

# **DESTINATION: ISRAEL**

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**HOW A HANDFUL OF  
RAG-TAG FLYERS HELPED TO  
SAVE A NEWBORN NATION**

**HAROLD LIVINGSTON**

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pleaded guilty, in March, but drew a suspended sentence and one year's probation.

Al Schwimmer returned to the United States in the fall of 1949 to face trial in Los Angeles, with several of the others from the Burbank days, for conspiracy to violate the Neutrality Act by exporting the ten C-46s and the Constellation to Israel. Testifying for the prosecution were FBI agent Ptacek, the persistent airplane dealer Laurence M. Krug, who had tried to sell P-51s to Rey Selk, and some of the mechanics who had worked at Burbank, Millville, Panama and Zatec. Nahum Bernstein testified for the defense, prepared to accept personal responsibility for the decisions to export the airplanes if the government's case dug too deeply. But it did not. The watertight compartmentalization that had been built around each of the underground's projects held. A confused charge that the underground, by setting up an airlift in Czechoslovakia, had somehow given aircraft to the Communists, was refuted by the presence in Los Angeles of the Constellation RX 121 which Schwimmer, Sam Lewis and Ernie Stehlik, who had so laboriously repaired it, had flown back from Zatec. "I didn't want anyone to say I had given it to the Reds," Schwimmer explained.

By the time the long trial ended in February 1950, the war of independence had been won, the first armistices with the Arab states had been signed and the ambivalent American attitude about the Jewish state that the United States had sponsored and then refused to help had changed to open admiration.

Schwimmer, Leo Gardner, Rey Selk, and Service Airways were found guilty, but no prison sentences were imposed; they were fined \$10,000 each. In another trial, Hank Greenspun pleaded guilty to smuggling arms aboard the *Idalia* and was fined \$10,000.

The Sonneborn Institute continued to meet weekly on Thursdays at the Hotel McAlpin—occupied now, like Materials for Israel, which it sponsored, with the requirements of the newcomers to Israel. In 1955 it decided its job was done and disbanded, with as little fanfare as it had begun with ten years before.

The underground disappeared without a trace, like a murky silhouette on a photographic film floating in a darkroom tub—someone had thrown open the door and the image was gone.

Its records were destroyed, only scattered fragments surviving in the bottom drawers of law-office files, in the basements and attics of

warehouse.

The published histories of the Israeli struggle for nationhood would barely mention the American underground. Its members would slip back into the routine of everyday life, their exploits remembered only by themselves and their immediate colleagues, those days, whom—in many cases—they never saw again. A few wrote, or planned to write, memoirs of what had been the most heroic event in their lives, but—until now—no one had pieced together the whole story or even most of it.

While it was happening, nobody knew everything; everybody who got involved—Jew, Gentile, Zionist, non-Zionist—gave something. Thousands participated, responding unquestioningly in many small ways, feeling that they were a part of whatever it was that was going on. Those who did more had more to keep secret, but there were other satisfactions. Al Robison, the gentle New Jersey text man who was one of the top men, says: "Here was an opportunity that happened maybe once in a lifetime, maybe not even once in a lifetime. That we could be cloak-and-dagger people, that we could live dangerously and feel highly virtuous about it, that we could actually make history. We went around in those couple of years in a state of exaltation. It was a great period in our lives. I don't think we'll ever get over it, and I think it changed our lives; I think it left a mark on us for the rest of our days. And I think it gave us a feeling of accomplishment that nothing else we did before, that nothing we could do since, has equaled."

The meeting in Sonneborn's penthouse, where it all began, would become something of a legend, often exaggerated, its details confused. Even Ben Gurion, that usually precise historian, in the few sketchy references he would make to the meeting would be confused about the date—giving it once as June, on another occasion as August.

The only mementos kept by Rudolf Sonneborn would be a letter of thanks from Ben Gurion and a photographic copy of a painting that he, in return, had commissioned as a commemorative gift to the Israeli leader.

The painting shows the living room of Sonneborn's penthouse apartment exactly as it appeared on that sweltering day, July 1, 1948, when Ben Gurion addressed his plea for help to nineteen Americans gathered there. The painting is done in fine detail; it shows the dark walls, the white paneling, the furniture and ornaments of the han-

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## THE PAINTING

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Sam Sloan received an order at Materials for Palestine:

Five flutes  
 Five piccolos  
 Six oboes  
 Three bassoons  
 Five E-flat clarinets  
 Fifteen B-flat clarinets  
 Fifteen cornets . . .

The list was headed "Instruments for Israel Defense Forces Military Band."

It was time to quit, decided Phil Alper, the underground's first recruit. He no longer thought of emigrating to Israel. He had married a pretty girl Ricky Hefterman, who had hidden Ekdahl's machine gun under her bed during the TNT crisis, and he wanted to go into business and "start making a living."

His Inland Machinery and Metals Company was absorbed by the Civil Supply Mission of the State of Israel which had taken offices at 150 West 57th Street, on the same floor but separated by a discreet partition from Materials for Palestine.

MFP changed its name to Materials for Israel and continued until 1955, but its function changed from supplying the armed forces to supplying the basic needs of immigrants pouring into the country at the rate of one thousand a day. It shipped over medical supplies, foodstuffs, clothing, shoes and trucks.

The military needs of the country were now handled by the Civil Supply Mission next door.

Teddy Kollek emerged from the chrysalis of secrecy which had surrounded his underground days with a title: Representative of the Ministry of Defense. He had cards and stationery printed and moved out of the Hotel Fourteen.

That small hostelry on East 60th Street, so "convenient to museums and shopping," as Ruby Barnett pointed out in his advertising brochures, reverted to the little old ladies, padding through the lobby to inquire about their pension checks, the buxom beauties of the Copacabana chorus line, and Ruby Barnett, worriedly studying his account books. "While everyone else is celebrating Israel," he muttered to Fannie, "I'm going out of business."

No longer needed, the American underground quietly disappeared—dismantled and dispersed as thoroughly as one of Slavin's machines in the Bronx warehouse.

Eastern Development Company shipped off its assembly line for bazooka production and some of the workmen it had trained, then closed its doors.

Danny Fliderblum liquidated his Radio Communications Engineering Company and emigrated, as he had always dreamed of doing, to Israel.

Schwimmer Aviation and Service Airways continued only on paper, among the records in Nahum Bernstein's law office, where taxes on the salaries of its overseas employees—there were no longer any in the United States—were paid until the last man had come home.

Land and Labor closed down its offices even before most of the hundreds of volunteers it had dispatched to Israel had returned.

The American Israeli Shipping Company, which Elie Schalit had helped to found during the dark days when other shippers balked at making the risky trip to Palestinian shores, continued to carry much of the cargo going overseas from America to the new state, competing with other commercial lines for that lucrative trade.

There were a few legal accounts to be settled before the underground could retreat into total obscurity. The FBI had been painstakingly compiling its dossiers; it was ready to take them to court.

In January 1949 Charlie Winters, who had led the flight of the three B-17s from Miami to Zatec, pleaded guilty in Miami to illegally exporting the planes and was sentenced to eighteen months in prison. Winters, a Protestant, would be the only member of the underground to go to prison. Swifty Schindler, the reluctant pilot of the fourth

# I AM MY BROTHER'S KEEPER



American Volunteers  
in Israel's War  
for Independence  
1947-1949

Jeffrey Weiss & Craig Weiss

*With a Foreword by  
Prime Minister of Israel Benjamin Netanyahu*

Schiffer Military History  
Atglen, PA

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*Dedications:*

*To my wife Leisha, for all of her love, support, and assistance,  
and to my children Danny, Abby and Tali. Together, they gave this meaning.*  
J.W.

*To my sweet Erica, whose enduring support and everlasting love  
made this book a reality.*  
C.W.

*To all members of the Weiss family, for their love, support and encouragement.*

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*See p. 252*

ael's first international sports event. Seated at center court was an American marine colonel and Aharon Remez, the commander of Israel's Air Force. In pre-game ceremonies, both teams lined up at center court and exchanged flags. There was an awkward silence during the ceremony. The American players didn't speak, afraid their accents might give away their true nationalities.

It wasn't much of a game. The marines were each, in that service's best tradition, big and strong. But they had no finesse for the game of basketball, which was reflected in the fatigue pants and boots each wore during the game. The Israeli squad quickly pulled ahead. But what the marines lacked in the finer skills of basketball, they made up by playing with intensity. They pushed and shoved the much smaller Israeli players. Still determined to keep their identities secret, the North Americans kept their mouths shut in the face of the marines' rough play.

But near the end of the game, which the Israeli team won 41 to 18, Silverman stood at center court when a huge Marine barreled into his back. Without thinking, Silverman whirled around and shouted, "You no good motherfucking son of a bitch!" Instantly, he realized his mistake. Silverman turned in time to see a bright red Aharon Remez and an open-mouthed marine colonel. After the game, all of the players attended a party. As soon as Silverman walked in, the entire marine team headed for him. "Only an American could swear like that!" one of them said. "I bet you was in the navy, too!" another one said of Silverman, who in fact had been in the U.S. Navy.

Within a few months of the game with the marines, Silverman left the Air Force and returned to California. Although he could not know it, he still had one more contribution to make.

American volunteers who returned to the States were relieved to discover there would be no repercussions as far as their citizenship was concerned from their efforts for Israel. Still, many of the returning soldiers were questioned by the authorities, and in some instances confronted with the possibility of their having served in Israel's army. The experience was sufficiently unnerving to those who encountered it that several changed their names, hoping to avoid any future legal problems.

By no means, though, did all of the Americans who contributed to Israel's victory escape legal entanglements. Hank Greenspun's and Al

Schwimmer's escapades had hardly passed unnoticed. Schwimmer and Greenspun were charged with violating the Export Control Law, the Neutrality Act, and the Executive Order against shipment of aircraft and engines to the Middle East. Five other men were indicted with them, including Service Airways veterans Leo Gardner and Sam Lewis.

Lee Silverman arrived back in California shortly before the trial was scheduled to open in Los Angeles. He read a newspaper report about the upcoming trial of the "smuggling ring" with great interest. Almost all of the men had been in Israel with him, and one of the defendants, Leo Gardner, was a close friend. Silverman went down to the courthouse for the first day of trial, anxious to lend moral support to Gardner and the others. Silverman arrived during jury selection. He caught Gardner's eye and waved. Gardner, glad to see his old friend, came over to chat.

The prosecution was clearly determined to empanel a non-Jewish jury. It struck every prospective juror with a Jewish-sounding last name or accent. For their part, the lawyers for the defense sought to exclude those they feared might have anti-semitic beliefs. One question to prospective jurors approached this directly: "Do any of you hold any ideas or theories that there should be any distinction drawn of any kind between persons of the Jewish faith, race or creed and persons of other faiths, in connection with the enforcement of the laws of this country?" As Silverman and Gardner spoke, Silverman noticed that a new prospective juror was being questioned, a man named Marshall Chlavin. Chlavin was dark-skinned with sharp features. Silverman stared at the potential juror, convinced he had seen him before. He racked his brain for a few moments, trying to place Chlavin's face. Finally, he remembered.

Two years earlier, in November of 1947, Silverman had taken a public speaking class at UCLA. The U.N. passed the partition resolution on November 29th of that year, and a short while later Silverman's public speaking professor asked the students to give impromptu speeches on the subject. A woman stood up and spoke out strongly against the idea of a Jewish state. As she spoke, Silverman began to formulate a response. But before he had the chance to speak, a male student who Silverman didn't know caught the professor's attention. To Silverman's delight, that student delivered a stirring pro-Zionist speech.

Standing in the courtroom two years later, Silverman was certain that Marshall Chlavin was the student who had spoken some two years earlier. He told Gardner to immediately call over one of the lawyers. Attorney Bill Strong hurried over from the defense table, and Silverman related the story. Although Silverman couldn't offer any additional information about the potential juror – he didn't even know if Chlavin was Jewish – everyone agreed that there was reason enough to believe the man might be sympathetic. The defense managed to keep him on the jury. The final roster of jurors, however, suggested that the prosecution had mostly succeeded in empaneling a non-Jewish jury. Other than Chlavin, the other names on the final list of twelve jurors were Sprang, Hanton, Howard, McGinley, Johnston, Scarborough, Carhart, Pearle, Ackerman, Irving, and Smock. The lead attorney for the defense, a former judge named Irving Pacht, was well aware that the jury was all or nearly-all non-Jewish, and tailored his arguments accordingly. In his closing statement, the Jewish lawyer declared: "You know, when I recently took a trip to Israel I visited the City of Nazareth, the birthplace of Jesus Christ, and it reminded me, and it reminds me now, of a rule of conduct He laid down which I have tried to follow in the course of my life, both as a lawyer and when I had the opportunity to serve in the judicial system. I tried to follow that rule. And that is, Do unto others as you would have others do unto you – the Golden Rule."

The trial lasted for more than three months. Intent on securing convictions, the prosecution even subpoenaed Nathan Liff, the elderly salvage yard owner who had befriended Greenspun. Herschel Champlin, one of the assistant U.S. attorneys prosecuting the case, examined him. An obviously uncomfortable Liff admitted giving the engines to Greenspun. "Mr. Greenspun approached me about some airplane engines which we bought from the War Assets, and he tried to buy it from me. And, after he told me for whom he is trying to buy these engines, I offered him the engines as a present," he testified. Liff was not happy to be in the courtroom, testifying against a man he admired. At one point during his testimony, he began to weep openly. Several of the jurors wept with him. Marshall Chlavin, however, showed no emotion. He stared in the direction of Greenspun and Schwimmer. Greenspun was troubled. "That's the guy who's going to hang us," he whispered to Schwimmer.

On February 2, 1950, after more than three months of trial, the case went to the jury. The deliberations took three days. Verdict in hand, the jurors returned to the courtroom. The defendants rose to hear the clerk of the court announce their fate. Four of the defendants, including Al Schwimmer and Leo Gardner, had been found guilty. Greenspun and the other two defendants had each been found not guilty. The verdict seemed to indicate some form of compromise on the part of the jurors.

After the clerk finished reading the verdicts of guilty and not guilty, he asked the judge whether he should read the rest of the form. "No, that is not part of the verdict," the judge instructed the clerk. Suddenly, Marshall Chlavin stood and addressed the judge. "I would like to have it read to the defendants, please." Irving Pacht, the lead defense attorney, now joined in, also asking for the rest of the verdict form to be read. The judge continued to resist. "As I indicated to the jury, punishment is not to be taken into consideration. This is a recommendation as to punishment. It is entirely my responsibility and has nothing to do with whether or not the jury has or has not found the defendants guilty or not guilty." Finally, though, he relented. The clerk read the rest of the form: "The jury unanimously recommends leniency on all guilty verdicts."

The judge ordered the clerk to poll the jury, asking each juror whether they agreed with the verdict. Chlavin acknowledged voting guilty, but insisted that the leniency plea was part of the decision. The judge was not moved. He ordered the judgment of guilty entered, disregarding the plea for leniency. He then dismissed the jury. Pacht was on his feet again: "Just a moment, before your Honor discharges the jury. I demand that you poll the jury again in light of Juror Chlavin's statement that that is not his verdict." After an extended argument, the judge agreed to a second polling. Again the clerk asked Chlavin whether he agreed with the verdict. "Not without leniency, sir – never," Chlavin announced. Concluding there was no unanimous verdict of guilty, the judge ordered the jury to resume deliberations.

The jurors were sequestered at a hotel near the courthouse. That first evening of the resumed deliberations, Chlavin was overwrought. His condition so worried the other jurors that just before midnight, the foreman sent a note to the judge: "We believe that Juror Chlavin is so emotionally upset that some official of the Court be designated to stay with him in his hotel room tonight."

The next day, the judge gave the jurors further instructions. He advised the jury that any recommendation of leniency would be "given most respectful consideration." A few hours later, the jury again returned verdicts of guilty against four of the defendants. Again, a plea for leniency was part of the verdict. Under that handwritten plea, all twelve jurors signed their names. Marshall Chlavin's signature was on the top of the list.

Chlavin's persistence paid off. The four men found guilty were each assessed \$10,000 fines, which were paid by unnamed friends of Israel, and no jail sentences. Chlavin, the defendants were amused to learn, was Jewish, and in fact had been the commander of a Jewish war veterans post. Silverman's arrival in the courtroom during jury selection had been fortuitous.

There was, however, no Lee Silverman or Marshall Chlavin to rescue Charles Winters. Winters was the non-Jewish Miami businessman who sold three B-17's to Al Schwimmer, and then helped Schwimmer get the planes out of the U.S. Those three B-17's later formed Israel's entire heavy bomber squadron. In January of 1949, a federal judge sentenced Winters to eighteen months in prison for illegally exporting the planes. In the end, he would be the only American to go to prison for helping Israel.

Of all of the returning volunteers, perhaps none faced a more difficult reception than Tiny Balkin. After Phil's death, the army gave Tiny a ticket back to the States, and he returned to his family in California. When he arrived, he was devastated to learn his entire family blamed him for his younger brother's death. They believed that Phil went to Israel because of Tiny. In their minds, if Tiny had remained in California, Phil also would have stayed. They did not keep their feelings secret. One day, while walking down the street, Tiny ran into an old family friend. They exchanged greetings, and then the friend asked Tiny bluntly, "Are you satisfied? You killed your own brother!"

Tiny had his own pangs of conscience even without his family's accusations. Tiny now believed he was wrong to let Phil go to a different unit. He berated himself for not taking Phil into the Fourth. Tiny's guilt was overwhelming, and it cast a dark shadow over him. He married and raised a family, but he could not forget. Sometimes, he found himself

flying into unexplained fits of rage. The decades passed, and still Tiny could not shake the burden of his brother's death.

Some forty years after the war, a seemingly minor incident helped Tiny finally overcome his feelings of responsibility. He attended a reunion of foreign veterans of the War of Independence. There, he found himself face to face with Mike Isaacson, the South African who drove the half-track that fateful day. The two men hugged, and began to cry. Tiny was shocked to learn that Isaacson too blamed himself for Phil's death. The South African believed his decision to go into battle even after the half-track had stalled cost Phil his life. Tiny comforted Isaacson, explaining that his brother's death wasn't anybody's fault. As he spoke to Isaacson, Tiny found himself for the first time understanding the injustice of blaming himself for what happened to his brother. The realization was long overdue. Finally, forty years after the war, Tiny was at peace with himself.

DAVID J. BERCUSON

# ★ THE ★ SECRET ARMY

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ry casualties. In the north, on June 10, the Syrians succeeded in securing the settlement of Mishmar Hayarden, their only success of war. In the south, the Egyptians had been pushed farther from Tel Aviv. However, they were able to consolidate their positions in the northern Negev, to cut off the Jewish settlements to the south, and to close the road from Majdal on the coast to Faluja several kilometres from the key Iraq Suweidan road junction.

At 2:10 a.m. on the last night before the ceasefire, an Israeli Dakota took off from Ekron. The air force had decided that an attack on an Arab capital on the very eve of the truce would deal a psychological blow to the enemy. Cyril Katz (who had flown a Bonanza from South Africa less than a month before) was at the controls. Leslie Chimes, who had brought in one of the three South African Fairchild's, was in the right seat. Smoky Simon was navigator and one of six bombchuckers. The Dakota climbed to 3050 metres and headed northeast towards Haifa. Lydda airport, sliding by on the left side of the aircraft, was faintly lit, and Haifa, away in the distance to the north, looked "like a Christmas tree", as Simon noted in his flight log. Damascus was also faintly lit and could be seen from seventy kilometres away. At 3:12, the bombchuckers got busy and began passing their deadly load to the navigator and shoving it out the door. There was no opposition from below. Katz kept the twin-engine transport droning over the Syrian capital for fifteen minutes. The plane made six passes, while Simon and the others dropped 2400 kilos of bombs and three boxes of incendiaries. At 3:27 Katz turned for Ekron. The Dakota landed, completely unopposed, at 4:35 a.m.<sup>50</sup>

That same night, in his tent in Abu Gosh to the west of Jerusalem, Gregory Marcus was having difficulty sleeping. The third attack against the village had failed within the last twenty-four hours and his troops were fighting off Arab Legion counterattacks in and around the village. The village, which had changed hands twice in several hours. Marcus was weary: during the day he had remarked to an aide that he felt a sense of foreboding, a conviction that he would not survive. At about ten o'clock, he went to bed, wrapped in a bedsheet against the chill of the night air. He left his tent for a walk. Out of the dark came a challenge from one of his own sentries and Marcus, who knew no Hebrew, failed to respond. He was shot dead.<sup>51</sup> Only hours later, the guns fell silent in the region for the first time since November 1947.

# 7

## "Dew from Heaven"

Miami airport was the civil aviation gateway for U.S. air traffic to the Caribbean and Central and South America; hundreds of planes from scheduled and non-scheduled airlines and cargo carriers took off and landed every day. On the airport's back lot, far removed from the terminal building, an odd collection of planes was usually parked. Customs officers and aviation officials were generally too busy to pay close attention to every plane and crew that used the airport; it was a good exit point for those like Schwimmer and his associates who needed to slip planes or cargoes out of the country without too much difficulty.

On June 12, 1948, less than twenty-four hours after the ceasefire had gone into effect in the Middle East, three weatherbeaten B-17s, former heavy bombers with the United States Army Air Force, taxied out from a remote corner of the airfield, stood at the edge of the main runway while crews ran up engines, and commenced their takeoff roll. As they climbed away from the airport they turned southeast, bound for San Juan, Puerto Rico. The planes were part of a contingent of four owned by the Irwin L. Johnson Company, a dummy corporation established by Al Schwimmer and Teddy Kollek.<sup>1</sup> The planes had been purchased around the country—one in California, one in Oklahoma, and two from Charles Winters, a Miami businessman. The two Miami planes were already in use hauling produce between Miami and San Juan while the other two badly needed repairs and overhauls. It had been decided, for the sake of maintaining secrecy, that the planes would not be brought together until shortly before their departure. While the planes were being readied to leave the United States, crews were collected to fly them.

Schwimmer, working with Winters, chose Miami as the U.S. point of departure for the B-17s because there was constant movement of planes in and out of the airport.<sup>2</sup> He and Winters planned to fly the planes to San Juan with skeleton crews and there to take aboard "cargo handlers"—air crew recruits funnelled through New York—for the flight to Zatec, Czechoslovakia. These recruits were kept moving until the B-17s were ready to leave Puerto Rico; one small group was flown to Mexico City, Havana, and Miami before arriving at San Juan.<sup>3</sup> One volunteer wrote home that Mexico City boasted "some of the most cultured prostitutes" he had ever met.

On June 12, 1948, three of the B-17s left for San Juan. Winters, who was aboard one of the bombers, had deposited money with a fuel company to pay in advance for aviation gas along the route. Puerto Rico was within the territorial jurisdiction of the United States and the B-17s did not require any special government clearance or an export licence to fly there from Miami. At San Juan the "cargo handlers"—about ten to each plane—climbed aboard. A flight plan showing that the three aircraft were about to make an aerial survey of the Azores was filed. Since this appeared to mean that the planes were only leaving U.S. jurisdiction for a short stay abroad, they were granted takeoff clearance. As one State Department official laconically commented: "Due diligence on the part of customs officials at San Juan was lacking..."<sup>4</sup>

For two of the planes the flight to the Azores was both long and uneventful, but in the bomber flown by former Lieutenant Colonel James B. Beane everything seemed to go wrong from the start. Shortly after takeoff Beane's plane developed engine trouble and he was forced to return to Puerto Rico for repairs. Beane apparently forgot to notify the Azores of the delay, because he was later—after the first two bombers had landed—reported missing. He himself was not in very good condition to fly because of a prolonged drinking bout in San Juan the night before departure, so his co-pilot, David Goldberg, flew for several hours while Beane slept off the night's revelries in the rear of the plane.

The navigation equipment aboard all three bombers was inadequate—the radio compasses had a receiving range of only 320 kilometres or so—and the navigators were forced to shoot the sun by standing out in the slipstream while fellow crew members hung on to them. Most of the Plexiglas domes and turrets had long since been removed

from the planes, and the holes in the fuselage had been covered with plywood. This caused one of the most hair-raising episodes of Beane's flight. The navigator, Eli Cohen, crashed through a piece of plywood on the floor of his bomber and fell halfway into space. He found himself with his legs dangling 3000 metres over the ocean being slowly sucked out by the slipstream. By this time Beane was back at the controls. Goldberg, who was resting in the rear, heard the shouts and ran up to the cockpit to tell Beane to slow down, while several crew members tried to pull Cohen inside. Cohen was soon pulled back in but he was in no condition to do any navigating for the remainder of the flight.<sup>5</sup>

The three bombers arrived at Santa Maria, Azores, late at night on June 13, refuelled, and then took off and headed for Zatec, flying non-stop across Spain, France, and Germany. After landing in Czechoslovakia, a telephone call was put through to a Haganah representative in Geneva who relayed news to Ajaccio, Corsica, of the planes' and crews' arrival. There, by arrangement with Agronsky, an announcement was made that three bombers had arrived in Ajaccio from the Azores. For several days the ruse worked and the State Department was convinced that the bombers were in Corsica.<sup>6</sup>

The three planes were kept at Zatec for several weeks. There they were overhauled and refitted with bomb racks and rudimentary bombsights. Meanwhile crews already in Israel, most of whom were flying with Air Transport Command, were picked to bring the planes in from Zatec. Three days after the arrival of the B-17s in Zatec, the American press carried stories of the mysterious bombers smuggled out of the country for the Jewish forces in Palestine. When a C-46 made a forced landing at an Italian air force base at Treviso on June 23, it became clear that the smuggling was going on on a regular basis. The plane, carrying a crew of six, five cases of machine guns, and thirty-five cases of ammunition, had developed engine trouble over the Alps. The pilot's documents alleged that the weapons were bound for Nicaragua via Corsica and Casablanca. The papers, which were signed by Anastasio Somoza, Nicaraguan Minister of War, authorized Dr. José Y. Irazi (Yehuda Arazi) to act as Nicaraguan agent in the purchase of machinery, planes, trucks, ships, arms, and ammunition to the value of 5 million dollars.<sup>7</sup> The document with Somoza's signature had been obtained with a huge bribe brought to the Central American republic over several months in early 1948 by a distant relative of Al Schwimmer

acting for the Haganah in New York.<sup>8</sup>

The cover story did not work; the Italians arrested plane, crew, and cargo. They reported the incident to the U.S. government, which made arrangements to have the passports of the crew members picked up and validated only for return to the United States.<sup>9</sup> For several weeks the crew were kept in custody on the base while their fate hung in the balance. The pilot decided he had had enough and returned to the United States, but the others stayed put and, before they could be reached by the long arm of the State Department, Agronsky swung into action. He sent Danny Rosin, who had arrived in Rome from South Africa several weeks before, to Treviso with "a wad of money" and instructions "to see what could be done with regard to springing the boys from jail". It took all of Rosin's persuasive powers, plus the small fortune he had brought with him, to get the crew members released and to persuade the base commander to turn the C-46 over to them. The Italians kept the cargo, but Rosin and the others were allowed to leave. Rosin had never flown a C-46 before, so he manned the co-pilot's seat while the original co-pilot, Julian Sween, piloted the plane.<sup>10</sup> Despite their lack of experience with the C-46, the two managed to reach Zatec, where the aircraft was put back into operation on the Balak flights.

## I

When the U.N.-imposed truce began on June 11, Arabs and Israelis were supposed to honour an embargo on the import of weapons and other military supplies and were not supposed to augment their fighting forces. However, the unstable situation on the ceasefire lines and Israel's precarious position made it virtually certain that a new round of battle would begin sooner or later. In the north, the Lebanese Army still held an area around Malkiya in the upper Galilee, which placed them a mere five kilometres from the shore of the shallow Lake Hula and less than ten kilometres from Syrian positions around the fallen Jewish settlement of Mishmar Hayarden. A push to the shore of the lake or a link-up with the Syrians would totally isolate Jewish settlements to the north. The Syrians at Mishmar Hayarden were perhaps two kilometres from the main Metulla-Tiberias road and less than ten kilometres from Safed. The Iraqi Army, which had invaded across Samaria, had been halted about ten kilometres from the sea to the north of Tel Aviv.

The most serious situation facing the new State of Israel was in the Jerusalem sector: the Jewish quarter of the ancient city had surrendered; the Etzion Bloc of settlements to the south of Jerusalem had fallen; the Transjordan Arab Legion still held Jewish Jerusalem in a partial siege. Under the terms of the truce, the Red Cross and the United Nations supervised food and medical-supply convoys on the main Jerusalem-Tel Aviv highway, but the Israelis refused to allow them to inspect traffic over the Burma Road. In the south, the Egyptian advance on Tel Aviv had been stopped, more by the lack of Egyptian will than by any feat of Jewish arms. The Egyptians, however, held the northern Negev tightly, cutting off Jewish settlements to the south and linking up with Jordanian forces south of Jerusalem. The Egyptian troop concentration along the coast still pointed, like a finger of destruction, straight at Tel Aviv.

In battle after battle—at Latrun, in the Etzion Bloc, at Mishmar Hayarden—a combination of green troops, untried leadership, and poor equipment had meant defeat for the Israeli forces. Some mistakes of command had been horrific in their consequences. In the first attack on Latrun, for example, untried immigrants, some of them straight from the refugee ships, had been thrust forward in a searing heat wave to assault the thick walls of the police post defended by the Arab Legion. The attack should have started at midnight but was delayed while all attack elements moved into position. The assault should have been called off, but instead Israeli troops were sent forward in broad daylight to be slaughtered under the hot sun.

The sloppiness and leadership failures of the Israeli forces were, however, surpassed by those of the Arabs, who, for the most part, demonstrated a lack of will and conviction. With the exception of the Arab Legion, which fought well and achieved most of its objectives, the Arab forces proved themselves almost completely incompetent on every front. This gave Israel its one real victory, a triumph that counted above all the failures—it had survived.

The truce that began on June 11 gave Arabs and Jews an opportunity to reorganize and reassess the performance of their forces in the first round of fighting. The Israelis were well aware that they were still at a material disadvantage: their lack of armour had proved costly at Latrun; the scarcity of artillery had put them at a serious disadvantage in the fighting southwest of Tel Aviv; their initial lack of anti-aircraft defences had exposed their cities and towns to Arab bombers. Where-

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Petitioner Name <b>WINTERS, CHARLES T.</b>		Case Number - -	Origin of Correspondence <b>Outgoing</b>	
Type of Correspondence <b>Other Correspondence</b>		Exec. Sec. #	Campaign Total	OLA Approval
		Correspondence Topic <b>Adv of granted of full and unconditional pardon on 1/01/09</b>		
Response Date		Response Topic <b>No resp</b>		
Date Sent <b>01/22/09</b>	Received Date	Suspense Date	Complete Date <b>01/22/09</b>	
Outgoing To <b>HASCHKE, GINA A., ESQ.</b>		Address <b>WilmerHale 1875 Pennsylvania Ave., N.W. Washington,, DC 20006</b>		
Response From <b>SAME</b>		Address		
Comment <b>by Pres G. W. Bush; fwd warrant</b>				



CHARLES T. WINTERS

BORN FEBRUARY 10, 1913

DIED OCTOBER 30, 1984

HUSBAND, FATHER, AND LOYAL FRIEND

HE AT PERSONAL RISK SUPPORTED

ISRAEL

IN HER HOUR OF NEED

A VERY SPECIAL HUMAN BEING

MAY HE REST IN ETERNAL PEACE