

very nervous," after Roberts told her "Your child can be taken away from you." She spoke next to Assistant District Attorney William Pitts Ryan, and she told him the truth about her meeting with Jelke, she testified.

"Mr. Ryan said I didn't have to worry about it," Virginia said, referring to her fears about her baby. (After yesterday's session, Roberts, who is not working on the Jelke trial, told reporters: "I refuse to comment on the alleged conversation with Miss Dee.")
During Liebler's direct examination, Virginia said she was "propagandized" to act as a call girl at Jelke's apartment the first and only time she met him. When she was asked to go on a date with Pat Ward, she asked Jelke and Davison:
"Am I going to have any trouble like I did with Johnny Jelke (Mickey's brother) when I went to see a friend of his? Because I didn't get paid."
But she was reassured by Jelke and Davison, she said, that "Pat

Warren had been at the Hotel Warwick the day before, and she got paid." (Pat Ward used the name "Warren" when she was a call girl.)
At the Warwick, Virginia said, she received \$29 "for cash fare" after a conversation with Pat and the men there, although she engaged in no sexual relations.
"Virginia is a sultry-mouthed, big-boned girl, with elaborately curled, copper-colored hair. Her eyes are heavily made up, with blue eye-shadow, jet black lashes and eye-

Phone Employee Testifies

She was preceded by Pat Ward and next by a telephone company employee Alfred McCourt, who established for the state the fact that numerous phone calls were made from the apartment of Eriza Steele, an ex-madam, to the Elite Flamingo Apartments in Miami. There, presumably, Jelke and Eriza's boy friend, Carl Jarrett, were vacationing, while Pat and Eriza were double-dating for money in New York, according to Pat's testimony.

Under Liebler's questioning, Virginia gave her home address as Margate, N. J., but said she was not living there now. Ward also was placed under \$1,000 bond as a material witness for this trial, her address was listed on E. 74th St. On a trip to New York in July 1950, she said, she met Carol Sutton (previously identified as the wife of Robert Merritt, the procurer now serving a five-to-10 year sentence.)

Q. Tell us what kind of work Carol Sutton was doing, if you know? A. She was seeing dates.
Q. Did you live with Carol Sutton? A. Yes, I did.
Q. For how long? A. Between seven to 14 days. I'm not sure.
Q. Did you go on dates with her? A. Yes, I did, to get my fare to go back to St. Louis.
Q. You got money from men? A. Yes, I did.

Dated John Jelke, She Says

Miss Dee said she went back home, but returned to New York in February, 1951, and lived by herself in the President Hotel. She saw Merritt several times, she said, and had a date-for-cash with John Jelke, the defendant's older brother, who died in a National Guard training flight in January, 1954.

John, she said, was introduced to her over the telephone and she agreed to go to his apartment and have relations with him. Mickey, she said, made a date with her through her telephone answering service, and she agreed to go to his apartment. This was in the fall of 1951. At the apartment, she said, she met Mickey and "Ray Russell."
(Ray Russell is also known as



Richard Short smokes a cigarette as he enters court yesterday.

Ray Russell Davison, who pleaded guilty to living off the earnings of a prostitute. Pat testified that it was Ray who helped Mickey talk her into becoming a dollar-doll.)

Over Herz' objection, Virginia then related a conversation in Jelke's apartment, beginning:
"Well, I was introduced to Mr. Russell and I sat down on the living room couch. Meantime Mr. Jelke (the defendant) walked into the bedroom. . . . I guess it was the bedroom, I didn't see the rest of the apartment. . . . while Mr. Russell propositioned me."
"Well, I was speaking to Mr. Russell," Virginia continued. "Mr. Russell asked me if I would like to see some \$100 dates and if I would agree to give him 30% of my earnings and I agreed."

"Where were those dates to be? Liebler asked, and the witness said, "the Warwick."
"Well, then, Mickey walked into the living room with this girl and introduced me to her as Pat. . . . Virginia started, but was interrupted here by her attorney, who said he wanted to discuss her testimony with Judge Valente. At this point, Valente called a luncheon recess.

The morning session got off to a late start because Pat refused to be questioned until her lawyer, Benjamin Nusbaum, arrived. When Herz showed her the two pictures he wanted her to identify, she averted her eyes.

She didn't recognize the two girls in the picture, Pat said, but added "there is a slight resemblance" when asked if one of the girls looked like her.
"The one standing up or sitting down?" Herz asked, and Pat said

Carradine Sues Jelke

Mickey Jelke and his attorney, George Washington Herz, yesterday were served with papers in a \$500,000 suit for slander being brought by movie actor John Carradine. The papers are returnable April 11 in Manhattan Supreme Court. Carradine charged that Herz stated in court that he would prove that the actor had an affair with Pat Ward which Carradine labeled as "not proved and absolutely unfounded."

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Ways & Means OKs Repeal of Tax Law 'Leak'

Washington, March 22 (AP)—The tax-writing House Ways and Means Committee today unanimously voted to plug a "loophole" in the 1954 tax law that Democrats estimated might cost the government up to \$5,000,000,000.

Overriding protests by leading business groups, the committee rushed through the measure at the urgent request of the Treasury Secretary George M. Humphrey.

The Ways and Means Committee voted to repeal two provisions of last year's tax law to avoid giving business an unintended windfall.

The repeal would be retroactive; that is, firms would not be allowed to benefit from the provisions even though they have been in effect since the first of the year.
The provisions to be repealed now allow many companies to: 1. Deduct from taxable income not only actual expenses in 1954 but also money set aside to meet expenses expected in future years. 2. Defer tax payments on income received for services to be performed in future years.

Say Pat's Big Wheel Turned Right, Left

By EDWIN HOLDEN

Pat Ward's sometime motorcycle-riding companion, 24-year-old Emanuel (Cochise) Trujillo, turned out yesterday to be the one-time spokesman for a subversive neo-Fascist group in New York.

Under the name of Mama Trujillo, Emanuel, who admitted freely Monday night that he was Pat's post-Jelke boy friend, was foreign publicity director and a big wheel in the Elite Guard of the neo-Fascist National Renaissance Party, according to an official report of the House Un-American Activities Committee last December.

He's Father of Two

Trujillo, the father of two children and currently separated from his wife, also turned out to have been a one-time student at the Commie-controlled Jefferson School of Social Research, Sixth Ave. and 16th St., according to the committee. The school, along with NRP, have been listed as subversive groups by the Department of Justice.

The Anti-Defamation League of B'nai B'rith, which claims to have exposed Trujillo as a Fascist 18 months ago, said he tried to sell some information about the NRP and its president, James A. Man-



Emanuel (Cochise) Trujillo with arm band and military trappings.

degrading herself when Jelke's lawyer, George Washington Herz, asked her if she had ever lived with Trujillo.