

1 be given to her which often are part of capital, and it has  
2 been difficult for us to ascertain it; but we will have as  
3 near to an absolutely accurate statement given to you, with  
4 the exact sources, as we can get.

5 Q BY MR. ROGERS: Now, as I understand your testimony,  
6 you have no other interests, or no interests in any other  
7 trusts, at this time, to your knowledge, other than the one  
8 which you set forth in the York Trust Company?

9 A Not to the best of my knowledge.

10 Q In the estate of your former husband you were given,  
11 by appropriate order in the court, amounts for family allow-  
12 ance and amounts for executrix' commissions and extraordinary  
13 commissions. Are those items of income also reflected or  
14 are they reflected in this statement which you have presented  
15 to us?

16 A I do not know.

17 MR. RYON: I do not, either, frankly. They may have been  
18 overlooked. Where they covered any portion of this year they  
19 may have been overlooked. The estate was distributed in  
20 February.

21 MR. ROGERS: Part of those were in 1940.

22 MR. RYON: Yes, they were.

23 Q BY MR. ROGERS: During what year were the statutory  
24 fees of executrix and the extraordinary compensation as execu-  
25 trix in your former husband's estate paid to you?

26 A I do not know. Do you know, Mr. Ryon?

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1 MR. RYON: I do not. Offhand, my recollection is that  
2 they were not paid all at once. My recollection is they were  
3 paid -- that certain extraordinary fees were allowed at the  
4 end, and certain additional regular fees. Whether there were  
5 any allowed before that or not, I would have to check the  
6 files. I do not know.

7 MR. ROGERS: Would you also supply us with that informa-  
8 tion?

9 MR. RYON: Yes.

10 Q BY MR. ROGERS: Referring again to the liabilities set  
11 forth in your statement, you set up a claim by the Federal  
12 Government to estate tax on the estate of M. von Romberg, ap-  
13 proximately \$75,000. Has any deficiency been assessed in that  
14 matter, do you know?

15 A What does that mean?

16 Q Has the government established what they contend to be  
17 the tax due in that estate?

18 A I think so. Didn't they?

19 MR. RYON: They have.

20 MR. ROGERS: What is the amount of that?

21 A May I ask Mr. Ryon?

22 MR. ROGERS: Surely.

23 MR. RYON: It is to draw six per cent interest. I think  
24 they figure that is substantially accurate. It is not accur-  
25 ate to the last cent.

26 MR. ROGERS: In other words, the item of \$75,000 includes

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1 the deficiency assessed, plus interest at six per cent?

2 MR. RYON: I cannot answer that. I do not know whether  
3 he set it up including interest or not including interest.

4 Q BY MR. ROGERS: Also I notice that you set forth an  
5 estimated minimum cost to litigate this claim of \$16,000.  
6 Have you retained counsel to represent you in that matter?

7 A Yes.

8 Q And who are they?

9 A Mr. Ryon.

10 Q Mr. Ryon. How long has that matter been in process  
11 at the present time?

12 A I do not know. Since -- it has been a couple of  
13 years, hasn't it, Mr. Ryon?

14 MR. RYON: I beg pardon?

15 THE WITNESS: Hasn't it been since shortly after Max'  
16 death?

17 MR. RYON: Yes. I will state this is an estimate upon  
18 the charge that now exists in connection with this litigation  
19 and is exclusive of the amount of retainers paid in the past  
20 which I do not think enter into this particular matter. That  
21 is an estimate, and, frankly, a very rough one, as to probable  
22 cost of expense and counsel fees, because we are making use  
23 of Connecticut counsel in the matter. Their fees are not  
24 set. We are going to litigation in the matter some time in  
25 November, and we do not know how long it will take and we do  
26 not know whether we will be successful in that particular

1 phase of the litigation or not at this time, Mr. Rogers.

2 Q BY MR. ROGERS: Do you have any agreement, Mrs.  
3 Spreckels, with regard to attorneys' fees in that matter?

4 A No.

5 Q No agreement whatever?

6 A Not that I remember.

7 Q Where is that matter pending? In what court or before  
8 what court is that matter pending at the present time?

9 A I do not know, except it is to be in Connecticut.

10 MR. ROGERS: Perhaps Mr. Ryon could answer that.

11 MR. RYON: The case has either been filed or is about  
12 to be filed before the courts of Connecticut, probably in  
13 Greenwich, with the thought that it will be certified over to  
14 the Supreme Court back there. That phase of litigation goes  
15 to the establishing of the fact that the spouse of Max von  
16 Romberg, the then spouse of Max von Romberg, surviving spouse,  
17 namely, Emily Hall von Romberg, was at the date of the death  
18 of Max von Romberg his next of kin.

19 MR. ROGERS: Is that now pending in the state court or  
20 in the Federal court?

21 MR. RYON: No Federal Court proceedings have yet been  
22 instituted. The matter, as far as the Federal Court side of  
23 the case is concerned, is now on the way to the technical  
24 staff. The deficiency has, in my understanding, been assess-  
25 ed and we have had our preliminary hearings before the field  
26 staff, and it is now on the way to the technical staff.

1 MR. ROGERS: That is the technical staff on the West  
2 Coast?

3 MR. RYON: The Revenue Department. That is right.

4 MR. ROGERS: In other words, it has not started on any  
5 proceedings yet through the Federal courts.

6 MR. RYON: That is right. We are starting the Connecti-  
7 out proceedings prior to that, because that is the basis on  
8 which the Federal proceedings rest.

9 MR. PRICE: Will you stipulate, Mr. Ryon, that your  
10 statement may be deemed the answer of the witness?

11 MR. RYON: Certainly.

12 Q BY MR. ROGERS: The next item you set up as a liabil-  
13 ity is estimated household and personal accounts payable of  
14 \$8,000. I would like a complete breakdown on that, Mrs.  
15 Spreckels, and I suppose you cannot give it from memory. But  
16 if we can be furnished with a statement of that, we would  
17 like to have it.

18 (Discussion off the record.)

19 Q BY MR. ROGERS: Miss Finlay is not in town at the  
20 present time?

21 A I think she is here, but she always comes on the 9th  
22 or 10th to do my bills. I have a standing date with her.

23 MR. RYON: Off the record.

24 (Further discussion off the record.)

25 Q BY MR. ROGERS: Miss Finlay, as I understand it, has  
26 kept a record of your household accounts during the -- how

1 long a time has that gone on or have you had that arrange-  
2 ment with her?

3 A Since I married Adolph.

4 Q And she has now a record of your household expendi-  
5 tures and income during that period of time?

6 A Yes.

7 MR. ROGERS: I would like to have a record of those also

8 MR. MC MAHON: For the entire married period?

9 MR. ROGERS: For the entire married period. Mr. Ryon,  
10 perhaps you can answer this question off the record.

11 (Discussion off the record.)

12 Q BY MR. ROGERS: Mrs. Spreckels, in what banks do you  
13 have the accounts in which this cash in bank is held?

14 A The County National; the Bankers Trust.

15 Q Of New York?

16 A Yes. And I think Security-First National here.

17 MR. RYON: I would have to check, but I think in the  
18 breakdown you have some cash on deposit in Wells Fargo.

19 A Yes, in San Francisco.

20 Q BY MR. ROGERS: In San Francisco.

21 MR. RYON: I do not know the amount, but I think you have  
22 some.

23 Q BY MR. ROGERS: Those are the only banks in which  
24 those deposits are held; is that correct?

25 A I think so.

26 Q How much do you have on deposit, to the best of your

1 knowledge and recollection, in the Bankers Trust in New York?

2 A I have not any idea, but I would say maybe a couple of  
3 thousand.

4 Q Now, with the information with which we will be sup-  
5 plied under these counts and under these questions that we  
6 have, this account which you have given is a true reflection  
7 of your total gross worth and your total income; is that cor-  
8 rect?

9 A To the best of my knowledge it is. I gave everything  
10 I could possibly think of to Mr. Ryan.

11 Q I see that there is no item here for personal effects,  
12 jewelry and of clothing. What valuation would you place upon  
13 your property of that character?

14 A I do not know. I spent about \$8,000 for clothes this  
15 year and I have no idea what I had before. I had a \$10,000  
16 mink coat and a thousand dollar beaver coat and a thousand  
17 dollar leopard coat, and probably miscellaneous dresses that  
18 probably cost me five or six thousand. And then this year I  
19 have spent about eight thousand.

20 Q That is for the clothing?

21 A Yes.

22 Q With regard to the jewelry, what is the situation on  
23 that?

24 A I do not know about that, either. I had a great deal  
25 when I married Adolph, and he gave me a good deal. He gave  
26 me half a dozen star sapphires that I suppose are worth six,

1 seven or eight thousand dollars. Some of them are big ones.  
2 He gave me a star ruby that is worth about six or seven  
3 thousand, I guess. He gave me a diamond bracelet that he paid  
4 \$13,000 for, and another one he paid \$5,000 for. He gave me  
5 a cigarette case, diamond and ruby, -- I do not know what it  
6 cost. He gave me this wrist watch, and a diamond and ruby  
7 clip. I suppose it must be set up on the insurance policy  
8 with Terry & Terry. I suppose I have got \$100,000 worth of  
9 jewelry.

10 Q About \$100,000 worth of jewelry?

11 A Yes.

12 Q You do carry insurance on that through Terry & Terry?

13 A Most of it, yes.

14 Q In addition to the gifts which you received from Mr.  
15 Spreckels, you did have numerous articles of jewelry prior  
16 to that time. Are they all covered by that insurance policy?

17 A The pieces I wear the most frequently are. If there  
18 is a piece that I am not wearing, I naturally take it off and  
19 put it in the safe, but I think by and large that is most of  
20 it.

21 Q What is the value of the property which is not cover-  
22 ed by that insurance policy at the present time?

23 MR. RYON: If you know.

24 A I do not know, because I would have to look at the  
25 policy to see what is there.

26 Q BY MR. ROGERS: You do not know what actually is



1 covered by the policy at this present moment?

2 A No.

3 Q But according to your best estimate you think in the  
4 neighborhood of \$100,000, all together, in jewelry?

5 A That may be -- I really do not know. It is awfully  
6 hard to say I have got that much. I have got a lot of jewelry  
7 and I know it is valuable, but I do not know what I am pay-  
8 ing on. I know the insurance when it comes due almost knocks  
9 me over, and I wish it didn't. I really do not know. I would  
10 have to ask Terry & Terry.

11 MR. ROGERS: I wonder if we could have a statement on  
12 that.

13 MR. RYON: Frankly, I do not think that jewelry and  
14 clothes are particularly material to this proceeding and I  
15 would want to think about it.

16 MR. ROGERS: That refers to the jewelry.

17 MR. RYON: Yes.

18 MR. ROGERS: I am asking merely as to the jewelry.

19 MR. RYON: And I do not think the clothes -- you asked  
20 about her clothes, and so forth.

21 MR. ROGERS: I did not include the clothes in this  
22 statement, Mr. Ryon; just the jewelry.

23 MR. RYON: Offhand, it cannot be income producing. We  
24 might have an appraisal made of it for you. This is off the  
25 record.

26 (Discussion off the record.)

1 MR. RYON: I will reserve my thought on that.

2 MR. ROGERS: If you are going to reserve your thought,  
3 we are going to have to continue the deposition, probably,  
4 at the end of it.

5 MR. RYON: Of course, you can do what you want to, but  
6 I am not going to decide at the present time.

7 MR. MC MAHON: We can handle that the same way we did  
8 the other.

9 (Further discussion off the record.)

10 Q BY MR. ROGERS: Mrs. Spreckels, of your own knowledge  
11 you do not know, I presume, how much you have spent in main-  
12 tenance of the house, exclusive of your own personal main-  
13 tenance during the past period of approximately a year and  
14 a half; is that correct? Or do you know?

15 A Yes.

16 Q And that is reflected in the books which are kept by  
17 you; is that correct?

18 A Yes.

19 Q Do you have any agreement with regard to attorneys'  
20 fees in this matter, Mrs. Spreckels?

21 A I do not believe so.

22 Q Well, have you discussed with your counsel the ques-  
23 tion of attorneys' fees?

24 A No, I really did not, because I just always leave it  
25 to Mr. Ryon's discretion. He has been my lawyer for fifteen  
26 years, and I just get around to it.

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1 Q You have not discussed that matter with him at all?

2 A No.

3 MR. ROGERS: I would like to offer this statement fur-  
4 nished to us in evidence at this time as part of the deposi-  
5 tion.

6 (The document referred to is attached hereto and  
7 made a part of this deposition.)

8 MR. MC MAHON: Have you finished that part of the ex-  
9 amination?

10 MR. ROGERS: Yes, at this moment. I may come back to it,  
11 but at the present time I am going on to something else.

12 Q Mrs. Spreckels, you state that plaintiff and defend-  
13 ant separated on or about the 25th day of August, 1940. You  
14 left Mr. Spreckels on that date; is that correct?

15 A Yes.

16 Q And you have since that time lived separate and apart  
17 from him?

18 A Yes.

19 Q Mrs. Spreckels, have you ever travelled outside of  
20 the boundaries of the United States in the past five years?

21 MR. RYON: I object to the question is incompetent, ir-  
22 relevant and immaterial. Well, I will withdraw the objec-  
23 tion. I think it is merely foundation for something else,  
24 isn't it, Mr. Rogers?

25 MR. ROGERS: Yes, it is.

26 MR. RYON: My objection, of course, is reserved under the

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1 stipulation, anyway.

2 MR. ROGERS: Except as to form.

3 A What will five years take me to?

4 Q It will take you back to 1935.

5 A I do not think so, with the exception of going to  
6 Tia Juana.

7 Q With the exception of --

8 A Crossing the border into Mexico.

9 Q Crossing the border into Mexico, into Tia Juana?

10 A I think the last time I went <sup>to Europe</sup> was about 1932 or 1933.  
11 but I am not sure.

12 Q 1932 or 1933. Where was your passport issued for  
13 that?

14 A At the German Consulate in New York, I think.

15 Q German Consulate in New York. You are not sure of  
16 that?

17 A No.

18 Q That was a German passport?

19 A Yes.

20 Q And at that time you travelled with your former hus-  
21 band, did you?

22 A Yes, sir.

23 Q Mrs. Spreckels, you are the Baroness von Romberg?

24 A Yes.

25 Q When did you acquire that title?

26 A When I married Baron von Romberg in 1928.

M  
H  
S  
4  
10

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1 Q When did the Baron von Romberg assume title?  
2 A About six months before our marriage.  
3 Q And after he had met you?  
4 A Yes.  
5 Q And after you had contemplated marriage?  
6 A No.  
7 Q Before you had contemplated marriage?  
8 A Yes.  
9 Q That was a German title?  
10 A Yes, sir.  
11 Q From what source did that title accrue to your hus-  
12 band?  
13 A His father.  
14 Q From his father?  
15 A Yes.  
16 Q His father was an officer in the German Army in the  
17 last war, isn't that right?  
18 A Yes.  
19 Q In fact, he was one of the first German officers to  
20 be killed in the last war?  
21 A Yes.  
22 Q Your husband was a German citizen at the time you  
23 married him?  
24 A Yes.  
25 Q And he was until his death?  
26 A Yes. NO

Z.H.S.  
W.R.  
H.P.

1 Q Whendid he change his citizenship?

2 A He applied for his first papers about a year before  
3 his death.

4 Q And where was that application made?

5 A In Los Angeles, I think.

6 Q No final papers were ever issued to him?

7 A I think it was about six months after his death I  
8 had a notice that if he came his final papers would be de-  
9 livered.

10 Q Now, during the time of your marriage to him this  
11 house in Montecito was planned and partially built; isn't  
12 that correct?

13 A Yes.

14 Q Who did the planning for that?

15 A We did it together, but Max did most of it.

16 Q And who named the place?

17 A Max did.

18 Q Did you have anything to do with the naming of the  
19 place?

20 A No.

21 Q Were you not consulted at all in the naming of the  
22 place?

23 A I do not believe so.

24 Q You have since carried the same name which was given,  
25 however, haven't you?

26 A Yes.

Q What is that name?

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1 A Brunninghausen.  
2 Q Will you spell that?  
3 A B-r-u-n-n-i-n-g-h-a-u-s-e-n.  
4 Q That is a German name?  
5 A Yes.  
6 Q What is the meaning of that?  
7 A The house of the fountain.  
8 Q And I believe I asked you, you have since carried  
9 that name on as the name of the place?  
10 A Yes.  
11 Q In the construction of that house a German swastika  
12 was placed in the construction, was it not?  
13 A Yes. No  
14 Q Isn't it a fact that in one of the vents of that  
15 house a German swastika was placed which remained there until  
16 just a short time ago?  
17 A An Indian swastika.  
18 Q An Indian swastika. However, it is the same as the  
19 German swastika?  
20 A Yes. No  
21 Q In what way does it differ?  
22 A The German swastika is backwards, from left to right,  
23 and the Indian is -- it is the reverse.  
24 Q It is the reverse of the German swastika?  
25 A Yes.  
26 Q You at one time had a very highly prized dog, did

T.H.S.  
M.R.M.P.

T.H.S.  
M.R.M.P.

1 you not, - a Dachshund?

2 A I have owned lots of them.

3 Q You owned one particularly by the name of Swastika,  
4 didn't you?

5 A Yes.

6 Q When was that?

7 A That was when Max was alive.

8 Q And how long ago? What I mean is, when during his  
9 lifetime was that?

10 A I do not know when I had her. I would say two or  
11 three years ago. It would be more than that, because he has  
12 been dead two years. It would be three or four years ago.

13 Q It would be three or four years ago?

14 A Yes.

15 Q That dog is not alive at the present time?

16 A I gave her away.

17 Q You gave her away?

18 A Yes.

19 Q When did you give her away?

20 A Shortly after Max died.

21 Q How old are you, Mrs. Spreckels?

22 (No response.)

23 Q Why do you refuse to answer the question?

24 A Because I do not believe in telling ages, and I have  
25 never told my age since I was 18 years old.

26 Q When were you 18?



1 A I do not know.

2 Q When did you last tell your age?

3 MR. RYON: I think this is incompetent, irrelevant and  
4 immaterial. It is simply an attempt, as near as I can see,  
5 to embarrass the witness, with no possible connection.

6 MR. ROGERS: Possibly I can see a little farther with  
7 regard to that, Mr. Ryon.

8 MR. RYON: It may be stipulated, Mr. Rogers, that Mrs.  
9 Spreckels is over 21, if you wish to accept the stipulation.

10 MR. ROGERS: I will accept the stipulation, but it will  
11 not foreclose further inquiry along that line.

12 Q Where were you born, Mrs. Spreckels?

13 A In Montana.

14 Q In Butte, Montana?

15 A Yes.

16 Q Were you born on the slope or in the flat, at your  
17 home? In the slope or in the flat?

18 MR. RYON: I think that is incompetent, irrelevant and  
19 immaterial.

20 A What do you mean by that?

21 MR. ROGERS: I will withdraw the question.

22 Q When were you born?

23 A What do you mean, when was I born?

24 Q Yes.

25 A That goes back to the question of my age, which I do  
26 not think has anything to do with the problem on hand.

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OFFICIAL BUSINESS  
SANTA ANA COUNTY, CALIFORNIA

1 Q And you refuse to answer the question?

2 A I do, yes.

3 Q What age did you give on your marriage license to  
4 Mr. Spreckels?

5 A To tell you the truth, I do not know. At the time  
6 that they wrote it out I was in the bathroom, throwing up.  
7 Adolph filled it out and I signed it, but in the paper it  
8 said 37, and I imagine that is what it said.

9 Q Were you intoxicated at the time that your were mar-  
10 ried?

11 A No.

12 Q Had you been drinking?

13 A No.

14 Q When had you last been drinking prior to the time  
15 you were married?

16 A I think I had a couple of glasses of champagne after  
17 dinner, about nine o'clock in the evening.

18 Q And when did the marriage take place?

19 A About eight o'clock the following morning.

20 Q Eight o'clock the following morning?

21 A Yes.

22 Q And the following evening how much more than two  
23 glasses of champagne had you had?

24 A That would be about all.

25 Q Had you had any other liquor at that time?

26 A No.

1 Q All that you had -- all of the intoxicating liquor  
2 that you had the night before your marriage was two glasses  
3 of champagne?

4 A About, yes.

5 Q Where was that?

6 A At the Fairmont Hotel.

7 Q In San Francisco?

8 A Yes.

9 Q Now, Mrs. Spreckels, you enjoyed very much the title  
10 of the Baroness von Romberg, did you not?

11 A I do not know what you mean by "enjoy it". I was  
12 proud of my husband and proud of his name.

13 Q And you were proud of the title?

14 A I would not emphasize on the title. I think the  
15 title is rather unimportant.

16 Q Didn't you get a lot of personal satisfaction and  
17 pleasure out of the fact that you were the Baroness von  
18 Romberg?

19 (Witness nods head in the negative.)

20 Q Do you know Leni Reifenstahl?

21 A I have met her.

22 Q In fact, you entertained her in your home in Santa  
23 Barbara, did you not?

24 A She has been in my home, yes.

25 Q How long was she there?

26 A An hour.